

City of Las Cruces[®]

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Council Action and Executive Summary

Item # 21 Ordinance/Resolution# 2559 Council District: 6

For Meeting of February 22, 2010

(Adoption Date)

TITLE: AN ORDINANCE APPROVING AN ANNEXATION KNOWN AS THE BURN ANNEXATION CONTAINING 213.0704 ± ACRES INTO THE CORPORATE LIMITS OF THE CITY OF LAS CRUCES GENERALLY LOCATED WITHIN ONE-QUARTER OF SECTION 14 AND LOT 5 AND PART OF LOT 6 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 2 EAST OF THE U.S.G.L.O SURVEYS, DONA ANA COUNTY, NEW MEXICO. THE SUBJECT PROPERTY IS GENERALLY LOCATED NORTH OF DRIPPING SPRINGS ROAD AND WEST OF THE FUTURE EXTENSION OF SONOMA RANCH BOULEVARD. SUBMITTED BY BOHANNAN HUSTON INC. FOR NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS (S-09-056).

PURPOSE(S) OF ACTION: A request to approve an annexation of 213.0704 ± acres of property to facilitate the construction and operation of a new high school for the Las Cruces School District.

Name of Drafter: Helen Revels <i>Helen Revels</i>		Department: Community Development		Phone: 528-3085	
Department	Signature	Phone	Department	Signature	Phone
Community Development	<i>[Signature]</i>	528-3066	Budget	<i>[Signature]</i>	541-2107
			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The proposed Burn Annexation is primarily to facilitate the construction and operation of a new high school for the Las Cruces School District. The high school will accommodate approximately 2,000 students. The annexation request contains 213.0704 ± acres and is located north of Dripping Springs Road and west of the future extension of Sonoma Ranch Boulevard. The area is contiguous to the Corporate Limits of the City of Las Cruces.

The subject property is currently located within the unincorporated Extra-Territorial Zone (ETZ). The area proposed for annexation is located within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South, Range 2 East of the U.S.G.L.O Surveys, southeast of Las Cruces, Dona Ana Country, New Mexico, and is situated north of Dripping Springs Road (Principal Arterial) and west of Sonoma Ranch Boulevard (proposed Principal Arterial), and is comprised of 213.0704 ± acres.

The annexation petition is being brought forward by the property owner, New Mexico State University Board of Regents (NMSU). There are no other property owners within the proposed

annexation boundary. In addition, the proposed annexation boundary also includes the New Mexico Farm and Ranch Museum, a State museum located on land owned by NMSU.

The subject area is adjacent to two Metropolitan Planning Organization (MPO) designated thoroughfares: Dripping Springs Road, classified as a Principal Arterial, and the future extension of Sonoma Ranch Boulevard, classified as a Principal Arterial. Per NM State Statute, roads adjacent to an annexation boundary must be included within the annexation. The existing right-of-way for Dripping Springs Road adjacent to the parcel in which the NM Farm and Ranch Museum is located is included in the annexation boundary. Dripping Springs Road has varying widths of right-of-way, is not a road owned by Dona Ana County, but is a road maintained by Dona Ana County. The right-of-way is owned by NMSU. NMSU staff is working with City staff to secure the necessary road and utility easement for the City of Las Cruces.

Right-of-way does not currently exist for the future extension of Sonoma Ranch Boulevard. The future extension of Sonoma Ranch Boulevard will serve as the primary access for the high school. Currently, a utility easement exists for the area identified as the future extension of Sonoma Ranch Boulevard. NMSU staff is working with City staff to secure the necessary road and utility easement for the City of Las Cruces. The annexation plat does account for a 65-foot wide area for the future extension of Sonoma Ranch Boulevard.

The annexation boundary does not include the intersection of Sonoma Ranch Boulevard and Dripping Springs Road. NMSU and LCPS staff is working to secure the necessary rights-of-way and utility easements to ensure proper connection of Sonoma Ranch Boulevard and Dripping Springs Road. In regards to the segments of both Dripping Springs Road and Sonoma Ranch Boulevard outside of the proposed annexation boundary, the City of Las Cruces will work with Dona Ana County to enter into a maintenance agreement for the existing right-of-way.

In regards to road improvements, the LCPS is proposing to make the pro-rata share of improvements to Sonoma Ranch Boulevard as a Principal Arterial in accordance with CLC Design Standards. This includes any necessary drainage culverts along Sonoma Ranch Boulevard. In addition, LCPS is also proposing to make the necessary intersection improvements to Sonoma Ranch Boulevard and Dripping Springs Road, which will include turn lanes along Dripping Springs Road. A Traffic Impact Analysis (TIA) has been prepared by Bohannon-Huston and has been formally submitted to the City of Las Cruces. The TIA was reviewed and approved by the City's Traffic Engineer.

As part of the construction of the high school, LCPS is extending the necessary utilities to the site. The City of Las Cruces will provide water, sewer, and gas service to the site. Upon approval of the annexation petition, the City of Las Cruces will also be the provider of fire and police services.

The Development Review Committee (DRC) reviewed the annexation request and made a recommendation of conditional approval of the annexation petition (annexation plat and master plan) to the Planning and Zoning Commission. The conditions are not restrictions on the annexation of land into the City limits, but rather assurances for oversight of construction activity in and around the location of the high school.

The Planning and Zoning Commission heard the annexation request at its December 15, 2009 public meeting. Considerable discussion took place at the meeting, primarily regarding traffic along Dripping Springs Road and Sonoma Ranch Boulevard. The draft Planning and Zoning Commission meeting minutes are included in this packet as Attachment "E."

The Commission recommended conditional approval of the annexation plat by a vote of 6-0-0 (one Commissioner absent). The conditions are made part of the attached Ordinance, are the same conditions made by the DRC, and are as follows:

- NMSU and the CLC need to secure the necessary easements for rights-of-way and other municipal purposes for Sonoma Ranch Boulevard and segments of Dripping Springs Road. The easements need to be secured prior to the CLC agreeing to maintain the right-of-way on either side of the aforementioned roads.
- At a minimum, the CLC shall provide a courtesy review of the construction drawings of the necessary roadway and utility improvements to Sonoma Ranch Boulevard and Dripping Springs Road to ensure compliance with CLC Design Standards, specifications for roadway construction, and all other applicable codes and regulations. The inspection of the Sonoma Ranch Boulevard will be coordinated between the LCPS and the CLC.
- The CLC shall review construction drawings for all off-site and on-site utility improvements and shall permit the installation of the necessary utilities in accordance with CLC Design and Utilities Standards.
- The CLC should enter into a maintenance agreement with Dona Ana County for Dripping Springs Road from the existing municipal boundaries to Sonoma Ranch Boulevard and for Sonoma Ranch Boulevard northward along the eastern boundary of the annexed area from Dripping Springs Road.
- The LCPS shall complete a Conditional Letter of Map Revision (CLOMR) for the new high school located west of Sonoma Ranch Boulevard and north of Dripping Springs Road. The CLOMR shall be submitted to the CLC for review and submittal to the Federal Emergency Management Agency (FEMA) within six months from the date of annexation approval by the Las Cruces City Council. The CLOMR shall be followed by a final letter of map revision to be submitted to the CLC for review and submittal to FEMA after the construction of the high school is complete.
- The CLC Fire Department will work with the LCPS to ensure that proper access is available to the site for emergency response services. The CLC Fire Department recommends that a paved access road be paved up to the site prior to any vertical construction as well as water in proximity to any vertical construction in accordance with the International Fire Code (IFC).

Pursuant to State Statute (NMSA 1978 3-7-17.1), the petition for annexation will be sent to the Dona Ana Board of County Commissioners (DABOCC) for review and comment following the first reading of this matter. The DABOCC will be granted no less than 30 days from the date of notice to provide said commentary and the City must act on the annexation request no later than 60 days from the first read date.

Chapter 37 (Subdivisions), Article IX, Section 37-270 (Review and consideration of an annexation request) of the Las Cruces Municipal Code requires that separate action be taken on

the annexation plat, master plan, and initial zoning request. The City Council may; however, as a means to expedite the discussion process on the development package, suspend the rules and hear the annexation plat (Ordinance), master plan (Resolution), and initial zoning request (Ordinance) concurrently.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Ordinance
2. Exhibit "A" –Annexation Plat
3. Exhibit "B" – Findings and Comprehensive Plan Analysis
4. Attachment "A" – Copy of Annexation Petition
5. Attachment "B" – Copy of Master Plan – for reference only
6. Attachment "C" – Copy of Initial Zoning Request – for reference only
7. Attachment "D" – Staff Report to the Planning and Zoning Commission for December 15, 2009
8. Attachment "E" - Draft minutes from the December 15, 2009, Planning and Zoning Commission meeting
9. Attachment "F" – Public comments
10. Attachment "G" – Vicinity Map

OPTIONS / ALTERNATIVES:

1. Vote YES to approve the Ordinance. This action affirms the Planning and Zoning Commission recommendation and allows the property shown in the Burn annexation plat to be incorporated into the prescribed boundaries of the City of Las Cruces.
2. Vote NO to deny the Ordinance. This action does not uphold the recommendation made by the Planning and Zoning Commission, thus, maintaining the subject property within the Extra-Territorial Zone. As a result of this action, consideration of the master plan and initial zoning becomes moot.
3. Modify the Ordinance and vote YES to approve the Ordinance. This action will modify the Ordinance as the City Council determines appropriate.
4. Table/Postpone the Ordinance and direct staff accordingly.

COUNCIL BILL NO. 10-030ORDINANCE NO. 2559

AN ORDINANCE APPROVING AN ANNEXATION KNOWN AS THE BURN ANNEXATION CONTAINING 213.0704 ± ACRES INTO THE CORPORATE LIMITS OF THE CITY OF LAS CRUCES GENERALLY LOCATED WITHIN ONE-QUARTER OF SECTION 14 AND LOT 5 AND PART OF LOT 6 OF SECTION 22, TOWNSHIP 23 SOUTH, RANGE 2 EAST OF THE U.S.G.L.O SURVEYS, DONA ANA COUNTY, NEW MEXICO. THE SUBJECT PROPERTY IS GENERALLY LOCATED NORTH OF DRIPPING SPRINGS ROAD AND WEST OF THE FUTURE EXTENSION OF SONOMA RANCH BOULEVARD. SUBMITTED BY BOHANNAN HUSTON INC. FOR NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS (S-09-056).

The City Council is informed that:

WHEREAS, pursuant to the provision of Section 3-7-17, NMSA 1978, a petition to annex contiguous territory to the City of Las Cruces has been signed by the owner of land in Attachment "A"; and

WHEREAS, it appears that such territory is contiguous to the Corporate Limits of the City of Las Cruces as shown on the attached plat of territory, which shows the existing external boundary of the municipality; and

WHEREAS, the City Council finds that it appears to be in the best interest of the City that such territory be annexed into the City of Las Cruces; and

WHEREAS, if approved, this annexed territory shall be added to City Council District 6; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on December 15, 2009, recommends conditional approval of the annexation plat by a vote of 6-0-0 (one Commissioner absent).

NOW, THEREFORE, Be it ordained by the governing body of the City of Las Cruces:

(I)

THAT the territory more particularly described in Exhibit "A," attached hereto and made a part of this Ordinance, is hereby annexed with conditions into the City of Las Cruces, and a copy of this Ordinance together with a copy of the plat of territory so annexed shall be filed in the office of the County Clerk of Dona Ana, New Mexico.

(II)

THAT the annexation is based on the findings stated in Exhibit "B" (Findings and Comprehensive Plan Analysis) attached hereto and made part of this Ordinance.

(III)

THAT the conditions be stipulated as follows:

- NMSU and the CLC need to secure the necessary easements for rights-of-way and other municipal purposes for Sonoma Ranch Boulevard and segments of Dripping Springs Road. The easements need to be secured prior to the CLC agreeing to maintain the right-of-way on either side of the aforementioned roads.
- At a minimum, the CLC shall provide a courtesy review of the construction drawings of the necessary roadway and utility improvements to Sonoma Ranch Boulevard and Dripping Springs Road to ensure compliance with CLC Design Standards, specifications for roadway construction, and all other applicable codes and regulations. The inspection of the Sonoma Ranch Boulevard will be coordinated between the LCPS and the CLC.
- The CLC shall review construction drawings for all off-site and on-site utility improvements and shall permit the installation of the necessary utilities in accordance with CLC Design and Utilities Standards.
- The CLC should enter into a maintenance agreement with Dona Ana County for Dripping Springs Road from the existing municipal boundaries to Sonoma Ranch Boulevard and for Sonoma Ranch Boulevard northward along the eastern boundary of the annexed area from Dripping Springs Road.
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- The CLC Fire Department will work with the LCPS to ensure that proper access is available to the site for emergency response services. The CLC Fire Department recommends that a paved access road be paved up to the site prior to any vertical construction as well as water in proximity to any vertical construction in accordance with the International Fire Code (IFC).

(IV)

THAT the land annexed herewith is hereby ordered to be shown on the Las Cruces Zoning Atlas.

(V)

THAT the boundaries of City Council District 6 are hereby changed to include the property as described in Exhibit "B."

(VI)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 2010.

APPROVED:

(SEAL)

Mayor

ATTEST:

City Clerk

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Moved by: _____

Seconded by: _____

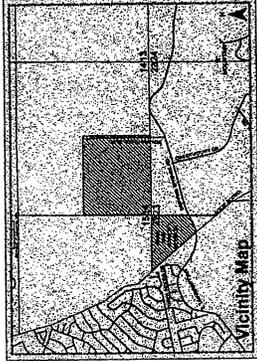
APPROVED AS TO FORM:



City Attorney

BURN ANNEXATION
213.0704± ACRE PARCEL
 TOWNSHIP 23 SOUTH, RANGE 2 EAST, N.M.P.M.
 DONA ANA COUNTY, NEW MEXICO

THE SOUTHWEST ONE-QUARTER OF SECTION 14, AND GLO LOTS 5 AND 6 OF SECTION 22 EXCEPT LANDS SOUTH OF DRIPPING SPRINGS ROAD.



DESCRIPTION

PARCEL 1. BLOCK OF LAND BEING THE SOUTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, DONA ANA COUNTY, NEW MEXICO MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLAT NO. 2000 BEARING (IND E), CENTRAL ZONE) AND AROUND DISTANCES AS FOLLOWS:

BEGINNING AT THE COMMON CORNER TO SECTIONS 14, 15, 22 AND 23 OF SAID TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, DONA ANA COUNTY, NEW MEXICO MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLAT NO. 2000 BEARING (IND E), CENTRAL ZONE) AND AROUND DISTANCES AS FOLLOWS:

THENCE SOUTH 85°25'00" EAST DEPARTING THE WEST LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

THENCE SOUTH 07°05'20" WEST DEPARTING THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 14 BEING A ROUND BRASS CAP IN CONCRETE;

NOTES

1. BLOCK OF LAND BEING THE SOUTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, DONA ANA COUNTY, NEW MEXICO MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLAT NO. 2000 BEARING (IND E), CENTRAL ZONE) AND AROUND DISTANCES AS FOLLOWS:
2. ALL DISTANCES ARE GROUND DISTANCES.
3. ALL DISTANCES ARE CALCULATED UNLESS OTHERWISE NOTED.
4. ALL COURSES DENOTED (R) ARE DERIVED FROM THE INDICATED INSTRUMENTS OF REFERENCE.
5. PARCEL 1 AS SHOWN ON SHEET TWO IS IDENTICAL TO PARCEL 1 AS SHOWN ON REFERENCE INSTRUMENT NO. 1519.

INSTRUMENTS OF REFERENCE

- R1. GLO TOWNSHIP PLAT OF TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN DATED OCTOBER 20, 1894.
- R2. GLO RESURVEY OF A PORTION OF TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN DATED JULY 14, 1927.
- R3. BALD DEPENDENT RESURVEY OF TOWNSHIP 23 SOUTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN DATED JUNE 23, 1950.
- R4. AN EASEMENT FOR UTILITY PURPOSES FILED ON OCTOBER 7, 1988 IN BOOK 150, AT PAGES 568-571, RECEPTION NO. 1433 DONA ANA COUNTY RECORDS.
- R5. A GAS LINE EASEMENT FILED ON FEBRUARY 13, 2008 IN BOOK 847 AT PAGES 42-44, RECEPTION NO. 1433 DONA ANA COUNTY RECORDS.
- R6. MINERAL ESTATE CHART FILED ON SEPTEMBER 20, 2008 AS INSTRUMENT NUMBER 000000 DONA ANA COUNTY RECORDS.

SURVEYOR'S CERTIFICATION

I, Whitney Sneliker, A REGISTERED NEW MEXICO PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS INSTRUMENT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A MEMBER IN GOOD STANDING WITH THE BOARD OF PROFESSIONAL SURVEYORS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: Dec 4, 2009



COUNTY FILING CERTIFICATION

PLAT NO. _____ RECEPTION NO. _____
 STATE OF NEW MEXICO _____
 COUNTY OF DONA ANA _____

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AS DOCUMENT NO. _____ AT _____ O'CLOCK, _____ AND DAILY RECORDED IN PLAT BOOK _____ AT _____ FILED IN THE RECORDS OF THE COUNTY CLERK, DONA ANA COUNTY.

COUNTY CLERK _____ DONA ANA COUNTY CLERK

Bohannon & Huston
 425 S. Taylor Blvd., Suite 2-103 Las Cruces, NM 88001-8207
 ENGINEERING & SPATIAL DATA • ADVANCED TECHNOLOGIES

CITY OF LAS CRUCES
 THIS PLAT HAS BEEN APPROVED BY THE CITY OF LAS CRUCES AND ALL THE REQUIREMENTS FOR APPROVAL OF THIS PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES. THE PLANNING AUTHORITY FOR APPROVAL OF THIS PLAT IS GRANTED TO THE CITY OF LAS CRUCES.

DIRECTOR OF COMMUNITY DEVELOPMENT _____ DATE _____
 DIRECTOR OF UTILITIES _____ DATE _____
 DIRECTOR OF PUBLIC WORKS _____ DATE _____

LAS CRUCES PLANNING & ZONING COMMISSION APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CHECKED BY THE LAS CRUCES PLANNING & ZONING COMMISSION. IT CONFORMS WITH THE EXPANSION OF EXISTING UTILITIES AND ZONING ORDINANCES WITH GENERAL CITY PLANNING. APPROVED FOR FILING WITH THE COUNTY CLERK.

CHAIRMAN _____ DATE _____
 SECRETARY _____ DATE _____

ACCEPTANCE OF ANNEXATION

THIS 213.0704± ACRE OR LESS MORE OR LESS HEREIN BEING INCORPORATED INTO THE CITY OF LAS CRUCES AND HAS BEEN APPROVED FOR FILING IN THE OFFICE OF THE COUNTY CLERK, DONA ANA COUNTY, NEW MEXICO.

ATTEST: ESTHER MARTINEZ
 CITY CLERK

WALTER R. BAYLOR
 P.O. BOX 20000
 LAS CRUCES, NEW MEXICO 88004

REQUEST
 I, DOMINIC BURR, PRESIDENT OF THE BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY, DO hereby set my hand and seal this _____ DAY OF _____ 2009.

BOARD OF REGENTS OF NEW MEXICO STATE UNIVERSITY
 P.O. BOX 3000
 LAS CRUCES, NEW MEXICO 88003-0001

DOMINIC BURR
 PRESIDENT
 2100 N. ALBUQUERQUE
 LAS CRUCES, NEW MEXICO 88005-0711

FILING OF ANNEXATION

ANNEXATION ORDINANCE NO. _____
 FILED FOR RECORD ON THE _____ DAY OF _____ 20____ AT _____ O'CLOCK, _____ AND DAILY RECORDED IN CLERK'S BOOK _____ AT _____ FILED IN THE RECORDS OF THE COUNTY CLERK, DONA ANA COUNTY, NEW MEXICO.

BURN ANNEXATION
213.0704± ACRE PARCEL
 THE SOUTHWEST ONE-QUARTER OF SECTION 14, AND GLO LOTS 5 AND 6 OF SECTION 22 EXCEPT LANDS SOUTH OF DRIPPING SPRINGS ROAD,
 TOWNSHIP 23 SOUTH, RANGE 2 EAST, N.M.P.M.
 DONA ANA COUNTY, NEW MEXICO

LEGEND

- EXISTING CITY LIMITS
- PROPOSED ANNEXATION BOUNDARY LINE
- ADJOINING PROPERTY LINE
- SECTION LINE
- EXISTING EASEMENTS
- MINERAL ESTATE BOUNDARY
- FOUND BRASS CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- SET AS BEAM W/1/2" DIA.
- FOUND PA BEAM
- FOUND CONCRETE MONUMENT
- FOUND PINNAC

BEARING DATA

ID	BEARING	DISTANCE
1	S89°17'00"W	173.55
2	S47°10'00"W	170.00
3	M11°33'53"E	120.00
4	N88°47'24"E	337.50
5	S05°13'33"W	140.77
6	S89°17'00"W	173.55
7	S89°17'00"W	173.55
8	N02°17'58"E	130.00 (MARKS)
9	S89°23'31"E	50.00 (MARKS)
10	N07°25'20"E	100.00
11	N02°48'24"E	292.71 (M)
12	N02°48'24"E	124.15 (M)
13	S89°23'31"E	65.00 (M)
14	S89°17'00"W	173.55
15	S89°17'00"W	173.55
16	N07°46'41"E	574.50 (M)
17	N07°33'31"E	574.50 (M)
18	S89°20'00"E	88.15
19	N05°29'29"E	106.78
20	N89°38'03"W	194.87

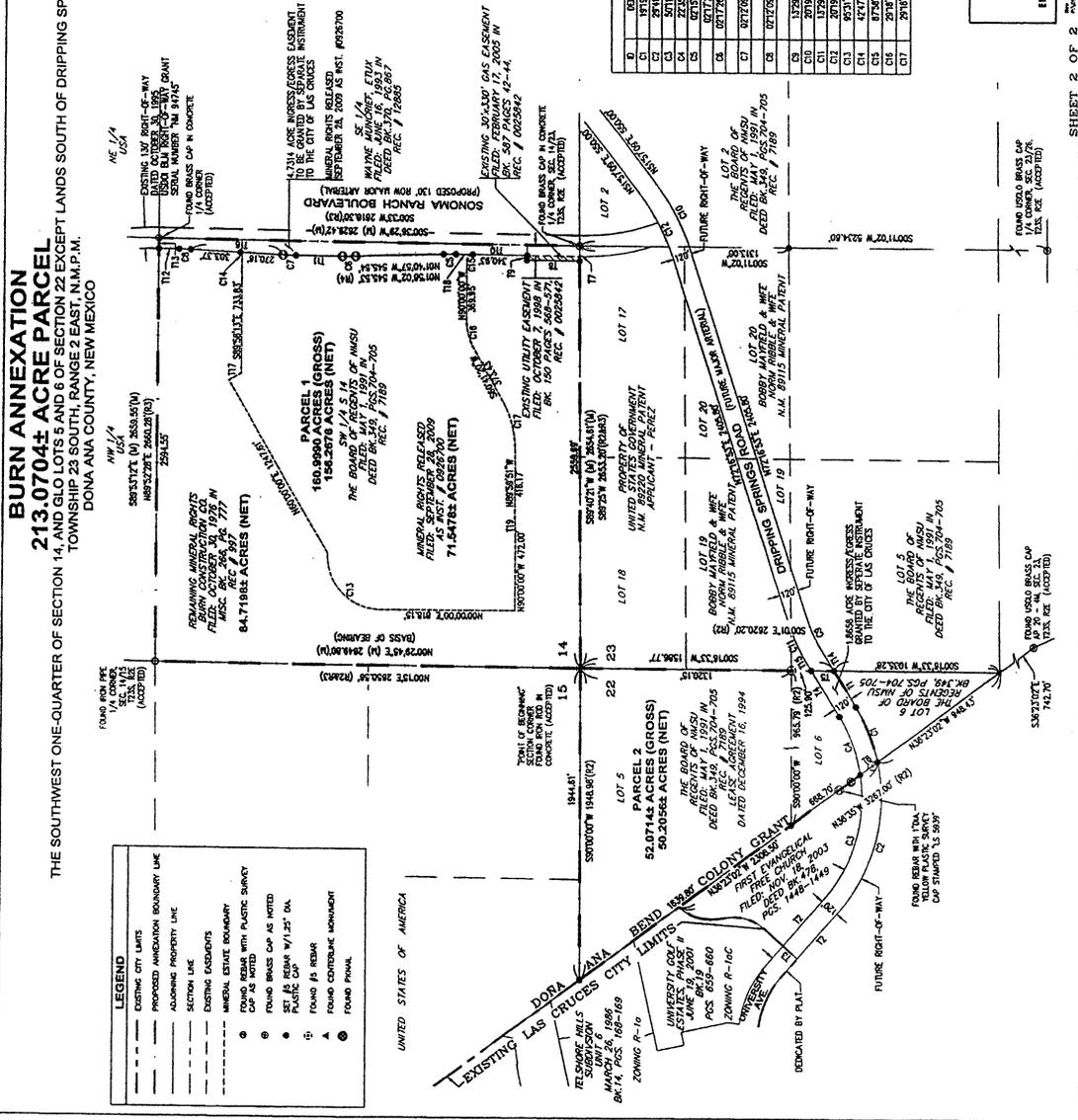


CORNER DATA

ID	BEARING	DISTANCE	MARKS
1	S89°17'00"W	173.55	S60°17'00" W/1/2"
2	S47°10'00"W	170.00	S70°10'00" W/1/2"
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Bohannon & Huston
 425 S. Laurel Blvd., Suite C-103, Las Cruces, NM 88001-8237
 ENGINEERING • SPATIAL DATA • APPRAISED TECHNOLOGIES

**CASE: Burn Annexation -- Z2806, S-09-056, S-09-057
Comprehensive Planning Review (Carol McCall)**

November 17, 2009

Conclusions:

This cluster of cases for the Burn Annexation include an initial zoning request, Master Plan and Annexation Plat for three parcels of land totaling 213 ± acres located north of Dripping Springs Road and west of the future extension of Sonoma Ranch boulevard. One parcel is the site of a future high school, one has no planned purpose to date (but may include future minerals extraction) and the third is the site of the existing Farm and Ranch Heritage Museum. Initial zoning of PUD has been chosen. Although this does not fit the traditional definition of a Planned Unit Development (see Policies 2.5.1 through 2.5.7. below), it does allow the flexibility needed to accommodate the diversity of uses on these parcels.

