

# City of Las Cruces<sup>®</sup>

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 2580 Council District: 4

For Meeting of July 26, 2010  
(Adoption Date)

**TITLE:** AN ORDINANCE APPROVING A ZONE CHANGE FROM M-1/M-2 (INDUSTRIAL STANDARD) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) INCLUDING A REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR A PUD KNOWN AS VILLA AMADOR. THE SUBJECT PROPERTIES ARE LOCATED SOUTH OF AMADOR AVENUE, WEST OF VALLEY DRIVE, AND NORTHEAST OF BURN LAKE AND ARE CURRENTLY ZONED M-1/M-2 (INDUSTRIAL STANDARD) AND PUD (PLANNED UNIT DEVELOPMENT). THE PROPOSED PUD ENCOMPASSES 54.383 +/- ACRES AND ENTAILS THREE (3) PLANNING PARCELS: PARCEL 1 ENCOMPASSES 7.311 +/- ACRES AND PROPOSES INDUSTRIAL REDEVELOPMENT; PARCEL 2 ENCOMPASSES 18.263 +/- ACRES AND PROPOSES INDUSTRIAL USES; AND PARCEL 3 ENCOMPASSES 28.808 +/- AND PROPOSES A MOBILE HOME PARK. SUBMITTED BY SCANLON WHITE, INC. FOR IFL, LLC, PROPERTY OWNER.

**PURPOSE(S) OF ACTION:** The applicant is requesting approval of a zone change to PUD (Planned Unit Development) and concept plan for Villa Amador that encompasses 54.383 +/- acres and entails industrial uses and a mobile home park.

<b>Name of Drafter:</b> Adam Ochoa <i>AO</i>		<b>Department:</b> Community Development		<b>Phone:</b> 528-3204	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
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		541-2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The proposed Planned Unit Development (PUD) known as Villa Amador is generally located south of Amador Avenue, west of Valley Drive, and northeast of Burn Lake. The proposed PUD encompasses 54.383 +/- acres and proposes standard industrial uses and a mobile home park. The subject properties consist of ten parcels of land. Currently six of the parcels encompass 36.98 +/- acres and are zoned M-1/M-2 (Industrial Standard), while the other four parcels encompass 17.44 +/- acres and are zoned PUD. These four parcels were annexed into the City of Las Cruces in 1978 with the initial zoning of Planned Community District (PC), which is the PUD zoning district under the existing 2001 Zoning Code, as amended. The actual intent of use for these four parcels was never determined through the annexation process. The existing ten parcels will be consolidated into three Planning Parcels for the proposed Villa Amador PUD.

## **Transportation**

The proposed industrial area, Planning Parcels 1 and 2, proposes primary access from Pioneer Place, a minor local roadway. The proposed mobile home park in Planning Parcel 3 is proposed to have primary access to Valley Drive, a Principal Arterial, via a small (vacant) City-owned parcel. Secondary access for the mobile home park is proposed from Pioneer Place. City staff has identified some concerns with the proposed access off of Valley Drive using the vacant City-owned parcel. Specifically, the Public Works Department is not certain that the intended use of the property conveyed to the City was for roadway purposes. Presently, the City-owned parcel contains drainage facilities including a sizable box culvert, as part of the El Molino Drainage Project. During the February 10, 2010 DRC meeting, Public Works voiced concern regarding the allowance of primary access to Valley Drive via the City-owned parcel. A more detailed discussion of this concern can be found in the section below entitled "Development Review Committee and Planning and Zoning Commission."

A bus stop (sign only) is located approximately 100 +/- feet west of Pioneer Place on Amador Avenue and another bus stop (sign only) is located approximately 500 +/- feet north of the proposed access point for Villa Amador to Valley Drive along Valley Drive. The concept plan proposes that a bus shelter will be provided for the bus stop located on Amador Avenue west of Pioneer Place.

## **Development Standards**

Planning Parcels 1 & 2 of the Villa Amador PUD contain 25.574 +/- acres and proposes standard industrial uses. Planning Parcel 1 contains existing buildings used for industrial purposes. Planning Parcel 2 is currently vacant. The permitted uses in the proposed industrial area of the Villa Amador PUD will be the same as those uses permitted in the 2001 Zoning Code, as amended, under the M-1/M-2 (Industrial Standard) zoning district. The proposed industrial area will follow the development standards stipulated by the applicant in the concept plan for the Villa Amador PUD. These development standards include a minimum lot size of 5000 square feet, a maximum building height of 60 feet, a minimum lot width of 60 feet, a minimum lot depth of 70 feet, a minimum front setback of 15 feet, and a minimum side and rear setback of 15 or 0 feet.

Planning Parcel 3 of the Villa Amador PUD contains the remaining 28.808 +/- acres of the proposed project and is intended to be developed as a mobile home park. The proposed development standards include a minimum space size of 3500 square feet, a minimum space width of 39 feet, a minimum space depth of 90 feet, a maximum building height of 35 feet, a minimum front and rear setback of 10 feet and a minimum side setback of 5 feet. The total number of dwelling units proposed for the mobile home park ranges from 165 to 200 units which is equivalent a dwelling unit range of 5.7 to 6.9 units per acre. All streets in the mobile home park are proposed to be privately maintained by the entity that owns the mobile home park. They are proposed to be constructed to a lesser width than a minor local roadway per the CLC Design Standards. All common areas, parks, landscaping and open space in the mobile home park are also proposed to be privately maintained by the owner of

the mobile home park. A 10-foot landscape buffer in addition to the PUD setback requirements is proposed between the mobile home park and the adjacent industrial uses. There is also a proposed 10-foot landscape buffer between the mobile home park and the southern adjacent single-family residential properties.

Landscaping requirements for the Villa Amador PUD will mostly follow the City of Las Cruces Design Standards, with the exception of the proposed redevelopment of the existing industrial building located in Planning Parcel 1. The concept plan identifies the intent to redevelop the existing industrial building in Planning Parcel 1 in phases. In lieu of bringing the existing property into compliance with parking, landscaping, and outdoor lighting requirements upon the initial redevelopment, the applicant is proposing to phase them. The applicant's intent is to separate the existing warehouse into multiple buildings. As a specific use is identified for each building, the parking requirements will adhere to the intended land use rather than a business center requirement. This allows the parking requirements to be met on a project basis rather than the entire parking area being improved with partial improvements of a building. The applicant further proposes that a minimum area of 10 percent of the total parking area shall be landscaped with each phase that is redeveloped. It is further proposed that outdoor lighting requirements shall apply to each phase of redevelopment. However, once 55 percent of the building has been redeveloped then the entire development shall comply with the Outdoor Lighting Ordinance.

Planning Parcels 1 & 2 of the Villa Amador PUD will require on-lot ponding for all post-development run-off at the time of industrial/commercial development. All post-development run-off from development within Planning Parcel 3 is proposed to drain into the newly expanded CLC drainage detention ponding facility located adjacent to Burn Lake. All drainage designs shall be in accordance with CLC Design Standards.

In lieu of providing park impact fees or park facilities within the Villa Amador development, the applicant is proposing to negotiate an amount of work in expanding the CLC Burn Lake Park Project as well as expanding the CLC drainage facility adjacent to Burn Lake with both the Facilities and Public Works Departments. The details of the amount and type of work proposed for both of the facilities are to be determined by both the Public Works and Facilities Department prior to the submittal of construction drawings. In addition, the applicant is proposing to provide a bus stop located on Amador Avenue, west of the intersection of Pioneer Place. The applicant is also proposing pedestrian trails and bikeways within the proposed Villa Amador development to Burn Lake to facilitate connectivity.

The industrial planning parcels will have the option to utilize the alternate summary process for future subdivision purposes in accordance with the CLC Subdivision Code. All utilities in the proposed PUD will follow the standards of the City of Las Cruces Utilities Department. All signage used throughout the proposed PUD will follow the City of Las Cruces Sign Code regulations.

## **Comprehensive Plan Analysis**

From a land use perspective, the PUD is supported by several Land Use Elements & Urban Design Goals in the 1999 Comprehensive Plan. The proposed Villa Amador PUD encourages the use of alternative housing type (i.e. mobile homes, and manufactured homes) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means. The proposed PUD also provides a different type of single-family residential development that promotes a variety of lifestyles within the community. The Villa Amador PUD also helps focus development of light and standard industrial uses in an area with existing compatible industrial zoning.

## **Development Review Committee and Planning and Zoning Commission**

On February 10, 2010, the Development Review Committee (DRC) reviewed the concept plan for the proposed Villa Amador PUD. The DRC reviewed the concept plan from an infrastructure, utilities, and public improvement standpoint. During the meeting, the Public Works Department voiced concern regarding the allowance of primary access to Valley Drive via the City-owned parcel. The Public Works Department requested the applicant to acquire letters of support and approval from the adjacent property owners to the City-owned parcel. In addition, the Public Works Department also requested that a Traffic Impact Analysis (TIA) be submitted to the City for review analyzing traffic operations for the use of the City-owned parcel for access to Valley Drive.

At the DRC meeting, the applicant was adamant that the proposal be placed on the agenda for the February 23, 2010 Planning and Zoning Commission meeting. As such, the applicant did not want to seek a postponement by the DRC to resolve the aforementioned issues. Consequently, the DRC recommended denial of the concept plan.

Following the DRC meeting on February 10, 2010, the applicant worked to address the concerns voiced by the Public Works Department. On February 23, 2010, the Public Works Department provided conditional approval of the proposed concept plan with the following conditions:

1. Until such time that it is decided that the City Parcel can be used as a roadway to access the development subdivision, the [Design] Engineer shall designate it as "proposed access" on the Concept Plan.
2. The TIA shall be provided at the time of Final Site Plan submittal.
3. Use of the City Parcel as a roadway/public R.O.W. is contingent upon the review of the TIA and further discussions with the Public Works Department to determine the feasibility of utilizing the City parcel due to existing City infrastructure. If it is decided that the City parcel can be used as a roadway, the [Design] Engineer must work with the adjacent property owners to ensure that there are no adverse impacts to their

property/businesses. The developer is responsible for replatting the parcel as public right-of-way.

4. Upon Final Site Plan submittal, the [Design] Engineer shall provide written confirmation that the [Design] Engineer has notified the property owners adjacent to the City parcel of the potential use of the City parcel as a roadway.
5. If the City parcel cannot be used for primary access to the private subdivision based on the listed conditions, the Developer must designate another access point as their primary access to their development and find another secondary access for their development.
6. There must be an agreement with the City to use the City's detention facility.

Despite the Public Works Department conditional approval, the DRC recommendation of denial to the Planning and Zoning Commission still stood. Community Development staff concurred with the DRC recommendation of denial despite the recommended conditional approval by the Public Works Department for the following reason: A PUD is a zoning district; by approving a concept plan, a zone change on the land occurs and the property owner has a vested right to develop the property in accordance with the concept plan.

On February 23, 2010, the Planning and Zoning Commission reviewed the proposed concept plan for Villa Amador. Comments and concerns from surrounding property owners against the proposed development were expressed at the public meeting. Topics that were discussed were traffic-related as well as the potential negative environmental effects the proposed development may have to the Burn Lake area. The Planning and Zoning Commission recommended **conditional approval** of the concept plan by a vote of 3-1-0 (two Commissioners absent, one vacant Commission seat). The conditions imposed by the Planning and Zoning Commission were the conditions identified by the Public Works Department as noted above.

Immediately following the February 23, 2010, Planning and Zoning Commission hearing, the applicant presented to Community Development staff a request to modify the concept plan for the sole purpose of identifying a phasing plan for parking, landscaping, and outdoor lighting for the redevelopment of the existing industrial building located on Planning Parcel 1. The phasing plan was discussed in the "Development Standards" section of this CAES. Due to the nature of the proposed change, the applicant was advised that the modified concept plan must be reconsidered by the Planning and Zoning Commission in its totality prior to City Council final consideration.

On April 27, 2010, the modified concept plan was considered by the Planning and Zoning Commission. Similar comments and concerns from the February 23, 2010 hearing were received from surrounding property owners. The Planning and Zoning Commission

recommended **denial** of the modified concept plan by a vote of 2-4-0 (one vacant Commission seat).

**SUPPORT INFORMATION:**

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

1. Ordinance
2. Exhibit "A"- Villa Amador Concept Plan
3. Exhibit "B"- Findings and Comprehensive Plan Analysis
4. Attachment "A"- Staff Report for the April 27, 2010 Planning & Zoning Commission meeting
5. Attachment "B" – Minutes from the April 27, 2010 Planning & Zoning Commission meeting
6. Attachment "C"- Staff Report from the February 23, 2010 Planning & Zoning Commission meeting
7. Attachment "D" – Minutes from the February 23, 2010 Planning & Zoning Commission meeting
8. Attachment "E" – February 23, 2010 email from Public Works Department
9. Attachment "F"- Minutes from the February 10, 2010 DRC Meeting
10. Attachment "G"- Vicinity Map

**OPTIONS / ALTERNATIVES:**

1. Vote **YES** to approve the Ordinance. This action reverses the recommendation by the Planning and Zoning Commission at the April 27, 2010 public hearing. The subject property will be rezoned from M-1/M-2 (Industrial Standard) and PUD (Planned Unit Development) to PUD (Planned Unit Development) and the Villa Amador concept plan is approved. The applicant may continue with the development plans as set forth in the concept plan.
2. Vote **NO** to deny the Ordinance. This action affirms the recommendation made by the Planning and Zoning Commission at the April 27, 2010 public hearing. The current zoning designations for the subject properties will remain in effect. Industrial development can continue on the subject properties zoned M-1/M-2 (Industrial Standard) and will be developed in accordance with the CLC Development Codes.
3. Modify the Ordinance and vote **YES** to approve the modified Ordinance. The Council may modify the Ordinance by adding conditions as deemed appropriate.
4. Table/Postpone the Ordinance and direct staff accordingly.

**COUNCIL BILL NO. 10-051**  
**ORDINANCE NO. 2580**

**AN ORDINANCE APPROVING A ZONE CHANGE FROM M-1/M-2 (INDUSTRIAL STANDARD) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) INCLUDING A REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR A PUD KNOWN AS VILLA AMADOR. THE SUBJECT PROPERTIES ARE LOCATED SOUTH OF AMADOR AVENUE, WEST OF VALLEY DRIVE, AND NORTHEAST OF BURN LAKE AND ARE CURRENTLY ZONED M-1/M-2 (INDUSTRIAL STANDARD) AND PUD (PLANNED UNIT DEVELOPMENT). THE PROPOSED PUD ENCOMPASSES 54.383 +/- ACRES AND ENTAILS THREE (3) PLANNING PARCELS: PARCEL 1 ENCOMPASSES 7.311 +/- ACRES AND PROPOSES INDUSTRIAL REDEVELOPMENT; PARCEL 2 ENCOMPASSES 18.263 +/- ACRES AND PROPOSES INDUSTRIAL USES; AND PARCEL 3 ENCOMPASSES 28.808 +/- AND PROPOSES A MOBILE HOME PARK. SUBMITTED BY SCANLON WHITE, INC. FOR IFL, LLC, PROPERTY OWNER.**

The City Council is informed that:

**WHEREAS**, Scanlon White, Inc. on behalf of IFL, LLC, the property owner, has submitted a request for a zone change and concept plan approval for a Planned Unit Development (PUD) known as Villa Amador; and

**WHEREAS**, the concept plan will guide the development of the Villa Amador Planned Unit Development (PUD); and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on April 27, 2010, recommended that said zone change request and concept plan be denied by a vote of 2-4-0 (one vacant Commission seat).

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

**(I)**

**THAT** the land more particularly described in Exhibit "A," attached hereto and made part of this Ordinance, is hereby zoned PUD (Planned Unit Development).

**(II)**

**THAT** the concept plan for the land more particularly described in Exhibit "A," attached hereto and made part of this Ordinance, is hereby approved.

(III)

THAT the concept plan for the PUD known as Villa Amador is based on the findings contained in Exhibit "B" (Findings and Comprehensive Plan Analysis), attached hereto and made part of this Ordinance.

(IV)

THAT the zoning of Planned Unit Development (PUD) for said property be shown accordingly on the City Zoning Atlas.

(V)

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: \_\_\_\_\_

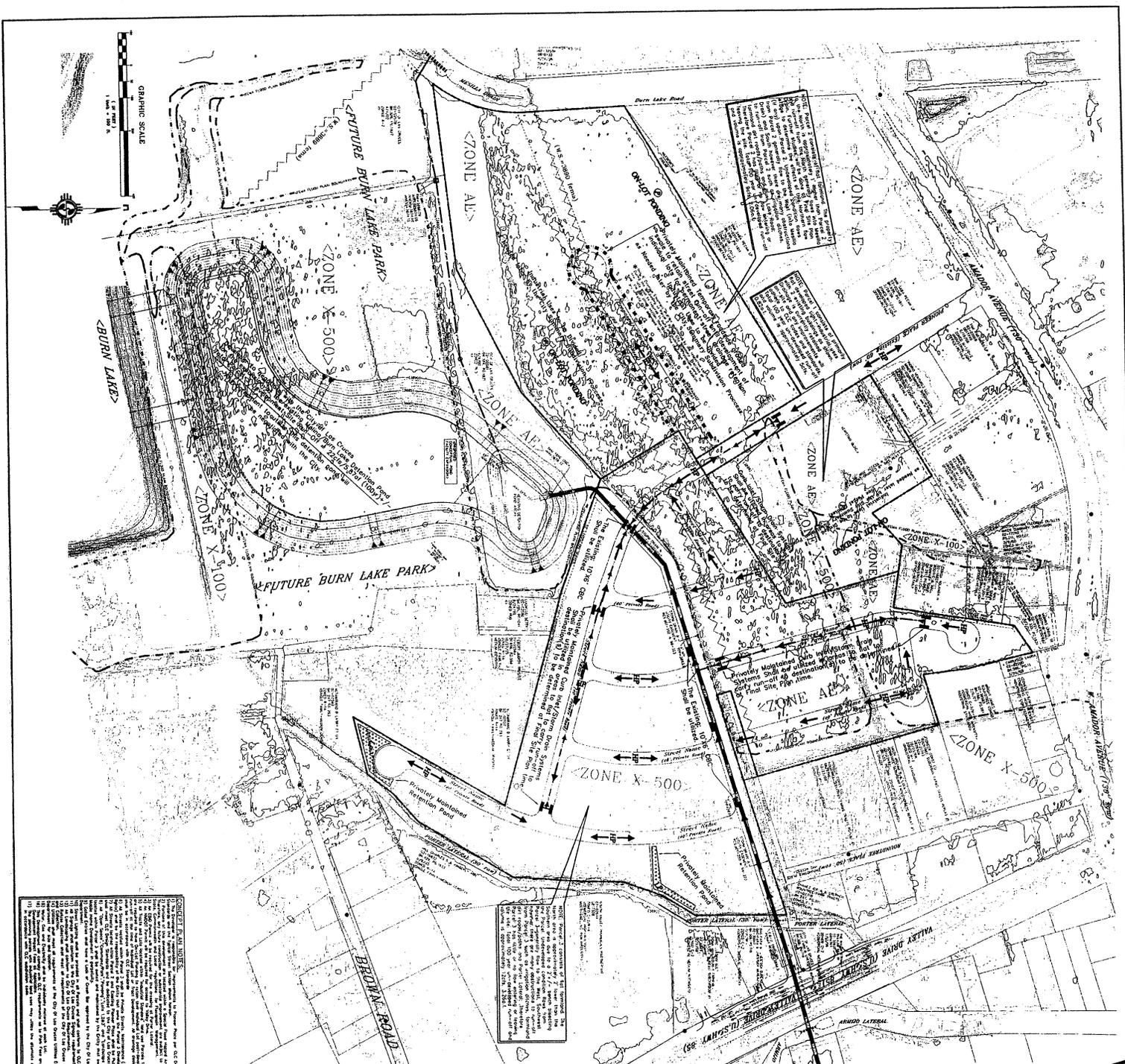
APPROVED AS TO FORM:

ASSY Hydrea Cupo  
City Attorney









**VILLA AMADOR P.U.D.**

**CONCEPTUAL DRAINAGE**  
**A 3332 ACRE TRACT**  
 LOCATED IN SECTIONS 13 AND  
 24 T38N, R16E, OF THE USFS  
 SURVEYS BEING PART OF  
 USFS TRACT 9C-125 OFRS,  
 TRACT 9C-125B, 9A-160A, 9A-160E,  
 9A-160F, 9A-160D AND TRACT  
 N. ROUNDREDS SUBURBAN  
 FARM TRACTS REPLAT NO.1  
 JANUARY, 2001

Name of Development: Villa Amador  
 Developer: Hanna Commercial, LLC  
 10701 Lomas NE, Mexico 87112  
 505-332-0322

Engineer: Stanton White, Inc. Site C  
 14500 Via Arroyo, Suite 200  
 Las Cruces, New Mexico 88011  
 575-525-2112

Surveyor: Stanton White, Inc. Site C  
 14500 Via Arroyo, Suite 200  
 Las Cruces, New Mexico 88011  
 575-525-2112

Proposed Land Use: P.U.D. Mixed Land Use  
 Industrial Standard  
 Mobile Home Community

Jurisdictional Authority: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

Proposed Utility Services: Sewer  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Telephone - AT&T  
 Cable TV - Comcast

Location: Sections 13 and 24, T38N, R16E  
 County: Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces

Applicable Codes: City of Las Cruces  
 City of Las Cruces Design Standards  
 City of Las Cruces Utility Specifications  
 All other applicable City Codes in Effect

**GENERAL NOTES:**  
 1. This map was prepared by Stanton White, Inc. for the City of Las Cruces. It is not to be used for any other purpose without the written consent of Stanton White, Inc.  
 2. This map is a conceptual drainage map and does not constitute a final engineering plan. It is subject to change without notice.  
 3. The City of Las Cruces is responsible for the accuracy of the information provided on this map.  
 4. The City of Las Cruces is not responsible for the accuracy of the information provided by third parties.  
 5. The City of Las Cruces is not responsible for the accuracy of the information provided by the State of New Mexico.  
 6. The City of Las Cruces is not responsible for the accuracy of the information provided by the United States Forest Service.  
 7. The City of Las Cruces is not responsible for the accuracy of the information provided by the State of Texas.  
 8. The City of Las Cruces is not responsible for the accuracy of the information provided by the State of Colorado.  
 9. The City of Las Cruces is not responsible for the accuracy of the information provided by the State of Arizona.  
 10. The City of Las Cruces is not responsible for the accuracy of the information provided by the State of California.

**scanlon white**  
 ENGINEERS  
 14500 VIA ARROYO, SUITE 200  
 LAS CRUCES, NM 88011  
 575-525-2112  
 SHEET 4 OF 4

**FINDINGS & COMPREHENSIVE PLAN ANALYSIS**

1. The proposed Planned Unit Development (PUD) is generally located south of Amador Avenue and west of Valley Drive.
2. The Metropolitan Planning Organization (MPO) has classified Pioneer Place as an existing Local roadway and Valley Drive as a Principal Arterial roadway.
3. The proposed PUD encompasses 54.383 +/- acres and is being proposed for Industrial Standard uses and a Mobile Home Park. Approximately 25.574 +/- acres are being proposed for Industrial Standard uses, the remaining 28.808 +/- acres are being proposed for the use of a mobile home park.
4. The proposed Villa Amador PUD is made up of ten (10) existing parcels: six (6) parcels encompassing 36.98 +/- acres are zoned M-1/M-2 (Industrial Standard); the remaining four (4) parcels encompassing 17.44 +/- acres are currently zoned Planned Unit Development (PUD).
5. The proposed industrial area of the Villa Amador PUD is designated as Parcels 1 & 2, while the proposed mobile home park of the PUD is designated as Parcel 3.
6. The Villa Amador PUD will have a proposed total number of dwelling units ranging from 165 to 200 dwelling units.
7. Adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	M-1/M-2/O-2	Industrial
South	PUD/R-1a	Vacant/Residential
East	M-1/M-2/C-2/C-3/R-4	Industrial/Commercial/Residential
West	A-2/PUD/M-1/M-2	Vacant/Industrial

8. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

Land Use Element, Goal 1 (Land Uses)

Policies:

- 1.3.1 An urban residential use shall be so designated where these uses occur at a density of greater than two dwelling units per acre. A rural residential use shall be so designated where these uses occur at a density of less than or equal to two dwelling units per acre.
- 1.3.3. An assortment of lot sizes should be provided for single-family residential developments to promote a variety of lifestyles within the community. With small

urbanized lots (such as 3,500 square foot parcels) to large tracts of land (five acres in size), the City shall address all segments of the population.

- 1.3.5 All residential development shall address the following urban design criteria: compatibility to the adjacent neighborhood in terms of architectural design, height/density, and the provision of landscaping. Architectural and landscaping design standards for residential uses shall be established in the Comprehensive Plan Urban Design Element.
- 1.7.2 Standard industrial uses shall be defined as those industrial uses which generate fabricating, manufacturing, packaging, and processing activities, provided such uses can be operated in a relatively clean, quiet and safe manner with minimal impacts to the surrounding environment. Standard industrial uses and parks shall be established according to the following criteria:
- a. Standard industrial uses shall have direct access to, or shall be located on, collector and arterial streets.
  - b. The City shall pursue multi modal access standards (auto, bicycle, pedestrian, transit where available) for standard industrial uses and centers.
  - c. Standard industrial development shall address the following urban design criteria: compatibility in terms of architectural design, height/density, and the provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards for standard industrial uses shall be established in the Comprehensive Plan Urban Design Element.
  - d. The City shall encourage the development of standard industrial parks to allow for minimal traffic and encroachment-related conflicts to adjacent uses.
  - e. The City shall encourage focusing development of light, standard, and heavy industrial uses in areas with existing compatible industrial zoning where these areas comply with industrial land use policies.

#### Land Use Element Goal 2 (Growth Management)

- 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 PUD 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. PUD's are required to follow an appropriate process for the review and subsequent action by applicable City staff and boards/committees. PUD's 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.

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 PUD's 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

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.

- 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.

### Housing Element Goal 1

- 1.1.2. Encourage the use of alternative housing types, styles, and living arrangements (i.e. Conventional Single Family Homes, Apartments, Mobile Homes, Modular Homes, Group Homes, Housing for Older Persons, Accessory Units, Transitional Housing etc.) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means.

b. Mitigation techniques as outlined in the Land Use Element and/or other appropriate design strategies should be utilized in the development of alternative housing sites to ensure and/or increase overall compatibility with surrounding properties



TO: Planning and Zoning Commission

FROM: Development Review Committee (DRC)

PREPARED BY: Adam Ochoa, Acting Planner *AO*

DATE: April 27, 2010

SUBJECT: Villa Amador (Concept Plan)

RECOMMENDATION: Denial (Case PUD-09-04)

**Case PUD-09-04:** A request for approval of a concept plan for a Planned Unit Development (PUD) known as Villa Amador. The subject properties are located south of Amador Avenue and west of Valley Drive. The subject property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial Standard) and PUD (Planned Unit Development). The proposed PUD will entail three (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is proposed for Industrial Standard uses; Parcel 2 will encompass 18.263 +/- acres and is also proposed for Industrial Standard uses; and, Parcel 3 which will encompass 28.808 +/- acres and is proposed for a Mobile Home Park. The applicant is proposing that redevelopment of the existing industrial area of the proposed PUD be phased and that parking, landscape, and outdoor lighting improvements be implemented pursuant to the phasing of industrial redevelopment. Submitted by Scanlon White, Inc. for IFL, LLC, property owner.

### **BACKGROUND**

The Planning and Zoning Commission heard the applicant's request for Concept Plan approval for Villa Amador on February 23, 2010. The Commission recommended approval of the Concept Plan with a 3-1 (2 Commissioners absent, 1 Commissioner vacancy) vote with a series of conditions stipulated by the City's Public Works Department as follows:

1. Until such time that it is decided that the City Parcel can be used as a roadway to access the development subdivision, the Engineer shall designate it as "proposed access" on the Concept Plan.
2. The TIA shall be proved at the Final Plan submittal.
3. Use of the City Parcel as a roadway/public R.O.W. is contingent upon the review of the TIA and further discussions with the Public Works Department to determine the feasibility of utilizing the City parcel due to existing City

infrastructure. If it is decided that the City parcel can be used as a roadway, the Engineer must work with the adjacent property owners to ensure that there are no adverse impacts to their property/businesses. The developer is responsible for replatting the parcel as public right-of-way.

4. At Final Site Plan submittal, the Engineer shall provide written confirmation that the Engineer has notified the property owners adjacent to the City parcel of the potential use of the City parcel as a roadway.
5. If the City parcel cannot be used for primary access to the private subdivision based on the listed conditions, the Developer must designate another access point as their primary access to their development and find another secondary access for their development.
6. There must be an agreement with the City to use the City's detention facility.

Subsequent to the February 23, 2010 hearing, the applicant presented to staff a request that the Concept Plan be reheard with a modified development proposal as pertains to the industrial area. The applicant is now proposing that redevelopment of the existing industrial area contained within the industrial area of the Concept Plan for the proposed PUD be phased and that parking, landscaping, and outdoor lighting improvements be implemented pursuant to the phasing of industrial redevelopment. **All other aspects of the applicant's request remain unchanged.**

The proposed Planned Unit Development (PUD) known as Villa Amador is generally located south of Amador Avenue and west of Valley Drive. The proposed PUD encompasses 54.383 +/- acres and is being proposed for Industrial Standard Uses and a Mobile Home Park. The proposed Villa Amador PUD is made up of ten (10) existing parcels. Currently six (6) parcels encompassing 36.98 +/- acres are zoned M-1/M-2 (Industrial Standard), while the other four (4) parcels encompassing 17.44 +/- acres are currently zoned PUD. The four (4) parcels zoned PUD were annexed into the City of Las Cruces in 1978 with the initial zoning of Planned Community District (PC). The actual intent of use for these parcels was never determined through the annexation process. The proposed Villa Amador PUD is in close proximity to Burn Lake.

### **CONCEPT PLAN**

The proposed concept plan for the Villa Amador PUD includes industrial uses and a mobile home park. All utilities in the PUD will follow the standards of the City of Las Cruces Utilities Department. Landscaping and street lighting requirements for the Villa Amador PUD will follow the City of Las Cruces Design Standards. All signage used throughout the proposed PUD will follow the City of Las Cruces Sign Code regulations.

The proposed industrial area will have access off of Pioneer Place, while the proposed mobile home park is proposed to have access to Valley Drive via a small (vacant) City-owned parcel, and secondary access off of Pioneer Place. City staff has identified

some issues with the proposed access off of Valley Drive with using the City owned vacant area. Specifically, it is not clear that the intended use of the property conveyed to the City was for dedicated right-of-way for roadway purposes. Presently, this parcel contains drainage facilities including a sizable box culvert. Further discussion follows in a subsequent section of this report recapping the issues and concerns brought forward by Public Works staff during the February 10, 2010 deliberations of the DRC.

Parcels 1 & 2 of the Villa Amador PUD contain 25.574 +/- acres and are being proposed for Industrial Standard uses. The permitted uses in the proposed industrial area of the Villa Amador PUD will be the same as those uses permitted in the 2001 Zoning Code, as amended, under the M-1/M-2 (Industrial Standard) zoning district. The proposed industrial area will follow the development standards created by the applicant for the Villa Amador PUD when it comes to minimum lot size, maximum height, setbacks, etc. Parcels 1 & 2 of the Villa Amador PUD will also require on-lot ponding for all post-development run-off at the time of development. All drainage designs shall be in accordance with City of Las Cruces Development Standards. Parcels 1 & 2 will have the option to utilize the alternate summary process for future subdivision in accordance with the City of Las Cruces Subdivision Code. The applicant is also proposing to redevelop the existing structures in Phase 1 of the Villa Amador PUD in phases. The required improvements for parking, landscaping and outdoor lighting will be brought into compliance in phases with every part of the building that is redeveloped.

Parcel 3 of the Villa Amador PUD contains the remaining 28.808 +/- acres of the proposed project to be developed as a mobile home park. This phase of the Villa Amador PUD will also follow the development standards created and put in place by the applicant regarding minimum lot size, maximum height, setbacks, etc. A dwelling unit range of 5.7 to 6.9 units per acre is being proposed for Parcel 3 with a total number of dwelling units ranging from 165 to 200 dwelling units. All streets in Parcel 3 will be privately maintained by the entity that owns the mobile home/manufactured home park. All common areas, parks, landscaping and open space in Parcel 3 will also be privately maintained by the owner of the mobile home/manufactured home park. A ten (10) foot landscape buffer will be installed between the Parcel 3 mobile home park and the adjacent industrial uses proposed for Parcels 1 & 2. This landscape buffer will be maintained by the owner of the mobile home park.

The Villa Amador PUD will have direct access from Pioneer Place and Valley Drive, respectively. The Metropolitan Planning Organization (MPO) has classified Pioneer Place as an existing local roadway and Valley Drive as a principal arterial roadway. A bus stop (sign only) is located approximately 100 +/- feet west of Pioneer Place on Amador Avenue and another bus stop (sign only) is located approximately 500 +/- feet north of the proposed access point for Villa Amador to Valley Drive along Valley Drive.

## FINDINGS

1. The proposed Planned Unit Development (PUD) is generally located south of Amador Avenue and west of Valley Drive.
2. The Metropolitan Planning Organization (MPO) has classified Pioneer Place as an existing Local roadway and Valley Drive as a Principal Arterial roadway.
3. The proposed PUD encompasses 54.383 +/- acres and is being proposed for Industrial Standard uses and a Mobile Home Park. Approximately 25.574 +/- acres are being proposed for Industrial Standard uses, the remaining 28.808 +/- acres are being proposed for the use of a mobile home park.
4. The proposed Villa Amador PUD is made up of ten (10) existing parcels: six (6) parcels encompassing 36.98 +/- acres are zoned M-1/M-2 (Industrial Standard); the remaining four (4) parcels encompassing 17.44 +/- acres are currently zoned Planned Unit Development (PUD).
5. The proposed industrial area of the Villa Amador PUD is designated as Parcels 1 & 2, while the proposed mobile home park of the PUD is designated as Parcel 3.
6. The Villa Amador PUD will have a proposed total number of dwelling units ranging from 165 to 200 dwelling units.
7. Adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	M-1/M-2/O-2	Industrial
South	PUD/R-1a	Vacant/Residential
East	M-1/M-2/C-2/C-3/R-4	Industrial/Commercial/Residential
West	A-2/PUD/M-1/M-2	Vacant/Industrial

8. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

### Land Use Element, Goal 1 (Land Uses)

#### Policies:

- 1.3.1 An urban residential use shall be so designated where these uses occur at a density of greater than two dwelling units per acre. A rural residential use shall be so designated where these uses occur at a density of less than or equal to two dwelling units per acre.
- 1.3.3. An assortment of lot sizes should be provided for single-family residential developments to promote a variety of lifestyles within the community. With small

urbanized lots (such as 3,500 square feet parcels) to large tracts of land (five acres in size), the City shall address all segments of the population.

- 1.3.5 All residential development shall address the following urban design criteria: compatibility to the adjacent neighborhood in terms of architectural design, height/density, and the provision of landscaping. Architectural and landscaping design standards for residential uses shall be established in the Comprehensive Plan Urban Design Element.
- 1.7.2 Standard industrial uses shall be defined as those industrial uses which generate fabricating, manufacturing, packaging, and processing activities, provided such uses can be operated in a relatively clean, quiet and safe manner with minimal impacts to the surrounding environment. Standard industrial uses and parks shall be established according to the following criteria:
- a. Standard industrial uses shall have direct access to, or shall be located on, collector and arterial streets.
  - b. The City shall pursue multi modal access standards (auto, bicycle, pedestrian, transit where available) for standard industrial uses and centers.
  - c. Standard industrial development shall address the following urban design criteria: compatibility in terms of architectural design, height/density, and the provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards for standard industrial uses shall be established in the Comprehensive Plan Urban Design Element.
  - d. The City shall encourage the development of standard industrial parks to allow for minimal traffic and encroachment-related conflicts to adjacent uses.
  - e. The City shall encourage focusing development of light, standard, and heavy industrial uses in areas with existing compatible industrial zoning where these areas comply with industrial land use policies.

#### Land Use Element Goal 2 (Growth Management)

- 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 PUD 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. PUD's are required to follow an appropriate process for the review and subsequent action by applicable City staff and boards/committees. PUD's 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.
- 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 PUD's 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

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.

- 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.

### Housing Element Goal 1

- 1.1.2. Encourage the use of alternative housing types, styles, and living arrangements (i.e. Conventional Single Family Homes, Apartments, Mobile Homes, Modular Homes, Group Homes, Housing for Older Persons, Accessory Units, Transitional Housing etc.) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means.

b. Mitigation techniques as outlined in the Land Use Element and/or other appropriate design strategies should be utilized in the development of alternative housing sites to ensure and/or increase overall compatibility with surrounding properties.

### DRC RECOMMENDATION

On February 10, 2010, the Development Review Committee (DRC) reviewed the concept plan for the proposed Villa Amador PUD. The DRC reviews PUD's from an infrastructure, utilities, and public improvement stand point. The DRC voted to recommend denial for the Concept Plan request.

During the meeting the Public Works Department did not feel comfortable moving the proposed PUD forward with an affirmative recommendation. Specifically, Public Works voiced concern regarding the allowance of primary access to Valley Drive via the City-owned parcel without satisfying additional requirements deemed necessary by Public Works. The Public Works Department requested the applicant to acquire letters of support and approval from adjacent property owners to the City property being proposed for primary access for the mobile home park off of Valley Drive. The Public Works Department also requested that a Traffic Impact Analysis (TIA) be submitted to the City for review analyzing traffic operations for the use of the City-owned access point off of Valley Drive; Public Works will require the submittal of the TIA before considering recommending approval to the Planning & Zoning Commission.

From a land use perspective, the PUD is supported by several Land Use Elements & Urban Design Goals in the 1999 Comprehensive Plan. The proposed Villa Amador PUD

encourages the use of alternative housing type (i.e. Mobile Homes, and Manufactured Homes) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means. The proposed PUD provides a different type of single-family residential development that promotes a variety of lifestyles within the community. The Villa Amador PUD also helps focus development of light, standard, and heavy industrial uses in an area with existing compatible industrial zoning where these areas comply with industrial land use policies.

Although the proposed PUD is supported from a land use perspective, the concerns with the access point off of Valley Drive is a major issue that may inhibit the development of the proposed PUD and City Staff is not supportive of approving and moving forward the concept plan without having the Public Works Department's issues addressed. Community Development staff, at this time recommends denial of the proposal, and would alternatively suggest that the concept plan for Villa Amador be tabled until all issues dealing with access are addressed by the applicant. If the Planning & Zoning Commission recommends approval, Community Development staff strongly recommends that the Commission condition the approval, requiring that all issues dealing with access be resolved prior to the zone change request being heard by the City Council.

The DRC recommends denial for the proposed concept plan for the PUD known as Villa Amador.

The recommendation of the Planning and Zoning Commission for the concept plan will be forwarded to City Council for final consideration.

### **OPTIONS**

1. Approve the request for case PUD-09-04.
2. Approve the request with additional conditions as determined appropriate by the Planning and Zoning Commission.
3. Deny the request as recommended by DRC for case PUD-09-04.
4. Table/Postpone the request and direct staff accordingly.

### **ATTACHMENTS**

1. Development Statement
2. Transcripts from the February 10, 2010 DRC Meeting
3. Transcripts from the February 23, 2010 Planning & Zoning Commission Meeting.
4. Traffic Information from the Public
5. Vicinity Map
6. Villa Amador Concept Plan

**DEVELOPMENT STATEMENT for Zoning Applications**  
**(Use for Zone Changes, SUP's and PUD's)**  
 Please type or print legibly

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 or City Council 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: Ted Scanlon  
 Contact Person: Same  
 Contact Phone Number: 575-525-2112  
 Contact e-mail Address: tscanlon@  
 Web site address (if applicable): \_\_\_\_\_

**Proposal Information**

Location of Subject Property West of Valley Dr. South of W. Amador  
 (In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)  
 Current Zoning of Property: Mixed - M-1 and P.U.D.  
 Proposed Zoning: P.U.D.  
 Acreage of Subject Property: 54.382  
 Detailed description of intended use of property. (Use separate sheet if necessary):  
Mixed use, Planned Unit Development with  
Light Industrial and A Private Manufactured  
Home Community in multiple phases  
 Proposed square footage and height of structures to be built (if applicable):  
T.B.D.  
 Anticipated hours of operation (if proposal involves non-residential uses):  
T.B.D.

Anticipated traffic generation See Concept Plan trips per day (if known).

Anticipated development schedule: Work will commence on or about Phase I ASAP and will take approximately T.B.D. to complete.

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

Existing Detention Facilities (Burn Lake) and On-Lot ponding

Will any special landscaping, architectural or site design features be implemented in the proposal (for example, rock walls, landscaped medians or entryways, or architectural themes)? If so, please describe and attach rendering if available:

T.B.D.

---

---

---

---

---

---

---

---

---

---

**Attachments**

Please attach the following: (\* indicates optional item)

Location map

Detailed site plan

Proposed building elevations\*

Renderings or architectural or site design features\*

Other pertinent information\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

**DEVELOPMENT REVIEW COMMITTEE**

Following are the verbatim minutes of the City of Las Cruces Development Review Committee meeting held on Wednesday, February 10, 2010 at 9:00 a.m. in the Las Cruces City Council Chambers, 200 North Church Street, Las Cruces, New Mexico.

**DRC PRESENT:** Tom Murphy, for Cheryl Rodriguez, Community Development  
Meei Montoya, Utilities  
Mark Johnston, Facilities  
Mark Dubbin for Travis Brown, Fire Dept.  
Loretta Reyes, Public Works

**STAFF PRESENT:** Gary Hembree, Community Development  
Helen Revels, Community Development  
Adam Ochoa, Community Development  
Natashia Billy, Public Works  
Claudia Diaz, Public Works  
Dan Soriano, Public Works  
Bill Hamm, Land Management  
Catherine Duarte, Land Management  
Lora Dunlap, Recording Secretary

**OTHERS PRESENT:** Ted Scanlon, Scanlon White, Inc.  
Steve Peale, Scanlon White Inc.  
Matt Kenney, DVI  
John Moscato, Bright View Land Co.  
Kurt Clifton, DVI

**I. CALL TO ORDER (9:03 am)**

Murphy: I'm going to get started here everyone; 9:03 call to order the Wednesday, February 10, 2010 meeting of the Development Review Committee.

**II. APPROVAL OF MINUTES – NONE**

Murphy: We have no approval of minutes.

