

1
2
3
4
5
6
7
8
9
10
11
12
13
14

**PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
January 22, 2019 at 6:00 p.m.**

15
16
17

BOARD MEMBERS PRESENT:

Sharon Thomas, Chair
Harvey Gordon, Vice Chair
Roberta Gran, Member
LaVonne Muniz, Member
Russ Smith, Member
James Bennett, Member

18
19
20
21
22
23
24
25
26

BOARD MEMBERS ABSENT:

Abraham Sanchez, Member

27
28
29
30
31
32
33

STAFF PRESENT:

Larry Nichols, Director Community Development Department, CLC
Katherine Harrison- Rogers, Senior Planner, CLC
Sara Gonzales, Planner, CLC
Mark Dubbin, CLC Fire Department
Robert Cabello, CLC Legal Staff
David Weir, Chief Planning Administrator
Becky Baum, Recording Secretary, RC Creations, LLC

34
35
36
37
38
39
40
41
42
43
44
45

I. CALL TO ORDER (6:00)

Thomas: Thank you. Good evening and welcome to the Planning and Zoning Commission meeting. This is Tuesday, January 22nd and it is 6:00 p.m. Everyone is here, we are missing one person, Commissioner Sanchez, otherwise we have six so we're okay.

II. CONFLICT OF INTEREST

At the opening of each meeting, the chairperson shall ask if any member on the Commission or City staff has any known conflict of interest with any item on the agenda.

Thomas: Anybody have a conflict of interest on any of the items? No? I see all shaking heads no. Okay.

III. APPROVAL OF MINUTES

a. December 18, 2018

1 Thomas: Next we have the approval of minutes. I need someone to ask for the
2 approval of minutes.

3
4 Gordon: I make a motion that we approve the minutes.

5
6 Smith: Second.

7
8 Thomas: The motion has been made and seconded that we approve the minutes.
9 Any discussion or comments? Okay we can probably do this by voice.
10 Everybody in favor say "aye".

11
12 MOTION PASSES UNANIMOUSLY.

13
14 Thomas: Any nays?

15
16 **IV. POSTPONEMENTS - NONE**

17
18 Thomas: Next on the agenda is postponements. We don't have any of those.

19
20 **V. PUBLIC PARTICIPATION**

21
22 Thomas: Next is public participation. If there's anyone in the audience who would
23 like to say something about an item that is not on the agenda you are
24 welcome to come up and do that now. Otherwise we would appreciate it if
25 you saved your comments to the particular item that you want to respond
26 to. So is there anybody who has general public input that wants to come
27 forward now? Okay, thanks, we'll just go on.

28
29 **VI. CONSENT AGENDA**

30
31 1. **Case 18ZO0500022:** A request for approval of a zone change application by
32 Kary Bulsterbaum, applicant's representative, from C-2 (Commercial medium
33 Intensity) to C-3 (Commercial High Intensity) for five parcels (R0215808,
34 R0215817, R0215820, R0215832, R0223716) that are each over one acre in
35 size and located on Bataan Memorial West between Jornada Road and Mesa
36 Grande Drive. The proposed zone change would allow for future
37 development and would bring the property into compliance with the 201
38 Zoning Code, as amended. Council District 5.

39
40 Thomas: Next is the consent agenda. I need a motion and a second to approve the
41 Case 18ZO0500022.

42
43 Gordon: I'll make a motion that we approve Case 18ZO0500022.

44
45 Smith: Second.

46

1 Thomas: It's on the floor now, we're talking about approving it. It is on the consent
2 agenda so normally we would just vote to pass it. Does anybody want to
3 remove it from the agenda for further discussion? Anybody in the
4 audience whose here about that particular case? No? Okay, will you call
5 the vote Becky?
6

7 Baum: Board Member Smith.

8
9 Smith: Yes.

10
11 Baum: Board Member Gran.

12
13 Gran: Yes.

14
15 Baum: Board Member Muniz.

16
17 Muniz: Yes.

18
19 Baum: Board Member Bennett.

20
21 Bennett: Yes.

22
23 Baum: Board Member Gordon.

24
25 Gordon: Yes.

26
27 Baum: Chairperson Thomas.

