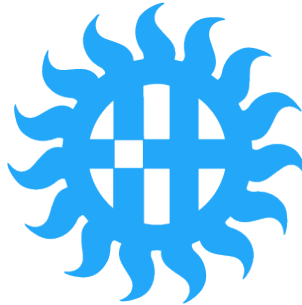


Planning & Zoning AGENDA

Tuesday, September 23, 2025 at 6:00 PM

Commissioners
Scott Kaiser
Joaquin Acosta
Janet Acosta
Enrico Smith
Connor Murray
Kent Thurston



CITY OF LAS CRUCES

CITY HALL
P.O. BOX 20000
LAS CRUCES, NM 88004

700 N. Main St.
PHONE (575) 541-2067

**Meetings can be viewed live at
lascruces.civicweb.net**

CONSENT AGENDA

Minutes and Items on the Consent Agenda Are Considered Routine Items and Will Be Voted on with One Motion Unless a Commissioner Requests That a Specific Item Be Removed. There Will Be No Discussion.

In an effort to seek public input, we ask that if you have comments/concerns/questions to please call or e-mail the Planners in advance of the meeting at 575-528-3043 or Development_Services@lascruces.gov.

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1. **CALL TO ORDER**
2. **CONFLICT OF INTEREST**
3. **PUBLIC PARTICIPATION**
4. **ACCEPTANCE OF AGENDA**
5. **PLANNING & ZONING MINUTES**

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6. **POSTPONMENTS**

- 6.1. A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS LUJAN TRACTS. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 2.05 ACRES, IS ZONED REM (RESIDENTIAL ESTATE-MOBILE) AND LOCATED 6401 JEFFERSON LANE. SUBMITTED BY LIBBIN

UNDERWOOD ENGINEERING AND SURVEYING,
REPRESENTATIVE. (CASE 23CS0500095)

- 6.2. A REQUEST FOR APPROVAL OF A WAIVER TO THE REQUIRED IMPROVEMENTS FOR PECAN LANE ASSOCIATED WITH A NON-ADMINISTRATIVE REPLAT KNOWN AS LUJAN TRACTS. THE CITY OF LAS CRUCES DESIGN STANDARDS REQUIRES A SUBDIVIDER TO PROVIDE FULL DEDICATION AND IMPROVEMENTS FOR ANY ADJACENT LOCAL ROADWAY. THE APPLICANT IS PROPOSING TO PROVIDE THE REQUIRED DEDICATION BUT IS REQUESTING A WAIVER TO THE REQUIRED IMPROVEMENTS. SUBMITTED BY LIBBIN UNDERWOOD ENGINEERING AND SURVEYING, REPRESENTATIVE. (CASE 24CS4000008)

7. CONSENT AGENDA

- 7.1. A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS HACIENDA ACRES REPLAT NO. 9. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 0.864 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN), AND LOCATED ON THE SOUTH SIDE OF BATAAN MEMORIAL EAST, APPROXIMATELY 450 FEET EAST OF ITS INTERSECTION WITH HACIENDA AVENUE. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE (1) EXISTING LOT INTO TWO (2) NEW LOTS THAT ARE EQUALLY DIVIDED AND APPROXIMATELY 0.432 ACRES IN SIZE. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 24CS0500036) 38 - 49
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- 7.2. A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS HACIENDA ACRES REPLAT NO. 10. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 0.914 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN), AND LOCATED ON THE SOUTH SIDE OF BATAAN MEMORIAL EAST, APPROXIMATELY 300 FEET EAST OF ITS INTERSECTION WITH HACIENDA AVENUE. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE (1) EXISTING LOT INTO TWO (2) NEW LOTS THAT ARE APPROXIMATELY 0.460 AND 0.454 ACRES IN SIZE. SUBMITTED BY CARTER SURVEYING AND MAPPING, REPRESENTATIVE. (CASE 25CS0500057) 50 - 59
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- 7.3. A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS M. BOYCE TRACTS. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 7.00 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN) AND LOCATED AT 3300 DEL REY BOULEVARD. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE EXISTING LOT INTO TWO NEW LOTS THAT ARE 2.87 AND 3.84 ACRES IN SIZE. SUBMITTED BY LIBBIN UNDERWOOD ENGINEERING AND SURVEYING, REPRESENTATIVE. (CASE 23CS0500007) 60 - 94
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- 8.2. A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT (SUP) TO ALLOW A CANNABIS RELATED BUSINESS ON A PROPERTY THAT IS ZONED NH-3U (NEIGHBORHOOD-3 URBAN), ENCOMPASSES APPROXIMATELY 0.20 ACRES AND IS LOCATED AT 1103 S. SOLANO DRIVE. A SUP IS REQUIRED IN ORDER TO ALLOW THE CANNABIS RELATED BUSINESS ON THE SUBJECT PROPERTY. SUBMITTED BY BROOKLYN CALDERAZZO, PROPERTY OWNER. COUNCIL DISTRICT 3. (CASE 25ZO1000015) 111 - 118
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- 8.3. A REQUEST FOR APPROVAL OF A MASTER PLAN KNOWN AS COYOTE RUN. THE PROPOSED SUBDIVISION ENCOMPASSES APPROXIMATELY 25.095 ACRES, IS ZONED R-1A/R-1B (SINGLE-FAMILY MEDIUM DENSITY/SINGLE-FAMILY HIGH DENSITY) AND R-3/R-4/C-2 (MULTI-DWELLING MEDIUM DENSITY/MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE/COMMERCIAL MEDIUM INTENSITY) AND LOCATED APPROXIMATELY 642 FEET WEST OF THE INTERSECTION OF SETTLERS PASS AND THURMOND ROAD. THE MASTER PROPOSES TO HAVE A MIXED-USE DEVELOPMENT WITH APPROXIMATELY 3.07 ACRES OF NON-RESIDENTIAL DEVELOPMENT AND APPROXIMATELY 18.81 ACRES OF RESIDENTIAL DEVELOPMENT. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 24CS0500117) 119 - 155
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- 8.4. A REQUEST FOR APPROVAL OF A PRELIMINARY PLAT KNOWN AS COYOTE RUN SUBDIVISION. THE PROPOSED PRELIMINARY PLAT ENCOMPASSES APPROXIMATELY 25.095 ACRES, ZONED R-1A/R-1B (SINGLE-FAMILY MEDIUM DENSITY/SINGLE-FAMILY HIGH DENSITY), R-3/R-4/C-2 (MULTI-DWELLING MEDIUM DENSITY/MULTI-FAMILY HIGH DENSITY & LIMITED RETAIL AND OFFICE/COMMERCIAL MEDIUM INTENSITY) AND LOCATED APPROXIMATELY 642 FEET WEST OF THE THURMOND ROAD AND SETTLERS PASS INTERSECTION. THE SUBDIVISION PROPOSES TWENTY (20) LARGE RESIDENTIAL LOTS AND ONE (1) NON-RESIDENTIAL LOT. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 23CS0500099) 156 - 192
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9. DISCUSSION
10. STAFF ANNOUNCEMENTS
11. ADJOURNMENT



PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
July 22, 2025 at 6:00 p.m.

BOARD MEMBERS PRESENT:

- Kent Thurston, Chair
- Scott Kaiser, Vice-Chair
- Enrico Smith, Member
- Janet Acosta, Secretary
- Connor Murray, Member
- Crystal McCaslin, Member

BOARD MEMBERS ABSENT:

- Joaquin Acosta, Member

STAFF PRESENT:

- Chris Faivre, Director Community Development
- Sara Gonzales, Interim Deputy Director Community Development
- Christine Rivera, City Clerk

1. CALL TO ORDER (6:00)

- Thurston: Good evening. Welcome to the Planning and Zoning meeting. Today is Tuesday, July 22nd. I'm Chair Thurston. And we have our, first thing we need to kind of make a motion on tonight is we have Acosta via Zoom and we just need to see if we can basically get a motion to allow Commissioner Acosta to participate via Zoom.
- Kaiser: I make a motion to allow Commissioner Acosta to participate virtually tonight.
- Murray: I second.
- Thurston: Okay. All in favor of allowing Commissioner Acosta to participate online?
- Kaiser: Aye.
- McCaslin: Aye.
- Murray: Yes.

1 Thurston: Okay. Thank you.

2
3 **2. CONFLICT OF INTEREST**

4
5 Thurston: All right. And does anybody have any conflicts of interest tonight with the
6 agenda? I personally have one because it's my own property. So I will be
7 stepping out during that one.

8
9 **3. PUBLIC PARTICIPATION**

10
11 Thurston: Other than that, moving on to public participation. Is there anybody in the
12 audience that wishes to have some public participation that is not regarding
13 the two items on the agenda tonight? All right, seeing none.

14
15 **4. ACCEPTANCE OF THE AGENDA**

16
17 Thurston: We'll move on. Can we get also a motion to accept the agenda the way that
18 it is? Also this also accepts the minutes of last meeting.

19
20 Kaiser: I'll make a motion to approve tonight's agenda.

21
22 Smith: I second.

23
24 Faivre: This is for the acceptance of the agenda. Commissioner McCaslin.

25
26 McCaslin: Aye.

27
28 Faivre: Commissioner Smith.

29
30 Smith: Yes.

31
32 Faivre: Commissioner Conner Murray. Sorry. I always do that.

33
34 Murray: Abstain because I wasn't there.

35
36 Faivre: You can abstain. Yes. Commissioner Kaiser.

37
38 Kaiser: Yes.

39
40 Faivre: Commissioner Acosta.

41
42 Ja. Acosta: Yes.

43
44 Faivre: And Chair.

45
46 Thurston: Yes.

1
2 Faivre: Thank you.

3
4 Thurston: All right. Just wanted to welcome Crystal McCaslin. She's our newest
5 member to the Commission. So maybe we won't have any delays on certain
6 P&Z meetings now we'll have full boards again. So welcome, welcome.
7 We're glad you're here.
8

9 **5. PLANNING AND ZONING MINUTES – May 27, 2025**

10
11 APPROVED UNANIMOUSLY.
12

13 **6. NEW BUSINESS**

14
15 **6.1 Case 23CS0500127:** A request for approval of a preliminary plat known as Stone
16 Gate 2. The proposed preliminary plat encompasses approximately 228.630
17 acres, is zoned R-1a (single-family medium density), and located on the north side
18 of Settlers Pass, approximately 1,200 feet east of its intersection with Roadrunner
19 Parkway. The subdivision proposes 96 residential lots, constructed in three
20 phases with lots that range from approximately 0.16 to 0.421 acres in size.
21 Submitted by Libbin Underwood Engineering and Surveying, representative.
22

23 Thurston: Moving on. It's the first item on here, item 6.1. And we're going to turn it
24 over to staff for the presentation.
25

26 Gonzales: Good evening, Commission.
27

28 Thurston: Oh wait. I messed up.

29
30 Gonzales: Okay.
31

32 Thurston: I have to have a motion to hear item 6.1, and a second.
33

34 McCaslin: I move to hear item 6.1.
35

36 Smith: I second.
37

38 Thurston: Okay. Go ahead, Sara.
39

40 Gonzales: Good evening, Commission. I'm Sara Gonzales with Community
41 Development. Before you is the preliminary plat known as Stonegate Phase
42 2. Property is located on the north side of Settlers Pass, east of Roadrunner
43 Parkway. It is currently vacant and undeveloped land. It is following our
44 2001 Zoning Code. So the zoning is single-family R-1a, medium density.
45

1 The Rancho Del Rey master plan in which this is a part of was annexed in
2 and approved in 1997. There was one or two modifications done. 2004,
3 the modification was to adjust the boundaries in order to realign essentially
4 Settlers Pass and to rename some of the tracts that were located within
5 them and make them parcels. When you're located as tracts or designated
6 as tracts, they become undevelopable. You make them parcels so you can
7 now develop the land. The second modification was done in 2012 which
8 increased essentially the multifamily density that was going to be permitted
9 within the master plan.

10
11 Here is the approved master plan as its final amendment that takes place.
12 What is highlighted in yellow is the property in which we are discussing now.
13 Adjacent to this property was Phase 1 that was developed several years
14 ago. However, now with the development of Roadrunner being connected,
15 the development is now reoccurring to where we'll start to see more
16 development take place out of this master plan. Currently, there has only
17 been 15 acres that has been developed in this master plan. This will
18 basically take them to about 41 acres out of the total 279.

19
20 It's very hard to see based on the map, but as you can see the surrounding
21 properties, they are all zoned R-1a single-family residential from the original
22 zoning that was applied onto these properties in this master plan. The
23 applicant is not requesting a zone change. They are just requesting to
24 basically develop to the R-1a standards that has already been approved.

25
26 Here's an aerial map of the property. As you can see, this was Phase 1 that
27 has already been developed. This would be connecting on to Phase 2. The
28 surrounding properties within this area would be the continued part of the
29 master plan as we continue to see more development take place within this
30 area.

31
32 This is a 28.63-acre parcel to be developed with 96 single-family residential
33 lots. When the master plan was approved, it did allow for six dwelling units
34 per acre, but the average that the applicant is proposing for development is
35 3.4 dwelling units per acre. At that point, an applicant can come in and
36 request a lower density, we just request that if the master plan was to be
37 increased in density, then you'd have to come back and modify that master
38 plan. So they can stay underneath it and develop different sized lots, they
39 just can't go above what was already approved in the master plan in which
40 they are basically following. The lot sizes that they are proposing range
41 from 0.16 to 0.421 in size. The applicant will develop all of the internal local
42 roadways, which are 50-foot cross sections. And then they will also
43 construct Settlers Pass, and that's why it was highlighted in the previous
44 slide. This will now give us that connecting road to where it's actually a
45 complete street going up and essentially to Rinconada Boulevard, creating
46 those lanes. The only portion that would not be developed with this would

1 be the sidewalk on the south side. As that development comes in, then the
2 sidewalks would be installed, but we would essentially have a four-lane road
3 that would now basically be moving traffic in and out of that area.

4
5 Here is the proposed preliminary plat as provided by the applicant. And so
6 there is a continuation from the previous phase that will connect to the
7 adjacent neighborhood towards the west, and then it will also leave an
8 opening so it will connect to the east side. When we did the comprehensive
9 plan that was one of the main things was to make sure neighborhoods were
10 provided with connectivity, and we want to ensure that those continue
11 throughout our developments. It provides more access. It gives everybody
12 the opportunity to use multiple roads in case something does happen on
13 some road that is blocked off, you still have a way to get access to your
14 property.

15
16 So with this staff did not identify any public safety, health, or welfare issues
17 with the following plan. It does follow the Rancho Del Rey master plan, and
18 it aligns with the suburban neighborhood place types. It also provides
19 connectivity to those adjoining subdivisions and future subdivisions that do
20 come in. And it will provide additional housing options to the neighborhood
21 as well as to the community. With that, DRC or staff's recommendation is
22 to approve with the following findings that we did meet on May 7th and
23 discuss this through all of the relevant departments. And through that
24 discussion, it does comply with the City standards for subdivision code, it
25 meets the Rancho Del Rey master plan, and it also complies with the 2001
26 Zoning Code, essentially meeting lot size requirements, densities as
27 proposed by the applicant. One thing to note from the DRC meeting was
28 that there was a discussion about when the park would be dedicated or
29 basically built within the subdivision. As part of the master plan
30 requirement, it is not to come in until at least 70%. The applicant may be
31 able to provide it at a sooner time frame, but with the development that
32 would be coming in with this phase, we would be at about 15%
33 development, and so that still has future development before the park is
34 required to come in. Notice was sent to the surrounding property owners
35 within 500 feet. We did receive one e-mail not in support basically because
36 we did see that there were some concerns with the increased traffic that
37 may be coming throughout the neighborhoods with development that
38 comes in. The e-mail was provided to you as part of your packet. We also
39 did receive three calls in support saying that housing is a need in our
40 community right now and to move forward with the development. With that,
41 I stand for your option, or these are your options. I stand for any questions.
42 And our applicant is here as well.

43
44 Thurston: Does the applicant want to present anything? Okay. Okay. Well, if you're
45 going to speak we've got to have you come up to the mic. But right now I'm

1 just asking not for public participation yet I'm just wanting to see if the
2 applicant has a presentation is all.
3
4 Gonzales: Mr. Chair. The applicant does not have anything extra.
5
6 Thurston: All right. I'm going to open it up to the Commissioners. Do you guys have
7 any questions for Sara? All right. Now for public participation, go ahead
8 and come up to the mic if you like. And we're going to give you three
9 minutes. Let me turn this little machine on here.
10
11 Cabrales: So I'm on actual Whitstone, and I have-
12
13 Thurston: Hold on. Hold on one sec, sorry. I got to swear you in.
14
15 Cabrales: Oh, sorry.
16
17 Thurston: Do you swear or affirm that the testimony you're about to give is the truth
18 and nothing but the truth under penalty of law?
19
20 Cabrales: Yes.
21
22 Thurston: Thanks. And then what's your name?
23
24 Cabrales: Hope Cabrales.
25
26 Thurston: Thank you.
27
28 Cabrales: So I live on 2120 Woodstone. I had sent the e-mail in that I was not like in
29 agreement with the build because we would be the ones affected with the
30 amount of traffic behind us. Like I looked for, from what I saw we would
31 possibly have three or two people behind our quarter of an acre lot. So that
32 means we would have more neighbors in the back of us. Also based off
33 how construction does things, there's a lot of sand back there. So my
34 question is, what are we going to do to make sure that we have like the
35 privacy from our neighbors? And then also, are we going to encourage the
36 construction to actually get rid of all the hills that are back there and
37 environment? And also like our views of the mountains, things like that are
38 going to be blocked off again with having like two or three neighbors behind
39 us with single-division homes.
40
41 I had proposed just to help with the traffic noise and also make sure we
42 don't have increased traffic coming into the neighborhood, since it's a family
43 residency, that we possibly put maybe like a trail in the back for walking
44 dogs, because that's what a lot of people do is they run and they walk their
45 dogs back there to separate us from the additional subdivision. And it just
46 gives that space, like, Metro Verde has it between them and other

1 subdivisions, so they're not like right next to each other and behind. So
2 that's my proposed solution to that.
3
4 Thurston: Thank you. Next.
5
6 Mesa: My name... Oh, do you need to swear me in, or?
7
8 Thurston: Yes, I do. Thank you for reminding me. Do you swear or affirm that the
9 testimony you're about to give is the truth and nothing but the truth under
10 penalty of law?
11
12 Mesa: Yes.
13
14 Thurston: Thank you.
15
16 Mesa: My name is Elizabeth Mesa, and I'm currently a resident of Stonegate, I
17 guess, Stonegate 1. I did have a few questions in kind of adding on to what
18 was said earlier. Do we know who the builders are going to be in that
19 subdivision in Stonegate 2? Any ideas about who's going to be building
20 there? Builders?
21
22 NOT AT MICROPHONE: Yes, I reached out to real estate agencies, no idea yet.
23
24 Mesa: Do you have any idea who those builders are going to be?
25
26 Thurston: I think this is... I'm sorry, but just for the meeting purposes, we have to...
27 You give us your concerns, and then we will have to then...
28
29 Mesa: I don't mind. I've put stuff in e-mail before, so... Okay. But I know I've e-
30 mailed before, and I think there was one e-mail, but I know I've e-mailed
31 about concerns about this, but I don't mind doing that again. Where do I
32 send that e-mail?
33
34 Thurston: No, you just say it over, what your concerns are over the mic.
35
36 Mesa: Oh, okay.
37
38 Thurston: And then we'll address it there.
39
40 Mesa: Oh, okay. Oh, I see. Okay, so I just would like to know who the builders
41 are going to be. That's a little bit of a concern. I'm glad to see that the
42 acres, that the lot sizes are going to be a pretty decent size. Speaking of
43 the subdivision next to, what is going to be the mitigation of the wildlife? I
44 know that there's a lot of potentially coyotes back there. There's a lot of
45 snakes. And whenever you start disrupting that area that's going to come
46 over to our subdivision.

1
2 So I'd like to know what the mitigation is going to be regarding that. Right
3 now Stonegate, I've looked over the covenants that currently reside for
4 Stonegate. I'm presuming that it's going to be the same covenants for
5 Stonegate 2. Unfortunately, there's nobody there to enforce covenants for
6 Stonegate 1. So I have a big concern there in that the covenants, there's
7 nobody that, I think, I can't remember the name of the organization
8 themselves, but there's nobody there to govern any sort of covenants. So
9 we're stuck calling the City if there's any sort of issues, but there's no really,
10 nobody there to address any covenant concerns. So if it's just a matter of
11 copying and sending that PDF to the new residents, you've got to have
12 something to back it up, somebody that's going to enforce those covenants.
13 Okay.

14
15 We talked about the traffic. That's still a concern. Right now there are no
16 traffic lights at Rinconada, and there are not traffic lights on Roadrunner.
17 People run those four-way stops all the time. So we're potentially going to
18 be seeing probably close to 280, 300 new residents in these new homes.
19 That's definitely a concern. I've already talked to the City about adding
20 traffic lights on Rinconada and Roadrunner. I really think that needs to be
21 discussed at some point. Let's see. I know that there was a discussion to
22 potentially put a park on the, what is the south side, north side of ...
23

24 NOT AT THE MICROPHONE: The northeast area.
25

26 Mesa: The northeast side of Stonegate 1. I'd like to know if that's still going to be
27 in the plans. And that's all I have. Thank you.
28

29 Thurston: Thank you. Is there anybody else for public comment? Please come up.
30 All right. Do you swear or affirm that the testimony you're about to give is
31 the truth and nothing but the truth under penalty of law?
32

33 Courtney: Yes.
34

35 Thurston: Thank you. And please state your name.
36

37 Courtney: Linda Courtney. I also live on Whitstone. And I'm concerned if the new
38 properties are going to come right up against our properties, or if there's
39 going to be some kind of space in between. And also the traffic on Settlers
40 Pass right now people drive like 50, 60 miles an hour from Rinconada to
41 Roadrunner in a 35 mile an hour zone. And we need some kind of like
42 flashing speed light or something. I mean it's very difficult even to come out
43 of Whitstone because there's a slight dip on Settlers Pass, you can't see the
44 people coming. And when they're coming like 60 miles an hour, they're right
45 on top of you when you try to get out. So the traffic problems and not
46 wanting people right on top of us looking over into our property, especially

1 if there's a hill there. Are they going to build on the hill? Are they going to
2 flatten the hill? And that's pretty much it.

3
4 Thurston: Thank you. Is there anybody else in the audience who would like to speak?

5
6 Chavarria-Chavez: Good afternoon.

7
8 Thurston: One sec. Do you swear or affirm that the testimony you're about to give is
9 the truth and nothing but the truth under penalty of law?

10
11 Chavarria-Chavez: Yes, I do.

12
13 Thurston: Thanks. And please state your name.

14
15 Chavarria-Chavez: My name is Carmen Chavarria Chavez. I am their neighbor. I'm also
16 on Whitstone Drive. We've been there for about eight years. When I moved
17 in there was about 12 homes in the area. Leaving the area very desirable
18 because it was very quiet. Traffic was limited. In 2020, there was like an
19 explosion in that area. So now the whole area is full of homes. I think
20 there's one empty lot. However, with that many homes that went in, it's not
21 even half of the ones that are going to be over here going behind us. That
22 is going to increase the traffic. Right now there is one way in and one way
23 out. So if we open that up it's going to increase the traffic on the backside,
24 leaving us open to get all that traffic through that little area. It's a U-shape.
25 It's going to come in there. I don't know what the plans are for that, but I'm
26 assuming that it's planned to make an opening there for us, for people to
27 traffic through.

28
29 I'm also concerned about the wildlife out there. We see a lot of coyotes. A
30 lot of... and people don't like coyotes, but they leave us alone. That's their
31 natural habitat, right. I mean, we're pushing them out. Snakes, lizards,
32 roadrunners, whatever is out there. Quails. I enjoy the desert area. I'm
33 concerned also about Settlers Pass. As others have mentioned, it's
34 become a racing pad, per se. And it's an exit, or it's become a diversion
35 from the other streets for drunk drivers, because there isn't enough police
36 patrolling. The lack of. We're also seeing a lot of crime going around our
37 areas, not specifically in our area, but right next door in Parkhill, where
38 people are coming in, checking cars, breaking into places. That's also a
39 concern of mine.

40
41 We have a lot of children in this area. I know for myself I have an autistic
42 child. He's an adult already. But I know that there might, there's another
43 one in the area which also can be an issue with the noise pollution and the
44 traffic around there. I would like, I don't know if there's going to be a park.
45 I think a lot of people use that area as a destination to go out walk their
46 dogs. They just walk the little hills. It's a beautiful little area. Some abuse

1 it and dump their garbage out there, but that's a big concern, too. So, and
2 my concern is all these people. I'm not, I didn't get to see what size the lots.
3 I'm assuming it's going to be about 100 homes which means the lots will
4 probably be pretty small, and they will be really congested. There's going
5 to be a lot of noise pollution. And that's, for me that's you know that's a, I'm
6 sitting right on the bottom of the hill which means that the neighbors will be
7 looking into my yard. So that means that I'll be running around naked so
8 they can build a fence. Just kidding. I'm just kidding. I'm just kidding.

9
10 But, yes, that's my concern. The traffic, the noise violations, the wildlife.
11 Also I don't know what is planned for behind our homes, because mine and
12 Linda's are right behind that back. If there's going to be water waves, there's
13 going to be a road. I don't know what's going to go there. So those are my
14 concerns. Hope you take them into consideration.

15
16 Thurston: Thank you. Anybody else, public participation? Let's go ahead and let him
17 go first. I'll let you go first in the red. Yes.

18
19 Lentz: Sweet.

20
21 Thurston: Do you swear or affirm that the testimony you're about to give is the truth
22 and nothing but the truth under penalty of law?

23
24 Lentz: I do.

25
26 Thurston: And please state your name.

27
28 Lentz: So my name is William Lentz. And it's great to meet all our neighbors.
29 Some we've met, and some we're meeting today. So Liz and I have been
30 in the neighborhood now a little over two years, and we really love it. I mean
31 we think they're doing a fantastic job. I really appreciate the zoning board,
32 if that's the correct phraseology here in Las Cruces, kind of new to the area.
33 I think you guys are doing a great job on keeping the area in such a way
34 that you know people want to be there, okay. And with the growth that Las
35 Cruces is seeing, we can see naturally how this is just a natural outgrowth
36 of our neighborhood. And I think I believe that was the first time I had seen
37 an image of the housing with the streets actually kind of spread out there,
38 so that makes sense to me. Just a couple of items that our neighbors have
39 brought up I would like to add too for just a couple of pieces of discussion.

40
41 The first one is going to be as a developer and/or builders, I'm sure there
42 will be several builders that will go in, what is planning and zoning's rules
43 on time of day for construction, right. I mean while it's important and I
44 understand we want to make sure that the folks that are working in the heat
45 and the sun, we want to make sure that they're not you know suffering too
46 much you know but we do live here. And we also don't want hearing the

1 backup alarms on tractors and whatnot at five in the morning, right. I already
2 got huskies that wake me up at five o'clock in the morning, but we feed them
3 and then we go back to bed, right. So that would be just a concern is that
4 we just address some kind of quiet hours that are realistic, not detrimental,
5 but realistic.

6
7 The other part that I would like to have the developer and/or builders
8 address is construction debris; specifically sharp items that every place that
9 you go where there's houses being built, inevitably we've got tires that are
10 getting shredded, right. Stuff that falls, you know as they're cleaning out
11 and carrying garbage away or whatever there's going to be little nails that
12 fall onto the ground. What kind of mitigation standard or technique should
13 we apply to keep the folks that are trying to do 200 miles an hour, or maybe
14 it's two kilometers, I don't know, right there on Settlers Pass. We want to
15 make sure we kind of got it safe and we're not replacing tires and
16 windshields every couple of months there. So anyway, thank you very
17 much. Those were just the additional items I just wanted to add to the
18 conversation. Thanks.

19
20 Thurston: Thank you. Do you swear or affirm that testimony you're about to give is
21 the truth and nothing but the truth under penalty of law?

22
23 Wicke: Yes. My name is Darwin Wicke. I live close to the area under development
24 or proposed plat area and Rincon Hills. And I ride that on my electric bike.
25 I just want to say I am looking forward to the road being finished there with
26 the separated sides so that there's actually a place for me to ride and not
27 be close to traffic. I do understand that I can, and I can empathize with
28 owners here that have spoken. I too face a lot of the concerns that they
29 have. But I also recognize that we do need housing. And that is something
30 that is, you know it's that struggle between growth and not growth. And how
31 do we grow, and do we want to grow, and everything like that. And I also
32 realize a lot of that happens outside of this committee as well with City
33 Council and setting zonings and stuff like that. At the same time also I love
34 freedom. And I do believe that there are freedoms of owning a piece of land
35 and using it to the highest and best use or whatever use you see fit to use
36 it. And in the City sets the rules on what that is. And so I just, I'm a little torn
37 but I am in favor of freedom all the way. And so I would encourage you to
38 approve that. Thanks.

39
40 Thurston: Mr. Binns. All right. Do you swear or affirm that the testimony you're about
41 to give is the truth and nothing but the truth under penalty of law.

42
43 Binns: Yes I do.

44
45 Thurston: Thanks. And please state your name.

1 Binns: Good evening. It is interesting to listen to our neighbors. And ...

2
3 Thurston: I got to get I got to get you to state your name, sorry.

4
5 Binns: Oh my name is Eddie Binns.

6
7 Thurston: Thank you.

8
9 Binns: And you recognize I've been around a while. We've built a few houses in
10 Las Cruces, and have enjoyed working with the neighborhood. Help them
11 build a City and build something we can all be proud of. Back specifically
12 to some of the concerns here. One item was the time of the building of the
13 buildings. Early on it was represented that this would be developed in three
14 phases, developing 30 some odd lots at each individual phase. And they
15 would be moved forward as marketing takes place. Marketing in Las
16 Cruces is unpredictable. We can have years that we can sell hundreds of
17 homes and we can have years that we sell one or two homes. And it's the
18 builders at the mercy of the market quite frequently. So my thoughts are in
19 stepping this through three steps to do it. That'll take care of some of the
20 problems that people are concerned with having vacant land and vacant
21 lots in various areas.

22
23 One of the things that I would like to bring to everybody's attention. The
24 chart on this said this land was initially planned in 1975, anyway a long time
25 ago. There's about 600 acres in the project. It was master planned for a
26 multiple of different activities. Apartments, single-family, commercial
27 activities, doctor's offices, and many other services that are needed in a
28 community. This was put together in a master plan. And the sales that took
29 place with my involvement in have all contained a sheet showing this master
30 plan for the 600 acres. Showing the zoning in all directions that were
31 generated before we ever sold the first house. That way this was generated
32 so that anybody buying a house in the area had access to the master plan
33 zoning that took place. That zoning is identified on the City maps. And I'd
34 recommend anybody and everywhere that they're thinking about buying a
35 home, go take a look at the maps in the City that show the zoning, show
36 what's going on next to you, and shows where various developments are
37 going to take place. My three minutes is up. Can I keep going?

38
39 Thurston: I was told yes.

40
41 Binns: Thank you. The subject of a park is an interesting one. When this project
42 was master planned, the City of Las Cruces says we got lots of land from
43 BLM and there was no parks planned in the 600 acres because the City had
44 anticipated getting land from the BLM and the surrounding areas. And they
45 preferred to have the cash from the park impact fees to build parks. So,
46 therefore, no parks were built in here as per the planning that existed at that

1 time. I have challenged some of my councilors through the years that
2 there's 200 impact fees in Settlers Ridge. There's another 350, 400 in the
3 Pines. There's another group in Pines Estates. So there's a lot of money
4 that has been collected by the City to put a park in. And, unfortunately, it
5 has been used in other parts of the City rather than this area.

6
7 In the current planning, it has become obvious that a park is desirable. And
8 everybody wants a park but not always in their backyard. So it gets to be a
9 challenge of where do you put a park, and do you put a park before you
10 build the houses or after? Because no one wants a park after they've built
11 the house. They want it before. So there is an area that we're planning on
12 a park and are working with the park people. And it's a combination of
13 probably four to seven acres, something like that, which will have a
14 combination of storm drainage that would give a soccer field that could take
15 care of the 500-year flood if and when we ever get a rain, and that could be
16 used as a soccer field the other 499 years. Anyway, it is something that is
17 in the planning stages, and we are working with the park department on that
18 particular subject so that it will be there.

19
20 I do call out to people to make people aware that this 600 acres is all private
21 property. None of it belongs to the BLM. None of it belongs to the City or
22 the state. I'm the one that owns it, and I'm paying the taxes on it, and
23 nobody's ever offered to help me pay the taxes. So I'll just keep playing
24 with it. There were several other concerns about traffic. When this was
25 master planned Roadrunner Parkway that goes through there is a four-lane
26 divided road that's planned. Settlers Pass that runs east and west through
27 the property is about an 85-foot road that could be zeroed out into four lanes
28 should the traffic need to go that route. So there is a large road there. It is
29 designed to take care of traffic. It is something that was planned early on.
30 When you do have growth, you do have traffic, and everybody is concerned
31 about traffic except their own. People don't always realize that their car is
32 part of the traffic that their neighbors are complaining about. But anyway,
33 the traffic issue is something that's part of growth. Do mention and make
34 people aware that are not aware that Settlers Pass from Roadrunner
35 basically up to Rinconada was a road that was granted by me right-of-way
36 to the City to build that road to relieve the traffic up in the Rinconada area.
37 There was an area up there that was isolated. It only had one road in and
38 out, and a second road was needed for safety and welfare. So I did grant
39 the City right-of-way to build that road at their expense for the benefit of the
40 town. It is something that I don't regret, and it served its purpose. And we
41 will be expanding on it and widening it on out to the normal width.

42
43 Some other thoughts. If you folks have any questions, I'd be glad to try to
44 answer them, but I'll try to cover on some of the points regarding traffic,
45 scheduling, design, and such. And when neighborhoods are built, they're
46 built side by side without paths between neighborhoods in particular. The

existing neighborhood doesn't have paths between them, and as you move on up and add more houses, that's the way it works. Probably best I close my mouth and let you all ask any questions.

Thurston: Thank you. Seeing that there's really no other public participation here, I'm going to go ahead and close the public participation side and then go to the Commissioners and see if you guys have any questions for either staff or for the applicant.

Smith: Actually I had several questions, but Mr. Binns you actually answered every one of them. So I do want to just make a comment concerning this area. I mean I've been living here for 27 years, and I remember when this area was just open desert. There was development happening, and so it's continued over the years. Like Mr. Binns said you know all these plans. I mean there was a Stonegate 1. There's going to be a Stonegate 2, possibly a Stonegate 3 and a 4. So it's difficult to kind of you know put the pony back in the barn you know when these plans have been in place for many, many years. And you know I'm very sensitive about the concerns of growth and traffic you know in the community. It is part of developing the City and providing housing for residents, whether they're in Las Cruces now or they're coming from other states. So we're going to continue to grow. And I don't know how you know people who are coming into the City can learn about properties or places where they want to purchase a home or build a home, but I think it's important that you educate yourself as far as like where you're going to build or where you're going to buy a home. Because you can look around and see that this is the area that's going to develop.

I happen to work for the BLM, and I'm one of the park rangers, and I have watched over the last 10 years the area around the Doña Ana's, East Mesa, Red Hawk. It's popcorn building. I mean it's just incredible how quickly it's happening. And it's not going to slow down at any time, so it's something that we just have to be aware of and we have to accept. And as Mr. Binns said, it's all private property, and there's really not much you can do to stop you know the growth.

Thurston: Thank you. Anybody else?

Kaiser: I've just got a couple of questions for staff. Can you clarify what contains the master plan? It seems like it's probably straddling Settlers Pass. Is that correct?

Gonzales: So where the master plan is, Commissioner Kaiser, essentially this is Settlers Pass, which is what's highlighted in yellow. That would be the continuing line. There is property that is located on the south side of Settlers Pass that is also contained within that master plan. And then you have vacant property that's located on the north side. The only piece that's

1 currently developed is this portion right here. These two properties that are
2 located right here are essentially for multifamily or commercial development
3 moving forward, and that's why you see kind of a gap when we do look at
4 the aerial map. You see this gap that's right here. And so the master plan
5 is going down to this essential red line going around this property boundary.
6 There was an area that was designated as the Rancho Del Rey area, and
7 then you have the Rancho Del Rey master plan, and that's why it's the 279
8 acres that were master planned, but the area was annexed in all at the same
9 time.

10
11 Kaiser: Okay. Thank you. So that kind of raises a couple of questions about the
12 overall design and the plan of this master plan. Looking at the proposed
13 road network, there would be no connections facilitating travel to the north
14 of what is being shown on this map, so the parts that are going to get
15 developed in the future will be entirely cut off at this point from Settlers Pass.
16 Is that correct?

17
18 Gonzales: Mr. Chair and Commissioner. Not necessarily. You may see that these two
19 phases may be cut off from them, but there could be future connections
20 depending on how the lots are laid out. So if there's continued development
21 that goes further to the east side or even from this west side connecting,
22 there is still those potentials of where they would be connecting at that point.
23 Staff is moving towards that, so as we see developments coming in, that is
24 what we are requesting from developers. We want to see those
25 connections not just on Settlers Pass, but we will continue to request
26 connecting points to where we see there may be topography constraints or
27 issues in which you cannot connect to, and that's what we have to review
28 through those grading and topography plans.

