



## ZONE CHANGE EXTRA-TERRITORIAL ZONING COMMISSION

**DOÑA ANA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT**  
**Doña Ana County Government Complex • 845 N. Motel Blvd.**  
**Las Cruces, New Mexico 88007 • Office: (575) 647-7350**

**MEETING DATE:** September 22, 2016

**CASE #:** SU15-015 / Bannister

**REQUEST:** Special Use Permit

**PURPOSE:** Establish & operate a charter school

**PROPERTY OWNER/  
APPLICANT/AGENT:** SanBan, LLC,  
Scott Bannister, Agent

**LOCATION:** 750 Dalrymple Rd.

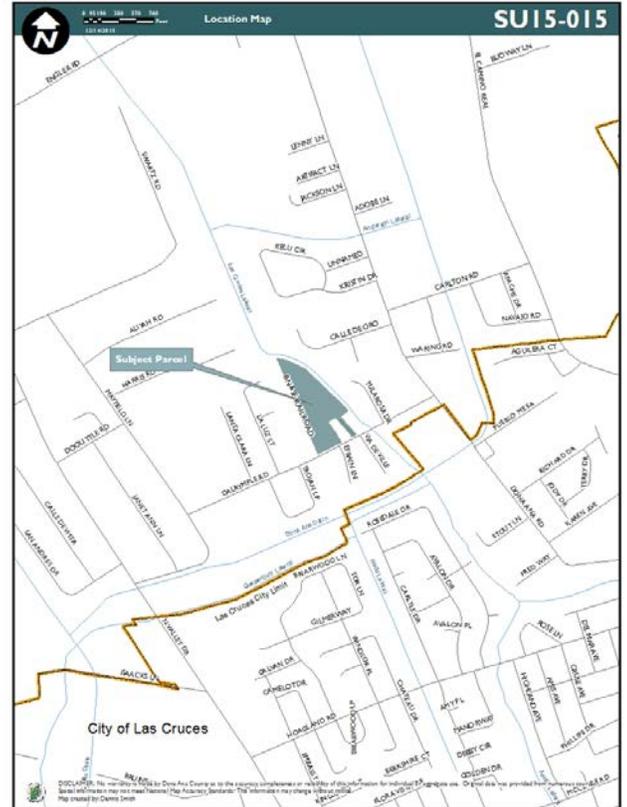
**LEGAL DESCRIPTION:** Part of U.S.R.S. Tract 7-23A,  
Lot 36 & part of Avenue "R"  
of the "Alameda Tract" as  
recorded in the DAC Clerk's  
Office May 30, 2008, with  
Instrument #0815805.

**PROPERTY SIZE:** 8.1-acres

**PARCEL ID NO.:** 03-06177

**RECOMMENDATION:** Conditional Approval

**CASE MANAGER:** Steve Meadows, Planner



**REPORT CONTENTS:** (1) Cover Page (2) Case Analysis and Staff Recommendation, (3) GIS Information & Maps (4) Application and Supporting Documents (5) Public Notification

## **SURROUNDING ZONING AND LAND USE**

<b>SITE</b>	<b>ZONING</b>	<b>LAND USE</b>
North	ER2 - Residential, 2-acre minimum new lot size, single family site-built homes.	Agricultural uses and some residential uses
South	City of Las Cruces	Residential uses
East	City of Las Cruces	Residential uses
West	ER2 – Residential, 2-acre minimum new lot size, single family site-built homes.	Agricultural uses and some residential uses

## **BACKGROUND**

### **Existing Conditions and Zoning:**

The subject property is an 8.1-acre irregularly shaped parcel (*Pg 10*) located within an ER4 (Residential, 1/2 acre minimum new lot size, single family site-built homes) Zoning District. The subject parcel is located northwest of the City of Las Cruces and west of Doña Ana Rd. Access to the subject parcel along the southern boundary is from Dalrymple Rd. (50' R-O-W), designated as a local road by the Mesilla Valley MPO. Water and wastewater disposal (sewer) services to the site is provided by Doña Ana MDWCA. The western property line abuts the BN&SF Railroad R-O-W and the northern and eastern property boundaries abut EBID's Las Cruces Lateral Canal. Four (4) private residential parcels are located near the southeastern boundary of the subject property and are accessed by Walter Ln., an unpaved, private road, that is a contiguous part of the subject property (*Pg 31*). Currently the subject property contains a baseball diamond which would be removed if request is approved.

### **The Request:**

The applicant is requesting a Special Use Permit to construct and operate a Charter School per Section 3.1.E.2.d referencing Section 3.1.E.1.d.7 of the ETZ Ordinance 88-02, as amended. The applicant proposes to construct approximately 35,000 sq. ft. of buildings containing classrooms, administration offices, a cafeteria area, a performance hall/gymnasium, and other buildings in support of the school operations. Two entrances on the southwest side of the parcel are requested for bus and vehicle access.

## **APPLICABLE PLANS, POLICIES, AND CRITERIA FOR APPROVAL**

### **1. Las Cruces Extra-territorial Zoning Ordinance No. 88-02, as Amended**

#### **2.1.D Evaluation Criteria**

The Planning Director and the ETZ Commission may use the following general criteria when reviewing **Special Use Permits** and Zoning applications. The ETZ Commission shall have the authority to require additional specific information on any of the following criteria.

Unless additional justification is presented, the fact that there is an existing legal nonconforming use shall not be considered sufficient grounds for a zone change in order to bring that use into conformity.

- 2.1.D.1 Determination of potential number of homes, population and population demographics.
- 2.1.D.2 Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system.
- 2.1.D.3 Determination of need for new commercial activity.
- 2.1.D.4 Determination of potential water and sewage needs.
- 2.1.D.5 Evaluation of existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development.
- 2.1.D.6 The difference between capacity and impact should be stated. Those areas which are appropriate for the developer to underwrite should be negotiated between local government and developer.
- 2.1.D.7 The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance or areas which contain endangered or rare species of animal or plant life.
- 2.1.D.8 Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission.
- 2.1.D.9 Determination of impact of a proposed Special Use Permit on surrounding properties.

## **Current Zoning District:**

### **Section 3.1.E.2 ER4 RESIDENTIAL DISTRICT**

#### **3.1.E.2.a PURPOSE**

The purpose of the ER4 district is to provide for single-family site-built homes in low densities together with such recreational facilities, public uses and accessory uses as may be necessary or are normally compatible with residential surroundings.

#### **3.1.E.2.b DEVELOPMENT REQUIREMENTS**

The development requirements set for the ER4M district as outlined in Section 3.1.E.1.b of this Article are applicable to the ER4 district.

#### **3.1.E.2.c ER4 PERMITTED USES**

The permitted uses set for the ER4M district as outlined in Section 3.1.E.1.c of this Article are applicable to the ER4 district, EXCEPT that mobile homes are not allowed in the ER4 district.

#### **3.1.E.2.d ER4 SPECIAL USE PERMITS**

The Special Use Permit uses and conditions set for the ER4M district as outlined in **Section 3.1.E.1.d** of this Article are applicable to the ER4 district. **(Highlighted below)**

#### **3.1.E.1.d ER4M SPECIAL USE PERMITS**

The following uses require a public hearing pursuant to Section 2.1.G of this Ordinance and approval by the ETZ Commission:

1. All types of agriculture

2. Boarding houses and rest homes
3. Cemeteries
4. Community and publicly owned recreational centers, clubhouses and similarly used buildings and structures open to the public
5. Day care center or child care center for seven (7) or more children
6. Guest ranches
7. Parks, golf courses, churches, **schools** and other public or semi-public and open recreational uses
8. Public utility installations, substations and water wells
9. Keeping large animals and fowl on lots of less than one (1) acre in size
10. Keeping wild or exotic animals and fowl
11. Sale of farm produce provided it is raised on the premises
12. Veterinary facilities
13. Wineries and/or wine tasting rooms

## **AGENCY COMMENTS**

**DAC Engineering:** 1) The traffic impact study should include the intersections of Dalrymple and Mayfield Lane, Dalrymple and Doña Ana Rd., and Mayfield Ln. and Valley Dr. 2) Since the report was incomplete detailed review comments were not provided, as such, subsequent submittals will likely generate additional comments. 3) Existing, background, traffic shall be from current counts, with schools in session. This includes roadway segments and intersection movements. Provide ADT, AM and PM peak hour counts. **TIA 2<sup>nd</sup> Review:** 1) Building capacity must be used for the TIA. 1344 occupants not 240 students. Once the correct capacity for the TIA is used, additional comments may occur. 2) The LOS on Valley and Mayfield Lane fell from C to D. How will you mitigate? 3) A deceleration lane will be needed headed west on Dalrymple, turning north into the subject property. 4) NMDOT must be a reviewing agent.

**DAC Flood Commission:** 1) Pursuant to FEMA Flood Insurance Rate Map (FIRM) No. 35013C1518 E, the property is located within Flood Zone "X" (Areas determined to be outside the 500 yr. floodplain) which is not a FEMA Special Flood Hazard Area. Please be aware that the property is still susceptible to localized flooding despite not being identified within a FEMA Special Flood Hazard Area. 2) Additional reviews may warrant additional comments. **Applicant's Responsibility:** 10 Drainage runoff as a result from increases to impervious area(s) such as construction/placement of structures and driveway improvements will need to be contained and maintained within the subject property boundaries via on lot ponding. DAC requirements can be found in the DAC Design Standards Article IV Chapter 157-29. 2) A Drainage Maintenance Agreement is warranted for on lot drainage facilities (i.e. on lot ponding) pursuant to Article IV of the DAC Design Standards Ordinance Ch. 157-29.C.8.