Staff sees no conflict with the Comprehensive Plan here, and recommends approval.

Comprehensive Plan Findings

**Land Use Element Goal 1
Schools Policies**

- 1.9.7. School sites shall be planned to permit safe, direct access of students and shall be relatively free from heavy auto traffic, excessive noise, and incompatible land uses such as regional commercial uses, and standard and heavy industrial/manufacturing uses.
- 1.9.8. School sites shall be located central to the area it is planned to serve. Sites shall have safe approaches for all modes of travel. School location shall be determined based on the following criteria:
 - a. Elementary schools should be located within residential areas, on collector streets only. There shall be no commercial, office, or industrial uses adjacent to elementary schools.
 - b. Middle or junior high schools should be located within residential areas, on minor arterials only. There shall be no commercial, office, or industrial uses adjacent to middle or junior high schools.
 - c. High schools should be located on arterial streets where the speed limit on the arterial does not exceed 45 miles per hour. There shall be no commercial, office, or industrial uses adjacent to high schools.
 - d. Schools are encouraged to provide traffic impact studies for a potential school site as part of submittal requirements for new school construction.
 - e. The City strongly encourages that school site design and location proposals be processed and approved by the City.

- 1.9.9. The City shall work closely with schools, the State of New Mexico, and the Bureau of Land Management to insure that future school sites can be acquired and reserved in the most optimal locations in addition to the cost of infrastructure being appropriately provided.
- 1.9.10. In order to preserve the physical and social cohesiveness of a neighborhood or community, existing school facilities should be retained wherever possible.
- 1.9.11 The City encourages public or private adaptive reuse of public/quasi public facilities.

Land Use Element (Urban Growth)

Annexation Policies:

- 5.1.1. The City encourages growth consistent with urban form policy.
- 5.1.2. The City encourages petitioned annexations in areas identified in urban form policy for future growth.
- 5.1.3. In annexing territory, priority shall be given to those areas which would close open spaces between irregular City boundaries.
- 5.1.4. In annexing territory, priority shall be given to areas with existing public facilities which conform to City standards.
- 5.1.5. New municipal boundaries shall conform wherever practical with natural topographical features such as ridge lines, streams, escarpments, rivers, and man-made features such as drains, canals, laterals, major paved rights-of-way, and property and section lines.

Land Use Element (Growth Management)

Master Plan Policies

- 2.3.1. The Master Plan development process shall observe growth management policy as established in the Land Use Element, other applicable elements, and all companion documents.
- 2.3.2. Master Plans proposing generally more than two (2) planning-related variances shall be processed through the Planned Unit Development process.
- 2.3.3. Master Planning shall be considered a planning process where proposals are viewed as a conceptual tool reflecting the ideas and thoughts of future development. The process in which to receive Master Plan approval consists of a streamlined approach with the intent to provide the applicant with immediate feedback without substantial costs in development preparation. Master Plan approval shall adhere to the following process:
- a. Submittal of a written report/statement. This report shall address at minimum, the purpose and intent of the development, method for providing utilities, phasing data,

density information, land use information, description of how proposed land uses will be integrated within the immediate and adjacent study areas, transportation impact information, environmental/geological impacts, and proposed zoning. A proposal may be submitted at any time.

- b. Submittal of graphical information. This information shall reflect graphically, all applicable information as provided within the written report.
 - c. Review and consideration of the proposed Master Plan by the Subdivision Administrator. Review shall consist of only a determination if submittal requirements have been met and the proposal is "conceptually" compatible with the City's Comprehensive Plan and supporting development regulations. The purpose of the review, however, is not to ensure specific compliance to the Subdivision Code, Design Standards or other technical development regulations.
 - d. Review and consideration by the Development Review Committee (DRC). Within less than nine days, the DRC shall review and take action on the proposed Master Plan. Review of the proposed Master Plan shall consist of a determination of the impacts associated with community services and infrastructure as well as area neighborhood considerations. If the proposed Master Plan complies to the City Comprehensive Plan and other City development and growth management policy, does not substantially impact community services and infrastructure, and is designed and land use compatible with adjacent neighborhoods, the DRC will approve the development proposal.
 - e. Decisions by the DRC are binding in that all development must abide to the approved Master Plan. However, approval of the Master Plan does not guarantee the approval of a preliminary, final plat, zone change, or annexation.
 - f. Decisions by the DRC are appealable to the Planning and Zoning Commission followed by the City Council, if needed.
- 2.3.4. Planning-related variances may be requested at the time a Master Plan is submitted; however, the variance request will be acted upon by the Planning and Zoning Commission during the consideration of the Preliminary Plat.
- 2.3.5. Those developments which request variances to engineering standards (non-planning related issues) will be considered and acted upon by the applicable Chief Engineer. Decisions may be appealed to the Development Review Committee followed by the Planning and Zoning Commission and then to the City Council should the need arise.
- 2.3.6. The Master Plan review process shall be the planning mechanism used to determine right-of-way acquisition in compliance with the MPO Transportation Plan and the Transportation Element of the City Comprehensive Plan.
- 2.3.7. To ensure that an approved Master Plan concept is carried out in subsequent development, the City requires that development within a Master Planned area go through the

Preliminary Plat and Final Plat processes. The Preliminary Plat and Final Plat shall reflect and ultimately implement all issues and/or mitigation mechanisms which specifically support the Master Plan concept and the objectives and policies of the Comprehensive Plan. All plats shall comply with the Las Cruces Zoning Code, City of Las Cruces Design Standards, Las Cruces Subdivision Code, Storm Water Management Policy Plan, MPO Transportation Plan and all other development-related regulations and/or plans. In determining compliance criteria, the letter of the law or plan and the spirit in which it was written shall be considered.

Land Use Element (Growth Management)
PUD Policies

- 2.5.1. The Planned Unit Development process shall observe growth management policy as established in the Land Use Element, other applicable elements and all companion documents.
- 2.5.2. Planned Unit Developments will only be used for those developments which can be created to benefit both the community and the developer.
- 2.5.3. The PUDs process shall be required for those subdivided, multi-phased developments which generally request more than two (2) planning-related variances.
- 2.5.4. Those developments which request variances to engineering standards (non-planning-related issues) will be considered and acted upon by the Development Review Committee (DRC).
- 2.5.5. PUDs are required to follow an appropriate process for the review and subsequent action by applicable City staff and boards/committees. PUDs shall be similar to Master Plans and special use permits in terms of the time-frame as well as the process itself. The PUD process requires the following information:
 - a. Submittal of a concept plan. The concept plan is similar to a Master Plan in that it is intended to serve as a tool which can assist in identifying the appropriateness of a proposed development in context with its surroundings. This plan shall address at minimum, the purpose and intent of the development (including the explanation/justification for submitting a PUD), method for providing utilities, phasing data, density information, land use information, description of how proposed land uses will be integrated within the immediate and adjacent study areas, transportation impact information, treatment of open space and recreational areas, environmental/geologic impacts, schematic site plan showing land uses, parking areas, walkways and landscaping, and a vicinity map showing the location of the site.
 - b. Submittal of a final site plan. This plan shall act as a Preliminary Plat when the applicant must go through the subdivision process. The final site plan shall address the location and dimensions of all buildings, setbacks, parking, walkways, lighting, signs, landscaping, open space, recreational and buffered areas, and other elements of

development; all of which must conform to the approved concept plan. All proposed design-related issues, i.e. drainage, utilities, transportation, streets, and lot layout, etc., must be addressed and approved prior to building permit issuance and Final Plat consideration.

- c. Submittal of a Final Plat, per Subdivision Code requirements, to be recorded by the County Clerk.
- d. Those developments which do not need to go through the subdivision process, must comply with the Building Permit and Inspection Code in order to receive a permit.

2.5.6. The City realizes that there must be an advantage and genuine interest for developers to initiate the PUD process. The City also realizes that it must make some inducements to motivate the developer to use the PUD's flexibility to create a unique, quality development. In return, a developer should provide a meaningful benefit to the community by providing specific types of development. Consequently, standard housing developments (typical R-1, single family zoning) shall not use the PUD process. In order to accomplish this, only particular types of development may utilize PUDs as a means to an end.

- a. The types of developments or areas in which development may occur (or combinations of) which may utilize the PUD process are as follows:
 - High density residential development
 - Low density residential development
 - Affordable housing development
 - Environmentally sensitive area development
 - Redevelopment
 - Infill development
 - Historic District development
 - Clustering development
 - Social (quasi-public) development
 - Commercial/Business development
 - Industrial development
- b. Incentives which may be used through the PUD
 - Setbacks
 - Building height
 - Density
 - Lot width
 - Lot size
 - Street width
 - Development-related fees
 - Signage
 - Parking

- c. A developer may not be granted a variation in design elements without providing a benefit to the City/community which, in turn, may only be accomplished with quality design principles. Such benefits to the City/community include:
- Distinctiveness and excellence in design and landscaping per the Urban Design Element
 - Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.
 - Preservation of major arroyos as per the Storm Water Management Policy Plan
 - Preservation of important cultural resources such as known or potential archaeological sites
 - Provision of affordable housing and/or subsidized housing
 - Provide architectural variety
 - Clustering of buildings
 - Provide alternative transportation facilities
 - Increased park fees
 - Increased landscaping, including higher quality landscaping deeper vegetative buffers; or increased planting along roadways, in open spaces and recreational areas, and along the perimeter of the project
 - Use of greenways or landscaped corridors linking various uses.
 - Screening of or rear placement of parking areas
 - Use of sidewalks/footpaths or pedestrian bicycle circulation networks
 - Segregation of vehicular and pedestrian/bicycle circulation networks
 - Traffic mitigation measures
 - Other public benefits such as provision of a community center or day care center
 - Development of active or passive recreational areas
 - Public access to community facilities in PUD
 - Supply recreational facilities for owners/residents
 - Advancement of City policy or plan

One example of this “give and take” is a proposal for Cluster Development. A development may propose to decrease lot sizes, and lot widths, increase densities, and modify cul-de-sac lengths. The developer may obtain these variations as long as he/she provides a benefit to the City/community. Such as preserving arroyos as per the Storm Water Management Policy Plan, preserving the natural landscaping in and around the arroyos, provides recreational amenities along the arroyos, and creates unique building designs to be compatible with the higher density.

- 2.5.7. The applicant shall clearly state that any deviations from required zoning and development standards are deserving of such waivers. The City shall not experience a decrease in level-of-service, increase tax burden or maintenance burden beyond typical development. Justification for waivers shall be in the form of traffic analysis, land use assumptions, or any other source which clearly demonstrates that such variations would not adversely impact the health, safety, and welfare of residents. Impacts resulting from code deviations

must be thoroughly addressed and mitigation strategies provided before the City may grant any waivers.

- a. The City shall maintain minimum requirements for particular development standards, such as, road widths, lot sizes, and setbacks. All requests to deviate from regular standards must be justified as previously described. Justification for waivers shall be in the form of traffic analysis, land use assumptions, or any other source which clearly demonstrates that such variations would not adversely impact the health, safety, and welfare of residents. Impacts resulting from code deviations must be thoroughly addressed and mitigation strategies provided before the City may grant any waivers.
 - b. PUD development scenarios have been provided in Matrix 3. These scenarios are meant to be used as a guide only; to provide suggestions, and not as a general rule.
- 2.5.8. A developer will not be granted a waiver to the City's design standards that may pose a threat to public health, safety, and welfare. Waivers must also be consistent with City policies found in all City documents and plans.

PETITION FOR ANNEXATION

COMES NOW, the undersigned, who are the owners of a majority of the number of acres in the contiguous territory sought to be annexed, and petition the City of Las Cruces pursuant to NMSA 1978 Section 3-7-17.1 (1998 as amended through 2003) to annex territory contiguous to the existing boundaries of the City of Las Cruces. The contiguous territory sought to be annexed is shown on a map attached hereto as Exhibit "A", which map shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the City of Las Cruces.

EXECUTED on this 22 day of October, 2009 by the undersigned owners of a majority of the number of acres in the contiguous sought to be annexed.

[Signature] Property Owner #1 (signature)
Blake Curtis, Chair, Board of Regents
Board of Regents of NMSU Property Owner #1 (print name)
PO Box 30001 Property owner #1 (Address)
Las Cruces, NM 88003

[Signature] Property Owner #2 (signature)
Dennis Burn, President
Burn Construction Company, Inc. Property Owner #2 (print name)
PO Box 1869 Property owner #1 (Address)
Las Cruces, NM 88001

State of New Mexico)
) ss
County of Dona Ana)

SUBSCRIBED and sworn to before me this 22 day of October, 2009, by Blake Curtis



[Signature]
Notary Public

My Commission Expires:
July, 26, 2010

State of New Mexico)
) ss
County of Dona Ana)

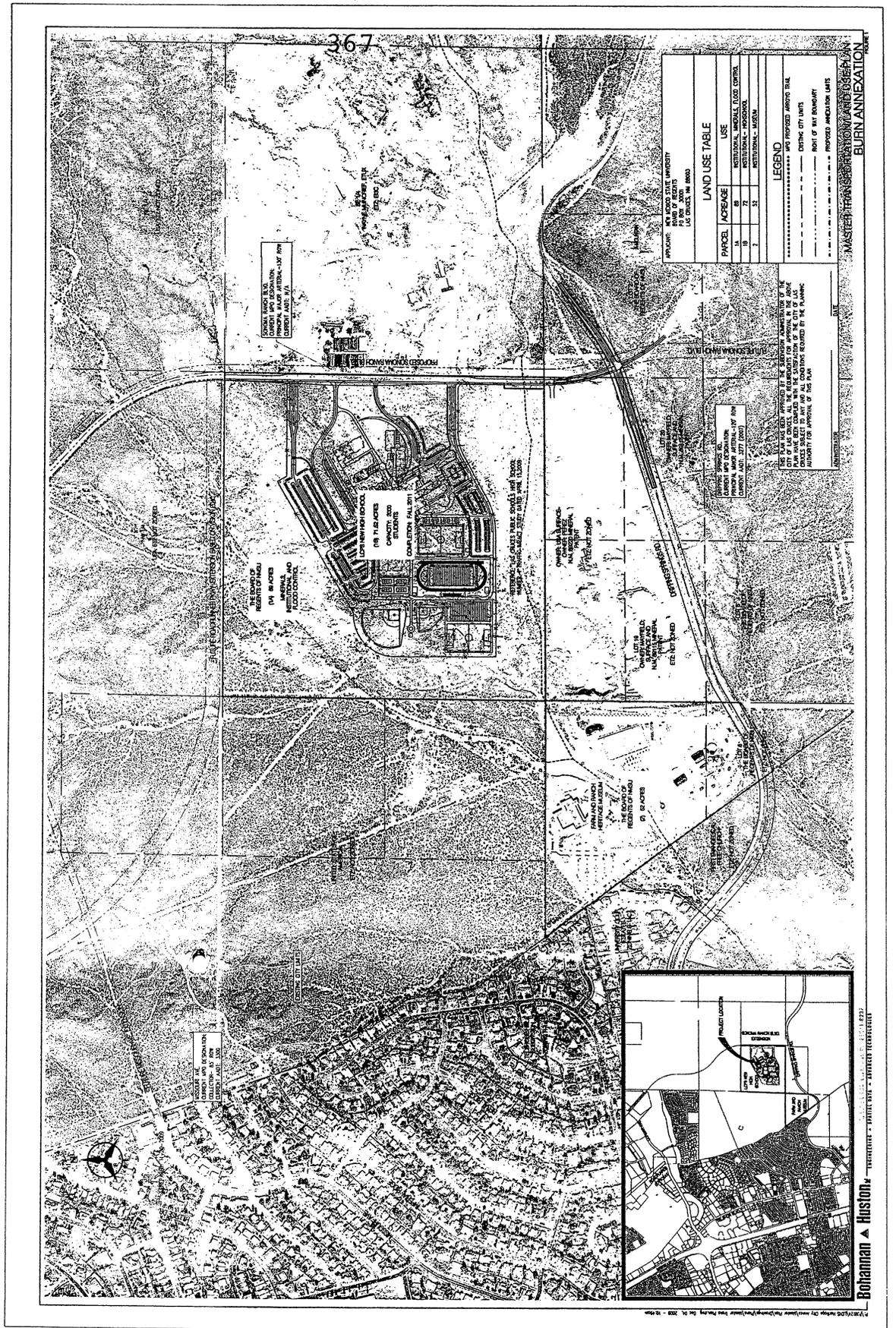
SUBSCRIBED and sworn to before me this 26th day of October,
2009, by Dennis Burn

Khana L. Salas
Notary Public

My Commission Expires:

July 28, 2013

Attachment "B"



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WALTON, WYLEWOOD STATE UNIVERSITY
 2100 W. 20TH ST.
 LUG CHURCH, TX 76040

PARCEL	ACRES	USE
11	49	INSTITUTIONAL, MIDDLE SCHOOL CONTROL
12	10	INSTITUTIONAL, MIDDLE SCHOOL CONTROL
13	52	INSTITUTIONAL, MIDDLE SCHOOL CONTROL

LEGEND

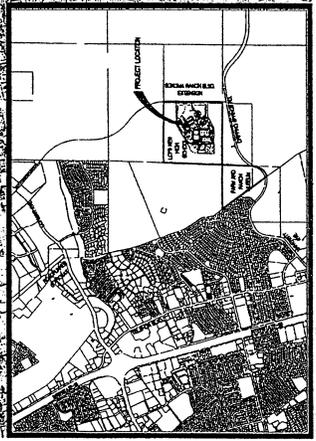
***** PROPOSED SCHOOL BUILDING

----- EXISTING CITY LIMITS

----- RIGHT OF WAY BOUNDARY

----- PROPOSED ANNEXATION LINES

MASTER TRANSPORTATION PLAN
 BURIN ANNEXATION



Bohannon & Huston
 ENGINEERS • ARCHITECTS • PLANNERS • ENVIRONMENTAL SCIENTISTS

VERTICAL SCALE BY INCHES: 1"=20' HORIZONTAL SCALE BY INCHES: 1"=100'

Attachment "C"

BURN ANNEXATION INITIAL ZONE REQUEST

213.0704± ACRE PARCEL
 THE EXPANSION OF THE LAS CRUCES PUBLIC SCHOOL DISTRICT AND ZONING AMENDMENT
 SITUATE WITHIN THE SOUTHWEST ONE-QUARTER OF SECTION 14, AND GLO LOTS 5 AND 6 OF SECTION 22
 EXCEPT LANDS SOUTH OF DRIPPING SPRINGS ROAD,
 TOWNSHIP 23 SOUTH, RANGE 2 EAST, N.M.P.M.
 DOÑA ANA COUNTY, NEW MEXICO

LEGEND

- EXISTING CITY LIMITS
- PROPOSED ANNEXATION BOUNDARY LINE
- ADJOINING PROPERTY LINE
- SECTION LINE
- FOUND BRASS WITH PLASTIC SURVEY CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- SET IN REBAR W/1.25" DIA. PLASTIC CAP
- FOUND IR REBAR
- FOUND CENTERLINE MONUMENT
- FOUND PINNACLE

BEARING	DISTANCE	MARKER	REMARKS
S 89° 17' 30" W	243.00	1094.70	58977.619 89.17
S 89° 17' 30" W	243.00	971.07	89707.619 89.17
S 89° 17' 30" W	243.00	848.07	89707.619 89.17
S 89° 17' 30" W	243.00	725.07	89707.619 89.17
S 89° 17' 30" W	243.00	602.07	89707.619 89.17
S 89° 17' 30" W	243.00	479.07	89707.619 89.17
S 89° 17' 30" W	243.00	356.07	89707.619 89.17
S 89° 17' 30" W	243.00	233.07	89707.619 89.17
S 89° 17' 30" W	243.00	110.07	89707.619 89.17
S 89° 17' 30" W	243.00	0.00	89707.619 89.17

MARKER	BEARING	DISTANCE	REMARKS
10	S 89° 17' 30" W	243.00	58977.619 89.17
11	S 89° 17' 30" W	243.00	89707.619 89.17
12	S 89° 17' 30" W	243.00	89707.619 89.17
13	S 89° 17' 30" W	243.00	89707.619 89.17
14	S 89° 17' 30" W	243.00	89707.619 89.17
15	S 89° 17' 30" W	243.00	89707.619 89.17
16	S 89° 17' 30" W	243.00	89707.619 89.17
17	S 89° 17' 30" W	243.00	89707.619 89.17
18	S 89° 17' 30" W	243.00	89707.619 89.17
19	S 89° 17' 30" W	243.00	89707.619 89.17
20	S 89° 17' 30" W	243.00	89707.619 89.17

NOTES

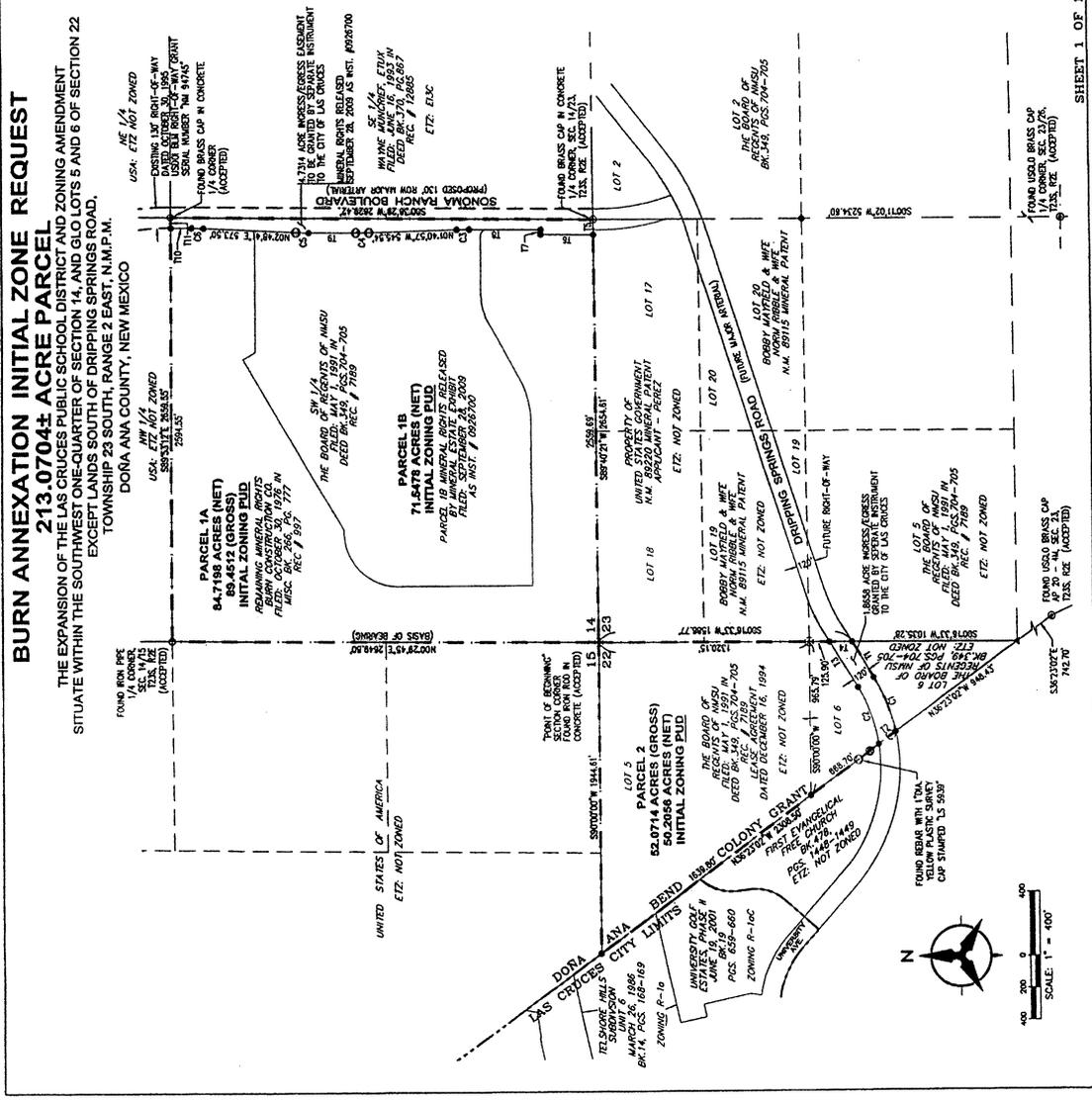
1. ALL BEARINGS & NEW MEXICO STATE PLANE COORDINATES (CONVERTED) WERE OBTAINED FROM THE MEXICAN BOUNDARY LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 2 EAST, T13N R23E AND BEARS NORTHWEST AN ANGLE OF 89° 17' 30" AND 243.00 FEET.
2. ALL DISTANCES ARE GROUND DISTANCES OF LAND, MORE OR LESS.
3. THIS PLAN PREPARED FOR ZONING PURPOSES ONLY. MORE INFORMATION NORMALLY SHOWN ON A BOUNDARY HAS BEEN OMITTED FOR CLARITY.

CERTIFICATION

THIS SURVEY MEETS THE MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS.

Matthew J. Hecker
 M.P.S. 1519
 DATE: Dec 4, 2009

Bohannon & Huston
 425 S. Moore Blvd., Suite C-140, Las Cruces, NM 88001-5027
 ENGINEERING & SPATIAL DATA • ADVANCED TECHNOLOGIES





TO: Planning and Zoning Commission

FROM: Development Review Committee (DRC)

PREPARED BY: Helen Revels, Associate Planner 

DATE: December 15, 2009

SUBJECT: Burn Annexation

RECOMMENDATION: Annexation Plat (S-09-056) – Approval with conditions
Master Plan (S-09-057) – Approval with conditions
Initial Zoning Request (Z2806) – Approval with standard City Council condition

Note: The City of Las Cruces Subdivision Code requires that the Planning and Zoning Commission hear the annexation request and its components as one case, but have separate action taken on the annexation plat, master plan, and initial zoning request.

Case S-09-056: A request for an Annexation Plat approval of 213.0704 ± acres of land into the Corporate Limits of the City of Las Cruces, otherwise known as the Burn Annexation, generally located within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South, Range 2 East of the U.S.G.L.O Surveys. The subject property is located North of Dripping Springs Road and west of the future extension of Sonoma Ranch Boulevard. Submitted by Bohannon Huston Inc. for New Mexico State University Board of Regents.

