



CITY OF LAS CRUCES

DEVELOPMENT REVIEW COMMITTEE (DRC)

Following are the minutes from the City of Las Cruces Development Review Committee Meeting held Wednesday, August 28, 2024, at 9:00 a.m. in Room 1158.

DRC PRESENT: Rocio Nasir, Senior Engineer, Utilities
 Mark Dubbin, Fire Projection Engineer
 Gary Skelton, Engineer, Public Works
 Cathy Mathews, Landscape Architect, Parks & Rec.
 Mike Kinney, Plan Review Engineer, Com. Dev.
 Kyle Metzgar, MPO
 Christina Abeyta-Coreolla, Parks and Rec.
 Chris Faivre, Community Development

STAFF PRESENT: Adam Ochoa, Senior Planner
 Vincent Banegas, Planner, Community Development

OTHER PRESENT: Paul Pompeo, Souder Miller
 Harlow Dynek

1. CALL TO ORDER (9:03 a.m.)

Ochoa: Alrighty folks, let's go ahead and get started here, if you don't mind. Somebody's locked outside.

Pompeo: Rocio's here. All right.

Ochoa: Utilities. Very nice.

Pompeo: We can get started here.

Ochoa: Alrighty. Thank you all so much for showing up. I'll go ahead and call this meeting to order of the August 28th DRC.

2. APPROVAL OF MINUTES - July 31, 2024

Ochoa: First item we have, it's 9:03. First item we have is the approval of minutes of the July 31, 2024, DRC minutes. Did we have any changes? If not, can I have a motion to approve the minutes as is.

Metzgar: Motion to approve.

Ochoa: Can I have a second, please?

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Mathews: Second.

Ochoa: All in favor please signify by saying "aye."

MOTION PASSES UNANIMOUSLY.

Ochoa: All opposed, "nay." Minutes pass.

3. OLD BUSINESS

Ochoa: All right, we have no old business.

4. NEW BUSINESS

4.1 Case No. 24ZO02500012: Sunrise Mesa Planned Unit Development Concept Plan

A request to approve the Sunrise Mesa Planned Unit Development (PUD) Concept Plan. The concept plan proposes a total of 61 lots/tracts on 26.78 acres located at the northwest corner of Central Avenue and Porter Drive. The PUD proposes land uses consisting of multi-dwelling (four-plex), commercial, drainage/open space, a

Ochoa: So we jump right into new business. I guess, before we get started on this, can I have a motion to suspend the rules in order to hear both cases at the same time since they are related to each other.

Dubbin: Motion to suspend the rules.

Ochoa: Can I have a second please?

Nasir: Second.

Ochoa: All in favor signify by saying "aye." Alrighty. And the rules are suspended. So staff, Vince, can you please give us a rundown on the two cases, please?

Banegas: Yes. So what we have here, we have two requests, one is a planned unit development concept plan called the Sunrise Mesa PUD. It was originally part of a larger Sunrise Mesa proposed development a number of years ago. The southern portion was ultimately developed, and this upper half was a separate concept plan back in the day and it expired. So what they did is they came in with a new request, seeking site-built development as opposed to what you saw in the other portion. And they're proposing, in essence, multifamily development. And they would be seeking to utilize the Community Development Policy allowing for the permitting of single-family units, even though it's multiple units on a single lot. And so that's not part

1 of the concept plan per se, but from our perspective in terms of land use it's
2 considered multifamily at a density range of about 16 to 20 dwelling units
3 per acre. The property itself is located in this vicinity up top. You have El
4 Llano Road which is unimproved in large part, a roadway that spans not so
5 much all the way to Porter. Porter Drive on the east side and then dead
6 ends on the west side, the middle of a property up in this location here. And
7 you have Porter Drive along the east side which is a principal arterial
8 designated as such in both the MPO thoroughfare plan and Elevate Las
9 Cruces. You also have Central Avenue on the south side which is an
10 existing collector designated roadway. And you also have Alba Road which
11 is on the west side, which is an existing 50-foot local roadway, which
12 services some of the adjacent property, but again doesn't go too much
13 further beyond the northern portion of the subject property or the subject
14 proposal.

15
16 The applicant, Mr. Dynek and representative Paul Pompeo have stated that
17 they're looking to do their pro rata share of improvements along Porter
18 Drive. Again, that's within the 120-foot right-of-way that is required and as
19 per the design standards. They're also looking to do, if I heard you correctly,
20 Paul, 100% of the Central Avenue improvements. There is some additional
21 drainage right-of-way along the east side of that roadway that will be
22 dedicated for drainage related use. And ultimately, in terms of Alba Road
23 and El Llano Road you do have a small portion up here El Llano that will be
24 both dedicated and improved to service this lot up here, which is designated
25 as open space, and the properties down here. This portion, they're looking
26 to provide whatever necessary right-of-way to get to the 50 feet, but not to
27 do improvements, 100% improvements, or pro rata share, excuse me, along
28 Porter drive. A hundred percent on Central and then of course Alba Road
29 providing the necessary right-of-way to get to your 50 feet, but requesting
30 that no improvements be made. So there's a waiver submittal for those
31 road improvements that ultimately have to be considered by City Council.
32 But it starts here with DRC in terms of that request.

33
34 From a land use perspective and the concept plan perspective, they are
35 also providing, in addition to the multifamily use, a commercial tract at the
36 corner of Porter Drive and Central Avenue, which from again the planning
37 perspective it's good to incorporate a mixture of uses, particularly in
38 residential areas. It's well supported by Elevate Comprehensive Plan.
39 They've got three roads that will service a majority of property within the
40 development. You got the two interior roads intersecting Porter Drive and
41 of course one coming out on the north side to Central Avenue here.

42
43 Pompeo: South.

44
45 Banegas: Or south. Yes. And so that is what we have in front of us this morning. The
46 staff thus far in terms of reviews, I got a lot of commentary regarding the

1 need to improve Alba Road and improve El Llano. Per code that is a
2 requirement. This property has, as we now see, four frontages. And so
3 given the fact that they're looking at two arterial, or one arterial and one
4 collector, and the significant improvements associated with that, planning
5 didn't see a large concern in terms of improvements to El Llano and Alba
6 but I know some of you pointed that out.

7
8 Other issues, Fire had some concerns in terms of hydrant location and feels
9 that there might be a need for either more information to justify what exists
10 or additional hydrant locations. I'll certainly allow Fire to speak on that issue.
11 Drainage, the use of the drainage pond, I know at one point in time, Paul
12 and I, we talked about drainage and open space. Those properties both the
13 drainage pond and that open space, those two spots there in the blue, would
14 be property owner maintained, correct. So it's not going to be dedicated to
15 the City. They wouldn't meet necessarily the City provisions, so as such
16 they will maintain those. And that was a comment that was brought up or
17 raised in the review. So that's to answer that. Other than that, there were
18 no other significant, that I can find at the moment, issues that were
19 identified. Parks, you did have an issue regarding drainage pond buffering
20 and type A screen needed as per code. I'm assuming along the border of
21 the drainage pond along Alba Road and those properties, lots 14 through
22 49 there. So they're not showing that on the map, on the concept plan, but
23 nonetheless that was pointed out. And that concludes staff's presentation
24 regarding that. So a lot of revision required, some approval and so forth.

25
26 Ochoa: All right. Very good. Thank you very much. We'll go ahead and go around
27 the table, start on, next to Vince, Utilities.