**DAC Fire Marshal:** SUP approved only.

**DAC Building Services:** All building permits shall be obtained prior to construction.

**DAC Rural Addressing Coordinator:** No comments.

**DAC Zoning Codes:** No open case.

**DASO Codes:** 59-FB Weeds violation. Property needs to be cleaned and cleared.  
12/22/15

**NMED: Wastewater Treatment and Disposal-**School wastewater are consider as Non-domestic waste source and the level of treatment required will depend on the strength and character of the wastewater. Typically the wastewater is high in nitrogen and required level of treatment will depend on acreage, student and faculty population and the school calendar. **Water Supply/Water Quality:** No comment. **Solid Waste Disposal:** No comment. **Surface Water Bureau** – This project may require coverage under a Construction General Permit.

**NMDOT:** TIA review comments pending.

**Mesilla Valley MPO:** Dalrymple is a local road.

**CLC Planning Dept:** No issues.

**CLC Utilities:** The proposed development is within the wastewater service area of Doña Ana MDWCA. The City may be the interim wastewater provider until such time as the Association can provide service to the development.

**EBID:** EBID has no objection.

**Office of the State Engineer:** No water right issues that we see at this time. Assuming water for school will be provided by local water company.

## **NOTICE / NOTIFICATION**

- 74 letters of notification were sent on September 2, 2016, to the Area of Notification.
- Legal Ads were placed in the Las Cruces Sun-News on September 4, 2016.
- Signs placed on the property in a timely manner.
- Agenda placed on the DAC Web site.
- An email (*Pg. 21*) from Gary & Colleen Ballard (*Across street from names on List*) was rec'd in opposition to the request citing their opposition to a school in a residential neighborhood, and their concerns of the increases in traffic, lack of sidewalks, and safety hazards due to the narrowness of Dalrymple Rd.
- James Ross (*#36 on List*) submitted a letter (*Pg. 22*) in opposition to the request citing concerns that a school is contrary to established uses in the area, increased traffic congestion at intersections of Dalrymple Rd. and Doña Ana Rd., and Dalrymple Rd. and Valley Dr. Also, it would be less safe for pedestrians due to lack of sidewalks and street lighting along Dalrymple Rd.
- Ms. Naomi Schmidt (*#36 on List*) submitted a letter (*Pgs. 23-24*) and a map in opposition to the request citing the ER4 residential designation is inconsistent with the proposed use, Dalrymple Rd. is a 2-lane road with no sidewalks, no passing lane and no lights, exacerbated congestion on the roadway, rampant speeding, and she attached a portion of the 2009 Las Cruces MPO Traffic Flow Map showing the average annual weekday traffic volume on Dalrymple Rd. which, she states, "These

*data are now 8 years old, and traffic has greatly increased particularly during the morning and late afternoon rush hours.”*

- A letter from Logan Ross was received (*Pgs. 25-26*) citing his opposition to the proposal because of not allowing a charter school to be built/operated in a residential zone, traffic increases and safety problems due to the lack of sidewalks and Dalrymple Rd. not having a turning lane, lack of utilities, and impacts from noise and lights on the property.
- An letter (*Pg. 27*) from Mr. & Mrs. Underwood (*#15 on List*) was received citing their concerns about safety concerns due to proximity to the railroad tracks and the EBID canal, increased traffic on a narrow road (Dalrymple Rd.), and concerns about unwanted noise from the site.
- An email (*Pg. 28*) from Mr. & Mrs Castillo (*#35 on List*) in opposition was received and their concerns were listed with a number of questions about the type of school, whether approval had been given by the State, and whether the proposal had been submitted to the Las Cruces Public Schools, what was the impacts to Dalrymple Rd. and its tributary roads, the availability of water and waste water facilities and its impact on the system, the impact of any security lights, and the impact of noise pollution and to the EBID roads on the laterals.
- An email (*Pg. 29*) from Mr. A.G. Puentes (*#12 on List*) in opposition was received and voiced concerns about the lack of any reference, in the notification letter, of detailed infrastructure drawings, and traffic analysis being done.
- A second correspondence (*an email - Pg. 30*) from Ms. Naomi Schmidt (*#36 & #44 on List*) was received reiterating her opposition to the request and included further reasons to for such listing: lack of lack of infrastructure and noise and light pollution.
- Vicky Duran (*#60 on List*) sent an email (*Pg. 31*) in opposition citing increased traffic congestion.

## **STAFF ANALYSIS**

The applicant is requesting a Special Use Permit on a 8.1-acre parcel within an ER4 (Residential, 1/2 acre minimum new lot size, single family site-built homes) Zoning District to construct and operate a charter school.

The requested charter school includes a maximum of 240 students, grades 6-12 which will be phased in over time by adding grades 10-12 to the program over a period of three years by graduating student to the next higher grade level. Approximately 25-30 staff members are anticipated. The facility will be accessed from Dalrymple Rd., classified as a local road by the Mesilla Valley MPO. Two access points (*Pg. 10*) on the southwestern portion of the parcel are being proposed to provide student bus drop-off circulation and access to the parking lots for students, faculty/staff, and visitors. Both entrances and circulation routes will be paved as well as the parking areas shown on the site plan (*Pg. 10*). Utilities are available to the property with water and waste water services (sewer) provided by Doña Ana MDWCA (*Pgs. 15-18*), gas from Zia Natural Gas Co. (*Pg. 19*), and electrical service from El Paso Electric Co. (*Pg. 20*).

The subject property abuts the BN&SF Railroad (100 ft. R-O-W) on the west boundary that is signalized with lights and barrier arms at the Dalrymple Rd. crossing located at the southwestern corner of the subject property. The north and east boundary of the subject property abuts the Las Cruces Lateral Canal operated by EBID (50 ft. R-O-W). These two R-O-W's buffer the residential nearby neighborhoods from the subject parcel and the proposed

use. All landscaping and buffering requirements including a six foot (6') opaque wall, will be required, per Section 4.2.C, for the property boundaries abutting the four (4) residential properties near the southeastern corner of the subject property and served by Walter Ln., a graveled, private road. The applicant will close the terminus of Walter Ln. to prevent traffic from entering the school grounds. Parking lots must be landscaped as required and noise emanating from the property will be required to be mitigated as well as all lighting fixtures shall conform to the lighting requirements of the ETZ Ordinance.

A revised Traffic Impact Analysis (TIA) was submitted September 7, 2016, and includes current traffic data taken during the Fall 2016 School Year which started in August, and measures the traffic volume during the school year to determine and forecast the expected impacts to the area transportation system. However, DAC Engineering is recommending additional revisions to the TIA and NMDOT recommendations have not been received. Any improvements recommended by DAC Engineering and NMDOT will be required to be installed and approved prior to the school opening for students.

Nine letters & emails (Pgs. 21 31) were received in opposition to the requested use citing concerns that the use was incompatible with a residential neighborhood, increases to traffic on a two-lane road and the intersections associated with east west traffic between Valley Dr. and Doña Ana Rd. via Dalrymple Rd. Safety concerns due to the lack of sidewalks, lighting, and the proximity to the EBID canal, railroad tracks and crossing were discussed. Also concerns about increased noise and light issues and the lack of water and sewer infrastructure.

**2.1.D Evaluation Criteria and Analysis** Applicant's responses (Pgs. 13-14), **Staff analysis in bold.**

2.1.D.1: Determination of the number of homes, population, and population demographics. **No homes proposed.**

2.1.D.2: Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system. **Revised TIA submitted is currently being evaluated by NMDOT for impacts to transportation system. All requested improvements to intersections and roadways will be required to be installed by the applicant and inspected by DAC staff and the appropriate agencies prior to occupation of the school.**

2.1.D.3: Determination of need for new commercial activity. **The current location of the La Academia Dolores Huerta Charter School is deteriorating and below current construction standards per the applicant, and has been identified by the state as a top priority for new facility needs.**

2.1.D.4: Determination of potential water and sewage needs. **Applicant has provided a Ready, Willing, and Able Letter from Doña Ana MDWCA for water and sewer to the facility.**

2.1.D.5: Evaluation of existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development. **NMDOT is evaluating the recent TIA revision that is based on current school year traffic counts at the affected intersections and roadways. All requirements to install improvements must be completed by the applicant and inspected and approved prior to occupation of the**

**school. All utility providers have submitted documentation indicating that those services are adequate to accommodate the new facility.**

2.1.D.6: The difference between capacity and impact should be stated. Those areas that are appropriate for the developer to underwrite should be negotiated between local government and developer. **Infrastructure capacities are adequate for all utilities. The applicant will be required to install any improvements to roadways and intersections recommended by DAC Engineering and NMDOT to ensure that the roadway system is adequate for additional traffic generated by the school.**

2.1.D.7: The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance, or areas on which contain endangered or rare species of animal or plant life. **No evidence was submitted of any areas of historical significance, environmentally sensitive areas, or areas containing endangered species on the subject property.**

2.1.D.8: Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission. **Any fees or subsequent analysis to be prepared have been and are being paid for by the applicant.**

2.1.D.9: Determination of impact of a proposed special use permit on surrounding properties. **Impact to the four nearby residential properties will be mitigated by the requirement to install a six foot (6') privacy wall and the installation and maintenance of appropriate buffering next to the residential properties, per Section 4.2.C Landscaping and Buffering Requirements. The residential properties west of the subject property are buffered by the BN&SF Railroad 100 ft. R-O-W. Residential properties to the north and east are buffered by EBID's 50 ft. R-O-W containing the Las Cruces Lateral Canal. Noise and lighting impacts will be required to be mitigated by appropriate buffering and adhering to lighting requirements to contain light on the property. The applicant has noted that the modern architectural design should have a positive impact on surrounding property values. They have also stated the performance hall/gymnasium will be designated as an emergency area of refuge for surrounding residents in the event of an emergency. Traffic impacts generated by the charter school will be required to be mitigated by installing all roadway and intersection improvements to the affected roadways as recommended by DAC Engineering and NMDOT.**

If the applicant adheres to all local and state regulatory, ordinance, and developmental requirements, any adverse impacts can be mitigated, thus the Special Use Permit request will meet the 2.1.D Decisional Criteria.

