Planning & Zoning Commission 1/25/2022
CASE 21ZO1000105: SPECIAL USE PERMIT

STAFF CONTACT: Vincent Banegas, (575) 528-3085
vbanegas@las-cruces.org

OWNER: Teresa Medina

REPRESENTATIVE: Same

DISTRICT: District #4

SITE ADDRESS: 1016 Hickory Drive

EXISTING ZONING: R-1a (Single-Family Medium Density Residential)

REQUEST: Special Use Permit (SUP) to allow/establish a penal related transitional home for women (half-way house).

RELATED APPLICATIONS: N/A

STAFF RECOMMENDATION: Conditional Approval

SUMMARY OF REQUEST CASE 21ZO1000105: A SUP request for a penal related transitional home for women (half-way house) in a R-1a (Single Family Medium Density Residential) zoning district located at 1016 Hickory Drive. The property is approximately ± 0.224 acres in size.

SUMMARY OF RECOMMENDATION: Staff is recommending CONDITIONAL APPROVAL based on the findings listed below:

- The existing structure is a single-family home that will still be considered as such under the applicable codes whether the case is approved or denied. The applicant proposes no exterior modification to the property that would indicate the use to be anything other than a single-family home.
- The proposed use meets various relevant Comprehensive Plan goals and policies (see Compliance with Elevate Comprehensive Plan section) which speak to housing types, housing opportunities for transitory populations, and promoting efforts for holistic social services.
- Operational measures are proposed to be implemented to ensure house and neighborhood safety and compliance with house rules. Adherence to established rules will follow a zero-tolerance policy. Said measures are proposed to address visitors, vehicle parking, drug testing, video monitoring, curfews, etc.
The 2001 Las Cruces Zoning Code, as amended allows consideration of specific SUP approval periods in part to limit long term impacts a proposed use may generate. If concern exists over the operation of the home in the manner described for an extended period of time, a condition speaking to this may be applied at the time of motion/voting action.

**PROPOSAL AND LAND USE HISTORY**

**PROJECT DESCRIPTION:**
The applicant/owner of property located at 1016 Hickory Drive recognized a need for group home related housing to serve the needs of women being released by New Mexico’s penal system. In the City’s zoning code, the term used is Halfway House and is defined as “a residential facility located in a structure or dwelling or any living unit thereof designed, used, or intended to be used as human habitation, the principal use or goal of which is to serve as a place for persons seeking rehabilitation, recovery, or counseling from any physical, mental, emotional, penal or legal infirmity, in a family setting, as part of a group rehabilitation recovery program.” In early October, 2021, the property owner applied for a Special Use Permit (SUP) for a Halfway House to be located at 1016 Hickory Drive; an existing single-family home in an R-1a zoning district. The permit calls for the allowance of 6 to 7 recently released women to occupy the 3 bedroom + 1 converted garage/bedroom home at any given time. It is anticipated that each resident will stay for a period of 3 to 9 months prior to leaving and continuing their re-introduction efforts elsewhere. During this time, persons are expected to work or attend school, receive counseling, receive personal finance education and financial planning guidance, attend Bible studies and self-help groups, attend religious services, and participate in volunteer community work. The home is identified by the applicant as a Non-profit operation receiving funding from private donations, and funds obtained through the resident’s fee obligation.

Prior to actual submittal, the property owner met with staff to discuss the possibility for such a use in context to the zoning of the property, it’s location and relevance to the City’s zoning provisions. At that time, the applicant was made aware of the related provisions particularly those involved with Early Notification. Early Notification is a form of notification to surrounding property owners by the applicant when a potentially contentious case is being proposed. The applicant carried out this effort finding significant opposition to the proposed land use. All correspondence from both the early notification and City notification efforts have been included in your respective packets.

This case went before the Planning and Zoning Commission at the November 23, 2021 regular meeting. Due to errors in notification, staff asked for postponement of the case. As a result, the Planning and Zoning Commission postponed the case to the January 25, 2022 meeting.
LAND USE HISTORY:
The existing parcel is ± 0.224 acres in size and located within the Glendale Gardens Unit 1 subdivision. The parcel is developed as a single-family home. It is zoned R-1a as is the bulk of the surrounding neighborhood.