28
29 Nasir: Can I go last?

30
31 Ochoa: Sure.

32
33 Nasir: Because I would like to hear what the other staff has to say about this.

34
35 Ochoa: Sure thing. Then we'll go ahead and move on to Fire, since that was the
36 first comments that Vince brought up. Fire.

37
38 Dubbin: I was going to ask that.

39
40 Nasir: Into it.

41
42 Mathews: Mark. Can I real quick? Adam, can I go next? Because I've got to go at
43 9:30.

44
45 Ochoa: Sure thing, Kathy. No worries.

1 Mathews: Go, go.
2
3 Dubbin: Okay. All right. Can you pull up the aerial that you had on your map there,
4 please? I had a couple of questions. What are the improvements on El
5 Llano currently? Is it completely unimproved?
6
7 Kinney: No, it's macadam.
8
9 Skelton: I believe there's just a chip seal.
10
11 Pompeo: It's like a chip seal. It's like a chip seal road.
12
13 Dubbin: So it does have ...
14
15 Skelton: Probably a milling road so something like that. Yes.
16
17 Dubbin: Okay.
18
19 Ochoa: Yes, it looks like it's about a chip seal, so there's some type of improvement
20 out there.
21
22 Dubbin: So that would meet fire code as far as an all-weather surface. If it's 20 feet
23 wide, it would meet that. Thanks. Could you zoom back out again, please?
24 Do we know, and I don't want to research this during the DRC meeting, but
25 do we know the owner of these two large parcels that are off of Alba? This
26 one and the one below it?
27
28 Skelton: To the west, to the west of Alba?
29
30 Dubbin: Yes.
31
32 Skelton: Yes.
33
34 Pompeo: Zoom out a little please.
35
36 Kinney: One of them is the City.
37
38 Dubbin: These two, Yes.
39
40 Pompeo: Okay. Those two tracks belong to the same property owner, and it is on
41 their property that Alba Road right-of-way came out of. If you want to look
42 at parent tracts and such. So it is a dedicated strip of land somehow some
43 way from the '70s when it was created. So it's our feeling that when and if
44 those properties develop, they have the right to move that road however
45 they see fit to access their land. And as we're not utilizing that road for any
46 beneficial use to our property, and it's the whole benefit of those adjacent

1 property owners that they would be responsible for that roadway as a local
2 road. I believe it's Castillo or something like that. It's the same property
3 owner.
4
5 Dubbin: Has he been approached to be a part of your development or not? Not at
6 all.
7
8 Pompeo: We have approached them in terms of the Sandhill Arroyo alignment issue,
9 which is another, we can talk about that because they also own the property
10 to the south, and so they have not been in any way cooperative whatsoever
11 with our Sandhill Arroyo project. So we have not been able to talk to them.
12
13 Dubbin: Okay. Last question. And I should have asked this earlier. Do we have
14 any utilities on, or do we have any fire hydrant saying water on El Llano
15 Road?
16
17 Nasir: No. I'm sorry. No.
18
19 Dubbin: No. No, no, nothing over there.
20
21 Nasir: I will look at it right away.
22
23 Dubbin: Do you think, just a quick question, do you think we could extend a water
24 line across the open space and put a hydrant over on El Llano?
25
26 Pompeo: On this one here?
27
28 Dubbin: Yes. Would Utilities be supportive of that, if we extended the waterline over
29 here and put a hydrant over here on El Llano?
30
31 Nasir: Yes,
32
33 Dubbin: Yes. Okay. Because I've got structures over there that are unprotected.
34
35 Nasir: Let me verify what I said about the hydrants on El Llano.
36
37 Pompeo: Are those City, are they serviced by City? Are they City customers?
38
39 Nasir: I'm about to find out, because I don't remember.
40
41 Pompeo: Because we're in the gray zone out there.
42
43 Nasir: Yes, because I don't know if, you're right, I don't know if it's ...
44
45 Dubbin: It is.
46

1 Nasir: It's Moongate or us.
2
3 Dubbin: So the, I mean I'm just going to put the question out there. If the subdivision
4 code requires full improvements to El Llano and full improvements to Alba,
5 then what is the City public benefit of not having them built?
6
7 Pompeo: This property happens to be located at the corner of Central and Porter. So
8 this developer is doing a substantial amount of offsite improvements on
9 those two roads, because one is a collector road and one is a principal
10 arterial. Coupled with that, this developer, along with other developers in
11 the area are going to have to spend substantial money along with the City
12 of Las Cruces to channelize the Sandhill Arroyo, and thereby taking 20
13 some people out of the flood zone along with their own properties. So we
14 feel that the public benefit has been met more to the public at large, because
15 to the point if we pave these roads, we're simply benefiting one other
16 property owner with no benefit to the developer or the community at large.
17 Not paving this road has no, does not deter from the public benefit. The
18 people that own these lots are fully capable of paving their road if they want,
19 because they're using it for access they have beneficial use, they should
20 pave it. On Alba Road, that road was taken out of the underlying property,
21 and if they want to develop their property someday they should bear the
22 cost of improving that. The improvement should not be put on this
23 developer strictly for the benefit of a single landowner. And that would be
24 our position.
25
26 Dubbin: Okay. Thank you. Rocio has researched it and there are hydrants existing
27 on ...
28
29 Nasir: On El Llano, yes, three of them.
30
31 Pompeo: So is there a line, a water line there?
32
33 Nasir: Yes, we are the water service for that property, for those for that section.
34 We're in zone two.
35
36 Pompeo: Okay, well, I just have a question because I know this is going to come up
37 later on. What's the size of the line in that roadway?
38
39 Nasir: Eight inches.
40
41 Pompeo: And it's tied to Porter.
42
43 Nasir: That's correct. We have two lines on Porter.
44
45 Pompeo: So we don't have to loop it then.
46

1 Dubbin: Okay.
2
3 Pompeo: Okay. Thank you.
4
5 Dubbin: So I think from a Fire department perspective, we're not lowering the level
6 of service to any properties that are existing. I mean the subdivision code
7 does require that the roads be built, but there are some other nonstandard
8 benefits you know in some other areas. I'd like to see the house's
9 sprinklered since it is going to be a multifamily and very high density.
10
11 Dynek: Yes, they're going to be, they're fourplexes. Fourplexes.
12
13 Dubbin: But that doesn't necessarily mean that they'll have fire sprinkler systems.
14
15 Dynek: I'm just telling what they're going to be. They're going to be ...
16
17 Dubbin: Right.
18
19 Dynek: Either fourplexes or possibly on this, one couple lots might be a duplex.
20
21 Dubbin: Okay.
22
23 Dynek: It keeps the cost down for entry level homes, because you got one lot. I
24 don't think you guys know this right now, but I'll give you (*inaudible*) number,
25 you're going to probably fall off your chair.
26
27 Ochoa: I'm sorry, sir. Could you ...
28
29 Dynek: I'm sorry. Harlow Dynek.
30
31 Ochoa: Thank you, Harlow.
32
33 Dynek: A small lot, it's in the county. And this is from Smith and Aguirre, Crosstown
34 and other people. A 65 foot by 105-foot lot. A regular, a little bigger on an
35 entry level lot. The cost without the dirt and without the cost of money, the
36 bank loan and so on, is \$43,000 a lot development cost. It's unbelievable.
37 So the affordability of houses, it's one of those, it's just crazy. Just when
38 you start looking at what the cost. So the retail of the lot would be \$65,000
39 for an entry level single-family home. It's absolutely actually crazy now. So
40 the fourplex thing, the lots will end up running a little over \$100,000,
41 \$110,000, but then you have four units on them, so it actually drops the
42 price of an entry level dwelling by about \$20,000, \$25,000. That's the intent.
43 But doesn't mean they don't have the sprinkle. I'm just.
44

