

1 **DEVELOPMENT REVIEW COMMITTEE (DRC)**

2
3 Following are the minutes from the City of Las Cruces Development Review Committee
4 Meeting held Wednesday, April 12, 2023, 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 Elaine Martinez, Engineering Tech, Utilities
9 Soo Gyu Lee, Traffic Operations Administrator, Public Works
10 Gary Skelton, Engineer, Public Works
11 Cathy Mathews, Landscape Architect, Parks & Rec.
12 Tony Trevino, Deputy Director, Public Works
13 Mike Kinney, Plan Review Engineer, Com. Dev.

14
15 **STAFF PRESENT:** John Castillo, Planner, Community Development
16 Becky Baum, Recording Secretary, RC Creations, LLC

17
18 **OTHER PRESENT:** Denis Crimmins
19 Randy McMillan
20 Paul Pompeo, Souder Miller
21 Judy Berryman
22 Edward Haworth
23 Greg Shervanick
24 Jo Ruprecht

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

27
28 Ochoa: All folks. Well go ahead and get started. Going to call this meeting to
29 order of the April 12, 2023 Development Review Committee.

30
31 **2. APPROVAL OF MINUTES**

32
33 **2.1 January 25, 2023 Minutes**

34
35 Ochoa: First item we have here is the approval of minutes from our last meeting
36 which is on March 8, 2023. Any of the committee members have any
37 changes to the minutes? Seeing none. Could I have a motion to approve
38 the minutes from March 8, 2023?

39
40 Kinney: So moved.

41
42 Ochoa: So moved by Mike Kinney. Can I have a second please? I'll go ahead
43 and second. All in favor of approving the minutes as is please signify by
44 saying "aye."

45
46 **MOTION PASSES UNANIMOUSLY.**

1
2 Ochoa: All opposed "nay." They are approved.

3
4 **3. OLD BUSINESS**

5
6 Ochoa: We have no old business.

7
8 **4. NEW BUSINESS**

9
10 **4.1 Case 22CS0500114: Royal Crossing Subdivision Master Plan**

- 11 • A request for approval of a master plan subdivision, known as Royal
12 Crossing Subdivision.
13 • The proposed subdivision currently encompasses 75.09 + acres and is
14 located at the corner of Solano Drive and Main Street also known as
15 the former Country Club.
16 • The subdivision proposes to do a multi-phase development that will
17 align with the Apodaca Blueprint.
18 • Submitted by the Souder Miller and Associates, Representative.

19
20 Ochoa: We'll go right into new business. We do have two items. It is for the Royal
21 Crossing Subdivision, the master plan and the preliminary plat. We'll go
22 ahead and just hear these separately. First is Case 22CS0500114. This
23 is the Royal Crossing Subdivision master plan. Staff can you give a little
24 description for this master plan, please.

25
26 Castillo: Today we have a request for approval of a master plan subdivision known
27 as Royal Crossing Subdivision. This proposed subdivision currently
28 encompasses 75.09 acres, and it's located at the corner of Solano Drive
29 and Main Street. It's also known as the former country club. This
30 subdivision proposes to do a multiphase development that will align with
31 the Apodaca Blueprint.

32
33 Ochoa: Okay. And just to let everybody know, staff did meet with the applicants
34 earlier this week. There were some additional changes that needed to be
35 done to the actual master plan in order to conform with the master plan
36 requirements. And I believe the applicant did bring copies of those if
37 anybody wants to take a look at them, they are on the table. But
38 essentially what the updates they do now essentially meet a little bit more
39 of the actual Apodaca Blueprint itself, the requirements for the right-of-way
40 width and so on and so forth like that.

41
42 Additionally, I believe notes were clarified as to where single-family is
43 going, where multifamily, and the mixed use kind of development will be
44 going, just closer to I guess to the Main Street and Solano area if you will.
45 And then also I guess additionally the clarification of right-of-ways within

1 the area as well. We'll go around the room and see if anybody has any
2 questions or anything. I'll go this way first, Utilities anything.
3
4 Martinez: Yes five concerns.
5
6 Ochoa: Okay.
7
8 Martinez: Elaine Martinez for Rocio Nasir. Manhole number 19 needs to connect to
9 an existing sewer line from the south side of this manhole. This manhole
10 may need to be built a drop manhole. Second concern is the existing
11 manhole at Madrid and Mesquite may need to be replaced to avoid
12 complications when reconnecting to the new sewer. And number three,
13 existing sewer lines in Madrid should be reconnected to the new sewer
14 line. Four, bypass pumping may be required when replacing the sewer
15 line in Madrid. And five, the sewer discharge volume prepared by SMA
16 has been reviewed and considered reasonable for the anticipated land
17 use except the "residential volume." (*inaudible*) residential use as shown
18 in the master plan for parcel RC-6, or between 116 and 290 for modeling
19 (*inaudible*) 290 was used.
20
21 Ochoa: Okay.
22
23 Pompeo: SMA has had read the, those were the current comments from Utilities.
24 And we have concurred to all those. And so those stand pending this
25 meeting, unless there's any other comments, that we'll make resubmittal
26 and we have already addressed all of those comments. So all of those
27 comments were understood, agree to, and then modified.
28
29 Ochoa: Right. And I guess we'll just going ahead and do a supplemental review of
30 that and make sure that that gets taken care of before we go to Planning
31 and Zoning Commission. And we'll make sure that everything gets
32 clarified at that meeting as well.
33
34 Pompeo: Okay. Yes. And so on all of the documents, we stand ready to resubmit
35 all those today pending if there's any other items that came out of today's
36 meeting that need to be added in one of those documents.
37
38 Ochoa: Very good. Sounds good. Thank you. We'll try to get an expedited
39 review on that, that way we can move forward on that. All righty. Thank
40 you very much. Engineering.
41
42 Kinney: No, I have no comments other than from traffic.
43
44 Ochoa: Anything from Traffic.
45

