



# City of Las Cruces<sup>®</sup>

## Development Review Committee Agenda

The Development Review Committee (DRC) will consider the following agenda on September 28, 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:

[08-31-22 DRC MINUTES.PDF](#)

3. Old Business
  4. New Business
- 4.1. Case 22ZO3000090: Metro Horizon Phase 1
    - A request for approval of a major amendment to a Final Site Plan, known as Metro Horizon Phase1, located within the Metro Verde Planned Unit Development (PUD)
    - The proposed subdivision encompasses 50 ± acres, is zoned PUD (Planned Unit Development), is located on the northeast of Sonoma Ranch Boulevard and Arroyo Road
    - The Final Site Plan proposes 175 single-family residential lots. Multiple tracts of land for drainage are proposed and will be 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.
    - Submitted by Sierra Norte Development Inc., property owners.
  - 4.2. Case 22CS0500097: Tellbrook Subdivision Unit 3, Block 5 Replat No. 4
    - A request for approval of a non-administrative replat known as Tellbrook Subdivision Unit 3 Block 5 Replat No. 4,
    - The proposed subdivision encompasses 1.057 ± acres, is zoned C-2 (Commercial Medium Intensity), is located east of Las Alturas Drive, north Colt Road, and Tellbrook Road.

- The replat proposes to subdivide one lot into two (2) lots that are 0.504 ± acres and 0.553 ± acres in size for the future development of multi-family residential dwelling units.
- Submitted by Pillar Engineering LLC., representative.

5. Discussion

6. Adjournment

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Date Posted: 09/23/2022

1 **DEVELOPMENT REVIEW COMMITTEE (DRC)**

2  
3 Following are the minutes from the City of Las Cruces Development Review Committee  
4 Meeting held Wednesday, August 31, 2022, at 9:00 a.m. in Room 1158.

5  
6 **DRC PRESENT:** Adam Ochoa, Building Inspection Supervisor, Sr. Planner  
7 Mark Dubbin, Fire Projection Engineer  
8 Rocio Nasir, Senior Engineer, Utilities  
9 Gary Skelton, Engineer, Public Works  
10 Mike Kinney, Plan Review Engineer, Com. Dev.

11  
12 **STAFF PRESENT:** John Castillo, Planner, Community Development  
13 Becky Baum, Recording Secretary, RC Creations, LLC  
14

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

16  
17 Ochoa: Go ahead and call this meeting to order of the August 31st DRC,  
18 Development Review Committee meeting or order.  
19

20 **2. APPROVAL OF MINUTES**

21  
22 **2.1 August 24, 2022 Minutes(**

23  
24 Ochoa: First thing on the agenda, well second thing I guess after call to order is  
25 approval of the minutes from 08/24/22. Everybody have a chance to  
26 review the minutes?  
27

28 Kinney: Do you all send out the minutes?  
29

30 Ochoa: It should be attached. There's a link on the actual, like a hyperlink.  
31

32 Kinney: Okay. All right.  
33

34 Ochoa: To the agenda for you to review it. Do we have any corrections? Seeing  
35 none. Can I have a motion to approve minutes as is?  
36

37 Dubbin: I'll make a motion to approve.  
38

39 Nasir: Second.  
40

41 Ochoa: Thank you Mark motion and Rocio seconded. All those in favor say "aye."  
42

43 **MOTION PASSES UNANIMOUSLY.**

44  
45 Ochoa: All those opposed.  
46

1 **3. OLD BUSINESS**

2  
3 Ochoa: We have no old business.

4  
5 **4. NEW BUSINESS**

6  
7 **4.1 Case 22ZO2500106 – MVCH PUD Amendment:**

- 8 • Per City Code. Sec. 32-407.1, I would like for the DRC to make a  
9 determination if a multimodal Traffic Impact Analysis (TIA) is needed  
10 for the current MVCH campus plus the proposed expansion.

11  
12 Ochoa: So we'll go right into new business. This is going to be  
13 discussion/direction I guess is what it is, correct Mike.