1 Dubbin: Well, what I'm saying is that the subdivision code requires them to be built,
2 but the fire code would not require them built because we don't have any
3 dwellings out there that are underserved. Thank you.
4

5 Ochoa: All right. Anything else from Fire? All right. Going right over to Parks and
6 Rec. Cathy, please.
7

8 Mathews: Thank you. So it be, so the subdivision across the street on Porter is Tierra
9 Hermosa, right?
10

11 Pompeo: Right.
12

13 Mathews: Okay, they're building a neighborhood park. And I mean, and they're
14 building a trail I believe on Central Avenue. Vince, is that correct? Isn't that
15 part of what they're doing?
16

17 Banegas: I don't know about the trail, but I do know they're looking to build a park. I
18 don't know about the trail along Central Avenue.
19

20 Mathews: Okay.
21

22 Banegas: But this is all of the Tierra Hermosa for those who ...
23

24 Ochoa: To clarify on that. So the southern portion there which is Central, they got
25 approved for a modified cross section there.
26

27 Mathews: Okay.
28

29 Ochoa: Which is about 40 feet of right-of-way with then with basically a channelized
30 canal to the south. And I believe there was a trail that was kind of being
31 proposed on there for access.
32

33 Mathews: Yes. Thank you, Adam. I'm interested in seeing that continue on the
34 Central Road cross section, Central Avenue.
35

36 Skelton: The trail.
37

38 Mathews: Yes. A trail, a connectivity between future recreation development on -
39 what's the ponding called there?
40

41 Pompeo: Oro Vista.
42

43 Mathews: Oro Vista. Thank you. Oro Vista. I mean, it's got an irrigation system, and
44 there's intention from Parks and Rec to make that a multiuse facility with
45 recreation in addition to stormwater management. And so I would like to
46 have connectivity among the neighborhoods to Oro Vista as far as we can

1 get. And also, especially given Vistas de las Montan Park, which is on the
2 east side of Porter, I'd like to see a way to get pedestrians safely from this
3 development across the street to that park and then potentially into Tierra
4 Hermosa. So that the folks in this neighborhood can safely access those
5 parks across Porter, which is a big street, is going to be a very large street.
6

7 Pompeo: Mr. Chairman. I can make a couple of comments. One is, and Vince and I
8 spoke about this briefly on two items. First of all, that whatever the cross
9 section that eventually gets designed and built with Tierra Hermosa, that
10 being the channel, the road section, the trail, whatever that is, we're
11 committed to just carry that cross section across Porter and keep it going
12 down. So I don't know how to condition that on the drawing, but I can work
13 with staff to make sure that we put that on there.
14

15 Mathews: Okay.
16

17 Pompeo: The other one is, there's this dream of a traffic circle up there on Village
18 Drive and that there,
19

20 Banegas: Porter.
21

22 Pompeo: Porter. If that were to happen, then the two entrances on this drawing are
23 probably going to turn into one entrance coming off a Porter, because it'll
24 tie into that traffic circle. So we're committed to conditioning this layout to
25 whatever that disposition is on Village because there's so many
26 intersections that are along that path there. So with that being said, I'm
27 assuming that we would have appropriate pedestrian accommodations in
28 that traffic circle, and so that would be the way to get in and out across the
29 park.
30

31 Mathews: Okay. Okay. I'm happy to hear that, both of those conditions, because I
32 think that helps people get to recreational opportunities. And I mean Porter,
33 if it becomes anything like Sonoma Ranch though we're going to be, it's
34 going to be craziness and a traffic circle may or may not you know provide
35 a comfortable way for people to get across. I mean maybe it's safe if they
36 follow the rules to the T, but ...
37

38 Pompeo: Well there's more, what shelter, what do you call it in the middle, on the
39 islands and the medians.
40

41 Mathews: Yes.
42

43 Pompeo: There's ...
44

45 Mathews: Pedestrian.
46

1 Pompeo: Pedestrian. What do you call them?
2
3 Mathews: Thank you. Refuge.
4
5 Pompeo: Thank you. With the curb side enough.
6
7 Mathews: God I need another cup coffee. Yes. Yes. So I'd think we'd have, I mean
8 when it comes to designing that traffic circle, we'd have to be really
9 cognizant that a lot of people, quite a number of people in this subdivision,
10 if they're fourplexes, probably geared towards families with children, they're
11 going to really need that access across to the park, the parks, both of the
12 parks. I think that's about it for me. Thank you.
13
14 Ochoa: All right. Thank you, Parks. Alrighty. Move on to MPO. Any comments?
15
16 Metzgar: No comments. No additional comments.
17
18 Mathews: Adam, I'm sorry. I'm going to leave and Christina is going to represent Parks
19 for the rest of the meeting.
20
21 Ochoa: Sounds good. Thank you so much.
22
23 Mathews: Thank you.
24
25 Ochoa: Still have quorum.
26
27 Pompeo: Great, we're going to have question now.
28
29 Dynek: Wave the flag.
30
31 Ochoa: Alrighty. Moving on to Public Works. Traffic.
32
33 Skelton: Thank you, Paul for answering the first question I had which was about the
34 roundabout proposed for Village Drive at Porter. Because we are
35 concerned with the proximity of the proposed two lanes, two roads there.
36 But if the roundabout does not happen, those roads will have to be analyzed
37 for decel lane analysis and stuff like that. As well as I'm assuming Village
38 Drive is going to have a dedicated median opening at that location if the
39 roundabout doesn't occur, which means the streets D and B may have to
40 be right in, right out, if the medians aren't going to carry through.
41
42 Pompeo: Right.
43
44 Skelton: So that's a possibility there. Other question I had was the commercial tract
45 seems to be connecting to the cul-de-sac at street A? Is there going to be
46 access, or is there proposed access for street A?

1
2 Pompeo: Yes, that would be the internal route to let internal either vehicular or
3 pedestrian traffic access into the commercial site.
4
5 Skelton: Okay. We would actually prefer not to have that access, especially with the
6 short nature that that cul-de-sac. Rather have access limited to Porter and
7 Central.
8
9 Pompeo: Okay, so would you. Okay. So you just want the cul-de-sac you had to
10 have connectivity to the individual lots.
11
12 Skelton: Yes, the individual lots, but not connected to commercial.
13
14 Pompeo: Can we keep it, I mean can we keep it open, like pedestrian open for
15 connectivity?
16
17 Skelton: I don't see that being an issue. I just think the vehicular traffic on such a
18 short road would be an issue.
19
20 Pompeo: Okay. All right. We'll make that modification. But I will put a note on there
21 about access for pedestrians.
22
23 Skelton: And I think we're going to be looking at least a trip generation for the entire
24 development, the commercial and the residential development.
25
26 Pompeo: These ones.
27
28 Skelton: Excuse me. Okay. Well yes a trip generation report for that development.
29
30 Pompeo: Okay. I think I ...
31
32 Skelton: At least.
33
34 Pompeo: We did run the ITE 11th edition and the traffic volumes that are listed in the
35 fine print here under traffic, or that's what the, that we have listed there.
36
37 Skelton: I'm not going to read that.
38
39 Pompeo: No, no.
40
41 Skeleton: I'm going to have to look that.
42
43 Pompeo: Read the .pdf version.
44
45 Dynek: A microscope.
46