## **STAFF FINDINGS**

**If the Extra-territorial Zoning Commission wishes to follow staff's recommendation of Approval of Case # SU15-015 / Bannister, staff recommends the following findings:**

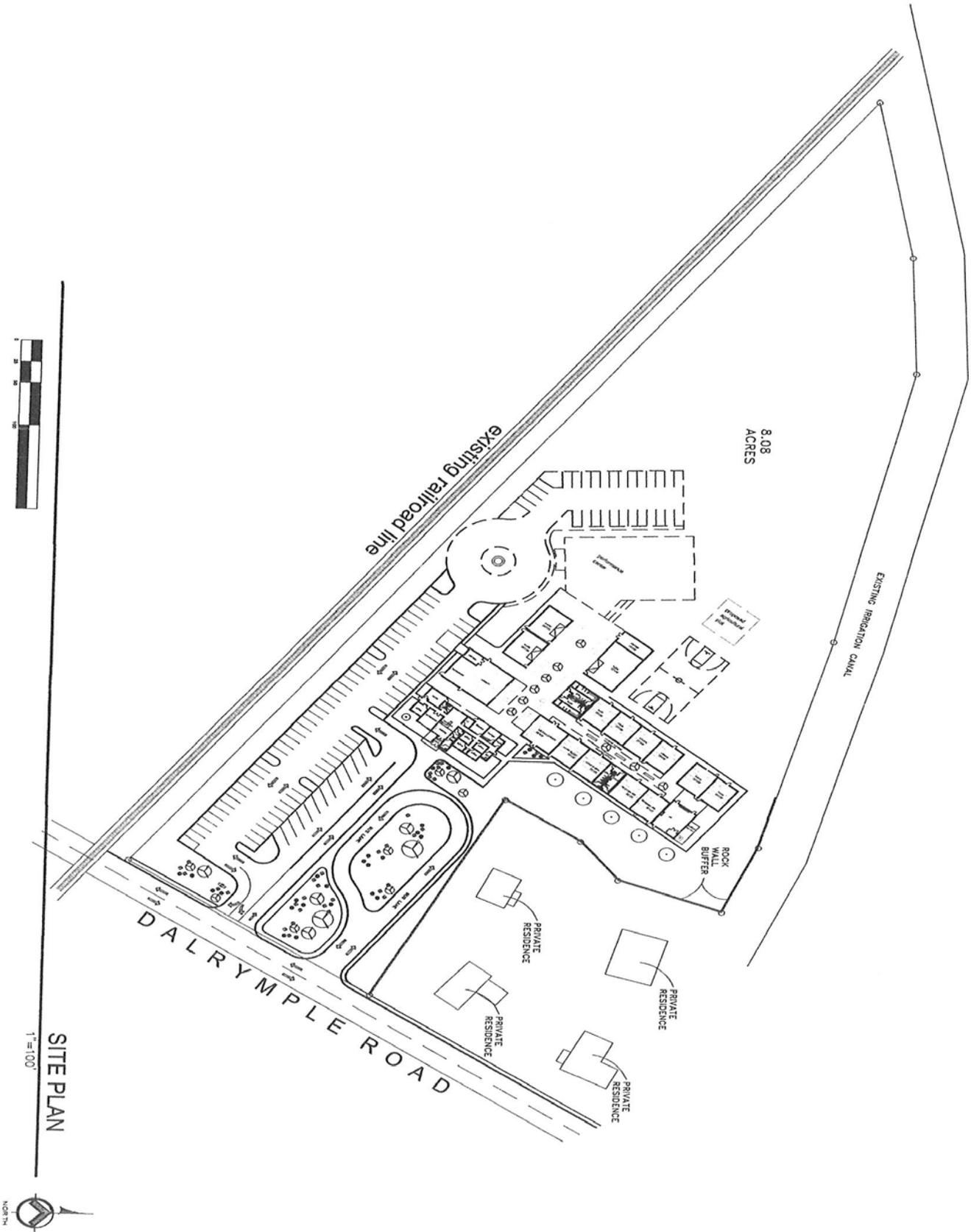
1. The subject property is located outside the corporate limits of the City of Las Cruces, but within the five-mile Extra-territorial Zone (ETZ) as set forth by 3-19-5(1), NMSA 1978 and the Joint Powers Agreement between Doña Ana County and the City of Las Cruces. Therefore, the Las Cruces ETZ Commission (ETZ-C) has jurisdiction to review this case.
2. The 8.1-acre subject property is located within an ER4 (Residential, 1/2 acre minimum new lot size, single family site-built homes) Zoning District.
3. Schools within an ER4 Zoning District shall receive approval of a Special Use Permit from the ETZ Commission per Section 3.1.E.2.d referencing Section 3.1.E.1.d.7.
4. Water and sewer services will be provided by Doña Ana MDWCA.
5. Other utilities will be provided by Zia Natural Gas Co. and El Paso Electric.
6. Dalrymple Road is classified as a local road by the Mesilla Valley MPO and occupies a 50 ft. R-O-W.
7. The BN&SF Railroad (100' R-O-W) crossing at the southwestern corner of the subject parcel is signalized with lights and barrier arms.
8. The EBID Las Cruces Lateral Canal (50' R-O-W) is located along the east and north boundaries of the subject property.
9. The Special Use Permit request does satisfy the 2.1.D Evaluation Criteria of the ETZ Ordinance.

## **STAFF RECOMMENDATION**

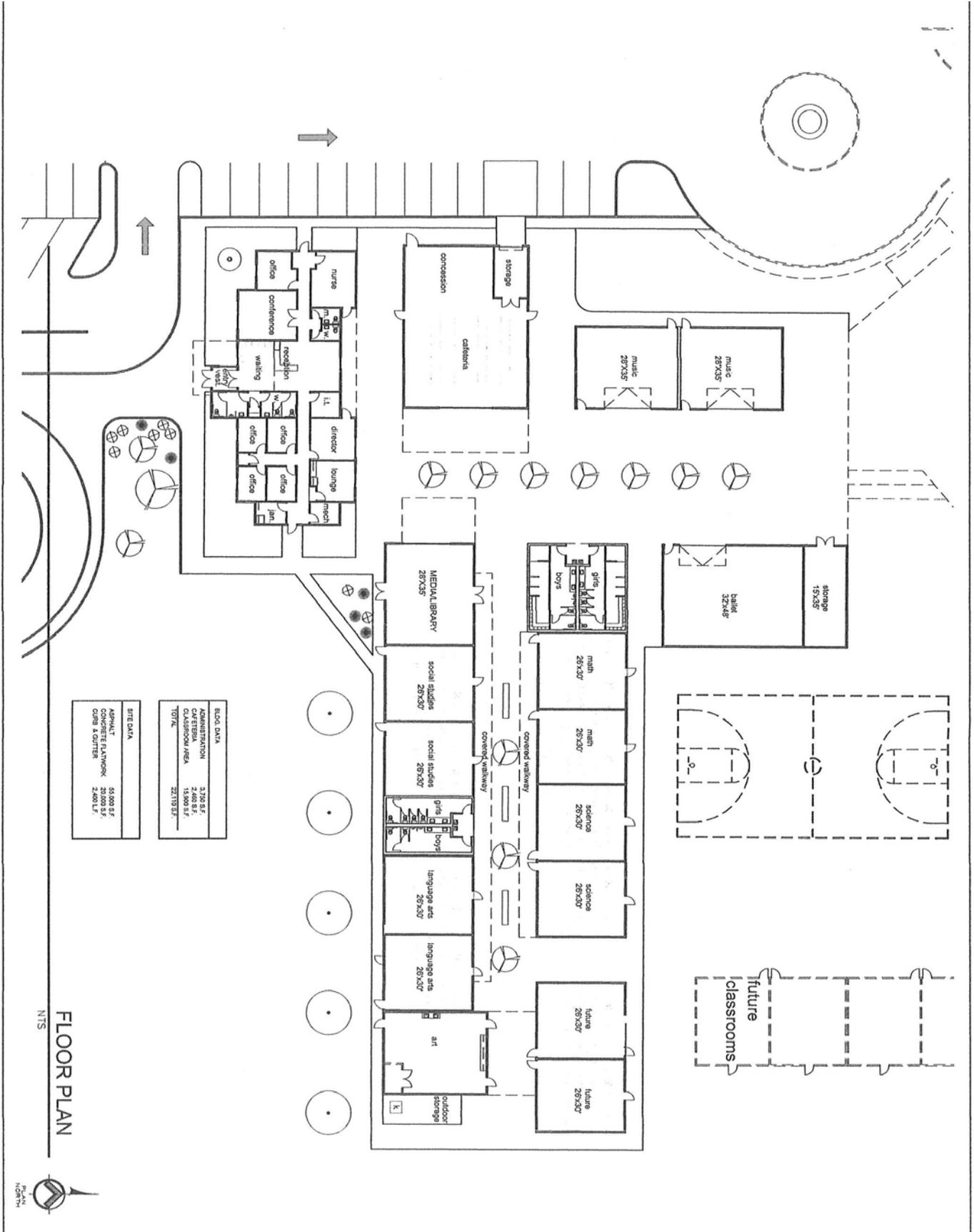
Based on the proposed findings of fact, staff analysis, and the request meeting Section 2.1.D Evaluation Criteria of the ETZ Ordinance No. 88-02, as amended, Staff recommends **Conditional Approval** of SU15-015/Bannister with the following condition:

- 1) *Applicant must adhere to all roadway and intersection improvement recommendations from NMDOT and DAC Engineering and those improvements shall be inspected and approved by the appropriate agencies.*