**III. OLD BUSINESS**

**1. CASE PUD-09-04: Villa Amador**

A request for approval of a concept plan for a Planned Unit Development (PUD) known as Villa Amador. The subject properties are located south of Amador Avenue and west of Valley Drive. The subject property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial Standard) and PUD (Planned Unit Development). The proposed PUD will entail three

1 (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is proposed for  
 2 Industrial Light; Parcel 2 will encompass 18.263 +/- acres and is also  
 3 proposed for Industrial Light; and, Parcel 3 which will encompass 28.808 +/-  
 4 acres and is proposed for a Mobile Home/Manufactured Home Subdivision.  
 5 Submitted by Scanlon White, Inc. for IFL, LLC, property owner.

6  
 7 Murphy: The first item on the agenda is old business Case PUD-09-04, Villa  
 8 Amador. We entertained this case last week. We were... we  
 9 deferred... we continued it to this meeting and for the applicant to put  
 10 together some additional information for this committee. Staff could  
 11 you give us an update on the... on what's new with this case?

12  
 13 Ochoa: Adam Ochoa, Community Development. The letter was turned into  
 14 staff for the NMDOT approval. From the last meeting I believe that  
 15 was one of the issues from the last meeting with Community  
 16 Development. I was not present at the last meeting so any other  
 17 issues I guess I'll defer to Gary or anybody else that had any other  
 18 issues that were discussed at that meeting.

19  
 20 Murphy: And would the applicant I guess care to also update us on the case?

21  
 22 Scanlon: I wouldn't have recognized you until you started talking.

23  
 24 Murphy: I look the same from the front.

25  
 26 Scanlon: The only other issue that we had last week was with respect to the  
 27 strip of land that we are planning on using for a roadway from Valley  
 28 Drive into the development. We did find the original deeds to... from  
 29 Westmoreland and others to the City on that and there is nothing in  
 30 those deeds that would preclude using that as a roadway so we  
 31 believe it's fine for that purpose.

32  
 33 Murphy: Okay, let's I guess go around the table, start with Public Works.

34  
 35 Reyes: Loretta Reyes, Public Works. Those are Quit Claim deeds and there  
 36 was... we were told that there was a statement of intent and there was  
 37 no statement of intent on those deeds that that particular parcel was  
 38 reserved for a roadway, so I want to make that for the record.

39 I brought this forward to the Public Works Director, actually  
 40 myself and Bill Hamm, the Land Manager, at our staff meeting  
 41 yesterday. We explained the situation to the director and basically the  
 42 director feels that there are still unanswered questions. He would like  
 43 to see a TIA to show that this access works, as well as probably  
 44 consider the Pioneer access. He would also like to know what the  
 45 adjacent property owners think and basically he's stating that the  
 46 engineer needs to meet with the adjacent property owners and he'd  
 47 like written comments from the property owners with regard to what

- 1 they think about this, having this access at this location. And these  
 2 are written comments from the owners themselves, not from the  
 3 engineer.
- 4 And with that Public Works feels that this cannot proceed until we  
 5 have this information and until these questions can be answered.
- 6
- 7 Murphy: Okay. Utilities, you have anything new on...?
- 8
- 9 Montoya: No.
- 10
- 11 Murphy: Community Development?
- 12
- 13 Hembree: No further comments.
- 14
- 15 Murphy: Facilities?
- 16
- 17 Johnston: Mark Johnston, Facilities. No comments.
- 18
- 19 Murphy: Fire?
- 20
- 21 Dubbin: Mark Dubbin, Las Cruces Fire. The access issue is something that is  
 22 of importance to us so we're... we'd would like to know how that's  
 23 resolved; otherwise the developer has addressed all of our comments  
 24 from last week's meeting.
- 25
- 26 Murphy: Okay, Mr. Scanlon I guess we're at the point where would you be  
 27 willing to accept an indefinite deferral until those items...?
- 28
- 29 Scanlon: No, I wouldn't. I want this to go forward and I don't understand why  
 30 Public Works is taking it upon themselves to stand in the way of it  
 31 because we're at the concept plan stage right now of the PUD, that's  
 32 what we're doing. We've got everything in order, that strip of land is  
 33 the City's; it's theirs to do whatever they want with it. The... they've  
 34 already built a storm drain it once and there's nothing in the deeds or  
 35 in the conveyance documents that preclude that being used as a  
 36 roadway. It's not appropriate to do a TIA at this time. It would be  
 37 appropriate to do a TIA at the final site plan stage; that's what we have  
 38 talked about all along in this process. We don't agree at all with this  
 39 standing in the way of this thing and I don't understand why Public  
 40 Works is doing that but no, we want to move forward. And we want a  
 41 consensus of at this table that we can do that. We plan on having a  
 42 neighborhood meeting next Tuesday at the developer... the  
 43 developer's (*inaudible*), he is the one that's going to be bringing that  
 44 forward and we don't see any reason whatsoever why that... why this  
 45 thing cannot move forward at this stage of the game.
- 46
- 47 Murphy: At this point I'd like to hear from Dan Soriano on the TIA.

1  
2 Soriano: Thank you, Dan Soriano, Public Works. Ted didn't we... I realize that  
3 we had talked about the TIA and the idea that we're early in the stages  
4 but remind me, refresh my memory just a little bit. Didn't we talk about  
5 at least some... providing some preliminary report, a trip generation  
6 based on just the most conservative guess as to what the land uses  
7 are going to be for this subdivision...?  
8  
9 Scanlon: We talked about doing that at the final site plan stage. We need to...  
10 we need to... we need to establish the land uses first.  
11  
12 Soriano: Okay, this...  
13  
14 Scanlon: Once we know what the land uses are that have, are approved by the  
15 City then we can do the TIA and that's what we had proposed to do all  
16 along.  
17  
18 Soriano: We're at the concept plan at this point? Does this go to P and Z?  
19  
20 Ochoa: Yes it does.  
21  
22 Soriano: Goes this month?  
23  
24 Ochoa: Mr. Scanlon is pushing for this month.  
25  
26 Soriano: Well Ted I can tell you that if I'm reading the P and Z the way I think I  
27 read the P and Z, they're gonna want some kind of information before  
28 them at P and Z and that was kind of... that was kind of the message I  
29 was trying to convey to you. You've seen from previous cases that  
30 that becomes a very, very...  
31  
32 Scanlon: Sure, and if you look at the... if you look at the PUD drawings, look at  
33 the drawings that we turned in, there are preliminary trip generation  
34 values given on there based on the ranges that we have... ranges of  
35 population density that we've estimated on there and we've already  
36 done that.  
37  
38 Soriano: That's on the concept plan?  
39  
40 Scanlon: Yes.  
41  
42 Peale: Steve Peale with Scanlon White. Yeah, the... and we had discussed  
43 those at the... on out in the field there at that time that we met out in  
44 the field, that had been discussed what those ADT's were on the  
45 plans. They're all based off the IT trip generations. They've been  
46 there since day one.  
47

- 1 Murphy: One moment while Mr. Soriano reviews the trip generation.  
2  
3 (Mr. Soriano reviewing paperwork away from the microphones.)  
4
- 5 Murphy: Mr. Soriano...?  
6
- 7 Soriano: Well they do have some trip generation information based on what's  
8 planned for the area. Now it does give trip generation only, does not  
9 move to level of service and that is some of... that is I mean that is  
10 some things Ted and I talked about; that we needed at least some  
11 preliminary information before we went to P and Z because I know P  
12 and Z was going to turn around and table it or just not want to act on it  
13 until we had some kind of volume information out. Of course the  
14 director is the director and he's got some other ideas on what exactly  
15 he wants with the TIA. If he wants a more detailed TIA I guess we'll  
16 have to defer to him to see what he thinks but this seems to be falling  
17 in line with what Ted and I did talk about that we needed to at least  
18 have some preliminary information. Something that we could at least  
19 show the P and Z that there was at least some consideration of the  
20 traffic generation from this site and that further analysis level of service  
21 determination etcetera, etcetera was going to come with a final report  
22 at I guess final, the site plan stage. So this seems to be falling in line  
23 with what the conversation that Ted and I have had. Now again, Mr.  
24 Johnson has now interjected with some additional requests so I'd have  
25 to defer to that.  
26
- 27 Murphy: Mr. Scanlon, and how long would it take to assemble the necessary  
28 information for the TIA?  
29
- 30 Scanlon: Take a long time, probably at least two or three weeks.  
31
- 32 Murphy: And Adam, what's the date of the Planning and Zoning?  
33
- 34 Ochoa: That'd be February 23<sup>rd</sup>.  
35
- 36 Murphy: Twenty third so were less than two weeks out on that.  
37
- 38 Scanlon: I'd like to see in the code where that requirement for that TIA is in the  
39 code. I'm looking for uniform administration of the code here.  
40
- 41 Murphy: The... I don't know whether you refer to the design you know the  
42 design guidelines or the codes but many places it is referenced as  
43 those are the minimum and nothing can preclude staff from requesting  
44 additional information. I do believe that a TIA was an early on request  
45 from Public Works. There was certainly you, you know, you know, you  
46 knew that...  
47

- 1 Scanlon: I don't think that's the case, I think this TIA idea just came up  
2 yesterday.
- 3
- 4 Murphy: No...
- 5
- 6 Scanlon: I don't understand why, what they're afraid of what and over there and  
7 why they're standing in the way of this thing and what they're throw...  
8 reaching around in the dark trying to find reasons to deny this or to  
9 keep it from going forward.
- 10
- 11 Reyes: Mr. Chairman, Loretta Reyes, Public Works. We're not trying to keep  
12 this from going forward, Ted. It's a concern over that parcel of land as  
13 to whether or not it should be reserved for, for just the drainage  
14 purposes to have because that box culvert is there or whether it  
15 should be used as a roadway and that's the questions. I don't have  
16 the authority to say yes you can use that piece of property as a  
17 roadway. I believe that that authority is above me...
- 18
- 19 Scanlon: Show me in the documents then where it says that it can be used for  
20 drainage. You know you guys used it for drainage; you chose to use it  
21 for whatever you wanted back then...
- 22
- 23 Murphy: Mr. Scanlon. Mr. Scanlon. We don't need to; we don't need to delve  
24 into that. I believe at this point...
- 25
- 26 Scanlon: We do need to delve into that.
- 27
- 28 Murphy: I think the applicant's not willing to accept a deferral. I think what we  
29 need... the committee needs to move this on to P and Z with a  
30 recommendation and you know based, based on, based on the  
31 concerns raised by Public Works and you know the impacts we have  
32 for Fire, I believe I'm going to look for a recommendation of denial to  
33 the Planning and Zoning Commission. Can I have the motion?  
34
- 35 *Someone speaking away from the microphone.*
- 36
- 37 Murphy: Motion to move this case forward to the P and Z with a recommended  
38 denial.
- 39
- 40 Reyes: Mr. Chair we wouldn't just vote on the question and then voice our  
41 whether we deny or... or say yes to take it?
- 42
- 43 Murphy: Do you think it would be more... it would be better if we have a motion  
44 for approval and then explain no votes?
- 45
- 46 Reyes: I would think that... that's what we've done in other cases we have...  
47

- 1 Murphy: Okay I'm not used to being in the Chair position. Okay, may I have a  
2 motion for... a motion to approve?  
3
- 4 Dubbin: Mark Dubbin, Fire Department. Make a motion to approve the case.  
5
- 6 Johnston: Mark Johnston, Facilities. Second.  
7
- 8 Murphy: Okay, let's go ahead and vote. Public Works?  
9
- 10 Reyes: No.  
11
- 12 Murphy: Utilities?  
13
- 14 Montoya: We'll vote no because during the conversation that I'm hearing right  
15 now although right now that we have state the utility plan is only a  
16 con... concept only but if the connection to Valley Drive is not going to  
17 be happening that I think Ted that you have place two utility line  
18 through that tract of land then how we going to move those utility line if  
19 the road is not going to go through so I have... I have the concern that  
20 if the road, if it's not going to go through so...  
21
- 22 Scanlon: The road has to go through Meei.  
23
- 24 Montoya: Okay, I don't know at this time so anyway and meantime I will support  
25 my colleague because would like to see this going to P and Z without  
26 a major question ideas, so the Utility vote no.  
27
- 28 Murphy: Alright, Community Development?  
29
- 30 Hembree: Community Development defers to Public Works and vote no.  
31
- 32 Murphy: Facilities?  
33
- 34 Johnston: Facilities votes yes.  
35
- 36 Murphy: Fire?  
37
- 38 Dubbin: Mark Dubbin, Las Cruces Fire. If the... if the utilities and the road go  
39 through as in the concept plan, the Fire Department has no issue with  
40 the development. I think based on the questions raised by Public  
41 Works and Utilities I have to deny at this time.  
42
- 43 Murphy: Okay and MPO votes no. Reason being that the... the access point is  
44 I believe a very key factor to the development and that there's not  
45 been adequate you know adequate you know notification as far as  
46 when... how to use that (*inaudible*) tract.  
47

1 Scanlon: Fine you'll hear from my attorney.

2  
3 Murphy: So the motion fails 5-1.

4  
5 **IV. NEW BUSINESS**

6  
7 **2. CASE S-07-056: Rancho Del Valle (Preliminary Plat), Variance Request**

8 A request for approval of a variance to the cross-section for a minor local  
9 roadway per the City's Design Standards. In addition, the applicant is  
10 requesting a variance to the street lighting requirement per the City's  
11 Design Standards. Subject property is located north Thurmond (also known  
12 as Engler) Road and south of Peachtree Hills Road. The application was  
13 submitted by DVI for Bright View Land Company, property owner.

14  
15 Murphy: Okay, next...

16  
17 *Someone speaking away from microphone*

18  
19 Murphy: Next case. Case S-07-056, Rancho Del Valle preliminary plat and  
20 variance request. Helen, can you go ahead and brief us on that?

21  
22 Revels: Helen Revels for the record. We're here today because the applicant  
23 is in the process of getting ready to submit the final plat and  
24 construction drawings for Rancho Del Valle Subdivision. The  
25 preliminary plat was approved in November 2007. It was granted a  
26 one year extension November 10, 2009. The applicant is here today.  
27 The first variance request is for no street lighting as per design  
28 standard requirements and the second request is for a cross section  
29 deviation from the City Design Standard. The applicant is seeking a  
30 31 feet back-of-curb, back-of-curb cross section. The subject property  
31 is located north of Thurmond Road and south of Peachtree Hills Road  
32 and the applicant is Bright View Land Company. DVI is here for as a  
33 representative for the applicant.

34  
35 Murphy: And does the applicant have anything to add to that?

36  
37 Moscato: Matt Kenney will be here momentarily.

38  
39 Revels: Also I'd like to add that the reason I believe for the deviations is that  
40 the applicant is also in the process of working on amending the Metro  
41 Verde concept plan and eventually Rancho Del Valle Subdivision will  
42 be part of that PUD and so that they're requesting the design  
43 standards that will be featured in the Metro Verde PUD.

44  
45 Kenney: Matt Kenney, DVI, thank you Helen. I wanted to go ahead and start by  
46 reading something from the American Association State Highway and  
47 Transportation Officials which is ASHTO. Their... they publish a

1 Scholz: Okay. All right if there's no additional discussion, once again I'll entertain  
2 a motion to approve.

3  
4 Crane: Once again I will move.

5  
6 Bustos: I'll second.

7  
8 Scholz: Okay. It's been moved and seconded. I'll call the roll. Commissioner  
9 Crane.

10  
11 Crane: Aye findings and discussion.

12  
13 Scholz: Commissioner Bustos.

14  
15 Bustos: Aye findings and discussion.

16  
17 Scholz: Commissioner Beard.

18  
19 Beard: Aye findings and discussions.

20  
21 Scholz: And the chair votes aye for findings and discussion. All right, it's  
22 approved. Thank you very much Ms. Murphy, Mr. Dunham.

- 23  
24 **2. Case PUD-09-04:** A request for approval of a concept plan for a Planned  
25 Unit Development (PUD) known as Villa Amador. The subject properties are  
26 located south of Amador Avenue and west of Valley Drive. The subject  
27 property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial  
28 Standard) and PUD (Planned Unit Development). The proposed PUD will  
29 entail three (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is  
30 proposed for Industrial Standard uses; Parcel 2 will encompass 18.263 +/-  
31 acres and is also proposed for Industrial Standard uses; and, Parcel 3 which  
32 will encompass 28.808 +/- acres and is proposed for a Mobile Home Park.  
33 Submitted by Scanlon White, Inc. for IFL, LLC, property owner

34  
35 Scholz: Okay, our next case is Case PUD-09-04, a request for approval of a  
36 concept plan for a Planned Unit Development. And Mr. Ochoa I see  
37 you're up again. What was the problem with the computer? Did it crash?

38  
39 Ochoa: I guess it just decided to take some time off.

40  
41 Scholz: Oh yes, I can understand that. I'm in favor of that myself.

42  
43 Ochoa: Next case tonight gentlemen is PUD-09-04. It is a request for approval for  
44 a concept plan for a Planned Unit Development or PUD known as Villa  
45 Amador. You can see right here, this is the vicinity map here highlighted  
46 in the light green line if you will which encompasses all parcels that would

1 be part of this Planned Unit Development. Located south of Amador right  
2 here and west of Valley right here. The proposed Planned Unit  
3 Development known as Villa Amador is generally located south of Amador  
4 and west of Valley like I said. The proposed Villa Amador PUD is made  
5 up of 10 existing parcels. Currently six parcels encompassing  
6 approximately 36.98 acres are zoned M-1/M-2 which is industrial  
7 standard, while the other four encompassing approximately 17.44 acres  
8 are currently zoned PUD or Planned Unit Development. The four acres  
9 zoned PUD were annexed into the City of Las Cruces in 1978 with the  
10 initial zoning of a planned community district, is what a PUD used to be  
11 known as. The actual intent for the use of these parcels was never  
12 determined through the annexation process.

13 Concept plan, case specifics, the proposed PUD encompasses  
14 54.38 acres and is being proposed for industrial standard uses and a  
15 mobile home park/community. The proposed industrial area will have  
16 access off of Pioneer Place where the proposed mobile home park/  
17 community is proposed to have access to Valley via a small vacant City-  
18 owned parcel and secondary access off of Pioneer Place. All utilities in  
19 the PUD will follow standards of the City of Las Cruces Utility Department.  
20 Landscape and street lighting requirements for the Villa Amador PUD will  
21 follow City of Las Cruces Design Standards as well as the signage use  
22 throughout the proposed PUD will follow the sign code regulations as well.

23 Here's a concept plan of the proposed PUD separating the three  
24 parcels, parcel 1, 2 and 3 here. Parcel 1 and 2 is what is being proposed  
25 for industrial uses while parcel 3 right here would be proposed for the  
26 mobile home park/community. Parcels 1 and 2 of the Villa Amador  
27 contain about 25.576 acres and are being proposed for the industrial  
28 standard uses. The permitted uses in the proposed industrial area will be  
29 the same as those uses permitted in the 2001 Zoning Code under the M-  
30 1/M-2 or Industrial Standard Zoning District. The proposed industrial area  
31 will follow development standards created by the applicant for the Villa  
32 Amador PUD when it comes to minimum lot size, maximum height,  
33 setbacks, and so on. Parcels 1 and 2 of the Villa Amador PUD will also  
34 require on-lot ponding for all post development runoff that shall be in  
35 accordance with the City of Las Cruces Development Standards.

36 The residential area which would be parcel 3 of the Villa Amador  
37 PUD contains approximately 28.808 acres and is proposed for a mobile  
38 home park/community. Parcel 3 will also follow the development  
39 standards created and put in place by the applicant regarding the  
40 minimum lot size, maximum height, setbacks, and so on. The dwelling  
41 unit range for this area would be 5.7 to 6.9 units per acre and is being  
42 proposed for a total of anywhere between 165 to 200 dwelling units in the  
43 entire parcel 3. All streets, common areas, landscaping, and open space  
44 in parcel 3 will be privately maintained by the entity that owns the mobile  
45 home park/manufactured home park. Ten foot landscape buffer that will  
46 also be maintained by the mobile home park owner will be installed

1 between the mobile home park/community and the adjacent industrial  
2 uses proposed in parcels 1 and 2.

3 Here's an aerial of the proposed area. As you can see most of it is  
4 vacant with some industrial uses already in existence and what is being  
5 proposed as parcel 1. And access points would be here off of Pioneer  
6 Place and the other proposed access would be here off of Valley.

7 On February 10th, 2010, the Development Review Committee or  
8 DRC reviewed the conceptual plan for the proposed Villa Amador PUD.  
9 During the meeting public works department did not feel comfortable  
10 moving the proposed PUD forward with any affirmative recommendation.  
11 Public works voiced concerns regarding the allowance of primary access  
12 to Valley Drive via the City owned parcel without satisfying additional  
13 requirements deemed necessary by Public Works. Public Works  
14 Department requested the applicant to require a letter to support an  
15 approval from adjacent property owners to the City property being  
16 proposed for primary access for the mobile home park off of Valley Drive.  
17 Public Works Department also required that a traffic impact analysis or  
18 TIA be submitted to the City for review for the use of the City-owned  
19 access point off of Valley Drive.

20 Although the proposed PUD is supported from a land use  
21 perspective, the concerns with the access point off of Valley Drive is a  
22 major issue that may inhibit the development of the proposed PUD. And  
23 City staff at that point was not supportive of approving and moving forward  
24 with the concept plan without having the Public Works Department's  
25 issues addressed. With that, DRC at that time recommended denial for  
26 the proposed concept plan for the PUD known as Villa Amador. Just  
27 recently since then the applicant has been in contact with the Public  
28 Works Department trying to I guess finish out whatever concerns they  
29 might've had with the access and so forth. Just today Community  
30 Development staff received a letter from Public Works basically stating  
31 that a conditional approval ... that they're recommending approval with  
32 conditions for the Planned Unit Development. I'd like to read off those  
33 conditions now. One is that until such time that it is decided that the City  
34 parcel can be used as a roadway to access the development subdivision;  
35 the engineer shall designate it as a proposed access on the concept plan.  
36 Two is a TIA shall be provided at the final site plan submittal. Three, use  
37 of the City parcel as a roadway/public right-of-way is contingent upon the  
38 review of the TIA. And further discussions with the Public Works  
39 Department to determine the feasibility of utilizing the City parcel due to  
40 existing City infrastructure. If it is decided that the City parcel can be used  
41 as a roadway, the engineer must work with the adjacent property owners  
42 to ensure that there are no adverse impacts on their property/businesses.  
43 The developer is also responsible for replatting the parcel as public right-  
44 of-way. Four is that final site plan submittal; the engineer shall provide  
45 written confirmation that the engineer has notified the property owners  
46 adjacent to the City parcel of the potential use of the City parcel as a

1 roadway. Five, if the City parcel cannot be used for primary access to the  
 2 private subdivision based on the list of conditions, the developer must  
 3 designate another access point as their primary access to their  
 4 development and find another secondary access for the development.  
 5 And six, there must be an agreement with the City to use the City's future  
 6 retention facility.

7 With that, Community Development staff still feels that there are  
 8 issues for the concept plan to move forward with the actual approval  
 9 because of the access issue. Tonight gentlemen your options are to vote  
 10 yes to approve the request for Case PUD-09-04, two to vote yes to  
 11 approve the request with additional conditions as deemed appropriate by  
 12 the P&Z, one of those conditions may be which was recommended by  
 13 staff, is possibly allowing it with the condition that the issues with the  
 14 access for the concept plan be dealt with prior to moving forward to City  
 15 Council for final action. Three is to vote no, to deny the request as  
 16 recommended by the DRC for Case PUD-09-04, or four is to table and  
 17 postpone the request and direct staff accordingly. That is the end of my  
 18 presentation. The applicant is here for questions. I stand for questions as  
 19 well.

20  
 21 Scholz: Okay, questions. Commissioner Crane.

22  
 23 Crane: In view of the statement that we have in front of us by the Public Works  
 24 Department, what is the position of the DRC or are they out of the loop  
 25 now?

26  
 27 Ochoa: No, sir. DRC's recommendation is still denial. We cannot change that  
 28 since it was voted on by different departments of the City. So it still stays  
 29 as denial.

30  
 31 Crane: Thank you.

32  
 33 Scholz: Okay. Commissioner Beard.

34  
 35 Beard: Could you go to that map again and show me where the soccer fields are  
 36 and the Burn Lakes are?

37  
 38 Ochoa: The soccer field/Burn Lake area is somewhere to the southwest this way.

39  
 40 Beard: Where's Amador on that one?

41  
 42 Ochoa: Amador is right up here.

43  
 44 Beard: Okay. And then the access road?

45

- 1 Ochoa: This is Pioneer Place here, the access being proposed for the industrial  
2 area. This over here would be the access point to get to Burn Lake I  
3 believe.  
4
- 5 Scholz: Yes. Okay. All right. I just had ... I hate to throw a wet blanket on this  
6 you know and stop the process, but it seems to me we don't have enough  
7 information right now, particularly about the access. And when I was out  
8 there today looking at the property, it occurred to me that there's no way to  
9 get to Valley and almost no way to get to Amador though obviously that  
10 Pioneer Road would do the trick. And I'm looking at the number of  
11 dwellings that they're talking about which is about 165 to 200 I think they  
12 estimated. Well it seems to me that we need a definite access to Valley of  
13 some sort. We need an agreement on that from Public Works or from the  
14 City from whoever gives that permission. And it seems to me we also  
15 need a traffic impact study to see how we can put that many vehicles out  
16 through that road onto Valley which is a very busy road. I always  
17 remember that when I go to Scoopy's, I'm sorry Caliche's. I don't mean to  
18 be retro. And when I have to turn on there and go across the traffic on  
19 Valley or pull out of Caliche's and get back into traffic lane, it's difficult. I  
20 can't imagine what it would be like to have a couple hundred cars you  
21 know pulling out on that. So it seems to me that what we need before we  
22 can act on this is some guaranteed access on those roads and a traffic  
23 impact assessment. Commissioner Crane.  
24
- 25 Crane: The Public Works has said it will provide a conditional approval with the  
26 following conditions and there's a string of conditions that have to be met.  
27 What then can the developer do if we vote to approve? What progress  
28 can the developer make? Can ground be broken?  
29
- 30 Scholz: Well it seems to me that the developer would have to meet these  
31 conditions in order to get the approval. And it seems to me that ... it's my  
32 feeling anyway that it would be better for the developer to meet those  
33 conditions initially and then bring it up for approval instead of you know  
34 doing it in kind of a patchwork process. But since the applicant is here I'm  
35 certainly willing to listen to the applicant. Mr. Scanlon.  
36
- 37 Scanlon: Yes, sir, Mr. Chairman, members of the Commission. Thank you for the  
38 opportunity to speak to you tonight. The parcel of land in question and I  
39 don't know for the life of me understand why the Public Works staff got so  
40 scared of this thing, but they seem to have and I've been dealing with this  
41 for several weeks now and I thought coming in here tonight that I had it  
42 completely cleared up because I have complied with everything that  
43 they've asked me to do with respect to it. But there is a parcel of land right  
44 here between the property line which is located in this area over to the  
45 Valley Drive right-of-way. That piece of property was acquired by a prior  
46 developer that was getting a development approval on this property. He

1 got a PUD back in 1986. His name was Forest Westmoreland. He  
2 acquired that piece of property for the sole purpose of providing access  
3 into this property. And he deeded it to the City and the City has owned it  
4 ever since. The City has used it for a storm drain structure that traverses  
5 underneath Valley Drive and comes right through that parcel of property.  
6 So the City acknowledges it. It was given to them for a road. It was never  
7 prohibited from any use and it was very specifically not prohibited from  
8 any use, so that it could be used for utilities. It could be used for drainage  
9 structure. It could be used for a roadway. Now I did go out and meet with  
10 representative from the Caliche's property and the fellow of the name of  
11 Javier Morales and he told me that the owner of Caliche's has told him  
12 from day one that that piece of property belongs to the City and they're  
13 going to build a road in there whenever they develop that property. That's  
14 always been the plan. I don't understand why Public Works has decided  
15 that there is some sort of ambiguity or some sort of issue with that  
16 because that's what that tract of land was given to the City for and that's  
17 what it has always been reserved for, and now is the time that it should be  
18 used.

19 We have met with the DOT, and we have met with the City traffic  
20 engineers. We've met with as I said the adjacent landowner there and  
21 there isn't any problems with that piece of ... with that little strip of land  
22 becoming a roadway. It was always meant to be a roadway and that's  
23 what it's going to be. Obviously, with respect to the conditions that Public  
24 Works staff has asked us to comply with, we don't have any issues with  
25 complying with any of those things. I mean those are just things that we  
26 have to do.

27 At this stage of the PUD process, the concept plan is put in place to  
28 establish land use. The details as to how the access works and how the  
29 traffic impact analysis, the utility, actual utility layouts and all those things  
30 are done at the time of the final site plan which is way more detailed  
31 document that comes back to this board after approval of the concept  
32 plan. In other words we take the concept plan, we put together the land  
33 uses and density ranges and what is going to go on the property as far as  
34 uses, just like you would if you were rezoning the parcels to R-1 and M-1  
35 or MT or whatever different zoning districts you might do. It's the same  
36 way, except in the PUD you establish those land uses on those parcels as  
37 part of the concept plan. Then the final site plan comes back to you guys  
38 and that takes the place of a preliminary plat. So that's a very detailed  
39 document and it addresses all kinds of things like water pressures, and  
40 capacities, and fire flows, and more detailed drainage calculations and all  
41 sorts of things. The traffic impact analysis is done at that time, just like  
42 when a subdivision process, you do the traffic impact analysis at the time  
43 of the preliminary plat. Final plans, site plan in a PUD and a preliminary  
44 plat in a subdivision is very much the same document. And they were  
45 designed to be that way, because when you do a PUD and you get final

1 site plan approval, you don't have to go through the preliminary plat  
2 process. You've already done it with the final site plan.

3 At the stage we're at tonight, all we're doing is trying to establish  
4 the land use. Is the land use appropriate for the property? And if there  
5 are any conditions or anything like that that come out of the meeting, then  
6 we incorporate those into the final site plan and bring that forward back to  
7 this body. We'll come back with a lot more detail on this. But as I stated  
8 the purpose of the concept plan is to establish some land uses, to  
9 establish some public benefit, basic concepts as to how the property's  
10 going to be accessed and how it's going to be developed. In a very basic,  
11 preliminary form.

12  
13 Scholz: Okay. Some questions for Mr. Scanlon? Commissioner Beard.

14  
15 Beard: That access that you're talking about off of Valley.

16  
17 Scanlon: Yes, sir.

18  
19 Beard: How wide is that access?

20  
21 Scanlon: It's 50-feet wide. It meets the requirements of a City street.

22  
23 Beard: 50-feet wide. Okay.

24  
25 Scanlon: It was ...

26  
27 Beard: And that right now is an irrigation ditch?

28  
29 Scanlon: I'm sorry?

30  
31 Beard: Is that right now an irrigation ditch you said?

32  
33 Scanlon: No, it's a paved area between the Caliche's property and the Farm Bureau  
34 property to the south of Caliche's.

35  
36 Beard: To the south, okay.

37  
38 Scanlon: So it lies ... it's a 50-foot wide strip that lies right in between those two  
39 properties.

40  
41 Beard: I got you. I was thinking about north. Okay.

42  
43 Scanlon: Right now there's a dumpster sitting right on the end of it.

44  
45 Beard: Okay.

46

1 Crane: Mr. Chairman.

2  
3 Scholz: Yes, Commissioner Crane.

4  
5 Crane: In the Public Works paragraph three of their letter of today, mentions  
6 determining feasibility of utilizing City parcel due to existing City  
7 infrastructure. And I wonder if they're talking about that drain you  
8 mentioned?

9  
10 Scanlon: They are talking about that storm drain and it's very feasible to build this  
11 roadway over the top of that. In fact we're going to build a roadway over  
12 the top of that ... that box culvert enters the ... comes under Valley Drive  
13 right here and enters our property right here inside an easement. We're  
14 going to build a road right over the top of it all the way to here. And then  
15 there would be a drainage easement which will provide some access to ...  
16 cross access between this development and Burn Lake for pedestrian and  
17 bicycle access so that they can access the recreational facilities and so  
18 forth in there. The plan is to build right over the top of that box culvert.  
19 The box culvert is designed in such a way that that's not a hindrance to it  
20 at all. In fact makes it very convenient to build drop inlets and let storm  
21 water go right into the box culvert.

22  
23 Crane: Thank you.

24  
25 Scholz: Okay. I just have two questions. I don't have ... thank you for explaining  
26 the access point by the way.

27  
28 Scanlon: Yes, sir.

29  
30 Scholz: That was confusing and I don't think we were enlightened by Public Works  
31 there in their memo. My question is why put a subdivision ... that is, why  
32 put a residential subdivision in what is basically an industrial area?

33  
34 Scanlon: Well it's kind of a transitional area. There is to the south is Brown Road  
35 which is a quite old and very well established rural sort of neighborhood.  
36 We will transition from that area with somewhat higher density residential  
37 area in here, transitioning then over to the industrial area. The idea in this  
38 day and age and this is a concept of what the buzz word they call new  
39 urbanism, is to try to keep traffic down by allowing people to live close to  
40 where they would work. And that's one of the newer concepts in planning  
41 that's kind of going around the country now is to get commercial areas and  
42 industrial areas closer to each other so you don't have them sprawled out  
43 in great big areas but they're in these pockets and people can live and  
44 work very close to, or work very close to where they live.

45  
46 Scholz: Right, I can understand that.

- 1  
2 Scanlon: And there's another issue, we're trying to provide a development as far as  
3 the residential area that's very affordable. And this is one of the driving  
4 forces of that and the land area and being within the industrial area and  
5 having the ability to combine that with the industrial area allows us to  
6 make this residential development more affordable than we would be if we  
7 had to go out here on the East Mesa and buy vacant land and do it out  
8 there.  
9
- 10 Scholz: I see. Well, the other part of smart growth of course is to have commercial  
11 areas nearby and I don't see any commercial areas nearby.  
12
- 13 Scanlon: Well Wal-Mart right down the street. Fairly close.  
14
- 15 Scholz: Where is the Wal-Mart? It's on ...  
16
- 17 Scanlon: It's just on the other side of Avenida de Mesilla which is about right here.  
18 About right there.  
19
- 20 Scholz: Okay. Well I don't see that as a neighborhood. It's certainly not within  
21 walking distance. Okay. Well those were my concerns Mr. Scanlon. Any  
22 other questions for Mr. Scanlon? Okay, we'll open this to the public for  
23 discussion.  
24
- 25 Scanlon: Thank you.  
26
- 27 Scholz: And several people want to speak. What I'd like you to do is come up and  
28 identify yourself and then tell us what you think.  
29
- 30 Schwebke: My name is John Schwebke. I represent the Doña Ana County Farm  
31 Bureau which is the building south. And we have never been asked to talk  
32 to or anything about this development. I'm very well aware that road ...  
33 when I moved here in 1997 and I occupied that building it was a gravel  
34 spillway and City came through and put what do call, you dig up the  
35 blacktop on the street and you put another top, top coating or whatever  
36 they did and it became nice cause the dust didn't blow any more in that  
37 area.  
38 My concerns are a couple. It doesn't seem that this has to happen  
39 and have access to Valley Drive. I mean we're talking minimum 200 to  
40 300 to 400 cars daily basis in and out, in and out, in and out. And that  
41 already has a lot of cars in Caliche's and I'll speak to that in a minute  
42 because that I think is an institution we should not disturb in Las Cruces.  
43 But as far as we're concerned as a business, our entryway into our  
44 parking lot would be right adjacent to the street where it would come out. I  
45 just do not see how I can turn left going out when there are cars coming  
46 out turning right. We have enough space there with Caliche's that we've

1 developed patterns and people that use that, there's enough space that  
 2 they come out, they're about 20-feet away from where we are, 25-feet  
 3 away. So that's one concern. But I'm not opposed to development at all.  
 4 I really am for development. I see the drainage ditch or whatever we call  
 5 the lateral as a perfect buffer between Valley Drive and the businesses  
 6 along there and the development. And be able to use some other way to  
 7 get in and out of this property onto Amador which the perfect way would  
 8 be connecting with Seventeenth Street where there's a stop light already  
 9 and have that go across. And that would be a perfect place, stop light's  
 10 already there and somehow figure out how that could work, because that  
 11 would allow all the traffic to go onto Amador, left, right, straight across,  
 12 and whatever else. So that's my comment that that might be a possible  
 13 way to do something.

14 Also adding the buffer zone there with the lateral because you also  
 15 have a daycare center which is right next to our office and that was Farm  
 16 Bureau property which was sold so the daycare center could be put in  
 17 there. Again, I'm opposed to this only for the reason of the Valley Drive  
 18 entrance. And it may be possible and again I've tried to think of ways not  
 19 to be totally negative because I think that if you have a negative comment  
 20 you also should have a solution, try to come up with a solution. And I  
 21 think it may be acceptable to have a smaller street that would be one-way  
 22 into it. An entrance only, in, not coming out and in both. That would tend  
 23 to limit some of the traffic. As far as right now and what we have not  
 24 heard, nobody's sat down with us and talked to us about it, but we have a  
 25 lot of people in and out of that, in our parking lot every day. Right now I'd  
 26 like to see that eliminated from at the Valley Drive entrance. Other than  
 27 that I can see working with the person to develop the other property.

28  
 29 Scholz: Okay. Thank you Mr. Schwebke.

30  
 31 Crane: Mr. Chairman.

32  
 33 Scholz: Can you hold off until we hear from other people Mr. Scanlon?

34  
 35 Crane: May I ask Mr. Schwebke a question?

36  
 37 Scholz: Yes, certainly. Mr. Schwebke Commissioner Crane needs to ask you a  
 38 question. Sorry about that.

39  
 40 Crane: If there were a traffic light there would that meet your objections?

41  
 42 Schwebke: Well I guess except if there was a traffic light there how do we get out of  
 43 our driveway with the traffic light right next to it?

44  
 45 Crane: Maybe you could ... could you get access onto this new road that's  
 46 suggested? Could you come out ...?

- 1  
2 Schwebke: It might be possible. I mean it's ... you're going right out to it within 30-feet  
3 of the highway. In other words anywhere you come along there would be  
4 to the north and it would be right out. I mean that's just you know ...  
5
- 6 Crane: You're on the corner of this suggested access road and Valley Drive?  
7
- 8 Schwebke: We basically are between ... our parking lot and then there's that access  
9 road which I was told that was a right-of-way, City right-of-way which was  
10 ... and that what it was was a right-of-way. Initially it was for farm, farm  
11 equipment went down, across there and across the lateral to use that as  
12 farm land a lot of times and then also EBID uses it for work on the lateral.  
13
- 14 Crane: Thank you.  
15
- 16 Scholz: Okay. Yes, ma'am.  
17
- 18 Fiebert: I'm Jude Fiebert. And Adam's going to show you where my house is. I  
19 think I'm the closest one to this proposal. I've got a swimming pool out  
20 back. I wrote a little blurb and a few of the neighbors got together with me  
21 and I'd like to read it to you. And I would also like for all our neighbors to  
22 stand up when I'm done, if they would.  
23 We the undersigned feel the quality of our lives will be drastically  
24 changed in a negative manner by this proposal. Most of us are retired and  
25 homebodies and have difficulties with the increasing traffic on Valley  
26 Drive. We feel the natural resources of the area are insufficient for the  
27 amount of industry and living conditions you are seeking. And I got a few  
28 of the neighbors that couldn't attend tonight; Bertie Douglas, she's at  
29 1407; Margaret Deen 1431; Elsie I think I see you here; Nelda Mansel  
30 1410; Rupert Mansel 1410; Cheryl Verdugo 1461; Susan Cranel 1906;  
31 and myself Jude Fiebert 1906. Paul (*inaudible*) is here and he told me to  
32 sign it but I don't think you should sign anybody else's name. We're  
33 worried about sewage and traffic and just living comfortably the way we  
34 have been for many many years. Thank you.  
35
- 36 Scholz: Okay, ma'am. Would you ...  
37
- 38 Crane: Mr. Chairman.  
39
- 40 Scholz: Ma'am before you leave, yes, Commissioner Crane had a question and I  
41 also have a question. Would you spell your last name for me please?  
42
- 43 Fiebert: F as in Frank, i e b e r t.  
44
- 45 Scholz: Say again. Fi.  
46

1 Fiebert: E.  
2  
3 Scholz: E.  
4  
5 Fiebert: B for boy, ert. I used to have Jude's Birkenstock on Main Street.  
6  
7 Scholz: There we go. And you're address is?  
8  
9 Fiebert: 1906 Brown.  
10  
11 Scholz: Oh, you're on Brown, there we go. Thank you very much.  
12  
13 Fiebert: I'm on West Brown. It's a dirt road off of Brown.  
14  
15 Scholz: Right, I missed that. Okay. Commissioner Crane.  
16  
17 Crane: That was my question. I live on the poor side of Brown Road.  
18  
19 Fiebert: Poor side. I think I'm on the poor side.  
20  
21 Crane: Wrong side of the tracks. But it's nice to be in your neighborhood.  
22  
23 Fiebert: Thank you.  
24  
25 Crane: As I understand it there's no connection between Brown Road and I'm not  
26 suggesting there being any connection between Brown Road, West Brown  
27 Road and the new development, suggested development, right?  
28  
29 Fiebert: Well it's my backyard.  
30  
31 Crane: I see that, but the traffic is not going to come down Brown Road as far as  
32 you know.  
33  
34 Fiebert: Oh no but we can't get out of Brown Road now. My biggest fear, I wrote to  
35 Nathan Small and I said you know I think I'm going to starve to death in  
36 my car while I'm trying to go to the grocery cause I can't get out of the  
37 road.  
38  
39 Crane: Yeah, I've given up ...  
40  
41 Fiebert: I had a traffic ticket.  
42  
43 Crane: I turn north up Valley, do a U-turn and go south.  
44  
45 Fiebert: Well I was in the middle. I'm in the middle and a man was speeding and  
46 he went up onto the used car lot, got hung up, took the sign down, the

1 street sign, and I got the ticket. They said I didn't yield the right-of-way. It  
2 was dismissed.

3

4 Scholz: Okay. Thank you. Is there somebody else from the public? Yes, sir.

5

6 Avalon: I think I have a solution to your problem.

7

8 Scholz: Okay, you'll have to identify yourself first.

9

10 Avalon: My name is Anthony Avalon. I filed a memorandum today. I hope you  
11 folks ...

12

13 Scholz: You did. We got a copy of that sir. Yes. Thank you.

14

15 Avalon: The access problem is to take a careful look at Roundtree Place. You see  
16 that? Where's the ...

17

18 Scholz: You know the details on the map that we've been given are so small I  
19 couldn't identify most of the roads.