1 Skelton: I got you. So, okay if that's the case then I'll have to consult with Soo on
2 that to find out if he's going to need anything additional on that to make sure
3 that we don't have any other additional requirements on that. Because it
4 doesn't meet a full TIA based upon the lot developments that you're going
5 to be having, but the combination may. So I'll have to ... and I see on your
6 proposed commercial layout we don't have any kind of square footage
7 basically for the retail or commercial or whatever. So I can't say whether
8 it's going to require a TIA or not without that, more information on it.
9

10 Pompeo: Okay, but on the TIA though we would, that would be required in the final
11 like construction drawings.
12

13 Skelton: Okay.
14

15 Pompeo: Or the final. I mean, we don't ...
16

17 Skelton: Right.
18

19 Pompeo: If it meets that requirement then it'll just be part of the submitted
20 requirements.
21

22 Skelton: Got you. Okay. And then other than that, we're actually in support of full
23 development as per the code for El Llano and Alba Road, especially El
24 Llano because there is public access on that roadway and it's already
25 developed out to the north as far as you know the parcels there to the north
26 are already being utilized and have already been developed out. So unless
27 there are subdivisions occurring on those lots, I don't think any further
28 development on El Llano is going to take place in the future. So I think for
29 code it should still be required for both El Llano and Alba Road.
30

31 Banegas: Mr. Chairman. Point of clarification.
32

33 Ochoa: Yes.
34

35 Banegas: I think it's important, and perhaps I should have said that in the beginning,
36 the PUD, the planned unit development process allows for flexibility above
37 and beyond what the typical process of development would otherwise
38 dictate. So you have your master plan, preliminary plat, final plat,
39 construction drawings on the normal, typical process. But a PUD allows
40 that flexibility. Concept plan serves as the master plan, final site plan as the
41 preliminary plan, and final plat's the same. But the point being is that I think
42 the applicant has tried to accommodate some benefit for the community in
43 terms of the drainage, in terms of certainly meeting build out expectations
44 along the major roadways, and as a result providing mixed use opportunities
45 in the development, and hence the request for waiver of the two roads that
46 they wouldn't even access except for that small bit of open space that you

1 see off of Porter. So I just wanted to throw that out there because PUDs
2 are little different than the standard. So just for what it's worth.
3

4 Ochoa: Correct. Yes. So per subdivision code, that is, it basically says you have
5 to build out all adjacent roads.
6

7 Banegas: Correct.
8

9 Ochoa: But with a PUD you have the ability with kind of weighing the public benefits
10 of what's being proposed by a developer and what's being built out there
11 that we could potentially look into or possibly approving a waiver. So just
12 clarifying that right. Thank you, Vince.
13

14 Skelton: Yes, and the thing I see is with public benefit is that in the microscopic vision
15 of the neighborhood, it's going to be a public benefit to those residents along
16 El Llano to have that section improved. So I see a public benefit for the
17 improvement of El Llano. Same thing with Alba Road. Right now I
18 understand there's no development to the west, but obviously they're going
19 to see a benefit to that road being developed. It may not directly affect your
20 neighborhood, but per code that road is still, should be developed
21 irrespective of the PUD requirements. So I don't see a clear justification for
22 not improving those roads.
23

24 Ochoa: Alrighty. Thank you, sir. Engineering, Mike, you have anything? I'm sorry,
25 anything else, Gary? My apologies.
26

27 Skelton: No, sir.
28

29 Ochoa: Thank you so much. Mike.
30

31 Kinney: One of the questions I have kind of in the broad overview of things, my
32 understanding is that the developer is proposing to build out 100% of the
33 cross section on Central Avenue, including the line, concrete line channel.
34

35 Pompeo: Yes.
36

37 Kinney: For drainage. So that would be, that's an existing 85-foot right-of-way, but
38 you would be adding 40 foot of right-of-way.
39

40 Pompeo: For drainage right-of-way.
41

42 Kinney: Drainage. For drainage or roadway?
43

44 Pompeo: Well we have additional for the Central Road right-of-way, and then we have
45 the, they had the 40 additional feet for the drainage channel.
46

1 Kinney: Okay, so ...
2
3 Banegas: This threw me off in terms of the dimensional. And then talking with Paul
4 the 125 feet ...
5
6 Pompeo: Actually yes should have gone all the way across through the extra grade
7 and I apologize for that.
8
9 Kinney: So the 125 foot goes from the purple, the commercial tract.
10
11 Pompeo: Yes.
12
13 Kinney: All the way to the blue portion.
14
15 Pompeo: Yes.
16
17 Kinney: The blue portion, that is not your property.
18
19 Pompeo: That's the other property to the south.
20
21 Kinney: Other property. So that's 125 feet. So that's where I was getting 85 plus
22 40 you get the 125 feet.
23
24 Pompeo: Yes.
25
26 Kinney: All right. So that additional 40 foot of dedication to the City would be for
27 right-of-way/drainage.
28
29 Pompeo: For the drainage. And as I said before, Mike, we're going to, the intent is,
30 is to match the cross section over on the other side across, because there's
31 a box culvert structure that needs to be built under Porter there. The reason
32 that we're, this drawing represents Central and an additional 40 foot. The
33 drainage channel will most likely be on the southern edge.
34
35 Kinney: Yes.
36
37 Pompeo: Because as we cross Porter going west the City has two large diameter
38 water lines in that alignment and we've got to get away from those water
39 lines. So our intent is to match, Tierra Hermosa will come in first with that
40 and design and that alignment for the channel, and then as we get to Phase
41 3 of this development we'll simply match it on the other side.
42
43 Kinney: Okay. So as I understand then, the developer is willing to build out all 125
44 foot of the cross section, roadway and channel.
45

1 Pompeo: We're going to build, the infrastructure that we're going to build will match
2 Tierra Hermosa, so that that roadway cross section, that that channel cross
3 section. We are going to dedicate that right-of-way, so whatever its
4 disposition is, whatever the remainder is will be just remaining right-of-way
5 I guess.
6

7 Kinney: Okay. Probably need to look at the alignment on that because my
8 recollection on the east side of Central Avenue, the approved alternative
9 cross section right-of-way was somewhere in the 70s.
10

11 Pompeo: Right. Well, and if we don't, I guess my ...
12

13 Kinney: 70 feet.
14

15 Pompeo: If we don't need it later on when we get to the final plat of that third phase,
16 we can adjust the right-of-way I guess, as needed to meet that section.
17

18 Kinney: Okay. So where I was getting at is that code currently requires for collector
19 roadway that the developer build one half the cross section, which is 42 and
20 a half feet. And so if you're going to, what I'm guessing, so whether it's 125
21 feet or it matches the cross section of Central Drive as a result of Tierra
22 Hermosa, the developer is willing to build out the entire cross section of the
23 collector.
24

25 Pompeo: Based, yes, based on the final disposition of whatever the developer and
26 the staff that comes up with, because there's also constricted Central right-
27 of-way farther to the west, which has already been taken up by this body in
28 another case. So ...
29

30 Kinney: Right.
31

32 Pompeo: I'm just saying it's going to be a modified section. I just don't know exactly
33 what it is at this point. So I think it's subject to final determination by the
34 City staff. Maybe that's the best way to put it, because we just don't know
35 what it's going to be.
36