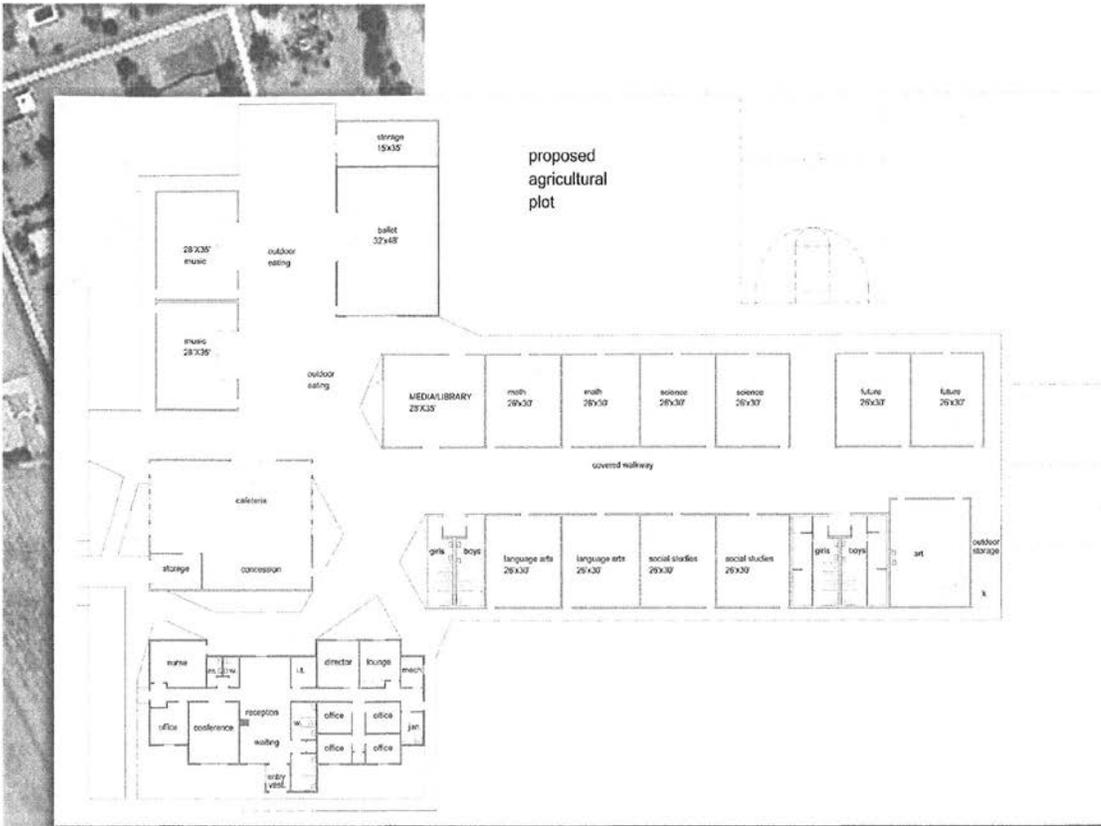
# Overall Site Plan



# Building Detail Plan



# Applicants' Narrative



## Narrative:

La Academia de Dolores Huerta is a Charter school with 170 students grades 6-8.

They are currently operating out of the Denison Building on Main St. and have been long overdue for a new location.

Our proposal includes over 22,000 square feet of building area. The design includes a contemporary motif with "open-air" pedestrian circulation from building to building. There are several building arrangements within the development (see attached).

### Primary building areas:

Administration -	3,750 s.f.
Cafeteria-	2,460 s.f.
Classrooms-	15,900 s.f.

We propose the school will add value to the surrounding residential properties, being new construction in a contemporary architectural style. It will serve as a safe haven for disadvantaged students in Dona Ana County and can be utilized and designated as an emergency area of refuge and in particular the performance hall/gymnasium. Our goal is to build a project that is aesthetically pleasing, adds monetary value to the surrounding areas and serves its stakeholders including area residents as well as students.

04:90" N 106°47'56.64" W elev

## 2.1.D Responses

**2.1D.1** Determination of potential number of homes, population and population demographics.

The proposal is for a Charter school. Population should be increased during school hours.

**2.1D.2** Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system.

Approximately 40% of the 170 students are parent drop-off and the remaining students are bussed in. Traffic will be increased during school hours primarily during the morning when school starts and the afternoon during student pick-up. A traffic impact study is being performed to ensure the impact is handled adequately and all parties are informed.

**2.1D.3** Determination of need for new commercial activity.

Many of the students who attend La Academia are from the surrounding area of the proposed site. They are currently in the Denison Building on Main street which has significantly deteriorated and is not up to par with construction standards. The State has identified La Academia Charter School as a top priority with regard to new facility needs.

**2.1D.4** Determination of potential water and sewage needs.

Please see attached letter from Dona Ana water.

**2.1D.5** Evaluation of existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development.

Currently, Dalrymple is a well-maintained paved road with access to utilities including water, sewer, gas and electric. See attached letters with regard to utility accessibility.

**2.1D.6** The difference between capacity and impact should be stated. Those areas which are appropriate for the developer to underwrite should be negotiated between local government and developer.

The Developer is assuming responsibility.

**2.1D.7** The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance or areas which contain endangered or rare species of animal or plant life.

The proposed site is an 8.08 acre vacant lot that is currently being used for baseball practices. It has no water rights despite at one point being an agricultural site. It is not a natural area of refuge for wildlife and is currently a graded dirt lot.

**2.1D.8** Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission.

The Developer is assuming responsibility.

## 2.1.D Responses (Pg 2)

### 2.1D.9 Determination of impact of a proposed Special Use Permit on surrounding properties.

The impact to the surrounding areas will primarily be traffic related during peak drop-off and pick-up times Monday through Friday. In addition, there will be some noise pollution as a natural result of any school facility. This property has a 50' wide irrigation canal buffer along the entire north side of the property between the proposed school and a residential area. There is an elevated 50' railway buffer along the entire west side of the property between the proposed property and a residential neighborhood. To address the four residences immediately adjacent to the property we propose an aesthetically pleasing privacy wall (materials yet to be determined) along the common property line as well as a landscape buffer to include large trees. We intend to designate the Gymnasium as an emergency area of refuge for residents in the surrounding area in the event of an emergency. The new construction and architectural impact, should raise the property values in the immediate and surrounding areas as well.

# Doña Ana MDWCA Water Letter



*Doña Ana Mutual Domestic Water Consumers Association*  
*Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032*  
*Physical Address: 5535 Ledesma Dr • Las Cruces, NM 88007*  
*(575) 526-3491 Office • (575) 526-9306 Fax*

May 9, 2016

Scott Bannister  
PO Box 6824  
Las Cruces, New Mexico 88006

RE: Letter of Commitment for 750 Dalrymple Road, Parcel 03-06177

Dear Mr. Bannister,

Please be advised that Doña Ana Mutual Domestic Water Consumers Association (“Doña Ana MDWCA” or “the Association”) approved your request for water service to the “Property” known as 750 Dalrymple Road, consisting of 8.08 acres

Doña Ana MDWCA is ready, willing and able to provide domestic water service to the “Property”, subject to the following conditions:

1. The Developer or owner shall construct all necessary on-site and off-site facilities to connect the property to Doña Ana’s system. All related distribution water lines, including service lines, fire hydrants, valves and related fittings, meter yoke assemblies (excluding the metering device) within the Property are to be constructed and installed by a licensed utility contractor. The licensed utility contractor is also responsible for coordinating the inspection, pressure test, and microbiological test with Doña Ana MDWCA staff, and the tests must be performed by the licensed utility contractor.
2. The Developer or owner will be responsible for a fire flow analysis conducted by the Association’s engineers, to assure that all required fire flows will be met within the water system improvements proposed by the Developer or owner. The Developer or owner shall also be responsible for those costs required to assure adequate fire flows are met for any other site improvement requiring compliance with fire or related codes.
3. The Developer or owner will be responsible for all maintenance and repair on the distribution water lines, including service lines, fire hydrants, valves and related fittings, meter yoke assemblies (excluding the metering device) within the distribution system for a period of one year after the acceptance of the system by the Association. The Applicant will perform all maintenance and repairs promptly. Should the Association be required to perform any repairs, due to failure of the Applicant to do so within a reasonable time, payment for any time, equipment and materials will be made by the Developer or owner to the Association upon completion of the work.

## Doña Ana MDWCA Water Letter (pg 2)

4. Doña Ana MDWCA currently has a 6" water main in place, which provides service in the area in which this subdivision is proposed. Should a larger water main be required in order to provide sufficient fire flows while meeting your subdivision's required peak demands, that cost must be incurred by the Developer or owner and not by Doña Ana Mutual Domestic Water Consumers Association.
5. To connect the Property to Doña Ana MDWCA's system the Association will require the Developer or owner to construct and/or pay for the actual costs of any off-site improvements which are required for the Property to receive adequate water service.
6. Upon acceptance of the system by Doña Ana MDWCA, the distribution infrastructure system (excluding that portion on the user side of the meter) shall become the property of the Association after one calendar year from acceptance of the system by the Association; maintenance on the water infrastructure up to and including the water meter shall become the responsibility of the Association at that time.
7. Payment for the water meter connection is due when the customer requests water service from the Association.
8. Each connection becomes subject to water rates, fees, charges in place at time service is requested, which may be adjusted at any time through new rate structures implemented by the Board of Directors.
9. Water rights fee for any commercial connection will be determined at the time of application for service.
10. Please note that all hookup and other fees are subject to change, based upon Board amendments to Policies establishing these fees.
11. The Association has standard specifications and details for construction that are not addressed in this letter but the Property will be required to meet prior to and during construction.
12. This commitment becomes void six months from the date of this approval letter, or if Doña Ana Planning and Zoning or other necessary approvals are not obtained.