20

21 Avalon: Roundtree Place runs from ...

22

23 Scholz: Okay, you'll have to stay on the mike sir in order to be heard.

24

25 Avalon: Okay. You see Roundtree Place there?

26

27 Scholz: Yes.

28

29 Avalon: Okay, we own a parcel, a half acre parcel on the east side right about  
30 there.

31

32 Scholz: Okay.

33

34 Avalon: Roundtree Place was supposed to be completed by the owners of the  
35 property ... how do I get this to go? On the west side of Roundtree Place.  
36 And it includes a portion of the ... how do I get the arrow to go?

37

38 Scholz: Adam would you help this gentleman please?

39

40 Avalon: How do I get the arrow? Got to keep shaking it. Okay. The arrow is  
41 presently on a parcel identified in a replat filed by four owners. The replat  
42 was filed in 1990. And the owners on that replat was this triangular piece  
43 here. That triangular piece.

44

45 Scholz: Why does that arrow keep disappearing? Magic.

46

1 Avalon:

2 That triangular piece there and these three pieces to the east; one, two,  
3 three. The plat filed in 1990 proposed that what had originally been  
4 individual lots, 50 by 100-foot lots bordering on Roundtree be changed to  
5 this configuration. And my point here is to suggest to you that there is a  
6 solution to the access problem by using what should've been done on  
7 Roundtree Place. In 1990 or shortly thereafter when the City accepted the  
8 replat of this particular area, the replat was proposed by the owner of that  
9 triangular piece and those three lots that are on the west side of  
10 Roundtree. The legend on the replat simply stated that the, fine print once  
11 again, I can't find it in there. It's long winded and it says simply that these  
12 owners of the replat would do all the work required on Roundtree Place.  
13 The utilities being put in, the sewer line being put in, and unfortunately that  
14 was never followed up. These owners got the replat filed but the City  
15 never enforced the provision on the replat that these owners would do the  
16 job that they said they would do on Roundtree Place.

17 Now the reason why I'm here is that we're having difficulty  
18 developing on the east side of Roundtree. The problem is that the sewer  
19 line doesn't go all the way. It ends approximately where the pavement  
20 ends on Roundtree Place. It was never completed and it could be  
21 completed all the way down to the road that travels more or less east and  
22 west that they propose to cross over that City property and enter Valley  
23 Drive. Instead of that, do what they should've done on Roundtree Place.  
24 Make a turn on the road they propose now and feed the property that  
25 they're proposing as a mobile home park. That would solve the problem  
26 with a lot of concern, your concerns about access to Valley Drive, the  
27 need perhaps of a traffic light at that location, the problems that the Farm  
28 Bureau has. I've been on that site and I know they are concerned. You  
29 take 50-feet and make a roadway out of it and you put a light to any kind  
30 of traffic there, you've got a problem coming in and out of the Farm Bureau  
31 office. I think Caliche's will also have a problem with access in and out of  
32 their place although they have a quite a bit of frontage on Valley Drive.  
33 And so I tried to discover whether there's a way, a legal way of forcing the  
34 issue of requiring the owner of that triangular piece and those three  
35 parcels that face on Roundtree, they promised the City when they filed the  
36 replat that they would do what was required in Roundtree place. What  
37 was required was to continue the sewer line with the gas line, put the  
38 water line in and complete the paving. They never did. And I've inquired  
39 of the planning office and there's no way of enforcing that at this late  
40 stage. When I saw this proposal, it came to me as a way of requiring  
41 them now to do what they should've done shortly after 1990. Solved  
42 several problems with one simple solution. Do the job they should've  
43 done in 1990 or shortly thereafter, do a proper job on Roundtree. Use that  
44 as access to the rest of the property, and avoid any use of that 50-foot  
45 piece of land that takes you out to Valley Drive.

46 Scholz:

Okay, I have a question for you. Commissioner Crane.

1  
2 Crane: You're suggesting then that instead of having that access onto Valley  
3 Drive that we were speaking about a few minutes ago. That the second  
4 access to the parcel will be on Roundtree?  
5  
6 Avalon: I think so.  
7  
8 Crane: Yes, it would solve the one problem and I'm not sure it doesn't raise a  
9 worse one because of how close the junction of Roundtree to Amador is.  
10 You know they have a sign there telling traffic to stop to the light on Valley  
11 Drive, not to block Roundtree and that distance from the end of Roundtree  
12 to Valley Drive must be no more than 20, 25 yards I'd guess. If you have  
13 substantial amount of traffic coming out of there and trying to join Valley  
14 Drive and go right and left it's not going to be an improvement on what  
15 we've been discussing at the lower end.  
16  
17 Avalon: Yeah.  
18  
19 Crane: Regarding the rest of your proposal, yes, I think that whoever undertook to  
20 make improvements to Roundtree Drive should be held to do it, but it's  
21 probably too late now.  
22  
23 Avalon: I guess the Texans would say a rock and a hard place. That's where we  
24 are.  
25  
26 Crane: Something like that, yeah.  
27  
28 Scholz: Well, that's exactly what I was going to bring up Mr. Avalon. I've been at  
29 that intersection many times coming back from the landfill or the gas  
30 station out there and I've always tried to avoid blocking the street. But I  
31 realize that there would be no way for people coming out to go west on  
32 Amador. They have to cross Amador's traffic, and I think that would be  
33 impossible. There are just too many cars there.  
34  
35 Avalon: I think one of the solutions to that problem; I'm not a traffic engineer so I  
36 offer with *(inaudible)*.  
37  
38 Scholz: We have a traffic engineer sitting in the back as a matter of fact.  
39  
40 Avalon: Well great, maybe he'll solve it. A one-way street there would do the trick.  
41 In other words, just come in, travel from north to south and then you come  
42 out and go through whatever roads they proposed in the subdivision. And  
43 I think that would probably be a solution to a lot of other problems.  
44

1 Scholz: Well Mr. Schwebke suggested the same thing I think for that strip of land  
2 that the City owns, the 50-foot wide parcel. Anyway, I appreciate your  
3 information. Thank you very much.  
4

5 Avalon: Right.  
6

7 Scholz: And someone else from the public? Yes, sir.  
8

9 Turner: Yes, my name is Paul Turner. I've resided at 1510 Brown Road for well in  
10 excess of 30 years. I moved there in '75. What attracted me to it of  
11 course is the semi-rural nature of it and the pecan trees and things like  
12 that. But I can guarantee you that things have changed since 1986 in  
13 terms of traffic on Valley Drive. In terms of north, south, certainly Wal-  
14 Mart coming in and a few other things taking place. County building out  
15 on ...  
16

17 Scholz: Stay closer to the mike please, sir.  
18

19 Turner: I'll try to.  
20

21 Scholz: Thank you.  
22

23 Turner: But any way traffic has become extremely heavy. Anyone trying to exit  
24 out of this area onto Valley Drive and going north would have to turn right.  
25 They would not realistically be able to turn left and turn back to the north  
26 most of the time or at least during heavy traffic times. Which basically  
27 means they would go south and then try to find a place to make a U-turn  
28 back onto Valley which is essentially what we have to do on Brown Road  
29 already. Everybody going north from the car dealerships essentially that  
30 want to go back south make a U-turn at Brown Road to go back to the  
31 south. So that's already a real congested area in there. It's going to get  
32 worse. I can guarantee you. If you put that development in and you put  
33 an access to Valley Drive, I would predict you will have accidents galore.  
34 You have police and fire access. If you have that access there, that's the  
35 logical place for them to come in. They will have difficulty coming in I  
36 would think under many circumstances simply because of the heavy  
37 traffic. Now granted they're supposed to yield to those people but the  
38 traffic going north and south on Valley at this point is becoming extremely  
39 heavy. You have an ambulance site just south of Amador, or south of  
40 Brown Road on Valley that has to come and go north on Valley commonly.  
41 So you've got a real congested area there. The idea of putting a  
42 light in and I agree with Commissioner Crane is impractical at that point.  
43 The traffic commonly backs up for a block or more trying to turn right to go  
44 south on Valley off of Amador already. You add 200 homes in there and  
45 try to figure out a way to get them in and out of there, I can't imagine how  
46 that would work. If I were looking at living in a mobile home and looked at

1 this area realistically and I used to live in a mobile home for several years  
 2 when I was a student and when I first moved to Las Cruces, I don't think  
 3 they would be very happy with the idea of how they would be able to get in  
 4 and out of that high density area in terms of a lot of people in those areas.  
 5 They might think it was okay to start with until they tried to do it during the  
 6 times that they needed to get to school or get to business or get to work or  
 7 whatever. So I just feel that the concentration of units there and the  
 8 number of people that would be there way exceed the ability, using any  
 9 solution and I commend the City works and the traffic people associated  
 10 with that, of trying to figure out a way to do it. I defy them to be able to do  
 11 it in a way that would be safe and efficient. I would be extremely surprised  
 12 if the City or anyone else could find a way to access that area safely  
 13 without creating a lot more congestion that already exists. And I would  
 14 recommend that you table the issue at this point until you see what the  
 15 City feels is possible or traffic thinks is possible to do there. But I certainly  
 16 don't think that you can put them onto Amador close to that Amador/Valley  
 17 intersection and trying to put them in between Caliche's and the Farm  
 18 Bureau with the nursery immediately to the south where there's already a  
 19 barrier for making left turns already and expect people to be able to go  
 20 north and south there is unrealistic.

21  
 22 Scholz: Okay. Thank you Mr. Turner. Someone else?

23  
 24 Hutchinson: Mr. Chair, Commissioners. My name is Tom Hutchinson. I own the  
 25 property on the north side of this proposed unit development right about in  
 26 here. It's a little 10,000 square foot warehouse that was part of the old  
 27 Border foods. I've taken a look at this project. It looks pretty well thought  
 28 out to me. There's obvious some misuse regarding access that need to  
 29 be explored and looked at, but in terms of land use, you know this is  
 30 probably not a bad idea for an area that needs redevelopment. You know  
 31 it's pretty much of an eyesore now. I would very much urge you to support  
 32 this land concept with the caveat that we understand these access issues  
 33 a little bit better.

34 Now, I will tell you there's a neighborhood down to the south of this  
 35 that has access out onto Valley. You know it's a neighborhood just north  
 36 of the old Dairy Queen. Where Murphy's is now. And it has access there  
 37 and it also has access by McDonald's. And there are probably a couple  
 38 hundred homes there. No light supports it on Valley. There is a light at  
 39 McDonald's now, but it wasn't when that neighborhood was put in. So as  
 40 an example of how you can have residential property in and around this  
 41 area, I would urge you to get out and take a look at how that worked and  
 42 see what the issues were in regard to that. But I would respectfully urge  
 43 the Commission to adopt this concept. Thank you.

44  
 45 Scholz: Okay. Thank you Mr. Hutchinson.

46

- 1 Hill: My name is Scott Hill. I own the property, the batwing property there and I  
 2 live at 1550 Brown Road. You know we'd all like to keep the same open  
 3 space that we've always had but I realize that's not feasible you know  
 4 forever. But I don't believe you can put six units per acre in there  
 5 effectively without doing a lot more study than has already been done.  
 6 And I would strongly recommend that you get a study done that would  
 7 impact the traffic analysis and all that before we move forward. The man  
 8 spends a lot more money doing what he's doing. So we can actually have  
 9 some feeling that it's going to happen. Put 200 more homes in that area is  
 10 just not workable. You know all along Brown there's one house per three-  
 11 quarter's acre, that sort of thing. Now you're going to put six units per  
 12 acre. That's not reasonable transition zone if you want. Thank you.
- 13
- 14 Scholz: Thank you. All right. If there's no one else to speak for the public, I'm  
 15 going to ... Mr. Schwebke you had a second bite at the apple here. All  
 16 right. Yes, speak right to the microphone please.
- 17
- 18 Schwebke: Explained that one development ...
- 19
- 20 Scholz: Stay on the mike please Mr. Schwebke.
- 21
- 22 Schwebke: Explained that one development, but they also have access out into  
 23 Avenida de Mesilla through the back roads and around. So they can get  
 24 out by McDonald's there. Cause I sometimes cut that way to get around  
 25 the corner of Valley and Avenida de Mesilla because that's a busy corner  
 26 now a days. I do think there's also another piece of property to the north  
 27 of Caliche's. If you look along Valley Drive there it's about 75 feet wide or  
 28 less they've got an ice making place there now and a place that sells  
 29 cheap tobacco or whatever. But if an access could come out there, I  
 30 mean it's really nothing along in that area and maybe make it just one turn  
 31 only. Right turn going south would be the access that could be gotten that  
 32 way. Again, the access to Valley is really a problem. I do think Amador is  
 33 the solution, especially on Seventeenth Street coming across. There's  
 34 already a stop light there and that would improve the access to the Burn  
 35 Lake, to the soccer fields, everything would be accomplished with one  
 36 road. So that's my comment.
- 37
- 38 Scholz: Okay. Mr. Scanlon you had a comment or a question, I don't recall.
- 39
- 40 Scanlon: I did, some clarifications Mr. Chairman, and try to answer some of the  
 41 questions and concerns that the public has brought out. Starting with Mr.  
 42 Schwebke's concerns about access. His property is this piece right here.  
 43 This is the strip, the City right-of-way right here. In building a roadway in  
 44 and out of the development at this location, we're going to be required to  
 45 do a lot of work to Valley Drive. We're going to have to build new curb and  
 46 gutters and some new sidewalks and new traffic lanes, right turn lanes

1 and so forth in Valley Drive. At the time that we do that, we will be  
2 compelled to work with the Farm Bureau and with the owners of the  
3 Caliche's property to basically completely rebuild their access. And in  
4 building this new street, we'll build them new drive pads along this part of  
5 their property where they can get out, in and out of their property  
6 accessing this street. New drive pads along Valley Drive where their  
7 existing accesses are, and just really clean up that whole thing. As you  
8 may be aware, if you've been out there, there are no curb and gutters  
9 along here in front of Caliche's and it's kind of a free for all because there's  
10 no median out in the middle of Valley Drive either. And so cars just turn  
11 willy-nilly wherever they are. So there's no channelization or control of  
12 where the cars turn, and where they ingress and egress the properties.  
13 And this'll be a golden opportunity for us to be able to clean up that  
14 situation and get more control over how traffic actually flows and how  
15 access in and out of these properties actually occurs.

16 As far as his issue with the lateral, the Porter Lateral runs along the  
17 property where I'm tracing the cursor right now. It has been recently  
18 buried in a pipe by the EBID but a right-of-way exists in there of varying  
19 widths. This right-of-way has become part of the City's proposed and trail  
20 system that they're working on for pedestrian trails, and bike trails and so  
21 forth. We have agreed to work with the Facilities Department and with the  
22 MPO people on helping to develop cross access between this  
23 development and that trail system so it could be utilized also. Just like  
24 we're going to be doing toward the area where we can access directly to  
25 the Burn Lake recreational area and make a real nice situation where  
26 people can actually access these amenities and these trail systems and  
27 recreational areas.

28 As far as the access from Seventeenth Street. This is the  
29 Seventeenth Street intersection right here and it does have a traffic signal  
30 on it. And there are talks underway between the City, between the  
31 Facilities Department, Parks and Recreation, and Public Works and the  
32 property owner on this property right here to actually extend Seventeenth  
33 Street down through that property and down in here into Burn Lake as the  
34 primary access to the Burn Lake recreation area. And that would be a  
35 major roadway. Our plan is designed to account for that and you'll see  
36 within this ... this is our industrial area right here. Right now we've got a  
37 cul-de-sac here but we've also got an easement that if this roadway  
38 Seventeenth Street is extended in there, we can actually then access in  
39 the future over to that roadway from within this development. That would  
40 take some of the load off of Pioneer Place and could feasibly you know  
41 affect all the patterns within here.

42 As far as it was brought up there was a mention or a question as to  
43 whether or not we would be trying to send any traffic back and forth to  
44 Brown Road. And that is absolutely not the case. This concept plan  
45 shows a cul-de-sac terminating on this lower piece of the property right  
46 down in this area. I would want to clarify though that we had a

1 neighborhood meeting with a number of the people from the neighborhood  
2 about a week ago. In fact, it was a week ago tonight. And at that meeting  
3 a couple of the property owners expressed an interest in perhaps  
4 purchasing this entire parcel of land right here so that it could be kept in  
5 farm land. The gentleman, Mr. Hill I believe, lives on this side of the  
6 lateral and has a pecan orchard, and then Mr. Altimirano has a farm that  
7 he occupies that's in this area and he's actually been farming this piece of  
8 property for a number of years because it lies at a lower elevation and  
9 really isn't attached topographically very well to the rest of the property up  
10 in this area. And right now my client is working with his bank on trying to  
11 determine a release price because this land is part of the overall mortgage  
12 of the entire 50 some acres and determining a release price that the bank  
13 will agree with so that he could sell this property to one or more of these  
14 adjacent owners and at which time then we could eliminate it completely  
15 from the development and our property development then would not be  
16 any closer than that point right there to Brown Road at all. It would also  
17 presuppose any possibility of traffic or roadway ever being extended down  
18 to Brown Road by any developers or the City or anyone else. So that's a  
19 real strong possibility that we'll be able to sell this piece of this overall  
20 development to one or more of these adjacent property owners and clear  
21 that up. And then they can utilize it as farm land and it would just be a  
22 better use. It's not a real very, real good piece of development property  
23 anyways, cause single loaded on one side of the street and would be  
24 pretty expensive to develop that piece of property right there for the yield it  
25 would get out of it.

26 With respect to Mr. Avalon's idea about Roundtree Place. This was  
27 discussed very early on and Commissioner Crane and Commissioner  
28 Scholz are absolutely correct about the fact that it's only about 80 feet  
29 from this intersection over to Valley Drive and it's just an absolute  
30 nightmare trying to get in and out of there. Right now there's very little  
31 traffic in and out of Roundtree Place and it works fairly well with the fact  
32 that they've got a sign there that says don't block the intersection, so that  
33 people can actually can get out into there when the light's red. But if you  
34 added a significant amount of traffic to that intersection right there it would  
35 become an absolute nightmare. It'd be absolutely unusable and wouldn't  
36 work at all.

37 I think the other concerns that were expressed really have to do  
38 with traffic on Valley Drive. And you know we're a growing community and  
39 with that we get more and more traffic on our streets all the time. I mean if  
40 we're growing at two and half percent per year or somewhere in that area,  
41 we're going to have two and half percent more traffic on our streets as  
42 time goes by. That's why we build new roadways in areas that relieve the  
43 traffic. I can remember just not too long ago the traffic on Roadrunner  
44 Parkway between Lohman and Highway 70 was just a lot of traffic. They  
45 built Sonoma Ranch Boulevard to connect between Lohman and Highway  
46 70 and that just relieved a lot of that traffic and now it balances out. So,

1 you know all around town in areas where ... if traffic became so congested  
 2 on Valley Drive that it became unmanageable or dangerous, then the City  
 3 or the state highway department would start looking for alternative routes  
 4 to move that traffic on. It hasn't gotten to that point yet. It's kind of  
 5 onerous at certain times of the day I think for the people, the times of day  
 6 that they're wanting to enter and exit is the time of day where you have the  
 7 most traffic on adjacent streets. And so it's part of being in an urban  
 8 environment I think. But as I said I think as the City grows and as traffic  
 9 grows then we start looking for alternatives to those roadways that are  
 10 becoming too congested to work.

11 Scholz: Okay. Thank you Mr. Scanlon. I haven't closed this to the public yet. I  
 12 think we're running a little slow tonight. Ms. Geiger you had a comment?

13  
 14 Geiger: Sandy Geiger. Good evening Commissioners. I just have a couple of  
 15 observations. Planned Unit Development is a zone change. This was  
 16 originally zoned industrial I believe, M-1, M-2. So with the zone change  
 17 there has to be some indication of a change in condition or a change in  
 18 circumstance or a change in the neighborhood to give rationale for why  
 19 the change should occur. Secondly, with a PUD it's my understanding  
 20 with the City that along with a PUD, a Planned Unit Development comes  
 21 some offering by the developer of amenities to the City. Now Mr. Scanlon  
 22 mentioned some trails that would connect, but I think in a concept plan if  
 23 you're moving forward with a Planned Unit Development that you should  
 24 show ... I mean this should be the basis for convincing a Commissioner or  
 25 Council that your plan is indeed a good one for the City, to show those  
 26 amenities. Where are the parks, where are the trails, etc. He's asking for  
 27 177 or 200 mobile homes, roughly six to the acre, 400 people, 1,770  
 28 vehicles trips per day. I think the Commission is in its right to ask for a  
 29 traffic impact analysis and to figure out the traffic with a development like  
 30 this. Thank you very much.  
 31

32 Scholz: Thank you. Okay, I'm going to close this for public comment. Mr. Scanlon  
 33 you had a rebuttal?  
 34

35 Scanlon: I do. Just very quickly. Ms. Geiger is correct. This is a zone change.  
 36 However, the areas that were zoned industrial are not changing. We're  
 37 still staying with the exact same land use as those areas that were zoned  
 38 industrial. We're changing a parcel that was previously zoned PUD to an  
 39 industrial parcel. These areas in here, the existing zoning on this is  
 40 actually PUD. There was a PUD done on this in 1986 I believe and it was  
 41 for an apartment use. Seems to me like it was some 700 apartments that  
 42 they were planning on putting in this area right here and through this  
 43 access. Obviously, we've reduced that impact by a factor of three or  
 44 more. But that was actually what the PUD was on this residential area,  
 45 was for, I believe it was around 700 apartment units.  
 46

1 As far as public benefit, if you read the documents and the notes  
 2 that are on the documents there are a number of public benefits that we  
 3 have agreed to provide as a part of this development. One of them being  
 4 working with the City on expanding ... right now there's a little drainage  
 5 area, or little drainage pond right here in the Burn Lake area. The overall  
 6 master plan for Burn Lake contemplates expanding that pond to this much  
 7 larger area where it would hold some 80 or 83 acre feet I believe. Part of  
 8 our public benefit is to work with the City on expanding that ponding area.  
 9 Another public benefit that we will be doing, is adding a bus stop and a  
 10 bus shelter right here at the corner of Pioneer Place and Amador. There  
 11 are some others that we've looked at doing some landscaping in the form  
 12 of a large berm with earth material that's taken out of this pond, build a  
 13 large berm across here and landscape that in a manner where it would  
 14 screen the recreation area from the residential areas in a nice way and  
 15 provide another amenity in the means of some trails and things on that.  
 16 So there are a number of things that we've been working with the facilities  
 17 and parks and recreation people as well as with the MPO people and  
 18 facilities people, others, public works people, on some benefits in  
 19 exchange for the PUD zoning. So we've done a lot of work on that. And  
 20 those benefits and options are all outlined on this concept plan within the  
 21 notes on that.

22  
 23 Scholz: Okay. Thank you Mr. Scanlon. All right, I'm going to close this to public  
 24 discussion. Commissioners, what is your will? Commissioner Crane.  
 25 You have that look on your face.

26  
 27 Crane: What look is that Mr. Chairman?

28  
 29 Scholz: It's sort of like a deep thought I think.

30  
 31 Crane: It seems appropriate. Yeah.

32  
 33 Scholz: Go ahead.

34  
 35 Crane: Perhaps Mr. Ochoa can help us out here. There are all kinds of concerns  
 36 on the part of the public and the Commission about this suggested PUD.  
 37 I'm wondering what harm is done if we vote to approve it at present given  
 38 that there are all kinds of conditions already hanging on it, so that the  
 39 process can proceed. I imagine at the moment it is more detailed design,  
 40 and then later on there'll be other opportunities for before ground is broken  
 41 for the City, possibly this Commission to decide whether or not it meets  
 42 the needs of the public. If things can proceed without going in a direction  
 43 that nobody wants for the moment, then I'm inclined to vote for this, but I  
 44 need a little guidance. Do you get my drift Mr. Ochoa?  
 45

- 1 Ochoa: I believe so. Mr. Chairman, Commissioner Crane if you do vote this to go  
2 forward it may be something to possibly like I said before condition for any  
3 access issues to be ... for the Villa Amador PUD proposal be I guess if  
4 you will fixed and in compliance with what Public Works has in mind prior  
5 to City Council or something like that, other than that ... the main issue is  
6 basically the access issue. So as long as that gets taken care of I believe  
7 we should be fine sir.  
8
- 9 Crane: Thank you.
- 10 Scholz: Other Commissioners? Commissioner Beard.
- 11  
12 Beard: I'm ... I really don't know. I would like to see Seventeenth Street extended  
13 across, several of us would like to see that, but that's only a pipe dream  
14 right now. And if we go ahead and approve this it means sort of we're  
15 going to proceed with these mobile homes.  
16
- 17 Crane: And that would be two accesses off Amador and none off Valley Drive,  
18 right?  
19
- 20 Beard: Right. Right. With a stop, yeah.
- 21  
22 Crane: It seems to me it's got to have an access to the north and access to the  
23 east.  
24
- 25 Beard: Yeah.
- 26  
27 Crane: I feel that this Valley Drive situation can be solved as Mr. Scanlon said,  
28 they've got to redesign that intersection so that there will be right turn  
29 lanes and possibly acceleration lanes and perhaps a light. As I said my  
30 inclination is to let them proceed with the understanding and I think I have  
31 it right that there will be another stopping point at which approval is  
32 granted before ground gets broken, concrete gets poured, asphalt gets  
33 rolled, right?  
34
- 35 Scholz: Commissioner Bustos, I haven't heard from you.
- 36  
37 Bustos: Well I just ... I'm sitting here wondering ... I just don't know. I know the  
38 access points are the issues, but I think until they're solved ... I mean I  
39 would like to see Seventeenth Street you know be factored in, but like  
40 Commissioner Crane said I mean if we can get something hooked up with  
41 Valley Drive I think that would solve a lot of it.  
42
- 43 Scholz: Well I see the problem as access as well and I'm not sure that the  
44 reassurances that I've gotten from Mr. Scanlon or the possibilities of  
45 extending Seventeenth Street and the like, have convinced me that this is  
46

- 1 workable. I don't see any problem with the industrial development, you  
 2 know that can certainly have access off of Pioneer Place, but I really can't  
 3 see that this residential development has the kind of access that it should  
 4 have. I think, I know what traffic on Valley is like, I've driven it many times.  
 5 I've always been very cautious pulling out of Caliche's so I don't get you  
 6 know hit by somebody who's cutting across the median and doesn't see  
 7 me. And you know this is a continuing problem and I don't see that we've  
 8 actually figured out how to do this. I'm inclined to wait for a traffic impact  
 9 analysis. I would as a matter of fact vote to postpone this until we see  
 10 such a traffic impact analysis and then act accordingly. I'm not sure  
 11 there's time pressure on this to do this development, at least I didn't get  
 12 that impression. Commissioner Beard.
- 13
- 14 Beard: I agree with you wholeheartedly. One of our ... not only do we look at the  
 15 codes, see if people are doing their codes right, but we do listen to the  
 16 people and we had a lot of people complain about the future if this were to  
 17 go ahead without making proper access into and out of this development.  
 18 I think tabling it would be in order also.
- 19
- 20 Scholz: Well either tabling it or postpone. We could postpone to a specific date  
 21 you know if in fact some of these things could be resolved by the next  
 22 meeting, that would be fine with me. Then we could you know bring it  
 23 back. Mr. Abrams, you have an opinion, a legal opinion I trust.
- 24
- 25 Abrams: Well probably less than that. Jared Abrams, City Legal. The applicant's  
 26 indicated that he's not interested in postponement. He does have a right  
 27 to an up and down vote. I mean it's a due process issue. So even if it  
 28 looks like it's going to fail.
- 29
- 30 Scholz: Okay. Stay closer to the mike would you Jared please.
- 31
- 32 Beard: I didn't hear that.
- 33
- 34 Crane: Couldn't hear you Mr. Abrams.
- 35
- 36 Scholz: Yeah, say again.
- 37
- 38 Abrams: Okay. It appears the applicant wishes an up or down vote. I mean he has  
 39 that right, it's a due process issue.
- 40
- 41 Scholz: Okay.
- 42
- 43 Abrams: You know unless he allows you to postpone it, you've got to vote on it.
- 44
- 45 Scholz: Yes, I understand. Okay gentlemen. I'll entertain a motion to approve.  
 46 Mr. Ochoa has a word to give us here.

- 1  
2 Ochoa: Yes, sir, if I may interject Mr. Chairman. When it comes to the traffic  
3 impact analysis it has been stated that a TIA will be done during the final  
4 site plan approval for this concept plan I believe some preliminary  
5 numbers were done for traffic for the concept plan so a Traffic Impact  
6 Analysis will be in the works for the final site plan.  
7
- 8 Scholz: Okay.  
9
- 10 Ochoa: Required, better yet. Sorry.  
11
- 12 Scholz: Commissioner Beard.  
13
- 14 Beard: A question on that.  
15
- 16 Scholz: Mr. Ochoa.  
17
- 18 Beard: The Traffic Impact study will be based on this number of mobile homes  
19 that are going into this particular project?  
20
- 21 Soriano: Commissioners, Dan Soriano, Traffic Engineer for the City. Yes, to  
22 answer your question, Commissioner Beard, yes. The final Traffic Impact  
23 Analysis will be based on basically the number of units he's planning to  
24 put into the development and the industrial area as well. He has provided  
25 some ... Mr. Scanlon has provided preliminary numbers at my request per  
26 the concept plan and he has given us an idea of what traffic is going to do  
27 at the Amador access as well as the Valley access. Now keep in mind  
28 that we are not going to allow any access that's operating at an  
29 unacceptable level of service. We won't do that. If the TIA demonstrates  
30 that there are problems with certain movements in and out at a certain  
31 access, there are a number of things we can require; we can require  
32 medians being built so that it prohibits lefts out or only right in, right out.  
33 Any kind of combination of things like that. But we haven't gotten to that  
34 point as far as traffic analysis because the final TIA has not been  
35 developed yet. Now he'll have an opportunity to do that with the final site  
36 plan. And again, that'll give another point to catch and basically work with  
37 the developer on improving access points. I understand the issues around  
38 Valley Drive because it is a very busy street during peak hour, but then  
39 there are a lot of arterials around the City that operate at a level of service  
40 probably E or worse during peak hours. So, that's the whole basis for the  
41 TIA. It's going to give us an idea or it's basically going to give a little better  
42 idea of how well the access points are going to operate. Now we have a  
43 standard of C or better. Level of service C or better is what they have to  
44 demonstrate and if they can't demonstrate level service C or better they  
45 have to make some changes; downsize the development, make  
46 improvements on the roadway, whatever it takes to bring it to a level of

- 1 service C or better. We will not allow an access to operate at a level of  
2 service D or lower when the development is fully built out. If that hopefully  
3 answers your question. But there is going to be an opportunity again for  
4 City staff to review the traffic impacts on Amador and Valley Drive when  
5 Mr. Scanlon develops the final Traffic Impact Analysis.  
6
- 7 Beard: And then that would come back to us for approval?  
8
- 9 Soriano: Yes, sir.  
10
- 11 Scholz: Okay, thanks Mr. Soriano. All right, I'll entertain a motion to approve with  
12 the conditions. The conditions as sited were ... I didn't see the conditions.  
13
- 14 Crane: How about the ones in the memo from Public Works dated today, from  
15 Loretta Reyes?  
16
- 17 Scholz: Mr. Ochoa, we need an opinion here. Do we include the conditions if we  
18 are voting to approve this project, do we include the conditions of the  
19 memo of Tuesday the 23rd, that's today, from Public Works?  
20
- 21 Hembree: Chairman Scholz, Commissioners, that is correct. So, basically the TIA  
22 would actually be analyzed as we've discussed, during the final site plan  
23 process. As we stated based upon the public works review of the project,  
24 and evidenced by the letter that you received via e-mail, that the  
25 Community Development Department would be comfortable moving  
26 forward with it conditioning that access issues be dealt with prior to this  
27 concept plan going forth to City Council, and that would be a condition that  
28 we would be comfortable with. I just wanted to clarify that for you  
29 Chairman.  
30
- 31 Scholz: Okay. All right I'll entertain a motion to approve.  
32
- 33 Crane: So moved with the condition that the six concerns of Public Works in the  
34 Loretta Reyes memo of February 23rd be addressed.  
35
- 36 Scholz: Okay, is there a second?  
37
- 38 Beard: I second it.  
39
- 40 Scholz: Okay, it's been moved and seconded. I'll call the role. Commissioner  
41 Crane.  
42
- 43 Crane: Aye findings, discussion, and site visit.  
44
- 45 Scholz: Commissioner Bustos.  
46

1 Bustos: Aye findings and discussion.

2

3 Scholz: Commissioner Beard.

4

5 Beard: Aye findings, discussions, and site visit.

6

7 Scholz: And the chair votes no for findings, discussion, and site visit. So it passes  
8 three to one. Because of the time I'm going to call a 15-minute recess  
9 here. We're going to reconvene at 10 minutes after eight.

10

11 15 MINUTE RECESS/BREAK.

12

13 3. **Case IDP-39:** A request for an infill development for 0.224 +/- acres zoned R-  
14 1a (Single-Family Medium Density) and located at 1680 E. Griggs. The  
15 applicant is proposing to replat the subject property comprised of three (3)  
16 lots into two (2) single-family residential lots. One of the replatted lots will  
17 contain an existing single-family dwelling. The remaining replatted lot is  
18 vacant and is proposed to have a single-family dwelling constructed on it.  
19 The proposed vacant lot will be 4617 +/- square feet in size and will require a  
20 variance of 383 +/- square feet from the minimum required lot size of 5000  
21 square feet. Submitted by Jose L. & Haydee L. Martinez, property owners

22

23 Scholz: All right, I'm going to call this meeting back to order. If you'd please take  
24 your seats gentlemen. Our next case is Case IDP-39 and Mr. Ochoa,  
25 you're up.

26

27 Ochoa: For the record Adam Ochoa, Community Development. Next case tonight  
28 gentlemen is Case IDP-39, it's an infill development proposal for property  
29 located at 1680 E. Griggs Avenue. The subject property is located like I  
30 said at 1680 E. Griggs Avenue and is zoned R-1A which is single-family  
31 medium density. The subject property currently exists of three underlying  
32 separate lots that encompass a total of 0.224 acres. The applicant seeks  
33 to replat the three existing lots. Lot 13, 14, and 15 of the Gramercy Park  
34 tract into two new lots, lot 15A and 15B. The first lot, lot 15A will contain  
35 an existing single-family dwelling that has access to Griggs Avenue. Lot  
36 15A will follow all development standards for R-1a pursuant to the 2001  
37 Zoning Code as amended. The second lot, lot 15B will be a vacant lot that  
38 will be used for the purpose of constructing a new single-family dwelling.  
39 Lot 15B will have direct access to Doña Ana Street since this property is  
40 located on the corner of Doña Ana and Griggs.

41

42 The applicant seeks a deviation tonight from the R-1a development  
43 standards for the new vacant lot 15B. R-1a zoning district requires a  
44 minimum lot size of 5,000 square feet. The applicant is proposing that lot  
45 15B be approximately 4,617 square feet in size. The proposed new lot will  
46 deviate approximately 383 square feet from the required minimum lot size  
of 5,000 square feet. The applicant has stated that all other development

From the Las Cruces Police Department Crime Analysis

**Highlighted in yellow are all traffic accidents on Valley Avenue between Amador and Avenida de Mesilla in the past two years.**

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION 170</u>	<u>INTERSECT STREET</u>
9/26/2008 4:12:53PM	L200822229	AVENIDA DE MESILLA	S VALLEY DR
5/18/2008 4:26:45PM	L200811578	AVENIDA DE MESILLA	VALLEY DRIVE
<b>TOTAL 2</b>			
6/25/2009 3:15:03PM	L200914600	S MAIN ST	VALLEY DR. ST
<b>TOTAL 1</b>			
12/5/2008 10:05:21A	L200828280	W AMADOR AVE	S VALLEY DR
2/3/2009 3:27:56PM	L200902636	W AMADOR AVE	S VALLEY DR
5/6/2009 11:45:22AM	L200910296	W AMADOR AVE	S VALLEY DR
<b>TOTAL 3</b>			
9/2/2009 11:56:26AM	L200920544	W AMADOR AVEL	VALLEY
<b>TOTAL 1</b>			
2/10/2009 3:48:18PM	L200903180	W BOUTZ RD	S VALLEY DR
<b>TOTAL 1</b>			
10/22/2009 7:52:08A	L200924810	W HADLEY AVE	495 N VALLEY DR
<b>TOTAL 1</b>			
10/9/2008 2:56:36PM	L200823397	W PICACHO AVE	N VALLEY DR
1/6/2009 3:30:11PM	L200900405	W PICACHO AVE	N VALLEY DR
8/2/2009 7:59:00PM	L200917867	W PICACHO AVE	VALLEY
<b>TOTAL 3</b>			
9/7/2008 6:02:30PM	L200820312	1550 S VALLEY	VALLEY
<b>TOTAL 1</b>			
4/13/2009 5:32:44PM	L200908298	1550 S VALLEY DR	VALLEY DR
<b>TOTAL 1</b>			
10/22/2009 6:17:03A	L200924808	190 E UNIVERSITY AVE	N. VALLEY DR
<b>TOTAL 1</b>			
8/9/2008 4:19:37AM	L200817942	190 E UNIVERSITY AVE :@WHAT-A-BURGER :@WHA	VALLEY
<b>TOTAL 1</b>			
9/3/2008 10:59:39AM	L200819921	700 SOUTH TELSHOR	MESILLA VALLEY MALL
<b>TOTAL 1</b>			
12/11/2009 1:45:55F	L200928725	AVE DE MESILLA	VALLEY

3/29/2008	8:21:22PM	L200807327	AVE. DE MESILLA 71	VALLEY
<b>TOTAL 1</b>				
4/10/2008	3:36:17PM	L200808378	AVENIDA DE MESILLA	VALLEY DR
5/5/2008	12:18:32PM	L200810446	AVENIDA DE MESILLA	S VALLEY DR
2/6/2009	4:51:09PM	L200902897	AVENIDA DE MESILLA	VALLEY DR
4/11/2009	8:21:19AM	L200908095	AVENIDA DE MESILLA	VALLEY
8/6/2009	7:36:38AM	L200918128	AVENIDA DE MESILLA	S VALLEY DR
9/16/2009	3:20:27PM	L200921761	AVENIDA DE MESILLA	S VALLEY DR
9/28/2009	3:58:10PM	L200922819	AVENIDA DE MESILLA	S VALLEY DR
12/3/2008	2:46:45PM	L200828133	AVENIDA DE MESILLA	VALLEY
3/7/2009	12:13:57PM	L200905267	AVENIDA DE MESILLA	S VALLEY DR
3/14/2009	12:42:05PM	L200905773	AVENIDA DE MESILLA	VALLEY
1/31/2010	4:29:19PM	L201002404	AVENIDA DE MESILLA	VALLEY
11/18/2008	11:26:00.	L200826938	AVENIDA DE MESILLA	S VALLEY DR
<b>TOTAL 12</b>				
8/5/2008	12:30:25AM	L200817603	BARKER RD	VALLEY
<b>TOTAL 1</b>				
5/13/2008	5:53:08PM	L200811195	BOUTZ	S VALLEY
<b>TOTAL 1</b>				
1/29/2009	12:21:13PM	L200902224	BOUTZ DRIVE	VALLEY DRIVE
<b>TOTAL 1</b>				
3/28/2008	4:13:47PM	L200807245	BOUTZ ROAD	SOUTH VALLEY DRIVE
<b>TOTAL 1</b>				
1/15/2010	12:07:33A	L201001052	BROWNLEE AVE	NORTH VALLEY DR
<b>TOTAL 1</b>				
2/27/2009	8:55:12AM	L200904610	BRUINS LN	VALLEY
<b>TOTAL 1</b>				
12/5/2009	6:12:47PM	L200928275	E UNIVERSITY AVE	S VALLEY DR
1/29/2010	5:12:11PM	L201002260	E UNIVERSITY AVE	S VALLEY DR
2/4/2010	9:10:33AM	L201002716	E UNIVERSITY AVE	SOUTH VALLEY DRIVE
<b>TOTAL 3</b>				
4/25/2009	3:46:21PM	L200909348	HADLEY	VALLEY

6/30/2008	2:08:47PT	L200815034	HOAGLAND RD	N VALLEY DR
12/4/2009	6:40:58AI	L200928146	HOAGLAND RD 172	N VALLEY DR
<b>TOTAL</b>			<b>2</b>	
3/8/2009	3:21:09AM	L200905308	MAIN ST	VALLEY
<b>TOTAL</b>			<b>1</b>	
5/7/2008	4:22:37PM	L200810677	MAYFIELD LN	VALLEY
<b>TOTAL</b>			<b>1</b>	
10/20/2009	12:37:06I	L200924680	MCCLURE RD	N VALLEY DR
<b>TOTAL</b>			<b>1</b>	
10/29/2008	8:44:30A	L200825225	N VALLEY DR	455 N. VALLEY DR
12/1/2008	4:24:46PT	L200827957	N VALLEY DR	1300 N. VALLEY
<b>TOTAL</b>			<b>2</b>	
2/17/2009	3:40:44PT	L200903751	NAVENIDA DE MESILLA	S VALLEY DR
<b>TOTAL</b>			<b>1</b>	
2/25/2009	2:47:39PT	L200904449	PARKER RD	N. VALLEY
<b>TOTAL</b>			<b>1</b>	
2/25/2009	3:00:57PT	L200904453	PARKER RD &	N VALLEY DR
<b>TOTAL</b>			<b>1</b>	
1/20/2009	8:10:11AI	L200901442	PICACHO	VALLEY
11/11/2009	11:41:29.	L200926373	PICACHO	VALLEY
<b>TOTAL</b>			<b>2</b>	
8/18/2009	11:24:37A	L200919177	PICACHO AVE	VALLEY DR
2/19/2010	9:24:34AI	L201003932	PICACHO AVE	N. VALLEY DR
<b>TOTAL</b>			<b>2</b>	
4/1/2008	12:27:41PM	L200807543	S MAIN ST	S VALLEY DR
9/3/2008	4:30:22PM	L200819973	S MAIN ST	S VALLEY DR
11/19/2008	7:39:11A	L200827005	S MAIN ST	S VALLEY DR
11/29/2008	7:26:33F	L200827805	S MAIN ST	VALLEY DR
9/17/2009	3:47:25PT	L200921871	S MAIN ST	S VALLEY DR
9/19/2009	10:21:18A	L200922034	S MAIN ST	VALLEY
3/18/2010	5:53:46PT	L201006205	S MAIN ST	VALLEY