29
30 Kaiser: Okay. And what about any sort of trail connection? Has there been any
31 discussion about that? It appears the zoning map that possibly along the
32 arroyo there with the future park, but any other discussions about the rest
33 of the master-planned area?

34
35 Gonzales: Mr. Chair. There has not been any further discussions as far as trail
36 systems. This was the first phase we've seen in basically 15 years come
37 in. As we continue to develop, we will work with the Parks and Recreation
38 Department to see if there's going to provide those connectivity. As the
39 master plan continues to grow, every phase becomes very different, and it
40 usually depends on those constraints that are limited on the property. On
41 the south side is what you can see is highlighted in green. That's the
42 designated area right now for that park layout. And so we'd have to find
43 some form or way to get everybody across Settlers Pass in order to basically
44 get to that park, so there will have to be some kind of trail system basically
45 implemented at that time.

46

1 Kaiser: Okay. And that kind of goes into my next question about access to the park.
2 I think my overall concern is, and this is a fundamental problem I've had for
3 years since I've been on this Commission is that we call these master plans,
4 but there's no planning here. Once these sections go in and they get built
5 there's no going back. We can't re-engineer a trail when we realize, oops,
6 should have had one. I mean it seems like that this is all, you know it's one
7 owner. There should be a more cohesive vision here. I am very concerned
8 that that park is going to be very isolating for most of the residents. They're
9 going to have to, the vast majority of them are going to have to cross Settlers
10 Pass, and as this thing continues to get built out that's going to be a total
11 nightmare. And I just don't understand how we can continue to allow
12 development that just, it's ad hoc. There's really no plan behind this.

13
14 How are residents going to access that park location when Settlers Pass is
15 built out? That is going to be a nightmare for pedestrian and cyclist safety.

16
17 Gonzales: Mr. Chair, Commissioner Kaiser. As we move forward I would agree with
18 you in the sense that when we are doing master plans we do have to identify
19 roadways, cross sections. Right now we are currently in a phase where
20 when we updated our code we did modify those to request some of those
21 requirements as we continue to see master plans come in because those
22 have been some of the concerns that were brought up by Commission.
23 With dealing in current master plans that have been approved, it's very
24 difficult to go back and say now you have a new requirement in which you
25 would have to meet. With these being designated and continued
26 conversations, the next conversation will be when the phase comes in is
27 traffic lights. Those are the biggest concerns just because we know that it
28 will now probably trigger some of those traffic impact calming needs. Those
29 will be considered at the same time that the park comes in and how that will
30 be evaluated and how the continued traffic moves on.

31
32 Kaiser: But that, that comment that you just made just a minute ago that this master
33 plan was approved you know in, I guess it was last updated in 2012 which,
34 that's my point. You're saying that we can't introduce new requirements.
35 Well, what was the plan? What's the plan that was approved in 2012? Was
36 there any discussion about these issues?

37
38 Gonzales: Commissioner Kaiser. When we see master plans come in they don't
39 designate roadway cross sections depending on the amount of acreage. I
40 think some of that concern comes in when we start to see the preliminary
41 plats that are coming forward. We see how they're going to actually get
42 carved out. Because we don't know what those developments are going to
43 be. We're putting densities on them. We're looking at what our road cross
44 sections should be, how we follow code, how they get connected, our plans
45 and policies when we move forward. On a master plan that was done in
46 2012, the minor modification was to increase some of those densities, you

1 know in 2004 it was to modify a road. It wasn't to request any additional
2 roadway connections or parcel boundaries. Sometimes you don't get into
3 development until you start moving some of the dirt and you start coming in
4 design features. I know that was some of the process in this case. This
5 process has been going on for over a year now because a lot of it ran into
6 the topography of the site. Until you start doing those grading plans, you
7 start actually doing the construction and the development, it's very hard to
8 say where a road may or may not go. Some of those get modified through
9 plans, and that's where we see those changes happening. You won't see
10 them in an area that says, we want to designate so many properties for this
11 many acres with zoning. That's what we tend to see as a master plan. I
12 think some of the master plan development you may be referring to is when
13 you have a developer or builder that comes in, takes 60 acres, develops it,
14 but they know exactly what they're going to build because they're building a
15 planned community or something of that nature, but they have full control
16 over that. In this case, we're building out pieces by pieces. Developers are
17 coming in requesting a piece to be built out of a master plan. Those are two
18 different scenarios as far as how master planning would work. We're
19 starting with something as 300 acres in size. It's very difficult to pinpoint
20 where those roadways are going to be without amendments coming in after
21 if they're not taking place. So if you go out, you start doing one development
22 you tend to see that the topography or the grading is going in a different
23 direction, you now have to amend all of your plans to now justify why you're
24 changing them.

25
26 And so we start with a broader format through our master planning process
27 because we are dealing with different development situations. If we had
28 something that was a little bit less, something that was planned, usually if
29 you see gated communities, they already have an outline. They know
30 where their roads are going to go. That's a different master planning
31 process. So we're dealing with two different ones.

32
33 Kaiser: Understood. I guess I'd push back on the idea that the topography just
34 appears one morning when we go out there with a skid steer. We know
35 what the topography is ahead of time. We can engineer around that. We
36 know we don't want you know to send a road into an arroyo, send a road
37 through a mountain. I mean we know those things ahead of time. But I
38 understand.

39
40 I think my last question for staff is, are there any, has there been any
41 discussion and what are the plans for traffic calming along Settlers Pass as
42 this gets built out into basically a five-lane highway? That's a question for
43 staff.

44
45 Binns: At this time, no, there is none.
46

1 Gonzales: Commissioner Kaiser. Right now discussions will be taking place as we
2 further develop the property. There is a threshold in which the City can
3 request traffic calming measures to take place or traffic lights to come in
4 based on a person's or a developer's site. Once you meet over that
5 threshold, then it is the discussions of who pays for it, how does it come in,
6 what are our next steps in order to implement the next phases coming in
7 and to accommodate the traffic that's going in. And so those are already
8 ongoing conversations throughout our department just because of the area
9 and the designated space we do have. So the conversations are, when can
10 a light come in, where is the funding for these lights, what are those
11 resources that we can now fund and basically put into here. In the next
12 phase, it was determined that a traffic impact analysis would be required by
13 the developer whenever he came in with basically three of the projects so
14 that way we could see what those traffic calming measures are going to
15 amount to. If you have a lower density sometimes it doesn't trigger it. It's
16 based on the densities and the housing units that are going in.

17
18 Kaiser: Yes. Let me rephrase my question a little bit. How many residents does it
19 take that come in before this body or to submit feedback to the City that
20 says we are constantly seeing people drive 50, 60 miles an hour on a
21 section of roadway that is a posted speed limit of, say, 35? At what point
22 does the City decide that we need to do something to ensure that people
23 are driving the speed limit? Because I've been out there on this road and
24 people have passed me when I'm driving the speed limit because I'm not
25 going fast enough for them. When we build this thing out to be essentially
26 a four-lane road, it is going to be even more of a racetrack out there. And
27 this isn't theoretical. We see it all over the City. We just had years of
28 discussion with Realize Las Cruces about these very issues. And so I don't
29 think it's acceptable to sit here and just say that those things aren't real, it's
30 not happening, especially when we're about to put a park at some point on
31 the other side of that road. At what point do we say enough is enough? We
32 need some traffic calming.

33
34 Gonzales: Mr. Chair, Commissioner Kaiser. That is what traffic impact analysis are
35 for. They identify how many people are using the roadways, what are the
36 issues or concerns that are brought up, and then what traffic measures
37 should be implemented based on each road. You can drive down Del Rey.
38 You can see the same kind of impacts that are along those roadways.
39 Wider roadways, it's based on speed limit. They can be posted. But it
40 doesn't necessarily mean that there is a way to mitigate every single
41 scenario that's going to come in. So as we continue to see traffic impact
42 analysis come in, that is what's defining how a roadway should be
43 developed. That's why we made the technical manual to follow whatever
44 traffic manual was going to be better in this case. And so when we're using
45 these multiple books of traffic calming and measures and developments
46 coming in, that is why those reports come in to us and say, these are what

1 needs to happen because your area is growing. Now it's the impact, now it
2 is that time.

3
4 We do see that a lot of the developments will come in, and then they will
5 trigger those streetlights to come in with them along with those. It's having
6 the conversations with multiple developers in order to get those installed
7 and implemented into where they become part of their plan before
8 development extends growth. That's not always the easiest conversation.
9 We do have to have them with developers and surrounding property owners
10 that may be impacted as well. As growth continues and vacant properties,
11 and we see them all the time, we have to work with our traffic engineers,
12 the City departments, and then the public to say what is going to be those
13 needs. And those reports definitely will generate a lot of that information for
14 us.

15
16 Kaiser: I don't have further questions.

17
18 Binns: Excuse me. Could I add a comment? Unfortunately, it is not on the screen
19 to show you, but when I say a master plan, unfortunately, Sara doesn't have
20 it on the screen. It is master plan. Roads are laid out. Sewer lines are laid
21 out. This isn't to go out with a skid steer in the morning and do something.
22 But a master plan shows where the roads are going to go. It identifies the
23 different tracts of land for different purposes, whether it be apartments or
24 whether it be houses. So this is planned, and the roads are laid out on the
25 topography so that they are draining and handling the traffic in a safe
26 manner. So this isn't haphazard. The master plan I'm referring to is a
27 document that shows the roads, the various activities and such, and
28 feedback on a finished product. The High Range neighborhood is one that
29 I was involved in from day one. The Roadrunner Parkway going through
30 there is a raceway, but we have traffic, we have radar, and we put it under
31 control. And that's what has to take place when you have instances where
32 traffic is accelerated and speeding beyond. But the plan that took place in
33 High Range is a good example of master planning. The same thing took
34 place in Sonoma Ranch when it came on, and the same type of planning is
35 what's taking place here. It's not haphazard. It's master planned. So we're
36 putting sewer lines in, we're putting waterlines in, where roadways and
37 where feeders are going to go so that it's done intelligently.

38
39 Kaiser: Thank you.

40
41 Thurston: Anybody else have any questions? I'm going to ask if Acosta online has
42 any questions.

43
44 Ja. Acosta: I do have a question for staff.

45
46 Thurston: She's ready for you.

1
2 Ja. Acosta: Sara. I just need to know, is Settlers Pass going to be classified as a main
3 arterial road or a collector? Do you know that?
4
5 Gonzales: Mr. Chair and Commissioner Acosta. It is a collector right-of-way. That's
6 why it's classified as an 80-foot wide cross-section.
7
8 Ja. Acosta: Okay. Thank you for that clarification.
9
10 Thurston: Is that all your questions?
11
12 Ja. Acosta: Yes. Thank you, Mr. Chair.
13
14 Thurston: Thank you. I only have one question. What's kind of, is this an application
15 in the Realize Las Cruces or is it in the former code? Which one is this one
16 falling under?
17
18 Gonzales: Mr. Chair. This is following our 2001 Zoning Code.
19
20 Thurston: Okay. So when is the cutoff?
21
22 Gonzales: Right now, because we are in transition, our development standards will
23 take place in January of 2026 for Realize Las Cruces to be the only code in
24 which we're moving forward with. Now, master plans are a little bit different
25 just because they were already master planned properties, and so we're
26 working with the developers because we do have to find a zoning that would
27 essentially be compatible or comparable to what the master plan was
28 originally approved with. So we will follow through with the master planning
29 zoning as originally documented from the codes in which they were
30 implemented and put into place.
31
32 Thurston: Okay. Because my one concern that I have is the Parks and Rec in the
33 new Realize is vastly different than what we currently have under the 2001
34 Code. So, because it would require – I'm just curious because then in this
35 it would require that the developer is supposed to put in the neighborhood
36 park not the City to put in the neighborhood park. And so with those coming
37 forward I'm was just curious as to when is that going to hit the developers.
38 But as far as this one goes, it's still under the 2001, so for these lots he'll
39 just be paying the park fee. Is that correct?
40
41 Gonzales: Mr. Chair and Commissioners. At this point there is already discussions
42 essentially on the park land and the actual dedication. Mr. Binns is already
43 working with Parks and Recreation to see if there is going to be or not be
44 an agreement formulated prior to the code or the adoption being done.
45 Based on the size of the park though that's already been talked about and
46 discussed, the size of the park actually meets the current code requirements

1 in Realize Las Cruces. So, yes, it's already being discussed and
2 implemented. In January, yes, the fees would be new impact fees because
3 the impact fees are following whenever a subdivision plot is filed. And so
4 that's already changed and been modified. Any plats that are filed
5 essentially where a subdivision comes in now follows the new current
6 impact fees.

7
8 Thurston: Okay. So all of this will get, this phase right here will get grandfathered into
9 the 2001?

10
11 Gonzales: Correct.

12
13 Thurston: And the 2001 park fees?

14
15 Gonzales: No.

16
17 Thurston: Okay.

18
19 Gonzales: Mr. Chair. It's any subdivision when it comes in and gets filed. And so the
20 way the process works is a subdivision will come in, go through the
21 preliminary plot process. Once they have received approval from the
22 Planning and Zoning Commission, they go to final plat and construction
23 drawings. At the time that the final plat is filed with the Doña Ana County
24 office, that is when the park impact fees are implemented. Based on that
25 date, we already have updated fees and so they follow those current fees
26 for those four years. So yes, they'll be moving forward with the new fees.
27 Any subdivision that's basically filed from this point on will have new impact
28 fees.

29
30 Thurston: Okay, with that information then if this is filed right now it's following the
31 updated fees that have been adopted already. Is that correct?

32
33 Gonzales: Mr. Chair. That's correct. If you were to come in today ...

34
35 Thurston: Okay, so ...

36
37 Gonzales: And file it at the county office it's going to follow the new impact fees. The
38 discussion comes down to the parkland dedication and improvements. That
39 is the current discussion moving forward with the Parks and Recreation
40 Department.

41
42 Thurston: Okay, but there is ...

43
44 Gonzales: Two different processes.

- 1 Thurston: There is a fee in there that I'm under, if I understand this properly, which I
2 probably don't because it's, but there's a fee in there that the developer is
3 supposed to pay or a fee in lieu just for the neighborhood parks now. And
4 then on top of that, there's a fee. I'm being told no.
5
- 6 Gonzales: Mr. Chair. You are correct. And so you have two different processes of
7 which you're outlining. You have the master planning and subdivision
8 process in which the developer is required to dedicate the required land and
9 build the park as part of their subdivision development. Then you have the
10 second portion in which a builder will come in, develop a home, and they
11 require an impact fee at that point. So there's two different processes, two
12 different steps. The step we're discussing tonight would be when the
13 applicant comes back with the parkland, they are to dedicate it. So there's
14 a subdivision process and the actual impact fee process, two different
15 phases.
16
- 17 Thurston: Okay. So those two, the fee in lieu is not required as long as we're giving
18 the land. Is that right, the land and the neighborhood park?
19
- 20 Gonzales: Mr. Chair. That is correct. The fee in lieu is only coming in whenever we
21 see a development that maybe is coming in with 30 lots and doesn't have
22 the land to dedicate. Then we would see the payment in lieu coming forward
23 because there's not enough land to actually provide a decent park for the
24 neighborhood to actually be using.
25
- 26 Thurston: Thank you. That clarifies it for me. Because with all the new ways these
27 are worded, I'm trying to make sure we're not, we should take a fee or
28 shouldn't take a fee, but you've helped me out here.
29
- 30 Gonzales: Mr. Chair. Right now we're not taking any fees. We'll have that discussion
31 when the parkland comes in.
32
- 33 Thurston: Perfect. Anybody else?
34
- 35 Smith: I have one quick question. This is for Mr. Binns. Commissioner Kaiser's
36 concerns actually triggered this question. In light of his concerns about the
37 park and safety and the traffic, especially at this point in knowing that it could
38 be a while before Settlers Pass is expanded, have you given any thought or
39 reconsideration to possibly putting another park on that north side, creating
40 some space for another park?
41
- 42 Binns: The current park fronts on Settlers Pass. There's good frontage there.
43 Some of the early designs of the park is putting a parking lot on part of it so
44 that the parking is offsite and is available for people using the park rather
45 than parking in Settlers Pass. So some intelligent design has been played
46 with on that subject.

1
2 The general area here, there's a couple hundred acres around this, and
3 we're looking at putting enough acreage in the park to cover future
4 development that's going to take place in the seven and a half acres or so
5 that's planned on this tract.
6
7 There is another major area of this 600 acres that development is taking
8 place. And it is an area that I need to have some discussion with you folks
9 on a couple of special issues, and I don't think we're going to go into them
10 right now. But there is another 300-lot subdivision that's on the paper, and
11 there is a park that is planned adjacent to it. So to answer your question,
12 parks in various locations are certainly on the table and on the drawing
13 board.
14
15 Smith: All right. Thank you, sir.
16
17 Thurston: All right. I think that brings us to the screen where we need to motion.
18 Janet, are you still on there? I think it says unable to connect right here on
19 our screen.
20
21 Gonzales: Yes, I believe she may be disconnected.
22
23 Faivre: Okay, then we'll move forward with the vote on Case 6.1.
24
25 Thurston: So do we have to clarify which one we're - you just call a roll now, right.
26 Okay.
27
28 Faivre: Right. Correct. Yes. Commissioner McCaslin.
29
30 McCaslin: Yes.
31
32 Faivre: Commissioner Smith.
33
34 Smith: Yes.
35
36 Faivre: Commissioner Murray.
37
38 Murray: Yes.
39
40 Faivre: Commissioner Kaiser.
41
42 Kaiser: Yes.
43
44 Faivre: Chair.
45
46 Thurston: Yes.

1
2 Faivre: And Janet was not available. Thank you.
3

4 **6.2 Case 25VO0500047:** A request for approval to vary from the maximum residential
5 outdoor lighting requirements reflected in Section 38-9 of the Las Cruces Municipal
6 Code for a property that is approximately 5.07 acres in size, is zoned NH-1S
7 (neighborhood-1 suburban), and located at 4050 Longview Lane. Submitted by
8 Kent Thurston, Property Owner.
9

10 Thurston: All right, for the next one, I am going to have to excuse myself. And there's
11 my cheat sheet for you.
12

13 Kaiser: All right. We will let Chair Thurston exit the room before we move on to our
14 next item. Don't get struck by lightning. All right, so I guess the way we do
15 this now is looking for a motion to hear Item 6.2.
16

17 Smith: I move that we hear Item 6.2 on the agenda.
18

19 Murray: I second.
20

21 Kaiser: Turn it over to staff.
22

23 Gonzales: Okay. Before you is going to be an outdoor lighting variance request for
24 4050 Longview Lane. We start out with essentially the aerial of the property.
25 As you can see, this is going to be extended from Settlers Pass onto
26 Longview Lane, which gets essentially to Engler and Thurman. It is a
27 single-family residential lot with a single-family home and accessory
28 building. And there is a field located within the property. A lot of the
29 properties that are around this area were annexed into the City and
30 considered essentially a rural zone. And we are seeing development that
31 is taking place as far as the single-family residential going in now of a higher
32 density.
33

34 Here is the zoning map of the subject property along with the area. This is
35 going to be our Neighborhood 1 zones. It is following Realize Las Cruces'
36 adopted code. And so essentially the property is still single-family, has
37 densities that are up to 16 dwelling units per acre, but that would be outside
38 of the purview for this variance. Under Realize Las Cruces 38-9, the
39 outdoor lighting zone is LZ-1, which refers more to our residential zoning
40 districts. There is a maximum of 450 lumens per fixture that is available on
41 each property. Code is silent, however, when it does come to recreational
42 facilities or field lighting when it is on a residential private property.
43

44 So additional case specifics. The property is a five-acre lot. It does contain
45 a private recreational field. There has been six poles put onto the property
46 that are approximately 25 to 27 feet in height. They are separated about 73

1 to 76 feet apart. There are three on the north side, three on the south side
2 of the soccer field or recreational field that's built. Each fixture is at a lumen
3 of 30,924. So the variance request before you this evening would be to
4 30,474 per fixture. The first light pole as part of consideration would be 95
5 feet from the front property line, but I would say that's also extended
6 because they do have a road easement on their property. So when
7 dedication is provided, it would still be at 95 feet. It's really more about 145
8 feet, essentially, from the property, because there is dedication for road
9 easement if it ever is needed for that road to be built out.

10
11 The applicant has provided the justification that it will be used for family
12 activities and gatherings. The lights will not remain on for extended hours,
13 and they're not triggered by any motion sensors. Trees have been planted
14 along the entire south side in order to basically shield from the property
15 boundary on the south side whenever it is to be developed, so that way the
16 lights are not reflecting into the property. Also, the lights will be used
17 intermittently and responsibly. The idea would be is to use these lights only
18 whenever they're outdoors. Just because they are located within those rural
19 areas, some of the safety concerns because of the natural wildlife out in the
20 areas is to be visible.

21
22 Here's a site plan of the subject property. As you can see each light pole is
23 about 74 or so feet separation. These are the six light poles. This would
24 be the 95-foot buffer to the property. This area is still considered the
25 property boundary, but it is a road easement, and that's why the wall has
26 been constructed in a different location. I provided this image. This would
27 be me standing essentially in front of the owner's property from the street
28 view. So if this road was to be dedicated, this would be essentially where
29 you would see. Here are the light poles that are erected onto the property.
30 These are the designs essentially. So it is a single pole that has two
31 basically flat lights that are located on the top and directly into the
32 recreational field. In these images through here, trees have been planted
33 all the way along the boundary wall, which is going to separate them from
34 the south boundary. Here's another image essentially of what those light
35 poles look like from view of essentially entering that property.

36
37 Staff did not identify any health, safety, or welfare issues based on the
38 property of the proposal. We understand that this is a private residential
39 recreational use that was not considered whenever we reviewed Realize
40 Las Cruces and updated our outdoor lighting ordinance. Private
41 recreational facilities should be considered for all properties. As we
42 continue to move forward, a lot of people are putting basketball courts,
43 trampolines, things are located within front yards, side yards, back yards in
44 order to keep kids you know from recreation at home as well. So it's
45 basically you have your own recreational fields. Recreation activities are
46 limited in rural areas as we do not tend to see as many parks that are being

1 developed because of large lots. They are not basically coming in with
2 development. You will see that the closest one to this property is over a
3 quarter mile, which is what is the recommendation by Elevate Las Cruces.
4 The other consideration is, once again, natural vegetation and wildlife. They
5 do exist within this area because it is so rural. You will still see some of that
6 out there. So if your children are out playing, consideration would be is that
7 you need enough lighting in order to support what you're seeing outside
8 when you are. However, with that staff is recommending denial as it does
9 not meet the criteria in which we have the authority to basically say variance
10 is not required. However, if P&Z does recommend approval, some
11 conditions that you may consider to be placed on the property is to limit the
12 hours in which the lights can be used. And so we've seen before where
13 time limitations can be used on lights and everything is turned off at a
14 specific hour. That could be a condition. The other is to say if the
15 recreational field is no longer in use, the lights to be removed from the
16 residential property. The reason we say P&Z does have the authority to
17 approve variances, consideration should be made as to if it's contrary to the
18 public interest. If it is a special condition in which it results in an
19 unnecessary hardship. Does it meet the spirit of the zoning regulations as
20 observed? So is it meeting the intent and the goals of the comprehensive
21 plan?

22
23 Notice was sent for the public hearing to the surrounding property owners
24 within 500 feet. We only received two calls just inquiring about what was
25 taking place on the property to get more information, but there were no
26 concerns or no complaints as far as it not being available. And with that, I
27 have your options available. I do believe there is a representative to at least
28 relay the information from our Commissioner who did have to step out, that
29 can further reiterate the concerns with the property.

30
31 Kaiser: Thank you. Does the applicant's representative wish to say anything?

32
33 Wicke: Yes.

34
35 Kaiser: And since you've already been sworn in, just state your name for the record.

36
37 Wicke: Darwin Wiki.

38
39 Kaiser: Go ahead.

40
41 Wicke: All right. I'm a friend of Annie and Kent Thurston. I've been asked to present
42 the following in their behalf. Thank you for letting me speak today. I'm here
43 to request approval for a special use permit related to lighting that we
44 installed in the front portion of our five acre property. The purpose of these
45 lights is to allow our family to use a large open field on our property for
46 playing sports at night. The field and lights are purely for personal use.

1
2 Let me explain how we got to this point. At first I met, speaking for Kent
3 and Annie, although I'm much more handsome and a little bit shorter than
4 him, at first I met with my electrician to plan for field lighting. Due to the
5 cost, we decided to hold off on installing the lights initially. However, we
6 went ahead with the installation of the underground electrical to be ready
7 for lights later. A few weeks later, we decided to move forward with installing
8 the lights. We ordered everything we needed, pulled a permit, and had all
9 the work inspected and passed. At the end of the project, I was told that
10 while we had the correct permit for the underground electrical, we did not
11 have the right permit for the field lights themselves. It was at this point that
12 we also learned the field lighting requires a special use permit, which is why
13 I am here today. The lights are already installed, fully inspected, and
14 passed all safety checks. This special use permit is the final step. The field
15 we created is about 300 feet wide and 100 feet in length. The field is meant
16 to be a safe space for our kids, extended family, and friends to play and
17 gather. The summer daytime heat is intense, but the evenings are nice to
18 spend outdoors, and the lights allow for outdoor recreation. There are not
19 many places within Las Cruces that have residential areas like this, and we
20 want to make good use of the land. We have taken steps to be respectful
21 of our neighbors and mitigate any impact to them. To help reduce light
22 pollution, we have planted about 90 trees, 90 trees along the southern side
23 of the property to act as a living barrier. These trees will block most of the
24 light once they are mature. We have also installed perimeter fencing to
25 prevent any gathering or use of the lights without our supervision or
26 permission.

27
28 The surrounding area includes vacant land to the south, which is not owned
29 by me, family-owned property to the north and east, Longview Lane to the
30 west, which already has streetlights installed. Park lights are constantly on.
31 a City of Las Cruces' park lights are constantly on until about 10:30, 11:00
32 p.m. when City regulations require them to be shut off. Our lights will not
33 be turned on constantly. They're only turned on occasionally when we are
34 using the field. Our desire is to use our five-acre property in a way that
35 promotes safe, healthy activity, just like many others do on their own land.
36 We are committed to being good neighbors, and our hope is that you will
37 approve this special use permit. Thank you for your time and consideration.

38
39 Kaiser: Thank you. Any questions from the Commission?

40
41 Smith: I just had one. Just based on just the diagram that I saw, I mean how tall
42 are those light poles?

43
44 Gonzales: Mr. Chair, Commissioner Smith. The light poles are about 25 to 27 feet.
45 The pole itself is 25, and then the light fixture stands on top of those poles.
46

1 Smith: I'm not sure how light is illuminated from a height standpoint, but it would
2 seem that if those poles weren't as tall, I mean they would still be able to
3 light the area without it being you know possibly a disturbance or you know
4 an issue with neighbors. And it seems like based on what you just stated,
5 the representative just stated I mean, the property to the north is owned by
6 family and also to the east. So really you're looking at any potential issues
7 would come from the west side.
8

9 Gonzales: Mr. Chair, Commissioner Smith. I believe, and that's why the applicant
10 because of where this is located, the home right here would be blocking any
11 of that light that would be reflecting, and that's why they planted essentially
12 almost 100 trees down here to create that buffer. So as they continue to
13 grow, it will shield that light. All of our lights are still required to basically go
14 down, so that way they are not spread out as far. And so you're looking at
15 them from a down version. So you're doing the same thing that you would
16 be doing with the City lights as it projects to a certain degree and then it's
17 supposed to be reflected down, but you're covering space. And so with the
18 three lights that would be placed on here because of the length of,
19 essentially, I believe you said it was 300 feet, yes, the 300 feet, three light
20 poles on each side is covering that area. And so if you reduce that, then it
21 will reduce essentially how much you can actually reflect from how tall it is.
22 So even if the pole is coming down, I think our City lights are at about 25
23 feet as well, if not a little bit higher. So you're getting the same visual respect
24 as to what the light is actually able to project on the field.
25

26 Smith: Okay. Yes, that answered my question. Thank you.
27

28 Murray: A question that I have, you said approve with condition based on like limiting
29 the hours. Does the City have like a set guidance on what the hours would
30 be? And then the second part to that question is how would we enforce
31 that, say they go on past that time frame? I just see issues enforcing that if
32 they like forget to shut them off and then we're calling the police versus
33 codes, which is not necessary to shut lights off.
34

35 Gonzales: Mr. Chair, Commissioner Murray. A lot of times what we will see with
36 conditions is we place the conditions onto the property just because then if
37 you do have any concerns or complaints that do come in, we have a way to
38 enforce them. If we don't put those conditions onto the property, then
39 there's no enforcement. Essentially they could be on at any time of the day.
40 By placing a condition or a limited time hour onto there, then if codes was
41 to receive a call, we can go ahead and notify the property owner, hey, these
42 have been placed on your condition of your variance, you're in violation,
43 please make sure that they're actually being addressed. As far as time
44 limitations, there isn't a set time limitation in which we would have lights on
45 or off for. If the P&Z Commission determines 10 o'clock is the time or 11
46 o'clock is that time, that would be to the discretion of the Commission.

1
2 Kaiser: It's just one clarifying question around the use aspect of this. I know you
3 mentioned in both the staff report and your presentation I think that this is
4 sort of a private recreation use. But I just want to clarify though that private
5 recreation would mean that the public could still have access to said facility,
6 like it's being rented out or you know public can access the facility or
7 amenity, but that's not the case here. The case here is strictly for personal
8 use, correct.
9

10 Gonzales: Mr. Chair and Commissioner Kaiser. That is correct. The reason we're
11 calling it a private field and not a public one, when we redid the code for
12 Realize Las Cruces the allowances are now saying that it has to be a public
13 field as opposed to a private, and that's why we made sure that it was
14 basically for the personal use of private property. It would not be extended
15 to anybody else. This would not be a facility that could be rented out. It
16 would be used for only personal use, which is why the restriction would be
17 if the field is no longer to be used for those personal uses, one of the
18 conditions would be to remove those lights so it doesn't further continue
19 because a variance lives with the land, it does not live with the owner.
20

21 Kaiser: Okay. Yes, that answers my question. I think if this Commission were to
22 approve this, I do think we need to have at least one condition around
23 operating the lights. I think we at least need to have that. I would also be
24 open to the second condition, which is if the field no longer is a field for the
25 purpose in which they're before this committee that they remove the lights.
26 I believe the way that we do that now is we would need to make that motion
27 separately, vote on it before we vote on the overall thing. Is that correct?
28

29 Faivre: Yes, that is correct. So whatever your conditions would be that way we
30 would - yes.
31

32 Kaiser: Okay. So I think what we do is let's get a motion for the two conditions that
33 were listed by staff for the limiting hours. I mean, I would think they need to
34 be turned off by 10:30 p.m. at the latest seems reasonable.
35

36 Smith: Sorry. Question for staff. Is there currently a City statute as far as lights
37 being off at a certain time?
38

39 Faivre: So there is, and we did look into that. And then I've lived that as well playing
40 pickleball down at Apodaca Park. So they, at Apodaca Park they would
41 shut off around 10:45, 10:50. I think from what we read, it said 11 o'clock
42 for City parks. But not an expert though.
43

44 Kaiser: Thank you. Okay, so I guess we can say 11:00 p.m. But I was just
45 reminded we need to go to public comment first before we make the motion.
46 So is there anybody who wishes to speak on this item? Seeing none. Yes,

1 sir, please. Please just state your name for the record, and I'll give you
2 three minutes.
3

4 Binns: All right. Once again, my name is Eddie Binns. And it's been education to
5 sit here and observe the activity that goes on in Planning and Zoning.
6 Because I've observed it for the last 60, 70 years and always it's education
7 to come. It's interesting this particular project that you're reviewing and
8 sitting here listening to it, why I would certainly encourage the approval of it
9 with your conditions, which makes sense logically. I had the occasion to
10 visit with Mr. Thurston about possibly something of this played over in the
11 Rancho Del Rey region, in the Settlers Pass area. But I did not feel it would
12 be compatible with the type of neighborhoods that I was dealing with.
13 Whereas their current location looks like it's a lot more feasible. And so my
14 comment is to encourage the support of it, because it's nice to have some
15 types of facilities of this nature around the town, whether they're public,
16 private, or whatever, because we need more activities to involve our
17 teenagers and our kids so that they're doing constructive things under the
18 supervision of their parents. And that's what this looks like where it's
19 headed. And I think it's very positive and strongly encourage your support
20 of it. Thank you.
21

22 Kaiser: Thank you. Anybody else wishes to speak? All right. Seeing none. We'll
23 come back to the Commission. So looking for a motion to add conditions, I
24 need to state that it's 11:00 p.m. on that first condition of limiting the hours.
25 So looking for a motion.
26

27 Smith: I move that we approve this variance request with the recommended
28 conditions of limiting the hours in which the lights can be used to 11: p.m.
29 And also that the applicant shall remove the lights if the playing field is no
30 longer used or removed.
31

32 Murray: I second.
33

34 Faivre: Okay. So this is on the vote to amend 6.2 to include limiting the hours to
35 shut off at 11:00 p.m. and to remove the lights if the playing field is no longer
36 used or removed. Commissioner McCaslin.
37

38 McCaslin: Yes.
39

40 Faivre: Commissioner Smith.
41

42 Smith: Yes.
43

44 Faivre: Commissioner Murray.
45

46 Murray: Yes.

Agenda Item #5.1.

1
2 Faivre: Commissioner Kaiser.
3
4 Kaiser: Yes.
5
6 Faivre: And Commissioner Acosta, can you hear us?
7
8 Ja. Acosta: Yes.
9
10 Faivre: Is that a yes you can hear us or a yes for your vote?
11
12 Ja. Acosta: Yes and yes.
13
14 Faivre: Okay. Thank you.
15
16 Kaiser: Glad we were able to get Commissioner Acosta back on. So now we're
17 looking for a vote to either approve or deny the variance. Since the
18 conditions have been approved, if we were to vote yes to approve, the
19 conditions would be attached.
20
21 Ja. Acosta: I would make a motion to approve the variance as stated with the conditions.
22
23 Kaiser: Yes, sorry, that's what I meant, just voting on this item. No, I'm being
24 informed that Commissioner Acosta, you need to rescind your motion
25 because we've already made a motion to vote.
26
27 Ja. Acosta: So I rescind it and I would like to make a motion to approve the...
28
29 Kaiser: We don't need a motion.
30
31 Ja. Acosta: Oh, okay, perfect.
32
33 Kaiser: Thank you for rescinding.
34
35 Faivre: Okay, this is on the vote to approve item 6.2. Commissioner McCaslin.
36
37 McCaslin: Yes.
38
39 Faivre: Commissioner Smith.
40
41 Smith: Yes.
42
43 Faivre: Commissioner Murray.
44
45 Murray: Yes.
46

1 Faivre: Commissioner Kaiser.

2

3 Kaiser: Yes.

4

5 Faivre: And Commissioner Acosta.

6

7 Ja. Acosta: Yes.

8

9 Faivre: Thank you.

10

11 Kaiser: All right, if someone would like to get Chair Thurston back in, assuming he
12 wasn't struck by lightning, that would be helpful. Welcome back, I'll turn it
13 back to you.

14

15 Thurston: Thank you. I'm on a time delay in there, so it's a little slower.

16

17 **7. DISCUSSION**

18

19 Thurston: All right, we're going to go on to number seven. Do we have anything for
20 discussion?

21

22 Faivre: No.

23

24 Kaiser: I had just one idea I wanted to throw out to the Commission, see if there's
25 any interest. Given that our meeting agendas have been somewhat light, I
26 feel like for most of this year. I'd like to propose that we, by we, staff, provide
27 some quarterly updates on some of the big initiatives that we have going on
28 in the City. Updates on the implementation of Realize Las Cruces, the latest
29 El Paseo redevelopment, as well as some of the other bigger projects that
30 we have. I'm thinking specifically Apodoca, the Three Crosses. I think a
31 quarterly update would be nice at least for a little while just since these are
32 kind of new, big things. And it'd be nice to talk about some planning issues.
33 I don't know if anybody else cares for that, but I just wanted to throw that
34 out there.

35

36 Thurston: How do we go about that? Is this the proper forum to do such a thing?

37

38 Faivre: Mr. Chair, Commissioner Kaiser. I mean if you're just suggesting that as
39 something that we can discuss among staff, or if you're trying to have a
40 discussion amongst the rest of the Commission. I would be a little hesitant
41 to bring certain things in front of this body at certain times. If it's a project
42 that's not necessarily a private development that may be not necessary
43 ready to come to P&Z for some sort of a discussion. I would just be careful
44 on some of those projects. If it's a City initiative that's being led, then
45 certainly staff can come give a presentation. But I would just use that as
46 sort of the guide between which projects we bring for discussion.

