



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 #: SU16-007 / Pecan Brewery

REQUEST: Special Use Permit

PURPOSE: Establish & operate a brewery and tap room

**PROPERTY OWNER/
APPLICANT:** Pecan Brewery, LLC, Ted Scanlon, Agent

LOCATION: 4581 W. Picacho Ave.

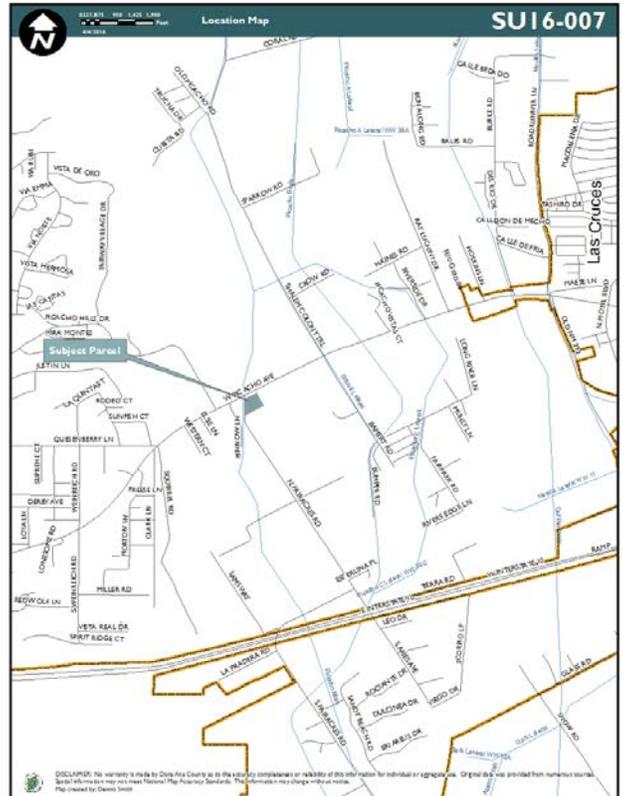
LEGAL DESCRIPTION: Lot #1 of the Mosley Acres Subdivision as recorded in the DAC Office Sept. 27, 2005, with Instrument #0533302.

PROPERTY SIZE: 3.86-acres

PARCEL ID NO.: 03-02548

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

SITE	ZONING	LAND USE
North	EC2 - Retail and personal service uses and some commercial recreational uses, generally serving several neighborhoods.	Agricultural uses
South	ER3 – Residential, 1-acre minimum new lot size, single family site-built homes	Agricultural and residential uses
East	EC2c - Retail and personal service uses and some commercial recreational uses, generally serving several neighborhoods, with conditions	Agricultural uses
West	ER3 – Residential, 1-acre minimum new lot size, single family site-built homes	Residential uses & the DAC Vector Control facility

BACKGROUND

Existing Conditions and Zoning:

The subject property is a 3.86-acre trapezoidal shaped parcel (*Pgs. 17-18*) located within an EI3c (Special Industrial District, 5,000 sq. ft. minimum new lot size, wide variety of industrial uses that, due to their nature, may cause some levels of air or noise pollution, with conditions) Zoning District (*Approved by ETA 7/20/16*). The subject parcel is located west of the City of Las Cruces and south of W. Picacho Ave., designated as a principal arterial (requiring 120’ R-O-W), by the Mesilla Valley MPO. Fairacres Rd., designated as a minor arterial (requiring 100’ R-O-W) by the Mesilla Valley MPO is located along the west boundary line of the subject parcel. Water to the site is provided by the City of Las Cruces and a septic system (Permit #LC950252) is in place. A 25,000 sq. ft. (100’ X 250’) building, constructed in 1979, is located on the subject property. A 12’ utility easement is located within the north and west property boundaries. A 17.5’ road easement is located along the western property line. A 5’ utility easement is located in the northwest corner of the property (*Pg. 9*).

The Request:

The applicant is requesting a Special Use Permit to establish a brewery on the site within an EI3c Zoning District. Operations will include brewing and bottling beer with a 2,191 sq. ft. indoor tap room and a 3,000 sq. ft. outdoor beer garden featuring 844 sq. ft. of seating and the remainder in landscaping, ornamental fountains, etc., for a total of 3,035 sq. ft. of total tap room seating.

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.O EI3 SPECIAL INDUSTRIAL DISTRICT

3.1.O.1 PURPOSE

The purpose of the EI3 district is to provide for a variety of industrial uses that, due to the nature of the businesses, may cause some levels of air or noise pollution.

3.1.O.2 DEVELOPMENT REQUIREMENTS

Minimum lot area	5,000 square feet
Minimum lot width	60 feet
Minimum lot depth	70 feet
Minimum front setback	25 feet
Minimum side setback	7 feet
Minimum rear setback	15 feet
Maximum building height	50 feet

3.1.O.3 EI3 PERMITTED USES

The following uses are permitted by right in the EI3 district:

3.1.O.3.a PERMITTED USES - NO CONDITIONS

All uses permitted under Section 3.1.N.3.a of this Article are allowed under this Section. (See E12 above)

3.1.O.3.b PERMITTED USES - WITH CONDITIONS

All uses permitted conditional uses under Section 3.1.N.3.b of this Article are allowed under this Section. (See E12 above)

3.1.O.4 EI3 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 uses requiring a SUP under Section 3.1.N.4 of this Article (See E12 above)
2. Asphalt and concrete batching plants
3. Auction yards for livestock sales
4. **Breweries**
5. Curing, tanning, dressing, dyeing and storage of animal hair, hides and raw fur
6. Dairies
7. Distilleries
8. Drilling of oil, gas, wells or other similar types of shaft mining
9. Facilities for killing processing poultry
10. Fat rendering plants
11. Gravel, sand or dirt removal
12. Iron and steel foundries or fabrication plants, forging, rolling or heavy weight casting
13. Manufacturing of disinfectants, insecticides, dyes, ink, tar roofing or waterproofing
14. Manufacturing of fertilizers
15. Manufacturing of firearms
16. Manufacturing of meat and poultry products
17. Manufacturing paint, varnish, turpentine and other similar types of material
18. Manufacturing or storage of explosive materials
19. Petroleum refineries
20. Pulp goods, molded or pressed, paper products, including the manufacturing of paper
21. Sanitary landfills
22. Scrap iron or junk storage, scrap paper or rag storage or bailing, automobile wrecking yards and storage of junk or wrecked motor vehicles
23. Stockyards or slaughterhouses
24. Stone milling or processing plants

25. Storage of bulk, or warehouse for, materials such as asphalt, brick, cement, gasoline, grease, oil, iron, steel, lead, lime, liquefied petroleum gas, paint, plaster and roofing
26. Storage or disposal sites for hazardous materials
27. Mobile homes on a permanent basis for the purpose of housing security guards pursuant to Section 3.01. Conditions shall be attached regarding unobtrusive siting and screening.