28
29 Thomas: Yes. That passes six to zero.
30

31 **VII. OLD BUSINESS - NONE**
32

33 Thomas: Old business. We don't have any.
34

35 **VIII. NEW BUSINESS**
36

37 1. **Adoption of Statement of Reasonable Notice** as required by Section 10-
38 15-1(B) of the Open Meetings Act, Section 10-15-1 to 10-15-4, New Mexico
39 Statutes Annotated (1978) as amended.
40

41 Thomas: New business. First is the adoption of the Statement of Reasonable
42 Notice. Is somebody going to present on that?
43

44 Gonzalez: Madam Chair. There is no presentation for the reasonable notice for
45 meetings. This is just presented to you to know basically that we do have
46 per State regulations, a minimum of 72 hours where a public hearing has

1 to be published and notified to the public as well as to within the City.
2 However there's no presentation for it.
3
4 Thomas: Okay, but we do need a motion to approve and second and all that?
5
6 Gonzalez: That is correct Chairperson.
7
8 Thomas: Okay, would somebody make a motion to approve please?
9
10 Smith: Motion to approve reasonable notice.
11
12 Thomas: Adoption of Statement of Reasonable Notice.
13
14 Gordon: I'll second.
15
16 Thomas: Okay. Any discussion? Anybody have any questions or discussions
17 about this particular document? So on page two there was this
18 information about a public hearing for infill development. In one place it
19 said that everything was sent to property within 100 feet and then it said
20 500 feet. Can you kind of straighten that out for me?
21
22 Gonzalez: Madam Chair and Commissioner. Basically when we send out
23 notifications there are certain requirements for infill, our SUPs, our zone
24 changes. Whenever they come for final action, the first 100 feet is
25 required to be certified mail, and the remaining 400 feet is regular mail, so
26 whichever public hearing in which they are receiving final action that is the
27 mailing that's required for our section. If it is just going to be
28 recommendation, for example, our City Council zone change for this
29 evening, City Council will be final action, so all the mailing goes out 500
30 feet regular mail. For City Council we will do the 100 feet for certified and
31 then the 400 feet will be the regular mail.
32
33 Thomas: Thank you. So it's referring mostly to what type of mail is used for the
34 different distances. Okay, thank you. Anybody else have any comment?
35 Yes Councilor Gran.
36
37 Gran: I do have a question regarding number five. This is "Reasonable notice
38 for special meetings shall require the issuance and posting of an agenda
39 within 72 hours of the time of the special meeting." Why is it within 72
40 hours? That could mean one hour before the time of a special meeting.
41 So I was just confused about why the word "within" as opposed to "no
42 later than" 72 hours? You know, no sooner than 72 hours. Could you
43 please explain that? Am I missing something?
44
45 Weir: Madam Chair and Commissioner Gran. The requirement is within 72
46 hours because we have to meet the Open Meetings Act and an agenda

1 has to be posted 72 hours prior to the meeting. So it's probably just a typo
2 or a misuse of the word in the statement.
3
4 Gran: Okay. So it does have to be posted 72 hours, but not.
5
6 Weir: Not within that 72 hour period. You have to have at least 72 hours of
7 posting.
8
9 Gran: At least 72, that's what I was ... okay. Thank you.
10
11 Thomas: Is it possible to change this to prior to?
12
13 Weir: Madam Chair. Before you adopt it you could make an amendment and
14 change that language and staff will make that correction.
15
16 Thomas: Okay.
17
18 Smith: Madam Chair.
19
20 Thomas: Yes Commissioner Smith.
21
22 Smith: I am pleased to amend my motion with the amendment.
23
24 Thomas: Okay Commissioner Gran would you like to make the amendment?
25
26 Gran: I do make the motion that we change the wording in number five that
27 begins, "that a reasonable notice for special meetings shall require the
28 issuance and posting of an agenda at least 72 hours within the time of the
29 special meeting."
30
31 Nichols: Madam Chairman. If I may.
32
33 Thomas: Maybe you want to say 72 hours before instead of within.
34
35 Gran: That's right, prior to.
36
37 Thomas: Yes prior to okay. All right. Yes, a comment.
38
39 Nichols: Yes, Madam Chairman and Commission. In speaking with our legal
40 counsel we thought the wording would be "prior to" in lieu of "at least" if
41 that would be permissible.
42
43 Thomas: Okay. Commissioner Gran is that fine prior to?
44
45 Gran: That is acceptable, yes.
46