ZONING DECISION CRITERIA AND POLICIES

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<thead>
<tr>
<th>POLICY</th>
<th>DOES IT COMPLY?</th>
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<tr>
<td>Neighborhood Character and Compatibility</td>
<td>Yes</td>
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<tr>
<td>Elevate Las Cruces Comprehensive Plan</td>
<td>Yes</td>
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<td>Purpose and Intent of the Code: Section 38-2</td>
<td>Yes</td>
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<td>Criteria for Decisions: Section 2-382</td>
<td>Yes</td>
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NEIGHBORHOOD CHARACTER AND COMPATIBILITY:
The proposed halfway house (transitional group home) will have a look and feel much like other homes in the area. Please be advised that from the perspective of both building and zoning codes used by the City, the structure and its use will remain largely as a single-family house. It is the purpose of the home that is really at issue in this case. As per the applicant, no changes to the homes exterior (other than maintenance and upkeep) will be made resulting in the home and its use blending in with other homes surrounding the subject location. Any resident owned vehicles will be kept on-site thereby minimizing any visual vehicular impact that parking on street may create. Agency representatives will park on-street, but this is anticipated to be infrequent thus, minimizing area traffic and roadway impacts.

COMPLIANCE WITH ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

Policy CE-4.1: Encourage a variety of housing types into new and redeveloping neighborhoods to provide options for all ages and incomes throughout the city.

Policy CL-18.1.2: Support State Health and Human Service programs and facilities as a means of offering their availability, including encouraging public and private partnerships as a means of meeting the needs of the community.

Policy CP-1.2: Support efforts at local middle schools, high schools, NMSU, Dona Ana Community College, and other entities that improve workforce readiness and cultivate a skilled workforce.

Action CP-1.2.1: Support local programs that provide employment, volunteer opportunities, and /or training to citizens.

Goal CP-8: Special Housing Needs – Ensure that the housing needs of traditionally underserved populations are met.

Policy CP-8.1: Support efforts to provide transitory populations permanent, stable homes.
Policy CP-9.1: Encourage the use of alternative housing types, styles, and living arrangements to provide additional housing opportunities.

Policy CP-10.1: Promote efforts to provide comprehensive and holistic social services that are centered on individuals with mental health or behavioral challenges and their families.

Policy CP-10.2: Support programs that improve the health and wellness for all residents.

Policy CP-11: Underserved Populations: Develop and support programs that provide assistance to traditionally underserved populations.

Community Vision, "...Las Cruces is an inclusive community...Pg. 18

Vision Subcomponent: Las Cruces as a Livable Community – "...provide our residents with feasible options to live, work, and play in Las Cruces regardless of personal means or stage in life..." Pg. 19

Vision Subcomponent: Las Cruces Leverages Social Partnerships – "...social service partnerships to broaden access to resources that provide a firm foundation for our residents' daily well-being and long-term personal and professional growth." Pg. 20

The proposed special use permit is supported by several goals and policies outlined in Elevate Las Cruces as listed above. The project is suitable based on its visual compatibility with the surrounding neighborhood.

CONSISTENCY WITH PURPOSE AND INTENT OF THE ZONING ORDINANCE:
The Purpose and Intent Statements relevant to the proposal are:

- Ensure that all development is in accordance with this Code and the Las Cruces Comprehensive Plan and its elements, which are designed to:
  - Mitigate congestion in the streets and public ways.
  - Prevent overcrowding of land.
  - Avoid undue concentration of population.
  - Control and abate the unsightly use of buildings or land.
- Give reasonable consideration to the character of each zoning district and its peculiar suitability for particular uses.
- Encourage development of vacant properties within established areas.
- Ensure that development proposals are sensitive to the character of existing neighborhoods.
- Conserve the value of buildings and land.
- Mitigate conflicts among neighbors.
As mentioned above, The City of Las Cruces determined that the proposed use would not adversely impact the surrounding area, appears to be compatible with surrounding residential uses, and would be in harmony with the purpose and intent of the 2001 Zoning Code, as amended. Several conditions listed later in this report may help minimize concerns involving the proposed use.