AGENCY COMMENTS

DAC Engineering: 1) Refer to Table 4.1 for Treatment Application for Ponding Areas for which treatment will be required for slopes that are 4:1. Refer to DAC Design Standards. 2) Provide benchmark approved by DAC Engineering. Shall be used in determining the location of improvements within the development. 3) Recheck the PM Peak Hours. Seem low. **Eng. Final Review:** No comments.

DAC Flood Commission: 1) Pursuant to FEMA Flood Insurance Rate Map (FIRM) No. 35013C1086G, the property is not located within a FEMA Special Flood Zone Area. It can be further identified as being in FEMA Flood Zone "X", "Other Flood Areas" "Areas outside the 500-year floodplain." 2) Additional reviews may warrant additional comments.

DAC Fire Marshal: SUP approved. Any future structures will be required to meet all fire code requirements.

DAC Building Services: Permitting will be required for any alterations or new construction.

DAC Rural Addressing Coordinator: No comments.

DAC Zoning Codes: I have no open case/violation at this time.

DASO Codes: Property covered in weeds. 7/27/16

NMED: Wastewater Treatment and Disposal-A liquid waste permit must be submitted for the facility and existing homes on the parcel. The maximum flow for the property – 1,980 gpd and must meet the Non-Domestic standard set under 20.7.3.201.1. **Water Supply/Water Quality:** NMED-DWB does not have any issues with noted permit. The nearest water system is greater than 3,400 ft. from the above noted location. **Solid Waste Disposal:** The Solid Waste Bureau has no comment regarding solid waste matters. **Surface Water Bureau** – Depending on how the lot is developed, this project may involve coverage under the Construction General Permit.

NMDOT: Access off of Picacho Ave. will require a permit from the NMDOT office in Deming.

Mesilla Valley MPO: Picacho Ave.is a principal arterial requiring 120' R-O-W, Fairacres is a minor arterial requiring 100' R-O-W, pursuant to MPO Resolution 07-06. (The MPO cannot request or support requests for R-O-W along this corridor) **(Staff note: Mosley Acres Subdivision (Pg. 10), reserves 17.5 road easement)**

CLC Planning Dept: No concerns, however if the property is annexed into the City limits the applicants may require a zone change or a new SUP to be submitted for the use.

EBID: EBID has no objection. Parcel has 3.69 water rights acres.

Office of the State Engineer: No water right issues. **(Staff note: Water from the City of Las Cruces will be utilized on this site.)**

NOTICE / NOTIFICATION

- 22 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.
- No correspondence in support or opposition was received by staff.

STAFF ANALYSIS

The applicant is requesting a Special Use Permit on a 3.86-acre parcel within an EI3c (Special Industrial District, 5,000 sq. ft. minimum lot size, to provide for a variety of industrial uses that, due to the nature of the businesses, may cause some levels of air or noise pollution, with conditions) Zoning District to establish and operate a brewery and tap room on the site. The facility will be accessed from W. Picacho Ave., classified as a minor arterial by the Mesilla Valley MPO. The parcel was the subject of a Zone Change request (Case #Z16-002) from EI1 to EI3c that was conditionally approved by the ETA, on July 20, 2016, placing two conditions on the request: 1) *A Special Use Permit shall be approved by the ETZ Commission, and 2) Access to the property shall be limited to W. Picacho Ave.*

The applicant proposes to establish the brewery in the existing 25,000 sq. ft. building and include an approximate 2,191 sq. ft. indoor tap room seating and 844 sq. ft. within a 3,000 sq. ft. fenced-in outdoor beer garden located on the east side of the structure (*Page 9*). The tap room and beer garden will operate from 3:00 pm to 8:00 pm weekdays and from Noon to 10:00 pm on Saturdays. The facility will open with approximately 8-10 employees and add employees as the business grows. The applicant anticipates approximately 20-30 patrons on weekdays and 50-75 on a busy Saturday. Testimony presented by the applicant at the Zone Change Request indicated that 2 delivery trucks per week are anticipated at the facility.

The submitted STA (*Page 13*) submitted and approved by the DAC Engineering staff showing the 2,191 sq. ft. tasting room and 844 sq. ft. of outdoor beer garden seating (3,035 sq. ft. total) will generate 14 PM Peak Hour vehicles entering and 7 PM Peak Hour vehicles exiting.

2.1.D Evaluation Criteria and Analysis Applicant's responses (*Page 12*), **Staff analysis in bold.**

2.1.D.1: Determination of the number of homes, population, and population demographics.
No homes proposed - industrial use only.

2.1.D.2: Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system. **Agency comments indicate that W. Picacho Ave. is designated as a principal arterial and will serve as principle access to the site. NMDOT**

comments (*Page 5*) require an access permit through the District Office. STA (*Page 13*) analysis indicates the tap room and beer garden (3,035 sq. ft.) will generate 14 PM Peak Hour vehicles entering and 7 PM Peak Hour vehicles exiting. Engineering made no comments or recommendations concerning their final review of the STA.

2.1.D.3: Determination of need for new commercial activity. Site is conducive to industrial uses as it was rezoned to EI3c for this use in July 2016, and the nearby industrial/commercial uses and zoning are compatible.