10/23/2008 4:22:24P	L200824721	S MAIN ST	S. VALLEY
1/16/2009 7:04:29PM	L200901220	S MAIN ST 173	VALLEY
7/6/2009 5:33:19PM	L200915572	S MAIN ST	S VALLEY DR
12/2/2009 6:39:04PM	L200928043	S MAIN ST	S VALLEY DR
<b>TOTAL 11</b>			
12/3/2009 5:14:40PM	L200928119	S MAIN ST &	SOUTH VALLEY
<b>TOTAL 1</b>			
6/3/2008 1:53:06PM	L200812927	S VALLEY DR	1550 S. VALLEY
<b>TOTAL 1</b>			
2/12/2010 7:39:45PM	L201003454	S. MAIN	VALLEY
8/23/2008 9:35:26PM	L200819050	S. MAIN	VALLEY
<b>TOTAL 2</b>			
4/12/2008 11:58:54A	L200808533	TASHIRO DR	N VALLEY DR
5/10/2008 10:03:08A	L200810925	TASHIRO DR	N VALLEY
1/8/2009 7:43:50AM	L200900524	TASHIRO DR	N VALLEY DR
<b>TOTAL 3</b>			
3/27/2009 10:14:02A	L200906848	UNIVERSITY	VALLEY DR.
<b>TOTAL 1</b>			
4/10/2008 1:29:21PM	L200808359	VALLEY	VALLEY
<b>TOTAL 1</b>			
11/24/2009 1:31:47F	L200927428	W AMADOR	N VALLEY
<b>TOTAL 1</b>			
4/11/2008 12:29:53P	L200808452	W AMADOR AVE	S VALLEY DR
6/11/2008 5:40:46PM	L200813574	W AMADOR AVE	S VALLEY DR
7/26/2008 3:38:03PM	L200816899	W AMADOR AVE	VALLEY
11/7/2008 7:45:04AM	L200826064	W AMADOR AVE	S VALLEY DR
1/10/2009 5:54:31PM	L200900749	W AMADOR AVE	SOUTH VALLEY DRIVE
1/28/2009 2:35:40PM	L200902149	W AMADOR AVE	S VALLEY DR
3/17/2009 6:15:00PM	L200906038	W AMADOR AVE	S VALLEY DR
3/20/2009 3:34:28PM	L200906304	W AMADOR AVE	S VALLEY DR
4/1/2009 11:14:16AM	L200907264	W AMADOR AVE	S VALLEY DR
4/14/2009 4:39:14PM	L200908404	W AMADOR AVE	VALLEY DR
6/18/2009 1:27:50PM	L200913917	W AMADOR AVE	VALLEY DRIVE
6/18/2009 2:11:05PM	L200913920	W AMADOR AVE	VALLEY DR

9/5/2009 4:01:29PM	L200920824	W AMADOR AVE	S VALLEY DR
12/7/2009 1:13:57PM	L200928391	W AMADOR AVE 174	S VALLEY DR
12/18/2009 11:31:34L	L200929316	W AMADOR AVE	S VALLEY DR
1/6/2010 3:15:51PM	L201000404	W AMADOR AVE	S VALLEY DR
3/3/2010 5:10:11PM	L201004957	W AMADOR AVE	VALLEY DR
5/30/2008 2:11:04PM	L200812623	W AMADOR AVE	S VALLEY DR
2/10/2009 4:07:34PM	L200903185	W AMADOR AVE	S VALLEY DR
9/23/2009 9:09:00AM	L200922375	W AMADOR AVE	S VALLEY DR
1/9/2010 10:14:16AM	L201000643	W AMADOR AVE	S VALLEY DR

TOTAL 21

7/28/2008 10:33:24PM	L200817039	W AMADOR AVE &	S VALLEY DR
----------------------	------------	----------------	-------------

TOTAL 1

6/21/2008 4:57:59PM	L200814309	W BOUTZ RD	S VALLEY
7/18/2008 3:19:51PM	L200816341	W BOUTZ RD	S VALLEY DR
12/17/2008 7:10:40F	L200829348	W BOUTZ RD	S VALLEY DR
6/2/2009 8:25:21AM	L200912517	W BOUTZ RD	S VALLEY DR
12/17/2009 6:44:52F	L200929270	W BOUTZ RD	VALLEY
2/23/2010 4:40:36PM	L201004321	W BOUTZ RD	S VALLEY DR
3/19/2010 2:14:21PM	L201006249	W BOUTZ RD	S VALLEY DR
7/31/2009 5:47:53PM	L200917737	W BOUTZ RD	S VALLEY DR
10/19/2009 1:42:43F	L200924588	W BOUTZ RD	S VALLEY DR

TOTAL 9

10/13/2008 4:29:13F	L200823737	W PICACHO AVE	N VALLEY DR
10/18/2008 9:31:21F	L200824244	W PICACHO AVE	N VALLEY DR
5/4/2009 1:29:00PM	L200910083	W PICACHO AVE	N VALLEY DR
8/3/2009 3:27:48PM	L200918027	W PICACHO AVE	N VALLEY DR
10/12/2009 8:51:58A	L200923974	W PICACHO AVE	N VALLEY DR
10/20/2009 3:37:47F	L200924695	W PICACHO AVE	N VALLEY DR
1/6/2010 7:41:30AM	L201000364	W PICACHO AVE	N VALLEY DR
4/19/2008 10:54:45A	L200809118	W PICACHO AVE	N VALLEY DR
5/30/2008 2:11:11PM	L200812624	W PICACHO AVE	N VALLEY DR
5/31/2008 2:54:48PM	L200812707	W PICACHO AVE	N VALLEY DR
12/2/2008 9:20:28AM	L200828008	W PICACHO AVE	VALLEY DR.
1/7/2009 9:46:15AM	L200900449	W PICACHO AVE	N VALLEY DR
2/23/2009 4:59:35PM	L200904261	W PICACHO AVE	N VALLEY DR
5/15/2009 5:32:04PM	L200911079	W PICACHO AVE	VALLEY DR
9/19/2009 5:33:53PM	L200922057	W PICACHO AVE	N VALLEY DR
10/26/2009 4:01:23F	L200925166	W PICACHO AVE	N VALLEY DR

1/24/2010 4:11:19PT	L201001803	W PICACHO AVE	N VALLEY DR
2/5/2010 7:38:47PM	L201002888	W PICACHO AVE	N VALLEY DR
2/11/2010 12:19:09P	L201003329	W PICACHO AVE	N VALLEY DR

**TOTAL 19**

9/15/2008 5:43:51PT	L200821103	W PICACHO AVE & N VALLEY DR	PICACHO AND VALLEY DRIVE
---------------------	------------	-----------------------------	--------------------------

**TOTAL 1**

2/12/2010 8:14:19AM	L201003391	W. PICACHO	VALLEY DR.
---------------------	------------	------------	------------

**TOTAL 1**

8/11/2008 9:58:59PT	L200818131	WEST AMADOR	VALLEY DR
---------------------	------------	-------------	-----------

**TOTAL 1**

3/12/2010 11:29:18A	L201005652	WEST AMADOR AVE	SOUTH VALLEY DRIVE
---------------------	------------	-----------------	--------------------

**TOTAL 1**

8/2/2009 11:23:51AM	L200917847	WEST BOUTZ RD	SOUTH VALLEY DR
---------------------	------------	---------------	-----------------

**TOTAL 1**

7/31/2008 5:22:57PT	L200817258	WILSON AVE	NORTH VALLEY DRIVE
---------------------	------------	------------	--------------------

6/21/2008 3:56:50PT	L200814304	WILSON AVE	N. VALLEY DR
---------------------	------------	------------	--------------

**TOTAL 2**

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
4/8/2008 11:10:46AM	L200808164	N VALLEY DR	W PICACHO AVE
4/17/2008 7:52:39PM	L200808993	N VALLEY DR	W PICACHO
7/12/2008 6:23:20PM	L200815928	N VALLEY DR	PICACHO
7/15/2008 11:02:31A	L200816090	N VALLEY DR	CASA DR
8/22/2008 4:30:12PM	L200818944	N VALLEY DR	MAYFIELD RD
12/15/2008 8:26:46A	L200829082	N VALLEY DR	MCCLURE RD
3/10/2009 6:58:04PM	L200905513	N VALLEY DR	MCCLURE RD
4/18/2009 3:48:55PM	L200908724	N VALLEY DR	PARKER
4/24/2009 12:28:07P	L200909238	N VALLEY DR	HOAGLAND DR
5/6/2009 11:18:10AM	L200910292	N VALLEY DR	W PICACHO AVE
5/8/2009 2:36:28PM	L200910495	N VALLEY DR	WILSON
5/19/2009 8:08:24AM	L200911356	N VALLEY DR	MAYFIELD RD
8/8/2009 6:02:51PM	L200918370	N VALLEY DR	MCCLURE
9/3/2009 12:31:34PM	L200920636	N VALLEY DR	BRUNS
5/5/2008 7:28:30AM	L200810414	N VALLEY DR	ISAACKS LN
5/30/2008 4:08:28PM	L200812639	N VALLEY DR	BROWNLEE
7/18/2008 11:11:46A	L200816318	N VALLEY DR	PARKER DRIVE
7/20/2008 1:01:24PM	L200816460	N VALLEY DR	MAYFIELD LN
1/8/2009 2:13:56PM	L200900574	N VALLEY DR	VAN PATTEN
1/30/2009 8:51:24AM	L200902291	N VALLEY DR	ISAACKS LANE
2/3/2009 4:38:01PM	L200902645	N VALLEY DR	
<b>TOTAL 21</b>			
X 4/4/2008 4:39:43PM	L200807872	S VALLEY DR	FLORIDA
9/4/2008 8:32:04AM	L200820024	S VALLEY DR	
2/27/2009 8:02:52AM	L200904606	S VALLEY DR	AVE DE MESILLA
11/4/2009 4:46:01PM	L200925889	S VALLEY DR	W AMADOR AVE
11/28/2009 11:44:17A	L200927680	S VALLEY DR	W AMADOR
12/14/2009 1:09:04F	L200928965	S VALLEY DR	BROWN RD
11/17/2009 12:45:52L	L200926857	S VALLEY DR	AVENIDA DE MESILLA
<b>TOTAL 7</b>			
4/24/2009 6:34:27PM	L200909272	VALLEY DR	STEWART LN
8/8/2008 11:45:04AM	L200817882	VALLEY DR	AVENIDA DE MESILLA
10/10/2008 8:42:31F	L200823529	VALLEY DR	MADERO
10/16/2009 2:38:12F	L200924355	VALLEY DR	BARKER
<b>TOTAL 4</b>			
1/27/2009 9:04:23PM	L200902097	1062 N VALLEY DR	STEWART

**TOTAL 1** 177

7/8/2009 2:55:09PM L200915746

1115 S VALLEY DR

**TOTAL 1**

8/31/2009 2:31:46PM L200920334

1131 S VALLEY DR

**TOTAL 1**

7/31/2009 6:28:54AM L200917691

1155 S VALLEY DR OLD TOWN REST.

**TOTAL 1**

10/25/2008 11:14:55. L200824887

1250 N VALLEY DR

1/19/2009 9:14:37PM L200901429

1250 N VALLEY DR

3/9/2010 4:00:09PM L201005434

1250 N VALLEY DR

**TOTAL 3**

6/19/2009 4:38:08PM L200914019

1290 S VALLEY

3/9/2010 5:34:04PM L201005444

1290 S VALLEY

**TOTAL 2**

12/1/2009 5:55:21PM L200927954

1340 S VALLEY DR

**TOTAL 1**

7/17/2008 2:13:05PM L200816263

1550 S VALLEY

9/7/2008 6:02:30PM L200820312

1550 S VALLEY

VALLEY

4/27/2009 9:07:08PM L200909524

1550 S VALLEY

5/20/2009 3:41:46PM L200911499

1550 S VALLEY

7/20/2009 12:23:51P. L200916742

1550 S VALLEY

9/21/2009 4:25:57PM L200922237

1550 S VALLEY

2/13/2009 6:25:32PM L200903472

1550 S VALLEY

8/10/2009 1:14:09PM L200918508

1550 S VALLEY

**TOTAL 8**

4/13/2009 5:32:44PM L200908298

1550 S VALLEY DR

VALLEY DR

11/5/2008 2:08:49PM L200825918

1550 S VALLEY DR

2/2/2009 2:04:52PM L200902532

1550 S VALLEY DR

2/13/2009 11:02:29A L200903431

1550 S VALLEY DR

RIGSBY

2/21/2009 10:36:43A L200904095

1550 S VALLEY DR

3/5/2009 9:47:00AM L200905086

1550 S VALLEY DR

3/27/2009 12:39:46P. L200906867

1550 S VALLEY DR

4/2/2009 12:55:00PM L200907353

1550 S VALLEY DR

6/30/2009 5:33:10PM L200915055

1550 S VALLEY DR

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
		TOTAL 2	178
12/19/2008 10:54:34A	L200829547	2500 S VALLEY DR	
		TOTAL 1	
4/10/2008 10:05:29P	L200808408	2500 S VALLEY DR :@THE LIQUOR COMPANY/THE I	MAIN
		TOTAL 1	
6/30/2009 3:53:36PM	L200915046	2600 S VALLEY DR	
		TOTAL 1	
12/20/2008 10:00:19	L200829571	2645 S VALLEY DR	
5/27/2009 3:28:36PM	L200912097	2645 S VALLEY DR	
		TOTAL 2	
3/3/2009 9:24:10PM	L200904974	300 VALLEY VIEW AVE	BROADVIEW
		TOTAL 1	
10/10/2009 12:06:49I	L200923819	350 S VALLEY DR	
		TOTAL 1	
10/9/2008 9:34:21AI	L200823354	355 S VALLEY DR @The Car Connection	
		TOTAL 1	
8/2/2008 7:44:49PM	L200817410	390 N VALLEY DR :@LCFD FIRE STATION 3 :@STATI	
		TOTAL 1	
8/10/2009 12:20:26A	L200918469	401 S. VALLEY	AMADOR
		TOTAL 1	
2/13/2009 12:15:00P	L200903442	420 S VALLEY DR	
		TOTAL 1	
2/7/2010 4:43:33AM	L201002989	490 N VALLEY	HADLEY
		TOTAL 1	
7/13/2009 10:03:19A	L200916126	490 S. VALLEY	
		TOTAL 1	
11/15/2008 7:10:22P	L200826702	495 N VALLEY DR	
12/10/2008 6:52:08F	L200828741	495 N VALLEY DR	
9/2/2009 12:20:49PM	L200920541	495 N VALLEY DR	
		TOTAL 3	

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
3/14/2010 9:21:39PM	L201005839	495 N. VALLEY 179	
<b>TOTAL 1</b>			
8/6/2009 11:46:57AM	L200918157	495 NORTH VALLEY SAV MART	
<b>TOTAL 1</b>			
12/23/2008 5:37:52F	L200829850	495 VALLEY DR.	
<b>TOTAL 1</b>			
2/18/2010 4:08:10PM	L201003879	521 N VALLEY DR	
<b>TOTAL 1</b>			
6/11/2009 3:38:37PM	L200913306	525 N VALLEY DR	MCFIE
<b>TOTAL 1</b>			
7/8/2008 3:56:30PM	L200815626	555 S VALLEY DR :{	
<b>TOTAL 1</b>			
X 7/23/2009 4:17:00PM	L200917060	590 S VALLEY DR	
<b>TOTAL 1</b>			
X 9/3/2008 12:47:17PM	L200819931	590 S VALLEY DR :@CALICHE'S :@CALICHES	AMADOR
<b>TOTAL 1</b>			
4/7/2008 12:18:55PM	L200808087	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
4/26/2008 7:12:50PM	L200809749	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
4/27/2008 1:21:10PM	L200809803	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
6/6/2008 1:53:10PM	L200813189	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
6/20/2008 3:39:35PM	L200814237	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
7/22/2008 11:31:06A	L200816591	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
8/26/2008 6:58:43PM	L200819270	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
9/22/2008 2:43:08PM	L200821740	700 S TELSHOR BLVD :@MESILLA VALLEY MALL	
<b>TOTAL 8</b>			
8/22/2008 7:57:40PM	L200818968	700 S TELSHOR BLVD :@MESILLA VALLEY MALL :@M	
<b>TOTAL 1</b>			
9/7/2008 3:59:44PM	L200820306	700 S TELSHOR BLVD :[BARNES AND NOBLE] :@MES	
<b>TOTAL 1</b>			
12/24/2009 1:04:38F	L200929737	700 S TELSHOR BLVD MESILLA VALLEY MALL	
<b>TOTAL 1</b>			
12/23/2008 10:37:32.	L200829794	700 SOUTH TELSHOR MESILLA VALLEY MALL	

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
		180	
2/6/2009 12:16:46PM	L200902862	700 SOUTH TELSHOR MESILLA VALLEY MALL	
7/8/2009 1:22:45PM	L200915732	700 SOUTH TELSHOR MESILLA VALLEY MALL	
8/5/2009 1:42:28PM	L200918063	700 SOUTH TELSHOR MESILLA VALLEY MALL	
1/6/2010 4:18:03PM	L201000417	700 SOUTH TELSHOR MESILLA VALLEY MALL	
		<b>TOTAL 5</b>	
9/27/2008 12:08:02P	L200822297	745 NORTH VALLEY	PICACHO
		<b>TOTAL 1</b>	
3/14/2009 2:40:42PM	L200905777	745 N VALLEY DR	
5/31/2009 5:37:05PM	L200912402	745 N VALLEY DR	PICACHO
		<b>TOTAL 2</b>	
3/31/2008 2:28:38PM	L200807468	745 N. VALLEY DR	
		<b>TOTAL 1</b>	
8/1/2008 12:20:45PM	L200817305	900 S VALLEY DR :@SISBARRO AUTO WORLD	
		<b>TOTAL 1</b>	
4/22/2008 4:34:56PM	L200809402	903 NORTH VALLEY DRIVE	
		<b>TOTAL 1</b>	
4/27/2008 2:12:30PM	L200809804	915 CALIFORNIA AVE :@VALLEY VIEW ELEMENTAF	
		<b>TOTAL 1</b>	
5/19/2008 2:46:10PM	L200811660	915 CALIFORNIA AVE :@VALLEY VIEW ELEMENTAF	
		<b>TOTAL 1</b>	
11/16/2009 1:45:29F	L200926791	919 N VALLEY DR	
		<b>TOTAL 1</b>	
2/25/2009 2:50:09PM	L200904448	919 N. VALLEY	
		<b>TOTAL 1</b>	
8/1/2009 12:52:30AM	L200917763	930 N VALLEY DR	
		<b>TOTAL 1</b>	
8/29/2008 8:44:11PM	L200819625	930 N VALLEY DR :@SONIC DRIVE IN :@SONIC	
		<b>TOTAL 1</b>	
12/1/2008 4:57:01PM	L200827960	935 S VALLEY DR	
		<b>TOTAL 1</b>	
9/3/2008 5:48:19PM	L200819981	955 S VALLEY DR :@SANDOVAL DODGE	

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
10/9/2009 3:03:17P	L200923737	181 N VALLEY DR & PARKER RD	
		<b>TOTAL 1</b>	
11/12/2009 5:49:21F	L200926485	N VALLEY DR & TASHIRO DR	
		<b>TOTAL 1</b>	
5/5/2008 6:28:15AM	L200810413	N VALLEY DR & VAN PATTEN	VAN PATTEN
		<b>TOTAL 1</b>	
7/17/2009 11:37:05A	L200916495	N VALLEY DR & VAN PATTEN AVE	
		<b>TOTAL 1</b>	
9/16/2008 5:35:04P	L200821192	N VALLEY DR & W AMADOR AVE.	
		<b>TOTAL 1</b>	
8/29/2008 10:59:17A	L200819552	N VALLEY DR & W PICACHO AVE	W PICACHO AVE
2/7/2009 1:34:00AM	L200902930	N VALLEY DR & W PICACHO AVE	
2/15/2010 10:47:39P	L201003620	N VALLEY DR & W PICACHO AVE	
		<b>TOTAL 3</b>	
1/17/2009 10:49:44A	L200901267	N VALLEY DR (PARKING LOT OF 930 N VALLEY DR)	
		<b>TOTAL 1</b>	
1/16/2009 6:12:50P	L200901218	N VALLEY DR	MCCLURE RD
10/19/2009 5:20:29F	L200924617	N VALLEY DR	BROWNLEE AVE
		<b>TOTAL 2</b>	
1/3/2009 11:52:24AM	L200900170	NORTH VALLEY	BARKER
		<b>TOTAL 1</b>	
3/14/2010 9:52:10P	L201005840	S MAIN ST & S VALLEY DR	
		<b>TOTAL 1</b>	
5/12/2009 10:57:34A	L200910784	S S. VALLEY DR	AVENIDA DE MESILLA
		<b>TOTAL 1</b>	
7/19/2009 5:05:29P	L200916658	S VALLEY	W AMADOR
4/11/2008 8:19:25A	L200808419	S VALLEY	AVE DE MESILLA
		<b>TOTAL 2</b>	
4/11/2008 3:37:03P	L200808474	S VALLEY DR	AVENIDA BLANCO
4/14/2008 4:35:36P	L200808694	S VALLEY DR	E UNIVERSITY AVE
4/17/2008 3:15:16P	L200808975	S VALLEY DR	S MAIN ST
4/25/2008 8:01:33A	L200809616	S VALLEY DR	RIGSBY RD

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
5/20/2008 12:30:08P	L200811743	S VALLEY DR	RIGSBY RD
5/21/2008 2:51:49PM	L200811865	S VALLEY DR	E UNIVERSITY AVE
6/3/2008 1:53:06PM	L200812927	S VALLEY DR	1550 S. VALLEY
6/7/2008 12:46:55PM	L200813236	S VALLEY DR	W AMADOR
6/22/2008 10:38:17A	L200814347	S VALLEY DR	W BOUTZ
6/25/2008 1:29:41PM	L200814634	S VALLEY DR	S MAIN ST
6/30/2008 11:57:52A	L200815016	S VALLEY DR	W AMADOR AVE
7/2/2008 11:16:01AM	L200815181	S VALLEY DR	S MAIN ST
7/3/2008 3:15:35PM	L200815270	S VALLEY DR	ASPEN
7/28/2008 12:52:14P	L200817004	S VALLEY DR	AVENIDA DE MESILLA
8/20/2008 4:31:09PM	L200818778	S VALLEY DR	S MAIN ST
8/21/2008 3:57:27PM	L200818848	S VALLEY DR	AVE DE MESILLA
9/2/2008 2:31:00PM	L200819866	S VALLEY DR	S MAIN ST
10/15/2008 8:22:46A	L200823827	S VALLEY DR	W AMADOR AVE
12/2/2008 6:49:19PM	L200828070	S VALLEY DR	
12/9/2008 4:25:42PM	L200828639	S VALLEY DR	E UNIVERSITY AVE
12/17/2008 1:27:36F	L200829306	S VALLEY DR	W AMADOR AVE
2/11/2009 11:48:09A	L200903251	S VALLEY DR	
2/17/2009 1:16:04PM	L200903733	S VALLEY DR	W FARNEY LN
3/5/2009 11:05:07AM	L200905100	S VALLEY DR	W BOUTZ RD
3/6/2009 4:52:28PM	L200905214	S VALLEY DR	S MAIN ST
3/25/2009 3:57:48PM	L200906719	S VALLEY DR	BOUTZ RD
3/25/2009 5:30:01PM	L200906726	S VALLEY DR	AVENIDA DE MESILLA
5/7/2009 1:55:27PM	L200910401	S VALLEY DR	
5/10/2009 2:31:46PM	L200910646	S VALLEY DR	E UNIVERSITY AVE
5/21/2009 12:27:57P	L200911585	S VALLEY DR	BOUTZ RD
7/1/2009 5:02:28PM	L200915162	S VALLEY DR	S MAIN
7/10/2009 9:57:56PM	L200915929	S VALLEY DR	
7/11/2009 7:15:00PM	L200915990	S VALLEY DR	BOUTZ
7/13/2009 10:28:52A	L200916117	S VALLEY DR	S. MAIN ST.
7/18/2009 9:05:49PM	L200916610	S VALLEY DR	W AMADOR
7/21/2009 4:45:49PM	L200916874	S VALLEY DR	AVENIDA DE MESILLA
7/31/2009 7:42:11PM	L200917743	S VALLEY DR	UNIVERSITY
8/17/2009 12:44:42P	L200919082	S VALLEY DR	S MAIN ST
9/4/2009 12:15:11PM	L200920723	S VALLEY DR	
9/23/2009 8:39:23AM	L200922371	S VALLEY DR	AVENIDA DE MESILLA
10/12/2009 7:59:09A	L200923971	S VALLEY DR	S MAIN ST
11/5/2009 3:31:40PM	L200925953	S VALLEY DR	AVENIDA DE MESILLA
11/30/2009 5:13:04F	L200927857	S VALLEY DR	SEQUOIA
12/3/2009 7:57:07AM	L200928073	S VALLEY DR	W. BOUTZ

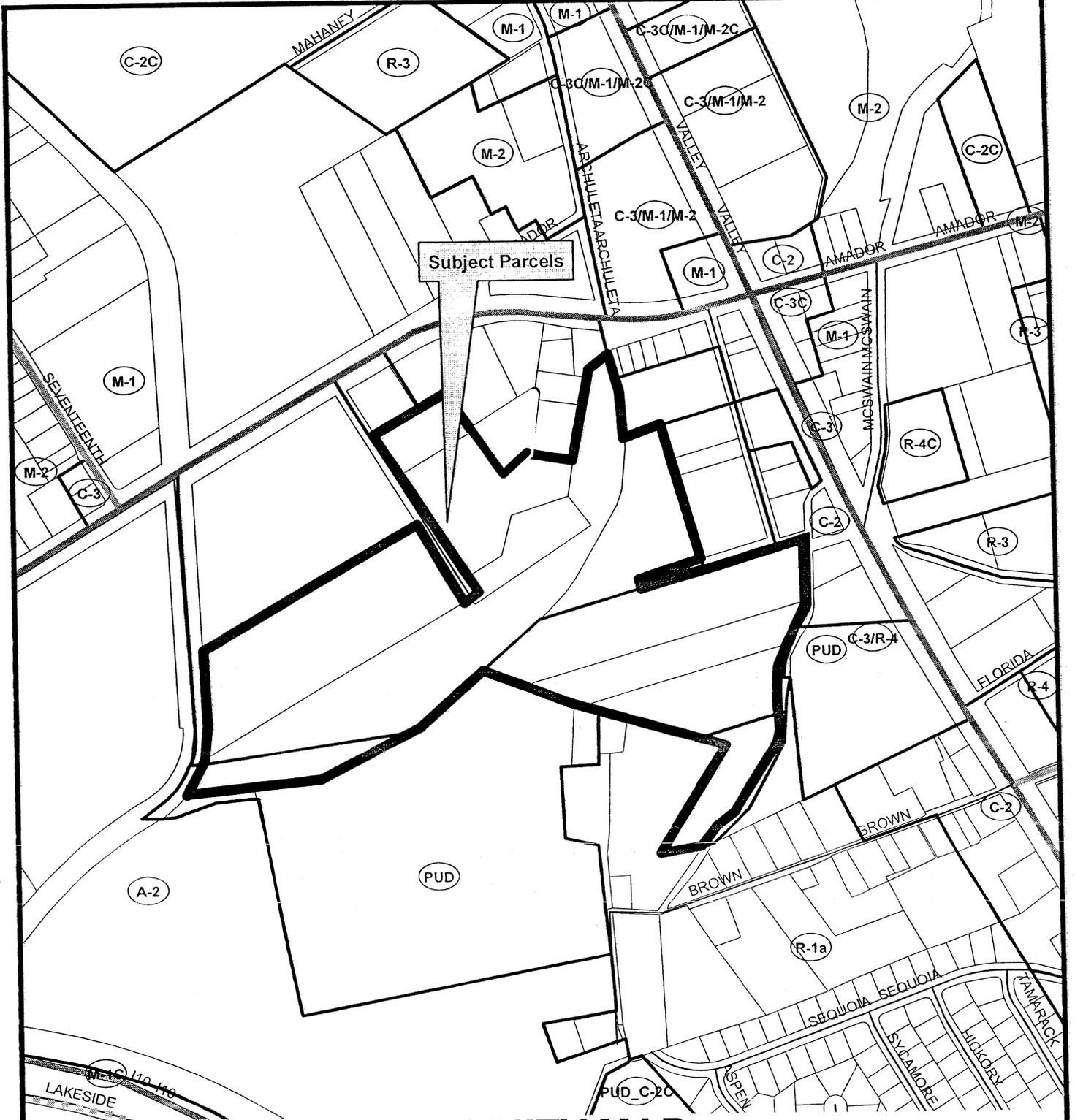
<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
12/5/2009 4:39:31PM	L200928266	S VALLEY DR	BROWN
12/9/2009 2:48:14PM	L200928561	S VALLEY DR	ASPEN AVE
12/18/2009 4:07:57F	L200929342	S VALLEY DR	AVE DE MESILLA
1/16/2010 8:05:40PM	L201001218	S VALLEY DR	BROWN RD
1/25/2010 7:46:10AM	L201001839	S VALLEY DR	AVENIDA DE MESILLA
2/3/2010 7:33:25AM	L201002634	S VALLEY DR	W BOUTZ RD
2/14/2010 2:15:40PM	L201003544	S VALLEY DR	AVENIDA DE MESILLA
2/18/2010 12:56:17P.	L201003864	S VALLEY DR	AVENIDA DE MESILLA
2/18/2010 6:02:08PM	L201003897	S VALLEY DR	CAMPBELL DR
2/19/2010 3:52:07PM	L201003992	S VALLEY DR	RIGSBY RD
4/22/2008 2:37:41PM	L200809378	S VALLEY DR	AVENIDA DE MESILLA
4/24/2008 1:51:39PM	L200809549	S VALLEY DR	AMADOR
5/13/2008 7:55:19AM	L200811127	S VALLEY DR	S. MAIN ST.
5/20/2008 2:08:40PM	L200811751	S VALLEY DR	W AMADOR AVE
7/14/2008 1:12:11PM	L200816025	S VALLEY DR	W AMADOR AVE
7/25/2008 5:19:09PM	L200816833	S VALLEY DR	S MAIN ST
8/10/2008 11:35:04A	L200818014	S VALLEY DR	W BOUTZ
8/26/2008 11:32:56A	L200819226	S VALLEY DR	W BOUTZ RD
9/10/2008 12:44:48P.	L200820598	S VALLEY DR	
10/4/2008 6:00:44PM	L200822984	S VALLEY DR	W. AMADOR
10/17/2008 3:48:29F	L200824134	S VALLEY DR	MAIN
10/30/2008 1:16:18F	L200825343	S VALLEY DR	W AMADOR AVE
11/5/2008 6:54:25PM	L200825949	S VALLEY DR	MAIN ST
12/1/2008 1:36:16PM	L200827937	S VALLEY DR	S MAIN ST
12/15/2008 4:53:50F	L200829153	S VALLEY DR	& W AMADOR AVE
12/18/2008 6:35:55F	L200829440	S VALLEY DR	W AMADOR AVE
1/9/2009 5:32:24PM	L200900682	S VALLEY DR	AVE DE MESILLA
1/11/2009 10:30:19A	L200900789	S VALLEY DR	AVE. DE MESILLA
1/15/2009 4:47:51PM	L200901134	S VALLEY DR	E UNIVERSITY AVE
1/29/2009 5:10:09PM	L200902250	S VALLEY DR	W AMADOR AVE
1/31/2009 3:08:18PM	L200902416	S VALLEY DR	AVE DE MESILLA
X 2/19/2009 4:24:10PM	L200903954	S VALLEY DR	FLORIDA DR
3/3/2009 8:12:35PM	L200904968	S VALLEY DR	AVENIDA DE MESILLA
6/18/2009 4:34:02PM	L200913933	S VALLEY DR	RIGSBY RD
7/4/2009 4:11:18PM	L200915412	S VALLEY DR	BOUTZ RD
7/7/2009 12:16:30AM	L200915599	S VALLEY DR	AVENIDA DE MESILLA
8/6/2009 5:07:33PM	L200918190	S VALLEY DR	W. AMADOR AVE
8/14/2009 8:55:00PM	L200918902	S VALLEY DR	S. MAIN ST
8/28/2009 10:38:43A	L200920086	S VALLEY DR	W AMADOR AVE
9/2/2009 10:37:45PM	L200920588	S VALLEY DR	E UNIVERSITY AVE

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
9/11/2009 8:04:47A	L200921303	S VALLEY DR	SEQUOIA AVE
9/11/2009 11:37:18A	L200921334	S VALLEY DR	RIGSBY ROAD
9/26/2009 3:54:40P	L200922677	S VALLEY DR	
10/2/2009 10:45:41P	L200923231	S VALLEY DR	S MAIN ST
10/11/2009 2:38:02F	L200923907	S VALLEY DR	RIGSBY RD
11/21/2009 10:56:18.	L200927210	S VALLEY DR	MARQUESS ST
12/19/2009 5:03:15F	L200929414	S VALLEY DR	MAIN
2/9/2010 7:24:43PM	L201003189	S VALLEY DR	In front of Sandoval Dodge at 955 S
9/10/2008 7:51:21A	L200820580	S VALLEY DR	S MAIN ST
12/29/2008 9:50:40A	L200830144	S VALLEY DR	AVENIDA DE MESILLA
		<b>TOTAL 94</b>	
5/28/2008 10:01:44P	L200812471	S VALLEY DR & AVENIDA DE MESILLA	
6/16/2008 5:52:58PM	L200813915	S VALLEY DR & AVENIDA DE MESILLA	
7/29/2008 9:32:13PM	L200817117	S VALLEY DR & AVENIDA DE MESILLA	
12/12/2008 9:05:55F	L200828935	S VALLEY DR & AVENIDA DE MESILLA	
11/13/2009 7:50:21A	L200926523	S VALLEY DR & AVENIDA DE MESILLA	
3/11/2010 4:13:09PM	L201005598	S VALLEY DR & AVENIDA DE MESILLA	
3/11/2010 4:22:02PM	L201005597	S VALLEY DR & AVENIDA DE MESILLA	
3/18/2010 2:33:55PM	L201006171	S VALLEY DR & AVENIDA DE MESILLA	AVENIDA DE MESILLA
		<b>TOTAL 8</b>	
8/27/2008 9:22:46PM	L200819408	S VALLEY DR & E UNIVERSITY AVE	
		<b>TOTAL 1</b>	
9/15/2008 4:05:48PM	L200821094	S VALLEY DR & RIGSBY RD	RIGSBY RD
10/31/2008 9:53:48F	L200825481	S VALLEY DR & RIGSBY RD	
		<b>TOTAL 2</b>	
6/29/2008 4:31:10PM	L200814951	S VALLEY DR & S MAIN ST	S. MAIN
5/6/2009 10:21:33PM	L200910370	S VALLEY DR & S MAIN ST	
9/24/2009 11:53:18A	L200922511	S VALLEY DR & S MAIN ST	
10/18/2009 1:36:58F	L200924508	S VALLEY DR & S MAIN ST	
2/24/2010 6:31:59PM	L201004413	S VALLEY DR & S MAIN ST	
		<b>TOTAL 5</b>	
8/26/2008 10:03:29P	L200819278	S VALLEY DR & W AMADOR AVE	
10/31/2009 1:52:02F	L200925544	S VALLEY DR & W AMADOR AVE	
		<b>TOTAL 2</b>	
1/4/2010 9:53:32AM	L201000205	S VALLEY DR & W BOUTZ RD	

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
		TOTAL 1	185
3/31/2008 12:14:02P	L200807453	S VALLEY DR (IN FRONT OF 350 S VALLEY DR)	
		TOTAL 1	
6/28/2008 10:22:30P	L200814903	S VALLEY DRIVE	AVENIDA DE MESILLA
		TOTAL 1	
4/18/2008 8:08:40A	L200809017	S. VALLEY	S. MAIN
11/16/2009 5:34:57F	L200926814	S. VALLEY	RIGSBY
		TOTAL 2	
1/3/2009 7:44:11PM	L200900196	S. VALLEY DR	AVENIDA DE MESILLA
		TOTAL 1	
3/5/2010 12:44:35AM	L201005079	SOUTH VALLEY DRIVE	RIGSBY
		TOTAL 1	
5/1/2009 8:15:22PM	L200909865	STEWART LN & N VALLEY DR	
		TOTAL 1	
4/10/2008 1:29:21P	L200808359	VALLEY	VALLEY
10/16/2008 4:52:17F	L200824030	VALLEY	TASHIRO
11/10/2008 8:07:05A	L200826266	VALLEY	TASHIRO
12/20/2008 11:12:19.	L200829577	VALLEY	AVENEDA DE MESILLA
2/24/2009 10:34:15A	L200904315	VALLEY	MARQUESS
8/27/2009 8:16:16A	L200919987	VALLEY	S MAIN ST
2/3/2010 3:05:19AM	L201002628	VALLEY	MAIN
12/5/2008 2:50:10P	L200828314	VALLEY	SEQUOIA
1/22/2009 8:47:40A	L200901624	VALLEY	HOAGLAND
12/27/2009 9:22:26A	L200929864	VALLEY	AMADOR
		TOTAL 10	
1/19/2010 4:15:21P	L201001435	VALLEY & MAYFIELD	
		TOTAL 1	
6/13/2008 1:54:46P	L200813696	VALLEY & UNIVERSITY	
		TOTAL 1	
4/24/2008 4:26:40P	L200809563	VALLEY DR	PARKER
6/16/2008 2:14:54P	L200813885	VALLEY DR	AVE DE MESILLA
8/7/2008 10:15:40AM	L200817779	VALLEY DR	PICACHO AVE
8/26/2008 3:34:41P	L200819252	VALLEY DR	

<u>REPORT DATE</u>	<u>EVENTID</u>	<u>LOCATION</u>	<u>INTERSECT STREET</u>
9/16/2008 2:56:51PM	L200821179	VALLEY DR	HOAGLAND AVE
10/2/2008 5:12:09PM	L200822822	VALLEY DR	BROWNLEE
10/30/2008 10:08:32I	L200825390	VALLEY DR	RIGSBY
3/19/2009 4:19:27PM	L200906212	VALLEY DR	TASHIRO
5/8/2009 3:14:17PM	L200910499	VALLEY DR	E PICACHO AVE
6/20/2009 11:49:04A	L200914084	VALLEY DR	MAYFIELD
10/7/2009 9:24:19AI	L200923570	VALLEY DR	MCLURE RD
10/15/2008 6:14:56F	L200823912	VALLEY DR	PARKER AVE
<b>TOTAL 12</b>			
12/15/2008 9:11:10A	L200829086	VALLEY DR (PARKED IN FRONT OF 1550 S VALLEY I	
<b>TOTAL 1</b>			
6/21/2009 12:45:07P	L200914151	VALLEY DR.	AVENIDA DE MESILLA
8/19/2009 2:32:31PM	L200919293	VALLEY DR.	AVENIDA DE MESILLA
<b>TOTAL 2</b>			
11/20/2008 9:23:28A	L200827100	VALLEY DRIVE	HOAGLAND STREET
11/16/2009 8:17:34A	L200926757	VALLEY DRIVE	MAYFIELD ROAD
<b>TOTAL 2</b>			
12/7/2008 2:03:21AI	L200828431	W BOUTZ RD & S VALLEY DR	
<b>TOTAL 1</b>			
12/26/2009 7:54:11F	L200929833	W HADLEY AVE & N VALLEY DR	
<b>TOTAL 1</b>			
7/8/2008 8:31:59PM	L200815642	W PICACHO AVE & N VALLEY DR	
9/11/2008 9:09:32PM	L200820769	W PICACHO AVE & N VALLEY DR	
9/15/2008 5:43:51PM	L200821103	W PICACHO AVE & N VALLEY DR	PICACHO AND VALLEY DRIVE
3/22/2009 4:35:42AI	L200906429	W PICACHO AVE & N VALLEY DR	
3/22/2009 10:44:00A	L200906440	W PICACHO AVE & N VALLEY DR	
10/10/2009 3:10:02F	L200923835	W PICACHO AVE & N VALLEY DR	
11/19/2009 6:05:36A	L200927011	W PICACHO AVE & N VALLEY DR	
2/1/2010 1:05:50PM	L201002476	W PICACHO AVE & N VALLEY DR	
<b>TOTAL 8</b>			

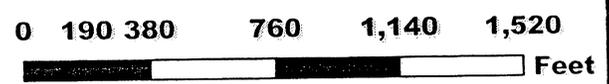
187



### VICINITY MAP

**VILLA AMADOR PLANNED UNIT DEVELOPMENT**  
**CASE NO. PUD-09-04**  
**OWNER: IFL, LLC.**  
**LOCATION: SOUTH OF AMADOR AVENUE,**  
**WEST OF VALLEY DRIVE**

**ZONING: PUD**  
*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 (505) 528-3043.*

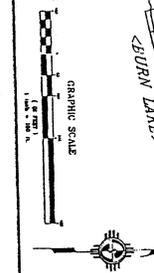


**Community Development Department**  
 575 S Alameda Blvd.  
 Las Cruces, NM 88001  
 (505) 528-3222



**NOTES:**

1. THIS CONCEPT PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO THE APPROVAL OF THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT.
2. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
3. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
4. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
5. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
6. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
7. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
8. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
9. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
10. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.



**GENERAL NOTES:**

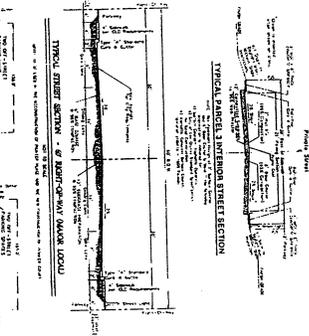
1. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
2. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
3. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
4. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
5. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
6. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
7. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
8. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
9. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.
10. THE CITY OF LAS CRUCES PLANNING AND ZONING DEPARTMENT HAS REVIEWED THIS CONCEPT PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LAS CRUCES ZONING ORDINANCE.

This Concept Plan has been approved by the Subdivision Administrator of the City of Las Cruces, and all the requirements for approval of the Concept Plan have been complied with to the satisfaction of the Planning Authority, for approval of the Concept Plan.