37 Kinney: But I guess the developer's offering to do full build out instead of the
38 required 42 and a half, one half of the collector.
39

40 Pompeo: Full build out of the approved alternative section, how about that.
41

42 Kinney: Of the collector.
43

44 Pompeo: Of the collector.
45

1 Kinney: Okay. So in lieu of, I would look at it from the standpoint of, from that they're
2 willing to build out the full cross section of the approved alternative cross
3 section in lieu of not having to build out Alba Road or the remaining portion
4 of El Llano Road.
5
6 Pompeo: Right.
7
8 Kinney: And right now Alba Road from looking at aerial photography from Nearmap
9 is not even a cow trail.
10
11 Pompeo: There's nothing there.
12
13 Kinney: There's nothing, it's just desert.
14
15 Pompeo: And it dead ends into a private property on that north end.
16
17 Kinney: Right. Okay.
18
19 Pompeo: Doesn't go anywhere.
20
21 Kinney: Does it currently, that 50 foot, existing 50 foot is that actually a dedicated
22 right-of-way to the City?
23
24 Pompeo: When that land was originally split up back in the '70s and that 50-foot strip
25 created, on that survey document it shows dedicated to the City. Now,
26 obviously it's never been approved, the City's never taken it, but there's a
27 reservation of use for that dedication. But since that strip wholly came out
28 of that parent tract, then I believe that that property owner can take that 50
29 foot and slide it around and move it around in their development, once it
30 becomes, you know once they decide what they want to do with that
31 property.
32
33 Kinney: Okay. All right. And then for what you propose for building out of El Llano
34 would be that section that is adjacent to the open space and the intersection
35 of Porter and El Llano.
36
37 Pompeo: Yes. So we have, we own property on both sides of the road there. So we
38 felt that in that case that, and we're going to be having to build that as we
39 intersect to Porter Road there. So to make sure that all that roadway
40 geometry gets built correctly, we're building that stem of road coming off of
41 Porter so that it gets built correctly. And then pass that we're just going to
42 tie back into what's existing now.
43
44 Kinney: To the existing. Okay. And then you've already answered the question
45 about Village Drive. Just as a point of information, the decision whether or

1 not a roundabout would, is going to go there or not, that's a decision for
2 Public Works, what they want. So we've already discussed that.
3
4 Now the question I have about the drainage pond, yes drainage tracts I think
5 I assume down here at the far southern portion there's a portion of green,
6 would that also be a drainage tract?
7
8 Pompeo: That would be for access into the, back into that drainage tract.
9
10 Kinney: All right. And the drainage pond would be dedicated, you plan on dedicating
11 it to the City.
12
13 Pompeo: At this time, no. It's just, it's a large, very shallow swath of land that we're
14 planning to use for the drainage. And so the reason it's so large is because
15 it's so shallow.
16
17 Kinney: Okay.
18
19 Pompeo: So that's what we're planning on doing with that.
20
21 Dynek: Walk your dog.
22
23 Kinney: Would it be maintained privately?
24
25 Pompeo: Yes.
26
27 Kinney: Okay. And it's overflow discharge. Where would it discharge to?
28
29 Pompeo: Well, the reason, in the original concept plan for Sunrise Mesa which on the
30 southern end runs all the way down almost to Highway 70, there's a
31 drainage, a linear drainage channel along that. Because there's, the plan
32 is, is it this, the western edge would be weird at specific locations, so the
33 water would be able to sheet flow back out into its natural condition. There
34 is a FEMA designated floodplain that's in the middle of the project area. As
35 we've noted on our documents there will be no development in Phase 1 or
36 2 of this this development until such time that that FEMA zone is taken care
37 of. There's a low, about where your blue arrow is, there's a low point in
38 Porter Road right now. And then of course north of that there's a culvert
39 that comes out of the ponding area from Vista Montana. Those two
40 drainage ways will be cut off when that channel is original, has been
41 constructed to take care of the Sandhill Arroyo. So then that will open up
42 the rest of that property for development. So there's several steps that have
43 to take place before we get to that.
44
45 Kinney: Okay. So that's what I was getting at was the proposed or intended envision
46 that where would the overflow to discharge be?

1
2 Pompeo: All to the west. It will weir out to the west into its natural condition.
3
4 Kinney: Towards the west.
5
6 Pompeo: Yes.
7
8 Kinney: Across what would be Alba.
9
10 Pompeo: Yes.
11
12 Kinney: Road.
13
14 Pompeo: Yes.
15
16 Kinney: In other words you would not have a, like a standpipe and control the
17 drainage into the pump, into the channel.
18
19 Pompeo: Well I'm going to, when we design the channel I'm going to ask if we, for
20 permission to run that, to drain that pond in its pre-development out into the
21 channel. So, because it eventually ends up down in, out in Oro Vista. So
22 we're certainly going to ask the question.
23
24 Kinney: Okay.
25
26 Pompeo: But that would be our, because to your point, Mike, we do not want standing
27 water sitting in that pond.
28
29 Kinney: Correct.
30
31 Pompeo: So if we can get the pre-development out of there and move it through the
32 system, then that's what we're going to try to do.
33
34 Kinney: Okay.
35
36 Pompeo: But because it's, that's a FEMA project and all of the fun and joy that comes
37 along with that, we're going to have to wait until staff or the FEMA
38 contractors approve that analysis.
39
40 Kinney: Okay. All right. And let's see, I think that's all I have right now.
41
42 Ochoa: All right.
43
44 Kinney: I'll probably think of something after the meeting's over.
45

1 Skelton: Mr. Chair. I've got an additional question mainly for you. If approval of this
2 concept plan for this development is approved with the open question of the
3 roundabout at Village and Porter, that's going to have significant impact on
4 your roadways and stuff like that, accessing Porter. If we approve this
5 concept, what effect does it have on the future development if it needs to
6 be changed according, because of the roundabout or something like that?
7

8 Ochoa: Vince, you want to take that up.
9

10 Banegas: What I would do to address that concern is to condition. If this body wishes
11 to recommend approval, I'd recommend conditional approval citing the fact
12 that whatever is ultimately agreed to in terms of the roadway cross section
13 regarding the roundabout, etc., that further traffic study be conducted for the
14 two roads that intersect Porter.
15

16 Pompeo: And then we ...
17

18 Banegas: And then made to you know be consistent with, compatible with.
19

20 Skelton: Well the applicant has already stipulated that they would probably put in a
21 tie-in road if the roundabout were put in place. Is that correct?
22

23 Pompeo: Right. So we would ask for a condition that, or we would stipulate to a
24 condition that should the City of Las Cruces approve a roundabout on
25 Village Drive, then this plan will be modified to accommodate site access
26 off of the roundabout.
27

28 Dynek: Yes.
29

30 Ochoa: And that's something we could do with an amendment to the concept plan,
31 which since it isn't increasing anything, as long as it doesn't increase
32 intensity, density, I believe that's something we could do an amendment
33 administratively, where staff still reviews it and make sure that that design
34 still meets. On top of that, then with final site plan, which is basically the
35 preliminary plan, that'll actually give the actual framework of what it's all
36 going to look like as well at that time as well.
37

38 Banegas: Mr. Chairman. I would also ask the developer to add a note to the, basically
39 stating what you said, Paul.
40