2.1.D.4: Determination of potential water and sewage needs. Applicant has provided a Ready, Willing, and Able Letter from City of Las Cruces. Water well on property will not be utilized. Existing septic system will be utilized for the operation of the brewery and tap room and will be updated/replaced as required by NMED at time of building refurbishment.

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 will require an updated access permit. No recommendations or requirements from DAC Engineering Dept. on roadway infrastructure. Water is adequate and waste water disposal facility is adequate but will be updated/replaced as required by NMED at time of building refurbishment.

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 capacity is adequate and no new systems are indicated by the agency review comments. NMED requires a permit and the applicants have stated that septic system will be updated/replaced as required at time of development.

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. There has been no evidence submitted of any areas of historical significance, environmentally sensitive areas, or areas containing endangered species.

2.1.D.8: Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission. Any subsequent analysis to be prepared and paid by applicant and the applicant shall pay all fees.

2.1.D.9: Determination of impact of a proposed zone change on surrounding properties. Impact to the surrounding properties will be minimal as the proposed use is compatible with the area uses and zoning. Impacts are mitigated by the intervening EI1 Zoning District to the south, and buffering will be required to be placed near the southeast corner of the subject property and the ER3 Residential Zone (*Pg. 14*), and the beer garden will include landscaping to buffer noise on the east side. N. Fairacres Rd. and the EBID Picacho Drain, on the west side of the subject parcel, provide buffering to the residential area to the west of the subject parcel. The submitted STA (*Page 13*) indicates 14 PM Peak Hour trips entering and 7 PM Peak Hour trips. Engineering staff made no recommendations concerning the final review of the STA and no TIA was requested. There is an EC2c Community Commercial District abutting the east property line that is currently utilized for agriculture. This agricultural parcel (EC2c Zoning) provides a buffer to the elementary school east of the proposed EI3 Zoning District.

The subject parcel is approximately 440' from the elementary school (property line to property line) and outside of the 300' minimum distance between a school and a facility selling alcohol products as required by New Mexico Statute Section 60-6B-10, NMSA 7.1.2015.

If the applicant adheres to all local and state regulatory, ordinance, and developmental requirements, the Special Use Permit would have no adverse impacts to the surrounding properties, thus meeting the 2.1.D Decisional Criteria.

STAFF FINDINGS

If the Extra-territorial Zoning Commission wishes to follow staff's recommendation of Approval of Case # SU16-007 / Pecan Brewery, 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 subject property is located within an E13c Zoning District conditionally approved by the Extra-territorial Zoning Authority on July 20, 2016, by a vote of 4-0-0.
3. The Zone Change conditional approval requires the approval of a Special Use Permit and sole access to the property shall be from W. Picacho Ave.
4. A Special Use Permit for breweries is required to be approved by the ETZ Commission per Section 3.1.O.4.4 of the ETZ Ordinance.
5. New Mexico Statute Section 60-6B-10, NMSA 7.1.2015 requires a minimum distance of 300 ft. from any school and a facility selling alcohol products and the facility will be 440 ft. away.
6. NMDOT will require a new access permit from W. Picacho Ave. (Hwy 70).
7. The STA provided and approved by DAC Engineering states 14 PM Peak Hour vehicles entering and 7 PM Peak Hour vehicles exiting the facility.
8. The Special Use Permit request **does** satisfy the 2.1.D Evaluation Criteria of the ETZ Ordinance.

STAFF RECOMMENDATION

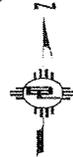
Based on the proposed findings of fact, staff analysis, and the request meeting Section 2.1.D Evaluation Criteria of the ETZ Ordinance No. 88-02, as amended, Staff recommends **Conditional Approval** of SU16-007/Pecan Brewery with the following conditions:

- 1) *Access to the property shall be limited to W. Picacho Ave.*
- 2) *An updated driveway permit will be required by NMDOT.*

