CALL TO ORDER & ROLL CALL
Announce the presence of a Quorum.

PLEDGE OF ALLEGIANCE

CONFLICT OF INTEREST
At the opening of each Planning & Zoning meeting, the chairman shall ask if any member of the commission, the Community Services Director, or any member of the city staff has any known conflict of interest with any item on the agenda.

APPROVAL OF AGENDA

PUBLIC COMMENT
Residents must sign up with the City Clerk to address the commission. Comments are limited to 3 Minutes, and there will be a maximum of 30 Minutes allowed for Public Comment.

CONSENT AGENDA
All matters listed under the Consent Agenda are considered to be routine by the commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. Approval of 02/28/19 Planning and Zoning Meeting Minutes

ITEMS REMOVED FROM CONSENT AGENDA

NEW BUSINESS / RESOLUTIONS

2. PrePlat-19-01 Approval of Preliminary Plat for Sanctuary at Cristo Rey located at North End of S. Country Club Rd. (Santa Del Sol Subdivision)

3. SUP-19-01 Approval of Special Use Permit for Parking Trailers and 18 Wheelers Truck Business on parcel located at 1209 Futurity Dr.

4. ZO-19-01 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd
5. ZO-19-02 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd. (Parcel # R1901078)

6. ZO-19-03 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd. (Parcel # R1604948, R1604949 & 2.57 Acres section)

REMARKS AND INQUIRIES BY THE COMMISSION

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT REPORT

7. New Mexico League of Zoning Officials Conference May 1st to May 3rd Albuquerque, NM.

8. Reminder of dates for upcoming work sessions to review draft subdivision ordinance.

ADJOURNMENT

PLEASE NOTE: If you are an individual with a disability who is in need of a reader, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Office of the City Clerk at (575) 589-7565 at least one week prior to the meeting.


Estephania Cazale
City Planner,
Community & Economic Development Department
AGENDA ITEM NO. 1
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 03/14/2019

Submitted By:
Michael Limon, Deputy City Clerk

Subject:
Approval of 02/28/19 Planning and Zoning Meeting Minutes

Background:

Recommendation: Approve

DRT Comments: N/A
CALL TO ORDER & ROLL CALL
Announce the presence of a Quorum.

Commissioner Cesar A. Irigoyen Called the meeting to order at 5:45 PM

Present: Commissioner Cesar A. Irigoyen, Commissioner Jesus Soto, Commissioner Kevin Huckabee (arrived at 5:47PM)
Absent: Chairman Robert Ardovino, Commissioner Bill Jimenez, Jamie Castro City Planner

Staff Present: Louise Marquez Community & Economic Development Director, Estephania Cazale City Planner, Michael A. Limon Deputy City Clerk.

PLEDGE OF ALLEGIANCE
Commissioner Cesar A. Irigoyen

CONFLICT OF INTEREST
At the opening of each Planning & Zoning meeting, the chairman shall ask if any member of the commission, the Community Services Director, or any member of the city staff has any known conflict of interest with any item on the agenda.
None.

APPROVAL OF AGENDA
Agenda amended to hear Item #2 first. Commissioner Jesus Soto moved to approve the agenda as amended. Seconded by Kevin Huckabee
All those in favor said "aye." Motion passed unanimously.

**Vote:** Motion *(summary: Yes 3, No 0, Abstained 0)*

**AYE:** Commissioner Cesar A. Irigoyen, Commissioner Jesus Soto, Commissioner Kevin Huckabee

**NAY:**

**ABSENT:** Chairman Robert Ardovino, Commissioner Bill Jimenez

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**PRESENTATION**

None

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**PUBLIC COMMENT**

Residents must sign up with the City Clerk to address the commission. Comments are limited to 3 Minutes, and there will be a maximum of 30 Minutes allowed for Public Comment.

None.

**New Business/Resolutions**

1. **Review of First Draft of the New City of Sunland Park Subdivision Ordinance**

   *Item for discussion only.*

   **Discussion**

   Phyllis Taylor (Consultant- Sites Southwest)

   A general presentation was given to the commission in regards how the Subdivision Ordinance would be updated.

   - General provisions/Administration & Enforcement/Design Standards/Platting Requirements/Improvements/Variances

     Louise Marquez (Community & Economic Development Director)

   - Timeline for approval of Subdivision Ordinance would be 1) March 5th First Reading, 2) P&Z joint Work Session with City Council March 12th and March 26th, 3) Stakeholders meeting March 13th, 4) Approval April 2nd.

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**CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine by the commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Commissioner Kevin Huckabee made a motion to APPROVE the agenda. **Seconded by** Jesus Soto

Minutes were approved as presented

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2. **Approval of 01/24/19 Planning and Zoning Meeting Minutes**

   All those in favor said "aye." Motion passed unanimously.

   **Vote:** Motion *(summary: Yes 3, No 0, Abstained 0)*

   **AYE:** Commissioner Cesar A. Irigoyen, Commissioner Jesus Soto, Commissioner Kevin Huckabee
ITEMS REMOVED FROM CONSENT AGENDA
None.

ORDINANCES
None.

REMARKS AND INQUIRIES BY THE COMMISSION

3. New Mexico League of Zoning Officials Conference May 1st to May 3rd
   Albuquerque, NM.
   • Community and Economic Development Director Louise Marquez highly recommends commission to attend the conference.
   • This event will provide networking opportunities for the commission.
   • There will be separate role-specific trainings for Commissioners and staff members.
   A separate discussion was brought up involving the emails of Commissioner Jesus Soto and Commissioner Kevin Huckabee.
   • City Planner Estephania Cazale will work with the commissioners to set up their email accounts.

COMMUNITY SERVICE’S REPORT
Community and Economic Development Director Louise Marquez provided an update on Racetrack Drive
   • Project on Racetrack abandoned due to several issues.
   • Road is anticipated to reopen soon.

ADJOURNMENT
Commissioner Jesus Soto made a motion to adjourn. Seconded by Commissioner Kevin Huckabee Time: 7:00 PM

All those in favor said "aye." Motion passed unanimously.
Vote: Motion (summary: Yes 3, No 0, Abstained 0)
AYE: Commissioner Cesar A. Irigoyen, Commissioner Jesus Soto, Commissioner Kevin Huckabee
NAY:
ABSENT: Chairman Robert Ardovino, Commissioner Bill Jimenez

Michael A. Limon Deputy City Clerk
Commissioner Cesar Irigoyen
AGENDA ITEM NO. 2
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:

PrePlat-19-01 Approval of Preliminary Plat for Sanctuary at Cristo Rey located at North End of S. Country Club Rd. (Santa Del Sol Subdivision)

Background:

Recommendation: Approve

DRT Comments: N/A
DEVELOPMENT APPLICATION FORM

The completeness of this application, which includes accompanying plans, shall be subject to the review of the Planning Department and Development Review Committee. This application is used for a variety of application processes and not all items may apply to your project. If you feel a requirement is not applicable to your project, write "N/A." If you have any questions while completing this application, please ask a member of the Planning Department for assistance. Incomplete applications will not be accepted (or the process may be delayed.) (PLEASE PRINT OR TYPE)

CHECK APPLICATION TYPE(S) REQUESTED:

- Conditional Use Permit/SUP ($250)
- Varance ($200)
- Change of Zone ($350)  - Annexion ($300)
- Summary Subdivision ($100+$25.00 per lot)  - Final Plat Subdivision ($200+$25.00 per lot)
- Preliminary Subdivision Review ($100)  - Master Plan Amendment ($350)
- Appeal (75% of original application fee)

PROJECT SUMMARY:

Project/Business Name (if any): Socorro Partner I, LP

Project Description: project will consist of developing 57 single-family residential units with one landscaped common open space. The development will consist of 12 acres and will be gated at both access points. The streets will be privately maintained.

Property Address/Location:

Assessor's Parcel Number(s): 4016167527313

Existing Master Plan Designation: School Use

Existing Zoning Designation: R-Z

Proposed Master Plan Designation (if applicable): Proposed Zoning Designation (if applicable):

Existing Uses and/or Structures on Site:

Surrounding Uses: North: Single Family Residential Development  South: Single Family Residential Development

East: Single Family Residential Development  West: Single Family Residential Development

ITEM | PROPOSED | REQUIRED
--- | --- | ---
Total Site Acres Gross: | 12.69 | |
Adjusted Net Acreage: (Excluding streets, public rights-of-ways, and major utility easements) | 10.07 | |
Minimum Lot Size | 5,180 sq.ft. | |
Total Building Square Feet: | N/A | |
Residential Dwelling Units Per Acre: Gross: | 4.49 | |
Net: | 5.66 | |
Setbacks: Front: | 20 ft | |
Side (interior): | 5 ft | |
Side (street side): | 20 ft | |
Rear: | 15 ft | |
Maximum Building Height: | N/A | |
% On-Site Landscaping: | N/A | |
Total No. of Parking Stalls: Standard: | N/A | |
Handicapped: | N/A | |

Date/Time Received: | Feb 4, 2019 | |
Received By: | Jaime Castro | |
Amount Received: | $100.00 | |
Receipt No(s): | | |
## Case Report
### PrePlat-19-01

### Project Representatives

**Applicant/Representative**
- **Name:** CEA Group
- **Telephone No.:** 915-544-5232
- **Address:** 4712 Woodrow Bean, Suite F
- **City:** El Paso
- **State:** Texas
- **Zip Code:** 79924
- **Contact Person:** Jorge L. Anevarate
- **E-mail Address:** jlanevarate@ceagroup.net

I certify under penalty of perjury that all the application information is true and correct.

**Applicant’s Signature:**

**Note:** The application fee is non-refundable regardless of the outcome of the application.

### Property Owner/Agent
- **Name:** Socorro Partners I, LP
- **Telephone No.:** 915-276-3111
- **Address:** 2244 Trwood Drive, Suite 100
- **City:** El Paso
- **State:** Texas
- **Zip Code:** 79935
- **Contact Person:** Bill Hagan
- **E-mail Address:**

I, Bill Hagan, am the owner of the property described in this application and hereby authorize CEA Group (Jorge Anevarate) to act on my behalf on matters pertaining to this application.

**Property Owner’s Signature:**

**Note:** If more than one owner, a separate page must be attached listing the names and addresses of all persons (in a corporation, list officers, and principals) having interest in the property ownership.

### Architect
- **Name:** N/A
- **Telephone No.:**
- **Fax No.:**
- **Address:**
- **City:**
- **State:**
- **Zip Code:**
- **Contact Person:**
- **E-mail Address:**

### Engineer
- **Name:** CEA Group
- **Telephone No.:** 915-544-5232
- **Fax No.:** 915-544-5233
- **Address:** 4712 Woodrow Bean, Suite F
- **City:** El Paso
- **State:** Texas
- **Zip Code:** 79924
- **Contact Person:** Jorge Anevarate
- **E-mail Address:** jlanevarate@ceagroup.net

### Submittal Requirements

The Submittal Requirements provide the basic information necessary for review by the Development Services Committee (staff review by City Departments) and agency (utility and other regulating agencies) review. The Committee review is a technical review addressing a variety of standards associated with building, engineering, fire, planning, police, and traffic. The Committee may determine that additional information and/or special studies are required before further processing can take place. Additional fees may be required for review of special studies.