1 Thomas: Is there a second for the amendment?
2
3 Bennett: I second.
4
5 Thomas: Thank you Commissioner Bennett. And then Commissioner Smith would
6 you restate what you said before, that you accept the amendment.
7
8 Smith: I move we adopt the notice of the Statement of Reasonable Notice with
9 the amendment.
10
11 Thomas: Thank you. Any more comments or suggestions? Okay first we have to
12 vote on the amendment. Becky.
13
14 Baum: Board Member Smith.
15
16 Smith: Yes.
17
18 Baum: Board Member Gran.
19
20 Gran: Yes.
21
22 Baum: Board Member Muniz.
23
24 Muniz: Yes.
25
26 Baum: Board Member Bennett.
27
28 Bennett: Yes.
29
30 Baum: Board Member Gordon.
31
32 Gordon: Yes.
33
34 Baum: Chairperson Thomas.
35
36 Thomas: Yes. Okay, then we have to vote on the actual motion.
37
38 Baum: Board Member Smith.
39
40 Smith: I vote yes.
41
42 Baum: Board Member Gran.
43
44 Gran: Yes.
45
46 Baum: Board Member Muniz.

1
2 Muniz: Yes.
3
4 Baum: Board Member Bennett.
5
6 Bennett: Yes.
7
8 Baum: Board Member Gordon.
9
10 Gordon: Yes.
11
12 Baum: Chairperson Thomas.
13
14 Thomas: Yes.
15

16 **2. Election of Officers.**
17

18 Thomas: Next on the agenda is the election of officers. Now we have Chair, Vice-
19 Chair, Secretary. Okay, so we'll start with Chair. Are there any?
20
21 Gordon: I'd like to make a motion please.
22
23 Thomas: Yes.
24
25 Gordon: I'd like to make a motion that we, I'm nominating rather Commissioner
26 Sharon Thomas for Chair.
27
28 Gran: I second.
29
30 Thomas: Any other nominations? Okay, I guess we'll vote.
31
32 Baum: Board Member Smith.
33
34 Smith: Yes.
35
36 Baum: Board Member Gran.
37
38 Gran: Yes.
39
40 Baum: Board Member Muniz.
41
42 Muniz: Yes.
43
44 Baum: Board Member Bennett.
45
46 Bennett: Yes.

1
2 Baum: Board Member Gordon.
3
4 Gordon: Yes.
5
6 Baum: Chairperson Thomas.
7
8 Thomas: Yes. And now we need a motion for nomination for Vice-Chair.
9
10 Muniz: I'd like to nominate Commissioner Gordon for Vice-Chair.
11
12 Thomas: Is there a second?
13
14 Gran: Second.
15
16 Thomas: Okay, it's been nominated and seconded. Any other nominations for Vice-
17 Chair? Okay, I guess we can vote on that.
18
19 Baum: Board Member Smith.
20
21 Smith: Yes.
22
23 Baum: Board Member Gran.
24
25 Gran: Yes.
26
27 Baum: Board Member Muniz.
28
29 Muniz: Yes.
30
31 Baum: Board Member Bennett.
32
33 Bennett: Yes.
34
35 Baum: Board Member Gordon.
36
37 Gordon: Yes.
38
39 Baum: Chairperson Thomas.
40
41 Thomas: Yes. Finally we need a nomination for Secretary.
42
43 Gordon: I'd like to make a nomination please.
44
45 Thomas: Yes.
46

1 Gordon: For Commissioner Muniz. She has served admirably when required to
2 sign documents, so I would like to nominate her again.
3
4 Thomas: Is there a second?
5
6 Smith: Second.
7
8 Thomas: Are there any other nominations for Secretary? I guess we'll vote.
9
10 Baum: Board Member Smith.
11
12 Smith: Yes.
13
14 Baum: Board Member Gran.
15
16 Gran: Yes.
17
18 Baum: Board Member Muniz.
19
20 Muniz: Yes.
21
22 Baum: Board Member Bennett.
23
24 Bennett: Yes.
25
26 Baum: Board Member Gordon.
27
28 Gordon: Yes.
29
30 Baum: Chairperson Thomas.
31
32 Thomas: Yes.
33
34 3. **Case 18ZO3000015:** A request for approval of a Planned Unit Development
35 (PUD) Final Site Plan known as Metro Park Village Phase 3 for a property
36 encompassing 37.23 +/- acres and located on the southeast corner of
37 Peachtree Hills Road and Sonoma Ranch Blvd. within the Metro Verde PUD
38 Concept Plan Amendment #5. The final site plan proposes 185 single-family
39 residential lots and three tracts that will be dedicated to the City of Las
40 Cruces and utilized for the drainage and a 2.07 acre park. Submitted by
41 Sierra Norte Development, Inc., property owner. Council District 5.
42
43 Thomas: Okay. The next item on the agenda is Case 18ZO3000015. Is there a
44 motion to accept that case?
45
46 Gordon: I'll make a motion that we accept that Case number 18ZO3000015.