41 Pompeo: Okay.
42

43 Banegas: That way it's documented on the concept plan.
44

1 Pompeo: Okay. I'll add that note. I think there's a traffic, I've got to read my little tinny
2 note there. Okay, the conceptual transportation plan, what I'll do is I'll add
3 a third note to that section.
4
5 Banegas: Okay.
6
7 Pompeo: That talks about the Village Drive potential for a future roundabout.
8
9 Banegas: Yes.
10
11 Pompeo: And then we would make modification to the concept plan to accommodate
12 that access.
13
14 Banegas: Yes.
15
16 Ochoa: Alrighty. And, Mike, you had something else?
17
18 Kinney: Yes. This is, I don't know a question or statement, is that ultimately the
19 decision or approval of not building out the entire cross section of El Llano
20 Drive for east and west down to the, along, adjacent to the property and the
21 non-build out of Alba Road north and south on the west side is ultimately an
22 approval that can only be made by the City Council.
23
24 Banegas: Correct?
25
26 Ochoa: That's correct. And we're just a recommending body, so City Council will
27 have final action on that. Yes, sir. Alrighty. Last but not least, as requested,
28 Utilities.
29
30 Nasir: Thank you, because I wanted to hear the conversation from the other
31 bodies. I did put on my reviews previously that I wanted it to have the
32 existing sewer line along Porter to be shown, and I wanted it to have the
33 connection of the sewer system onto Porter and not Central. Okay, then
34 that was my only thing. And I also was having questions about what was
35 the public benefit, but Mike confirmed that the public benefit was to build out
36 the approved cross section of Central, not does the half that is required on
37 the code.
38
39 Pompeo: And the drainage channel.
40
41 Nasir: Is the drainage channel not part of what is required to be built?
42
43 Kinney: That drainage channel for Tierra Hermosa was part of the approved cross
44 section. So you have Central Road and then the drainage trail.
45
46 Nasir: Okay.

1
2 Kinney: But it's only 70-some-odd feet wide.
3
4 Nasir: But it's not required by code to be done. It is something that we're asking
5 the developer to build extra, that's my question.
6
7 Ochoa: That is correct. Technically speaking all they're required to provide is half
8 of the cross section even if it's modified per code, half of a collector cross
9 section. They're proposing to build the entire cross section, whatever gets
10 approved of that modified cross section. If that's correct, Paul.
11
12 Pompeo: That's correct. I just want to make, for just for point of clarity or conversation,
13 this developer along with the developer of Tierra Hermosa are undertaking
14 the task of trying to tie the outlet from the Waterfalls ponding area which is
15 a City owned facility, to the Oro Vista ponding area, which is a City owned
16 facility. By channelizing the Sandhill Arroyo between those two in a
17 concrete line channel, thereby, number one, reducing maintenance to Oro
18 Vista because it takes that natural flow out, but also takes not only this
19 property out of the flood zone and thereby making a kind of a pseudo infill
20 development available, which is good for the City, it also takes 27 other
21 property owners out of the floodplain. So that's another public benefit. So
22 the long and short of that is, is that the developer could choose not to do
23 that and work around the FEMA flood plains, and then it would just, the
24 FEMA flood plains would stay there. But between these two developers,
25 and hopefully pursuant to an agreement with the City of Las Cruces to have
26 a collaborative effort to get this channel built. Now that Terra Hermosa is
27 on its way to getting approved through, rough gradings now been approved,
28 and Phase 1, 2 drawings are on their way hopefully to being approved, then
29 we will undertake a collaborative effort with the City to see about getting
30 that channel built. Because we do need some help from the City. There
31 are some property owners, just like the one we're talking about down here
32 between Oro Vista and Alba Road that have just been 100%
33 noncommunicative, not only with myself but with the development group for
34 Tierra Hermosa. So we're going to ask the City to help use the City
35 government to basically either push that channel through or condemn the
36 property as a Public Works project, or whatever it may be. Public Works,
37 at least the director and the deputy director are supportive in concept of
38 that. But now we need to get into the details about how we're going to get
39 this channel built. So I just wanted to point out that you know these
40 developers are taking on a task that we believe is a public benefit. And we
41 believe it's good for the whole area out there because it'll just help clean this
42 area up, plus you know kind of infill it with development rather than jumping
43 up you know out of it. Thank you.
44
45 Banegas: Mr. Chairman. One other public benefit is attainable housing, very much a
46 supported element of the Elevate Las Cruces Comprehensive Plan.

1
2 Ochoa: To add to that, I mean this area is, it's pretty awesome what we're seeing
3 out there. It's not just single-family homes, you're looking at townhomes
4 being done by Tierra Hermosa, additional subdivisions off of, by (*inaudible*)
5 for single-family mobile home lots being done out there, and now we got
6 quadplexes out there. So it's a nice variety of housing which is something
7 definitely that Realize Las Cruces is pushing for. I'm sorry Elevate Las
8 Cruces is pushing for, and something Realize would be pushing for in the
9 future as well.
10
11 Nasir: Thank you. Thank you for that clarification. Just a comment. So could that
12 be clear for whenever you go to City Council, P&Z and then City Council if
13 it goes to City Council. Just, I'm assuming that as the way I was confused
14 other people might be.
15
16 Pompeo: I'll be presenting.
17
18 Nasir: Thank you.
19
20 Ochoa: Fire, got something else?
21
22 Dubbin: Yes, just final observation is, I mean the developer's going to have to, he's
23 going to have to deal with the water that's crossing the property no matter
24 what. So, I mean that's a given, no matter what your development is. The
25 City taking care of the infrastructure afterwards is a benefit to the developer,
26 so they don't have to deal with it for the long term. But the waivers that are
27 requested are primarily to me Public Works concern. You know whether or
28 not Alba Road needs to be built at this time, that's a Public Works question.
29 The drainage issues are a Public Works question. The improvements to El
30 Llano are a Public Works question. So my quick question for the developer,
31 what is your timeline for the project? For the three phases?
32
33 Dynek: Again, it's once we get through this phase and it's approved, then it's
34 basically going to the bank, the financing and all that stuff, and then for the
35 complete drawing. So I mean it's kind of, as soon as you can but I can't tell
36 you definitively, honestly, whether it's three months, six months, nine
37 months, because how long this process will take and the engineering and
38 the approvals, and then the bank, the banks will take two months, and I've
39 got, anyway so it's kind of a moving target.
40
41 Dubbin: Well and ...
42
43 Dynek: I wish I could tell you.
44
45 Dubbin: And development is. And I'm going to defer to Public Works on most of your
46 questions, but the phasing to me, I would like to see a timeline that perhaps