Sincerely,  
Doña Ana Mutual Domestic Water Consumers Association

Jennifer J. Horton  
Executive Director

cc: File

Letter of Commitment for 750 Dalrymple Road, Parcel 03-06177

Page 2 of 2

# Doña Ana MDWCA Sewer Letter



*Doña Ana Mutual Domestic Water Consumers Association*  
*Mailing Address: P.O. Box 866 • Doña Ana, NM • 88032*  
*Physical Address: 5535 Ledesma Dr • Las Cruces, NM 88007*  
*(575) 526-3491 Office • (575) 526-9306 Fax*

May 9, 2016

Scott Bannister  
PO Box 6824  
Las Cruces, New Mexico 88006

RE: Letter of Commitment for 750 Dalrymple Road, Parcel 03-06177

Dear Mr. Bannister,

Please be advised that Doña Ana Mutual Domestic Water Consumers Association (“Doña Ana MDWCA” or “the Association”) approved your request for wastewater service to the “Property” known as 750 Dalrymple Road, consisting of 8.08 acres

Doña Ana MDWCA is ready, willing and able to provide wastewater service to the “Property”, subject to the following conditions:

1. The Developer or owner shall construct all necessary on-site and off-site facilities to connect the property to the City of Las Cruces. All related wastewater collection lines, lift stations, vacuum stations, force main, manholes and other related infrastructure for the Property are to be constructed and installed by a licensed utility contractor. The licensed utility contractor is also responsible for coordinating the inspection and pressure test with Doña Ana MDWCA staff, and the tests must be performed by the licensed utility contractor.
2. The Developer or owner will be responsible for all maintenance and repairs on the wastewater collections lines, including lift stations, vacuum stations, force main, manholes and other related infrastructure for the Property for a period of one year after the acceptance of the system by the Association. The Applicant will perform all maintenance and repairs promptly. Should the Association be required to perform any repairs, due to failure of the Applicant to do so within a reasonable time, payment for any time, equipment and materials will be made by the Developer to the Association upon completion of the work.
3. Doña Ana MDWCA does not currently have a wastewater main in place, to provide service in the area in which this Property is proposed. However, the Association has a permanent agreement with the City of Las Cruces regarding treatment of wastewater. Should a larger wastewater main be required in order to meet the Property’s required peak flows, that cost must be incurred by the Developer or owner and not by Doña Ana Mutual Domestic Water Consumers Association or the City of Las Cruces

## Doña Ana MDWCA Sewer Letter (pg 2)

4. To connect the Property to the City of Las Cruces system the Association will require the Developer to construct and/or pay for the actual costs of any off-site improvements which are required for the Property to receive adequate wastewater service. The City of Las Cruces will designate the location of connection to their system and may have special provision for the connection.
5. Upon acceptance of the system by Doña Ana MDWCA, the collection lines and other related wastewater infrastructure shall become the property of the Association after one calendar year from acceptance of the system by the Association; maintenance on the wastewater infrastructure shall become the responsibility of the Association at that time.
6. Payment per wastewater connection is due when the customer requests wastewater service from the Association.
7. Each connection becomes subject to wastewater rates, fees, charges in place at time service is requested, which may be adjusted at any time through new rate structures implemented by the Board of Directors. Any subdivision whose wastewater will be treated by the City of Las Cruces is also subject to the City of Las Cruces impact fee in place at the time service is requested.
8. Please note that all hookup and other fees are subject to change, based upon Board amendments to Policies establishing these fees.
9. The Association has standard specifications and details for construction that are not addressed in this letter but the Property will be required to meet prior to and during construction.
10. This commitment becomes void six months from the date of this approval letter, or if Doña Ana Planning and Zoning or other necessary approvals are not obtained.

Sincerely,  
**Doña Ana MDWCA**



Jennifer J. Horton  
Executive Director

cc: File

# Letter from Zia Natural Gas Co.



ZIA NATURAL GAS COMPANY

December 2, 2015

To: Scott Bannister/ Whom it May Concern

Re: Gas Service to 750 Dalrymple Rd

Mr. Bannister thank you for your inquiry to Zia Natural Gas about the possibility of serving facilities at 750 Dalrymple Rd. The area is within the Zia Natural Gas Company service boundaries and we have the capability of serving your proposed project. Please let this serve as a "Will Serve" letter to whomever may need it. When you are ready for service please contact our office at the address listed below to complete the appropriate paperwork for services to the proposed project. Please complete all paperwork three weeks prior to service desired date, as we are currently rapidly expanding. We look forward to serving you.

Thank You,

Ronald Reynolds  
District Manager  
Zia Natural Gas Company

CUSTOMER INQUIRIES CONTACT YOUR LOCAL OFFICE:

510 E. BENDER  
P.O. BOX 2220  
HOBBS, NEW MEXICO 88241  
(575) 392-4277

100 SHORT DRIVE  
P.O. BOX 888  
RUIDOSO DOWNS, NEW MEXICO 88346  
(575) 378-4277

3700 W PICACHO AVE.  
LAS CRUCES, NEW MEXICO 88007  
(575) 529-4427

# Letter from El Paso Electric Co.



P.O. Box 910  
Las Cruces, NM  
88004-0910  
(575) 526-5551

December 1, 2015

Scott Bannister  
PO Box 6824  
Las Cruces, New Mexico 88006

Dear Mr. Scott Bannister;

El Paso Electric is pleased to be able to provide electric service to the future Dolores Huerta Charter School located 750 Dalrymple Road Las Cruces New Mexico 88007. Electric service will be extended to this property based on our current Line Extension Policy as filed with the New Mexico Public Regulation Commission and will be subject to the rules and restrictions set forth therein.

If you have any questions regarding the extension of electric service, please do not hesitate to call me at (575) 523-3680.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Movsesian", is written over a white background.

Matthew E. Movsesian  
Senior Engineer-Distribution Design  
Distribution Design and Delivery

# Gary & Colleen Ballard Email

**Steve Meadows**

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**From:** ballard00@comcast.net  
**Sent:** Sunday, September 11, 2016 11:42 AM  
**To:** Steve Meadows  
**Subject:** charter school

We are writing to protest the request for a special use permit for a charter school on Dalrymple Rd. The parcel is located in a residential area for single family houses and we would like it to stay that way.

Having lived on La Luz St for more than 41 years we have noticed an big increase in traffic on Dalrymple Rd. It has become a road that a lot of vehicles use to get to either Dona Ana Rd. or Valley Drive. The road is narrow and when two vehicles approach from opposite directions over the existing irrigation canal it is dangerous, especially when it is a commercial truck, big recreational vehicle or some kind of farm equipment.

If a charter school was built it would create a safety hazard for children that would be attending the school plus any people that would be walking or riding a bicycle, especially students walking to and from Mayfield High School. It is not unusual to see a vehicle pulled over for speeding. There is not a sidewalk of any kind on Dalrymple Rd or any kind of pedestrian crossing.

We feel that having any kind of school on Dalrymple Rd. is dangerous because of the location (Railroad tracks, irrigation canal , and how narrow Dalrymple Rd is) We wish to have a safe environment for all concerned, whether it be those who would be attending the school or anyone walking or riding a bicycle on Dalrymple Rd.

Ballard

Gary and Colleen

2537 La Luz St.

# James Ross Letter

James Ross  
805 Cielo Circle  
Las Cruces, NM 88007

September 9, 2016

Steve Meadows  
ETZ Planner, County Planning Dept.  
845 N. Motel Blvd., Rm 1-150  
Las Cruces, NM 88007



Dear Mr. Meadows,

In reference to Case # SU15-015 / Bannister, this letter is to inform you that I am opposed to the proposed Special Use Permit as described in the Notice for Public Hearing dated September 2, 2016.

The ETZ Special use permit should be denied for the following reasons:

1. The proposed changes are contrary to established use in the area. We purchased our properties in good faith knowing that the area was zoned ER4 (Residential, .5 acre minimum new lot size, single family site-built homes). Our quality of life will be negatively impacted by the proposed changes.
2. Traffic on Dalrymple Rd., Dona Ana Rd. and Valley Dr. is heavy, especially in mornings and in the afternoon as people commute to and from work and school at Mayfield High School. The intersections of Dalrymple at Dona Ana Rd. and especially Dalrymple at Valley Dr. will become much more congested and less safe with the increased traffic resulting from a school located on Dalrymple Rd.
3. There are no sidewalks or street lighting along Dalrymple between Valley Dr. and Dona Ana Rd. The resulting increased vehicular traffic will endanger pedestrians in the area.

In summary, the location of a school in this area is not compatible with established historical use. The existing County infrastructure cannot support the increased traffic resulting from a school in this location.

Sincerely,

A handwritten signature in blue ink, appearing to be "James Ross".

James Ross

A handwritten note in blue ink consisting of the numbers "#36" and "#44" stacked vertically, enclosed within a hand-drawn blue circle.

# Naomi Schmidt Letter (Pg. 1 of 2)

September 10, 2016

Steve Meadows  
ETZ Planner  
Community Development Department  
845 N. Motel Blvd., Room 1-150  
Las Cruces, NM 88007



Dear Mr. Meadows,

This is in response to Case # SU15-015/Bannister, a request for a Special Use Permit by Mr. Scott Bannister.

I live across the railroad tracks west of the subject parcel. The permit should be denied for the following reasons.

1) The proposed use is completely inconsistent with the existing zoning district (ER4) in the surrounding area. The ER4 designation is residential, 0.5-acre minimum new lot size, single family site-built homes. Residents such as my family have purchased homes with the expectation that this area would be residential and our quality of life maintained.