### Required
- 1 Completed and signed Development Application Form
- 1 Copy of Fee Receipt
- 1 Copy of Preliminary Title Report (shall include recorded easements)
- 1 Set of photos of site and adjoining properties with location and direction of the photos indicated (use site plan below as base).
- 10 Sets of the following plans, collated, stapled, folded to a size between 8 ½" x 11".
Case Report

Case No. PrePlat-19-01

**Subject Property:** Sanctuary at Cristo Rey  
**Zoning:** R1 (min. lot size 6,000 sq. ft.)

**Subdivision:** Santa Del Sol-Phase 1  
**Legal Description:** R1719381

**Applicants/Prospective Purchasers:** Jorge Azcarate (CEA Engineers)

**Current Property Owner:** Bill Hagan

**Planning Commission Hearing Date:** March 14th, 2019

**Applicable Sections of City’s Code:**

- § Title 10 – Chapter 5. Residential Districts (5C-1)
- § Title 10 – Chapter 15. Development Standards & Exceptions
- § Title 11 – Subdivisions Regulations – Chapter 4 Design Standards
- § Title 11 – Subdivisions Regulations – Chapter 6 Platting Requirements
- § Title 11 – Chapter 6-1 Preliminary Plat

I. Site Data

**Previous Use:** Vacant  
**Lot Size:** 539,708.4 ft² (~12.69 acres)

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R1</td>
<td>Single Family Residential District</td>
</tr>
<tr>
<td>East</td>
<td>R2</td>
<td>Single-Family Residential Medium Density</td>
</tr>
<tr>
<td>South</td>
<td>RCPUD</td>
<td>Residential Commercial Planned Unit Development</td>
</tr>
<tr>
<td>West</td>
<td>RCPUD</td>
<td>Residential Commercial Planned Unit Development</td>
</tr>
</tbody>
</table>

Site Location (Map):
II. REQUEST
The applicant is seeking PRELIMINARY PLAT approval for Sanctuary at Cristo Rey

III. ANALYSIS
The requirements for Preliminary Plat are as follows:

CHAPTER 4 - DESIGN STANDARDS

11-4-1: STREETS AND ALLEYS:
A. Minimum Requirements for Streets and Alleys:
1. Conformity to Thoroughfare Plan: The location and width of all streets shall conform to the latest Comprehensive Plan and to the provisions herein.
2. Street Right-Of-Way Widths: The minimum street right-of-way width shall be shown on the Thoroughfare Plan Map or, if not shown on such Plan, shall be not less than fifty feet (50') wide.
B. Additional Width of Existing or Planned Streets: Subdivisions that adjoin existing or planned streets shall dedicate the right of way as necessary to meet the minimum street width requirements set forth in this Section as follows:
   1. Both Sides of Street: The entire additional right of way shall be provided where the subdivision is on both sides of the street. (Ord. 1984-09, 6-5-1984)
   2. One Side of Street; Land Dedication: When the subdivision is located on only one side of an existing or planned street, as shown on the Thoroughfare Plan, the subdivider shall secure from the adjacent property owner dedication of land necessary to provide the entire street right of way to the City. In lieu thereof, the subdivider shall reimburse the City its cost of purchase or condemnation of the additional street right of way from the adjacent landowner which shall include all costs and attorney fees therefor. Prior to final plat approval, the subdivider shall make an adequate cash deposit or other satisfactory arrangement with the City to cover such costs. Such satisfactory arrangement may include return of the cash deposit or release of any security in the event the adjacent landowner should donate such right of way. (Ord. 1984-10, 7-17-1984)
C. Restriction of Access: When a subdivision or portion thereof adjoins a major thoroughfare, no single-family residential lot shall have direct access thereto. Said lots shall be provided with frontage on a marginal access street or street other than a thoroughfare with adequate depth for screen planting of the portion of any such lot contiguous with said major thoroughfares. (Ord. 1984-09, 6-5-1984)
D. Street Grades: Grades on a major thoroughfare shall not exceed five percent (5%). Grades on other streets shall not exceed ten percent (10%). Minimum grades on all streets shall be 0.30 percent. (Ord. 1984-09, 6-5-1984; amd. Ord. 1984-10, 7-17-1984)
E. Street Curves:
   1. Horizontal Curves: Where a deflection angle of more than ten degrees (10°) in the alignment of a street occurs, a curve of reasonably long radius shall be introduced, as follows: on streets sixty feet (60') or more in width, the center line radius of curvature shall be not less than three hundred feet (300'); on other streets not less than one hundred feet (100'). (Ord. 1984-09, 6-5-1984)
   2. Vertical Curves: Design standards for changes in grade shall be determined by the more stringent of the following standards:
      a. All changes in grade shall be connected by vertical curves of minimum length in feet equal to fifteen (15) times the algebraic difference in rates of grade for major thoroughfares and one-half (1/2) this minimum length for other streets.
      b. The minimum length of a vertical curve in a street shall be determined by the larger of two (2) values, one being fifteen (15) times the algebraic difference in the rates of grade for major thoroughfares and one-half (1/2) this minimum length for other streets as set out in subsection E2a above, the other being three (3) times the design speed of the street in question. Profiles of all streets showing natural and finished grades drawn to a scale
of not less than one-inch equals one hundred feet (1" = 100') horizontal, and one inch equals twenty feet (1" = 20') vertical, shall be required of the subdivider.

F. Intersections: Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than seventy-five degrees (75°). Four (4) way intersections shall be discouraged in residential areas.

G. Street Jogs: Street jogs with center line offsets of less than three hundred feet (300') shall not be allowed, whether between two (2) proposed streets or between an existing and a proposed street. (Ord. 1984-10, 7-17-1984)

H. Dead-End Streets:
1. Minor residential streets that are also dead-end streets shall be no more than five hundred feet (500') long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty feet (80') and a street right-of-way diameter of one hundred feet (100').
2. Where it is necessary to provide for street access to adjoining property not yet subdivided, proposed streets shall be extended by dedication to the boundary of such unsubdivided property. Such temporary dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least eighty feet (80').

I. Private Streets and Reserve Strips: Every subdivided lot shall be served from a publicly dedicated street. There shall be no reserve strip controlling access to streets, except where the control of such strip is definitely placed with the City under conditions approved by the Governing Body.

J. Street Names: A proposed street which is in alignment with and joins an existing and named street shall bear the name of the existing street. In no case shall the proposed name of a street duplicate the name of an existing street within the area covered by this Title. The use of a suffix "street", "avenue", "boulevard", "drive", "place", "court" or similar description shall not be a distinction sufficient to constitute compliance with this Title. In general, northwest trending right of way shall be called "street", while northeast trending ones shall be called "trail". Dead-end rights of way shall be called "court".

K. Alleys:
1. Alleys twenty feet (20') wide shall be provided to the rear or side of all lots to be used for commercial or industrial uses.
2. Alleys may be required by the Commission in apartment or multi-family subdivisions.
3. Dead-end alleys shall not be allowed; "L" shaped alleys shall be beveled twenty-five feet (25') at the inside of the "L". (Ord. 1984-09, 6-5-1984)

11-4-2: SIZE OF BLOCKS:
A. Block length shall not be less than four hundred feet (400') nor more than one thousand two hundred feet (1,200') measured along the greatest dimension of the enclosed block.
B. In blocks over eight hundred feet (800') in length, the Commission may require one or more public crosswalks or right of way not less than ten feet (10') in width to extend entirely across the block and at locations deemed necessary at intervals not closer than four hundred feet (400').
C. Block width shall be sufficient to allow two (2) tiers of lots of a minimum depth of one hundred feet (100') for each tier. (Ord. 1984-09, 6-5-1984)

11-4-3: ARRANGEMENT OF LOTS:
A. Side lot lines shall be at right angles to straight street lines or radial to curved street lines.
B. Each lot must front upon a public street not less than fifty feet (50') in width.
C. Lot dimensions shall conform to the requirements of the Official Zoning Ordinance; provided, that the depth of a lot shall not exceed three (3) times the width.
D. Corner lots for residential use shall have extra width to permit appropriate building setback from both streets.
E. Lots with double frontage shall be avoided except where necessary when single-family residential development abuts arterial streets. (Ord. 1984-09, 6-5-1984)
11-4-4: PUBLIC USE AND SERVICE AREAS:
Due design consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Specific consideration shall be given to corners, islands or other special locations designed for school bus loading purposes. (Ord. 1984-09, 6-5-1984)

11-4-5: OPEN SPACE RECREATIONAL AREAS:
A. Land Dedication: Where proposed adequate open space for recreation is shown on the Comprehensive Plan and it is located in whole or in part in the proposed subdivision, as a condition of final plat approval, the subdivider shall dedicate such land or part thereof to the City without charge for recreational purposes. Fee vests in the City if within the City and in the County if outside the City.
B. Fee In Lieu Of Land: In the alternative, the subdivider may propose and the Commission may negotiate payment of a fee to be held in trust by the City for use in maintaining or improving recreational facilities to be used for the benefit of residents of the proposed subdivision and for no other purpose. In lieu of such fee, Commission approved improvements by the subdivider to existing or proposed recreational areas serving residents of the proposed subdivision and the areas in the City may be negotiated by the Commission and the subdivider. In the event a reasonable compromise is not agreed to by the Commission and the subdivider, the Commission shall require as a condition of final approval that such land be reserved and not developed for a period of five (5) years from the date of final approval by the Governing Body so that within that time, the City, the County or other public agency may acquire said land for park purposes in the manner provided by law. If not then so acquired, or a petition for condemnation filed whichever is later, the restriction shall expire. (Ord. 1984-09, 6-5-1984)

11-4-6: EASEMENTS FOR UTILITIES:
A. Except where alleys are provided for the purpose, utility easements not less than ten feet (10') in width shall be provided along rear or side lot lines where necessary for use in erecting, constructing and maintaining poles, wires, conduits, storm sewers, sanitary sewers, surface drainage, gas mains, water mains, electrical lines and other public utilities reasonably required for an urban structure. Utility companies are to be contacted by the City Clerk-Treasurer to determine easement width needed.
B. Whenever practical, all utilities shall be placed underground.
C. No building shall be erected on said easement.
D. All final plats should be accompanied with evidence that all utilities concur, and that easements indicated on the plat are suitable for servicing the area. (Ord. 1984-09, 6-5-1984)