1 Lee: Yes. We have one comment about this master plan. We haven't received
2 a TIA for the full development based on the old layout, and then the land
3 use, but we did not receive any updated TIA. So my recommendation is
4 that before we approve the master plan, we need to see their updated TIA.
5
6 Kinney: Would that be ...
7
8 Lee: As we had a meeting, right you know when we have a meeting the pre-
9 scoring meeting to review the Phase 1, we kind of agree at the time the
10 developer and then SMA and the lead engineer will bring the updated TIA
11 for the full development. But I did not receive the updated TIA yet. So I
12 would like to know when we're going to receive the updated TIA for the full
13 development.
14
15 Pompeo: Question. My understanding is that the TIA as it submits now is for only
16 Phase 1 of the development.
17
18 Lee: Correct.
19
20 Pompeo: Right, and so that's all that's being submitted for and requested by now.
21 So there wouldn't be any other future phases being able to be developed
22 until such time that the TIA was addended and updated with the additional
23 phases.
24
25 Kinney: Did you put a note, excuse me ... from our meeting earlier this week.
26
27 Pompeo: Yes.
28
29 Kinney: We had agreed to having a note on both the master plan and the and the
30 preliminary plat about updating the TIA.
31
32 Lee: Right, so Paul, what we discussed during the prescore meeting for the
33 Phase 1, I specifically mentioned, and then I have a document the lead
34 engineer sent to us. The applicant will provide updated TIA for the full
35 development for your master plan, concurrent with review of the TIA for
36 the Phase 1. So I don't have any problem to concurrently move forward.
37
38 Pompeo: Okay.
39
40 Lee: So you will have a permit for the Phase 1, but you still need to submit your
41 TIA for the full development for your master plan.
42
43 Pompeo: Okay. Because as it sits now, based on the meeting we had earlier in the
44 week, the notations have been added, number four on the master plan
45 and also the plat, that the TIA is limited to only that Phase 1. And that the
46 full TIA is coming up.

1
2 Lee: Coming up. When then you will provide a full development TIA then?
3
4 Crimmins: Immediately. The TIA, as a community and we agreed on Phase 1, and
5 Phase 1 is what we're trying to get go ahead for right now.
6
7 Lee:
8
9 Crimmins: They've asked to have the full plat done at the same time. But we're not
10 asking to move forward on Phase 2 until you get the updated TIA from
11 Lee. So as soon as we get going on this, Willie will immediately start the
12 update on the full plat.
13
14 Lee: Okay. Then my recommendation for this meeting and then I'd like to make
15 a recommendation to approve this master plan ...
16
17 Ochoa: With a condition.
18
19 Lee: With condition to submit the full development TIA.
20
21 Kinney: Would that be an updated TIA.
22
23 Lee: Updated TIA. But still it's up to the applicant's choice whether they decide
24 to either update it from the TIA they submitted in 2020 or they do a new
25 TIA. It doesn't matter to us as long as they reflect the most current land
26 development and the internal, the roadway network, plus how you're going
27 to connect the lot to the Solano, because that's the most important, the
28 factor will impact the entire TIA and circulation for this entire area.
29
30 Pompeo: Right.
31
32 Ochoa: So a condition being that an updated full development TIA is required.
33 Timeline would be when final plat gets submitted for Phase 1, or when
34 additional phases to get submitted.
35
36 Lee: Additional phases.
37
38 Ochoa: With the additional phases.
39
40 Lee: Right.
41
42 Ochoa: Okay.
43
44 Lee: Because the Phase 1, based on the number I received from the lead
45 engineering, there is some impact but it's really minimum to the adjacent
46 intersection except the one at the connection point from the lot to the

1 Solana, but it's still unknown how we're going to make a connection. So
2 I'm going to keep moving forward for the Phase 1, but whenever the
3 Phase 2 and the full development is ready and then more information
4 available, then I'm going to require to update your TIA the full
5 development.
6
7 Ochoa: Correct.
8
9 Lee: Okay.
10
11 Pompeo: Based on the final agreed to intersection disposition of the Solano.
12
13 Lee: Correct.
14
15 Pompeo: Okay.
16
17 Lee: And then also the updated land use based on your master plan, because I
18 don't have any chance to look at this master plan, and then I cannot
19 compare what you submitted before versus what you submitted or bring to
20 today. So depends on whatever the difference, but you have to reflect the
21 old a change based on the most current master plan.
22
23 Pompeo: Okay, and the land uses in there, the uses that mimic the Apodaca
24 Blueprint.
25
26 Lee: Okay.
27
28 Pompeo: And their intensity have not changed.
29
30 Lee: Okay.
31
32 Pompeo: Over time. So they're the same.
33
34 Lee: Okay.
35
36 Ochoa: Yes, language has not changed. I think we just have to clarify as to what
37 phases were actually where, but the actual I guess intensity and density
38 from Apodaca Blueprint is still being followed by it as well. But I think
39 that's definitely a condition that we could take into consideration.
40 Condition that an updated full development TIA be submitted prior to
41 submittal of any additional phases.
42
43 Lee: Yes.
44
45 Ochoa: For the preliminary plat. Anything else? Yes, engineering.
46