14  
15 Kinney: Yes.

16  
17 Ochoa: For a proposed PUD concept plan amendment to the Mesilla Valley  
18 Community of Hope PUD concept plan. Mike, would you like to discuss  
19 what it is or bring up what it is that we will be discussing here today.

20  
21 Kinney: Yes, thank you Mr. Chair. Per City Code Section 32-407 it talks about  
22 traffic impact analysis for new developments. And when looking at the, for  
23 the zoning change and stuff on the review I started looking to see if there  
24 was, what there was related to traffic because the traffic reviews. I was  
25 concerned that there hasn't been a traffic impact analysis for the campus.  
26 And I was wondering if one was required. I wouldn't be necessarily putting  
27 that onus onto Natalie's group, the Economic Development but looking at  
28 the master plan report it does mention traffic and there are other sections  
29 in the City Code, primarily dealing with PUDs. This is Chapter 38 which  
30 deals with the Zoning Code, talks about how the City going to comply with  
31 that. And then under Planned Unit Development there's a section in there  
32 that deals with improvements for impact off site roadways. Contributions  
33 to or the provisions for, etc. for PUD's impact on off site roadway  
34 segments and intersections.

35  
36 So considering that the campus is going to be pretty much almost  
37 doubling in size. And there will be an additional driveway on to Amador  
38 Avenue that if this was private development we would require a traffic  
39 impact analysis. And the master plan that was adopted by the City does  
40 mention some concerns for traffic, particularly around the Casa de  
41 Peregrinos during the days that they distribute food. And so the Huitt-  
42 Zollars the consultant that looked at the plan here provided Mr. Terrazas a  
43 trip generation for a warehouse section in the ITE, because there's nothing  
44 there for a foodbank, but with the existing traffic and the additional traffic  
45 that can be generated based upon the growth of the campus, and the

1 existing pedestrian traffic and bicycle traffic, I felt that it'd probably be in  
2 the City's best interest to do a traffic impact analysis.

3  
4 This chart here is just a graphical chart of a traffic count by the MPO back  
5 in 2017. The latest one which was like 2020 was right in the middle of  
6 COVID and so about half as much as what this one is. The actual count  
7 for Amador Avenue in this area in 2017 was 13,600 vehicles per day.  
8 According to Mr. Lee, the traffic engineer, Amador Avenue, I don't know if  
9 in this particular area, but he mentioned a local service deed. And so  
10 we're dealing with in the peak hour which would be right, there's actually  
11 three peak hours, morning, noon, and then late afternoon, and the highest  
12 one is right in the afternoon. It's a little over 1,000 vehicles per hour. If  
13 you split that in half, 50/50, that's a little over 550 each way and if you split  
14 that again to each lane that's a little over, comes out to 278 vehicles per  
15 hour per lane.

16  
17 And not including the additional traffic from Huitt-Zollars provided which  
18 would be 19 basically vehicles entering the, they had 21 vehicles entering  
19 the development. But a right turn lane would be warranted per the State  
20 Access Management Manual which is 19 vehicles per hour entering that  
21 particular driveway with 278 vehicles.

22  
23 So from that standpoint I wanted to reach out to the DRC. In that  
24 provision in Section 32-407 it talks about the DRC can make that  
25 determination with the consultation or input from the Traffic Engineer. I'd  
26 like to ask the Traffic Engineer's office for their input.

27  
28 Skelton: Well our input is pretty much in line with Mike's here. Based upon your  
29 permission we have available to you based on the size of development  
30 and the level of service of Amador currently and the trip generation that  
31 this development is going to put on the road, based upon the code as it's  
32 written, it clearly qualifies for requirement for a TIA. So we completely  
33 agreed a TIA is warranted for this development. But if one doesn't want to  
34 be provided or if there's a reason for not providing it, then various process  
35 should be utilized. Just make that appropriate documentation for justifying  
36 not doing a TIA for the development.

