MINUTES OF THE
EXTRA-TERRITORIAL ZONING AUTHORITY (ETA) MEETING
July 20, 2016

1. CALL TO ORDER
   5:31:24
Chairman Rawson called the Regular Meeting of the Extra-Territorial Zoning Authority to order at 5:31 p.m. Wednesday, July 20, 2016 in the Doña Ana County Government Center, 845 N. Motel Blvd., Las Cruces, NM.

2. ROLL CALL
   5:31:30
Led by: Diane Duback, Recording Secretary

   Leticia Benavidez, Commissioner Present
   Jack Eakman, Councilor Present
   Kasandra Gandara, Councilor Present
   Wayne Hancock, Commissioner Absent
   Benjamin Rawson, Chairman Present

3. ANNOUNCEMENTS
   5:32:17
None.

4. APPROVAL OF MINUTES
   5:32:19
May 18, 2016

   Motion to approve the minutes of the May 18, 2016 ETA Meeting.

   Motion: Kasandra Gandara
   Second: Jack Eakman

   Leticia Benavidez, Commissioner Yes
   Jack Eakman, Councilor Yes
   Kasandra Gandara, Councilor Yes
   Benjamin Rawson, Chairman Yes

   Passed.
5. **CHANGES TO THE AGENDA**

5:32:51

Steve Meadows suggested deleting Item No. 8 since the City of Las Cruces had no subdivision applications to report for June.

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**NEW BUSINESS**

**REVIEW / DISCUSSION / ACTION**

6. **CASE #Z16-002/Pecan Brewery, LLC**

05:33:26

Chairman Rawson asked the applicants if they wanted to have their case heard tonight or postponed to the next meeting since with only four members of the Commission present, an approval vote would require three positive votes. The applicant requested the case be heard tonight.

Motion to approve a zone change on a 3.86-acre parcel from EI1 to EI3 to establish and operate a brewery and tap room. Steve Meadows, Planner, Community Development, will discuss.

Motion: Jack Eakman
Second: Kasandra Gandara

The motion to approve this zone change with the following conditions is based on meeting the Miller Criteria and the Comprehensive Plan; the need for new commercial activity; the applicant is willing to make sufficient changes to protect the public interest; it is not a spot zone because of its size and that it would be in harmony with the surrounding area; the principal arterial is appropriate for industrial activity; the EI3 zone change does meet the change of conditions; and the applicant has overcome the presumption that the existing zoning is the most appropriate and the zone change is necessary to protect the public. The conditions are: 1) the applicant is to obtain a Special Use Permit from the ETZC, and 2) access to the property shall be limited to W. Picacho Avenue.

_Leticia Benavidez, Commissioner_   _Yes_
_Jack Eakman, Councilor_   _Yes_
_Kasandra Gandara, Councilor_   _Yes_
_Benjamin Rawson, Chairman_   _Yes_

Passed.

Chairman Rawson announced a brief recess at 6:37 p.m. and reconvened the meeting at 6:41 p.m.
7. **CASE #65519A/Jacobs**  
**06:42:08**  
An appeal of the decision of the Extra-Territorial Zoning Commission for Case 65519W made on June 2, 2016, denying a waiver request for road improvements associated with a proposed subdivision known as Soledad Vista Subdivision Replat No. 13. Sara Gonzales, City of Las Cruces Planning Department, will present the case.

A motion was made for the Commission to move into closed session to further discuss the case.

Motion: Jack Eakman  
Second: Leticia Benavidez

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Passed.

At 7:17 p.m. the Commission retired into closed session. The Commission reconvened at 7:27 p.m.

A motion was made to postpone the case until the August 17th meeting in order to get more information from staff on past decisions on this issue. The Commission requested information on other cases where waivers have been requested or denied along with a recommendation from staff on whether the language of this portion of the code should be changed from net to gross acreage.

Motion: Jack Eakman  
Second: Kasandra Gandara

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Passed.

8. **MINOR SUBDIVISIONS AND LARGE LAND AREA SUBDIVISIONS REPORT UPDATE FROM THE CITY OF LAS CRUCES COMMUNITY DEVELOPMENT DEPARTMENT STAFF**  
This item was removed from the agenda because the City of Las Cruces had nothing to report for the month of June.
9. **ADMINISTRATIVE APPROVALS**
   7:29:27
   Steve Meadows reported on Administrative Approvals for the month of June.

10. **STAFF INPUT**
    7:35:46
    None.

11. **AUTHORITY INPUT**
    7:35:59
    Chairman Rawson said he appreciated the thorough way the packets are prepared, including the information of the different zone changes and variances in the area.

12. **ADJOURNMENT**
    7:36:20
    Chairman Rawson adjourned the meeting at 7:36 p.m.

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**Officer:** Extra-Territorial Zoning Authority