1 Thomas: Is there a second?
2
3 Smith: Second.
4
5 Thomas: It's been moved and seconded that we accept this case. We'll start with a
6 presentation, and then we'll have some Commissioner comments and
7 then we'll have public comments.
8
9 Weir: Madam Chair and Commission Members. The case before you is a final
10 site plan for a Planned Unit Development. It's a residential subdivision.
11 Just to kind of give you orientation of where it's at; it's located north of
12 Highway 70 just east of Sonoma Ranch Boulevard and just south of
13 Peachtree Hills. And just to give you some more context Monte Vista
14 Elementary School is in this vicinity here, and up here is Mesa Middle
15 School.
16
17 Thomas: Can you point out that elementary school again because that's one of my
18 questions?
19
20 Weir: It's in this area right here.
21
22 Thomas: Thank you.
23
24 Weir: Again, this kind of shows you the general location of the site plan itself.
25 It's an area of approximately 37 acres, slightly larger. It is in a proposed
26 Planned Unit Development, the larger Metro Verde South Development
27 and the tract is currently undeveloped and vacant.
28 Here is an aerial photograph. As you can see what's outlined in red
29 is the site that you're reviewing this evening. Again, there is the Monte
30 Vista Elementary School and the Middle School is up here. There is a
31 City park here that has the first splash pad. Again, to give you some
32 orientation this is Sonoma Ranch Boulevard that goes down to the
33 intersection with the Bataan Memorial East and West and also Highway
34 70. Other phases of Metro Verde are in this area to the west and these
35 areas here are also part of that Planned Unit Development.
36 The proposal itself has 183 residential lots for single-family homes
37 to be built on. It includes two tracts of land for drainage. It also includes a
38 plus-two acre site for park development and that has been reviewed by
39 our Parks and Recreation Department. The tract itself, directly to the west
40 is Sonoma Ranch Boulevard. There is a direct access point into the
41 subdivision here. To the north is Peachtree Hills Subdivision, and again
42 there's an access point into the development from the north. And to the
43 south is Sirocco Drive and there is an entry into the subdivision from the
44 south. To the west there's one of the large drainage tracts and so there's
45 no connectivity from that area. Internally you can see the subdivision is

1 laid out as a modified grid. There are no cul-de-sacs and there are
2 multiple ways to get around the various blocks of the subdivision.

3 The final site plan itself was reviewed by the various departments
4 that provide services to residential neighborhoods. It was discussed at the
5 January 9th Development Review Committee. Because this was a PUD,
6 there was not a recommendation before it was brought to you, but it was
7 reviewed and there was a very vigorous discussion about the layout of the
8 site plan itself.

9 Notice was sent out. The staff has received three comments from
10 the public and to date all have been in support of the development as it's
11 been proposed. With the approvals the site plan itself has been found to
12 be in conformance with the Zoning Code requirements for a PUD final site
13 plan. It has also been found to be in compliance with the Design
14 Standards that were adopted with the PUD Concept Plan for this phase.
15 There are a series of benefits that are proposed with this development.
16 One of the things they did with the street layout the right-of-ways were
17 reduced, there is proposal for some of the paving widths to be reduced,
18 there are provisions for on-street parking, the sidewalks were increased to
19 five feet above the four feet that is the standard citywide. There were also
20 provisions for street trees to be provided on the lots and adjacent to the
21 sidewalks to make more amenities along that particular development.
22 There is a park that has been proposed and then there are access to
23 various trails along Sonoma Ranch Boulevard and Peachtree Hills.

24 Earlier in the presentation I said there was a vigorous discussion.
25 There was quite a bit of discussion on what constituted a block length and
26 what would constitute adequate access. If I go back to the site plan, the
27 center of this development is a tract of land that, as you can see, there's a
28 long stretch of road through here, a larger block than some areas. There
29 was some concern about does that provide enough connectivity; one for
30 public safety, and then just as a safe walking environment. There was
31 quite a bit of discussion in regards to that. Ultimately the Community
32 Development Department determined that if there were a road placed
33 through this area that it would create the opportunity for cut through traffic
34 between Sonoma Ranch and Peachtree Hills Boulevard.