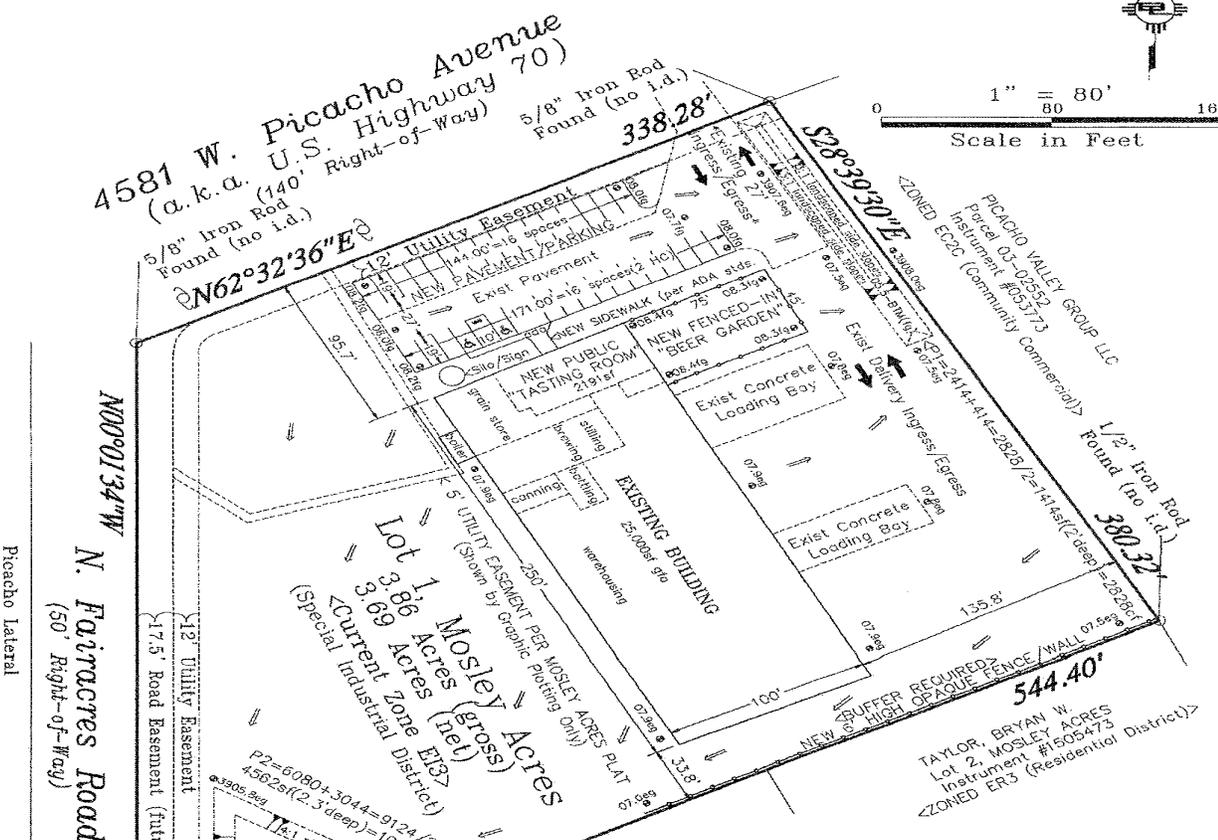
Property Survey

PROPOSED SITE - PLAN FOR LOT 1, MOSLEY ACRES

A 3.86 ACRE TRACT OF LAND
BEING LOT 1, MOSLEY ACRES,
AS FILED JANUARY 7, 2005, BOOK 21, PAGES 98-99, OF THE DONA ANA COUNTY RECORDS
LOCATED IN SECTION 16, T.29S, R.1E, OF THE U.S.R.S. SURVEYS
WITHIN THE EXTRA TERRITORIAL ZONE, WEST OF LAS CRUCES
DONA ANA COUNTY, NEW MEXICO.
NOVEMBER 2, 2015



1" = 80'
0 80 160
Scale in Feet



- TOTAL IMPERVIOUS SITE AREA =
46335sf (2.8/12=0.23)=10,857cf.
10,857cf. x 1.25% = 13,321cf.
- POND1=2414+4*4=2828/2=
1414sf (2' deep)=2828cf
- POND2=6080+3044=9124/2=
4562sf (2.3' deep)=10493cf
- TOTAL PROVIDED RETENTION=13,321cf

EI3 SPECIAL INDUSTRIAL DISTRICT

PURPOSE:
The purpose of the EI3 district is to provide for a variety of industrial uses that, due to the nature of the businesses, may cause some levels of air or noise pollution.

INTENT OF REQUEST:
The Developer wishes to operate a brewery with a "Tap Room" within the existing building and property.

DEVELOPMENT REQUIREMENTS
Minimum lot area, 5,000 square feet
Minimum lot width, 60 feet
Minimum lot depth, 70 feet
Minimum front setback, 25 feet
Minimum side setback, 7 feet
Minimum rear setback, 15 feet
Maximum building height, 50 feet

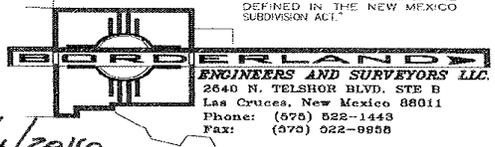
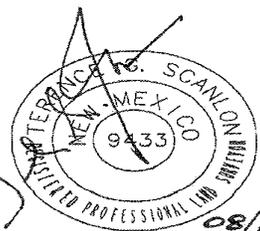
PERMITTED USES:
A "Special Use Permit" will be required for this proposal.

- Notes:**
- 1.) An N.M.D.O.T. Access Point & Access Permit must be obtained upon Lot development/use.
 - 2.) A Landscape/Buffer Zone shall be required on all property lines adjacent to any Residential Land Use Zoning per E.T.Z. requirements.
 - 3.) Any modification/refurbishing to the existing Building and/or Septic system will require all necessary permits.
 - 4.) Adherence to all regulatory agencies for all permits required is required.

PROPERTY IS IN AN "X" DESIGNATED ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 30013C0094 E, EFFECTIVE SEPTEMBER 27, 1991.

INSTRUMENT OF RECORD:
WARRANTY DEED FILED
8-27-05, Instrument #0533302
OF THE DONA ANA COUNTY RECORDS

"THIS IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS OF LAND. IT IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT."



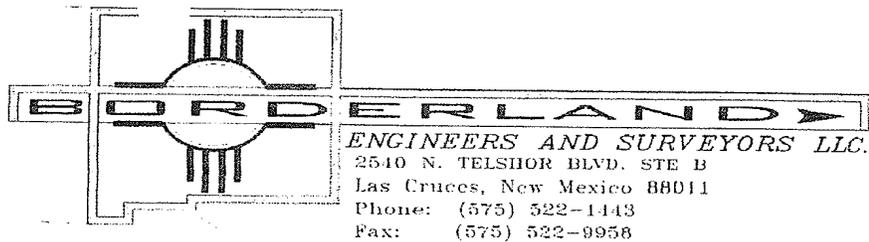
Proposed Utility Services:
Water - City of Las Cruces
Sewer - Septic
Natural Gas - Zio Gas
Electric Service: El Paso Electric Co.
Telephone: Qwest
Cable TV: Comcast

Name of development: LOT 1, MOSLEY ACRES RE-ZONE
Developer: SCHAFER FAMILY TRUST
C/O INDUSTRY CONSULTING GROUP INC
DALLAS TX 75381
Engineer: Borderland Engineers & Surveyors LLC.
2290 N. Main Street, Ste. 3C
Las Cruces, New Mexico 88001
575-522-1443
Surveyor: Borderland Engineers & Surveyors LLC.
2290 N. Main Street, Ste. 3C
Las Cruces, New Mexico 88001
575-522-1443

Proposed Land Use:
(Existing) - Light Industrial
(Proposed) - General Industrial District
Proposed Zoning:
(Existing) - Zoning EI1
(Proposed) - Zoning EI2

08/11/2016

Narrative



July 7, 2016

SPECIAL USE PERMIT REQUEST -NARRATIVE

The developer intends to bring this 3.86 acre property into compliance with the Dona Ana County Zoning Code

There is an existing vacant commercial/industrial building on the property, which is within the existing E13 zone area. The property owner would like to have the property brought into compliance with a "Brewery & Bottling, with a Tap Room" by having our client apply for a "Special Use Permit" which is required for this type of use within the E13 Zone .