Case S-09-057: A request for Master Plan approval (as part of an annexation request) for Burn Annexation containing 213.0704 ± acres generally located generally located within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South, Range 2 East of the U.S.G.L.O Surveys. The subject property is located north of Dripping Springs Road and west of the future extension of Sonoma Ranch Boulevard. The master plan proposes land uses for an existing museum (NM Farm and Ranch Museum) and its ancillary agriculture uses, institutional use for a public school (9-12), flood control, and mineral extraction. Submitted by Bohannon Huston Inc. for New Mexico State University Board of Regents.

Case Z2806: A request for Initial Zoning, as part of an annexation request known as Burn Annexation, containing 213.0704 ± acres generally located within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South, Range 2

East of the U.S.G.L.O Surveys. The subject property is located north of Dripping Springs Road and west of the future extension of Sonoma Ranch Boulevard. The initial zoning request includes 213.0704 ± acres of PUD (Planned Unit Development). The property is currently located within the Extra-Territorial Zone of Doña Ana County. The subject properties are owned by NMSU Board of Regents and have no current zoning. Submitted by Bohannan Huston Inc. for New Mexico State University Board of Regents.

BACKGROUND

The proposal is for the subject property to be annexed into the corporate City limits. An annexation plat conforming to the Subdivision Code is required for all annexation requests. A master plan identifying the purpose for which the property is intended and an initial zoning application are also elements associated with an annexation.

The subject property is currently located within the unincorporated Extra-Territorial Zone (ETZ). The area proposed for annexation is located within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South, Range 2 East of the U.S.G.L.O Surveys, southeast of Las Cruces, Dona Ana Country, New Mexico, and is situated north of Dripping Springs Road (Principal Arterial) and west of Sonoma Ranch Boulevard (proposed Principal Arterial), and is comprised of 213.0704 ± acres.

The annexation petition is being brought forward by the property owner, New Mexico State University Board of Regents (NMSU). The annexation will facilitate the construction of a new high school for the Las Cruces Public School District. There are no other property owners within the proposed annexation boundary. In addition, the proposed annexation boundary also includes the New Mexico Farm and Ranch Museum, a State museum located on land owned by NMSU.

The subject area is adjacent to two Metropolitan Planning Organization (MPO) designated thoroughfares: Dripping Springs Road, classified as a Principal Arterial, and the future extension of Sonoma Ranch Boulevard, classified as a Principal Arterial. Per NM State Statute, roads adjacent to an annexation boundary must be included within the annexation. The existing right-of-way for Dripping Springs Road adjacent to the parcel in which the NM Farm and Ranch Museum is located is included in the annexation boundary. Dripping Springs Road has varying widths of right-of-way, is not a road owned by Dona Ana County, but is a road maintained by Dona Ana County. The right-of-way is owned by NMSU. NMSU staff is working with City staff to secure the necessary road and utility easement for the City of Las Cruces.

Right-of-way does not currently exist for the future extension of Sonoma Ranch Boulevard. The future extension of Sonoma Ranch Boulevard will serve as the primary access for the high school. Currently, a utility easement exists for the area

identified as the future extension of Sonoma Ranch Boulevard. NMSU staff is working with City staff to secure the necessary road and utility easement for the City of Las Cruces. The annexation plat does account for a 65-foot wide area for the future extension of Sonoma Ranch Boulevard.

The annexation boundary does not include the intersection of Sonoma Ranch Boulevard and Dripping Springs Road. NMSU and LCPS staff is working to secure the necessary rights-of-way and utility easements to ensure proper connection of Sonoma Ranch Boulevard and Dripping Springs Road. In regards to the segments of both Dripping Springs Road and Sonoma Ranch Boulevard outside of the proposed annexation boundary, the City of Las Cruces will work with Dona Ana County to enter into a maintenance agreement for the existing right-of-way.

In regards to road improvements, the LCPS is proposing to make the pro-rata share of improvements to Sonoma Ranch Boulevard as a Principal Arterial in accordance with CLC Design Standards. This includes any necessary drainage culverts along Sonoma Ranch Boulevard. In addition, LCPS is also proposing to make the necessary intersection improvements to Sonoma Ranch Boulevard and Dripping Springs Road, which will include turn lanes along Dripping Springs Road. A Traffic Impact Analysis (TIA) has been prepared by Bohannon-Huston and has been formally submitted to the City of Las Cruces. The TIA was reviewed and approved by the City's Traffic Engineer.

The Burn Annexation Master Plan sets forth the land uses for the area within the annexation boundary. The subject area contains existing uses. Parcel 1, which comprises of $156.2676 \pm$ acres, is the primary location for the high school. The high school is currently under construction. Parcel 1 is defined as two distinct areas: Parcel 1A comprises $84.7198 \pm$ acres and identifies the land uses as institutional for school purposes, flood control, and mineral extraction and Parcel 1B comprises $71.5478 \pm$ acres and identifies the land use as institutional for public school (9-12). Parcel 1A contains a mineral patent owned by Burn Construction. Parcel 2 comprises $52.074 \pm$ acres and is the existing location of the New Mexico Farm and Ranch Museum. Land uses associated with this site are museum and agricultural.

With the diversity of land uses presently existing within the annexation boundary, staff is recommending that the initial zoning of the properties be PUD (Planned Unit Development).

As part of the construction of the high school, LCPS is extending the necessary utilities to the site. The City of Las Cruces will provide water, sewer, and gas service to the site. Upon approval of the annexation petition, the City of Las Cruces will also be the provider of fire and police services.

FINDINGS

(Inclusive of the annexation plat, master plan, and initial zoning request)

1. The annexation proposal is in conformance with the City Subdivision Code, City Design Standards, Zoning Code, Transportation Plan, and Stormwater Management Plan.
2. Adjacent zoning and land uses include:

	<u>Zoning</u>	<u>Land Use</u>
North	None	Federal Lands (vacant)
South	None	Federal Lands (vacant)
	ETZ (unzoned)	Industrial (gravel pit)
East	ETZ (E13C)	Commercial, vacant
West	None	Federal Lands (vacant)
	R-1a	Single-family residential
	ETZ (unzoned)	Church

3. Staff has reviewed the proposed master plan and no significant outstanding issues exist.
4. The annexation proposal is consistent with the following goals, objectives, and policies of the Las Cruces Comprehensive Plan:

Land Use Element, Public/Quasi Public Uses, Goal 1, Objective 9

Establish design and location standards for public/quasi public uses throughout the City.

Policy 9.7 School sites shall be planned to permit safe, direct access of students and shall be relatively free from heavy auto traffic, excessive noise, and incompatible land uses such as regional commercial uses and standard and heavy industrial/manufacturing uses.

Policy 9.8 School sites shall be located central to the area it is planned to serve. Sites shall have safe approaches for all modes of travel. School location shall be determined based on the following criteria:

- c. High schools should be located on arterial streets where the speed limit on the arterial does not exceed 45 miles per hour. There shall be no commercial, office, or industrial uses adjacent to high schools.

d. Schools are encouraged to provide traffic impact studies for a potential school site as part of submittal requirements for new school construction.

e. The City strongly encourages that school site design and location proposals be processed and approved by the City.

Land Use Element, Growth Management, Goal 2, Objective 3

Growth Management policy shall be designed to coordinate with all policy contained in the Land Use Element.

Policy 3.1 The Master Plan development process shall observe growth management policy as established in the Land Use Element, other applicable elements, and all companion documents.

Land Use Element, Urban Growth, Goal 5, Objective 1

Establish urban growth policy that supports and is consistent with all other land use policy.

Policy 1.1 The City encourages growth consistent with urban form policy.

Policy 1.2 The City encourages petitioned annexations in areas identified in urban form policy for future growth.

Policy 1.3 In annexing territory, priority shall be given to those areas which would close open spaces between irregular City boundaries.

Policy 1.4 In annexing territory, priority shall be given to areas with existing public facilities which conform to City standards.

Policy 1.5 New municipal boundaries shall conform wherever practical with natural topographical features such as ridge lines, streams, escarpments, rivers, and man-made features such as drains, canals, laterals, major paved rights-of-way, and property and section lines.

RECOMMENDATION

On December 2, 2009, the Development Review Committee (DRC) reviewed the proposed annexation, including the annexation plat, master plan, and initial zoning request. Based on the review of this project, the DRC recommends ***conditional approval*** of the annexation proposal which includes the annexation plat, master plan, and initial zoning request.

Discussion at the DRC meeting primarily centered on outstanding comments pertaining to the easements, road improvements, drainage improvements, and emergency response. The LCPS has already commenced construction on the high school. The CLC is not the permitting agency for the school; the State of New Mexico Construction Industries Division is the permitting agency. In addition, the roadway improvements are connected to the construction of the school and may not be permitted through the CLC.

The LCPS has made the commitment to improve Sonoma Ranch Boulevard to meet CLC Design Standards. Furthermore, the LCPS has also committed to making the necessary improvements to the intersection of Sonoma Ranch Boulevard and Dripping Springs Road; and the subsequent improvements will also be made to CLC Design Standards.

To ensure that the necessary roadway and drainage improvements are made in accordance with CLC Design Standards, DRC recommended that conditions be placed on the annexation petition. The conditions are not restrictions on the annexation of land into the City limits, but rather assurances for oversight of construction activity in and around the location of the high school.

DRC recommends approval with the following conditions for the annexation plat (Case S-09-056) and master plan (Case S-09-057):

1. NMSU and the CLC need to secure the necessary easements for rights-of-way and other municipal purposes for Sonoma Ranch Boulevard and segments of Dripping Springs Road. The easements need to be secured prior to the CLC agreeing to maintain the right-of-way on either side of the aforementioned roads.
2. At a minimum, the CLC shall provide a courtesy review of the construction drawings of the necessary roadway and utility improvements to Sonoma Ranch Boulevard and Dripping Springs Road to ensure compliance with CLC Design Standards, specifications for roadway construction, and all other applicable codes and regulations. The inspection of the Sonoma Ranch Boulevard will be coordinated between the LCPS and the CLC.
3. The CLC shall review construction drawings for all off-site and on-site utility improvements and shall permit the installation of the necessary utilities in accordance with CLC Design and Utilities Standards.
4. The CLC should enter into a maintenance agreement with Dona Ana County for Dripping Springs Road from the existing municipal boundaries to Sonoma Ranch Boulevard and for Sonoma Ranch Boulevard northward along the eastern boundary of the annexed area from Dripping Springs Road.
5. The LCPS shall complete a Conditional Letter of Map Revision (CLOMR) for the new high school located west of Sonoma Ranch Boulevard and north of Dripping Springs Road. The CLOMR shall be submitted to the CLC for review and submittal to the Federal Emergency Management Agency (FEMA) within

six months from the date of annexation approval by the Las Cruces City Council. The CLOMR shall be followed by a final letter of map revision to be submitted to the CLC for review and submittal to FEMA after the construction of the high school is complete.

6. The CLC Fire Department will work with the LCPS to ensure that proper access is available to the site for emergency response services. The CLC Fire Department recommends that a paved access road be paved up to the site prior to any vertical construction as well as water in proximity to any vertical construction in accordance with the International Fire Code (IFC).

The initial zoning request (Case Z2806) is recommended for conditional approval (the standard City Council condition):

1. All new utilities will be placed underground

In regards to petitions for annexations, the Planning and Zoning Commission renders a recommendation to the Las Cruces City Council, who have final authority on all annexation petitions.

OPTIONS

1. Approve the annexation petition (inclusive of annexation plat, master plan, and initial zoning request), as recommended by the DRC.
2. Approve the annexation petition with additional conditions as determined appropriate by the Planning and Zoning Commission.
3. Deny the annexation petition.

Please note: A denial would need to be based on findings other than those identified by staff or the Development Review Committee.

ATTACHMENTS

1. Development Statement
2. Petition for Annexation
3. Copy of the annexation plat (with vicinity map)
4. Copy of the master plan
5. Copy of the initial zoning request
6. Draft DRC Minutes, December 2, 2009
7. Public comments
8. Vicinity Map

DEVELOPMENT STATEMENT for City Subdivision Applications

Please note: The following information is provided by the applicant for information purposes only. The applicant is not bound to the details contained in the development statement, nor is the City responsible for requiring the applicant to abide by the statement. The Planning and Zoning Commission may condition approval of the proposal at a public hearing where the public will be provided an opportunity to comment.

Applicant Information

Name of Applicant: Board of Regents of NMSU

Contact Person: Fred Ayers, Director of Real Estate

Contact Phone Number: 575-646-2807

Contact e-mail Address: fayers@nmsu.edu

Web site address (if applicable): www.nmsu.edu

Proposal Information

Name of Proposal: Burn Annexation

Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)

Planned Unit Development _____

Location of Subject Property SW ¼ of Section 14 and GLO Lots 5 and 6 of Section 22

Township 23 South, Range 2 East

(In addition to description, attach map. Map must be at least 8 ½" x 11" in size and clearly show the relation of the subject property to the surrounding area)

Acreage of Subject Property: 213

Zoning of Subject Property: Not Yet Zoned

Proposed number of lots N/A, to be developed in N/A phase (s).

Proposed square footage range of homes to be built N/A to N/A

Anticipated traffic generation 3420 trips per day.

Anticipated development schedule: work will commence on or about Fall 2009

and will take 2 years to complete.

How will stormwater be retained on site (detention facility, on-lot ponding, etc.)?

Detention Pond, Controlled Discharge

Will any special landscaping, architectural or site design features be implemented into the proposal (for example, rock walls, landscaped medians or entryways, entrance signage, architectural themes, decorative lighting)? If so, please describe and attach rendering (rendering optional). The existing Farm & Ranch Museum currently contains many of these features and the Proposed High School will implement all of the above. Landscaping plans are currently being developed.

Attachments

Please attach the following: (* indicates optional item)

Location map - Attached

Subdivision Plat – N/A

Proposed house elevations – N/A

*renderings of architectural or site design features

*other pertinent information

PETITION FOR ANNEXATION

COMES NOW, the undersigned, who are the owners of a majority of the number of acres in the contiguous territory sought to be annexed, and petition the City of Las Cruces pursuant to NMSA 1978 Section 3-7-17.1 (1998 as amended through 2003) to annex territory contiguous to the existing boundaries of the City of Las Cruces. The contiguous territory sought to be annexed is shown on a map attached hereto as Exhibit "A", which map shows the external boundary of the territory proposed to be annexed and the relationship of the territory proposed to be annexed to the existing boundary of the City of Las Cruces.

EXECUTED on this 22 day of October, 2009 by the undersigned owners of a majority of the number of acres in the contiguous sought to be annexed.

[Signature]
Property Owner #1
(signature)
Blake Curtis, Chair, Board of Regents

Board of Regents of NMSU
Property Owner #1
(print name)

PO Box 30001
Las Cruces, NM 88003
Property owner #1 (Address)

[Signature]
Property Owner #2
(signature)
DENNIS BURN, PRESIDENT

Burn Construction Company, Inc.
Property Owner #2
(print name)

PO Box 1869
Las Cruces, NM 88001
Property owner #1 (Address)

State of New Mexico)
) ss
County of Dona Ana)

SUBSCRIBED and sworn to before me this 22 day of October,
2009, by Blake Curtis



[Signature]
Notary Public

My Commission Expires:
July 26, 2010

State of New Mexico)
) ss
County of Dona Ana)

SUBSCRIBED and sworn to before me this 26th day of October,
2009, by Dennis Burn

Albana L. Salas
Notary Public

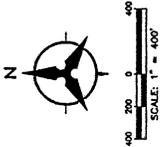
My Commission Expires:

July 28, 2013

BURN ANNEXATION
213.0704± ACRE PARCEL
 THE SOUTHWEST ONE-QUARTER OF SECTION 14, AND GLO LOTS 5 AND 6 OF SECTION 22 EXCEPT LANDS SOUTH OF DRIPPING SPRINGS ROAD,
 TOWNSHIP 23 SOUTH, RANGE 2 EAST, N.M.P.M.,
 DONA ANA COUNTY, NEW MEXICO

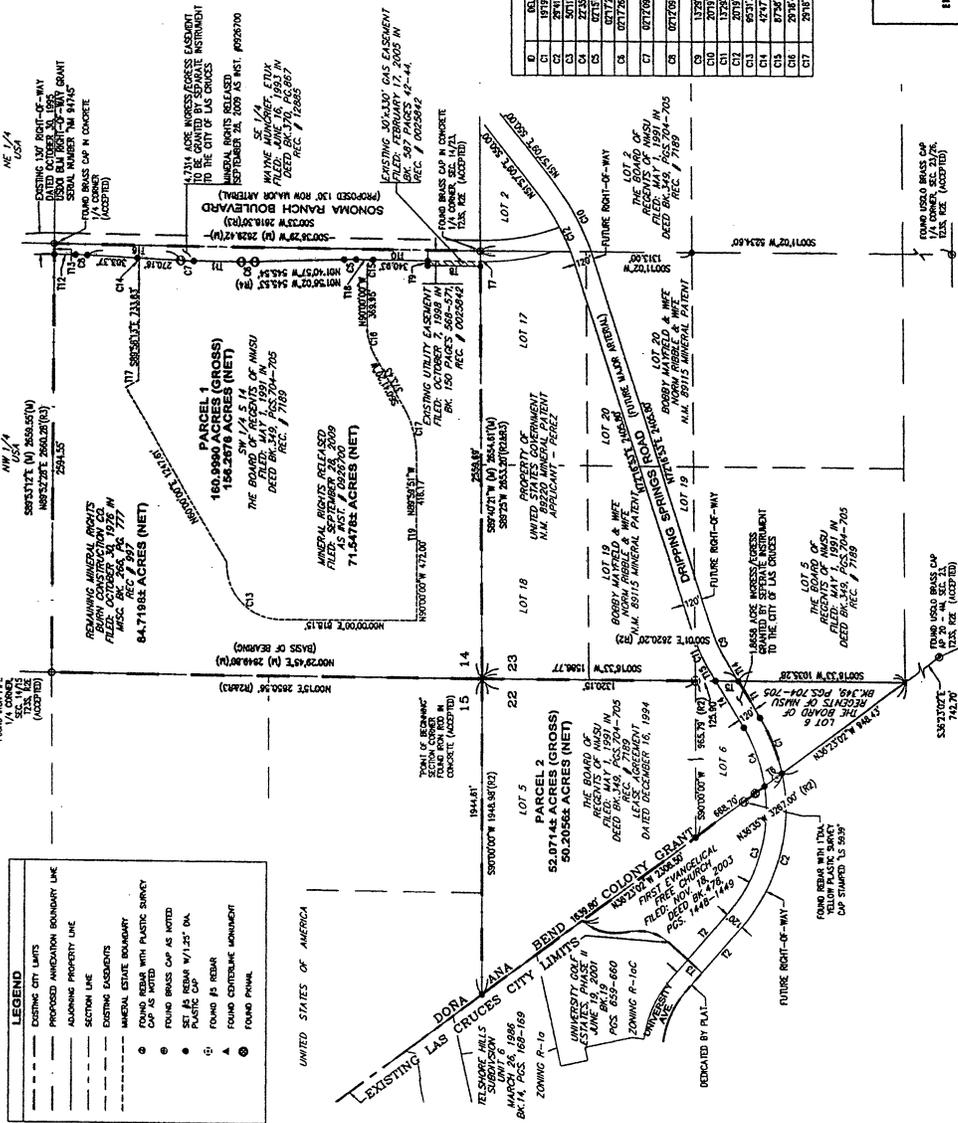
LEGEND

- EXISTING CITY LIMITS
- PROPOSED ANNEXATION BOUNDARY LINE
- ADJOINING PROPERTY LINE
- SECTION LINE
- EXISTING EASEMENTS
- MINERAL ESTATE BOUNDARY
- FOUND REBAR WITH PLASTIC SURVEY CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- FOUND #1 REBAR
- FOUND CONTIGUOUS MONUMENT
- FOUND PINNAC

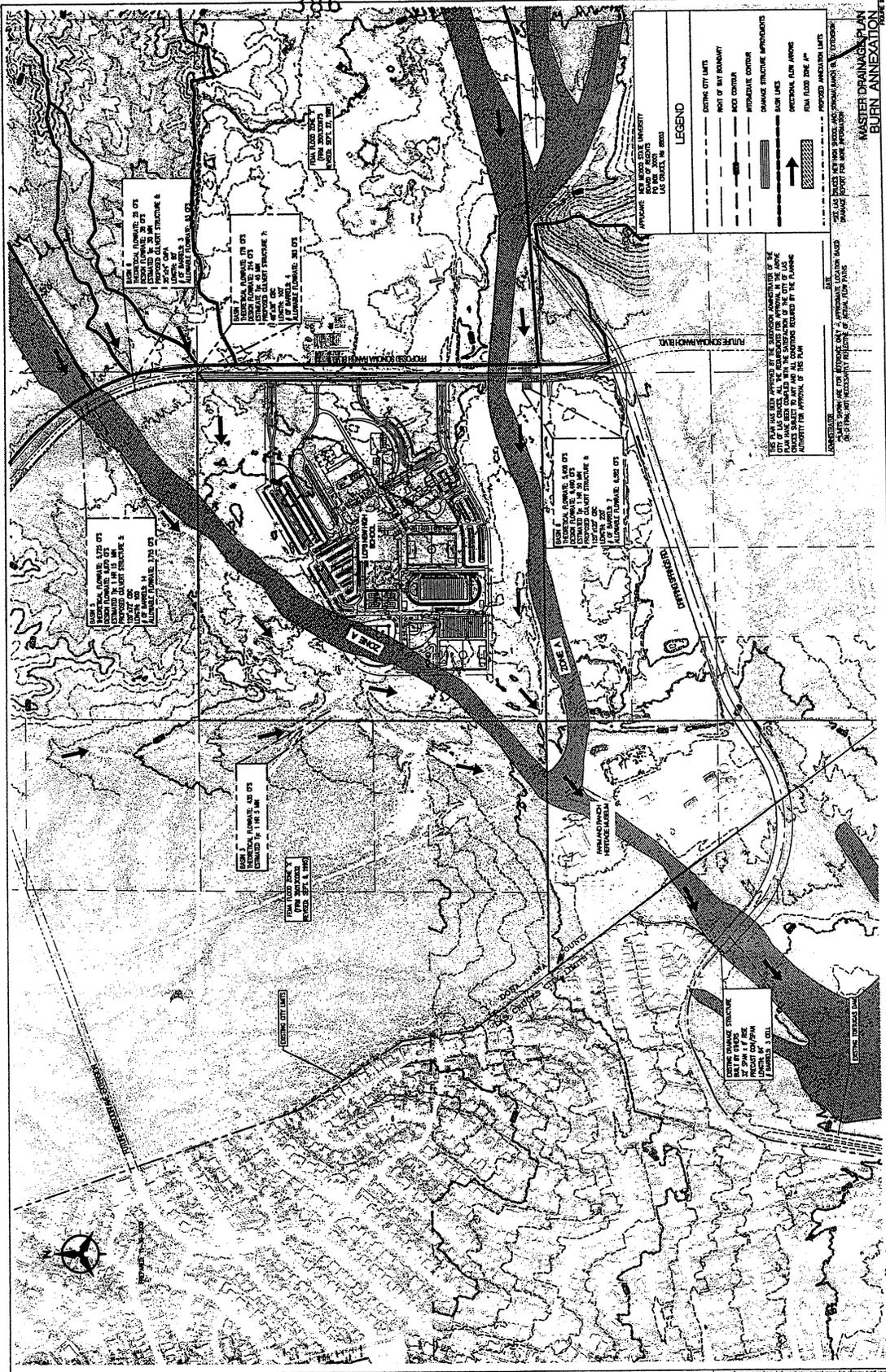


ID	BEARING	DISTANCE
1	S85°17'31"W	383.89
2	N81°15'17"W	133.30
3	N81°15'17"W	133.30
4	S85°17'31"W	383.89
5	S00°15'13"W	140.77
6	N85°13'05"W	133.61
7	S82°42'21"W	41.01
8	N02°17'43"E (R)	332.02 (MARS)
9	S82°23'31"E	30.00 (MARS)
10	N02°25'20"E (R)	30.00 (MARS)
11	N02°25'20"E (R)	30.00 (MARS)
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Bohannon & Huston
 425 S. Baker Blvd., Suite C-103, Las Cruces, NM 88001-8277
 ENGINEERING • SURVEYING • SPECIAL DATA • SERVICES TECHNOLOGIES



LEGEND

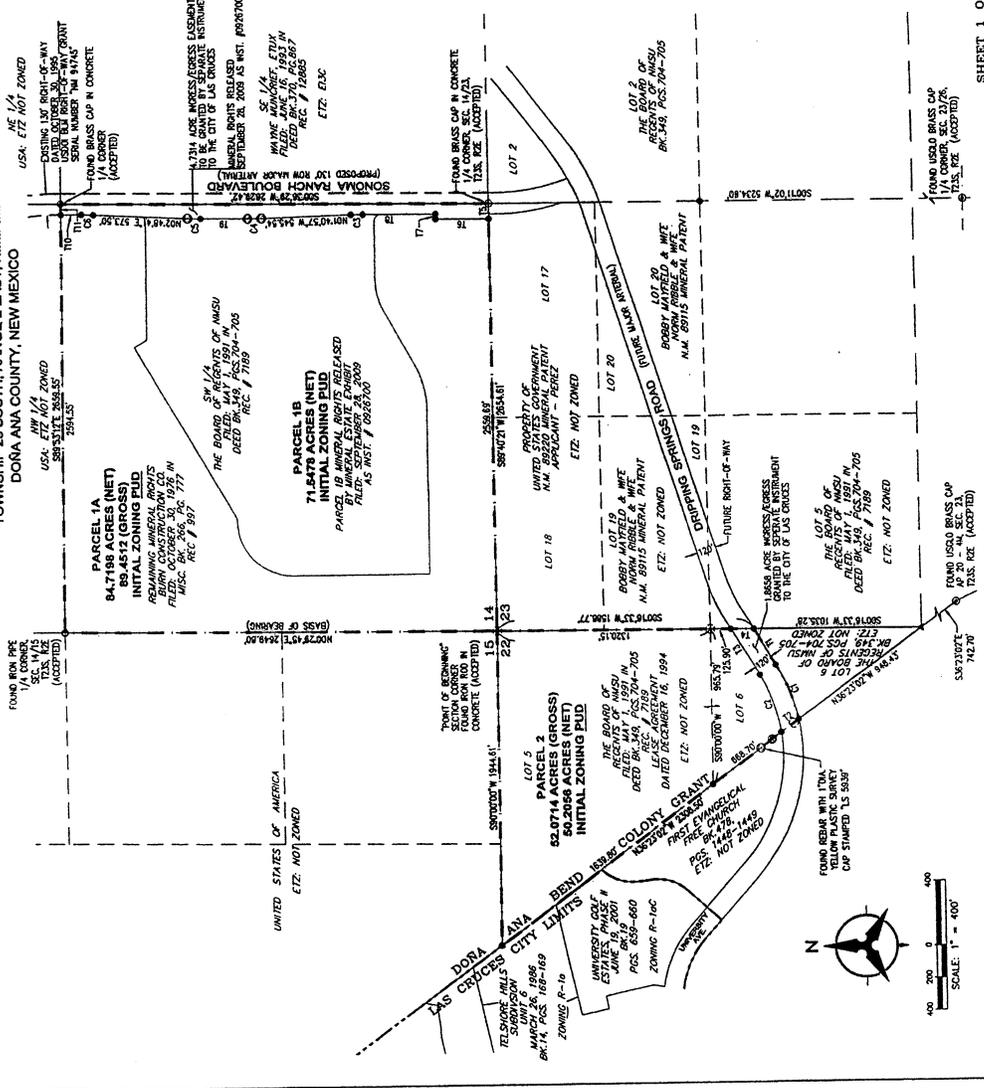
- EXISTING CITY LIMITS
- MOFT OF BAY BOUNDARY
- ROAD CENTER
- PROPOSED STRUCTURE INTRODUCTION
- RAIL LINES
- PROPOSED FLOW DIRECTIONS
- PROPOSED FLOOD ZONE
- PROPOSED ANNEXATION LIMITS

THIS PLAN HAS BEEN APPROVED BY THE SUPERVISOR, COMMISSIONERS OF THE BOARD OF SUPERVISORS AND THE BOARD OF HEALTH OF THE CITY OF LAS VEGAS. IT IS HEREBY ORDERED THAT THE SUPERVISOR OF THE CITY OF LAS VEGAS SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PLANNED DRAINAGE CANAL AND STRUCTURE INTRODUCTION.