37  
38 Ochoa: Sure.

39  
40 Kinney: That was from a private development.

41  
42 Ochoa: Sure.

43  
44 Kinney: I don't know if the waiver would be something the onus on Natalie's group  
45 because she inherited this project from Public Works. I was thinking more  
46 from the standpoint of when it comes to the zoning what I was planning on

1 doing was you know proving with a contingency that public works starts  
2 the process of budgeting if you will for a TIA because it would have to be  
3 done by an outside party.

4  
5 Ochoa: Right

6  
7 Kinney: I feel it would need to be multimodal TIA including pedestrians, bicycles,  
8 and traffic.

9  
10 Ochoa: And vehicular. Sure. Understood. Yes.

11  
12 Kinney: I heard people, you know they need to put a HAWK system on Amador. I  
13 heard pros and cons on that. Regardless of what you do it requires a  
14 traffic study.

15  
16 Ochoa: Sure.

17  
18 Kinney: I feel that you know this was a, the land was owned, the campus is owned  
19 by the City of Las Cruces and I feel that a traffic impact analysis really  
20 should be done, now particularly we're almost doubling the campus. I  
21 think now is the time for the City to act on it. I would recommend that the  
22 Public Works plan budgeting or budget for a traffic impact analysis and  
23 that one should be done in the near future.

24  
25 The new building for the Casa de Peregrinos is already under  
26 construction, so it's already been permitted. We're kind of coming in after  
27 the effect. But that's my recommendation that the Public Works be  
28 encouraged to find the money or provide budgeting for a traffic impact  
29 analysis.

30  
31 Ochoa: A multimodal traffic impact analysis for the area. Correct. Okay. That  
32 being said I guess we're looking at a time, when would be a good time to  
33 do that because I guess from a code standpoint.

34  
35 Green I think there's two different, in this case three different projects. So mine is  
36 rezoning, my primary concern is to rezone Brewer's from industrial to  
37 match the PUD.

38  
39 The two other projects are Public Works projects, one is a driveway and  
40 the other is the Horse N Hound. And those are projects that are being  
41 managed internally by Public Works. And so my understanding is there  
42 was consultation with Hector and he approved a waiver to the TIA for the  
43 sake of the driveway. I don't have anything to do with the driveway and I  
44 have very little to do with Horse N Hound. But my concern is the rezoning  
45 of this smaller parcel. And under the code it does say for zoning to require  
46 a TIA you would have to do 100 new inbound or outbound trips, neither of

1 which I am doing because it's not a development yet. And so to apply that  
2 at my rezone is, I disagree, but I think there's an internal process between  
3 Public Works and you all need to have a discussion with David around  
4 facility improvements and project management and traffic and I don't know  
5 what that communication looks like internally within your department. I did  
6 reach out to David and he's looking into it, but I didn't get a response.  
7

8 Ochoa: David Sedillo.

9  
10 Green: Yes. Okay. And I did see like the plans for the driveway. You know  
11 they've gone out to comments to this group I think but you know I have  
12 very little control over internal processes for a department I'm not part of.  
13

14 Ochoa: I guess what we're really trying to do is just clarify when that TIA is  
15 warranted or we believe it's warranted is going to take place. Maybe not  
16 at this point but maybe just in this concept plan when that will happen I  
17 guess is kind of what probably be a better way to put it now because  
18 you're correct. (*inaudible*) doing a zone change and I believe TIAs are  
19 done when a subdivision is done and/or development is created. So that  
20 being said would that be something we can possibly I guess put in the  
21 concept plan amendment that a TIA will be required at time of  
22 development of whatever, or subdivision of whatever it is that they're  
23 doing. Would that be something that'd be amenable to everybody? That  
24 way we kind of hold somebody's feet to the fire when a certain thing is  
25 triggered if you will.  
26