1 Phases 2 and 3 be concurrent, or it's broken into Phase 1 and Phase 2 and
2 this road moved over here to that intersection with Village. Because I see
3 it, how many lots, 15 lots in phase one, maybe.
4
5 Dynek: That's 60 units then.
6
7 Dubbin: Sixty units.
8
9 Kinney: Twenty-one.
10
11 Skelton: Twenty-one lots.
12
13 Kinney: Twenty-one.
14
15 Dubbin: And then another, more lots on ...
16
17 Kinney: Twenty-two to 43, another 21.
18
19 Dubbin: On Phase 2. So first question is, is Alba Road, are we going to build a little
20 section out over here in the desert during Phase 1? Because that doesn't
21 seem like a good idea.
22
23 Dynek: Well, I'm hoping that we don't have to build it, because essentially, it's a
24 private driveway to somebody else's property with no benefit.
25
26 Dubbin: Right. And I'll defer to the Public Works on how that gets built. But when
27 they get into Phase 3, I'm looking at eight lots and a ...
28
29 Dynek: And a commercial.
30
31 Dubbin: Which commercial traditionally comes in years after residential. So the cost
32 benefit to the developer is significantly less to build a large drainage
33 channel, a collector for eight lots that are left. And I see that as, I mean you
34 know without, I want to know when this is going to be built. If this is the
35 benefit, then it needs to have more meat on the bone to be worth building.
36
37 Pompeo: Well the issue is with Central and the channel. It's going to be a Triple P
38 project, which is going to require development agreement, it's going to
39 require going to City Council, it's going to require the flood, you know FEMA
40 CLOMR/LOMR analysis. So it's this moving target right now, because you
41 tell me how fast the City is going to move in getting that stuff done. Now,
42 obviously Tierra Hermosa Phase 3 can't move forward without it, our Phase
43 3 can't move forward without it. But the whole idea is to come up with a
44 game plan with the City of Las Cruces to build that entire channel at one
45 time, because we can't segment it. We can't build this portion and not the
46 other portions. It has to be. Now does that mean that there's, the private

1 side puts their money up, they build it at their dime, the City pays back, but
2 then the City builds the other two ends that are not adjacent to these
3 developments. That's kind of the roadmap now. But we just don't have any
4 idea. And then we're going to City council. And so that's going to be, I
5 mean I think Council's would be very much in favor of this because that
6 channel is inside the City stormwater master plan, so we're meeting those
7 obligations. Also the other carrot is, is the City is on the hook to pay for half
8 of the Porter Road drainage structure, because that's City ordinance right
9 now. So there's a lot of things in our favor, but that's the timeline that we
10 have, Mark. So that's one of our issues. I think the first phase, you know if
11 you said we're going to turn dirt in eight to 12 months, that's probably a good
12 time. But for Phase 2 or 3 or even if you combine Phases 2 or 3, we're at
13 the whim of other developer and the City of Las Cruces.

14
15 Dubbin: And I appreciate your answers, and I like what you're saying. I see the
16 benefits. But, I mean I can point to too many developments in the City
17 already where you know I've got 200 fourplexes out here that are already
18 built and people living there, and 10 years down the road Central is still dirt,
19 and the drainage channel is still dirt. So I don't want to kick the can down
20 the road, but I want to know the answer of, when will this be built? Will it be
21 built at the same time as Tierra Hermosa? Is it that well-coordinated that
22 it's going to be built at same time? That would be good. But what I don't
23 want it to be is dirt 10 years from now, when the rest of it's built upstream.
24 And I don't know if we want to, I don't know if that, because it sounds like
25 there's a whole lot of moving pieces that are going on.

26
27 Dynek: There's a lot.

28
29 Pompeo: There's a lot of moving pieces.

30
31 Dynek: And money. The other one is one that everyone kind of forgets is the
32 financing and the turning of money. You're talking many, many millions of
33 dollars. A fourplex is going to cost \$600,000 per fourplex without the dirt.
34 So when you start looking at it, it has to do with absorption. I mean there's
35 so much, there's a lot of moving parts, Mark. And I don't have a crystal ball
36 for it.

37
38 Dubbin: So, and nobody does. But I don't know if those things need to be ironed out
39 before, well certainly they need to be ironed out before we get to preliminary
40 plats and construction drawings, and certainly before City Council should
41 make a decision on the waiver.

42
43 Pompeo: Well, Mr. Chairman and Mark. I mean I'm going to say that this project as
44 it's sitting before you right now, the only thing that can be developed right
45 now is Phase 1. And that's what, 15 lots.

1 Kinney: Twenty-one.
2
3 Dynek: Twenty-one.
4
5 Pompeo: Twenty-one lots. That's all that can be developed right now. And I think it's
6 stated in the notes there that we can't do Phase 2 and 3 until all this other
7 stuff happens. So that's the ...
8
9 Dynek: Combining it.
10
11 Pompeo: That's the hammer that the City has. We can't do anything else on any of
12 that property until these other issues get resolved.
13
14 Kinney: Mr. Chair.
15
16 Pompeo: But also this developer cannot commit to the City to go in and participate in
17 this unless they know that their development can move forward.
18
19 Dynek: This Fire's concern on this issue.
20
21 Dubbin: It's a best interest of the City issue. So I'm just putting it out there.
22
23 Pompeo: Well I, and I hear the concern. We don't ...
24
25 Faivre: Is that more of a conversation to have PD or Public Works I mean?
26
27 Dubbin: All these are concerning Public Works. But I look at other developments,
28 not this developer, but I look at a mile stretch of Mesa Grande that hasn't
29 been built in 10 years because it's the last phase it's tied to. It's tied to not
30 enough houses to make it worth the developer's interest in building that
31 road. I look at Park Hill Estates that was eight years overdue in being built.
32 It served thousands of homes because it wasn't in the developer's interest
33 to build that section of road because it was financially not feasible 10 years
34 down the road. And I don't want to keep putting the City in that same
35 position over and over again. And it's best that we answer these questions,
36 that way the developer doesn't have surprises, and the residents don't have
37 surprises later on.
38
39 Ochoa: Thank you for that, Mark. Yes Mike.
40
41 Kinney: So as part of the phasing portion, if you're doing Phase 1, obviously first,
42 then how would the build out of Porter Drive be if you will phase. Because
43 Tierra Hermosa plans on building Porter Drive, the portion of Porter Drive
44 during Phase 5. And so you have Phase 1 which would be north of Village
45 Drive, Porter drive has to be built out, that's part of the you know 50% of
46 that 60 foot.

1
2 Pompeo: Yes.
3
4 Kinney: Wide. But the alignment right now of Porter Drive is, yes, it's ...
5
6 Dynek: Hinkey.
7
8 Kinney: It's snakes. And so what does the developer propose to build Porter Drive
9 or their portion thereof on Phase 2, Phase 2, and Phase 3?
10
11 Pompeo: Well we would definitely, let's just, the only thing that we know of right now
12 is Phase 1. Phase 1 can be built without Central, without the drainage
13 channel, without any improvement, without any modification to the FEMA
14 flood zone. So we would propose to build that. If Phase 1 goes we would
15 build that section of Porter pursuant to the requirements of the design
16 standards.
17
18 Kinney: But if they, I'll interrupt you for one moment. But then if the roundabout is
19 going to go in at Village Drive, then that takes away Street B and Street D.
20 Is that correct?
21
22 Pompeo: That's correct. But as we're talking about months from now in terms of when
23 this development would come on board, by that time we're going to know
24 what's going on, on Village Drive.
25
26 Kinney: All right. So If that were to happen in Phase 1 is just being built initially you
27 only have one connection, but you have less than 30 houses. Is that a
28 problem with Fire?
29
30 Dubbin: No.
31
32 Kinney: All right.
33
34 Pompeo: And I just want to, Mr. Chairman, if I could just make one more point of
35 clarification here. This developer cannot go and commit to the City to
36 participate in this Central Road drainage channel unless we know that we
37 can develop the property. And so once the City Council and the City
38 Planning and Zoning has made that commitment, that we see your PUD
39 and we understand it's a concept and everything, now we're in. Everybody,
40 we've pushed our chips in and we're ready to go forward and negotiate with
41 the City and the other developers to get that section of channel built. So I
42 believe from my chair it can be all done concurrently. I share Mark's
43 concern that we've got a list of past developments that don't have
44 infrastructure built. But I don't believe that the code as it's written today
45 allows you to do that kind of Del Rey, Roadrunner Parkway, Mesa Grande
46 game of not developing adjacent to it therefore I don't have to build it now.