1 Kinney: I'd have additional recommendations. Want to have for the updated TIA to
2 have an updated scoping meeting.
3
4 Pompeo: Okay.
5
6 Kinney: And also maybe suggest to your client, reaching out to NMDOT District 1
7 engineer's office for comments for the draft TIA because they've been
8 pending since February 4th. And unfortunately the deputy engineer for
9 the district has taken over the duties of the former traffic engineer who
10 retired. He's buried in work, so I have no control over getting responses
11 from them.
12
13 Crimmins: You bet.
14
15 Ochoa: Thank you. All right, Fire, you got anything?
16
17 Dubbin: Mr. Chair. Just point of clarification, are we discussing both the master
18 plan and the preliminary plat?
19
20 Ochoa: Right now we're only talking about the master plan itself.
21
22 Dubbin: Okay. What changes? Well, Fire had a condition that I think was already
23 incorporated into the plat, Mr. Pompeo can clarify, that no building permits
24 would be issued until that connection to Solano was functional, Samaritan
25 Drive that. That correct?
26
27 Pompeo: Yes. And that's in the Phase 1, and so that will all be, that is part of Phase
28 1.
29
30 Dubbin: Okay.
31
32 Pompeo: Samaritan extended to Solano.
33
34 Dubbin: Okay. And since Fire wasn't included in the meeting that occurred earlier
35 this week, then also those are still a part of.
36
37 Ochoa: Yes. That's definitely a condition we could add to the preliminary plat, that
38 way we can get the preliminary plat with that condition as well.
39
40 Pompeo: That's part of the full infrastructure requirement for Phase 1.
41
42 Dubbin: Okay.
43
44 Dubbin: No comments, Mr. Chair.
45
46 Ochoa: Awesome. Thank you very much. Parks and Rec.

1
2 Mathews: I guess I have no comments at this point. I haven't looked at the plats.
3
4 Ochoa: Thank you.
5
6 Mathews: Sorry.
7
8 Ochoa: I think that's everybody from the board. We got any public comment on
9 this? Anything else from the applicant?
10
11 Pompeo: Just standing for any more questions or comments that anybody might
12 have.
13
14 Ochoa: All righty. Well seeing there's nothing else out there, I'll go ahead and
15 entertain a motion to approve the master plan and move forward to the
16 Planning and Zoning Commission with the conditions noted today about
17 TIA, and what was that one more time Mike, the other condition?
18
19 Kinney: To have ...
20
21 Ochoa: Updating the ...
22
23 Kinney: The scoping meeting for the TIA prior to I think that it would behoove the
24 clients to meet with traffic engineer to make sure everyone's on the same
25 page for the updated TIA.
26
27 Ochoa: So scoping meeting.
28
29 Kinney: A scoping meeting.
30
31 Ochoa: Okay. So I'll entertain a motion to approve Case 22CS0500114 with the
32 conditions as stated.
33
34 Dubbin: The condition being?
35
36 Ochoa: Condition being the updated full TIA and that a scoping meeting occur
37 before that TIA be submitted.
38
39 Dubbin: I'll make a motion to approve with that condition, and the condition that no
40 building permit be issued until that connection, on any phase, until the
41 connection from Samaritan Drive to Solano is functional.
42
43 Ochoa: Connection from Samaritan to Solano, right.
44
45 Dubbin: Yes.
46

1 Ochoa: Can I have a second please?
2
3 Kinney: Second.
4
5 Ochoa: All righty.
6
7 Crimmins: Can I interfere?
8
9 Ochoa: Point of order.
10
11 Crimmins: Can I interject for just a second? Is there a way we can modify that and
12 say no CO is provided until that connection is done? Because while we're
13 putting in the utilities in the street, which is all the way to Solano, we have
14 customers that would like to start theirs, but as long as we don't give a CO
15 we're not pulling in traffic.
16
17 Dubbin: I would not support that. I'd like the condition will remain as it is.
18
19 Crimmins: Can you tell us why?
20
21 Dubbin: Well, because it's not always just traffic, we also have medical response
22 and the construction of buildings presents not only a fire load potential and
23 decreased response time, but then also not just for fire but also for
24 medical response.
25
26 Crimmins: So we would have to have the road paved and everything done before we
27 can start any construction?
28
29 Dubbin: Yes.
30
31 Kinney: Yes, I'll defer to the Mr. Trevino from Public Works. My understanding for
32 a subdivision that can't start building on lots until the subdivision
33 infrastructure is in and substantial completion.
34
35 Crimmins: And we did get a ...
36
37 Kinney: And been issued.
38
39 Crimmins: We did get in our last meeting, we did, Tim get agree that if we post a
40 bond, that they would allow us to start construction while the utilities are
41 being done.
42
43 Ochoa: Okay. With substantial completion, correct.
44
45 Kinney: Substantial completion.
46

1 Crimmins: We would post a bond that guaranteed that - the City's main concern is
2 that we get our utilities in, we don't stop halfway. So we would post a
3 bond to guarantee it so that we could start some of the construction while
4 the utilities are going.

5
6 Ochoa: Right. That being said, the City would have to be amenable to what it is
7 that you're proposing. If you're trying to submit a bond and there's nothing
8 constructed at all, it's still like a dirt road, the City would not be in support
9 of it. Now if it's to the point where you just have a couple checklist items
10 that need to get done, that's possible that we could do either a letter of
11 credit or bond as you stated before. But other departments would have to
12 be amenable and acceptable to that as well.

13
14 Dubbin: We can support or something like some site work, some site utility work,
15 but nothing vertical, that's a discussion that would happen later. At this
16 point, the condition is no building permits on any lots until Samaritan Drive
17 is functioning and connected to Solano.

18
19 Ochoa: And connected to Solano.

20
21 McMillan: Let just say. The reason we're asking for this is, as you know prices for
22 everything are going sky high. And Denis can tell you probably about the
23 exact amount that this project costs us every month to hold. It's
24 staggering. And I know that's not your problem. But it is your problem, it
25 is our problem, it's the community's problem. The homes are going to
26 have to be more expensive, the low income housing that might go in there
27 is going to have to be more expensive. Everything is going to have to be
28 more expensive, and that gets passed on to everybody. And so the
29 reason we're asking for some of these things to be streamlined is so that
30 we can keep the prices down. We're competing with other cities and other
31 developments and other commercial entities that are going around the
32 country. And they have choice as to where they go. And part of their
33 choice is based on what does it cost them to go there.

