

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 16Ordinance/Resolution# 11-012Council District: 5For Meeting of July 6, 2010

(Adoption Date)

**TITLE:** A RESOLUTION APPROVING A DEVIATION TO CHAPTER 32 OF THE LAS CRUCES MUNICIPAL CODE (DESIGN STANDARDS) FOR (1) AN ALTERNATE CROSS-SECTION FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS TO A SEGMENT OF SONOMA RANCH BOULEVARD FROM PEACHTREE HILLS ROAD NORTH TO ARROYO ROAD; (2) A DELAY IN PUBLIC RIGHT-OF-WAY IMPROVEMENTS TO A SEGMENT OF ARROYO ROAD FROM THE INTERSECTION OF SONOMA RANCH BOULEVARD WEST TO THE ENTRANCE OF A PRIVATE GOLF COURSE; (3) A NUMERICAL DEVIATION OF 26-FEET FROM THE REQUIRED 50-FEET FOR A PERMANENT PRIVATE ROAD AND/OR ACCESS EASEMENT KNOWN AS SIERRA DE LUNA FROM THURMOND ROAD NORTH TO THE ENTRANCE OF A PRIVATE GOLF COURSE FOR THE PURPOSE OF ACCESS TO A COMMERCIAL DEVELOPMENT FROM A PUBLIC ROADWAY (THURMOND ROAD); AND (4) A DEVIATION TO THE MINIMUM STANDARDS OF A MINOR LOCAL ROADWAY FOR THE PURPOSES OF MINIMUM ACCESS IMPROVEMENT REQUIREMENTS TO A ROADWAY SEGMENT KNOWN AS SIERRA DE LUNA. SUBMITTED BY SIERRA NORTE LAND HOLDINGS, INC.

**PURPOSE(S) OF ACTION:** The applicant is requesting a deviation from the City of Las Cruces Design Standards to seek relief from both the minimum access requirements and improvements for public right-of-way requirements for the purpose of opening a private golf course.

<b>Name of Drafter:</b> Cheryl Rodriguez <i>CR</i>		<b>Department:</b> Community Development		<b>Phone:</b> 528-2307	
<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
Public Works	<i>FOR MIKE JOHNSON</i>	528-3125	Assistant City Manager	<i>[Signature]</i>	541-2271
Fire	<i>[Signature]</i>	528-4067			
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

### BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The applicant, Sierra Norte Land Holdings, Inc., has submitted a two-part request regarding access and road improvement requirements to the private golf course.

**Request No. 1:** Sierra Norte Land Holdings, Inc. is seeking to open the private golf course for the purposes of playing golf with no permanent clubhouse facility. The applicant is proposing to construct a 5,000 square foot maintenance building that will store golf cart equipment as well as have the ability to repair and maintain the golf carts and also include a small pro shop. In order

to play golf at the private golf course, the applicant must meet the minimum access requirements. Article II, Section 32-36 of the CLC Design Standards identifies the minimum standards for access:

Minimum access to the subdivision shall be from a dedicated and accepted public right-of-way. In instances where the access to a subdivision is unimproved, it shall be the responsibility of the subdivider to construct a minor local roadway from the subdivision boundary to the nearest paved public roadway.

Access to lots within a commercial or industrial subdivision shall be from either a dedicated and accepted improved public right-of-way or an improved access established by a 50-foot wide permanent private road and/or access easement.

The applicant is proposing to have access to the private golf course (Lot 1 of Sierra Norte Replat No.1) by a private road known as Sierra de Luna. Sierra de Luna can presently be accessed by Thurmond Road, a dedicated and accepted public right-of-way. Sierra de Luna is improved and is 24-feet wide.

To meet the minimum access requirements as stipulated in the CLC Design Standards, Sierra de Luna must be a minimum of 50-feet wide and be constructed to the standards of a minor local roadway (37-feet back of curb to back of curb). For the purpose of request no. 1, the applicant is seeking (1) a numerical deviation of 26-feet from the required 50-feet for a permanent private road and/or access easement known as Sierra de Luna from Thurmond Road to the entrance of the golf course and (2) a deviation to the minimum standards of a minor local roadway for the purposes of minimum access improvement requirements to the roadway segment known as Sierra de Luna.

The applicant has stated that they are willing to expand the width of private roadway for Sierra de Luna per the direction of the Las Cruces City Council. In addition, the applicant has stated that they are also willing to construct additional road improvements to Sierra de Luna, with the noted exception of street lights. The applicant has not specified what the nature of the additional road improvements would include.

**Request No. 2:** The applicant is proposing to construct a permanent clubhouse facility to the private golf course as well as continue with both residential and commercial development within the Sierra Norte master planned area at an undisclosed future date. Prior to the issuance of a Certificate of Occupancy for a permanent clubhouse facility or future acceptance of any residential and/or commercial development, the applicant is proposing road improvements to Sonoma Ranch Boulevard from Peachtree Hills Road north to Arroyo Road as well as to Arroyo Road to the entrance of the private golf course facility (Sierra de Luna). Per the MPO Thoroughfare Plan, Sonoma Ranch Boulevard is identified as a Principal Arterial and Arroyo Road is also identified as a Principal Arterial.

Article II, Section 32-36 of the CLC Design Standards identifies the access requirements for roadways that are classified as a major thoroughfare by the MPO Thoroughfare Plan:

Minimum access to the subdivision shall be from a dedicated and accepted public right-of-way. In instances where the access to a subdivision is unimproved, it shall be the responsibility of the subdivider to construct a minor local roadway from the

subdivision boundary to the nearest paved public roadway. If the roadway to the proposed development is classified as a major thoroughfare by the MPO transportation plan (e.g., a collector or arterial), the developer shall provide the equivalent of a minor local roadway, designed and constructed to a cross-section approved by the city from the boundary of the subdivision to the nearest paved public roadway.

For the purposes of Sonoma Ranch Boulevard, the applicant is required to provide the equivalent of a minor local roadway, designed and constructed to a cross-section approved by the city from the boundary of the subdivision to the nearest paved public roadway. It is important to note that the right-of-way for Sonoma Ranch Boulevard of 120-feet has already been dedicated to the City of Las Cruces. The applicant is seeking approval from the Las Cruces City Council to design and construct a cross-section that is not in accordance with the CLC Design Standards. The applicant's proposal is to build the east two lanes (back of curb to back of curb) of Sonoma Ranch Boulevard from Peachtree Hills Road to Arroyo Road. This work includes all required utilities but would not include sidewalks, multi-use path, streetlights, landscaping, or irrigation. The applicant is proposing that these components be installed at the time of development of adjacent property. This does not necessarily mean that the current developer will install these components. If the property is transferred or sold, a new developer will be responsible for installing these components. The applicant proposes that the pavement section for the eastern two lanes would follow the approved pavement design of 10.5-inch base course, geogrid fabric, and four-inches of asphalt as well as the required ponding, culverts, and storm drains.

For the purposes of Arroyo Road, the applicant is proposing to construct the full cross-section, including required utilities, of Arroyo Road from Sonoma Ranch Boulevard to Sierra de Luna with the exception of sidewalks, multi-use path, streetlights, landscaping, and irrigation. The applicant is proposing that these latter components be installed at the time of development of adjacent property. Again, as with Sonoma Ranch Boulevard, this does not necessarily mean that the current developer will install these components. If the property is transferred or sold, a new developer will be responsible for installing these components. The applicant did receive a variance from the Development Review Committee (DRC) on October 14, 2009 for a deviation in the cross-section from a typical principal arterial.

### **City Service Impacts**

Community Development. In regards to Request No. 1, Community Development staff encourages the private road to be greater than 24-feet in width and contain a cross-section that is multi-modal. At its present width of 24-feet, there would be a minimum of two, 12-foot driving lanes with no shoulder for vehicles to safely pull over, there are no bike lanes, nor are there sidewalks to facilitate pedestrians.

In regards to Request No. 2, Community Development staff encourages that any immediate construction of road improvements to either Sonoma Ranch Boulevard or Arroyo Road contain components that support multi-modal transportation and that is not a cross-section that only benefits vehicles.

Facilities. In regards to Request No. 1, Facilities does not anticipate any negative impacts for a private road temporarily serving a private golf course and its associated temporary facilities. The

CLC would not be responsible for any parkway maintenance with Sierra de Luna as a private road.

In regards to Request No. 2, Facilities does have concerns regarding the phased approach to constructing both Sonoma Ranch Boulevard and Arroyo Road. The concern focuses on both short-term and long-term maintenance of the right-of-way.

Public Safety. In regards to Request No. 1, under its current condition, the existing private road (Sierra de Luna) meets the requirements for access under the 2006 International Fire Code. However, any further improvements, including drainage improvements, to Sierra de Luna would be beneficial as it a single access point to the private facility.

As Sierra de Luna is a private roadway in which the public will utilize to access a private golf course facility, there are concerns regarding the City's ability to enforce traffic regulations along the private roadway segment.

In regards to Request No. 2, the deviation to the cross-section for Sonoma Ranch Boulevard does not appear to negatively impact emergency services and is in compliance with the 2006 International Fire Code.

Public Works. In regards to Request No. 1, Sierra de Luna was built to allow construction access for traffic to get to the private clubhouse facility while the facility was under construction and for emergency vehicle access during construction. This was the sole purpose of this roadway. Now, the developer wants to use this construction access as access for the public to get to the golf course to play golf. This creates the mixing of construction traffic with public traffic. The developer should do what is necessary, i.e., increasing the road width, etc., to ensure that this is a safe route.

In regards to Request No. 2, there is a potential for Sonoma Ranch Boulevard to be built in a "piecemeal" fashion much like Roadrunner Parkway or Sonoma Ranch Boulevard south of Highway 70. The City will not accept Sonoma Ranch Boulevard for operation and maintenance unless the one-half section is fully built to CLC Design Standards, including sidewalks, street lights, multi-use path (if on that side of the particular roadway), landscaping, and irrigation. Otherwise, the current developer will be responsible for maintaining this portion of Sonoma Ranch Boulevard until such time that it is fully built to CLC Design Standards. The City will require a letter from the current developer that states that they will accept this responsibility.

The City will not accept Arroyo Road for operation and maintenance, including the dedication of right-of-way, unless it is fully built to CLC Design Standards, including sidewalks, street lights, multi-use path, landscaping, and irrigation. Otherwise, the current developer will be responsible for maintaining Arroyo Road until such time that it is fully built to CLC Design Standards. The City will require a letter from the current developer that states that they will accept this responsibility.

Utilities. In regards to Request No. 1, there are no CLC utilities in Sierra de Luna. Any future development adjacent to Sierra de Luna will require pavement cuts to allow for future utility installation. As for City utilities in respect to the private golf course facility, a City sewer line and associated sewer facility (a lift station) will need to be constructed prior to the opening of a maintenance building and pro shop. Utilities staff is presently reviewing the construction drawings for the sewer line and its associated facilities.

In regards to Request No. 2, the Utilities Department notes that all utility locations are subject to construction plan review and approval.

**SUPPORT INFORMATION:**

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

1. Resolution
2. Exhibit "A" – June 11, 2010 Memo from DVI
3. Exhibit "B" – CLC Design Standards Section 32-36
4. Attachment "A" – DRC minutes for cross-section variance for Arroyo Road
5. Attachment "B" – DRC minutes for cross-section variance for Sonoma Ranch Boulevard
6. Attachment "C" – DRC minutes regarding permanent access to golf course from Sierra de Luna
7. Attachment "D" – Vicinity Map

**OPTIONS / ALTERNATIVES:**

1. Vote **YES** to approve the Resolution. This action allows Sierra Norte Land Holding, Inc. to begin a two-step process: (1) Minimum access to the private golf course is authorized utilizing the private road known as Sierra de Luna. Sierra de Luna will remain in its current state of 24-feet in width with asphalt; no additional road improvements will be provided; and (2) Prior to the issuance of a certificate of occupancy for the permanent clubhouse facility and/or prior to the City accepting any residential and/or commercial subdivisions, Sierra Norte Land Holding, Inc. will build the eastern two lanes with all required utilities (back of curb to back of curb), excluding sidewalks, multi-use path, streetlights, landscaping, and irrigation, along a segment of Sonoma Ranch Boulevard from Peachtree Hills Road to Arroyo Road. In addition, Sierra Norte Land Holding, Inc. will construct the full cross-section, including all required utilities with the exception of sidewalks, multi-use path, streetlights, landscaping, and irrigation, along a segment of Arroyo Road from the intersection of Sonoma Ranch Boulevard to Sierra de Luna.
2. Vote **NO** to deny the Resolution. This action denies Sierra Norte Land Holding, Inc. the ability to deviate from the CLC Design Standards for the purposes of the minimum access to the private golf course facility. Minimum access to the private golf course facility must be from a roadway that is 50-feet in width and constructed to the equivalent of a minor local roadway.
3. Modify the Resolution and vote **YES** to approve the modified Resolution. The Council may modify the Resolution by adding conditions as deemed appropriate. City Council may modify the proposal submitted by Sierra Norte Land Holdings, Inc. to ensure that the design of a cross-section for Sierra de Luna, Sonoma Ranch Boulevard, and/or Arroyo Road contains components that are sensitive to multi-modal transportation needs. City Council may also condition the applicant's proposal to satisfy any concerns regarding

general liability along a private and/or public roadway that is not built to CLC Design Standards. City Council may also condition the applicant's proposal to satisfy any concerns regarding the short-term and/or long-term maintenance responsibility along a private and/or public roadway.

4. Table/Postpone the Resolution and direct staff accordingly.

RESOLUTION NO. 11-012

A RESOLUTION APPROVING A DEVIATION TO CHAPTER 32 OF THE LAS CRUCES MUNICIPAL CODE (DESIGN STANDARDS) FOR (1) AN ALTERNATE CROSS-SECTION FOR PUBLIC RIGHT-OF-WAY IMPROVEMENTS TO A SEGMENT OF SONOMA RANCH BOULEVARD FROM PEACHTREE HILLS ROAD NORTH TO ARROYO ROAD; (2) A DELAY IN PUBLIC RIGHT-OF-WAY IMPROVEMENTS TO A SEGMENT OF ARROYO ROAD FROM THE INTERSECTION OF SONOMA RANCH BOULEVARD WEST TO THE ENTRANCE OF A PRIVATE GOLF COURSE; (3) A NUMERICAL DEVIATION OF 26-FEET FROM THE REQUIRED 50-FEET FOR A PERMANENT PRIVATE ROAD AND/OR ACCESS EASEMENT KNOWN AS SIERRA DE LUNA FROM THURMOND ROAD NORTH TO THE ENTRANCE OF A PRIVATE GOLF COURSE FOR THE PURPOSE OF ACCESS TO A COMMERCIAL DEVELOPMENT FROM A PUBLIC ROADWAY (THURMOND ROAD); AND (4) A DEVIATION TO THE MINIMUM STANDARDS OF A MINOR LOCAL ROADWAY FOR THE PURPOSES OF MINIMUM ACCESS IMPROVEMENT REQUIREMENTS TO A ROADWAY SEGMENT KNOWN AS SIERRA DE LUNA. SUBMITTED BY SIERRA NORTE LAND HOLDINGS, INC.

The City Council is informed that:

**WHEREAS**, Sierra Norte Land Holdings, Inc. has the desire to commence operation of a private golf course generally located west of Sonoma Ranch Boulevard and north of Arroyo Road; and

**WHEREAS**, in order to commence operation of a private golf course, Sierra Norte Land Holdings, Inc. must meet minimum access requirements pursuant as stipulated in Chapter 32 of the Las Cruces Municipal Code (Design Standards); and

**WHEREAS**, Sierra Norte Land Holdings, Inc. has requested four deviations to Chapter 32 of the Las Cruces Municipal Code; and

**WHEREAS**, the first deviation is for an alternate cross-section for public right-of-way improvements to a segment of Sonoma Ranch Boulevard from Peachtree Hills Road north to Arroyo Road; and

**WHEREAS**, the second deviation is for a delay in public right-of-way improvements to a segment of Arroyo Road from the intersection of Sonoma Ranch Boulevard west to entrance of a private golf course; and

**WHEREAS**, the third deviation is for a numerical deviation of 26-feet from the required 50-feet for a permanent private road and/or access easement known

as Sierra de Luna from Thurmond Road north to the entrance of a private golf course for the purpose of access to a commercial development from a public roadway (Thurmond Road); and

**WHEREAS**, the fourth deviation is to the minimum standards to the cross-section of a minor local roadway for the purposes of minimum access improvement requirements to a roadway segment known as Sierra de Luna.

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

(I)

**THAT** all four deviations to Chapter 32 of the Las Cruces Municipal Code (Design Standards) as requested by Sierra Norte Land Holdings, Inc. are hereby granted.

(II)

**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:

\_\_\_\_\_  
Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
City Clerk

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

VOTE:

- Mayor Miyagishima: \_\_\_\_\_
- Councillor Silva: \_\_\_\_\_
- Councillor Connor: \_\_\_\_\_
- Councillor Pedroza: \_\_\_\_\_
- Councillor Small: \_\_\_\_\_
- Councillor Sorg: \_\_\_\_\_
- Councillor Thomas: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

# Memorandum

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**To:** Loretta Reyes, Cheryl Rodriguez, Mike Johnson & David Weir

**From:** Barbara L. Mobley Denton

**Date:** 6/11/10

**Re:** Discussion items for Monday's meeting

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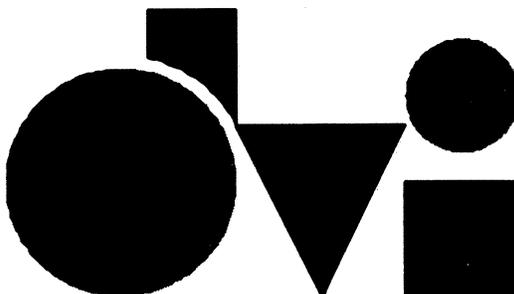
We would like your help in obtaining approvals to continue Sonoma Ranch Blvd. from Peachtree Hills Road to Arroyo Road, as well as Arroyo Road from Sonoma Ranch Blvd. to the new golf course. We are requesting clarification of several related issues as well.

We recently prepared a set of drawings for eventual construction of a full cross-section for Sonoma Ranch Blvd., and we would like to utilize that work where possible. We've previously discussed with you the advantages of having the design approved for the full cross-section even though less than the full cross-section will be built initially. The first advantage is that any party obligated to contribute part of the construction at a later date will know exactly what is required. The second advantage is that the portion of the road that is built now will conform to a part of the full cross-section, thus eliminating the possibility of wasting what is being built now.

Our proposal is to build the east two lanes (back of curb to back of curb) of Sonoma Ranch Blvd. from Peachtree Hills Road to Arroyo Road. This work would include all required utilities but would not include sidewalks, multi-use path, street lights, landscaping, or irrigation; these latter features will be built at the time of development of adjacent property. Pavement would follow the approved pavement design of 10.5" base course, geogrid fabric, and 4" of asphalt, as well as required ponding, culverts, and storm drains insofar as these are required for the east two lanes.

We also propose extending Arroyo Road from Sonoma Ranch Blvd. to Sierra de Luna as the full roadway (back of curb to back of curb) for which a variance was approved, along with all utilities. Sidewalks, multi-use path, street lights, landscaping, and irrigation would be built at the time of development of adjacent property

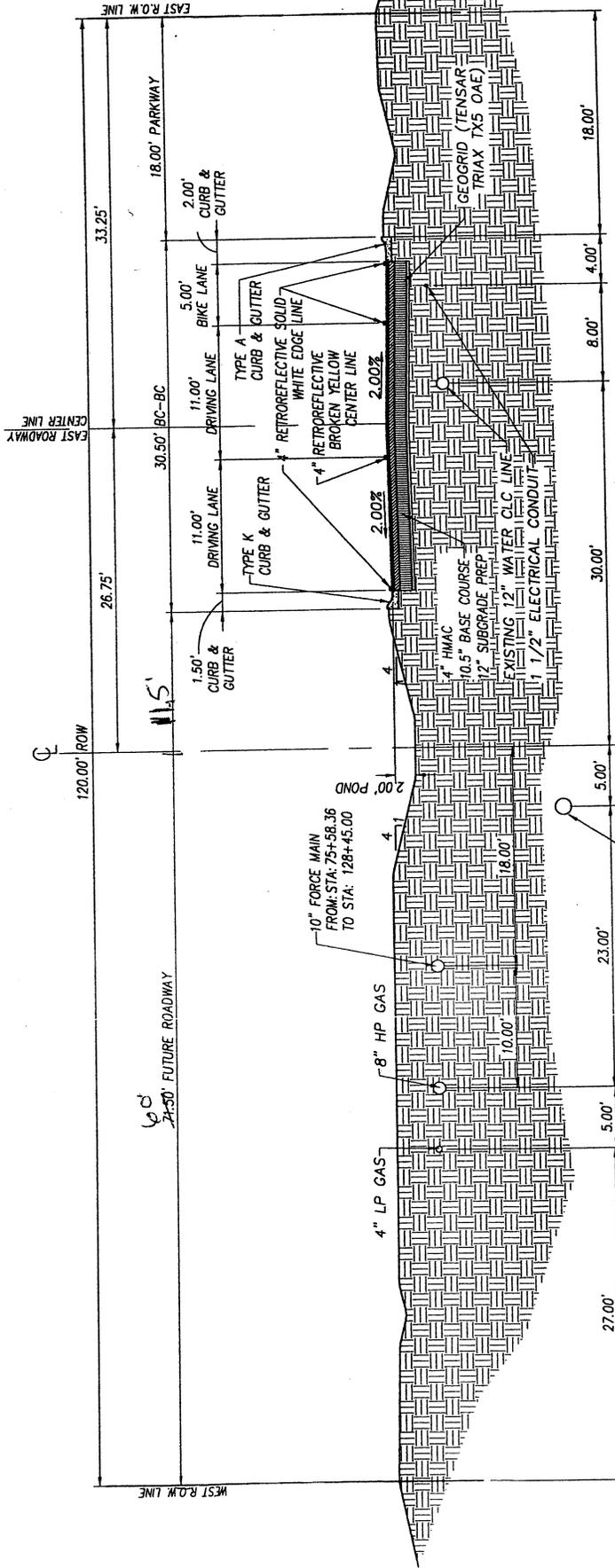
Because of the extensive work that we have devoted to the construction drawings of the full cross-sections of Sonoma Ranch Blvd. and Peachtree Hills Road, along with the relevant drainage studies, we would like to keep to a minimum any additional work to modify or fragment the construction drawings or drainage studies in order to reflect just the portions that will be built now. We would also like to discuss the process of obtaining a construction permit in the most expeditious way possible for



denton ventures, inc.