1
2 Kaiser: Totally understand. I would leave it to staff for your discretion. But I think
3 just with Three Crosses, that's the biggest redevelopment we've ever seen
4 in the City. I think having some updates would be nice, but certainly
5 understand the balance there. So I would leave that to you all. But I think
6 given that we've had a light agenda, just showing up for I mean tonight was
7 a little bit longer than I was anticipating it to be. But I mean we've had some
8 meetings that have literally been 20 minutes. I think those would be great
9 opportunities to just get some updates on some of the big things that we've
10 recently seen.

11
12 Thurston: Anybody else for any discussion?

13
14 **8. STAFF ANNOUNCEMENTS**

15
16 Thurston: All right, we're going to move on to staff announcements. Does staff have
17 any announcements for us?

18
19 Gonzales: No. No announcements from staff.

20
21 Thurston: All right.

22
23 **9. ADJOURNMENT (7:30)**

24
25 Thurston: Do we have to have a motion to adjourn?

26
27 Kaiser: I'll make a motion to adjourn.

28
29 Smith: I second.

30
31 Thurston: All in favor?

32
33 MOTION PASSES UNANIMOUSLY.

34
35 Thurston: Thank you.

36
37 Gonzales: Thank you.

38
39
40
41
42
43 _____
Chairperson



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	Sara Gonzales	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS HACIENDA ACRES REPLAT NO. 9. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 0.864 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN), AND LOCATED ON THE SOUTH SIDE OF BATAAN MEMORIAL EAST, APPROXIMATELY 450 FEET EAST OF ITS INTERSECTION WITH HACIENDA AVENUE. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE (1) EXISTING LOT INTO TWO (2) NEW LOTS THAT ARE EQUALLY DIVIDED AND APPROXIMATELY 0.432 ACRES IN SIZE. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 24CS0500036)			

PURPOSE(S) OF ACTION:

To approve a non-administrative replat.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

Realize Las Cruces Development Code.

PURPOSE:

A replat occurs when changes take place on a previously filed subdivision plat. Replats proposing to increase the total number of lots of previously filed subdivisions shall follow procedures appropriate to those given to final plats. Non-administrative replats, such as what is currently being proposed, are required to go before the Planning and Zoning Commission for final approval. Replats shall be required to provide all the information required for a final plat.

LAND USE HISTORY:

The original subdivision was filed on August 22, 1961. Hacienda Acres was annexed in 1986, and this lot was zoned R-4 (Multi-Dwelling High Density and Limited Retail Office). The vacant lot was rezoned to NH-3S with the adoption of Realize Las Cruces on February 18, 2025.

PROJECT DESCRIPTION:

The proposed non-administrative replat, Hacienda Acres Replat No. 9, encompasses approximately 0.864 acres, is zoned NH-3S (Neighborhood 3 Suburban), and located on the south side of Bataan Memorial East, approximately 450 feet east of its intersection with Hacienda Avenue, a.k.a. 6975 Reynolds Drive. The applicant is proposing to subdivide one (1) existing lot into two (2) new lots that are equally divided and approximately 0.432 acres in size.

Agenda Item #7.1.

SITE SUITABILITY:

Based on the standards of the NH-3S zoning district outlined in Figure 36-2-9 of Realize Las Cruces, the applicant could subdivide the property into several lots meeting the 30-foot required minimum lot width. As designed, the proposed lot sizes are approximately 18,817 square feet (0.432 acres) and are at least 73 feet wide. The proposed lots exceed the minimum lot width requirement for a NH-3S zoning district. The required setbacks for each proposed lot include front, 15 feet; rear, 10 feet; and sides, 5 feet. The maximum allowed height for NH-3S zoning district is 50 feet. All new developments will be required to follow these development standards.

ACCESS/TRAFFIC:

City water, sewer and gas already exist and are adequate for the proposed new lots. Bataan Memorial East is an existing minor arterial as classified by the Mesilla Valley Metropolitan Planning Organization (MPO) and is within the New Mexico Department of Transportation jurisdiction for improvements and traffic mitigation. Reynolds Drive is a local roadway and not part of the MPO thoroughfare plan. Reynolds Drive is a fully improved roadway (i.e., paved, sidewalk, curb, and gutter) therefore, no additional improvements are required as part of the non-administrative replat.

PARK LAND DEDICATION:

Per Section 38-5, Parks, Trails, and Open Space, any subdivision development is required to provide park land and trail dedication when there is a creation of new residential or multi-family residential units. The subdivision is still valid and meets the 2001 Zoning Code, however, the development of the property would not take place until after the new year placing it within the development standards of Realize Las Cruces. Therefore, if the plat is filed prior to January 1, 2026, then the park land dedication is not required. If it is filed after that date, then the park land dedication is required. The Parks and Recreation Department has determined that the lot is too small to request dedication and would prefer a fee in Lieu. The fee in lieu has been calculated below.

Park Acreage Required

$$(3 \text{ acres} \times \text{number of dwellings} \times \text{people per unit}) / 1,000 \text{ people} = \text{Acres to be dedicated}$$
$$(3 \times 1 \times 2.44) / 1000 = 0.00732 \text{ acres to be dedicated}$$

Fee in Lieu Calculation

$$\text{Acres to be Dedicated} \times (\text{Land Acquisition Cost Per Acre} + \text{Land Improvement Cost Per Acre}) = \text{Total Fee}$$
$$0.00732 \text{ acres} \times (\$70,000 + \$438,000) = \$3718.56$$

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed non-administrative replat will allow the property owners to subdivide and continue to develop vacant land that is compatible with the existing neighborhoods and continue to provide mixed-use opportunities within the NH-3S district.

Policies and Actions from the Elevate Las Cruces Comprehensive Plan have not been added to this staff report because a non-administrative replat comes in after the zoning destinations are established and the property is subdivided. Subsequent subdivisions, such as what is being proposed, are developed based on zoning development standards and subdivision standards.

FLOOD PLAIN:

The property is not located in a flood zone.

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes the Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed non-administrative replat. After some minor discussion, the non-administrative replat was approved with condition

Agenda Item #7.1.

that the plat be filed prior to January 1, 2026, or the applicant would be subject to the park fee in lieu of the amount of \$3718.56. The reason the applicant has until January 1, 2026, is the city is currently in the transition period between the 2001 Zoning Code and Realize Las Cruces. The transition period is over December 31, 2025. For addition information please refer to Attachment “D” for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed Hacienda Acres Replat No. 9 meets all requirements of the Subdivision Code and Realize Las Cruces Development Code. The proposed development is compatible with the surrounding area and will provide additional housing options and low-intensity commercial opportunities that were limited under the previous development code.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed non-administrative replat request.

APPLICATION TIMELINE:

Applicant Submitted:	March 22, 2024
Staff Returned:	April 10, 2024
Applicant Returned:	May 28, 2024
Staff Returned:	June 3, 2024
DRC Recommended Approval:	August 20, 2025

SUPPORT INFORMATION:

- [Attachment A - Zoning Map](#)
- [Attachment B - Aerial Map](#)
- [Attachment C - Proposed Hacienda Acres Replat No. 9](#)
- [Attachment D - DRC Minutes August 20, 2025](#)
- [Attachment E - Findings](#)

PLAN(S):

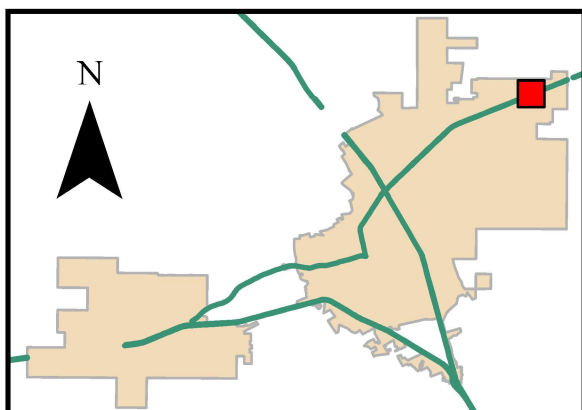
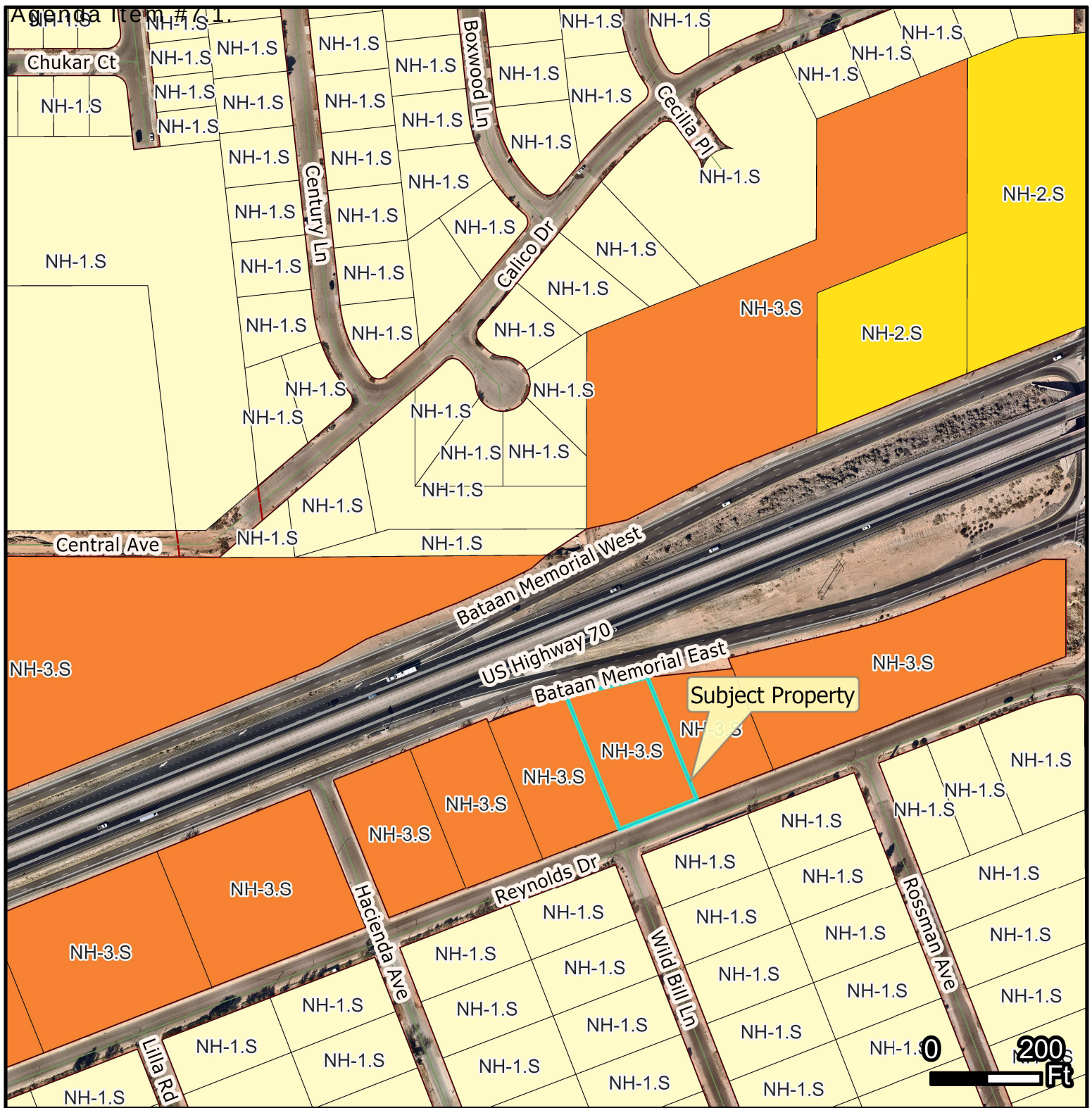
Department Strategic Business Plan, Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

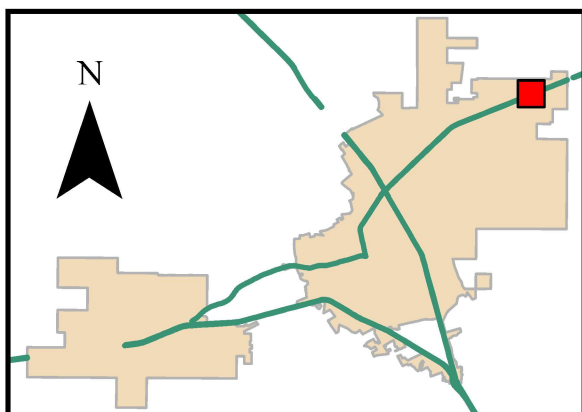
P&Z, DRC

OPTIONS / ALTERNATIVES:

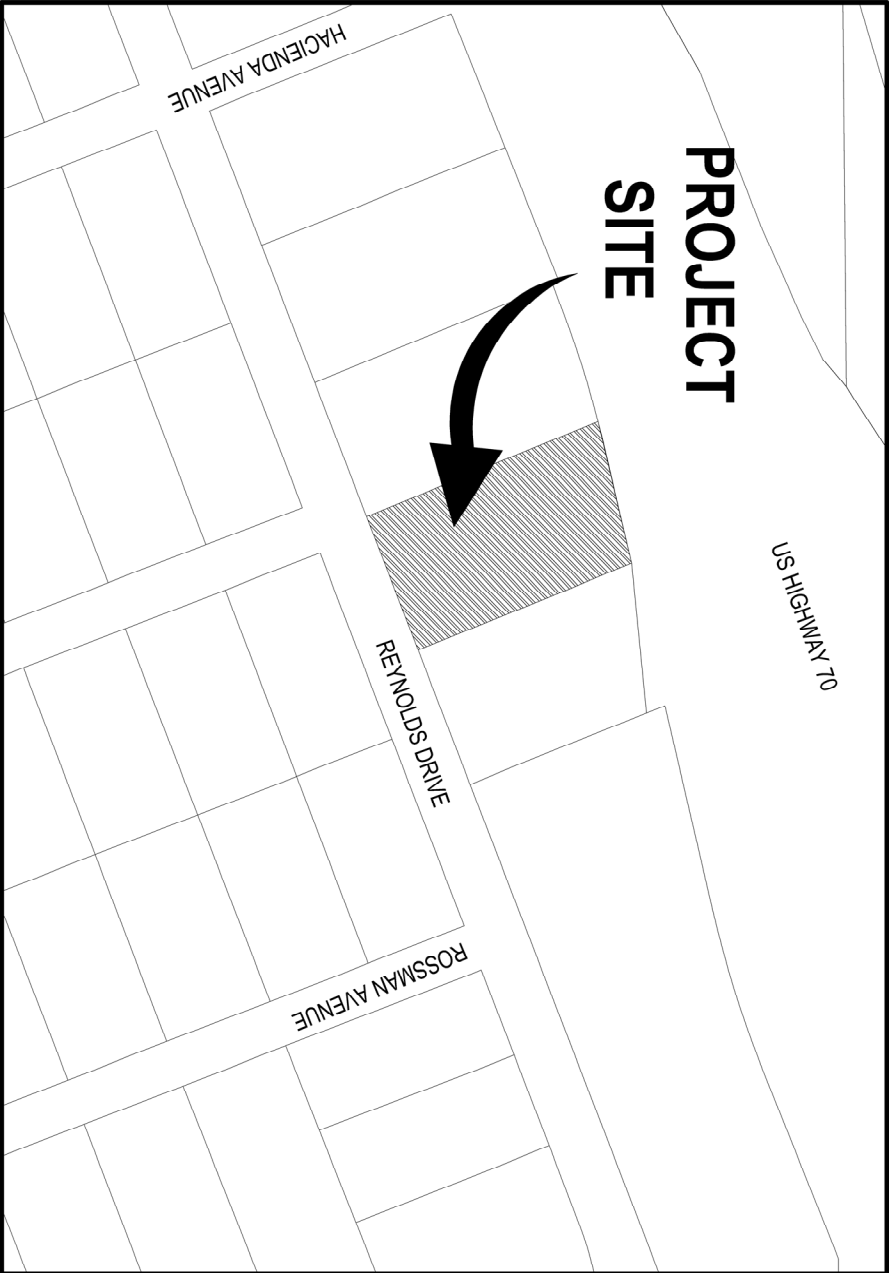
1. Vote "Yes"; this will approve the proposed non-administrative replat known as Hacienda Acres Replat No. 9 as recommended by staff.
2. Vote "No"; this will deny the proposed non-administrative replat.
3. Vote to "Amend"; this could modify approval of the proposed non-administrative replat by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table"; this will postpone consideration of the proposed non-administrative replat pursuant to further direction from the Commission.



6975 Reynolds Drive
Hacienda Acres Replat No. 9



6975 Reynolds Drive
Hacienda Acres Replat No. 9



PROJECT SITE

VICINITY MAP

DEDICATION

THE 0.864 ACRE TRACT OF LAND SHOWN HEREON IS TO BE KNOWN AS "HACIENDA ACRES REPLAT NO. 9"

ALL RIGHTS OF WAY AND PUBLIC AREAS SHOWN HEREON ARE DEDICATED TO THE CITY OF LAS CRUCES. UTILITY EASEMENTS ARE GRANTED FOR THE USE OF THE UTILITY COMPANIES THAT ARE SIGNATORY TO THIS PLAT AND THE CITY OF LAS CRUCES. ALL RULES AND REGULATIONS OF THE CITY OF LAS CRUCES AND SAID UTILITIES WILL APPLY TO THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED FOR THE USE INDICATED. NO ENCROACHMENT THAT WILL INTERFERE WITH THE USE EASEMENT, AS SHOWN OF THE PLAT, IS ALLOWED.

THIS SUBDIVISION HAS BEEN DEDICATED IN ACCORDANCE WITH THE WISHES OF THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN HEREON.

INSTRUMENT OF OWNERSHIP AS FILED APRIL 17, 2019

INSTRUMENT #1908256, DOÑA ANA COUNTY RECORDS.

I, THE UNDERSIGNED OWNER, HEREBY SET MY HAND AND SEAL

THIS DAY OF 20

CORONA'S PLASTERING, LLC
A NEW MEXICO LIMITED LIABILITY COMPANY
FERNANDO CORONA
OWNER
725 W. TAYLOR
LAS CRUCES, NM 88001

STATE OF NEW MEXICO }
COUNTY OF DOÑA ANA }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20

BY

MY COMMISSION EXPIRES

NOTARY PUBLIC SEAL

PLAT NO. RECEPTION NO.

STATE OF NEW MEXICO }
COUNTY OF DOÑA ANA }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS DATE OF 2024, AT

AMPM, AND AND FILED IN THE RECORDS OF THE COUNTY CLERK, DOÑA ANA COUNTY, NEW MEXICO.

COUNTY CLERK

DEPUTY COUNTY CLERK

CAB PROPERTIES, LLC
FERNANDO CORONA
OWNER
PO BOX 1438
LAS CRUCES, NM 88004

STATE OF NEW MEXICO }
COUNTY OF DOÑA ANA }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 20

BY

MY COMMISSION EXPIRES

NOTARY PUBLIC SEAL

PLAT NO. RECEPTION NO.

STATE OF NEW MEXICO }
COUNTY OF DOÑA ANA }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS DATE OF 2024, AT

AMPM, AND

COUNTY CLERK

DEPUTY COUNTY CLERK

HACIENDA ACRES
REPLAT NO. 9

BEING A REPLAT OF PART LOT 31

HACIENDA ACRES FILED AUGUST 22, 1961 IN BOOK 8, PAGE 77 DOÑA ANA COUNTY RECORDS

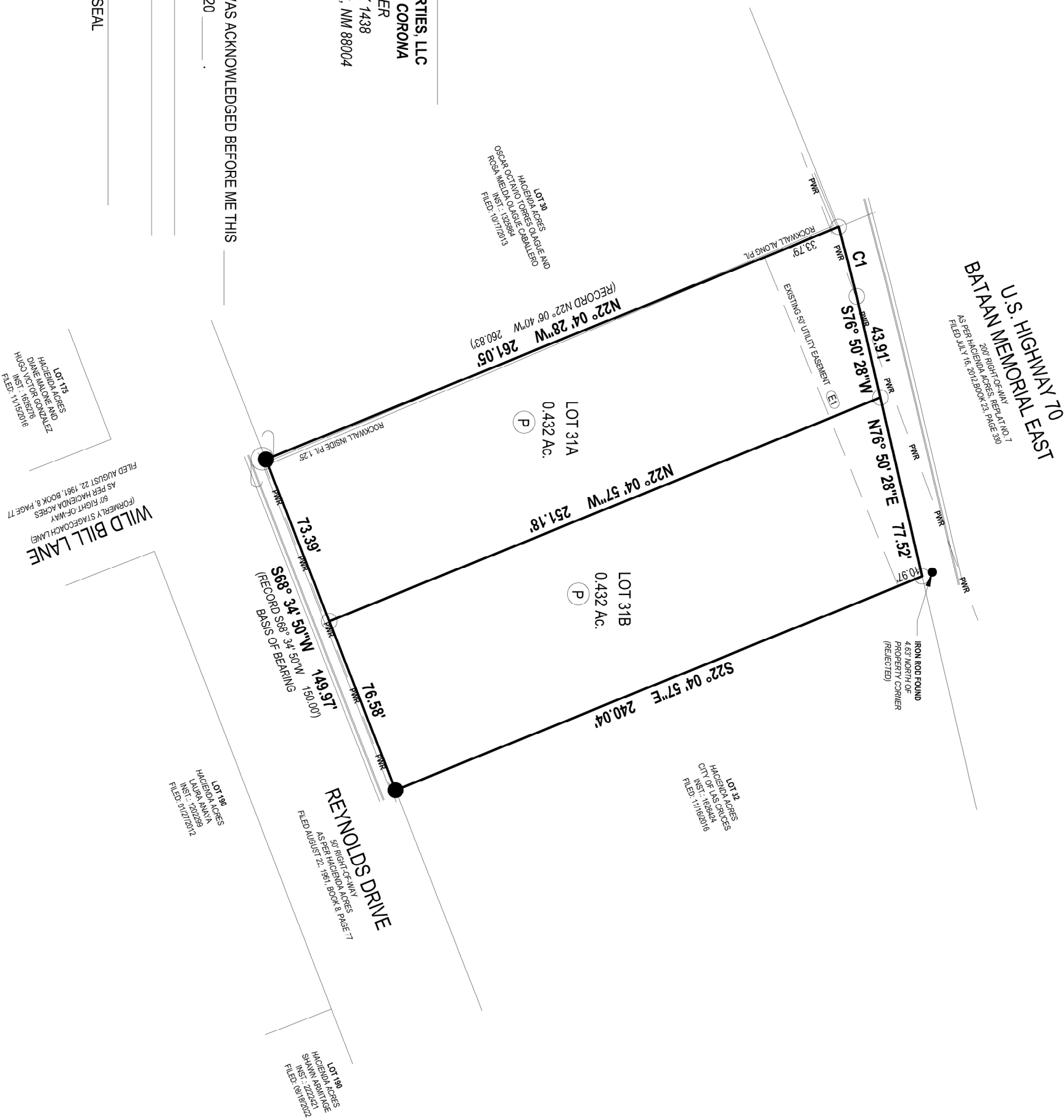
LOCATED IN SECTION 13, T.22S., R.2E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS

CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

JANUARY, 2024

TOTAL ACRES = 0.864 AC.

SCALE: 1"=50'



Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C1	30.22	1131.86	001° 31' 47"	30.22
				Chord Bearing
				N75° 20' 44"E

NOTES:

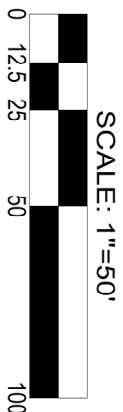
- FLOOD ZONE "X": AREAS DETERMINED TO BE OUTSIDE 100-YEAR FLOOD PLAIN, AS PER MAP NO. 35013C0820 G, REVISED JULY 6, 2016.
- FIELD NOTES BY MOY SURVEYING INC., LICENSE #18078, ALL CORNERS SET ARE 1/2" REBAR WITH 1" ORANGE PLASTIC CAPS STAMPED #18078. ALL REBAR OR MONUMENTS FOUND, TAGGED, STAMPED #18078.
- BASIS OF BEARINGS: TWO 1/2" REBAR FOUND WITH NO CAP ALONG SOUTH BOUNDARY OF THIS REPLAT.
- UNLESS OTHERWISE NOTED DEED BEARINGS AND DISTANCES AND FIELD BEARING AND DISTANCES ARE THE SAME.
- INFORMATION IN THE PREPARATION OF THIS PLAT DERIVES FROM SUBDIVISION PLAT FILED AUGUST 22, 1961 IN BOOK 8, PAGE 77, DOÑA ANA COUNTY RECORDS.
- THIS SYMBOL REPRESENTS ON LOT PONDING. ALL LOTS THAT CONTAIN THIS SYMBOL WILL HAVE PONDS THAT WILL COMPLY WITH THE CITY OF LAS CRUCES DESIGN STANDARDS. PROPERTY OWNER IS RESPONSIBLE FOR ON-LOT POND MAINTENANCE.
- THE DEVELOPER OF THE PROPERTY OWNER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUBOUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO LOTS CONTAINED HEREIN, AND (B) COMPLIANCE WITH ALL APPLICABLE UTILITY STANDARDS.

EASEMENTS:

- E1: EASEMENTS SHOWN DERIVE FROM ORIGINAL SUBDIVISION PLAT FILED AUGUST 22, 1961 IN BOOK 8, PAGE 77, DOÑA ANA COUNTY RECORDS, DOÑA ANA COUNTY, NEW MEXICO.

LEGEND:

- 1/2" REBAR FOUND (NO CAP)
1/2" REBAR SET WITH 1" ORANGE PLASTIC CAP (18078)



UTILITY APPROVAL

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE UTILITY SERVICE BY THE UNDERSIGNED COMPANIES TO THE SUBDIVISION.

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO COMCAST COMMUNICATIONS CORPORATION, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION AND MAINTENANCE OF (UNDERGROUND) (OVERHEAD), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND DESIGNATED OVERHEAD FEEDER) ELECTRICAL FACILITIES.

EL PASO ELECTRIC COMPANY
BY: DATE:

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO QWEST CORPORATION, DBA CENTURYLINK QC, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION AND MAINTENANCE OF (UNDERGROUND), (OVERHEAD), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND DESIGNATED OVERHEAD FEEDER) TELEPHONE FACILITIES.

EL PASO ELECTRIC COMPANY
BY: DATE:

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO QWEST CORPORATION, DBA CENTURYLINK QC, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION AND MAINTENANCE OF (UNDERGROUND), (OVERHEAD), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND DESIGNATED OVERHEAD FEEDER) TELEPHONE FACILITIES.

QWEST CORPORATION, DBA CENTURYLINK QC
BY: DATE:

CITY OF LAS CRUCES APPROVAL

THIS PLAT HAS BEEN APPROVED BY THE CITY OF LAS CRUCES, AND ALL THE REQUIREMENT FOR APPROVAL OF THE PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES, SUBJECT TO ANY AND ALL CONDITIONS REQUIRED BY THE PLANNING AUTHORITY FOR APPROVAL OF THIS PLAT.

BY: DATE:

DIRECTOR OF COMMUNITY DEVELOPMENT
BY: DATE:

DIRECTOR OF UTILITIES
BY: DATE:

CITY PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CHECKED BY THE CITY OF LAS CRUCES PLANNING AND ZONING COMMISSION. IT CONJUGS WITH THE EXPANSION OF EXISTING UTILITIES AND THOROUGHFARES AND IS IN ACCORDANCE WITH GENERAL CITY PLANNING. THIS PLAT IS APPROVED FOR FILING WITH THE COUNTY CLERK.

BY: DATE:

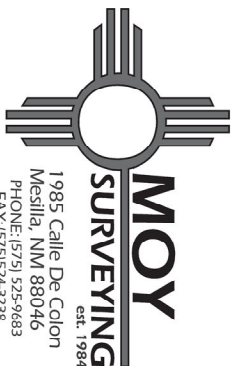
CHAIRMAN

BY: DATE:

SECRETARY

I, HENRY MAGALLANEZ, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED THIS SURVEY AND/OR WAS DONE UNDER MY DIRECTION, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

HENRY MAGALLANEZ N.M.P.S. #18078



JOB NO. 23-0501
DRAWN BY: ANTON
FIELD BY: KENNETH VICTOR
DATE: 06/27/24 SCALE: 1"=50'

1
2 Weir: Okay, I'll just do a voice vote. All those in favor, say "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Weir: All those opposed.

7
8 Harrison-Rogers: I abstain since I wasn't here. I'm going to abstain.

9
10 Weir: Okay.

11
12 Harrison-Rogers: Okay, thanks.

13
14 Weir: Okay. Minutes have been approved, 3-0-2.

15
16 **3. NEW BUSINESS**

17
18 **3.1 Case No. 24CS0500036: Hacienda Acres Replat No. 9**

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- A request for approval of a non-administrative replat, known as Hacienda Acres Replat No. 9.
 - The proposed subdivision is currently approximately 0.864 acres in size, is zoned NH-3S (Neighborhood 3 Suburban) and located on the south side of Bataan Memorial East, approximately 450 feet east of its intersection with Hacienda Avenue, a.k.a. 6975 Reynolds Drive.
 - The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are equally divided and approximately 0.423 acres in size.
 - Submitted by Moy Surveying, Representative.

29 Weir: Okay. We'll go on to new business. The first item on the agenda is Hacienda Acres, replat No 9. Community Development. Do you have an overview or presentation you'd like to make?

30
31
32
33 Gonzales: Sure. This is a replat for a non-administrative replat, which is going from one lot to two lots. It is Hacienda Acres, replat no. 9. The property is currently 0.864 acres in size and is being subdivided equally to accommodate 0.0432 acres in size for each lot. They are zoned NH-3 Suburban under Realize Las Cruces. It is located on the south side of Bataan Memorial East, in which they would not have access to. However, they will be having entrance off of Reynolds Drive, which is about 450 feet east of its intersection with Hacienda Avenue. Staff did sent it out for review. There were no pending comments as far as any approve with conditions or contingencies moving forward onto the plat.

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43
44 Weir: Okay. Does Moy Surveying have anything they would like to present or add to the report?

1 Steve: I think I just wanted some clarification on that park impact fee, just because
2 I'm not as familiar with it with now the changes to it. So if we can talk a little
3 bit about that.
4

5 Harrison-Rogers: The fee in lieu or the park impact fee?
6

7 Steve: Both.
8

9 Harrison-Rogers: Okay. All right. So if you'd like some clarification, I can try to do it for
10 you.
11

12 Steve: Sure.
13

14 Harrison-Rogers: So there are two different things. There's a park dedication and
15 improvement or fee in lieu.
16

17 Steve: Okay.
18

19 Harrison-Rogers: And in a case like this, of course, you can't dedicate park, right. And
20 then there's a park impact fee. The way the park impact fees were adopted
21 this year, it excludes neighborhood parks simply because of now that
22 dedication or that fee in lieu. So when the equation was done, it was
23 assuming facility types that were aquatics, specialty facilities, regional
24 parks, community parks, not neighborhood parks. So at the time of building
25 permit, a fee in lieu is still applicable to the homes. Now, those are sliding
26 scale now. So if it's a smaller home, the fee actually went down. If it's a
27 larger home, the fee probably went up. And so that'll be due at the time of
28 building permit for the house.
29

30 Now, because you can't build a neighborhood park or dedicate land towards
31 a neighborhood park in this particular case, there is a fee in lieu. That
32 particular, when we did the calculation, because we're looking at the new
33 lot being added, not the old lot, right. And it comes to a really, really small
34 acreage amount. It would be .00732 acres to be dedicated for this particular
35 type of lot split.
36

37 Steve: 0.00732 is a calculated park that we would have had to have dedicated.
38

39 Harrison-Rogers: Yes, which is ridiculous.
40

41 Steve: Which we don't want, so we would do fee in lieu anyway.
42

43 Harrison-Rogers: Yes, exactly. And so based on that calculation and looking at the
44 current cost of land and average cost to build a park per acre, that fee is
45 \$3,718.56. Now, Sara did indicate to me that this particular project was
46 submitted in advance of the adoption of Realize.

1
2 Gonzales: Correct.

3
4 Harrison-Rogers: So this particular case, it's kind of a moot point because of the timing of
5 when you submit it. So for at least replant number nine, as I understand it
6 from the submittal date that Sara indicated, you are not subject to that.

7
8 Steve: So we're not subject to fee in lieu, but of course we are subject to the park
9 fee for the permit when they build the home.

10
11 Harrison-Rogers: Exactly. Exactly. But anything else that was submitted at a later date
12 that falls under Realize, they're subject to that fee in lieu and the park impact
13 fee.

14
15 Steve: Even if Realize is in effect but are still using to, we know we have that
16 Realize date, but we have an eight month or whatever transition period. So
17 even if we're electing to use the prior code, if Realize was already in effect
18 we're still subject to fee in lieu.

19
20 Harrison-Rogers: If you're using the prior code, I think the determination was that you're
21 not subject to the fee in lieu.

22
23 Steve: Even if it's after the Realize date of the submittal?

24
25 Harrison-Rogers: I don't know. Sara.

26
27 Gonzales: What it would mean is if you're using the prior code, you have to have
28 everything approved and basically completed before December 31st.
29 Starting January 1, there would be nothing under the previous code.

30
31 Steve: Okay.

32
33 Gonzales: Everything has to be in effect. So in this case development on this property
34 would take place within probably Realize Las Cruces. We have no
35 development plans, and so we're moving it forward. However, the submittal
36 date will allow it to not have that park dedication being required.

37
38 Steve: But for instance, anything, again hypothetically I recognize, but anything
39 submitted today could still be using the old plan, but everything would have
40 to be completed by 2025 to then not have a park dedication...

41
42 Gonzales: Correct.

43
44 Steve: Fee or park dedication requirement.

45
46 Weir: My understanding is that your plat would need to be filed by January 1st.

Agenda Item #7.1.

1
2 Steve: Yes, and final plat. Therefore, we'd have to have everything completed.
3
4 Weir: So, yes any plat afterwards. Just a point of order, Katherine and Steve. So
5 this fee in lieu, would that need to be collected at the time we were having
6 the plat recorded?
7
8 Harrison-Rogers: Yes.
9
10 Weir: And so the impact fee would still be collected with the building?
11
12 Harrison-Rogers: Correct.
13
14 Weir: Because the fee in lieu with the plat.
15
16 Harrison-Rogers: Because the fee in lieu is tied specifically to the subdivision.
17
18 Weir: Okay. All right.
19
20 Steve: So that's just the fee that would be assessed. However, we're not going to
21 be assessed on this because of the plat submission date. And then if it was
22 after the date, we'd have to have everything done before. I got it. So yes,
23 kind of park dedication or fee in lieu doesn't have impact to this, but we will
24 be subject to a new park fee for each lot at the time of (*inaudible*).
25
26 Harrison-Rogers: Yes.
27
28 Steve: That helps.
29
30 Harrison-Rogers: Okay.
31
32 Weir: Okay. Anything else? Any questions? Departments, anything that you'd
33 like to comment on that or anything else? If that's the case, I'll go ahead
34 and entertain a motion to approve Hacienda Acres replat number nine
35 subdivision. Do I have a motion?
36
37 Nasir: So moved.
38
39 Weir: Do I have a second?
40
41 Danner: Second.
42
43 Weir: Okay. I'll go ahead and take a roll this time. Public works.
44
45 Bass: No comments.
46

1 Weir: This would be the vote to approve.

2
3 Bass: Yes.

4
5 Weir: Yes. Okay. Community development votes yes. Utilities.

6
7 UTILITIES UNKNOWN: Yes.

8
9 Weir: Fire.

10
11 Danner: Yes.

12
13 Weir: Parks and Rec.

14
15 Bingham: Yes.

16
17 Weir: Okay. DRC is recommending approval to the Planning and Zoning
18 Commission for this subdivision.

19
20 **3.2 Case No. 25CS500057: Hacienda Acres Replat No. 10**

- 21 • A request for approval of a non-administrative replat, known as
- 22 Hacienda Acres Replat No. 10.
- 23 • The proposed subdivision is currently approximately 0.914 acres in size,
- 24 is zoned NH-3S (Neighborhood 3 Suburban) and located on the south
- 25 side of Bataan Memorial East, approximately 300 feet east of its
- 26 intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive.
- 27 • The subdivision proposes subdivide one (1) existing lot into two (2) new
- 28 lots that are approximately 0.460 and 0.454 acres in size.
- 29 • Submitted by Carter Surveying and Mapping LLC, Representative.

30
31
32 Weir: Next item of business is Hacienda Acres replat number 10 subdivision.
33 Community Development, do you have a review?

34
35 Magallanez: I'm sorry, is that Zach Libbin. I can let him know to come in.

36
37 Gonzales: Carter's not here.

38
39 Magallanez: Oh, okay. Carter.

40
41 Harrison-Rogers: Now Sara, this one was submitted after though, correct.

42
43 Gonzales: Submitted after it. The question would be though is they still have the right
44 to use old code up until December 31st.

45
46 Harrison-Rogers: Okay.