11-4-7: DRAINAGE COURSES:
A. Routing of Storm Water: Where storm water from adjacent areas naturally passes through a subdivision, adequate provision shall be included in the facilities to route the storm water through the subdivision to its natural outlet, including necessary easements and provision for lining and checking the rain way, if open, for the installation, or provision for the installation, of storm sewer conduit.
B. Report By Civil Engineer; Required Conditions: A report by a civil engineer, registered in New Mexico, must accompany the preliminary plat of a subdivision giving the quantity, velocity and depth of flow in all drainage courses at points of entering and leaving the subdivision and at key points within the subdivision for flows anticipated, after development of the area, from floods with an average recurrence interval of ten (10) years and twenty five (25) years. The effect of such flows at these points on hydraulic structures, streets, street intersections, and private structures should be presented in the report. Any open channel must be structurally lined with adequate checks to prevent excessive velocities. The design requirements for storm sewer, flood control easements and channels, and for hydraulic structures will be provided by the Governing Body, which must approve plans and specifications for these structures. Right-of-way easements for all open channels shall be dedicated to the City. (Ord. 1984-09, 6-5-1984)
CHAPTER 6- PLATTING REQUIREMENTS

11-6-1: PRELIMINARY PLAT:

A. Submission for Review:

1. Filing Copies; Payment of Fees: Following review of a location map and sketch plan, said location map or sketch plan being optional with the subdivider, any subdivider proposing to subdivide the land described in said location map or portion thereof shall file in the office of the City Clerk-Treasurer twelve (12) prints of a preliminary plat and pay the required processing fees for said subdivision. Said preliminary plat shall be filed at least fifteen (15) days prior to the regularly scheduled meeting of the Commission. The Clerk-Treasurer shall deliver one print to the Mayor, one for engineering review, one to each utility affected and shall retain the remaining prints on file for transmittal to the Commission. In the case of subdivision outside the City limits, the subdivider shall transmit the required number of copies of the preliminary plat to the Dona Ana County Administrator. In the case of a subdivision outside the City limits planning the use of a private utility system, the Clerk-Treasurer shall notify the Public Service Commission, State Engineer, the SCS, and the State Environmental Improvement Division of the plans and request that a representative review the plat. (Ord. 1984-09, 6-5-1984)

2. Subdividing In Phases: If the subdivider of a proposed subdivision owns, is in control of, or has option to purchase land adjacent, contiguous or in the area of the land proposed to be subdivided and the subdivider contemplates development or subdivision of such other land in the future, along with the preliminary plat, the subdivider shall submit a proposed master plan showing the development and subdivision of the entire tract of land under his ownership or control. Said master plan shall show the layout of each individual proposed subdivision unit if the subdivider contemplates subdivision in phases. (Ord. 1984-10, 7-17-1984)

B. Preliminary Plat Requirements: The preliminary plat shall show at least the following:

1. The location of all present property lines, Municipal boundaries, section lines, streets, buildings, watercourses, and other existing features within the area to be subdivided and similar information (except buildings and property lines) regarding land immediately adjacent thereto.

2. The proposed location and width of all proposed streets, alleys, front setback lines, utility easements, and areas to be reserved for public use.

3. Existing utilities, drainage courses and culverts, within the tract or on streets immediately abutting thereto; the location and size of the nearest water mains and sewer lines.

4. The title under which the proposed subdivision is to be recorded and the name of the land planner, engineer, the registered land surveyor and the subdivider and owner of the tract, with the address to which any notice is to be sent.

5. The layout, numbers and approximate dimensions of proposed lot.

6. The zoning classification and proposed use for the area being platted.

7. Proposed names for all streets in the area being platted.
8. Written and signed statements explaining how and when the subdivider proposes to provide and install all required sewer or other disposal of sanitary wastes, pavement, sidewalks, drainage structures and water supply system.

9. The legal description of the areas being platted.

10. Contours, referring to the United States Coast and Geodetic Survey Datum with intervals of five feet (5') or less in all areas excepting on slopes averaging less than six percent (6%) where two-foot (2') intervals shall be required.

11. The north point, scale one-inch equals one hundred feet (1" = 100') and date.

12. The acreage of the land to be subdivided.

13. Any restrictions proposed to be included in the owner's declaration of plot.

14. Subsurface conditions on the tract, if required by the Commission, including such information as the location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water; soil percolation and any other subsurface conditions.

15. Such other information and material as may be applicable or required by ordinance or rules and regulations pertaining to utilities within the Municipality.

C. Hearing on Preliminary Plat: A hearing upon such proposal for subdivision as stated in the preliminary plat shall be had before the Commission not later than its second regular meeting following filing. Notice thereof shall be given by the Clerk-Treasurer on behalf of the Commission by mailing a notice to or, telephoning the person or persons who filed the preliminary plat to the address or number set forth in the filed papers.

D. Approval and Form of Preliminary Plat:

1. If upon the conclusion of such hearing the Commission shall find that such preliminary plat satisfied the requirements of this Title, the chairman of the Commission shall sign and date approval thereof in substantially the following language:

   The proposed plan of subdivision as shown in the preliminary plat herein is approved and the Commission now is ready to receive the final plat of said subdivision for consideration.

2. One print of said preliminary plat so endorsed shall be returned to the subdivider by personal delivery or mail, another print so endorsed shall be retained by the Commission and one print with said findings shall be placed in the files of the Clerk-Treasurer.

3. A subdivider may submit to the Commission an amended preliminary plat for the purpose of complying with any order of the Commission. In such event, twelve (12) prints thereof shall be filed with the Clerk-Treasurer for resubmission to the required agencies and the Commission. (Ord. 1984-09, 6-5-1984)
The Planning Commission has the following options:

1. **Approval** of the case for the Preliminary Plat, with reasons stated in the motion, granting the requested approval **for Sanctuary at Cristo Rey**

2. **Require modifications** of case for the Preliminary Plat - Sanctuary at Cristo Rey and have it returned for Planning and Zoning Commission review at the next meeting.

3. **Deny** the request of the case for the Preliminary Plat – Sanctuary at Cristo Rey with reasons and conditions.

Approval of a **Preliminary Plat** requires a **majority vote** of those members of the Planning & Zoning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

If the Planning Commission votes to approve this application, staff recommends that the following conditions be imposed for approval:

1. Applicant must obtain any necessary permits from the NMDOT. In this case an updated Traffic Impact Analysis (TIA)
2. A variance application for the width and the minimum lot size should be obtained and approved by the Planning & Zoning Commission. Mr. Montoya suggested to spread the lots in order to get the 6,000 sq. ft. for all the lots. (City Staff sent an email to CEA Group in order to clarify this point). Some lots are very narrow, Mr. Montoya suggested to request a variance for block 14, lots 2-9 (116’X47’)
3. A variance application will be required for the proposed lot sizes identified on several lots on blocks: 12, 13, and 14, ranging from 5224 to 5894 sq. ft.). The minimum lot size for R1 Zone is 6,000 sq.
4. Mr. Rangel (Public Works Director) made a recommendation to improve the ROW drawing showing the curb and gutter, separated from the pavement.

**IV. STAFF FINDINGS**

Upon further review of the application and existing conditions, staff finds that the proposed use appears to be generally consistent with the City Code. Furthermore, the case was considered on the Development Review Team (DRT) held on Thursday February 14th, 2019.

Comments and findings received at the DRT:

City Staff made a presentation to the DRT members; Jorge Azcarate from CEA Group was present representing the owner, Socorro Partners.

Maria Hinojos from NMDOT asked about the access point to the proposed project. This project will be located within Santa Del Sol-Phase 1. The parcel will be a gated community for 57 units. Santa del Sol is already required to provide an updated TIA for each phase. This proposed project is located on the parcel that was intended to be a school in the original Santa del Sol plans. That site was identified as ‘not ideal’ by GISD for a school site.

Mr. Rangel, as a point of clarification, stated that all internal roads, parks, ponds and common areas will not be maintained by the City and will be considered private streets. Public Improvements will be maintained by the
PID (Planned Improvement District). The petition for the proposed subdivision excludes itself from the Santa Del Sol-PID.

Mr. Carranza (CRRUA’s Field Supervisor) made a reference about a street name that it is alike another one in Sunland Park (Mount Cristo Rey in old Sunland Park and Cristo Rey Street in the new subdivision).

Chief Burciaga, Sunland Park Fire Department, confirmed that the streets (ROW), the Fire Apparatus Access and turning radius were according to City of Sunland Park Fire Department.

Mr. Montoya commented that the minimum lot width should be 55’ (in reality is 60’-for R1 Single-Family Residential District). He also mentioned the improvements that Socorro Partners have committed to the main access (Country Club Rd and South Country Club). These roads are in very bad shape. (Socorro Partners has committed to repairing and upgrading the road after Phase I construction is complete so as not to damage the new road with construction traffic.) Mr. Montoya asked about the dedication for the common area. Mr. Azcarate replied that the common area will be private and maintained by the HOA, since it is a gated community and will not be dedicated to the city of Sunland Park.

Finally, Mr. Hagan (Socorro Partners) agreed to do an overlay to the existing streets at the end of Phase 1 (from McNutt). Mr. Azcarate does not recall if that includes pedestrian improvements to McNutt Rd. on phase 1. Mr. Azcarate will verify this point with Mr. Hagan. Mr. Montoya commented that this is the right time to improve some deficiencies that the city needs on McNutt Rd.

Note: As per Title 11 Chapter 2 Section 11-2-4A Final Plat will be presented to Planning & Zoning Commission for recommendation of approval to City Council once application & supporting documentation has been received.

End of comments

Suggested Motion:

“Based upon the foregoing of fact per §Title 10 - Chapters 5 and 15; §Title 11 – Chapters 4 and 6 of the City Code Book, I move to APPROVE the requested for PRELIMINARY PLAT approval for Sanctuary at Cristo with the conditions contained within the present case report.”

Prepared by:                      Submitted by:
______________________________________   ______________________________________
Jaime Castro                      Louise Marquez
City Planner                      Community Development Superintendent
Annex No 1 – Project Summary

<table>
<thead>
<tr>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Size (Net)</td>
</tr>
<tr>
<td>Site Size (Gross)</td>
</tr>
<tr>
<td>Residential Units</td>
</tr>
<tr>
<td>Density Net</td>
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<tr>
<td>Common Open Space</td>
</tr>
<tr>
<td>Ponds</td>
</tr>
<tr>
<td>Street ROW</td>
</tr>
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</table>

Annex No 2 – Land Use

R1: Single Family Residential District / Minimum Lot Area: 6,000 Sq. Ft
Appendix No 3 – Parcel Information

Not available date in the DAC GIS Website
Appendix No 4 – Aerial

Proposed Site Location with Contour Lines
Appendix No 5 – ROW

TYPICAL 50’ ROW STREET SECTION DETAIL
(RESIDENTIAL SUBCOLLECTOR) SCALE: N.T.S.