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**TYPICAL SONOMA RANCH BOULEVARD CROSS SECTION  
NORTH OF PEACHTREE AND SOUTH OF ARROYO**

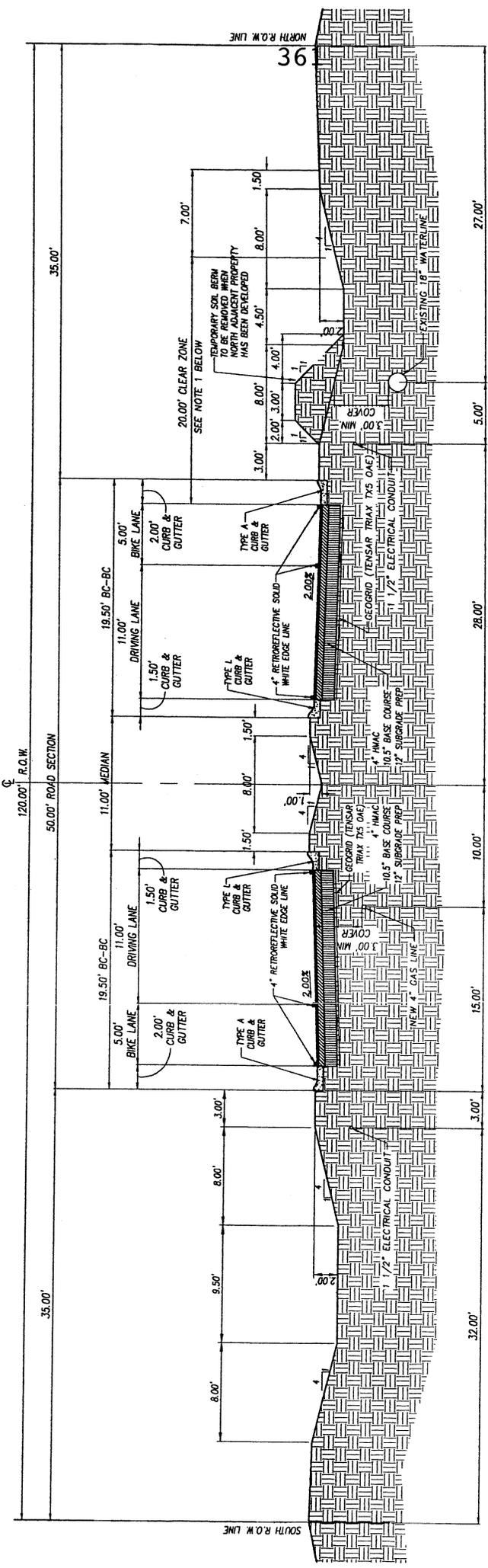
SCALE: NTS

10" FORCE MAIN  
FROM STA: 75+58.36  
TO STA: 128+45.00

8" HP GAS

4" LP GAS

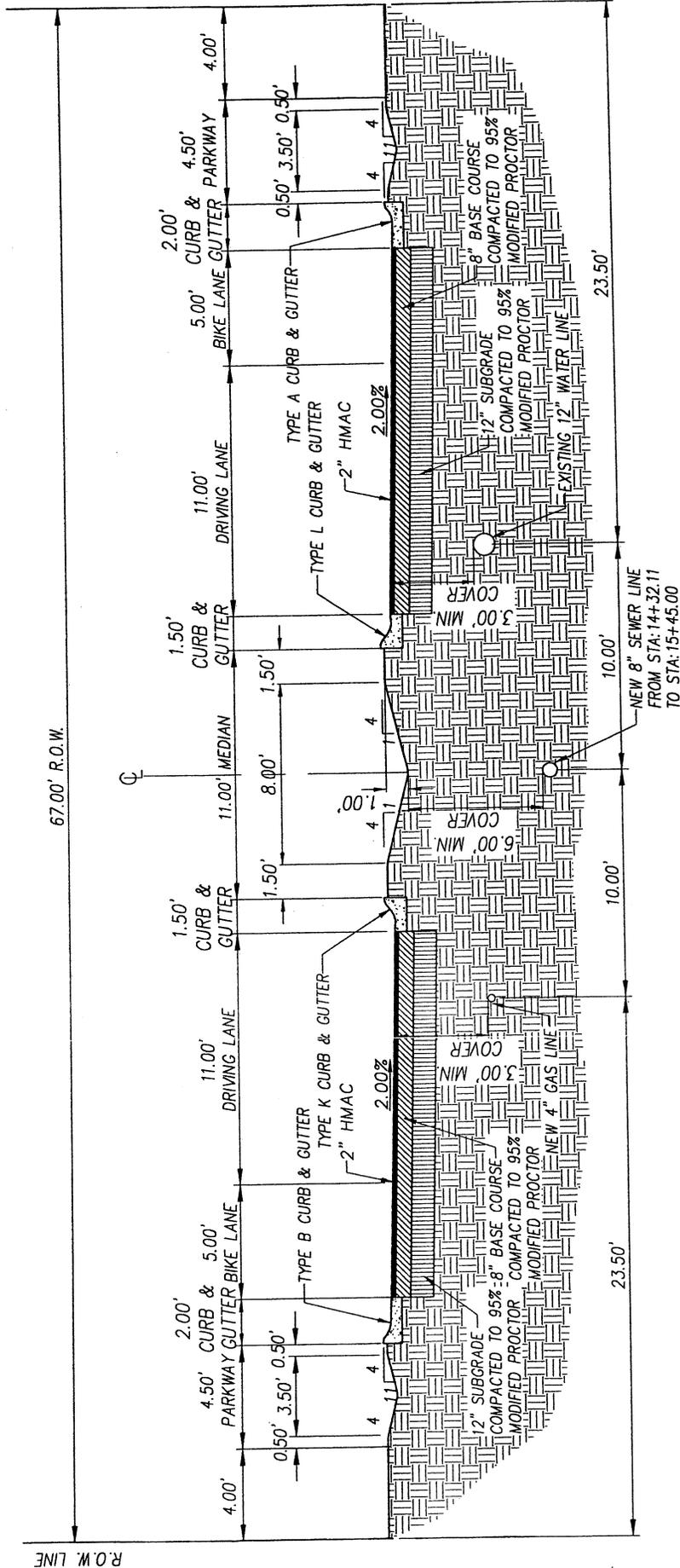
15" GRAVITY SEWER  
FROM STA: 76+00  
TO STA: 85+15.88



**TYPICAL ARROYO ROAD CROSS SECTION  
WEST OF SONOMA RANCH BLVD.**

SCALE: N.T.S.

- ARROYO ROAD NOTES**
1. THE 20' CLEAR ZONE SHALL BE FREE OF TREES AND PERMANENT STRUCTURES. THE CLEAR ZONE SHALL PROVIDE PROTECTION FOR THE 18" WATER LINE. SHRUBS, GRASSES, AND REMOVABLE LANDSCAPING ELEMENTS MAY BE CONSTRUCTED WITHIN THE CLEAR ZONE.
  2. ON OCTOBER 14, 2008.



# SIERRA DE LUNA NORTH OF ARROYO ROAD

SCALE: NTS

### **Sec. 32-36. - City streets.**

(a)

*Purpose of this article.* The purpose of article II is to provide information for the establishment of public rights-of-way. This involves right-of-way requirements and general design specifications for city streets, design criteria for sidewalks, and specifications for the installation of street lights. General information regarding utility improvements is also provided. These shall be considered the minimum standards and nothing shall prevent the engineering review committee or the development review committee from imposing greater standards to achieve the purposes outlined in section 32-3 of these design standards.

(b)

*Right-of-way and roadway requirements for city streets.* It shall be the policy of the city that major thoroughfares, collectors and arterials with medians, be built from the outside edge of the right-of-way in towards the center. This prevents the dismantling of previously constructed infrastructure in order to accommodate future street improvements such as widening. The location of collector and arterial streets shall be generally guided by the MPO transportation plan and specifically located as development occurs. Coordination between the city staff, development review committee and the developer will occur to provide the appropriate classification and alignment of all major and minor roadways within and abutting developments to encourage appropriate and efficient transportation circulation patterns.

A subdivider shall be responsible for 100% of the street improvements within the boundaries of the subdivision. When improvements are required on streets adjacent to a subdivision or property boundaries as indicated by street classification, as determined by the MPO transportation plan, transportation element of the comprehensive plan and/or the development review committee, the subdivider shall provide the following street improvements or pay for the cost of these improvements to the city:

Adjacent Street Classification	Street Improvement Requirements
Low Density Local	full street section
Minor Local	full street section
Major Local	½ street section, including sidewalk, curb and gutter
Collector	½ street section, including sidewalk, curb and gutter
Minor Arterial	½ street section, including sidewalk, curb and gutter
Major Arterial	½ street section, including sidewalk, curb and gutter

Access requirements for subdivisions shall consist of the following:

(1)

Minimum access to the subdivision shall be from a dedicated and accepted public right-of-way. In instances where the access to a subdivision is unimproved it shall be the responsibility of the subdivider to construct a minor local roadway from the subdivision boundary to the nearest paved public roadway. If the roadway to the proposed development is classified as a major thoroughfare by the MPO transportation plan (e.g., a collector or arterial), the developer shall provide the equivalent of a minor local roadway, designed and constructed to a cross section approved by the city from the boundary of the subdivision to the nearest paved public roadway.

(2)

Access to lots within a commercial or industrial subdivision shall be from either a dedicated and accepted improved public right-of-way or an improved access established by a 50 foot (15.24m) wide permanent private road and/or access easement. Exceptions to allow a narrower lot access may be considered by the DRC.

(3)

Access to lots within a residential subdivision shall be from a dedicated and accepted improved public right-of-way.

All developing parcels of real property shall include a minimum of 50 percent of the necessary additional right-of-way to conform to the MPO transportation plan for all roads classified major local and above. 100 percent of the required right-of-way shall be required for low density and minor local streets. A permanent right-of-way easement may be granted in lieu of dedicated right-of-way. The decision to accept a permanent easement in lieu of dedicated right-of-way rests with the development review committee. The development review committee may waive all additional right-of-way requirements in instances where expansion of a specific roadway is neither feasible nor planned.

The following cross-section (14 pages) provide the requirements for right-of-way, paving width, parkways, and general use criteria for all acceptable city street classifications. Deviations or modifications to design may be acquired through the engineering review committee.

(c)

*Cul-de-sac requirements.* The use of cul-de-sacs in residential and commercial/industrial developments are permitted by these design standards;

(1)

A traditional bulb shaped cul-de-sac shall be considered the approved standard and its length shall be measured from the center line of the intersecting street to the center point of the cul-de-sac.

(2)

Hammerhead cul-de-sac length will be measured from the center line of the intersecting street to the back of curb at the end of the cul-de-sac.

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(3)

*Cul-de-sac dimension requirements.*

a.

Maximum cul-de-sac length will be 750 feet (228.6m) in residential or commercial subdivisions. An additional 750 foot (228.6m) of length which allows up to a 1500 feet (457.2m) cul-de-sac may be applied for through the development review committee when topography or land/lot configuration indicate the need for a longer cul-de-sac. A request for a cul-de-sac in excess of 750 feet (228.6m) shall be submitted to the subdivision administrator at the time of preliminary plat submittal. The subdivision administrator will process the request with the preliminary plat to the development review committee following the initial staff review. The development review committee will consider the request for additional length in light of peak hour traffic, number of units, size of lots, fire flow requirements, and any other considerations the development review committee may believe affects safety. Mitigation techniques such as, but not limited to, sprinkled fire suppression systems, additional hydrants, additional water lines to provide looped systems, increased street widths, and/or a secondary emergency vehicle access into the cul-de-sac at a remote point from the intersecting street may be required by the development review committee. In no case shall a waiver be granted to allow a cul-de-sac in excess of 1500 feet (457.2m).

b.

The right-of-way and paving width of the stem of the cul-de-sac shall be the same width as the street classification given to the cul-de-sac. For example, if the cul-de-sac is serving a commercial development, it shall follow the requirements for a major local street.

c.

A traditional bulb shaped cul-de-sac turnaround shall have a minimum radius of fifty (50) feet (15.24m). The minimum paving radius shall be thirty-six (36) feet (10.67m) including curbing.

(4)

*Alternative turn-around criteria.*

a.

Developments using hammerhead turnarounds shall be required to provide three off-street parking spaces per unit located along the turn-around as measured from the point of curvature to the point of curvature (PC/PC). The cul-de-sac shall be limited to a maximum length of 250 feet (76.2m) and a maximum of 16 single story dwelling units.

b.

Cul-de-sacs with other alternative turnaround designs, i.e. offset bulb, tear-drop shaped, "Y" shaped, eyebrows, etc., shall be reviewed on a case by case basis by the development review committee.

(5)

In cases where on-street parking is not allowed in the cul-de-sac turnaround areas, signing of the cul-de-sac no parking areas shall be accomplished at the time of subdivision construction and in accordance with the manual on uniform traffic control devices for urban parking and stopping signs.

See next three pages for cul-de-sac details.

(d)

*Curbing.* All city streets require some form of approved curbing. Curb and gutter use is primarily dictated by drainage conveyance needs as well as traffic safety concerns. The following pages detail the approved curbing types as well as outline under what conditions the various curb types are applicable:

(1)

Type A, six-inch stand-up curb and gutter.

(2)

Type B, six-inch modified stand-up curb and gutter.

(3)

Type C, eight-inch stand-up curb and gutter.

(4)

Type D, eight-inch modified stand-up curb and gutter.

(5)

Type E, rollover curb and gutter.

(6)

Type F, modified rollover curb and gutter.

(7)

Type G, rollover curb and gutter.

(8)

Type H, drive over curb and gutter.

(9)

Type I, drive over curb and gutter.

(10)

Type J, header curb.

(11)

Type K, median curb and gutter.

(12)

Type L, modified median curb and gutter.

(13)

Type M, rundown gutter, four feet.

(14)

Type N, rundown gutter, two feet.

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- (15) Type O, temporary asphalt curb.
- (16) Type P, temporary extruded concrete median curb.
- (17) Type Q, valley gutter.
- (18) Type R, driveway curb.

See next 9 pages for curb details.

(e) *General design criteria for streets.*

(1) Minimum right-of-way radius at intersections:

a. Rights-of-way 15 feet (4.57m) at property line for minor local roads.

b. Rights-of-way 25 feet (7.62m) at property line for all classifications higher than minor local.

(2) Minimum side slope outside right-of-way (steepest slope), two (horizontal) to one (vertical).

(3) Street logs with centerline offsets of less than 125 feet (38. 10m) shall not be permitted on local streets. Street jogs shall not be permitted for collectors or arterials.

(4) Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any collector or arterial street at less than 75 degrees and no local or light commercial streets at less than 60 degrees.

TABLE I

STANDARD UNITS  
GENERAL DESIGN CRITERIA FOR STREETS  
(NUMBER IN PARENTHESES APPLY TO FOOTNOTES)

Street Classification	Minimum Centerline Radius (Feet)(10)				Vertical Curve Requirement(4), (7) Vertical Curvature Design Value(2)			
	Design Speed mph	0.02 Feet/Feet Super-elevation (feet)	With Normal Crown(6), (8) (feet)	Min. Length Vertical Curve (feet)(1)	K Value For Crest Stopping Sight Distance (5)	K Value For SAG Stopping Sight Distance (5)	Change Allowed Without Vertical Curve (percentage) (7)	Maximum Grade Allowed (percentage) (9)
Major arterial	50	1,050	1,400	150	160	110	0.4	7
Minor arterial	45	800	1,100	135	120	90	0.4	7
Collector	35	450	600	100	50	50	0.7	8
Major Local	30	380	380	50	30	40	1.0	10
Minor Local	25	180	* 180	50	20	30	1.0	10
Low Density Local	15	180	* 180	50	20	30	1.0	10

METRIC UNITS  
GENERAL DESIGN CRITERIA FOR STREETS  
(NUMBER IN PARENTHESES APPLY TO FOOTNOTES)

Street Classification	Minimum Centerline Radius (Feet)(10)				Vertical Curve Requirement(4),(7) Vertical Curvature Design Value(2)			
	Design Speed (km/h)	0.02 m/m Super-elevation (m)	With Normal Crown (m)(6), (8)	Min. Length Vertical Curve (m)(1)	K Value For Crest Stopping Sight Distance (5)	K Value For SAG Stopping Sight Distance (5)	Change Allowed Without Vertical Curve	Maximum Grade Allowed (percentage) (9)

## 366

							(percentage) (7)	
Major arterial	80	320	425	50	160	110	0.4	7
Minor arterial	70	245	335	40	120	90	0.4	7
Collector	55	135	185	30	50	50	0.7	8
Major Local	45	115	115	15	30	40	1.0	10
Minor Local	40	70	55	15	20	30	1.0	10
Low Density Local	25	70	55	15	20	30	1.0	10

Major local, minor local, and low density local street intersections(10)

Major arterial, minor arterial and collector street intersections with or without traffic signals(11)

\*

Cul-de-Sacs R=120 feet

Footnotes for table 1

Editor's note—

1.

Controlling limit only when algebraic grade difference A times the design value K is less than minimum shown: in all other cases, L = KA shall control.

2.

The values for K shown are to be used in determining the minimum length of vertical curve required by the use of the relationship  $L = KA$ .

Where:

L = Length of vertical curve in feet

A = Algebraic difference in grades expressed in percent

K = Design value indicate of rate of curvature

3.

Lengths of vertical curves longer than the minimums resulting from the use of K values shown should be used wherever possible; however, K should not exceed 167 feet (50.90m) per percent change in grade when curb and gutter is used for drainage considerations.

4.

Crest vertical curves are based on eye height of three feet, three inches, object height of six inches and AASHTO minimum stopping distances. SAG vertical curves are based on AASHTO standards. If AASHTO standards are revised to more restrictive values, the more restrictive values shall supersede the values of this table.

5.

The crown will be a minimum of one-half percent and maximum 2½ percent. Streets with cross slope shall not exceed five percent. Greater cross slopes may be allowed only with the express written permission of the public works director or at street intersections. Calculations shall be submitted for review and approval for cross slopes greater than five percent indicating the conveyance capacity of the street section for drainage runoff.

6.

A minimum of 50 feet (15.24m) distance equal to the minimum length vertical curve must be maintained between vertical points of intersection.

7.

Local residential streets with 90-degree or near 90-degree (interior angle between 80 degrees and 110 degrees) turns may be designed with a minimum centerline radius of 50 feet (15.24m) with the express written permission of the public works director. Appropriate advisory signs may be required.

8.

Minimum slope in streets with standard curb and gutter shall be one-half percent. Minimum slope in streets with header curb or rundown curb shall be zero percent. The crown on a zero-percent to one-half percent street shall be a minimum two percent.

9.

Major local, minor local and low density local street intersections shall have a maximum algebraic difference in grades expressed in percent of five (street slope minus crown slope). All nonthrough streets shall have a minimum 25 feet (7.62m) landing from the flowline of the intersecting street with vertical curves, meeting the criteria listed in table I for the different street classifications, beginning at the end of the landing. All through streets shall meet the criteria listed in Table I for the different street classifications for vertical curves. See drawings below.

10.

Major arterial, minor arterial and collector street intersections with or without traffic signals shall meet the criteria listed in Table I for the different street classifications for vertical curves. Design of vertical curves within the street Intersection shall accommodate all drainage conveyance runoff.

11.

Source: Design of Urban Streets, Federal Highway Administration; U.S. Department of Transportation.

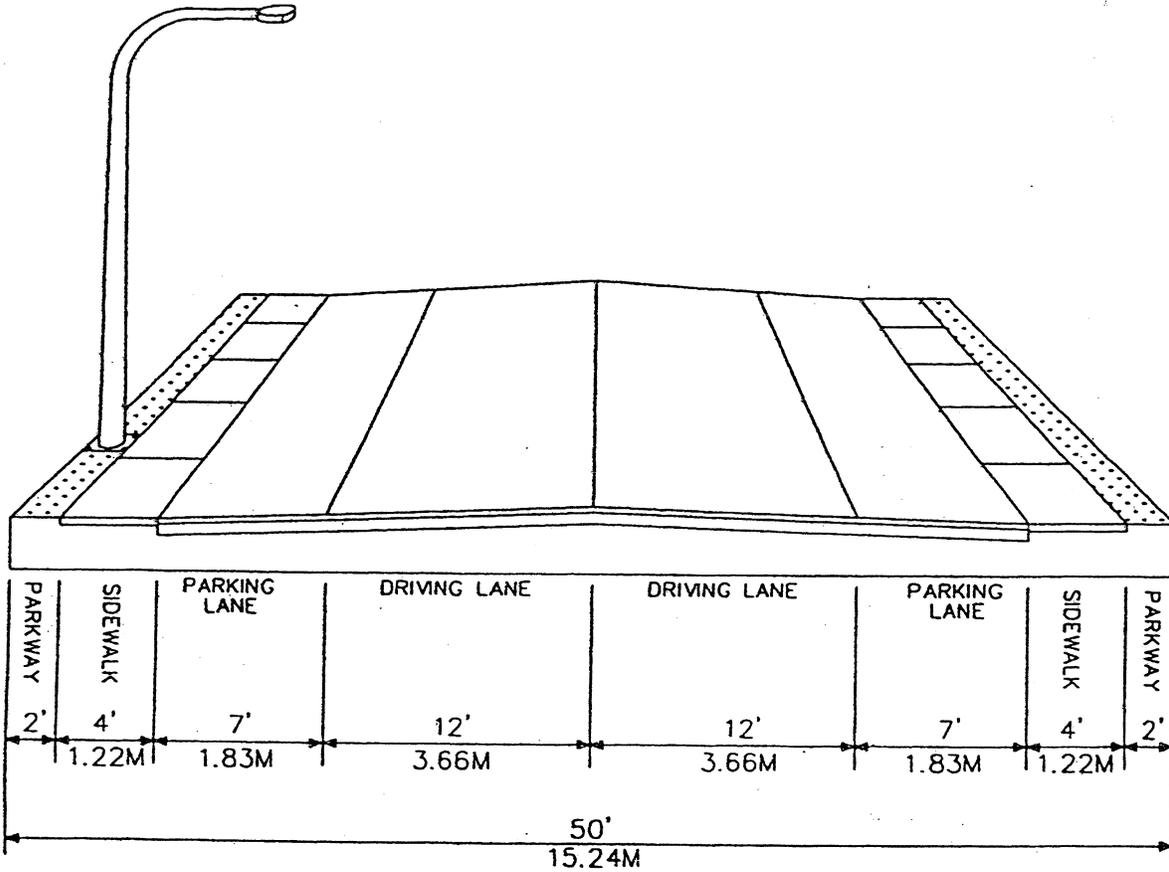
City of Las Cruces

DESIGN STANDARDS

# MINOR LOCAL - 1

## ON-STREET PARKING WITH NO CURB & GUTTER

R.O.W. WIDTH: 50 FT. (15.24M)  
 DESIGN SPEED: 25mph (40kph)



- NOTES:
1. REQUIRED DRAINAGE EASEMENT IN FRONT OF EACH LOT AS OUTLINED BY THE DRAINAGE REPORT AND SUBDIVISION PLAT.
  2. FOR SIDEWALKS, SEE SECTION 2.2 SIDEWALK REQUIREMENTS.
  3. CROSS-SLOPE FROM ROADWAY TO SWALE SHALL BE A MAXIMUM OF 2%. SWALE REQUIREMENTS ARE OUTLINED IN SECTION 3.1C.
  4. DRAINAGE SWALES MUST BE BUILT OUTSIDE OF RIGHT-OF-WAY.
  5. SIGNAGE AND PAVEMENT MARKINGS WILL BE REQUIRED IN ACCORDANCE WITH THE MUTCD.

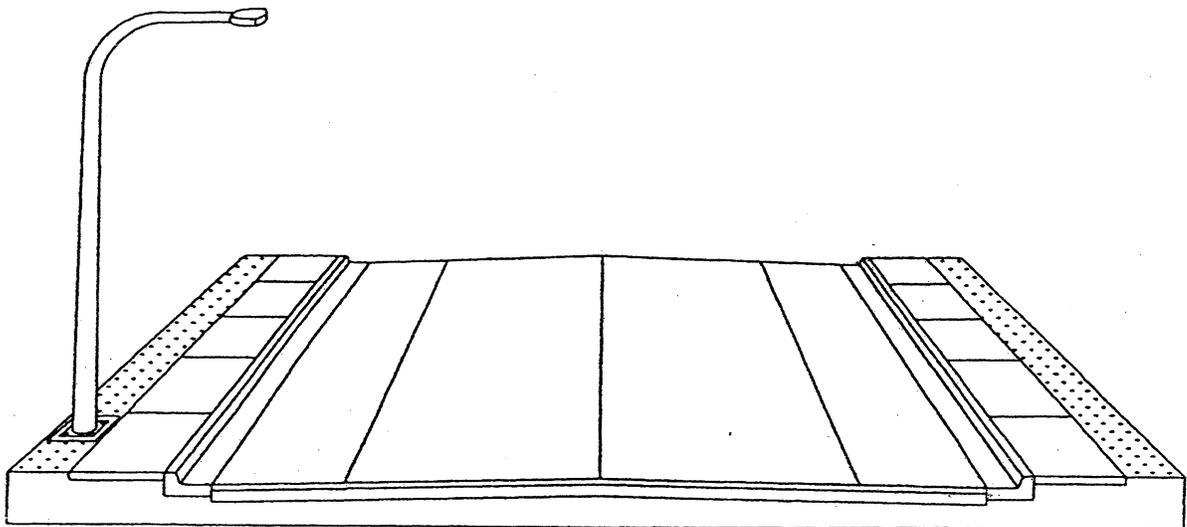
City of Las Cruces

DESIGN STANDARDS

# MINOR LOCAL - 2

## ON-STREET PARKING WITH CURB & GUTTER

R.O.W. WIDTH: 50 FT. (15.24M)  
 DESIGN SPEED: 25mph (40kph)



PARKWAY	SIDEWALK	C & G	PARKING LANE	DRIVING LANE	DRIVING LANE	PARKING LANE	C & G	SIDEWALK	PARKWAY
2.5'	4'	2'	5.5'	11'	11'	5.5'	2'	4'	2.5'
	1.22M		1.68M	3.35M	3.35M	1.68M		1.22M	
50' 15.24M									

- NOTES:
1. ALL CURB RETURNS SHALL BE STAND UP CURB & GUTTER (TYPE A, B, C, or D).
  2. SIDEWALKS SHALL BE CONSTRUCTED ACCORDING TO SECTION 2.2 SIDEWALK REQUIREMENTS.
  3. SIGNAGE AND PAVEMENT MARKINGS SHALL BE REQUIRED IN ACCORDANCE WITH THE MUTCD.