35 There was also discussion about putting a pedestrian trail through
36 the center of this property. Ultimately the recommendation was not to
37 have the developer do that. At various times when those proposals have
38 been made our Parks and Recreation would like to minimize the small
39 tracts and ones that are limited in use and difficult for them to maintain.

40 Also as we said, there are various methods here the streets that
41 were proposed with the wider sidewalks, the street trees etc. would
42 accommodate a more pleasant walking environment. The closest one for
43 recreational purposes would be the park in this area. The biggest attractor
44 for other walking would be the two schools located in the northeast and
45 there are relatively direct routes to both of those areas. So with those
46 considerations the Community Development Department recommended

1 approval of the site plan as it is submitted. There were several changes
2 that were requested of the applicant and they made those. Particularly it
3 was the number of access points from the adjacent streets. With that I'll
4 conclude my presentation. As always, you have your options.

5 There is something I would like to add. The actual concept plan
6 was just introduced to City Council today and so at the February 4th
7 meeting would be the final hearing for that so we would recommend that
8 your approval be conditioned on City Council approving that concept plan
9 and the provisions in it. And then the second condition that we would
10 recommend is that parking be permitted on just one side of the street
11 throughout the development. That was one of the ways to make sure that
12 adequate connectivity within the subdivision; there was adequate safety
13 for the safety personnel to get their vehicles in and respond to the
14 development. Staff has been in contact with the applicant and he is aware
15 of these conditions and was comfortable with us making that
16 recommendation this evening. So with that I'll stand for any questions the
17 Commission has.

18
19 Thomas: Thank you very much. Comments?

20
21 Gordon: David. Could you just do me a favor please and just indicate to me on this
22 diagram where the park is?

23
24 Weir: The park is in the southeast corner.

25
26 Gordon: Oh I see. Okay it just says open space park trail. Then how many acres
27 is that or how big a piece of property is that?

28
29 Weir: It is slightly larger than two acres. I think it's 2.07.

30
31 Gordon: Okay. This will be dedicated to the City?

32
33 Weir: Yes, it will be dedicated to the City and then the amenities within it will be
34 approved by the Parks and Recreation Department.

35
36 Gordon: Is there any problems here with going from north to south with drainage on
37 any of these streets or roads? I mean I see there are some drainage
38 areas, is that enough to collect everything with this large development?

39
40 Weir: Madam Chair and Commissioner Gordon. Through the point in time now
41 the drainage area is sized adequately to handle the drainage. If you've
42 driven out to the site, you know that it's a very flat tract and so the lots will
43 have to be graded to drain into the streets and then the streets take the
44 water to this drainage pond. So those are things that will be finalized with
45 the construction drawings. And before they can sell any lot and build any

1 homes in that development that will have to be approved and the drainage
2 will have to meet all of the Design Standards approved by the City.
3
4 Gordon: Okay. And all the infrastructure is there already?
5
6 Weir: With the development to the east and the schools there is sufficient
7 capacity to serve this area with all utilities.
8
9 Gordon: Okay. Thank you.
10
11 Thomas: Other comments or questions? Commissioner Smith.
12
13 Smith: Thank you Madam Chair. David or Sara. The park is part of what is
14 expected to be similar to the master plan for City Parks and Recreation or
15 is there anything unique about this park?
16
17 Weir: Sara will answer that question.
18
19 Gonzalez: Madam Chair, Commissioner Smith. Basically the Parks Department we
20 work with them in producing the parks master plan. One of the main
21 criteria was to provide parks that are a little bit over two acres in size
22 because of the maintenance and the people that it will service. So the
23 amount of homes that are listed here this will help provide and service
24 more of the families to the south as well as to the north and the west.
25
26 Smith: Discussion with this park proposed, is it in any way or shape the idea of
27 the living ground, the living non-herbicide killed, it's more of a living
28 statement a healthy statement, healthy land, living land?
29
30 Weir: Madam Chair, Commissioner Smith. The Parks and Recreation has
31 adopted a policy where they're trying to go with more of a natural and
32 organic might not be the proper term, but less of the harsh chemicals and
33 weed killers use. That is something they're trying to do system wide,
34 make that more environmentally friendly as they do maintenance and
35 development of parks.
36 The Metro Verde PUD on a whole, made a commitment to
37 providing parks near neighborhoods. If you're aware of some of the other
38 neighborhoods that have already been built out, there are soccer fields,
39 there are basketball courts, there are the multi-use paths throughout the
40 development. So this is a theme that's been put into place throughout this
41 development. The actual development of the park that would be in
42 conformance, the Parks and Recreation Department would analyze what
43 could be put onto this parcel. What type of level of services being
44 provided Citywide and provide those types of amenities. They a lot of
45 times, will work with the developer on either having him place those

1 amenities in or utilizing some of the Park Impact Fees that are collected to
2 program the various parks.