**CRITERIA FOR DECISIONS:**
- Impairment of adequate supply of light and air to adjacent property;
- Unreasonable increase in potential traffic;
- Increase the danger of fire or endanger the public safety;
- Determent of orderly and phased growth;
- Impairment of the public health, safety or general welfare of the city;
- Establishment of a spot zone; or the
- Contradiction of the purpose and intent of the zoning code, sign code, design standards and other companion codes.

Based upon a review of the proposal and applicable regulations and policies, City Staff did not identify any of the issues listed above associated with the proposed SUP. The proposed use will be established in accordance with all state, federal, zoning, fire, and building requirements and meets the criteria for decisions ensuring the health, safety, and welfare of the general public.

**DEVELOPMENT STANDARDS**

**SITE COMPLIANCE FOR CURRENT USE:**
The subject property is currently zoned R-1a (Single-family Medium Density Residential), encompasses +/- 0.224 acres, and is developed as a single-family home with an attached non-compliant accessory dwelling unit. The site can be used as a halfway house pursuant to special use permit provisions. All applicable building, zoning, and fire codes must be met.

**SITE SUITABILITY FOR PROPOSED USE:**
Section 38-54 B, Special Use Permits, of the City of Las Cruces 2001 Zoning Code, as amended, requires halfway homes to be approved through the SUP process. The property should be able to accommodate the intended use. A permit will be required for any interior improvements that will have to be made to make the structure suitable for the use and code compliant. Any such effort is recommended to take place following consideration of the SUP and prior to the use of the structure as the intended use.

**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:**
City water, gas and sewer already serve the site and are adequate for the proposal. Hickory Drive, Sequoia Avenue, Aspen Avenue, and other neighborhood roadways are classified as local roads, providing direct adequate paved access to residential properties. These roads include curb, gutter, sidewalk, lighting, and asphalt pavement.

**FLOOD PLAIN:** The subject property is not located within the Flood Zone.
STAFF AND PUBLIC COMMENTS

PUBLIC NOTIFICATION AND INPUT: Early notification and City notice of a Public Hearing was mailed to property owners for the November 2021 meeting date. It was later confirmed that a problem with mail-out notification took place resulting in the need to postpone the case. As a result, the Commission voted to postpone the case till January 25, 2022. New notice was carried out for the January meeting. All property owners within 500 feet of the subject property were mailed appropriate notice. In terms of input, staff received considerable commentary from area residents (13 emails/letters, 4 phone calls) from the first notice/meeting effort. All but one commenter opposed the proposal. No new correspondence has been submitted at the time of report writing from the second notice effort. It should be noted that no meeting between the applicant and the neighborhood was held pursuant to the early notification process for either the November meeting or the January meeting. Said meeting is not mandatory but recommended should the neighborhood request one.

STAFF COMMENTS: In carrying out related research into similar cases approved elsewhere in the city, please consider the following. Staff found four other halfway homes that were approved in Las Cruces through the SUP process. All were approved from 1996 to present. The one that is most like the case at hand involves property located at 1975 Anderson Drive. That case was approved in 2013. In trying to obtain information from the Police Department regarding calls received on the four locations, staff was advised that only information from 2020 to present could be compiled. To date, only data on the Anderson property was provided. The applicable database showed only one alarm call which PD felt was the result of an incorrect key code entry. Should the information for the other locations be provided prior to the P&Z meeting, staff will advise on what the data shows.

Given the summary provided, and with adherence to the conditions staff recommends the Commission consider below, staff feels that the property can be used to accommodate the proposed use without significant impact to the health, safety and welfare of both proposed occupants and area residents. The conditions are as follows:

1. No exterior modification of the residence shall be made that significantly announces the use as anything other than a single-family home.
2. An on-site resident advisor be required to ensure compliance with all applicable house rules and requirements established adhering to a zero-tolerance policy.
3. Only visitors from outside agencies providing training, education, and related assistance are allowed. Legal, law enforcement and judicial representatives are exempt from this provision.
4. All resident parking (anticipated to be minimal) will be off-street parking.
5. The applicant proposed operational measures involving curfews, video monitoring, and random drug testing shall be established and/or conducted to help maintain order within the home and help with the compliance all established rules and laws.
6. The use shall comply to all zoning, building and companion codes as deemed necessary by City Staff. The former garage which was converted to a “studio apartment” prior to the acquisition of the property by the applicant, will have to be brought into compliance with zoning code provisions. Further, adherence to all State/Federal requirements related to transitional housing shall be followed as applicable.

