

1 **DEVELOPMENT REVIEW COMMITTEE (DRC)**

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3 Following are the minutes from the City of Las Cruces Development Review Committee
4 Meeting held Wednesday, September 28, 2022, at 9:00 a.m. in Room 1158.

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6 **DRC PRESENT:** Adam Ochoa, Building Inspection Supervisor, Sr. Planner
7 Mark Dubbin, Fire Projection Engineer (arrived 9:03)
8 Rocio Nasir, Senior Engineer, Utilities
9 Dominic Loya, MVMPO
10 Gary Skelton, Engineer, Public Works
11 Cathy Mathews, Landscape Architect, Parks & Rec.
12 Mike Kinney, Plan Review Engineer, Com. Dev.

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14 **STAFF PRESENT:** Adam Ochoa, Building Inspection Supervisor
15 Tim Pitts, Deputy Director Building Development (arr. 9:05)
16 Natalie Green, Housing Neighborhood Service Manager
17 Jan Lauterbach, Housing Development Coordinator(arr.
18 9:04)
19 Becky Baum, Recording Secretary, RC Creations, LLC
20

21 **OTHER PRESENT:** John Moscato
22 Chad Sells
23 Gregory Shervanick
24

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

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27 Ochoa: I'll go ahead and call this meeting of the DRC, November 23rd meeting to
28 order. Thank you all for coming in the day before a holiday. We will all
29 sacrifice John when he comes back into the office.
30

31 **2. APPROVAL OF MINUTES**

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33 **2.1 September 28, 2022 Minutes**

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35 Ochoa: Second item on the agenda is the approval of the minutes for September
36 28, 2022. Do we have any corrections or any amendments to those
37 minutes? Seeing none. Can I get a motion to approve the minutes?
38

39 Nasir: So moved.

40
41 Skelton: Second.

42
43 Ochoa: I have a motion and a second. All in favor please say "aye."
44

45 **MOTION PASSES UNANIMOUSLY.**
46

1 Ochoa: All opposed say "nay." Minutes are approved.

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3 **3. OLD BUSINESS**

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5 Ochoa: No old business.

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7 **4. NEW BUSINESS**

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9 **4.1 Case 22ZO3000122: Metro Verde Arcadia Phase 4**

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Ochoa: So we will go right into new business. We've got two items up for new business. John Castillo, planner is not here, but I will go ahead and take over this I guess presentation of this proposed PUD final site plan. It is Case No. 22ZO3000122 which is the Metro Verde Arcadia Phase 4. This is a request for approval of final site plan PUD Metro Verde Arcadia Phase 4 located within of course the Metro Verde Planned Unit Development.

The proposed subdivision encompasses approximately 9.5 acres in size and is located west of Red Hawk Golf Road and south of what is the current Metro Verde Arcadia Phase 1. The proposed final site plan proposes 52 single-family residential lots and two tracts of land will be dedicated to the City for drainage purposes. The proposed final site plan shall be required to meet all requirements of the Metro Verde PUD Concept Plan. And this was submitted of course by Sierra Nort Development Inc.

That being said, we're doing this planning and development through staff comments looks like everything was kind or resolved. Did anybody have outstanding issues with the prosed final site plan?

Skelton: I just have one comment actually on that sheet right there. The CS symbol for the clear sights need to be added to lots 15 and 16 as well for that one.

Sells: Okay.

1
2 Skelton: Other than that, we're good to go.
3
4 Ochoa: Okay, so just adding those clear sight. And that should be ready to
5 *(inaudible)*.
6
7 Kinney: What was that?
8
9 Skelton: The entrance lots on either side of the entrance coming off of Red Hawk.
10
11 Sells: The road we added. Like we just didn't add the CS symbols to those two
12 lots.
13
14 Skelton: Happens.
15
16 Ochoa: So that just having to be added. I don't think a condition will need to be.
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18 Skelton: Not conditional.
19
20 Ochoa: All right. Sounds good. Any other comments on this? All right, seeing
21 none. Can I get a motion to approve the proposed final site plan for the
22 Metro Verde Arcadia Phase 4?
23
24 Nasir: So move.
25
26 Mathews: Second.
27
28 Ochoa: Thank you. All in favor please make a motion of "aye."
29