Appendix No 6 – Chapter 15 Development Standards & Exceptions

Chapter 15
Development Standards & Exceptions

10-15-1 Development Standards:

<table>
<thead>
<tr>
<th>District</th>
<th>Yards Min. Front</th>
<th>Yards Min. Rear</th>
<th>Yards Min. Side</th>
<th>Lots Min. Area</th>
<th>Lots Min. Width</th>
<th>Lots Min. Depth</th>
<th>Height Max.</th>
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</thead>
<tbody>
<tr>
<td>R2</td>
<td>15ft. 20ft setback for attached garages</td>
<td>15 ft.</td>
<td>5 ft. Except on a corner lot the min setback shall be 10ft</td>
<td>5,000 sq. ft.</td>
<td>*60</td>
<td>*70</td>
<td>35 ft.</td>
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</tbody>
</table>

*Total lot area must be equal to, or greater than, minimum area specified.

AGENDA ITEM NO. 3
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:
SUP-19-01 Approval of Special Use Permit for Parking Trailers and 18 Wheelers Trucks Business on parcel located at 1209 Futurity Dr.

Background:

Recommendation:

DRT Comments: N/A
# DEVELOPMENT APPLICATION FORM

The completeness of this application, which includes accompanying plans, shall be subject to the review of the Planning Department and Development Review Committee. This application is used for a variety of application processes and not all items may apply to your project. If you feel a Requirement is not applicable to your project, write “N/A.” If you have any questions while completing this application, please ask a member of the Planning Department for assistance. Incomplete applications will not be accepted (or the process may be delayed.) (PLEASE PRINT OR TYPE)

## CHECK APPLICATION TYPE(S) REQUESTED:

- Conditional Use Permit/SUP ($300)
- Varience ($200)
- Change of Zone ($350)
- Summary Subdivision ($100+$25.00 per lot)
- Preliminary Subdivision Review ($100)
- Annexation ($300)
- Final Plat Subdivision ($200+$25.00 per lot)
- Master Plan Amendment ($350)
- Appeal (75% of original application fee)
- Amended Plat ($300)

## PROJECT SUMMARY:

**Project/Business Name (if any):**

A&M INTERNATIONAL INC

**Project Description:**

PARKING TRAILERS AND 16 WHEELERS TRUCKS

**Property Address/Location:**

1209 FUTURITY DR

**Assessor’s Parcel Number(s):**

Existing Master Plan Designation:

Existing Zoning Designation:

**Proposed Master Plan Designation (If applicable):**

**Proposed Zoning Designation (If applicable):**

**Existing Uses and/or Structures on Site:**

**Surrounding Uses:**

North: FUTURITY DRIVE

South: McNUTT RD

East: SUNLAND PARK DRIVE

West: RACE TRACK DRIVE

## ITEM

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<tr>
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<th>REQUIRED</th>
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<tr>
<td>Adjusted Net Acreage: (Excluding streets, public rights-of-ways, and major utility easements)</td>
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<tr>
<td>Minimum Lot Size</td>
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<tr>
<td>Total Building Square Feet:</td>
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<td>Residential Dwelling Units Per Acre:</td>
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<tr>
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<tr>
<td>Side (street side):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>% On-Site Landscaping:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total No. of Parking Stalls:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Handicapped:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C:\Users\Kwest\Desktop\Development Application Form.doc Thursday, July 07, 2005
C a s e  R e p o r t  #  S U P - 1 9 - 0 1

P a g e  2  |  2 3
Case Report

Case No. SUP-19-01

Subject Property: 1209 Futurity Dr.  
Zoning: M1/SU-1

Subdivision: Western Playland Subdivision  
Legal Description: BK N/A, LOT 9

Applicants/Prospective Purchasers: Javier Ruiz

Current Property Owner: Mitchel Friedlander (Adobe House Entertainment)

Planning Commission Hearing Date: March 14th, 2019

Applicable Sections of City’s Code:

- § Title 10 - Chapter 7 Industrial District
- § Title 10 - Chapter 8 SU-1 Special Use Zone
- § Title 10 - Chapter 10 Special Uses

I. Site Data

Existing Use: Vacant  
Lot Size: 98,011 ft² (~2.25 acres)

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>C2</td>
<td>General Commercial</td>
</tr>
<tr>
<td>East</td>
<td>M1/SU-1</td>
<td>Light Industrial -Special Use Overlay</td>
</tr>
<tr>
<td>South</td>
<td>M1/SU-1</td>
<td>Light Industrial -Special Use Overlay</td>
</tr>
<tr>
<td>West</td>
<td>M1/SU-1</td>
<td>Light Industrial -Special Use Overlay</td>
</tr>
</tbody>
</table>

Site Location (Map):

![Site Location Map]
II. REQUEST
The applicant is requesting a Special Use Permit to park semi trucks and trailers (ie., 18 wheelers) at 1209 Futurity Dr. Please see the DRT Comments & Findings as a reference for this case.

III. ANALYSIS
The requirements for granting a Special Use Permit are as follows:

**TITLE 10- CHAPTER 8- SU-1 Special Use Zone**

**SECTION 10-8-1: PURPOSE PROCEDURE:**
The purpose of this zone is to permit only those uses which require special consideration because of their unusual nature, dimensions, effect on surrounding property, or other similar reason. The boundaries of this zone shall be determined only on a case-by-case basis following the procedures of an amendment as provided in this title (ord. 1985-03, 4-16-1985).

**SECTION 10-8-2: SUPPLEMENTARY REGULATIONS AND SPECIAL CONDITIONS; HEARING:**
Supplementary regulations and special conditions may be imposed by the City Council upon recommendations by the Planning and Zoning Commission. The City Council may not grant a zone change for special use without a public hearing and unless adequate conditions and safeguards in the opinion of the City Council have been made:

A. To assure that the degree of compatibility of property uses shall be maintained with respect to the special use and the surrounding uses of property in the general area; and

B. To preserve the integrity and character of the zone in which the use will be located, and the utility and value of property in the Special Use Zone and in the adjacent zones. (Ord. 1985-03, 4-16-1985; amd. Ord. 1998-02, 4-7-1998)

**TITLE 10- CHAPTER 10- Special Uses**

**SECTION 10-10-1: DEFINITION:**
A "special use" is a use which is not permitted by right in a zoning district. A special use requires review and approval by the Planning and Zoning Commission and City Council to determine impacts on the surrounding area. (Ord. 1998-02, 4-7-1998)

10-10-2: APPROVAL PROCEDURES:
The procedures for such approval are as follows:

A. Application for Special Use Permit:
1. Statement of Reasons; Site Plan: Applications for a special use permit shall be obtained from the Community Development Department. There shall be a comprehensive statement included with each application indicating in detail the reason for the request, the purpose and use of the property, all improvements to be made, and a site plan including the following:
   a. Location of existing and proposed structures including dimensions of setbacks;
   b. Existing and proposed vehicular circulation systems, including parking areas, storage areas, service areas, loading areas, and major points of access, including street pavement width and right of way;
   c. Location and treatment of open spaces including landscaping plan and schedule;
   d. Lighting; and
   e. Signage.
2. Drainage Facilities Plan: A drainage facilities plan or environmental impact statement may be required by the Planning and Zoning Commission.

B. Public Hearing and Notice Procedure:
1. Notify Adjoining Property Owners: A public hearing shall be held by the Planning and Zoning Commission for all special use permits, and all property owners within two hundred feet (200') of the request shall be notified in accord with the provisions of subsection B2 of this Section.
2. Hearing and Notice Requirements: A public hearing is required for all requests for a zoning district change, zoning text amendment, future land use plan change, special use permit, planned unit development, annexation and initial zoning. Whenever such request is proposed, notice of the public hearing shall be sent by certified mail to all property owners, as shown on the records of the County Assessor, within the proposed area of the change and within at least two hundred feet (200') of the area of the proposed change or request, excluding streets, alleys, channels, canals, other public rights of way and railroad right of way; provided, that a minimum of fifteen (15) property owners will be notified, where less than that number are within the mandatory two hundred foot (200') radius. Notice to said property owners shall be mailed at least ten (10) days prior to the required public hearing. Notice of the time and place of the public hearing shall be published at least fifteen (15) days prior to the hearing in a newspaper of general circulation in the City.

C. Review and Approval Procedures: The Planning and Zoning Commission may deny such special use permits, or may grant final approval in accord with certain conditions, with right of appeal to the City Council. Approval may also be granted with additional conditions imposed, which are deemed necessary to ensure that the purpose and intent of this Title is met and to protect and provide safeguards for persons and property in the vicinity.

D. Time Limitations, Revocation and Development Standards;
1. Generally: In addition to the imposition of conditions, the Planning and Zoning Commission may impose a time limitation on the special use permit. If a special use is discontinued for a period of one year, said permit shall automatically be revoked. If a certificate of occupancy and/or a business registration is not issued for the property with the special use permit within two (2) years from the date of Planning and Zoning Commission approval, then the special use permit shall be automatically revoked. All improvements shall be in accord with the development standards within the district, except as otherwise authorized by the special use permit, and there shall be no major revisions in the site plan of the original approved special use, except as approved by the Planning and Zoning Commission. Minor revisions to a site plan, following final approval, may be subsequently approved by the planning staff without a public hearing. Major revisions to the plan are subject to a regular public hearing with the same requirements as an original application.
2. Major Revisions: Major revisions shall include, but are not limited to:
   a. Any change in land use or intensity;
   b. Modifications of vehicular traffic volumes or circulation; and
   c. Increase in size of property or change in location or configuration of structures.
3. Minor Changes: Minor changes approvable by the planning staff are as follows:
   a. Provision of additional parking or landscaping;
   b. Minor adjustment to parking, landscaping, lighting, signage; and
   c. Superficial changes to structures or slight variations in dimensions.
4. Permit Renewal: Special use permits shall be eligible for renewal when limitations expire.

E. Recording of Special Use Permits: After approval, the special use permit shall be issued by the Community Development Director or his/her designee and shall include all information, conditions, reference to site plans, and other provisions of the special use. The special uses as granted shall be shown on a Special Use
Permit Map indicating its location with a designation of "SU" and the year of expiration. Special uses shall not be considered a zoning district change. (Ord. 1998-02, 4-7-1998)

10-10-3: SPECIAL USES ENUMERATED:
The following are special uses which may be approved by the Planning and Zoning Commission in accord with the provisions and conditions of this Chapter. The Planning and Zoning Commission may, at its discretion, impose additional conditions when deemed necessary. Such uses shall be approved only within the districts stipulated.

The Planning Commission has the following options:

1. Approval of case **SUP-19-01**, with reasons stated in the motion, granting the requested Special Use Permit
2. Require modifications to case **SUP-19-01**, and have it returned for Planning and Zoning Commission review at the next meeting.
3. Deny the request of case **SUP-19-01** with reasons and conditions.

Approval of the Special Use Permit requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

If the Planning Commission votes to approve this application, staff recommends that the following conditions of approval to imposed:

1. Applicant must apply for a permit for the fencing and the main entrance. All the material must be approved by the City Inspector prior to any approval being granted. In addition, the proposed fence must provide dust control in the area.