34
35 So we as a City, you know I understand we've got to make sure fire is
36 covered and medical is covered. But please try to work with us and
37 understand this is costing us thousands of dollars a day to hold. And
38 we've been now a year in the process of getting to where we are now. So
39 you're talking about so much money that has to get passed on. So when
40 we ask for something like this, understand it's in all of our best interests to
41 be efficient as we can and to make this cost as low as possible. So if
42 there's any way you can bend on that a little bit and still get what you
43 need. And I thought this was a reasonable proposal, no COs until then.
44 But if there's any way you can understand we're all in this together. We've
45 got to compete with the world out there. Please help us because we have
46 - we're 12 years into this development and we've got to get it done, or it's

1 going to continue to be what it is out there. So if there's anything you can
2 do to streamline this please help us.
3
4 Ochoa: Go ahead Michael. I'm sorry. Go ahead Mark.
5
6 Dubbin: Well, I assume that that was directed towards myself.
7
8 McMillan: No.
9
10 Dubbin: And I did take that, we do take that into consideration as part of the
11 development. And it's not a new comment. This is something that has
12 been consistent in every comment since the review began, I don't know
13 how many months ago.
14
15 Crimmins: Years.
16
17 Pompeo: Yes, it's been about a year.
18
19 Dubbin: Right. So it's not a new comment. It's not something that just popped into
20 my head today. It's something that that we carefully weighed this
21 decision, and its impact on the development. But it is critical for public
22 safety, not only for your portion of the development, but also we have
23 emergency response considerations. We take patients to and from that
24 hospital. It's fully a functioning hospital in the City. Not to mention the
25 heliport application that's coming in right now. So we're seeing a greater
26 need that we will have there. So all of these things came into
27 consideration as a part of that decision.
28
29 Ochoa: Yes, Mike.
30
31 Kinney: Just make the suggestion that - first a question to the chair. When is the
32 P&Z meeting scheduled?
33
34 Ochoa: The Planning and Zoning Commission meeting is on April 25th.
35
36 Kinney: 25th. So today's the what, 14th?
37
38 Ochoa: 12th.
39
40 Kinney: I'm two days ahead. Usually I'm two days behind. I would recommend
41 that, if Fire have two separate motions, one to approve the contingencies
42 for the TIA, and then maybe with the contingency if Fire is amenable to it,
43 that this issue about no COs versus having the substantial completion,
44 which generally I think it's a Public Works requirement to have that issue
45 resolved prior to the P&Z Commission.
46

1 Dubbin: We have a motion and a second, Mr. Chair.

2
3 Ochoa: You're good with what Mike said with that condition or just move forward
4 with the original condition.

5
6 Dubbin: The original condition.

7
8 Ochoa: Okay.

9
10 Dubbin: It's been on the plat for several months. I thought that the discussion
11 about that topic was resolved.

12
13 Ochoa: Okay. So we still have those three conditions this is what we'll be moving
14 forward with. So I do have a motion and a second. All those in favor,
15 please signify by saying "aye."

16
17 MOTION PASSES UNANIMOUSLY.

18
19 Ochoa: All opposed, "nay." It'll move forward with those three conditions to the
20 Planning and Zoning Commission meeting on April 25th.

21
22 **4.2 Case 23CS0500038: Royal Crossing Preliminary Plat**

- 23
- 24 • A request for approval of a preliminary plat for a subdivision known as
Royal Crossing Subdivision.
 - 25 • The proposed subdivision currently encompasses 75.09 + acres and is
26 located at the corner of Solano Drive and Main Street also known as
27 the former Country Club.
 - 28 • The subdivision proposes to do a multi-phase development that will
29 align with the Apodaca Blueprint.
 - 30 • Submitted by the Souder Miller and Associates, Representative

31
32 Ochoa: Next case is Case 23CS0500038. It's the Royal Crossing Subdivision
33 preliminary plat and this is for Phase 1 to clarifier.

34
35 Castillo: Correct.

36
37 Ochoa: The actual.

38
39 Castillo: So it's pretty much the same information except we're more focusing on
40 Phase 1, which now decreases from the 75.09 acres, which is the entire
41 site to I believe it's 52.7 acres.

42
43 Pompeo: Yes.

44

1 Ochoa: So it's not the entire subdivision that's going to be built out at once, it's just
2 Phase 1, the commercial center and commercial mixed use kind of area of
3 the master plan.
4

5 Castillo: Correct, Mr. Chair. It's going to be our general commercial area, as well
6 as our town center. Commercial designated area according to the
7 Apodaca Blueprint. Those should be the only two areas that are in bigger
8 question.
9

10 Ochoa: And staff did review this one. So we clarified as to there are going to be
11 lots being created with this, commercial lots being created with this. One
12 commercial tract which can be subdivided further during, utilizing the
13 alternate summaries subdivision process as long as they follow all the
14 conditions of Apodaca Blueprint, the conditions on the zoning and
15 development requirements of the zoning, and then another larger lot which
16 will be for multifamily, I believe is basically what you're looking at, correct.
17

18 Pompeo: Right. Well, yes. And so basically per our meeting the other day, we're
19 basically taking off the two large tracts that were set on the easterly side of
20 the development. So that is the family portion that extends up to Camino
21 del Rex, and then also the family and multifamily that extended down to
22 the properties that are on Madrid. So those two sections have been
23 removed. And so the remainder is Phase 1.
24

25 Ochoa: All right. Sounds good. All righty. So that being said, we'll go around the
26 table again here. Utilities, any comments on this one?
27

28 Martinez: No comments.
29

30 Ochoa: No comments. Engineering.
31

32 Kinney: Thank you. For the last review for the preliminary plat I had some
33 comments that needed to be addressed. And do you know Mr. Pompeo if
34 those have been addressed?
35

36 Pompeo: Yes. The comments that were discussed in our meeting earlier in the
37 week, those plat comments, yes, those have been addressed.
38