2) Traffic will greatly increase and safety will be compromised. Dalrymple is a major east-west link between Dona Ana Road and Valley Drive via Mayfield Lane. According to the 2009 Traffic Flow Map by the Las Cruces Metropolitan Planning Organization ([http://files.catylist.com/files/property/3540000/3540692/4547402\\_Traffic\\_Flow\\_2009.pdf](http://files.catylist.com/files/property/3540000/3540692/4547402_Traffic_Flow_2009.pdf), see attachment for pertinent area of map), the average annual weekday traffic volume in 2008 on Dalrymple Road was 2205 cars. These data are now 8 years old, and traffic has greatly increased particularly during the morning and late afternoon rush hour. In spite of law enforcement patrols, speeding is rampant.

Dalrymple is a two-lane road with no sidewalks, no passing lane, and no lights. Traffic hazards on the road include a railroad crossing immediately adjacent to the subject parcel and narrowing of the navigable road itself by concrete headwall/wingwalls over a culvert for Elephant Butte Irrigation District turnout 301-006848-02-TO. The turnout is approximately 100 yards east of the current entrance to the subject parcel.

The addition of a charter school would exacerbate the congestion on an already over-used, unlit, 2-lane road and compromise public safety.

I strongly urge that the permit be denied.

Sincerely,

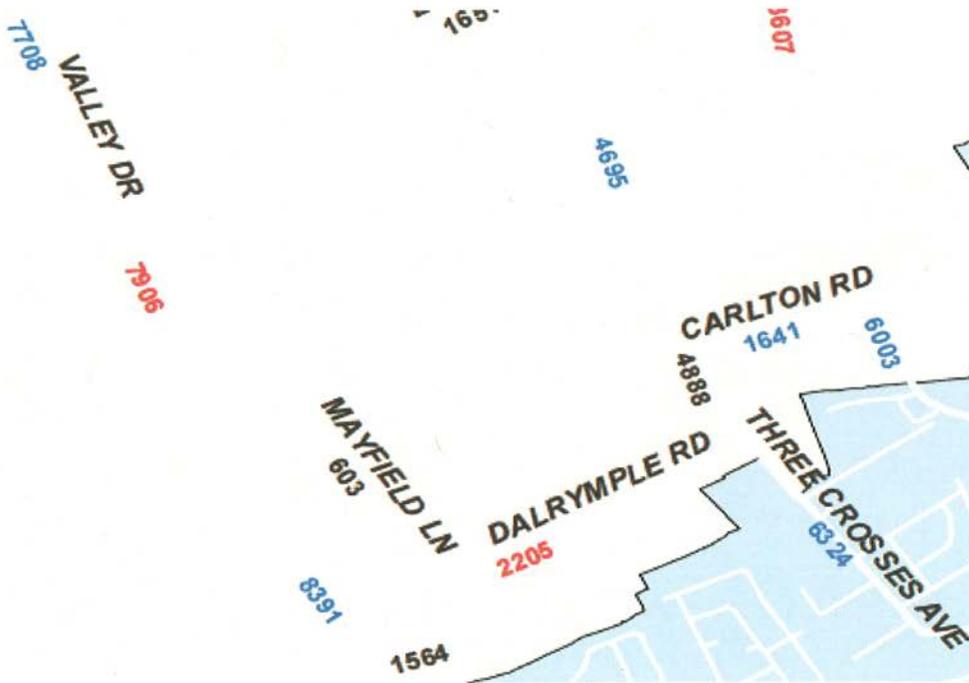
Naomi Schmidt

A handwritten signature in black ink that reads "Naomi Schmidt".

A handwritten note in blue ink that reads "805 Cielo Circle #36 @ 44". The numbers "#36" and "@ 44" are circled.

# Naomi Schmidt Email (Pg. 2 of 2)

805 Cielo Circle  
Las Cruces, NM 88007  
nschmidt@nmsu.edu



2

# Logan Ross Letter (Pg. 1 of 2)



September 13, 2016

Dear Mr. Steve Meadows,

My name is Logan Ross. I received a Notice for Public Hearing letter dated September 2, 2016 in which Mr. Scott Bannister is requesting A ETX Special Use Permit. I am writing you to express my disapproval of this potential Special Use Permit requested by Mr. Bannister. As you know, the ER4 Zoning District is currently a residential, 0.5-acre minimum new lot size, single family site-built homes, and there is no reason that it should be changed so that a charter school may be built/operated within it.

Traffic flow along Dalrymple Rd. is already high enough, the addition of a charter school feeding it will only compound this problem. In 2005 the Annual Average Weekday Traffic (AAWDT) for Dalrymple Rd. was 1428, in 2008 the AAWDT was recorded to be 2205. This increase was over the span of three years, however it has been eight years since AAWDT values have been recorded by the Mesilla Valley Metropolitan Planning Organization. One can interpolate AAWDT values for 2016 would be significantly greater than those in 2008. Dalrymple Rd. is a main East West road running between Valley Dr., and Dona Ana Rd., El Camino Real, and eventually North Main St.. Adding the proposed charter school will only create more congestion and increase the risk of traffic accidents along these roads and at their intersections. This would be true not only for local residents like myself but for those using Dalrymple Rd. in their daily commutes. Speeding along Dalrymple Rd. has always been an issue. More traffic would mean more potential speeding drivers, making it dangerous for local families. A center turn lane would need to be put in at the charter school's location. This would be needed to prevent eastbound traffic along Dalrymple Rd. from potentially backing up across the railroad crossing. Having A railroad crossing in such close proximity to the schools entrance also creates more congestion and public safety issues while the train is in operation. Some students would also walk or ride a bicycle to school rather than drive. Currently there are no sidewalks or bike lanes along Dalrymple Rd., and with the added traffic flow from the proposed school, those walking or riding to school are at an even higher risk of being potentially struck by a car.

If the Charter school were to be constructed then the existing utilities would have to be upgraded. Electrical power and potable water lines would need to be upgraded/installed. Low water pressure in my residence is already an issue during the summer watering months. The additional water used in landscaping, drinking, and cooking for the charter school will only make it worse. Sewer lines would have to be installed, because currently all the local residents are on septic tank and leech line systems.

Quality of life would also be severely impacted for those living close to the proposed charter school. Loud school bells, intercoms, and screaming children would be blaring throughout the day. I can hear the bells and intercom from Mayfield High School in my backyard at times, and it is  $\frac{3}{4}$  of a mile away. The roar of additional school busses and traffic would be evident during the normally quiet morning hours. Parking lights and field lights would not only light up the parking lots and playing fields but also my back yard, polluting the night sky with

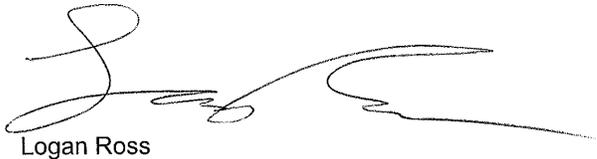
## Logan Ross Letter (Pg. 2 of 2)

their glare. There is a reason that some choose to live in the county rather than within the city limits. One of these reasons is more often than not because of more open space, less noise pollution, and a decrease in traffic volumes. Constructing the Charter School would have a negative impact on all three.

In closing, it is clear that I am against the ETZ Special Use Permit requested by Mr. Bannister. The parcel in question is zoned for residential use and should remain that way. The construction of a charter school on said parcel of land would increase traffic congestion which would create public safety issues, require more utilities to be brought in/upgraded, and would have a negative impact the quality of life for those living in the schools vicinity.

Thank you for taking the time to read this letter and I hope that you may consider the stated reasons for not granting the ETZ Special Use Permit. I look forward to seeing you at the public hearing on Thursday, September 22.

Sincerely,



Logan Ross

810 Cielo Circle

# James & Rosemary Underwood Letter

James K. and Rosemary Underwood  
2811 Calle De Plata  
Las Cruces, NM 88007  
September 12, 2016



ATT. Steve Meadows, ETZ Planner  
Dona Ana County Government Center  
845 N. Motel Blvd.  
Las Cruces, NM 88007  
Case #SU15-015/Bannister

Att. Steve Meadows  
Las Cruces Extra-territorial Zoning Authority and Commission:

This letter is to protest the change in zoning to allow the building of a charter school. My reasons for protesting are mainly for the following reasons:

1. Proposed building of a charter school would be right next to railroad tracks and a ditch which cause safety concerns to students and area residents.
2. Another safety concern is increased traffic on Dalrymple Road. Dalrymple already has high traffic on a narrow road and cannot handle increased traffic.
3. There are many mobile home parks with children crossing the street on the corner of Dona Ana and Dalrymple. Increased traffic will only complicate the existing problem and will add to safety concerns.
4. Building a charter school in this area will contribute to unwanted increased noise.
5. The Dona Ana Sherriff's officers are constantly patrolling the area which speaks to their concern. A charter school would increase that concern.

It is for these reasons we are not in favor of the change in zoning to build a charter school in our area.

Thank you for your attention to this important matter.

Sincerely,

*Rosemary Underwood*  
*James K. Underwood*

James K. and Rosemary Underwood

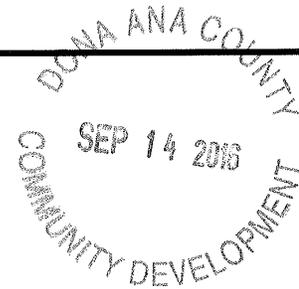


# Castillo Email

**Steve Meadows**

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**From:** castillo2@comcast.net  
**Sent:** Wednesday, September 14, 2016 1:54 PM  
**To:** Steve Meadows  
**Subject:** Special Use Permin, Parcel ID #03-06177



Dear Mr. Meadows

We are opposed to the request for a Special Use Permit to permit a charter school to be constructed and operated on 8.1 acre parcel located within ER\$ Zoning District. Parcel addressed as 750 Dalrymple Rd. Las Cruces, NM 88007, Parcel ID #03-06177.

We moved to the home addressed 2516 Tularosa because of the rural, farm like, peaceful atmosphere of area. A baseball field has been constructed on the above mentioned property. No prior request or notification was given to the surrounding residences before this took place.