To the North, properties are zoned EC2 (Community Commercial) and E11 (Light Industrial), to the South, East and to the West is zoned E11 (Light Industrial), EC2 (Community Commercial), and ER-3 (residential district). To the West and adjacent to the subject property is N. Fairacres Road and the Picacho Lateral, creating a natural Buffer between the subject property and the ER3 residential land uses to the West.

There will be a 6' high opaque buffer required along the Southeast quarter of the property where a small area of the ER3 residential land uses to the South is adjacent to the subject property.

There are many Commercial and Industrial uses in the immediate vicinity of the subject property and along with the fact the subject property is adjacent and has existing access to U.S. Highway 70 (a.k.a. Picacho Avenue) this proposal fits in with the harmony of the vicinity and neighborhood.

The water supply is from the City of Las Cruces and is already existing to the property.

Natural Gas service is by Zia Gas Company and is existing at the property.

There is an existing septic system on the property, the owner may replace this system upon refurbishing the existing building, all necessary permits will be obtained. The wastewater from the septic tank will be hauled away by a licensed Septic company.

The intent is to refurbish the existing building as necessary to fit the needs for a Brewery and Bottling company, along with a Tap Room open to the public.

In accordance with the E.T.Z. and Dona Ana County Zoning Code, we are requesting a Special Use Permit for this property located at 4581 W. Picacho Avenue, for the existing E13 zone for the specified uses.

Thank you for your consideration and as always, if you should have any questions, please don't hesitate to call.

Sincerely,

Borderland Engineers and Surveyors, LLC.

2.1.D Responses

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.

N/A- DUE TO THE COMMERCIAL/INDUSTRIAL NATURE OF THIS PROPOSAL. ALL BUILDINGS ARE EXISTING.

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

THE INTENT OF THE USE OF THE VACANT EXISTING BUILDING IS A BREWERY WITH A TAP ROOM OPEN TO THE PUBLIC. THE A.D.T. SHOULD REMAIN ROUGHLY THE SAME, DUE TO THE FACT ALL BUILDINGS ARE EXISTING.

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

THE EXISTING BUILDING HAS BEEN IN THAT LOCATION FOR MANY YEARS, PROVIDING BADLY NEEDED JOBS FOR THE AREA.

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

WATER IS BY CITY OF LAS CRUCES (SEE ATTACHED NARRATIVE). THERE IS AN EXISTING SEPTIC SYSTEM ON THE PROPERTY, WHICH MAY BE REPLACED UPON REFURBISHING THE BUILDING. ALL NECESSARY PERMITS SHALL BE OBTAINED.

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

N/A- DUE TO THE FACT ALL BUILDINGS ARE EXISTING.

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.

N/A- DUE TO THE FACT ALL BUILDINGS ARE EXISTING.

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.

NONE KNOWN AT THIS TIME.

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

NONE REQUIRED AT THIS TIME.

2.1.D.9 Determination of impact of a proposed zone change on surrounding properties.

THE COMMERCIAL/INDUSTRIAL BUILDING HAS BEEN IN THAT LOCATION FOR MANY YEARS. WITH ACCESS TO U.S. 70 (PICACHO AVE.) THE PROPOSAL FITS WITH THE HARMONY OF THE NEIGHBORHOOD AND OTHER ZONING IN THE IMMEDIATE VICINITY ARE OF SIMILAR USES PROVIDING BADLY NEEDED JOBS FOR THE AREA. (SEE ATTACHED NARRATIVE).

Site Threshold Assessment (STA)

Appendix E. Site Threshold Assessment (STA)

A Site Threshold Assessment (STA) is required of all developing or redeveloping properties within Doña Ana County.

Permit Application

Applicant Name: Pecan Brewery LLC
 Business Name: _____
 Business Address: P.O. Box 1435
 City: Fairacres State: NM Zip Code: 88033

Site Description

Development Type	Site Information (fill in all that apply)
Residential	Building Size (sf) <u>3035</u> Dwelling Units _____
Retail	Parcel Size (ac) <u>2.7</u> Rooms _____
Office	Roadway Frontage (ft) <u>339</u> Beds _____
Industrial	Parking Spaces <u>32</u> Students _____
Institutional	Employees <u>8-12</u> Seats _____
Lodging	Other <u>2 Ho. Space</u> Fuel Pumps _____
Restaurant	Courts _____
Convenience/Gas	Storage Units _____
Other <u>Tasting Room X</u>	

21915.5 Tasting Room +
 250' of Beer Garden = 844 sf*
 *(Used For Patrons)
 (+ Seating)

825 Beer Garden
 The STA 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 TIA, as determined by the County Engineering Services Department, the STA 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 STA, the County Engineer should indicate to the applicant the level of analysis that is required.

Existing Roadway Data

Road Name: W. Picacho Avenue (4581 W. Picacho Ave #1)
 Road AADT: 10,700 Count Year: 2014 Number of Lanes (two-way): 2/4