39 Kinney: Okay. Well, they're on the, in ProjectBox.
40

41 Pompeo: Yes.
42

43 Kinney: There was several comments that, for example, the utility, the electric
44 transmission line.
45

46 Pompeo: Yes.

1
2 Kinney: Was mislabeled.
3
4 Pompeo: Those are the comments that were previously in along, with the same
5 batch that had the utility department, and so we have those have all been
6 addressed and revised.
7
8 Kinney: Okay.
9
10 Ochoa: And if you can upload those, staff will get those reviews out for you all for
11 review. And if you do, you could definitely bring them up at the Planning
12 and Zoning Commission if something else needs to be addressed before
13 they get finalized.
14
15 Kinney: So when it comes to the time for the motion for approval or denial, mine
16 would be on the condition that the comments that are still outstanding in
17 ProjectBox program, those have actually been taken care of.
18
19 Ochoa: Sounds good. Okay, anything else from Engineering? Fire, anything.
20
21 Dubbin: What was the change to the note? I'm sorry.
22
23 Pompeo: Originally when we talked about a temporary, or not having a connection
24 to Solano, remember it was we were going to build the loop. And the
25 comments were we needed to make this connection. So it's going to be
26 connected, constructed with the right in, right out for now, and then subject
27 to the final TIA and then that will reconfigure the Solano intersection.
28
29 Dubbin: And that will be in the next phase of.
30
31 Pompeo: Well, the connection to Solano will be in Phase 1. The final disposition of
32 the intersection will be in Phase 2 or based on the subsequent TIA.
33
34 Dubbin: And the phases will proceed concurrently.
35
36 Pompeo: Yes.
37
38 Dubbin: Okay. No comments. The note on the plat suffices.
39
40 Ochoa: Okay. Thank you very much. Parks and. Rec.
41
42 Mathews: Paul do mind if, can I have a look at this?
43
44 Pompeo: Sure.
45
46 Mathews: I know there were trails proposed, right, connecting to Apodaca Park.

1
2 Pompeo: Yes.
3
4 Mathews: Are they're included in this phase?
5
6 Pompeo: They're included, well they're on the master plan. This trail and then there
7 was the other one.
8
9 Ochoa: That's called out by the Apodaca Blueprint, correct.
10
11 Mathews: Okay.
12
13 Pompeo: This one here. Those are obviously just general alignments and then
14 based on the final design, then that will be submitted. According to the
15 master plan the notes are on there is that those final designs will be
16 submitted and approved at the time that the construction drawings come
17 in.
18
19 Mathews: Okay. Okay. Just out of curiosity, do you have an idea of when you're
20 thinking of starting design on the trails and (*inaudible*)?
21
22 Pompeo: This particular trail, that meaning the one on the easterly side, or in the
23 two phases that are not immediate, because trail wholly lies within the
24 second phase.
25
26 Mathews: Okay.
27
28 Pompeo: So that design, the design of this trail will come when with these tracts.
29
30 Mathews: The next. Okay. And what about the one on Main Street basically?
31
32 Pompeo: Well, we have it noted that it has to be done, but it's conceptual. We don't
33 have like a width or design or anything at this point right now.
34
35 Mathews: Okay.
36
37 Pompeo: Because that will go in with the construction drawings.
38
39 Mathews: Okay. It's coming back to me. Part of (*inaudible*) more than 24 hours ago.
40 I mean there's a lot of grade change between the property and Main
41 Street.
42
43 Pompeo: Yes, there is.
44
45 Mathews: So well I guess this is for design.
46

1 Pompeo: Well, and we did note in the master plan that this is just a general
2 alignment. But we have to do final design and we know obviously we're
3 coming into Phase 1 with the grading plan, utilities, and everything. And
4 so the design of this, whatever that may be, will be submitted to and
5 approved by the staff in this construction drawing.
6

7 Mathews: Okay. Okay. And just for my edification, when you say trail, what are you,
8 what do you envision? I mean that could be anything from a concrete
9 sidewalk, basically, to 14 foot wide asphalt path with landscape on both
10 sides and striping, etc., or anything in between.
11

12 Pompeo: I don't know, Cathy at this time. I mean, we just know there needs to be a
13 trail there. But in my mind, I didn't put it in the master plan just simply
14 because we don't have the design. We need to do the design and see
15 how much room we have to put things in. And so there's so many design
16 elements to it.
17

18 Mathews: Right.
19

20 Pompeo: So that's why we've noted everywhere that that will be, you know
21 presented to you and agreed upon between the developer and staff at the
22 time that we come in for construction drawings. Because we simply, just
23 until we the finish the surveying work to go in and do the actual (*inaudible*)
24 design we don't know. And I would hate to even guess that now.
25 Because I don't want to be wrong on the record, so I just want to leave it
26 as a design element after we get that information.
27

28 Mathews: Okay. Okay. I mean, we've talked about trails a lot, or the idea of a trail
29 and so we'll pursue that. I'd be happy pursuing that. How does the Three
30 Crosses Monument fit into the trail or the other development?
31

32 Pompeo: Well, so right now just there the one main component that we kept track of
33 is, is that at one point in time there was an easement that was from the
34 end of Camino del Rex parallel and Highway 70 that gave access to Three
35 Crosses Monument and then an easement on top of that. The monument
36 lies primarily in state right-of-way but then there's a small portion of it
37 that's on the private. So we're vacating the easement that runs along
38 Highway 70, and then on the plat what we have done in that corner here is
39 we've noted that there will be blanket easement across this, Lot 8, which is
40 the corner lot here to allow access from the public right-of-way to the
41 monument. So whatever happens to the design of Lot 8, it has to
42 incorporate being able to get over there.
43