Questions arise with the submission request for constructing a Charter School on the property.

What kind of school is this?

Has an application been submitted to the State of New Mexico for the school? What about approval?

Has a proposal been submitted to Las Cruces Public Schools?

What will be the impact of traffic on Dalrymple road and it's tributary roads?

How will water be supplied, what is the impact of water usage on Dona Ana Mutual Domestic Water Consumers Association?

What about wastewater, is there capacity for septic facilities? Will there be a private treatment plant installed?

Will there be outside overhead and/or security lights installed? How will this impact light pollution in the area?

What about noise pollution?

What is impact on the EBID roads on the laterals? These are used extensively by area residents for exercise and well being.

There are many vacant building within Las Cruces city limits and surrounding areas that could accommodate a charter school.

Again, we are opposed to the request for Special Use Permit for Parcel ID #03-06177.

Danny & Sandra Castillo

2561 Tularosa Dr  
# 35

# Puentes Email

Steve Meadows

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**From:** Al Puentes <agdgpuentes@gmail.com>  
**Sent:** Wednesday, September 14, 2016 4:00 PM  
**To:** Steve Meadows  
**Subject:** Fwd: case #SU15-015/Bannister



----- Forwarded message -----

**From:** Al Puentes <agdgpuentes@gmail.com>  
**Date:** Wed, Sep 14, 2016 at 3:53 PM  
**Subject:** case #SU15-015/Bannister  
**To:** [steven@donaanacounty.org](mailto:steven@donaanacounty.org)

Mr. Meadows,

Regarding the above case, has Mr. Bannister submitted detailed drawings showing the full site infrastructure such as electricity, sewage, water, and gas. In addition has any traffic study been done to see what the traffic impact would be on Dona Ana Road, Dalrymple Road, and Mayfield Lane taking into account the numerous buses and vehicle that would be using these roads. No mention was made in your letter if any of the above have been done or submitted.

I raise concerns regarding all the above and urge the ETZ commission to consider the above and provide such information to all the property owners that may be affected by such a facility in our neighborhood.

As soon as the above is available please advise via return email.

A. G. Puentes  
483 Calle de Oro  
LCNM 88007

A handwritten number "#12" in blue ink, enclosed within a hand-drawn blue oval.

# Naomi Schmidt Email

Steve Meadows

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**From:** Naomi Schmidt <nshmidt@nmsu.edu>  
**Sent:** Wednesday, September 14, 2016 8:44 PM  
**To:** Steve Meadows  
**Subject:** Case # SU15-015



Dear Mr. Meadows,

I want to register my opposition to the request by Mr. Scott Bannister for a Special Use Permit at 750 Dalrymple Road.

First, the increased traffic on Dalrymple would be hazardous and unsafe. The road is two lane, has no turning lanes, no sidewalks and no room for shoulders. There is no lighting. A railroad crossing is immediately adjacent to the property and a road constriction from an EBID irrigation culvert is very close. Dalrymple is a major east-west artery linking Dona Ana Road and Valley Drive via Mayfield Lane. Morning and afternoon traffic is heavy with students and parents travelling to and from Mayfield High School, as well as Picacho Middle School and East Picacho Elementary. Law enforcement patrols are quite common but speeding and passing persist. A charter school would exacerbate an already congested thoroughfare.

Next, there is the impact on the quality of life of the residents surrounding the property. We, like many others, purchased our home deliberately in an area zoned ER4. It would be unconscionable for the ETZ to abruptly rezone an area surrounded on all sides by homes whose owners bought in good faith that ER4 zoning would be maintained. We enjoy the quiet atmosphere of a residential, almost semi-rural setting. A school would bring a great increase in noise and light pollution.

In summary, the lack of infrastructure in this area is not consistent with a school. We have a narrow, already heavily traveled road, no lights, and no sewers. Additionally, the existing usage in the immediate area is completely residential.

Thank you.

Sincerely,

Naomi Schmidt

805 Cielo Circle  
# 36 & #44  
on List

# Vicky Duran Email

**Steve Meadows**

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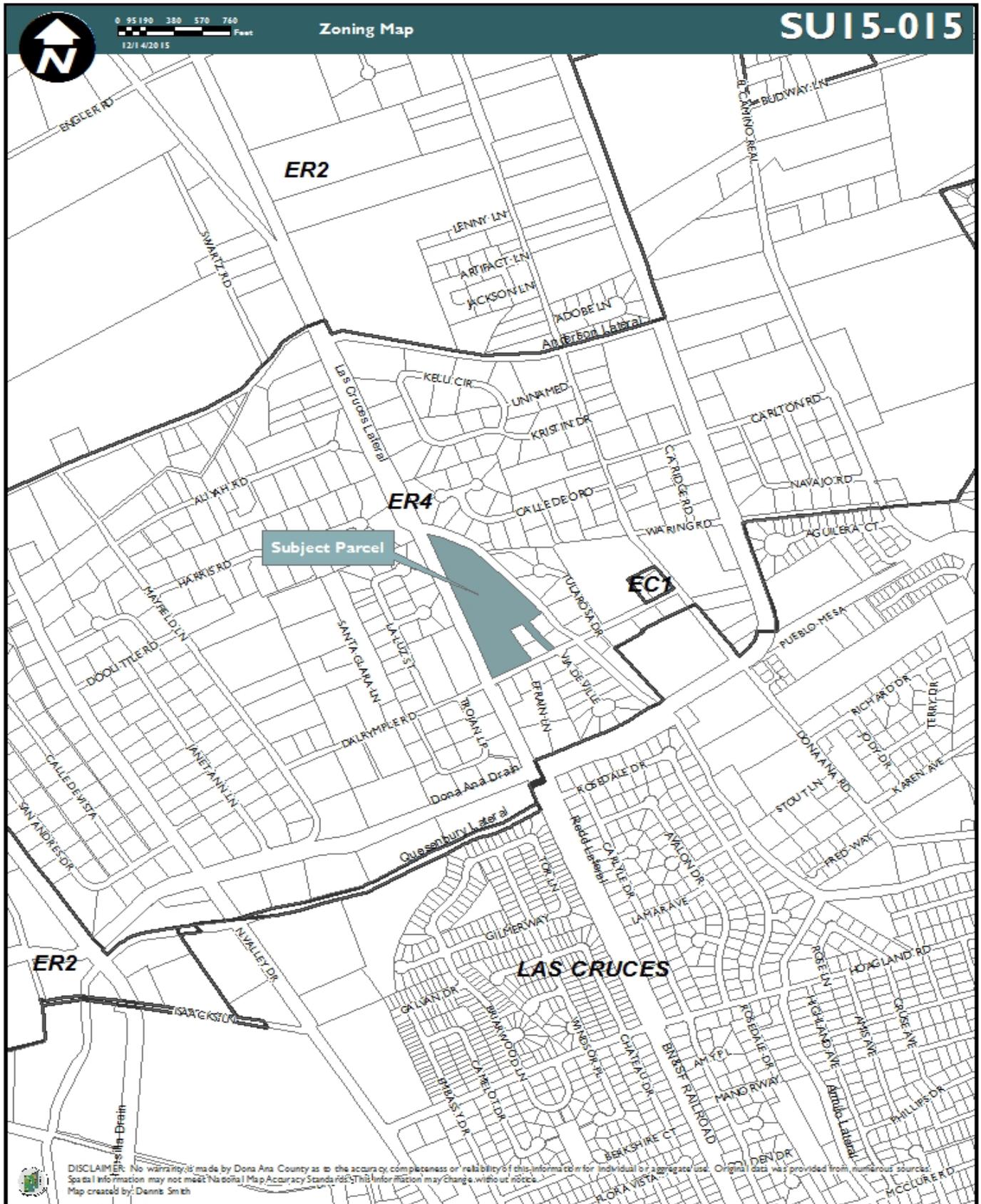
**From:** Vicky <elimicag@yahoo.com>  
**Sent:** Thursday, September 15, 2016 2:15 PM  
**To:** Steve Meadows  
**Subject:** Zoning on Dalrymple

Mr Meadows: Received the notice in the mail yesterday(9/14/16, which today is passed the deadline to contact you regarding the zoning issue. However I am going to respond, I am totally against the rezoning and building a school in this area. I have lived in this area for over 30 years and do not want to have to face the congestion of more traffic in this area, as I leave for work. Thank you