Trip Generation

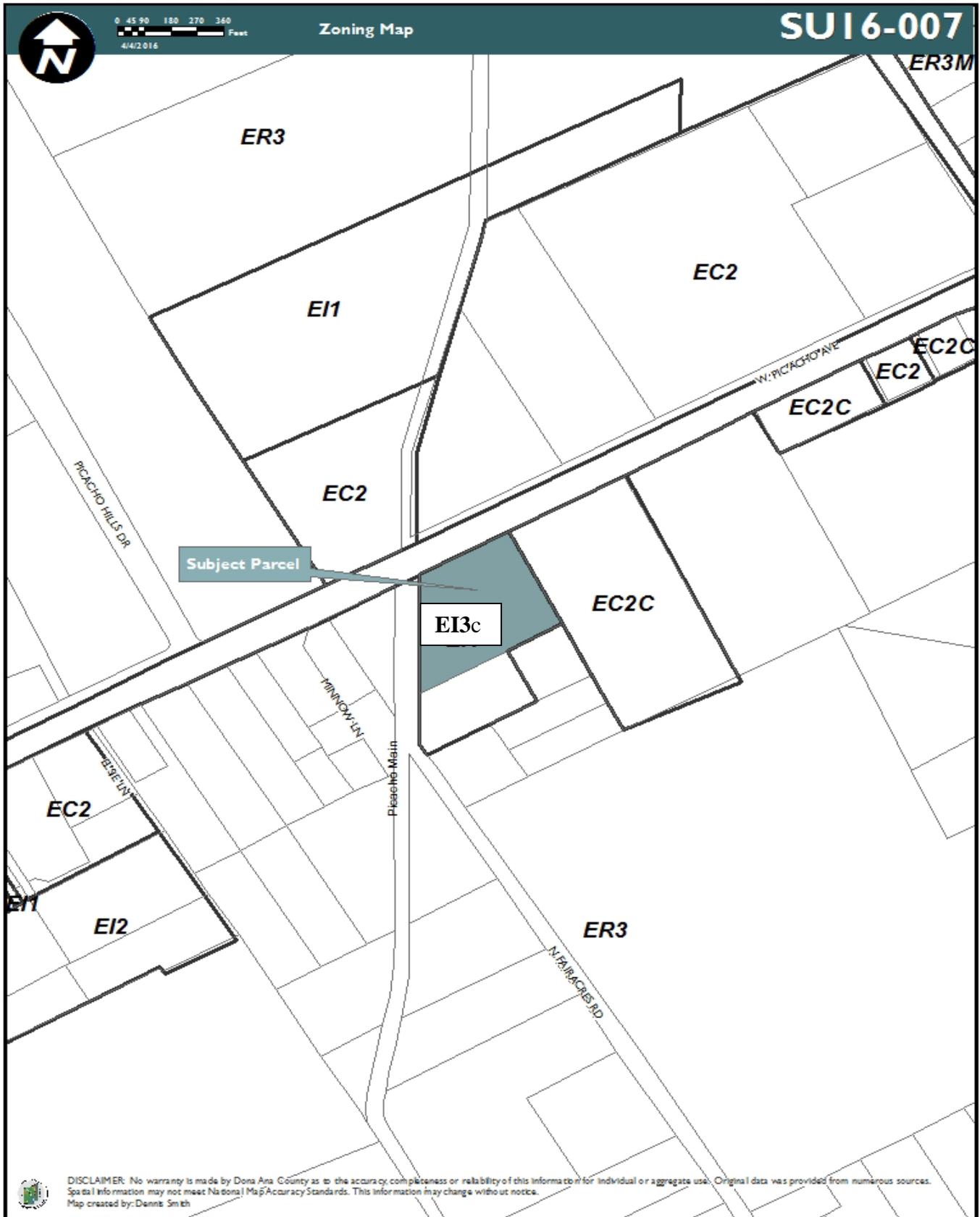
ITE Trip Generation Land Use Category: 936 (Drinking Place) Range of 6.3 used Tasting Room NOT BAR
 AM Peak Hour Trips Enter: N/A Exit: N/A No A.M. Given
 PM Peak Hour Trips Enter: 14 Exit: 7

To be filled out by the County Engineering Services Department

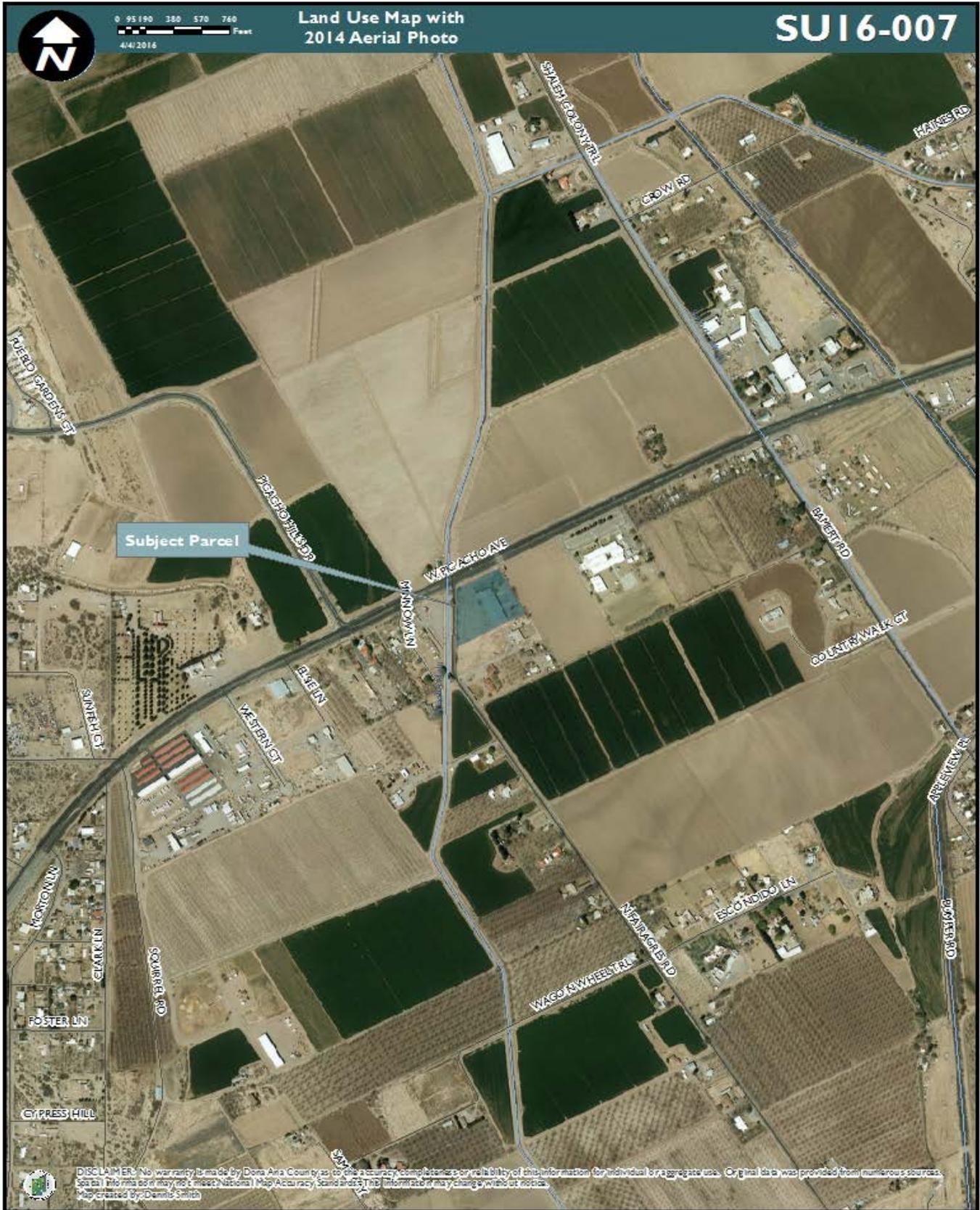
Exceeds Threshold? Y or N If yes, is a TIA Required? Y or N