3
4 Smith: Thank you David. It seems to me it makes sense that the impact for parks
5 servicing, caring, maintaining these facilities is a cost in its own way a
6 burden. We don't just pile on to City Parks and Recreation because we
7 want. It's got to be a measurable thing. David, Madam Chair. Thank you.

8
9 Thomas: Any other comments? So David would you say a couple of things about
10 what a PUD is? Because we have some newer members here and that
11 might not be a familiar term.

12
13 Weir: Sure. Madam Chair and Commissioners. PUD stands for Planned Unit
14 Development. It's a form of development that's permitted by the Zoning
15 Code. It's one that allows flexibility and the opportunity to develop some
16 uniqueness. On a concept plan stages it basically allows the developer
17 and the City to work together to come up with a creation of a
18 neighborhood. It also allows them to look at the uses, the type of lots,
19 look at the infrastructure and amenities. You can request variances to
20 right-of-way widths, street widths. You can incorporate parks. You can
21 incorporate trails, multi-use paths. Basically, all those things are on the
22 table and reviewed by the developer and the City and something that will
23 come to use and be something that will create an attribute to the City and
24 a vibrant neighborhood.

25 So some of the unique features of the Metro Verde on a larger
26 scale than this particular site is they've introduced mixed uses. You have
27 the golf course; you have various residential uses, whether it be single-
28 family, some smaller lot single-family. There are tracts that are set aside
29 for apartments. There are some tracts that allow some light industrial type
30 of uses. Those are things that we will see in the future. You've seen the
31 discussion of the parks. There's also some property that has been
32 identified for a future fire station that have been worked out with the City.
33 So it's kind of a way that again the City and the developer and surrounding
34 properties can work to make a vibrant and attractive neighborhood
35 throughout the City.

36
37 Thomas: Thank you very much for that. I have a couple of questions. What will be
38 to the south of this development? Do we have any idea at this point?

39
40 Weir: Madam Chair and Commissioners. It is zoned for more residential use.
41 So it would be another neighborhood. I do not believe that it's located
42 within the Metro Verde PUD. So when that development would be
43 proposed it would either have to meet the zoning that's existing on the
44 property now or they would have to come in for a zone change, if they
45 were doing something different.

1 Thomas: Does it look like there's going to be a street between those two
2 developments or do we have any idea about that?
3
4 Weir: There is a street that goes along the southern boundary of this
5 development and it also goes further east, heads towards Jornada Road.
6
7 Thomas: And there is an exit from this particular development to the south, so there
8 will be some connectivity to whatever gets developed next?
9
10 Weir: Correct. I'm sorry this isn't the full screen.
11
12 Thomas: That's okay.
13
14 Weir: So there's a road that goes through here. You can see it connects
15 through the existing development here and there are other venues to get
16 into the property, so that connectivity does exist.
17
18 Thomas: Okay, thank you. I had a question about why did the Engineering and Fire
19 department say, no?
20
21 Weir: It was primarily that discussion we had about the block length. What I was
22 told by the Engineer that reviewed the project was the PUD Concept Plan
23 had yet to be approved. Fire was concerned about the length of the cul-
24 de-sac and I don't know, Mark, would you like to comment in regards to
25 that?
26
27 Dubbin: Sure, Mark Dubbin with Las Cruces Fire Department. As David Weir
28 mentioned there was a discussion about the block length and how it
29 pertains to the road lengths in the PUDs. We will be exploring that in the
30 future, but we had some concerns with the narrowness of the roads and
31 the length of the block. The compromise that was made with the
32 developer was to accept the parking on one side of the street. It will give
33 us enough adequate space to meet the design standards and maneuver in
34 the development safely.
35
36 Thomas: Okay so those issues have been resolved at this point and those are the
37 conditions you're putting up. Okay. Thank you. Any other comments
38 from up here? Does the developer have anything to add? I have to swear
39 him in too. Do you swear and affirm the testimony you are about to give is
40 the truth and nothing but the truth under penalty of law?
41
42 Moscato: Yes.
43
44 Thomas: Thank you.
45