Sent from my iPhone

Vicky Duran  
747 Dalrymple  
#60  
on List

# Zoning Map



# Area Land Use Aerial



# Close-up Aerial of Parcel



# Area of Notification Map





# Area of Notification List

CODE	MAP_CODE	NAME	ADDRESS I	CITY	STATE	ZIP
1	4-006-133-102-371	SAN BAN LLC	PO BOX 6824	LAS CRUCES	NM	89006
2	4-006-133-059-251	SCHUH ESTHER	655 KRISTIN DR	LAS CRUCES	NM	89007
3	4-006-133-054-250	MARQUEZ ELVIRA C &	703 E PICACHO	LAS CRUCES	NM	89001
4	4-006-133-075-267	ENRIQUEZ NATIVIDAD	482 CALLE DE ORO	LAS CRUCES	NM	89007
5	4-006-133-055-270	ADDY JANICE M & NORTON D	484 CALLE DE ORO	LAS CRUCES	NM	89007
6	4-006-133-007-265	SWARTZ BRETT	5728 VANEGAS DR	LAS CRUCES	NM	89007
7	4-006-133-045-280	MONTOYA DAVID & CHRISTINE MONTOYA	486 CALLE DE ORO	LAS CRUCES	NM	89007-5217
8	4-006-133-090-288	KEEP LEONARD F & MARGARET D	476 CALLE DE ORO	LAS CRUCES	NM	89005
9	4-006-133-120-284	MCGINLEY KARIN A & DAVID A BLOOM	834 E 4TH ST UNIT 1	LONG BEACH	CA	90802-7210
10	4-006-133-105-288	FEDERAL NATIONAL MORTGAGE ASSOC	14221 DALLAS PARKWAY STE 1000	DALLAS	TX	75254
11	4-006-133-065-297	GARCIA EDDIE J	479 CALLE DE ORO	LAS CRUCES	NM	89005
12	4-006-133-053-294	PUENTES ALFREDO G & DOLORES G	483 CALLE DEL ORO	LAS CRUCES	NM	89005-5246
13	4-006-133-017-285	VENTURA INVESTMENTS LLC	8219 DESERT POPPY LN NE	ALBUQUERQUE	NM	87122-3671
14	4-006-133-075-304	ZUBIA CINDY & ARMANDO ALEJO &	477 CALLE DE ORO	LAS CRUCES	NM	89007
15	4-006-133-125-304	UNDERWOOD JAMES K	2811 CALLE DE PLATA	LAS CRUCES	NM	89007
16	4-006-133-113-311	RIOS RUBEN	471 CALLE DE ORO	LAS CRUCES	NM	89007
17	4-006-133-090-310	CHAVIRA ANDRES & STELLA F	475 CALLE DE ORO	LAS CRUCES	NM	89007-5246
18	4-006-133-102-313	GONZALEZ DAIRY INC	PO BOX 199	MESQUITE	NM	89048-0199
19	4-006-133-130-315	NIKE CAROL A & CHARLES M	2801 CALLE DE PLATA	LAS CRUCES	NM	89007
20	4-006-133-008-297	DURAN DAMIAN R & AMANDA R	6525 RHEA PL	LAS CRUCES	NM	89012
21	4-005-133-526-299	BURNS KENNETH D & MICHELE C	4101 DUBLIN BLVD STE F	DUBLIN	CA	94568
22	4-006-133-041-250	BALIZAN ERNEST & ESPERANZA	711 KELLI CIR	LAS CRUCES	NM	89005
23	4-006-133-170-340	FINLEY LESLIE	2017 WESTWIND RD	LAS CRUCES	NM	89007-4536
24	4-006-133-043-326	BAGWELL LYDIA A	PO BOX 1152	LAS CRUCES	NM	89004-1152
25	4-006-133-095-313	HARRIS MARY J FAM COMPANY LLC	7681 N HWY 185	LAS CRUCES	NM	89005
26	4-006-133-030-326	GARCIA ARTURO V	2675 LA LUZ	LAS CRUCES	NM	89007-5181
27	4-006-133-137-329	OLIVER EBEN D & NORA A	2580 TULAROSA DR	LAS CRUCES	NM	89007-7221
28	4-006-133-122-329	SANDELL SUSAN L & DORR F	2590 TULAROSA	LAS CRUCES	NM	89007-7221
29	4-006-133-113-333	MARTINEZ ALFREDO & WILMA TRUSTEES	2591 TULAROSA DR	LAS CRUCES	NM	89007-7222
30	4-006-133-019-332	MARTIN DOLORES J	2665 LA LUZ	LAS CRUCES	NM	89007-5181
31	4-006-133-007-336	APODACA MAXIMINO & KARLA	2655 LA LUZ ST	LAS CRUCES	NM	89005
32	4-006-133-043-343	MILLER ROBERT S & VIRGINIA A TR	2630 LA LUZ ST	LAS CRUCES	NM	89007
33	4-006-133-128-345	WELLS SHARON D TRUSTEE	2587 TULAROSA DR	LAS CRUCES	NM	89007
34	4-006-133-027-346	CARDOZA MARTA	2007 EVELYN ST	LAS CRUCES	NM	89001
35	4-006-133-142-347	CASTILLO DANNY & SAUNDRA	2561 TULAROSA	LAS CRUCES	NM	89007-7222
36	4-006-133-049-355	SCHMIDT NAOMI E & JAMES ROSS	805 CIELO CIR	LAS CRUCES	NM	89001
37	4-006-133-031-355	GUIAR HUNT & KATHLEEN M	10044 CATALONIA CT	LAS CRUCES	NM	89007
38	4-006-133-060-327	LITTLE ALICE A	800 CIELO CIR	LAS CRUCES	NM	89007-5103
39	4-006-133-147-361	SANDERS TIM L	2541 TULAROSA DR	LAS CRUCES	NM	89005
40	4-006-133-034-355	GARCIA MARY G	2600 LA LUZ	LAS CRUCES	NM	89007-5180
41	4-006-133-218-394	RODRIGUEZ PLASTERING INC	1009 E KANSAS AVE	LAS CRUCES	NM	89001-3231
42	4-006-133-133-374	CHACON JAMES N & CLOVER L	2520 WALTER LN	LAS CRUCES	NM	89007
43	4-006-133-158-374	SANDERS TIM LAWRENCE	2541 TULAROSA DR	LAS CRUCES	NM	89005
44	4-006-133-053-378	ROSS JAMES B & NAOMI E SCHMIDT	805 CIELO CIR	LAS CRUCES	NM	89007-5103
45	4-006-133-184-379	CHASE JEFFERY & KALEIGHDAWN	615 DALRYMPLE RD	LAS CRUCES	NM	89007
46	4-006-133-041-381	DODSON HAROLD B	815 CIELO CIR	LAS CRUCES	NM	89007-5103
47	4-006-133-114-383	BALDERRAMA DANIEL	7939 MOORE CIR	LAS CRUCES	NM	89012
48	4-006-133-073-405	HANGEN JAMES E &	5005 CRESOTO RUN	LAS CRUCES	NM	89011
49	4-006-133-138-384	MARTENS CHARLOTTE M & CARL F	2500 WALTER LN	LAS CRUCES	NM	89007-7216
50	4-006-133-179-399	FLORES JAMES & CONNIE A	653 DALRYMPLE RD	LAS CRUCES	NM	89007-5211

## Area of Notification List (cont.)

51	4-006-133-169-387	WILHELM ESTELLA R.	649 DALRYMPLE	LAS CRUCES	NM	98007-5211
52	4-006-133-054-408	KINYON DEBRA ANN	PO BOX 243	ORGAN	NM	98052
53	4-006-133-122-394	WILLIAMS JESSE A & BELINDA R.	2501 WALTER LN	LAS CRUCES	NM	98005
54	4-006-133-153-397	ALVAREZ MARTIN JR. & CATHY F.	2498 VIA DE VILLE	LAS CRUCES	NM	98007-7207
55	4-006-133-138-405	RAMIREZ REYMUNDO H & JOSEFINA R.	2499 VIA DE VILLE	LAS CRUCES	NM	98007-7207
56	4-006-133-161-406	GUERRA DAVID M.	2486 VIA DEVILLE	LAS CRUCES	NM	98007
57	4-006-133-128-412	ARMENDARIZ THERESA C.	737 DALRYMPLE RD	LAS CRUCES	NM	98007-7233
58	4-006-133-167-413	TELLES EUGENE M & SYLVIA R. TR.	2474 VIA DE VILLE	LAS CRUCES	NM	98007-7207
59	4-006-133-143-415	KOPP STEVE & LINNEA	2487 VIA DE VILLE	LAS CRUCES	NM	98007
60	4-006-133-117-417	DURAN VICKY L.	747 DALRYMPLE RD	LAS CRUCES	NM	98007
61	4-006-133-173-420	REYES FRANCISCO J & LORETTA M.	2462 VIA DE VILLE	LAS CRUCES	NM	98007-7207
62	4-006-133-108-424	SMITH FORREST E (ESTATE OF)	755 DALRYMPLE RD	LAS CRUCES	NM	98007
63	4-006-133-148-423	NIETO ARTURO & ANN M.	2477 VIA DE VILLE	LAS CRUCES	NM	98007-7207
64	4-006-133-136-432	DURAN CARL M & HENRY E DURAN	PO BOX 291	DERRY	NM	87933
65	4-006-133-120-468	MADRID OLGA P TRUSTEE	23001 SCHOOLCRAFT ST	WEST HILLS	CA	91307-2555
66	4-006-133-152-430	MACDONALD JUSTIN	2465 VIA DE VILLE	LAS CRUCES	NM	98007
67	4-006-133-090-433	TROJAN LOOP APARTMENT LLC	517 W KEVIN WAY	PLACENTIA	CA	92870
68	4-006-133-155-437	LUJAN HECTOR T & ROXANNE J.	2453 VIA DE VILLE	LAS CRUCES	NM	98007
69	4-006-133-070-443	KRIEGEL NETTIE	5525 COTTON BLOOM CT	LAS CRUCES	NM	98007
70	4-006-133-055-448	WOLFE GEORGE HERMAN & MARY ANN	894 TROJAN LN	LAS CRUCES	NM	98007-5126
71	4-006-133-095-448	TROJAN LOOP APARTMENT LLC	517 W KEVIN WAY	PLACENTIA	CA	92870
72	4-006-133-143-456	MONTOYA JOE P & GRACE D.	PO BOX 1991	LAS CRUCES	NM	98004-1991
73	4-006-133-075-463	THARP JIMMY J &	824 TROJAN LN	LAS CRUCES	NM	98007-5126
74	4-006-133-126-461	ARMIJO CELSO JR.	2609 SANDIGALE DR.	LAS CRUCES	NM	98011
75	4-006-133-100-464	TROJAN LOOP APARTMENT LLC	517 W KEVIN WAY	PLACENTIA	CA	92870
76	4-006-133-080-468	MADRID E DIANE	844 TROJAN LN	LAS CRUCES	NM	98007-5126
77		BNSF RR.	3001 LOU MENK WAY	FORT WORTH	TX	76131
78		EBID	530 S. MELENDRES	LAS CRUCES	NM	98001
79		DAC ROAD DEPT.	2025 E. GRIGGS	LAS CRUCES	NM	98001