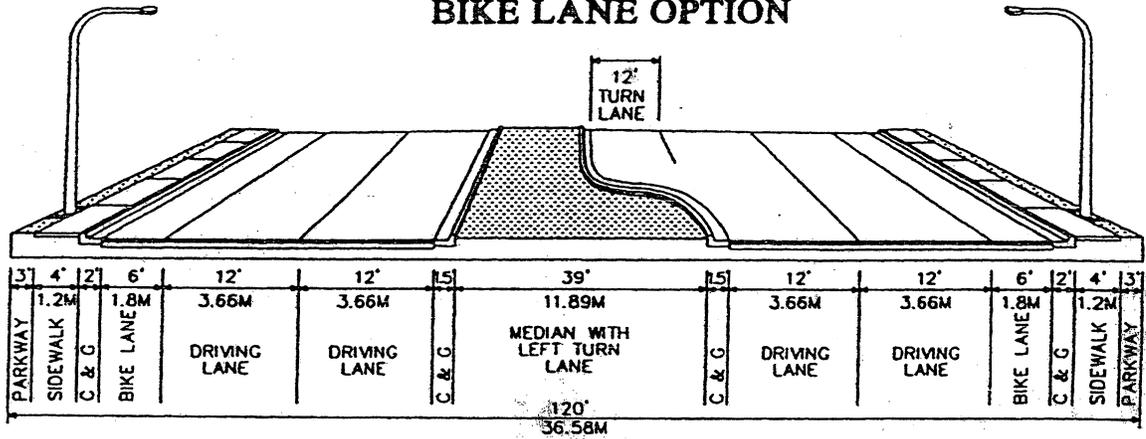
City of Las Cruces

DESIGN STANDARDS

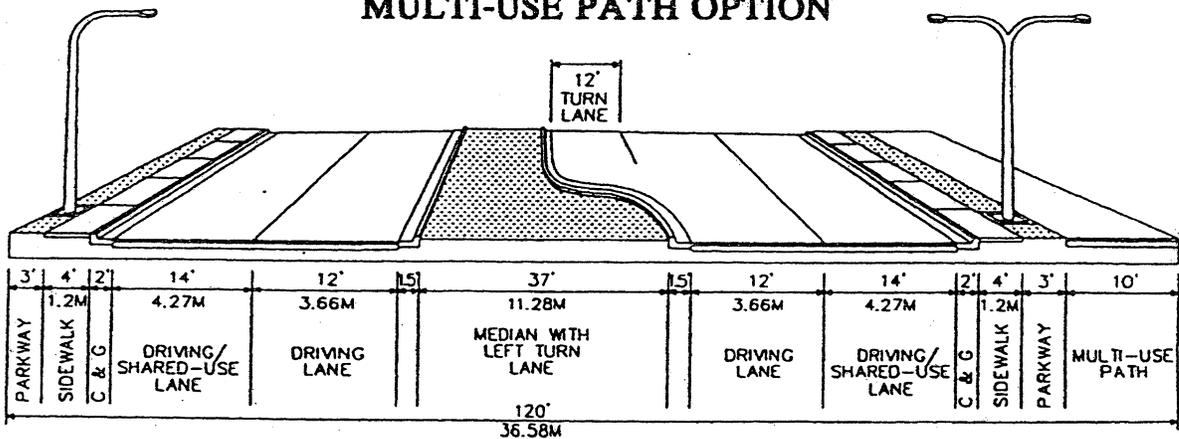
# MAJOR ARTERIAL - 2

R.O.W. WIDTH: 120 FT. (36.58M)  
 DESIGN SPEED: 45mph (72kph)

## BIKE LANE OPTION



## MULTI-USE PATH OPTION



- NOTES:
1. THE DEVELOPER IS RESPONSIBLE FOR EXTENDING FULL SERVICE WATER STUBOUTS AND ELECTRICAL CONDUIT FOR LANDSCAPING IN EACH MEDIAN AND IN THE PARKWAYS.
  2. PARKWAY MAY BE USED BY THE ADJACENT LAND OWNER FOR LANDSCAPING. UP TO 1/3 OF THE REQUIRED LANDSCAPING MAY BE PLACED WITHIN THE RIGHT-OF-WAY.
  3. A MULTI-USE PATH OR BIKE LANE SHALL BE CONSTRUCTED WHEN REQUIRED BY THE BICYCLE FACILITIES & SYSTEMS MASTER PLAN.
  4. SIGNAGE AND PAVEMENT MARKINGS WILL BE REQUIRED IN ACCORDANCE WITH MUTCD.
  5. MEDIAN CURB & GUTTER, "TYPE K" OR "TYPE L", SHALL BE INSTALLED IN THE MEDIAN.
  6. MULTI-USE PATHS SHALL BE CONSTRUCTED ON THE NORTH SIDE OF EAST/WEST ROADS AND ON THE EAST SIDE OF NORTH/SOUTH ROADS.
  7. SIDEWALKS SHALL BE CONSTRUCTED ACCORDING TO SECTION 2.2 SIDEWALK REQUIREMENTS/OPTIONS.



## City of Las Cruces

### DEVELOPMENT REVIEW COMMITTEE (DRC) AGENDA FOR WEDNESDAY, OCTOBER 7, 2009

The Development Review Committee (DRC) will consider the following agenda on **Wednesday, October 7, 2009 at 9:00 A.M.**, in the City Council Chambers located at City Hall, 200 North Church Street, Las Cruces, New Mexico.

#### I. CALL TO ORDER

#### II. APPROVAL OF MINUTES – September 2, 9 and 16, 2009

#### III. OLD BUSINESS– None

#### IV. NEW BUSINESS

##### 1. S-09-014: Desert Isles Master Plan

- The master plan proposal includes 23.45 ± acres of which 6.46 ± acres are proposed for commercial uses, 2.76 ± acres for open space-flood control and 14.24 ± acres for residential uses. The number of dwelling units proposed for the residential use is 48 total; however, at the time of development more than 30 residential dwelling units shall require secondary access.
- The property is currently zoned A-1 and A-2 (Flood Control and Rural Agricultural from the 1981 Zoning Code) for which a zone change request was submitted for C-3C (Commercial High Intensity with conditions), OS-NC (Open Space-Natural/Conservation) and R-1a (Single-Family Residential Medium Density).
- The property is located on the southeast corner of Del Rey Boulevard and Tucson Avenue.
- Submitted by Pillar Engineering for the Jean Wright Martin Irrevocable Trust.

##### 2. S-09-049: Arroyo Road Variance Request

- The applicant is requesting a variance to the cross-section for a Principal Arterial per the City's Design Standards.
- Arroyo Road is designated a Principal Arterial on the MPO Thoroughfare Plan requiring 120 feet right-of-way.
- The proposal includes an alternative cross-section for a Principal Arterial, Arroyo Road, within the 120 feet of right-of-way from Jornada Road to Settler's Pass.
- The subject property is located in the Sierra Norte Master Plan area.

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above.

 **3. Metro Verde PUD Amendment – Discussion Item Only**

- The developer wishes to discuss concepts relative to a potential PUD Amendment for the Metro Verde area.
- Located south of the future extension of Dragonfly north of Arroyo Road and traversing the future extension of Sonoma Ranch Boulevard and located within the Sierra Norte master planned area.
- Requested by Denton Ventures, Inc. for Brightview Land Company.

**V. ADJOURNMENT**

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above.

- 1  
2 Reyes: Thank you.  
3  
4 Rodriguez: And Jennifer, Community Development, all other outstanding  
5 comments have been resolved and the zoning has been resolved?  
6  
7 Robertson: Yes.  
8  
9 Rodriguez: Okay, thank you. On that note, do I have a motion to approve Case S-  
10 09-014, the Desert Isles Master Plan?  
11  
12 Reyes: So moved. Loretta Reyes.  
13  
14 Dubbin: Second. Mark Dubbin  
15  
16 Rodriguez: All those in favor?  
17  
18 Members: Aye.  
19  
20 Rodriguez: Those opposed? None. This will be forwarded with an approval  
21 recommendation to the Planning and Zoning Commission for the  
22 October P&Z hearing.  
23  
24 Pillar: Thank you.

25  
26 **2. S-09-049: Arroyo Road Variance Request**

- 27 • The applicant is requesting a variance to the cross-section for a Principal  
28 Arterial per the City's Design Standards.
- 29 • Arroyo Road is designated a Principal Arterial on the MPO Thoroughfare  
30 Plan requiring 120 feet right-of-way.
- 31 • The proposal includes an alternative cross-section for a Principal Arterial,  
32 Arroyo Road, within the 120 feet of right-of-way from Jornada Road to  
33 Settler's Pass.
- 34 • The subject property is located in the Sierra Norte Master Plan area.

35  
36 Rodriguez: The next item on the agenda is the Arroyo Road variance request. I'd  
37 like to invite the applicant to the table. For the purposes of public  
38 record, the applicant did submit a variance to the cross section for the  
39 Principal Arterial to deviate from the City's Design Standards. This  
40 request was forwarded to the Public Works Director. The Public  
41 Works Director has recommended that this case come before the  
42 Development Review Committee to receive a recommendation of  
43 approval or denial.

44 Staff did meet with the applicant a few weeks ago, Public Works  
45 staff, Community Development staff, and we discussed the variance to  
46 the cross section at that time and I understand that there are still  
47 outstanding issues regarding utilities and a landscaping plan regarding

1 the protection of the 18 inch water line. I know Utilities and the  
 2 applicant need to work to resolve the comments. I don't want the DRC  
 3 venue to be where we resolve... where we do a review for the  
 4 landscaping plan to make sure that they meet the Utilities  
 5 requirements so I'm going to ask that the applicant please meet with  
 6 the Utilities staff and/or the Utilities Director to resolve the landscaping  
 7 plan for the protection of the 18 inch water line and those requirements  
 8 and I think that those can be mitigated in the course of the next week  
 9 and the variance request can come back at the following DRC  
 10 meeting. That is what staff is going to ask so we don't use this venue  
 11 as a... we don't use the DRC as a venue to look at a landscaping plan  
 12 for the Utilities comments and I'll let Utilities, if you could please  
 13 *(inaudible)* right now.

14  
 15 Montoya: Yes Cheryl, we denied the second review of this variance request and  
 16 I fully support that your decision table this item until next week and  
 17 allow the Utility Department and the Developer to have some time to  
 18 review what our comments and I am comfortable that we can resolve  
 19 our comments and then this item can come back to DRC next week.  
 20 Like you, I do not want to use this time to discuss an item there are still  
 21 have you know few comments that from our department so I support to  
 22 table this to next week.

23  
 24 Rodriguez: And Public Works since the Public Works Director has deferred this to  
 25 DRC, would the Public Works Director be comfortable if we tabled this  
 26 to a week to resolve all of the outstanding comments?

27  
 28 Reyes: Yes.

29  
 30 Rodriguez: On that note, I'd like the chance for the applicant to respond to this. I  
 31 know the next item is a discussion item that talks in a larger scope of  
 32 how this variance request will work into the larger PUD amendment. I  
 33 still want the opportunity to have the discussion item of the PUD  
 34 amendment. I just don't want to take official action on the variance  
 35 request at this point because of the outstanding issues between the  
 36 applicant and the Utilities Department so I'd like to turn it over to the  
 37 applicant right now if you'd like to comment.

38  
 39 Moscato: John Moscato, Bright View Land Company. Regarding the request to  
 40 table, we have made what we believe our reasonable efforts to reach  
 41 an understanding on the requirements that the Utilities Department  
 42 has for the landscaping protection.

43  
 44 *(People speaking away from microphone)*

45  
 46 Rodriguez: I apologize, I was trying just... for MPO, thank you.

47

- 1    Moscato:     We're not entirely confident that we can resolve the differences with  
2                   the Utilities Department. We think that the condition that a department  
3                   sets need to meet a certain test of reasonableness and when you look  
4                   at what the email exchange has been and the conditions that the  
5                   Utilities Department representative is attempting to require, we don't  
6                   think they meet a test of reasonableness. I would ask what if at this  
7                   point next week we're in the same position we are today. Will the DRC  
8                   then go forward and hear it? I mean we don't have an objection in  
9                   taking one more week if that's what you're asking but I'm not confident  
10                  that one more week will get us anywhere closer than we are now.
- 11
- 12   Rodriguez:   Mr. Moscato I know a couple of weeks ago we met with both Public  
13                  Works Director and Community Development Director. Have you met  
14                  with Utilities Director yet?
- 15
- 16   Moscato:     Not on this matter.
- 17
- 18   Rodriguez:   Then I think if I can ask then since you have met with two previous  
19                  Directors on the variance request and the concurrence was to go to  
20                  DRC but the outstanding Utilities issue can as part of the discussion  
21                  for the next week, can you please meet with the Utilities Director to  
22                  resolve this so we can come back to DRC. Is that amenable to both  
23                  parties?
- 24
- 25   Montoya:     Well Cheryl, I cannot promise that you know... I mean the time of the  
26                  Utility Director, what he has on his calendar but contrary to what the  
27                  developer has said that I think we can work out the differences of what  
28                  he want to place within our 18 inch water line plus that 18 inch water  
29                  line, if any major work will need to be done, a joint 20 foot section of  
30                  that 18 inch water line weigh 1100 pounds. You need some major  
31                  equipment to be able to move that water line. Hopefully we will never  
32                  have to do that and that's what we're trying to prevent to get some  
33                  condition put it on the request in here so that later on we don't have to  
34                  move trees or anything that is difficult to move. And that's all we trying  
35                  to do and this morning when I talk to Mr. John Reid I think that he feel  
36                  comfortable that we have a meeting and we attempt to resolve the  
37                  differences that can be achieved.
- 38
- 39   Rodriguez:   Okay.
- 40
- 41   Kenney:      Madam Chair, Matt Kenny with DVI. Just for the record we did ask for  
42                  a meeting with the Utilities Department at the beginning of the email  
43                  exchange that took three weeks and we were told that there wasn't a  
44                  need for a meeting and then we proved the need for the meeting with  
45                  three weeks of emails.
- 46

- 1 Montoya: I would like to respond to that. Matt Kenney did ask for a meeting  
2 sometime in mid to probably early to mid September and at that time  
3 John Reid was out of office so I don't think so just because of a staff is  
4 out of office won't be able to meet his meeting for you know, his  
5 request for meeting is you know resolve and there's no meeting at all.  
6 So but we are available to meet with you, you just have to make a call  
7 and make sure that John Reid's there and whatever because we have  
8 talked to Jorge about this yesterday. I believe whatever that John  
9 Reid decide and be able to work out with you I think Jorge's in full  
10 support of that.
- 11
- 12 Rodriguez: Okay and I have seen the exchange of emails and I think the  
13 outstanding issues can be resolved in a meeting. So I'm going to ask  
14 if we could please table this and then have the applicant and Utilities  
15 staff following this meeting's schedule that meaning quickly. And if the  
16 Utilities Director is available I'd encourage the Utilities Director to be  
17 involved with that based on his... on... I'm not sure what his calendar  
18 is like but if that could be facilitated I'd recommend it.  
19 So on that note, do I have a motion to table this case...? Public  
20 Works?
- 21
- 22 Reyes: Madam Chair, Loretta Reyes, Public Works. I have a question just  
23 about the variance itself and what's the purpose of approving the  
24 variance at this point and not bringing it in with the construction  
25 drawing?
- 26
- 27 Moscato: Well, I don't think we want to create a construction drawing. Drawings  
28 go through that full review process and then have comments that the  
29 cross section isn't approved. I think we'd rather resolve the issue of  
30 what the cross section is going to entail before going through what's  
31 usually a fairly lengthy review process.
- 32
- 33 Reyes: Okay well my thought you know and I don't know, this may be a moot  
34 point or you know and I'm not sure how the negotiations with the  
35 Utilities Department will go this next week but you know is there... is it  
36 a possibility that the DRC could agree to the concept of what you're  
37 doing with the cross section and then you actually get the approval of  
38 the variance when you bring in the construction drawings because  
39 then, because I guess there's this issue with the landscaping plan and  
40 what the landscape is gonna look like relative to the 18 inch water line  
41 so I don't know I just wanted to kind of just throw that out there.
- 42
- 43 Rodriguez: I think I'd like to see the Utilities comments resolved because I know  
44 the previous discussion is where the location of that 18 inch water line  
45 Matt had previously said that the path was going to have to meander.  
46 I understand Utilities comments for the protection of that water line so  
47 there is a proposed in the cross section, the 35 foot area for

- 1 landscaping so I think if we can resolve those differences we can  
 2 come back. I don't want to do it conceptually. We can have the  
 3 conceptual discussion in terms for the entire PUD and proposed  
 4 amendment for the next item but I don't... I'm not comfortable moving  
 5 forward with a conceptual...  
 6
- 7 Reyes: Okay and I'm not sure if... Loretta Reyes, Public Works... I'm not sure  
 8 if things will change with regard to the cross section or anything like  
 9 that as far as when the construction drawings are developed but I  
 10 guess you know if there are opportunities or the need for discussions  
 11 to discuss the cross section even after the variance has been  
 12 approved, is that going to still be a possibility or are we gonna be held  
 13 to you know you approved this variance and sorry City but you're just  
 14 gonna have to live with it kind of thing.  
 15
- 16 Kenney: Well I think one of the points of resolving the issue of the 18 inch water  
 17 line is so that we can give direction to the landscape architect so that  
 18 the landscaping plans can be finalized in compliance with that  
 19 approved cross section. So the idea would be to have an  
 20 understanding of how things are going to go before the plans are  
 21 finalized so that what you receive is consistent with what has already  
 22 been agreed to.  
 23
- 24 Rodriguez: Utilities.  
 25
- 26 Montoya: Just to expand on Matt's last sentence, what we receive has been  
 27 agreed to agreed by... by who? Because we receive the cross look  
 28 like this and that's what we receive in the email after the first review.  
 29 And we have just few comments on this on the note that they put in  
 30 here to make sure that we have to move that 18 inch water line. We  
 31 do not have to take down any major trees that you put in there and  
 32 then so is this the cross section that you know, we don't have problem  
 33 with the cross section, just the note here has to be clear that if you  
 34 place a major tree over there the roots zone will not be you know the  
 35 area that we need to remove because after you cut down the roots of  
 36 the tree, the tree die. And so that's what our experience is and that's  
 37 why that when you say the cross section has been agreed on by who?  
 38 I'm just...  
 39
- 40 Kenney: I haven't said that it has been agreed to. I'm saying that we want to  
 41 get to a place where we have an agreement on the cross section  
 42 before we finalized landscape plans and construction drawings.  
 43
- 44 Montoya: So if we approve this variance request (*inaudible*) we are approving a  
 45 cross section look like this. Because we got this in the email you know  
 46 regarding this variance request and we are okay with this cross  
 47 section. I have five copies in there. We agree with that cross section,

1 just have a comment about the note and that's why we try to resolve.  
 2 But since we already say we're gonna table this I think we should just  
 3 go ahead table this and for you to make appointment for us to you  
 4 know resolve that.

5  
 6 **Moscato:** Well, as Matt said we were trying to do that. I guess the only point I'd  
 7 like to make is if the Chair insists on tabling this I'd like a commitment  
 8 that it's going to be heard next week. We'll certainly make every effort  
 9 to be available for a meeting with Utilities. But if a meeting can't take  
 10 place or if the meeting doesn't resolve and resolution of the issue, then  
 11 we would like an opportunity to have it heard by DRC next week.

12  
 13 **Rodriguez:** The commitment will be made that it will be placed on the agenda with  
 14 the understanding that there will be a meeting taking place with  
 15 Utilities regardless of whether or not the Utilities Director can attend  
 16 but as long as right now there can be some level of understanding  
 17 between Utilities and the applicant regarding the cross section and  
 18 how the deviating of that cross section in the City Design Standards,  
 19 what impact it has to that 18 inch water line, I think that issue needs to  
 20 be resolved and I'm understanding that from Utilities that that meeting  
 21 can take place and this will be... come back to next Wednesday's  
 22 DRC.

23 On that note, do I have a motion to table this to the October 14<sup>th</sup>  
 24 DRC meeting?

25  
 26 **Johnston:** Mark Johnston, so moved.

27  
 28 **Dubbin:** Second, Mark Dubbin.

29  
 30 **Rodriguez:** It's been tabled to October 14<sup>th</sup>. All those in favor?

31  
 32 **Members:** Aye.

33  
 34 **Rodriguez:** Those opposed? None. Okay, it'll be tabled to October 14<sup>th</sup> and then  
 35 following this meeting if we can schedule that accordingly so we can  
 36 get the outstanding issues resolved I'd appreciate it.

37  
 38 **3. Metro Verde PUD Amendment – Discussion Item Only**

- 39
- 40 • The developer wishes to discuss concepts relative to a potential PUD  
 Amendment for the Metro Verde area.
  - 41 • Located south of the future extension of Dragonfly north of Arroyo Road  
 42 and traversing the future extension of Sonoma Ranch Boulevard and  
 43 located within the Sierra Norte master planned area.
  - 44 • Requested by Denton Ventures, Inc. for Brightview Land Company.

45  
 46 **Rodriguez:** On the next item is a discussion item just for the Metro Verde PUD  
 47 amendment. We do have an approved concept plan for Metro Verde.

1 The applicant is wishing to expand the boundaries of that PUD  
 2 amendment and I think on the nature and the scope of the PUD  
 3 amendment and how it will impact various departments in the City,  
 4 we've placed on the DRC just for discussion. This is just conceptual  
 5 right now, we can weigh in comments so they can... they have not  
 6 officially submitted this PUD amendment so I'm going to hand it over to  
 7 Matt, if you can discuss the elements contained within the PUD  
 8 amendment and it's relationships to the different reviewing  
 9 departments.

10  
 11 Kenney: Thank you Madam Chair, Matt Kenny with DVI. Just for the record we  
 12 did bring this to the pre-application last week and because of the  
 13 complexity of the application we were asked to come to this meeting  
 14 so that all the different departments could hear it. I just want to make  
 15 sure that this will satisfy the requirements of the pre-application  
 16 meeting.

17  
 18 Rodriguez: It will.

19  
 20 Kenney: So we have a major amendment to the Metro Verde Planned Unit  
 21 Development. It starts with kind of the original Metro Verde as the  
 22 base but then it includes... it expands from 187 acres to 600 acres and  
 23 includes the new golf course as part of that acreage because the  
 24 owner now has an interest in a larger land area than what was  
 25 originally the original 187 acres.

26 So, on the vicinity map you'll see the original Metro Verde  
 27 boundary and then a hatched area that shows the expanded area and  
 28 the two areas together are the approved Planned Unit Development.  
 29 We have a number of sheets here to go through and I think what I'll do  
 30 is go through them fairly quickly one time just so you can see the  
 31 information that's here and I'll give a brief description of each sheet  
 32 and then maybe we can go back through and discuss items that are  
 33 pertinent and relevant to each department. The first sheet is an  
 34 overview sheet which is kind of the description of the project and what  
 35 we're trying to accomplish with the PUD. There is a vicinity map and  
 36 then a list of the amendments to the original PUD. We kind of list  
 37 some of the more detailed or important changes that you might find in  
 38 this amendment compared to what was originally approved so that you  
 39 don't have to weed through and try to figure out some of the things  
 40 that may have changed. So that's the overview sheet.

41 Second sheet is our concept plan with our land use designations.  
 42 It shows the entire area and each one of the different colors  
 43 represents a land use and the land uses are given a name such as U4  
 44 or SUA and then there's a chart that tells you what's on there. Since  
 45 the requirements of the City code say that we're supposed to show all  
 46 of the land areas that the owner owns contiguous we have an area  
 47 here and since it's such a large land area we did just an overview

- 1 diagram to show the limits of that and yeah we could expand on that  
 2 as staff sees fit but we just felt that it was a reasonable way of  
 3 demonstrating what land areas are contiguous and what land areas  
 4 are more widely detailed within this PUD amendment.  
 5
- 6 Rodriguez: Matt, on that note, how are the land uses shifting from the approved  
 7 Sierra Norte Master Plan to what is being proposed here?  
 8
- 9 Kenney: They are entirely different. I don't have the approved zoning that was  
 10 done with the annexation but there are some fairly significant changes  
 11 to the existing zoning.  
 12
- 13 Rodriguez: MPO?  
 14
- 15 Banegas: Vincent Banegas, Acting MPO. Matt, just a little bit of a flavor for the  
 16 land uses when you say U3, U4; what are you talking about there?  
 17
- 18 Kenney: Well let's go to the next sheet. So we have a sheet called the land use  
 19 guidelines and it has a description of each one of the land uses and  
 20 some of the bulk requirements of just setbacks and building heights  
 21 and some of those things. Parking requirements, on-lot ponding,  
 22 descriptions for each one of the land uses and then there's a land use  
 23 table that says which land uses are specifically allowed in that land  
 24 use so for instance U3 is more of a single family housing type area  
 25 and you go to the chart and it's pretty much limited to residential uses.  
 26 As you get into the other land uses you start to get a transition to a  
 27 more mixed use so you start in U3 with single family and you transition  
 28 through U4 that starts to get a few more mixed uses and then you get  
 29 to U5 and you get to a place that's highly intense mixed use which is  
 30 consistent with the original village center of the Metro Verde PUD.  
 31 And there are some what we call special use districts where we have  
 32 business parks and other things like that. And then there's one tract  
 33 that is simply to set a sideline for the waste water treatment plant for  
 34 the future City waste water treatment plant.  
 35
- 36 Banegas: And Matt, just as a follow up, if a use that comes in or is proposed as  
 37 not identified on that table and then it's prohibited or is there some  
 38 leeway that allows the Community Development staff to lean one way  
 39 or another in terms of...?  
 40
- 41 Kenney: What we tried to do is take the headings from the zoning code that are  
 42 general groupings of land uses with the expectation that something  
 43 that fits that general use would be allowed so that there's flexibility.  
 44 The idea is to have a mixed use development and so the idea is to  
 45 lean more on the side of flexibility than restriction. But in some cases  
 46 there were specific land uses that we weren't sure if the broad  
 47 categories were really telling us that we could do those things so in

1 some cases you might find a description to help staff say okay, yes a  
 2 nursing home can go here or what have you. So, it's a very complex  
 3 thing to try to accomplish in a single chart. Obviously the American  
 4 Planning Association has hundreds of different land use classifications  
 5 and I think the literature gets to as many as 600. We didn't want to put  
 6 600 land uses because you'll always find something that isn't on the  
 7 chart anyway. But certainly this is a sheet that will be of interest to  
 8 Community Development and I'm sure we'll have some lively  
 9 discussions about what the right way is to accomplish the ultimate goal  
 10 to give a great deal of flexibility of land uses so that the land uses are  
 11 there by right and somebody doesn't have to come in with a zoning  
 12 code... with a zoning change 10 years down the road to do something  
 13 that we felt should be allowed there to begin with.