Subdivision Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

NO.	DESCRIPTION	AREA (SQ. FT.)	AREA (ACRES)	PERCENTAGE OF TOTAL AREA
1	PARCEL 1 (6.31 ACRES)	272,000	6.31	1.5%
2	PARCEL 2 (28,606 UNITS)	1,235,000	28.606	6.5%
3	PARCEL 3 (1.9 ACRES)	82,000	1.9	0.4%
4	RESERVED FOR FUTURE DEVELOPMENT	6,901,000	157.684	15.6%
5	TOTAL	17,830,000	407.58	100%

- Index to Sheets:
1. DEVELOPMENT CONCEPT PLAN
  2. TRANSPORTATION/ZONING MAP
  3. UTILITIES MASTER PLAN
  4. DRAINAGE MASTER PLAN



**VILLA AMADOR P.U.D.**  
**DEVELOPMENT CONCEPT PLAN**  
 A 5382 ACRE TRACT  
 LOCATED IN SECTIONS 13 AND  
 24, T28N, R1E, OF THE USRS  
 SUBURBS, BEING PART OF  
 USRS TRACT 9C-12A, USRS  
 TRACT 9C-12B3, 9A-10A, 9A-10B2,  
 9A-10C, 9A-10D, AND TRACT  
 V, ROUNDTREE SUBURBAN  
 FARM TRACTS REPLAT NO.1  
 JANUARY, 2010

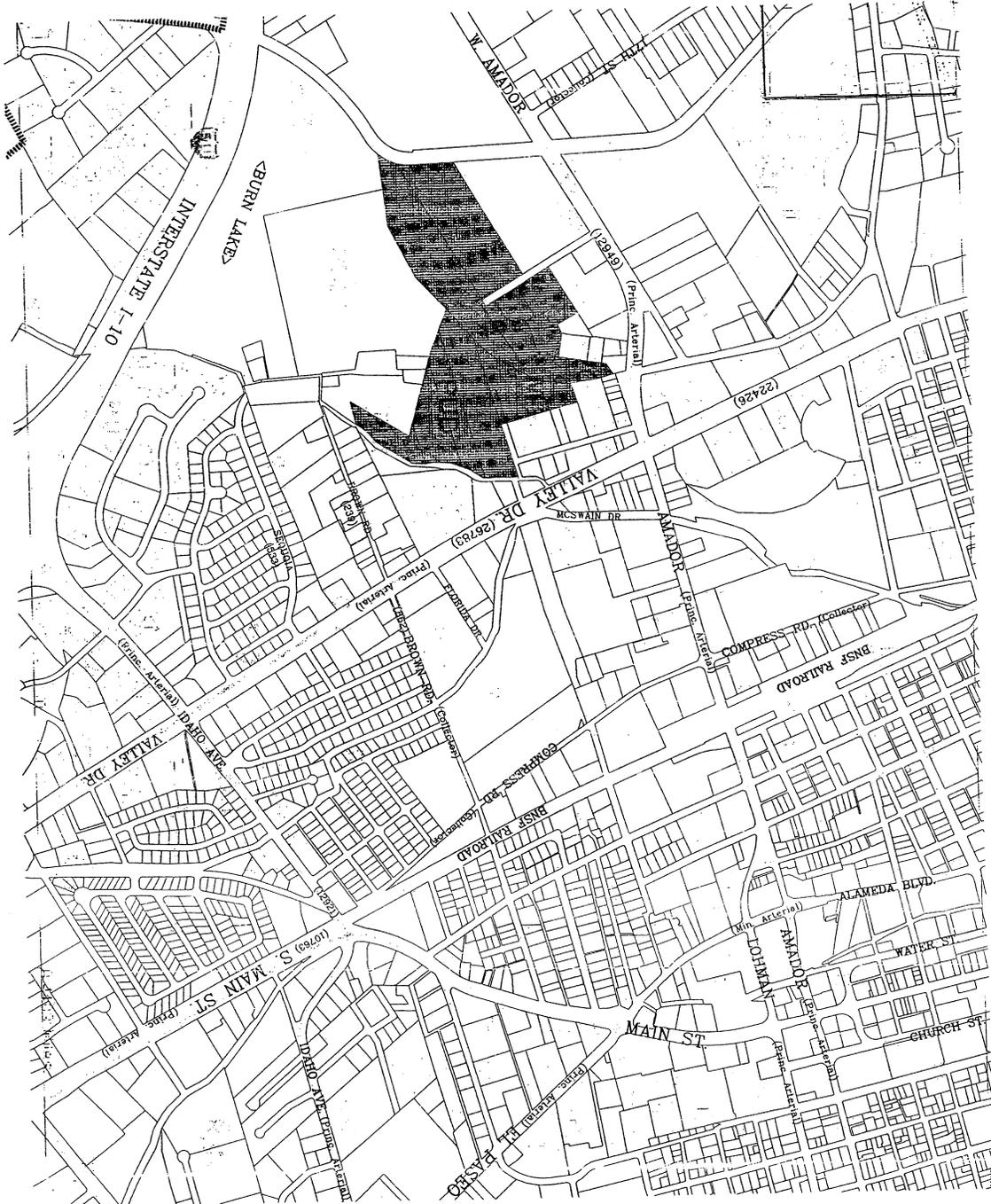
Name of Development: Villa Amador  
 Developer: Homa Commercial, LLC  
 Albuquerque, New Mexico 87112  
 505-332-0522

Engineer: Scanton White, Inc.  
 1505 S. 1st Street, Suite C  
 Las Cruces, New Mexico 88011  
 Survey: Scanton White, Inc.  
 3780 Fighting Road, Site C  
 Las Cruces, New Mexico 88011

Proposed Land Use: P.U.D. Mixed Land Use  
 Single-Family Medium Density  
 Medium-Density Residential

Location: Sections 13&24, T28N, R1E,  
 City of Las Cruces, Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces  
 Applicable Code: City of Las Cruces Zoning Code  
 City of Las Cruces Design Standards  
 City of Las Cruces Subdivision Regulations  
 All other Applicable City Codes in Effect

Proposed Utility Services:  
 Water - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Electric Service - El Paso Electric Co.  
 Cable TV - Comcast



**CONCEPTUAL ANTICIPATED TRAFFIC**

TRAFFIC	EXISTING ROADWAY								
TRAFFIC	EXISTING ROADWAY								
1. 6.31 ACRES (10% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000
2. 1.23 ACRES (20% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000
3. 1.23 ACRES (20% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000

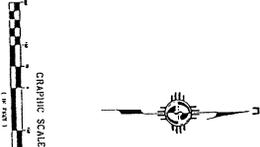
**DEVELOPMENT STANDARDS**

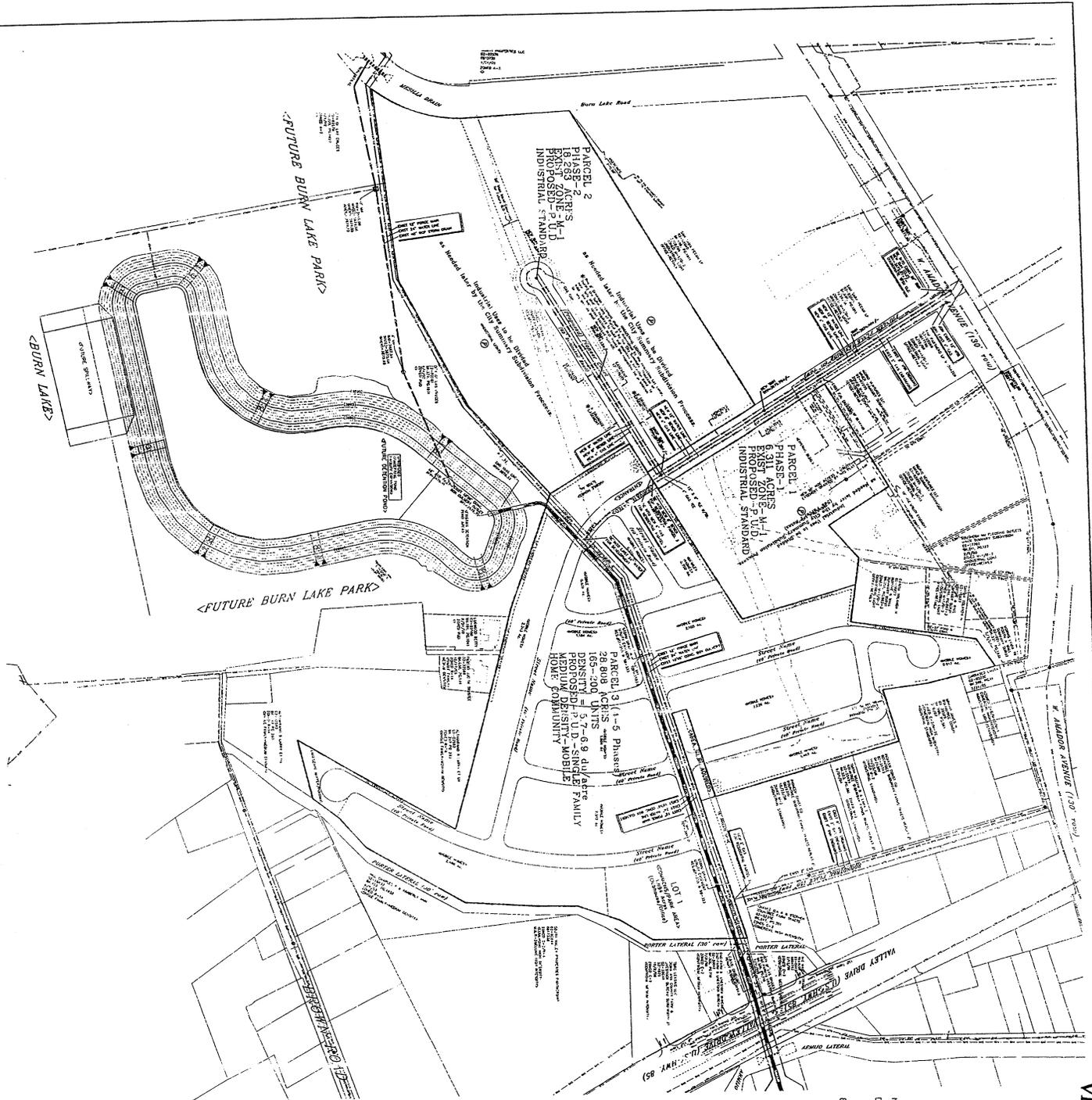
TRAFFIC	EXISTING ROADWAY								
1. 6.31 ACRES (10% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000
2. 1.23 ACRES (20% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000
3. 1.23 ACRES (20% of site)	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000	1000000

**VILLA AMADOR P.U.D.**  
**LOCATION/ZONING/TRANSPORTATION MAP**  
 A 5382 ACRE TRACT  
 LOCATED IN SECTIONS 13 AND  
 24, T28S, R1E, OF THE USRS  
 SURVEYS BEING PART OF  
 USRS TRACT 96-025, USRS  
 TRACT 96-0283, 96-068, 96-086  
 96-100F, 96-100D, AND TRACT  
 96-100E, ROUNDREE SUBURBAN  
 FARM TRACTS REPLAT NO.1  
 JANUARY, 2010

Name of Development: Villa Amador  
 Developer: Hagan Commercial, L.L.C.  
 Albuquerque, New Mexico 87112  
 505-332-0822  
 Engineers: 7380 Foothills Road, Ste. C  
 Los Gatos, New Mexico 85011  
 575-529-2112  
 Surveyor: Scanlon White, Inc.  
 P.O. Box 1000  
 Los Gatos, New Mexico 85011  
 575-525-2112  
 Proposed Land Use: P.U.D. Mixed Land Use  
 Single-Family Medium Density  
 Residential Standard  
 Location: Sections 13&24, T28S, R1E,  
 City of Los Gatos, Santa Cruz County, New Mexico  
 Jurisdictional Authority: City of Los Gatos  
 Applicable Codes: City of Los Gatos Zoning Code  
 City of Los Gatos Subdivision Regulations  
 City of Los Gatos Design Standards  
 City of Los Gatos Road Specifications  
 All other Applicable City Codes in Effect  
 Prepared Utility Services:  
 Water - City of Los Gatos  
 Sewer - City of Los Gatos  
 Electric Service - El Paso Electric Co.  
 Telephone: Overst  
 Cable TV: Comcast

**CONCEPTUAL ANTICIPATED TRAFFIC**  
 This map is a conceptual illustration of anticipated traffic volumes for the proposed development. It is based on the information provided in the traffic study report and is not intended to be used for engineering or design purposes. The traffic study report provides a more detailed analysis of the traffic impacts of the proposed development and the measures that will be taken to mitigate those impacts. The traffic study report is available for review at the City of Los Gatos Planning Department, 1000 North Main Street, Los Gatos, New Mexico 85011. For more information, please contact the Planning Department at 575-525-2112.



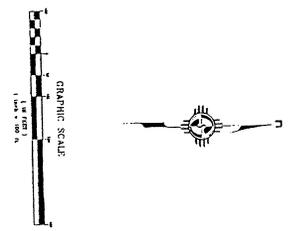


**VILLA AMADOR P.U.D.**  
**MASTER UTILITY PLAN**  
 A 53.82 ACRE TRACT  
 LOCATED IN SECTIONS 2 AND  
 24, T2S, R1E, OF THE USRS  
 SURVEY, BEING PART OF  
 USR 4, TRACT 9C-12, USRS  
 TRACT 9C-12583, 9A-1604, 9A-1606,  
 9A-1607, 9A-1602, AND TRACT  
 4, ROUNDREE SUBURBAN  
 FARM TRACTS REPLAT NO.1  
 JANUARY, 2010

Name of Development: Villa Amador  
 Developer: Hemo Commercial, LLC  
 Albuquerque, New Mexico 87112  
 505-332-0522  
 Engineer: 5700 Fossilis Road, Ste. C  
 Los Cruces, New Mexico 88011  
 575-525-2112  
 Surveyor: Section White, Inc.  
 1280 Locust New Mexico 88011  
 575-525-2112  
 Proposed Land Use: P.U.D. Mixed Land Use  
 Single-Family Medium Density  
 Industrial Standard

Location: Sections 1&24, T2S, R1E  
 City of Los Cruces, Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Los Cruces  
 Applicable Codes: City of Los Cruces Zoning Code  
 City of Los Cruces Subdivision Regulations  
 City of Los Cruces Design Standards  
 City of Los Cruces Utility Specifications  
 All other Applicable City Codes in Effect  
 Proposed Utility Services:  
 Sewer - City of Los Cruces  
 Water - City of Los Cruces  
 Natural Gas - El Paso Electric Co.  
 Telephone - Qwest  
 Code IV, Concessions

**CONSENT TO BE BOUND**  
 I, the undersigned, hereby consent to the preparation and filing of this Master Utility Plan for the Villa Amador P.U.D. and to the City of Los Cruces and Dona Ana County, New Mexico, to use the same for the purpose of providing utility services to the property described herein. I understand that the City of Los Cruces and Dona Ana County, New Mexico, are not responsible for the accuracy of the information provided herein, and that they are not liable for any damages, including reasonable attorney's fees, that may be incurred by me or my heirs, assigns, or assigns-in-interest, as a result of the use of the information provided herein. I understand that the City of Los Cruces and Dona Ana County, New Mexico, are not responsible for the accuracy of the information provided herein, and that they are not liable for any damages, including reasonable attorney's fees, that may be incurred by me or my heirs, assigns, or assigns-in-interest, as a result of the use of the information provided herein. I understand that the City of Los Cruces and Dona Ana County, New Mexico, are not responsible for the accuracy of the information provided herein, and that they are not liable for any damages, including reasonable attorney's fees, that may be incurred by me or my heirs, assigns, or assigns-in-interest, as a result of the use of the information provided herein.





- 1 Scholz: And the Chair votes aye. So it is 6:0 approved. Thank you gentlemen.  
 2 Please turn off your mikes again.  
 3
- 4 2. **Case PUD-09-04:** A request for approval of a concept plan for a Planned  
 5 Unit Development (PUD) known as Villa Amador. The subject properties are  
 6 located south of Amador Avenue and west of Valley Drive. The subject  
 7 property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial  
 8 Standard) and PUD (Planned Unit Development). The proposed PUD will  
 9 entail three parcels: Parcel 1 will encompass 7.311 +/- acres and is  
 10 proposed for Industrial Standard uses; Parcel 2 will encompass 18.263 +/-  
 11 acres and is also proposed for Industrial Standard uses; and, Parcel 3 which  
 12 will encompass 28.808 +/- acres and is proposed for a Mobile Home Park.  
 13 The applicant is proposing that redevelopment of the existing industrial area  
 14 of the proposed PUD be phased and that parking and landscape  
 15 improvements be implemented pursuant to the phasing of industrial  
 16 redevelopment. Submitted by Scanlon White, Inc. for IFL, LLC, property  
 17 owner.  
 18
- 19 Scholz: Okay, our second item of old business is Case PUD-09-04, a request for  
 20 approval of a concept plan. And we've had this one before us. And I see,  
 21 here it is. It's the heavy weight. Mr. Ochoa.  
 22
- 23 Ochoa: Thank you. Next case tonight gentlemen is PUD-09-04. It is a concept  
 24 plan for a proposed Planned Unit Development known as Villa Amador. It  
 25 is seen here in the vicinity map in front of you highlighted in the green that  
 26 would basically make up the entire area of the Villa Amador PUD. A little  
 27 bit of background on this, the proposed Planned Unit Development known  
 28 as Villa Amador is generally located south of Amador Avenue and west of  
 29 Valley Drive. The proposed Villa Amador PUD is made up of 10 existing  
 30 parcels, currently six parcels encompassing 35.98 acres are zoned M-1/  
 31 M-2 which is industrial standard, while the other four parcels  
 32 encompassing approximately 17.44 acres are currently zoned PUD or  
 33 Planned Unit Development. These four parcels were annexed into the  
 34 City in 1978 with the initial zoning of Planned Community District. The  
 35 actual intent for the use of these parcels was never determined through  
 36 the annexation process.  
 37
- 38 Scholz: That was the air conditioning coming on folks.  
 39
- 40 Ochoa: Yes, it was.  
 41
- 42 Scholz: Don't hide under your seats.  
 43
- 44 Ochoa: Subsequent to the February 23, 2010 hearing, the applicant presented to  
 45 staff a request that the concept plan be re-heard with the modified  
 46 development proposal as pertaining to the existing industrial area. The

1 applicant is now proposing that the redevelopment of the existing  
2 industrial area contained within the industrial area of the concept plan for  
3 the proposed PUD be phased and that parking, landscaping, and outdoor  
4 lighting improvements be implemented pursuant to the phasing of the  
5 industrial redevelopment. So, basically it's the same Planned Unit  
6 Development that you've heard before with a minor tweak of doing a  
7 redevelopment phasing plan for the existing industrial area. All other  
8 aspects of the applicant's request remain unchanged.

9 Like before the proposed PUD encompasses 53.38 acres and is  
10 being proposed for an industrial park uses and ... industrial standard uses,  
11 excuse me, and a mobile home park. The proposed industrial area will  
12 have access off of Pioneer Place. While the proposed mobile home park  
13 is proposed to have access to Valley Drive via a small vacant City owned  
14 parcel and secondary access off of Pioneer Place. Landscaping and  
15 street lighting requirements for the Villa Amador PUD will follow the City of  
16 Las Cruces Design Standards. And all signage used throughout the PUD  
17 will follow the City of Las Cruces Sign Code Regulations as well.

18 Here's the concept plan of the Villa Amador Planned Unit  
19 Development, again highlighted in the darker black writing. This area here  
20 would be industrial area and this place as well, while the remainder of this  
21 over here will be used for the mobile home park or manufactured home  
22 community. Parcels 1 and 2 of the Villa Amador PUD contain  
23 approximately about 24.574 acres and are being proposed for industrial  
24 standard uses. The permitted uses in the proposed industrial area will be  
25 the same as those uses permitted in the 2001 Zoning Code, as amended  
26 under the M-1/M-2 industrial standard zoning district. The proposed  
27 industrial area will follow the development standards created by the  
28 applicant for the Villa Amador PUD when it comes to minimum lot size,  
29 maximum height, and setbacks etc, etc, and so on.

30 The applicant is also proposing to redevelop the existing structures  
31 in Phase 1 of the Villa Amador PUD and phases the required  
32 improvements for parking, landscaping, and outdoor lighting will be  
33 brought into compliance in phases with every part of the building that is  
34 redeveloped. Parcel 3 of the Villa Amador contains the remaining 28.808  
35 acres of the proposed project that will be developed as a mobile home  
36 park. Parcel 3 will also follow the development standards created and put  
37 in place by the applicant regarding minimum lot size, maximum height,  
38 setbacks and so on and so forth. A dwelling unit range of 5.7 to 6.9 units  
39 per acre is being proposed for Parcel 3, making a total of 165 to 200  
40 dwelling units for Parcel 3. All streets, common areas, landscaping, and  
41 open space in Parcel 3 will be privately maintained by the entity that owns  
42 the mobile home/manufactured home park. A 10-foot landscape buffer  
43 that will be maintained by the mobile park owner will be installed between  
44 the mobile home park and the adjacent industrial uses proposed for Parcel  
45 1 and 2.

1 On February 10th, 2010 the Development Review Committee  
2 reviewed the concept plan for the proposed Villa Amador PUD. During the  
3 meeting, the Public Works Department did not feel comfortable moving the  
4 proposed PUD forward with an affirmative recommendation. Public Works  
5 voiced concerns regarding the allowance of primary access to Valley Drive  
6 via the City owned parcel without satisfying additional requirements  
7 deemed necessary by Public Works. Public Works Department requested  
8 the applicant to acquire letters of support and approval from adjacent  
9 property owners to the City property being proposed for primary access for  
10 the mobile home/manufactured home community park off of Valley Drive.  
11 The Public Works Department also requested that a traffic impact analysis  
12 be submitted to the City for review analyzing traffic operations for the use  
13 of the City owned access point off of Valley Drive. Although the proposed  
14 PUD is supported from a land use prospective, the concerns with the  
15 access point off of Valley Drive is a major issue that may inhibit the  
16 development of the proposed PUD and City staff is not supportive of  
17 approving and moving forward with the concept plan without having the  
18 Public Works Department's issues addressed. The DRC recommended  
19 denial for the proposed concept plan for the PUD known as Villa Amador.

20 During the February P&Z meeting Commission recommended  
21 approval for the concept plan with a 3:1 vote with two Commissioners  
22 absent and one Commissioner vacancy. A series of conditions stipulated  
23 by the City's Public Works Department as follows were added to the actual  
24 approval of it is; until such time that it is decided that the City parcel can  
25 be used as a roadway to access the development subdivision, the  
26 engineer shall be designated as proposed access on the concept plan.  
27 Use of the City parcel as a roadway/public right-of-way is contingent upon  
28 the review of the TIA and future discussions with the Public Works  
29 Department to determine the feasibility of utilizing the City parcel due to  
30 existing City infrastructure. If it is decided that the City parcel can be used  
31 as a roadway, the engineer must work with the adjacent property owners  
32 to assure that there are no adverse impacts on their operation and  
33 businesses. The developer is responsible for replatting the parcel as  
34 public right-of-way.

35 Three, the TIA shall be provided at the final site plan submittal. At  
36 final site plan submittal the engineer shall provide written confirmation that  
37 the engineer has notified the property owners adjacent to the City parcel  
38 of the potential use of the City parcel as a roadway. If the City Parcel  
39 cannot be used for primary access to the private subdivision based on the  
40 list of conditions, the developer must designate another access point as a  
41 primary access to their development and find another secondary access  
42 for their development. And finally, there must be an arrangement with the  
43 City to use the City's retention facilities.

44 Planning and Zoning Commission's options tonight gentlemen is (1)  
45 to vote yes to approve the request for Case PUD-09-04; (2) to vote yes  
46 and approve the request with additional conditions as deemed appropriate

- 1 by the P&Z; (3) to vote no to deny the request as recommended by the  
 2 DRC for Case PUD-09-04; and (4) to table and postpone and direct staff  
 3 accordingly. The applicant is present for any more questions. That is the  
 4 conclusion of my presentation. I stand for questions as well.  
 5
- 6 Scholz: Okay, Commissioners you have questions for this gentleman? No. Okay,  
 7 I just have two questions. Could you go back a slide? Are we talking on  
 8 number six, is that the City's retention facility or detention facility?  
 9
- 10 Ochoa: I believe that should read retention facility.  
 11
- 12 Scholz: Retention. That's what I thought. Yeah we're talking about water  
 13 retention aren't we? We're not talking about the jail. Okay, just wanted to  
 14 clear that up. My other question was the approval that this Commission  
 15 gave this two months ago was based on the same application? What's  
 16 the difference?  
 17
- 18 Ochoa: Mr. Chairman, the only difference is that now he will be ... he's proposing  
 19 the phasing of the improvements required on Parcel 1 of the industrial  
 20 area which would be this one right here sir. Currently there are existing  
 21 warehouses and so forth like that industrial uses in place on this parcel.  
 22 So basically, the only difference is now with the PUD it gives them an  
 23 opportunity to kind of redevelop the property into phases with being  
 24 allowed to phase out the requirements of parking and landscaping and the  
 25 outdoor lighting as well.  
 26
- 27 Scholz: Okay and the applicant wants to do this in phases instead of doing this at  
 28 the same time with the rest of the development? Well I'll ask Mr. Scanlon  
 29 is here to speak to this so I can ask him. Excuse me; I did have one more  
 30 question. Sorry Mr. Ochoa. And that was did we get comment from  
 31 Public Works on this, or did the applicant resolve the differences that  
 32 Public Works brought up?  
 33
- 34 Ochoa: Unfortunately Mr. Chairman I haven't heard anything from either parties as  
 35 of yet.  
 36
- 37 Scholz: Okay. Well, let's hear from the applicant. Mr. Scanlon.  
 38
- 39 Scanlon: Thank you Mr. Chairman, members of the Commission. My name is Ted  
 40 Scanlon. Address is 3780 Foothills Road, Las Cruces. And I represent  
 41 the applicant. You're probably going what the heck. Ted Scanlon likes to  
 42 come to these meetings so much that he gets a case approved and then  
 43 comes back with exactly the same case the next month and so he can do  
 44 it again. But that's basically what we're doing. The approval that we got  
 45 on the February 23rd meeting was for a concept plan approval for this  
 46 exact same PUD. We have made no changes to it whatsoever. What we

1 did discover right after that approval was that with respect to this existing  
2 45,000 square foot building that lies within this parcel right here, that  
3 building is being redeveloped and leased for specific industrial uses and is  
4 being offered as such and there are a couple of uses that are getting  
5 ready to go in that building, that would like to go in that building. It turns  
6 out that the building code allows us to redevelop an existing industrial  
7 building like that in phases by just going in and building whatever  
8 infrastructure, whatever plumbing, utilities, fire walls, those kind of things  
9 as for each individual new use that goes inside that building.

10  
11 Scholz: Excuse me. Instead of doing it all at once?

12  
13 Scanlon: Yes.

14  
15 Scholz: Okay.

16  
17 Scanlon: Okay, we get a use that comes in; we can build just the space that's  
18 needed for that use.

19  
20 Scholz: Okay.

21  
22 Scanlon: The issue that came up though, there is no mechanism in the Zoning  
23 Code to allow you to phase the site of pertinences for each one of those  
24 uses in the same manner that you can do for the building. In other words,  
25 I've got a 45,000 square foot building, if I come in with a 5,000 square foot  
26 small industrial use that requires X amount of parking for that use, then  
27 there's no mechanism that allows me to do that in the Zoning Code. The  
28 Zoning Code says if I redevelop any part of that building, I have to do all of  
29 the parking and landscaping and ponding and everything for the entire  
30 45,000 square foot building. So that doesn't make sense because we  
31 don't know what the land uses are.

32 As you know, the Zoning Code requires different parking  
33 requirements based upon different land uses. So what we need to be able  
34 to do in order to redevelop that building is to build the parking,  
35 landscaping, ponding, those site work of pertinences for each individual  
36 phase of the building that redevelop as we go along until the whole thing is  
37 developed out and then all the parking requirements make sense for the  
38 land uses. The ponding requirements are taken care of. The landscaping  
39 requirements are taken care of, on an individual, almost like an individual  
40 parcel basis based upon redevelopment of the individual spaces within the  
41 building. Now since there's no mechanism in the Zoning Code that allows  
42 us to do that and we're doing a PUD that means that we can write our own  
43 development standards. So I asked the staff if we could modify the PUD  
44 just to allow us to insert language that will let us redevelop that building in  
45 phases and redevelop the site work in phases along with those building  
46 phases. That's the only change that we have made to the PUD. I want to

- 1 kind of emphasize that the concept plan approval that we got in February  
2 still stands. That's a valid approval and we've got that approval on the  
3 books. But we would like to get a vote tonight to approve the amended  
4 concept plan, adding in this language that lets us redevelop that building  
5 in a logical fashion as I just explained. And that's basically it.  
6
- 7 Scholz: Okay, Commissioner Beard.
- 8
- 9 Beard: Do you know any other time or place that this has been done before  
10 where they sequentially approve parts of it as you put in the various parts  
11 of it?  
12
- 13 Scanlon: I'm sorry can you repeat that. I have no hearing in this ear and only about  
14 60% in this one and this room is really getting to me.  
15
- 16 Beard: Are you aware that this has been done before with the City, this type of  
17 approval where you sequentially approve parts of the building as its being  
18 built?  
19
- 20 Scanlon: I don't know of any industrial buildings in a similar situation that would be  
21 redeveloped in phases like this and how the City would've applied that  
22 because I'm not aware of any in the past. This is the first time this has  
23 come up as far as I know.  
24
- 25 Scholz: Commissioner Shipley.
- 26
- 27 Shipley: Mr. Scanlon I would say I think the requirement for ponding would be  
28 based on the entire building cause the building footprint is there, you're  
29 going to have water coming off the entire building. You can't do that in;  
30 you know you can't segregate that based upon a 5,000 foot user or a  
31 10,000 foot user. If you have a 45,000 foot building and it rains on it then  
32 you get 45,000 square foot of rain going down on the ground and it's got to  
33 be allowed for. Once the building's up, you know that's the way it goes. If  
34 you're building a 5,000 foot building and then a 20,000 foot addition to it,  
35 then I could see that working, but if the 45,000 foot building is there, there  
36 ought to be ... the ponding requirement ought to be satisfied.  
37
- 38 Scanlon: That's correct Commissioner Shipley, Mr. Chair. And we will provide  
39 ponding for the building, but what we'll also be doing as we redevelop the  
40 building, is building new parking area. And so we'll have to build some  
41 additional ponding to take care of the new pavement and the parking  
42 areas that go along with that. But yes, we will take into account the  
43 drainage for the existing building, but we will also be required to take into  
44 account the additional ponding that will be required due to the new  
45 pavement that we'll be putting down.  
46

- 1 Shipley: Additionally the landscaping requirements for the building. There weren't  
2 any landscaping requirements. How long has the building been there?  
3
- 4 Scanlon: The building's been there for as long as I've been in Las Cruces I think  
5 which is ...  
6
- 7 Shipley: But our code says if you expend more than \$25,000 then you've got to  
8 bring it up to code.  
9
- 10 Scanlon: Now if you expend more than \$25,000 or 10%.  
11
- 12 Shipley: Correct.  
13
- 14 Scanlon: You've got to bring it up to code. I believe that's so.  
15
- 16 Shipley: Okay.  
17
- 18 Scholz: Other questions for this gentleman? Commissioner Crane.  
19
- 20 Evans: Yes.  
21
- 22 Scholz: Or Commissioner Evans. You can arm wrestle for this if you like.  
23
- 24 Crane: I see no problem with the phasing suggestion that you've come up with,  
25 but I'm not sure how we can vote on that if it's imbedded in the overall plan  
26 here which we had difficulties with a month ago probably because of this  
27 secondary entrance question that has not yet been resolved. The matter  
28 of that right-of-way, City owned property, onto Valley Drive. So, perhaps  
29 this is more of a procedural matter but I'm not sure how we can approve  
30 what you want without also approving the whole plan.  
31
- 32 Scholz: Well, Commissioner Crane we actually have approved the whole plan. It  
33 was approved 3:1 two months ago.  
34
- 35 Crane: But unless I'm very confused, we voted to table it last time.  
36
- 37 Scholz: No, the applicant wasn't here last time so we didn't deal with it.  
38
- 39 Crane: Thank you.  
40
- 41 Hembree: Chairman, Commissioners, you did approve it with conditions as well, and  
42 the conditions dealt to and with the access issue as well.  
43
- 44 Scholz: Right, the conditions still apply. Right and the conditions were about the  
45 access that was our general concern. Commissioner Evans.  
46

- 1 Evans: Yes, Mr. Scanlon. As an alternative to coming before the board and  
 2 asking for variance for this, couldn't you have developed this in parcels  
 3 like doing ... subdividing the piece of property and developing that and  
 4 then moving on to the next parcel as your plans developed?  
 5
- 6 Scanlon: Not according to Robert Kyle and Cheryl Rodriguez. They determined  
 7 that the best way for us to be able to accomplish what we need to do in  
 8 order to redevelop that building is to go ahead and write it into the PUD  
 9 because that's the best vehicle that we have to develop our own standards  
 10 that are different from Zoning Code. And they've acknowledges that they  
 11 need to look at the Zoning Code again to try to figure out how to write in a  
 12 vehicle that would make this make sense.  
 13
- 14 Evans: So, and maybe staff can help me answer that question as to why that  
 15 wasn't a recommendation from the City? And secondly, if ... to elaborate  
 16 a little bit on Commissioner Crane's question, what's the staff's  
 17 recommendation on this? I mean because this addresses the whole plan  
 18 and ...  
 19
- 20 Hembree: It's technically ...  
 21
- 22 Evans: I'm not real clear on what's being asked.  
 23
- 24 Scholz: Step back a little bit from the microphone would you Mr. Hembree. Thank  
 25 you.  
 26
- 27 Hembree: Sorry. It's difficult to get kind of exactly where you need to be on this  
 28 thing. Basically you're bringing this forward as it's a new case, okay? But  
 29 it's a new case that includes the single modification from the old case,  
 30 which is the phasing of the industrial improvements. So that's the only  
 31 change, with the conditions that you've placed on it last time that you  
 32 approved it relative to access, and the other conditions placed on it by  
 33 Public Works. So, I mean that's the only ... the only modification is just to  
 34 allowing this phasing plan which doesn't ... Mr. Scanlon did indicate and is  
 35 correct, our Subdivision Code and Zoning Code don't really address this  
 36 very well. So this is probably the most effective way to handle it, write it  
 37 into the actual PUD in terms of phasing of the site improvements relative  
 38 to the actual take down of the component parts of the building.  
 39
- 40 Scholz: Does that answer your question Mr. Evans?  
 41
- 42 Evans: So, well I guess I'm still ... so I think we should've probably had a new  
 43 case because what I'm looking at is the Public Works Department did not  
 44 feel comfortable moving forward with this proposal. And you're saying that  
 45 that's no longer valid because this case is as a whole was already  
 46 approved.

1  
2 Hembree: The case was approved with conditions and that's how the Public Works  
3 Department got comfortable with it.  
4  
5 Evans: Right. And so the staff's recommendation to go forward on tonight's  
6 motion ...  
7  
8 Hembree: Is still based upon those conditions as being necessary and required to  
9 get Public Works authorization and approval to move forward. The only  
10 change that the Commission is really reviewing tonight is just the phasing  
11 aspect of the site improvements.  
12  
13 Evans: Got it. Thank you.  
14  
15 Scholz: Okay, I have one other question Mr. Scanlon. What if you never develop  
16 the entire property?  
17  
18 Scanlon: I'm sorry.  
19  
20 Scholz: What if you never develop the entire property?  
21  
22 Scanlon: Well then the ... if we never develop the entire building, the existing  
23 building, then the part that would be developed would still have all of the  
24 required improvements, required by the Zoning Code and the rest of it  
25 would just sit there and it wouldn't require any additional ... there wouldn't  
26 be any impact so there wouldn't be any need for any improvements on the  
27 part that wasn't redeveloped.  
28  
29 Scholz: Okay. Thank you. Any other questions for this gentleman?  
30 Commissioner Evans? All right. Okay, thank you Mr. Scanlon.  
31  
32 Crane: Not for Mr. Scanlon, no. I don't have a question for you.  
33  
34 Scholz: A comment.  
35  
36 Crane: Pardon.  
37  
38 Scholz: A comment sir.  
39  
40 Crane: A comment. Like Mr. Evans, I'm a little confused about the staff  
41 recommendation and my confusion probably arises from the fact that I  
42 didn't understand even 50% of what Mr. Hembree said which is not his  
43 fault. I think the acoustic problems might be solved by putting architects  
44 on the wall, but we won't go that wacky.  
45

- 1 Scholz: All of us wearing headphones perhaps. Like they do for translations in the  
2 U.N.  
3
- 4 Crane: Seriously, I'm not sure it wouldn't be better if the people at the podium did  
5 not use the PA system. It couldn't be worse.  
6
- 7 Hembree: Well then the problem is we don't pick up for the transcriptionist.  
8
- 9 Crane: She looks like a woman having a nervous breakdown from where I am.  
10 Anyway, the City is recommending denial of this, correct?  
11
- 12 Hembree: The Community Development Department is, but the conditions that have  
13 been placed on it mitigate that from the Public Works side of it, which  
14 really is kind of an operable issue here in terms of access. We from the  
15 Community Development perspective would have preferred to have all of  
16 these issues taken care of right up front. But with the conditions that were  
17 placed on it in the last approval, the Public Works Department is  
18 comfortable with it. So, basically before the Commission tonight is  
19 basically a reaffirmation of the concept plan with the only modification  
20 being the phasing aspect of the site improvements.  
21
- 22 Crane: I see. Thank you.  
23
- 24 Scholz: And it's my understanding Mr. Hembree that the Community Development  
25 people are recommending against this phasing.  
26
- 27 Hembree: Well we basically are recommending that these issues with access be  
28 taken care of prior to approval of the concept plan. However, like I said,  
29 Public Works is comfortable moving forward with the actual concept plan  
30 approval with the conditions as previously endorsed by the Commission  
31 which will also be ... hopefully we are recommending will be a part of this  
32 approval as well.  
33
- 34 Scholz: Well yes, but it says here recommendation denial. You're denying what  
35 he's proposing right now, right?  
36
- 37 Hembree: Actually, we from a staff perspective from Community Development are  
38 supportive of the phasing process. We are concerned about the whole  
39 access issue not being take care early on, as we were last time when it  
40 was approved by the Planning Commission. But with the conditions being  
41 placed on it by Public Works the concept plan approval did move forward.  
42
- 43 Scholz: Well I'd like a legal opinion on this Mr. Abrams. I'm confused here. It  
44 seems to me that this was passed two months ago 3:1, so the concept  
45 plan is approved, is that your understanding too Mr. Scanlon? Yeah,

1 that's what I thought. All right. And now what you're asking for is a  
2 modification of that plan, of the phasing in, right?  
3  
4 Scanlon: That is correct.  
5  
6 Scholz: And that's the only modification you're asking for?  
7  
8 Scanlon: And that's the only modification. And I'll try to explain. There was ...  
9 Public Works was ... there was some confusion over whether or not this  
10 small tract of land that I'm encircling now was available to be used as  
11 access.  
12  
13 Scholz: That's what I understood. Yes.  
14  
15 Scanlon: And that's the one thing that the public works department was  
16 uncomfortable with. And at the time that we went to the DRC meeting  
17 they were unsure as whether or not we could use that and that was the  
18 only reason that they recommended denial of the case. From between the  
19 time that the DRC met and we came before you in February, we met  
20 subsequently with some of the existing property owners in the area as well  
21 as with Public Works staff again and they then agreed that if we would  
22 accept certain conditions with respect to that access, they would be in  
23 concurrence with it.  
24  
25 Scholz: Which are written into it. Yeah.  
26  
27 Scanlon: And those were the conditions that were placed on the prior approval  
28 which we agreed with.  
29  
30 Scholz: Yes. So the only thing we're talking about gentlemen is whether we  
31 approve the phasing in process. All right, that's all we're talking about  
32 tonight.  
33  
34 Crane: All right, if we like, Mr. Chairman, we're inclined to approve the phasing  
35 process then we vote to deny the denial? What are we going to do?  
36  
37 Scholz: No.  
38  
39 Crane: We've already approve this thing except for the phasing.  
40  
41 Scholz: Right. So what we're doing is we're voting to approve a modification of  
42 what we did two months ago.  
43  
44 Crane: That's not quite what's in front of us, but I agree.  
45

1 Scanlon: The way it works. The way it has to work with the PUD conception plan is  
2 we're asking you to reapprove the entire concept plan again with the  
3 added language with respect to the phasing of the improvements on the  
4 building. And with the same conditions and the same everything as  
5 before, but only with the added language about the phasing of  
6 improvements on the building, but it has to be imbedded within that  
7 document. You see what I'm saying? That language has to be imbedded.  
8  
9 Scholz: Because this is the way PUDs work. Commissioner Crane, excuse me,  
10 Commissioner Shipley.  
11  
12 Shipley: I have a comment but I'd like to wait till after the public has had a chance  
13 to speak.  
14  
15 Scholz: Okay. Sure. All right, is there anyone from the public who wishes to  
16 speak to this? Yes, sir. Please come up to the microphone and identify  
17 yourself.  
18  
19 Hill: My name is Scott Hill at 1515 Brown Road. I'm just a little confused. I  
20 thought we approved ... you guys approved it last time with a lot of  
21 conditions and I thought those conditions had to be met before we went  
22 forward. Is that true or false?  
23  
24 Scholz: Yes, that's true.  
25  
26 Hill: Okay, so what progress has been made towards those conditions?  
27  
28 Scholz: I don't know. Mr. Hembree can you speak to that?  
29  
30 Hembree: Chairman, Commissioners, the approval was conditioned in such that  
31 these items have to be addressed prior to the final site plan being  
32 approved.  
33  
34 Scholz: I'm sorry, prior to ...?  
35  
36 Hembree: Final site plan. I believe that's the ...  
37  
38 Scholz: The final site plan. Thank you. Okay.  
39  
40 Hill: So if you allow this to go forward and this gentleman invests all this money  
41 and makes this change, we get more and more imbedded in the process  
42 of approving this thing without ... do we not? I mean isn't that the way it  
43 goes?  
44  
45 Scholz: Well, yes. It's a step in that direction.  
46

- 1 Hill: So why do we want to make that step? I guess is my question. You know  
2 I would like to see the traffic access and the other things resolved before  
3 he spends 45 cents more and we get further imbedded in getting this thing  
4 turned around or not turned around one way or the other. And I don't see  
5 any point in allowing incremental progress all the way around and then we  
6 suddenly say well now it's all done so now we have to ... might as well just  
7 let it go.  
8
- 9 Scholz: Yes, I understand your point. Thank you. Someone else? Yes, the  
10 gentleman in the back.  
11
- 12 Hilberg: Yes, my name is Eric Hilberg and live at 1701 Brown Road which is  
13 across the street from the adjacent properties to this proposed  
14 development. My understanding is the situation, the way the PUD works  
15 is we're back actually to ground zero. You're granting approval of denial  
16 of the whole request because of the changes that have been made. And  
17 given that, I stand here tonight to ... I'm concerned about the planned  
18 development, it's impact on the lives of those of Brown Road, but  
19 particularly about the access to Valley Avenue. And you should have in  
20 your packets and Mr. Ochoa ... I brought these last month and it was  
21 tabled, some information we acquired on traffic accidents on Valley  
22 Avenue.  
23
- 24 Scholz: We did get that.  
25
- 26 Hilberg: In the near area.  
27
- 28 Scholz: Yes, thank you.  
29
- 30 Hilberg: I just want to talk a little bit about what that is for a moment.  
31
- 32 Schoiz: Okay.  
33
- 34 Hilberg: One thing, from that information you heard two months ago when this was  
35 discussed, that there was a subdivision south of Brown Road which had  
36 multiple accesses and access on Valley Avenue where there really was no  
37 problem. I just want to point out that that subdivision while being used to  
38 compare with this proposed subdivision, actually there were fewer  
39 dwelling units in that than are proposed for the residential use of the PUD  
40 and they have not a single, but two streets that come out on Valley  
41 Avenue as well as a third street that comes out on Avenida de Mesilla with  
42 a traffic light. And there are still traffic accidents at those intersections as  
43 indicated in the information I gave you. That information by the way and  
44 the way it was prepared, we got that from the Las Cruces Police  
45 Department and that was ... the best they could provide us was two files  
46 with all the traffic accidents on Valley Avenue in the last two years. We've

1 highlighted in yellow for you all of those between Amador and Avenida de  
 2 Mesilla which are the stop lights just north and south of this proposed  
 3 access on to Valley. There are also some asterisks on there which are  
 4 those directly at that address or across the street from it, the accidents  
 5 during that period. So it's one of those things that you just look at and see  
 6 the volume of the kinds of accidents and with more people coming in and  
 7 out this proposed access it would obviously be more accidents up along  
 8 that street.