SEE ALSO SHEETS 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

BURN ANNEXATION INITIAL ZONE REQUEST

213.0704+ ACRE PARCEL
 THE EXPANSION OF THE LAS CRUCES PUBLIC SCHOOL DISTRICT AND ZONING AMENDMENT
 SITUATE WITHIN THE SOUTHWEST QUARTER OF SECTION 14, AND GLO LOTS 5 AND 6 OF SECTION 22
 EXCEPT LANDS SOUTH OF DRIPPING SPRINGS ROAD,
 TOWNSHIP 23 SOUTH, RANGE 2 EAST, N.M.P.M.



LEGEND

- EXISTING CITY LIMITS
- PROPOSED ANNEXATION BOUNDARY LINE
- ADJOINING PROPERTY LINE
- SECTION LINE
- FOUND REBAR WITH PLASTIC SURVEY CAP AS NOTED
- FOUND BRASS CAP AS NOTED
- SET #2 REBAR W/1/2" DIA. PLASTIC CAP
- FOUND #2 REBAR
- FOUND CENTRIKUM MONUMENT
- FOUND PINNAK

Survey Data

D	DELTA	LENGTH	RADIUS	CHORD
D1	0717'00"	300.00'	1000.00'	300.00'
D2	0717'00"	300.00'	1000.00'	300.00'
D3	0717'00"	300.00'	1000.00'	300.00'
D4	0717'00"	300.00'	1000.00'	300.00'
D5	0717'00"	300.00'	1000.00'	300.00'
D6	0717'00"	300.00'	1000.00'	300.00'
D7	0717'00"	300.00'	1000.00'	300.00'
D8	0717'00"	300.00'	1000.00'	300.00'
D9	0717'00"	300.00'	1000.00'	300.00'
D10	0717'00"	300.00'	1000.00'	300.00'
D11	0717'00"	300.00'	1000.00'	300.00'

ORICE DATA

D	DELTA	LENGTH	RADIUS	CHORD
D1	0717'00"	300.00'	1000.00'	300.00'
D2	0717'00"	300.00'	1000.00'	300.00'
D3	0717'00"	300.00'	1000.00'	300.00'
D4	0717'00"	300.00'	1000.00'	300.00'
D5	0717'00"	300.00'	1000.00'	300.00'
D6	0717'00"	300.00'	1000.00'	300.00'
D7	0717'00"	300.00'	1000.00'	300.00'
D8	0717'00"	300.00'	1000.00'	300.00'
D9	0717'00"	300.00'	1000.00'	300.00'
D10	0717'00"	300.00'	1000.00'	300.00'
D11	0717'00"	300.00'	1000.00'	300.00'

NOTES

- BASE OF BEARING IS NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE) AND ALL MEASURED COURSE IS THE WESTERN BOUNDARY LINE OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 23 SOUTH, RANGE 2 EAST, AND AN IRON PIPE AND BEARS NOTWITHSTANDING A DISTANCE OF 24.00 FEET.
- ALL DISTANCES ARE GROSS UNLESS OTHERWISE NOTED.
- THIS PLAT PREPARED FOR ZONING PURPOSES ONLY. MAJOR INFORMATION NORMALLY SHOWN ON A BOUNDARY HAS BEEN OMITTED FOR CLARITY.

CERTIFICATION

THIS SURVEY MEETS THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS.

Walter S. Snelson Dec 4, 2009
 WALTER S. SNELOSON DATE
 N.M.P.S. 15819

Bottman & Huston
 425 S. Taylor Blvd., Suite C-143, Las Cruces, NM 88001-8227
 ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

DEVELOPMENT REVIEW COMMITTEE

1
2
3
4 Following are the verbatim minutes of the City of Las Cruces Development Review
5 Committee meeting held on Wednesday, December 2, 2009 at 9:00 a.m. in the Las
6 Cruces City Council Chambers, 200 North Church Street, Las Cruces, New Mexico.

7
8 **DRC PRESENT:** Gary Hembree for Cheryl Rodriguez, Community Development
9 Tom Murphy, MPO
10 Meei Montoya, Utilities
11 Mark Johnston, Facilities
12 Mark Dubbin for Travis Brown, Fire Dept.
13 Loretta Reyes, Public Works

14
15 **STAFF PRESENT:** Helen Revels, Community Development
16 Jennifer Robertson, Community Development
17 Catherine Duarte, Land Management
18 Lora Dunlap, Recording Secretary

19
20 **OTHERS PRESENT:** Jared Lee, Bohannon Huston, Inc.

21
22
23 **I. CALL TO ORDER (9:07 am)**

24
25 Hembree: I'm going to go ahead and call this Wednesday, December 2nd meeting
26 of the DRC to order. It is about seven minutes after nine.

27
28 **II. APPROVAL OF MINUTES – November 10, 2009**

29
30 Hembree: The first article of business is the approval of minutes for November
31 10, 2009. Do we have any discussion? Do I have a motion for
32 approval?

33
34 Reyes: So moved. Loretta Reyes.

35
36 Dubbin: Second. Mark Dubbin.

37
38 Hembree: All in favor?

39
40 Members: Aye.

41
42 **III. OLD BUSINESS - NONE**

43
44 Hembree: We have no old business.

45
46 **IV. NEW BUSINESS**

47

1
2 **1. S-09-056, S-09-057, Z2806 – Burn Annexation**

- 3 • Proposed Annexation contains 213.0704 ± acres generally located within
4 one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22,
5 Township 23 South, Range 2 East of the U.S.G.L.O Surveys.
6 • Proposed Master Plan land uses: an existing museum (NM Farm and
7 Ranch Museum) and its ancillary agriculture uses, institutional use for a
8 public school (9-12), flood control, and mineral extraction.
9 • Proposed Initial Zoning Request includes 213.0704 ± acres of PUD
10 (Planned Unit Development). The property is currently located within the
11 Extra-Territorial Zone of Doña Ana.
12 • Subject property is located north of Dripping Springs Road and west of the
13 future extension of Sonoma Ranch Boulevard Submitted by Bohannan
14 Huston Inc. for New Mexico State University Board of Regents.

15
16 Hembree: We've got one new business case which is the Burn Annexation, S-09-
17 056, S-09-057 and Z2806. What I would ask is that Helen you review
18 the case and then the applicant can actually chime in with additional
19 information or refinements. And then we'll go around the table for
20 discussion, okay?

21
22 Revels: Helen Revels, for the record. Today before you we have an
23 annexation petition for Burn Annexation. It is 213 acres. It's in the
24 U.S.G.L.O. Surveys. We have before you today an annexation plat, a
25 master plan and an initial zoning. The initial zoning request is for a
26 PUD which is Planned Unit Development with several uses. We're
27 gonna have Parcel 1A having institutional and flood control and
28 mineral extraction. Parcel 1B will be the site of the new high school
29 and then Parcel 2 is the home of the now New Mexico Farm and
30 Ranch Heritage Museum and its ancillary uses of agricultural uses.
31 The property is located north of Dripping Springs Road and west of the
32 future extension of Sonoma Ranch Boulevard. This project was
33 submitted by Bohannan Huston for the New Mexico State University
34 Board of Regents.

35 The master plan proposes the uses that I just outlined, the school
36 site being on Lot 1B... on Parcel 1B. The Farm and Ranch Heritage
37 Museum is already existing and so the agricultural uses and museum
38 uses will be called out in the PUD as well as Parcel 1A, the mineral
39 extraction.

40 The applicant is here to bring forth any questions you may have.

41
42 Hembree: Thank you Helen. Hear from the applicant with any additional
43 information.

44
45 Lee: Jared Lee with Bohannan Huston. What else would you like to hear?
46

1 Hembree: Just anything that wasn't covered that you'd like to add that would be
2 pertinent to our decision.
3

4 Lee: We've also... so far we've received comments on these and we've had
5 some follow-up meetings with Planning and Engineering Services.
6

7 Hembree: Okay. Okay, yeah that's my understanding that there's been a couple
8 of meetings and I think how I would like to proceed is I understand that
9 there are a number of conditions that this staff would like to have put
10 out there and discussed and put into the record as we proceed with
11 approval.

12 The first one, if I may, is New Mexico State and the City of Las
13 Cruces need to secure the necessary easements for right-of-way and
14 other municipal purposes for Sonoma Ranch Boulevard and segments
15 of Dripping Springs Road and the easements need to be secured prior
16 to the City of Las Cruces agreeing to maintain right-of-way on either
17 side of these roads. Public Works can pipe in whenever I'm
18 misleading here.

19 And then another condition is Las Cruces Public School to
20 provide to the appropriate departments of the City of Las Cruces at a
21 minimum a courtesy review of construction drawings of the necessary
22 roadway improvements to Sonoma Ranch Boulevard and/or Dripping
23 Springs Road and I understand that Public Works would like to clarify
24 that particular condition, is that correct?
25

26 Reyes: Yes, Mr. Chair. Loretta Reyes, Public Works. I'd like to add to that
27 note to ensure compliance with City of Las Cruces Design Standards,
28 specifications for roadway construction and all other applicable codes
29 and regulations, in addition to that inspection of Sonoma Ranch
30 Boulevard will be coordinated between the Las Cruces Public Schools
31 and the City of Las Cruces.
32

33 Hembree: Okay thank you, any discussion on that? Okay then I'll proceed and I
34 understand that there have been some discussion about the CLOMR
35 and LOMR requirements and I believe Public Works has come to
36 some resolution on that is that correct?
37

38 Reyes: Yes, Mr. Chair. Loretta Reyes, Public Works. I'd like to add as a
39 condition a complete conditional letter of map revision for the new high
40 school located west of Sonoma Ranch Boulevard and north of Dripping
41 Springs Road as required to be submitted to the City of Las Cruces for
42 review and submittal to the Federal Emergency Management Agency
43 within six months from the date that the annexation is approved by the
44 City Council.

45 The conditional letter of map revision shall be followed by a final
46 letter of map revision to be submitted to the City of Las Cruces for

- 1 review and submittal to the Federal Emergency Management Agency
2 after the project is completed.
3
- 4 Hembree: Okay thank you, any discussion on that condition? Okay, great, thank
5 you. And the last one that I have is the City of Las Cruces should
6 enter into a maintenance agreement with Dona Ana County for
7 Dripping Springs Road from the existing municipal boundaries to
8 Sonoma Ranch Boulevard and for Sonoma Ranch northward along the
9 eastern boundary of the annexed area from Dripping Springs. Any
10 discussion on that; I believe that we have got split jurisdiction for that
11 road right-of-way so there needs to be a maintenance agreement
12 between the Dona Ana County Public Works Department and the City.
13 Anything additional in terms of notes or clarifications, Public Works?
14
- 15 Reyes: Loretta Reyes, Public Works. No, that condition will suffice.
16
- 17 Hembree: Alright, so Public Works any additional information you'd like to add or
18 comments or questions?
19
- 20 Reyes: Loretta Reyes, Public Works. I do have one additional condition that
21 all outstanding development review comments be resolved prior to this
22 case being heard by the Planning and Zoning Commission. A
23 submittal shall be made prior to Planning and Zoning for a final review.
24
- 25 Hembree: Great, thank you. MPO?
26
- 27 Murphy: Tom Murphy, MPO. We have no issues with the annexation.
28 However, I would like to put some things in the record regarding future
29 roadway construction. The City in cooperation with the Las Cruces
30 Public Schools has applied to be on our transportation improvement
31 program or TIP for three projects; improvements to Dripping Springs
32 Road, improvements to Sonoma Ranch Boulevard and improvements
33 to Missouri Avenue to the north of the site. All three projects have
34 been included on the unranked unfunded portion of our TIP and are
35 eligible to seek federal and/or state funding. However I think as a note
36 of caution will want to have the P&Z be aware given the current state
37 of the economy; I do not foresee any state or federal funding
38 forthcoming for any local projects anytime in the near future.
39
- 40 Hembree: Okay, great. Anything else MPO?
41
- 42 Murphy: That'll conclude it.
43
- 44 Hembree: Great, thank you very much. Okay, Utilities.
45
- 46 Montoya: Meei Montoya. We have no issue with the plan but I also would like to
47 read three things into the record and also ask a question.

1 The water, sewer and natural gas service will be provide by the
2 City of Las Cruces and the second is the new water, sewer and gas
3 utility shown are still on the review and the property owner will have
4 to... will provide all necessary utility easement for the utility owned and
5 operated by the City. And the question to the engineer is that I heard
6 Public Works say that the roadway has to be review... had to submit to
7 the City for review and the Utility so far has review you know several
8 time for the on-site utilities and I believe we already get some approval
9 for the on-site utility and I just want to you know get a feeling of what
10 will be the subsequent review. Is there going to be submit to the City
11 for formal review or just a courtesy review and how do we handle the
12 permit so the inspector will be sent to the site because we have work
13 with you know the school for the middle school and the elementary
14 school in the East Mesa area and it seems like there are sometime
15 there are some minor problem of handling the inspection and review.
16 So I just want to hear from DRC that how do we handle the review and
17 maybe the permit and the inspection.

18
19 Hembree: Okay for the roadway improvements and utilities particularly, yeah
20 okay. Any thoughts on that from the DRC members?

21
22 Revels: Well I know we would be getting a courtesy review and I understand
23 that the intersection of Dripping Springs Road and Sonoma Ranch
24 Boulevard being that NMSU owns the land that the road sits on but
25 County maintains Dripping Springs Road that that permit would need
26 to be pulled through the County but it's my understanding that we
27 would be allowed a courtesy review just to make sure the roads meet
28 our design standards.

29
30 Montoya: Right and the utility also have to meet the utility design standard as
31 well and so far that what I understand is we always kind of trust the
32 engineer with submit a drawing for review and it has work out fine but
33 when you go into the construction since this land is sitting on the... it's
34 not a privately owned land it seems like there is also always a
35 confusing of what permit has to be pulled so I don't know can Jared...?

36
37 Lee: Bohannan Huston. I think similar to what we've done with you guys so
38 far is just providing the plans and taking your comments into
39 consideration knowing that utilities and Sonoma Ranch Boulevard will
40 be dedicated to the City at some point so other than that I'm not really
41 sure either.

42
43 Hembree: Meei if I may... Loretta could you read that condition number two
44 again? Maybe we could modify that to strengthen it relative to City
45 utilities and design standards. Number two, this one here.

46

- 1 Reyes: *(Inaudible-speaking away from the microphone)* Alright the condition
2 was that the Las Cruces Public Schools provide at a minimum to the
3 appropriate departments of the City of Las Cruces, a courtesy review
4 of construction drawings of the necessary road improvements to
5 Sonoma Ranch Boulevard and/or Dripping Springs Road to ensure
6 compliance with City of Las Cruces Design Standards, specifications
7 for roadway construction and all other applicable codes and
8 regulations. Inspection of Sonoma Ranch Boulevard will be
9 coordinated between the Las Cruces Public Schools and the City of
10 Las Cruces.
- 11
- 12 Hembree: May I suggest we just add utilities to that as well and then we will be
13 good. Okay, great. Anything else from Utilities Meei? Okay, great,
14 thank you. Facilities?
- 15
- 16 Johnston: Mark Johnston, Facilities. No issues at this time.
- 17
- 18 Hembree: Thank you, and Fire.
- 19
- 20 Dubbin: Mark Dubbin, Las Cruces Fire Department. The Fire Department has
21 two requirements; one that a paved Fire Department access road be
22 paved up to the site entrance prior to any vertical construction as well
23 as water in proximity prior to any vertical construction in accordance
24 with the IFC.
- 25
- 26 Hembree: You would recommend that as a condition Fire?
- 27
- 28 Dubbin: Yes.
- 29
- 30 Hembree: Okay great, thank you.
- 31
- 32 Revels: Helen Revels for the record. How wide does that road need to be?
- 33
- 34 Dubbin: Depends on its purpose. If it's a two directional road or single
35 direction; 24 foot minimum paved if it's going to be two-direction. It
36 doesn't need to meet to full City standards in the early stages or for the
37 access but it does need to be a paved access up into the site entrance
38 and then on the site just a maintained access up to whatever building
39 is under construction.
- 40
- 41 Hembree: Okay, any discussion on that; any response from the applicant?
- 42
- 43 Lee: Well then when you say two lane there's the access into the site is
44 from Dripping Springs and the intention is to stop at the north boundary
45 *(inaudible)* and then from there there's a dirt road used for utility
46 purposes and so I mean I think the purpose of it would be for fire

- 1 access but it would be two lane because there's no (*inaudible-*
2 *speaking away from microphone*)...
- 3
- 4 Dubbin: I'm assuming it would be two-lane and what I'm talking about is that it
5 be paved from probably from Dripping Springs up into one of the site
6 entrances.
- 7
- 8 Lee: (*Inaudible-speaking away from the microphone*) out to the site?
- 9
- 10 Dubbin: Not recently, no.
- 11
- 12 Lee: Are you familiar with the dip section through the crossing?
- 13
- 14 Dubbin: I assume it's a dirt road?
- 15
- 16 Lee: Correct.
- 17
- 18 Dubbin: That would need to be upgraded prior to vertical construction.
19 Basically it needs to be an all weather drivable surface that you know
20 in the last few days with rain it would have to be... that's an example of
21 what it would have to withstand I suppose. Not so much the site
22 pavement or the site work but just up into the site entrance.
- 23
- 24 Hembree: Okay. Need any additional discussion on that? Okay Fire could I have
25 just kind of reiterate that condition and just make sure we get it into the
26 record?
- 27
- 28 Dubbin: Yes, Mr. Chairman. Basically in order to respond to an emergency
29 situation whether it's a fire or medical emergency we need to have a
30 paved access 24 feet wide. The specifications as to the roadway we
31 can discuss later but basically an impervious surface that goes from
32 Dripping Springs Road I would assume the nearest paved road up into
33 whichever site access point the applicant chose to use for his
34 construction access and then from that point an unpaved but sort of a
35 crusher fine or base course maintained access onto the site would be
36 acceptable.
- 37
- 38 Hembree: And that requirement would need to be in place prior to vertical
39 construction.
- 40
- 41 Dubbin: Yes sir.
- 42
- 43 Hembree: Okay great, thank you, any discussion on that?
- 44
- 45 Dubbin: And also for the water requirements also for vertical construction.
- 46
- 47 Hembree: In terms of fire flow and that kind of...

- 1
2 Dubbin: Yes sir.
3
4 Hembree: Okay great, thank you, any discussion on that? I'd like to bring up two
5 additional items that have come to the fore here. One, I'd like to put on
6 the table the access issue off of Sonoma Ranch Boulevard at Dripping
7 Springs; I understand we've got some mineral rights issues and we're
8 gonna have to realign Sonoma Ranch Boulevard to the east and I just
9 wanted to hear the applicant in terms of what their proposal was at this
10 point to ensure that.
11
12 Lee: Jared Lee with Bohannon Huston. At this time the proposed Sonoma
13 Ranch Boulevard alignment comes from Dripping Springs across BLM
14 property with mineral rights associated with it with the Perez family and
15 at this time the schools are in discussion to get easement across that
16 site but haven't been able to come to terms so they're looking at an
17 alternative alignment which would shift that alignment off of that
18 property approximately 75 feet to the east onto NMSU's property and
19 at that point into what is the Binns/Muncrief property and then
20 transition back over to the current proposed alignment prior to hitting
21 the first school driveway.
22
23 Hembree: Okay.
24
25 Lee: And they're in talks... all that is preliminary right now. They're just
26 looking at alternatives to see what's feasible.
27
28 Hembree: Okay. Do you think it's feasible that that can be solidified prior to
29 Planning Commission hearing on this particular case?
30
31 Lee: I don't know if that... that's doubtful.
32
33 Hembree: Okay.
34
35 Revels: Helen Revels for the record. But it's my understanding that this
36 easement or alignment does not affect the boundaries of the
37 annexation, is that correct?
38
39 Lee: That is correct.
40
41 Hembree: Okay, great. Thanks for that clarification Helen. Okay, any discussion
42 on that from any of the members in terms of the alignment issue or
43 access? I just want to make sure it was called out and put in the
44 record that it is something that we need to address.
45 And then the second item is I believe Fire was looking at the plat;
46 there was the discussion of maybe modifying the boundaries of the
47 annexation to include a City pond at the western border?

- 1
2 Dubbin: It was just something that I noticed not really from Fire.
- 3
4 Hembree: Okay, it's not critical? Okay, okay. Public Works do you have any
5 response to that?
- 6
7 Reyes: Loretta Reyes, Public Works. I don't... was there any consideration or
8 were you approached at all to include that City pond within the
9 boundaries of the annexation or would that be possible? There's a
10 ponding area off of View Court.
- 11
12 Lee: We were not. I know NMSU went through iterations with the
13 surrounding land owners trying to determine the boundary of the
14 annexation and that's what they came up with.
- 15
16 Reyes: Mr. Chair, how is something I mean if the City would like to have that
17 annexed as part, annexed into the city limits as part of this annexation,
18 what's the process or how does... how would that be accomplished?
- 19
20 Hembree: We could just modify the annexation plat to include that within it's
21 boundaries and I don't... it shouldn't be a concern to NMSU relative to
22 you know the annexation area. Is that something that we could ask
23 the applicant to pursue and get a resubmit showing that modification to
24 the annexation plat?
- 25
26 Lee: Yeah, I believe so.
- 27
28 Hembree: And then we could reflect that on the initial zoning, would be what
29 Helen in terms of the use there?
- 30
31 Revels: The only issue I see with this is this case has already been advertised.
32 It's already scheduled to go to P&Z and this would change the legal
33 notice, notification.
- 34
35 Hembree: That causes us a timing problem then so maybe at this point it's too
36 late to actually include it. Unfortunately, I'm sorry Public Works.
- 37
38 Reyes: Okay, that's fine.
- 39
40 Hembree: Okay, any other comments or discussion?
- 41
42 Revels: I wanted to clarify something and I know we've all listed a bunch of
43 conditions and I just wanted to clarify that these conditions aren't going
44 to be tied to the annexation plat, correct?
- 45
46 Hembree: That is correct. Okay.
- 47

- 1 Reyes: Mr. Chair, Loretta Reyes, Public Works, I have a question. With
2 regard to the property on which the school will be built, I just had a
3 question from our Land Manager regarding whether there were mineral
4 rights with regard to that piece of property and how was that resolved?
5
- 6 Lee: Can you repeat that? Just for the school site?
7
- 8 Reyes: Just for the school site.
9
- 10 Lee: It's... the mineral rights associated with that quarter section there, the
11 rights for the school and the roadway portion have already been
12 released.
13
- 14 Reyes: Alright.
15
- 16 Lee: So that all that remains is the... that the 70 some acres on the outside
17 of that.
18
- 19 Reyes: Okay, alright. Thank you.
20
- 21 Hembree: Okay, any other questions, comments from the DRC?
22
- 23 Reyes: Okay, one more question, I'm sorry Mr. Chairman, with regard to
24 that... Are there official documents and permits and...?
25
- 26 Lee: Yes, we provided that to Planning and we can get additional copies if
27 necessary.
28
- 29 Reyes: Okay, alright, thank you very much.
30
- 31 Hembree: Okay, Helen anything else?
32
- 33 Revels: I don't think so.
34
- 35 Hembree: Well with that I'll entertain a motion. I think that if it's the pleasure of
36 the DRC, I think we're gonna have to basically just say proceed with
37 the... basically move the project as conditioned by this Board reflected
38 in the minutes because it's just gonna be to complicated to I think to try
39 to recover all of those and then we can circulate the minutes to see if
40 everybody's comfortable. Is that a reasonable approach?
41
- 42 Revels: Helen for the... Helen Revels for the record. I don't know if we should
43 be voting on each part of it like the master plan being having no
44 conditions if there is no conditions on the master plan or whatever.
45 Maybe we should vote on them separately.
46

- 1 Hembree: Okay and we would condition the annexation plat then. Okay well let's
2 do that then. Okay, so let me see... 056 the master plan? Okay, this
3 is the annexation. Okay well let's go ahead then. I'll entertain a
4 motion on the master plan initially okay, which is S-09-057; do we have
5 any discussion? Okay, do I have a motion on the table?
6
- 7 Dubbin: Mark Dubbin. Motion to approve.
8
- 9 Hembree: Okay.
10
- 11 Murphy: Tom Murphy. Second.
12
- 13 Hembree: All in favor?
14
- 15 Members: Aye.
16
- 17 Hembree: Okay it passes unanimously. Okay, with that I will consider a motion
18 for S-09-056 which is the annex plat which will be duly conditioned
19 based upon the discussion in the record on this item today.
20
- 21 Reyes: So moved. Loretta Reyes.
22
- 23 Dubbin: Second. Mark Dubbin.
24
- 25 Hembree: All in favor?
26
- 27 Members: Aye.
28
- 29 Hembree: It passes unanimously. And then lastly I will consider a motion for the
30 initial zoning which is Z2806 for the Burn Annexation.
31
- 32 Dubbin: So moved. Mark Dubbin.
33
- 34 Hembree: Any discussion?
35
- 36 Murphy: Second. Tom Murphy.
37
- 38 Hembree: All in favor?
39
- 40 Members: Aye.
41
- 42 Hembree: Great, it passes unanimously.
43
- 44 **IV. ADJOURNMENT (9:29 am)**
45
- 46 Hembree: Okay, with that I believe I will entertain a motion for adjournment.
47

1 Reyes: So moved. Loretta Reyes.
2
3 Dubbin: Second. Mark Dubbin.
4
5 Hembree: We are adjourned. Thank you.
6
7
8
9
10
11 _____
12 Chairperson

DRAFT

To: Cheryl Rodriguez and Helen Revels
Community Development
City of Las Cruces

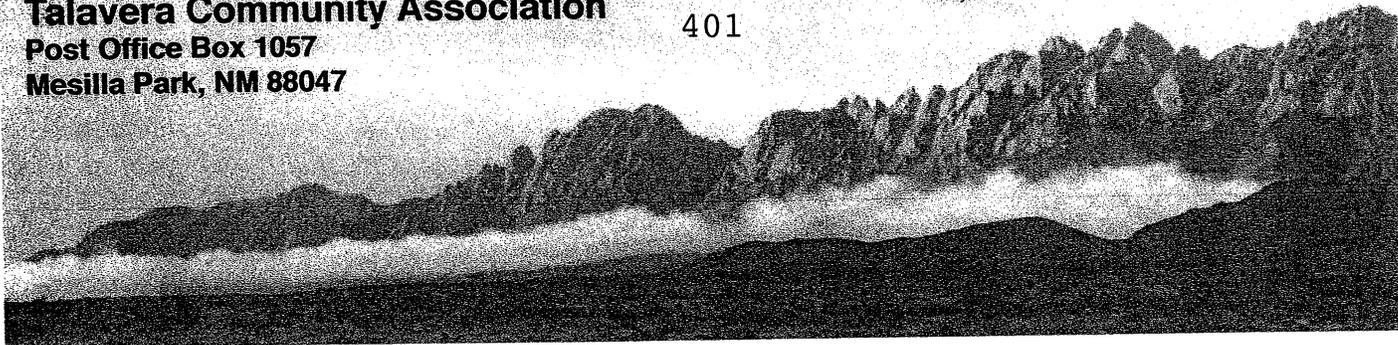
From: Talavera Community Association

Date: December 7, 2009

Attached please find a memo from TCA to the City Planning and Zoning Commission and City Council. Please include this memo in the materials to be given to them regarding the upcoming discussion about Annexation of the land adjacent to the new High School on Sonoma Ranch Road.