14  
 15 Diaz: Claudia Diaz, Public Works. Can I request something if you don't  
 16 mind? Can we go back and just I know this is concept but if you can  
 17 just kind of show us some parcels or areas that are really quite  
 18 defined. You know where (*inaudible*) visual idea.

19  
 20 Kenney: So it starts with the village center of Metro Verde which is a mixed use  
 21 center and then we have higher intensity uses that kind of orbit around  
 22 that use and then as you get to the outer areas, you still have the  
 23 single family type uses. The primary core of the inside of the golf  
 24 course is U3 which is the single family residential type uses and then  
 25 we have U4 areas that will allow a higher density residential use. In  
 26 this area you'll see as we go through some of the sheets that we have  
 27 a condo area proposed there which is why it's U4 and not U3. We  
 28 thought that a resort spa type use might work well with the golf course  
 29 club house so we've allowed a mixed use type setting next to the club  
 30 house.

31  
 32 Diaz: Sorry, the club house is... right there?

33  
 34 Kenney: Is right in here.

35  
 36 Diaz: Okay.

37  
 38 Kenney: So this is the club house access road and then the club house will be  
 39 here. Resort spas often time have boutique sales and convenience  
 40 stores and other retail uses and things so we put a mixed use type  
 41 zoning on that area. We have a concept of what some of these areas  
 42 are but ultimately the idea is to have a land use in case for some  
 43 reason a buyer comes and says I'd really like to buy this area over  
 44 here from the developer. That could be sold as a larger tract and then  
 45 the land uses would be based on what's shown here.

46 We have a fairly vehicle oriented commercial center at the  
 47 intersection of Arroyo and Sonoma Ranch Boulevard and then what

- 1 we envision as a light industrial research and development  
2 employment center at the intersection of Arroyo and Sonoma Ranch  
3 on the east side and then this tract is a 10 acre tract set aside for the  
4 City's waste water treatment plant.
- 5 So those are the general uses and then there's open space uses  
6 as well and then the golf course is put into a land use and there are a  
7 series of allowed uses for the golf course property so that if somebody  
8 opened up a restaurant or something that went along with the club  
9 house, that would be allowed within the context of the land uses.  
10 Does that help?
- 11
- 12 Diaz: Thank you. Yes, much better.
- 13
- 14 Kenney: Alright, so...
- 15
- 16 Montoya: That 10 acre tract set aside for treatment plant; there's no sure use of  
17 anything like drainage or anything but for the treatment plant. I see  
18 that's the only designate use.
- 19
- 20 Kenney: Yes, we've actually put it into its own land use, SUB waste water  
21 treatment plant. This use is strictly for the site of the future City of Las  
22 Cruces waste water treatment plant. So it's strictly for utility purposes.
- 23
- 24 Montoya: Thank you.
- 25
- 26 Rodriguez: Matt, I'm trying to orient myself. For the industrial area, that's what, on  
27 the east side of Sonoma Ranch? Was that the part of the original, the  
28 Fountains area or is that connected with Jornada Del Norte because  
29 I'm trying to visualize the shift there.
- 30
- 31 Kenney: I believe it was still part of the Fountains.
- 32
- 33 Rodriguez: Okay.
- 34
- 35 Kenney: And then Jornada was slightly... it was actually on the other side of the  
36 Isaacs Lake open space system.
- 37
- 38 Rodriguez: Okay.
- 39
- 40 Kenney: And that doesn't show up in this PUD amendment but there's still an  
41 expectation that that open space would allow the drainage through.
- 42
- 43 Rodriguez: Thank you for helping me orient there.
- 44
- 45 Kenney: Okay. We've brought the sustainability concept sheet that we have in  
46 Metro Verde and so it's still a part of the plan if there... again if there's  
47 been changes we tried to put the changes on the first sheet so you can

1 look through for the changes but for the most part it's the same sheet  
2 that you've seen before.

3 The Village Center concepts, we expanded on them a little bit.  
4 We've looked at parking again and there's a brand new sheet on the  
5 parking lots so I'll get into parking in a little bit, detailed a little bit more  
6 but these are urban design elements.

7 There's an expanded park and trail plan that still has the  
8 Promenade Park system and Plaza that was part of the original Metro  
9 Verde but then there's an expanded park and trail system that we  
10 envision for this overall area. One of the goals is to meet the City's  
11 master plan in terms of park access to residences within a given area  
12 and so we try to have parks distributed throughout the project.

13  
14 Rodriguez: Matt, in terms of the parks and trail plan is it anticipated that it'll all be  
15 privately maintained or is it that it will come under the City?

16  
17 Kenney: I think there are portions of it that will... I think it'll be both. I think there  
18 are portions that might be maintained by a business district but others  
19 that will be dedicated as neighborhood parks to the City.

20  
21 Rodriguez: Okay.

22  
23 Kenney: So I think for the purposes of the master plan and preliminary plat  
24 stages of the PUD we would say that those issues would be resolved  
25 with the final plat with Facilities Department.

26  
27 Johnston: Mark Johnston, Facilities. I'm comfortable with that. It's following  
28 somewhat the original concept that we have discussed throughout this  
29 process and a mixture of privately maintained and publicly maintained  
30 properties works well.

31  
32 Rodriguez: But as part of the PUD concept in terms for mitigating park impact fees,  
33 does Facilities want to deal with that here at this level so we can have a  
34 long term game plan approach to that?

35  
36 Johnston: I think that detail is... what we might have to do is allude to it with some  
37 specific language that park impact fees will either be assessed or the  
38 value of land trade or construction of public parks. Something to that  
39 order so we're covering all the bases.

40  
41 Kenney: And I think we'll obviously be having meetings with different  
42 departments to address their concerns as we go through the review  
43 process and we'll be happy to meet with Facilities and talk about that  
44 further.

45  
46 Rodriguez: Okay, thank you.

47

- 1 Kenney: We have phases A through Z and...  
2  
3 Rodriguez: The whole alphabet there.  
4  
5 Kenney: We've got the whole alphabet on there. The idea is consistent with the  
6 original phasing plan of having flexibility to build things as the market  
7 needs different products and then there's notes on there that say that  
8 secondary access requirements will be met and some of those other  
9 things. But there's a great deal of flexibility of different phases being  
10 built at different times and having the ability to pull phases into sub-  
11 phases or combine E and D and do it all as one project. It's very difficult  
12 to predict how a 600 acre project is going to get built out but we took a  
13 shot at it.  
14  
15 Rodriguez: In terms for the phasing plan, I know that there was considerable  
16 discussion with the original Metro Verde to have the flexibility that the  
17 phasing will not necessarily happen in sequential or alphabetical order,  
18 that we can shift that around. What staff was trying to get a handle on is  
19 if we shift the phases around, what impact does that have on the  
20 transportation network in terms for getting primary, secondary access to  
21 developments, I mean how does that flexibility of this phasing schedule  
22 going from A to Z? There's numerous phases. If we're going to you  
23 know do phases X, Y and Z first and they're tucked away somewhere,  
24 how will that impact the transportation system in the area?  
25  
26 Kenney: Well say phases A through W may be completed in order and in  
27 conjunction with any other phases as long as access, secondary access  
28 infrastructure and fire flow issues area adequately addressed.  
29  
30 Banegas: Infrastructure to include any regional ponding or requirements, that kind  
31 of thing, correct?  
32  
33 Kenney: Right, drainage, fire, sewer, water, gas.  
34  
35 Banegas: Okay.  
36  
37 Rodriguez: Can we pull the phasing plan to the side because I'd like to see that  
38 when we get to the transportation plan because I'm assuming you have  
39 one.  
40  
41 Kenney: Uh oh. That's the concept plan. I don't have a separate transportation  
42 plan.  
43  
44 Rodriguez: Okay.  
45  
46 Kenney: But we can certainly keep that out. One of the concepts of the mixed  
47 use development was that we had shared parking and I've since been

1 doing quite a bit of reading on parking and there's a push by the  
 2 American Planning Association and the Environmental Protection  
 3 Agency to give flexibility to parking requirements so that we can reserve  
 4 open space in certain instances and reduce the amount of impervious  
 5 area we have on the ground and so forth.

6 It's also possible with a project that has this much commercial  
 7 that somebody might build a spec lease building and have absolutely no  
 8 users in it and actually have a shell building there that has no users and  
 9 there isn't a need for the parking on the ground at that time. So from the  
 10 standpoint of cash flow and financing and those things of making a  
 11 project of this complexity successful, it's helpful to be able to defer  
 12 building certain elements until you really need them and the literature  
 13 saying that we should give more flexibility to the market in determining  
 14 when and how much parking should be provided.

15 So we have a sheet here that basically says that the parking lots  
 16 within Metro Verde will be built by the developer when the market  
 17 decides that it needs to be there. We put these green areas into a land  
 18 bank that is reserved for either one of two uses; either open space,  
 19 native desert open space or parking lot. You can't take them away and  
 20 put in buildings but there isn't a requirement that a permit here is  
 21 dependent on parking. There are angled parking spaces in the street  
 22 and there's parallel parking and so there's several hundred parking  
 23 spaces that will be on the ground with the basic infrastructure but then  
 24 the parking lots themselves will be built as the market demands them.

25 Then we have a street section plan and on that street section  
 26 within this project we're proposing some areas that have alley access to  
 27 garages and so we're showing a dedicated alley section as well as  
 28 Minor Local and Arterial cross sections. Most of the cross sections are  
 29 consistent with what was on the original Metro Verde but we are  
 30 showing a 28 foot Minor Local cross section with parking on both sides  
 31 and we have a gridded network with good connectivity and we've met  
 32 with different departments about this idea and so that's on the street  
 33 section.

34  
 35 Diaz: I have a question. Claudia Diaz. So the alley, that was part of the  
 36 original one? I can't remember that.

37  
 38 Kenney: No, the alley is a new concept for this PUD.

39  
 40 Diaz: Is there utilities under those alleys?

41  
 42 Kenney: We will have to have utilities under the alleys, yes.

43  
 44 Diaz: And the plan is to dedicate them?

45  
 46 Kenney: Yes, they would be dedicated.

47

- 1 Diaz: More or less what are we talking about, how many feet? The width.  
2
- 3 Kenney: That would be... they'd be 30 feet wide; the dedicated right-of-way.  
4
- 5 Montoya: And Matt, so those where they are going to dedicate for the utilities not  
6 in the right-of-way... it's not in the driving but you are going to have car  
7 driving over there so you're going to pave it and you're going to turn that  
8 over to the City right-of-way, I mean the street department for  
9 maintenance, those alleyways?  
10
- 11 Kenney: That's correct. And I'll get more into to detail on that concept in some  
12 future sheets. We have some basic roundabout details to show how the  
13 radiuses and things will be. They're still conceptual and depending on if  
14 we build a half section or full section, you may not have all the splitter  
15 islands and things that at the initial phase of construction but we wanted  
16 to show what the full build out would look like.  
17 We have some local street design concepts that include traffic  
18 calming devices that are preferred for emergency access and we also  
19 have a preferred and discouraged street connectivity plan showing that  
20 we'd rather have a gridded network than the lollipop cul-de-sac plan.  
21
- 22 Rodriguez: And Matt, the street design concept, is there a relationship there with  
23 your sustainability concepts for the desire to use material other than  
24 what's specified in the City's development codes in terms for surfacing...  
25 is there...?  
26
- 27 Kenney: The roads will still be asphalt pavement. It's just the parking lots that  
28 are pervious concrete. We have a preliminary grading plan with low  
29 impact development concepts to talk about how our ponding will work.  
30 We have both the concept of on-lot ponding and a regional ponding  
31 concept that ties together to work with the flat topography that's out  
32 there.  
33
- 34 Diaz: I do have another question, or I guess some input on that. If you are  
35 doing on-lot ponding, I would request that it also be based upon zoning  
36 so if you have a really low setback zoning like a... back setback that  
37 doesn't allow ponding then that should not be an option for ponding  
38 because how do you literally put a pond in a I don't know, 10 foot  
39 setback? Right, so I would like to see that work together so on-lot  
40 ponding maybe for the single homes that have the area in the back or  
41 that have that area but the condos or the... they really can't.  
42
- 43 Kenney: Well what I'm finding is that we're not controlling our roof runoff  
44 adequately on every type of product regardless of size of lot and so  
45 what I'm proposing is a combination of linear pond systems that work  
46 with historic runoff and retain or detain the increase in runoff but then  
47 have what I really envision as water harvesting soils and landscaping

1 within individual lots that control the runoff from the roofs so that we  
2 aren't just blasting the roof runoff out into the street and causing erosion  
3 control problems. So you'll see that when you get a chance to read  
4 through all the detail of what I'm getting at and if there's a way that we  
5 can phrase it better I'd be happy to talk about that as we get into it.  
6

7 Diaz: Okay.

8  
9 Kenney: And we have an overall master... utility plan and then additional utility  
10 sheets for each one of the areas in the development. And then we get  
11 into supplemental sheets which are extra sheets to kind of flush out the  
12 concepts that are in the approval section of the master plan. This is our  
13 development plan which shows a concept of how the different land uses  
14 might play out. Obviously this isn't set in stone and the land uses that  
15 are allowed could change how this is built out but we've developed  
16 some areas.

17 Each one of the colors on this development plan represents a  
18 different housing product. We're trying to provide a diversity of housing  
19 in this golf course community. There are single family areas, multi-  
20 family areas and different housing products in each one.

21 The alley area that we are primarily looking at is interior to what  
22 used to be the Fountains and what we're trying to do is create a more  
23 private lifestyle away from the overhead power line and give people  
24 some protection from the overhead power line by creating housing that  
25 turns inward instead of facing the overhead power lines so we have an  
26 alley that has service the garages but then you have local roads that go  
27 around the outside. With our proposed cross sections if you look at  
28 having three rows of housing in a typical Las Cruces neighborhood, if  
29 took the typical cross section of 37 feet and multiplied it by three to  
30 create the three roads it would serve, the six rows of housing, the  
31 amount of pavement is more in that scenario than what we're proposing  
32 with the Minor Local cross section that we're proposing and then the  
33 alley so we're not creating any more operation and maintenance or we  
34 don't believe that we are. But we're trying to provide a better housing  
35 and a better living scenario for people in the area.  
36

37 Reyes: Matt, how wide are those alleyways and then are they built like a  
38 roadway or are we talking about like it's... to me it's like a private access  
39 for each one of those, uh yeah, like a driveway for each one of those  
40 homes.

41  
42 Kenney: The right-of-way would be 30 feet and then the paved width would be 20  
43 feet that allows for inadequate backing up space. We would build it  
44 consistent with Minor Local road construction standards in terms of  
45 depth of hot mix and base course.

46  
47 Reyes: But it would be no curb and gutter, it would just be asphalt?

- 1  
2 Kenney: Well, I think there's some flexibility in what the cross section looks like if  
3 we have a need to convey drainage or something we might look at curb  
4 and gutter but we do have a cross section right now that's showing a flat  
5 curb but I don't know that the specifics of the type of curbing is set in  
6 stone in terms of the master plan side of things.  
7
- 8 Reyes: Okay. Well I understand you know the reduced pavement and  
9 everything. I'm just not sure that Public Works is going to accept... you  
10 were saying that they were going to be dedicated to the City, is that  
11 correct?  
12
- 13 Kenney: That's correct.  
14
- 15 Reyes: I'm not sure if Public Works would accept something. I know that on  
16 another development we were asked if we would take similar access, I  
17 guess, driveway. It was very similar to that, it was 27 feet wide and I  
18 know that Public Works said no because it was more of a private  
19 driveway, I guess. So I don't know, I guess that may be a point that  
20 we'll have to discuss with regard to whether or not that's something  
21 Public Works would take operation and maintenance of.  
22
- 23 Rodriguez: Matt, I have a question regarding on the alleyways to follow up on  
24 Loretta's comments. Will the alleyway also be used to facilitate like solid  
25 waster pick up and everything else or...?  
26
- 27 Kenney: I think that's possible that that's where the trash pick up would be.  
28 Because that's where all the garages are so most likely that's where  
29 you're gonna keep your trashcan. What we have done is created short  
30 blocks so that you have a lot of connectivity and it's again we have less  
31 pavement and higher density so in terms of operation and maintenance  
32 costs for the amount of tax revenue that you're getting out the housing, I  
33 don't see any reason why the City should object having less cost for  
34 operation and maintenance but that's certainly something we will  
35 discuss.  
36
- 37 Montoya: Okay Matt and then follow-up on Public Work's question then I have a  
38 question. Say that if Public Work have concern about taking over and  
39 Utility has concern about putting a utility in there because we are not  
40 able to maintain the road if Public Work's has concern of taking those  
41 alley over. And the other thing so if the trash has to pick up on the back  
42 in the alley that... are we allowed parking in there or we have to enforce  
43 parking because that's where people going to drive to their garage?  
44
- 45 Kenney: There's no parking allowed on the alley; there are dedicated visitor  
46 parking areas that are situated throughout the project to provide for  
47 visitor parking. The front doors will actually, on the interior lots will

1 actually be off the open space and so we have a trail system that will  
2 connect to that parking as well.

3  
4 Montoya: So if those people has more than two cars they have to park in the alley  
5 because they cannot park in the street because they don't fronted at the  
6 street, they fronted at those green belt.

7  
8 Kenney: Well they would either park on the street or in the additional parking  
9 that's provided but each house will be required to have at least a two-car  
10 garage.

11  
12 Montoya: I think we will discuss this some more, I will show this to the Solid Waste  
13 Department because it's hard to enforce parking when you have  
14 nowhere to park. They have to park in the alley or move it next block or  
15 something.

16  
17 Kenney: Well, that's why we're trying to do a mixed use development so that we  
18 reduce the amount of car ownership and that's an important element of  
19 the plan is to get people walking to the village center instead of needing  
20 multiple cars so we think that a two-car garage in a mixed use  
21 development is satisfactory. There are areas in Tucson that are...  
22 there's quite a few of these types of developments in the Tucson area  
23 and I haven't seen any problem with excess parking.

24 This is the Village Center Plaza plan that was from the original  
25 Metro Verde. And then we get into some architectural elements. We  
26 are intending to bring forward a concept plan and final site plan so the  
27 final site plan requirements ask for architectural elements as well.

28 This is the... I guess Mark if you wouldn't mind grabbing the  
29 Development Plan and it's just two sheets back. Thank you. Great  
30 thanks. We have an area in this part of the development where we're  
31 proposing six to eight-plexes which would be condominium multi-family  
32 type units. This plan shows a floor plan of half the building and then you  
33 would mirror to get the other half of the units and there's an eight-plex  
34 unit with elevations and then a six-plex unit with elevations as well to  
35 demonstrate how that works and each one of the units is set up to have  
36 a view either of the golf course or of the canyon that the BLM is  
37 preserving.

38 So this is a site plan type drawing that demonstrates how the  
39 alley units work. We have 40 and 60 foot wide typical lot sizes. You'd  
40 have an alley, a 20 foot wide area and then a five foot drive pad. The  
41 developer would build the 20 foot alley and then the builder, excuse me,  
42 would build the five foot drive pad. The garage is separated from the  
43 house and the house then either has a 15 foot setback for a landscape  
44 easement on the Minor Local that's in front or potentially a zero foot  
45 setback on the open space in the back. And what that does is creates a  
46 very private interior yard so that people can turn inward away from the  
47 overhead power lines since they don't have a view of the golf course

1 they would have a private courtyard living. There's as much space in  
 2 these yards as is typical for standard housing yards and actually we  
 3 think there's a little more space for garages and pools and some of  
 4 those other things. So that's a site plan demonstrating that alley  
 5 concept.

6 Then we have another concept and as you look through these  
 7 architectural supplemental drawings, I'd like you to go back and look at  
 8 the way we've drawn up the setbacks on the land use because we have  
 9 a lot of different approaches to setbacks and we think we've created  
 10 some livable housing conditions that provide different price ranges of  
 11 housing but the setbacks are definitely not standard and that'll be one of  
 12 the challenges is making sure that we've written the setback  
 13 requirements in a way that staff can easily work with permits and so  
 14 forth. This concept sets the garage at the back of the lot. Access is off  
 15 a Minor Local road in front and the garage has a zero foot setback on  
 16 the side and the rear and then the house is on a zero foot side setback.  
 17 And then you mirror that in a way that the yard becomes very private  
 18 with garages creating the yard walls around the yard where you don't  
 19 have people's windows looking out at you on your private court yard. So  
 20 you have this very nice small yard for a, you know a single adult or a  
 21 retired couple. So again the setbacks are entirely different than the  
 22 courtyard house plan I just showed you and then we do have an area  
 23 that has very standard set up so making sure that we write the setbacks  
 24 will be important. We also have a two-story plan with the same  
 25 concept, what we're calling Casitas.

26  
 27 Montoya: Matt, can I ask you a quick question? How much control does the  
 28 developer have to build the type of setback or zero lot line that you  
 29 propose in there? Would that be if you sold one block to another  
 30 builder, how flexible they have change your concept from zero lot line  
 31 this way into zero lot line that way or normal zero lot line?

32  
 33 Kenney: What I'm thinking we'll have to do is actually put the setbacks on the  
 34 final plat and actually show maybe a typical lot type setup on the final  
 35 plat so that you say lots 1 through 10 shall have you know zero foot side  
 36 setbacks or what have you. And that we would detail it somehow at the  
 37 final plat because the land use plan is gonna build quite a bit of flexibility  
 38 for setbacks but in order to get that product that we're trying to get we're  
 39 going to have to restrict the garage to that back corner in a way that we  
 40 actually get the mirrored effect that we're looking for. So I think the final  
 41 plat's probably the appropriate place to...

42  
 43 Montoya: Okay and the reason I'm asking that is because we usually you know I  
 44 mean with your floor plan ideas you definitely will require a variance  
 45 request through the Utility Department to put the utility the way that you  
 46 want in there. And we're dealing with some builder that some developer  
 47 sold a subdivision to someone else and they totally changed the plan

- 1 and we're dealing with another variance request from them in order to  
2 make their house plan so that's why I'm asking how much control you  
3 have to build the way you want it so we make sure that we don't deal  
4 with two variance.  
5
- 6 Kenney: Right, I agree and I think somebody could buy a whole block of land and  
7 decide they don't want to do that concept and the land use plan allows  
8 them to do other things but if we had it on the plat it would require them  
9 to do a replat in order to change the concept to something else so at  
10 least there'd be some control at the County Clerk's office as to what the  
11 use was and what the setbacks were. Because someone could  
12 potentially take a whole block and do a whole attached structure on it  
13 that's entirely different than what we platted but at least we'd have some  
14 way to change it.  
15
- 16 Montoya: Okay, thank you.
- 17
- 18 Kenney: We have some areas that might have attached single family townhome  
19 type uses so we've provided some architectural elements for  
20 townhomes. And they vary from single story to three story and that's it.  
21
- 22 Rodriguez: Can we go back to the page that had the development layout?  
23
- 24 Kenney: Sure.
- 25
- 26 Johnston: Yeah, right.
- 27
- 28 Banegas: Come on Mark, get with the...  
29
- 30 Kenney: You don't know where everything is yet?  
31
- 32 Johnston: No.  
33
- 34 Rodriguez: What is the thoroughfare system in this area?  
35
- 36 Kenney: Okay, the transportation network includes Arroyo Road and Sonoma  
37 Ranch Boulevard which will be dedicated as 120 foot right-of-ways  
38 which is consistent with the Thoroughfare Plan. We have worked with  
39 MPO staff on Dragonfly Boulevard and their timeline was such that we  
40 felt we needed to have the issue addressed sooner than later so right  
41 now the Major Thoroughfare Plan is going to go through a revision  
42 process through the Policy Committee over the next couple of months to  
43 discuss whether or not Dragonfly Boulevard should be removed from the  
44 Thoroughfare Plan and that's a decision that the Policy Committee  
45 needs to make. The primary impetus for that request comes from the  
46 BLM's intention of making a recreation area directly to the west of this  
47 project and if Dragonfly goes away as an Arterial obviously that impacts

1 our ability to plan on the northern limits of the project where Dragonfly  
 2 was originally shown on Metro Verde's plan. With this amendment  
 3 submittal we have a note about Dragonfly saying that if the Policy  
 4 Committee decides not to remove it and keep it as a by-pass then the  
 5 plan would revert back to Dragonfly's alignment that was shown on the  
 6 approved Metro Verde but we've shown a concept plan without it so that  
 7 we can demonstrate that on a local level we can provide good  
 8 connectivity throughout this PUD amendment area without Dragonfly so  
 9 we have multiple points of access to just about everywhere in the  
 10 development. We're also asking that Settler's Pass be removed  
 11 because there's a fairly significant canyon feature that is the upper  
 12 boundary of the Dona Ana Arroyo water shed and we think that bringing  
 13 a five lane roadway through the top of the water shed would be  
 14 destructive to the water shed and to the recreation area as well and that  
 15 there's something worth protecting there and so we've asked for that to  
 16 be removed as well. But we do have the ability to get two points of  
 17 access to everywhere in the project and get back out to Arroyo or  
 18 Sonoma Ranch.