Notes: _____

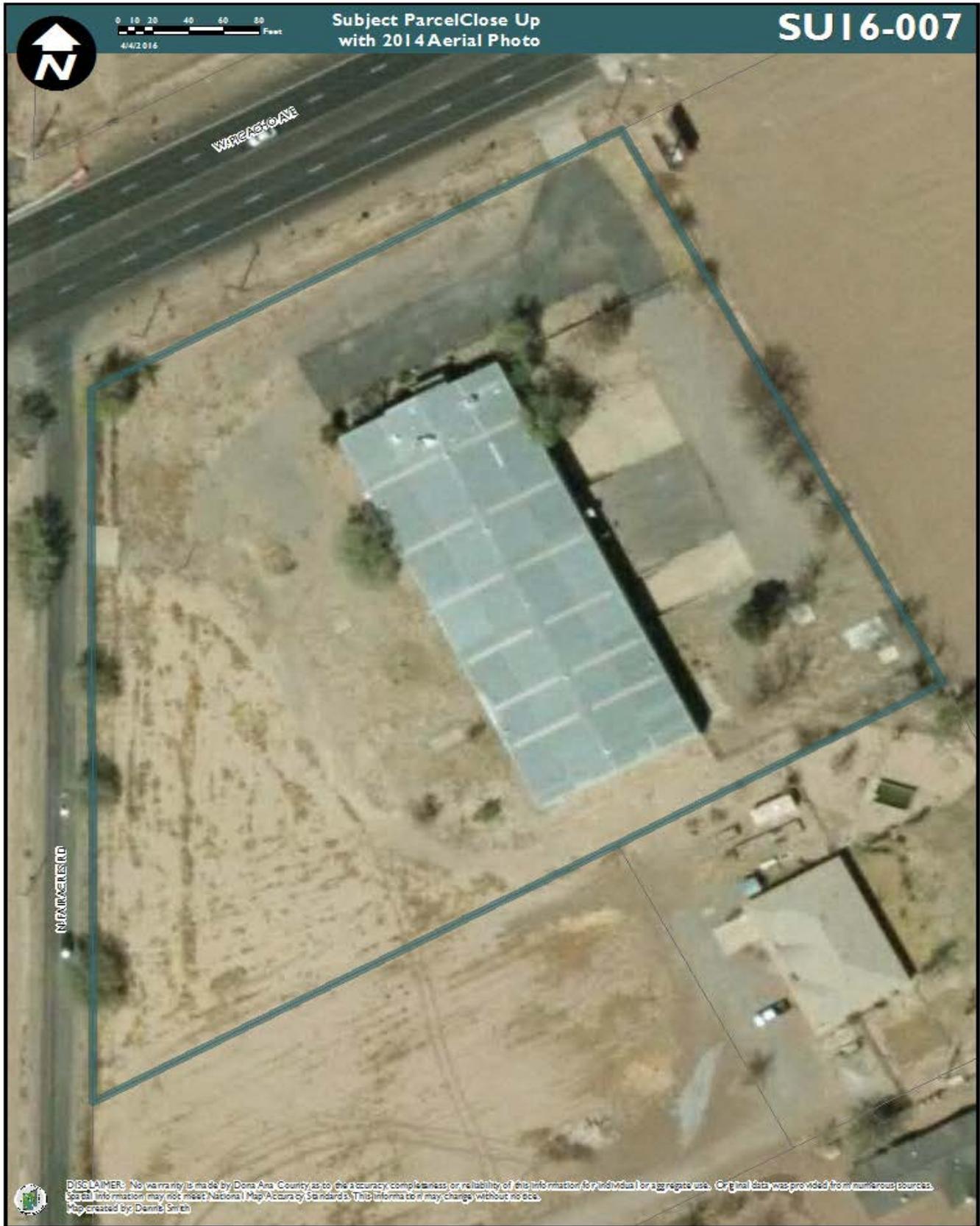
Zoning Map



Area Land Use Aerial



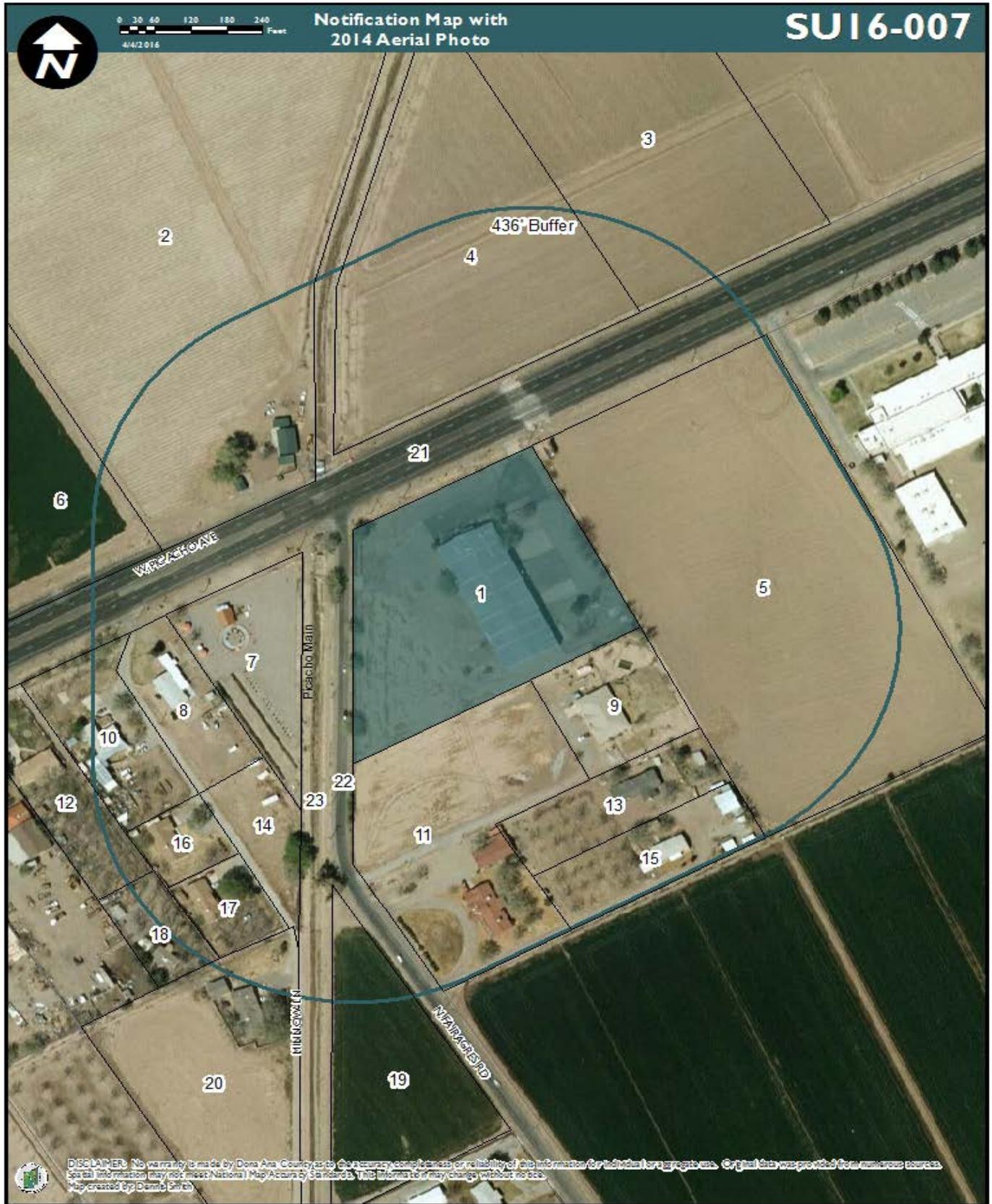
Close-up Aerial of Parcel



Area of Notification Map



Area of Notification Aerial



Area of Notification List

CODE	MAP_CODE	NAME	ADDRESS I	CITY	STATE	ZIP
1	4-003-135-258-420	SCHAFFER FAMILY TRUST	C/O INDUSTRY CONSULTING GROUP INC	DALLAS	TX	75381
2	4-003-135-212-313	SCHUMACHER WILLIAM JAMES SUCC TRSTE	701 S VALLEY DR	LAS CRUCES	NM	88005
3	4-003-135-282-323	JOHNSON RICHARD K JR	925 DALRYMPLE RD	LAS CRUCES	NM	88007
4	4-003-135-256-358	JOHNSON GREG S	432 S FAIRACRES RD	LAS CRUCES	NM	88005
5	4-003-135-317-441	PICACHO VALLEY GROUP LLC	2185 W AMADOR STE I	LAS CRUCES	NM	88005
6	4-003-135-030-240	ISMOND CRISTAN M ET AL CO-TRUSTEES	2225 PEPPER RD	LAS CRUCES	NM	88007
7	4-003-135-232-456	COUNTY OF DONA ANA	845 N MOTEL BLVD	LAS CRUCES	NM	88007
8	4-003-135-222-476	MORALES MARIO	880 MINNOW LN	LAS CRUCES	NM	88007
9	4-003-135-285-440	TAYLOR BRYAN W	804 N FAIRACRES RD	LAS CRUCES	NM	88005