44 Mathews: Some kind of access for our maintenance folks.
45

46 Pompeo: Yes.

1
2 Mathews: Okay.
3
4 Pompeo: So yet again, it's one of those things, I think there's more discussion to be
5 had during that time on the construction drawings as to what that final
6 disposition will look like on the top of the hill. And it's kind of a, we don't
7 really know and I'll just from an engineering standpoint, because the
8 monument sits on the state right-of-way and on that property, so we'll have
9 to put our heads together to figure out what that's going to look like.
10
11 Mathews: Okay.
12
13 Ochoa: Right, the master plan and preliminary plat really is just setting the
14 guidelines, if you will, to hold fire to their feet, if you will. As to yes those
15 trails are in there, so the trails have to be built. The monuments are there,
16 the preliminary plat is saying we're going to have some type of access,
17 correct. And then during final plat, because there still needs to be, there's
18 another platting process we need to go through and the construction
19 drawings that will completely exactly what it's going to be in. That's what's
20 actually being filed at the county and what will be a record basically.
21
22 Mathews: Okay. It occurs to me so that this trail along Main Street could be adjacent
23 to the right-of-way. And that brings in Public Works then. You anticipate
24 it's going to be a separate feature not right-of-way. Is that correct?
25
26 Pompeo: Well, the Apodaca Blueprint shows that trail alignment out on the outside
27 the boundary of our property.
28
29 Mathews: Okay.
30
31 Pompeo: So I think it's going to be a design element you know with the State
32 Highway Department and us and the City as to what the disposition of that
33 is going to look like there. I know that the State Highway Department has,
34 I don't know, Tony are they, they've got their AB report done ...
35
36 Trevino: They're already design. I believe they're going under construction in 2024,
37 I believe from Solano to Triviz.
38
39 Pompeo: Right. So that's the (*inaudible*) have to bring in there. Because I don't
40 know what's on that particular set of plans. So to me, that's another
41 discussion with the City.
42
43 Trevino: I believe they're within the roadway, the bike lanes, I don't believe they're
44 separated at this point, especially with the bridge crossings, they're going
45 to (*inaudible*) and curb and gutter.
46

1 Pompeo: Okay. Basically it's just an element that needs to be incorporated in the
2 final construction drawings for that. Phase 1. I guess that's what I was
3 getting at.
4

5 Trevino: Ms. Cathy. Public Works, if you guys need our help we'll be more than
6 happy to help work this with you and staff.
7

8 Mathews: Yes, I think it'll have to be a joint effort because - well I mean right now,
9 the way it is now with that narrow sidewalk, pedestrians take their lives to
10 cross through there. And I feel like it really needs to be, I mean those, I
11 don't know, what do you call them, those pork-choppy things, with cacti in
12 them, the medians basically, they're large, and those are designed to
13 direct pedestrians where they need to go. But the remainder of the right-
14 of-way is you know it's not really conducive to pedestrian and bicycle
15 traffic. So with this pathway, I'm just going on, but with this pathway we
16 have to design it really to make, I think this is a great opportunity in define
17 to bring all the pedestrians that we're introducing into the environment
18 safely across the street and in the various places.
19

20 Trevino: Cathy I agree. But I do believe that's going to have to come from internal
21 because of the grade difference righter there at that intersection. So I
22 agree once you get the construction that design it's going to all have to be
23 (*inaudible*) internally not on the right-of-way.
24

25 Mathews: That's definitely part of my concern, because it's grade difference. There.
26 But that's a design issue. Sorry to take up so much time.
27

28 Ochoa: No, no worries. No, that's definitely a good concern to bring up,
29 pedestrian friendliness is definitely something we want to push for. That
30 will definitely take care of during the construction drawings and final
31 platting of this. And of course, construction drawings cannot commence
32 and final plat, nothing can be filed until everything gets agreed upon by all
33 parties.
34

35 McMillan: And knowing what you want is helpful for us to save costs, because we
36 don't want to design it three times.
37

38 Mathews: Yes.
39

40 McMillan: And come in for you to tell us no, no, no. You guys are going to end up
41 maintaining this so you need to take into account what puts you in there
42 because the cost of maintaining this is going to be on you. We're going to
43 have to, I guess participate in planning and construction. So we're all in it
44 together like I said. But if we can know from you what you're expecting
45 and wanting, at least take a stab at it so we don't have three and four
46 designs would be helpful.

1
2 Mathews: Okay, we'll definitely talk about it. And it's a very fluid thing about what we
3 want and what we can get and what is feasible, but that's what design is
4 for.
5
6 McMillan: Right. Sure. Okay.
7
8 Ochoa: All righty. That being said, open it back up to any other departments. I'll
9 go Five first, please.
10
11 Dubbin: Thank you Mr. Chair. Just one more point regarding the substantial
12 completion of the road, just so the developer understands. It's not a
13 subjective requirement. The fire code requires 150 feet of a paved
14 surface within 150 feet of a structure. So on a large development like this,
15 you know we could have a medical response where we'd be put in a
16 position where we have to carry a patient thousands of feet. It's not
17 acceptable. So that's part of it. We're flexible with that 150 feet. If we
18 have a road and your building, these are large lots, is a couple hundred
19 feet, that's something we work with. But that's one of the fire code
20 requirements. That is going to touch on having a water source if there's
21 construction, there's a fire out there. And we already know that there's
22 been numerous fires on that site, historically. That's all.
23
24 Ochoa: All right. Engineering,
25
26 Kinney: I realize we're talking about the plat, but Mr. Lee pointed out to me on the
27 master plan, the conceptual traffic plan paragraph, it says, "the
28 development of the connection to Solano Avenue shall be developed in
29 Phase 2."
30
31 Pompeo: Okay, then I...
32
33 Kinney: That's incorrect.
34
35 Pompeo: Yes, so that'll be Phase 1. And I'd already noted that on my.
36
37 Kinney: Okay. And then the next paragraph, it says "Samaritan Drive shall be
38 substantially complete prior to issuance of any building permit." That's
39 what we were talking about so what's called substantial completion.
40
41 Pompeo: That was a notation that was brought up in the review based on that staff
42 had quoted the substantial completion ordinance, and that's where that
43 language had come from.
44