1 Moscato: John Moscato, Sierra Norte Development. I don't have anything specific
2 to add. Just one point of clarification, the land to the south of this
3 proposed final site plan is part of the Metro Verde South Amendment No.
4 5 Concept Plan that was approved by the Planning and Zoning
5 Commission a couple of months ago, just had first reading today at City
6 Council. As Mr. Weir said, it is projected to be single-family residential in
7 the relatively near future. In fact, we have had a discussion, several
8 discussions, with Tierra Del Sol for affordable single-family housing in part
9 of the area to the south of this property. I don't have anything to add to
10 what Mr. Weir said, but if anyone has any questions I'd be happy to
11 answer them.
12
13 Thomas: So there's that access that comes out of the south of this development
14 and there'll be some connectivity to whatever goes in next on the south?
15
16 Moscato: Yes.
17
18 Thomas: Thank you very much. Anybody have questions for the developer?
19 Commissioner Gran?
20
21 Gran: Thank you Chairman. I did notice that in reading this, this development is
22 also apparently considered affordable housing. I noted the very small lot
23 size and I just wanted to make sure that I understand correctly that this is
24 also affordable housing. Is that not correct?
25
26 Moscato: It doesn't meet the City's standards for affordable housing. It does not.
27
28 Gran: Okay. Is this fairly similar to the Metro Verde Developments across on the
29 western side of Sonoma Ranch?
30
31 Moscato: No. This is going to be similar to the Metro Park Village Phases 1 and 2
32 that we have developed just to the east of this property.
33
34 Gran: Okay. Thank you very much.
35
36 Thomas: Any other questions or comments? Thank you, Mr. Moscato.
37
38 Moscato: Thank you.
39
40 Thomas: Any public comment? Anybody in the audience who would like to
41 comment? Okay, we'll come back to the Commission. Any further
42 comments from the Commission? So we need to amend this motion right,
43 with these conditions? Can somebody do that? We accept this concept
44 plan with the conditions that there's only parking on one side of the street
45 and it's dependant on the concept plan approval at the City Council.
46

1 Weir: Madam Chair and Commissioners. The bottom two bullets of this slide I
2 think you could form a motion from that.
3
4 Thomas: Okay. All right. Somebody want to make that motion, amendment?
5
6 Gordon: Well I guess I will. David just to make sure, are you saying the bottom two
7 bullets are not a part of the amendment?
8
9 Weir: No, what I would recommend is that you'd recommend approval
10 conditioned upon approval of City Council of the Metro Verde South PUD
11 Amendment No. 5 and that parking is permitted on one side of the street
12 for this phase of the PUD.
13
14 Gordon: So that's the only amendment? I thought it was on consent.
15
16 Weir: No those would be the two conditions that staff would recommend on
17 approval.
18
19 Gordon: I still didn't get the first one and I'm sorry. Does anybody else want to do
20 this? Oh I see, okay, I'm fine. All right then, I would like to make a motion
21 that we approve Case number 18ZO3000015 with the following
22 conditions: That there is approval by the City Council for the PUD
23 Amendment No. 5, and that parking is permitted on one side of the street
24 for this phase.
25
26 Thomas: Is there a second?
27
28 Gran: Second.
29
30 Thomas: Thank you. Any discussions about the amendment? No. So can we vote
31 on the amendment?
32
33 Baum: Board Member Smith.
34
35 Smith: Yes.
36
37 Baum: And your reasoning please.
38
39 Smith: Based on staff input and judgment by the applicant. It's all sound and it
40 sounds appropriate.
41
42 Baum: Board Member Gran.
43
44 Gran: I approve, yes. Based on my site visit, based on information I have
45 received tonight and answer to my questions. Thank you.
46

1 Baum: Board Member Muniz.
2
3 Muniz: I vote to approve based on staff's recommendation and discussion that
4 was held this evening.
5
6 Baum: Board Member Bennett.
7
8 Bennett: I vote to approve based on staff recommendation and site survey.
9
10 Baum: Board Member Gordon.
11
12 Gordon: I vote yes to approve the case, and with its conditions based on the
13 presentation by staff and our discussion and questions being answered.
14
15 Baum: Chairperson Thomas.
16
17 Thomas: I vote to approve based on staff recommendation and based on the very
18 inventive and wonderful suggestions and planning that includes five-foot
19 sidewalks and on-street parking and a park and trees and trails. Thank
20 you. Passes six to nothing.
21
22 Weir: Thank you.
23