2. Applicant must obtain the necessary signed written agreements for the shared access with neighboring property.

3. Applicant shall limit the quantity of trailers and trucks to what is reflected on their Site Threshold Assessment report that was submitted to NMDOT. Any increase in large vehicle traffic to and from this yard will render this permit null and void and require the applicant re-apply for a special use permit with updated information, up to and including a Traffic Impact Analysis by a licensed engineer in the State of New Mexico.

4. Sunland Park Fire Department recommends a Fire Hydrant installed in the vicinity. Applicant is encouraged to work together with surrounding property owners to facilitate the installation of this fire hydrant.

5. No mechanic or welding work should be performed inside the property and/or the vicinity. No chemicals and/or gas, diesel will be stored at the location.

6. Each trailer will be park for a short term (no more than 3 days).

7. The Planning and Zoning Commission will determine if landscaping of the subject property will be required.
8. By accepting approval of this **Special Use Permit**, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.

**IV. STAFF FINDINGS**

Upon further review of the application and existing conditions, staff finds that the proposed use appears to be generally consistent with the City Code. Furthermore, the case was considered on the Development Review Team (DRT) held on Thursday February 14th, 2019.

Comments and findings received at the DRT:

1. First, staff finds that no utilities will be involved (gas, electricity, water and/or sewer). The applicants are proposing to park semi-trucks and trailers. Employees/Drivers will be picking and/or dropping trailers. Each trailer will be parked temporarily, no more than 3 days without moving.

City Staff made a presentation showing that no utilities will be involved (gas, electricity, water and/or sewer). The intend project are looking to park trailers and 18 wheelers trucks. Employees/Drivers will be picking and/or dropping trailers.

Robert Ardovino pointed out that the special use overlay is used to improve and keep the area uniform, with similar standards. He made a reference about the Sysco company. Ms. Marquez reiterated that the City is looking into this companies in the area and will be changes.

Mr. Chavira asked about the utilities involved in this project. On the “Site Threshold Assessment” (this document is part of the DRT presentation-See Annex no. 1) the document stated that the facility would have 14 employees. Ms. Friedlander answered that the drivers will be only for 5-10 minutes, just to drop and hook the trailers. No even an office will be on place.

Mr. Herrera (City Inspector) asked if a mechanic shop will be in place. Mr. Ruiz replied that a mechanic will be only on the property if sometime comes up but will be temporarily. Any mechanic repair will be performed outside the property (including any welding repair).

Mr. Burciaga (Fire Department) asked to the applicant regarding the trailers. Mr. Friedlander responded that the majority of the tractors will not have containers. Approximately, 70% will be only tractors and 30% with containers but will be stored during short period of time (but no more than three days). No chemicals involved.

Mr. Burciaga reiterated that a fire hydrant will be required, the closest fire hydrant it is located across the street on the Casino. Sysco and A+M would be splitting the cost. The nearest fire hydrant is more than 500 feet from the casino to the applicant property line.
Mr. Burciaga recommended to have a fire hydrant in the area, diesel trucks can hold around 60 to 70 gallons each, or more depending their size and volume capacity.

Mr. Friedlander agrees, if is on both properties.

Ms. Ivette Ramirez (Codes Officer) commented that all the mechanic repairs should be completed outside. Officer Ramirez asked: What is the guarantee from the city’s perspective that this issue would be addressed? Mr. Friedlander answered that this issue will be part of the SUP’s conditions.

Mr. Rangel (Public Works Director) commented that an additional condition will be added to the requirements. The capacity of the proposed yard will be regulated and shall not exceed the proposed capacity. In addition, Mr. Rangel enquired about the access point for the proposed yard. Our on-call engineer (John Montoya from Molzen-Corbin) was at conference call and he responded that “the shared access will be ok, he is not aware of any easement, there is not a separation or gap between Futurity Dr. and the property line. There is enough separation from the corner and the proposed access.”

Mr. Rangel is asking about the setbacks (front setback). Mr. Montoya replied that he understands that the operations on both properties are minimal. If two trucks are coming in the same time it will be an issue, but I really don’t see an issue of making the driveway setback into the property line, the gates can be adjacent to each other.
Mr. Rangel pointed out the possibility of requiring a dust control. Mr. Montoya reiterated that in our ordinances we don’t have anything requiring dust control. A wood fence and the gate should be enough to stop the dust. In addition, gravel should be used to mitigate the dust. As far as containing a spill, Mr. Friedlander commented that he will take any measure to avoid a spill in his property, including adding a hazmat spill kit.

Mr. Chavira, as a point of clarification, commented that the two properties required an access agreement by the two parties and also a fire hydrant recommended by Chief Burciaga to be installed near the entrance of the two properties. Mr. Carranza (CRRUA’s Field Supervisor) commented that the fire hydrant should be located in the vicinity not between the two properties. As long it is on the 500 ft. radius it will cover both properties. Ms. Marquez replied that the conditions will be added by the Planning and Zoning Commission.

Ms. Hinojos commented that the STH report helped to establish the traffic, but the pavement condition is a different issue. NMDOT does not have any requirements for the pavement, and there is not a significant impact based on the report.

End of comments.

As a result of these findings, there is evidence to determine that the application would both standards for Special Use Zone and Special Use Permit taking into consideration the conditions referenced above, staff recommends as requested in case SUP-19-01.

Suggested Motion:

“As based upon the foregoing of fact per §Title 8- Chapter 10 and §Title 10- Chapter 10 in accordance with our City Code, I move to the requested Special Use Permit for parking semi-trucks and trailers at 1209 Futurity Dr.

Prepared by: ________  Submitted by: ________

Jaime Castro  Louise B. Marquez
City Planner  Director Community and Economic Development
Appendix No 1 – Pictures
Appendix No 2 – Land Use
# Appendix No 3 – Parcel Information

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<th>PARCELNUMBER:</th>
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<td>OWNERNAME:</td>
<td>ADOBE HOUSE ENTERTAINMENT LLC</td>
<td>MAILADDR1:</td>
<td>3800 N MESA A-2 STE 133</td>
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<tr>
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<td>EL PASO</td>
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</tr>
<tr>
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<tr>
<td>BLOCK:</td>
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<td>SUBNAME:</td>
<td>WESTERN PLAYLAND AMENDED SUBDIVISION (BK 21 PG 282-283 - 0525086)</td>
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<td>TOTALACRES:</td>
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</tbody>
</table>
Appendix No 4 – Survey
LEGAL DESCRIPTION

BEING A PORTION OF
J.E. MORGAN & SONS TRACT 1
SEC. 8, TWN. 29S., R. 4E.,
NEW MEXICO PRINCIPAL MERIDIAN
DONA ANA COUNTY, NEW MEXICO

3.0-ACRE LOT

SITE PLAN
Appendix No 5 – Proposed Site Plan & Fencing
Appendix No 6 – Notice of Public Hearing (Buffer Zone)
Monday, January 28, 2019

Maria Hinojos, P.E., District 1 Traffic Engineer
New Mexico Department of Transportation
2912 E. Pine St.
Deming, NM 88030

Re: Truck Parking Facility – Sunland Park (SW Corner of Futurity Dr. / Racetrack Dr.)

Dear Maria:

I was able to obtain a week’s worth of log data from the company proposing the 3.0-acre truck parking / storage lot in Sunland Park at the southwest corner of Futurity Dr. / Racetrack Dr. The following table summarizes the results of the truck trips:

<table>
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<th>Date</th>
<th>AM Peak Hour Entering</th>
<th>AM Peak Hour Exiting</th>
<th>PM Peak Hour Entering</th>
<th>PM Peak Hour Exiting</th>
<th>Day of Week</th>
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<td>1</td>
<td>3</td>
<td>Monday</td>
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<tr>
<td>1/8/2019</td>
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<td>2</td>
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<tr>
<td>1/11/2019</td>
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<td></td>
<td><strong>Average</strong> 1.3</td>
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<td><strong>Average</strong> 4</td>
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</table>

The project is expected to generate an average of 2 to 3 truck trips during the AM Peak Hour and 6 to 7 truck trips during the PM Peak Hour. The facility has 14 employees, most of which carpool. Assuming, though, that none of the employees carpoled and all fourteen arrived to work during the AM Peak Hour and all of them left during the PM Peak Hour, then the total worst-case trip generation rate would be 17 trips during the AM Peak Hour (3 + 14) and 21 trips during the PM Peak Hour (7 + 14).

Since the employees are likely to carpool and since they will not all arrive during the AM Peak Hour nor will all of them leave during the PM Peak Hour, I think it is reasonable to assume that the employees will generate about 8 trips entering during the AM Peak Hour and about 8 trips exiting during the PM Peak Hour.

Therefore, it is my opinion that this project will generate 11 trips during the AM Peak Hour and 15 trips during the PM Peak Hour on an average weekday.
Maria Hinojos, P.E., District 1 Traffic Engineer  
Monday, January 28, 2019

Re: Truck Parking Facility – Sunland Park (SW Corner of Futurity Dr. / Racetrack Dr.)

The trips generated other than employee trips will be single tractor trailers of varying sizes. A significant percentage of the trips (an estimated 70% or more) will be the tractor only (no trailer).

Attached is the Vicinity Map and the Site Threshold Assessment (STH) for the project based on my analysis.

Please call me if you have questions or need additional information.

Best Regards,

Terry O'Brown, P.E.

attachments as noted

cc: Mitchell Friedlander, Adobe House w/attachments  
    Javier Ruiz, A & M International, Inc. w/attachments
Site Threshold Assessment (STH)

A Site Threshold Assessment (STH) is required of all developing or redeveloping properties that directly or indirectly access a state highway.

District No. Project No.

Date: 01/25/2019

Permit Applicant
Applicant Name: Adobe House
Business Name: Adobe House
Business Address: 3800 N. Mesa A2 Ste 133

City: El Paso State: TX Zip Code: 79902

Site Description

Development Type | Site Information (fill in all that apply)
--- | ---
Residential | Building Size (SF) None
Retail | Parcel Size (ac) 3.0
Office | Roadway Frontage (ft) 450 Ft
Industrial | Parking Spaces
Institutional | Employees 14
Lodging | Other
Restaurant | 
Convenience/Gas | 
Other | Truck Parking

Dwelling Units
Rooms
Beds
Students
Seats
Courts
Fuel Pumps
Storage Units

The STH examines existing roadway volumes and anticipated site trip generation for the purpose of determining if additional analyses are required. If the site characteristics and the trip generation estimate for a proposed development do not satisfy the requirements for a STA or a TIA as determined by the District Traffic Engineer, the STH should be approved and the traffic study requirement for the proposed development will be complete. If additional analysis is required based on the results of the STH, the District Traffic Engineer should indicate to the applicant the level of analysis that is required.