1 Crimmins: And that's what brought up the conversation with them two meetings ago
2 where we talked about posting the bond to make sure that the utilities, if I
3 went broke or died or something, made sure the utilities are completed.
4

5 Kinney: I just wanted to point that out.
6

7 Crimmins: You bet.
8

9 Ochoa: So that's another change that we'll have to do for that one.
10

11 Kinney: Thank you.
12

13 Ochoa: Just make sure we got that on when we review. We'll re-review it and
14 make sure that all those comments are on there.
15

16 Pompeo: And just as a reminder, from the beginning of the meeting, based on the
17 comments that I'm writing down and notations I'm taking now, we'll make
18 those modifications and upload the full set again today.
19

20 Ochoa: Sounds good. Thank you very much. All right, other than that anybody
21 else have any comments? Open it to the public. Yes ma'am.
22

23 Ruprect: In the ...
24

25 Ochoa: Can I have your name please?
26

27 Ruprect: Jo Ruprect, District 1 resident. In any of this discussion this morning, not
28 just the plat, tut the master plan, I've heard no mention of a two or three
29 acres set aside for a park space. That that was shown on earlier plans in
30 the southeast section of the mapping. And so I'm curious to know where
31 is that? It sounds like it would not be in Phase 1 given what has been
32 described. But when does that come into discussion and planning?
33

34 Ochoa: Paul.
35

36 Pompeo: There is a parcel, it's ...
37

38 Crimmins: Based on our zone we're required to put aside 50% of the east boundary
39 for parkland. And we're also required to put a section that's over in this
40 green area of aside for parkland. That's required in the zoning that was
41 approved.
42

43 Ruprect: So when does it come into discussion as far as what that's going to be?
44

45 Crimmins: Whenever it's designed.
46

1 Ruprect: Is it in Phase 1?
2
3 Crimmins: No.
4
5 Ruprect: Or is it in later phases?
6
7 Crimmins: No, it's in later phases. Those are the two sections that aren't part of this.
8 The only part of Phase 1 is along Solano and along Main and then road,
9 the main loop for the utilities inside.
10
11 Ruprect: And I might have missed this in the earlier comments, but how do the later
12 phases interact with Phase 1? Do you have to get a certain amount of
13 Phase 1 sold and up and running, or what constitutes the end of Phase 1
14 and now we can deal with Phase 2 or 3?
15
16 Ochoa: Well I guess to answer that is Phase 1 is essentially going to be as soon
17 as (*inaudible*) are submitted, additional final plat's constructed and that
18 one's vested. So the commercial which that area's only zoned
19 commercial and multifamily, the Phase 1 that we're doing right now. So
20 only zones that C-3, C-2, R-3, and R-4 which is essentially all again
21 multifamily zoning or commercial zoning. The other areas of the master
22 plan are where open space is being proposed. But when Phase 1 gets
23 vested, the master plan gets vested, and if anything changes about
24 possibly the removal of any open space, I know there may be concerns
25 with that, it can't because it's already been vested essentially. But
26 eventually would come in with a Phase 2 or 3 either with the residential
27 side of it or the most eastern side as well.
28
29 Ruprect: Would you define vested in your parlance of things?
30
31 Ochoa: Yes.
32
33 Ruprect: I'm not familiar in an academic sense with vesting.
34
35 Ochoa: Yes ma'am.
36
37 Ruprect: And a financial sense. What's vesting in this sense?
38
39 Ochoa: So the master plan is vested, essentially, after a preliminary plat gets
40 submitted and approved. So the master plan essentially is good. In other
41 words it won't expire. It'll stay vested and is a live document. And then
42 subsequential submittals can be submitted within a year or two, three,
43 whatever it is that follow that master plan. And then the final plat will be
44 submitted for Phase 1 as well. As soon as the final plat construction
45 drawings get submitted and approved, then the preliminary plat gets

1 vested. So it's kind of a one after the other, if you will, (*inaudible*) each
2 other down. That's how the subdivision process works essentially now.

3
4 Ruprect: And again, this may be something I haven't reviewed the terms lately. In
5 all of this I haven't heard any term of a Planned Unit Development, about
6 TIDD, about infill development. This project is, Randy has said has a
7 lifespan of years without getting built. What has happened to the concept
8 that it's within an infill development as far as those rules? What has
9 happened to the concept that a code was required? I understand the
10 TIDD went down, and that was an optional thing, that wasn't it must be.
11 Okay. But what happened to the City idea that there had to be a PUD
12 given with this, or that it was infill development and that set up certain
13 other specific rules for how it was handled.

14
15 Ochoa: Right. So that's two different things we're talking about. So an infill
16 essentially anything within the core of the City that can be submitted. And
17 I believe this one's just barely in it, current, in the infill, or is it outside
18 John?

19
20 Castillo: This is I believe outside the infill.

21
22 Ochoa: So it's not in what is called our infill area or designated infill area in the
23 City. But essentially it's kind of like gives the applicant the ability to
24 develop something, whether with variances, land use differences, that's
25 not typically allowed by right by their zoning district. Everything that's
26 being submitted though with this master plan follows the underlying zoning
27 districts which have a number of conditions on them as well.

28
29 PUDs, though they're kind of, if they wanted a PUD they're basically
30 submitting something kind of like their own zoning district, if you will.
31 That's what a PUD is. But they are not proposing anything different than
32 that what's allowed by the underlying zoning to be following all the zoning
33 requirements essentially. So that's why neither one are being taken into
34 effect with this master plan or preliminary plat ma'am.

35
36 Ruprect: Thank you for that.

37
38 Ochoa: You're very welcome. Yes Mike.

39
40 Kinney: The master plan under planning parcels general requirements, the first
41 one is initials PP and then P-1 which is open space district, recreation,
42 multifamily dwelling, low density, and then PPRC-7 Apodaca preserve
43 also has an open space/recreation.