19  
 20 Rodriguez: So Settler's Pass right now on the existing Thoroughfare Plan actually  
 21 connects up to Dragonfly.

22  
 23 Kenney: That's correct.

24  
 25 Rodriguez: And so the Dragonfly discussion with MPO, are you have a similar  
 26 discussion with MPO about possibly terminating Settler's Pass and add  
 27 Arroyo Road?

28  
 29 Kenney: That's correct. Actually we've said anything north of Arroyo if they take  
 30 Dragonfly off, any Collector that extends north of Arroyo should go  
 31 ahead and be removed because it'll no longer function as a Collector if  
 32 you don't have another Arterial and you have Collectors just dead-  
 33 ending out in space we thought for now we ought to at least clean up the  
 34 map.

35  
 36 Rodriguez: So is there any plan for any type of a road there at the far western...  
 37 southwestern corner where Settler's Pass would come up? Right now  
 38 existing on the Thoroughfare Plan up north how would... how do you  
 39 facilitate traveling essentially from Arroyo Road north?

40  
 41 Kenney: It would actually either come out to Arroyo Road or come back through  
 42 to Sonoma Ranch Boulevard and out. There's... the developer reserves  
 43 the right to make a Minor Local connection here but we're saying that for  
 44 the Major Thoroughfare Plan that the five lane requirement should be  
 45 taken off because that would be... well it's about a 30 foot deep canyon  
 46 so building a five lane road would be extremely expensive for the public

- 1 to do and I think the alignment's, at least as far I've seen the Major  
2 Thoroughfare Plan is on the BLM side.
- 3
- 4 Rodriguez: And then on the original Metro Verde PUD you had Lisa Lane that  
5 connected to Sonoma Ranch. Is that on the Thoroughfare Plan where it  
6 terminates at Sonoma Ranch?
- 7
- 8 Kenney: North of Arroyo Road it's actually Luna Vista that dead-ends into  
9 Sonoma Ranch Boulevard as a Collector but we continue it on as a  
10 Local road and loop back around so there's a complete loop.
- 11
- 12 Rodriguez: Okay and Fire had some questions.
- 13
- 14 Dubbin: Mark Dubbin, Fire Department. I had a couple of concerns with the...  
15 not only are the two points of access a requirement but there's also a  
16 requirement that they have a certain remoteness to them. I believe  
17 Settler's Pass was a key part of the remoteness from basically two  
18 different areas on a wider scale and that's something we're gonna have  
19 to address. Also the reduced lot parking and having on-street parking  
20 on a 28 foot wide roadway with the parking on both sides is gonna be...  
21 it sounds problematic for operations.
- 22
- 23 Kenney: When we have met with Travis Brown and Lt. Gonzales, we talked  
24 about the possibility that Dragonfly might have to have a temporary  
25 connection to Jornada to satisfy the remoteness requirement of  
26 secondary access but they were very happy with the gridded  
27 connectivity in general on the concept plan, that there were lots of way  
28 to get in and around and to get to places. And then the low density  
29 single family type development I think they're leaning towards approving  
30 a 28 foot cross section. In the village center the cross section actually  
31 allows flexibility from 28 to 34 feet and we would think that it would be  
32 appropriate in the village center to maintain the 34 feet so when you  
33 have parking on both sides you have a 20 foot clear zone for fire trucks  
34 in what would be otherwise be a very busy and congested village center  
35 area and so you know Minor Local areas that are away from commercial  
36 centers and the village center might go to 28 feet but the areas that are  
37 more congested we would consider using the 34 foot cross section that  
38 was approved on the original Metro Verde plan.
- 39
- 40 Dubbin: Thanks, we do like the gridded connections and your other concepts are  
41 gonna... that'll be something we'll have to look at a little more closely  
42 but that'll be... we will discuss that during the review.
- 43
- 44 Rodriguez: Matt, the approved original Metro Verde PUD included a cross section  
45 for Sonoma Ranch from basically Dragonfly down to the southern  
46 boundary of the original Metro Verde. I'm assuming that this  
47 amendment will pick up that approved cross section and carry it down to

- 1 the intersection of Arroyo Road as part of this amendment process but  
 2 my question is for Sonoma Ranch in a much broader scope is, is there  
 3 plans to keep that, to seek permission to keep that cross section that's  
 4 been approved with the original Metro Verde to take that cross section  
 5 all the way down south to tie into another thoroughfare like Peachtree  
 6 Hills or even Engler or... what's the long range plan for Sonoma Ranch?  
 7
- 8 Kenney: We think that as you get south of Arroyo Road that Sonoma Ranch for  
 9 the foreseeable future will be the primary route in and out for most traffic  
 10 so south of Arroyo Road would be a five lane road cross section to  
 11 handle the additional traffic to get out of the area. So you'd have from  
 12 existing pavement to Arroyo Road the built out or the proposed full build  
 13 out would be the five lane cross section.  
 14
- 15 Rodriguez: And next week we'll handle the proposed deviation for the cross section  
 16 for Arroyo Road but depending on the outcome from next Wednesday  
 17 then those elements will be then incorporated into this overall  
 18 amendment.  
 19
- 20 Kenney: That's correct. And we have submitted a preliminary traffic justification  
 21 for the three lane road cross section to the Traffic Engineer and it's my  
 22 understanding that he has approved the analysis that was done.  
 23
- 24 Rodriguez: Will there be a TIA submitted with this amendment as well?  
 25
- 26 Kenney: There will be, yes.  
 27
- 28 Rodriguez: Okay, thank you.  
 29
- 30 Banegas: I have a question Madam Chair. Vince Banegas, MPO. Matt, regarding  
 31 the orange lots over there on the west side I believe that to be the west  
 32 side, those were your multi-family, potentially your multi-family lots,  
 33 correct?  
 34
- 35 Kenney: That's correct.  
 36
- 37 Banegas: And in terms of traffic basically traversing through the development,  
 38 would it not be more beneficial to provide some relief at least on that  
 39 western most side in terms of access back to Arroyo Road as opposed  
 40 to having that traffic kind of meander through and impacting some of the  
 41 single family lots further east of that subject area? Or perhaps you were  
 42 looking at that as an option.  
 43
- 44 Kenney: We've discussed it. There is a... you can see from the topography there  
 45 is a pretty significant canyon feature that's there and the expense of not  
 46 only building but operating and maintaining that roadway. I was  
 47 showing it as not having that connection because of that canyon and I

- 1 felt it blended in nicely into what the BLM is doing but as I mentioned the  
2 developer does reserve the right to make that connection.  
3
- 4 Banegas: In lieu of that is there a possibility to relocate that multi-family cell if you  
5 will so as not to impact single family products or properties elsewhere?  
6
- 7 Kenney: The reason that we put it there is because of the depth of the  
8 developable property that's left between the golf course and the property  
9 line of the development is much larger than what worked for single  
10 family. If you look at these lots that are quarter acre lots and 120 feet  
11 deep, the depth of them gets to a place where single family housing  
12 doesn't really make sense and so we felt that its location actually was  
13 nice because it gave the condos kind of an exclusive feel without having  
14 to do a gated community. And it provides a different product that you  
15 don't always see on a golf course where you know somebody that  
16 doesn't have the ability to buy a \$500,000.00 to a \$1,000,000.00 single  
17 family home could get into a condo and still have the golf course living.  
18 That's something that would be more affordable to them, I'm not going  
19 to claim affordable housing on the golf course but in terms of relative  
20 costs it would open up more opportunities for a wider range of people to  
21 be able to enjoy a golf course living.  
22
- 23 Rodriguez: Does anybody have any other additional comments? Matt, when do you  
24 anticipate officially submitting this?  
25
- 26 Kenney: We hope to submit in the next one to two weeks.  
27
- 28 Rodriguez: Okay.  
29
- 30 Diaz: I have a question. I'm not a golf person so you're gonna have to  
31 educate me. Can people in this area own their own golf cart? I'm just  
32 wondering if they can, have you taken consideration where these carts  
33 are gonna go because of our concern about the alley and just... just a  
34 question.  
35
- 36 Moscato: Las Cruces Country Club will own and operate the golf course and it will  
37 set the rules regarding whether owner owned carts or whether resident  
38 owned carts will be permitted on the golf course, I really don't know what  
39 the club's position is on that.  
40
- 41 Rodriguez: Any other additional comments? Seeing none, thank you very much  
42 Matt for the presentation.  
43
- 44 Kenney: Thank you for the opportunity and we'll have additional meetings I'm  
45 sure unless you just want to approve it and move it forward, that would  
46 be great.  
47

1 Rodriguez: Not immediately.

2

3 V. ADJOURNMENT (10:27 am)

4

5 Rodriguez: Okay, on that note, do I have a motion to adjourn?

6

7 Dubbin: So moved.

8

9 Reyes: Second. Loretta Reyes.

10

11 Rodriguez: We are adjourned.

12

13

14

15

16

17

18 

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Chairperson

19



## City of Las Cruces

### DEVELOPMENT REVIEW COMMITTEE (DRC) AGENDA FOR WEDNESDAY, OCTOBER 14, 2009

The Development Review Committee (DRC) will consider the following agenda on **Wednesday, October 14, 2009 at 9:00 A.M.**, in the City Council Chambers located at City Hall, 200 North Church Street, Las Cruces, New Mexico.

#### I. CALL TO ORDER

#### II. APPROVAL OF MINUTES – None

#### III. OLD BUSINESS

##### → 1. S-09-049: Arroyo Road Variance Request

- The applicant is requesting a variance to the cross-section for a Principal Arterial per the City's Design Standards.
- Arroyo Road is designated a Principal Arterial on the MPO Thoroughfare Plan requiring 120 feet right-of-way.
- The proposal includes an alternative cross-section for a Principal Arterial, Arroyo Road, within the 120 feet of right-of-way from Jornada Road to Settler's Pass.
- The subject property is located in the Sierra Norte Master Plan area.

#### IV. NEW BUSINESS

2. **IDP-37:** The applicant is proposing an Infill Development Proposal (IDP) for property located at the northeast corner of Virginia Street and Picacho Avenue.
- The subject property comprises 0.169 ± acres and is zoned R-2 (Multi-Dwelling Low Density).
  - The applicant proposes to replat the subject property from three lots to two lots to facilitate the construction of two attached single-family structures.
  - The applicant proposes to deviate from the R-2 development standards with the following variance requests:
    1. 10.14 ± foot variance to the 20-foot required rear yard setback; and,
    2. 25-foot variance to the required 25-foot garage setback.

#### V. ADJOURNMENT

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above.

**DEVELOPMENT REVIEW COMMITTEE**

1  
2  
3  
4 Following are the verbatim minutes of the City of Las Cruces Development Review  
5 Committee meeting held on Wednesday, October 14, 2009 at 9:00 a.m. in the Las  
6 Cruces City Council Chambers, 200 North Church Street, Las Cruces, New Mexico.

7  
8 **DRC PRESENT:** Cheryl Rodriguez, Community Development  
9 Tom Murphy, MPO  
10 Meei Montoya, Utilities  
11 Mark Johnston, Facilities  
12 Mark Dubbin for Travis Brown, Fire Dept.  
13 Loretta Reyes, Public Works  
14

15 **STAFF PRESENT:** Gary Hembree, Community Development  
16 Jennifer Robertson, Community Development  
17 Catherine Duarte, Land Management  
18 Jaime Rodriguez, Public Works  
19 Lora Dunlap, Recording Secretary  
20

21 **OTHERS PRESENT:** Matt Kenney, DVI  
22 John Moscato, Bright View Land Company  
23 Ed Johnson, Habitat for Humanity  
24

25 **I. CALL TO ORDER (9:02 am)**

26  
27 Rodriguez: Go ahead and call this meeting to order for Wednesday, October 14<sup>th</sup>,  
28 it's approximately 9:02 in the morning.  
29

30 **II. APPROVAL OF MINUTES – NONE**

31  
32 Rodriguez: There are no minutes to approve this morning.  
33

34 **III. OLD BUSINESS**

35  
36 **1. S-09-049: Arroyo Road Variance Request**

- 37 • The applicant is requesting a variance to the cross-section for a  
38 Principal Arterial per the City's Design Standards.
- 39 • Arroyo Road is designated a Principal Arterial on the MPO Thoroughfare  
40 Plan requiring 120 feet right-of-way.
- 41 • The proposal includes an alternative cross-section for a Principal  
42 Arterial, Arroyo Road, within the 120 feet of right-of-way from Jornada  
43 Road to Settler's Pass.
- 44 • The subject property is located in the Sierra Norte Master Plan area.

45  
46 Rodriguez: We do have one old business item and one new business item. I'd  
47 like to begin with the old business which is the Arroyo Road Variance

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Case. If I can go ahead and have the applicant present the variance request, if you could please state your name for the record.

Kenney: Matt Kenney, DVI. We are asking for cross section approval of Arroyo Road with a three lane cross section which is a lane in each direction and then the third lane would be the turning lane at intersections and it's the same cross section that was approved with the Metro Verde Planned Unit Development for Sonoma Ranch Boulevard. And we're asking from basically Settler's Pass which is the western boundary line of Sierra Norte to Mesa Grande. I believe I put Jornada in my responses to staff but I want to be clear that it's to Mesa Grande which is the limits of the Sierra Norte master planned area. I'd be happy to go around and answer questions that staff may have.

Rodriguez: Go ahead and start with Fire.

Dubbin: Mark Dubbin, Las Cruces Fire Department. We have no issues.

Rodriguez: Public Works.

Reyes: Loretta Reyes, Public Works. I have my statement here. The request for a variance to a typical cross section for a Major Arterial or Arroyo Road is approved by Public Works with the following conditions:  
Drainage design associated with Arroyo Road and any future development must meet the City of Las Cruces Design Standards, Chapter 32, Article 3 because construction plans will be subject to review and comment by the Public Works Department. If it is determined that the cross section does not function properly and adequately with all aspects of any future developments and poses a hazard to public health, welfare and safety then the engineer/developer will work with the Public Works Department to address the concerns during the review process. Thank you.

Kenney: The developer is comfortable with those conditions.

Rodriguez: Utilities.

Montoya: Meei Montoya. We did have a meeting with the developer last Wednesday afternoon and then we have agree on the three condition for the Utility to approve the cross section the developer want and I would like to read these three condition to the record.

Rodriguez: Yes, please.

Montoya: The proposed roadway and landscape plan is conceptual only and give an incomplete picture of the potential problems. Condition number 2; construction plan for any reach of the 120 foot Arroyo Road

- 1 right-of-way near the existing 18 inch water line will show the entire  
2 north half of the 120 foot right-of-way including final landscaping. The  
3 construction plan and the landscape plan will be subject to review and  
4 comment by the Utility Department so with these three condition that  
5 the Utility Department can approve this variance request.  
6
- 7 Rodriguez: Matt?
- 8
- 9 Kenney: We agree with those conditions as well and we have included a note  
10 on the cross section that'll come forward with the PUD that shows a 20  
11 foot clear zone that Utilities looked at as well.  
12
- 13 Montoya: Thank you.
- 14
- 15 Rodriguez: MPO?
- 16
- 17 Murphy: Tom Murphy, MPO. The third lane is a turning lane in the constructed  
18 median of intersections. About how many intersections are anticipated  
19 to be, to occur between Settler's Pass and Mesa Grande?  
20
- 21 Kenney: Well the portion of Metro Verde that we have designed right now is  
22 basically from Sonoma Ranch to Settler's Pass and we have an  
23 intersection about every 600 feet.  
24
- 25 Murphy: Okay. And we'd anticipate that that pattern of development will  
26 continue through the rest of the section.  
27
- 28 Kenney: It's possible. The 600 feet is based on Minor Local road connections  
29 serving primarily residential development as we move from, move east  
30 from Sonoma Ranch to Mesa Grande it's possible that we'll move to  
31 an industrial type development so you'd have driveway connections as  
32 opposed to local road connections. So the spacing might vary a little  
33 bit based on the land use difference between the two areas but I think  
34 it's reasonable to assume you'd have connections of at about that  
35 spacing.  
36
- 37 Murphy: Okay. Thank you, I just had that question and no issues.
- 38
- 39 Rodriguez: Thank you. Facilities?
- 40
- 41 Johnston: Mark Johnston, Facilities. No issues.  
42
- 43 Rodriguez: Thank you and Matt, this cross section will be included into the Major  
44 Amendment for Metro Verde?  
45
- 46 Kenney: That's correct.  
47

1 Rodriguez: Okay. On that note, do I have a motion... are there any other  
 2 comments? May I have a motion to approve the variance request for  
 3 Arroyo Road with the five conditions as stated by Public Works and  
 4 Utilities that they read into the record?  
 5

6 Johnston: Mark Johnston, so moved.  
 7

8 Reyes: Second, Loretta Reyes.  
 9

10 Rodriguez: All those in favor, say aye.  
 11

12 Members: Aye.  
 13

14 Rodriguez: Those opposed? None. The variance request is approved Matt.  
 15

16 Kenney: Thank you. So the process from here is that DRC's recommendation  
 17 goes to the Public Works Director for final approval?  
 18

19 Rodriguez: The Public Works Director deferred to DRC so DRC when we get the  
 20 minutes done will be the official record so you can proceed with the  
 21 submittal of the construction drawings now for that segment of Arroyo  
 22 Road.  
 23

24 Kenney: Okay, thank you.  
 25

26 Rodriguez: You're welcome.  
 27

#### 28 IV. NEW BUSINESS

29  
 30 1. **IDP-37:** The applicant is proposing an Infill Development Proposal (IDP) for  
 31 property located at the northeast corner of Virginia Street and Picacho  
 32 Avenue.

- 33 • The subject property comprises 0.169 ± acres and is zoned R-2 (Multi-  
 34 Dwelling Low Density).
- 35 • The applicant proposes to replat the subject property from three lots to  
 36 two lots to facilitate the construction of two attached single-family  
 37 structures.
- 38 • The applicant proposes to deviate from the R-2 development standards  
 39 with the following variance requests:  
 40 1. 10.14 ± foot variance to the 20-foot required rear yard setback; and,  
 41 2. 25-foot variance to the required 25-foot garage setback.  
 42

43 Rodriguez: The next item on the agenda is an infill development proposal. I'd like  
 44 to call staff to the table please, as well as the applicant. Typically when  
 45 we receive an infill development proposal, the incentive is basically it's  
 46 a fast track type of review. I know that this is still probably circulating  
 47 for review but there is a subdivision plat being reviewed right now.

**City of Las Cruces****DEVELOPMENT REVIEW COMMITTEE (DRC)  
AGENDA FOR  
WEDNESDAY, MARCH 24, 2010**

The Development Review Committee (DRC) will consider the following agenda on **Wednesday, March 24, 2010 at 9:00 A.M.**, in the County Commission Chambers located at, 845 North Motel Boulevard, Las Cruces, New Mexico.

**I. CALL TO ORDER****II. APPROVAL OF MINUTES – February 3 and 10, 2010****III. OLD BUSINESS - None****IV. NEW BUSINESS****1. Original Townsite of Las Cruces, Block 79, Replat No. 1 (S-09-063)**

- A request for Final Plat approval of a replat to create 2 lots from one lot.
- Applicant is also requesting approval of a flag lot for Lot #1.
- Subject property is located at 515 E. Court Avenue and contains 0.29 ± acres.
- Subject property is zoned C-2 is located in Area 2 of the South Mesquite Overlay District.
- The proposal to replat the lot and build 2 new site built homes was approved by the South Mesquite Design Review Board on January 21, 2010.
- Submitted by Southwest Engineering, Inc. for Robert Uranga.

**2. Sage Addition, Replat No. 4 (S-10-004)**

- A request for Final Plat approval of a replat to create 2 lots from one lot.
- Subject property is located on Plain Street and contains 0.382 ± acres.
- Subject property is zoned UAC-3.
- There are currently 2 duplexes located on the property.
- Submitted by Moy Surveying for Jesus & Joyce Mora.

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### 3. Sonoma Ranch Boulevard Variance Request

- The applicant is requesting variances to the City's Design Standards for Sonoma Ranch Boulevard, a Principal Arterial per the MPO Thoroughfare Plan. The variance requests include:
  1. Variances to the cross-section:
    - a. Reduced width driving and bicycle lanes.
    - b. Constructing only the multi-use path and no sidewalk on the West end of the ROW.
    - c. Moving the location of the multi-use path and sidewalk adjacent to the boundaries of the ROW.
  2. Utilizing roundabouts at major intersections versus a conventional signaled intersection.
  3. The use of soil cement for the multi-use path pavement.
- The proposal includes an alternative cross-section for a Principal Arterial, a.k.a. Sonoma Ranch Boulevard, within the 120 feet of right-of-way from Thurmond Road to Arroyo Road.
- The subject property is located in the Sierra Norte Master Plan area.
- The application was submitted by DVI for Brightview Land Co.

### V. ADJOURNMENT

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1 Rodriguez: With that, do I have a motion to approve Sage Addition, Replat No. 4?

2

3 Johnston: So moved, Mark Johnston.

4

5 Reyes: Second, Loretta Reyes.

6

7 Rodriguez: All those in favor, say aye.

8

9 Members: Aye.

10

11 Rodriguez: Those opposed? None, the replat will go to the Planning and Zoning  
12 Commission with a recommendation of approval on April 27<sup>th</sup>.

13

14 → **3. Sonoma Ranch Boulevard Variance Request**

15

- The applicant is requesting variances to the City's Design Standards for Sonoma Ranch Boulevard, a Principal Arterial per the MPO Thoroughfare Plan. The variance requests include:

17

18 1. Variances to the cross-section:

19

a. Reduced width driving and bicycle lanes.

20

b. Constructing only the multi-use path and no sidewalk on the West end of the ROW.

21

c. Moving the location of the multi-use path and sidewalk adjacent to the boundaries of the ROW.

22

23 2. Utilizing roundabouts at major intersections versus a conventional  
24 signaled intersection.

25

26 3. The use of soil cement for the multi-use path pavement.

27

- The proposal includes an alternative cross-section for a Principal Arterial, a.k.a. Sonoma Ranch Boulevard, within the 120 feet of right-of-way from Thurmond Road to Arroyo Road.

28

- The subject property is located in the Sierra Norte Master Plan area.

29

- The application was submitted by DVI for Brightview Land Co.

30

31

32

33 Rodriguez: The last item on today's agenda is the Sonoma Ranch Boulevard  
34 variance request. If I can have the applicant come to the table for this.

35

36

B. Denton: Barb Denton with DVI.

37

38

Rodriguez: This is a variance request that's been submitted by DVI for Brightview  
39 Land Company. It's a variance to the City's Design Standards. This is a  
40 request that goes to the Public Works Director and the Public Works  
41 Director is asking... is making a recommendation up to DRC to have a  
42 decision made in a public setting. So I'd like Public Works staff if you  
43 can introduce the nature of the variance request. And then the  
44 specificity of the variance I'd like DVI to expand upon that.

44

45

1 Reyes: Loretta Reyes, Public Works. The nature of the variance is... are  
 2 variances to the CLC Design Standard cross section for a Principal  
 3 Arterial and we have listed the variances on the agenda and those  
 4 include variances to the CLC Design Standard cross section reduced  
 5 driving with driving and bicycle lanes constructing only the multi-use  
 6 path and no sidewalk on the west end of the right-of-way moving the  
 7 location of the multi-use path and sidewalk adjacent to boundaries of the  
 8 right-of-way.

9 And then the second thing is that we do not have provisions in our  
 10 design standards with regard to roundabouts and I believe that the  
 11 engineer of record is indicating that roundabouts would be provided at  
 12 the intersections in lieu of traffic signals.

13 The third item would be the use of soil cement as a surfacing for the  
 14 multi-use path.

15  
 16 Rodriguez: DVI?

17  
 18 B. Denton: Well I think Loretta (*inaudible*) pretty concise. I can answer questions.  
 19 Basically the cross section for Sonoma Ranch Boulevard that we're  
 20 proposing, the main difference is the separation of the sidewalk and the  
 21 paths. We're providing 27-foot of asphalt instead of the 26-foot that the  
 22 City requires because we have two 11-foot driving lanes and a 5-foot  
 23 bike lane on each side of the road.

24 The roundabout design is just in general, it's not for the specific  
 25 details of our roundabouts. And then the soil cement is we're trying to  
 26 be sustainable and get away from asphalt products. I think that  
 27 Facilities has been pretty supportive of the concept of doing the 10-foot  
 28 multi-use path with the soil cement so I can answer any questions you  
 29 might have.