Existing Roadway Data
Highway No.: NM S.R. 498 Site Mile Post: N/A
Highway ADT: 2,127 (19% H.C.) Count Year: 2015
Number of Lanes (two-way): 3 Func. Class.: MNAR

Trip Generation
ITE Trip Generation Land Use Category: Local Data (from user)
AM Peak Hour Trips Enter: 10 Exit: 1
PM Peak Hour Trips Enter: 2 Exit: 12

Exceeds Threshold: Y or N If Yes, is a STA or TIA Required?

Thresholds
STA: 25 to 59 peak-hour total trips and more than 1,000 vehicles per lane per day on adjacent highway.
TIA: 100 or more peak-hour total trips.

Other Requirement Basis / DTE Comments:

FORM 1902

February 2002
Appendix No 8 – City of Sunland Park Ordinance No.04-07

ORDINANCE No. 04-07

AN ORDINANCE OF THE CITY OF SUNLAND PARK
GOVERNING BODY TO AMEND THE CITY’S OFFICIAL
ZONE MAP IN ORDER TO DESIGNATE THE AREA
SURROUNDING THE SUNLAND PARK RACETRACK AND
CASINO MORE FULLY DESCRIBED HEREIN AS A SPECIAL
USE (SU-1) OVERLAY ZONE

WHEREAS, the GOVERNING BODY, did hold a duly noticed Public Hearing pursuant
to state law Chapter 3, Article 21, Section 6, and;

WHEREAS, the GOVERNING BODY did consider testimony from Planning and Zoning
Commission, staff, and the public before reaching its decision, and;

WHEREAS, the GOVERNING BODY did consider the applicable Land Use statutes in
rendering its decision, and;

WHEREAS, the GOVERNING BODY does make the following findings:

1. That the City has expended a great deal of time and effort in the affected
area to assure that it develops as an entertainment district

2. That the City has expended millions of dollars in state and federal funds to
promote the entertainment industry in the affected area

3. That the city wishes to protect the private and public investment in the
affected area.

4. That the City proposes to effectuate that protection through its land planning
and development regulatory authority by assuring that proposed
development is consistent architecturally and compatible to existing and
proposed uses.

5. That the Governing Body’s intent is to regulate Development Standards and
not uses via the SU-1 Overlay.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SUNLAND
PARK THAT: in consideration of the aforementioned findings and testimony, it hereby
ordains that the City’s Official Zoning Map be amended by placing an SU-1 overlay zone on
properties described as follows:

Section 1. Property to be zoned
<table>
<thead>
<tr>
<th>AP #</th>
<th>ADDRESS</th>
<th>CITY</th>
<th>STATE</th>
<th>ZIP</th>
<th>OWNER</th>
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<td>P.O.BOX 910</td>
<td>LAS CRUCES</td>
<td>NM</td>
<td>88001</td>
<td>EL PASO ELECTRIC COMP.</td>
<td>92</td>
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<td>5029 MILAM ST</td>
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<td>TX</td>
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<td>MARY KATE HAWELL</td>
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<td>16-01535</td>
<td>2550 5TH AVE</td>
<td>SAN DIEGO</td>
<td>CA</td>
<td>92103-6624</td>
<td>FORTUNA CORP.</td>
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<tr>
<td>16-02679</td>
<td>4 CIELO DEL 5</td>
<td>ANTHONY</td>
<td>NM</td>
<td>88021-9207</td>
<td>SUNLAND JOINT VENTURE</td>
<td>79</td>
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<td>P.O. BOX 340667</td>
<td>AUSTIN</td>
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<td>EL PASO</td>
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<td>PIERCE CODY</td>
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<td>P.O.BOX 613</td>
<td>MESQUITE</td>
<td>NM</td>
<td>88048-0813</td>
<td>JESUS &amp; GLORIA PRIETO</td>
<td>68</td>
</tr>
</tbody>
</table>
Section 2. Severability
If a court of competent jurisdiction holds any part or application of this ordinance invalid, the remainder, or its application shall not be affected.

Section 3. Repealer
All ordinances or resolutions, or part therefore, inconsistent with this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part therefore, previously repealed.
Section 4.  Effective Date
This ordinance shall become effective five (5) days, after this approval, adoption and
publication as provided by law.

PASSED, APPROVED, AND ADOPTED by the Governing Body of the City of Sunland Park,
New Mexico, on this 1st day of June 2001.

Jesus Ruben Segura, Mayor

ATTEST:

Laura Ortega, City Clerk
Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:
ZO-19-01 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd (Parcel #R1900952).

Background:

Recommendation: Approve

DRT Comments: N/A
Meeting Date: 03/14/2019

Submitted By:

Louise B. Marquez, CED Director

Subject:

ZO-19-02 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd (Parcel #R1901078)

Recommendation: Approve

DRT Comments: N/A
AGENDA ITEM NO. 6
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:
ZO-19-03 Approval of Change of Zone for Valencia Park located at North of Pete Domenici Blvd (Parcel # R1604948, R1604949 & 2.57 Acres section)

Background:

Recommendation: Approve

DRT Comments: N/A
## DEVELOPMENT APPLICATION FORM

The completeness of this application, which includes accompanying plans, shall be subject to the review of the Planning Department and Development Review Committee. This application is used for a variety of application processes and not all items may apply to your project. If you feel a Requirement is not applicable to your project, write "N/A." If you have any questions while completing this application, please ask a member of the Planning Department for assistance. Incomplete applications will not be accepted (or the process may be delayed.) (PLEASE PRINT OR TYPE)

### CHECK APPLICATION Type(s) REQUESTED:

- Conditional Use Permit/Sup. ($300)
- Variance ($200)
- Change of Zone ($300)
- Annexation ($300)
- Master Plan Amendment ($300)
- Survey Subdivision ($100+$25.00 per lot)
- Final Plat Subdivision ($200+$25.00 per lot)
- Appeal (75% of original application fee)

### PROJECT SUMMARY:

**Project/Business Name (If any):** VALENCIA/MASTERS LAND SANTA TERESA CHECKPOINT LLC  
**Project Description:** VALENCIA PROJECT NEAR INTERSECTION OF PETE DOMENICI AND MCNUTT

- **Property Address/Location:** NORTH OF PETE DOMENICI  
- **Assessor’s Parcel Number(s):** 4014164450337  
- **Existing Master Plan Designation:** N/A  
- **Proposed Master Plan Designation (If applicable):** N/A  
- **Existing Zoning Designation:** R-2  
- **Proposed Zoning Designation (If applicable):** C-2

**Existing Uses and/or Structures on Site:** NONE

**Surrounding Uses:**
- North: T-2  
- East: C-2  
- South: C-2  
- West: R-2

### SITE PLAN:

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<td>Minimum Lot Size</td>
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<tr>
<td>Total Building Square Feet</td>
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<td>N/A</td>
</tr>
<tr>
<td>Residential Dwelling Units Per Acre: Gross</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
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<td>Setback: Front</td>
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**Date/Time Received:** 3/14/2019  
**Received By:** Jaime Castro  
**Amount Received:** $3,500.00  
**Receipt No(s):** 30431/1

---

**Case Report** #Z0-19-01, 02 & 03  
**Page 1**
### Project Representatives:

**Name:** Master Land Santa Teresa Checkpoint  
**Address:** PO BOX 220630  
**City:** El Paso  
**State:** Texas  
**Zip Code:** 79913  
**Telephone No.:** 915-842-0111  
**Fax No.:**  
**E-mail Address:** russell@hansonmail.us  
**Contact Person:** Russell Hanson  
**Manager:**  
**Date:** 2/7/19  

I certify under penalty of perjury that the application information is true and correct:  

Applicant's Signature:  

Note: The application fee is non-refundable regardless of the outcome of the application.

### Property Owner/Agent:

**Name:**  
**Address:**  
**City:**  
**State:**  
**Zip Code:**  
**Telephone No.:**  
**Fax No.:**  
**E-mail Address:**  

I, ____________________________, am the owner of the property described in this application and hereby authorize ____________________________ to act on my behalf on matters pertaining to this application.  

Applicant/Representative Name:  

Property Owner's Signature:  

Date:  

Note: If more than one owner, a separate page must be attached listing the names and addresses of all persons (if a corporation, list officers, and principals) having interest in the property ownership.

### Architect:

**Name:**  
**Address:**  
**City:**  
**State:**  
**Zip Code:**  
**Telephone No.:**  
**Fax No.:**  
**E-mail Address:**  

### Engineer:

**Name:**  
**Address:**  
**City:**  
**State:**  
**Zip Code:**  
**Telephone No.:**  
**Fax No.:**  
**E-mail Address:**

### Submittal Requirements:

The Submittal Requirements provides the basic information necessary for review by the Development Services Committee (staff review by City Departments) and agency (utility and other regulating agencies) review. The Committee review is a technical review addressing a variety of standards associated with building, engineering, fire, planning, police, and traffic. The Committee may determine that additional information and/or special studies are required before further processing can take place. Additional fees may be required for review of special studies.

**REQUIRED**

- 1 Completed and signed Development Application Form
- 1 Copy of Fee Receipt
- 1 Copy of Preliminary Title Report (shall include recorded easements)
- 1 Set of photos of site and adjoining properties with location and direction of the photos indicated (use site plan below as base).
- 10 Sets of the following plans, collated, stapled, folded to a size between 8 1/2" x 11".

(C)  

Case Report#ZO-19-01, 02 & 03  

Page 2 | 22
The completeness of this application, which includes accompanying plans, shall be subject to the review of the Planning Department and Development Review Committee. This application is used for a variety of application processes and not all items may apply to your project. If you feel a Requirement is not applicable to your project, write “N/A.” If you have any questions while completing this application, please ask a member of the Planning Department for assistance.