Thank you,
Helen Zagona for the TCA Board of Directors

532-5668



Memorandum To: Las Cruces Planning and Zoning Commission
Las Cruces City Council

December 7, 2009

Subject: Proposed Annexation of Land Surrounding New High School

Talavera Community Association represents 500 households in an area to the East of A-Mountain. Our neighborhood will be most impacted by the addition of the new high school due to the drastically increased traffic on Dripping Springs Road turning on and off of the new Sonoma Ranch Road to and from the new high school. In planning this new facility Las Cruces School District in the early stages did not adequately consider the need for increased infrastructure in the form of new streets and roads required to handle the volume of traffic anticipated by the planners for students, faculty and staff as soon as the school opens in 2011. The school district has given numbers of 2000 students to as many as 4000 students who will attend the facility. They have at times indicated that the school will "phase in students a year at a time" and at other times suggested the possibility of temporarily moving students from Las Cruces High School if that school requires major renovation. In either case we foresee serious unsafe conditions for those going to and from the school as well as for Talavera residents.

Talavera Community Association enthusiastically supports the School District in constructing this new high school. We feel that if the traffic problems can be adequately solved prior to the completion of the school so that students and neighborhood residents can commute in safety, the school will be a wonderful addition to our area.

Safety is the overriding concern of our residents. We outline specific issues and possible solutions as follows:

1. School Access. Dripping Springs Road alone is not adequate to handle the volume of traffic which will come at commute hours. The volume will not be spread out over an entire day, but will be focused specifically when students and faculty are coming to and going from school at the same time residents are commuting to and from work

1. and the University. Dripping Springs Road is now a narrow 2-lane road without turn lanes. There are no alternate routes; Dripping Springs is the only road to and from the high school and the Talavera neighborhood. Early in 2009 Las Cruces School District applied for funding in the form of an MPO TIP to widen Dripping Springs Road in conjunction with two other applications to extend Sonoma Ranch Road to the north and extend Missouri Avenue to the west. These plans would have provided adequate solutions to the traffic problems but none of these applications was funded. About the same time traffic counts indicated that approximately 3,000 vehicles per day crossed the intersection of Dripping Springs Road and Sonoma Ranch Boulevard where the new school will be. Additional development in Talavera continues today causing increased traffic even before the completion of the new school. Also, development in the area adjacent to the new school is expected due to the availability of private land in the immediate area and the anticipation that businesses will want to locate near the school. Dripping Springs Road alone cannot handle the traffic that will come in the near future, probably in less than three years. Immediate action is needed now to plan new roads to and from the school. The City, County and MPO must make this a priority before serious unsafe conditions develop. As the City considers the annexation of the area of the new high school, plans must be developed to alleviate these unsafe conditions.
2. Safety on Dripping Springs Road. Even if additional streets were constructed accessing the high school, Dripping Springs Road must be made safer for students and residents. The street must be widened to accommodate traffic in and out of the school at the same time residents are commuting to work. At the very minimum, a long turning lane must be added to accommodate students turning left to the school against oncoming traffic. We believe that the lane must be at least 1600' in length. The students will be turning just as the rush hour of residents going to work is at its peak. At this hour everyone is in a hurry and it would make no sense to plan this intersection without a traffic light to protect students attempting the left turn. In addition, a merge lane for students turning right at the end of the day from the campus on to Dripping Springs Road heading west toward town is a must.
3. Bicycle Lanes. Dripping Springs Road is the only access to the A-Mountain (Tortugas) Recreation Area, a popular mountain biking destination. University students and many other Las Cruces residents use bicycles on Dripping Springs Road to reach the Recreation Area. Also some residents of Talavera use bicycles in commuting to the University and other destinations in Las Cruces. Currently there are bicycle lanes on both sides of the road. These lanes must not be eliminated to accommodate the increased traffic to the high school. They must be preserved because students may also use the bike lanes as a transportation option. The bicycling community of Las Cruces will be forceful in their desire to maintain the bicycle access to and from Talavera and the Recreation Area.
4. Dangerous Mountain Curve. For residents driving west toward Las Cruces a very sharp curve exists just prior to the intersection of Sonoma Ranch Boulevard where students will enter the high school campus. Drivers have no vision of the intersection until just before they reach it. In the event that traffic backs up around this dangerous curve, many accidents

will occur because of the inability to see what is ahead. Traffic engineers must study this problem and find solutions in order to protect students turning into the campus and residents on their way into town.

The problem of inadequate road construction at the site of new schools is not a unique problem to Las Cruces. An Albuquerque Journal article of September 3, 2009 (see article attached) discusses the problem around new schools in Albuquerque. In the article School Board and City officials disagreed on who should have taken the lead in eliminating traffic problems. After students were injured in traffic accidents on their way to school, only then was the issue taken seriously enough to warrant action. We believe that this problem tracks an identical situation. We do not want to see accidents in which students or residents are injured or killed because of poor planning and inadequate traffic infrastructure. Both City and School Board are responsible for the safety of students, faculty, staff and local residents. City officials are on notice that annexation must not be allowed to take place without planning for safe road to handle the volume of traffic during commute hours which will come with the opening of the new high school.



RICHARD PIPES/JOURNAL

ic on Paseo del Norte and Rainbow Boulevard facing
The city finished extending Rainbow so it connects to
erse and makes access to nearby schools easier.

Extension Eases Congestion

■ *Traffic jams near Volcano Vista High School a concern for the past year*

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BY ELAINE D. BRISEÑO
Journal Staff Writer

Traffic issues around Volcano Vista High School are nothing new, according to those who attended an Albuquerque Public Schools meeting Tuesday night.

At least one parent said she has been complaining about unsafe traffic conditions around the school since August 2008.

Albuquerque Public Schools officials blame the city, saying road improvements should have been made before school started last month. City officials say APS also bears some responsibility.

The area is home to the high school, as well as Tony Hillerman Middle and Tierra Antigua Elementary, both of which opened within the last year.

The city began to make improvements last week, after two recent automobile accidents involving students. Even APS Superintendent Winston Brooks has a story about the problems: He said he sat in traffic for 45 minutes, trying to get to the opening of Tony Hillerman.

See **TRAFFIC** on **PAGE C2**

Traffic Near School Eased by Extension

from **PAGE C1**

Tammy Smith, who attended the meeting before the board's Capital Outlay Committee, said her daughter was one of the students involved in an accident. Smith said her daughter, a Volcano Vista student, suffered only minor injuries, but her car was totaled.

She said that, during the past year, she has contacted the school, district officials, city officials and elected officials trying to get them to do something about the traffic situation. She told school board members their efforts were "a dollar short and a day late."

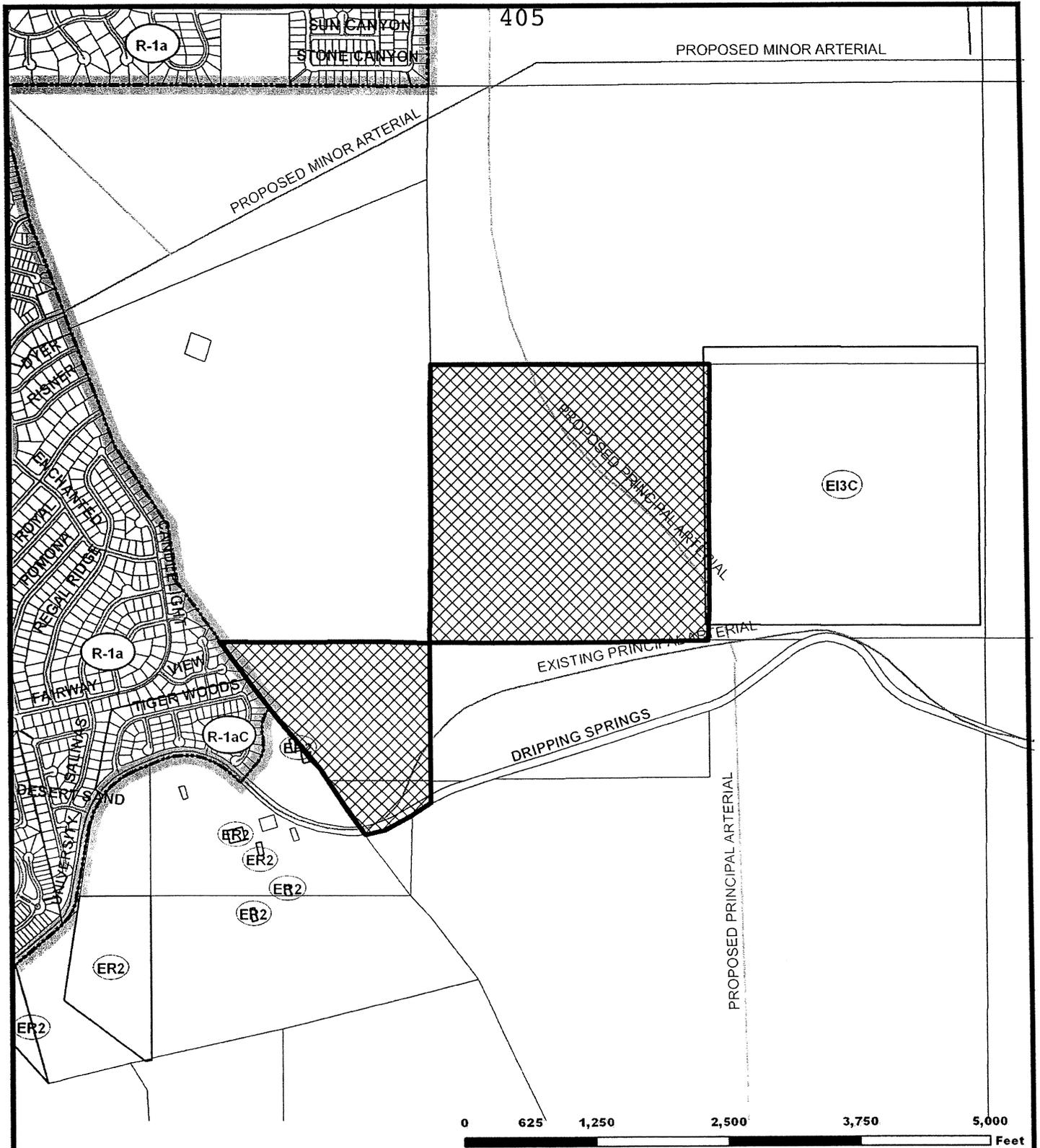
Board member David Robbins said that, although the city was quick to jump on road improvements after the two accidents, it should have happened before all the schools opened.

"I'm amazed it took this

long," he said. "I mean we have been planning these schools for six years. It should not have been a surprise to anyone in city government. They are the ones who issue our permits."

Ed Adams, city chief administrative officer, said it was not the city's responsibility but that of developers in the area. He said as properties develop, adjacent property owners are responsible for roads. "We don't build roads to undeveloped areas of town at taxpayers' expense," he said. "If we build the roads, it relieves the developers from their responsibility. It's not a good use of resources. The developers are responsible for roadways adjacent to their development."

Adams said APS could have solved the problem, too. "The board members could have chosen to provide that access for the schools they approved," he said.



MAP CREATED FOR: HREVELS
ADDRESS: BURN ANNEXATION
LAS CRUCES, NM 88001

ZONING: ETZ JURISDICTION - NO ZONING

PARCEL: 03-17855, 03-08073, 03-08074

DEVELOPER: BOHANNAN HUSTON, INC. FOR NMSU BOARD OF REGENTS

DATE: 12/8/2009 11:46:29 AM SUBDIVISION: N/A



This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (575) 528-3043.

Community Development Department
575 S Alameda Blvd.
Las Cruces, NM 88001
(575) 528-3222

1
2 Bustos: Aye findings, discussion and site visit.

3
4 Scholz: Commissioner Beard.

5
6 Beard: Aye findings and discussions.

7
8 Scholz: And the Chair votes aye. So it's approved 6:0.

Start 9

10 4. **Case S-09-056:** A request for an Annexation Plat approval of 213.0704 ±
11 acres of land into the Corporate Limits of the City of Las Cruces, otherwise
12 known as the Burn Annexation, generally located within one-quarter of
13 Section 14 and Lot 5 and part of Lot 6 of Section 22, Township 23 South,
14 Range 2 East of the U.S.G.L.O Surveys. The subject property is located
15 north of Dripping Springs Road and west of the future extension of Sonoma
16 Ranch Boulevard. Submitted by Bohannon Huston Inc. for New Mexico State
17 University Board of Regents.

18
19 5. **Case S-09-057:** A request for Master Plan approval (as part of an annexation
20 request) for Burn Annexation containing 213.0704 ± acres generally located
21 generally located within one-quarter of Section 14 and Lot 5 and part of Lot 6
22 of Section 22, Township 23 South, Range 2 East of the U.S.G.L.O Surveys.
23 The subject property is located north of Dripping Springs Road and west of
24 the future extension of Sonoma Ranch Boulevard. The master plan proposes
25 land uses for an existing museum (NM Farm and Ranch Museum) and its
26 ancillary agriculture uses, institutional use for a public school (9-12), flood
27 control, and mineral extraction. Submitted by Bohannon Huston Inc. for New
28 Mexico State University Board of Regents.

29
30 6. **Case Z2806:** A request for Initial Zoning, as part of an annexation request
31 known as Burn Annexation, containing 213.0704 ± acres generally located
32 within one-quarter of Section 14 and Lot 5 and part of Lot 6 of Section 22,
33 Township 23 South, Range 2 East of the U.S.G.L.O Surveys. The subject
34 property is located north of Dripping Springs Road and west of the future
35 extension of Sonoma Ranch Boulevard. The initial zoning request includes
36 213.0704 ± acres of PUD (Planned Unit Development). The property is
37 currently located within the Extra-Territorial Zone of Doña Ana County. The
38 subject properties are owned by NMSU Board of Regents and have no
39 current zoning. Submitted by Bohannon Huston Inc. for New Mexico State
40 University Board of Regents.

41
42 Scholz: That brings us to our next item which is actually a triplet and Ms. Revels,
43 how nice to see you.

44

- 1 Revels: Good evening. I would like to also ask for the rules to be suspended so
2 we can hear all the cases at one time and then we'll unsuspend the rules
3 to vote on it.
4
- 5 Scholz: Excellent idea. I'll entertain a motion to suspend the rules so we can
6 discuss S-09-56, -57, and Z2806.
7
- 8 Evans: So moved.
9
- 10 Scholz: Is there a second?
11
- 12 Beard: Second.
13
- 14 Scholz: It's been moved and seconded. All in favor say aye.
15
- 16 ALL COMMISSIONERS - AYE.
17
- 18 Scholz: Those opposed same sign. All right the rules are suspended. Ms. Revels.
19
- 20 Revels: This evening we have the Burn Annexation Case S-09-056 is the
21 annexation plat. Case S-09-057 is the master plan. Case Z2806 is initial
22 zoning. For you this evening is a request for an annexation including the
23 annexation plat, master plan, and initial zoning request of 213 acres of
24 land into the corporate limits of the City of Las Cruces, submitted by
25 Bohannon Huston Inc. for New Mexico State University Board of Regents.
26 Here is a vicinity map of the area that's in question here, it's
27 shaded. This is one of the proposed parcels, this is the second one which
28 is the home of the Farm and Ranch Heritage museum. Right here is
29 where the city limits ends currently. Here's an aerial photograph of the
30 same location here. And here's a map of the MPO Thoroughfare Plan,
31 you can see that this blue solid line here is Dripping Springs Road which is
32 a principal arterial and the dotted blue line here is a proposed principal
33 arterial which will be Sonoma Ranch Boulevard.
34 Case specifics, its 213 acres located north of Dripping Springs
35 Road and west of the future extension of Sonoma Ranch Boulevard. The
36 purpose is to facilitate the construction of a new high school for the Las
37 Cruces school district. The annexation boundaries will also include the
38 New Mexico Farm and Ranch Heritage Museum. The land is owned by
39 New Mexico State University Board of Regents. All utilities to be extended
40 by the Las Cruces Public Schools to this area that is being annexed.
41 Future extension of Sonoma Ranch Boulevard will serve as primary
42 access for the new high school. Right-of-way does not currently exist. A
43 utility easement exists for the area identified as the future extension of
44 Sonoma Ranch Boulevard. We have road improvements. The Las
45 Cruces Public Schools will provide their pro-rata share of improvements to
46 Sonoma Ranch Boulevard which is a principal arterial which will include a

1 half street section, 65-foot wide and any necessary drainage culverts.
2 This will be a two lane road. Improvements to the intersection of Dripping
3 Springs Road and Sonoma Ranch Boulevard to include turn lanes on
4 Dripping Springs Road to be able to access the school. New Mexico State
5 University and Las Cruces Public Schools staff will secure the necessary
6 rights-of-way and utility easements to ensure proper connection of the
7 Dripping Springs Road and Sonoma Ranch Boulevard. Dripping Springs
8 road is currently owned by New Mexico State University and is maintained
9 by Doña Ana County.

10 Case specifics for the master plan and zoning, the entire 213 acres
11 of land will be ... is proposed to be zoned planned unit development which
12 is a PUD to accommodate the diversity of land uses. Currently the land is
13 in the ETZ and has no zone. There are three parcels identified on the
14 master plan, parcel 1a consists of about 84.5 acres and will have
15 institutional uses along with flood control and mineral extraction. Parcel
16 1b will be the site of the new high school and is approximately 71.5 acres.
17 And Parcel 2 is 52 acres and is the home of the New Mexico Farm and
18 Ranch Heritage Museum and also the agricultural uses that go along with
19 the museum, and also flood control.

20 Here's a copy of the annexation plat here. And this is parcel 1a, the
21 exterior here for the mining extraction and flood control. This interior lot
22 here will be the site of the new high school, and this lot down here is
23 already the home of the Farm and Ranch Heritage Museum. Here's the
24 master plan documents showing the outline of the school here. And here
25 is also another document for the master plan which is their utility plan.
26 And this here is showing the drainage and showing the arroyo going
27 through here. Here's a map showing the initial zoning which also outlines
28 the same land uses that I just introduced.

29 Staff recommendation, DRC considered the proposed annexation
30 on December 2nd. DRC recommends conditional approval of the
31 annexation plan and master plan with the following conditions. There are
32 six conditions so I'll read them now into the record and then once we vote
33 we won't have to read them again. Condition one is New Mexico State
34 University and the City of Las Cruces need to secure the necessary
35 easements for right-of-way and other municipal purposes for Sonoma
36 Ranch Boulevard and segments of Dripping Springs Road. The
37 easements need to be secured prior to the City of Las Cruces agreeing to
38 maintain the right-of-way on either side of the aforementioned roads.
39 Number two, at a minimum the City of Las Cruces shall provide a courtesy
40 review of the construction drawings of the necessary roadway and utility
41 improvements to Sonoma Ranch Boulevard and Dripping Springs Road to
42 ensure compliance with City of Las Cruces Design Standards,
43 specification for roadway construction, and all other applicable codes and
44 regulations,. The inspection of the Sonoma Ranch Boulevard will be
45 coordinated between the Las Cruces Public Schools and the City of Las
46 Cruces. Number three, the City of Las Cruces shall review construction

1 drawings for all off-site and on-site utility improvement and shall permit the
2 installation of the necessary utilities in accordance with the City of Las
3 Cruces Design and Utilities Standards. Number four, the City of Las
4 Cruces shall enter into a maintenance agreement with Doña Ana County
5 for Dripping Springs Road from the existing municipal boundaries to the
6 Sonoma Ranch Boulevard and for Sonoma Ranch Boulevard northward
7 along the eastern boundary of the annexed area from Dripping Springs
8 Road. Number five, the Las Cruces Public Schools shall complete a
9 Conditional Letter of Map Revision (CLOMR) for the new high school
10 located west of Sonoma Ranch Boulevard and north of Dripping Springs
11 Road. The Conditional Letter of Map Revision shall be submitted to the
12 City of Las Cruces for review and submittal to the Federal Emergency
13 Management Agency (FEMA) within six months from the date of
14 annexation approval by the Las Cruces City Council. The CLOMR or
15 Conditional Letter of Map Revision shall be followed by a final letter of
16 map revision, which is a LOMR to be submitted to the City of Las Cruces
17 for review and submitted to FEMA which is the Federal Emergency
18 Management Agency after the construction of the high school is complete.
19 And number six, the City of Las Cruces Fire Department will work with the
20 Las Cruces Public Schools to ensure that proper access is available to the
21 site for emergency response services. The City of Las Cruces Fire
22 Department recommends that a paved access road be paved up to the
23 site prior to any vertical construction as well as water in proximity to any
24 vertical construction in accordance with the International Fire Code. And
25 that covers these two slides here.

26 DRC also recommended approval of the initial zoning with the
27 following standard City Council condition that all new utilities be placed
28 underground. Your options here tonight for Case S-09-056 and S-09-057
29 is to approve the annexation plat and master plan with the conditions as
30 commended by staff, approve the annexation plat and master plan with
31 conditions deemed appropriate by this body, or deny this annexation plat
32 and master plan. The Planning and Zoning Commission is a
33 recommending body to City Council and City Council has the final
34 authority on annexation request. The options for Z2806 is to approve the
35 zone change with the standard City Council condition as recommended by
36 staff which is all new utilities will be placed underground, or approve the
37 zone change with conditions deemed appropriate by this body, or deny the
38 zone change. That ends my presentation. I stand for any questions you
39 may have.

40
41 Scholz: Okay, Commissioner Beard.

42
43 Beard: Right now the Heritage Museum, that is state property, it belongs to New
44 Mexico State University?

45
46 Revels: That's correct.