27 Skelton: Yes, TIA's are typically required upon completion of the project or before  
28 that point.  
29

30 Ochoa: Right.

31  
32 Skelton: So I don't know if a TIA would be, if the timeline's going to allow a TIA  
33 completion before this because it sounds like it's ... I don't know what the  
34 timeline is on this project. So I don't know if a TIA could be completed at  
35 that time, but that's something we definitely need to put some kind of  
36 definition on completion of the TIA so that's it completed.  
37

38 Ochoa: What time to be done. Understood. Anybody else have anything else to  
39 say?  
40

41 Green: And the driveway hasn't gone out to bid and that's a change order, so I  
42 don't know if you can prompt that discussion within your own internal  
43 department.  
44

45 Skelton: I remember on initial look at that driveway and the original building, TIA I  
46 don't believe was brought up at that time because I don't think the scope  
47

1 at that time was required. But then once the project scope expanded to  
2 the entire development, then that's what brought the attention a TIA was  
3 going to be needed for the entire development.  
4

5 Green Yes.

6  
7 Skelton: I think that's what caused us to look back at it again.  
8

9 Ochoa: Sure.

10  
11 Kinney: I'd like to also add that you know right now the campus itself as it sits,  
12 considering the traffic etc., the existing traffic could very well meet some of  
13 the warrants for like a right turn, acceleration lane.  
14

15 Ochoa: As it exists.  
16

17 Kinney: And/or maybe the installation of a fixed median if you will. Right now it's a  
18 two way left turn lane down the middle of Amador. So some of the  
19 warrants may already be met, so I'm not expecting Natalie's group to bear  
20 the brunt of that cost for the TIA. I (*inaudible*) the City and think this, like I  
21 said if this was a private development we would require from the  
22 developer.  
23

24 Ochoa: Right, when development happens. Right. So that being said, so to get a  
25 little more clarification, Natalie, after this concept plan gets approved will  
26 you be doing any type of subdivision of the property or replatting of  
27 anything.  
28

29 Green There is going to be a replat only to make it one continuous parcel for this  
30 piece. And I'm wondering if it's more appropriate for me to revise my  
31 zoning application just to the Brewer's piece. Because in terms of the rest  
32 of the campus I don't actually care, the campus you know. It was just to  
33 have the uniformity of the PUD and the singular sort of property.  
34

35 Ochoa: Understand. I think, well I think ...  
36

37 Green Right there there's one, two, three, four, five, six different parcels. And so  
38 again Public Works is working on that survey and replat.  
39

40 Ochoa: Yes Mark.  
41

42 Dubbin: I agree with getting a property timeline for the TIA and I would just like to  
43 reiterate that Las Cruces Fire would like to explore that connection at the  
44 back of the property to Valley, you know as far as future development  
45 goes, getting that remote connection would be our primary desire.  
46



1 Ochoa: Understood.  
2  
3 Green We don't have any (*inaudible*) ownership on this site.  
4  
5 Kinney: To Mcswain. Back through here.  
6  
7 Green That is owned by FYI.  
8  
9 Dubbin: Right and there was ... we had expressed during the master plan that of  
10 working with FYI and maybe crossing that lateral and getting to Valley on  
11 that end.  
12  
13 Green And so they're looking at maybe putting something back there and so the  
14 reason they're not is because of the cost of something over the lateral.  
15  
16 Dubbin: Yes.  
17  
18 Kinney: Probably have to put in (*inaudible*).  
19  
20 Ochoa: So that being said, I guess would (*inaudible*) everybody, will the replat be  
21 taking care of by you all as well or is that Public Works project as well?  
22  
23 Green Public Works.  
24  
25 Ochoa: Technically speaking that is a subdivision, so we could potentially add  
26 something to this concept plan that says something, at the time the  
27 subdivision occurs on the property or replatting of the property a TIA  
28 should be done.  
29  
30 Green I think we're just removing lot lines. Is that still a subdivision.  
31  
32 Nasir: Yes.  
33  
34 Ochoa: Technically a subdivision. Yes. Correct.  
35  
36 Skelton: But again my understanding is from the code based upon the subdivision  
37 or whatever, the TIA requirements are still applicable. So it's not, I think  
38 it's kind of outside determination of this committee for that because the  
39 code is already in place to address that issue.  
40  
41 Ochoa: Right.  
42  
43 Skelton: So I don't really understand what it is that we're voting on or looking at  
44 right now because in the code it already addresses this issue.  
45