7. Staff recommends that approval for this case be for no more than 3-years with an opportunity to renew via Planning and Zoning Commission consideration thereafter. Renewal shall occur prior to expiration of the initial SUP approval.

ATTACHMENTS:
1. Zoning Map
2. Aerial Map
3. Applicants Documents
4. Department Review Comments
5. Public input
ATTACHMENT 1
Zoning Map

Note: Subject parcel is outlined in red.
ATTACHMENT 2

Aerial Map

Note: Subject parcel is outlined in red.
ATTACHMENT 3
Applicants Documents

To The Las Cruces City Planning Authorities:

My name is Teresa Medina and this is the project for the new single-family home at 1016 Hickory Drive. I plan on making a low-profile Transition Home (halfway House) for a select group of 6-7 women that are exiting jail/prison and re-entering into society. This Non-Profit home will be supported by private donations and the residents’ Transition-House Living Fees.

The women will be selected through screening and interviews. This home will be run on strict Christian values and close supervision. The women will be supervised by qualified house monitors that know and are trained to deal with the needs of these women. Curfews, cameras, random drug and alcohol testing, limited time out of the house, and other restrictions will apply to maintain an Alcohol/drug free environment in the home and the neighborhood. Traffic will not be expected to increase because there will be NO visitors (family, friends or children) and only a few residents may have cars, however that use may also be a restriction until earned. The house has two driveways and can park up to 10 cars if needed, but not anticipated.

The women will reside there for 3 to 9 months with a focus on permanently returning to society as independent productive citizens. They will be expected to work/attend school, receive counseling, apply financial planning, attend Bible Studies, Self-Help groups, various church services and participate in Volunteer Community work. The main goal for each woman is to heal from the past and change themselves for a strong future as they acclimate back into society.

Please feel free to contact me if you have any questions. I am happy to answer.

Sincerely,

Teresa Medina
ATTACHMENT 4
Staff Review Comments

Advanced/Current Planning: Approved with Contingency.
- Any exterior modification of residence that significantly announces the use as anything other than a single-family home is discouraged.
- The proposed use meets various relevant Comprehensive Plan goals and policies which speak to housing types, housing opportunities for transitory populations, and promoting efforts for holistic social services.
- As stipulated by the applicant, an on-site resident advisor needs to ensure compliance with house rules adhering to a zero-tolerance policy.
- The only visitors to the home will be those representing outside agencies that may provide training, education, and related assistance. Legal, law enforcement and judicial representatives are exempt from this provision.
- All resident parking (anticipated to be minimal) will be off-street parking.
- As per the applicant, curfews, video monitoring, and random drug testing will be established and/or conducted to help maintain order within the home and help enforcement all established rules.
- The use shall comply to all building and companion codes as deemed necessary by City Staff. The former garage which converted to a “studio apartment” prior to the acquisition of the property by the applicant will have to be brought into compliance with zoning code provisions. Further, adherence to all State/Federal requirements related to transitional housing shall be followed as applicable.
- That approval consideration be considered for no more than a 3-year period with an opportunity to renew via Planning and Zoning Commission consideration. Renewal shall occur prior to expiration of the initial SUP approval.

Engineering: No review necessary

Fire: Approved with contingency
- In accordance with IBC Chapter 3, Residential group r-4 occupancies require the installation of a fire sprinkler system prior to occupancy.

MPO: No review necessary

Utilities: Approved
ATTACHMENT 5

Public Input
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<td>11/7/21</td>
<td>Patricia Stauden</td>
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<td>I don't think the neighborhood would be</td>
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Hi Teresa,

My name is Scott Boyle and I live at and am the owner of 1009 Hickory Dr. I received your request on September 13, 2021, for comments regarding changes to the zoning/permitting to allow for 1016 Hickory Dr., Las Cruces, NM 88005 to be turned into a transition home. I would like to first begin by thanking you for the countless volunteer service hours that you have done at the county detention center over the last 8 years as well as your desire to help ease the transition of former inmates back into society. With that being said, I respectively object to this proposal as I have a variety of concerns/objections.