1
2 Beard: Why would they want to deed that over to the city?
3
4 Revels: They are not deeding it over to the city. They're bringing it into the city
5 limits.
6
7 Scholz: Is that what you meant?
8
9 Beard: Well I thought it stayed state property, it wasn't part of the city.
10
11 Rodriguez: Chairman, Commissioner Beard, the site for the New Mexico Farm and
12 Ranch Museum is a state museum on New Mexico State University
13 property. NMSU is the petitioner for annexation. They're wanting to bring
14 that property into the city limits. But there is not any agreement that that
15 property will be transferred to the City of Las Cruces, we're just bringing it
16 into the municipal boundary.
17
18 Beard: Is that very much like what the University is itself?
19
20 Rodriguez: The lands will still be controlled by New Mexico State University, they'll
21 just be lands within the corporate limits of Las Cruces. But the University
22 itself is currently outside of the city limits. But NMSU is seeking to bring
23 this land into the corporate limits of Las Cruces. But it will all still be
24 controlled and maintained by New Mexico State University.
25
26 Beard: So it'll remain state property.
27
28 Rodriguez: It'll remain the lands of New Mexico State University. Just happens to be
29 located within the city limits of Las Cruces.
30
31 Beard: Okay.
32
33 Rodriguez: Which we have ... NMSU has property already located within the city
34 limits.
35
36 Scholz: All right, other questions for Ms. Revels? I have two. Are these
37 annexations contiguous to the current boundaries of the city? In other
38 words they're not islands are they? We're joining them to the city? In
39 effect extending the city boundaries, is that what we're doing?
40
41 Revels: Yes, we are.
42
43 Scholz: Okay, thank you. And when will the Sonoma Ranch be built from Lohman
44 to Dripping Springs Road, oh excuse me, from Lohman to the edge of the
45 high school property?
46

- 1 Rodriguez: Mr. Chairman, Commissioner Scholz, there currently are no development
2 plans to extend Sonoma Ranch from the northern boundary of the
3 annexation to Lohman Avenue at this time. The MPO is currently working
4 to get it on their transportation funding plan, but there is no current
5 development plans to actually formalize that extension at this time.
6
- 7 Scholz: Thank you. Okay, Commissioner Shipley.
8
- 9 Shipley: So what you're basically saying is that even though you're going to build
10 Sonoma Ranch Boulevard it will only have access to Dripping Springs
11 Road? It'll be a city street, 60-foot wide city street that goes only to
12 Dripping Springs Road, a county road?
13
- 14 Rodriguez: Mr. Chairman, Commissioner Shipley that is correct.
15
- 16 Shipley: So there's no two means of egress or ingress from there?
17
- 18 Rodriguez: Mr. Chairman, Commissioner Shipley there are forms of ingress/egress on
19 what is to be defined as Sonoma Ranch to Lohman Avenue. The school
20 district is currently utilizing that for their construction activity, but in terms
21 for public ... as a public thoroughfare that currently doesn't exist. But it is
22 a form that could be used for emergency access if needed.
23
- 24 Shipley: So we're putting a high school out there with up what 4,000 students.
25
- 26 Scholz: 2,000.
27
- 28 Shipley: 2,000 students and they're going to only be able to come down Dripping
29 Springs Road to get access?
30
- 31 Rodriguez: Mr. Chairman, Commissioner Shipley, I'm going to defer that question to
32 Las Cruces Public Schools for the siting of that school.
33
- 34 Scholz: Commissioner Beard.
35
- 36 Beard: When would Missouri extension be incorporated?
37
- 38 Rodriguez: Mr. Chairman, Commissioner Beard there are no plans at this current time
39 to extend Missouri Avenue to connect to Sonoma Ranch Boulevard. It's
40 my understanding working with the MPO that there are plans to see how
41 the extension of Missouri Avenue, the extension of Roadrunner Parkway,
42 and the extension of Sonoma Ranch Boulevard how that will all tie in
43 together, but there are currently no development plans to extend Missouri.
44
- 45 Beard: Thank you.
46

1 Scholz: Okay, any other questions? All right, let's hear from the applicant please.

2
3 Richardson: Thank you Mr. Chairman, Commissioners, my name is Rob Richardson.
4 I'm a senior vice president with Bohannon Huston on behalf of the
5 applicant, New Mexico State University. We have essentially compiled
6 some basic information for you to be able to respond to any questions that
7 may come out in public comment or from you directly and obviously there
8 are some based on conversation that we've had. So I'm going to try to
9 first go through just an update on the conditions associated with the
10 approval and then we can come back to the questions that you may have
11 or may come back with the public because there are several people
12 obviously associated with the project that are here, Mr. Herb Torrez the
13 assistant superintendant from Las Cruces Public Schools is here. Mr.
14 Gary Yabamoto who is the lead architect for the high school project, Fred
15 Aires who's the right-of-way specialist for New Mexico State University,
16 and then we also have technical staff to try to address most of the
17 technical questions that you might have as well. So as we get in to the
18 questions, I'll try to direct those individual questions to probably the most,
19 hopefully the most appropriate person to try to answer them as we go
20 through.

21 As it relates the conditions that staff has put forward, I just wanted
22 to update you individually on each of those. Item one speaks to the need
23 to acquire the easements associated with the right-of-way for both
24 Dripping Springs and Sonoma Ranch Boulevard and those particular
25 easements in question are the ones associated with New Mexico State
26 University property, BLM property along the eastern boundary of the high
27 school parcel itself where Sonoma Ranch is to be built. Because it is
28 property owned by New Mexico State University it cannot be conveyed as
29 a dedicated right-of-way it must be done by easement. So the condition
30 that staff has put on the annexation is that those easements be acquired
31 before any maintenance of the roadways be put in place or maintenance
32 by the city be taken over. So that applies to the piece that's being built as
33 part of Sonoma Ranch and also this portion that's just on the southern
34 boundary of the Farm and Ranch piece as well.

35 Commissioner Shipley you spoke ... made reference to the fact
36 that Sonoma is actually going to connect to Dripping Springs which in that
37 particular location of the intersection will be a county road and that was
38 the reason necessitated for condition number four which is the
39 maintenance agreement between the City of Las Cruces and Doña Ana
40 County. The city and the county's preference as we understand it is that
41 maintenance from the intersection all the way back to existing city limits
42 which is essentially right here, all be by one entity, and the city has offered
43 to coordinate that in a memorandum of understanding with Doña Ana
44 County. And that's why the condition's been placed on it. So that we don't
45 have the situation where the county is responsible for one piece, then the
46 city's responsible for one, and then the county's responsible for another

1 one. So that's the reason for condition number four. It is not NMSU's, as
2 applicant's position to be able to be a party of that memorandum of
3 understanding, but we're certainly prepared to support both the county and
4 the city in getting that memorandum in place.

5 Condition number two, essentially says provide a courtesy review
6 of construction drawings for Sonoma Ranch and Dripping Springs; that
7 has always been our intention. The city has been throughout the two
8 years that we've been working on the project been a part of the overall
9 selection process for the school site and all of the associated engineering
10 and technical activities that we've been doing to date, and we will certainly
11 continue to do that. The same is true for the off-site and on-site utilities for
12 the facility. We've been in dialogue with city utilities for about nine months
13 now I guess as we've gone through design process in making those
14 connections and getting extensions of utilities needed to actually support
15 the school done. Those include the extension of low pressure
16 intermediate gas from the existing city limits up Dripping Springs Road
17 and into the school site. They include an extension of the sanitary sewer
18 through the Farm and Ranch Museum site property into the school site via
19 this BLM parcel here to the north and then into the school site parcel itself.
20 So, safe to say city utilities has been a major part of the planning process
21 as we've gone through and we'll obviously continue to do that.

22 The conditional letter of map revision to be submitted to FEMA was
23 always a requirement that we knew was going to have to be met. As you
24 look at the drainage master plan and the existing zones that the FEMA
25 map have identified within the project area, there are several inaccuracies
26 in the map. It's never actually been studied, it's only been projected as
27 part of an extension of known arroyos. So there hasn't been a complete
28 study of the paths to date and that's the purpose of the conditional letter of
29 map revision is to actually formalize that study and set these drainage
30 boundaries if you will, the dark areas, in the proper locations as they relate
31 to existing flow rates and also the new construction of the school site. So
32 that condition is one that we knew we were going to have to do at some
33 point any way. City staff's concern was that because the school won't be
34 open until 2011 they wanted it done faster than that. We agreed to the
35 condition of submitting it within six months of the annexation so that we
36 could actually hopefully have the conditional letter in place by the end of
37 calendar year 2010. And then the final to follow-up as part of construction.

38 And the last condition relative to the fire department and proper
39 access is obviously one that needs to be taking place throughout the life of
40 the facility. The project is under construction right now and the fire
41 department has been actively discussing with the general contractor
42 access to the site to make sure that emergency vehicles can get there
43 under any weather condition that we might be faced with.

44 With that I'll stand for questions.
45

- 1 Scholz: Okay, questions for this gentleman? Okay, I have one. Since the site is
2 already being developed, why the delay on the arroyo map? In other
3 words since we're already doing construction, we're scraping the site,
4 leveling it, that sort of thing, why are we you know six months behind on
5 the arroyo map?
6
- 7 Richardson: Well we have initially developed the grading concepts associated with it.
8 The requirement to update the FEMA map comes from the need to be
9 able to occupy the facility and because the timeline essentially for
10 construction is as long as it is, and the contracting method that we're using
11 utilizes a construction manager at risk, the development packages have
12 been incremental. And the rough grading associated with the site was the
13 first package that went in, so we essentially have established the base
14 requirements associated with revising the flood plains but we haven't
15 finished that particular component of the work until we actually get the final
16 design requirement and grading associated with the site done, which we're
17 working on right now.
18
- 19 Scholz: Well I'm wondering how you can do this without knowing where the
20 arroyo's are.
21
- 22 Richardson: It's not that we don't know where they are. We definitely do know where
23 they are. That definition has been made through our rough grading
24 package, but we haven't formalized the letter of map revision
25 documentation that FEMA requires in order to be able to submit that
26 package yet. It's a matter of formalizing the information that we have to be
27 able to submit it to them.
28
- 29 Scholz: Okay. Thank you. Other questions? Yes, Commissioner Shipley.
30
- 31 Shipley: You mentioned that there was a requirement to take the sewer through the
32 Farm and Ranch Museum and through the BLM land. Do you have an
33 MOU with BLM on using that land for a sewer to go to the school?
34
- 35 Richardson: We have made application to BLM for that permit. It is under review right
36 now. Similar to our discussions with city utilities about how to make the
37 connections for sanitary sewer and other utilities, BLM has been a part of
38 the conversation for the past nine months. We had a couple of alternate
39 alignments that we actually considered as part of how to get into the
40 facility to make that sanitary sewer connection. So that permit's under
41 review right at the moment. And every indication we have from BLM at
42 this point is that they will permit that installation.
43
- 44 Shipley: But it's a city ... it will be a city ... in other words the sewer line is city's
45 property, correct?
46

- 1 Richardson: The sewer line will become a part of the city system. The application to
2 BLM was made by the City of Las Cruces.
3
- 4 Scholz: All right, other questions for this gentleman?
5
- 6 Shipley: I guess the road bothers me and that was as I said earlier. You've got 60-
7 foot access, so just two lane road for 2,000 students and staff to go to the
8 high school and you don't have any means ... it's one way in, one way out,
9 that's all. So if anything happens to block that road, again we don't have
10 any ... you know we don't have any safety, we don't have any backup for
11 that. Is that correct?
12
- 13 Richardson: Commissioner Shipley, that is correct. It is a single access point to
14 Dripping Springs Road and access to the high school site. Until such time
15 that Sonoma Ranch Boulevard gets constructed from Lohman Avenue to
16 the north boundary of the school site. The school's commitment is to build
17 their share of the 130-foot right-of-way all the way to the north end of the
18 property. But in effect it will be single access, that's correct. We've gone
19 through and I'll introduce Bert Thomas at this point, he's the head of our
20 traffic and transportation department and he can summarize the findings
21 of the traffic impact study that we've submitted to the city for review.
22
- 23 Thomas: Chairman, Commissioners, my name is Bert Thomas, senior vice
24 president at Bohannon Huston in charge of the traffic and transportation
25 department. We have completed a traffic impact study and I will go
26 through and briefly summarize what we have analyzed and then stand for
27 any questions that you might have.
28 In the traffic impact study we did take a look at the access points
29 that are required to support the development. The intersection that is of
30 probably the biggest concern is the one at Dripping Springs and the new
31 Sonoma Ranch connection. That intersection is going to have about 630
32 vehicles turning left, going eastbound, turning left to northbound
33 competing against the morning traffic of the through traffic of about 450
34 vehicles that are going to be going through here. Those are traffic
35 volumes that are estimated by the year 2015, which means the school will
36 be fully developed, 2,000 students, and the traffic growth along Dripping
37 Springs would be increasing about 10% per year between now and the
38 year 2015. So, those are some conservative numbness. And in analyzing
39 that we have identified that that intersection can operate at an acceptable
40 level as a service. We do feel that the improvements are going to be
41 needed to that intersection to widen Dripping Springs, to allow through
42 movements to have two lanes westbound, and we are also going to widen
43 it to allow for the left turn and right turn vehicles to have their own
44 separate lane to get them out of the way of through traffic. During the
45 initial stages of the school as its being built up over the next four years
46 from the time it opens in 2011 until it's completely occupied in 2015 with

1 2,000 students, that intersection can operate as an unsignalized
2 intersection. However, we do recommend that that intersection become
3 signalized at some time in the future and that intersection will need to be
4 monitored so when it's meets those warrants that signal does get installed.

5 I will come back to the configuration, but what I wanted to talk a
6 little bit about is the summary or the highlights of the traffic impact study.
7 We estimated the site generated traffic volumes based on the Institute of
8 Transportation Engineer's generation rate manual. We also felt that that
9 rate manual even though it's a national document that is accepted, really
10 doesn't take into consideration the site that this school will be at. There's
11 probably going to be a lot more vehicles traveling to this school than what
12 you would see in a downtown area. So we increased those trip generation
13 rates by 20% to be conservative and to make sure that we are really
14 taking a look at what we think might actually occur at this location. We
15 then determined the distribution of how traffic is going to get from their
16 homes to the site or from this site back to their homes and estimated it by
17 using the approximate school boundaries that will be served by this
18 school. We don't have the actual boundaries, but using that we've
19 identified that about 95% of the traffic is going to ... 96% of the traffic is
20 going to be coming from the west and 4% is going to be coming from the
21 east. If you actually look at the socioeconomic data set for that boundary
22 it was a bigger difference, it was actually only 1% coming from the east,
23 yeah, excuse me, coming from the east, and 99% coming from the west.
24 So we actually changed it a little bit so we could get a more conservative
25 approach about the turning vehicles to make sure that we had that
26 accommodated.

27 As I said, the intersection operates at an acceptable level of service
28 in the 2015 as an unsignalized intersection. The biggest delay is going to
29 be the southbound left, 13 vehicles are expected to come out of the school
30 site and want to make a left turn from southbound back to eastbound. The
31 delays for those 13 vehicles is going to be pretty significant as an
32 unsignalized intersection, but compared to the thousand of vehicles that
33 are making the other movements, that's a real small percentage. So it will
34 operate unsignalized. However, we have made recommendation for
35 improvements. Rob Richardson talked a little bit about the realignment of
36 the intersection and the placement of the intersection. In addition to that,
37 we're building the 3,000 foot of Sonoma Ranch to provide access up to the
38 school. We are going to be widening Dripping Springs as I mentioned
39 earlier to allow two through lanes westbound and all the turn lanes for
40 each of the movements in every direction. And the intersection will be
41 monitored and a signal will be installed when warranted.

42 This is a little hard to read but it does show you the proposed
43 improvements. You can see the turn, the existing turn coming around
44 here, we will be widening out to allow for a left turn movement into the
45 recreational facility, a right turn movement into the school access road,
46 and this lane on this approach here will actually be two lanes which will

1 allow for through traffic to get through, it'll also allow a right turn lane
2 vehicle coming out of the school to have acceleration distance before it
3 has to merge into the one lane traffic and meet back to existing conditions.

4 Going eastbound, again the widening will occur to allow left turn
5 movement for traffic going into the school. We've estimated that during
6 the unsignalized portion of this intersection that left turn could have as
7 much cueing as 222 feet. We've designed that cueing lane to be 450 feet
8 to be conservative and to allow for deceleration and traffic to get out of the
9 through traffic to do that deceleration in additional to the que length.
10 Hopefully I've high the highlights. If there's any additional questions that
11 you have, I'll stand for those questions at this time.

12
13 Scholz: Commissioner Crane.

14
15 Crane: Recreational facility you mentioned, nothing to do with the school, it's the
16 access to A-mountain parking?

17
18 Thomas: There's an existing recreational facility to the south that actually has
19 access right here, you can see the road, and what we're doing is
20 modifying the access so it accesses dripping springs at the same location
21 as the school access road. That will provide safer movements and not
22 have any conflicts within a close proximity of the proposed intersection,
23 and then we'll tie back to the existing road to allow access into that
24 recreational facility. I believe that's a county maintained recreational.

25
26 Crane: This is in no way part of the high school facilities?

27
28 Thomas: No.

29
30 Crane: Thank you.

31
32 Scholz: Okay, Commissioner Shipley, no, okay. I have a couple of questions.
33 Your trip generation figures, if we have 2,000 students enrolled, how many
34 of those students would drive cars?

35
36 Thomas: If you use the standard trip generation rate, it assumes about 40% of
37 those students will be driving cars. We're estimating ...

38
39 Scholz: So that's 800 cars.

40
41 Thomas: Yes.

42
43 Scholz: Okay. And how many buses?

44
45 Thomas: Right now the buses usually estimated to be about ... to carry 60% of the
46 students.

1
2 Scholz: Yes.
3
4 Thomas: And so with that you're looking probably at about 100 to 150 buses
5 maximum. I don't know what the school district has anticipated at this
6 time.
7
8 Scholz: Okay. And how many staff members on that site?
9
10 Thomas: I don't know the number of staff members. Again the ITE trip generation
11 when they give me a rate for school it's based on the number of students
12 and it assumes buses, it assumes staff, and it assumes students that are
13 driving to school.
14
15 Scholz: Okay but you told me it was only 600 cars total.
16
17 Thomas: Let me get the ...
18
19 Scholz: We're already at 800 with the students.
20
21 Thomas: The 600 was the left turns in. Let me get you the numbers that I have.
22
23 Scholz: Well I think they'll all have to make left turns in order to get in there since
24 there's no other road.
25
26 Thomas: Trip generation for a 2,000 student school site identifies that in the a.m.
27 peak there will be 685 entering, 323 exiting. In the p.m. peak there will be
28 for the p.m. peak school when the school lets out, there will be 466 exiting
29 the school, 230 entering. And that should accommodate the students, the
30 buses, and the staff.
31
32 Crane: If I may Mr. Chairman?
33
34 Scholz: Yes, Commissioner Crane.
35
36 Crane: What period of time is that 600, that 400, those numbers you gave us?
37
38 Thomas: The a.m. peak is during the typical a.m. peak whenever people are going
39 to work at the same time that school is actually getting their students,
40 students are arriving at school.
41
42 Crane: Well are you looking at one hour window or 15 minute window or what?
43
44 Thomas: It's a one hour peak period and it evaluates in 15 minute intervals, but it's
45 a total hour combined.
46

- 1 Crane: Thank you.
2
- 3 Thomas: The p.m. peak numbers that I gave you are when the school is letting out
4 which is at a different time period than the peak period of the business
5 commuters. If you look at the people that are estimated to be using the
6 school facility during the p.m. peak or the business it's 147 entering, 165
7 exiting. So there is still some activity going on at the school after school
8 hours, but it's usually a much lesser rate than when school is actually let
9 out.
10
- 11 Scholz: Other questions for this gentleman? Commissioner Beard.
12
- 13 Beard: Quick calculation on the parking lots, it looks like you have about 900
14 parking lots.
15
- 16 Scholz: Parking spaces you mean.
17
- 18 Beard: Parking spaces, yes.
19
- 20 Thomas: Because it is entering and exiting traffic, some of those are actually people
21 like the buses come in and then they leave. Some of them are parents
22 that are dropping their kids off and then leave, so not all the 900 are
23 required to have their own parking spaces. But if I could I'd like to allow
24 Gary to come up and maybe give a quick summary of the school site.
25
- 26 Yabumoto: Mr. Chairman, Commissioner for the record I'm Gary Yabumoto with ASA
27 Architects. And I am the architect of record on this. The traffic or I'm sorry
28 the number of parking spaces is predicated number one on allowable
29 state standards as what they require, there's a ratio between the number
30 of students that you have. We elected to actually initially include more
31 than what was allowable by the state standards because of the intention to
32 have adequate parking for after hour events. Let's say if you have a
33 basketball game. Also, the entire thrust of this school is as a community
34 hub since there's not that many activities localized in that quadrant of the
35 city, so we had a certain amount of overage that for example at the
36 entrances you would have an overage of parking that was available for
37 visitors so they don't have to go back into the student parking area and
38 that was in order to go ahead and supplement parking for after school
39 hour activities that are community outreach programs, programs for that
40 maybe even the community college may want to put on, but some of the
41 activities, some of the school is lending itself to operating after hours. We
42 did it more as a convenience and as a safety issue to get the parking
43 closer to the facility so they wouldn't actually have to walk so far. The
44 initial parking counts on this are going to be more like in the order of like
45 400 that were initially going to be funded and then depending on the
46 usage and the actual uses that we see, there are also additional. So the

- 1 amount of parking that we're showing right now is the ultimate build out. It
2 is not necessarily what we'll start out with, which we're pretty much like I
3 said mandated by state regulation as to how many parking spaces that we
4 can provide. And I'll stand for questions.
5
- 6 Scholz: Questions for the architect? I just have one. What's the size of the
7 stadium? There's a stadium there isn't there or is that just a ...?
8
- 9 Yabumoto: No that's not. That is actually just a practice football field and that's also
10 mainly used for PE, but no games are played here, they're all played at
11 the Field of Dreams.
12
- 13 Scholz: Okay.
14
- 15 Yabumoto: What you may do is on the weekends you may have a JV game. Because
16 JV's tend to go ahead and play at their high schools. But any major
17 games, any major baseball games, soccer, any of that gets played at the
18 Field of Dreams on a varsity level. So we don't anticipate. The only thing
19 that we do have varsities for is like basketball is a big draw and that is
20 another reason that we had added additional parking is to compensate
21 that without having to have people wondering all over the site looking for
22 parking spaces.
23
- 24 Scholz: Okay. And how many people would be accommodated in the gym for the
25 basketball games?
26
- 27 Yabumoto: Here again that's regulated by state standard, we're required to have one
28 and half times the population, so actually the gym will hold up to 3,000
29 people.
30
- 31 Scholz: Thank you.
32
- 33 Yabumoto: Any other questions? Thank you.
34
- 35 Scholz: Okay, is there anyone else from your side, the applicant, who wants to
36 present? No, okay. Anyone from the public wish to comment on this?
37
- 38 Binns: My name is Eddie Binns. And I happen to be a tax payer here on Doña
39 Ana County.
40
- 41 Scholz: I think you're losing your grip there Mr. Binns, you got it, okay.
42
- 43 Binns: Got it, okay. Can you hear me now?
44
- 45 Scholz: Oh yes, no problem.
46

1 Binns: Thank you. Commented on one of the tax payers here in the community
2 and as a result of that I would strongly recommend and support the
3 annexation because the millions of dollars of gross receipts tax that the
4 city is going to derive off of this once it's in the city limits may soften the
5 tax burden for you and I. So that we do need the tax base to come into
6 the city. That's enough to justify the annexation in itself. I do have a
7 couple of concerns, I am a property owner in the immediate area, want
8 you to recognize that, so I do have an interest as to what goes on. But it
9 also gives me the ability to recognize the traffic that's taking place on
10 Dripping Springs Road. I had a couple of recommendations that I was
11 visiting with the development staff on and one of them was to explore
12 bringing Sonoma Ranch Road in to intersect Dripping Springs Road in a
13 perpendicular direction. Right now it's coming in at a slightly obscure
14 angle and it is not entering perpendicular. Perpendicular intersection is
15 going to be a lot safer. It would mean a little hook it in and university has
16 land there to accomplish that. I think it would make a safer intersection to
17 do so.

18 The other one, you guys have been part of our community for a
19 long time, just as I have and unfortunately we put in traffic lights at the
20 appropriate intersections at the appropriate time after someone's got
21 killed. And it's unfortunate that that's our system too much the time. I
22 would strongly recommend that we look at getting some traffic control in
23 there as early as possible. You look at Dripping Springs Road and the
24 traffic that's coming down that road from the mountains at about 45 miles
25 an hour and it comes around the toe of the mountain and is entering a
26 busy intersection. It's possible to put in a street light system that is
27 activated by sensors when it is needed. So that there's not an
28 inconvenience to the people on Dripping Springs Road, but it does come
29 into play with flashing lights at the time it is needed and it is functioning
30 during the school hours as needed. And I'd like to see that go in before
31 someone gets killed there and we find that it's necessary. It is something
32 that I'm sure we can find some money somewhere to get a traffic light in
33 there and can be controlled in the appropriate manner and try to bring that
34 around in a perpendicular direction. There was some discussion about
35 secondary access. At this time you guys may have drove Sonoma Ranch
36 Road to Lohman. It is passable. It's not the best road, but it wouldn't take
37 too much to give you a secondary access with a little water and a little
38 grading and it could serve as a secondary backup access for fire if there
39 happen to be an emergency that closed off the primary intersection. It is
40 something that could be done reasonably inexpensive if it's nothing more
41 than a hard surface graded road that was wet down and some
42 maintenance from that end of it. So there are options from that end of it.
43 But anyway, I strongly encourage and support the annexation, if nothing
44 more to justify the tax base that this is going to put within the city confers.
45 Thank you.

46

1 Scholz: Thank you Mr. Binns. Anyone else from the public wish to speak to this?
2 Yes, sir.
3

4 Gamal: I am Gerald Gamal. I live in Talavera. I haven't lived in this county for a
5 very long time, but there are lots of people who live in Talavera who would
6 say that same thing. We are very concerned, many of us, about the fact
7 that while there is so much attention being paid here to turning off Sonoma
8 Ranch and onto the Dripping Springs or vis versa, it sounds listening to
9 this as though there isn't anybody in Talavera. Well there are quite a
10 number of people and we're very concerned that we'll be spending two
11 hours on the road each morning to get to work or get into a dental office
12 as I was this morning. And also there are quite a number of children and
13 teenagers who live in Talavera and they are already spending, at least for
14 those who go to Las Cruces High School, they're already spending an
15 hour to an hour and a half each way on the bus. With the tremendous
16 traffic snarl at this intersection that we foresee happening without the road
17 beyond being also expanded, it sounds like the four lanes end at Sonoma
18 Ranch, without that happening, you're going to see maybe instead of three
19 hours on the bus for these kids, maybe five.

20 The other concern that we have in Talavera is that it seems as
21 though there isn't very much attention being paid to the necessity to
22 provide a freewheeling approach to and descent from Talavera for
23 emergency vehicles. And we would hope that that would be addressed in
24 this situation as well.
25

26 Scholz: Thank you sir. Anyone else? Okay, I have a question for someone from
27 Las Cruces Public Schools, is Talavera part of the Las Cruces Public
28 School district? It is. Thank you very much. And what elementary and
29 junior high schools serve that area? Would you come up to the
30 microphone sir?
31

32 Torrez: Mr. Chairman, members of the Commission, my name is Herb Torrez. I'm
33 the associate superintendant for operations with Las Cruces Public
34 Schools. Currently Talavera is a part of the Las Cruces Public School
35 district. And currently the middle school and that area is being served as
36 far as high school students, Las Cruces High, but we also have middle
37 school students being served by Zia Middle School, and some of that area
38 is also being served, because we have a part of the piece of Las Alturas
39 that is served by both Zia and by Lynn Middle School. And then the
40 elementary school that services that area are both University Hills and
41 Hillrise. And we also have gone through a ... we have some of those
42 students as well off of Las Alturas as being served as far as elementary
43 schools over at Tombaugh Elementary. The district is just completed a
44 redistricting. As a matter of fact tonight we have a school board meeting
45 that is going on as we conduct this meeting.
46

- 1 Scholz: Right, as a matter of fact it's usurping our TV time. We're very upset
2 about that.
3
- 4 Torrez: Yeah, I don't know how that happens.
5
- 6 Scholz: Not your fault.
7
- 8 Torrez: At that meeting tonight the board is approving the redistricting plan that
9 the district has been working on for approximately the last 2-3 months for
10 the new middle school and the new elementary school. Now although
11 those two schools are on the East Mesa, the district took a rather
12 significant and proactive approach in redistricting and actually took the
13 redistricting effort all the way from the east to the west side of the district
14 and affected 14 different elementary schools in order to balance the
15 schools in order to create better populations as far as size of elementary
16 schools and middle schools. And so we see a significant reduction of
17 students, particularly at the middle schools because of the new middle
18 school that's coming on board for any kids that are coming out of this area
19 whether they be going into the Zia Middle School or whether they may be
20 going to Lynn Middle School which would be the areas ... the closest in
21 proximity to this school.
22
- 23 Scholz: But no one from these areas are going to go to any of the new schools,
24 right?
25
- 26 Torrez: That's correct. At this particular time they're not going to be part of that
27 school.
28
- 29 Scholz: And was there any movement on the redistricting for the new high school?
30
- 31 Torrez: Actually it was tough enough to take on the elementary school and the
32 middle school at one time and so we didn't want to take on the high school
33 at the same time. That'll be a creature of its own. And because it's
34 delayed by, because it's a year later than what we're going to be opening
35 the elementary and the middle school; elementary school will be opening
36 in August 2010, this coming August. And the middle school is also
37 scheduled to open at that same time. That's why we needed to redistrict
38 those particular schools. Now the schools ... the redistricting effort has
39 now created a feeder zone or feeder pattern into those middle schools
40 from those elementary schools. Our intent is to create the same feeder
41 pattern from those middle schools into the four comprehensive high
42 schools that will exist and that activity will start taking place in the spring,
43 so that we'll be ready in the fall of 2011 when this high school opens up.
44
- 45 Scholz: I have one other question, but I know some of my colleagues have
46 questions, Commissioner Crane.