FINDINGS:

- Based upon review by relevant City staff, the proposed non-administrative replat known as Hacienda Acres Replat No. 9 complies with the requirements and standards of the City of Las Cruces Subdivision Code.
- The proposed new lots that are being created by the replat comply with all requirements of the both the 2001 Zoning Code, as amended and Realize Las Cruces Development Code.
- The proposed subdivision will allow for the development of multiple housing types with the inclusion of commercial services.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	Sara Gonzales	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS HACIENDA ACRES REPLAT NO. 10. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 0.914 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN), AND LOCATED ON THE SOUTH SIDE OF BATAAN MEMORIAL EAST, APPROXIMATELY 300 FEET EAST OF ITS INTERSECTION WITH HACIENDA AVENUE. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE (1) EXISTING LOT INTO TWO (2) NEW LOTS THAT ARE APPROXIMATELY 0.460 AND 0.454 ACRES IN SIZE. SUBMITTED BY CARTER SURVEYING AND MAPPING, REPRESENTATIVE. (CASE 25CS0500057)			

PURPOSE(S) OF ACTION:

To approve a non-administrative replat.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

Realize Las Cruces Development Code.

PURPOSE:

A replat occurs when changes take place on a previously filed subdivision plat. Replats proposing to increase the total number of lots of previously filed subdivisions shall follow procedures appropriate to those given to final plats. Non-administrative replats, such as what is currently being proposed, are required to go before the Planning and Zoning Commission for final approval. Replats shall be required to provide all the information required for a final plat.

LAND USE HISTORY:

The original subdivision was filed on August 22, 1961. Hacienda Acres was annexed in 1986, and this lot was zoned R-4 (Multi-Dwelling High Density and Limited Retail Office). The vacant lot was rezoned to NH-3S with the adoption of Realize Las Cruces on February 18, 2025.

PROJECT DESCRIPTION:

The proposed non-administrative replat, Hacienda Acres Replat No. 10, encompasses approximately 0.914 acres, is zoned NH-3S (Neighborhood 3 Suburban), and located on the south side of Bataan Memorial East, approximately 300 feet east of its intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive. The applicant proposes to subdivide one (1) existing lot into two (2) new lots that are approximately 0.460 and 0.454 acres in size.

Agenda Item #7.2.

SITE SUITABILITY:

Based on the standards of the NH-3S zoning district outlined in Figure 36-2-9 of Realize Las Cruces, the applicant could subdivide the property into several lots meeting the 30-foot required minimum lot width. As designed, the proposed lot sizes are approximately 19,776 square feet (0.423 acres) and are at least 75 feet wide. The proposed lots exceed the minimum lot width requirement for a NH-3S zoning district. The required setbacks for each proposed lot include front, 15 feet; rear, 10 feet; and sides, 5 feet. The maximum allowed height for NH-3S zoning district is 50 feet. All new developments will be required to follow these development standards.

ACCESS/TRAFFIC:

City water, sewer and gas already exist and are adequate for the proposed new lots. Bataan Memorial East is an existing minor arterial as classified by the Mesilla Valley Metropolitan Planning Organization (MPO) and is within the New Mexico Department of Transportation jurisdiction for improvements and traffic mitigation. Reynolds Drive is a local roadway and not part of the MPO thoroughfare plan. Reynolds Drive is a fully improved roadway (i.e., paved, sidewalk, curb, and gutter) therefore, no additional improvements are required as part of the non-administrative replat.

PARK LAND DEDICATION:

Per Section 38-5, Parks, Trails, and Open Space, any subdivision development is required to provide park land and trail dedication when there is a creation of new residential or multi-family residential units. The subdivision is still valid and meets the 2001 Zoning Code, however, the development of the property would not take place until after the new year placing it within the development standards of Realize Las Cruces. Therefore, if the plat is filed prior to January 1, 2026, then the park land dedication is not required. If it is filed after that date, then the park land dedication is required. The Parks and Recreation Department has determined that the lot is too small to request dedication and would prefer a fee in Lieu. The fee in lieu has been calculated below.

Park Acreage Required

$$(3 \text{ acres} \times \text{number of dwellings} \times \text{people per unit}) / 1,000 \text{ people} = \text{Acres to be dedicated}$$
$$(3 \times 1 \times 2.44) / 1000 = 0.00732 \text{ acres to be dedicated}$$

Fee in Lieu Calculation

$$\text{Acres to be Dedicated} \times (\text{Land Acquisition Cost Per Acre} + \text{Land Improvement Cost Per Acre}) = \text{Total Fee}$$
$$0.00732 \text{ acres} \times (\$70,000 + \$438,000) = \$3718.56$$

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed non-administrative replat will allow the property owners to subdivide and continue to develop vacant land that is compatible with the existing neighborhoods and continue to provide housing opportunities for those desirous to live in the area.

Polices and Actions from the Elevate Las Cruces Comprehensive Plan have not been added to this staff report because a non-administrative replat comes in after the zoning destinations are established and the property has already been subdivided. Subsequent subdivisions, such as what is being proposed, are developed based on zoning development standards and subdivision standards.

FLOOD PLAIN:

The property is not located in a flood zone.

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes the Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed non-administrative replat. After some minor discussion, the non-administrative replat was approved with condition that the plat be filed prior to January 1, 2026, or the applicant would be subject to the park fee in lieu of the

Agenda Item #7.2.

amount of \$3718.56. The reason the applicant has until January 1, 2026, is the city is currently in the transition period between the 2001 Zoning Code and Realize Las Cruces. The transition period is over December 31, 2025. For addition information please refer to Attachment “D” for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed Hacienda Acres Replat No. 10 meets all requirements of the Subdivision Code and Realize Las Cruces Development Code. The proposed development is compatible with the surrounding area and will provide an alternative housing option for the area with the development of a quad-plex on each lot.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed non-administrative replat request.

APPLICATION TIMELINE:

Applicant Submitted:	July 22, 2025
Staff Returned:	July 24, 2025
Applicant Returned:	July 28, 2025
Staff Returned:	July 29, 2025
DRC Recommended Approval:	August 20, 2025

SUPPORT INFORMATION:

- [Attachment A - Zoning Map](#)
- [Attachment B - Aerial Map](#)
- [Attachment C - Proposed Hacienda Acres Replat No. 10](#)
- [Attachment D - August 20, 2025, DRC Meeting Minutes](#)
- [Attachment E - Findings](#)

PLAN(S):

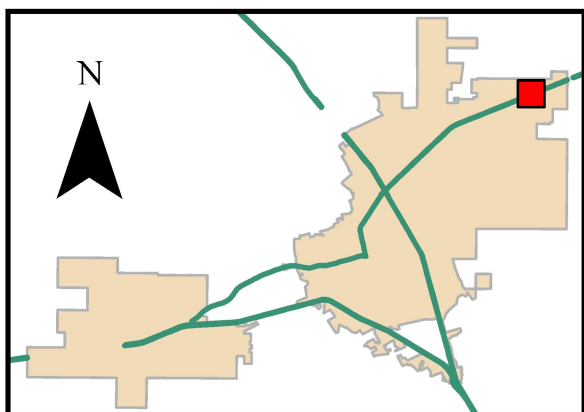
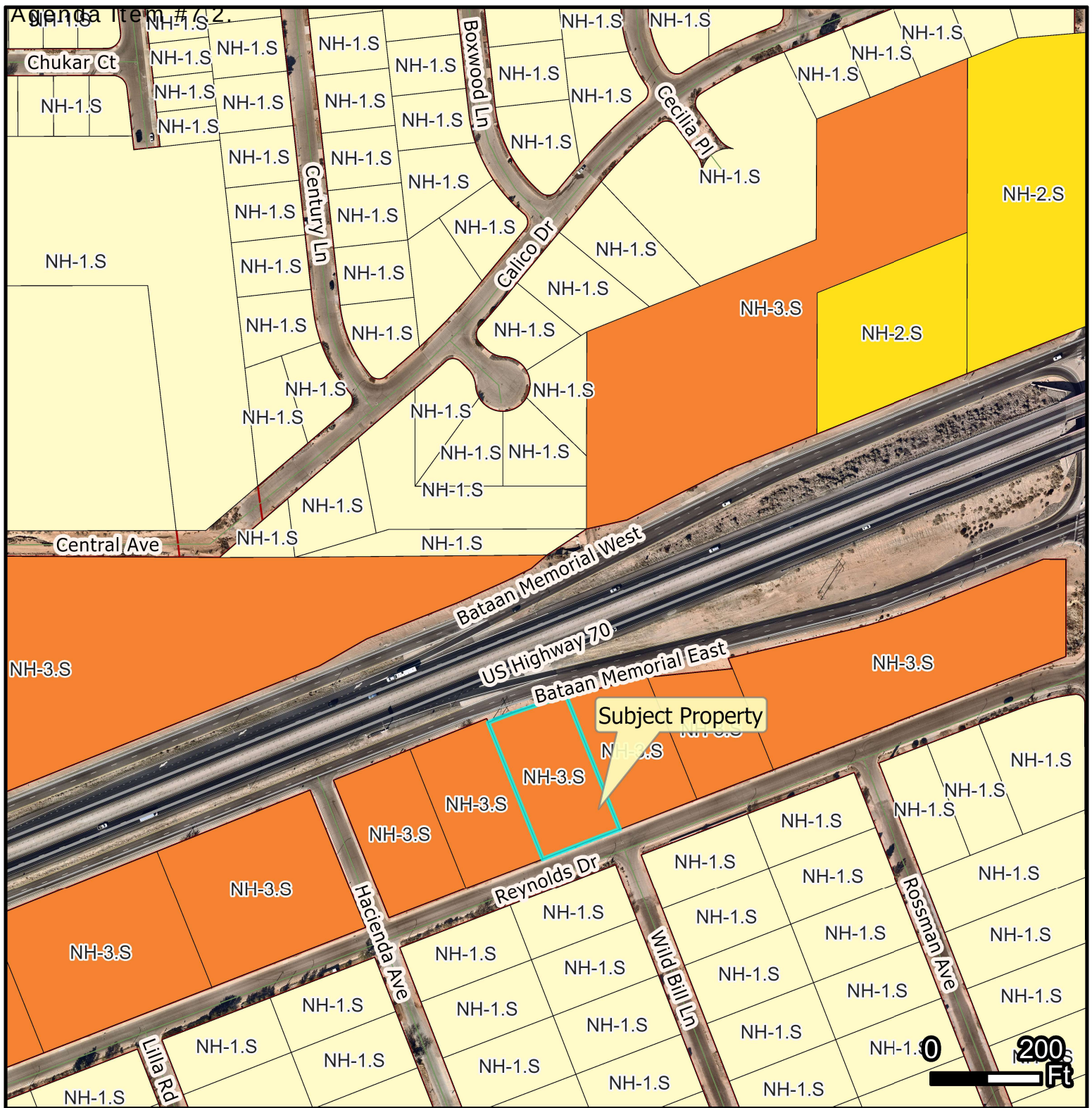
Department Strategic Business Plan, Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

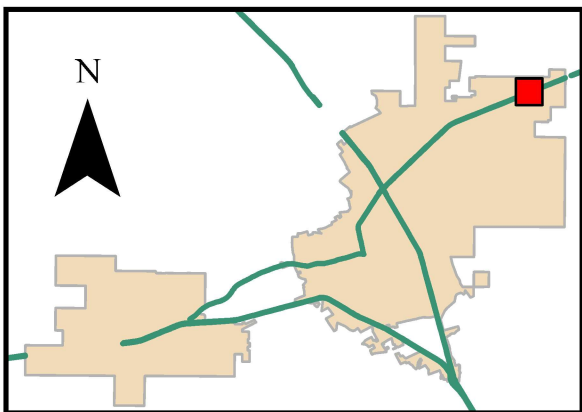
P&Z, DRC

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the proposed non-administrative replat known as Hacienda Acres Replat No. 10 as recommended by staff.
2. Vote "No"; this will deny the proposed non-administrative replat.
3. Vote to "Amend"; this could modify approval of the proposed non-administrative replat by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table"; this will postpone consideration of the proposed non-administrative replat pursuant to further direction from the Commission.



6955 Reynolds Drive
Hacienda Acres Replat No. 10



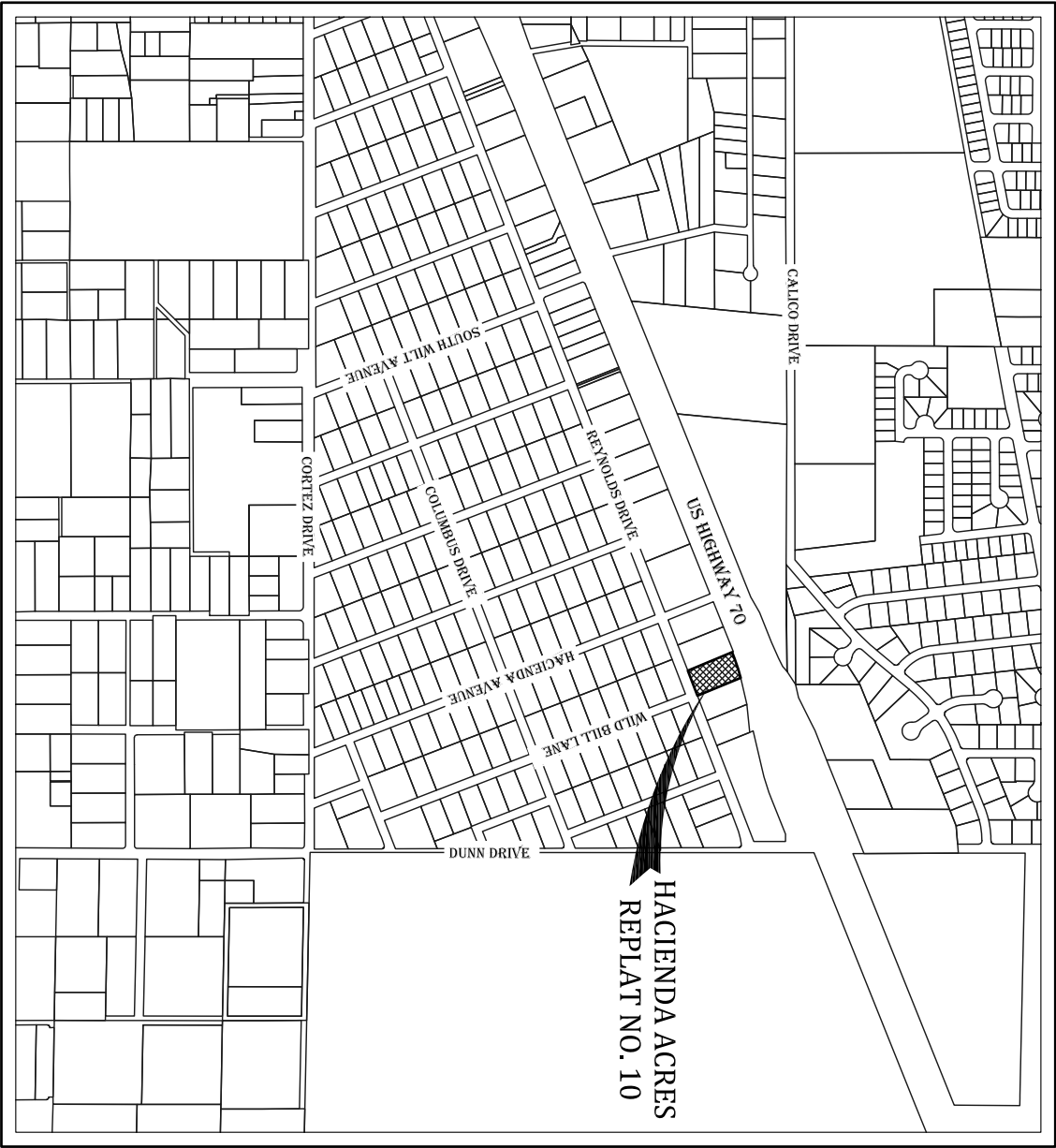
6955 Reynolds Drive
Hacienda Acres Replat No. 10

HACIENDA ACRES, REPLAT NO. 10

BEING A REPLAT OF A PORTION OF LOT 30, HACIENDA ACRES (REVISED), CONTAINING 0.914 ACRES OF LAND AS RECORDED AUGUST 22, 1961 IN PLAT RECORD 8, PAGE 77 OF THE DOÑA ANA COUNTY RECORDS

CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

JULY 14, 2025



VICINITY MAP
NTS

DEDICATION

THE TRACT OF LAND SHOWN HEREON IS TO BE KNOWN AS HACIENDA ACRES, REPLAT NO. 10, AND CONTAINS 0.914 ACRES OF LAND, MORE OR LESS

ALL RIGHTS OF WAY SHOWN HEREON ARE DEDICATED TO THE CITY OF LAS CRUCES. UTILITY EASEMENTS ARE GRANTED FOR THE USE OF THE UTILITY COMPANIES THAT ARE SIGNATORY TO THIS PLAT AND TO THE CITY OF LAS CRUCES. ALL RULES AND REGULATIONS OF THE CITY OF LAS CRUCES AND SAID UTILITY COMPANIES WILL APPLY TO THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED FOR THE USE INDICATED. NO ENCROACHMENT WILL INTERFERE WITH THE USE OF EASEMENTS AS SHOWN ON THIS PLAT IS ALLOWED.

THIS SUBDIVISION HAS BEEN DEDICATED IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER OF THE LAND SHOWN HEREON.

I, THE UNDERSIGNED OWNER DO HEREBY SET MY HAND THIS _____ DAY OF _____, 20____.

OSCAR OCTAVIO TORRES OLAGUE
4454 PURPLE SAGE DR
LAS CRUCES, NM 88011

INSTRUMENT OF TITLE: INSTRUMENT NO. 1325864 FILED OCTOBER 17, 2013.

(STATE OF NEW MEXICO)
(COUNTY OF DOÑA ANA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____,
BY OSCAR OCTAVIO TORRES OLAGUE AND ROSA IMELDA OLAGUE CABALLERO.

(NOTARY PUBLIC) _____

RECEPTION NO. _____

(STATE OF NEW MEXICO)
(COUNTY OF DOÑA ANA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE
____ DAY OF _____, 20____ AT _____ O'CLOCK
IN THE RECORDS OF DOÑA ANA COUNTY.

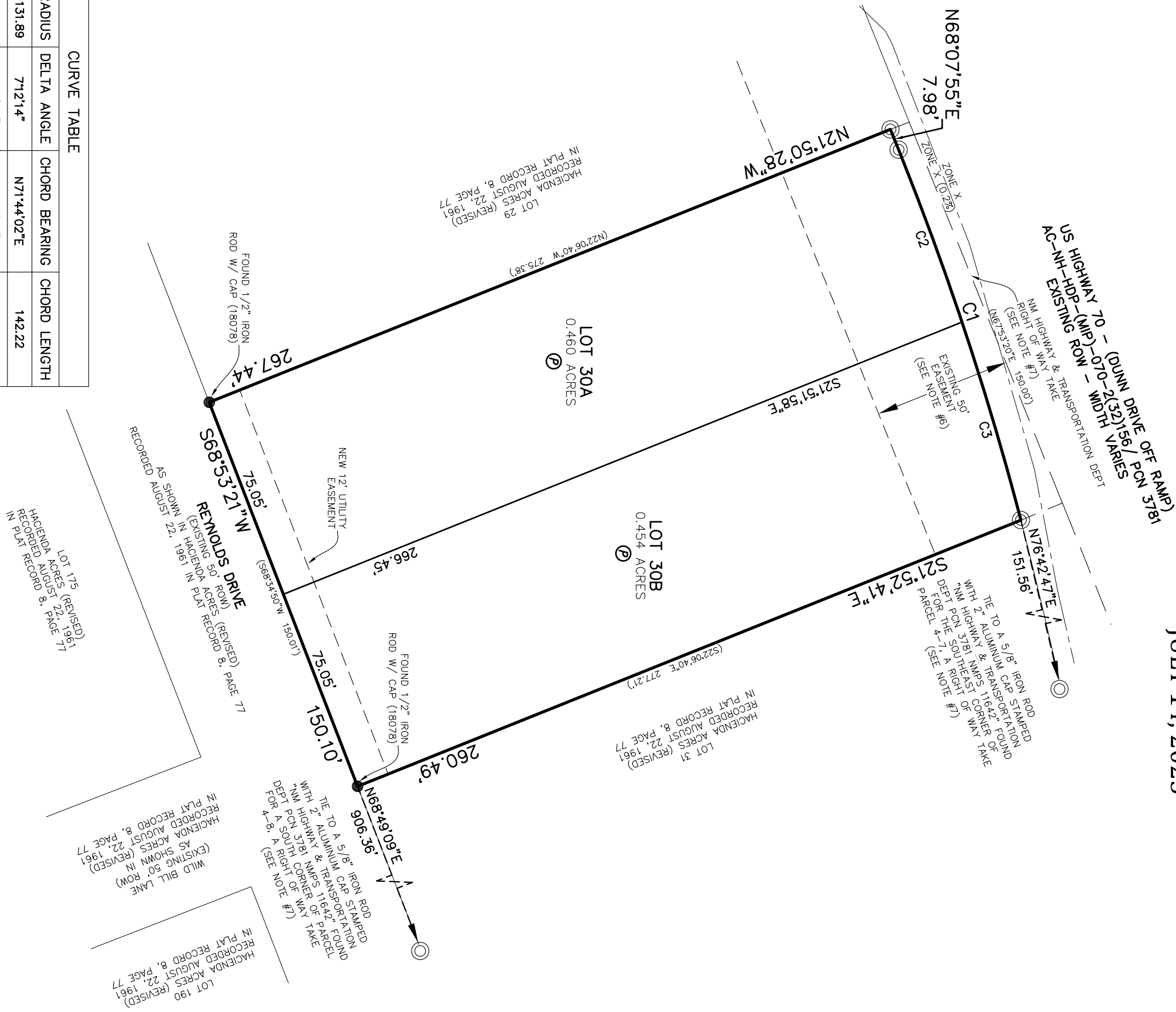
COUNTY CLERK _____

DEPUTY CLERK _____

CURVE TABLE				
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING
C1	142.31	1131.89	71°14'4"	N71°44'02"E
C2	66.99	1131.89	37°23'27"	S69°49'39"W
C3	75.33	1131.89	3°48'47"	S73°25'45"W

NOTES:

- BEARINGS ARE BASED ON NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE GRID NORTH, AS DERIVED BY GPS OBSERVATION. DISTANCES REPORTED ARE HORIZONTAL GROUND DISTANCES.
- RECORD BEARINGS AND DISTANCES FROM THE PLAT OF HACIENDA ACRES ARE SHOWN IN PARENTHESES. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION FROM THE RIGHT OF WAY MAP PREPARED BY PARSONS BRINCKERHOFF FOR NEW MEXICO HIGHWAY AND TRANSPORTATION DEPARTMENT PROJECT AC-NH-HDP-(MIP)-070-2(32)156/PCN 3781.
- THE SUBDIVIDER IS RESPONSIBLE FOR: (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUBOUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO EACH LOT; (B) COMPLIANCE WITH ALL APPLICABLE CITY UTILITY STANDARDS.
- THIS PARCEL(S) OF LAND IS IN FLOOD ZONE "X", 0.2% ANNUAL CHANCE FLOOD HAZARD OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS (FIRM 35013C09206) DATED 07/06/2016.
- EXCESS STORM DRAINAGE IS TO BE RETAINED ON LOTS WITH THE PONDING SYMBOL. MAINTENANCE WILL BE THE RESPONSIBILITY OF THE LOT OWNER.
- EXISTING 50' WIDE UTILITY EASEMENT AS DEDICATED TO PUBLIC USE ON THE FILED PLAT FOR HACIENDA ACRES, AS RECORDED 8/22/1961 IN PLAT RECORD 8, PAGE 77.
- ADDITIONAL RIGHT OF WAY WAS ACQUIRED FOR US HIGHWAY 70 FOR THE CONSTRUCTION OF PROJECT AC-NH-HDP-(MIP)-070-2(32)156/PCN 3781. THE RIGHT OF WAY TAKE FOR LOT 30, HACIENDA ACRES, IS DESIGNATED AS PARCEL NUMBER 4-3, AND IS DESCRIBED IN A WARRANTY DEED FILED 4/24/2001 AT RECEPTION #0110169 OF THE DOÑA ANA COUNTY RECORDS.
- ALL INTERIOR LOT CORNERS ARE TO BE SET 1/2" IRON RODS WITH 1" YELLOW PERMACAP STAMPED "NMPS 22648".



UTILITY APPROVALS

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE UTILITY SERVICE BY THE UNDERSIGNED COMPANIES TO THE SUBDIVISION.

EL PASO ELECTRIC COMPANY

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO THE EL PASO ELECTRIC COMPANY, ARE SATISFACTORY TO MEET THE NEEDS FOR THE INSTALLATION OF (UNDERGROUND ONLY), (OVERHEAD ONLY), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND/OR OVERHEAD) FEEDER) ELECTRICAL UTILITIES.
BY: _____ DATE: _____

COMCAST

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO COMCAST, ARE SATISFACTORY TO MEET THE NEEDS FOR THE INSTALLATION OF (UNDERGROUND ONLY), (OVERHEAD ONLY), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND/OR OVERHEAD) FEEDER) CABLE UTILITIES.
BY: _____ DATE: _____

QWEST COMMUNICATIONS (DBA CENTURY LINK)

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO QWEST COMMUNICATIONS (DBA CENTURY LINK), ARE SATISFACTORY TO MEET THE NEEDS FOR THE INSTALLATION OF (UNDERGROUND ONLY), (OVERHEAD ONLY), (UNDERGROUND AND/OR OVERHEAD), (UNDERGROUND AND/OR OVERHEAD) FEEDER) TELEPHONE UTILITIES.
BY: _____ DATE: _____

CITY OF LAS CRUCES APPROVALS

THIS PLAT HAS BEEN APPROVED BY THE CITY OF LAS CRUCES AND ALL THE REQUIREMENTS FOR APPROVAL IN THE ABOVE PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES, SUBJECT TO ANY AND ALL CONDITIONS REQUIRED BY THE PLANNING AUTHORITY FOR THE APPROVAL OF THIS PLAT.

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

CITY PLANNING AND ZONING COMMISSION APPROVAL

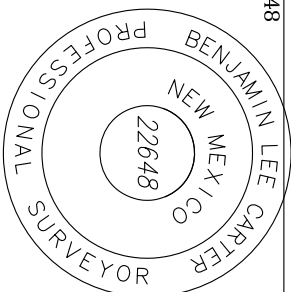
THIS PLAT HAS BEEN SUBMITTED TO AND CHECKED BY THE CITY OF LAS CRUCES PLANNING AND ZONING COMMISSION. IT CONCURS WITH THE EXPANSION OF EXISTING UTILITIES AND THOROUGHFARES AND IS IN ACCORDANCE WITH GENERAL CITY PLANNING

BY: _____ DATE: _____
CHAIRMAN
BY: _____ DATE: _____
SECRETARY

SURVEYOR'S CERTIFICATION

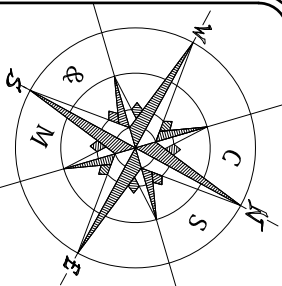
I, BENJAMIN L. CARTER, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT THIS SURVEY PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

BENJAMIN L. CARTER, PS 22648



CARTER SURVEYING AND
MAPPING

P.O. Box 846, Mesilla, New Mexico 88046
Phone (575) 313-2638
Carter.Surveying1@gmail.com



DATE: 07/14/2025

PROJECT NUMBER: 23182

HACIENDA ACRES, REPLAT NO. 9

SHEET 1 OF 1

1 Weir: This would be the vote to approve.

2
3 Bass: Yes.

4
5 Weir: Yes. Okay. Community development votes yes. Utilities.

6
7 UTILITIES UNKNOWN: Yes.

8
9 Weir: Fire.

10
11 Danner: Yes.

12
13 Weir: Parks and Rec.

14
15 Bingham: Yes.

16
17 Weir: Okay. DRC is recommending approval to the Planning and Zoning
18 Commission for this subdivision.

19
20 **3.2 Case No. 25CS500057: Hacienda Acres Replat No. 10**

- 21 • A request for approval of a non-administrative replat, known as
22 Hacienda Acres Replat No. 10.
23 • The proposed subdivision is currently approximately 0.914 acres in size,
24 is zoned NH-3S (Neighborhood 3 Suburban) and located on the south
25 side of Bataan Memorial East, approximately 300 feet east of its
26 intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive.
27 • The subdivision proposes subdivide one (1) existing lot into two (2) new
28 lots that are approximately 0.460 and 0.454 acres in size.
29 • Submitted by Carter Surveying and Mapping LLC, Representative.

30
31
32 Weir: Next item of business is Hacienda Acres replat number 10 subdivision.
33 Community Development, do you have a review?

34
35 Magallanez: I'm sorry, is that Zach Libbin. I can let him know to come in.

36
37 Gonzales: Carter's not here.

38
39 Magallanez: Oh, okay. Carter.

40
41 Harrison-Rogers: Now Sara, this one was submitted after though, correct.

42
43 Gonzales: Submitted after it. The question would be though is they still have the right
44 to use old code up until December 31st.

45
46 Harrison-Rogers: Okay.

1
2 Gonzales: Yes. I would see that as being assembled. So this is going to be Hacienda
3 Acres replat number 10. This is adjoining, essentially adjacent to the lot
4 that we just discussed at 6955 Reynolds Drive. It is also a non-
5 administrative replat subdividing the lots from one to two. It is also zoned
6 NH-3 Suburban within Realize Las Cruces, located on the south side of
7 Bataan. This property is about 300 feet east of its intersection from
8 Hacienda Avenue. This went through the review process as well. There
9 were no pending comments or approved with conditions.

10
11 Weir: Sara, just a point of order. Does the applicant need to be present before
12 we can act?

13
14 Gonzales: The applicant was on their way, however, something came up and had to
15 turn back around. There were no comments extended from the applicant
16 as the application has gone through with full approval. So there was nothing
17 additional to add in.

18
19 Harrison-Rogers: Mr. Chair. Can I ask a point of clarification from Sara? So in this
20 particular case they would be subject to the fee in lieu if they don't get this
21 recorded by January 1?

22
23 Gonzales: Correct. I would say for the record, if the plat does come in, if they can file
24 it by December 31st, then they would not be subject to the fee. If we receive
25 the application after, then they are subject to that fee if it's filed after January
26 1.

27
28 Harrison-Rogers: So as part of the discussion related to this, I would recommend then a
29 condition that based on the timing of when the plat gets recorded, if they
30 passed the date, as you indicated, they would be subject to a \$3,718.56 fee
31 in lieu.

32
33 Weir: Katherine, can you repeat that?

34
35 Harrison-Rogers: \$3,718.56.

36
37 Weir: Thank you.

38
39 Harrison-Rogers: Thanks.

40
41 Gonzales: For staff, so noted. I will put the condition upon that as well as the staff
42 report going to P&Z.

43
44 Harrison-Rogers: Okay.

1 Gonzales: So that way there is an understanding that that fee would be required if it is
2 filed after December 31, 2025.

3
4 Weir: Okay. Any other departments have any questions regarding this
5 subdivision plat? Hearing none. I guess I'll first take a, let's see probably a
6 motion for the condition. Does the DRC have a motion?

7
8 Harrison-Rogers: I move to approve this particular case with the condition as stated
9 previously.

10
11 Gonzales: Second.

12
13 Weir: I'll go ahead and do a roll vote again. Public Works.

14
15 Bass: Yes.

16
17 Weir: Community Development. Yes. Utilities.

18
19 Nasir: Yes.

20
21 Weir: Fire

22
23 Danner: Yes.

24
25 Weir: And Parks and Recreation.

26
27 Bingham: Yes.

28
29 Weir: Okay, so again the DRC is then recommending approval of the Hacienda
30 Acres Replat No. 9 subdivision with a condition relative to the fee in lieu and
31 date of filing the plat. Okay, I will leave the message and turn chairing over
32 to Sara.

33
34 **3.3 Case No. 25CS0500021: Mesa Crossings Subdivision Preliminary Plat**

- 35 • A request for approval of a preliminary plat known as Mesa Crossings
36 Subdivision.
37 • The proposed subdivision encompasses approximately 20.468 acres, is
38 zoned NH-1S (Neighborhood 1 Suburban) and is located on the
39 southeast corner of Mesa Grande Drive and Peachtree Hills Road.
40 • The subdivision proposes 89 single-family residential lots and 5 tracts
41 that will be utilized for drainage and right-of-way dedication.
42 • The subdivision is proposing an alternate cross-section for Peachtree
43 Hills Road and an alternative turn-around road design for two internal
44 roads.
45 • Submitted by Libbin Underwood Engineering & Surveying,
46 Representative.

FINDINGS:

- Based upon review by relevant City staff, the proposed non-administrative replat known as Hacienda Acres Replat No. 10 complies with the requirements and standards of the City of Las Cruces Subdivision Code.
- The proposed new lots that are being created by the replat comply with all the requirements of the 2001 Zoning Code, as amended, and Realize Las Cruces Development Code.
- Following the goals and actions outlined in Elevate Las Cruces, the proposed subdivision will allow for the development of an alternative housing type with the development of quad-plex's.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ N/A		
Adopted:	September 23, 2025		
Drafter:	John Castillo	Department:	Community Development
Program:	Community Planning	Line of Business:	Community Planning
Title:	A REQUEST FOR APPROVAL OF A NON-ADMINISTRATIVE REPLAT KNOWN AS M. BOYCE TRACTS. THE PROPOSED NON-ADMINISTRATIVE REPLAT ENCOMPASSES APPROXIMATELY 7.00 ACRES, IS ZONED NH-3S (NEIGHBORHOOD 3 SUBURBAN) AND LOCATED AT 3300 DEL REY BOULEVARD. THE SUBDIVISION PROPOSES TO SUBDIVIDE ONE EXISTING LOT INTO TWO NEW LOTS THAT ARE 2.87 AND 3.84 ACRES IN SIZE. SUBMITTED BY LIBBIN UNDERWOOD ENGINEERING AND SURVEYING, REPRESENTATIVE. (CASE 23CS0500007)		

PURPOSE(S) OF ACTION:

To approve a non-administrative replat.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

Realize Las Cruces Development Code.

PURPOSE:

A replat occurs when changes take place on a previously filed subdivision plat. Replats proposing to increase the total number of lots of previously filed subdivisions shall follow procedures appropriate to those given to final plats. Non-administrative replats, such as what is currently being proposed, are required to go before the Planning and Zoning Commission for final approval. Replats shall be required to provide all the information required for a final plat.

LAND USE HISTORY:

In 1967 the City of Las Cruces annexed approximately 748 acres of land known as 1967 Northeaster City Limits Extension of Highway 70 Frontage per Ordinance 0634.

PROJECT DESCRIPTION:

The proposed non-administrative replat, M. Boyce Tracts, encompasses approximately 7.0 acres of both developed and vacant land that is zoned NH-3S (Neighborhood 3 Suburban). The subdivision proposes to subdivide the existing lot into two new lots that are 2.87 and 3.84 acres in size. The remaining acreage will be for the dedication of two tracts of land for the future expansion of Del Rey Boulevard and Mars Avenue. The applicant is requesting to waive the required road improvements for Mars Avenue and Del Rey Boulevard as the improvements are not necessary at this time.

SITE SUITABILITY:

Based on the standards of the NH-3S zoning district outlined in Figure 36-2-9 of Realize Las Cruces, the applicant can subdivide the property into several lots meeting the 30-foot required minimum lot width. As

Agenda Item #7.3.

designed, the proposed lot sizes are approximately 125,017 square feet (2.87 acres) and at least 339-feet wide. The proposed lots exceed the minimum lot width requirement for NH-3S zoning district. The required setbacks for each proposed lot include front, 15-feet, rear, 10-feet, and sides, 5-feet. The maximum allowed height for NH-3S zoning district is 50 feet. All new developments will be required to follow these development standards.

ACCESS/TRAFFIC:

City water, sewer and gas already exist and are adequate for the proposed new lots. Del Rey Boulevard is an existing principal arterial as classified by the Mesilla Valley Metropolitan Planning Organization (MPO) and Elevate Las Cruces Future Thoroughfare Map and is 100 feet wide. Mars Avenue is an existing collector as classified by the Mesilla Valley MPO and Elevate Las Cruces Future Thoroughfare Map and is 60 feet wide. Both roadways are fully improved (i.e., paved, sidewalks, curb, and gutter), however, the subdivider is required to provide the additional dedication to the centerline and improve the remaining portion of right-of-way following a principal arterial and collector roadway. The dedication being provided for Del Rey Boulevard is 10 feet and the dedication for Mars is 12.5 feet.

PARK LAND DEDICATION:

After minor discussion, DRC recommended approval with condition that the non-administrative replat is to be filed prior to January 1, 2026, or the applicant would be subject to the park fee in lieu. The amount is \$3,718.56. The reason as to why the applicant has until January 1, 2026 is the city is currently in a transitional phase between the 2001 Zoning Code and Realize Las Cruces, with the transition period ending December 31, 2025.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed non-administrative replat will allow the property owner to subdivide and continue to develop vacant land that is compatible with the existing area.