30  
 31 Rodriguez: The use of the roundabouts at the major intersections, I know that this is  
 32 a variance for Sonoma Ranch Boulevard; is it from the existing  
 33 intersection of Thurmond Road or where Thurmond Road is going to be  
 34 modified further north? I know that it's going to be realigned so are we  
 35 doing it from the realignment of Thurmond all the way up to Arroyo? Is  
 36 that where the roundabouts will be used at Thurmond, Peachtree Hills  
 37 and Arroyo, those will be the three major intersections?

38  
 39 B. Denton: Yes, at the three major intersections.

40  
 41 Rodriguez: Okay. We'll go ahead and go around the table. Facilities?

42  
 43 Johnston: Mark Johnston, Facilities. For clarification I'm supportive of some soil  
 44 cement configuration in particular applications. However given the  
 45 extent of this project and it's such a new application, I do not support

1 that for this project. I would feel much more comfortable with asphalt or  
2 concrete because of the maintenance factor over the years.

3  
4 Rodriguez: Fire?

5  
6 Dubbin: Mark Dubbin, Fire Department. We have some concerns with the  
7 roundabouts. We're not familiar with their performance in other settings  
8 and also the 11-foot bike lanes. I would feel more comfortable if we had  
9 some information showing that you know the design standards are 45  
10 mph. If you add 11-foot lanes and three roundabouts, what is the  
11 designed street? Is it going to be the same as a 45 mph signalized  
12 roadway or is it going to be different? I guess I don't have any  
13 information about that, I really don't know.

14  
15 B. Denton: Do you have any information about that? I mean I know that the, you  
16 know we've been working with the federal standards and stuff and Matt  
17 has been dealing with Jerry Cordova and I believe that the intersections  
18 themselves are designed for a 45 mph street but then the turning  
19 actions are designed for a 25 mph fly-by type situation. And we've you  
20 know we've included all the like the 90-foot radius's for the center island  
21 so that we have the you know good turning action for large vehicles and  
22 fire trucks and we're doing an apron in the middle of the traffic circle  
23 that's going to have a two inch lip on it so that large vehicles can mount  
24 that to go around the traffic... or the roundabout if necessary.

25  
26 Dubbin: I guess I'm hesitant because it is such a long distance and I'm not  
27 familiar. I don't know has Mr. Soriano does he....? I guess I should ask  
28 him what the design (*inaudible*) is for a 45 mph... or design a lane with  
29 for a 45 mph road. I don't want to delay response to that area just  
30 because of the roundabouts.

31  
32 B. Denton: Right, we've been dealing with Public Works and Traffic, the design  
33 specifications for the roundabouts. Did you having something to add  
34 Drew?

35  
36 D. Denton: Drew Denton, DVI. I'd also like to add that even though you have your  
37 11-foot lanes on Sonoma Ranch Boulevard approaching the  
38 roundabouts, entering the roundabouts you do and it varies from one  
39 intersection to another but typically that amount of width entering the  
40 roundabout will increase up to 16 feet and then your lanes within the  
41 roundabout are 16 feet wide a piece so you do have your 32-foot wide  
42 pavement section plus your 15-foot apron going around the roundabouts  
43 so that lane width does increase entering the roundabout to give you  
44 more mobility and also the roundabouts have been designed in  
45 accordance with the national guidelines for them so your radii coming  
46 around where your curb returns come around are designed with speeds

- 1 in mind; with that 25 mph speed entering the roundabout and are in  
2 accordance with all of those.  
3
- 4 Dubbin: I guess to clarify what I'm looking for is empirical data that shows that a  
5 road designed that your presenting is equivalent in a response time in a  
6 traffic time to a traditional design standards roadway with a signalized  
7 intersection.  
8
- 9 B. Denton: Well we can see if we can get you some of that. I'm sure we can find  
10 some.  
11
- 12 Rodriguez: What standards are being used for the design of the roundabouts?  
13 Since the City of Las Cruces doesn't have any design standards for a  
14 roundabout, what... are there national standards that you guys are  
15 utilizing?  
16
- 17 B. Denton: Yeah, there's national standards.  
18
- 19 Rodriguez: Are you modifying those national standards? Are you... what?  
20
- 21 B. Denton: No. We're using those and all the recommended radiuses are larger  
22 than what they require.  
23
- 24 Rodriguez: For the record, can we state what those standards are?  
25
- 26 B. Denton: All I know is that the initials are MUTHD. I'm not sure if that's... I know it  
27 is national. Do you know?  
28
- 29 D. Denton: That stands for the... Mutual Unified Traffic Controlling Devices or  
30 Manual of Unified Traffic Controlling Devices.  
31
- 32 Rodriguez: Public Works.  
33
- 34 Reyes: Loretta Reyes, Public Works. We have asked the engineer of record to  
35 provide the criteria by which he has designed these roundabouts so that  
36 we can see you know the process and everything and I don't believe  
37 that we have been provided those with this last submittal if that's what  
38 we're working with, with the engineer of record on this project to find out  
39 you know what exactly is he using. I know that he has been working  
40 with staff of Public Works and you know to determine you know what  
41 needs to be provided so I know the MUTCD provides I think striping and  
42 lane widths and some things of that sort but I think it has to be coupled  
43 with other design criteria which we are still waiting for from the engineer  
44 of record.  
45
- 46 Rodriguez: Any other comments by Fire?

- 1  
2 Dubbin: No, Madam Chair.  
3  
4 Rodriguez: MPO?  
5  
6 Murphy: Tom Murphy, MPO. I think we'd be you know interested in what are the  
7 anticipated traffic volumes where the roundabouts will be going in. I've  
8 had some FHWA training on the use of roundabouts and it's you know  
9 they work very well up until a certain point and I think we need a  
10 estimation you know from the engineer that they're not placing them in a  
11 place... in places where they'll like see those volumes and that wasn't  
12 included as part of the variance request so I can't really make any kind  
13 of determination on it.  
14  
15 B. Denton: That is because we are you know we're not talking about the nuts and  
16 bolts of these specific roundabouts. We're just talking about a variance  
17 to the Design Standards to allow us to do a roundabout. We'll be using  
18 you know federal standards and they what was it? MUTCD standards?  
19 You know which are accepted by the engineering profession. But that's  
20 what our variance is for not for these specific roundabouts. Does that  
21 make sense?  
22  
23 Murphy: I think I hear what you're saying is that you want to be open to try the  
24 round... putting a roundabout where it would be warranted and I'm not  
25 sure where the City procedure precludes them from being able to do  
26 that and why it requires a special variance because we've never seen  
27 that come before this body before so I guess that confuses me. I you  
28 know support looking at them in individual cases but prior to one being  
29 approved I think we do need to have the numbers but I would be okay  
30 with this going forward if it doesn't assign them until such time the  
31 numbers can be looked at.  
32  
33 Rodriguez: Utilities.  
34  
35 Montoya: Meei Montoya. The Utility Department does not have concern for the  
36 geometry of that for the typical cross section. But since that you show  
37 all utility line in this typical cross section, the majority of them meet the  
38 separation requirement. The only two line that do not make the  
39 separation requirement are the high pressure gas and the low pressure  
40 gas. We don't have objection for 5-foot separation between the high  
41 and low gas line. All we need to do is a variance request for the  
42 engineer submit to the Utility Director for approval and state why we  
43 couldn't provide 10 feet because of you know what you know so and so  
44 reason. And I will make that comment on the fourth review that will be  
45 turned in really soon and that's all the comment we have.  
46

1 Rodriguez: Public Works

2

3 Reyes: Public Works, Loretta Reyes. With regard to the roundabouts you know  
4 we're not saying that, that they won't be allowed or anything thing like.  
5 It's just... and we're basically willing to explore like we have been doing  
6 through this whole process of reviewing the plans; their incorporation  
7 into this design. But you know as an aside to that we do need the  
8 information in order to make good sound engineering decisions on  
9 whether they work or whether they're designed properly and will work  
10 with all of our operations.

11

12 B. Denton: And we agree with that.

13

14 Reyes: Okay. The soil cement multi-use path, I defer to Mark Johnston on that;  
15 I've heard his comments on that and with regard to the cross section,  
16 like I said in the beginning we listed out the variances to the cross  
17 section being the reduced width driving and bicycle lanes construction  
18 only the multi-use path and no sidewalk on the west, I think the west  
19 side of the right-of-way and moving the location of the multi-use path  
20 and sidewalk adjacent to the boundaries of the right-of-way. What I'm  
21 disappointed in is in working with the engineer with regard to this  
22 variance was that we were provided an old cross section of Sonoma  
23 Ranch Boulevard showing the 2% crown toward the median. You know  
24 we're trying to facilitate this and review as quickly as we can and  
25 everything and then we're given information that does not match the  
26 construction drawing and if this variance were to be approved it does not  
27 approve what is shown on this sheet that I was provided with regard to  
28 the cross section for Sonoma Ranch Boulevard because it does not  
29 depict what is being proposed in the construction plans and that goes  
30 with any of the notes that are on this; the geo-grid and the pavement  
31 design. That all has to be approved under separate approvals, with the  
32 construction plans or with the review of the pavement design but I'm just  
33 a little disappointed that the engineer didn't provide what he's actually  
34 proposing. And I know that we contacted your office and you know, I  
35 know that the engineer is out of town and you weren't able to provide us  
36 with that but I do think that when we have these variances you know we  
37 need the information so that we have it in hand as to what is being  
38 proposed. So... you know with regard to, I don't know I guess maybe  
39 we need to have everybody weigh in or something, I don't know what we  
40 need to do at this point. But I would have liked to have had the engineer  
41 of record here at this meeting so that he could be able to answer some  
42 of these technical questions because I don't know that maybe the  
43 approval can be given without these questions being answered.

44

45 Rodriguez: I have some questions just for clarification. I'm trying to separate the  
46 nature of the variance request versus the overall design of Sonoma

- 1 Ranch with the construction drawings because I understand the  
2 construction drawings have been submitted as well?  
3
- 4 Reyes: Madam Chair, yes we're on review, what is it, four? Four and we've  
5 reviewed them within the allotted time and returned the comments to the  
6 engineer as of yesterday.  
7
- 8 Rodriguez: It appears that the technical merits of the construction drawings still  
9 have a lot of work to be done with a lot of different reviewing  
10 departments; Facilities regarding the materials for the multi-use path.  
11 I'm not sure what the landscaping requirements are for the overall  
12 Sonoma Ranch Boulevard with the medians, etc. If that has been  
13 resolved I think the design of the roundabouts which would be inclusive  
14 as part of the construction drawings appear to have... there needs to be  
15 more technical information submitted to both Fire and MPO and Public  
16 Works regarding the ultimate design and long term use of those  
17 roundabouts which can be dealt with in the construction drawings. But  
18 on the variance request you're seeking to deviate the driving lane aisle  
19 width, correct?  
20
- 21 B. Denton: Yes, correct.  
22
- 23 Rodriguez: By a foot?  
24
- 25 B. Denton: Yes.  
26
- 27 Rodriguez: The multi-use path will be constructed on the west side Sonoma Ranch?  
28
- 29 B. Denton: Correct.  
30
- 31 Rodriguez: And there will be no sidewalk on the west side?  
32
- 33 B. Denton: That's correct.  
34
- 35 Rodriguez: And moving the location of the multi-use path and sidewalk adjacent to  
36 the boundaries of the right-of-way, can you explain that in more detail,  
37 on the eastern side of the right-of-way or...?  
38
- 39 B. Denton: On the eastern side of the right-of-way we have a 5-foot sidewalk. It's  
40 separated from the curb and the pavement cross section for safety and  
41 we think that people prefer not to walk right on a curb next to the traffic  
42 that's moving by at 45 mph and we've done the same thing on the west  
43 side with the 10-foot multi-use path. We've separated it from the curb  
44 and the paving to allow people to stay back away from the traffic and  
45 then we'll have landscaping between the sidewalk and the multi-use  
46 path and the pavement.

- 1  
2 Rodriguez: So the landscaping would be, all that would be the responsibility of the  
3 City of Las Cruces so we're basically creating a larger parkway between  
4 the multi-use path and curb?  
5
- 6 B. Denton: Yes, right. I think if you know if we had, if I'm not mistaken, if we had  
7 the multi-use path and the sidewalk up against the curb we'd still be  
8 landscaping outside that within the right-of-way.  
9
- 10 Johnston: Mark Johnston, Facilities. I understand the intent of what you're trying  
11 to achieve. I would have some concerns given the amount of space  
12 from curb edge to sidewalk making sure that there was enough room for  
13 the planting median to go in there. What materials and selections we  
14 would put in there just for root space and then root encroachment on  
15 asphalt, concrete and roadway. There will be landscaping that's  
16 required by the landscape ordinance and so I'd like to see as we move  
17 forward more detail in that because that'll be imperative on how things  
18 hold up. With that in mind, that also further supports my thoughts on not  
19 using the cemented soils at this particular point in time, especially  
20 introducing plant materials and root encroachment. I would much more  
21 support the asphalt or concrete walkway.  
22
- 23 Rodriguez: It appears that the components of the variance request have already...  
24 were under a fourth review of the construction drawings so if an  
25 approval was granted for the variance request, it does not mean it does  
26 not grant approval of the construction drawings, is that correct?  
27
- 28 Reyes: Yes, Madam Chair, Loretta Reyes, Public Works, that's correct.  
29
- 30 Rodriguez: But the variance request has already been under four reviews with the  
31 overall and it's been consistently applied with each review submittal of  
32 the construction drawings?  
33
- 34 Reyes: I believe the location of the multi-use path and the you know the  
35 separation and I think the lane widths yes they have you know the only  
36 difference is just and I know we're not getting, there's no request for a  
37 variance for this, it's just the crown of the roadway itself.  
38
- 39 Rodriguez: I think we're at a bit of a crossroads here with the variance request since  
40 it's been integrated to four reviews of the construction drawings. We  
41 can... my recommendation would be to grant conditional approval of the  
42 variance request that allows the door to continue to be open with the  
43 ultimate final design and technical merits of the construction drawings  
44 but knowing that conditional approval of this does not in any way grant  
45 approval of the construction drawings. I think that the applicant has a lot  
46 of work ahead with respective reviewing departments and the ultimate

1 design... the final design of Sonoma Ranch is... doesn't appear eminent  
2 with Fire and Facilities, Public Works and MPO. I think that the  
3 applicant needs to work a little more closely with those respective  
4 departments to get the information that staff is asking for because one of  
5 the ultimate things that, I mean I think what you're proposing has some  
6 merits but one of the things that staff is also looking at is what is the long  
7 term maintenance responsibilities for the overall design of Sonoma  
8 Ranch to the City of Las Cruces? I mean we are deviating from the  
9 City's Design Standards. We know what the maintenance  
10 responsibilities are for a Principal Arterial that are consistent with City  
11 Design Standards but based off of what the applicant is proposing and it  
12 does have its merits but we haven't tested those merits yet and we don't  
13 have any criteria or a long term maintenance plan that has been  
14 submitted by the applicant to see what's the cost benefit of... going  
15 forward with a variance request like this to the City of Las Cruces. I  
16 would... my recommendation is to move forward with the variance  
17 request but if there's any other technical issues with the construction  
18 drawings and if a reviewing department says no, there are appeals  
19 processes for the applicant for that but I think that the variance request  
20 just opens up the door for the applicant to diligently move forward with  
21 the construction drawings and we can proceed accordingly. Are there  
22 any more discussion or commentary on that, on the variance?

23  
24 Dubbin: Mark Dubbin, Las Cruces Fire. Madam Chair, are we approving the  
25 variance in concept as... but not specific to this project, is that correct?

26  
27 Rodriguez: That would be my inclination is that to conceptually approve the  
28 variance request because the technical merits of it are related to the  
29 construction drawings and that's still under review and I don't want to  
30 approve the variance request saying that the construction drawings  
31 there are approved so if we did a conceptual approval of the variance  
32 request that would be good because it opens the door for the applicant  
33 to continue engaging in dialogue with the respective departments.

34  
35 Dubbin: I think I would be comfortable with that.

36  
37 Rodriguez: Okay, any other discussion? So do I have a motion to approve the  
38 conceptual nature of the variance request with the condition that the  
39 technical merits of the data... materials, design... rest of the engineering  
40 needs to be resolved with the respective departments in a timely  
41 manner?

42  
43 Murphy: So Moved. Tom Murphy, MPO.

44  
45 Dubbin: Second. Mark Dubbin.

46

- 1 Rodriguez: Go ahead and go around the table, Facilities?  
2  
3 Johnston: Mark Johnston, Facilities. Approve.  
4  
5 Rodriguez: Fire?  
6  
7 Dubbin: Approve.  
8  
9 Rodriguez: MPO?  
10  
11 Murphy: Approve.  
12  
13 Rodriguez: Utilities?  
14  
15 Montoya: Yes.  
16  
17 Rodriguez: Public Works?  
18  
19 Reyes: Approve and also that in no way does it imply that the construction  
20 drawings are approved.  
21  
22 Rodriguez: And Community Development also approves the variance request. I  
23 think the staff has clearly laid out their concerns this morning and... but I  
24 think that it's a positive dialogue and we can move forward with the  
25 finalization of all of the technical merits of the construction drawings.  
26 We'll go ahead and move forward.  
27  
28 B. Denton: Thank you.  
29  
30 Rodriguez: Just some housekeeping since I was so eager to get DRC started we  
31 forgot to do the approval of minutes and Lora will be most upset with me  
32 if I don't do this so we'll go back to the beginning of the agenda.  
33 The approval of the minutes for the February 3<sup>rd</sup> and 10<sup>th</sup> DRC  
34 meetings.  
35  
36 Murphy: Move approval, Tom Murphy.  
37  
38 Reyes: Second, Loretta Reyes.  
39  
40 Rodriguez: We have to modify the approval real quick. We have to correct... which  
41 meeting is this? I have an email here. The February 3<sup>rd</sup>; I need to  
42 correct the minutes to reflect Steve Mims and not Steve Meadows.  
43 We'll make that minor, that correct. So a motion to approve, all those in  
44 favor, say aye.  
45  
46 Members: Aye.

1  
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19

Rodriguez: Those opposed? Okay, your minutes are passed Lora.

**V. ADJOURNMENT (9:37 am)**

Rodriguez: Can I have a motion to adjourn?

Dubbin: So moved.

Reyes: Second, Loretta Reyes.

Rodriguez: We are adjourned.

---

Chairperson



March 17, 2010

Mr. Mike Johnson, Public Works Director & Mr. Brian Denmark, Facilities Director  
City of Las Cruces  
575 S. Alameda Blvd. Ste. 242  
Las Cruces, NM 88005

RE : Sonoma Ranch Boulevard Variance Request  
Thurmond Road to Arroyo Road

Dear Mr. Johnson and Mr. Denmark

Sonoma Ranch Boulevard is a principle arterial on the Metropolitan Planning Organization's (MPO) Major Thoroughfare Plan. The City of Las Cruces Design Standards requires that an arterial be constructed as a five lane road. The proposed cross-section shows a five lane cross-section that is a hybrid of alternatives in the design standards. The following is a list of the variances involved:

Arterial Cross-Section (Article II – Standards for Public Rights-of-Way, Typical Cross Sections)

The proposed cross-section provides the required facilities shown in the standard cross-section while separating pedestrians from vehicular traffic and providing for improved landscape design. Copies of the standard cross-sections and proposed cross-section are attached.

Roundabout Intersection Design

Roundabouts are not addressed in the current design standards. The Federal Highway Administration recommends roundabouts as a safer and superior intersection design. Roundabouts eliminate head-on and T-bone crashes that are the primary cause of fatalities at traditional intersections. Traffic capacities are high at roundabouts because traffic is constantly moving. Roundabouts eliminate the operation and maintenance expense of traffic signals.

Soil Cement Multi-Use Path

The multi-use path will be constructed with a soil cement treatment. Cement is generally considered a sustainable product. It can be produced regionally (within 500 miles of a project) and does not involve oil based products. In situ soil will be mixed with Portland cement to produce a clean, walkable surface.

Please contact me if you have any questions. Thank you for your attention to this matter.

Sincerely,

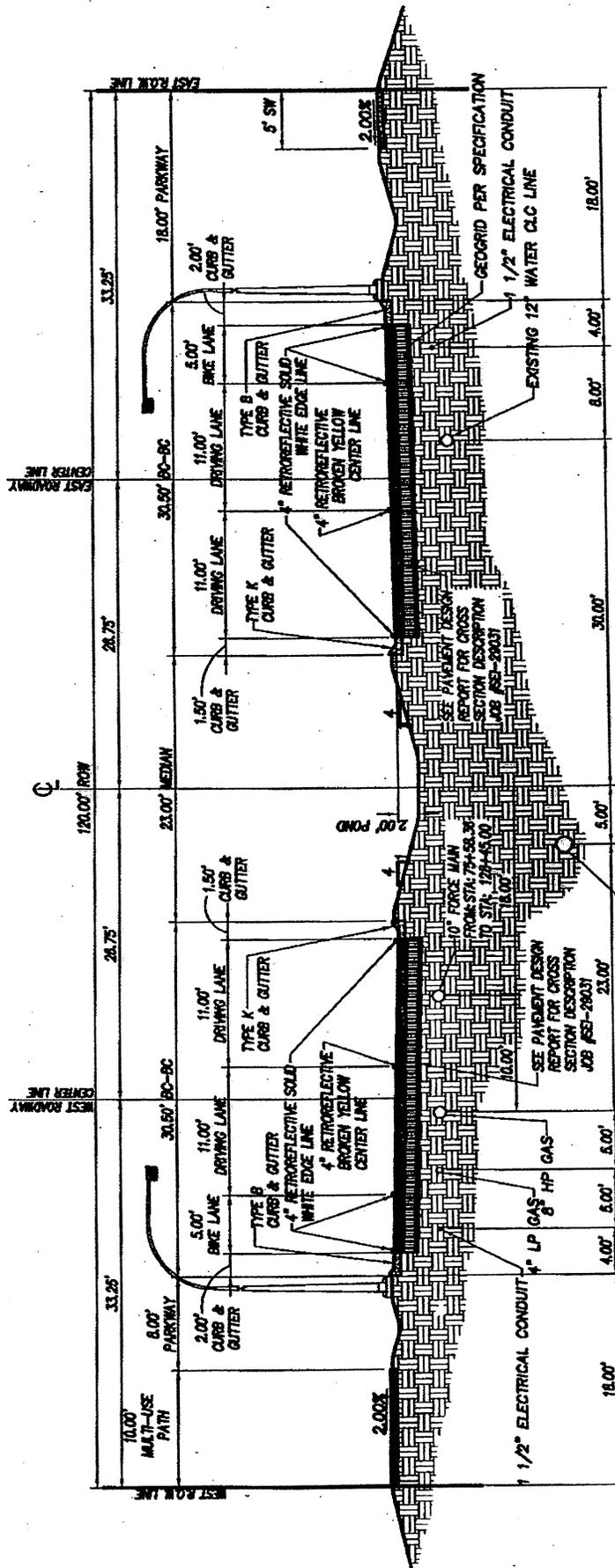
  
Matthew D. Kenney, P.E.

xc Loretta Reyes, P.E.  
Mark Johnston

denton ventures, inc.

2480 n. roadrunner parkway  
las cruces, nm 88011

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**TYPICAL SONOMA RANCH BOULEVARD CROSS SECTION**  
**SOUTH OF AFROYO RD. AND NORTH OF THURMOND**  
 SCALE: NTS

**City of Las Cruces****DEVELOPMENT REVIEW COMMITTEE (DRC)  
AGENDA FOR  
WEDNESDAY, APRIL 1, 2009**

The Development Review Committee (DRC) will consider the following agenda on **Wednesday, April 1, 2009 at 9:00 A.M.**, in the City Council Chambers located at City Hall, 200 North Church Street, Las Cruces, New Mexico.

**I. CALL TO ORDER****II. APPROVAL OF MINUTES - February 25, 2009****III. OLD BUSINESS – NONE****IV. NEW BUSINESS****1. S-08-103: Mesa Village Tracts No. 2, Replat No. 1 – Final Plat**

- The applicant proposed to replat the existing lot and create an additional lot on 2.34 ± acres
- Subject property is zoned R-1a (Single-Family Medium Density)
- Subject property is located at 6520 Peachtree Hills Road
- Submitted by Southwest Engineering for Victor and Armida Ramirez

**2. S-08-103W: Mesa Village Tracts No. 2, Replat No. 1, Waiver Request**

- The applicant is submitting a waiver request for no road improvements to Peachtree Hills Road for approximately 275 feet.
- In lieu of road improvements, the applicant will provide (dedicate) 50-feet of right-of-way.
- Peachtree Hills Road is classified as a minor arterial per MPO Thoroughfare Plan.
- The applicant proposes to replat the existing lot and create an additional lot on 2.34 ± acres.
- Zoned R-1a (Single-Family Medium Density).

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above.

- Subject property is located at 6520 Peachtree Hills Road.
- Submitted by Southwest Engineering for Victor and Armida Ramirez.