- 1
2 Crane: What is the location of the new middle and elementary schools that are
3 going to serve this area? Or perhaps I misunderstood you, is the district
4 contemplating a new middle school and a new elementary school to take
5 the pressure ... take students from Talavera and this corner of Las
6 Cruces?
7
- 8 Torrez: Actually the new middle school and the new elementary school are off of
9 the east side of town, off of highway 70, off of Peachtree and Jornada.
10 And because of the redistricting plan that we just put into ... that is being
11 approved tonight, each of those elementary schools and middle schools
12 including the ones that serve this area have been relieved of significant
13 number of students so that the numbers actually and I'll give you an
14 example, right now our biggest mid school is Camino Real which has
15 about approximately a little over 1,000 students in it. When the
16 redistricting effort is completed for the new elementary and the new mid
17 schools, Camino Real will drop to a population of approximately 600
18 students. And that's because these students are the middle school level
19 will be more evenly distributed as a result of this redistricting plan. So the
20 same will happen with Zia and the same will happen with Lynn Middle
21 School. Their range of students will be closer to about 600, 650 and that
22 projection takes us out to the school year 2018, 2019.
23
- 24 Crane: Thank you.
25
- 26 Scholz: Okay, I had one other question and I've lost it here. Hold on just a
27 moment. Yes, if the annexation is not approved, are you going to go
28 ahead and build the high school anyway?
29
- 30 Torrez: It's being built.
31
- 32 Scholz: That's what I thought. Okay. I guess I didn't need to ask that question did
33 I? You want a second bite at the apple Mr. Binns?
34
- 35 Binns: Yes, Eddie Binns again. Second bite at the apple as you say, I would like
36 to point out for the council for future activity, the tract of land immediately
37 east of the school, it is very light color as you see on the map, is part of
38 my real estate investments. That property does carry an ETZ zoning land
39 use of industrial. It has been used as a sand, gravel, asphalt, production.
40 Many types of industrial activities have been used on that land for the last
41 50 years. So it does have a grandfathered land use there and I don't have
42 any immediate plans of what to do with the land, but whatever does come
43 in would probably be better than what it currently exists. So, I do want to
44 point that out so if I came in here and wanted to do some playing over
45 there, it would be an improvement from what's there today. And make you
46 aware that that does carry industrial zoning through the ETZ and has for

1 the last 50 years. That is something that I wanted to put in the record so
2 that you could keep that in mind. Thank you.

3
4 Scholz: Thank you Mr. Binns. Okay I'm going to close this to public discussion.
5 Gentlemen? Commissioner Shipley.

6
7 Shipley: I would just like to make some comments.

8
9 Scholz: Please do.

10
11 Shipley: One, in my estimation this is a form of spot zoning. Even though we're
12 doing an annexation and bringing it into the city. We've got a facility that's
13 out ... basically out in the nowhere and as they said initially they've
14 allotted more traffic 40% or so, or 20% more because of the fact that
15 people are going to drive there because it's not ... it can't be served by
16 bus right now, city buses or whatever, even though it's a public high
17 school, a city high school. What really troubles me about that is that
18 number one the infrastructure should be there to support that high school
19 and that means adequate road access ... it shouldn't be half a road it
20 should be the full road should be built. The intersection should be the
21 completed thing like it's going to be ... like it needs to be 10 or 15 years
22 from now. The other thing is the traffic study that you showed me tonight
23 didn't show me anything that affects down to University. As you get down
24 to University you're going to have kids now coming through neighborhoods
25 where there's not a problem today and those kids are going to be ...
26 you're going to have all the citizens that live in those areas from University
27 back are going to be complaining about kids driving through their
28 neighborhood, racing through their neighborhood. They're going to want
29 speed bumps. They're going to want all kinds of other things because we
30 really haven't done this the way it should've been done. This road,
31 Dripping Springs Road should be completed to its ultimate standards right
32 now and it ought to be, if it needs to be a four lane, you ought to build a
33 four lane. And you ought to say you know that's what the cost of doing
34 business in this city is. We don't do things half way, we do them the right
35 way. And as I see it right now this does not meet ... I mean I'm just
36 appalled that we would even put this out here for the public to see and say
37 that this is a good plan. It is not a good plan. It's a deficit plan. And as
38 Mr. Binns said we're going to wait till somebody gets killed, I don't want
39 that. I want a signal there from the very beginning. And I don't want to
40 have all the people that live out in the county coming to us and saying
41 what are you guys thinking. We're supposed to be the leaders of this
42 community and we're supposed to set the standard. And the bar is pretty
43 low the way I see it right now. And I think that this plan needs to be up
44 graded. Sonoma Ranch Boulevard needs to be widened to its full access
45 point and Dripping Springs Road needs to be brought up to standards for
46 the city. The road all the way in to where it meets the city limits now

1 should be straightened out and four lanes if it's necessary, and let's do it
2 right. And let's not fool around with this stuff, because ... I mean, this is,
3 we've got all kinds of land, we've got all kinds of space, we've got all kinds
4 of things, let's do something right and do it you know first class and make
5 this something you can say that when we built this we built it right and we
6 don't have to go back in two years or five years and rebuilt it again and do
7 it over again.

8 The thing that I look at around town and I heard somebody told me
9 the other day, I made a comment about the existing Sonoma Ranch
10 Boulevard from Lohman down to Highway 70 and we've still got a place
11 there that hasn't been completed and it's got road barriers up and you
12 have to switch lanes to go over it. Somebody's going to get killed there
13 and we're going to be saying the same thing that we're saying right here
14 tonight. We should complete that. The city should get in line, pave it,
15 finish it, put the street lights in, make it the way it's supposed to be and
16 have a completed project. This should be exactly that same way in my
17 opinion. And I'm not pleased with this design. I think ... I know we need
18 the school and I want the school, and I want it to be in the city because it
19 has to be in the city. And as Mr. Binns said it needs to be ... I'm not
20 interested in tax revenue, I'm interested in something right so the citizens
21 that we represent get what they're paying for. We spend their dollars
22 wisely. We don't cut corners now and have to come back five years from
23 now and say well we really should've done this so let's do it again. And it's
24 going to be four times as expensive in five or 10 years from now. So, in
25 my opinion I'm not going to be very ... I'm not happy with what I see. I'd
26 like to see corrections made. I think the annexation needs to go through.
27 I know it does. But I think we need to do it right and we need to do the
28 infrastructure right and doing it half way is not right.

29
30 Scholz: Commissioner Beard.

31
32 Beard: One of the problems Commissioner Shipley is the MPO. The MPO has
33 established nodes in which they see growth and expansion within the
34 county and the city. It turns out that Talavera is not part of that node. It is
35 not in their plan for expansion. And in that node they're identifying what
36 the access roads would be, where the industry would be, where the living
37 would be, all of the infrastructure required including, and the schools. I
38 think that this area should be a node within the MPO so that these things
39 can be addressed all together.

40
41 Scholz: Someone else? Commissioner Evans.

42
43 Evans: Yes. I'm in favor of looking out in the future and saying you know we're
44 going to need some additional infrastructure you know let's go ahead and
45 build it out. But the problem is you know you don't know what the growth
46 projections are really going to be, you know or what it's going to be like in

1 10 to 20 years, especially out in that part of the city. And I'm not sure if or
2 I think what was presented is they were looking out to 2015 which is in five
3 years. I'm not so sure that's not a bad approach in evaluating it at that
4 time in putting in the additional infrastructure if required. You know it
5 probably will require it, but at that point there will probably be additional
6 build up out there by the developers which they're going to have to put that
7 in you know if they do choose to develop that area along Dripping Springs
8 Road. So I think going out to 2015 is a reasonable approach in going
9 forward with this.

10
11 Beard: I'd go to the year 40 actually.

12
13 Evans: Well but I mean you're going to put in a five lane you know or six lane or
14 eight lane road to accommodate when Talavera gets built out all the way
15 to the Organs?

16
17 Beard: No, no but you're going to have a plan that says that some day that that
18 will happen.

19
20 Evans: Well I'm not so sure it will happen. You know maybe it will but we won't be
21 around. But I mean we're projecting stuff out that's very difficult to do and
22 I think a five year approach is reasonable.

23
24 Beard: Well right now everybody's working independent. The school district is
25 doing their thing and nobody else is doing their thing to support it and we
26 need to get that MPO together, have it make a node out there so that the
27 high school, the middle schools, and the grade schools, the city, the fire
28 departments, all that support is all worked together and right now it's not.

29
30 Shipley: May I ask, was the traffic study that we talked about points, but it was just
31 basically those points turning in and out of the school. Did you look at
32 traffic down on University, down through there off of Dripping Springs
33 Road, when you get down to Telshor and that?

34
35 Scholz: Let's bring Mr. Thomas back.

36
37 Thomas: Chairman, Commissioners, in the traffic impact study we identified the
38 intersections that had the most relevant impact from the proposed
39 improvements. So our formal traffic study that was submitted to the city
40 did not include anything beyond those intersections that I identified. We
41 have taken a look at the traffic model. We have modeling capabilities
42 within our company and we took the MPO's model and tried to identify
43 what the growth patterns would be in the next 20 years. We tried to
44 actually put in some of the links that were required or that you guys were
45 discussing earlier tonight about connecting all the way up to Lohman with
46 Sonoma Ranch. And there is going to be a significant amount of

1 transportation investment not only for Dripping Springs and for Sonoma
2 Ranch, but a lot of the other traffic networks to handle the amount of traffic
3 that's coming off of the East Mesa area right now. East Mesa is
4 developing at a high rate. The existing transportation network is fairly
5 constrained in that area and there is pent up demand for the traffic that
6 wants to get from the East Mesa area to New Mexico State University and
7 to the downtown area. If you were to make a connection of Sonoma
8 Ranch up to Lohman and allow that traffic that's coming from East Mesa to
9 have an alternate route, they would go from the routes they're using now
10 Lohman, U.S. 70, the interstate, they would come off of those routes and
11 come onto a route that has less obstruction and less traffic. The amount
12 of traffic that would end up coming onto Dripping Springs from that
13 Sonoma Ranch connection would overwhelm the Dripping Springs, even if
14 it was a four lane facility unless other transportation networks were
15 developed. That's the reason that the MPO planning is necessary. I
16 agree with the Commissioner when he says that the MPO needs to take a
17 look at the transportation network that's required over the next 20 years,
18 and they need to develop a long range plan that's going to look at
19 improvements that are needed to the transportation facilities and when
20 those improvements are needed so we can program so that the public
21 whether it be the state, the city, or federal dollars get programmed at the
22 appropriate times to handle the anticipated growth. That needs to be
23 updated every three to five years and the MPO does that planning process
24 every three to five years to keep their long range transportation plan
25 complete. And I think they could answer a lot of those questions in terms
26 of what the overall transportation demands and improvements will be
27 needed to support not only this development but other development that
28 anticipated in this area and in the metropolitan area.

29
30 Scholz: Okay, does that answer your question?

31
32 Shipley: I know that ... I live off of Sonoma Ranch Boulevard and I know that since
33 they've opened the Sonoma Ranch Boulevard up to Lohman that for
34 example used to be to get in Sonoma Ranch you had to go down
35 Roadrunner to Golf Club Road and turn right. And everybody that lived
36 along that road used to complain and the police used to set up speed
37 traps through there and that. Since they've opened up Sonoma Ranch all
38 the way out to 70 now, the traffic down there is probably about 10% of
39 what it was. In fact, you can go through there and I know people that live
40 in Sonoma Ranch now that haven't been on Golf Club Road in months
41 because it's much easier and much quicker with two access points or
42 three access points along Sonoma Ranch to get in there. And the point of
43 doing this is that right now everything that's coming that's going to be in
44 two or three years and there was something I read in the paper that said
45 there's a possibility that Las Cruces High School may close for renovation
46 for something and the students be shipped out there. That was, it may be

1 a rumor or whatever, but it made my hair stand on end because we're
2 looking at this being phased in over five years and if in two years we have
3 a full school out there, we're not going to get that phase in and then the
4 infrastructure isn't adequate in other words. We've got a 60-foot right-of-
5 way on one road and we don't have a good intersection. We don't have a
6 traffic light, and we've got all these people that are going to be unhappy.
7 So, we really need to know what's going to happen, how soon it's going to
8 happen, and what we need to do to plan this right now and do it. And
9 again as I say when you've got a county road that the city's going to
10 assume responsibility for maintenance, I don't even know how the city
11 reacts to that. Does that county road have to be brought up to city
12 standards? And I'd like to ask staff that question, that's one of my follow in
13 questions.

14
15 Scholz: Thank you Mr. Thomas.

16
17 Shipley: Maybe Cheryl can give me an idea about that.

18
19 Scholz: Ms. Rodriguez.

20
21 Rodriguez: Mr. Chairman, Commissioner Shipley, in regards to Dripping Springs
22 Road, the City of Las Cruces will enter into negotiations with Doña Ana
23 County regarding a maintenance agreement. We do that with Doña Ana
24 County in other road segments where you have jurisdictional boundaries
25 like that. In terms for, it'll just be a maintenance agreement to maintain the
26 road existing, but it will not ... there will not be any specifications that they
27 will have to bring that road into city design standards. Typically when
28 adjacent development occurs right now through the city design standards
29 through the subdivision process, either in the city limits or in the ETZ, then
30 those thoroughfares then are brought up to city design standards. For
31 right now the maintenance agreement will just be to maintain the road as it
32 is in its current condition.

33
34 Shipley: So it will not be a city road.

35
36 Rodriguez: No. It will not be a city road outside of the city limits we'll just have
37 maintenance authority over that road so there won't be jurisdictional
38 issues, city, county, city, county.

39
40 Shipley: Okay. Can we put a requirement in, condition in to have a traffic light put
41 in initially?

42
43 Rodriguez: Mr. Chairman, Commissioner Shipley. The Planning and Zoning
44 Commission can make a recommendation. I'd like for the traffic engineer
45 to make that recommendation to City Council. The city's traffic engineer
46 can then weigh in on whether or not the criteria is warranted for a traffic

- 1 light. I'm not the city's traffic engineer. I know that they've reviewed this
2 and have signed off approval on it, but I'm not sure if the criteria have
3 been met to warrant the immediate installation of a traffic light.
4
- 5 Shipley: If they're going to have to build the intersection wouldn't it be appropriate
6 to do that now?
7
- 8 Rodriguez: Mr. Chairman, Commissioner Shipley, I am not a traffic engineer so I
9 could not answer that question.
10
- 11 Scholz: I think Mr. Thomas wants to answer that question for us.
12
- 13 Thomas: Chairman, Mr. Commissioner I don't want to but I will take a stab at
14 answering that question.
15
- 16 Scholz: Okay.
17
- 18 Thomas: The traffic warrants, there are several warrants that need to be met in
19 order to justify a traffic signal. Actually if you look at this intersection even
20 in the year 2015 it does not meet the warrants that are necessary to
21 warrant a signal based on volumes. We have recommended that a signal
22 go in place when this school is at full build out of 2,000 students because
23 of the delays that would be required for people getting out of the
24 intersection southbound onto Dripping Springs. So it's more in terms of
25 delays than it is the actual volume warrant. So, hopefully that answers
26 your question. But the initial implementation of the school will not warrant
27 a signal based on volumes or any of the signal warrants that are in the
28 manual of uniform traffic control devices. However, we feel that once you
29 get 2,000 students the delays are adequate enough that a signal should
30 be installed to allow the operation to occur.
31
- 32 Shipley: And the estimate is that that won't occur before 2015?
33
- 34 Thomas: Mr. Chairman, Mr. Commissioner, actually we have looked at it and tried
35 to implement it in different phases and it reaches a level of service F for
36 that southbound traffic when you have about 1,500 students. That's
37 based on our trip generation estimates and our trip generation distribution.
38 That's one of the reasons that we think this intersection needs to be
39 monitored. If you count it after the first year, you count if after the second
40 year, you can then determine if our estimates are correct. If we're higher
41 than what is actually happening, then it may not be warranted until you
42 have the full 2,000 students. If our estimates are low and the traffic
43 generation out of this site is higher than we've estimated, it may need to
44 be coming in two years instead of five years. But the initial
45 implementation should not be there, but I think that it needs to be
46 monitored so when it is warranted to make the intersection operational it

- 1 should be installed and that's the same discussions that we've had with
2 the city engineer as they've reviewed our traffic impact study.
3
- 4 Scholz: Mr. Thomas before you leave does that mean you would build with that in
5 mind?
6
- 7 Thomas: Yes, Mr. Chairman we're anticipating the improvements of the intersection
8 would be built with the underground conduits and boxes so that when the
9 signal is warranted it could easily be installed without having to tear up the
10 improvements that were just put in place.
11
- 12 Scholz: Good. That was my concern. I think they did that at Lohman and Sonoma
13 Ranch as well even though it's just stop signs right now. Okay. Other
14 questions for this gentleman? Thank you very much Mr. Thomas. Well,
15 what is your pleasure gentlemen? My concern is you know the traffic and
16 of course the lack of access. As I see it there are no plans for access
17 from the north and it seems to me that if the districts are revised as they
18 probably will be next year, we're going to bring in students from the north
19 and it'll be what you describe Commissioner Shipley, people driving
20 through neighborhoods and things and traffic on Telshor. I live just off of
21 Telshor, will undoubtedly increase and that'll be a problem, cause there is
22 no other access to that area from the north.
23
- 24 Shipley: If you put Sonoma Ranch through all the way out to say Lohman, all that
25 you're going to do is basically complete a high speed access route you
26 know from 70 there.
27
- 28 Scholz: Yes.
29
- 30 Shipley: And seriously I mean the speed of the traffic it's 40 in some places on
31 Sonoma Ranch now. It's 35 in some areas, but the traffic through there
32 right now is 40 to 45 and will continue to be that because there's no place
33 to stop really, to slow that traffic down. But I just don't want to see ... I
34 guess what I don't want to see is I don't want to see us doing something
35 over again that we could do right one time. And you know build it right the
36 first time, have it done, be done with it. I was talking about Sonoma
37 Ranch and the piece that's not completed, and somebody in Community
38 Development said to me well you weren't here when we built Roadrunner,
39 were you? It took you know increment after increment after increment.
40 And I said so is that your model? Is that what you want to do for ... your
41 proud of that or? And he said well no I'm not proud of that. I said well
42 then let's stop doing it. Let's fix the things right and move on.
43
- 44 Beard: I remember when Telshor was dirt. But I think connecting Missouri, I
45 mean there are no plans right now or schedule to get Missouri connected

1 over there. I think it would alleviate some of the traffic off of Dripping
2 Springs if it were put onto Sonoma Ranch.

3
4 Shipley: Well it would be the same thing, it would be the bypass around through
5 Missouri and then the neighborhoods that are on either side of that would
6 be affected the same way. It's going to happen eventually, but you know
7 how best can we design this so we can make things work smoothly is the
8 real key in my opinion.

9
10 Scholz: So are you suggesting a recommendation with regard to either the traffic
11 light or the remodeling of Dripping Springs?

12
13 Shipley: I would like ... I think that that would be the wise thing to do is to bring the
14 road ... if that's going to be the city and the city's going to grow in that
15 direction, let's not do things after we've already got people building houses
16 and things like that. We've got traffic problems now. We know that the
17 people coming down Dripping Springs Road are going to be impacted by
18 that, so put a light in there to make their ... at least they'll know it's there.
19 It'll be there permanently. It's not something that they're going to have to
20 get used to in two or three years. And the other thing is, it'll make the
21 traffic ... the people that are going left that are coming out of there will be
22 able to get out and turn left if they're going back to Talavera. And I think
23 that's a good thing to do. You build the intersection the way it should be a
24 build out. I think we also need to look at the ... where we enter the city
25 limits, the current city limits, and we need to look at the roadways through
26 there because all of that traffic, it's not going that direction now, if it's 90%
27 easterly traffic going to the high school, how is that going to affect the
28 people that are going there? Most of the development is not on that side,
29 so the easterly traffic is going to be pretty much straight through, but
30 coming back if people are coming and trying to go into that, they're going
31 to be impacted in the evenings. So I just would've thought that the study
32 would've been more thorough in looking all the way down to University.

33 The other thing that I also thought was when they were talking
34 about the school, if you have two conflicting events that are going to take
35 place at the University and at this high school at the same time, on the
36 same evening, a Friday evening or a graduation, or whatever, we already
37 have backups you know on 25 when you get off at University to go one
38 direction, if people are turning left now, there are lights there, but you've
39 got a series of three lights to get through and that's going to add traffic
40 through that area that's not there now, or off of Telshor going that
41 direction. And there's one turn lane off of Telshor going there and that's a
42 signalized light there at University that when you pull up you activate the
43 signal. If there's no body coming it pretty much stays green for the
44 existing traffic. But the left turn lane is not very ... there's not room for a
45 very long cue, maybe four or five cars is it is turning left. And so then
46 they're going to be backed up into that other lane.

- 1
2 Scholz: So what you're saying is that what we need is a comprehensive traffic
3 plan.
4
- 5 Shipley: Exactly.
6
- 7 Scholz: Not merely a traffic plan with regard to the intersection.
8
- 9 Shipley: That's correct. We need to look down to where it enters 25, you know in
10 that area.
11
- 12 Scholz: Any other discussion?
13
- 14 Crane: I think Mr. Shipley has excellent points. Many of the drivers leaving school
15 are going to be teenagers who can be impatient and maybe not have the
16 best of judgment and I really think the light should be in there from the
17 beginning with the controls set in such a way that when there's not much
18 traffic out of the high school, Dripping Springs traffic has relatively long
19 run. But, again that's not a good place to have a wreck before we put in a
20 traffic light.
21
- 22 Scholz: Commissioner Evans.
23
- 24 Evans: I could actually see a need for a traffic light there at some point. I went to
25 Mayfield High School. It didn't have a traffic light there forever. So I'm not
26 so sure just because you have a high school that a lot of students are
27 entering onto a major thoroughfare it needs to have a traffic light. I mean
28 it didn't have one there since ... I mean when did they put that in there,
29 maybe five years ago. So I guess I'm not convinced of that and I think it's
30 up to the city traffic department to make those assessments and to
31 conform with national standards. I think I'm comfortable with that in letting
32 the professionals make those type of assessments and decisions.
33
- 34 Scholz: Okay, any other questions or comments? Mr. Torrez, you had a
35 comment.
36
- 37 Torrez: Mr. Chairman, members of the Commission, I just ... listening to your
38 conversations and listening to your discussion regarding the issues that
39 are of concern to you, I just want to share with you that certainly the
40 school district has similar concerns and has gone to the public in a
41 number of venues and opportunities to listen to those concerns. We've
42 had approximately three public forums, one of them was hosted at Good
43 Samaritan, one of them was hosted at the Farm and Ranch Museum.
44
- 45 Scholz: You need to stay on the mike Mr. Torrez.
46

1 Torrez: Particularly to address the concerns of the folks that live in the Talavera
2 area and in the area most immediately impacted by this high school. And
3 so we heard some of the same concerns that we're hearing tonight, that's
4 why we've spent so much time with our engineers and the traffic folks to
5 take a look at how we best address the concerns that have been raised to
6 us. Our intent in putting a high school out there was not to create more
7 problems, not to create more issues for folks. Obviously, we need another
8 high school simply to address the needs that we have in this community.
9 We have about 2,400 students at Las Cruces High School on a campus of
10 about 35 acres. This campus has approximately 71, 72 acres, twice the
11 size of Las Cruces High School and it's going to house hopefully no more
12 than 2,000. Based upon the studies that we've done it looks like among
13 all four high schools once they all get rolled out to their capacity would be
14 approximately 1,600 to 1,700 kids at all four high schools. So our intent is
15 obviously to try to lower the sizes of the high schools; to make them work
16 well within the campus situations that they exist. Las Cruces High School
17 there has been a lot of discussion at the board and the administration has
18 had regarding a re-missioning, a re-visioning, reexamination of what Las
19 Cruces High School can continue to be as Las Cruces High School, but
20 certainly not to the same degree of size that it exists today because it's
21 overwhelming. Those kids all spill out onto El Paseo and onto Boutz, and
22 primarily Boutz because that's where they exit, that's their parking lot. And
23 they're in the middle of a lot of traffic as is right now because of all the
24 traffic that's going on during both in the morning and in the afternoon peak
25 hours. So our intent here is obviously not to create any issues with that.
26 We will continue to study this issue. I certainly have heard, I know our
27 engineers have heard your concerns. We'll continue to go back and take
28 a look at that.