1
2 Dubbin: Let me make a correction. Actually, Mike is correct, the number of lots, I
3 was looking at the number of lots, if you have more than 30 dwelling units
4 you need two remote connections. So the way, with the single access that's
5 going to be their fourplexes and duplexes, so you wouldn't be able to build
6 more than 30 with the single point of access. So that might be something
7 to look at in the phasing.
8
9 Pompeo: Right. But just Mark, we could, if we want to build that out, much like we
10 agreed to on Tierra Hermosa, we could pave a roadway in, through either,
11 out to Central or whatever it may be in the interim to meet the secondary
12 access requirements.
13
14 Dubbin: Or you could sprinkler all the buildings. That's also acceptable.
15
16 Pompeo: Note taken.
17
18 Ochoa: Alrighty. Thank you all for the good conversations, discussions here. any
19 other issues, any other comments by anybody, staff, the applicant?
20 Alrighty. I guess I'll ask for a motion to suspend the rules, or to ...
21
22 Faivre: To unsuspend.
23
24 Ochoa: To unsuspend the rules so we can vote on the two items separately, please.
25
26 Dubbin: Motion to reinstate the rules.
27
28 Ochoa: Thank you very much. A second, please.
29
30 Metzgar: Second.
31
32 Ochoa: Alrighty. All in favor signify by saying "aye."
33
34 MOTION PASSES UNANIMOUSLY.
35
36 Ochoa: Alrighty we're in the rules here. So first item I have is Item 4.1 is the actual
37 Sunrise Mesa Planned Unit Development concept plan. I believe there's a
38 couple of conditions on this one that we're looking at. And please by all
39 means correct me if I'm incorrect, condition to continue the cross section of
40 Central from the east side of which is in front of Tierra Hermosa subdivision
41 towards the subdivision for continued connectivity. Two, condition to work
42 on providing pedestrian access across Porter along either a traffic circle,
43 whatever gets designed for Porter Road. And three, require a, would be
44 required a cross section as modified. Try that again, a future modified cross
45 section shall be required to come before the DRC for as Tierra Hermosa did

1 for Central Avenue. So essentially those three conditions, unless there's
2 anything else.

3
4 Skelton: Mr. Chair. Was there the condition that, I'm sorry, Paul, are you going to
5 place the stipulation in the concept for the roundabout or modifying of the
6 concept plan to address the roundabout or the final disposition of the
7 intersection of Village and Porter?
8

9 Pompeo: Yes, I will add a note to the transportation section that says that the
10 developer will work with the City of Las Cruces to modify the concept plan
11 as needed based on the final disposition of the Village Drive intersection.
12

13 Skelton: Okay.
14

15 Ochoa: And that could be a note that staff just verify that it's done before moving
16 forward. So it'll just be those three conditions since they're three separate
17 conditions outside of what the actual concept plan would read. So with that,
18 thank you for bringing that up, Gary. Appreciate that. With that, I'll entertain
19 a motion to approve with conditions as stated by the Chair.
20

21 Kinney: So moved.
22

23 Ochoa: Can I have a second, please?
24

25 Abeyta-Corella: Second.
26

27 Ochoa: Thank you very much. Alrighty, all those in favor of recommending the
28 conditional approval for the Sunrise Mesa Planned Unit Development
29 Concept plan please signify by saying, "aye."
30

31 MOTION PASSES UNANIMOUSLY.
32

33 Ochoa: All opposed. It is move forward to Planning and Zoning Commission with
34 recommendation and conditional approval.
35

36 **4.2 Case No. 24CS04000100: Waiver to Alba Road and El Llano Road**
37 **Required Improvements**

38 A request to approve a road improvement waiver for Alba Road and El Llano
39 Road immediately adjacent to the Sunrise Mesa Planned Unit Development
40 (PUD) Concept Plan boundary (Case # 24ZO2500012). As proposed, all
41 required rights-of-way will be dedicated, but required improvements for the
42 two subject roadways are proposed to be waived via this request.
43 Submitted
44

45 Ochoa: The second one is the actual waiver request to Alba Road and El Llano
46 Road as well. Let's see here. No conditions on that. It's just either, if it's I

1 guess what staff is looking at whether it's public benefit enough or what
2 they're proposing is enough to go against the requirements of what is
3 subdivision codes and Public Works requires of the build out of those roads.
4 For this, I'll go ahead and ask for an individual vote. I guess I think is the
5 best way to go, a roll call, that way we could all have it for the record. So
6 with that, I'll go and entertain a motion to approve Case number
7 24CS04000100, the waiver request to Alba Road and El Llano Road
8 requirement improvements.
9

10 Abeyta-Corella: Motion to approve.

11
12 Ochoa: Can I have a second, please?

13
14 Dubbin: Second.

15
16 Ochoa: Alrighty. And we have actually five voting members on the DRC, so I'll go
17 first with a Public Works/Engineering/
18

19 Skelton: No.

20
21 Ochoa: Parks and Rec.

22
23 Abeyta-Corella: Yes

24
25 Ochoa: Fire.

26
27 Dubbin: It's a waiver for both roads.

28
29 Ochoa: Yes, sir.

30
31 Dubbin: I'm going to defer to Public Works and say no. But a caveat that I would
32 support the waiver on Alba but not El Llano.
33

34 Ochoa: Okay. Utilities.

35
36 Nasir: No.

37
38 Ochoa: And Community Development.

39
40 Faivre: Yes.

41
42 MOTION DENIAL, THREE TO TWO.

43
44 Ochoa: So it will move forward with recommendation of denial, but it'll be with a vote
45 of two to three to the Planning and Zoning Commission.
46

1 Pompeo: Didn't MPO get to vote?
2
3 Nasir: No.
4
5 Ochoa: No. It's only a five-member board.
6
7 Metzgar: No, I'm in the corner so I don't get to talk.
8
9 Nasir: They are observed by community development.
10
11 Ochoa: There you go.
12
13 **5. STAFF ANNOUNCEMENTS**
14
15 Ochoa: We have no staff announcements.
16
17 **6. ADJOURNMENT (10:13 a.m.)**
18
19 Ochoa: Next we have a; I'll entertain a motion to adjourn.
20
21 Pompeo: Mr. Chairman. Can I ask a question before you adjourn?
22
23 Ochoa: Yes, sir.
24
25 Pompeo: As this moves forward to, through its next step on this roadway waiver thing,
26 as the fire had pointed out, can we split that waiver into two requests for
27 roadway, adjacent road improvements?
28
29 Ochoa: I see no reason why we can't. I think that's a possibility. We could present
30 that to the Planning and Zoning Commission as to the waiver request and
31 that you request that potentially splitting it between Alba and El Llano and
32 see if that will work as well?
33
34 Pompeo: Okay. If you could, please. Thank you.
35
36 Ochoa: All right. Thank you very much. So again I'll entertain a motion to adjourn.
37
38 Nasir: So move.
39
40 Ochoa: Second, please.
41
42 Dubbin: Second.
43
44 Ochoa: Alrighty. All in favor signify by saying "aye."
45
46 MOTION PASSES UNANIMOUSLY.

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2
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Ochoa: We're adjourned at 10:13. Thank you all.

Chairperson