Incomplete applications will not be accepted for the process may be delayed.) (PLEASE PRINT OR TYPE)

**CHECK APPLICATION TYPE(S) REQUESTED:**
- Conditional Use Permit/SUP (N/A) ($300)
- Variance (N/A) ($200)
- Change of Zone (N/A) ($300)
- Arroyo (N/A)
- Master Plan Amendment (N/A) ($350)
- Summary Subdivision ($100+$25.00 per lot) ($300)
- Final Plat Subdivision ($200+$25.00 per lot) ($300)
- Appeal (75% of original application fee) (N/A)

**PROJECT SUMMARY:**

**Project/Business Name (if any):** VALENCIA / CHECKPOINT GINGER LLC

**Project Description:** VALENCIA PROJECT NEAR INTERSECTION OF PETE DOMENICI AND MCNUTT

**Property Address/Location:** NORTH OF PETE DOMENICI

**Assessor’s Parcel Number(s):** 4014165223057

**Existing Master Plan Designation:** N/A

**Existing Zoning Designation:** R-2

**Proposed Master Plan Designation (if applicable):** N/A

**Proposed Zoning Designation (if applicable):** C-2

**Existing Uses and/or Structures on Site:** NONE

**Surrounding Uses:**
- North: R-2
- South: HIGHWAY & R-2
- East: C-2 & HIGHWAY
- West: PUD-2

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<th>ITEM</th>
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<td>Total Building Square Feet</td>
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<td>N/A</td>
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<tr>
<td>Rear</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Maximum Building Height:</td>
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<td>Total No. of Parking Stalls: Standard</td>
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<td>Handicapped</td>
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**Date/Time Received:** 2/14/2019

**Resolved By:** Jaimi Casto

**Amount received:** $350.00

**Receipt # (s):** 3014312
**CASE REPORT # ZO-19-01, 02 & 03**

---

**PROJECT REPRESENTATIVES:**

**APPLICANT/REPRESENTATIVE**

Name: CHECKPOINT GINGER LLC  
Phone No.: 915-842-0111

Address: PO BOX 220630

City: EL PASO  
State: TEXAS  
Zip Code: 79913

Contact Person: RUSSELL HANSON  
E-mail Address: russell@hansonmail.us

I certify under penalty of perjury that all the application information is true and correct:

Applicant’s Signature:  
Date: 2/7/19

Not: The application fee is non-refundable regardless of the outcome of the application.

**PROPERTY OWNER/AGENT**

Name: N/A  
Phone No.: N/A

Address: N/A  
Fax No.: N/A

City: N/A  
State: N/A  
Zip Code: N/A

Contact Person: N/A  
E-mail Address: N/A

I, ___________________________ am the owner of the property described in this application and hereby authorize ___________________________ to act on my behalf on matters pertaining to this application.

Applicant/Representative Name

Property Owner’s Signature:  
Date: ______________

Note: If more than one owner, a separate page must be attached listing the names and addresses of all persons (if a corporation, list officers, and principals) having interest in the property ownership.

**ARCHITECT**

Name: N/A  
Phone No.: N/A

Address: N/A  
Fax No.: N/A

City: N/A  
State: N/A  
Zip Code: N/A

Contact Person: N/A  
E-mail Address: N/A

**ENGINEER**

Name: N/A  
Phone No.: N/A

Address: N/A  
Fax No.: N/A

City: N/A  
State: N/A  
Zip Code: N/A

Contact Person: N/A  
E-mail Address: N/A

---

**SUBMITTAL REQUIREMENTS**

The Submittal Requirements provides the basic information necessary for review by the Development Services Committee (staff review by City Departments) and agency (utility and other regulating agencies) review. The Committee review is a technical review addressing a variety of standards associated with building, engineering, fire, planning, police, and traffic. The Committee may determine that additional information and/or special studies are required before further processing can take place. Additional fees may be required for review of special studies.

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- 10 Sets of the following plans, collated, stapled, folded to a size between 8 1/2" x 11".
**PROJECT REPRESENTATIVES:**

**APPLICANT/REPRESENTATIVE** CHECKPOINT GINGER LLC & MASTER LAND  
Name: SANTA TERESA CHECKPOINT LLC Telephone No.: 915-842-0111  
Address: P.O. BOX 220630  
City: EL PASO State: TEXAS Zip Code: 79913  
Contact Person: RUSSELL HANSON E-Mail Address: russell@hansonmail.us

I certify under penalty of perjury that all the application information is true and correct:

Applicant's Signature: RUSSELL HANSON MANAGER Date: 2/7/19

**PROPERTY OWNER/AGENT**  
Name: N/A Telephone No.:  
Address:  
City:  
State:  
Zip Code:  
Contact Person:  
E-Mail Address:  

I, ___________________________ am the owner of the property described in this application and hereby authorize ___________________________ to act on my behalf on matters pertaining to this application.

Applicant/Representative Name:  
Property Owner’s Signature: ___________________________ Date: __________

**ARCHITECT**  
Name: N/A Telephone No.:  
Address:  
City:  
State:  
Zip Code:  
Contact Person:  
E-Mail Address:  

**ENGINEER**  
Name: N/A Telephone No.:  
Address:  
City:  
State:  
Zip Code:  
Contact Person:  
E-Mail Address:  

---

**SUBMITTAL REQUIREMENTS**

The Submittal Requirements provides the basic information necessary for review by the Development Services Committee (staff review by City Departments) and agency (utility and other regulating agencies) review. The Committee review is a technical review addressing a variety of standards associated with building, engineering, fire, planning, police, and traffic. The Committee may determine that additional information and/or special studies are required before further processing can take place. Additional fees may be required for review of special studies.

**REQUIRED**

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<tbody>
<tr>
<td>1</td>
<td>Completed and signed Development Application Form</td>
</tr>
<tr>
<td>2</td>
<td>Copy of Fee Receipt</td>
</tr>
<tr>
<td>3</td>
<td>Copy of Preliminary Title Report (shall include recorded easements)</td>
</tr>
<tr>
<td>4</td>
<td>Set of photos of site and adjoining properties with location and direction of the photos indicated (use site plan below as base).</td>
</tr>
<tr>
<td>5</td>
<td>10 Sets of the following plans, collated, stapled, folded to a size between 8 1/2&quot; x 11&quot;.</td>
</tr>
</tbody>
</table>
Case Report

Case No. ZO-19-01, 02 & 03

Subject Property: Valencia Hills/Park  
Zoning: from R2 to C2

Subdivision: Villa Valencia/Valencia Hills  
Legal Description: Several Lots (See Site Data)

Applicants/Prospective Purchasers: Russell Hanson

Current Property Owner: Checkpoint Ginger LLC

Planning Commission Hearing Date: March 14th, 2019

Applicable Sections of City’s Code:

- § Title 2 - Chapter 1 Planning & Zoning Commission

I. Site Data

Existing Use: Vacant Land

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>R2</td>
<td>Single Family-Residential Medium Density</td>
</tr>
<tr>
<td>East</td>
<td>C2</td>
<td>General Commercial District</td>
</tr>
<tr>
<td>South</td>
<td>R2</td>
<td>Single Family-Residential Medium Density</td>
</tr>
<tr>
<td>West</td>
<td>Vacant</td>
<td>-</td>
</tr>
</tbody>
</table>

Site Location (Map):
A. Parcel No.: R1900952 (Corner of Bronze Hill Ave. & McNutt Rd.)  
Lot Size: 7.46 Acres
B. Parcel No.: R1901078 (Corner of Russell and Pete Domenici Hwy). **Lot Size: 12.27 Acres**

![Map of Parcel No. R1901078](image)

C. Parcel No.: R1604945 (11.03 Acres), R1604949 (26.6 Acres) & R1604948 (15.36 Acres). Including 2.57 Acres section between Valencia Park-Unit 1 and the void section.

![Maps of Parcel Nos. R1604945, R1604949, & R1604948](image)
II. REQUEST
The applicant is requesting a Change of Zone from R2 (Single Family-Residential Medium Density) to C2 (General Commercial District).

III. ANALYSIS
The requirements for recommendation are as follows:

2014 New Mexico Statutes - Chapter 3 - Municipalities
Section 21 Zoning Regulations

Section 3-21-1 Zoning; authority of county or municipality.
Universal Citation: NM Stat § 3-21-1 (2014)
3-21-1. Zoning; authority of county or municipality.
A. For the purpose of promoting health, safety, morals or the general welfare, a county or municipality is a zoning authority and may regulate and restrict within its jurisdiction the:
(1) height, number of stories and size of buildings and other structures;
(2) percentage of a lot that may be occupied;
(3) size of yards, courts and other open space;
(4) density of population; and
(5) location and use of buildings, structures and land for trade, industry, residence or other purposes.

B. The county or municipal zoning authority may:
(1) divide the territory under its jurisdiction into districts of such number, shape, area and form as is necessary to carry out the purposes of Sections 3-21-1 through 3-21-14 NMSA 1978; and
(2) regulate or restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land in each district. All such regulations shall be uniform for each class or kind of buildings within each district, but regulation in one district may differ from regulation in another district.

C. All state-licensed or state-operated community residences for the mentally ill or developmentally disabled serving ten or fewer persons may be considered a residential use of property for purposes of zoning and may be permitted use in all districts in which residential uses are permitted generally, including particularly residential zones for single-family dwellings.

D. A board of county commissioners of the county in which the greatest portion of the territory of the petitioning village, community, neighborhood or district lies may declare by ordinance that a village, community, neighborhood or district is a "traditional historic community" upon petition by twenty-five percent or more of the registered qualified electors of the territory within the village, community, neighborhood or district requesting the designation. The number of registered qualified electors shall be based on county records as of the date of the last general election.

E. Any village, community, neighborhood or district that is declared a traditional historic community shall be excluded from the extraterritorial zone and extraterritorial zoning authority of any municipality whose extraterritorial zoning authority extends to include all or a portion of the traditional historic community and shall be subject to the zoning jurisdiction of the county in which the greatest portion of the traditional historic community lies.
F. Zoning authorities, including zoning authorities of home rule municipalities, shall accommodate multigenerational housing by creating a mechanism to allow up to two kitchens within a single-family zoning district, such as conditional use permits.

G. For the purpose of this section, "multigenerational" means any number of persons related by blood, common ancestry, marriage, guardianship or adoption.


TITLE 10 ZONING REGULATIONS -CHAPTER 4
ZONING DISTRICTS; MAP
10-4-1: OFFICIAL ZONING MAP:

A. Map Adopted by Reference: The City is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory material thereon, is hereby adopted by reference and declared to be a part of this Title.

B. Map Certification: The Official Zoning Map shall be identified by the signature of the Mayor attested to by the City Clerk-Treasurer, and bear the Seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 1 of Ordinance Number 1985-03 of the City of Sunland Park, said Ordinance dated the 16th day of April, 1985", together with the date of the adoption of this Title.

C. Amendment Of Map: If, in accordance with the provisions of this Title and New Mexico Statutes Annotated section 3-21-1 et seq., changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Council, with an entry on the Official Zoning Map as follows: "On (date), by official action of the City Council, the following (change) changes were made in the Official Zoning Map: (brief description of nature of change)", which entry shall be signed by the Mayor and attested by the City Clerk-Treasurer. No amendment to this Title which involves material portrayed on the Official Zoning Map shall become effective until after change and entry has been made on said Map.

D. Unauthorized Changes A Violation: No changes of any nature shall be made in the Official Zoning Map or material shown thereon except in conformity with the procedure set forth in this Title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Title and punishable as provided under Section 10-2-5 of this Title.

E. Map On File In Clerk-Treasurer's Office: Regardless of the existence of purporting copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map shall be located in the office of the City Clerk-Treasurer and shall be the final authority as to the current zoning status of land, and structures in the City or in the City's extra-territorial zoning jurisdiction at such time as zoning is approved for this extraterritorial area pursuant to New Mexico Statutes Annotated section 3-21-3. (Ord. 1985-03, 4-16-1985)
attested to by the City Clerk-Treasurer, and bear the Seal of the City under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of Map being replaced) as part of Ordinance No. of the City of Sunland Park".