FLOOD PLAIN:

The property is not located within a flood zone.

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed non-administrative replat. The DRC reviews non-administrative replats from an infrastructure, utilities and improvement standpoint. After some discussion, the DRC voted to recommend approval with conditions. The conditions include to add a utility easement from Lot 2 to Lot 1 with no allowance of any structure, and that the non-administrative replat must be filed prior to January 1, 2026, or the applicant would be subject to the park fee in lieu. For additional information please refer to Attachment "D" for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed M. Boyce Tracts meet all requirements of the Subdivision Code and Realize Las Cruces Development Code. The proposed development is compatible with the surrounding area and will provide additional housing options and low-intensity commercial opportunities that were limited under the previous development.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed preliminary plat request.

APPLICATION TIMELINE:

Applicant Submitted: January 17, 2023

Agenda Item #7.3.

Staff Returned: March 03, 2023

Applicant Returned: February 02, 2024

Staff Returned: February 13, 2024

Applicant Returned: August 01, 2025

Staff Returned: August 15, 2025

DRC Recommended Approval: August 20, 2025

SUPPORT INFORMATION:

[Attachment "A" - Zoning Map](#)

[Attachment "B" - Aerial Map](#)

[Attachment "C" - M. Boyce Tracts Plat](#)

[Attachment "D" - 08-20-25 DRC Minutes](#)

[Attachment "E" - Findings M Boyce](#)

PLAN(S):

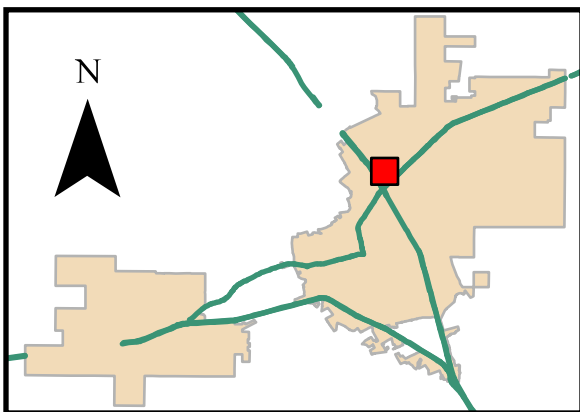
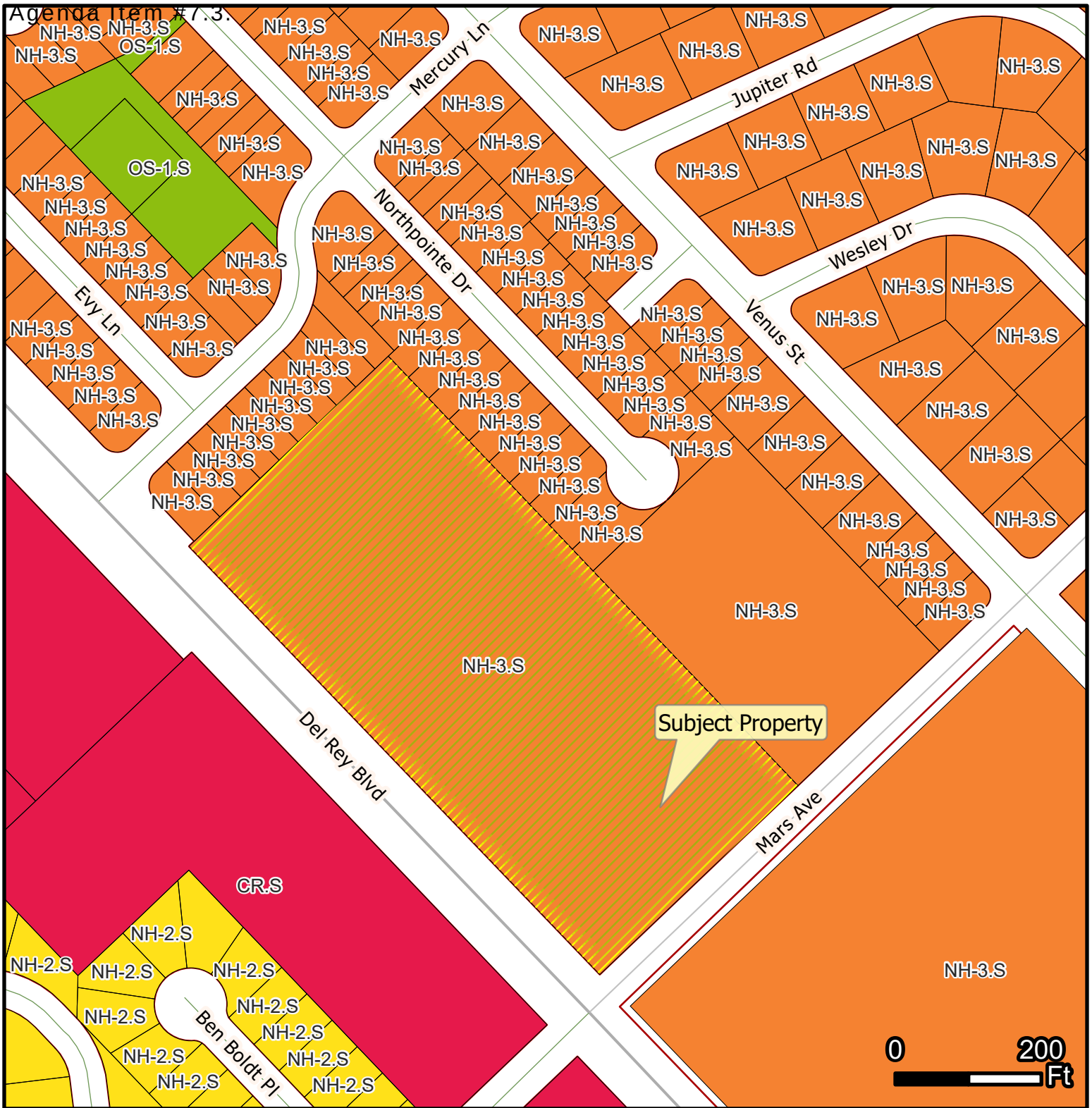
Department Strategic Business Plan, Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

P&Z, DRC

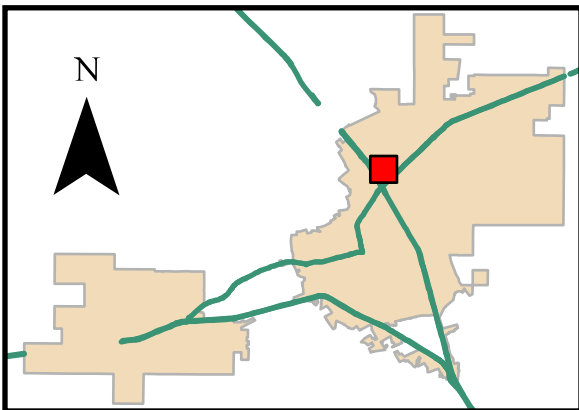
OPTIONS / ALTERNATIVES:

1. Vote "Yes" this will approve the proposed non-administrative replat known as M. Boyce Tracts as recommended by staff.
2. Vote "No" this will deny the proposed non-administrative replat
3. Vote to "Amend" this could modify approval of the proposed non-administrative replat by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table" this will postpone consideration of the proposed non-administrative replat pursuant to further direction from the Commission.



3300 Del Rey Boulevard
M. Boyce Tracts

Agenda Item # 7.3



3300 Del Rey Boulevard
M. Boyce Tracts

DEDICATION

THE 7.00± ACRE TRACT HEREON IS TO BE KNOWN AS:
M. BOYCE TRACTS

ALL RIGHTS-OF-WAY AND PUBLIC AREAS SHOWN HEREON ARE DEDICATED TO THE CITY OF LAS CRUCES. UTILITY EASEMENTS ARE GRANTED FOR THE USE OF THE UTILITY COMPANIES THAT ARE SIGNATORY TO THIS PLAT AND TO THE CITY OF LAS CRUCES. ALL RULES AND REGULATIONS OF THE CITY OF LAS CRUCES AND SAID UTILITIES WILL APPLY TO THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED FOR THE USE INDICATED. NO ENCROACHMENT THAT WILL INTERFERE WITH THE USE OF EASEMENTS AS SHOWN ON THIS PLAT IS ALLOWED.

THE SUBDIVISION HAS BEEN DEDICATED IN ACCORDANCE WITH THE WISHES OF THE UNDERSIGNED OWNER OF THE LAND SHOWN HEREON.

OWNERS OF RECORD: DISCOVERY TWO, LLC
926 DALRYMPLE ROAD
LAS CRUCES, NEW MEXICO 88005

INSTRUMENT OF OWNERSHIP: REC #0314704, APRIL 30, 2003

I, THE UNDERSIGNED OWNER, HEREBY SET MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

TERRY M. BOYCE, PRESIDENT
DISCOVERY TWO, LLC
926 DALRYMPLE ROAD
LAS CRUCES, NEW MEXICO 88005

ACKNOWLEDGMENT

STATE OF NEW MEXICO) SS
COUNTY OF DOÑA ANA)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

BY TERRY M. BOYCE, ACTING AS PRESIDENT, ON BEHALF OF DISCOVERY TWO, LLC.,
A NEW MEXICO LIMITED LIABILITY COMPANY

NOTARY PUBLIC
MY COMMISSION EXPIRES:

ADJOINING OWNERSHIP INFORMATION							
(A)	LOT 15, BLOCK 4 NORTHPOINTE SUB. UNIT 4 WILLIAM KELLY & STEPHANIE KELLY REC#2026811 OCT 21, 2020	(B)	LOT 14, BLOCK 4 NORTHPOINTE SUB. UNIT 4 WILLIAM KELLY & STEPHANIE KELLY REC#2026811 OCT 21, 2020	(C)	LOT 13, BLOCK 4 NORTHPOINTE SUB. UNIT 4 ANTHONY RODRIGUEZ CLAUDIA RODRIGUEZ REC#1501153 APRIL 5, 2021	(D)	LOT 12, BLOCK 4 NORTHPOINTE SUB. UNIT 4 PATRICK DURKIN & LISA DURKIN REC#1501153 JAN 16, 2018
(E)	LOT 11, BLOCK 4 NORTHPOINTE SUB. UNIT 4 NICHOLAS J. MILLER REC#1205774 MARCH 6, 2012	(F)	LOT 10, BLOCK 4 NORTHPOINTE SUB. UNIT 4 NATHAN WILCOX & JILL WILCOX REC#1226387 OCT 25, 2012	(G)	LOT 9, BLOCK 4 NORTHPOINTE SUB. UNIT 4 EUGENIA MANRIQUE REC#0815931 JUNE 2, 2008	(H)	LOT 8, BLOCK 4 NORTHPOINTE SUB. UNIT 4 CATHERINE KOSS REC#2029145 NOV 10, 2020
(I)	LOT 7, BLOCK 4 NORTHPOINTE SUB. UNIT 4 SAMANEGO RESIDENTIAL PROPERTIES REC#2218442 JULY 1, 2022	(J)	LOT 6, BLOCK 4 NORTHPOINTE SUB. UNIT 4 SALAS HOMES, LLC REC#0802150 JAN 22, 2008	(K)	LOT 3, BLOCK 4 NORTHPOINTE SUB. UNIT 2 MIGDALIA FREIRE REC#2007938 MAR 31, 2017	(L)	LOT 2, BLOCK 4 NORTHPOINTE SUB. UNIT 2 MANNY MARTINEZ REC#955884 MARCH 22, 1995
(M)	LOT 1, BLOCK 4 NORTHPOINTE SUB. UNIT 2 YEE-HA ENTERPRISES, LLC REC#1327824 NOV 12, 2013	(N)	LOT 1V, BLOCK B ROFFINELLA TRACTS REPLAT No.1 BRYAN MCCANN & ROBIN MCCANN REC#1310176 APRIL 25, 2013	(O)	LOT 1U, BLOCK B ROFFINELLA TRACTS REPLAT No.1 JANA C. OLSON REC#1823721 OCT 3, 2018	(P)	LOT 1T, BLOCK B ROFFINELLA TRACTS REPLAT No.1 BONNIE MACCOLLARIE & WALLACE BATTERTON REC#1313868 APRIL 25, 2013
(Q)	LOT 1S, BLOCK B ROFFINELLA TRACTS REPLAT No.1 CARLEEN CLIFTON REC#0918396 JULY 2, 2009	(R)	LOT 1R, BLOCK B ROFFINELLA TRACTS REPLAT No.1 KIM K. WEE REC#071165 JAN 10, 2007	(S)	LOT 1Q, BLOCK B ROFFINELLA TRACTS REPLAT No.1 J & C LAY, LLC REC#2139171 DEC 13, 2021	(T)	LOT 1P, BLOCK B ROFFINELLA TRACTS REPLAT No.1 PATRICIA DUNAGAN REC#9926039 MAR 12, 1999
(U)	LOT 1N, BLOCK B ROFFINELLA TRACTS REPLAT No.1 STEVEN AMARAL & ELENA AMARAL REC#038186 MAR 10, 2003	(V)	LOT 1M, BLOCK B ROFFINELLA TRACTS REPLAT No.1 PHILIP BECK & MICHELLE BECK REC#1911674 MAY 29, 2019	(W)	LOT 1L, BLOCK B ROFFINELLA TRACTS REPLAT No.1 VERONICA CARO REC#1109350 APRIL 13, 2011		

A-J: NORTHPOINTE SUBDIVISION, UNIT 4 REC#0724699 JULY 16, 2007
K-M: NORTHPOINTE SUBDIVISION, UNIT 2 BK 13, PG 385, FEBRUARY 20, 1985
N-W: ROFFINELLA TRACTS REPLAT No.1, REC#9813843, JUNE 2, 1998

DOÑA ANA COUNTY CLERK RECORDING BLOCK

STATE OF NEW MEXICO) SS
COUNTY OF DOÑA ANA)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS _____ DAY OF _____, 20____ AT _____ AM/PM

AND DULY RECORDED AS INSTRUMENT No. _____

AND FILED IN THE RECORDS OF THE COUNTY CLERK, DOÑA ANA COUNTY, NEW MEXICO.

DOÑA ANA COUNTY CLERK

DOÑA ANA COUNTY CHIEF DEPUTY CLERK

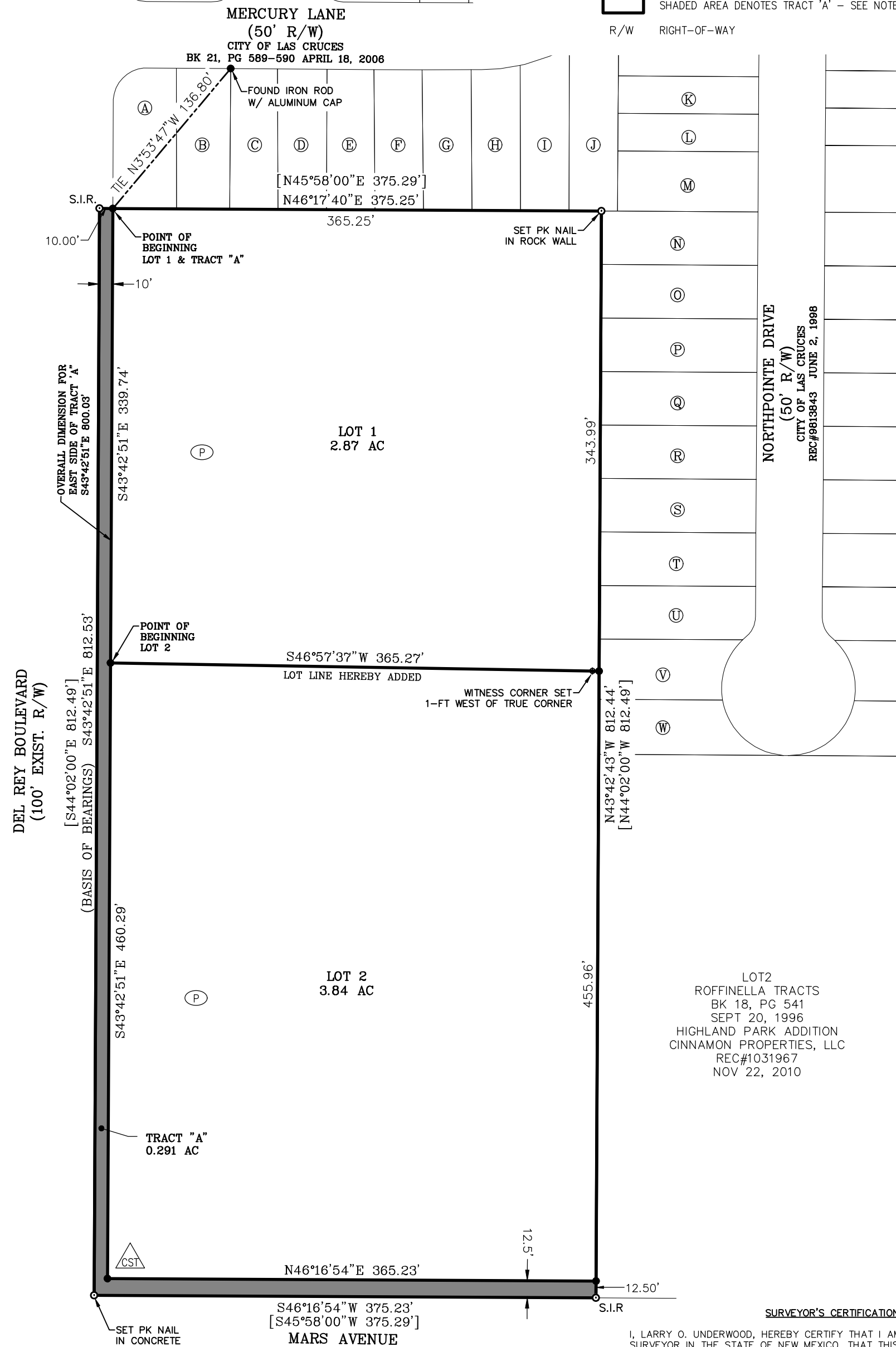
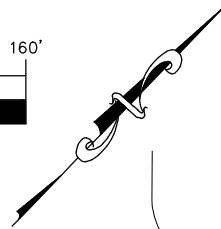
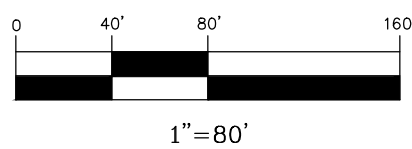
LOT 1-A & LOT 1-B
LOS CONTENTOS, PHASE V,
AMENDED, REPLAT No.1
REC#974141
FEB 24, 1997
GRANITE CIRCLE
INVESTORS LTD
REC#998085
MAR 26, 1999

PART OF S31, T22S, R2E
& PART OF
HIGHLAND PARK ADDITION
LCVA, LLC
REC#1504579
MAR 26, 1999

PART OF
SECTION 31, T22S, R2E
UIRC-GSA VII LAS CRUCES
DVR NM, LLC
REC#2006397
MAR 11, 2020

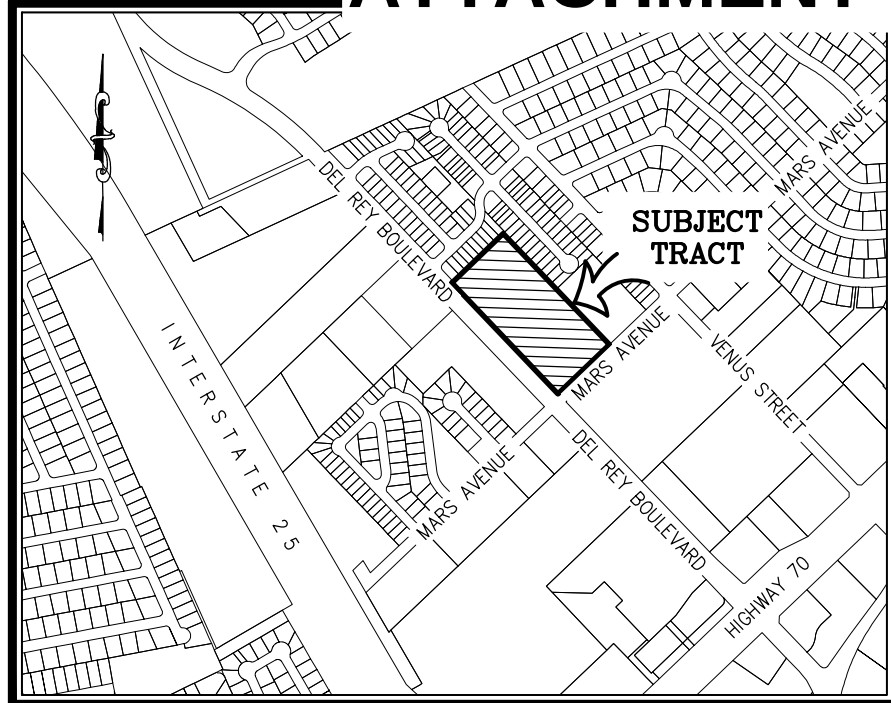
PART OF SECTION 31 &
SECTION 32, T22S, R2E
HERST/WOLFE, LLC.
REC#9621981
SEPT 30, 1996

M. BOYCE TRACTS
BEING A 7.00 ± ACRE REPLAT OF A TRACT OF LAND
LOCATED IN SECTIONS 31 & 32 T22S, R2E, NMPM;
WITHIN THE CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO
SCALE: 1" = 80'
JULY 08, 2025



LEGEND

- SUBJECT TRACT BOUNDARY LINES & CORNER; MONUMENTS INDIVIDUALLY DESCRIBED
- NEW BOUNDARY LINES AND CORNER; SET #5 STEEL REBAR W/ PLASTIC YELLOW CAP NMPLS #5983
- S.I.R. SET #5 STEEL REBAR W/ PLASTIC YELLOW CAP NMPLS #5983
- SHADED AREA DENOTES TRACT 'A' - SEE NOTE No.8
- R/W RIGHT-OF-WAY
- MEASUREMENTS OF RECORD



VICINITY MAP NOT TO SCALE

CITY PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CHECKED BY THE CITY OF LAS CRUCES PLANNING AND ZONING COMMISSION. IT CONCURS WITH THE EXPANSION OF EXISTING UTILITIES AND THOROUGHFARES AND IS IN ACCORDANCE WITH GENERAL CITY PLANNING AND IS APPROVED FOR FILING WITH THE COUNTY CLERK.

CHAIRMAN _____ DATE _____
SECRETARY _____ DATE _____

CITY OF LAS CRUCES APPROVALS

THIS PLAT IS APPROVED BY THE CITY OF LAS CRUCES, AND ALL THE REQUIREMENTS FOR APPROVAL OF THE PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES, SUBJECT TO ANY AND ALL CONDITIONS REQUIRED BY THE PLANNING AUTHORITY FOR APPROVAL OF THIS PLAT.

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

UTILITY APPROVALS

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE UTILITY SERVICE BY THE UNDERSIGNED UTILITY COMPANIES TO THE SUBDIVISION.

EL PASO ELECTRIC COMPANY

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO EL PASO ELECTRIC COMPANY, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION AND MAINTENANCE OF (UNDERGROUND) (OVERHEAD) (UNDERGROUND &/OR OVERHEAD) (UNDERGROUND & DESIGNATED OVERHEAD FEEDER) ELECTRICAL FACILITIES.

_____ DATE: _____

COMCAST CABLE COMMUNICATIONS INC.

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO COMCAST CORPORATION, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION OF (UNDERGROUND) (OVERHEAD) (UNDERGROUND &/OR OVERHEAD FEEDER), (UNDERGROUND & DESIGNATED OVERHEAD FEEDER) CABLE/TELEVISION/INTERNET UTILITIES.

_____ DATE: _____

Qwest Corporation, d/b/a/ CenturyLink QC
TELEPHONE COMPANY

EASEMENTS SHOWN HEREON, COPIES OF WHICH HAVE BEEN PRESENTED TO THE ABOVE TELEPHONE COMPANY, ARE SATISFACTORY TO MEET THE NEEDS FOR INSTALLATION AND MAINTENANCE OF (UNDERGROUND) (OVERHEAD) (UNDERGROUND &/OR OVERHEAD), (UNDERGROUND & DESIGNATED OVERHEAD FEEDER) TELEPHONE FACILITIES.

Qwest Corporation d/b/a CenturyLink QC

_____ DATE: _____

Qwest Corporation, d/b/a/ CenturyLink QC DISCLAIMER

THIS PLAT IS APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE TELEPHONE SERVICE TO THE SUBDIVISION.

PLAT NOTES:

- THE SUBDIVIDER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUB-OUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO THIS LOT AND (B) COMPLIANCE WITH ALL APPLICABLE UTILITY STANDARDS.
- ALL BOUNDARY CORNER MONUMENTS ARE INDIVIDUALLY DESCRIBED.
- DRIVEWAY & PARKING PLACEMENT TO BE IN CONFORMANCE WITH THE CITY OF LAS CRUCES DESIGN STANDARDS.
- SUBJECT PROPERTY LIES WITHIN AREAS DETERMINED TO BE WITHIN AREAS OF MINIMAL FLOOD HAZARD, AS SHOWN ON FEMA FIRM #35013C1082G, EFFECTIVE JULY 6, 2016.
- LOTS WITH ON-LOT POND ICON (P) SHALL RETAIN EXCESS STORM DRAINAGE RUN OFF ON-SITE BY ON-LOT PONDS. POND CONSTRUCTION AND MAINTENANCE IS THE RESPONSIBILITY OF THE INDIVIDUAL LOT OWNER
- THE PURPOSE OF THIS REPLAT IS TO CREATE LOT 1, LOT 2 AND TRACT "A" BY ADDING THE LINES SHOWN HEREON.
- LOTS LOCATED AT STREET INTERSECTIONS SHOWN WITH THE (CST) ICON WILL BE SUBJECT TO CLEAR SITE TRIANGLE REGULATIONS.
- TRACT "A" AS SHOWN HEREON IS HEREBY DEDICATED TO THE CITY OF LAS CRUCES FOR PUBLIC RIGHT-OF-WAY. MAINTENANCE IS THE RESPONSIBILITY OF THE CITY OF LAS CRUCES

SURVEYOR'S CERTIFICATION

I, LARRY O. UNDERWOOD, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF NEW MEXICO, THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION FROM FIELD NOTES OF AN ACTUAL SURVEY, AND THAT IT MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS PLAT AND SURVEY IS A SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

LARRY O. UNDERWOOD NMPEPS NO. 5983

DATE



LIBBIN UNDERWOOD
ENGINEERING & SURVEYING
430 W. AMADOR AVE LAS CRUCES NM 88001 (505) 647-4329
PROJECT: 222 | DRAWN BY: CRF | SHEET 1 OF 1



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 20, 2025, at 9:00 a.m. in Room 1158.

DRC PRESENT: David Weir, Deputy Director Community Planning
Sara Gonzales, Interim Deputy Director
Adam Ochoa, Senior Planner
Rocio Nasir, Senior Engineer, Utilities
Michael Danner, CLC Fire
Katherine Harrison-Rogers, Plan & Construct Admin, Parks
William Bass, Senior Engineer
Susan Reeder, Associate Engineer

STAFF PRESENT: John Castillo, Planner, Community Development

OTHER PRESENT: Anton Magallanez, Moy Surveying
Kent Thurston, KT Homes
Adrian Renteria, AE Engineering
Zack Libbin, Libbin Underwood Engineering
Terry Boyce, President of Boyce Tracts
Caitlin Frugoli, Libbin Underwood Engineering

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

Weir: Okay, we're going to call the August 20, 2025 Development Review Committee meeting to order. We have representatives of all departments except Public Works. And my understanding is they're on their way. But we do have a quorum, so we'll go ahead and start.

2. APPROVAL OF MINUTES

2.1 May 7, 2025

Weir: First order of business today is to approve the minutes of the DRC from May 7, 2025. Have all had an opportunity to look at those? Or is anyone comfortable with making a motion to adopt?

Gonzales: I make a motion to approve.

Weir: Okay. Do I have a second?

Nasir: Second.

1
2 Weir: Okay, I'll just do a voice vote. All those in favor, say "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Weir: All those opposed.

7
8 Harrison-Rogers: I abstain since I wasn't here. I'm going to abstain.

9
10 Weir: Okay.

11
12 Harrison-Rogers: Okay, thanks.

13
14 Weir: Okay. Minutes have been approved, 3-0-2.

15
16 **3. NEW BUSINESS**

17
18 **3.1 Case No. 24CS0500036: Hacienda Acres Replat No. 9**

- 19
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- A request for approval of a non-administrative replat, known as Hacienda Acres Replat No. 9.
 - The proposed subdivision is currently approximately 0.864 acres in size, is zoned NH-3S (Neighborhood 3 Suburban) and located on the south side of Bataan Memorial East, approximately 450 feet east of its intersection with Hacienda Avenue, a.k.a. 6975 Reynolds Drive.
 - The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are equally divided and approximately 0.423 acres in size.
 - Submitted by Moy Surveying, Representative.

29 Weir: Okay. We'll go on to new business. The first item on the agenda is Hacienda Acres, replat No 9. Community Development. Do you have an overview or presentation you'd like to make?

30
31
32
33 Gonzales: Sure. This is a replat for a non-administrative replat, which is going from one lot to two lots. It is Hacienda Acres, replat no. 9. The property is currently 0.864 acres in size and is being subdivided equally to accommodate 0.0432 acres in size for each lot. They are zoned NH-3 Suburban under Realize Las Cruces. It is located on the south side of Bataan Memorial East, in which they would not have access to. However, they will be having entrance off of Reynolds Drive, which is about 450 feet east of its intersection with Hacienda Avenue. Staff did sent it out for review. There were no pending comments as far as any approve with conditions or contingencies moving forward onto the plat.

34
35
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42
43
44 Weir: Okay. Does Moy Surveying have anything they would like to present or add to the report?

1 Steve: I think I just wanted some clarification on that park impact fee, just because
2 I'm not as familiar with it with now the changes to it. So if we can talk a little
3 bit about that.
4

5 Harrison-Rogers: The fee in lieu or the park impact fee?
6

7 Steve: Both.
8

9 Harrison-Rogers: Okay. All right. So if you'd like some clarification, I can try to do it for
10 you.
11

12 Steve: Sure.
13

14 Harrison-Rogers: So there are two different things. There's a park dedication and
15 improvement or fee in lieu.
16

17 Steve: Okay.
18

19 Harrison-Rogers: And in a case like this, of course, you can't dedicate park, right. And
20 then there's a park impact fee. The way the park impact fees were adopted
21 this year, it excludes neighborhood parks simply because of now that
22 dedication or that fee in lieu. So when the equation was done, it was
23 assuming facility types that were aquatics, specialty facilities, regional
24 parks, community parks, not neighborhood parks. So at the time of building
25 permit, a fee in lieu is still applicable to the homes. Now, those are sliding
26 scale now. So if it's a smaller home, the fee actually went down. If it's a
27 larger home, the fee probably went up. And so that'll be due at the time of
28 building permit for the house.
29

30 Now, because you can't build a neighborhood park or dedicate land towards
31 a neighborhood park in this particular case, there is a fee in lieu. That
32 particular, when we did the calculation, because we're looking at the new
33 lot being added, not the old lot, right. And it comes to a really, really small
34 acreage amount. It would be .00732 acres to be dedicated for this particular
35 type of lot split.
36

37 Steve: 0.00732 is a calculated park that we would have had to have dedicated.
38

39 Harrison-Rogers: Yes, which is ridiculous.
40

41 Steve: Which we don't want, so we would do fee in lieu anyway.
42

43 Harrison-Rogers: Yes, exactly. And so based on that calculation and looking at the
44 current cost of land and average cost to build a park per acre, that fee is
45 \$3,718.56. Now, Sara did indicate to me that this particular project was
46 submitted in advance of the adoption of Realize.

1
2 Gonzales: Correct.

3
4 Harrison-Rogers: So this particular case, it's kind of a moot point because of the timing of
5 when you submit it. So for at least replant number nine, as I understand it
6 from the submittal date that Sara indicated, you are not subject to that.

7
8 Steve: So we're not subject to fee in lieu, but of course we are subject to the park
9 fee for the permit when they build the home.

10
11 Harrison-Rogers: Exactly. Exactly. But anything else that was submitted at a later date
12 that falls under Realize, they're subject to that fee in lieu and the park impact
13 fee.

14
15 Steve: Even if Realize is in effect but are still using to, we know we have that
16 Realize date, but we have an eight month or whatever transition period. So
17 even if we're electing to use the prior code, if Realize was already in effect
18 we're still subject to fee in lieu.

19
20 Harrison-Rogers: If you're using the prior code, I think the determination was that you're
21 not subject to the fee in lieu.

22
23 Steve: Even if it's after the Realize date of the submittal?

24
25 Harrison-Rogers: I don't know. Sara.

26
27 Gonzales: What it would mean is if you're using the prior code, you have to have
28 everything approved and basically completed before December 31st.
29 Starting January 1, there would be nothing under the previous code.

30
31 Steve: Okay.

32
33 Gonzales: Everything has to be in effect. So in this case development on this property
34 would take place within probably Realize Las Cruces. We have no
35 development plans, and so we're moving it forward. However, the submittal
36 date will allow it to not have that park dedication being required.

37
38 Steve: But for instance, anything, again hypothetically I recognize, but anything
39 submitted today could still be using the old plan, but everything would have
40 to be completed by 2025 to then not have a park dedication...

41
42 Gonzales: Correct.

43
44 Steve: Fee or park dedication requirement.

45
46 Weir: My understanding is that your plat would need to be filed by January 1st.

1
2 Steve: Yes, and final plat. Therefore, we'd have to have everything completed.
3
4 Weir: So, yes any plat afterwards. Just a point of order, Katherine and Steve. So
5 this fee in lieu, would that need to be collected at the time we were having
6 the plat recorded?
7
8 Harrison-Rogers: Yes.
9
10 Weir: And so the impact fee would still be collected with the building?
11
12 Harrison-Rogers: Correct.
13
14 Weir: Because the fee in lieu with the plat.
15
16 Harrison-Rogers: Because the fee in lieu is tied specifically to the subdivision.
17
18 Weir: Okay. All right.
19
20 Steve: So that's just the fee that would be assessed. However, we're not going to
21 be assessed on this because of the plat submission date. And then if it was
22 after the date, we'd have to have everything done before. I got it. So yes,
23 kind of park dedication or fee in lieu doesn't have impact to this, but we will
24 be subject to a new park fee for each lot at the time of (*inaudible*).
25
26 Harrison-Rogers: Yes.
27
28 Steve: That helps.
29
30 Harrison-Rogers: Okay.
31
32 Weir: Okay. Anything else? Any questions? Departments, anything that you'd
33 like to comment on that or anything else? If that's the case, I'll go ahead
34 and entertain a motion to approve Hacienda Acres replat number nine
35 subdivision. Do I have a motion?
36
37 Nasir: So moved.
38
39 Weir: Do I have a second?
40
41 Danner: Second.
42
43 Weir: Okay. I'll go ahead and take a roll this time. Public works.
44
45 Bass: No comments.
46

1 Weir: This would be the vote to approve.

2
3 Bass: Yes.

4
5 Weir: Yes. Okay. Community development votes yes. Utilities.

6
7 UTILITIES UNKNOWN: Yes.

8
9 Weir: Fire.

10
11 Danner: Yes.

12
13 Weir: Parks and Rec.

14
15 Bingham: Yes.

16
17 Weir: Okay. DRC is recommending approval to the Planning and Zoning
18 Commission for this subdivision.

19
20 **3.2 Case No. 25CS500057: Hacienda Acres Replat No. 10**

- 21 • A request for approval of a non-administrative replat, known as
22 Hacienda Acres Replat No. 10.
23 • The proposed subdivision is currently approximately 0.914 acres in size,
24 is zoned NH-3S (Neighborhood 3 Suburban) and located on the south
25 side of Bataan Memorial East, approximately 300 feet east of its
26 intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive.
27 • The subdivision proposes subdivide one (1) existing lot into two (2) new
28 lots that are approximately 0.460 and 0.454 acres in size.
29 • Submitted by Carter Surveying and Mapping LLC, Representative.

30
31
32 Weir: Next item of business is Hacienda Acres replat number 10 subdivision.
33 Community Development, do you have a review?

34
35 Magallanez: I'm sorry, is that Zach Libbin. I can let him know to come in.

36
37 Gonzales: Carter's not here.

38
39 Magallanez: Oh, okay. Carter.

40
41 Harrison-Rogers: Now Sara, this one was submitted after though, correct.

42
43 Gonzales: Submitted after it. The question would be though is they still have the right
44 to use old code up until December 31st.

45
46 Harrison-Rogers: Okay.

1
2 Gonzales: Yes. I would see that as being assembled. So this is going to be Hacienda
3 Acres replat number 10. This is adjoining, essentially adjacent to the lot
4 that we just discussed at 6955 Reynolds Drive. It is also a non-
5 administrative replat subdividing the lots from one to two. It is also zoned
6 NH-3 Suburban within Realize Las Cruces, located on the south side of
7 Bataan. This property is about 300 feet east of its intersection from
8 Hacienda Avenue. This went through the review process as well. There
9 were no pending comments or approved with conditions.

