



City of Las Cruces[®]

Development Review Committee Agenda

The Development Review Committee (DRC) will consider the following agenda on 07/13/2022 at 9:00 A.M., in Room 1158 located at the City Hall, 700 North Main Street, Las Cruces, New Mexico.

1. Call To Order
2. Approval Of Minutes

Documents:

[06-22-22 DRC MINUTES.PDF](#)

3. Old Business
 4. New Business
- 4.1. McGuffey Road Alternate Cross-Section

- Consideration of an alternate cross-section for McGuffey Road located north of Bataan Memorial and south of Monte Sombra.
- The road improvements are associated with a two-lot subdivision and future multi-family and commercial development on the west side of McGuffey.
- The developer is providing additional right of way for a 50' local cross-section.
- The cross-section consists of:
 - Curb & gutter, 2-11' driving lanes, 1 parking lane on the east side, sidewalks and a 2.5' parkway on both sides, and a 5.5' parkway between the sidewalk and street on the west side.

Documents:

[21-1168 - MAYBERRY ON MCGUFFEY - MCGUFFEY STREET MODIFICATION NARRATIVE.PDF](#)

- 4.2. Case 22CS0500044 – EBL & T Subdivision “A” Replat No. 37 Roadway Improvement Waiver
 - A Roadway improvement waiver request from the required full road improvement of Kennedy Road for an alternate summary subdivision known as Elephant Butte Land & Trust Co. Subdivision “A’ Replat No. 37.

- The alternate summary subdivision is dividing one lot into two lots.
- The plat is subject to administrative review and approval; however, road waivers require a recommendation by the DRC to the P&Z for consideration and recommendation to City Council, which has final authority.
- City of Las Cruces Design Standards Section 32-36 (b): States that A Subdivider shall be responsible for 100% of the street improvements within the boundaries of the subdivision. When streets are adjacent to a subdivision or property boundaries as indicated by street classification, as determined by the MPO transportation plan, transportation element of the comprehensive plan and/or the development review committee, the subdivider shall provide the following street improvements or pay the cost of these improvements to the city
- The subject property encompasses 2.276 + acres, is zoned REM (Residential Estate-Mobile), and is located at 1086 Kennedy.
- Submitted by Moy Surveying, representative.

Documents:

[CITY OF LAS CRUCES WAIVER REQUEST - KENNEDY ROAD.PDF](#)

5. Discussion

6. Adjournment

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 1-800-659-8331 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers listed above.

Date Posted: 07/08/2022

1 **DEVELOPMENT REVIEW COMMITTEE (DRC)**

2
3 Following are the minutes from the City of Las Cruces Development Review Committee
4 Meeting held Wednesday, June 22, 2022, at 9:00 a.m. in Room 1158.

5
6 **DRC PRESENT:** David Weir, Deputy Director Community Planning
7 Mark Dubbin, Fire Projection Engineer
8 Geremy Barela, Assistant Engineer, Com. Dev.
9 Dominic Loya, MVMPO
10 Katarina Provenghi, MVMPO
11 Gary Skelton, Engineer, Public Works
12 Tony Trevino, Deputy Director, Public Works
13 Javier Antunez, Senior Engineer Tech, Utilities
14 Mike Kinney, Plan Review Engineer, Com. Dev.

15
16 **STAFF PRESENT:** John Castillo, Planner, Community Development
17 Becky Baum, Recording Secretary, RC Creations, LLC

18
19 **OTHER PRESENT:** John Moscato
20 Chad Sells

21
22 **1. CALL TO ORDER (9:00 a.m.)**

23
24 Weir: Okay, it's nine o'clock. All the departments except Parks and Recreation
25 are represented. So I'll call the meeting to order.

26
27 **2. APPROVAL OF MINUTES**

28
29 **2.1 June 8, 2022 Minutes**

30
31 Weir: Our first matter of business is approval of minutes from June 8, 2022. Do
32 I have a motion to approve?