9 The traffic light at Valley Avenue and Avenida de Mesilla, there was  
 10 the famous traffic cameras installed there because that's considered one  
 11 of the five worst intersections in the City. And certainly increasing the  
 12 traffic flow on Valley Avenue is not going to make that a safer and better  
 13 intersection. There's an ambulance service just south of Brown Road on  
 14 Valley Avenue which currently has to make a U-turn and cross all the  
 15 traffic to get out, again increasing the traffic flow by potentially a couple of  
 16 hundred vehicles a day is not going improve their ability to respond. And I  
 17 didn't hear any information and I talked to staff and they hadn't really  
 18 thought about the issue of school buses and whether school buses will be  
 19 in this division or if that's not true, if the school buses will be stopping on  
 20 Valley Avenue if that's the primary access. And if they are stopping on  
 21 Valley Avenue what that will do to traffic as well as what it will mean to  
 22 have potentially 80-100 school children waiting every morning and getting  
 23 dropped off every afternoon on this busy road. So it's those concerns and  
 24 the information I provided, I would like to ask that those be considered as  
 25 part of the problem with the primary access being proposed under the  
 26 development being called Villa Amador, but looks like all the access is  
 27 going to be off of Valley Avenue as proposed. Until that be done that I  
 28 recommended or hope that the Commissioners could side with the City  
 29 and deny the request.

30  
 31 Scholz: Okay. Thank you. Someone else.

32  
 33 Abrams: Gentlemen before we go any farther, I'm not sure this is clear to the public  
 34 either. This project has already been approved. Now we're hearing a very  
 35 minor modification. If you vote no, the item is still approved. So there isn't  
 36 much point in hearing citizen comment or debating about anything other  
 37 than this one modification concerning developing (*inaudible*) as opposed  
 38 to one fell swoop. So it might make things shorter if you ...

39  
 40 Scholz: I appreciate your concern Mr. Abrams. We have plenty of time tonight. I  
 41 do anyway; I've already had my dinner. Yes, ma'am.

42  
 43 Turner: Catherine Turner, 1510 Brown Road. I just wanted to remind you that you  
 44 had planned to not approve this plan until Mr. Abrams, the attorney came  
 45 up and said that you had to approve, if you recall, because of his due  
 46 process rights. So I think we're just blowing in the wind, but let me blow

1 some more. I just want to let everyone know that the portal lateral that is  
 2 adjacent to the proposed mobile home park was described as an eyesore  
 3 by property owner that has (*inaudible*) house and that plan the day it was  
 4 approved. It's not an eyesore. The walks I've taken along portal lateral  
 5 are very ... I mean it's beautiful. You see beautiful sunsets, (*inaudible*),  
 6 great horned owls, egrets, quail coveys, coveys of quail, they're just  
 7 beautiful. Great blue herons there. They're just so pretty. Sand hill  
 8 cranes. Is it a wetlands? Those birds almost think so and maybe we  
 9 better check that out. Don't know if it is a flood plain but I enjoy my walks  
 10 back there seeing the beauty.

11 But another thing that traffic on Valley Drive, the proprietors on this  
 12 side of town with their restaurants where we live won't have business  
 13 coming from the East Mesa just like ... or from Hatch, just like I don't go to  
 14 the mall right now even though I have a Hallmark coupon to get a free  
 15 card or five dollars worth of rebate free. I just don't do it. I don't shop at  
 16 the mall right now. And they won't be going to Mesilla either because of  
 17 the traffic, the safety issues between Amador and Avenida de Mesilla.

18  
 19 Scholz: Okay, I just have one comment ma'am. Mr. Abrams did not ask us to vote  
 20 for the project, what he asked us to do two months ago was either vote the  
 21 project up or down. It was my suggestion that we table the project and the  
 22 applicant has to agree to the tabling of the project that is to delaying a vote  
 23 on it, and the applicant did not agree to that. The applicant wanted us to  
 24 either vote up or down, and so that's what we did. He wasn't forcing us to  
 25 vote one way or the other.

26  
 27 Turner: No, he didn't force you, but the due process that Mr. Abrams mentioned.

28  
 29 Scholz: Yes, right the due process required us to do this. Yeah and Mr. Abrams is  
 30 correct.

31  
 32 Turner: So why are we here even? Why are we here?

33  
 34 Scholz: Well we're here because he's asked for a modification of this plan. That's  
 35 why we're here. Okay.

36  
 37 Turner: Thank you.

38  
 39 Scholz: Thank you. Anyone with additional information here? All right, I'm going  
 40 to close this to public discussion. Commissioners? Commissioner  
 41 Shipley you had a comment.

42  
 43 Shipley: I just want to clarify one thing, the building the 25,000 square foot.

44  
 45 Scholz: 45,000.

46

- 1 Shipley: 45,000, excuse me, was built when? How long has it been there? Twenty  
2 years?  
3
- 4 Scholz: It's been as long as he's been in Las Cruces, which is probably close to  
5 what a hundred years now or something? I don't know, 35 years.  
6
- 7 Shipley: But there is ... in our code for ... and its zoned commercial, or this is  
8 actually zoned industrial.  
9
- 10 Scholz: It's zoned industrial. It's M-1 or M-2.  
11
- 12 Shipley: So there is a requirement for a building to have so much parking based  
13 upon the size of the building right now. And I don't like piecemealing  
14 things, number one, because when you piecemeal things then things get  
15 done one standard today and then two years from now or five years from  
16 now then something else happens and you have one piece of parking lot  
17 that's falling apart and then you've got a new piece and it just doesn't look  
18 good. If you're going to have a business and you're going to operate a  
19 building then you have to step up and do those kinds of things. If you're  
20 going to modify the building code requires you to do something, then I'm in  
21 favor of doing that. There is, in my opinion, it's counterproductive to do  
22 things a little bit at a time. We've got roads around town that are typical  
23 examples of that where you can drive and you have to get off the road and  
24 go on a shoulder road to get around and that's not the way we ought to  
25 conduct business in this City.  
26
- 27 Scholz: Okay, any other comments Commissioners? All right, I'll entertain a  
28 motion to approve then.  
29
- 30 Evans: Mr. Chairman I move that we approve Case PUD-09-04.  
31
- 32 Scholz: Is there a second?  
33
- 34 Bustos: I second.  
35
- 36 Scholz: Okay, I'm going to call the roll. Commissioner Shipley.  
37
- 38 Shipley: I vote nay findings, discussion, and site visit.  
39
- 40 Scholz: Okay, Commissioner Crane.  
41
- 42 Crane: Aye findings, discussion, and site visit.  
43
- 44 Scholz: Commissioner Evans.  
45

- 1 Evans: Nay findings and discussion and the difficulties that partial development  
2 imposes on the work flow and how things you know should progress as  
3 Commissioner Shipley had stated earlier.  
4
- 5 Scholz: Okay. Commissioner Bustos.  
6
- 7 Bustos: No findings and discussion.  
8
- 9 Scholz: Commissioner Beard.  
10
- 11 Beard: No findings and discussion.  
12
- 13 Scholz: And the Chair votes aye for findings, discussion, and site visit. So the  
14 motion fails 4:2.  
15
- 16 Scanlon: Chairman as point of clarification, maybe I can ask legal, is this decision  
17 tonight subject to appeal. Because what we have, we have the PUD  
18 approved already.  
19
- 20 Scholz: Yes.  
21
- 22 Scanlon: Well what we've done now is we voted down the ability to redevelop that  
23 existing building. Can't do it because you have made it impossible to  
24 redevelop the building. So it's going to be a blight from now on and I  
25 guess I'd like to know what my options are.  
26
- 27 Abrams: I think probably the most logical way for the City Council to (*inaudible*)  
28 would be to combine this decision and the last decision into a single item  
29 or perhaps two adjacent items and then they can decide the two  
30 simultaneously.  
31
- 32 Scholz: Excuse me, you would ask the Council to do this?  
33
- 34 Abrams: Well, yeah I think probably Community Development might want to  
35 suggest that Council consider the last vote. I don't know if the City  
36 Council's noted on the last item or not.  
37
- 38 Scholz: They haven't.  
39
- 40 Abrams: Probably most logical, the best thing to do would be to combine the two  
41 into two adjacent items so they can consider the two together and then  
42 they can decide if they want to reverse.  
43
- 44 Scholz: Okay.  
45
- 46 Crane: Mr. Chairman.

1  
2 Scholz: Commissioner Crane.  
3  
4 Crane: Mr. Abrams is suggesting two documents be combined, two votes be  
5 combined. I don't understand what's being advanced here.  
6  
7 Abrams: Well I'm assuming that Mr. Scanlon wished to appeal this decision, but not  
8 the previous one. My recommendation to Community Development would  
9 be to attempt to take the two items as a package for intense purposes and  
10 let the City Council vote on them together so they know that the previous  
11 decision and this decision at the same time, otherwise they're going to be  
12 very confused. So Mr. Scanlon could appeal to the City Council and have  
13 the two combined and they can vote either you know for one or for the  
14 other both together. It's to make it a lot easier I think if they hear them  
15 together.  
16  
17 Scholz: Mr. Abrams it's my understanding that the previous vote stands?  
18  
19 Abrams: Yes, that's correct, but from what Mr. Scanlon is saying unless he gets this  
20 modification ...  
21  
22 Scholz: He can't proceed.  
23  
24 Abrams: Right. So if he's saying I'm not going to do it unless you approve it.  
25  
26 Scholz: Well then I think what he has to appeal is this decision, not the previous  
27 decision. That would be my suggestion anyway. I only had one year of  
28 business law, so I'm you know at a loss here.  
29  
30 Abrams: But the problem though is since it's technically a recommendation, they're  
31 going to hear it anyway.  
32  
33 Scholz: No, variance is the subject of P&Z.  
34  
35 Abrams: Yeah, (*inaudible*) probably. Let Mr. Scanlon appeal this decision. The  
36 other decision would stand in the meantime then so, if he can't do  
37 anything with it, he can't do anything with it.  
38  
39 Scholz: Yeah, I think that's the sensible thing. There's a gentleman in the  
40 audience, you have a legal opinion sir? I'm going to allow this Mr.  
41 Abrams. Do have a legal opinion for us?  
42  
43 Gentleman: I have a question.  
44  
45 Scholz: Oh a question. Well ...  
46

- 1 Gentleman: A question of legal.  
2
- 3 Scholz: We're closed for public discussion did you want to ...  
4
- 5 Gentleman: It's is a legal decision.  
6
- 7 Scholz: Okay.  
8
- 9 Gentleman: I believe the proposal was the case of PUD-09-04.  
10
- 11 Scholz: Yes.  
12
- 13 Gentleman: As proposed.  
14
- 15 Scholz: Yes.  
16
- 17 Gentleman: Not necessarily in total. It is in total, not ... there was nothing implied  
18 there that it was to be changed. But this is another vote on the entire  
19 case. I don't believe that you can just only take out a part of it. So it is a  
20 denial of the entire PUD-09-04.  
21
- 22 Scholz: Okay, thank you for your opinion.  
23
- 24 Crane: I'm included to agree with that gentleman. We have had before us two  
25 PUD-09-04s, one of which we passed and the second which contained a  
26 slight modification in my view, we defeated. I'm glad I'm not a  
27 parliamentarian. I'm going to step out of the way of this because it's  
28 beyond me.  
29
- 30 Scholz: I'll let the City Council and the Community Development work this out with  
31 legal. All right. Okay, that was our concluding of old business. Now we  
32 can start the new business. We're on ... Mr. Ochoa, Case S-09-063.  
33
- 34 Scanlon: I've been advised by legal that I can ask the Commission to reconsider the  
35 vote at this time. It's up to you if you would.  
36
- 37 Scholz: I'm sorry, say again.  
38
- 39 Scanlon: I've been advised by legal that right now in the process under Robert's  
40 Rules of Order, I can ask the Commission to reconsider their vote on the  
41 case if you wish to.  
42
- 43 Scholz: All right, I'll poll the Commission and see if they wish to, is there anyone  
44 who wishes to reconsider their vote? What happens parliamentarily is that  
45 someone who voted against it has to reconsider his or her vote. We had  
46 this situation about three years ago actually. I think it was on the West

1 Mesa annexation. And at that time I had voted against it and then I  
2 listened to additional argument and I reconsidered my vote and we  
3 changed it and we re-voted. So is there someone who opposed it, let's  
4 see who supported it beside myself? That was Commissioner Crane. No  
5 Commissioner Bustos you opposed it. Right.  
6  
7 Bustos: No, I voted for it.  
8  
9 Scholz: No, I have you down as in opposition. Right. Yeah it was 4:2, four  
10 against, two for. So if someone who opposed it wants to reconsider you  
11 can ask for that, we'll have a ruling on it.  
12  
13 Crane: I don't want to change my vote Mr. Chairman, but it seems to me we might  
14 fix this if it would be appropriate for us to go ahead and vote strictly on the  
15 modification required, requested for PUD-09-04, even though that is not  
16 formally in front of us. Can we not add things to our agenda? It seems to  
17 me the sense of this group is probably that the modification is okay, well  
18 maybe not, but ...  
19  
20 Scholz: I don't think so.  
21  
22 Crane: Confusion's arisen because we've ...  
23  
24 Scholz: That wasn't my impression. Obviously we ...  
25  
26 Crane: Yeah, you're right. You're right. But the parliamentary confusion's arisen  
27 because we negated what we did before. The whole of it. And we don't  
28 want to negate the whole of it. I'm not speaking for the others but I think  
29 that the people who voted against this did not want to negate the whole  
30 package. After all, before we voted for it. So we might save the City  
31 Council the same kind of confusion that we're involved in if we just  
32 approved or disapproved up or down the requested modification.  
33  
34 Scholz: Well the only way to do this ... that is the only way to re-vote on this is to  
35 have someone who voted against it agree to revote. Okay, that's the only  
36 way.  
37  
38 Lt. Gonzales: Chairman Scholz.  
39  
40 Scholz: Yes, sir.  
41  
42 Lt. Gonzales: This building that he wants to repair, it's been common practice for us to...  
43 we allow a shell to be built and then as new tenants are moving in,  
44 improvements are made. Each tenant that moves in has to meet code  
45 before it's approved. This building is the same way. I mean it's an old  
46 warehouse. It's a 45,000 square foot warehouse. Right now it's got a

- 1 body shop in it which didn't meet code, so we closed it down. It won't  
2 open up again until it gets a permit and it meets code. Every new tenant  
3 in that warehouse will have to conform with the code. It's been done with  
4 a lot of shells around town. It's true this is a bigger warehouse and we  
5 have to make sure what type of occupancy is going to move in to it, but it'll  
6 have to be separated with firewalls. It'll have to meet code before they  
7 can move in.
- 8
- 9 Scholz: Right, and since that was my understanding, that's why I supported it.  
10 Commissioner Shipley.
- 11
- 12 Shipley: The difference is and I understand what you're saying, but when you allow  
13 the building inside to be built out the tenant pays for that. When the tenant  
14 takes a structure normally the owner of the structure is responsible for the  
15 exterior. And all these things that he's asking to be put off are exterior  
16 things like parking lots, like shrubbery, landscaping, fencing, those kinds  
17 of things. That's not the tenant's responsibility to pay for that as it goes.  
18 That's figured in to his rent when he rents a part of that. So what we're  
19 saying is he's got a 45,000 square foot building that he's modifying and  
20 the code says that in order to bring that building up to standard, it has to  
21 have the external things done at the time that he does that. And that's  
22 what we voted on right here and now is that. Not based upon which  
23 tenant pays their part, because they're paying it through their rent that he's  
24 going to charge them.
- 25
- 26 Scholz: Okay, Commissioner Beard says he has a question.
- 27
- 28 Beard: So when we vote for this we're voting for the entire package?
- 29
- 30 Scholz: I believe that we were voting for the modification of the package.
- 31
- 32 Beard: We got to know.
- 33
- 34 Abrams: Let me put it this way. The previous approval stands regardless of what  
35 you do today. So for all intents purposes, even though you're voting for  
36 the whole package, all that's going to happen is it would result in this  
37 modification. Now, part of the confusion may stem from the fact that only  
38 four people were here last time, now there's six, so whatever's going on in  
39 your mind you could conceivably vote against this, is you can think the  
40 whole thing is terrible or just because the modification is terrible, but the  
41 only thing you'll accomplish if you vote yes is that there will be a  
42 modification. If you vote no, then the original vote still stands.
- 43
- 44 Beard: You vote no and what?
- 45

- 1 Abrams: The original vote still stands. So really all that will happen if there were  
2 another vote and it were a yes vote, would be that the ... the legal affect  
3 would be that the modification would be approved. That's all that would  
4 happen. Is that any clearer?  
5
- 6 Scholz: Okay. Thank you. All right, Commissioner Beard.  
7
- 8 Beard: I do not change my vote.  
9
- 10 Scholz: Well actually you want to vote to reconsider. Why are you shaking your  
11 head Commissioner Shipley?  
12
- 13 Shipley: You're asking him if he ... he said he did not want to change his vote so  
14 he's saying ...  
15
- 16 Scholz: No, he said he wanted to change his vote. So he wants to vote to  
17 reconsider.  
18
- 19 Beard: No, I'm staying with my original vote.  
20
- 21 Scholz: Oh, okay. But you want us to reconsider? No. Okay, sorry, I  
22 misunderstood. All right. I'm sorry Mr. Scanlon, no; there is no one who  
23 wants to reconsider. So your recourse I assume is to appeal to the City  
24 Council.  
25
- 26 Shipley: Mr. Chairman.  
27
- 28 Scholz: Yes, Commissioner Shipley.  
29
- 30 Shipley: Just one comment and this basically is for Community Development. If in  
31 the future we get another thing where there's something that's been  
32 through and there's going to be an addition to that, this should be a  
33 separate case. In other words this should've came to us as 08-A or  
34 something so we could differentiate between the two and therefore you  
35 wouldn't have ended up with this problem.  
36
- 37 Hembree: I concur.  
38

## 39 VII. NEW BUSINESS

40  
41 **Case S-09-063:** A request for final plat approval for a development known as the  
42 Original Townsite of Las Cruces, Block 79, Replat No. 1. The subject property is  
43 generally located east of Mesquite Street and north of Court Avenue at 515 E.  
44 Court Avenue and consists of 0.29 +/- acres. The proposed final plat will replat  
45 one lot into two lots. The subject property is zoned C-2 (Commercial Medium


**City of Las Cruces**®

**TO:** Planning and Zoning Commission  
**FROM:** Development Review Committee (DRC)  
**PREPARED BY:** Adam Ochoa, Acting Planner *AO*  
**DATE:** February 23, 2010  
**SUBJECT:** Villa Amador (Concept Plan)  
**RECOMMENDATION:** Denial (Case PUD-09-04)

**CASE PUD-09-04:** A request for approval of a concept plan for a Planned Unit Development (PUD) known as Villa Amador. The subject properties are located south of Amador Avenue and west of Valley Drive. The subject property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial Standard) and PUD (Planned Unit Development). The proposed PUD will entail three (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is proposed for Industrial Standard uses; Parcel 2 will encompass 18.263 +/- acres and is also proposed for Industrial Standard uses; and, Parcel 3 which will encompass 28.808 +/- acres and is proposed for a Mobile Home Park. Submitted by Scanlon White, Inc. for IFL, LLC, property owner.

### **BACKGROUND**

The proposed Planned Unit Development (PUD) known as Villa Amador is generally located south of Amador Avenue and west of Valley Drive. The proposed PUD encompasses 54.383 +/- acres and is being proposed for Industrial Standard Uses and a Mobile Home Park. The proposed Villa Amador PUD is made up of ten (10) existing parcels. Currently six (6) parcels encompassing 36.98 +/- acres are zoned M-1/M-2 (Industrial Standard), while the other four (4) parcels encompassing 17.44 +/- acres are currently zoned PUD. The four (4) parcels zoned PUD were annexed into the City of Las Cruces in 1978 with the initial zoning of Planned Community District (PC). The actual intent of use for these parcels was never determined through the annexation process. The proposed Villa Amador PUD is in close proximity to Burn Lake.

### **CONCEPT PLAN**

The proposed concept plan for the Villa Amador PUD includes industrial uses and a mobile home park. All utilities in the PUD will follow the standards of the City of Las Cruces Utilities Department. Landscaping and street lighting requirements for the Villa

Amador PUD will follow the City of Las Cruces Design Standards. All signage used throughout the proposed PUD will follow the City of Las Cruces Sign Code regulations.

The proposed industrial area will have access off of Pioneer Place, while the proposed mobile home park is proposed to have access to Valley Drive via a small (vacant) City-owned parcel, and secondary access off of Pioneer Place. City Staff has identified some issues with the proposed access off of Valley Drive with using the City owned vacant area. Specifically, it is not clear that the intended use of the property conveyed to the City was for dedicated right-of-way for roadway purposes. Presently, this parcel contains drainage facilities including a sizable box culvert. Further discussion follows in a subsequent section of this report recapping the issues and concerns brought forward by Public Works staff during the February 10, 2010 deliberations of the DRC.

Parcels 1 & 2 of the Villa Amador PUD contain 25.574 +/- acres and are being proposed for Industrial Standard uses. The permitted uses in the proposed industrial area of the Villa Amador PUD will be the same as those uses permitted in the 2001 Zoning Code, as amended, under the M-1/M-2 (Industrial Standard) zoning district. The proposed industrial area will follow the development standards created by the applicant for the Villa Amador PUD when it comes to minimum lot size, maximum height, setbacks, etc. Parcels 1 & 2 of the Villa Amador PUD will also require on-lot ponding for all post-development run-off at the time of development. All drainage designs shall be in accordance with City of Las Cruces Development Standards. Parcels 1 & 2 will have the option to utilize the alternate summary process for future subdivision in accordance with the City of Las Cruces Subdivision Code.

Parcel 3 of the Villa Amador PUD contains the remaining 28.808 +/- acres of the proposed project to be developed as a mobile home park. This phase of the Villa Amador PUD will also follow the development standards created and put in place by the applicant regarding minimum lot size, maximum height, setbacks, etc. A dwelling unit range of 5.7 to 6.9 units per acre is being proposed for Parcel 3 with a total number of dwelling units ranging from 165 to 200 dwelling units. All streets in Parcel 3 will be privately maintained by the entity that owns the mobile home/manufactured home park. All common areas, parks, landscaping and open space in Parcel 3 will also be privately maintained by the owner of the mobile home/manufactured home park. A ten (10) foot landscape buffer will be installed between the Parcel 3 mobile home park and the adjacent industrial uses proposed for Parcels 1 & 2. This landscape buffer will be maintained by the owner of the mobile home park.

The Villa Amador PUD will have direct access from Pioneer Place and Valley Drive, respectively. The Metropolitan Planning Organization (MPO) has classified Pioneer Place as an existing local roadway and Valley Drive as a principal arterial roadway. A bus stop (sign only) is located approximately 100 +/- feet west of Pioneer Place on Amador Avenue and another bus stop (sign only) is located approximately 500 +/- feet north of the proposed access point for Villa Amador to Valley Drive along Valley Drive.

**FINDINGS**

1. The proposed Planned Unit Development (PUD) is generally located south of Amador Avenue and west of Valley Drive.
2. The Metropolitan Planning Organization (MPO) has classified Pioneer Place as an existing local roadway and Valley Drive as a principal arterial roadway.
3. The proposed PUD encompasses 54.383 +/- acres and is being proposed for Industrial Standard Uses and a Mobile Home Park. Approximately 25.574 +/- acres are being proposed for Industrial Standard uses, the remaining 28.808 +/- acres are being proposed for the use of a mobile home park.
4. The proposed Villa Amador PUD is made up of ten (10) existing parcels: six (6) parcels encompassing 36.98 +/- acres are zoned M-1/M-2 (Industrial Standard); the remaining four (4) parcels encompassing 17.44 +/- acres are currently zoned Planned Unit Development (PUD).
5. The proposed industrial area of the Villa Amador PUD is designated as Parcels 1 & 2, while the proposed mobile home park of the PUD is designated as Parcel 3.
6. The Villa Amador PUD will have a proposed total number of dwelling units ranging from 165 to 200 dwelling units.
7. Adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	M-1/M-2/O-2	Industrial
South	PUD/R-1a	Vacant/Residential
East	M-1/M-2/C-2/C-3/R-4	Industrial/Commercial/Residential
West	A-2/PUD/M-1/M-2	Vacant/Industrial

8. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

Land Use Element, Goal 1 (Land Uses)

Policies:

- 1.3.1 An urban residential use shall be so designated where these uses occur at a density of greater than two dwelling units per acre. A rural residential use shall be so designated where these uses occur at a density of less than or equal to two dwelling units per acre.
- 1.3.3. An assortment of lot sizes should be provided for single-family residential developments to promote a variety of lifestyles within the community. With small

urbanized lots (such as 3,500 square foot parcels) to large tracts of land (five acres in size), the City shall address all segments of the population.

- 1.3.5 All residential development shall address the following urban design criteria: compatibility to the adjacent neighborhood in terms of architectural design, height/density, and the provision of landscaping. Architectural and landscaping design standards for residential uses shall be established in the Comprehensive Plan Urban Design Element.
- 1.7.2 Standard industrial uses shall be defined as those industrial uses which generate fabricating, manufacturing, packaging, and processing activities, provided such uses can be operated in a relatively clean, quiet and safe manner with minimal impacts to the surrounding environment. Standard industrial uses and parks shall be established according to the following criteria:
- a. Standard industrial uses shall have direct access to, or shall be located on, collector and arterial streets.
  - b. The City shall pursue multi modal access standards (auto, bicycle, pedestrian, transit where available) for standard industrial uses and centers.
  - c. Standard industrial development shall address the following urban design criteria: compatibility in terms of architectural design, height/density, and the provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards for standard industrial uses shall be established in the Comprehensive Plan Urban Design Element.
  - d. The City shall encourage the development of standard industrial parks to allow for minimal traffic and encroachment-related conflicts to adjacent uses.
  - e. The City shall encourage focusing development of light, standard, and heavy industrial uses in areas with existing compatible industrial zoning where these areas comply with industrial land use policies.

#### Land Use Element Goal 2 (Growth Management)

- 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 PUD 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.
- 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

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.

- 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.

### Housing Element Goal 1

- 1.1.2. Encourage the use of alternative housing types, styles, and living arrangements (i.e. Conventional Single Family Homes, Apartments, Mobile Homes, Modular Homes, Group Homes, Housing for Older Persons, Accessory Units, Transitional Housing etc.) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means.

b. Mitigation techniques as outlined in the Land Use Element and/or other appropriate design strategies should be utilized in the development of alternative housing sites to ensure and/or increase overall compatibility with surrounding properties.

### DRC RECOMMENDATION

On February 10, 2010, the Development Review Committee (DRC) reviewed the concept plan for the proposed Villa Amador PUD. The DRC reviews PUD's from an infrastructure, utilities, and public improvement stand point. The DRC voted to recommend denial for the Concept Plan request. *(Please note that transcripts of February 10, 2010 DRC meeting are not included in this packet and will be provided to Commissioners on or before the February 23, 2010 P & Z meeting).*

During the meeting the Public Works Department did not feel comfortable moving the proposed PUD forward with an affirmative recommendation. Specifically, Public Works voiced concern regarding the allowance of primary access to Valley Drive via the City-owned parcel without satisfying additional requirements deemed necessary by Public Works. The Public Works Department requested the applicant to acquire letters of support and approval from adjacent property owners to the City property being proposed for primary access for the mobile home park off of Valley Drive. The Public Works Department also requested that a Traffic Impact Analysis (TIA) be submitted to the City for review analyzing traffic operations for the use of the City-owned access point off of Valley Drive; Public Works will require the submittal of the TIA before considering recommending approval to the Planning & Zoning Commission.

From a land use perspective, the PUD is supported by several Land Use Elements & Urban Design Goals in the 1999 Comprehensive Plan. The proposed Villa Amador PUD encourages the use of alternative housing type (i.e. Mobile Homes, and Manufactured Homes) as a means of making available additional housing opportunities for those who may not otherwise obtain suitable housing through conventional means. The proposed PUD provides a different type of single-family residential development that promotes a variety of lifestyles within the community. The Villa Amador PUD also helps focus development of light, standard, and heavy industrial uses in an area with existing compatible industrial zoning where these areas comply with industrial land use policies.

Although the proposed PUD is supported from a land use perspective, the concerns with the access point off of Valley Drive is a major issue that may inhibit the development of the proposed PUD and City Staff is not supportive of approving and moving forward the concept plan without having the Public Works Department's issues addressed.

The DRC recommends denial for the proposed concept plan for the PUD known as Villa Amador.

The recommendation of the Planning and Zoning Commission for the concept plan will be forwarded to City Council for final consideration.

### **OPTIONS**

1. Approve the request for case PUD-09-04.
2. Approve the request with additional conditions as determined appropriate by the Planning and Zoning Commission.
3. Deny the request as recommended by DRC for case PUD-09-04.

### **ATTACHMENTS**

1. Development Statement
2. Vicinity Map
3. Villa Amador Concept Plan

**DEVELOPMENT STATEMENT for Zoning Applications**  
**(Use for Zone Changes, SUP's and PUD's)**  
Please type or print legibly

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 or City Council 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: Ted Scamlon  
Contact Person: Same  
Contact Phone Number: 575-525-2112  
Contact e-mail Address: tscamlon@  
Web site address (if applicable): \_\_\_\_\_

Proposal Information

Location of Subject Property West of Valley Dr. South of W. Amador  
(In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)

Current Zoning of Property: Mixed - M-1 and P.U.D  
Proposed Zoning: P.U.D.  
Acreage of Subject Property: 54.382

Detailed description of intended use of property. (Use separate sheet if necessary):

Mixed use, Planned Unit Development with Light Industrial and A Private Manufactured Home Community in multiple phases

Proposed square footage and height of structures to be built (if applicable):

T.B.D.

Anticipated hours of operation (if proposal involves non-residential uses):

T.B.D.

Anticipated traffic generation See Concept Plan trips per day (if known).

Anticipated development schedule: Work will commence on or about Phase I ASAP and will take approximately T.B.D. to complete.

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

Existing Detention Facilities (Birn Lake) and On-Lot ponding

Will any special landscaping, architectural or site design features be implemented in the proposal (for example, rock walls, landscaped medians or entryways, or architectural themes)? If so, please describe and attach rendering if available:

T.B.D.

**Attachments**

Please attach the following: (\* indicates optional item)

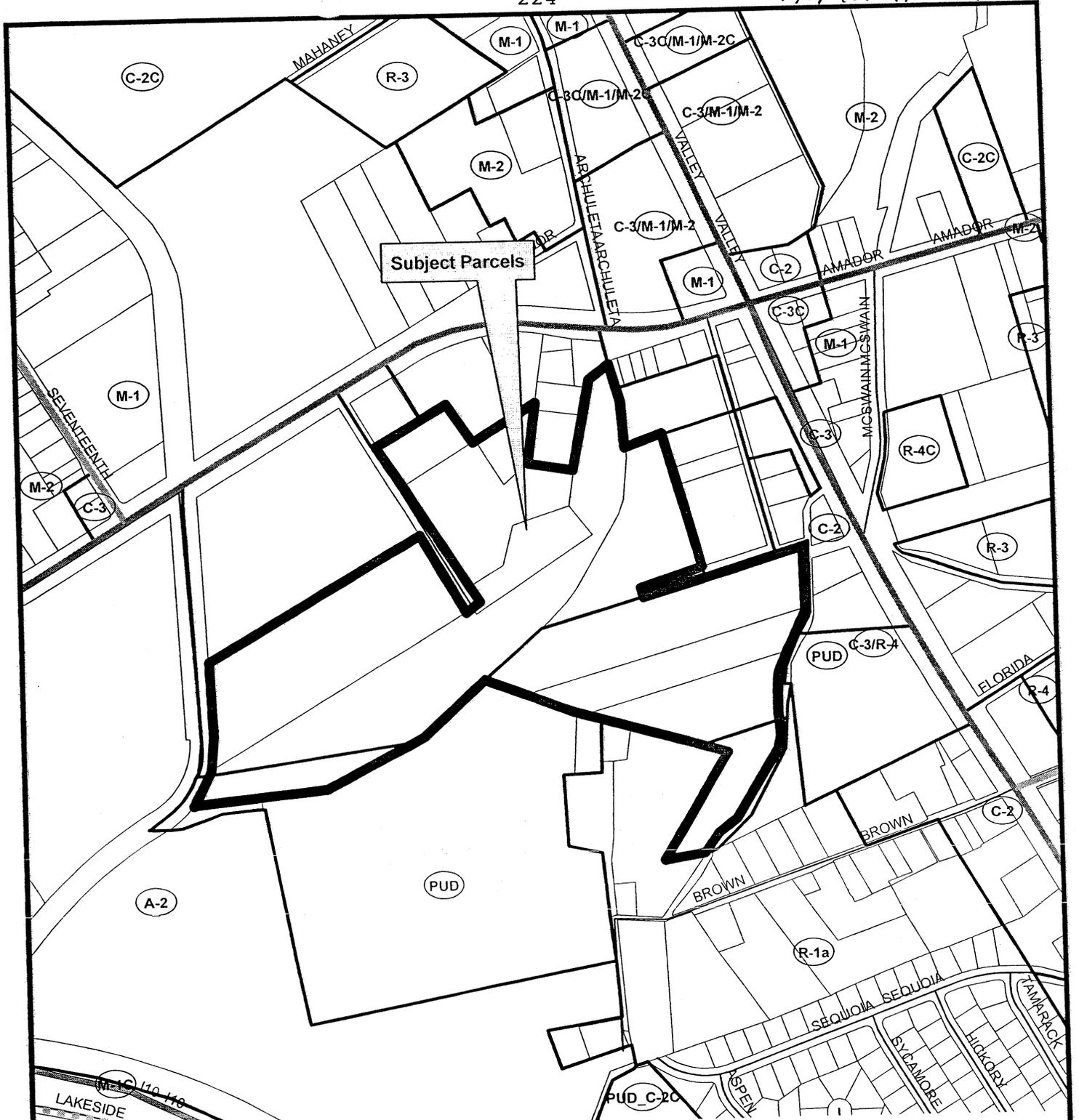
Location map

Detailed site plan

Proposed building elevations\*

Renderings or architectural or site design features\*

Other pertinent information\*



### VICINITY MAP

#### VILLA AMADOR PLANNED UNIT DEVELOPMENT

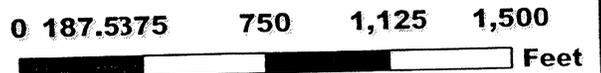
CASE NO. PUD-09-04

OWNER: IFL, LLC.

LOCATION: SOUTH OF AMADOR AVENUE,  
WEST OF VALLEY DRIVE

ZONING: PUD

*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 (505) 528-3043.*

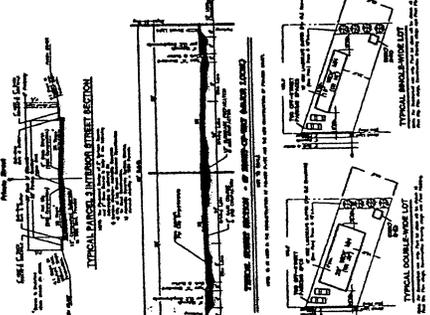


Community Development Department  
575 S Alameda Blvd.  
Las Cruces, NM 88001  
(505) 528-3222

**VILLA AMADOR P.U.D.**  
**DEVELOPMENT CONCEPT PLAN**

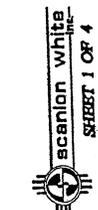
A 54.32 ACRE TRACT  
 LOCATED IN SECTIONS 9 AND  
 24, T2E, R1E, OF THE USRA  
 SURVEYS BEING PART OF  
 USRA TRACT 9C-12A USRA  
 TRACT 9C-12B3 9A-90A, 9A-90E,  
 9A-90F, 9A-90D, AND TRACT  
 'A' ROUNDTREE SUBURBAN  
 FARM TRACTS REPLAT NO1  
 JANUARY, 200

Name of Development: Villa Amador  
 Developer: Hanna Commercial, L.L.C.  
 10701 Loma Verde, Mexico 87112  
 505-332-0522  
 Engineer: Scanlon White, Inc. S.W. C  
 3780 Foothill Road, Ste. C  
 Los Cruces, New Mexico 88011  
 505-332-3132  
 Survey: 3780 Foothill Road, Ste. C  
 Los Cruces, New Mexico 88011  
 Proposed Land Use: P.U.D. Mixed Land Use  
 Single-Family Medium Density  
 Mobile, All Standard  
 Location: Sections 13&24, T.23S., R.1E., New Mexico  
 City of Los Cruces, Dona Ana County, New Mexico  
 Jurisdiction: Dona Ana County, City of Los Cruces  
 Applicable Codes: City of Los Cruces Zoning Code  
 City of Los Cruces Subdivision Regulations  
 City of Los Cruces Utility Specifications  
 City of Los Cruces Road Specifications  
 All other Applicable City Codes in Effect  
 Proposed Utility Services:  
 Sewer - City of Los Cruces  
 Water - City of Los Cruces  
 Natural Gas - El Paso Electric Co.  
 Telephone - Qwest  
 Cable TV - Comcast



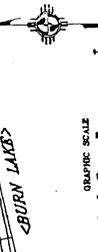
- Index to Sheets:  
 1. DEVELOPMENT CONCEPT PLAN  
 2. TRANSPORTATION/ZONING MAP  
 3. UTILITIES MASTER PLAN  
 4. DRAINAGE MASTER PLAN

NO.	DESCRIPTION	DATE	BY	FOR
1	PRELIMINARY CONCEPT PLAN	1/15/00	SW	SW
2	FINAL CONCEPT PLAN	1/20/00	SW	SW
3	FINAL TRANSPORTATION/ZONING MAP	1/20/00	SW	SW
4	FINAL UTILITIES MASTER PLAN	1/20/00	SW	SW
5	FINAL DRAINAGE MASTER PLAN	1/20/00	SW	SW



Subdivision Administrator Approval  
 This Concept Plan was approved by the Subdivision Administrator of the City of Los Cruces, and all the requirements for approval in the City of Los Cruces, and all the requirements for approval in the State of New Mexico, have been complied with to the requirements of the Planning Authority for approval of the Concept Plan.

Subdivision Administrator  
 Date



Subdivision Administrator  
 Date





**VILLA AMADOR P.U.D.**  
**MASTER UTILITY PLAN**  
 A 54.82 ACRE TRACT  
 LOCATED IN SECTIONS 8 AND  
 24, T28N, R12E, OF THE USGS  
 SURVEYS BEING PART OF  
 USGS TRACT 90-24 USRA  
 TRACT 90-228R, 94-80A, 94-80B,  
 94-80C, 94-80D, AND TRACT  
 "A" BOUNDRIES SUB/REAN  
 FARM TRACTS REFLAT N01  
 JANUARY, 200

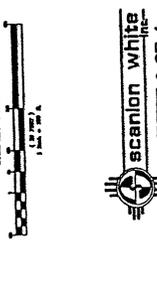
Name of Development: Villa Amador  
 Developer: Mistry, Camarero, LLC  
 10701 Lomas NE  
 Albuquerque, New Mexico 87112  
 Engineer: Scanlon White, Inc.  
 505-322-3400  
 3780 Feathille Road, Ste. C  
 505-525-3112  
 Surveyor: Scanlon White, Inc.  
 2710 Feathille Road, Ste. C  
 Las Cruces, New Mexico 88011  
 505-525-3112  
 Proposed Land Use: P.U.D. Mixed Land Use  
 Single-Family Medium Density  
 Industrial Community  
 Industrial Standard

Location: Sections 13&24, T28N, R12E,  
 City of Las Cruces, Dona Ana County, New Mexico  
 Jurisdictional Authority: City of Las Cruces  
 Applicable Codes: City of Las Cruces  
 City of Las Cruces Subdivision Regulations  
 City of Las Cruces Utility Specifications  
 City of Las Cruces Road Specifications  
 All other Applicable City Codes in Effect

Proposed Utility Services:  
 Water - City of Las Cruces  
 Sewer - City of Las Cruces  
 Natural Gas - City of Las Cruces  
 Electric Service - PNM Electric Co.  
 Cable TV - Comcast

**NOTES:**  
 1. This plan is a preliminary utility plan and is not intended to be used for construction purposes.  
 2. The utility lines shown on this plan are for informational purposes only and do not represent actual utility lines.  
 3. The utility lines shown on this plan are subject to change without notice.  
 4. The utility lines shown on this plan are subject to the applicable codes and specifications of the City of Las Cruces.  
 5. The utility lines shown on this plan are subject to the applicable codes and specifications of the State of New Mexico.  
 6. The utility lines shown on this plan are subject to the applicable codes and specifications of the Federal Government.  
 7. The utility lines shown on this plan are subject to the applicable codes and specifications of the local utility companies.  
 8. The utility lines shown on this plan are subject to the applicable codes and specifications of the local government.  
 9. The utility lines shown on this plan are subject to the applicable codes and specifications of the local residents.  
 10. The utility lines shown on this plan are subject to the applicable codes and specifications of the local business community.