24 IX. OTHER BUSINESS

25
26 Thomas: Okay. Do we have any other business? No. I know that we had this on
27 the agenda one time, but it doesn't seem to be on here this time. We were
28 going to add Commissioners comments here at the end and we didn't get
29 that this time, but does anybody have a comment from the
30 Commissioners?
31 Okay, we did ask last time about the possibility of any of us going to
32 the APA Conference and I think Mr. Weir was going to talk to Mr. Nichols,
33 is there any update on that?
34
35 Nichols: Yes, Madam Chair. I'll cover this I guess under staff announcements. We
36 will be happy to accommodate that, we'll get the particulars on that. I think
37 we have most of them, but we would need to know from you which of the
38 Member of the Commission you would want to attend.
39
40 Thomas: Okay. Thank you very much. Rates go up February 14th. It's in San
41 Francisco, I don't see the dates on here. Anybody know what the dates
42 are? Well you'll get that information to us right?
43

44 X. STAFF ANNOUNCEMENTS

45
46 Thomas: Okay. Staff comments.

1
2 Nichols: Yes additional comments, first and foremost I want to congratulate the
3 newly elected officers of the Commission. You've really served duly and
4 truly well this past year, been very helpful to staff. We very much
5 appreciate that as well as all Commissioners. We have a lot of work
6 ahead of us this coming year. We experienced last year kind of a record
7 number of subdivision approvals and that usually means that there's going
8 to be submittal coming to you for additional work. So I congratulate the
9 new office holders.
10 I also would like to bring to your attention that there is going to be in
11 February, there will be a joint session with the City Council and the CPAC
12 Committee, which you all are members of, to discuss the status and
13 update of the Elevate Las Cruces Comprehensive Plan. That has been
14 scheduled with the Council through the City Manager's Office and so that
15 is a meeting that will be coming. I believe it is a traditional afternoon time,
16 I believe it's at 1:00 p.m. February 26th in the Chambers, no excuse me,
17 it's not the Chambers, it's room on the second floor 2007-B and C
18 upstairs.
19
20 Thomas: I have 2:00 to 5:00 p.m.
21
22 Nichols: Was it 2:00 to 5:00?
23
24 Thomas: Does that sound right?
25
26 Nichols: That sounds right. I remember now that because it was scheduled at the
27 conference rooms on the second floor that that would be the time.
28
29 Thomas: Right.
30
31 Nichols: The consultant will be there and of course the City Council and yourselves
32 as well as the other CPAC Committee Members. There will be staff there
33 as well. I think I added up it will be a meeting of about 33 or 34 folks from
34 consultant, CPAC, City Council, and staff, in addition there will be
35 members from the public. So it will be a pretty populated meeting. So I
36 look forward to that.
37
38 Thomas: Sounds like it. Comments?
39
40 Gordon: Mr. Nichols. Just so this is on the record. Would it be possible for
41 members of CPAC, as well as every member here on the Commission to
42 receive data prior to that meeting, like a few days before, which will give
43 us a chance to review it and analyze it and prepare our questions so that
44 we don't have this stuff handed to us half an hour before the meeting? So
45 there will be some request to have to put at least their agenda and some
46 of the items with some backup so we'll have it?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39

Nichols: Yes Madam Chair and Commissioner Gordon. The last meeting we had with the consultant it was recognized that that information came in at a late date. That was not our preference. I'll be very candid and forthright. I have spoken to the consultant about that and told him that we needed, the CPAC Committee needs that information in advance of the meeting. Three days, four days, but we need that information so that you have an opportunity to review it and to write down what comments you may have regarding it. That has been addressed with the consultant and we will provide this information to you for this joint session in advance so that you have an opportunity for your review.

Gordon: Okay that great. If it could be done, that would be terrific.

Thomas: Thank you, I very much support that as well. We need time to digest the materials before we have the meeting. Thank you very much. Any other staff announcements?

Gonzalez: There are no other staff announcements from planning staff.

XI. ADJOURNMENT (6:45)

Thomas: Okay, I'll entertain a motion for adjournment.

Smith: Motion to adjourn.

Gordon: I'll second it.

Thomas: All those in favor please say "aye."

MOTION PASSES UNANIMOUSLY.

Thomas: We're adjourned at what looks like 6:45. Thank you.


Chairperson