33
34 Dubbin: Have a correction Mr. Chair.

35
36 Weir: Okay.

37
38 Dubbin: If we can update my title to, or corrected to Fire Protection Engineer.

39
40 Baum: Thank you.

41
42 Dubbin: I'll make a motion to approve with that correction.

43
44 Weir: Do I have a second?

45
46 Skelton: Second.

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Weir: Okay. I have a motion and a second. Are there any other corrections anybody would like to make? Okay, I'll just do a voice vote. All those in favor?

MOTION PASSES UNANIMOUSLY.

Weir: All those opposed? Okay. Minutes approved.

3. OLD BUSINESS

Weir: We don't have any old business today.

4. NEW BUSINESS

4.1 Case 21ZO3000082: Metro Verde North Phase 1 Major Amendment

- A request for approval of a major amendment to a Final Site Plan, known as Metro Verde North Phase 1, located within the Metro Verde South Planned Unit Development (PUD)
- The proposed subdivision encompassed 33.464 +/- acres, is zoned PUD (Planned Unit Development), is located west of Sonoma Ranch Boulevard and
- The Final Site Plan proposes 97 single-family residential lots. The original final site plan was for 67 single-family lots. One five acre drainage tract is proposed for dedication to the City of Las Cruces. The final site plan shall be required to follow all requirements of the Metro Verde PUD Concept Plan Amendment #5.
- Submitted by Sierra Nort Development Inc., property owners.

Weir: We have one item on new business. It's Metro Verde North Phase 1 Major Amendment. John, do you want to give us some background.

Castillo: We had previously taken Metro Verde North Phase 1 to DRC and the Planning and Zoning Commission for approval. It was previously approved for 67 single-family residential lots. During the final plat process and construction drawing, or construction process of Metro Verde North Phase 1 it came to attention that there was an addition of I believe 28 to 30 lots. So today we're bringing it back for approval from the DRC. And then go back and get approval from Planning and Zoning for this additional lots.

Weir: Mr. Moscato, Mr. Sells. Anything you'd like to add?

Sells: No

Weir: No. Okay. Any members of the DRC, any questions?

1
2 Skelton: Yes, on the road profile for the purpose of the collector road showing the
3 driving lane with a 10.5 and the bike lanes six. Is there a reason why
4 we're making the bike lanes so wide? Our concern is the driving lanes are
5 too narrow. We prefer to see 11 as a minimum on the driving lane and the
6 bike lane we're certain is a little too wide. We know the recommendation
7 is three to six feet, but we prefer a five foot bike lane because there might
8 be some confusion with some parking, on street parking or something like
9 that. So we prefer to see five feet, see the driving lane pushed out.
10
11 Sells: I think that's the way it was approved in the amendment.
12
13 Skelton: Is that right?
14
15 Sells: But we can change it.
16
17 Trevino: Is that the way it was in the PUD?
18
19 Sells: I think so. I'll have to look.
20
21 Trevino: Okay, yes, to verify the way that previous.
22
23 Skelton: Yes, if that's the case I suppose that (*inaudible*).
24
25 Moscato: I think there was an across the board recommendation for six foot bike
26 lanes.
27
28 Trevino: No buffer.
29
30 Weir: So that's something that can be handled through the construction review.
31
32 Skelton: Correct.
33
34 Weir: I have a question for John. John, basically does the plat follow the lot size
35 requirements of the PUD?
36
37 Castillo: Yes.
38
39 Weir: And right-of-way requirements etc?
40
41 Castillo: Yes. No, the only thing that changed was the additional lots from the
42 original 67 to 97 lots now.
43
44 Weir: Okay. John was this just a, or Chad was that a tract that wasn't included
45 or you could have more availability for it.
46