B. Preservation Of Original Map: Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior Map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment. (Ord. 1985-03, 4-16-1985)

10-4-3: ZONE DISTRICT BOUNDARIES ESTABLISHED:
A. Division into Districts: In order to carry out the provisions of this Title, the City and territory in its extra-territorial zoning jurisdiction at such time as zoning is approved for this extra-territorial area pursuant to New Mexico Statutes Annotated section 3-21-1 et seq., is hereby divided into zone districts, as named and described in the following sections. The regulations prescribed in this Title shall apply within the corporate limits of the City and to the territory in its extra-territorial zoning jurisdiction at such time as zoning is approved for this extra-territorial area pursuant to New Mexico Statutes Annotated section 3-21-3.

B. Boundaries Shown on Map: The boundaries of said zone districts are hereby established as shown on the Official Zoning Map.

C. Uncertainty of Boundary Lines: Where due to the scale, lack of detail or illegibility of the Official Zoning Map, there is any uncertainty, contradiction or conflict as to the intended location of any district boundaries shown thereon, interpretation concerning the exact location of a zone district boundary line shall, upon a written request, be determined by the Board of Adjustment.

D. Frontage on Public Right of Way: Abutting zone districts along frontage on a public right of way shall automatically extend to the center line upon vacation from public use of said right of way. (Ord. 1985-03, 4-16-1985)

10-4-4: RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES:
Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:
A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
C. Boundaries indicated as approximately following City limits shall be construed as following such City limits.
D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
E. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E of this Section shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the Map.
G. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections A through F above, the Board of Adjustment shall interpret the district boundaries.
H. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Title and where such lot was created as part of a properly approved and filed subdivision, the Board of...
Adjustment may permit, as a special exception, the extension of the regulations for either portion of the lot into the remaining portion of the lot. If such lot was not created as a part of a properly approved and filed subdivision, the more restrictive regulations for either portion of the lot shall apply into the remaining portion of the lot and the Board of Adjustment may permit, as a special exception, the extension of the less restrictive regulations to the entire lot only after such lot is approved and filed pursuant to the subdivision regulations. (Ord. 1985-03, 4-16-1985)

10-4-5: APPLICATION OF DISTRICT REGULATIONS:
A. Minimum Regulations: The regulations set by this Title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.

B. Compliance with District Regulations: No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

C. Compliance with Conditions and Limitations: No building or other structure shall hereafter be erected or altered:
1. To exceed the height or bulk;
2. To accommodate or house a greater number of families;
3. To occupy a greater percentage of lot area;
4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces; than herein required; or in any other manner contrary to the provisions of this Title.

D. Yards, Open Spaces and Parking: No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building, for the purpose of complying with this Title, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

E. Yard or Lot Dimensions: No yard or lot existing at the time of passage of this Title shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date hereof shall meet at least the minimum requirements established by this Title.

F. Zoning of Annexed Land: At such time as territory may hereafter be annexed to the City, it shall continue to be zoned and subject to such land use restrictions as prior to such annexation. Provided, however, if such territory is not subject to zoning or land use restrictions, the City Council shall, as a condition of such annexation, zone such territory. (Ord. 1985-03, 4-16-1985)

Handbook for Municipal Clerks - New Mexico Municipal League
CHAPTER 6
MOTIONS, RESOLUTIONS AND ORDINANCES

RESOLUTIONS
There is not much distinction between an ordinance and a resolution as indicated is § 3-17-1,

The best way to view a resolution is as a formal declaration of the governing body concerning a certain subject which does not have the force of law (at least on the public in general). a public body is required to comply with its own rules, any resolution which the governing body may use to establish rules for itself should be considered
to have the force of law on the governing body. If the governing body does not wish to follow the resolution any longer, it should be rescinded. A resolution remains in effect until rescinded or replaced by a subsequent resolution on the same subject.

When to Use a Resolution

Some municipalities use resolutions for all kinds of governing body actions, but the statutes list only certain instances where a resolution (instead of some other form of action) is specifically required, for instance: giving notice of a regular municipal election (§ 3-8-26) or a special municipal election (§ 3-8-35); initiating annexation by the arbitration method (§ 3-7-5); or establishing what notice of a governing body meeting is reasonable under the open meetings law (§ 10-15-1). Other instances where a resolution would be appropriate, although not specifically required, would be to determine the rules of procedure to be followed by the governing body in conducting its meetings (§ 3-12-3) or to appoint a charter commission if the adoption of a Home Rule charter is being considered (§ 3-15-5).

One of the most common uses of a resolution is to express the opinion of the governing body on a certain issue to another level of government (the President, Congress, the Governor, the Legislature, the County Commission or the local school board), to an organization (National League of Cities, Municipal League, Chamber of Commerce) or to the public in general.

A resolution may be introduced and adopted at the same meeting, unlike an ordinance that requires two weeks notice before final consideration.

Resolution Format

A resolution should be presented in writing. No particular form is prescribed by statute, although some of the content may be determined by statute, as with the election resolution (§ 3-8-26). However, custom and usage has established a degree of uniformity in the form of resolution:

1. Resolution Number. The Resolution number is customarily the year, a hyphen and the sequence number in which the resolution was adopted. (example: 2016-01, 2016-02…)

2. Title. The title should identify what subject the resolution refers to. (example: Election Resolution, Open Meetings Act Resolution)

3. Preamble. The preamble states the reason(s) for the resolution in one or more "Whereas" clauses. "Whereas" in lay terms means "Because."

   Each "Whereas" clause except the final one ends with a semicolon, followed by "and"; the final "Whereas" clause ends with a period.

4. Resolution Proper. The resolution proper consists of one or more resolving clauses, which state what the resolution actually does.
The first resolving clause begins with "Therefore" or "Now, therefore," followed by a comma, followed by "be it resolved by the governing body of the (city, town or village) that ..."

"(whatever the governing body wishes to express or declare),). Succeeding clauses usually begin with "Be it further resolved that..... ." Each resolving clause except the final one ends with a semicolon, followed by "and;" the final clause ends in a period.

See the sample resolution on page 6-9.

Adoption of the Resolution

A resolution is adopted by a motion and second, and requires a vote in the affirmative by a majority of all members of the governing body, not just those present (§3-17-4). Within three days after adoption of the resolution, the Mayor must validate the resolution, by endorsing it "approved" and signing it (§ 3-17-4). Although it is not required, the resolution should be attested by the Clerk.

Publication of Resolutions

There is no general requirement that most resolutions, except elections resolutions, be published, but it may be advisable to publish certain other resolutions, and certain statutes requiring resolutions may also require that they be published.
The Planning Commission has the following options:

1. **Recommend** of case **ZO-19-01, 02 and/or 03**, with reasons stated in the motion; first reading will be heard by City Council.
2. **Require modifications** to case **ZO-19-01, 02 and/or 03** and have it returned for Planning and Zoning Commission review at the next meeting.
3. **Deny** the request of case **ZO-19-01, 02 and/or 03** with reasons and conditions.

Recommendation of a **Change of Zone** requires a **2/3 majority vote** of those members of the Planning Commission present. The reasons for either approval or rejection must be stated in the findings of fact and motion.

**If the Planning Commission votes to recommends this application, staff recommends that the following conditions of approval to imposed:**

1. Cases ZO-19-01, 02 and 03 will be heard for First Reading on March 19 and Second Reading on April 16, 2019.

**IV. STAFF FINDINGS**

Upon further review of the application and existing conditions, staff finds that the proposed use appears to be generally consistent with the City Code. Furthermore, the case was considered on the Development Review Team (DRT) held on Thursday February 14th, 2019.

Comments and findings received at the DRT:

City Staff made a presentation to the DRT members; Russell Hanson from Checkpoint Ginger LLC is present to answer any questions.

Our on-call engineer, John Montoya from Molzen-Corbin is on conference call to answer the questions especially for case no. ZO-19-03 the void area and the proposed street that communicate from Russell Street to Laurel Park. The challenge on this sliver is that it does not have an Account Number and/or Parcel Number. The engineer does not have any issue, the process will need to be confirmed.

If approved, the change of zone will comply with the city’s master plan. Mr. Montoya concurred that the best way to go it is a single application for the three parcels. The last traffic study confirms the master plan. Eventually, Mr. Hanson will return with a project for the referenced parcels.
Suggested Motion:

“Based upon the foregoing of fact per 2014 New Mexico Statutes - Chapter 3 - Municipalities Section 21 Zoning Regulations and §Tile 10-Zoning regulations, Chapter 4 Zoning Districts; Maps, 10-4-1 of the City Code, I move to RECOMMEND the requested Change of Zone on the Valencia Hills/Park Subdivision to be heard for the City Council (First Reading on March 19 and Second Reading on April 16, 2019).

Prepared by: Louise B. Marquez
City Planner

Director Community and Economic Development
Appendix No 1 – Parcel # R1900952 Information

Appendix No 2 – Parcel # R1900952 Proposed Commercial Area
Appendix No 3 – Parcel # R1901078 Information

![Parcel Map]

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<thead>
<tr>
<th>ACCOUNTNUMBER:</th>
<th>R1901078</th>
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<tr>
<td>OWNERNAME:</td>
<td>CHECKPOINT GINGER LLC</td>
<td>MAILADDR1:</td>
<td>PO BOX 220630</td>
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Appendix No 4 – Parcel # R1604948, R1604949 & 2.57 Acres Section Information
Appendix No 5 – Land Use
Appendix No 6 – Proposed Land Use

Chapter 15
Development Standards & Exceptions

10-15-1 Development Standards:

<table>
<thead>
<tr>
<th>District</th>
<th>Yards Min. Front</th>
<th>Yards Min. Rear</th>
<th>Yards Min. Side</th>
<th>Lots Min. Area</th>
<th>Lots Min. Width</th>
<th>Lots Min. Depth</th>
<th>Height Max.</th>
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<tr>
<td>C2</td>
<td>15 ft.</td>
<td>15 ft.</td>
<td>5 ft.</td>
<td>5,000 sq. ft.</td>
<td>*60</td>
<td>*70</td>
<td>45 ft.</td>
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*Total lot area must be equal to, or greater than, minimum area specified.


Appendix No 7 – Notice of Public Hearing (Buffer Zone) & Posters

*Certified Mail Receipts (17 pages)
Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:

New Mexico League of Zoning Officials Conference May 1st to May 3rd
Albuquerque, NM.

Background:

Recommendation: Approve

DRT Comments: N/A
AGENDA ITEM NO. 8
CITY OF SUNLAND PARK
PLANNING AND ZONING

Meeting Date: 03/14/2019

Submitted By:
Louise B. Marquez, CED Director

Subject:

Reminder of dates for upcoming work sessions to review draft subdivision ordinance.

Background:

Recommendation: Approve

DRT Comments: N/A