Below I briefly address some of the concerns I have regarding this request.

1) This proposal runs a risk of influencing the property value in the neighborhood as well as limit the resale capability especially to those with a family with young children. Las Cruces housing market has recently seen an outward increase of property value ranging from ~30 to 40% within our neighborhood alone over the past year. This is informing us that Las Cruces and our neighborhood is becoming a more desirable place to live and inserting a transition home can drastically hurt this. As a recent 1st time home buyer, I can attest that both relators and myself, as a buyer, look heavily into the neighborhood and surrounding homes, in which if a home like this was found it would raise flags if not deter me from purchasing.

2) I have concerns over the safety of the neighborhood both for myself and my family as well as all the other families in the neighborhood especially ones with children.

3) I am uncomfortable with any amount of people in this proposal, but with that being said 6-7 unrelated individuals is especially unreasonable request for a 4 bedroom house. I have concerns over the potential for increase traffic both within the neighborhood and specifically on Hickory Dr. A major appeal for living both on this street and neighborhood is the lack of traffic and peaceful neighborhood.

4) Although it sounds like a plan has been derived to reduce the potential risk of relapse (i.e., drugs, alcohol, violence) there is still a probability of occurrence especially with the proposed number of individuals living there. A scientific study conducted in New Mexico and published in 2015, found that most women even ones who participated in programs such as this would find themselves back in trouble with a probability of as high as 40% returning to prison of which 16% were due to new crimes (Denman 2015). These values are frankly too high for comfort thus I do not believe the risk outweighs the reward.

5) There was no mention or indication of the vetting or selection process that would occur when choosing the individuals to live there. There was also no mention of the qualification of mentor that would be residing there.

6) Quick turnover of people within a house changes the dynamics and culture of the neighborhood. In my opinion, the benefit of living in a neighborhood is not dealing with people moving in and out all the time as well as getting to know one another. Especially being able to help one another out during difficult times.

7) This proposal includes an impact to a neighborhood in which you no longer reside and therefore do not have to deal with the day-to-day consequences of what is to occur.
To conclude, the appeal of this neighborhood when I first moved in was; 1) the location; 2) the community; 3) the quiet and peaceful nature of the neighborhood; 4) the feeling of both myself and family are safe. In this proposed plan, all these items that brought me to this neighborhood would be jeopardized thus making the proposal unrealistic or unappealing. I would much prefer this house either being continued to be rented out to families or sold. Thus once again, I respectfully reject this proposal and wish for this plan to not move forward.

Best regards,

Scott Boyle

Scott Boyle
Re: Rezoning at 1016 Hickory Drive

1 message

Tue, Sep 21, 2021 at 9:21 AM

Tiffany Becker <tiffanybecker112980@gmail.com>
To: tarryous@gmail.com
Cc: vbanegeas@las-cruces.org, jcastillo@las-cruces.org

City Zoning Commission
Las Cruces City Hall
700 N. Main Street, Suite 1100
Las Cruces, New Mexico 88001

Teresa Medina
1842 Embassy Drive #2
Las Cruces, NM 88005

RE: Glendale Gardens Rezoning

Dear Ms. Teresa Medina and City Council,

I, Jacqueline F. Sanders, have lived in the Glendale Gardens neighborhood since October 1968. I am writing to express my strong opposition to the proposed rezoning at 1016 Hickory Drive (Teresa Medina). I am an 86-year-old widow who lives alone and have always felt safe in my neighborhood. It should be the goal of your council to preserve existing neighborhoods so that our kids, grandkids and great grandkids can enjoy riding a bike, walking the dog or for us elderly persons just going out for our daily walk and exercise.

Nearly all residents in the Glendale Gardens neighborhood are completely opposed to the addition of a transitional house that would provide a residence for individuals who have been released from a correctional facility. The main factors for the opposition of the rezoning are for our safety, children's safety, elderly safety, our community's safety. Also, potentially lowering the property value of our existing community and probable increase in crime.