10
11 Weir: Sara, just a point of order. Does the applicant need to be present before
12 we can act?

13
14 Gonzales: The applicant was on their way, however, something came up and had to
15 turn back around. There were no comments extended from the applicant
16 as the application has gone through with full approval. So there was nothing
17 additional to add in.

18
19 Harrison-Rogers: Mr. Chair. Can I ask a point of clarification from Sara? So in this
20 particular case they would be subject to the fee in lieu if they don't get this
21 recorded by January 1?

22
23 Gonzales: Correct. I would say for the record, if the plat does come in, if they can file
24 it by December 31st, then they would not be subject to the fee. If we receive
25 the application after, then they are subject to that fee if it's filed after January
26 1.

27
28 Harrison-Rogers: So as part of the discussion related to this, I would recommend then a
29 condition that based on the timing of when the plat gets recorded, if they
30 passed the date, as you indicated, they would be subject to a \$3,718.56 fee
31 in lieu.

32
33 Weir: Katherine, can you repeat that?

34
35 Harrison-Rogers: \$3,718.56.

36
37 Weir: Thank you.

38
39 Harrison-Rogers: Thanks.

40
41 Gonzales: For staff, so noted. I will put the condition upon that as well as the staff
42 report going to P&Z.

43
44 Harrison-Rogers: Okay.

1 Gonzales: So that way there is an understanding that that fee would be required if it is
2 filed after December 31, 2025.

3
4 Weir: Okay. Any other departments have any questions regarding this
5 subdivision plat? Hearing none. I guess I'll first take a, let's see probably a
6 motion for the condition. Does the DRC have a motion?

7
8 Harrison-Rogers: I move to approve this particular case with the condition as stated
9 previously.

10
11 Gonzales: Second.

12
13 Weir: I'll go ahead and do a roll vote again. Public Works.

14
15 Bass: Yes.

16
17 Weir: Community Development. Yes. Utilities.

18
19 Nasir: Yes.

20
21 Weir: Fire

22
23 Danner: Yes.

24
25 Weir: And Parks and Recreation.

26
27 Bingham: Yes.

28
29 Weir: Okay, so again the DRC is then recommending approval of the Hacienda
30 Acres Replat No. 9 subdivision with a condition relative to the fee in lieu and
31 date of filing the plat. Okay, I will leave the message and turn chairing over
32 to Sara.

33
34 **3.3 Case No. 25CS0500021: Mesa Crossings Subdivision Preliminary Plat**

- 35 • A request for approval of a preliminary plat known as Mesa Crossings
36 Subdivision.
37 • The proposed subdivision encompasses approximately 20.468 acres, is
38 zoned NH-1S (Neighborhood 1 Suburban) and is located on the
39 southeast corner of Mesa Grande Drive and Peachtree Hills Road.
40 • The subdivision proposes 89 single-family residential lots and 5 tracts
41 that will be utilized for drainage and right-of-way dedication.
42 • The subdivision is proposing an alternate cross-section for Peachtree
43 Hills Road and an alternative turn-around road design for two internal
44 roads.
45 • Submitted by Libbin Underwood Engineering & Surveying,
46 Representative.

1
2 Gonzales: Okay, so we'll move on to Case No. 3.3, which is Mesa Crossing
3 Subdivision Preliminary Plat. I will turn to Community Development staff.
4

5 Ochoa: Thank you, Chair. Next case is Case 25CS0500021. It is a request for
6 approval of a preliminary plat known as Mesa Crossing Subdivision. The
7 subdivision itself encompasses approximately 20.468 acres in size. It is
8 Zone NH-1S, Neighborhood 1 Suburban. And located in the southeast
9 corner of Mesa Grande Drive and Peachtree Hills. Subdivision proposes
10 89 single-family residential lots in five separate tracts. That will be utilized,
11 a couple for drainage and three for right-of-way dedication, and I believe for
12 trail development as well.
13

14 The subdivision will also proposed, along with this DRC will be reviewing
15 alternate cross sections for Peachtree Hills, as well as alternate turnaround
16 road designs for two internal roadways proposed by the subdivision. This
17 did go out for review. All reviewing parties had recommended approval,
18 some with conditions. I believe engineering had a couple conditions, as
19 well as potentially other departments. I'll let them speak on those
20 conditions, if they had any. This was submitted by Libbin Underwood
21 Engineering. That concludes my presentation, and the applicant is here for
22 any questions for clarification.
23

24 Gonzales: Okay, so I will go ahead and go to staff first, and then have the applicant
25 respond to any other comments or conditions that were in place. I will start
26 with Public Works/Engineering. We'll go with Public Works first.
27

28 Bass: So, just based on our comments, that could address the pavement profile.
29

30 Ochoa: Sure. I could clarify that for you, Will. Thank you for that. So Public Works
31 was comfortable with the alternate cross section on Peachtree Hills with the
32 change of the actual pavement cross section to provide a three-inch asphalt
33 on an eight-inch base core on that Peachtree Hills. They were fine with the
34 cross section. It was just that change that Public Works was requesting.
35 So is the applicant good with that?
36

37 Libbin: Yes.
38

39 Gonzales: Okay.
40

41 Ochoa: Perfect.
42

43 Gonzales: Then so that would meet the needs of Public Works. I would go to
44 Engineering for any of their contingencies that are left onto the
45 development.
46

1 Reeder: Okay, so for Engineering, we approved with contingency. Drainage is going
2 to be reviewed and addressed as the permitting process moves forward. If
3 there's any layout changes, we don't know what's going to change with
4 drainage. So we have that initial drainage report. We're going to move
5 forward with that for right now. And we'll address any comments as we
6 move forward. For Transportation, for the dead ends, they need to be
7 approved or denied here. We were going to defer to Fire. If Fire is okay
8 with it, Engineering is okay with it.
9

10 Thurston: We're just talking about the two dead ends and the bottom left, bottom right?
11

12 Reeder: Yes, sir.
13
14

15 Thurston: Okay. What is the, do you have the distance on those? I know they're less
16 than 150 feet so. We're good.
17

18 Reeder: And then our last comment for Transportation was that the TIA needs to be
19 completed and submitted prior to filing the final plat. Okay. We want to get
20 this done sooner rather than later because it is a 30 working day review
21 cycle, so that's six weeks. The sooner we get that in and get it approved,
22 then the sooner we know what mitigation needs to be completed, if any, for
23 the subdivision before we go in for design and final plat submittal and
24 construction submittal.
25

26 Thurston: Okay.
27

28 Reeder: Okay.
29

30 Gonzales: Okay.
31

32 Thurston: Susan, I have a question about that, just real quick.
33

34 Reeder: Yes.
35

36 Thurston: Is a draft acceptable? The engineer that did the TIA provided the draft for
37 submittal for review, but do you want it stamped or do you want the draft
38 reviewed?
39

40 Reeder: We have to go through a whole TIA process, so that's a separate permit
41 process, actually. It'll come through Accela, I will route it out to
42 Transportation or Traffic Administration upstairs. They will conduct their
43 review, give back comments, and then we'll have that back and forth trying
44 to make sure all those mitigations are addressed. So we need to go through
45 that process separately. So I know that the draft is in there right now. If

1 you want I can forward that to Sue for a courtesy review. But we want to
2 get a full stamp set like done as soon as possible.
3
4 Thurston: Great.
5
6 Reeder: All right. And it should be under Realize a Tier 1 TIA, so if you haven't
7 gotten with Sue already, I would recommend doing that so you can get your
8 scoping done.
9
10 Thurston: Yes, he did get Sue on it for the scoping.
11
12 Reeder: Okay. Thank you.
13
14 Gonzales: Parks and Recreation.
15
16 Harrison-Rogers: Sure. so the developer worked with us to come up with a solution for
17 park dedication related to this. It was a trail, a multi-use trail along
18 Peachtree in the sort of same design as we've seen sort of further towards
19 Metro Verde. It'll help ultimately connect that hopefully in the next couple
20 of years. It does exceed the required acreage as per my calculations. And
21 so, in so long as we receive any landscaping plans or irrigation plans to
22 coincide with this during construction, that's all we need.
23
24 Gonzales: Okay. And Utilities.
25
26 Nasir: Utilities, we have no issues with this. I did the review for the master plan,
27 for Utilities master plan, and the connections for water, sewer, and gas were
28 there.
29
30 Gonzales: Okay. Fire Department?
31
32 Danner: No comments.
33
34 Ochoa: And just for point of clarity for Fire, the one cross section which is Holden
35 Lane is about 110 feet deep. And the one for Mesa Crossing Street is about
36 83 feet deep.
37
38 Thurston: Yes, anything less than 150 will get.
39
40 Ochoa: Perfect.
41
42 Nasir: So they're not going to be on the streets, right. They're going to be dead
43 ends.
44
45 Ochoa: They're dead ends, yes ma'am.
46

1 Gonzales: Okay. Any other comments from the applicant or any other comments from
2 staff? Okay, so I would entertain a motion for approval of the Mesa Crossing
3 subdivision preliminary plat.
4

5 Ochoa: Point of order. I'm sorry, point of order. Can we do two separate votes, one
6 for Mesa Crossing itself, the subdivision, and one for the alternate cross
7 sections.
8

9 Gonzales: Okay. So we will start with the cross section because that will ultimately
10 lead into your preliminary plat. So I will take a motion for the alternate cross
11 section being proposed by the applicant.
12

13 Danner: So moved.
14

15 Gonzales: Do I have a second?
16

17 Reeder: Seconded.
18

19 Gonzales: Okay, I will just do around the room is all in favor say "aye."
20

21 MOTION PASSES UNANIMOUSLY.
22

23 Gonzales: Any opposed? Okay, so approval of the alternate cross section as it does
24 get approved through the DRC. So now we'll move on to the Mesa Crossing
25 subdivision preliminary plat. May I get a motion for the preliminary plat?
26

27 Danner: So moved.
28

29 Gonzales: And a second?
30

31 Ochoa: Second.
32

33 Gonzales: Okay. All those in favor.
34

35 MOTION PASSES UNANIMOUSLY.
36

37 Gonzales: Any opposed? Okay, so the preliminary plat moves forward also with
38 approval recommended by DRC.
39

40 **3.4 Case No. 22CS0500007: M Boyce Tracts**

- 41 • A request for approval of a non-administrative replat known as M. Boyce
42 Tracts.
- 43 • The proposed subdivision encompasses approximately 7.00 + acres, is
44 zoned NH-3.S (Neighborhood-3 Suburban) and located at 3300 Del Rey
45 Avenue.

- The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are 2.87 ± and 3.84 ± acres in size.
- Dedication of Del Rey Boulevard and Mars Avenue is provided, and the applicant seeks to waive improvements.
- Submitted by Libbin Underwood Engineering and Surveying, Representative.

Gonzales: Okay, so I will go ahead and hear 3.4 which is M. Boyce tracts. And go to Community Development staff.

Castillo: Thank you. So today we have case number 23CS0500007 also known as the M Boyce tracts. This is a request for a non-administrative replant. The proposed subdivision encompasses approximately seven acres. It is zoned NH-3 S which is our neighborhood three suburban and it's located at 3300 Del Rey Avenue. It's at the intersection of Del Rey and Mars. The subdivision, the subdivision proposes to subdivide the existing lot into two new lots which range from 2.87 acres to 3.84 acres in size. They will be providing dedication of Del Rey Boulevard and Mars Avenue. But the applicant does seek to waive the improvements that would be required based on the subdivision's requirements.

Gonzales: Okay. Is there anything the applicant would like to add additionally?

Boyce: No, I don't think so. I think John covered it pretty well.

Gonzales: Okay, so then we'll just go around the room. I will look to Public Works. Any additional comments?

Bass: Public Works has no comments.

Gonzales: Okay. Fire Department.

Danner: No comments.

Gonzales: Utilities.

Nasir: I've been working with the surveyor about finding out where the sewer connection is at. Because there's no sewer along Del Rey Boulevard. It's only sewer along Mars. So I am assuming that that's where it's connected. And we would like to have a dedication from lot to lot about having that sewer line there. Our jurisdiction will end at the property line, but we would like to have from the daycare lot to the other lot to have that easement between each lot. So in case it breaks or needs to be repaired, they'll be able to do it.

Agenda Item #7.3.

1 Gonzales: Okay. Are there any concerns from the applicant? Is that feasible as far as
2 providing a utility easement to allow the sewer to be extended through Lots
3 1 and Lots 2?
4
5 Libbin: That's fine. No problem with an easement.
6
7 Gonzales: Okay. Any other comments from Utilities?
8
9 Nasir: We also have a gas line main along the back side of the property and a
10 hydrant, an 8-inch line where the daycare is at. Right at the property border,
11 so we would like to have easements for those too. And those will be
12 easements for CLC.
13
14 Gonzales: Okay. So I turn to the applicant once again to see if there's any concerns
15 with the existing lines or fire hydrants to provide those easements as well,
16 so that way they're designated and located.
17
18 Nasir: That is correct. If it's not already out there. I'm not sure if - I couldn't find
19 an easement for the fire hydrant or the two-inch gas line. But if it's not, then
20 we would like to have easements because those are our mains.
21
22 Gonzales: Okay.
23
24 Libbin: I'm sorry, I'm not quite clear. What do you need for the gas line?
25
26 Nasir: So there is a gas line on the back side of the property.
27
28 Libbin: Yes.
29
30 Nasir: And it, I don't know why it was ran, but it was there.
31
32 Libbin: Right.
33
34 Nasir: Either the, if you're not going to need it, we can vacate it.
35
36 Libbin: No, that gas line goes to the building.
37
38 Nasir: That's what needs to be, we need to have an easement for that.
39
40 Libbin: Okay.
41
42 Nasir: And then the same thing for the fire hydrant.
43
44 Libbin: Okay. Yes. No problem.
45
46 Nasir: Thank you.

1
2 Gonzales: Okay. Any other comments from Utilities?

3
4 Nasir: No.

5
6 Gonzales: Okay. Parks and Recreation.

7
8 Harrison-Rogers: So a question for you, Sara. I just need to understand whether or not
9 this was proposed under the old versus new code to determine whether or
10 not the fees in lieu are applicable.

11
12 Gonzales: Based on the application it was submitted in 2023. Because of the time
13 frame it's taken to go through and understand essentially the dedication and
14 the waiving of the improvements, it would be following our previous code.

15
16 Harrison-Rogers: Okay.

17
18 Gonzales: The reason we are writing our reports to move forward with Realize is
19 understanding that the development of these properties will probably take
20 place under Realize Las Cruces. So that would be the difference between
21 these properties.

22
23 Harrison-Rogers: Okay. All right. So with that then unless this particular development
24 gets delayed, similar to how we spoke of it before, they wouldn't be subject
25 to the fee in lieu. However, if the development does get delayed and they
26 stumble into being required to follow the new code, they would be subject
27 to a \$3,718.56 fee in lieu for the dedication and development of a park.

28
29 Gonzales: Okay. So in that case the applicant, what that means is if the application or
30 the subdivision, once it goes through the Planning and Zoning Commission,
31 this is scheduled for next month. If the application or the subdivision is not
32 filed by December 31st, then it would be subject to the park impact fees
33 based on the time frame in which we would now be under Realize Las
34 Cruces.

35
36 Harrison-Rogers: Fees in lieu. Point of clarification, fees in lieu, not park impact fees.
37 Park impact fees are a separate and distinct thing.

38
39 Gonzales: Yes.

40
41 Libbin: Okay.

42
43 Gonzales: Any other comments by staff? Okay, seeing none. I would accept a motion
44 to approve with conditions similar to our previous case where we condition
45 it as if the plat has not been filed by December 31st, then it is subject to the

park dedication fee in lieu of. Can I get a motion for approval with the conditions?

Danner: So moved.

Gonzales: And a second.

Nasir: Second.

Gonzales: Okay. All those in favor, please signify by saying "aye."

MOTION PASSES UNANIMOUSLY.

Gonzales: Any opposed? Okay, so motion passes and moves forward to P&Z with a recommendation of approval.

3.5 Case No. 23CS0500095: Lujan Tracts

- A request for approval of a non-administrative replat known as Lujan Tracts.
- The proposed subdivision encompasses 2.05 + acres, is zoned REM (Residential Estate Mobile) and located at 6401 Jefferson Lane.
- The subdivision proposes to subdivide one (1) existing lot into three (3) new lots that range in size from 0.420 ± to 1.050 ± acres in size.
- Submitted by Libbin Underwood Engineering and Surveying, Representative.

Gonzales: Okay, so we are now moving on to case 3.5 and 3.6. I would like to suspend the rules and hear those together as they do basically pertain to one another. It is Lujan Tracts that is coming in with a road improvement waiver. The waiver is subject to going through City Council's process. The reason it's going through City Council's process is because the zoning designation in which is proposed is following REM standards. There is an accessory building that would be on a separate lot by itself, which is not allowed in Realize Las Cruces as part of the permission. So we are going through the waiver process through City Council for this one. And so I will turn to staff to hear Lujan Tracts and the improvement waiver.

Castillo: So today we have two cases. Case number 23CS0500095, also known as Lujan Tracts. And then we have case number 24CS400008, which is a Lujan Tracts road improvement waiver. So the Lujan Tracts is a request for approval of a non-administrative replat. The property is currently zoned REM, which is a residential estate mobile, and encompasses 2.05 acres in size. And it's located at 6401 Jefferson Lane.

The subdivision proposes to subdivide the existing lot into three new lots that range in size from 0.420 acres to 1.050 acres in size. The property has

dedicated right-of-way along Poose Creek, and will dedicate right-of-way for Pecan Lane, which is just north of the subdivision. At this time, the applicant is requesting to waive improvement to Pecan Lane. Poose Creek has been dedicated to the city, and the city has accepted it back in I believe 1996, or no, I'm sorry, 2004.

Gonzales: Okay. Just to do a point of clarification. In discussing it with the applicant, because Poose Creek was done in 2004, that was one of the conditions that had prolonged the process, because Poose Creek would have required improvements. However, with the city requesting that dedication back in 2004, the improvements would now be on to the city to actually implement. Jefferson Lane has also improved. It has already been improved to the dedication standards, and that's why the request is only for the improvements to Pecan Lane. It is a 50-foot road easement currently. Twenty-five feet would be dedicated to the city. So the understanding would be is improvements are very difficult to implement on a 25-foot road that we cannot maintain when it needs to be 50 feet wide. Just for clarification. And so I would go through Public Works. Any comments or concerns?

Bass: No comments.

Gonzales: Fire Department.

Danner: No comments.

Gandara: Utilities.

Nasir: No issues with the road improvements.

Gonzales: Parks and Recreation.

Harrison-Rogers: No issues with the road improvements.

Gonzales: Anything from Engineering?

Reeder: No.

Gonzales: Okay, so moving with that one, I would entertain a motion for Lujan Tracts. We will separate these ones out, as this does have to get separate votes through City Council and the Planning and Zoning Commission. So I will start with the road improvement waiver for Lujan Tracts. May I get a motion for approval?

Frugoli: I'm sorry, before we—I just have a question real quick. Just before we move any further forward, I did discuss with the property owner. He's not here today, but I discussed with him potentially just doing two lots. So I just want

1 to throw that out there in case that changes anybody's thoughts about
2 anything at all. So he would probably just remove that northmost division
3 line, the new one. He would probably just remove that one and split it into
4 two lots instead.

5
6 Gonzales: So I would say this is going to hold to the same standard as we have
7 previously indicated on the other plats, and that would have to be
8 determined as to what that park dedication fee would be. And so with
9 changing those, just because this right now is currently with an accessory
10 building as it is by itself, it is still a non-administrative replat. We would still
11 process it through P&Z. You're allowed to reduce the number of lots
12 administratively if they choose to or through that process. With us moving
13 forward though, it would be the understanding that the final plat would need
14 to be filed prior to December 31st in order to not be subject to the park
15 dedication fees.

16
17 Frugoli: Okay. Thank you.

18
19 Gonzales: And so I will still go back to the road improvements, as those are still a
20 requirement, regardless if it is a one-to-three or a one-to-two lot subdivision.
21 So I will entertain a motion for the improvement waiver.

22
23 Danner: So moved.

24
25 Gonzales: And a second.

26
27 Reeder: Second.

28
29 Gonzales: Okay. All those in favor signify by saying "aye."

30
31 MOTION PASSES UNANIMOUSLY.

32
33 Gonzales: Any opposed? No. Okay. So seeing that, the waiver will move forward to
34 Planning and Zoning Commission as well for recommendation to City
35 Council.

36
37 **3.6 Case No. 24CS0500008: Lujan Tracts Road Improvement Waiver**

- 38 • A request to waive the required improvements to Pecan Lane for a non-
39 administrative replat known as Lujan Tracts.
- 40 • Dedication of Pecan Lane is being provided through the non-admirative
41 replat.
- 42 • The City of Las Cruces Desing Standards Section 32-36.B states: A
43 subdivider shall be responsible for 100% of the street improvements
44 within the boundaries of the subdivision.
- 45 • Submitted by Libbin Underwood Engineering and Surveying,
46 Representative

1
2 Gonzales: I would move to Lujan Tracts. This is where the condition will be placed on
3 the final plat essentially being approved and filed prior to December 31st in
4 order to not be subject to the parkland dedication fees. Those were not
5 discussed. Those have not been determined as to what that fee would be,
6 but we would work with the applicant and let them know those fees prior to
7 the Planning and Zoning meeting. With that, may I get a motion for the
8 approval with conditions for Lujan Tracts?
9

10 Nasir: I would like, I'm sorry, I forgot that it was going to be discussed together, so
11 I do have a comment for the plat itself, and I've been talking to the applicant,
12 to the surveyor, about the fact that the water is only along Pecan, and they
13 do have a water meter there. And we would like to have an easement from
14 property owner to property owner, again for maintenance of that waterline
15 in case of a break or anything else after the meter.
16

17 Gonzales: Thank you. As the applicant's representative, is that a concern, or is that
18 going to be a problem to receive the easement for the waterline?
19

20 Frugoli: I don't think so.
21

22 Gonzales: Okay.
23

24 Frugoli: I will, I tried to get a hold of the property owner for today, but I will definitely
25 mention that to him, and if anything comes up, I'll contact you immediately
26 and let you know.
27

28 Nasir: And also for future development, the northern parcel, the sewer and gas will
29 have to be extended, because right now it's one parcel and it could have
30 been done right now through service lines, but not anymore at the moment,
31 it breaks. Or the other way around, if it will do something else for the bottom
32 one, they will have to extend the waterline for future development on the
33 southern parcel.
34

35 Gonzales: Okay.
36

37 Nasir: Because the waterline is only along Pecan, and the gas and sewer is only
38 along Jefferson.
39

40 Gonzales: So there's no waterline along Poose Creek or Jefferson that actually
41 currently services the home that's located on Lot 1?
42

43 Nasir: That is correct. That's why I'm asking for an easement from lot to lot.
44

45 Gonzales: Okay.
46

1 Nasir: Because the water right now is connected on Pecan, and the meter is on
2 Pecan.

3
4 Gonzales: Okay.

5
6 Nasir: And the rest is, it will be an easement from Lot 1 to Lot 2, or whatever lot
7 will be.

8
9 Gonzales: Okay. So yes, that would be subject to the easement in order to actually
10 get the services basically extended.

11
12 Nasir: And we don't need that easement to be dedicated to Las Cruces Utilities, it
13 will have to be dedicated from lot owner to lot owner.

14
15 Gonzales: Okay. Any other comments related to the plat?

16
17 Nasir: No. I apologize. I skipped that.

18
19 Gonzales: Okay. So with that I would entertain a motion with the approval of the two
20 conditions that we've now outlined. I would say the conditions of plat being
21 filed by December 31, 2025, for the Parkland Dedication Requirement, or
22 fee in lieu. And the second condition being that the easement for the
23 waterline extension to be dedicated onto the plat as an easement for utility
24 services. I will take a motion.

25
26 Nasir: So moved.

27
28 Gonzales: And a second.

29
30 Danner: Second.

31
32 Gonzales: Okay. All those in favor, please signify by saying aye.

33
34 MOTION PASSES UNANIMOUSLY.

35
36 Gonzales: Any opposed? Okay, this moves forward to the Planning and Zoning
37 Commission for a recommendation for waiver, and then condition for P&Z
38 action for Lujan Tracts as an approval.

39
40 Frugoli: Great. Thank you.

41
42 **3.7 Case No. 24CS0500117: Coyote Run Master Plan**

- 43 • A request for approval of a Master Plan known as Coyote Run
44 Subdivision.
45 • The proposed subdivision encompasses approximately 25.095 acres, is
46 a multi-zoned property with R-1a/R-1b and R-3/R-4/C-2 and located

approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass.

- The master plan proposes to have a mixed-use development with 3.07 ± acres of non-residential land uses and 18.81 ± acres of residential land uses.
- The subdivision will dedicate a 0.406 ± acre tract of land for the expansion of Thurmond Road.
- Submitted by Moy Surveying, Representative.

Gonzales: Okay. We're going to swap people. Last application. Once again, everyone, we are going to hear, or I'd ask to suspend the rules as we do have the Coyote Run. Well, we can go ahead and just keep them separated. We'll go ahead and hear Coyote Run Master Plan first, which is Case 24CS0500117. I will go to staff.

Castillo: Good morning. Today we have a request for approval of a master plan known as Coyote Run Subdivision. The proposed subdivision encompasses approximately 25.095 acres. It's a multi-zone property that contains R-1a, R-1b, R-3, R-4, and C-2. The property is located approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass. The master plan proposes to have a mixed-use development with 3.07 acres of non-residential development and 18.81 acres of residential land use or residential development. The subdivision will dedicate approximately 0.406 acre tract of land for the expansion of Thurmond Road. And this was submitted by Moy Surveying as the representative.

Gonzales: Okay. Is there anything additional the applicant would like to add?

Magallanez: No.

Gonzales: Okay. Then we will go around the room to see if there's any comments or conditions placed onto this. I will start with engineering.

Reeder: Like previous, we're going to move forward with the contingency that drainage is reviewed and addressed as the permitting process moves forward in case there's any layout changes or if there's any flood changes so that we can address those before we have that permit out. And we're not doing any backtracking work.

Gonzales: Okay. Parks and Recreation.

Harrison-Rogers: So this is going to be really similar to some of the other things that we've talked about. We really don't have an issue with the master plan. I know that we had a lot of discussions about this would be a great location for a park. The ordinance related to a previous annexation in this area was

1 reviewed. We actually were told that we can ask for a park, but we can't
2 require a park per that annexation ordinance that required 10 acres. And
3 so with that they are still subject to park impact fees related to individual
4 construction permits. And depending upon when this particular project gets
5 recorded, they may or may not be subject to a fee in lieu for park dedication
6 per Realize Las Cruces, which is a separate and distinct issue from the
7 annexation ordinance that had required some park dedication. Totally
8 distinct and separate. And I've done a down and dirty calculation of that,
9 but I'll talk about that at the preliminary plot rather than the master plan,
10 unless you want to hear it now.

11
12 Gonzales: So I think in the case of the master plan, knowing that the master plan would
13 go to the Planning and Zoning Commission for final action, if this moves
14 forward to our September meeting, if this were to be approved that would
15 technically be the approval. Would it still be conditioned upon dedication?
16 Because technically that is their approval. There would be no file date
17 associated with it.

18
19 Harrison-Rogers: Okay. Yes, no. If it gets approved before the December 31st date,
20 then no fee in lieu for park dedication would be required. If something
21 happens and it gets delayed, then yes, they might be. In which case, we
22 can get you that number.

23
24 Gonzales: Okay. Does that clarify for the applicant? So essentially if we go to the
25 Planning and Zoning Commission in September, if the case is approved,
26 then that considers the master plan approved. And then we would move
27 forward with essentially the approved land uses you have in place. If it does
28 not get approved, and it is not approved until after December 31, 2025, then
29 it would be subject to Realize Las Cruces park dedication or fee in lieu
30 requirements.

31
32 Magallanez: And that's only specific to the master plan?

33
34 Gonzales: Correct.

35
36 Magallanez: So we had mentioned, so if my understanding is correct, the park dedication
37 fee in lieu is required at the recording of the master plan? Or what was the
38 recording of a preliminary plan or final plan at that point? Does this, I guess
39 I'm just confused with the master plan part of it versus this. Because is this
40 getting recorded via final plan?

41
42 Harrison-Rogers: The master plan vests it, I think is what Sara was indicating.

43
44 Magallanez: Okay.

1 Harrison-Rogers: So the master plan, like the approval of the master plan would then vest
2 what comes after.

3
4 Magallanez: Okay.

5
6 Harrison-Rogers: If there was no master plan, we'd be talking about the recording of a
7 plat.

8
9 Magallanez: And so therefore, as long as this got done by December 2025 and approved
10 by P&Z, then we would not be subject to a park dedication or fee in lieu of
11 for the preliminary plan, even if that is in fact recorded in December of 2026,
12 let's say, or completed whenever that might be in 2026?

13
14 Gonzales: That is correct. Because the master plan ...

15
16 Magallanez: I think it's just approved by P&Z, right, is that the for the master plan, yes.

17
18 Gonzales: And the master plan just, essentially the master plan will vest basically your
19 land uses and the layout that's basically being proposed.

20
21 Magallanez: Got you. Okay. So then we're just subject to the master plan's deadline of
22 December 2025, not the preliminary plan, or what would be the final plan
23 then at that point could be thereafter?

24
25 Gonzales: Correct. So point of clarification. So you would have a vested master plan
26 if your preliminary plan does come in and get approved, and development
27 takes place within that two-year timeframe, because preliminary plans also
28 do expire.

29
30 Magallanez: Sure. Yes.

31
32 Gonzales: So if any point in which the preliminary plan expires, then the master plan
33 will expire, and now you're subject to whatever the current code would be.

34
35 Magallanez: At that time.

36
37 Gonzales: Correct.

38
39 Magallanez: Got you. So we'd have a two-year window to complete a preliminary plan if
40 this was done by December 2025 to then be vested and not have to face a
41 park dedication or fee in lieu of. Got you.

42
43 Gonzales: Correct.

44
45 Harrison-Rogers: If you want that calculation, I can give it to you. Do you want that
46 calculation?

1
2 Magallanez: I think the developer might want to hear what that calculation is.
3
4 Harrison-Rogers: All right. So if things go sideways for whatever reason, the park
5 dedication for this particular would be 0.1464 of an acre, which comes out
6 to \$74,371.20 for a fee in lieu.
7
8 Magallanez: We'll wait here for September meeting.
9
10 Harrison-Rogers: Okay.
11
12 Gonzales: So nothing additional. So we've gone through Parks. Anything additional
13 from Parks and Recreation? Okay. Utilities.
14
15 Nasir: Yes, we do have a condition of approval, and it was the variance for the gas
16 layout on the street. We will be approving the layout as it is right now
17 because right now it's just going on the loop, and what happens is when
18 you're on one side of the street, you're on the north side, and when you're
19 on the other one, you're on the south side.
20
21 Magallanez: On the southside. Right.
22
23 Nasir: And we do have it that all of it needs to be there on one side because it's
24 the loop. We will be okay approving that variance. We just need to have it.
25
26 Magallanez: You had to process the variance.
27
28 Nasir: Yes.
29
30 Magallanez: Is that your preference, just to stay on one side versus...
31
32 Nasir: Yes, because we don't want to have it crossing, especially because we don't
33 have water. The water out there is not... it's Moongate yes. And we don't
34 have sewer there. So we would like, we don't have a problem having it on
35 the loop instead of crossing back and forth.
36
37 Magallanez: Right. Okay.
38
39 Nasir: Because you will be doing the same thing with water and sewer. You will
40 be crossing back and forth. I think it's more practical.
41
42 Magallanez: RIGHT.
43
44 Nasir: To have it on one side or to have it looped together without crossing back.
45
46 Magallanez: Without crossing back to keep it consistent on one side of the street.

Agenda Item #7.3.

1
2 Gonzales: Yes.
3
4 Nasir: We just need to have a variance to have it documented, and so everyone
5 else knows that.
6
7 Magallanez: Again design standards as well.
8
9 Nasir: That is correct.
10
11 Gonzales: Okay. Fire department.
12
13 Danner: No comments. But just kind of a heads up. I think the way it was laid out
14 was like 20 lots, I believe it was, something like that.
15
16 Magallanez: Yes.
17
18 Danner: So in the event that layout changes or stuff like that happened, just be aware
19 that if you go over 30 lots we're going to need an additional access to that
20 area. And it can't be, it has to be, the two access points has to be no less
21 than a third of the total diagonal left of the property. So they essentially just
22 have to be on opposite sides.
23
24 Magallanez: Got you.
25
26 Danner: Other than that, we're good.
27
28 Magallanez: Okay. We're constrained by not having septic, so we don't anticipate having
29 more lots.
30
31 Danner: Got you.
32
33 Magallanez: Like we won't have more lots. Yes. Thank you.
34
35 Gonzales: Anything from Public Works?
36
37 Bass: No comments from Public Works.
38
39 Gonzales: Anything additional from staff or the applicant? Okay. With that I'd entertain
40 a motion for Coyote Run master plan approval?
41
42 Danner: So moved.
43
44 Gonzales: And a second?
45
46 Reeder: Second.

1
2 Gonzales: Okay. All those in favor, please signify by saying "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Gonzales: Any opposed?. Okay. So master plan is moving forward with a
7 recommendation of approval.

8
9 **3.8 Case No. 23CS0500099: Coyote Run Preliminary Plat**

- 10 • A request for approval of a Preliminary Plat known as Coyote Run
11 Subdivision.
12 • The proposed subdivision encompasses 25.095 ± acres, is a multi-
13 zoned property with R-1a/R-1b and R-3/R-4/C-2 and located
14 approximately 642 feet west of the intersection of Thurmond Road and
15 Settlers Pass.
16 • The preliminary plat proposes twenty (20) large residential lots and one
17 (1) non-residential lot.
18 • The subdivision will dedicate a 0.406 ± acre tract of land for the
19 expansion of Thurmond Road.
20 • Submitted by Moy Surveying, Representative.

21
22 Gonzales: We will now go to our final case on the agenda. This is case 23CS0500099,
23 Coyote Run preliminary plat. I will turn to John with staff.

24
25 Castillo: So we have a request for approval of a preliminary plat, also known as
26 Coyote Run. As we know, it encompasses 25.095 acres. It is a multi-zoned
27 property, which is located approximately 642 feet west of the intersection of
28 Thurmond Road and Settlers Pass. So the preliminary plat proposes 20
29 large residential lots and one non-residential lot. The subdivision will
30 dedicate roughly a 0.406 acre tract of land for the expansion of Thurmond
31 Road. And once again, this was submitted by a Moy Surveying as a
32 representative.

33
34 Gonzales: Okay. Anything additional from the applicant? Okay. Seeing that, we'll go
35 around the room once again. I will start with Engineering on any concerns
36 with the preliminary plat.

37
38 Reeder: Same thing for drainage. Since we'll handle that under the master plan,
39 they just coincide.

40
41 Gonzales: Okay. Parks and Recreation.

42
43 Harrison-Rogers: I have no information outside of what we already discussed related to
44 the timing of approval and fees in lieu.

45
46 Gonzales: Utilities.

1
2 Nasir: We do have the condition that we put on every plat that the final plat will be
3 approved upon approval of the final set of subdivision construction plats.

4
5 Gonzales: Okay. And Fire Department.

6
7 Danner: Nothing.

8
9 Gonzales: And Public Works.

10
11 Bass: No comments.

12
13 Gonzales: All right. Seeing no comments or any additional, I would entertain a motion
14 for the preliminary plat.

15
16 Nasir: So moved.

17
18 Gonzales: And a second?

19
20 Danner: Second.

21
22 Gonzales: Okay. All those in favor, please signify by saying "aye."

23
24 MOTION PASSES UNANIMOUSLY.

25
26 Gonzales: Any opposed? All right, seeing none. Then this will move forward again to
27 P&Z, This I believe it's September 23rd's meeting as far as the Planning
28 and Zoning Commission with recommendation of approval from DRC.

29
30 Magallanez: Sounds good.

31
32 Gonzales: All right. Thank you.

33
34 Magallanez: Thank you, guys.