44
45 Ochoa: Right. There are in the master plan notes that they will be following. And
46 those are directly from the Apodaca Blueprint as well, correct Paul.

1
2 Pompeo: Right. Well those definitions that are on that particular drawing that Mike
3 was just reading from, those came directly out of the zoning packet that
4 was approved when the zoning was applied to all this. The only thing
5 we've done is we've taken those zoning requirements verbatim from the
6 City Council ordinance and we've just tagged them to whatever the tracts
7 are that are on the document.
8
9 Ochoa: Right.
10
11 Pompeo: So for clarity, so we followed that, we just pulled in the zoning that was
12 approved by council verbatim and that's what's on the drawing.
13
14 Ochoa: So essentially like the open space we're talking about will be done just at a
15 later phase essentially ma'am. Yes sir, you had questions.
16
17 Haworth: If you don't mind showing (*inaudible*).
18
19 Ochoa: Could we have your name please sir?
20
21 Haworth: Yes, Ed Haworth. Resident of Las Cruces. I'm just curious from a traffic
22 standpoint, you still don't know what exact users are going to be in here,
23 and they may be you know they maybe you know everything from a car
24 wash to restaurants or whatever I assume. Did you take into
25 consideration that each one of these are going to be responsible for their
26 ingress and egress to this street and the impact of the traffic relative to the
27 flow of traffic to each of these individual parcels?
28
29 Pompeo: I can address it that. Basically the TIA, these lots that are in the front here
30 do not have and cannot have direct individual access to ...
31
32 Haworth: Main Street.
33
34 Pompeo: North Main Street. So all the traffic comes to this is Heart Avenue and so
35 the traffic generation was, and also from the other tract 1, go to Heart and
36 then it either funnels out to Samaritan out to North Main Street, or will
37 come out to Solano.
38
39 Haworth: Yes, I guess my question was really the internal traffic flow on that street.
40 If you have, I don't know how many lots you have, seven or eight or nine
41 lots in terms of the impact of the traffic of trying to get in and out of each of
42 these individual parcels. Do you do that type of, this is a question is not
43 an observation as much. How do you look at that? I mean typically, when
44 you have a shopping center you know you have major ingress and egress
45 and then you have traffic flow internal in terms of site. But each one of
46 these is going to be an, have to be responsible for their individual traffic.

1 Have you looked at the impact that that might have on each lot, kind of
2 lots?
3
4 Lee: So let me explain to you what's the typical review point for the TIA. The
5 TIA will be before you know the big picture of the traffic impact in the
6 surrounding area and the main entrance point and the internal circulation.
7 We are not reviewing for each individual lot how they are going to in and
8 out. So when we review the development plan, so for example let's say
9 we receive the construction drawings for each lot, then we're going to
10 review whether they're driveway on abutting to any street, either one or
11 two, then based on their design and we look at what is the impact or what
12 is the in and out from public road to the private lot. At the time we actually
13 review it, how it's going to be impact, because the City code specifically
14 spelled out size and the location and there's a lot of other requirements.
15 So during that review process, we actually review what you have a
16 concern, what you ask.
17
18 Haworth: So this guy comes in he builds, okay he puts his driveway here or there
19 depending on where it's located, and I'm sure it's going right to this
20 intersection. But anyway, at that point then it's kind of fixed as to where
21 this guy can put his ...
22
23 Lee: Driveway.
24
25 Haworth: Driveway.
26
27 Lee: Yes, because the TIA did not show any driveway location in the TIA
28 because again the TIA is about 30,000 feet level. And then the
29 construction drawing, it's like ground level. So whenever we review the
30 construction drawing, then at the time we're going to review.
31
32 Ochoa: We do have developing designs standards.
33
34 Lee: Yes.
35
36 Ochoa: That need to be followed. Yes sir. And Mike do you have to add
37 something?
38
39 Kinney: Yes, part of the TIA process is they have to try to get what's called a trip
40 generation analysis first. And that's through the procedures through the
41 International Traffic Engineers. And so each one of these properties,
42 these lots in Phase 1, they have to have a proposed land use so they can
43 plug into the formulas to determine what the a.m. and p.m. peak hours
44 would be.
45
46 Haworth: Yes, I'm familiar with that.

1
2 Kinney: Okay.
3
4 Haworth: I used to do that for a living. But anyway I was just concerned that you
5 know each of these parcels will have, you know there will be an internal ...
6
7 Lee: Circulation.
8
9 Haworth: Potentially internal problem. And I just was curious as to how that was
10 addressed. And I think you've explained to me you know adequately as to
11 how that is handled.
12
13 Ochoa: Very good. Thank you, sir. Anybody else? Anything else from staff? Al
14 righty. I guess I'll go ahead and entertain a motion to approve Case
15 23CS0500038. with conditions that all outstanding comments be resolved
16 with this next review prior to the Planning and Zoning Commission
17 meeting. Can I have a motion please?
18
19 Kinney: So moved.
20
21 Ochoa: Moved by Mike Kinney. Can I have a second please?
22
23 Dubbin: Second.
24
25 Ochoa: Mark. Thank you very much. All staff in favor of the proposed preliminary
26 plat please signify by saying "aye."
27
28 MOTION PASSES UNANIMOUSLY.
29
30 Ochoa: All opposed, "nay." Moves forward with a recommendation of approval to
31 the Planning and Zoning Commission April 25th.
32
33 **5. DISCUSSION**
34
35 Ochoa: Any other items for discussion folks? Seeing none.
36
37 **6. ADJOURNMENT (09:58 a.m.)**
38
39 Ochoa: Could I have a motion to adjourn please?
40
41 Kinney: So moved.
42
43 Ochoa: Can I have a second please? I'll go ahead and second. With that being
44 said. All in favor say "aye."
45
46 MOTION PASSES UNANIMOUSLY.

1
2
3
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6
7
8

Ochoa: Opposed, "nay." We are adjourned at 9:50. Thank you folks.

Chairperson