1 Ochoa: Right. That's a fair point. So if that's the case, if we already have  
2 something in the code that says at the time of subdivision a TIA can be  
3 requested at the time. If that being said I don't think we really need a vote  
4 on any thing here if we already have that in code and the understanding  
5 from a staff standpoint whenever that does come in, the replatting of these  
6 properties, at that time we have the ability with our existing codes to allow  
7 for the request of that TIA. And then the duking it out between the  
8 departments.  
9

10 Skelton: And again because they can still follow the waiver process.  
11

12 Ochoa: Definitely.  
13

14 Skelton: If they don't put a TIA.  
15

16 Ochoa: Because that is in cod as well and then put ...  
17

18 Green My goal, I am planning that housing development, although it's primarily  
19 people experiencing homelessness, so they don't have vehicle traffic, but I  
20 will tell the developer that they'll have to do a TIA for at least piece of it.  
21 Because that's the only thing that's going to go through permitting. My  
22 understanding is nothing else has ever gone through City of Las Cruces  
23 permitting because we permit out of CID.  
24

25 Ochoa: Correct.  
26

27 Green And that ...  
28

29 Nasir: Utility connections.  
30

31 Dubbin: And Fire permits.  
32

33 Nasir: And Fire permits.  
34

35 Green And that's probably the challenge that this group has or the City has and  
36 that's an internal process far above my pay grade.  
37

38 Skelton: Understood.  
39

40 Ochoa: Okay. Well that being said I think we do have a mechanism, Michael  
41 hopefully that takes care of what you're concerned about, about requiring  
42 a TIA at a certain point. We do have code in place to require it during the  
43 subdivision process. That being said I don't think this body needs to do ay  
44 type of action on this case. Everybody in agreement with that?  
45

1 Nasir: So let me ask. So we're talking about a subdivision is going to be  
2 occurring and that's when the TIA is going to be happening and Public  
3 Works will be doing the subdivision. Is that I am understanding?  
4

5 Ochoa: I believe that is what Natalie said, yes. That Public Works is in charge of  
6 that.  
7

8 Nasir: Because I can see ...  
9

10 Green Our surveying is doing the work for the subdivision.  
11

12 Nasir: Because I can see the concern of why it was brought to DRC. Because  
13 none of this is going to be permitted through the City. There's no way we  
14 have a hold of it until Mark and put tags on it with meters and not  
15 assigning permits. But other than that he will not have a notice of it.  
16

17 Green That's why I posed the question of I don't know how project management  
18 does a review with ... do they send you? Did you see?  
19

20 Ochoa: Courtesy review.  
21

22 Nasir: No, no, no, no. For Utilities we do an Accela.  
23

24 Ochoa: For you guys do your own thing.  
25

26 Nasir: Yes. If not they don't get gas meters or water meters. So yes it's a full  
27 blown Accela permit. But Michael does not see it because it's only a  
28 Utilities.  
29

30 Kinney: That's for other discussions with internal, but to my knowledge, I know that  
31 Public Works from a vertical standpoint from buildings and things of that  
32 nature, they go through CID which was permitted, but CID does not look at  
33 the parking lots.  
34

35 Ochoa: Correct.  
36

37 Kinney: Look at ADA requirements for the site, traffic, anything, it's just for the  
38 building and mechanical etc. And to my knowledge the City is not exempt  
39 from its own development codes.  
40

41 Ochoa: Correct.  
42

43 Kinney: And so I know that. I may wind up giving me more work than my section  
44 may want but I'm aiming from the standpoint, I just don't want to have you  
45 know a pedestrian or bicycle have a major collision out there and then the  
46 City be subject to a law suite and not having taken the necessary steps to