30 MOTION PASSES UNANIMOUSLY.

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32 Ochoa: All opposed say "nay." All righty. It is approved. And it will be moving
33 forward to the December 20th Planning and Zoning Commission meeting.
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35 **4.2 Case 22ZO2500106: MVCH Planned Unit Development (PUD) Major**
36 **Amendment**

- 37 • A request for approval of a PUD major amendment, known as Mesilla
38 Valley Community of Hope Planned Unit Development (PUD)
- 39 • The proposed subdivision currently encompasses 8.01 + acres, is
40 zoned PUD (Planned Unit Development), is located at 999 W Amador.
- 41 • The PUD major amendment will amend the original boundary of the
42 concept plan and incorporate an additional 15.7 ± acres for a new total
43 of 23.71 acres. It will also incorporate the new master plan that was
44 created for the property.
- 45 • Submitted by the City of Las Cruces, property owners.
46

1 Ochoa: All righty, so well go ahead, so next item up for bid is Case No.
2 22ZO2500106, this is the Mesilla Valley Community of Hope Planned Unit
3 Development Major Amendment. It is a request to essentially amend the
4 existing Planned Unit Development known as the Mesilla Valley
5 Community of Hope Planned Unit Development. Essentially currently the
6 PUD encompasses 8.01 acres in size and is located at 999 W. Amador.
7 The PUD amendment will amend the original boundaries of the PUD
8 which will incorporate an additional approximately 15.7 acres in size for a
9 new total of 23.71 acres in size. The amendment also essentially will
10 incorporate or will essentially now follow the new approved master plan for
11 the Community of Hope area as well. That is what the amendment is.
12 This was submitted by the City of Las Cruces. We do have Natalie on the
13 phone with Neighborhood Services, who is taking care of this Planned
14 Unit Development amendment. That being said, staff did not see that
15 there was too many outstanding issues with this PUD amendment in staff
16 comments. That being said, does anybody have anything additional to
17 state for this amendment? Yes.
18
19 Kinney: The last time we had a meeting on this we discussed about the traffic
20 impact analysis.
21
22 Ochoa: Right, the TIA.
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24 Kinney: And we also had a lengthy discussion in our PR too last weekend.
25 Initially during the first DRC meeting it was I guess determined by the
26 DRC that that was not the time to require the TIA, it would be at the time
27 of additional platting or subdividing and stuff.
28
29 Ochoa: Correct. Essentially that ...
30
31 Kinney: Just went through an administrative replat and one of the arguments was
32 this was just an admin replat. And now we're at the end of everything and
33 myself and I think traffic engineers still have concerns about the traffic
34 impact analysis which we believe needs to be done by the City.
35
36 Ochoa: Right.
37
38 Kinney: Not necessarily by Economic Development. And you know there's various
39 items like in section 32-407 where it says, "Preparation of a TIAs," one of
40 them states, "Smaller developments may warrant a study if there are
41 issues as determined by the traffic engineer or traffic safety or the
42 development is located in already congested LOSD" means level of
43 service D area.
44
45 Ochoa: Right.
46

1 Kinney: The traffic engineers informed me that Amador is a level of service D.
2
3 Ochoa: Okay.
4
5 Kinney: And that, a regular private development that would require a traffic impact
6 analysis. And then section 38-49 the PUD, Planned Unit Developments in
7 paragraph C, parentheses six states, "Off sight roadway and intersection
8 improvements necessary in whole or in part because of the PUD's impact
9 will have to be provided according to the improvements scheduled
10 outlined in the required traffic impact analysis called for in the
11 transportation element of the comprehensive plan." Policy 1.5 of goal 7,
12 growth management. Now that was, I can't find that comprehensive plan.
13 Elevate Las Cruces is now comprehensive. But policy 1.5 of goal 7 does
14 not appear in there.
15
16 Ochoa: Yes, that's the old comprehensive plan unfortunately I think. So that
17 comprehensive plan no longer exists, it was replaced by Elevate Las
18 Cruces. But I believe Community Development we have seen that this is
19 an issue and that traffic impact analysis does need to happen. But that
20 being said I think we need to get City administration involved as to getting
21 some type of direction as to who, when, and where, or how that TIA is
22 going to happen. But it does need to happen because we do need to
23 follow our own rules if you will. So that definitely does have to happen.
24 The problem is though we need to get some type of direction from City
25 admin for that. That being said, I believe we're going to reach out to City
26 administration to see ...
27
28 Green There is a TIA being done. It's only to cover the two new parcels, the two
29 five acre plus parcels. The vacant one that's Brewers, and the new Horse
30 and Hound.
31
32 Ochoa: Okay. So the actual addition to this PUD is what's going to be studied.
33
34 Green Correct.
35
36 Kinney: I guess my first question would be, was there a traffic impact analysis
37 performed back when Community of Hope was first done?
38
39 Ochoa: Tim.
40
41 Pitts: I don't have an answer to that.
42
43 Kinney: Was there a TIA done?
44