From recent meetings and discussions with my neighbors, I urge you to disapprove the proposed rezoning. I know my opinions are shared by many who have not been notified and were not able to write letters and emails because they have only just found out by word of mouth. Since hearing about the rezoning, I have started to feel uncomfortable, fearful, anxious, and am not sleeping well at night. I can just imagine what fear and helplessness I will have if this rezoning is approved.

Thank you for your continued service and support of our communities.

Respectfully,

Jacqueline F. Sanders
1020 Hickory Drive
Las Cruces, New Mexico 88005-3017
(Written by Jacqueline F. Sanders and transcribed by granddaughter-in-law Tiffany A. Becker)
Zoning project thoughts
1 message

Kimberly Beasley Legal <KBeasley@beasley-legal.com>  
To: tarryous@gmail.com <tarryous@gmail.com>  
Mon, Sep 20, 2021 at 4:27 PM

Dear Teresa,

I am writing on behalf of Antonio Perez, 1004 Tamarack Dr. He received your letter describing the proposed use of the house at 1016 Hickory Dr. and asked me to relay for him that, “with me, it’s ok” and that he has no problem with it. Best of luck with your project!

Thank you,

Kimberly Beasley
Paralegal

BEASLEY LEGAL, P.C.

509 S. Main St. Suite C-1
PO Box 1620
Las Cruces, NM 88004

(575) 528-6782 – Office
(575) 222-1534 – Fax

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1016 Hickory Drive

1 message

Lynda McNeely <lgmcneely01@hotmail.com> Sun, Sep 26, 2021 at 2:48 PM
To: Tarryous@gmail.com <Tarryous@gmail.com>

This is a response to your letter regarding changing our Zoning for this area. I live at 1016 Tamarack Drive and I have lived here for over 50 years. I am not comfortable with this change. I am a widow and I live alone. I do have children who live in Las Cruces, but not near me.

I feel like this will be very hard to control. I have been landlord for over 30 years, and you cannot control the actions of people who live in a rent house. I also feel this will make property values in this area go down. You own one house here and yet you moved to another house in different area.

I am totally against this as are some of my neighbors that I have talked to.

Lynda G. McNeely
-signed-
Hello Ms Medina:
I cannot support your proposal
I have lived on the opposite end of Hickory Drive since 1982.
While your idea of a transition home for women offenders is admirable I do not think it is suited for a family neighborhood. It affects not only the current residents but also those who would wish to live here, and the value of our homes.
We do not know what type of offenders would be living there. Even if visitors are not allowed -- would people not under your rules try to visit? Those are things you cannot control.
There are simply too many variables and unknowns in your proposal for me to be supportive.
Jennifer Huntsberger
Retired scientist and educator.
To Lucía Medina

The proposal you have for the use of your house is ludicrous. We have a nice neighborhood with a lot of nice people. We do not need a whole house full of jail birds in it. If you want a place for them to live, let them live with you. We do not need such riff raff in our neighborhood.
September 14, 2021

Teresa Medina
1842 Embassy Drive #2
Las Cruces, NM 88005

RE: Rezoning 1016 Hickory Drive
Las Cruces, NM 88005

Ms. Teresa Medina and Vince Banegas,

We your neighbors, Fred and Suzie Flores at 1701 Aspen Ave are writing this letter to express our opposition to the proposed rezoning and transition house/halfway house. These transition house/halfway houses have occupants who have committed violent crimes such as murder, rape, child molestation, robbery with violence and various other crimes not to mention addictions. We have lots of children, grandchildren in our neighborhood and elderly people, this is the neighborhood that their parents purchased a home in because they felt that their children would be safe to ride their bikes, to play in the neighborhood streets, this is the neighborhood where the elderly purchased their first home and still live there and with a transition home in our neighborhood I am not sure I as an adult would feel safe to ride a bike or walk my dogs, let alone my children or grandchildren ride their bike around the block or have my elderly parents live in the neighborhood. It should be the goal of the planning commission and zoning commission to preserve existing neighborhoods from transition houses popping up in our neighborhoods.