### 3. Sierra Norte Master Plan: Variance Request for Access to a Commercial Development

- The variance request includes a proposal of a 24 foot wide paved private access road, in lieu of City Design Standards.
- The applicant also seeks to outline the long-term plans for building two (2) lanes of Sonoma Ranch Blvd., the extension of a gas and sewer lines and coordination with Las Cruces Public Schools. Construction is anticipated to be completed by the 2010 – 2011 school year.

## V. ADJOURNMENT

The City of Las Cruces does not discriminate on the basis of race, religion, sex, sexual orientation, gender identity, color, ancestry, serious medical condition, national origin, age, or disability in the provision of services. The City of Las Cruces will make reasonable accommodation for a qualified individual who wishes to attend this meeting. Please notify the City Community Development Department at least 48 hours before the meeting by calling 528-3043 (voice) or 528-3016 (TTY) if accommodation is necessary. This document can be made available in alternative formats by calling the same numbers list above.

## DEVELOPMENT REVIEW COMMITTEE

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

<b>DRC PRESENT:</b>	Cheryl Rodriguez, Dev. Services Loretta Reyes, Public Works Tom Murphy, MPO	Meei Montoya, Utilities Mark Johnston, Facilities Travis Brown, Fire Dept.
<b>STAFF PRESENT:</b>	Gary Hembree, Dev. Services Helen Revels, Dev. Services Catherine Duarte, Public Works Lora Dunlap, Dev. Services	Jennifer Robertson, Dev. Services Natasha Billy, Public Works Jaime Rodriguez, Public Works
<b>OTHERS PRESENT:</b>	Paul Pompeo, Southwest Engineering, Inc. Matt Kenney, DVI John Moscato, Bright View Land Co.	

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

Rodriguez: I'm going to call this meeting to order for Wednesday, April 1<sup>st</sup>, approximately 9:03 in the morning.

### II. APPROVAL OF MINUTES – February 25, 2009

Rodriguez: The first item on the agenda is the approval of the minutes from February 25<sup>th</sup>. A motion to approve?

Murphy: Move approval.

Reyes: Second, Loretta Reyes, Public Works.

Rodriguez: Any discussion? Seeing none, all those in favor.

Members: Aye.

Rodriguez: Those opposed. None?

### III. OLD BUSINESS – NONE

### IV. NEW BUSINESS

#### 1. S-08-103: Mesa Village Tracts No. 2, Replat No. 1 – Final Plat

- The applicant proposed to replat the existing lot and create an additional lot on 2.34 ± acres
- Subject property is zoned R-1a (Single-Family Medium Density)
- Subject property is located at 6520 Peachtree Hills Road
- Submitted by Southwest Engineering for Victor and Armida Ramirez

1  
2 **2. S-08-103W: Mesa Village Tracts No. 2, Replat No. 1, Waiver Request**  
3

- 4 • The applicant is submitting a waiver request for no road improvements to  
5 Peachtree Hills Road for approximately 275 feet.  
6 • In lieu of road improvements, the applicant will provide (dedicate) 50-feet of right-  
7 of-way.  
8 • Peachtree Hills Road is classified as a Minor Arterial per MPO Thoroughfare Plan.  
9 • The applicant proposes to replat the existing lot and create an additional lot on  
10 2.34 ± acres.  
11 • Zoned R-1a (Single-Family Medium Density).  
12 • Subject property is located at 6520 Peachtree Hills Road.  
13 • Submitted by Southwest Engineering for Victor and Armida Ramirez.

14  
15 Rodriguez: We have three items on new business, for action items today and the first two  
16 items is a final plat and a waiver request for the Mesa Village Tracts No. 2. We'll  
17 consider these separately but I'd like to hear these two items together so do I have  
18 a motion to suspend the rules?  
19

20 Murphy: So move, Tom Murphy.

21  
22 Reyes: Second, Loretta Reyes.

23  
24 Rodriguez: I'm going to turn it over to Helen if you can present the case for the final plat and  
25 the waiver request, please?  
26

27 Revels: Before you today we have a replat of a single lot located at 6520 Peachtree Hills  
28 Road. The applicant is proposing... the applicant is proposing to replat this into  
29 two lots, acreage is 2.34. It's called Mesilla Valley Tracts No. 2, Replat No. 1. It  
30 currently fronts Peachtree Hill Road. Peachtree Hill Road is a Minor Arterial.  
31 According to the subdivision code the applicant would be responsible to dedicate  
32 their pro-rata share of Right-of-Way and also make improvements to this Minor  
33 Arterial road which would be curb, sidewalk, gutter and paving half a section of the  
34 road. The applicant is wishing to wave 100% of the road improvements, they will  
35 put in the... they will dedicate the 50 feet of Right-of-Way but they are asking for a  
36 waiver for the 100% of road improvements.  
37

38 Rodriguez: Before I turn it over to the applicant Helen, I have a few questions for you. What's  
39 the existing Right-of-Way for Peachtree Hills Road?  
40

41 Revels: I believe it's about 25 feet of double penetration. There is a 20 foot easement  
42 currently in front of the property, a road easement, a road and utility easement but  
43 the applicant is gonna give the full 50 feet of dedicated Right-of-Way instead of  
44 and easement.  
45

46 Rodriguez: And is the 50 feet of Right-of-Way their pro-rata share for dedication?  
47

48 Revels: Yes.  
49

1 Rodriguez: Paul, you can... want to add anything to it, but if you could put your name into the  
2 record for our recording secretary, please?

3  
4 Pompeo: Paul Pompeo with Southwest Engineering here to present Mesa Village Tracts  
5 No. 2, Replat. Basically we have a single property owner that owns a little over  
6 two acre piece of land that was previously created by a subdivision inside of the  
7 city limits which fronts on Peachtree Hills Road which is a Minor Arterial. The  
8 applicant wishes to split the property in half to convey the second tract to his son  
9 for the purpose of building a single family dwelling unit.

10 What makes this case unique is that this property fronts on an MPO  
11 designated route, the property owner is willing to dedicate the full or his half of the  
12 pro-rata share of dedicated Right-of-Way but runs into an issue with the required  
13 roadway improvements. As previously stated by staff, the lot does have access  
14 from Peachtree Hills Road, which is improved on the County's side of the center  
15 line of Peachtree Hills Road which is a 24-25 foot wide double penetration  
16 surfaced roadway. With that it's going to be our contention or our ascertain before  
17 City Council that for two single family lots, the 24 foot of double penetration  
18 surface roadway is an acceptable and adequate roadway improvement for two  
19 residential lots.

20 We've done preliminary cost estimates for this section of roadway using the  
21 City of Las Cruces unit costs that were given to us for a recent project on Del Rey  
22 Boulevard. I'm using the City's unit costs and I'll be submitting that to staff for  
23 review and approval. It's somewhere in the neighborhood of \$86,000.00 for  
24 roadway improvements. The applicant or the.... The subdivision does not have  
25 \$86,000.00 to either build the road or to you know write a check to the City for  
26 payment in lieu of construction.

27 We're gonna... we'd like to approach City Council with this in as much as  
28 showing that you know small property owners that front an MPO designated Right-  
29 of-Way are unjustly impacted by the requirement for the improval... of the  
30 improvements of those roadways because if this property was located a couple of  
31 feet of that alignment they wouldn't be required to do any roadway improvements  
32 so based on that we feel that the... for small property owners as this it's... the  
33 code doesn't have an out if it were to put it in a better way. With that we'd like to  
34 proceed forward to the City Council to ask for a waiver to the roadway  
35 improvement requirements.

36  
37 Rodriguez: Paul, if you could elaborate, there's been development both east and west of the  
38 subject parcel that have triggered road improvements; what's the current state of  
39 road improvements for those developments both east and west?

40  
41 Pompeo: Okay, to the... I don't recall the name of the subdivisions to the east but there  
42 are... have been those couple... I think there's been two subdivisions to the east  
43 that have given the City money in lieu of improvement. To the west of this  
44 property there's two subdivisions; one immediately... I'm sorry; the one  
45 immediately adjacent is... I can't think of the name of the subdivision but... the  
46 approval of those plans, the developer has agreed to give the City the pro-rata  
47 share of cost improvements for Peachtree Hills. Adjacent to that is Luna Vista  
48 Subdivision which did pay the City a pro-rata share for roadway improvements  
49 and then on to the west of that is another subdivision the developer traded  
50 roadway improvements on Peachtree Hills for roadway improvements on Porter

- 1 Drive. So, there have been other developments in the area that have either paid  
2 or have traded roadway improvements when they were subdivided.  
3
- 4 Rodriguez: Thank you. We'll go around the table now; we'll start with Fire.  
5
- 6 Brown: Travis Brown, Fire Department. I don't necessarily have any questions specific I  
7 guess to access or anything. I did have a question just based on the plat that's  
8 being shown here. It looks to me like there's a 65 foot existing dedicated Right-of-  
9 Way there's a adjacent to that and then this is only fifty so is that... I mean it kind  
10 of looks like we're... have a different road cross sections there as far as the width  
11 of that so I guess that... just asking for clarification maybe on that.  
12
- 13 Rodriguez: Tom with MPO, did this portion of Peachtree Hills is a Minor Arterial, was this  
14 segment down graded from a Principal Arterial at one time?  
15
- 16 Murphy: Tom Murphy, MPO. Not that I'm aware of, I'm pretty sure the Minor Arterial  
17 designation's been there a long time. On that note, I do have some similar  
18 questions about this plat; to the west not only is there shown sixty-five to the south  
19 of the center line... you know to the south of the city limits to north of the city limits  
20 there's an additional 60 feet shown so there's 125 west of... for Peachtree Hills,  
21 west of there? That wasn't part of the discussion and I would like some  
22 clarification on that.  
23
- 24 Rodriguez: Paul, you want to elaborate on that?  
25
- 26 Pompeo: I'm gonna try. Back in when Luna Vista Subdivision and I did not bring a vicinity  
27 map with me but it's the subdivision that's located to the west of this one. That  
28 was the first subdivision that was approved along Peachtree Hills Road and at that  
29 time it was approved as Peachtree Hills being a Major Arterial and that gave up 65  
30 foot of Right-of-Way.  
31 The next subdivision that came in was between Luna Vista and Porter Drive  
32 and by that time the City's codes had been... the MPO Plan had been in my  
33 memory changed reflect a Minor Arterial for Peachtree Hills Drive however to keep  
34 the Right-of-Way consistent that subdivision was approved at 65 foot of Right-of-  
35 Way down to Porter Drive.  
36 When the subdivision came in that you see immediately to the west of the  
37 subject property that's Mesa Village Phase Three, I believe. To keep the Right-of-  
38 Way consistent they gave up 65 foot of Right-of-Way because there's a, I think  
39 there's a Sprint fiber optic line that's adjacent to the Right-of-Way which would  
40 now sit in it. When this plat was submitted we just went back to the Right-of-Way  
41 requirements as it sits on the books because there's an existing dwelling out there  
42 and if we continued with 65 foot we'd be in a setback situation with the existing  
43 home that's out there. As far as the north side of the Right-of-Way the portion that  
44 lies outside the city limits, the County has a 60 foot Right-of-Way that they had  
45 secured from BLM sometime back in the 80's I believe and that's how that Right-  
46 of-Way came about. So kind of a history of how the Right-of-Way widths got  
47 approved in the area out there.  
48
- 49 Rodriguez: Okay, does that answer some of your questions, Travis or...?  
50

- 1 Brown: Yes ma'am, that... I just wondered why we were kinda going wider and narrower  
2 and whether that was going to be problematic for road design and so forth. As far  
3 the Fire Department specific issues we don't have any issues related to the  
4 request.  
5
- 6 Rodriguez: For the question regarding road design perhaps when we get to Public Works they  
7 can shed some light on that. Facilities?  
8
- 9 Johnston: Mark Johnston, Facilities. I don't have any issues with that either. It would be  
10 good to clarify the width of the roadways otherwise; we'll look to Loretta for that.  
11
- 12 Rodriguez: Okay. Tom, any other comments?  
13
- 14 Murphy: No, that cleared up my questions. I have no other comments.  
15
- 16 Rodriguez: Okay. Meei, Utilities?  
17
- 18 Montoya: We already approve both the replat and the waiver but we will support other  
19 department if they have any concern regarding either the waiver or replat.  
20
- 21 Rodriguez: Loretta?  
22
- 23 Reyes: Loretta Reyes, Public Works. With regard to the waiver, we made our comments  
24 with regard to having reviewed the letter that was submitted and the reasons that  
25 were listed in the letter which did not include the information that the engineer  
26 provided in his presentation earlier with regard to cost. As such, I took a look at  
27 the subdivision code, section 37-332, Waiver of Regulations, and looked at the  
28 definition of what a waiver or substantial hardship to the sub-divider would be  
29 which says exceptional topographic, soil or other subsurface, subsurface  
30 conditions and then further down it does say that a waiver of the engineering  
31 submittal requirements shall require the concurrence of the Public Works Director.  
32 And so basically what I did was looked at the design standards and in the design  
33 standards it does say that, that if they do not, they could either provide the  
34 improvements or pay for the cost of these improvements to the City so our  
35 comments back with regard to the waiver where that they... we would take the  
36 cost of the improvements in lieu of the owner making the improvements. I did  
37 since... the code is... the subdivision code is clear and it says a waiver of  
38 engineering submittal requirements shall require the concurrence of the Public  
39 Works Director. It doesn't say their designee although I perhaps would be that  
40 person. I did check with the Public Works Director and the Public Works Director  
41 concurs with the design standards with the codes and does... would like to see  
42 the owner pay the City for the improvements, their pro-rata share of the  
43 improvements so as such I cannot support the waiver request.  
44
- 45 Rodriguez: In regards to the dedication of the Right-of-Way, as... Peachtree Hills is a Minor  
46 Arterial and the existing Right-of-Way is approximately what 60? Is that was it  
47 says, 60 feet?  
48
- 49 Pompeo: Sixty on the north side of the section line.  
50

- 1 Rodriguez: The applicant's dedicating the fifty and there's been previous dedication's of sixty-  
 2 five to the west. And I seem to recall to the east as that development came  
 3 through, I think their dedication was fifty as well. But within that bearing Right-of-  
 4 Way, can a Minor Arterial be built?  
 5
- 6 Reyes: Yes, it can be.  
 7
- 8 Rodriguez: On that note, what we'll do is we'll unsuspend the rules. Can I have a motion to  
 9 unsuspend the rules?  
 10
- 11 Reyes: Madam Chair, first before... I'd like to make one more comment. As far you know  
 12 we would like to see... Public Works would like to see the roadway improvement  
 13 that issue resolved I guess... we're a little concerned about approving the plat  
 14 prior to that being resolved. I know we have some minor comments and I believe  
 15 that my staff has spoken with Paul about those comments and if the issue of the  
 16 road improvements was resolved then I wouldn't have a problem saying yes to the  
 17 approval of a final plat today but I... since I don't have that then that would be an  
 18 issue for me, for it to go forward to P & Z.  
 19
- 20 Rodriguez: Paul?  
 21
- 22 Pompeo: Can I ask a question? This is a procedural question. It's my understanding that  
 23 design standard variances have to be approved by City Council, is that correct? I  
 24 mean a design standard does not go to Planning and Zoning.  
 25
- 26 Rodriguez: Paul, it would be a recommendation, we'll take it through the appropriate bodies  
 27 so the recommendation would be from DRC to P & Z and P & Z would make a  
 28 recommendation to City Council and City Council has the final authority because  
 29 you are seeking a waiver of 100 percent of the improvements so we're gonna  
 30 process it accordingly that way.  
 31
- 32 Pompeo: Okay can the approval of the plat from a staff level be... because everything on  
 33 this plat is gonna hinge on those road improvements. If the City Council says to  
 34 this property owner no we want those improvements in and there's not going to be  
 35 a plat, I mean that's what it's, that's what it basically comes down to. So, can the  
 36 plat be... as it goes through the process, can it be approved conditional upon the  
 37 City Council's final action on the roadway... on the variance to the design  
 38 standards?  
 39
- 40 Rodriguez: Would the applicant be willing to table consideration of the final plat and this body  
 41 make a recommendation regarding the waiver request? You take the waiver  
 42 request forward depending on the outcome of City Council then we will resurrect  
 43 the final plat and take it... because the final plat, you will have to go to P & Z  
 44 because you are creating... it's a previously filed subdivision, you're creating that  
 45 additional lot so P & Z will have to act on it.  
 46
- 47 Pompeo: Okay so, if we did that, would the waiver still have to go to P & Z, to City Council  
 48 or would it just go straight to City Council?  
 49

- 1 Rodriguez: The waiver would go from P & Z to City Council so we would be looking at an April  
2 P & Z meeting and then I would have to look a calendar to see if we can get it to  
3 the May or June City Council.  
4
- 5 Pompeo: Okay, since it has to go to both, do you see it problematic that they both go so we  
6 don't lose any time if it does get approved or is that problematic for staff?  
7
- 8 Rodriguez: I would see it depending on how this board votes, I would see it as problematic  
9 because if you recommended approval of a final plat and went to P &  
10 Z and got approved but the waiver request gets denied then you have an  
11 approved final plat but then your client's going to have to build a road or provide  
12 the funds in lieu of, so I would probably like to see the waiver request go forward  
13 to City Council and then meanwhile we can get it to the next available P & Z.  
14
- 15 Pompeo: Okay, I'll defer that to staff if that's what will be least problematic.  
16
- 17 Rodriguez: I think would be the cleanest way.  
18
- 19 Pompeo: Okay then we would go that route.  
20
- 21 Rodriguez: So you'd like to table the final plat?  
22
- 23 Pompeo: Yes.  
24
- 25 Rodriguez: Then on that note, Travis?  
26
- 27 Brown: Just for my clarification I'd think it was kind of answered. We as a body do not  
28 have the ability to approve the waiver request; we are just making a  
29 recommendation as to...  
30
- 31 Rodriguez: Making a recommendation regarding the waiver request.  
32
- 33 Brown: Okay, thank you.  
34
- 35 Rodriguez: Okay, I need a motion to unsuspend the rules, please.  
36
- 37 Murphy: So moved.  
38
- 39 Reyes: Second, Loretta Reyes.  
40
- 41 Rodriguez: Okay, the first item is the final plat and the applicant is requesting that we table  
42 indefinitely the final plat and once depending on the outcome of the City Council  
43 regarding the waiver request then the final plat will be brought back this body for  
44 consideration. Do I have a motion to table Case S-08-103, the final plat for Mesa  
45 Village Tracts No. 2, Replat No. 1?  
46
- 47 Brown: Travis Brown, so moved.  
48
- 49 Johnston: Mark Johnston, second.  
50
- 51 Rodriguez: All those in favor.

1  
2 Members: Aye.  
3  
4 Rodriguez: Those opposed. The final plat's been tabled indefinitely. The next item is the  
5 waiver request for Mesa Village Tracts No. 2, Replat No. 1. Do I have a motion to  
6 approve the waiver request? The motion has to be done in the affirmative.  
7  
8 Brown: I move the approval of the waiver request for item number two.  
9  
10 Rodriguez: Do I have a second? You have to make the motion in the affirmative then we'll go  
11 through and you (*inaudible*) to approve.  
12  
13 Brown: Second. Before we go vote though madam chair, I do have a question.  
14  
15 Rodriguez: Yes.  
16  
17 Brown: The second bullet says in lieu of road improvements, applicant will provide,  
18 dedicate 50 feet of Right-of-Way. That is a requirement either way correct, so  
19 they are not...?  
20  
21 Rodriguez: That's a requirement but the... was the applicant is proposing in lieu of road  
22 improvements they'll provide their dedication of Right-of-Way which is a  
23 requirement.  
24  
25 Brown: Which is a requirement anyway so they are not providing anything additional than  
26 they would normally have to provide.  
27  
28 Rodriguez: No sir.  
29  
30 Brown: Okay, thank you for that clarification.  
31  
32 Rodriguez: We'll go around the table for the vote; Travis with Fire.  
33  
34 Brown: No.  
35  
36 Rodriguez: Facilities?  
37  
38 Johnston: Mark Johnston, Facilities. No.  
39  
40 Rodriguez: MPO?  
41  
42 Murphy: Tom Murphy, MPO. No.  
43  
44 Rodriguez: Utilities?  
45  
46 Montoya: No.  
47  
48 Rodriguez: Public Works?  
49  
50 Reyes: No.  
51

1 Rodriguez: And Community Development votes no. So the waiver request has been denied.  
 2 So we'll see you at the April P & Z which is April 27<sup>th</sup>. And then we'll... if you can  
 3 check with Helen later on Paul, regarding when we can get you to Council.  
 4 Because it's April 27<sup>th</sup> I thinking it's going to be a June.

5  
 6 Pompeo: Would that be 28<sup>th</sup>? April 28<sup>th</sup> is a Tuesday.

7  
 8 Rodriguez: Yeah. And then I would look at the fourth Monday of June for City Council.

9  
 10 Pompeo: So that would be... the fourth Monday would be June the 22<sup>nd</sup>.

11  
 12 Rodriguez: Yes.

13  
 14 **3. Sierra Norte Master Plan: Variance Request for Access to a Commercial**  
 15 **Development**

- 16  
 17 • The variance request includes a proposal of a 24 foot wide paved private access  
 18 road, in lieu of City Design Standards.  
 19 • The applicant also seeks to outline the long-term plans for building two (2) lanes of  
 20 Sonoma Ranch Blvd., the extension of a gas and sewer lines and coordination  
 21 with Las Cruces Public Schools. Construction is anticipated to be completed by  
 22 the 2010 – 2011 school year.

23  
 24 Rodriguez: The next item on the agenda is the Sierra Norte Master Plan. It's a variance  
 25 request for the access to a commercial development. I'll have the applicant, DVI  
 26 to come to the table please.

27  
 28 Kenney: Good morning, Matt Kenney with DVI. Thank you for having us. We are here for  
 29 a variance on access to a commercial construction site. The... as you know we  
 30 are working on getting a permit for the clubhouse at the Las Cruces Country Club  
 31 and we proposed last time an alignment west of and parallel to Sonoma Ranch  
 32 Boulevard along this alignment here to the clubhouse.

33 Just as some background information to explain what the approach is; we  
 34 were looking at Sonoma Ranch Boulevard and since we are going to be doing a  
 35 major amendment to the approved master plan and have a set of drainage plans  
 36 that will need to be approved under that PUD application; we wanted to move to a  
 37 local roadway alignment instead of working with a Major Arterial. We have a PUD  
 38 approach that sets up a hierarchy of roadway classifications that would have  
 39 pedestrian oriented streets but then also have vehicle oriented streets and so  
 40 we're moving the alignment to what we're considering as a pedestrian oriented  
 41 street and I can show you the... a proposed cross section which you weren't able  
 42 to see last time.

43 The proposed cross section is a three lane road section with on-street parking  
 44 in a 65 foot Right-of-Way. We are proposing to build 24 feet of that pavement  
 45 right now. It would be a privately maintained street until such time that the master  
 46 plan was approved and the street was dedicated and built to the full cross section  
 47 that is approved with the PUD. We would build the 24 feet to meet the standard  
 48 specification for road construction obviously as discussed last time that does not  
 49 meet the design standards because it's not a dedicated road yet but it will be built  
 50 to the standards specifications for road construction so that it can be part of the  
 51 full build out when we get there.

1 The plan for utilities on this corridor is that it would be... the utilities would be  
2 built out the 24 feet and then we are planning on having a system of driveway  
3 accesses and pedestrian crossings that would be of a different material and that  
4 portion of the pavement would then be cut out and replaced with the other material  
5 and that would give us places to cross the road cross section to provide utilities to  
6 either side of the street. So, those are some basic background information to the  
7 variance request and I think it's appropriate at this point to go around the table and  
8 see what the different departments would like to talk about.

9  
10 Rodriguez: Matt I have a few questions. So this access right now is going to facilitate  
11 emergency vehicle and construction vehicle access to the clubhouse, so it's going  
12 to be temporary until there is a major amendment to the Sierra Norte Master Plan  
13 and then subsequent developments. That temporary access will evolve into a  
14 more permanent dedicated access in which road improvements then will change  
15 on a different deal?

16  
17 Kenney: That is correct.

18  
19 Rodriguez: And that 24 foot wide access will be privately maintained, from what point to what  
20 point? From Thurmond to...?

21  
22 Kenney: From Thurmond Road until Arroyo Road and we are... well we'll show it on the  
23 construction drawings but we're showing it ending at Arroyo Road so that we have  
24 the opportunity to build permanent utilities in Arroyo Road and figure out the  
25 intersection configuration at Arroyo and that private road. So it would be privately  
26 maintained from Arroyo to Thurmond.

27  
28 Rodriguez: From Thurmond from the existing where the pavement ends presently to Sonoma  
29 Ranch on Sonoma Ranch Boulevard. There's no connectivity from where the  
30 pavement ends to Thurmond as it exists so are you proposing that access then  
31 will come from Bataan Memorial through McGuffey to Thurmond then to this new  
32 24 foot wide road or is there a proposal to get that connectivity?

33  
34 Kenney: The access and I apologize, I didn't clarify that. We are proposing to build two  
35 lanes of Sonoma Ranch Boulevard to Thurmond Road. Use the existing  
36 pavement of Thurmond Road and then build a new 24 foot paved road from  
37 Thurmond to Arroyo.