1 Sells: When we submitted the final site plan originally we were still going through
2 the update and the zoning wasn't set for residential in that area. When we
3 only went to construction drawings the zoning was set to that. And we
4 had to put the sewer down that road to service the other lots.
5
6 Weir: Okay.
7
8 Sells: So we were building the infrastructure in that road that those lots are
9 fronting anyhow.
10
11 Weir: Okay. Presented an additional development opportunity for you with a
12 major update.
13
14 Sells: Right.
15
16 Weir: Okay. Anyone else?
17
18 Barela: Yes. Jeremy Barela with Community Development. So we have some
19 clear sight issues. Chad, I think you're aware of them. Mike spoke to you
20 about those. So if we can just get those addressed. Went over the ones
21 that he has a bigger problem with you and it would be these two lots here.
22 So that's the biggest concern is these ones here. And then you have an
23 e-mail from El Paso Electric with their comments. So we can just make
24 sure that those get addressed as well.
25
26 Sells: Sure, yes, I'll go meet with Cody. We're not ponding within their tract.
27
28 Barela: That's all I have.
29
30 Weir: So Jeremy, is this something that you feel you wouldn't be comfortable
31 approving or you'd be comfortable recommendation with some type of
32 condition to address those or?
33
34 Barela: Maybe just a condition to address these comments. They can be
35 addressed.
36
37 Weir: And the clear sight triangles can be easily addressed too.
38
39 Barela: Yes.
40
41 Sells: For sure.
42
43 Weir: Public Works, anything else?
44
45 Skelton: No.
46

1 Weir: Okay. Mark and Fire.
2
3 Dubbin: No issues, Mr. Chairman.
4
5 Weir: Okay. Utilities.
6
7 Antunez: No.
8
9 Weir: Okay. Well, then we've already heard from Planning Engineering. MPO.
10
11 Loya: No.
12
13 Weir: All right. Well, if that's the case, I'd entertain a motion to recommend
14 approval of this major amendment for Metro Verde.
15
16 Barela: Approve.
17
18 Weir: But you want the condition that your comments be addressed?
19
20 Barela: Yes.
21
22 Weir: And does that just require to go to Planning and Zoning Commission or ...
23 that's what I'd recommend you do.
24
25 Barela: Yes.
26
27 Weir: Do I have a second?
28
29 Dubbin: Second.
30
31 Weir: Okay I have a motion in the second. Since we're all here, I'll go ahead
32 and go down the list. Community Development Planning. John.
33
34 Castillo: I approve.
35
36 Weir: Engineering.
37
38 Barela: I approve.
39
40 Weir: Okay. MPO.
41
42 Loya: Approve.
43
44 Weir: Okay. Fire.
45
46 Dubbin: Yes.

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2 Weir: Public Works.
3
4 Skelton: Approve.
5
6 Weir: Utilities.
7
8 Antunez: I approve.
9
10 Weir: Okay. So the DRC has made a recommendation of approval. We'll get
11 that on to the next P&Z meeting that we can meet in public notice with.
12

13 **5. DISCUSSION**

14
15 Weir: That brings us to discussion. Is there anything the DRC would like to
16 discuss in general terms? Okay I see a lot of people not making eye
17 contact.
18

19 **6. ADJOURNMENT (9:06 a.m.)**

20
21 Weir: I'll entertain a motion to adjourn.
22
23 Dubbin: I'll make a motion to adjourn.
24
25 Weir: Okay. Do have a second.
26
27 Skelton: Second.
28
29 Weir: Okay. We have a motion and a second. All those in favor?

30
31 MOTION PASSES UNANIMOUSLY.