If the City of Las Cruces is going to allow you to rezone your property for this type of facility in our community, our neighborhood, then they should also see to the safety concerns of the citizens of our neighborhood. As stated in Ms. Medina’s letter a female Monitor/Manager will reside at the home with 6-7 women coming out of jail. What is her training, how is she going to make us your neighbors feel safe? What bylaws will this facility have, what safe guards will be in place to make sure our community interests are looked after? It is not just the people in this neighborhood that are going to be affected it is in this surrounding area.

The dominant fears motivating such opposition are clear, our children’s safety, our elderly’s safety, our community’s safety as a whole, value erosion and crime, concerns over supervision of residents.

I, Suzie Medina Flores have lived in this neighborhood since 1976, my parents built their home at 1705 Aspen Ave. in 1976 and still live there. My husband and I live next door at 1701 Aspen Ave., we have always felt safe in this neighborhood, having Ms. Medina’s property rezoned to allow a transition house/halfway house will only create our neighborhood to lose its value and its safety for all that live in this neighborhood. My husband, Fred and I are in total opposition in rezoning and absolutely against a transition house/halfway house. We will attend every rezoning meeting along with as many neighbors from Glendale Gardens as possible to protect our safety of our neighborhood and to oppose rezoning and a transition house.

Ms. Teresa Medina, this project you are planning has to many what if at the expense of the Glendale Garden Community. Since this is a sellers’ market why couldn’t you sell the house
and use the money from the sale of the house to purchase a building in the proper zoning and in a better area more suited for a transition house instead of an established neighborhood full of children, grandchildren, young couples starting out and elderly people that have lived in this neighborhood their entire lives? I

Sincerely,

Suzie Medina-Flores, MBA
Fred R. Flores Jr.
Ms. Medina
We wish to OBOSE the request to a halfway house in the middle of our neighborhood where there are young children in. We do not wish to introduce them to this type of environment.

Ms Medina your intentions are good but not in this quiet neighborhood.

Our house burned down in 2008 and we decided to rebuild in the same lot mainly because of our neighbors, Ismaeel (Smily) Medina, Rick, Larry, Karen, and others who helped us made our mind to stay.

Your intentions are good.

Retired Law Enforcement.

Robert Martin

On 09/14/2021 10:48 AM Larry Metz <larryleigh.metz@gmail.com> wrote:

Mrs. Medina,
My wife and I (Larry Metz and Drucillia Metz) also OPPOSE the
request for a Transition Home within our neighborhood. This will bring the home values down and we do not want this type of people within our housing area. We have enough problems within the neighborhood, as it is. We too would like to be invited on any future events, if this request will be moving forward, to our emails above. This will and must be approved by City Council/neighborhood and our City Representative should be involved.
On Tue, Sep 14, 2021 at 10:27 AM Ricardo Rodriguez <Rick_Rodriguez73@hotmail.com> wrote:

Mrs. Medina,
My name is Ricardo Rodriguez, I reside at 1025 Sycamore Drive, I strongly **OPPOSE** the request of the Transition Home to be located at 1016 Hickory Drive. I have been a resident in the neighborhood for over 18 years and have seen the increase in theft, neighboring disputes and high traffic. The once peaceful neighborhood has now become the central point for unknown visitors. Even though I appreciate your efforts in helping society, our homes and residence are the highest investments we have, to take it a step further, I even oppose the renting of the homes within the area. I am grateful for the neighbors (invested owners) we have and will continue to strive to bring in more into our neighborhood.

I have copied a few of my neighbors and a City Representative on this email. If the request will be moving forward, a public meeting should be held for further commenting. I would appreciate any future proposals and invites sent directly to me at my email address above.

Thank you for your time,
Ricardo Rodriguez
Vincent Banegas

From: Katherine Harrison Rogers
Sent: Tuesday, September 28, 2021 11:12 AM
To: Michelle Blackwell
Cc: Vincent Banegas
Subject: RE: Transition house at 1016 Hickory/Medina

Thank you for your input regarding the proposal. I have forwarded the information to the project planner and he will incorporate your concerns into any others we've received. We will refrain from utilizing your name/e-mail in our reports, but it should be noted that the City is subject to Inspection of Public Records Act (IPRA) and would be legally obligated to provide the email upon formal request by any member of the public.