1 Ochoa: So when that initial concept plan was done there was not a TIA done,
2 there was just kind of like a minor study if you will I think that was done,
3 but no actual traffic impact analysis was done with the initial one.
4

5 Kinney: Typically when, my understanding and Gary you can correct me, is when
6 a TIA is called for then there's generally, one of the first things to happen
7 is a scoping meeting between the traffic engineer and the parties required
8 or the firm or whoever is performing the TIA as to what the scope would
9 be. Although we're only adding you know to the PUD the size of the
10 development is basically in acreage is almost doubling and I believe that
11 probably the traffic engineer would probably request not only just what is
12 the additional impact going to do, but what is actually, you have to look at
13 the entire development as a whole in addition to what's coming in.
14

15 Ochoa: Okay. So the addition if you will.
16

17 Kinney: Right.
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19 Ochoa: Yes Tim.
20

21 Pitts: I did speak to the City Manager's office yesterday about this. They are
22 aware and are willing - they said that they will need to find money to do
23 this. They agree that it's a requirement of code. I think that if we already
24 have an engineer working on a TIA I think we need to work with that
25 engineer and see if we can. But either Public Works or Economic
26 Development, someone's going to have to talk to City Manager's office to
27 determine where that funding is going to come from. I think it needs to be
28 done.
29

30 Kinney: My understanding Dr. Pitts you're referring to Huitt-Zollars who had done a
31 trip generation report for the Casa de Peregrinos. That's my
32 understanding that Huitt-Zollars firm is not doing a TIA. My
33 understanding. They're updating the trip generation report.
34

35 Ochoa: Okay.
36

37 Kinney: Which is different than a traffic impact analysis.
38

39 Ochoa: Understood. But Natalie, you said there was a TIA being created for the
40 existing. Do you know who was doing that TIA?
41

42 Green: It was Huitt-Zollars. They told me it was a TIA. Hold on, let me find that e-
43 mail.
44

45 Ochoa: Awesome. Appreciate that.
46

1 Kinney: Yes, I think we may be getting semantics but you know Huitt-Zollars did
2 submit a report which was a trip generation type report it was not what is
3 considered a TIA.
4

5 Ochoa: So they did a trip generation not an actual TIA.
6

7 Kinney: It would need to be expanded.
8

9 Green Did they just submit it? Because I haven't seen it. They said the
10 completion date was coming, on November 3rd they said they were doing,
11 the TIA will be completed in the next three weeks.
12

13 Ochoa: Okay.
14

15 Green And that's an e-mail from John Jarrard Huitt-Zollars, copy to Steve Harris
16 in Public Works.
17

18 Skelton: To my knowledge traffic management hasn't been consulted regarding
19 any TIA. No scoping I believe has been for this project. My believe would
20 be we would need to look at the TIA encompassing the entire
21 development, not just the new addition stuff like that because the
22 development in its entirety is going to have a major impact on the area.
23

24 Ochoa: Sure.
25

26 Skelton: We'd also need to scope out intersections that may be affected.
27

28 Green And my goal guys is only to adjust the zoning on the Brewers parcel to be
29 able to accommodate an affordable housing development complex
30 because it doesn't do that now because it's industrial. The rest of the
31 campus I could care less about, I'm not interested in rezoning it, but from
32 an administrative it just makes sense to clean it up since we're going
33 through zoning anyways. So whatever accomplishes my goal of rezoning
34 Brewers Oil, that's what I want to do.
35