**UTILITY NOTES:**  
 1. The utility lines shown on this plan are for informational purposes only and do not represent actual utility lines.  
 2. The utility lines shown on this plan are subject to change without notice.  
 3. The utility lines shown on this plan are subject to the applicable codes and specifications of the City of Las Cruces.  
 4. The utility lines shown on this plan are subject to the applicable codes and specifications of the State of New Mexico.  
 5. The utility lines shown on this plan are subject to the applicable codes and specifications of the Federal Government.  
 6. The utility lines shown on this plan are subject to the applicable codes and specifications of the local utility companies.  
 7. The utility lines shown on this plan are subject to the applicable codes and specifications of the local government.  
 8. The utility lines shown on this plan are subject to the applicable codes and specifications of the local residents.  
 9. The utility lines shown on this plan are subject to the applicable codes and specifications of the local business community.



- 1 Scholz: Okay. All right if there's no additional discussion, once again I'll entertain  
2 a motion to approve.  
3
- 4 Crane: Once again I will move.  
5
- 6 Bustos: I'll second.  
7
- 8 Scholz: Okay. It's been moved and seconded. I'll call the roll. Commissioner  
9 Crane.  
10
- 11 Crane: Aye findings and discussion.  
12
- 13 Scholz: Commissioner Bustos.  
14
- 15 Bustos: Aye findings and discussion.  
16
- 17 Scholz: Commissioner Beard.  
18
- 19 Beard: Aye findings and discussions.  
20
- 21 Scholz: And the chair votes aye for findings and discussion. All right, it's  
22 approved. Thank you very much Ms. Murphy, Mr. Dunham.  
23
- 24 **2. Case PUD-09-04:** A request for approval of a concept plan for a Planned  
25 Unit Development (PUD) known as Villa Amador. The subject properties are  
26 located south of Amador Avenue and west of Valley Drive. The subject  
27 property encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial  
28 Standard) and PUD (Planned Unit Development). The proposed PUD will  
29 entail three (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is  
30 proposed for Industrial Standard uses; Parcel 2 will encompass 18.263 +/-  
31 acres and is also proposed for Industrial Standard uses; and, Parcel 3 which  
32 will encompass 28.808 +/- acres and is proposed for a Mobile Home Park.  
33 Submitted by Scanlon White, Inc. for IFL, LLC, property owner  
34
- 35 Scholz: Okay, our next case is Case PUD-09-04, a request for approval of a  
36 concept plan for a Planned Unit Development. And Mr. Ochoa I see  
37 you're up again. What was the problem with the computer? Did it crash?  
38
- 39 Ochoa: I guess it just decided to take some time off.  
40
- 41 Scholz: Oh yes, I can understand that. I'm in favor of that myself.  
42
- 43 Ochoa: Next case tonight gentlemen is PUD-09-04. It is a request for approval for  
44 a concept plan for a Planned Unit Development or PUD known as Villa  
45 Amador. You can see right here, this is the vicinity map here highlighted  
46 in the light green line if you will which encompasses all parcels that would

1 be part of this Planned Unit Development. Located south of Amador right  
 2 here and west of Valley right here. The proposed Planned Unit  
 3 Development known as Villa Amador is generally located south of Amador  
 4 and west of Valley like I said. The proposed Villa Amador PUD is made  
 5 up of 10 existing parcels. Currently six parcels encompassing  
 6 approximately 36.98 acres are zoned M-1/M-2 which is industrial  
 7 standard, while the other four encompassing approximately 17.44 acres  
 8 are currently zoned PUD or Planned Unit Development. The four acres  
 9 zoned PUD were annexed into the City of Las Cruces in 1978 with the  
 10 initial zoning of a planned community district, is what a PUD used to be  
 11 known as. The actual intent for the use of these parcels was never  
 12 determined through the annexation process.

13 Concept plan, case specifics, the proposed PUD encompasses  
 14 54.38 acres and is being proposed for industrial standard uses and a  
 15 mobile home park/community. The proposed industrial area will have  
 16 access off of Pioneer Place where the proposed mobile home park/  
 17 community is proposed to have access to Valley via a small vacant City-  
 18 owned parcel and secondary access off of Pioneer Place. All utilities in  
 19 the PUD will follow standards of the City of Las Cruces Utility Department.  
 20 Landscape and street lighting requirements for the Villa Amador PUD will  
 21 follow City of Las Cruces Design Standards as well as the signage use  
 22 throughout the proposed PUD will follow the sign code regulations as well.

23 Here's a concept plan of the proposed PUD separating the three  
 24 parcels, parcel 1, 2 and 3 here. Parcel 1 and 2 is what is being proposed  
 25 for industrial uses while parcel 3 right here would be proposed for the  
 26 mobile home park/community. Parcels 1 and 2 of the Villa Amador  
 27 contain about 25.576 acres and are being proposed for the industrial  
 28 standard uses. The permitted uses in the proposed industrial area will be  
 29 the same as those uses permitted in the 2001 Zoning Code under the M-  
 30 1/M-2 or Industrial Standard Zoning District. The proposed industrial area  
 31 will follow development standards created by the applicant for the Villa  
 32 Amador PUD when it comes to minimum lot size, maximum height,  
 33 setbacks, and so on. Parcels 1 and 2 of the Villa Amador PUD will also  
 34 require on-lot ponding for all post development runoff that shall be in  
 35 accordance with the City of Las Cruces Development Standards.

36 The residential area which would be parcel 3 of the Villa Amador  
 37 PUD contains approximately 28.808 acres and is proposed for a mobile  
 38 home park/community. Parcel 3 will also follow the development  
 39 standards created and put in place by the applicant regarding the  
 40 minimum lot size, maximum height, setbacks, and so on. The dwelling  
 41 unit range for this area would be 5.7 to 6.9 units per acre and is being  
 42 proposed for a total of anywhere between 165 to 200 dwelling units in the  
 43 entire parcel 3. All streets, common areas, landscaping, and open space  
 44 in parcel 3 will be privately maintained by the entity that owns the mobile  
 45 home park/manufactured home park. Ten foot landscape buffer that will  
 46 also be maintained by the mobile home park owner will be installed

1 between the mobile home park/community and the adjacent industrial  
2 uses proposed in parcels 1 and 2.

3 Here's an aerial of the proposed area. As you can see most of it is  
4 vacant with some industrial uses already in existence and what is being  
5 proposed as parcel 1. And access points would be here off of Pioneer  
6 Place and the other proposed access would be here off of Valley.

7 On February 10th, 2010, the Development Review Committee or  
8 DRC reviewed the conceptual plan for the proposed Villa Amador PUD.  
9 During the meeting public works department did not feel comfortable  
10 moving the proposed PUD forward with any affirmative recommendation.  
11 Public works voiced concerns regarding the allowance of primary access  
12 to Valley Drive via the City owned parcel without satisfying additional  
13 requirements deemed necessary by Public Works. Public Works  
14 Department requested the applicant to require a letter to support an  
15 approval from adjacent property owners to the City property being  
16 proposed for primary access for the mobile home park off of Valley Drive.  
17 Public Works Department also required that a traffic impact analysis or  
18 TIA be submitted to the City for review for the use of the City-owned  
19 access point off of Valley Drive.

20 Although the proposed PUD is supported from a land use  
21 perspective, the concerns with the access point off of Valley Drive is a  
22 major issue that may inhibit the development of the proposed PUD. And  
23 City staff at that point was not supportive of approving and moving forward  
24 with the concept plan without having the Public Works Department's  
25 issues addressed. With that, DRC at that time recommended denial for  
26 the proposed concept plan for the PUD known as Villa Amador. Just  
27 recently since then the applicant has been in contact with the Public  
28 Works Department trying to I guess finish out whatever concerns they  
29 might've had with the access and so forth. Just today Community  
30 Development staff received a letter from Public Works basically stating  
31 that a conditional approval ... that they're recommending approval with  
32 conditions for the Planned Unit Development. I'd like to read off those  
33 conditions now. One is that until such time that it is decided that the City  
34 parcel can be used as a roadway to access the development subdivision;  
35 the engineer shall designate it as a proposed access on the concept plan.  
36 Two is a TIA shall be provided at the final site plan submittal. Three, use  
37 of the City parcel as a roadway/public right-of-way is contingent upon the  
38 review of the TIA. And further discussions with the Public Works  
39 Department to determine the feasibility of utilizing the City parcel due to  
40 existing City infrastructure. If it is decided that the City parcel can be used  
41 as a roadway, the engineer must work with the adjacent property owners  
42 to ensure that there are no adverse impacts on their property/businesses.  
43 The developer is also responsible for replatting the parcel as public right-  
44 of-way. Four is that final site plan submittal; the engineer shall provide  
45 written confirmation that the engineer has notified the property owners  
46 adjacent to the City parcel of the potential use of the City parcel as a

1 roadway. Five, if the City parcel cannot be used for primary access to the  
 2 private subdivision based on the list of conditions, the developer must  
 3 designate another access point as their primary access to their  
 4 development and find another secondary access for the development.  
 5 And six, there must be an agreement with the City to use the City's future  
 6 retention facility.

7 With that, Community Development staff still feels that there are  
 8 issues for the concept plan to move forward with the actual approval  
 9 because of the access issue. Tonight gentlemen your options are to vote  
 10 yes to approve the request for Case PUD-09-04, two to vote yes to  
 11 approve the request with additional conditions as deemed appropriate by  
 12 the P&Z, one of those conditions may be which was recommended by  
 13 staff, is possibly allowing it with the condition that the issues with the  
 14 access for the concept plan be dealt with prior to moving forward to City  
 15 Council for final action. Three is to vote no, to deny the request as  
 16 recommended by the DRC for Case PUD-09-04, or four is to table and  
 17 postpone the request and direct staff accordingly. That is the end of my  
 18 presentation. The applicant is here for questions. I stand for questions as  
 19 well.  
 20

21 Scholz: Okay, questions. Commissioner Crane.

22  
 23 Crane: In view of the statement that we have in front of us by the Public Works  
 24 Department, what is the position of the DRC or are they out of the loop  
 25 now?  
 26

27 Ochoa: No, sir. DRC's recommendation is still denial. We cannot change that  
 28 since it was voted on by different departments of the City. So it still stays  
 29 as denial.  
 30

31 Crane: Thank you.

32  
 33 Scholz: Okay. Commissioner Beard.

34  
 35 Beard: Could you go to that map again and show me where the soccer fields are  
 36 and the Burn Lakes are?  
 37

38 Ochoa: The soccer field/Burn Lake area is somewhere to the southwest this way.  
 39

40 Beard: Where's Amador on that one?

41  
 42 Ochoa: Amador is right up here.

43  
 44 Beard: Okay. And then the access road?  
 45

- 1 Ochoa: This is Pioneer Place here, the access being proposed for the industrial  
2 area. This over here would be the access point to get to Burn Lake I  
3 believe.  
4
- 5 Scholz: Yes. Okay. All right. I just had ... I hate to throw a wet blanket on this  
6 you know and stop the process, but it seems to me we don't have enough  
7 information right now, particularly about the access. And when I was out  
8 there today looking at the property, it occurred to me that there's no way to  
9 get to Valley and almost no way to get to Amador though obviously that  
10 Pioneer Road would do the trick. And I'm looking at the number of  
11 dwellings that they're talking about which is about 165 to 200 I think they  
12 estimated. Well it seems to me that we need a definite access to Valley of  
13 some sort. We need an agreement on that from Public Works or from the  
14 City from whoever gives that permission. And it seems to me we also  
15 need a traffic impact study to see how we can put that many vehicles out  
16 through that road onto Valley which is a very busy road. I always  
17 remember that when I go to Scoopy's, I'm sorry Caliche's. I don't mean to  
18 be retro. And when I have to turn on there and go across the traffic on  
19 Valley or pull out of Caliche's and get back into traffic lane, it's difficult. I  
20 can't imagine what it would be like to have a couple hundred cars you  
21 know pulling out on that. So it seems to me that what we need before we  
22 can act on this is some guaranteed access on those roads and a traffic  
23 impact assessment. Commissioner Crane.  
24
- 25 Crane: The Public Works has said it will provide a conditional approval with the  
26 following conditions and there's a string of conditions that have to be met.  
27 What then can the developer do if we vote to approve? What progress  
28 can the developer make? Can ground be broken?  
29
- 30 Scholz: Well it seems to me that the developer would have to meet these  
31 conditions in order to get the approval. And it seems to me that ... it's my  
32 feeling anyway that it would be better for the developer to meet those  
33 conditions initially and then bring it up for approval instead of you know  
34 doing it in kind of a patchwork process. But since the applicant is here I'm  
35 certainly willing to listen to the applicant. Mr. Scanlon.  
36
- 37 Scanlon: Yes, sir, Mr. Chairman, members of the Commission. Thank you for the  
38 opportunity to speak to you tonight. The parcel of land in question and I  
39 don't know for the life of me understand why the Public Works staff got so  
40 scared of this thing, but they seem to have and I've been dealing with this  
41 for several weeks now and I thought coming in here tonight that I had it  
42 completely cleared up because I have complied with everything that  
43 they've asked me to do with respect to it. But there is a parcel of land right  
44 here between the property line which is located in this area over to the  
45 Valley Drive right-of-way. That piece of property was acquired by a prior  
46 developer that was getting a development approval on this property. He

1 got a PUD back in 1986. His name was Forest Westmoreland. He  
2 acquired that piece of property for the sole purpose of providing access  
3 into this property. And he deeded it to the City and the City has owned it  
4 ever since. The City has used it for a storm drain structure that traverses  
5 underneath Valley Drive and comes right through that parcel of property.  
6 So the City acknowledges it. It was given to them for a road. It was never  
7 prohibited from any use and it was very specifically not prohibited from  
8 any use, so that it could be used for utilities. It could be used for drainage  
9 structure. It could be used for a roadway. Now I did go out and meet with  
10 representative from the Caliche's property and the fellow of the name of  
11 Javier Morales and he told me that the owner of Caliche's has told him  
12 from day one that that piece of property belongs to the City and they're  
13 going to build a road in there whenever they develop that property. That's  
14 always been the plan. I don't understand why Public Works has decided  
15 that there is some sort of ambiguity or some sort of issue with that  
16 because that's what that tract of land was given to the City for and that's  
17 what it has always been reserved for, and now is the time that it should be  
18 used.

19 We have met with the DOT, and we have met with the City traffic  
20 engineers. We've met with as I said the adjacent landowner there and  
21 there isn't any problems with that piece of ... with that little strip of land  
22 becoming a roadway. It was always meant to be a roadway and that's  
23 what it's going to be. Obviously, with respect to the conditions that Public  
24 Works staff has asked us to comply with, we don't have any issues with  
25 complying with any of those things. I mean those are just things that we  
26 have to do.

27 At this stage of the PUD process, the concept plan is put in place to  
28 establish land use. The details as to how the access works and how the  
29 traffic impact analysis, the utility, actual utility layouts and all those things  
30 are done at the time of the final site plan which is way more detailed  
31 document that comes back to this board after approval of the concept  
32 plan. In other words we take the concept plan, we put together the land  
33 uses and density ranges and what is going to go on the property as far as  
34 uses, just like you would if you were rezoning the parcels to R-1 and M-1  
35 or MT or whatever different zoning districts you might do. It's the same  
36 way, except in the PUD you establish those land uses on those parcels as  
37 part of the concept plan. Then the final site plan comes back to you guys  
38 and that takes the place of a preliminary plat. So that's a very detailed  
39 document and it addresses all kinds of things like water pressures, and  
40 capacities, and fire flows, and more detailed drainage calculations and all  
41 sorts of things. The traffic impact analysis is done at that time, just like  
42 when a subdivision process, you do the traffic impact analysis at the time  
43 of the preliminary plat. Final plans, site plan in a PUD and a preliminary  
44 plat in a subdivision is very much the same document. And they were  
45 designed to be that way, because when you do a PUD and you get final

1 site plan approval, you don't have to go through the preliminary plat  
2 process. You've already done it with the final site plan.

3 At the stage we're at tonight, all we're doing is trying to establish  
4 the land use. Is the land use appropriate for the property? And if there  
5 are any conditions or anything like that that come out of the meeting, then  
6 we incorporate those into the final site plan and bring that forward back to  
7 this body. We'll come back with a lot more detail on this. But as I stated  
8 the purpose of the concept plan is to establish some land uses, to  
9 establish some public benefit, basic concepts as to how the property's  
10 going to be accessed and how it's going to be developed. In a very basic,  
11 preliminary form.

12  
13 Scholz: Okay. Some questions for Mr. Scanlon? Commissioner Beard.

14  
15 Beard: That access that you're talking about off of Valley.

16  
17 Scanlon: Yes, sir.

18  
19 Beard: How wide is that access?

20  
21 Scanlon: It's 50-feet wide. It meets the requirements of a City street.

22  
23 Beard: 50-feet wide. Okay.

24  
25 Scanlon: It was ...

26  
27 Beard: And that right now is an irrigation ditch?

28  
29 Scanlon: I'm sorry?

30  
31 Beard: Is that right now an irrigation ditch you said?

32  
33 Scanlon: No, it's a paved area between the Caliche's property and the Farm Bureau  
34 property to the south of Caliche's.

35  
36 Beard: To the south, okay.

37  
38 Scanlon: So it lies ... it's a 50-foot wide strip that lies right in between those two  
39 properties.

40  
41 Beard: I got you. I was thinking about north. Okay.

42  
43 Scanlon: Right now there's a dumpster sitting right on the end of it.

44  
45 Beard: Okay.

46

- 1 Crane: Mr. Chairman.
- 2
- 3 Scholz: Yes, Commissioner Crane.
- 4
- 5 Crane: In the Public Works paragraph three of their letter of today, mentions  
6 determining feasibility of utilizing City parcel due to existing City  
7 infrastructure. And I wonder if they're talking about that drain you  
8 mentioned?
- 9
- 10 Scanlon: They are talking about that storm drain and it's very feasible to build this  
11 roadway over the top of that. In fact we're going to build a roadway over  
12 the top of that ... that box culvert enters the ... comes under Valley Drive  
13 right here and enters our property right here inside an easement. We're  
14 going to build a road right over the top of it all the way to here. And then  
15 there would be a drainage easement which will provide some access to ...  
16 cross access between this development and Burn Lake for pedestrian and  
17 bicycle access so that they can access the recreational facilities and so  
18 forth in there. The plan is to build right over the top of that box culvert.  
19 The box culvert is designed in such a way that that's not a hindrance to it  
20 at all. In fact makes it very convenient to build drop inlets and let storm  
21 water go right into the box culvert.
- 22
- 23 Crane: Thank you.
- 24
- 25 Scholz: Okay. I just have two questions. I don't have ... thank you for explaining  
26 the access point by the way.
- 27
- 28 Scanlon: Yes, sir.
- 29
- 30 Scholz: That was confusing and I don't think we were enlightened by Public Works  
31 there in their memo. My question is why put a subdivision ... that is, why  
32 put a residential subdivision in what is basically an industrial area?
- 33
- 34 Scanlon: Well it's kind of a transitional area. There is to the south is Brown Road  
35 which is a quite old and very well established rural sort of neighborhood.  
36 We will transition from that area with somewhat higher density residential  
37 area in here, transitioning then over to the industrial area. The idea in this  
38 day and age and this is a concept of what the buzz word they call new  
39 urbanism, is to try to keep traffic down by allowing people to live close to  
40 where they would work. And that's one of the newer concepts in planning  
41 that's kind of going around the country now is to get commercial areas and  
42 industrial areas closer to each other so you don't have them sprawled out  
43 in great big areas but they're in these pockets and people can live and  
44 work very close to, or work very close to where they live.
- 45
- 46 Scholz: Right, I can understand that.

- 1  
2 Scanlon: And there's another issue, we're trying to provide a development as far as  
3 the residential area that's very affordable. And this is one of the driving  
4 forces of that and the land area and being within the industrial area and  
5 having the ability to combine that with the industrial area allows us to  
6 make this residential development more affordable than we would be if we  
7 had to go out here on the East Mesa and buy vacant land and do it out  
8 there.  
9
- 10 Scholz: I see. Well, the other part of smart growth of course is to have commercial  
11 areas nearby and I don't see any commercial areas nearby.  
12
- 13 Scanlon: Well Wal-Mart right down the street. Fairly close.  
14
- 15 Scholz: Where is the Wal-Mart? It's on ...  
16
- 17 Scanlon: It's just on the other side of Avenida de Mesilla which is about right here.  
18 About right there.  
19
- 20 Scholz: Okay. Well I don't see that as a neighborhood. It's certainly not within  
21 walking distance. Okay. Well those were my concerns Mr. Scanlon. Any  
22 other questions for Mr. Scanlon? Okay, we'll open this to the public for  
23 discussion.  
24
- 25 Scanlon: Thank you.  
26
- 27 Scholz: And several people want to speak. What I'd like you to do is come up and  
28 identify yourself and then tell us what you think.  
29
- 30 Schwebke: My name is John Schwebke. I represent the Doña Ana County Farm  
31 Bureau which is the building south. And we have never been asked to talk  
32 to or anything about this development. I'm very well aware that road ...  
33 when I moved here in 1997 and I occupied that building it was a gravel  
34 spillway and City came through and put what do call, you dig up the  
35 blacktop on the street and you put another top, top coating or whatever  
36 they did and it became nice cause the dust didn't blow any more in that  
37 area.  
38 My concerns are a couple. It doesn't seem that this has to happen  
39 and have access to Valley Drive. I mean we're talking minimum 200 to  
40 300 to 400 cars daily basis in and out, in and out, in and out. And that  
41 already has a lot of cars in Caliche's and I'll speak to that in a minute  
42 because that I think is an institution we should not disturb in Las Cruces.  
43 But as far as we're concerned as a business, our entryway into our  
44 parking lot would be right adjacent to the street where it would come out. I  
45 just do not see how I can turn left going out when there are cars coming  
46 out turning right. We have enough space there with Caliche's that we've

1 developed patterns and people that use that, there's enough space that  
 2 they come out, they're about 20-feet away from where we are, 25-feet  
 3 away. So that's one concern. But I'm not opposed to development at all.  
 4 I really am for development. I see the drainage ditch or whatever we call  
 5 the lateral as a perfect buffer between Valley Drive and the businesses  
 6 along there and the development. And be able to use some other way to  
 7 get in and out of this property onto Amador which the perfect way would  
 8 be connecting with Seventeenth Street where there's a stop light already  
 9 and have that go across. And that would be a perfect place, stop light's  
 10 already there and somehow figure out how that could work, because that  
 11 would allow all the traffic to go onto Amador, left, right, straight across,  
 12 and whatever else. So that's my comment that that might be a possible  
 13 way to do something.

14 Also adding the buffer zone there with the lateral because you also  
 15 have a daycare center which is right next to our office and that was Farm  
 16 Bureau property which was sold so the daycare center could be put in  
 17 there. Again, I'm opposed to this only for the reason of the Valley Drive  
 18 entrance. And it may be possible and again I've tried to think of ways not  
 19 to be totally negative because I think that if you have a negative comment  
 20 you also should have a solution, try to come up with a solution. And I  
 21 think it may be acceptable to have a smaller street that would be one-way  
 22 into it. An entrance only, in, not coming out and in both. That would tend  
 23 to limit some of the traffic. As far as right now and what we have not  
 24 heard, nobody's sat down with us and talked to us about it, but we have a  
 25 lot of people in and out of that, in our parking lot every day. Right now I'd  
 26 like to see that eliminated from at the Valley Drive entrance. Other than  
 27 that I can see working with the person to develop the other property.

28  
 29 Scholz: Okay. Thank you Mr. Schwebke.

30  
 31 Crane: Mr. Chairman.

32  
 33 Scholz: Can you hold off until we hear from other people Mr. Scanlon?

34  
 35 Crane: May I ask Mr. Schwebke a question?

36  
 37 Scholz: Yes, certainly. Mr. Schwebke Commissioner Crane needs to ask you a  
 38 question. Sorry about that.

39  
 40 Crane: If there were a traffic light there would that meet your objections?

41  
 42 Schwebke: Well I guess except if there was a traffic light there how do we get out of  
 43 our driveway with the traffic light right next to it?

44  
 45 Crane: Maybe you could ... could you get access onto this new road that's  
 46 suggested? Could you come out ...?

- 1  
2 Schwebke: It might be possible. I mean it's ... you're going right out to it within 30-feet  
3 of the highway. In other words anywhere you come along there would be  
4 to the north and it would be right out. I mean that's just you know ...  
5  
6 Crane: You're on the corner of this suggested access road and Valley Drive?  
7  
8 Schwebke: We basically are between ... our parking lot and then there's that access  
9 road which I was told that was a right-of-way, City right-of-way which was  
10 ... and that what it was was a right-of-way. Initially it was for farm, farm  
11 equipment went down, across there and across the lateral to use that as  
12 farm land a lot of times and then also EBID uses it for work on the lateral.  
13  
14 Crane: Thank you.  
15  
16 Scholz: Okay. Yes, ma'am.  
17  
18 Fiebert: I'm Jude Fiebert. And Adam's going to show you where my house is. I  
19 think I'm the closest one to this proposal. I've got a swimming pool out  
20 back. I wrote a little blurb and a few of the neighbors got together with me  
21 and I'd like to read it to you. And I would also like for all our neighbors to  
22 stand up when I'm done, if they would.  
23 We the undersigned feel the quality of our lives will be drastically  
24 changed in a negative manner by this proposal. Most of us are retired and  
25 homebodies and have difficulties with the increasing traffic on Valley  
26 Drive. We feel the natural resources of the area are insufficient for the  
27 amount of industry and living conditions you are seeking. And I got a few  
28 of the neighbors that couldn't attend tonight; Bertie Douglas, she's at  
29 1407; Margaret Deen 1431; Elsie I think I see you here; Nelda Mansel  
30 1410; Rupert Mansel 1410; Cheryl Verdugo 1461; Susan Cranel 1906;  
31 and myself Jude Fiebert 1906. Paul (*inaudible*) is here and he told me to  
32 sign it but I don't think you should sign anybody else's name. We're  
33 worried about sewage and traffic and just living comfortably the way we  
34 have been for many many years. Thank you.  
35  
36 Scholz: Okay, ma'am. Would you ...  
37  
38 Crane: Mr. Chairman.  
39  
40 Scholz: Ma'am before you leave, yes, Commissioner Crane had a question and I  
41 also have a question. Would you spell your last name for me please?  
42  
43 Fiebert: F as in Frank, i e b e r t.  
44  
45 Scholz: Say again. Fi.  
46

1 Fiebert: E.  
2  
3 Scholz: E.  
4  
5 Fiebert: B for boy, ert. I used to have Jude's Birkenstock on Main Street.  
6  
7 Scholz: There we go. And you're address is?  
8  
9 Fiebert: 1906 Brown.  
10  
11 Scholz: Oh, you're on Brown, there we go. Thank you very much.  
12  
13 Fiebert: I'm on West Brown. It's a dirt road off of Brown.  
14  
15 Scholz: Right, I missed that. Okay. Commissioner Crane.  
16  
17 Crane: That was my question. I live on the poor side of Brown Road.  
18  
19 Fiebert: Poor side. I think I'm on the poor side.  
20  
21 Crane: Wrong side of the tracks. But it's nice to be in your neighborhood.  
22  
23 Fiebert: Thank you.  
24  
25 Crane: As I understand it there's no connection between Brown Road and I'm not  
26 suggesting there being any connection between Brown Road, West Brown  
27 Road and the new development, suggested development, right?  
28  
29 Fiebert: Well it's my backyard.  
30  
31 Crane: I see that, but the traffic is not going to come down Brown Road as far as  
32 you know.  
33  
34 Fiebert: Oh no but we can't get out of Brown Road now. My biggest fear, I wrote to  
35 Nathan Small and I said you know I think I'm going to starve to death in  
36 my car while I'm trying to go to the grocery cause I can't get out of the  
37 road.  
38  
39 Crane: Yeah, I've given up ...  
40  
41 Fiebert: I had a traffic ticket.  
42  
43 Crane: I turn north up Valley, do a U-turn and go south.  
44  
45 Fiebert: Well I was in the middle. I'm in the middle and a man was speeding and  
46 he went up onto the used car lot, got hung up, took the sign down, the

1 street sign, and I got the ticket. They said I didn't yield the right-of-way. It  
2 was dismissed.  
3  
4 Scholz: Okay. Thank you. Is there somebody else from the public? Yes, sir.  
5  
6 Avalon: I think I have a solution to your problem.  
7  
8 Scholz: Okay, you'll have to identify yourself first.  
9  
10 Avalon: My name is Anthony Avalon. I filed a memorandum today. I hope you  
11 folks ...  
12  
13 Scholz: You did. We got a copy of that sir. Yes. Thank you.  
14  
15 Avalon: The access problem is to take a careful look at Roundtree Place. You see  
16 that? Where's the ...  
17  
18 Scholz: You know the details on the map that we've been given are so small I  
19 couldn't identify most of the roads.  
20  
21 Avalon: Roundtree Place runs from ...  
22  
23 Scholz: Okay, you'll have to stay on the mike sir in order to be heard.  
24  
25 Avalon: Okay. You see Roundtree Place there?  
26  
27 Scholz: Yes.  
28  
29 Avalon: Okay, we own a parcel, a half acre parcel on the east side right about  
30 there.  
31  
32 Scholz: Okay.  
33  
34 Avalon: Roundtree Place was supposed to be completed by the owners of the  
35 property ... how do I get this to go? On the west side of Roundtree Place.  
36 And it includes a portion of the ... how do I get the arrow to go?  
37  
38 Scholz: Adam would you help this gentleman please?  
39  
40 Avalon: How do I get the arrow? Got to keep shaking it. Okay. The arrow is  
41 presently on a parcel identified in a replat filed by four owners. The replat  
42 was filed in 1990. And the owners on that replat was this triangular piece  
43 here. That triangular piece.  
44  
45 Scholz: Why does that arrow keep disappearing? Magic.  
46

1 Avalon: That triangular piece there and these three pieces to the east; one, two,  
2 three. The plat filed in 1990 proposed that what had originally been  
3 individual lots, 50 by 100-foot lots bordering on Roundtree be changed to  
4 this configuration. And my point here is to suggest to you that there is a  
5 solution to the access problem by using what should've been done on  
6 Roundtree Place. In 1990 or shortly thereafter when the City accepted the  
7 replat of this particular area, the replat was proposed by the owner of that  
8 triangular piece and those three lots that are on the west side of  
9 Roundtree. The legend on the replat simply stated that the, fine print once  
10 again, I can't find it in there. It's long winded and it says simply that these  
11 owners of the replat would do all the work required on Roundtree Place.  
12 The utilities being put in, the sewer line being put in, and unfortunately that  
13 was never followed up. These owners got the replat filed but the City  
14 never enforced the provision on the replat that these owners would do the  
15 job that they said they would do on Roundtree Place.

16 Now the reason why I'm here is that we're having difficulty  
17 developing on the east side of Roundtree. The problem is that the sewer  
18 line doesn't go all the way. It ends approximately where the pavement  
19 ends on Roundtree Place. It was never completed and it could be  
20 completed all the way down to the road that travels more or less east and  
21 west that they propose to cross over that City property and enter Valley  
22 Drive. Instead of that, do what they should've done on Roundtree Place.  
23 Make a turn on the road they propose now and feed the property that  
24 they're proposing as a mobile home park. That would solve the problem  
25 with a lot of concern, your concerns about access to Valley Drive, the  
26 need perhaps of a traffic light at that location, the problems that the Farm  
27 Bureau has. I've been on that site and I know they are concerned. You  
28 take 50-feet and make a roadway out of it and you put a light to any kind  
29 of traffic there, you've got a problem coming in and out of the Farm Bureau  
30 office. I think Caliche's will also have a problem with access in and out of  
31 their place although they have a quite a bit of frontage on Valley Drive.  
32 And so I tried to discover whether there's a way, a legal way of forcing the  
33 issue of requiring the owner of that triangular piece and those three  
34 parcels that face on Roundtree, they promised the City when they filed the  
35 replat that they would do what was required in Roundtree place. What  
36 was required was to continue the sewer line with the gas line, put the  
37 water line in and complete the paving. They never did. And I've inquired  
38 of the planning office and there's no way of enforcing that at this late  
39 stage. When I saw this proposal, it came to me as a way of requiring  
40 them now to do what they should've done shortly after 1990. Solved  
41 several problems with one simple solution. Do the job they should've  
42 done in 1990 or shortly thereafter, do a proper job on Roundtree. Use that  
43 as access to the rest of the property, and avoid any use of that 50-foot  
44 piece of land that takes you out to Valley Drive.

45  
46 Scholz: Okay, I have a question for you. Commissioner Crane.

1  
2 Crane: You're suggesting then that instead of having that access onto Valley  
3 Drive that we were speaking about a few minutes ago. That the second  
4 access to the parcel will be on Roundtree?  
5  
6 Avalon: I think so.  
7  
8 Crane: Yes, it would solve the one problem and I'm not sure it doesn't raise a  
9 worse one because of how close the junction of Roundtree to Amador is.  
10 You know they have a sign there telling traffic to stop to the light on Valley  
11 Drive, not to block Roundtree and that distance from the end of Roundtree  
12 to Valley Drive must be no more than 20, 25 yards I'd guess. If you have  
13 substantial amount of traffic coming out of there and trying to join Valley  
14 Drive and go right and left it's not going to be an improvement on what  
15 we've been discussing at the lower end.  
16  
17 Avalon: Yeah.  
18  
19 Crane: Regarding the rest of your proposal, yes, I think that whoever undertook to  
20 make improvements to Roundtree Drive should be held to do it, but it's  
21 probably too late now.  
22  
23 Avalon: I guess the Texans would say a rock and a hard place. That's where we  
24 are.  
25  
26 Crane: Something like that, yeah.  
27  
28 Scholz: Well, that's exactly what I was going to bring up Mr. Avalon. I've been at  
29 that intersection many times coming back from the landfill or the gas  
30 station out there and I've always tried to avoid blocking the street. But I  
31 realize that there would be no way for people coming out to go west on  
32 Amador. They have to cross Amador's traffic, and I think that would be  
33 impossible. There are just too many cars there.  
34  
35 Avalon: I think one of the solutions to that problem; I'm not a traffic engineer so I  
36 offer with (*inaudible*).  
37  
38 Scholz: We have a traffic engineer sitting in the back as a matter of fact.  
39  
40 Avalon: Well great, maybe he'll solve it. A one-way street there would do the trick.  
41 In other words, just come in, travel from north to south and then you come  
42 out and go through whatever roads they proposed in the subdivision. And  
43 I think that would probably be a solution to a lot of other problems.  
44

1 Scholz: Well Mr. Schwebke suggested the same thing I think for that strip of land  
2 that the City owns, the 50-foot wide parcel. Anyway, I appreciate your  
3 information. Thank you very much.  
4

5 Avalon: Right.  
6

7 Scholz: And someone else from the public? Yes, sir.  
8

9 Turner: Yes, my name is Paul Turner. I've resided at 1510 Brown Road for well in  
10 excess of 30 years. I moved there in '75. What attracted me to it of  
11 course is the semi-rural nature of it and the pecan trees and things like  
12 that. But I can guarantee you that things have changed since 1986 in  
13 terms of traffic on Valley Drive. In terms of north, south, certainly Wal-  
14 Mart coming in and a few other things taking place. County building out  
15 on ...  
16

17 Scholz: Stay closer to the mike please, sir.  
18

19 Turner: I'll try to.  
20

21 Scholz: Thank you.  
22

23 Turner: But any way traffic has become extremely heavy. Anyone trying to exit  
24 out of this area onto Valley Drive and going north would have to turn right.  
25 They would not realistically be able to turn left and turn back to the north  
26 most of the time or at least during heavy traffic times. Which basically  
27 means they would go south and then try to find a place to make a U-turn  
28 back onto Valley which is essentially what we have to do on Brown Road  
29 already. Everybody going north from the car dealerships essentially that  
30 want to go back south make a U-turn at Brown Road to go back to the  
31 south. So that's already a real congested area in there. It's going to get  
32 worse. I can guarantee you. If you put that development in and you put  
33 an access to Valley Drive, I would predict you will have accidents galore.  
34 You have police and fire access. If you have that access there, that's the  
35 logical place for them to come in. They will have difficulty coming in I  
36 would think under many circumstances simply because of the heavy  
37 traffic. Now granted they're supposed to yield to those people but the  
38 traffic going north and south on Valley at this point is becoming extremely  
39 heavy. You have an ambulance site just south of Amador, or south of  
40 Brown Road on Valley that has to come and go north on Valley commonly.

41 So you've got a real congested area there. The idea of putting a  
42 light in and I agree with Commissioner Crane is impractical at that point.  
43 The traffic commonly backs up for a block or more trying to turn right to go  
44 south on Valley off of Amador already. You add 200 homes in there and  
45 try to figure out a way to get them in and out of there, I can't imagine how  
46 that would work. If I were looking at living in a mobile home and looked at

1 this area realistically and I used to live in a mobile home for several years  
 2 when I was a student and when I first moved to Las Cruces, I don't think  
 3 they would be very happy with the idea of how they would be able to get in  
 4 and out of that high density area in terms of a lot of people in those areas.  
 5 They might think it was okay to start with until they tried to do it during the  
 6 times that they needed to get to school or get to business or get to work or  
 7 whatever. So I just feel that the concentration of units there and the  
 8 number of people that would be there way exceed the ability, using any  
 9 solution and I commend the City works and the traffic people associated  
 10 with that, of trying to figure out a way to do it. I defy them to be able to do  
 11 it in a way that would be safe and efficient. I would be extremely surprised  
 12 if the City or anyone else could find a way to access that area safely  
 13 without creating a lot more congestion that already exists. And I would  
 14 recommend that you table the issue at this point until you see what the  
 15 City feels is possible or traffic thinks is possible to do there. But I certainly  
 16 don't think that you can put them onto Amador close to that Amador/Valley  
 17 intersection and trying to put them in between Caliche's and the Farm  
 18 Bureau with the nursery immediately to the south where there's already a  
 19 barrier for making left turns already and expect people to be able to go  
 20 north and south there is unrealistic.

21  
 22 Scholz: Okay. Thank you Mr. Turner. Someone else?

23  
 24 Hutchinson: Mr. Chair, Commissioners. My name is Tom Hutchinson. I own the  
 25 property on the north side of this proposed unit development right about in  
 26 here. It's a little 10,000 square foot warehouse that was part of the old  
 27 Border foods. I've taken a look at this project. It looks pretty well thought  
 28 out to me. There's obvious some misuse regarding access that need to  
 29 be explored and looked at, but in terms of land use, you know this is  
 30 probably not a bad idea for an area that needs redevelopment. You know  
 31 it's pretty much of an eyesore now. I would very much urge you to support  
 32 this land concept with the caveat that we understand these access issues  
 33 a little bit better.

34 Now, I will tell you there's a neighborhood down to the south of this  
 35 that has access out onto Valley. You know it's a neighborhood just north  
 36 of the old Dairy Queen. Where Murphy's is now. And it has access there  
 37 and it also has access by McDonald's. And there are probably a couple  
 38 hundred homes there. No light supports it on Valley. There is a light at  
 39 McDonald's now, but it wasn't when that neighborhood was put in. So as  
 40 an example of how you can have residential property in and around this  
 41 area, I would urge you to get out and take a look at how that worked and  
 42 see what the issues were in regard to that. But I would respectfully urge  
 43 the Commission to adopt this concept. Thank you.

44  
 45 Scholz: Okay. Thank you Mr. Hutchinson.

46

- 1 Hill: My name is Scott Hill. I own the property, the batwing property there and I  
 2 live at 1550 Brown Road. You know we'd all like to keep the same open  
 3 space that we've always had but I realize that's not feasible you know  
 4 forever. But I don't believe you can put six units per acre in there  
 5 effectively without doing a lot more study than has already been done.  
 6 And I would strongly recommend that you get a study done that would  
 7 impact the traffic analysis and all that before we move forward. The man  
 8 spends a lot more money doing what he's doing. So we can actually have  
 9 some feeling that it's going to happen. Put 200 more homes in that area is  
 10 just not workable. You know all along Brown there's one house per three-  
 11 quarter's acre, that sort of thing. Now you're going to put six units per  
 12 acre. That's not reasonable transition zone if you want. Thank you.
- 13 Scholz: Thank you. All right. If there's no one else to speak for the public, I'm  
 14 going to ... Mr. Schwebke you had a second bite at the apple here. All  
 15 right. Yes, speak right to the microphone please.
- 16 Schwebke: Explained that one development ...
- 17 Scholz: Stay on the mike please Mr. Schwebke.
- 18 Schwebke: Explained that one development, but they also have access out into  
 19 Avenida de Mesilla through the back roads and around. So they can get  
 20 out by McDonald's there. Cause I sometimes cut that way to get around  
 21 the corner of Valley and Avenida de Mesilla because that's a busy corner  
 22 now a days. I do think there's also another piece of property to the north  
 23 of Caliche's. If you look along Valley Drive there it's about 75 feet wide or  
 24 less they've got an ice making place there now and a place that sells  
 25 cheap tobacco or whatever. But if an access could come out there, I  
 26 mean it's really nothing along in that area and maybe make it just one turn  
 27 only. Right turn going south would be the access that could be gotten that  
 28 way. Again, the access to Valley is really a problem. I do think Amador is  
 29 the solution, especially on Seventeenth Street coming across. There's  
 30 already a stop light there and that would improve the access to the Burn  
 31 Lake, to the soccer fields, everything would be accomplished with one  
 32 road. So that's my comment.
- 33 Scholz: Okay. Mr. Scanlon you had a comment or a question, I don't recall.
- 34 Scanlon: I did, some clarifications Mr. Chairman, and try to answer some of the  
 35 questions and concerns that the public has brought out. Starting with Mr.  
 36 Schwebke's concerns about access. His property is this piece right here.  
 37 This is the strip, the City right-of-way right here. In building a roadway in  
 38 and out of the development at this location, we're going to be required to  
 39 do a lot of work to Valley Drive. We're going to have to build new curb and  
 40 gutters and some new sidewalks and new traffic lanes, right turn lanes  
 41  
 42  
 43  
 44  
 45  
 46

1 and so forth in Valley Drive. At the time that we do that, we will be  
2 compelled to work with the Farm Bureau and with the owners of the  
3 Caliche's property to basically completely rebuild their access. And in  
4 building this new street, we'll build them new drive pads along this part of  
5 their property where they can get out, in and out of their property  
6 accessing this street. New drive pads along Valley Drive where their  
7 existing accesses are, and just really clean up that whole thing. As you  
8 may be aware, if you've been out there, there are no curb and gutters  
9 along here in front of Caliche's and it's kind of a free for all because there's  
10 no median out in the middle of Valley Drive either. And so cars just turn  
11 willy-nilly wherever they are. So there's no channelization or control of  
12 where the cars turn, and where they ingress and egress the properties.  
13 And this'll be a golden opportunity for us to be able to clean up that  
14 situation and get more control over how traffic actually flows and how  
15 access in and out of these properties actually occurs.