Regards,
Katherine Harrison-Rogers, AICP
Senior Planner/Community Development/Planning
Direct: 575-528-3049 Main: 575-528-3043, krogers@las-cruces.org

City of Las Cruces
P.O. Box 80000 · LAS CRUCES, NM 88004

www.RealizeLasCruces.com

From: Michelle Blackwell <meebee83@yahoo.com>
Sent: Tuesday, September 28, 2021 8:36 AM
To: Katherine Harrison Rogers <krogers@las-cruces.org>
Subject: Transition house at 1016 Hickory/Medina

Good morning. I am a resident of this neighborhood and would like to express my opposition to this zone change, however, I feel that I need to remain anonymous. I believe there could be negative ramifications for me, no matter which way the commission chooses to vote. Let me explain.

First and foremost, Ms. Medina is looking at a 3-9 month turnover rate for 6-7 women. That could be as many as 24-30 residents in a year. She states that there will be a zero tolerance enforced for rule violations. So, if we use a 90% rate of adherence to the rules, that is still 2-3 violations within that year, in the best circumstances. As there are many elderly homeowners in our neighborhood. Now we are being asked to have those homes under the daily surveillance of known criminals. It would only take one of the transition home's residents to have bad intentions to severely affect our homes' safety. Our schedules, family status, vehicles, pets, etc would be well known and, possibly shared with friends or family of the women who may or may not have less-than-honorable intentions. Again, it would only take ONE incident to put our neighborhood residents in danger.

While I do believe that people, for the most part, deserve a second chance, I do not feel that our little neighborhood would benefit from being the focus of this experiment. Our neighborhood has undergone many growing pains already in recent years. The development of Hickory Circle has increased the very rapid, pass through traffic, especially on Aspen. There is talk of making Burn Lake
a skate park, which would be devastating to our peace and quiet. We are in the direct migration path of the homeless residents of the shelter/tent city residents going to and from the intersections near the highway and Wal-Mart. I truly believe this project would only add to the issues we are now dealing with already.

Again, I wish to remain anonymous. If the commission votes to accept Ms. Medina’s project, I fear retaliation for opposing. And, if the commission votes the project down, I am in the same position. This isn’t a simple zone change, this is a complete shift in the dynamics of our neighborhood. And, for these reasons, I sincerely hope that the Zoning Commission will vote "NO" on this zoning change request.

Thank you for your time and attention. I am requesting that any and all personal information on this email be redacted before any public publishing. If you need to contact me to verify my identity and/or residency in the neighborhood, please feel free to do so.
Dear Zoning Commission

This e-mail to you is in response to a letter we received from Teresa Medina concerning her property on 1016 Hickory that she is proposing a zoning change for a transitional home for women who had been in jail or prison. She claims she is a religious volunteer at the Dona Ana County Detention Center for the past 8 years. She states that no visitors will be allowed to see the residents during their stay at the home. She must be very naive to think rules will deter outsiders. The homes are close with rock walls for cover. We see a very real danger to homeowners around the transitional home, rules will not keep unsavory individuals away.

We as a neighborhood are experiencing a higher rate of transients and homeless in the area. Ms. Medina does not reside in the neighborhood she wants to impact. We feel the home on Hickory could never have the security required for safety for all. We implore the Commission to deny Ms. Medina's request.

Respectfully,

Mark and Karen Parmeter
Teresa Medina,

Please find our attached letter as we oppose rezoning of 1016 Hickory Dr.

Fred R. Flores Jr.
Suzie Medina-Flores
1701 Aspen Ave.
September 14, 2021

Teresa Medina
1842 Embassy Drive #2
Las Cruces, NM 88005

RE: Rezoning 1016 Hickory Drive
Las Cruces, NM 88005

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If the City of Las Cruces is going to allow you to rezone your property for this type of facility in our community, our neighborhood, then they should also see to the safety concerns of the citizens of our neighborhood. As stated in Ms. Medina’s letter a female Monitor/Manager will reside at the home with 6-7 women coming out of jail. What is her training, how is she going to make us your neighbors feel safe? What bylaws will this facility have, what safe guards will be in place to make sure our community interests are looked after? It is not just the people in this neighborhood that are going to be affected it is in this surrounding area.

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Fred R. Flores Jr.
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Thank you for your time,
Ricardo Rodriguez