36 Ochoa: Understood. And I think since we did ...
37

38 Green If we need to adjust the scope back, I'm happy to do that and we can just
39 do the rezone on Brewers.
40

41 Ochoa: Okay. So I don't think we need to scale back, especially if we're already
42 talked to City administration, City Manager's office and they have agreed
43 that a TIA needs to happen for this. Since we already got their backing on
44 it we need to see how it's going to happen, or we're going to get direction
45 to get it done. I think we'll be okay to kind of move this one forward as is
46 because we've heard it from the third floor saying essentially that this is

1 going to happen. So with that being said I think we just as staff are going
2 to have to keep an eye on that and make sure that this happens before,
3 sooner than later I guess is kind of the best way to put it. So they do
4 understand that we need to follow our own code so we do need to follow
5 our own requirements if you will. So since we do have the backing from
6 City admin, I don't know what else we can do other than just taking their
7 word that they're going to take care of this issue. Any other comments?
8

9 Kinney: If we were to approve it on the contingency that the traffic impact analysis,
10 the complete one, the scoping would be done.
11

12 Ochoa: I think that is within DRC's power to go ahead and put that condition.
13 Essentially a condition stating that ...
14

15 Kinney: But then it's open ended. If this was a private development how would we
16 handle it?
17

18 Ochoa: So I guess that is something we could - yes Tim.
19

20 Pitts: I believe we've done this with the horseshoe apartments. We did it for
21 CofO.
22

23 Kinney: Okay.
24

25 Pitts: So I'd be okay with that.
26

27 Ochoa: Okay. So a condition basically stating that a traffic impact analysis shall
28 be required to be submitted prior to the issuing of any certificate of
29 occupancy for the development of I guess this PUD area.
30

31 Skelton: Just semantics, are we submittal or approval prior to CofO? Because
32 submittal of a TIA doesn't necessary mean approval.
33

34 Ochoa: I guess approval would be better.
35

36 Skelton: So I wasn't sure we were on the same.
37

38 Ochoa: I think approval is probably a little more feet to the fire if you will. So
39 Natalie, if you're (*inaudible*) with that condition will you be okay with that?
40

41 Green Yes, that's fine.
42

43 Ochoa: Okay.
44

45 Kinney: Of course the scoping you know.
46

1 Green My only question would be what happens if the apartment doesn't trigger a
2 full TIA? Or we'll just require it regardless. And it will have to be for the
3 entire campus?
4

5 Ochoa: It'll be required period for the entire campus. Yes, that's what the
6 condition will be. But the project can continue for your affordable housing
7 development, it could be submitted, it could be inspected, it's just a TIA
8 will have to be approved for the entire campus prior to a certificate of
9 occupancy being issued.
10

11 Green All right. Sounds good.
12

13 Ochoa: Okay. So if everybody's okay with that, I guess can I get a motion to
14 approve the proposed PUD amendment with said condition?
15

16 Kinney: I have a motion to approve it on contingency that a traffic impact analysis
17 for the entire campus, not just the new additions to it, which will be part of
18 the campus, but the entire campus and the scoping step of the traffic
19 impact analysis would need to be in conjunction or approved by City's
20 traffic engineering section and that the TIA would need to be submitted
21 and approved by the traffic engineer, Community Development, prior to
22 any issuance of certificate of occupancy.
23

24 Ochoa: So moved. Do I have a second?
25

26 Skelton: Second.
27

28 Ochoa: All right. That being said, all in favor for the approval with conditions say
29 "aye."
30

31 MOTION PASSES UNANIMOUSLY.
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33 Ochoa: All opposed. Seeing none. The proposed PUD amendment is moving
34 forward to the December 20th Planning and Zoning Commission meeting
35 with a recommendation of approval with conditions. All righty. Thank you
36 folks.
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38 5. DISCUSSION

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40 Ochoa: Any other items for discussion? Seeing none.
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42 6. ADJOURNMENT (09:10 a.m.)

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44 Ochoa: Can I get a motion for adjournment?
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46 Nasir: So moved.

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Dubbin: Second.

Ochoa: Thank you very much. All in favor.

MOTION PASSES UNANIMOUSLY.

Ochoa: All opposed. Thank you folks.

Chairperson