1 evaluate this area. Because this campus is an important part of Las  
2 Cruces. It's known in the nation for its uniqueness. There's only like, I've  
3 been told only like three others in the entire country that are like this you  
4 know. Campus for indigent you know, for people that you know need  
5 these type of services.  
6  
7 Ochoa: Sure.  
8  
9 Kinney: I think the City needs to look at it from the standpoint from a traffic flow  
10 basis and also address Fire Department.  
11  
12 Ochoa: Sure. And I think we have ...  
13  
14 Kinney: For remote access.  
15  
16 Ochoa: And I think because of what's coming up in the future with this  
17 development, one the subdivision, two the driveway, because that'll be  
18 permitted as well correct, because it is our right-of-way, correct. Maybe  
19 that's at the time we could request that TIA as well and/or go through the  
20 waiver process as well. So I think we have mechanisms in order to.  
21  
22 Nasir: And I can also check in whenever, and the reason that I'm bringing this up  
23 is because it will be nice to have it done at the beginning and not at the  
24 end once the building is going to be erected.  
25  
26 Kinney: Right.  
27  
28 Nasir: Because at that point a lot of people are going to be very upset.  
29  
30 Ochoa: Sure.  
31  
32 Nasir: That they have to flip that extra money and to the study and then to do the  
33 improvements on the street. But once we get the permit for the water,  
34 gas, and sewer I can check back with Mike and see where he's at with the  
35 TIA.  
36  
37 Ochoa: Any other things. Okay.  
38  
39 Nasir: Because we won't, if Mike says they're not good, I can hold those things.  
40  
41 Ochoa: That's possible.  
42  
43 Green And I did ask David if there's pieces that we can subcontract and then  
44 obviously Soo's a traffic engineer and he can run some analysis I assume.  
45  
46 Skelton: Okay, yes it'll probably be ...

1  
2 Green Maybe you guys can piecemeal and we can subcontract some of the  
3 pieces to make the TIA more affordable.  
4  
5 Ochoa: Okay. With that being said like I said the Chair believes there are other  
6 mechanisms to make the TIA occur with the other future phases of the  
7 subdivision, so if everybody's in agreement we'll just go ahead and not I  
8 guess ...  
9  
10 Kinney: Motion to table  
11  
12 Ochoa: Yes motion to table this indefinitely and if we need to we can bring this  
13 back at another time. So a motion to table.  
14  
15 Dubbin: It's not an action item is it.  
16  
17 Ochoa: You know what I guess it's not because it does not need go before  
18 anybody, so we don't really need to take action on it. I don't think we  
19 really need to vote on it. It's just going to be recommendation I guess it  
20 what it'll be. So I don't think we need really to vote on it. We will put it part  
21 of the record in the future if something occurs that the TIA keeps being, for  
22 lack of better words, punted down the street if you will, we could come  
23 back, reconvene, and actually have administration here from Public  
24 Works, Community Development, and everywhere else to have the actual  
25 administration and have a final decision on when something needs to  
26 happen and when funds will be allocated for it. So hopefully with  
27 arthroscopy we can move forward.  
28  
29 Nasir: And then the meanwhile since a representative from Public Works is here  
30 he can take back the message.  
31  
32 Ochoa: If he could, definitely start the conversation. All righty.

33  
34 **5. DISCUSSION**

35  
36 Ochoa: With that being said, let's move on to the next item. Any items of  
37 discussion? Other items for discussion? Seeing none. Okay.  
38

39 **6. ADJOURNMENT (09:26 a.m.)**

40  
41 Ochoa: Can I have a motion to adjourn?

42  
43 Nasir: So moved.

44  
45 Skelton: Second.  
46

1 Ochoa: All those in favor say "aye."

2

3 MOTION PASSES UNANIMOUSLY.

4

5 Ochoa: All opposed. We are adjourned.

6

7

8

9

10 \_\_\_\_\_  
Chairperson