35
36 **4. DISCUSSION ITEMS**

37
38 Gonzales: Okay. Do we have any additional discussion items from staff? I know we're
39 still in the transition phase, so I'm just, you know, I'm going to bring up that
40 it's very difficult. We're going back and forth. We are trying to get a lot of
41 people moving forward with Realize Las Cruces so we can start
42 implementing those goals and those plans and policies. And so it could be,
43 you know we're still tugging at going back and forth for the next four or five
44 months. The hope would be is that by January we're all under Realize and
45 we have a clear understanding of what would be required by applicants. As
46 they are coming in, we are working with them to let them know they can use

1 either code. It's just you know we're trying to move forward with writing our
2 reports and understanding what's going to be the expectations moving
3 forward in January.
4

5 Harrison-Rogers: Okay.
6

7 **5. ADJOURNMENT (09:10 a.m.)**
8

9 Gonzales: So if there's any other comments or nothing, I would entertain a motion to
10 adjourn.
11

12 Danner: So moved.
13

14 Gonzales: And a second.
15

16 Nasir: Second.
17

18 Gonzales: All in favor?
19

20 MOTION PASSES UNANIMOUSLY.
21
22
23
24
25

26 _____
Chairperson

FINDINGS:

- Based upon review by relevant City staff, the proposed non-administrative replat known as M. Boyce Tracts complies with the requirements and standards of the City of Las Cruces Subdivision Code.
- The proposed new lots that are being created by the replat comply with all the requirements of Realize Las Cruces Development Code.
- Following the goals and actions outlined in Elevate Las Cruces, the proposed subdivision will allow for the development of alternative housing types and low intensity commercial opportunities.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	Adam Ochoa	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A PRELIMINARY PLAT KNOWN AS MESA CROSSINGS SUBDIVISION. THE PROPOSED PRELIMINARY PLAT ENCOMPASSES APPROXIMATELY 20.468 ACRES, IS ZONED NH-1S (NEIGHBORHOOD-1 SUBURBAN), AND LOCATED ON THE SOUTHEAST CORNER OF MESA GRANDE DRIVE AND PEACHTREE HILLS ROAD. THE SUBDIVISION PROPOSES 89 SINGLE-FAMILY RESIDENTIAL LOTS AND 5 TRACTS THAT WILL BE UTILIZED FOR DRAINAGE AND RIGHT-OF-WAY DEDICATION. SUBMITTED BY LIBBIN UNDERWOOD ENGINEERING AND SURVEYING, REPRESENTATIVE. (CASE 25CS0500021)			

PURPOSE(S) OF ACTION:

Approval of a preliminary plat.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

Realize Las Cruces Development Code.

PURPOSE:

The purpose of the preliminary plat is to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of all adopted City plans, rules and regulations, and the development’s Master Development Plan, if applicable.

The Planning and Zoning Commission shall act upon the proposed preliminary plat by reviewing the zoning standards outlined in the Realize Las Cruces Development Code, for the development of a NH-1S (Neighborhood-1 Suburban) zoned property.

LAND USE HISTORY:

The subject area was annexed into the City of Las Cruces in 1986. In 2006 a master plan known as the Mesa Crossings Subdivision Master Plan and accompanying zone change were approved for the western most ten (10) acre portion of the area. The master plan expired in 2011, but the zoning of R-1bC (Single-Family High Density-Conditional) remained in effect until the adoption of Realize Las Cruces which then changed the zoning of the subject area to its current NH-1S (Neighborhood-1 Suburban) zoning designation.

Agenda Item #8.1.

PROJECT DESCRIPTION:

The proposed Mesa Crossings Subdivision preliminary plat encompasses approximately 20.468 acres, is currently vacant/undeveloped, is zoned NH-1S (Neighborhood-1 Suburban), and is located on the southeast corner of Mesa Grande Drive and Peachtree Hills Road. The subdivision proposes 89 single-family residential lots, to be constructed in 1 phase, with lots ranging from approximately 0.124 to 0.370 acres in size. There are also 5 tracts being proposed within the preliminary plat with 2 tracts being utilized for drainage and 3 tracts for the dedication of right-of-way. All 5 tracts shall be dedicated to the City of Las Cruces.

SITE SUITABILITY:

Based on the standards of the NH-1S zoning district, the applicant could subdivide the property into several lots meeting the minimum required lot width of 40 feet with a maximum density of 16 dwelling units per acre. As designed, the proposed new lots easily meet the minimum lot width requirement and the proposed density for the subdivision is 4.3 dwelling units per acre. The required setbacks for each proposed lot include front, 15 feet; rear, 15 feet; sides, 5 feet; and front garage/carport, 20 feet. The maximum allowed height for the NH-1S zoning district is 50 feet. All new developments will be required to follow these development standards.

ACCESS/TRAFFIC:

Interior roadways are classified as local roadways which require the dedicated rights-of-way to be 50 feet in width and built to City of Las Cruces Design Standards including pavement, curb, gutter, sidewalks and lighting. Mesa Grande Drive and Peachtree Hills Road are both classified as minor arterial roadways, which are required to be 115 feet in width, and per Code the applicant is responsible for dedicating and improving half of the cross section for both roadways adjacent to the subdivision. In this case, the developer has been approved to construct an alternate cross-section for Peachtree Hills Road. The approved cross-section will allow the continuous vehicular and pedestrian connectivity on Peachtree Hills Road from the proposed subdivision to the west through a section of proposed roadway improvements by Dona Ana County from Mesa Grande Drive to Jornada Road that will connect to existing improved right-of-way west of Jornada Drive in the Metro Verde Planned Unit Development area. The required improvements to the adjacent portion of Mesa Grande Drive shall be made to City Standards. The applicant will also be dedicating the required 25 feet of right-of-way for the adjacent local roadway Jamison Drive. Jamison Drive will not be improved as the southern portion of right-of-way is not dedicated and the City will not be able to maintain without full dedication from the adjoining properties.

PARK LAND DEDICATION:

As part of the approved alternate cross-section for Peachtree Hills Road, the applicant will be working with the Parks and Recreation Department to develop a trail along the northern property line of the subdivision. The trail shall be located within the proposed tract that is to be dedicated to the City for right-of-way of Peachtree Hills Road. This will meet the park land dedication requirement for the development.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed preliminary plat will allow the property owners to subdivide and continue to develop vacant land that is compatible with the existing neighborhoods and continue to provide housing opportunities for those desirous to live in the area.

Policies and Actions from the Elevate Las Cruces Comprehensive Plan have not been added to this staff report because a preliminary plat comes in after the zoning destinations are established. Subsequent subdivisions, such as what is being proposed, are developed based on zoning development standards and subdivision standards.

FLOOD PLAIN:

The property is not located in a flood zone.

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed preliminary plat. The DRC reviews preliminary plats from an infrastructure, utilities and improvement standpoint. After some discussion of the location and proposed development of the park for this area, the DRC voted to recommend APPROVAL. For addition information please refer to Attachment “D” for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed Mesa Crossings Subdivision Preliminary Plat meets all requirements of the Subdivision Code, Design Standards, and the Realize Las Cruces Development Code. The proposed preliminary plat also meets the objectives for the purpose of a preliminary plat as required by the Subdivision Code. The proposed development is compatible with the surrounding area and will provide further improvements to adjacent roadways for improved connectivity. Furthermore, the forthcoming final plat and construction drawings will be required to meet any remaining or additional requirements of Code.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed preliminary plat request.

APPLICATION TIMELINE:

Applicant Submitted:	March 17, 2025
Staff Returned:	March 25, 2025
Applicant Returned:	April 11, 2025
Staff Returned:	April 28, 2025
Applicant Returned:	May 9, 2025
Staff Returned:	May 20, 2025
Applicant Returned:	June 24, 2025
Staff Returned:	July 16, 2025
Applicant Returned:	July 18, 2025
Review Complete:	July 28, 2025
DRC Recommended Approval:	August 20, 2025

SUPPORT INFORMATION:

- [Attachment "A", Zoning Map](#)
- [Attachment "B", Aerial Map](#)
- [Attachment "C", Mesa Crossings Subdivision Preliminary Plat](#)
- [Attachment "D", August 20, 2025 DRC Meeting Minutes](#)
- [Attachment "E", Findings](#)

PLAN(S):

Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

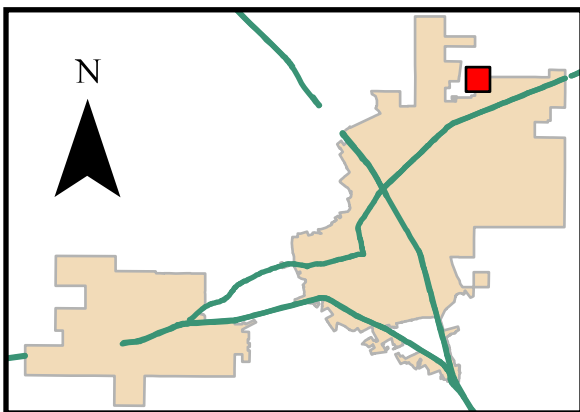
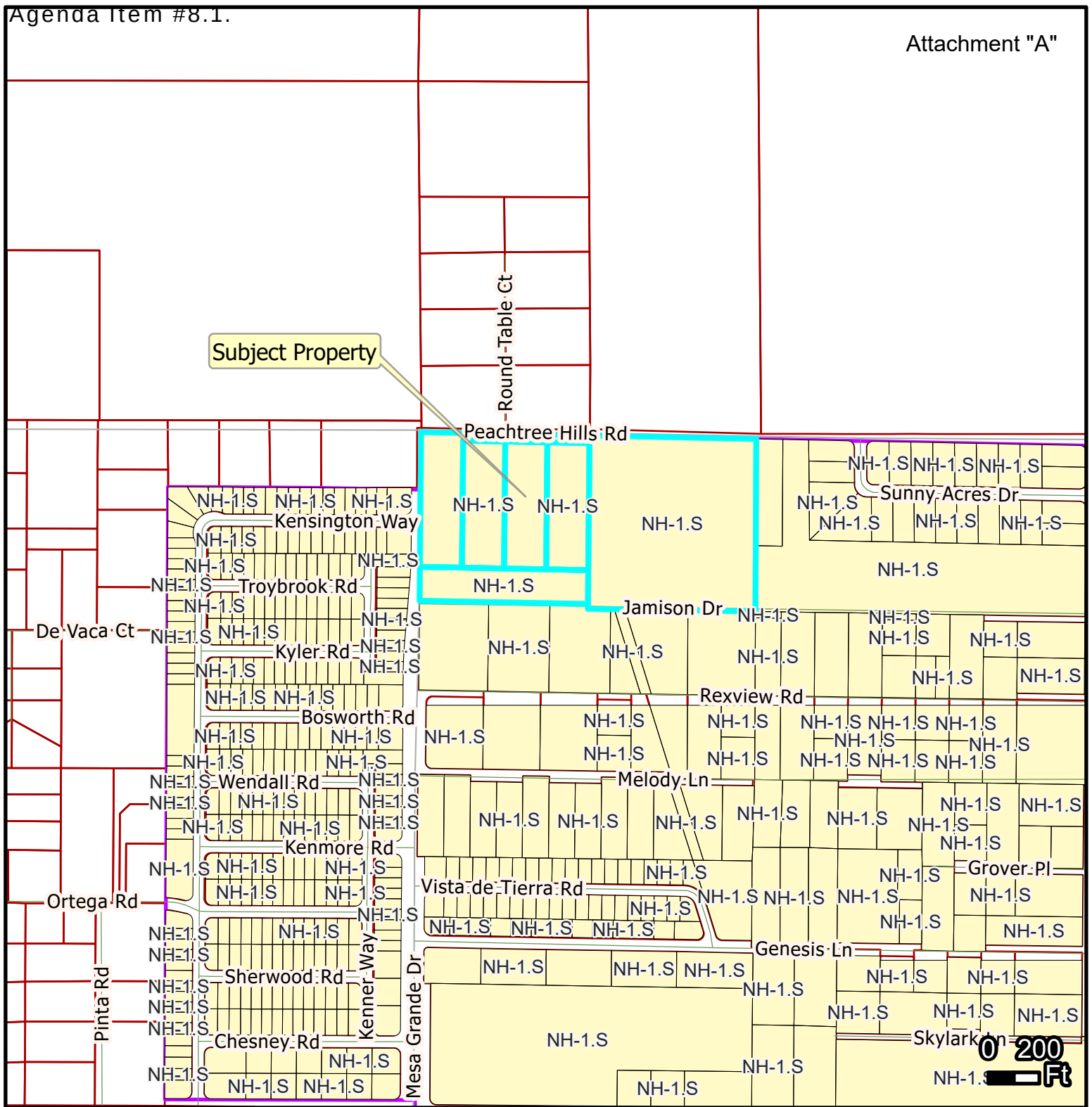
P&Z, DRC

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the proposed preliminary plat known as Mesa Crossings Subdivision as recommended by Staff and DRC.
2. Vote "No"; this will deny the proposed preliminary plat.
3. Vote to "Amend"; this could modify approval of the proposed preliminary plat by adding conditions as the Planning and Zoning Commission deems appropriate.

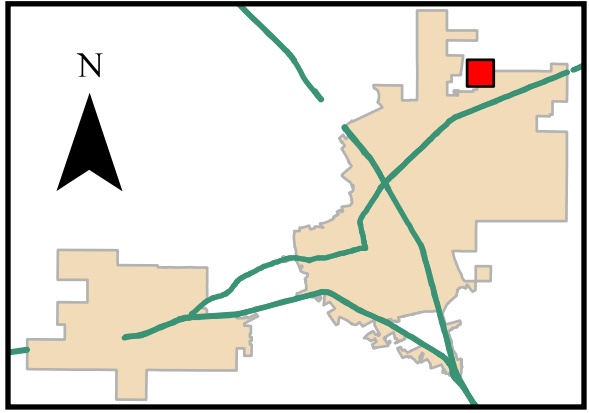
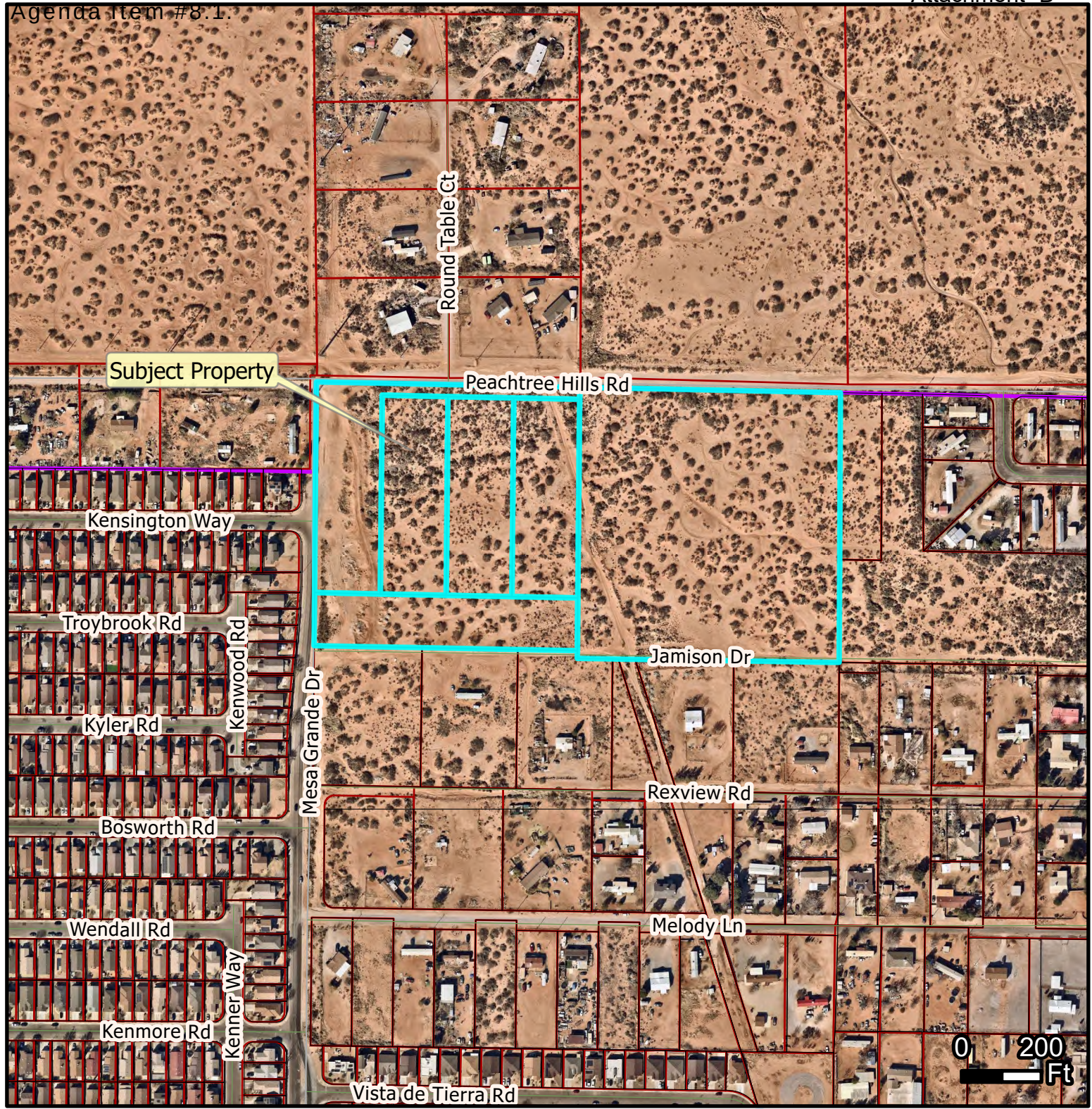
Agenda Item #8.1.

4. Vote to "Table"; this will postpone consideration of the proposed preliminary plat pursuant to further direction from the Commission.

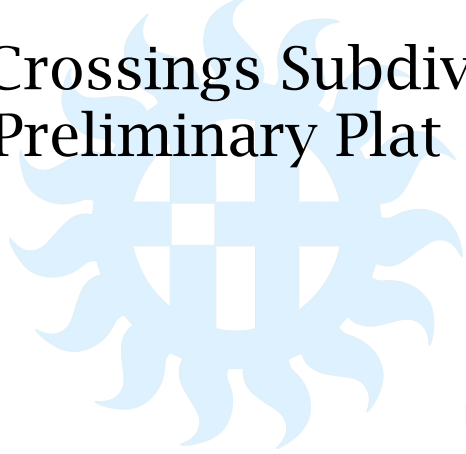


Mesa Crossings Subdivision Preliminary Plat

Agenda Item #8.1



Mesa Crossings Subdivision Preliminary Plat



PRELIMINARY PLAT

MESA CROSSINGS SUBDIVISION

A 20.468± ACRE RESIDENTIAL SUBDIVISION CONSISTING OF 89 LOTS
SITUATED IN SECTION 14, T22S, R2E, NMPM, USRS;
WITHIN THE CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO
SCALE: 1"=100'
MAY 9, 2025

CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD
C1	90°12'50"	25.00'	25.09'	39.36'	S45°25'42"W 35.42'
C2	89°47'10"	25.00'	24.91'	39.18'	N44°34'18"W 35.29'
C3	90°12'50"	25.00'	25.09'	39.36'	S45°25'42"W 35.42'
C4	89°47'10"	25.00'	24.91'	39.18'	N44°34'18"W 35.29'
C5	90°11'00"	25.00'	25.08'	39.35'	N45°24'47"E 35.41'
C6	89°52'38"	25.00'	24.95'	39.22'	S44°33'16"E 35.32'
C7	90°07'14"	25.00'	25.05'	39.32'	S45°26'40"W 35.39'
C8	28°04'22"	25.00'	6.25'	12.25'	N75°27'32"W 12.13'
C9	146°19'43"	60.00'	198.28'	153.24'	S45°24'47"W 114.86'
C10	28°04'22"	25.00'	6.25'	12.25'	S13°42'54"E 12.13'
C11	90°07'14"	25.00'	25.05'	39.32'	N45°26'40"E 35.39'
C12	89°52'46"	25.00'	24.95'	39.22'	N44°33'20"W 35.32'
C13	90°11'00"	25.00'	25.08'	39.35'	S45°24'47"W 35.41'
C14	89°49'00"	25.00'	24.92'	39.19'	N44°35'13"W 35.30'
C15	90°11'00"	25.00'	25.08'	39.35'	N45°24'47"E 35.41'
C16	89°52'46"	25.00'	24.95'	39.22'	S44°33'20"E 35.32'
C17	90°07'14"	25.00'	25.05'	39.32'	S45°26'40"W 35.39'
C18	7°49'56"	25.00'	1.71'	3.42'	S3°35'41"E 3.41'
C19	20°14'26"	25.00'	4.46'	8.83'	S17°37'52"E 8.79'
C20	90°11'00"	50.00'	50.16'	78.70'	N45°24'47"E 70.82'

LINE TABLE		
LINE	BEARING	DIST
L1	N87°09'27"W	29.42'
L2	S89°56'29"W	56.80'
L3	S89°45'48"W	89.86'
L4	N00°07'58"W	24.54'
L5	N89°25'18"W	149.14'

DEVELOPER:

KEN THURSTON DEVELOPMENT CORP.
c/o KEN THURSTON
1880 E. LOHMAN AVE.
LAS CRUCES, NM 88001

OWNERS:

KEN THURSTON DEVELOPMENT CORP.
1880 E. LOHMAN AVE.
LAS CRUCES, NM 88001

REC# 1210206
FILED APRIL 25, 2012

RINCON VALLEY, LLC.
1880 E. LOHMAN AVE.
LAS CRUCES, NM 88001

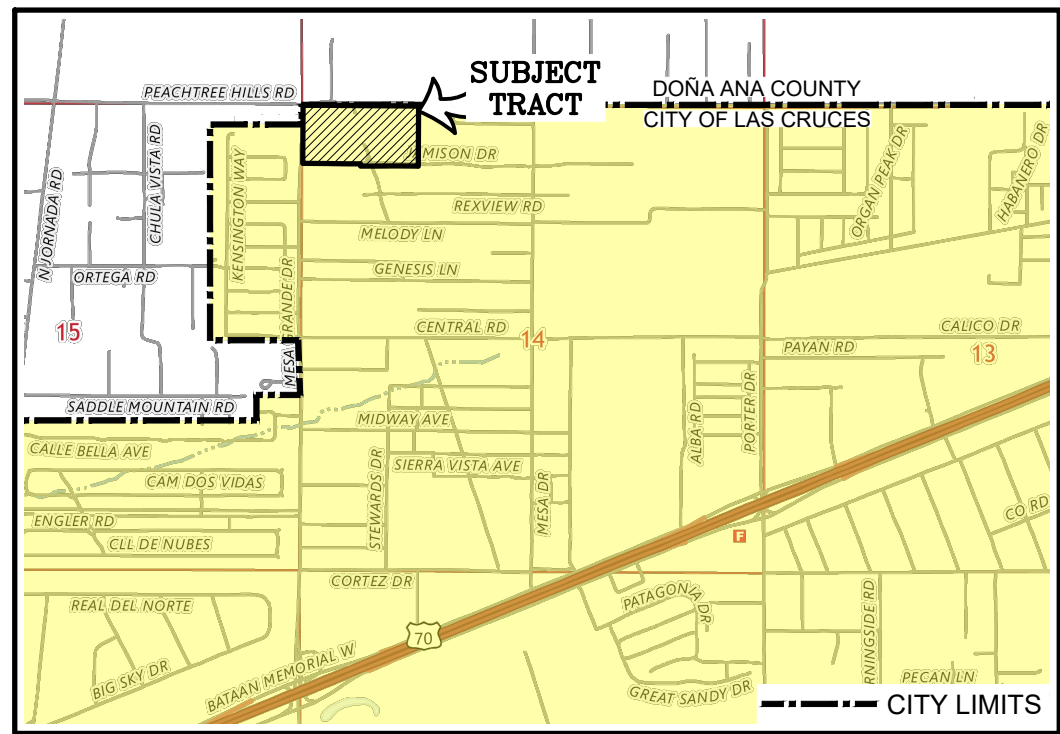
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FILED DECEMBER 28, 2021

SURVEYOR:

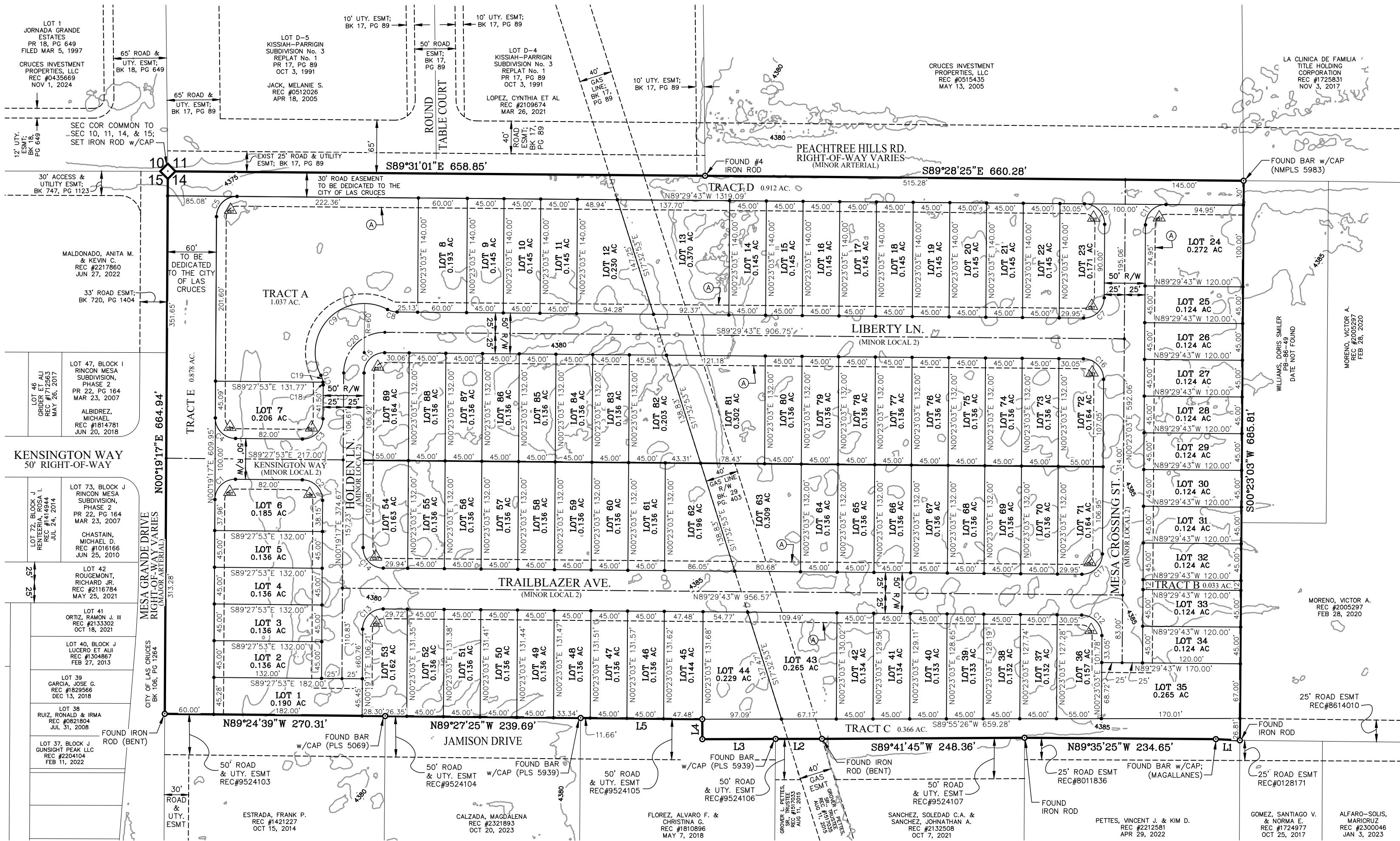
LIBBIN UNDERWOOD
ENGINEERING & SURVEYING
1430 W. AMADOR AVE.
LAS CRUCES, NM 88005

SHEET INDEX

PLAT MAP	1
PRELIMINARY UTILITY PLAN	2
ZONE	
NH-1.S: NEIGHBORHOOD 1	



VICINITY MAP
N.T.S



LEGEND

- SUBJECT TRACT BOUNDARY LINES AND CORNER ALL MONUMENTS ARE SET #5 REBAR W/ PLASTIC YELLOW CAP (NMP/LS#5983); UNLESS OTHERWISE AS NOTED
- DENOTES LOT/PC CORNER
- DENOTES 12' UTILITY EASEMENT TO BE GRANTED BY THE FINAL PLAT
- EXISTING MAJOR CONTOURS

PLAT NOTES:

- THE SUBDIVIDER IS RESPONSIBLE FOR PROVIDING MAIN UTILITY LINE EXTENSIONS, SEPARATE UTILITY STUB-OUTS TO EACH LOT AND FOR PROVIDING ANY AND ALL EASEMENTS NECESSARY TO PROVIDE UTILITY SERVICE TO LOTS SHOWN HEREON.
- ALL CORNERS ARE 5/8" IRON RODS SET W/CAP (LS 5983) EXCEPT AS OTHERWISE NOTED.
- DRIVEWAY PLACEMENT TO BE IN CONFORMANCE WITH THE CITY OF LAS CRUCES DESIGN STANDARDS.
- THE DENSITY OF THIS SUBDIVISION IS 4.3 DU/ACRE.
- SUBJECT PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP 35013C0914G, EFFECTIVE 7/6/2016.
- LOTS LOCATED AT STREET INTERSECTIONS SHOWN WITH A TRIANGLE ICON WILL BE SUBJECT TO CLEAR SITE TRIANGLE REGULATIONS.
- STORMWATER DRAINAGE GENERATED DUE TO DEVELOPMENT WILL BE ADDRESSED BY GENERAL GRADING TOWARDS THE REGIONAL POND SHOWN AS TRACT 'A'. NO ON-LOT PONDING IS REQUIRED.
- TRACT 'A' THE RETENTION POND LOCATED WITHIN TRACT 'A' TO BE DEDICATED BY THE FINAL PLAT TO THE CITY OF LAS CRUCES FOR CONTINUOUS MAINTENANCE.
- TRACT 'B', A DRAINAGE TRACT, TO BE DEDICATED BY THE FINAL PLAT TO THE CITY OF LAS CRUCES.
- TRACT 'C' SHALL BE DEDICATED TO THE CITY OF LAS CRUCES BY THE FINAL PLAT AND INCORPORATED INTO THE EXISTING RIGHT-OF-WAY OF JAMISON DRIVE. THERE IS AN UNIMPROVED MEANDERING PATH WHERE SOME MAPS NOTE JAMISON DRIVE AS A CITY OF LAS CRUCES ROAD. DEEDS OF RECORD FOR THE EIGHT ADJACENT PARCELS MENTION AN EASEMENT FOR THIS ROAD; HOWEVER, IT DOES NOT APPEAR THAT ANY OF THESE HAVE DEDICATED RIGHT-OF-WAY TO THE CITY OF LAS CRUCES.
- TRACT 'D' SHALL BE DEDICATED TO THE CITY OF LAS CRUCES BY THE FINAL PLAT AND INCORPORATED INTO THE EXISTING RIGHT-OF-WAY OF PEACHTREE HILLS ROAD.
- TRACT 'E' SHALL BE DEDICATED TO THE CITY OF LAS CRUCES BY THE FINAL PLAT AND INCORPORATED INTO THE EXISTING RIGHT-OF-WAY OF MESA GRANDE DRIVE.
- THE STREET RIGHTS-OF-WAY (R/W), INCLUDING THE EXISTING PORTIONS OF MESA GRANDE DRIVE AND PEACHTREE HILLS ROAD, AS SHOWN HEREON, WILL BE DEDICATED TO THE CITY OF LAS CRUCES BY THE FINAL PLAT. UPON DEDICATION, MAINTENANCE SHALL BECOME THE RESPONSIBILITY OF THE CITY OF LAS CRUCES.
- A GAS LINE RIGHT-OF-WAY RUNS DIAGONALLY THROUGH THIS SUBDIVISION, AS REFERENCED IN BOOK 29, PAGE 403. THE SPECIFIC WIDTH OF THIS RIGHT-OF-WAY IS NOT PROVIDED IN THIS DOCUMENT OF RECORD. HOWEVER, THE RECORDED RIGHT-OF-WAY FOR PROPERTIES TO THE NORTH AND SOUTH OF THIS SUBDIVISION IS DOCUMENTED AS 40.0 FEET. THE LOTS AFFECTED BY THIS RIGHT-OF-WAY ARE SUBJECT TO THE ASSOCIATED RIGHTS AND RESTRICTIONS, INCLUDING THE PROHIBITION OF CONSTRUCTING PERMANENT STRUCTURES WITHIN THE RIGHT-OF-WAY.

CITY OF LAS CRUCES
SUBDIVISION ADMINISTRATOR APPROVAL

THIS PRELIMINARY PLAT HAS BEEN APPROVED BY THE SUBDIVISION ADMINISTRATOR OF THE CITY OF LAS CRUCES, AND ALL THE REQUIREMENTS FOR APPROVAL IN THE ABOVE PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES SUBJECT TO ANY AND ALL CONDITIONS REQUIRED BY THE PLANNING AUTHORITY FOR APPROVAL OF THIS PLAT.

STATEMENT OF OWNERSHIP

I HEREBY ACKNOWLEDGE AND CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY REPRESENTED BY THIS PLAT.

KEN THURSTON DEVELOPMENT CORP. &
RINCON VALLEY, LLC.
KENNETH R. THURSTON, MANAGER
1880 E. LOHMAN AVE.
LAS CRUCES, NM 88001

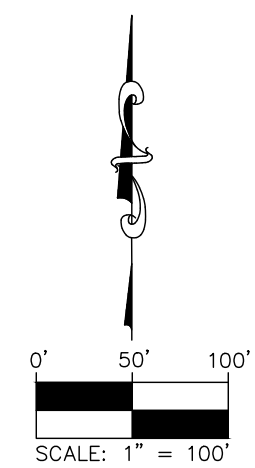
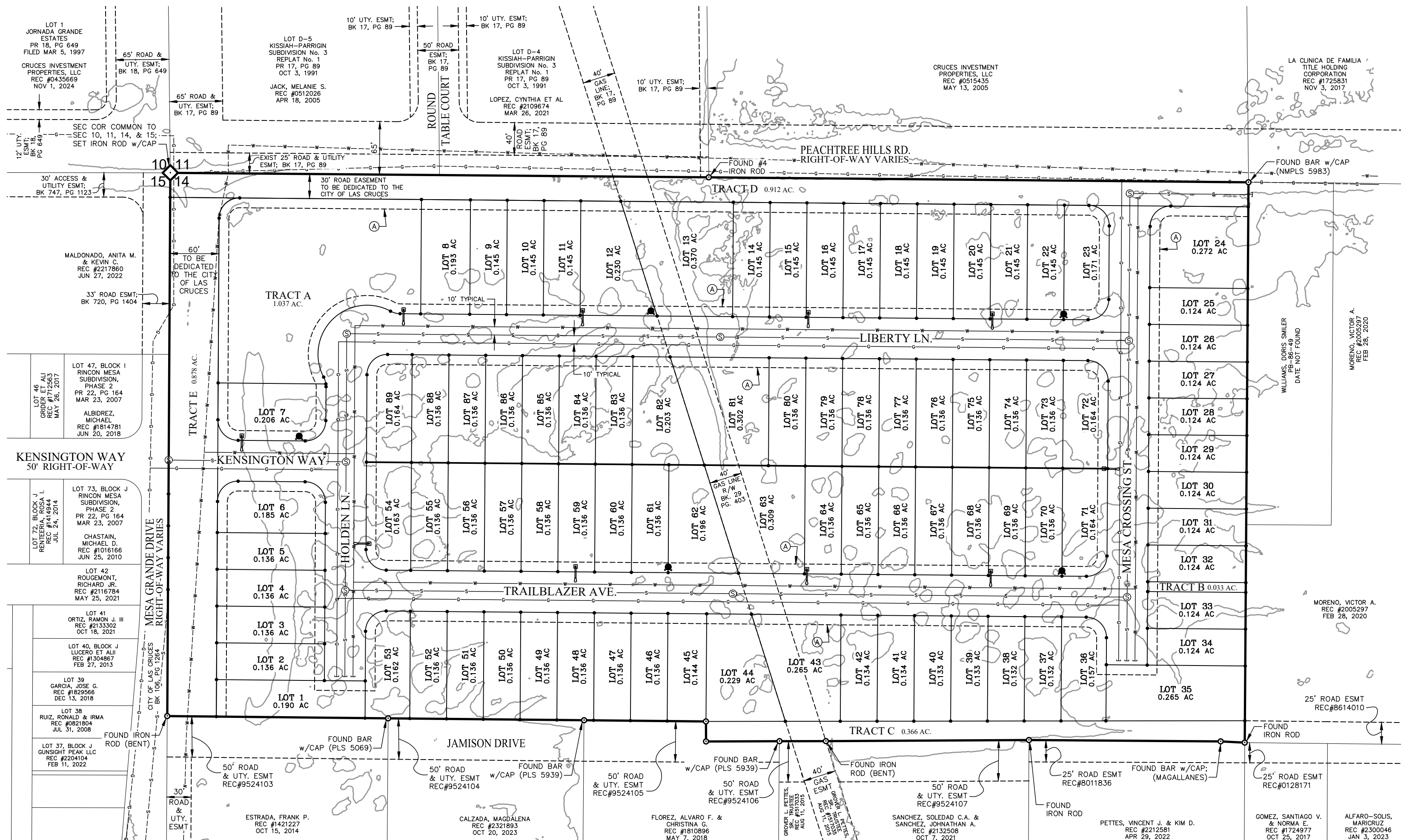
DATE

LIBBIN UNDERWOOD
ENGINEERING & SURVEYING
1430 W. AMADOR AVE. LAS CRUCES, NM 88005
PROJECT: 2442 | DRAWN BY: PA | SHEET 1 OF 2

SUBDIVISION ADMINISTRATOR DATE

LOTS	ACREAGE	DENSITY
89	20.468	4.3 DU/AC

PRELIMINARY UTILITY PLAN
MESA CROSSINGS SUBDIVISION
A 20.468± ACRE RESIDENTIAL SUBDIVISION CONSISTING OF 89 LOTS
SITUATED IN SECTION 14, T22S, R2E, NMPM, USRS;
WITHIN THE CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO
SCALE: 1"=100' MAY 9, 2025



LEGEND

- BOUNDARY LINES & CORNER;
- DENOTES 12" UTILITY EASEMENT TO BE GRANTED BY THE FINAL PLAT
- EXIST 8" SEWER LINE; UNLESS NOTED OTHERWISE
- EXIST 8" WATER LINE; UNLESS NOTED OTHERWISE
- EXIST 2" GAS LINE; UNLESS NOTED OTHERWISE
- PROPOSED 8" SEWER LINE
- PROPOSED 8" WATER LINE
- PROPOSED 2" GAS LINE
- SANITARY SEWER MANHOLE
- APPROXIMATE PROPOSED FIRE HYDRANT LOCATION; UNLESS NOTED OTHERWISE
- APPROXIMATE PROPOSED STREET LIGHT LOCATION; UNLESS NOTED OTHERWISE

UTILITY NOTES

- THE STREET LIGHTS, FIRE HYDRANTS, WATER, SEWER, AND GAS MAIN LINES SHOWN HEREON ARE CONCEPTUAL. FINAL DESIGN SHALL BE DETERMINED AT TIME OF CONSTRUCTION DRAWING SUBMITTAL. SEE FINAL APPROVED SET OF PLANS.
- THE SUBDIVIDER IS RESPONSIBLE FOR PROVIDING MAIN LINE EXTENSIONS.
- WATER, GAS AND SEWER WILL BE PROVIDED BY LAS CRUCES UTILITIES.