10	4-003-135-209-486	ORTEGA CLYDE J & GERRY R	PO BOX 267	FAIRACRES	NM	88033
11	4-003-135-255-466	MOSLEY DELORIS A	806 N FAIRACRES RD	LAS CRUCES	NM	88005
12	4-003-135-199-481	NIETO GUADALUPE G & ANTONIA C	4617 W PICACHO	LAS CRUCES	NM	88005-4871
13	4-003-135-285-458	YOUNGS EVELYN D & TODD W	806 N FAIRACRES RD UNIT 2	LAS CRUCES	NM	88005
14	4-003-135-234-492	WILLIAMS HAROLD GLENN &	HC 35 BOX	ARREY	NM	87930
15	4-003-135-291-469	TAYLOR KENDRA	806 N FAIRACRES RD # 3	LAS CRUCES	NM	88005
16	4-003-135-215-390	ORTEGA PAT A & IRENE M	855 MINNOW LN	LAS CRUCES	NM	88007
17	4-003-135-225-496	TRUJILLO MARIO A & ALICIA G	835 MINNOW LN	LAS CRUCES	NM	88007
18	4-003-135-215-508	RODRIGUEZ LUIS V	PO BOX 148	FAIRACRES	NM	88033-0148
19	4-003-136-250-009	BOMBACH FAMILY TRUST	749 N FAIRACRES	LAS CRUCES	NM	88005
20	4-003-136-226-010	GARCIA ELEUTERIO R	4619 W PICACHO AVE	LAS CRUCES	NM	88007
21		NM STATE HWY DEPT.	8070 BATAAN MEMORIAL EAST	LAS CRUCES	NM	88012
22		DAC ROAD DEPT.	2025 E. GRIGGS	LAS CRUCES	NM	88001
23		EBID	530 S. MELENDRES	LAS CRUCES	NM	88001