38  
39 Rodriguez: Okay, so will... that intersection will be improved because it's, quite honestly it's a  
40 mess right now.

41  
42 Kenney: Yeah, there's no pavement on Thurmond Road where Sonoma Ranch Boulevard  
43 crosses it and as part of the construction drawings we will show lane pavement to  
44 repair that, that pavement section at Thurmond and Sonoma Ranch Boulevard so  
45 that there is continuous pavement from up Sonoma Ranch Boulevard to  
46 Thurmond to the new road.

47  
48 Rodriguez: My next question is would the applicant be willing to see a condition placed on the  
49 approval of the variance request for a 24 foot wide access easement to where it  
50 would only facilitate emergency vehicle and construction access but would not

- 1 facilitate principal access to the clubhouse? The public will not... I mean it doesn't  
 2 become the main artery then to the clubhouse development.  
 3
- 4 **Moscato:** John Moscato, Bright View Land Company. Yes.
- 5
- 6 **Rodriguez:** And at that note, I'm going to go around the table, Fire?  
 7
- 8 **Brown:** Travis Brown, Fire Department. Conceptually we are supportive of the concept as  
 9 far as the 24 foot road. That does meet our requirements for Fire Department  
 10 access in our code and so if it was constructed to a permanent type driving  
 11 surfaces as Matt has described then that would meet our requirements. I guess  
 12 as far as the action today I'm a little... maybe a couple questions specifically for  
 13 that we, I have not seen the cross section other than what was presented today so  
 14 I'm a little hesitant to and we'll get to that I guess I'm a little hesitant to this being  
 15 an action item when if we are approving the... if we're doing it conceptually then  
 16 that's one thing, if we're approving the design that is being presented here on the  
 17 table and so forth I, so I guess I'd like clarification on that as far as the action item  
 18 itself.  
 19
- 20 **Rodriguez:** Travis, we're not approving the design, we're just approving the variance to the  
 21 City Design Standards. The DRC has the authority to allow for a narrower access  
 22 to commercial development. City Design Standards say it needs to be a 50 foot  
 23 wide road built. The City Design Standards are improved private access  
 24 easement so what the applicant is seeking is a variance from that 50 foot to go to  
 25 24 foot. As for any type of construction drawings, he'll still have to submit that and  
 26 it'll go through the review process through permitting and inspections.  
 27
- 28 **Brown:** Okay, then as far as, again in general we are supportive of this. We have met  
 29 with the... with Mr. Moscato and with Matt on this, had several discussions related  
 30 to it so we are comfortable as far as the condition of it being specifically for  
 31 emergency vehicle access and construction access. We would be fine with that if  
 32 that's something the applicant is willing to place on the approval, that's fine with us  
 33 as well.  
 34
- 35 **Rodriguez:** Facilities?  
 36
- 37 **Johnston:** Mark Johnston, Facilities. I believe that the applicant has kinda tackled the task at  
 38 hand and come up with a good solution to a, as I put it last time, a dilemma that  
 39 we were faced with so I'm supportive.  
 40
- 41 **Rodriguez:** MPO?  
 42
- 43 **Murphy:** Tom Murphy, MPO. I think I'm comfortable with the ability to place that condition  
 44 that it'll just be emergency... emergency and construction access.  
 45
- 46 **Rodriguez:** Utilities?  
 47
- 48 **Montoya:** We met with the developer and DVI a couple weeks ago and we have reach an  
 49 agreement so I would like to say the Utility Department is not opposed to this  
 50 variance request with the following three condition and I have to read them you  
 51 know to the record. The condition number one, the developer will not request the

- 1 C.O. for the clubhouse until the permanent offsite utilities in Sonoma Ranch  
 2 Boulevard are built and operational to serve the clubhouse. The condition number  
 3 two, permanent offsite utility will be built during the construction of the clubhouse.  
 4 And the reason that we put that is because this substantial (*inaudible*) offsite utility  
 5 that the developer has to build in order to make the... to serve the clubhouse with  
 6 permanent utility and the developer has promised the Utility Director that no  
 7 temporary utility will be sought to serve the clubhouse and the condition number  
 8 three is about this 24 foot paved road. I just look at the...look at the cross section  
 9 and our concern is that if you make the 24 feet as a permanent paved road with  
 10 commercial or residential lot is going to front at that 24 feet; we are looking at  
 11 parallel utility for all three water, sewer and gas. And so we are going to say on  
 12 this condition number three is that no permanent, not permanent... no parallel  
 13 utilities will be allowed within the 24 feet paved access road to serve development  
 14 along the 24 feet road. If you... if you need to serve those lot fronted regardless  
 15 the size, you going to have to cut the road. We're not going to allow parallel two  
 16 gas on the road or two water or two sewer so we not opposed for the variance  
 17 request with the three conditions here.
- 18
- 19 Rodriguez: Matt, do you have any...? Okay, Public Works?
- 20
- 21 Reyes: Loretta Reyes, Public Works. Okay, so the variance is to the design standards,  
 22 the 50 foot requirement access, right? Okay, it wasn't very clear to me but now I  
 23 understand. And we are saying that it's for emergency and construction access  
 24 only and so there's not going to be any development in this area that's going to  
 25 need to have access via this local road; it's just for the purpose of building the  
 26 clubhouse and facilitating that development?
- 27
- 28 Moscato: John Moscato, Bright View Land Company. Yes.
- 29
- 30 Reyes: Okay, and then what is the... what is then the... so this is... and in that vein the  
 31 roadway then is... this is a variance but it's for a I guess I would see as a  
 32 temporary condition until full build out of that local road occurs. Because this isn't  
 33 a variance, we're not varying it and they're going to keep it at 24 feet?
- 34
- 35 Moscato: That's correct; upon development the full cross section will be built.
- 36
- 37 Reyes: Okay and then as far as Thurmond Road, is there... there's already pavement on  
 38 Thurmond Road from Sonoma Ranch Boulevard to this 24 foot local road?
- 39
- 40 Kenney: Yes, there are... the majority of Thurmond Road is paved. There is a section of  
 41 Thurmond Road at Sonoma Ranch Boulevard that has been greatly disturbed and  
 42 damaged to an extent that it needs to be replaced.
- 43
- 44 Reyes: Okay, and may I look at the cross section again of the roadway? You're indicating  
 45 65 foot Right-of-Way for the Local that we're discussing today, is that correct?
- 46
- 47 Kenney: That's what we're thinking today, obviously that would be part of a PUD submittal  
 48 that you would have to review and approve.
- 49

- 1 Reyes: Okay and... okay... and this being a... we're calling it a Local so there's no  
2 particular designation given, the Minor Local or Major Local anything to this  
3 roadway?  
4
- 5 Kenney: Not for the purposes of this variance request, no. We might designate that more  
6 completely in a PUD format.  
7
- 8 Reyes: Okay and what I see on the cross section is that you're showing you know the  
9 asphalt pavement, curb and gutter and side walk, is that correct on the edge?  
10
- 11 Kenney: That is correct.  
12
- 13 Reyes: Okay and as far as I see... okay so that I guess as the Public Works Department  
14 that would be my expectation is that when you know whatever it ends up being. If  
15 it ends up being reduced to a 50 foot Right-of-Way and designated as a Minor  
16 Local that we would see this particular configuration on this roadway.  
17
- 18 Kenney: That is our intention, yes is to submit this cross section as part of a PUD and the  
19 idea of the 24 feet is that it can be expanded outwards and curb and gutter can be  
20 added and built properly as opposed to trying to have a curb and gutter and then  
21 tear it out and so forth so.  
22
- 23 Reyes: And looking at the cross section I see lines that are labeled PL, property line and I  
24 see side walk that's outside that property line. Can you shed some light on that; I  
25 just want to understand what you're showing?  
26
- 27 Kenney: What we're working with there is the 12 foot El Paso Electric easement and using  
28 that as a setback and the person building the buildings would build the setback on  
29 private property over the El Paso Electric easement so that there was a 12 foot  
30 side walk in front of each building. So you'd have a building coming off the back  
31 of sidewalk and... but the sidewalk would be on private property and we can... we  
32 can talk about how that works with the PUD in more detail if the property line could  
33 potentially move to the outside of the 12 foot sidewalk but then I would still want to  
34 be able to put El Paso Electric inside the Right-of-Way at that point.  
35
- 36 Reyes: Okay.  
37
- 38 Kenney: So, those kind of details where the Right-of-Way line is, whether it's inside or  
39 outside the sidewalk could be worked out. But that's the general idea is to use the  
40 electric easement for the sidewalk width.  
41
- 42 Reyes: Okay then I won't belabor it here, we could discuss that later. And then as far as  
43 the... so Madam Chair this... does this have anything to do with... do we need to  
44 talk about timing or timeframe or anything like that if it's just a variance for the  
45 width of the roadway?  
46
- 47 Rodriguez: Loretta, this is just a variance for the width of the roadway so what this body will  
48 do, we'll act on that variance request and then depending on the outcome then the  
49 applicant will move forward with the construction drawing component to see how  
50 that access easement is going to be built because we'll have to... are you  
51 planning on putting in any utilities currently in there or...?

1  
2 Kenney: No, there would be no utilities constructed in that roadway.  
3  
4 Rodriguez: No? Okay, no utilities. So as (*inaudible*) clubhouse drawing... the clubhouse is  
5 still under permit review, correct?  
6  
7 Kenney: Correct.  
8  
9 Rodriguez: So I'm assuming then with the next re-submittal of the clubhouse we'll see a  
10 submittal of the road improvements on this 24 foot wide private access easement.  
11  
12 Kenney: We would actually propose it to be a separate permit...  
13  
14 Rodriguez: Separate permit?  
15  
16 Kenney: Because I believe the requirement is that it be on the ground before the clubhouse  
17 permit is approved so we were going to do it separately.  
18  
19 Rodriguez: Okay.  
20  
21 Reyes: And one more question, as far as the drainage are there going to be provisions for  
22 some temporary drainage considerations? You've probably got some runoff  
23 crossing that road so could you shed some light on that, please?  
24  
25 Kenney: Yes, we will provide drainage crossings and some support calculations for those  
26 crossing sizings with the construction drawings.  
27  
28 Reyes: Okay.  
29  
30 Kenney: So as part of the review of the construction drawings you'll be able to review  
31 drainage as well.  
32  
33 Reyes: Alright. So I guess in closing then Public Works would be in support of that  
34 knowing that there will be a full build-out of that roadway and in the interim there  
35 would be drainage considerations, thank you.  
36  
37 Rodriguez: Travis?  
38  
39 Brown: I'm sorry Ma'am Chair; just a I guess follow up question. As far as the condition  
40 about the road being for emergency vehicle and construction access only, I guess  
41 what I would... I don't want to see is that necessarily being gated or so forth. I  
42 mean I think the intent of that I believe is positive, I just don't want to see that  
43 become something that is going to really create a hardship on the part of the  
44 developer in the fact that I think once that is paved and goes in you know that's  
45 going to... there's going to be some people driving on it and we aren't necessarily  
46 in favor of that becoming some type of locked gated access or anything along  
47 those lines. So that I guess I'm starting to have second thoughts about that  
48 condition more so because I don't know how we're going to enforce that or  
49 whether that's more we're just placing that on there to ensure that they understand  
50 this is not giving them the ability to get a C.O. necessarily and start serving the  
51 clubhouse publicly with that road so I guess I would like a little clarification. I think

1 the way that Meei kind of worded it about you know a C.O. not being issued...  
 2 anyway so I'm a little uncertain now with that condition we talked about. What the  
 3 intent was to ensure that that condition is met and how are we going to or what  
 4 conditions are we going to place on the developer to make sure that no other...  
 5 nobody else is using that.

6  
 7 Rodriguez: What is your timeline John, regarding the opening of the clubhouse and the  
 8 construction of Sonoma Ranch? Because it was anticipated as development  
 9 occurred at the northern end of the Sierra Norte Master Plan, to facilitate any type  
 10 of access to that development, Sonoma Ranch as a Principal Arterial was going to  
 11 function that way. It wasn't the... staff didn't envision a Minor Local roadway  
 12 facilitating commercial access to the far northern regions of the Sierra Norte  
 13 Master Plan. So what is your anticipated build out of the clubhouse and timing  
 14 with the improvements to Sonoma Ranch?

15  
 16 Moscato: Based on the comments we heard at the last DRC meeting we attended, we  
 17 realized that we have a requirement to have two lanes of Sonoma Ranch  
 18 Boulevard all the way to Arroyo Road and then two lanes of Arroyo Road to the  
 19 Local road that leads to the clubhouse built and fully functional prior to occupancy  
 20 of the clubhouse and prior to homes being built in any development on that  
 21 *(inaudible)*.

22  
 23 Rodriguez: I don't recall the two lane build out of Sonoma Ranch but is that...? Travis does  
 24 that answer some of your concerns or...?

25  
 26 Brown: I guess so, I just... what I don't want to do is put a condition that is really  
 27 unenforceable or is going to you know if we say that that road can only be used for  
 28 emergency vehicle and construction access only, well then in my mind and taking  
 29 it very literally, anytime somebody else gets on that road well then that's a  
 30 violation of the condition that has been placed. So I guess I'm just trying to get  
 31 clarification as to our intent there which I believe was more to say this... this is to  
 32 get the clubhouse going and constructed and more or less release of that permit  
 33 so that that can begin and not to serve as the primary access for the clubhouse  
 34 once it has received a C.O. for the public to use that facility, is I guess what I'm  
 35 believing the intent of that condition is. So I just want to clarify that so that at  
 36 some point in time in the future if that, if somebody comes back and says you  
 37 know well we saw somebody else driving on the road and now they want to make  
 38 an issue of that, we do have something in the record that clarifies the intent of that  
 39 condition.

40  
 41 Kenney: Madam Chair can I suggest to a rewording, what if we said that permanent access  
 42 for occupancy of the clubhouse shall meet City Design Standard and then you... I  
 43 think you would have addressed the intent of your condition by... by saying that it  
 44 would meet design standard. And then you don't even have to have the wording  
 45 about what this road is going to be used for because frankly I'd actually like to see  
 46 construction traffic somewhere else too but... would that satisfy the Community  
 47 Development Department?

48  
 49 Brown: I'm sorry Madam Chair since I'm the one that's I guess stirring the pot. My only  
 50 concern with that is I believe that the even the permanent design that's going to be  
 51 approached may not or may... that's going to be recommended may not be to

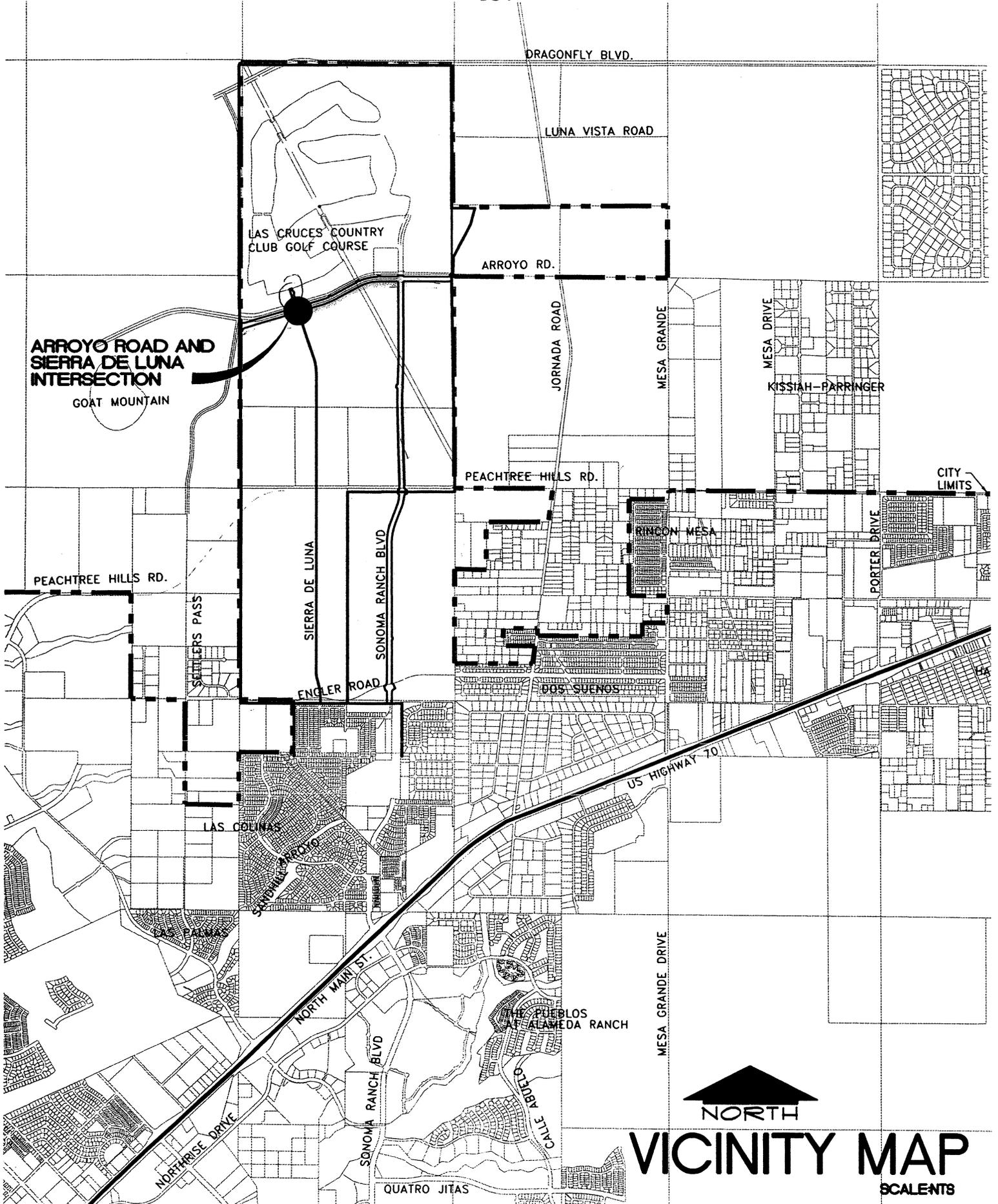
- 1 design standards since your bringing this forward as a PUD and so I don't know, is  
2 that, if that's going to be another just kinda technicality I guess. If nobody else has  
3 that concern, by all means then we can forget about this. We can erase the last  
4 10 minutes of this discussion on the minutes and move forward.  
5
- 6 Kenney: Well if we're building two lanes within a dedicated Right-of-Way that would meet  
7 the design standards of 50 feet.  
8
- 9 Rodriguez: Well I'm still trying to recall, I'd have to go back and reread the minutes. I'm not  
10 quite sure where I understand two lanes of Sonoma Ranch came about so...  
11
- 12 Kenney: Well, that came about out of the fact that typically the person building adjacent to  
13 a dedicated Right-of-Way would be responsible for their half of the roadway and  
14 so to get back to Metro Verde in the Fountains it was understood that two lanes  
15 would be built and then the adjacent development would build the other half  
16 section in compliance with the design standards.  
17
- 18 Rodriguez: It was my understanding and I'd have to go back and look at the record but for the  
19 Fountains and Jornada del Norte and everything it was the build out of Sonoma  
20 Ranch so I believe staff anticipated that you actually saw a full Arterial built out.  
21 Because my concern with two lanes is then I understand the adjacent developer...  
22 adjacent development would build their pro-rata share but then we have a  
23 piecemealed road network. I mean you still have two lanes we're gonna have a  
24 short segment here and then 500 yards later another short segment, I mean it just  
25 depends on how build out occurs up and down Sonoma Ranch. So I'd have to go  
26 back and look at the record to see how the two-lane came about. Loretta do you  
27 recall?  
28
- 29 Reyes: No Madam Chair, I don't.  
30
- 31 Rodriguez: Okay but for the purposes of today's discussion regarding the variance request,  
32 Travis would you be opposed? Is Fire opposed that once construction is complete  
33 with the clubhouse and all the off-site utility conditions have been met and there's  
34 no construction vehicular access to the clubhouse any longer; would Fire be  
35 opposed to then that road become being gated so you don't facilitate public  
36 access and that 24 foot easement functions as everybody's gateway to go play  
37 golf?  
38
- 39 Brown: Madam Chair, in general, generally speaking we do not like to have our accesses  
40 blocked, gated and so forth. So, as a general rule I would say you know that even  
41 in that case now that depends on everything else that's going and Sonoma Ranch  
42 is there and so forth. Then and that kinda goes away then we would be willing to I  
43 guess consider that at that point in time. I guess all I was trying to get at is a  
44 clarification of that statement and if the intent is again what we have discussed  
45 that ... just trying to make clear that that is not going to serve as the public access  
46 once the facility is open and is completed then I am fine with that clarification and  
47 moving forward with this language as you recommended so and everything from  
48 there I think is going to have to be worked out based on timing of the remainder of  
49 the infrastructure and submittal of the PUD and those sorts of things. So I guess  
50 as far as whether gates go in or not I would prefer to kinda leave that until we get

- 1 further along as opposed to making a commitment one way or the other now with  
2 so many unknowns still out there.
- 3
- 4 Rodriguez: Public Works?
- 5
- 6 Reyes: Loretta Reyes, Public Works. I understand where Travis is coming from, I have  
7 the same concerns. That's why I asked that question, that initial question about it  
8 being for emergency and construction access only. Because what Public Works  
9 doesn't want to see either and I did ask I think in a previous DRC meeting about  
10 the construction of the or maybe even in a meeting that the developer, the  
11 engineer, myself and the Director of Public Works had but I was concerned about  
12 the building having the clubhouse built and the Las Cruces Country Club wanting  
13 to move out there and get their business started and wanting to you know  
14 whatever they want to do. I want to make sure that we don't get that pressure  
15 from that particular future owner of this facility that they will you know we're set,  
16 we're ready to go, issue our C.O. and people can drive on that road. There's an  
17 access you know there's a paved access already you know so I can understand  
18 where you're coming from as far as you know, that's why I asked about timing.  
19 Once we allow this variance and that 24 foot road gets built and it facilitates the  
20 construction of the clubhouse we really need to see plans for that... the  
21 permanent condition of that roadway or we need to see the plans for Sonoma  
22 Ranch Boulevard and Arroyo Road or some other access to the clubhouse so that  
23 we're not put in a position where we're having to scramble or give a temporary  
24 C.O. or do something like that you know in lieu of everything having been built in  
25 the first place. So I can understand where Travis is coming from there.
- 26
- 27 Rodriguez: Matt?
- 28
- 29 Kenney: Can we make the condition that this temporary 24 foot roadway will not be the  
30 permanent access for the clubhouse and just word it simply that way? Just a word  
31 on gates, there are many gates and berms out here trying to control access and  
32 the public doesn't care about gates. If you put a gate on this 24 foot access the  
33 only thing you're going to do is slow response time in an emergency. The public's  
34 just going to go around the side of the gate so I would not suggest putting a gate  
35 on that. You're gonna affect people that we want there in a negative way and not  
36 slow down the people that we don't want but... How does that amendment to the  
37 condition sound?
- 38
- 39 Rodriguez: I'm just trying to rewrite the condition right now so please feel free to help out.  
40 The 24 foot wide private access easement will not serve as permanent access  
41 or... for occupancy and use, use and occupancy of the clubhouse and its  
42 associated facilities?
- 43
- 44 Brown: That sounds good. I mean Mr. Moscato you know very... made it very clear that  
45 he understands everything that has to be in there so I don't think it's necessarily  
46 an issue of confusion on their part. I'm just trying to... I don't want to have  
47 something, a condition that somebody else could come back and accuse you guys  
48 of allowing other people on there because it... or get into a situation where we  
49 have to gate it to try to prevent that and because I'm with you, that's not going to  
50 do any good so that's more what I'm looking for, I don't think it's a situation where

- 1 the developer is not clear on what he's gonna have to do in order to get a C.O. for  
2 that facility.  
3
- 4 Rodriguez: How does this sound? The 24 foot wide private access easement will not serve  
5 as permanent or primary access for the use and occupancy of the clubhouse and  
6 associated facilities.  
7
- 8 Moscato: That sounds okay to me.  
9
- 10 Rodriguez: Okay.  
11
- 12 Brown: So moved.  
13
- 14 Rodriguez: Motion to approve with that condition and the three stated conditions by Meei and  
15 she read them into the record before and I know we have them written down so  
16 when we transcribe the minutes we'll...  
17
- 18 Murphy: Second.  
19
- 20 Rodriguez: So all those in favor of the variance request to have a 24 foot wide paved private  
21 access easement in lieu of a 50 foot wide road say aye.  
22
- 23 Members: Aye.  
24
- 25 Rodriguez: Those opposed? None. Okay you've got the variance for the road width so.  
26
- 27 Kenney: Thank you.  
28
- 29 Rodriguez: And that's the end of the cases so do I have a motion to adjourn?  
30
- 31 Reyes: So moved, Loretta Reyes.  
32
- 33 Brown: Second, Travis Brown.  
34

35 V. ADJOURNMENT (9:58 am)  
36  
37  
38  
39

40   
41 \_\_\_\_\_  
42 Chairperson  
43



NORTH  
**VICINITY MAP**  
 SCALENTS