29 We don't control what must be done by traffic engineers or what
30 must be done by the city folks as far as roadway development. The
31 school district when it made the decision that this was the most
32 appropriate site for this high school, made a commitment that if that high
33 school was going to go there, we were going to improve the roadways to
34 the extent that we had to. We're not in the road business. That really isn't
35 what we do. We educate kids and we build facilities to educate those
36 kids. We don't disagree with you that perhaps there are some issues here
37 that we need to address when it comes to the infrastructure, when it
38 comes to the roadways, but we will work with the city, we will work with the
39 county, and we will work certainly with the state. We've gone to the MPO,
40 we've gone to the state, and we've gone to the city and to our federal
41 deligation, congressional deligation to seek additional revenue, additional
42 sources of revenue to be able to develop the roadway Sonoma all the way
43 to Lohman. Part of the presentation with the MPO was even consideration
44 of improvement to Missouri so that Missouri would be another outlet. If we
45 hear any more of that funding or that funding comes forth, then obviously
46 we will support that. At this point we will continue to examine this so that

- 1 hopefully whatever the district can do within its limitations of both
2 resources and requirements that this school site is a site that works well
3 for everyone and is a site that certainly is not going to create any more
4 hazardous traffic conditions for any members of the community.
5
- 6 Scholz: Thank you Mr. Torrez. Any other comments or questions? Okay, we
7 have to rise from our suspension of the rules.
8
- 9 Shipley: I move that we reinstate the rules.
10
- 11 Scholz: Is there a second?
12
- 13 Evans: I second.
14
- 15 Scholz: Okay it's been moved and seconded. All in favor say aye.
16
- 17 ALL COMMISSIONERS - AYE.
18
- 19 Scholz: Those opposed same sign. And abstentions. All right the rules are
20 reinstated. That means that our first case is Case S-09-056, a request for
21 annexation plat approval. Is there a motion to approve?
22
- 23 Evans: Mr. Chairman I move that we approve Case S-09-056.
24
- 25 Scholz: And were there conditions attached to that?
26
- 27 Evans: With the conditions that were previously stated during the...
28
- 29 Revels: The six conditions that I read into record earlier.
30
- 31 Scholz: Thank you. Is there a second?
32
- 33 Bustos: Second
34
- 35 Crane: Second.
36
- 37 Scholz: Okay, it's been moved and seconded. I'll call the roll. Commissioner
38 Shipley.
39
- 40 Shipley: Aye findings, discussion, and site visit.
41
- 42 Scholz: Commissioner Crane.
43
- 44 Crane: Aye findings, discussion, and site visit.
45
- 46 Scholz: Commissioner Evans.

- 1
2 Evans: Aye findings and discussion.
3
4 Scholz: Commissioner Bustos.
5
6 Bustos: Aye findings and discussion.
7
8 Scholz: Commissioner Beard.
9
10 Beard: Aye findings and discussions.
11
12 Scholz: And the Chair votes aye for findings, discussion, and site visit. I did drive
13 that road. It's a master piece Mr. Binns. Okay, then its Case S-09-057,
14 request for master plan approval and that also includes the conditions that
15 we were talking about.
16
17 Revels: Correct.
18
19 Evans: Mr. Chairman I move that we approve S-09-057 with the conditions that
20 were previously read into the record.
21
22 Scholz: Is there a second?
23
24 Bustos: Second.
25
26 Scholz: It's been moved and seconded. I'll call the roll. Commissioner Shipley.
27
28 Shipley: Point of order.
29
30 Scholz: Sir.
31
32 Shipley: If we wanted to put a condition in regarding the traffic light would this the
33 ... is this the master plan that covers that?
34
35 Revels: That's fine.
36
37 Scholz: Okay, you wish to add a condition?
38
39 Shipley: I would add the condition that the traffic light should be completed with the
40 road improvements are going to be done at this intersection when it's built.
41
42 Evans: Mr. Chairman could we make a recommendation to have the city re-
43 evaluate that assessment based off of our recommendation, instead of
44 making it a go or no go?
45
46 Scholz: We can, yes.

- 1
2 Beard: We can vote on it separately.
3
4 Scholz: We can vote on it separately, right. We can decide that we want to make
5 it a condition and if we don't want to make a condition then we can make it
6 a recommendation. That's certainly within our purview.
7
8 Evans: Right. I don't know if that meets your intent, if we made a
9 recommendation. Would you rather pursue ... for me I would rather
10 pursue a recommendation that the city take another look based off of our
11 discussion today and of course it'll go to City Council.
12
13 Shipley: I was going to say whatever we do is going to go to City Council.
14
15 Evans: Right.
16
17 Shipley: And if City Council wants to have that stricken at that time, they can do
18 that. I mean if we make a motion to add that in and they don't feel it's
19 necessary, they can strike it. But the reason I'm saying is because I think
20 that it's ... we're going to build an intersection on that road, let's build the
21 right intersection one time. Put the light in then that eliminates the safety
22 with the kids and also residents that are going to live out in that area, and
23 we do that from the very beginning to show that we're really committed to
24 the safety of the students that are going to be going there and the people
25 that live in that area. And we don't have to do this you know twice. I
26 mean I understand that you can put all the boxes in and the conduit in and
27 all that, but you know if that's three years from now and somebody gets
28 hurt in the meantime, that's too late.
29
30 Evans: Well you know if we're going back to the discussion of again you know I
31 mean, at the movie theaters, the 12 plex, you know there's not traffic lights
32 there monitoring and regulating the amount of traffic and there's
33 substantial amount of traffic you know on a Saturday or a Sunday. So I
34 guess I'm not 100% convinced that we need to do a traffic light there. I
35 think at some point we may need to, but ...
36
37 Shipley: That's a good point.
38
39 Evans: So my recommendation would be you know let's let the city traffic
40 department take another look at that.
41
42 Shipley: But I mean how does ... if we make that a condition then they'll look at it
43 and they can make a recommendation or they can have the City Council
44 strike it if that's what's necessary. That's all I'm saying. We're basically
45 just making a recommendation to the City Council that says this is what
46 we think. If they agree with that fine, if they want to change it that's fine as

1 well. And I guess the thing I would say in defer or in opposition would be
2 that your point is well taken about the 12-plex, but you're looking at a road
3 that's 45 miles an hour traffic back and forth right now, and I don't know if
4 it's going to ... they didn't say anything about whether that's going to
5 change or not, and you've got people trying to make turns in front of traffic
6 there and it may, you know the speed element is higher there than it is
7 around the cineplex or whatever.

8
9 Evans: Right.

10
11 Scholz: Commissioner Crane.

12
13 Crane: Regarding the theaters, there are multiple exits from the cineplex and from
14 the Telshor 12, but here we've got one exit. We have a real problem
15 there.

16
17 Evans: Well there are also other instances where schools are Bataan, I guess that
18 would be on the north side of Bataan where there's an elementary school
19 there which exits directly onto Bataan and that's ...

20
21 Shipley: That's Northrise.

22
23 Evans: Is it Northrise?

24
25 Shipley: Northrise.

26
27 Evans: And there's not a traffic signal there and that's a feeder from you know that
28 subdivision along with that elementary school there. So there's a lot of ...

29
30 Scholz: Right. The speed limit on that road of course is 35 miles an hour.

31
32 Evans: Right. There are a lot of different.

33
34 Scholz: Commissioner Beard and then we have a huddle here at the computer.

35
36 Crane: Parliamentary parliament.

37
38 Beard: I make a motion that we vote on Mr. Shipley's recommendation separately
39 to see if it should be put in as a recommendation.

40
41 Shipley: As a condition.

42
43 Beard: As a condition.

44
45 Rodriguez: Mr. Chairman, we have two motions on the floor now.

46

- 1 Scholz: Yeah.
2
- 3 Rodriguez: So, Commissioner Shipley has made a motion for approval with conditions
4 but with an additional condition. So I need vote on that motion.
5
- 6 Scholz: I was just going to get to that.
7
- 8 Rodriguez: And then depending on how that vote goes then it would be the vote of the
9 approval of the master plan as modified by the Planning and Zoning
10 Commission. So I need a vote on the motion made by Commissioner
11 Shipley and then a vote on the main motion.
12
- 13 Scholz: Okay. And I see our legal counsel is just chomping at the bit, anxious to
14 say something.
15
- 16 Abrams: Jared Abrams, city legal. Actually I'm not, I was basically going to say the
17 same thing. You can make a motion to modify the main motion in which
18 you would make the light either a condition or recommendation. You can
19 do two separate votes essentially if you wanted to if you have some
20 disagreement. So, vote number one would be make a condition, if that
21 carries then the main motion that would be included in it. If it doesn't carry
22 you would make it a recommendation and that would be included in the
23 main motion. If that doesn't carry, then the main motion would be as is.
24
- 25 Scholz: Thank you. Okay, so you've moved that we add a condition.
26
- 27 Shipley: Add a condition.
28
- 29 Scholz: And I've written it if I may, the condition that the traffic light be installed
30 when Dripping Springs Road is improved.
31
- 32 Crane: Excuse but on point of order, shouldn't the main motion be moved first and
33 seconded and then the amendment be debated.
34
- 35 Scholz: Yes, as a matter of fact the main motion has been moved and seconded.
36 It was, yes, sir. Right. And then Mr. Shipley gave a point of order in ...
37
- 38 ALL TALKING AT ONCE.
39
- 40 Scholz: Pardon me?
41
- 42 Crane: We had the point of order before we had the motion seconded I think.
43
- 44 Beard: I agree.
45
- 46 Crane: I may be wrong about that.

- 1
2 Scholz: I believe it was seconded. Yes, I'm sure it was.
3
4 Crane: I beg your pardon.
5
6 Scholz: It wasn't a tie like it often is you know with several people vying to be
7 second, but it was seconded. Right, so we're okay. Okay, so it's been
8 moved, is there a second to Mr. Shipley's motion?
9
10 Crane: I'll second that.
11
12 Scholz: Okay, it's been moved and seconded. I'll ask for a voice vote on this.
13 This is as I said the condition that the traffic light be installed when
14 dripping springs road is improved. All those in favor please say aye.
15
16 COMMISSIONERS, SHIPLEY, CRANE, BUSTOS - AYE.
17
18 Scholz: And those opposed same sign.
19
20 COMMISSIONERS, EVANS, BEARD - AYE
21
22 Scholz: Okay, it passes 3:2 with the chair abstaining.
23
24 Rodriguez: Mr. Chairman, can we have a roll call for that vote please.
25
26 Scholz: Certainly. I'll call the roll. Commissioner Shipley.
27
28 Shipley: Aye.
29
30 Scholz: Commissioner Crane.
31
32 Crane: Aye.
33
34 Scholz: Commissioner Evans.
35
36 Evans: Nay.
37
38 Scholz: Commissioner Bustos.
39
40 Bustos: Aye.
41
42 Scholz: Commissioner Beard.
43
44 Beard: Nay.
45
46 Scholz: And the Chair will vote aye. Okay so it passes 4:2.

1
2 Rodriguez: So now we need a motion ...
3
4 Scholz: Now we're on the main motion.
5
6 Rodriguez: Main motion as amended.
7
8 Scholz: As amended. Right. Okay.
9
10 Shipley: And it's been moved and seconded.
11
12 Scholz: Yes.
13
14 Shipley: So aye findings, discussion, and site visit.
15
16 Scholz: Okay. Commissioner Crane.
17
18 Crane: Aye findings, discussion, and site visit.
19
20 Scholz: Commissioner Evans.
21
22 Evans: Aye findings and discussion.
23
24 Scholz: Commissioner Bustos.
25
26 Bustos: Aye findings and discussions.
27
28 Scholz: Commissioner Beard.
29
30 Beard: Aye findings and discussions.
31
32 Scholz: And the Chair votes aye findings, discussion, and site visit. Okay, now
33 we're to number three which is a request for initial zoning. And this does
34 not have any conditions on it, is that correct?
35
36 Revels: It has the standard City Council condition that all new utilities will be
37 placed underground.
38
39 Scholz: All new utilities be placed underground, yes. Okay. I'll entertain a motion
40 to accept Case Z2806.
41
42 Shipley: I so move.
43
44 Scholz: Is there a second.
45
46 Evans: Second.

1
 2 Scholz: It's been moved and seconded. I'll call the roll. Commissioner Shipley.
 3
 4 Shipley: Aye findings, discussion, and site visit.
 5
 6 Scholz: Commissioner Crane.
 7
 8 Crane: Aye findings, discussion, and site visit.
 9
 10 Scholz: Commissioner Evans.
 11
 12 Evans: Aye findings and discussion.
 13
 14 Scholz: Commissioner Bustos.
 15
 16 Bustos: Aye findings and discussion.
 17
 18 Scholz: Commissioner Beard.
 19
 20 Beard: Aye findings and discussions.
 21
 22 Scholz: And the Chair votes aye for findings, discussions and site visit. All right.
 23 END Thank you for your patience Ms. Revels and folks in the audience.

24
 25 **VIII. OTHER BUSINESS**

26
 27 Scholz: Is there other business before the Commission? No other business.
 28

29 **IX. PUBLIC PARTICIPATION**

30
 31
 32 **X. STAFF COMMENT**

33
 34 Scholz: Ms. Rodriguez, do you have anything for us, staff announcement?

35
 36 Rodriguez: Mr. Chairman, just to let you know for the January Planning and Zoning
 37 Commission meeting it's also your business meeting, so you'll be taking
 38 care of the statement of reasonable notice as well as the election of
 39 officers at that time.

40
 41 Scholz: Okay.

42
 43 Rodriguez: And there will also be cases on the agenda.

44
 45 Scholz: I assume there will, actually we've postponed one to that time.
 46

To: Cheryl Rodriguez and Helen Revels
Community Development
City of Las Cruces

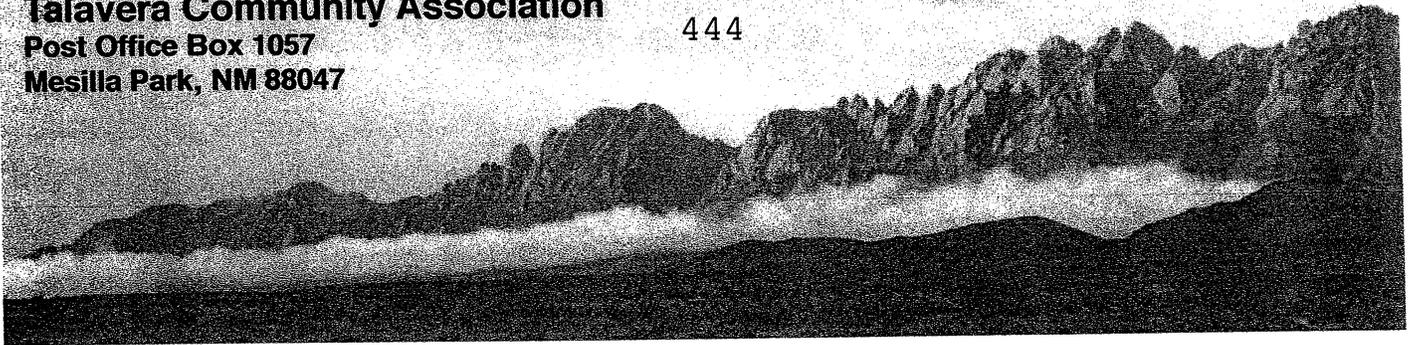
From: Talavera Community Association

Date: December 7, 2009

Attached please find a memo from TCA to the City Planning and Zoning Commission and City Council. Please include this memo in the materials to be given to them regarding the upcoming discussion about Annexation of the land adjacent to the new High School on Sonoma Ranch Road.

Thank you,
Helen Zagona for the TCA Board of Directors

532-5668



Memorandum To: Las Cruces Planning and Zoning Commission
Las Cruces City Council

December 7, 2009

Subject: Proposed Annexation of Land Surrounding New High School

Talavera Community Association represents 500 households in an area to the East of A-Mountain. Our neighborhood will be most impacted by the addition of the new high school due to the drastically increased traffic on Dripping Springs Road turning on and off of the new Sonoma Ranch Road to and from the new high school. In planning this new facility Las Cruces School District in the early stages did not adequately consider the need for increased infrastructure in the form of new streets and roads required to handle the volume of traffic anticipated by the planners for students, faculty and staff as soon as the school opens in 2011. The school district has given numbers of 2000 students to as many as 4000 students who will attend the facility. They have at times indicated that the school will "phase in students a year at a time" and at other times suggested the possibility of temporarily moving students from Las Cruces High School if that school requires major renovation. In either case we foresee serious unsafe conditions for those going to and from the school as well as for Talavera residents.

Talavera Community Association enthusiastically supports the School District in constructing this new high school. We feel that if the traffic problems can be adequately solved prior to the completion of the school so that students and neighborhood residents can commute in safety, the school will be a wonderful addition to our area.

Safety is the overriding concern of our residents. We outline specific issues and possible solutions as follows:

1. School Access. Dripping Springs Road alone is not adequate to handle the volume of traffic which will come at commute hours. The volume will not be spread out over an entire day, but will be focused specifically when students and faculty are coming to and going from school at the same time residents are commuting to and from work

1. and the University. Dripping Springs Road is now a narrow 2-lane road without turn lanes. There are no alternate routes; Dripping Springs is the only road to and from the high school and the Talavera neighborhood. Early in 2009 Las Cruces School District applied for funding in the form of an MPO TIP to widen Dripping Springs Road in conjunction with two other applications to extend Sonoma Ranch Road to the north and extend Missouri Avenue to the west. These plans would have provided adequate solutions to the traffic problems but none of these applications was funded. About the same time traffic counts indicated that approximately 3,000 vehicles per day crossed the intersection of Dripping Springs Road and Sonoma Ranch Boulevard where the new school will be. Additional development in Talavera continues today causing increased traffic even before the completion of the new school. Also, development in the area adjacent to the new school is expected due to the availability of private land in the immediate area and the anticipation that businesses will want to locate near the school. Dripping Springs Road alone cannot handle the traffic that will come in the near future, probably in less than three years. Immediate action is needed now to plan new roads to and from the school. The City, County and MPO must make this a priority before serious unsafe conditions develop. As the City considers the annexation of the area of the new high school, plans must be developed to alleviate these unsafe conditions.
2. Safety on Dripping Springs Road. Even if additional streets were constructed accessing the high school, Dripping Springs Road must be made safer for students and residents. The street must be widened to accommodate traffic in and out of the school at the same time residents are commuting to work. At the very minimum, a long turning lane must be added to accommodate students turning left to the school against oncoming traffic. We believe that the lane must be at least 1600' in length. The students will be turning just as the rush hour of residents going to work is at its peak. At this hour everyone is in a hurry and it would make no sense to plan this intersection without a traffic light to protect students attempting the left turn. In addition, a merge lane for students turning right at the end of the day from the campus on to Dripping Springs Road heading west toward town is a must.
3. Bicycle Lanes. Dripping Springs Road is the only access to the A-Mountain (Tortugas) Recreation Area, a popular mountain biking destination. University students and many other Las Cruces residents use bicycles on Dripping Springs Road to reach the Recreation Area. Also some residents of Talavera use bicycles in commuting to the University and other destinations in Las Cruces. Currently there are bicycle lanes on both sides of the road. These lanes must not be eliminated to accommodate the increased traffic to the high school. They must be preserved because students may also use the bike lanes as a transportation option. The bicycling community of Las Cruces will be forceful in their desire to maintain the bicycle access to and from Talavera and the Recreation Area.
4. Dangerous Mountain Curve. For residents driving west toward Las Cruces a very sharp curve exists just prior to the intersection of Sonoma Ranch Boulevard where students will enter the high school campus. Drivers have no vision of the intersection until just before they reach it. In the event that traffic backs up around this dangerous curve, many accidents

will occur because of the inability to see what is ahead. Traffic engineers must study this problem and find solutions in order to protect students turning into the campus and residents on their way into town.

The problem of inadequate road construction at the site of new schools is not a unique problem to Las Cruces. An Albuquerque Journal article of September 3, 2009 (see article attached) discusses the problem around new schools in Albuquerque. In the article School Board and City officials disagreed on who should have taken the lead in eliminating traffic problems. After students were injured in traffic accidents on their way to school, only then was the issue taken seriously enough to warrant action. We believe that this problem tracks an identical situation. We do not want to see accidents in which students or residents are injured or killed because of poor planning and inadequate traffic infrastructure. Both City and School Board are responsible for the safety of students, faculty, staff and local residents. City officials are on notice that annexation must not be allowed to take place without planning for safe road to handle the volume of traffic during commute hours which will come with the opening of the new high school.

Extension Eases Congestion

■ *Traffic jams near Volcano Vista High School a concern for the past year*

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BY ELAINE D. BRISEÑO
Journal Staff Writer

Traffic issues around Volcano Vista High School are nothing new, according to those who attended an Albuquerque Public Schools meeting Tuesday night.

At least one parent said she has been complaining about unsafe traffic conditions around the school since August 2008.

Albuquerque Public Schools officials blame the city, saying road improvements should have been made before school started last month. City officials say APS also bears some responsibility.

The area is home to the high school, as well as Tony Hillerman Middle and Tierra Antigua Elementary, both of which opened within the last year.

The city began to make improvements last week, after two recent automobile accidents involving students. Even APS Superintendent Winston Brooks has a story about the problems: He said he sat in traffic for 45 minutes, trying to get to the opening of Tony Hillerman.

See TRAFFIC on PAGE C2



RICHARD PIPES/JOURNAL

ic on Paseo del Norte and Rainbow Boulevard facing
The city finished extending Rainbow so it connects to
erse and makes access to nearby schools easier.

Traffic Near School Eased by Extension

from PAGE C1

Tammy Smith, who attended the meeting before the board's Capital Outlay Committee, said her daughter was one of the students involved in an accident. Smith said her daughter, a Volcano Vista student, suffered only minor injuries, but her car was totaled.

She said that, during the past year, she has contacted the school, district officials, city officials and elected officials trying to get them to do something about the traffic situation. She told school board members their efforts were "a dollar short and a day late."

Board member David Robins said that, although the city was quick to jump on road improvements after the two accidents, it should have happened before all the schools opened.

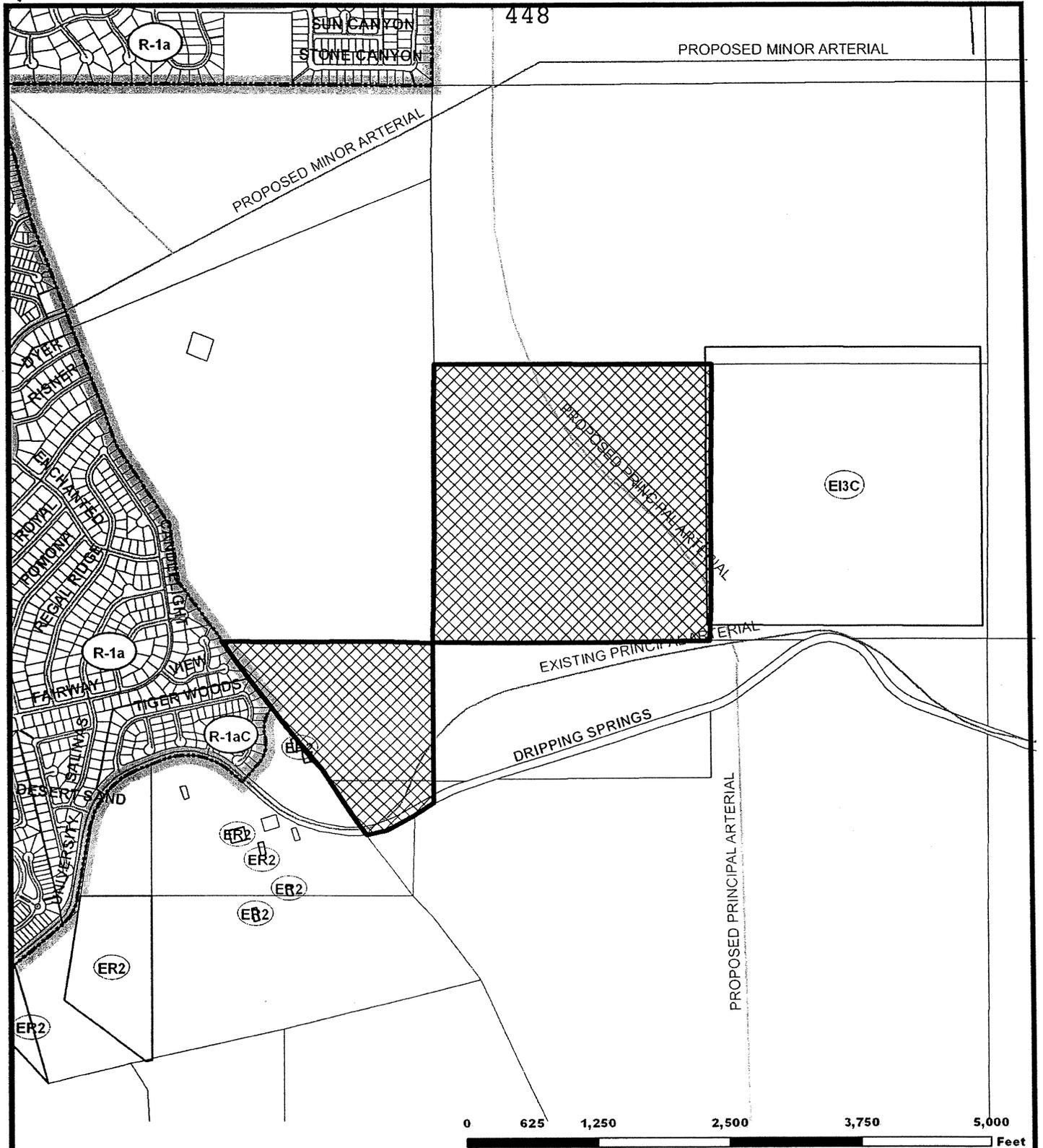
"I'm amazed it took this

long," he said. "I mean we have been planning these schools for six years. It should not have been a surprise to anyone in city government. They are the ones who issue our permits."

Ed Adams, city chief administrative officer, said it was not the city's responsibility but that of developers in the area. He said as properties develop, adjacent property owners are responsible for roads. "We don't build roads to undeveloped areas of town at taxpayers' expense," he said. "If we build the roads, it relieves the developers from their responsibility. It's not a good use of resources. The developers are responsible for roadways adjacent to their development."

Adams said APS could have solved the problem, too. "The board members could have chosen to provide that access for the schools they approved," he said.

Attachment "G"



MAP CREATED FOR: HREVELS

ZONING: ETZ JURISDICTION - NO ZONING

**ADDRESS: BURN ANNEXATION
LAS CRUCES, NM 88001**

PARCEL: 03-17855, 03-08073, 03-08074

DEVELOPER: BOHANNAN HUSTON, INC. FOR NMSU BOARD OF REGENTS



DATE: 12/8/2009 11:46:29 AM SUBDIVISION: N/A

This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (575) 528-3043.

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