32
33 Weir: All those opposed? We are adjourned at 9:06.
34
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38 _____
39 Chairperson



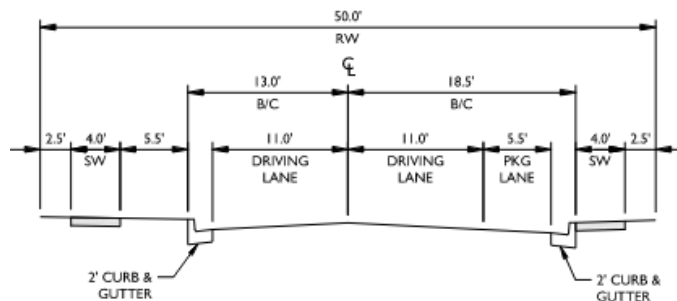
**Mayberry on McGuffey
Minor Local-2 Modification
Narrative
June 22, 2022**

The section required for McGuffey Street is a minor local-2 that includes 50 feet of right of way dedication. Full street improvements are required by the first developer to go in. If built per the city standard section, this creates multiple power pole conflict on the Mayberry site, and for the existing developments to the north. All the power poles would end up within the full build out curb of the roadway section. Relocating the poles is not an option north of the Mayberry site, since homes are existing, and there is not available room for a new electric easement to contain the poles.

In order to solve this issue for our site, and for the city as it continues this section north, we are proposing a modified section to the Minor Local-2 shown in the detail below. We propose that the 5.5 foot parking lane on the west side of the road be eliminated. Eliminating the parking lane will shift the curb and gutter 5.5 feet to the east. This creates enough space for the existing power poles to be maintained in place behind the curb, and not conflict with the road section. The full 50 foot right of way will still be dedicated, giving additional space for the sidewalk to meander around the existing power poles. Streetlight will be placed on the east side of the road. The sidewalk on the east side of the road is not required to be constructed by Mayberry and will be constructed when the adjacent sites develop.

Per the TIA that was completed for the Mayberry development, no additional improvements were recommended for McGuffey Street. This means that the existing cross section is efficient to convey the additional traffic from Mayberry. Furthermore, McGuffey currently only has 20 feet of asphalt. The proposed road section provides additional roadway width to accommodate future traffic. The proposed modification of the minor local-2 roadway not only solves a problem for the Mayberry development but solves a future problem for the city once McGuffey is fully improved to the north.

It is also planned to delay all improvements that are adjacent to the southern property that is not being developed as part of the Mayberry on McGuffey development. These include the remainder of McGuffey Street to the intersections of Bataan, and the improvements adjacent to Bataan.







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City of Las Cruces Staff,

A waiver request is being submitted for a proposed replat within the City of Las Cruces (CLC). The address of the subject property is 1086 E. Kennedy Road. The current property owners proposing the replat along with this waiver is Pastor Jose L. Nevarez and John R. Dominguez. This lot is adjacent to Templo Manantial De Vida N.M., a non-profit 501C3 religious organization in which Pastor Nevarez is a member of.

The waiver requested would allow the owners to waive the road improvement requirements for the additional right-of-way that is to be dedicated to the CLC as required from the proposed replat. The waiver would include any paving, curb, and gutter within the additional right-of-way. Below you will find justification for the waiver request.

Kennedy Road has a current R-O-W of 120 feet however it is only built out at a R-O-W width of 45 feet. There have been previous R-O-W dedications to the CLC along Kennedy Road but no improvements have been constructed along the roadway. There is a portion of Kennedy road at the intersection of Kennedy Road and Elks Drive that has sidewalk but the remaining portion of Kennedy Road only has pavement with no curb or gutter.

The owners of the property proposing the replat is more than willing to assist the CLC with the growth of the R-O-W though the dedication of land to the CLC. Recognizing that every waiver is subject to review and the decision is not based upon precedent, the owners are only requesting consistent consideration to this decision compared to what was previously given the other property owners who were previously required to dedicate to the CLC. At this point, there is no knowledge if any other property owner was required to submit a payment in lieu of the construction or if only the dedication was required. This information is critical to a consistent review process.

The Future Thoroughfare Plan published by the MPO does show a future thoroughfare that connects Kennedy Road to Armstrong Road, but it is important to note that there is not an established R-O-W that accomplishes this connection and is only a proposed future thoroughfare.

For the reasons described above, the owners would like to formally request a waiver to all improvements along Kennedy Road from the additional R-O-W given to the CLC. Thank you for your consideration.