16 As far as his issue with the lateral, the Porter Lateral runs along the  
17 property where I'm tracing the cursor right now. It has been recently  
18 buried in a pipe by the EBID but a right-of-way exists in there of varying  
19 widths. This right-of-way has become part of the City's proposed and trail  
20 system that they're working on for pedestrian trails, and bike trails and so  
21 forth. We have agreed to work with the Facilities Department and with the  
22 MPO people on helping to develop cross access between this  
23 development and that trail system so it could be utilized also. Just like  
24 we're going to be doing toward the area where we can access directly to  
25 the Burn Lake recreational area and make a real nice situation where  
26 people can actually access these amenities and these trail systems and  
27 recreational areas.

28 As far as the access from Seventeenth Street. This is the  
29 Seventeenth Street intersection right here and it does have a traffic signal  
30 on it. And there are talks underway between the City, between the  
31 Facilities Department, Parks and Recreation, and Public Works and the  
32 property owner on this property right here to actually extend Seventeenth  
33 Street down through that property and down in here into Burn Lake as the  
34 primary access to the Burn Lake recreation area. And that would be a  
35 major roadway. Our plan is designed to account for that and you'll see  
36 within this ... this is our industrial area right here. Right now we've got a  
37 cul-de-sac here but we've also got an easement that if this roadway  
38 Seventeenth Street is extended in there, we can actually then access in  
39 the future over to that roadway from within this development. That would  
40 take some of the load off of Pioneer Place and could feasibly you know  
41 affect all the patterns within here.

42 As far as it was brought up there was a mention or a question as to  
43 whether or not we would be trying to send any traffic back and forth to  
44 Brown Road. And that is absolutely not the case. This concept plan  
45 shows a cul-de-sac terminating on this lower piece of the property right  
46 down in this area. I would want to clarify though that we had a

1 neighborhood meeting with a number of the people from the neighborhood  
2 about a week ago. In fact, it was a week ago tonight. And at that meeting  
3 a couple of the property owners expressed an interest in perhaps  
4 purchasing this entire parcel of land right here so that it could be kept in  
5 farm land. The gentleman, Mr. Hill I believe, lives on this side of the  
6 lateral and has a pecan orchard, and then Mr. Altimirano has a farm that  
7 he occupies that's in this area and he's actually been farming this piece of  
8 property for a number of years because it lies at a lower elevation and  
9 really isn't attached topographically very well to the rest of the property up  
10 in this area. And right now my client is working with his bank on trying to  
11 determine a release price because this land is part of the overall mortgage  
12 of the entire 50 some acres and determining a release price that the bank  
13 will agree with so that he could sell this property to one or more of these  
14 adjacent owners and at which time then we could eliminate it completely  
15 from the development and our property development then would not be  
16 any closer than that point right there to Brown Road at all. It would also  
17 presuppose any possibility of traffic or roadway ever being extended down  
18 to Brown Road by any developers or the City or anyone else. So that's a  
19 real strong possibility that we'll be able to sell this piece of this overall  
20 development to one or more of these adjacent property owners and clear  
21 that up. And then they can utilize it as farm land and it would just be a  
22 better use. It's not a real very, real good piece of development property  
23 anyways, cause single loaded on one side of the street and would be  
24 pretty expensive to develop that piece of property right there for the yield it  
25 would get out of it.

26 With respect to Mr. Avalon's idea about Roundtree Place. This was  
27 discussed very early on and Commissioner Crane and Commissioner  
28 Scholz are absolutely correct about the fact that it's only about 80 feet  
29 from this intersection over to Valley Drive and it's just an absolute  
30 nightmare trying to get in and out of there. Right now there's very little  
31 traffic in and out of Roundtree Place and it works fairly well with the fact  
32 that they've got a sign there that says don't block the intersection, so that  
33 people can actually can get out into there when the light's red. But if you  
34 added a significant amount of traffic to that intersection right there it would  
35 become an absolute nightmare. It'd be absolutely unusable and wouldn't  
36 work at all.

37 I think the other concerns that were expressed really have to do  
38 with traffic on Valley Drive. And you know we're a growing community and  
39 with that we get more and more traffic on our streets all the time. I mean if  
40 we're growing at two and half percent per year or somewhere in that area,  
41 we're going to have two and half percent more traffic on our streets as  
42 time goes by. That's why we build new roadways in areas that relieve the  
43 traffic. I can remember just not too long ago the traffic on Roadrunner  
44 Parkway between Lohman and Highway 70 was just a lot of traffic. They  
45 built Sonoma Ranch Boulevard to connect between Lohman and Highway  
46 70 and that just relieved a lot of that traffic and now it balances out. So,

1 you know all around town in areas where ... if traffic became so congested  
2 on Valley Drive that it became unmanageable or dangerous, then the City  
3 or the state highway department would start looking for alternative routes  
4 to move that traffic on. It hasn't gotten to that point yet. It's kind of  
5 onerous at certain times of the day I think for the people, the times of day  
6 that they're wanting to enter and exit is the time of day where you have the  
7 most traffic on adjacent streets. And so it's part of being in an urban  
8 environment I think. But as I said I think as the City grows and as traffic  
9 grows then we start looking for alternatives to those roadways that are  
10 becoming too congested to work.

11  
12 Scholz: Okay. Thank you Mr. Scanlon. I haven't closed this to the public yet. I  
13 think we're running a little slow tonight. Ms. Geiger you had a comment?

14  
15 Geiger: Sandy Geiger. Good evening Commissioners. I just have a couple of  
16 observations. Planned Unit Development is a zone change. This was  
17 originally zoned industrial I believe, M-1, M-2. So with the zone change  
18 there has to be some indication of a change in condition or a change in  
19 circumstance or a change in the neighborhood to give rationale for why  
20 the change should occur. Secondly, with a PUD it's my understanding  
21 with the City that along with a PUD, a Planned Unit Development comes  
22 some offering by the developer of amenities to the City. Now Mr. Scanlon  
23 mentioned some trails that would connect, but I think in a concept plan if  
24 you're moving forward with a Planned Unit Development that you should  
25 show ... I mean this should be the basis for convincing a Commissioner or  
26 Council that your plan is indeed a good one for the City, to show those  
27 amenities. Where are the parks, where are the trails, etc. He's asking for  
28 177 or 200 mobile homes, roughly six to the acre, 400 people, 1,770  
29 vehicles trips per day. I think the Commission is in its right to ask for a  
30 traffic impact analysis and to figure out the traffic with a development like  
31 this. Thank you very much.

32  
33 Scholz: Thank you. Okay, I'm going to close this for public comment. Mr. Scanlon  
34 you had a rebuttal?

35  
36 Scanlon: I do. Just very quickly. Ms. Geiger is correct. This is a zone change.  
37 However, the areas that were zoned industrial are not changing. We're  
38 still staying with the exact same land use as those areas that were zoned  
39 industrial. We're changing a parcel that was previously zoned PUD to an  
40 industrial parcel. These areas in here, the existing zoning on this is  
41 actually PUD. There was a PUD done on this in 1986 I believe and it was  
42 for an apartment use. Seems to me like it was some 700 apartments that  
43 they were planning on putting in this area right here and through this  
44 access. Obviously, we've reduced that impact by a factor of three or  
45 more. But that was actually what the PUD was on this residential area,  
46 was for, I believe it was around 700 apartment units.

1 As far as public benefit, if you read the documents and the notes  
 2 that are on the documents there are a number of public benefits that we  
 3 have agreed to provide as a part of this development. One of them being  
 4 working with the City on expanding ... right now there's a little drainage  
 5 area, or little drainage pond right here in the Burn Lake area. The overall  
 6 master plan for Burn Lake contemplates expanding that pond to this much  
 7 larger area where it would hold some 80 or 83 acre feet I believe. Part of  
 8 our public benefit is to work with the City on expanding that ponding area.  
 9 Another public benefit that we will be doing, is adding a bus stop and a  
 10 bus shelter right here at the corner of Pioneer Place and Amador. There  
 11 are some others that we've looked at doing some landscaping in the form  
 12 of a large berm with earth material that's taken out of this pond, build a  
 13 large berm across here and landscape that in a manner where it would  
 14 screen the recreation area from the residential areas in a nice way and  
 15 provide another amenity in the means of some trails and things on that.  
 16 So there are a number of things that we've been working with the facilities  
 17 and parks and recreation people as well as with the MPO people and  
 18 facilities people, others, public works people, on some benefits in  
 19 exchange for the PUD zoning. So we've done a lot of work on that. And  
 20 those benefits and options are all outlined on this concept plan within the  
 21 notes on that.

22  
 23 Scholz: Okay. Thank you Mr. Scanlon. All right, I'm going to close this to public  
 24 discussion. Commissioners, what is your will? Commissioner Crane.  
 25 You have that look on your face.

26  
 27 Crane: What look is that Mr. Chairman?

28  
 29 Scholz: It's sort of like a deep thought I think.

30  
 31 Crane: It seems appropriate. Yeah.

32  
 33 Scholz: Go ahead.

34  
 35 Crane: Perhaps Mr. Ochoa can help us out here. There are all kinds of concerns  
 36 on the part of the public and the Commission about this suggested PUD.  
 37 I'm wondering what harm is done if we vote to approve it at present given  
 38 that there are all kinds of conditions already hanging on it, so that the  
 39 process can proceed. I imagine at the moment it is more detailed design,  
 40 and then later on there'll be other opportunities for before ground is broken  
 41 for the City, possibly this Commission to decide whether or not it meets  
 42 the needs of the public. If things can proceed without going in a direction  
 43 that nobody wants for the moment, then I'm inclined to vote for this, but I  
 44 need a little guidance. Do you get my drift Mr. Ochoa?  
 45

- 1 Ochoa: I believe so. Mr. Chairman, Commissioner Crane if you do vote this to go  
2 forward it may be something to possibly like I said before condition for any  
3 access issues to be ... for the Villa Amador PUD proposal be I guess if  
4 you will fixed and in compliance with what Public Works has in mind prior  
5 to City Council or something like that, other than that ... the main issue is  
6 basically the access issue. So as long as that gets taken care of I believe  
7 we should be fine sir.  
8
- 9 Crane: Thank you.
- 10  
11 Scholz: Other Commissioners? Commissioner Beard.
- 12  
13 Beard: I'm ... I really don't know. I would like to see Seventeenth Street extended  
14 across, several of us would like to see that, but that's only a pipe dream  
15 right now. And if we go ahead and approve this it means sort of we're  
16 going to proceed with these mobile homes.  
17
- 18 Crane: And that would be two accesses off Amador and none off Valley Drive,  
19 right?  
20
- 21 Beard: Right. Right. With a stop, yeah.
- 22  
23 Crane: It seems to me it's got to have an access to the north and access to the  
24 east.  
25
- 26 Beard: Yeah.
- 27  
28 Crane: I feel that this Valley Drive situation can be solved as Mr. Scanlon said,  
29 they've got to redesign that intersection so that there will be right turn  
30 lanes and possibly acceleration lanes and perhaps a light. As I said my  
31 inclination is to let them proceed with the understanding and I think I have  
32 it right that there will be another stopping point at which approval is  
33 granted before ground gets broken, concrete gets poured, asphalt gets  
34 rolled, right?  
35
- 36 Scholz: Commissioner Bustos, I haven't heard from you.
- 37  
38 Bustos: Well I just ... I'm sitting here wondering ... I just don't know. I know the  
39 access points are the issues, but I think until they're solved ... I mean I  
40 would like to see Seventeenth Street you know be factored in, but like  
41 Commissioner Crane said I mean if we can get something hooked up with  
42 Valley Drive I think that would solve a lot of it.  
43
- 44 Scholz: Well I see the problem as access as well and I'm not sure that the  
45 reassurances that I've gotten from Mr. Scanlon or the possibilities of  
46 extending Seventeenth Street and the like, have convinced me that this is

- 1 workable. I don't see any problem with the industrial development, you  
2 know that can certainly have access off of Pioneer Place, but I really can't  
3 see that this residential development has the kind of access that it should  
4 have. I think, I know what traffic on Valley is like, I've driven it many times.  
5 I've always been very cautious pulling out of Caliche's so I don't get you  
6 know hit by somebody who's cutting across the median and doesn't see  
7 me. And you know this is a continuing problem and I don't see that we've  
8 actually figured out how to do this. I'm inclined to wait for a traffic impact  
9 analysis. I would as a matter of fact vote to postpone this until we see  
10 such a traffic impact analysis and then act accordingly. I'm not sure  
11 there's time pressure on this to do this development, at least I didn't get  
12 that impression. Commissioner Beard.
- 13
- 14 Beard: I agree with you wholeheartedly. One of our ... not only do we look at the  
15 codes, see if people are doing their codes right, but we do listen to the  
16 people and we had a lot of people complain about the future if this were to  
17 go ahead without making proper access into and out of this development.  
18 I think tabling it would be in order also.
- 19
- 20 Scholz: Well either tabling it or postpone. We could postpone to a specific date  
21 you know if in fact some of these things could be resolved by the next  
22 meeting, that would be fine with me. Then we could you know bring it  
23 back. Mr. Abrams, you have an opinion, a legal opinion I trust.
- 24
- 25 Abrams: Well probably less than that. Jared Abrams, City Legal. The applicant's  
26 indicated that he's not interested in postponement. He does have a right  
27 to an up and down vote. I mean it's a due process issue. So even if it  
28 looks like it's going to fail.
- 29
- 30 Scholz: Okay. Stay closer to the mike would you Jared please.
- 31
- 32 Beard: I didn't hear that.
- 33
- 34 Crane: Couldn't hear you Mr. Abrams.
- 35
- 36 Scholz: Yeah, say again.
- 37
- 38 Abrams: Okay. It appears the applicant wishes an up or down vote. I mean he has  
39 that right, it's a due process issue.
- 40
- 41 Scholz: Okay.
- 42
- 43 Abrams: You know unless he allows you to postpone it, you've got to vote on it.
- 44
- 45 Scholz: Yes, I understand. Okay gentlemen. I'll entertain a motion to approve.  
46 Mr. Ochoa has a word to give us here.

1  
2 Ochoa: Yes, sir, if I may interject Mr. Chairman. When it comes to the traffic  
3 impact analysis it has been stated that a TIA will be done during the final  
4 site plan approval for this concept plan I believe some preliminary  
5 numbers were done for traffic for the concept plan so a Traffic Impact  
6 Analysis will be in the works for the final site plan.  
7  
8 Scholz: Okay.  
9  
10 Ochoa: Required, better yet. Sorry.  
11  
12 Scholz: Commissioner Beard.  
13  
14 Beard: A question on that.  
15  
16 Scholz: Mr. Ochoa.  
17  
18 Beard: The Traffic Impact study will be based on this number of mobile homes  
19 that are going into this particular project?  
20  
21 Soriano: Commissioners, Dan Soriano, Traffic Engineer for the City. Yes, to  
22 answer your question, Commissioner Beard, yes. The final Traffic Impact  
23 Analysis will be based on basically the number of units he's planning to  
24 put into the development and the industrial area as well. He has provided  
25 some ... Mr. Scanlon has provided preliminary numbers at my request per  
26 the concept plan and he has given us an idea of what traffic is going to do  
27 at the Amador access as well as the Valley access. Now keep in mind  
28 that we are not going to allow any access that's operating at an  
29 unacceptable level of service. We won't do that. If the TIA demonstrates  
30 that there are problems with certain movements in and out at a certain  
31 access, there are a number of things we can require; we can require  
32 medians being built so that it prohibits lefts out or only right in, right out.  
33 Any kind of combination of things like that. But we haven't gotten to that  
34 point as far as traffic analysis because the final TIA has not been  
35 developed yet. Now he'll have an opportunity to do that with the final site  
36 plan. And again, that'll give another point to catch and basically work with  
37 the developer on improving access points. I understand the issues around  
38 Valley Drive because it is a very busy street during peak hour, but then  
39 there are a lot of arterials around the City that operate at a level of service  
40 probably E or worse during peak hours. So, that's the whole basis for the  
41 TIA. It's going to give us an idea or it's basically going to give a little better  
42 idea of how well the access points are going to operate. Now we have a  
43 standard of C or better. Level of service C or better is what they have to  
44 demonstrate and if they can't demonstrate level service C or better they  
45 have to make some changes; downsize the development, make  
46 improvements on the roadway, whatever it takes to bring it to a level of

- 1 service C or better. We will not allow an access to operate at a level of  
2 service D or lower when the development is fully built out. If that hopefully  
3 answers your question. But there is going to be an opportunity again for  
4 City staff to review the traffic impacts on Amador and Valley Drive when  
5 Mr. Scanlon develops the final Traffic Impact Analysis.  
6
- 7 Beard: And then that would come back to us for approval?  
8
- 9 Soriano: Yes, sir.  
10
- 11 Scholz: Okay, thanks Mr. Soriano. All right, I'll entertain a motion to approve with  
12 the conditions. The conditions as sited were ... I didn't see the conditions.  
13
- 14 Crane: How about the ones in the memo from Public Works dated today, from  
15 Loretta Reyes?  
16
- 17 Scholz: Mr. Ochoa, we need an opinion here. Do we include the conditions if we  
18 are voting to approve this project, do we include the conditions of the  
19 memo of Tuesday the 23rd, that's today, from Public Works?  
20
- 21 Hembree: Chairman Scholz, Commissioners, that is correct. So, basically the TIA  
22 would actually be analyzed as we've discussed, during the final site plan  
23 process. As we stated based upon the public works review of the project,  
24 and evidenced by the letter that you received via e-mail, that the  
25 Community Development Department would be comfortable moving  
26 forward with it conditioning that access issues be dealt with prior to this  
27 concept plan going forth to City Council, and that would be a condition that  
28 we would be comfortable with. I just wanted to clarify that for you  
29 Chairman.  
30
- 31 Scholz: Okay. All right I'll entertain a motion to approve.  
32
- 33 Crane: So moved with the condition that the six concerns of Public Works in the  
34 Loretta Reyes memo of February 23rd be addressed.  
35
- 36 Scholz: Okay, is there a second?  
37
- 38 Beard: I second it.  
39
- 40 Scholz: Okay, it's been moved and seconded. I'll call the role. Commissioner  
41 Crane.  
42
- 43 Crane: Aye findings, discussion, and site visit.  
44
- 45 Scholz: Commissioner Bustos.  
46

1 Bustos: Aye findings and discussion.

2

3 Scholz: Commissioner Beard.

4

5 Beard: Aye findings, discussions, and site visit.

6

7 Scholz: And the chair votes no for findings, discussion, and site visit. So it passes  
8 three to one. Because of the time I'm going to call a 15-minute recess  
9 here. We're going to reconvene at 10 minutes after eight.

10

11 15 MINUTE RECESS/BREAK.

12

13 3. **Case IDP-39:** A request for an infill development for 0.224 +/- acres zoned R-  
14 1a (Single-Family Medium Density) and located at 1680 E. Griggs. The  
15 applicant is proposing to replat the subject property comprised of three (3)  
16 lots into two (2) single-family residential lots. One of the replatted lots will  
17 contain an existing single-family dwelling. The remaining replatted lot is  
18 vacant and is proposed to have a single-family dwelling constructed on it.  
19 The proposed vacant lot will be 4617 +/- square feet in size and will require a  
20 variance of 383 +/- square feet from the minimum required lot size of 5000  
21 square feet. Submitted by Jose L. & Haydee L. Martinez, property owners

22

23 Scholz: All right, I'm going to call this meeting back to order. If you'd please take  
24 your seats gentlemen. Our next case is Case IDP-39 and Mr. Ochoa,  
25 you're up.

26

27 Ochoa: For the record Adam Ochoa, Community Development. Next case tonight  
28 gentlemen is Case IDP-39, it's an infill development proposal for property  
29 located at 1680 E. Griggs Avenue. The subject property is located like I  
30 said at 1680 E. Griggs Avenue and is zoned R-1A which is single-family  
31 medium density. The subject property currently exists of three underlying  
32 separate lots that encompass a total of 0.224 acres. The applicant seeks  
33 to replat the three existing lots. Lot 13, 14, and 15 of the Gramercy Park  
34 tract into two new lots, lot 15A and 15B. The first lot, lot 15A will contain  
35 an existing single-family dwelling that has access to Griggs Avenue. Lot  
36 15A will follow all development standards for R-1a pursuant to the 2001  
37 Zoning Code as amended. The second lot, lot 15B will be a vacant lot that  
38 will be used for the purpose of constructing a new single-family dwelling.  
39 Lot 15B will have direct access to Doña Ana Street since this property is  
40 located on the corner of Doña Ana and Griggs.

41

42 The applicant seeks a deviation tonight from the R-1a development  
43 standards for the new vacant lot 15B. R-1a zoning district requires a  
44 minimum lot size of 5,000 square feet. The applicant is proposing that lot  
45 15B be approximately 4,617 square feet in size. The proposed new lot will  
46 deviate approximately 383 square feet from the required minimum lot size  
of 5,000 square feet. The applicant has stated that all other development

**Adam Ochoa**

---

**From:** Loretta Reyes  
**Sent:** Tuesday, February 23, 2010 5:11 PM  
**To:** Mike Johnson; Adam Ochoa  
**Cc:** Natasha Billy  
**Subject:** Villa Amador  
Adam

Public Works will provide a conditional approval with the following conditions. If there are any questions or concerns, please direct them to Mike Johnson.

1. Until such time that it is decided that the City Parcel can be used as a roadway to access the development subdivision, the Engineer shall designate it as a "proposed access" on the concept plan.
2. The TIA shall be provided at the Final Site Plan submittal.
3. Use of the City parcel as a roadway/public ROW is contingent upon the review of the TIA and further discussions with the Public Works Department to determine the feasibility of utilizing the City parcel due to existing City infrastructure. If it is decided that the City parcel can be used as a roadway, the Engineer must work with the adjacent property owners to ensure that there are no adverse impacts to their property/businesses. The developer is responsible for replatting the parcel as public right-of-way.
4. At Final Site Plan submittal, the Engineer shall provide written confirmation that the Engineer has notified the property owners adjacent to the City parcel of the potential use of the City parcel as a roadway.
5. If the City parcel cannot be used for primary access to the private subdivision based on the listed conditions, the Developer must designate another access point as their primary access to their development and find another secondary access for their development.
6. There must be an agreement with the City to use the City's future detention facility.

Thank you.

*Loretta M. Reyes, P.E.*  
Engineering Services Administrator

*City of Las Cruces, Public Works Department*  
*P.O. Box 20000*  
*Las Cruces, NM 88004*  
*Voice (575) 528-3171 Fax (575) 528-3110*

1 **DEVELOPMENT REVIEW COMMITTEE**

2  
3  
4 Following are the verbatim minutes of the City of Las Cruces Development Review  
5 Committee meeting held on Wednesday, February 10, 2010 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:** Tom Murphy, for Cheryl Rodriguez, Community Development  
9 Meei Montoya, Utilities  
10 Mark Johnston, Facilities  
11 Mark Dubbin for Travis Brown, Fire Dept.  
12 Loretta Reyes, Public Works  
13

14 **STAFF PRESENT:** Gary Hembree, Community Development  
15 Helen Revels, Community Development  
16 Adam Ochoa, Community Development  
17 Natashia Billy, Public Works  
18 Claudia Diaz, Public Works  
19 Dan Soriano, Public Works  
20 Bill Hamm, Land Management  
21 Catherine Duarte, Land Management  
22 Lora Dunlap, Recording Secretary  
23

24 **OTHERS PRESENT:** Ted Scanlon, Scanlon White, Inc.  
25 Steve Peale, Scanlon White Inc.  
26 Matt Kenney, DVI  
27 John Moscato, Bright View Land Co.  
28 Kurt Clifton, DVI  
29

30 **I. CALL TO ORDER (9:03 am)**

31  
32 Murphy: I'm going to get started here everyone; 9:03 call to order the  
33 Wednesday, February 10, 2010 meeting of the Development Review  
34 Committee.  
35

36 **II. APPROVAL OF MINUTES – NONE**

37  
38 Murphy: We have no approval of minutes.  
39

40 **III. OLD BUSINESS**

41  
42 **1. CASE PUD-09-04: Villa Amador**

43 A request for approval of a concept plan for a Planned Unit Development  
44 (PUD) known as Villa Amador. The subject properties are located south of  
45 Amador Avenue and west of Valley Drive. The subject property  
46 encompasses 54.383 +/- acres and is zoned M-1/M-2 (Industrial Standard)  
47 and PUD (Planned Unit Development). The proposed PUD will entail three

1 (3) parcels: Parcel 1 will encompass 7.311 +/- acres and is proposed for  
 2 Industrial Light; Parcel 2 will encompass 18.263 +/- acres and is also  
 3 proposed for Industrial Light; and, Parcel 3 which will encompass 28.808 +/-  
 4 acres and is proposed for a Mobile Home/Manufactured Home Subdivision.  
 5 Submitted by Scanlon White, Inc. for IFL, LLC, property owner.  
 6

7 Murphy: The first item on the agenda is old business Case PUD-09-04, Villa  
 8 Amador. We entertained this case last week. We were... we  
 9 deferred... we continued it to this meeting and for the applicant to put  
 10 together some additional information for this committee. Staff could  
 11 you give us an update on the... on what's new with this case?  
 12

13 Ochoa: Adam Ochoa, Community Development. The letter was turned into  
 14 staff for the NMDOT approval. From the last meeting I believe that  
 15 was one of the issues from the last meeting with Community  
 16 Development. I was not present at the last meeting so any other  
 17 issues I guess I'll defer to Gary or anybody else that had any other  
 18 issues that were discussed at that meeting.  
 19

20 Murphy: And would the applicant I guess care to also update us on the case?  
 21

22 Scanlon: I wouldn't have recognized you until you started talking.  
 23

24 Murphy: I look the same from the front.  
 25

26 Scanlon: The only other issue that we had last week was with respect to the  
 27 strip of land that we are planning on using for a roadway from Valley  
 28 Drive into the development. We did find the original deeds to... from  
 29 Westmoreland and others to the City on that and there is nothing in  
 30 those deeds that would preclude using that as a roadway so we  
 31 believe it's fine for that purpose.  
 32

33 Murphy: Okay, let's I guess go around the table, start with Public Works.  
 34

35 Reyes: Loretta Reyes, Public Works. Those are Quit Claim deeds and there  
 36 was... we were told that there was a statement of intent and there was  
 37 no statement of intent on those deeds that that particular parcel was  
 38 reserved for a roadway, so I want to make that for the record.

39 I brought this forward to the Public Works Director, actually  
 40 myself and Bill Hamm, the Land Manager, at our staff meeting  
 41 yesterday. We explained the situation to the director and basically the  
 42 director feels that there are still unanswered questions. He would like  
 43 to see a TIA to show that this access works, as well as probably  
 44 consider the Pioneer access. He would also like to know what the  
 45 adjacent property owners think and basically he's stating that the  
 46 engineer needs to meet with the adjacent property owners and he'd  
 47 like written comments from the property owners with regard to what

- 1 they think about this, having this access at this location. And these  
2 are written comments from the owners themselves, not from the  
3 engineer.
- 4 And with that Public Works feels that this cannot proceed until we  
5 have this information and until these questions can be answered.
- 6
- 7 Murphy: Okay. Utilities, you have anything new on...?
- 8
- 9 Montoya: No.
- 10
- 11 Murphy: Community Development?
- 12
- 13 Hembree: No further comments.
- 14
- 15 Murphy: Facilities?
- 16
- 17 Johnston: Mark Johnston, Facilities. No comments.
- 18
- 19 Murphy: Fire?
- 20
- 21 Dubbin: Mark Dubbin, Las Cruces Fire. The access issue is something that is  
22 of importance to us so we're... we'd would like to know how that's  
23 resolved; otherwise the developer has addressed all of our comments  
24 from last week's meeting.
- 25
- 26 Murphy: Okay, Mr. Scanlon I guess we're at the point where would you be  
27 willing to accept an indefinite deferral until those items...?
- 28
- 29 Scanlon: No, I wouldn't. I want this to go forward and I don't understand why  
30 Public Works is taking it upon themselves to stand in the way of it  
31 because we're at the concept plan stage right now of the PUD, that's  
32 what we're doing. We've got everything in order, that strip of land is  
33 the City's; it's theirs to do whatever they want with it. The... they've  
34 already built a storm drain it once and there's nothing in the deeds or  
35 in the conveyance documents that preclude that being used as a  
36 roadway. It's not appropriate to do a TIA at this time. It would be  
37 appropriate to do a TIA at the final site plan stage; that's what we have  
38 talked about all along in this process. We don't agree at all with this  
39 standing in the way of this thing and I don't understand why Public  
40 Works is doing that but no, we want to move forward. And we want a  
41 consensus of at this table that we can do that. We plan on having a  
42 neighborhood meeting next Tuesday at the developer... the  
43 developer's (*inaudible*), he is the one that's going to be bringing that  
44 forward and we don't see any reason whatsoever why that... why this  
45 thing cannot move forward at this stage of the game.
- 46
- 47 Murphy: At this point I'd like to hear from Dan Soriano on the TIA.

1  
2 Soriano: Thank you, Dan Soriano, Public Works. Ted didn't we... I realize that  
3 we had talked about the TIA and the idea that we're early in the stages  
4 but remind me, refresh my memory just a little bit. Didn't we talk about  
5 at least some... providing some preliminary report, a trip generation  
6 based on just the most conservative guess as to what the land uses  
7 are going to be for this subdivision...?  
8  
9 Scanlon: We talked about doing that at the final site plan stage. We need to...  
10 we need to... we need to establish the land uses first.  
11  
12 Soriano: Okay, this...  
13  
14 Scanlon: Once we know what the land uses are that have, are approved by the  
15 City then we can do the TIA and that's what we had proposed to do all  
16 along.  
17  
18 Soriano: We're at the concept plan at this point? Does this go to P and Z?  
19  
20 Ochoa: Yes it does.  
21  
22 Soriano: Goes this month?  
23  
24 Ochoa: Mr. Scanlon is pushing for this month.  
25  
26 Soriano: Well Ted I can tell you that if I'm reading the P and Z the way I think I  
27 read the P and Z, they're gonna want some kind of information before  
28 them at P and Z and that was kind of... that was kind of the message I  
29 was trying to convey to you. You've seen from previous cases that  
30 that becomes a very, very...  
31  
32 Scanlon: Sure, and if you look at the... if you look at the PUD drawings, look at  
33 the drawings that we turned in, there are preliminary trip generation  
34 values given on there based on the ranges that we have... ranges of  
35 population density that we've estimated on there and we've already  
36 done that.  
37  
38 Soriano: That's on the concept plan?  
39  
40 Scanlon: Yes.  
41  
42 Peale: Steve Peale with Scanlon White. Yeah, the... and we had discussed  
43 those at the... on out in the field there at that time that we met out in  
44 the field, that had been discussed what those ADT's were on the  
45 plans. They're all based off the IT trip generations. They've been  
46 there since day one.  
47

1 Murphy: One moment while Mr. Soriano reviews the trip generation.  
2  
3 (*Mr. Soriano reviewing paperwork away from the microphones.*)  
4  
5 Murphy: Mr. Soriano...?  
6  
7 Soriano: Well they do have some trip generation information based on what's  
8 planned for the area. Now it does give trip generation only, does not  
9 move to level of service and that is some of... that is I mean that is  
10 some things Ted and I talked about; that we needed at least some  
11 preliminary information before we went to P and Z because I know P  
12 and Z was going to turn around and table it or just not want to act on it  
13 until we had some kind of volume information out. Of course the  
14 director is the director and he's got some other ideas on what exactly  
15 he wants with the TIA. If he wants a more detailed TIA I guess we'll  
16 have to defer to him to see what he thinks but this seems to be falling  
17 in line with what Ted and I did talk about that we needed to at least  
18 have some preliminary information. Something that we could at least  
19 show the P and Z that there was at least some consideration of the  
20 traffic generation from this site and that further analysis level of service  
21 determination etcetera, etcetera was going to come with a final report  
22 at I guess final, the site plan stage. So this seems to be falling in line  
23 with what the conversation that Ted and I have had. Now again, Mr.  
24 Johnson has now interjected with some additional requests so I'd have  
25 to defer to that.  
26  
27 Murphy: Mr. Scanlon, and how long would it take to assemble the necessary  
28 information for the TIA?  
29  
30 Scanlon: Take a long time, probably at least two or three weeks.  
31  
32 Murphy: And Adam, what's the date of the Planning and Zoning?  
33  
34 Ochoa: That'd be February 23<sup>rd</sup>.  
35  
36 Murphy: Twenty third so were less than two weeks out on that.  
37  
38 Scanlon: I'd like to see in the code where that requirement for that TIA is in the  
39 code. I'm looking for uniform administration of the code here.  
40  
41 Murphy: The... I don't know whether you refer to the design you know the  
42 design guidelines or the codes but many places it is referenced as  
43 those are the minimum and nothing can preclude staff from requesting  
44 additional information. I do believe that a TIA was an early on request  
45 from Public Works. There was certainly you, you know, you know, you  
46 knew that...  
47

- 1 Scanlon: I don't think that's the case, I think this TIA idea just came up  
2 yesterday.  
3
- 4 Murphy: No...
- 5
- 6 Scanlon: I don't understand why, what they're afraid of what and over there and  
7 why they're standing in the way of this thing and what they're throw...  
8 reaching around in the dark trying to find reasons to deny this or to  
9 keep it from going forward.
- 10
- 11 Reyes: Mr. Chairman, Loretta Reyes, Public Works. We're not trying to keep  
12 this from going forward, Ted. It's a concern over that parcel of land as  
13 to whether or not it should be reserved for, for just the drainage  
14 purposes to have because that box culvert is there or whether it  
15 should be used as a roadway and that's the questions. I don't have  
16 the authority to say yes you can use that piece of property as a  
17 roadway. I believe that that authority is above me...
- 18
- 19 Scanlon: Show me in the documents then where it says that it can be used for  
20 drainage. You know you guys used it for drainage; you chose to use it  
21 for whatever you wanted back then...
- 22
- 23 Murphy: Mr. Scanlon. Mr. Scanlon. We don't need to; we don't need to delve  
24 into that. I believe at this point...
- 25
- 26 Scanlon: We do need to delve into that.
- 27
- 28 Murphy: I think the applicant's not willing to accept a deferral. I think what we  
29 need... the committee needs to move this on to P and Z with a  
30 recommendation and you know based, based on, based on the  
31 concerns raised by Public Works and you know the impacts we have  
32 for Fire, I believe I'm going to look for a recommendation of denial to  
33 the Planning and Zoning Commission. Can I have the motion?  
34  
35 *Someone speaking away from the microphone.*  
36
- 37 Murphy: Motion to move this case forward to the P and Z with a recommended  
38 denial.
- 39
- 40 Reyes: Mr. Chair we wouldn't just vote on the question and then voice our  
41 whether we deny or... or say yes to take it?  
42
- 43 Murphy: Do you think it would be more... it would be better if we have a motion  
44 for approval and then explain no votes?  
45
- 46 Reyes: I would think that... that's what we've done in other cases we have...  
47

- 1 Murphy: Okay I'm not used to being in the Chair position. Okay, may I have a  
2 motion for... a motion to approve?  
3
- 4 Dubbin: Mark Dubbin, Fire Department. Make a motion to approve the case.  
5
- 6 Johnston: Mark Johnston, Facilities. Second.  
7
- 8 Murphy: Okay, let's go ahead and vote. Public Works?  
9
- 10 Reyes: No.  
11
- 12 Murphy: Utilities?  
13
- 14 Montoya: We'll vote no because during the conversation that I'm hearing right  
15 now although right now that we have state the utility plan is only a  
16 con... concept only but if the connection to Valley Drive is not going to  
17 be happening that I think Ted that you have place two utility line  
18 through that tract of land then how we going to move those utility line if  
19 the road is not going to go through so I have... I have the concern that  
20 if the road, if it's not going to go through so...  
21
- 22 Scanlon: The road has to go through Meei.  
23
- 24 Montoya: Okay, I don't know at this time so anyway and meantime I will support  
25 my colleague because would like to see this going to P and Z without  
26 a major question ideas, so the Utility vote no.  
27
- 28 Murphy: Alright, Community Development?  
29
- 30 Hembree: Community Development defers to Public Works and vote no.  
31
- 32 Murphy: Facilities?  
33
- 34 Johnston: Facilities votes yes.  
35
- 36 Murphy: Fire?  
37
- 38 Dubbin: Mark Dubbin, Las Cruces Fire. If the... if the utilities and the road go  
39 through as in the concept plan, the Fire Department has no issue with  
40 the development. I think based on the questions raised by Public  
41 Works and Utilities I have to deny at this time.  
42
- 43 Murphy: Okay and MPO votes no. Reason being that the... the access point is  
44 I believe a very key factor to the development and that there's not  
45 been adequate you know adequate you know notification as far as  
46 when... how to use that (*inaudible*) tract.  
47

1 Scanlon: Fine you'll hear from my attorney.

2

3 Murphy: So the motion fails 5-1.

4

5 **IV. NEW BUSINESS**

6

7

8 **2. CASE S-07-056: Rancho Del Valle (Preliminary Plat), Variance Request**

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

Murphy: Okay, next...

*Someone speaking away from microphone*

Murphy: Next case. Case S-07-056, Rancho Del Valle preliminary plat and variance request. Helen, can you go ahead and brief us on that?

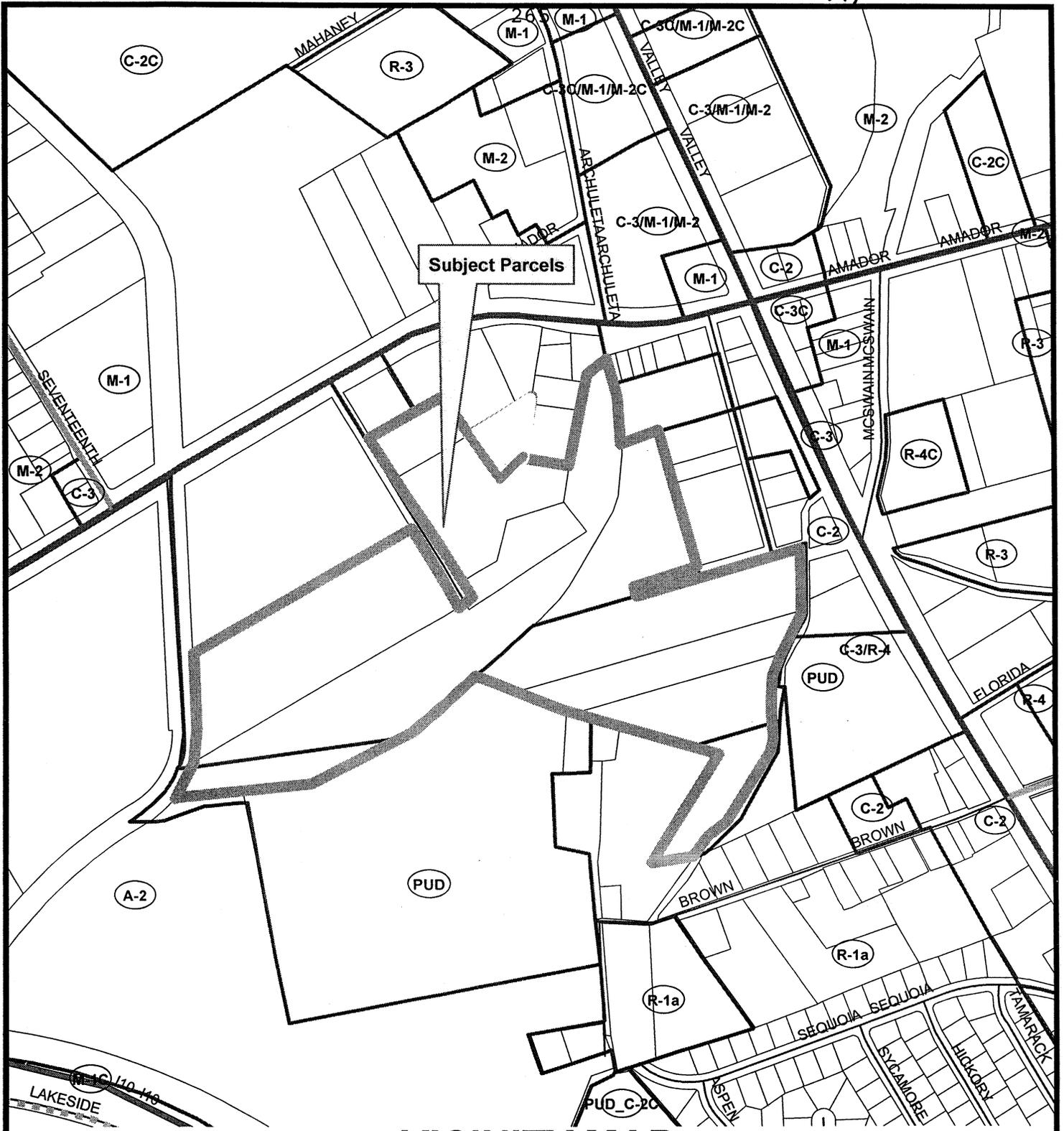
Revels: Helen Revels for the record. We're here today because the applicant is in the process of getting ready to submit the final plat and construction drawings for Rancho Del Valle Subdivision. The preliminary plat was approved in November 2007. It was granted a one year extension November 10, 2009. The applicant is here today. The first variance request is for no street lighting as per design standard requirements and the second request is for a cross section deviation from the City Design Standard. The applicant is seeking a 31 feet back-of-curb, back-of-curb cross section. The subject property is located north of Thurmond Road and south of Peachtree Hills Road and the applicant is Bright View Land Company. DVI is here for as a representative for the applicant.

Murphy: And does the applicant have anything to add to that?

Moscato: Matt Kenney will be here momentarily.

Revels: Also I'd like to add that the reason I believe for the deviations is that the applicant is also in the process of working on amending the Metro Verde concept plan and eventually Rancho Del Valle Subdivision will be part of that PUD and so that they're requesting the design standards that will be featured in the Metro Verde PUD.

Kenney: Matt Kenney, DVI, thank you Helen. I wanted to go ahead and start by reading something from the American Association State Highway and Transportation Officials which is ASHTO. Their... they publish a



### VICINITY MAP

#### VILLA AMADOR PLANNED UNIT DEVELOPMENT

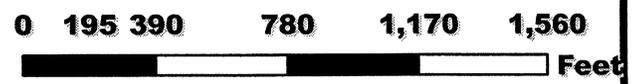
**CASE NO. PUD-09-04**

**OWNER: IFL, LLC.**

**LOCATION: SOUTH OF AMADOR AVENUE,  
WEST OF VALLEY DRIVE**

**ZONING: PUD**

*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 (505) 528-3043.*



**Community Development Department**  
575 S Alameda Blvd.  
Las Cruces, NM 88001  
(505) 528-3222