FILE PATH: Z:\VUE\Term\UEI Land Projects\2024\24142 Mesa Crossings Preliminary Plat.dwg LAYOUT NAME: ARCH C - H (2) DATE: May 09, 2025 - 12:37pm OPERATOR: pedro_plmms
LIST OF SHEETS: [DOÑA ANA COUNTY OS 2024] [24142 Mesa Crossings Preliminary Plat 022425 from Corlas] [24142 EQ LIBAR]



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 20, 2025, at 9:00 a.m. in Room 1158.

DRC PRESENT: David Weir, Deputy Director Community Planning
Sara Gonzales, Interim Deputy Director
Adam Ochoa, Senior Planner
Rocio Nasir, Senior Engineer, Utilities
Michael Danner, CLC Fire
Katherine Harrison-Rogers, Plan & Construct Admin, Parks
William Bass, Senior Engineer
Susan Reeder, Associate Engineer

STAFF PRESENT: John Castillo, Planner, Community Development

OTHER PRESENT: Anton Magallanez, Moy Surveying
Kent Thurston, KT Homes
Adrian Renteria, AE Engineering
Zack Libbin, Libbin Underwood Engineering
Terry Boyce, President of Boyce Tracts
Caitlin Frugoli, Libbin Underwood Engineering

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

Weir: Okay, we're going to call the August 20, 2025 Development Review Committee meeting to order. We have representatives of all departments except Public Works. And my understanding is they're on their way. But we do have a quorum, so we'll go ahead and start.

2. APPROVAL OF MINUTES

2.1 May 7, 2025

Weir: First order of business today is to approve the minutes of the DRC from May 7, 2025. Have all had an opportunity to look at those? Or is anyone comfortable with making a motion to adopt?

Gonzales: I make a motion to approve.

Weir: Okay. Do I have a second?

Nasir: Second.

Weir: Okay, I'll just do a voice vote. All those in favor, say "aye."

MOTION PASSES UNANIMOUSLY.

Weir: All those opposed.

Harrison-Rogers: I abstain since I wasn't here. I'm going to abstain.

Weir: Okay.

Harrison-Rogers: Okay, thanks.

Weir: Okay. Minutes have been approved, 3-0-2.

3. NEW BUSINESS

3.3 Case No. 25CS0500021: Mesa Crossings Subdivision Preliminary Plat

- A request for approval of a preliminary plat known as Mesa Crossings Subdivision.
- The proposed subdivision encompasses approximately 20.468 acres, is zoned NH-1S (Neighborhood 1 Suburban) and is located on the southeast corner of Mesa Grande Drive and Peachtree Hills Road.
- The subdivision proposes 89 single-family residential lots and 5 tracts that will be utilized for drainage and right-of-way dedication.
- The subdivision is proposing an alternate cross-section for Peachtree Hills Road and an alternative turn-around road design for two internal roads.
- Submitted by Libbin Underwood Engineering & Surveying, Representative.

Gonzales: Okay, so we'll move on to Case No. 3.3, which is Mesa Crossing Subdivision Preliminary Plat. I will turn to Community Development staff.

Ochoa: Thank you, Chair. Next case is Case 25CS0500021. It is a request for approval of a preliminary plat known as Mesa Crossing Subdivision. The subdivision itself encompasses approximately 20.468 acres in size. It is Zone NH-1S, Neighborhood 1 Suburban. And located in the southeast corner of Mesa Grande Drive and Peachtree Hills. Subdivision proposes 89 single-family residential lots in five separate tracts. That will be utilized, a couple for drainage and three for right-of-way dedication, and I believe for trail development as well.

The subdivision will also proposed, along with this DRC will be reviewing alternate cross sections for Peachtree Hills, as well as alternate turnaround road designs for two internal roadways proposed by the subdivision. This

1 did go out for review. All reviewing parties had recommended approval,
2 some with conditions. I believe engineering had a couple conditions, as
3 well as potentially other departments. I'll let them speak on those
4 conditions, if they had any. This was submitted by Libbin Underwood
5 Engineering. That concludes my presentation, and the applicant is here for
6 any questions for clarification.
7

8 Gonzales: Okay, so I will go ahead and go to staff first, and then have the applicant
9 respond to any other comments or conditions that were in place. I will start
10 with Public Works/Engineering. We'll go with Public Works first.
11

12 Bass: So, just based on our comments, that could address the pavement profile.
13

14 Ochoa: Sure. I could clarify that for you, Will. Thank you for that. So Public Works
15 was comfortable with the alternate cross section on Peachtree Hills with the
16 change of the actual pavement cross section to provide a three-inch asphalt
17 on an eight-inch base core on that Peachtree Hills. They were fine with the
18 cross section. It was just that change that Public Works was requesting.
19 So is the applicant good with that?
20

21 Libbin: Yes.
22

23 Gonzales: Okay.
24

25 Ochoa: Perfect.
26

27 Gonzales: Then so that would meet the needs of Public Works. I would go to
28 Engineering for any of their contingencies that are left onto the
29 development.
30

31 Reeder: Okay, so for Engineering, we approved with contingency. Drainage is going
32 to be reviewed and addressed as the permitting process moves forward. If
33 there's any layout changes, we don't know what's going to change with
34 drainage. So we have that initial drainage report. We're going to move
35 forward with that for right now. And we'll address any comments as we
36 move forward. For Transportation, for the dead ends, they need to be
37 approved or denied here. We were going to defer to Fire. If Fire is okay
38 with it, Engineering is okay with it.
39

40 Thurston: We're just talking about the two dead ends and the bottom left, bottom right?
41

42 Reeder: Yes, sir.
43

44
45 Thurston: Okay. What is the, do you have the distance on those? I know they're less
46 than 150 feet so. We're good.

1
2 Reeder: And then our last comment for Transportation was that the TIA needs to be
3 completed and submitted prior to filing the final plat. Okay. We want to get
4 this done sooner rather than later because it is a 30 working day review
5 cycle, so that's six weeks. The sooner we get that in and get it approved,
6 then the sooner we know what mitigation needs to be completed, if any, for
7 the subdivision before we go in for design and final plat submittal and
8 construction submittal.
9
10 Thurston: Okay.
11
12 Reeder: Okay.
13
14 Gonzales: Okay.
15
16 Thurston: Susan, I have a question about that, just real quick.
17
18 Reeder: Yes.
19
20 Thurston: Is a draft acceptable? The engineer that did the TIA provided the draft for
21 submittal for review, but do you want it stamped or do you want the draft
22 reviewed?
23
24 Reeder: We have to go through a whole TIA process, so that's a separate permit
25 process, actually. It'll come through Accela, I will route it out to
26 Transportation or Traffic Administration upstairs. They will conduct their
27 review, give back comments, and then we'll have that back and forth trying
28 to make sure all those mitigations are addressed. So we need to go through
29 that process separately. So I know that the draft is in there right now. If
30 you want I can forward that to Sue for a courtesy review. But we want to
31 get a full stamp set like done as soon as possible.
32
33 Thurston: Great.
34
35 Reeder: All right. And it should be under Realize a Tier 1 TIA, so if you haven't
36 gotten with Sue already, I would recommend doing that so you can get your
37 scoping done.
38
39 Thurston: Yes, he did get Sue on it for the scoping.
40
41 Reeder: Okay. Thank you.
42
43 Gonzales: Parks and Recreation.
44
45 Harrison-Rogers: Sure. so the developer worked with us to come up with a solution for
46 park dedication related to this. It was a trail, a multi-use trail along

1 Peachtree in the sort of same design as we've seen sort of further towards
2 Metro Verde. It'll help ultimately connect that hopefully in the next couple
3 of years. It does exceed the required acreage as per my calculations. And
4 so, in so long as we receive any landscaping plans or irrigation plans to
5 coincide with this during construction, that's all we need.
6
7 Gonzales: Okay. And Utilities.
8
9 Nasir: Utilities, we have no issues with this. I did the review for the master plan,
10 for Utilities master plan, and the connections for water, sewer, and gas were
11 there.
12
13 Gonzales: Okay. Fire Department?
14
15 Danner: No comments.
16
17 Ochoa: And just for point of clarity for Fire, the one cross section which is Holden
18 Lane is about 110 feet deep. And the one for Mesa Crossing Street is about
19 83 feet deep.
20
21 Thurston: Yes, anything less than 150 will get.
22
23 Ochoa: Perfect.
24
25 Nasir: So they're not going to be on the streets, right. They're going to be dead
26 ends.
27
28 Ochoa: They're dead ends, yes ma'am.
29
30 Gonzales: Okay. Any other comments from the applicant or any other comments from
31 staff? Okay, so I would entertain a motion for approval of the Mesa Crossing
32 subdivision preliminary plat.
33
34 Ochoa: Point of order. I'm sorry, point of order. Can we do two separate votes, one
35 for Mesa Crossing itself, the subdivision, and one for the alternate cross
36 sections.
37
38 Gonzales: Okay. So we will start with the cross section because that will ultimately
39 lead into your preliminary plat. So I will take a motion for the alternate cross
40 section being proposed by the applicant.
41
42 Danner: So moved.
43
44 Gonzales: Do I have a second?
45
46 Reeder: Seconded.

1
2 Gonzales: Okay, I will just do around the room is all in favor say "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Gonzales: Any opposed? Okay, so approval of the alternate cross section as it does
7 get approved through the DRC. So now we'll move on to the Mesa Crossing
8 subdivision preliminary plat. May I get a motion for the preliminary plat?
9

10 Danner: So moved.

11
12 Gonzales: And a second?

13
14 Ochoa: Second.

15
16 Gonzales: Okay. All those in favor.

17
18 MOTION PASSES UNANIMOUSLY.

19
20 Gonzales: Any opposed? Okay, so the preliminary plat moves forward also with
21 approval recommended by DRC.
22

23 **4. DISCUSSION ITEMS**

24
25 Gonzales: Okay. Do we have any additional discussion items from staff? I know we're
26 still in the transition phase, so I'm just, you know, I'm going to bring up that
27 it's very difficult. We're going back and forth. We are trying to get a lot of
28 people moving forward with Realize Las Cruces so we can start
29 implementing those goals and those plans and policies. And so it could be,
30 you know we're still tugging at going back and forth for the next four or five
31 months. The hope would be is that by January we're all under Realize and
32 we have a clear understanding of what would be required by applicants. As
33 they are coming in, we are working with them to let them know they can use
34 either code. It's just you know we're trying to move forward with writing our
35 reports and understanding what's going to be the expectations moving
36 forward in January.
37

38 Harrison-Rogers: Okay.
39

40 **5. ADJOURNMENT (09:10 a.m.)**

41
42 Gonzales: So if there's any other comments or nothing, I would entertain a motion to
43 adjourn.

44
45 Danner: So moved.
46

Agenda Item #8.1.

- 1 Gonzales: And a second.
- 2
- 3 Nasir: Second.
- 4
- 5 Gonzales: All in favor?
- 6
- 7 MOTION PASSES UNANIMOUSLY.
- 8
- 9
- 10
- 11
- 12
- 13 _____
Chairperson

FINDINGS:

- Based upon review by relevant City staff, the proposed preliminary plat known as Mesa Crossings Subdivision complies with the requirements and standards of Chapter 37. Subdivision Regulations of the Realize Las Cruces Development Code.
- The proposed preliminary plat is consistent with existing development found in the surrounding area.
- The proposed residential lots comply with all development standards of the Realize Las Cruces Development Code.
- The Development Review Committee (DRC) recommended approval of the preliminary plat during a public meeting on August 20, 2025.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	Adam Ochoa	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A SPECIAL USE PERMIT (SUP) TO ALLOW A CANNABIS RELATED BUSINESS ON A PROPERTY THAT IS ZONED NH-3U (NEIGHBORHOOD-3 URBAN), ENCOMPASSES APPROXIMATELY 0.20 ACRES AND IS LOCATED AT 1103 S. SOLANO DRIVE. A SUP IS REQUIRED IN ORDER TO ALLOW THE CANNABIS RELATED BUSINESS ON THE SUBJECT PROPERTY. SUBMITTED BY BROOKLYN CALDERAZZO, PROPERTY OWNER. COUNCIL DISTRICT 3. (CASE 25ZO1000015)			

PURPOSE(S) OF ACTION:

Approval of a Special Use Permit.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

Realize Las Cruces Development Code.

PURPOSE:

A Special Use Permit (SUP) is required when a land use is not permitted by right in a zoning district and requires review and approval by the Planning and Zoning Commission to determine impacts on the surrounding area. Land uses eligible for SUP approval are designated in Figure 36-3-2, Permitted Use Chart. Approval of an SUP is not a zoning district change.

Per Section 38-3 and Figure 38-3-2 of the Realize Las Cruces Development Code a cannabis dispensary is required to obtain a Special Use Permit (SUP) when the proposed location is zoned NH-3U (Neighborhood-3 Urban). Additionally, a SUP is required when a cannabis dispensary is located within 300 feet of another cannabis dispensary.

LAND USE HISTORY:

The subject is part of the Valley View Addition Subdivision, which was filed in 1907. The subject property was previously utilized for a restaurant from 2019 to 2023.

PROJECT DESCRIPTION:

The applicant is proposing to utilize the subject property located at 1103 S. Solano Drive for a new cannabis dispensary. Under the Realize Las Cruces Development Code the subject property is zoned NH-3U (Neighborhood-3 Urban) which requires the applicant to seek a Special Use Permit (SUP) in order to allow a cannabis dispensary. Additionally, Realize Las Cruces requires any new cannabis dispensaries located within 300 feet of an existing cannabis dispensary to seek a SUP. The proposed new cannabis dispensary is approximately 197 feet from an existing cannabis dispensary located at 1128 S. Solano Drive. Approval of the

Agenda Item #8.2.

SUP by the Planning and Zoning Commission would allow the establishment of the new cannabis dispensary on the subject property.

SITE SUITABILITY:

Based on the standards of the NH-3U zoning district, the subject property and existing building meet the required development standards. The applicant has provided a site plan showing all the required improvements for the subject property that also appear to meet all other standards and requirements of the Realize Las Cruces Development Code including drainage, pavement, access and landscaping. Please see Attachment "C" for the proposed site plan. Staff will confirm during the permitting process that all Code requirements are met.

ACCESS/TRAFFIC:

The subject property is located on and has primary access to Solano Drive. Solano Drive is a fully improved minor arterial roadway, as designated by the Elevate Las Cruces Future Throughfare Map and the Mesilla Valley Metropolitan Planning Organization Active Mobility Plan, with asphalt, curb, gutter, sidewalk and streetlights. No further improvements are required for Solano Drive. The subject property is also located adjacent to an existing alley. Per the Realize Las Cruces Development Code, egress is permitted to an alley. The applicant is proposing an exit point for the proposed new business through the alley.

PARK LAND DEDICATION:

Per Section 38-5, Parks, Trails, and Open Space of Realize Las Cruces, any subdivision development is required to provide park land and trail dedication when there is a creation of new residential or multi-family residential units. The proposed Special Use Permit (SUP) is not a subdivision and therefore is not required.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located in the Urban Neighborhood Place Type and within a Mixed-Use Corridor as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. The Urban Neighborhood Place Type and Mixed-Use Corridor includes a variety of residential housing types at medium-to-high densities and areas of supporting neighborhood commercial development. The place type includes single-family and multi-family dwelling types, neighborhood retail and office uses and contains many of the City's established neighborhoods and historic residential areas closer to center city. This place type supports live-work units and a mix of residential and non-residential land uses along roadways or trail corridors. The comprehensive plan has numerous goals, policies and actions that support the proposed SUP, as referenced in Attachment "D".

FLOOD PLAIN:

The property is not located in a flood zone.

STAFF RECOMMENDATION:

The proposed SUP was routed out for review to all reviewing departments and all departments saw no issues with the proposed SUP. Staff recommends approval for the proposed SUP based on the findings outlined in Attachment "E".

ANALYSIS/ CONCLUSION:

The proposed use meets all the requirements for a SUP including the distancing requirement from any school or day care center. In general terms, a Special Use is a use that is not permitted by right but may be approved upon consideration of potential impacts to the surrounding area by the Planning and Zoning Commission. Impact consideration may include factors related to traffic, development compatibility, mitigation technique implementation, etc. In terms of the proposed use, the business will function as any other business within the City. SUP decisions made by the Planning and Zoning Commission are final unless appealed to City Council.

NOTICE:

In accordance with Realize Las Cruces, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed SUP request.

Agenda Item #8.2.

APPLICATION TIMELINE:

Applicant Submitted: February 13, 2025
Staff Returned: March 7, 2025
Applicant Returned: August 28, 2025
Review Complete: August 28, 2025

SUPPORT INFORMATION:

[Attachment "A", Zoning Map](#)
[Attachment "B", Aerial Map](#)
[Attachment "C", Site Plan](#)
[Attachment "D", Elevate Las Cruces](#)
[Attachment "E", Findings](#)

PLAN(S):

Elevate Las Cruces

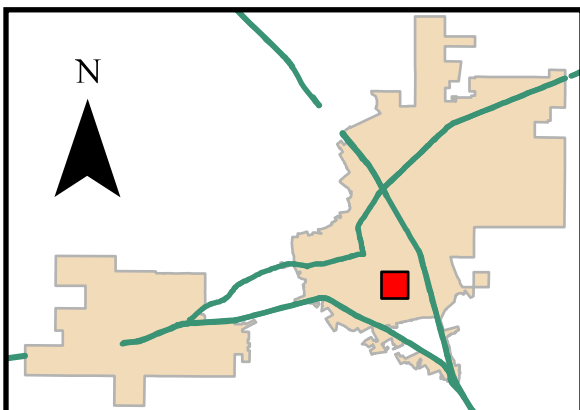
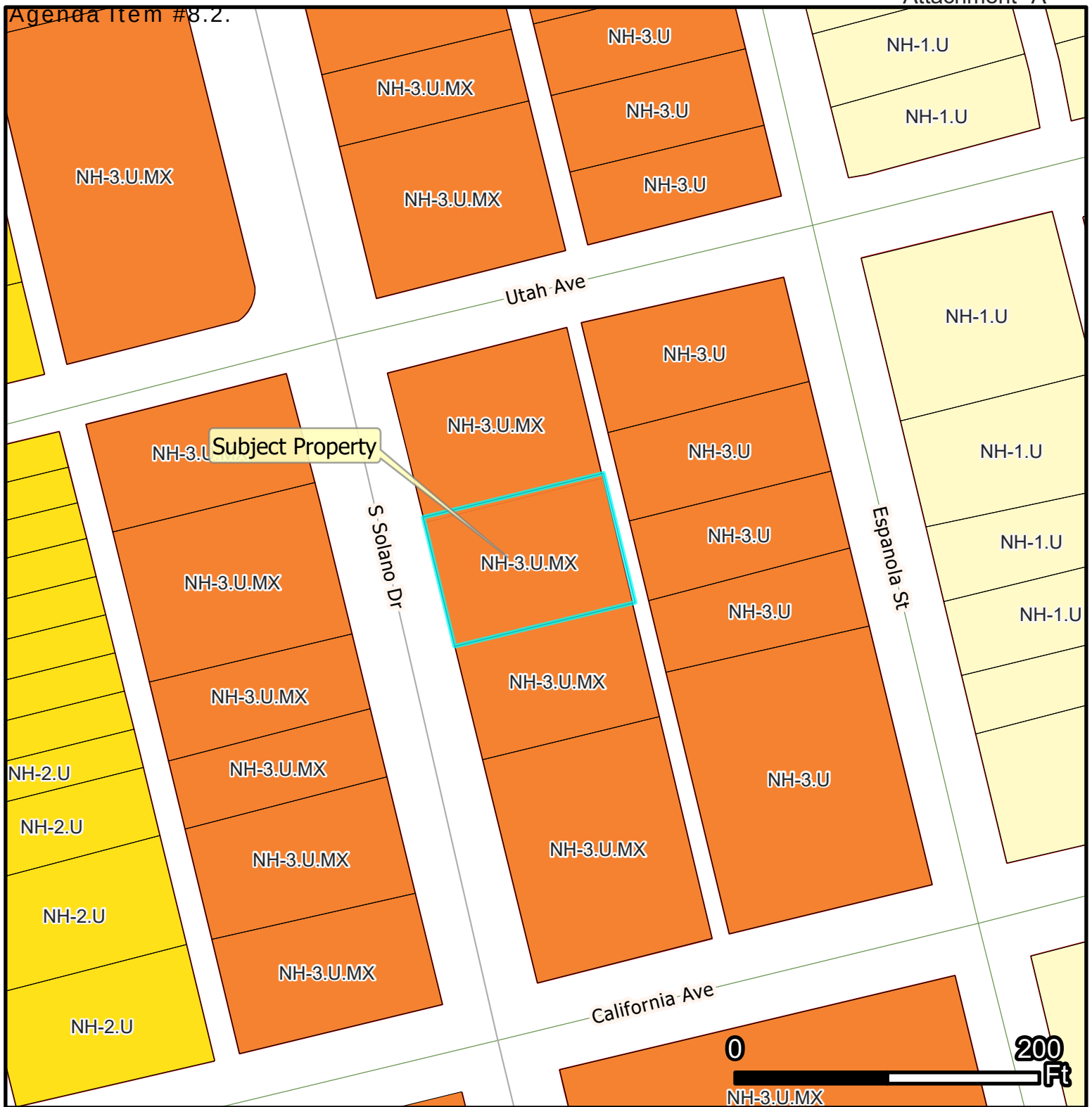
COMMITTEE/BOARD REVIEW:

P&Z

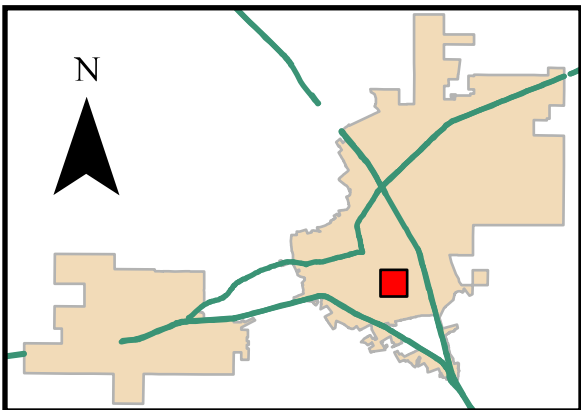
OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the proposed Special Use Permit as recommended by staff.
2. Vote "No"; this will deny the proposed Special Use Permit.
3. Vote to "Amend"; this could modify approval of the Special Use Permit by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table"; this will postpone consideration of the proposed Special Use Permit pursuant to further direction from the Commission.

Agenda Item #8.2.



1103 S. Solano Drive Special Use Permit



1103 S. Solano Drive Special Use Permit

- A. SITE UTILITIES SHOWN ARE FOR GENERAL REFERENCE ONLY. THE GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFICATION/Locate ALL UNDERGROUND UTILITIES WITH LOCAL UTILITY COMPANIES AND TO SITE INVESTIGATE (HAND DIG - AS REQ'D) UTILITY LINES SHOWN FOR VERIFICATION PRIOR TO WORK.
- B. CONTRACTOR SHALL TAKE PRECAUTIONS AS NECESSARY TO PROTECT FROM DAMAGING EXISTING UTILITY LINES, WALKS, LANDSCAPING, ETC. WHICH WILL REMAIN IN PART OF THE PROJECT. CONTRACTOR SHALL REPAIR AND/OR RESTORE THESE ITEMS AS REQUIRED TO PRE-CONSTRUCTION CONDITION.
- C. SLOPE MAINTENANCE MINIMUM 1%, MAXIMUM 2% FOR ACCESSIBILITY. SEE CIVIL DRAWINGS FOR GRADING AND DRAINAGE.
- D. SEE DETAIL A4, SHEET A51 FOR TYPICAL CONCRETE PAVING DETAILS.

1. EXISTING 740 S.F. BUILDING
2. PARKING AISLE
3. STACKING LANE
4. A.D.A RAMP - SEE DETAIL A5
5. START OF CURB
6. STRIPING ONLY
7. EXISTING 2' TALL 6" CMU WALL
8. TRUNCATED DOME - SEE DS

REF 35

(D)

①

A

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C

①

Q

①

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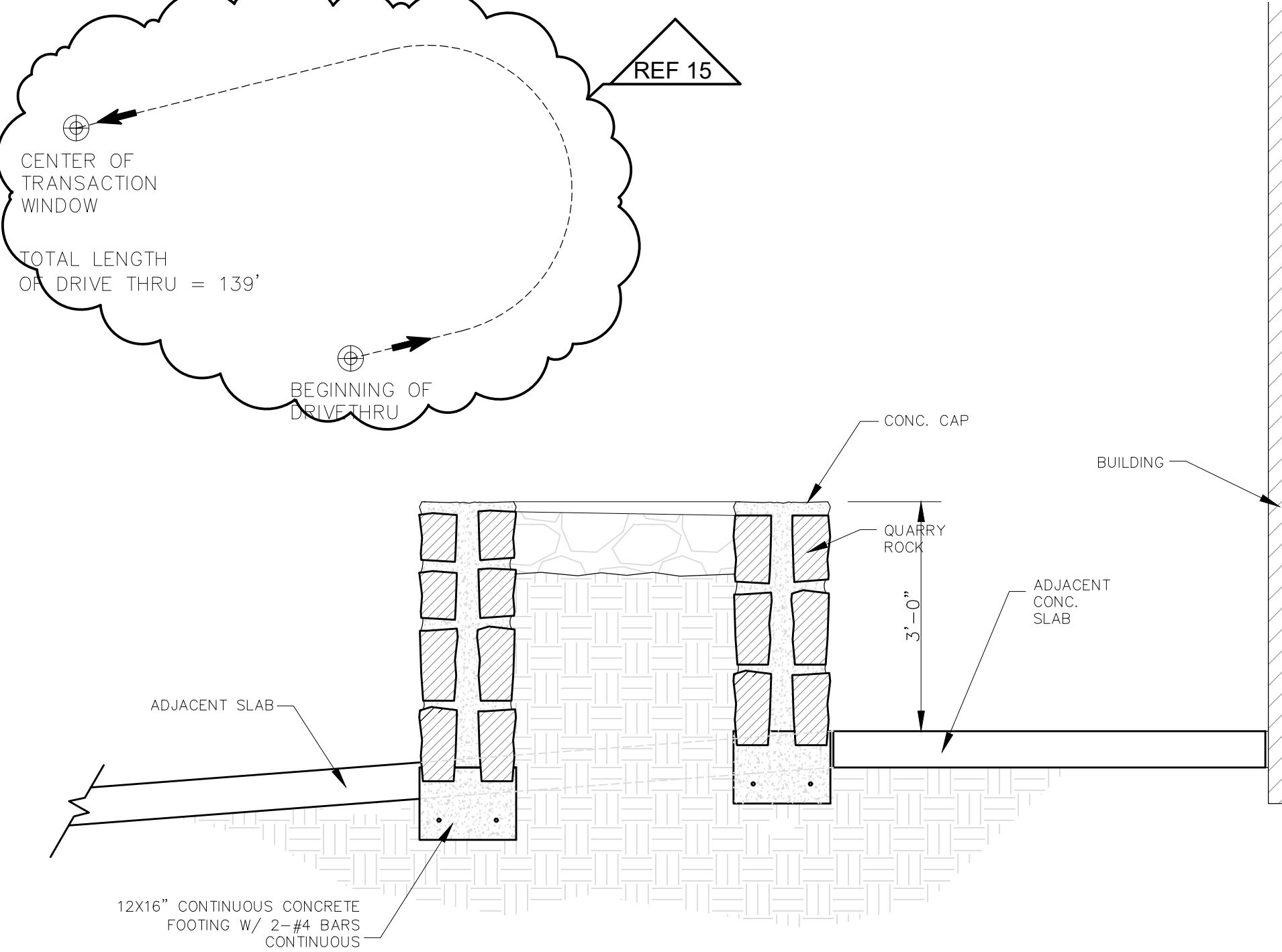
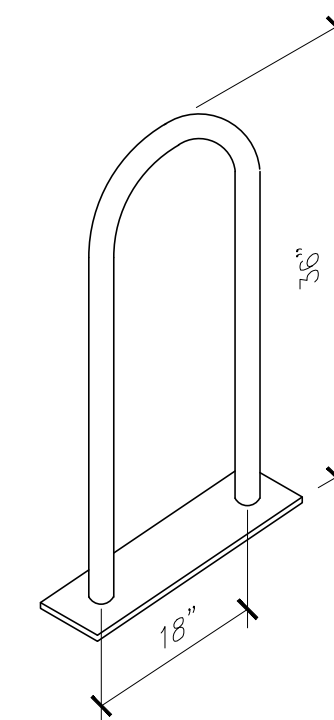
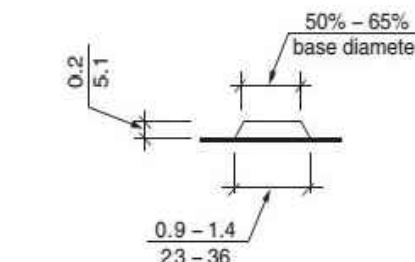
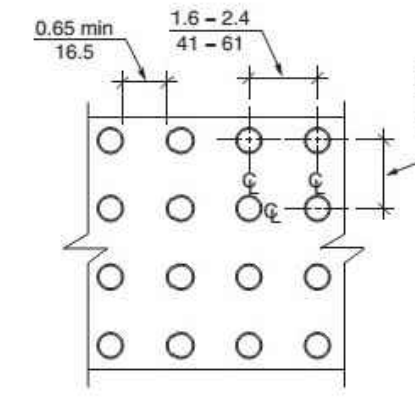
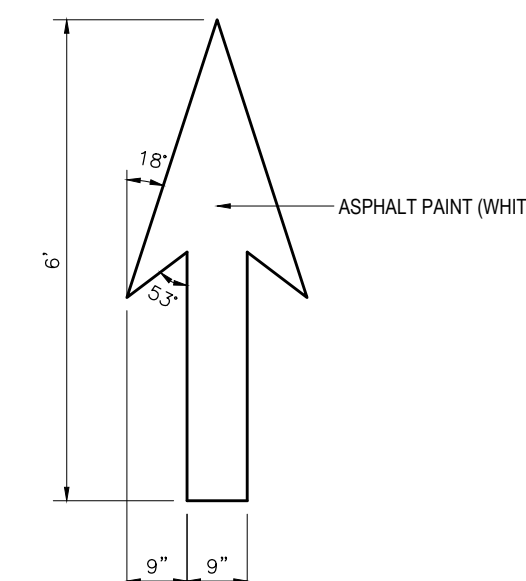


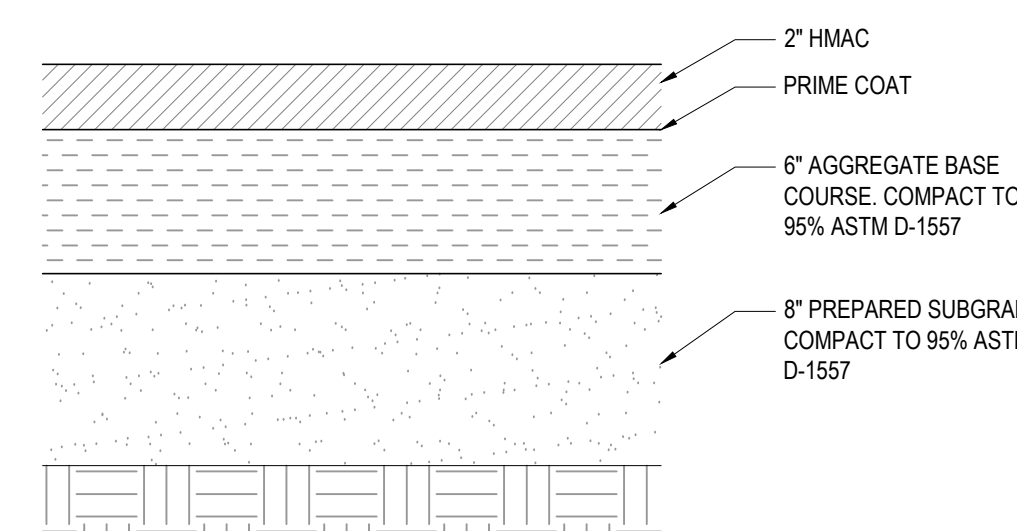
FIGURE 705.5(A) TRUNCATED DOME SIZE AND SPACING



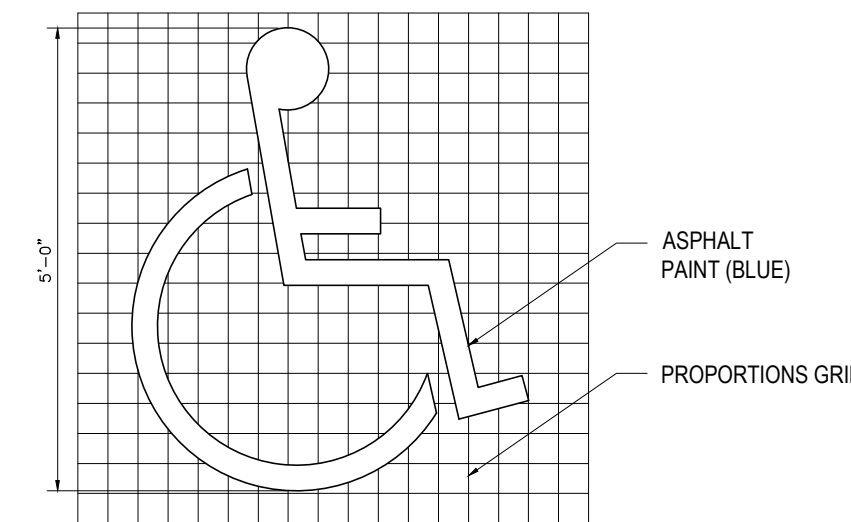
C4 BICYCLE PARKING (2 TTL)
SCALE: 3/4" = 1'-0"



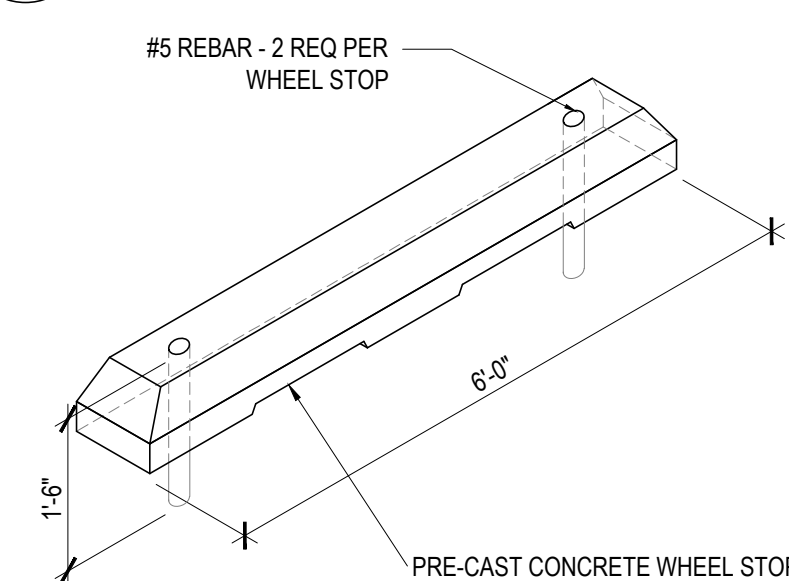
B4 DIRECTIONAL ARROW
SCALE: 3/4" = 1'-0"



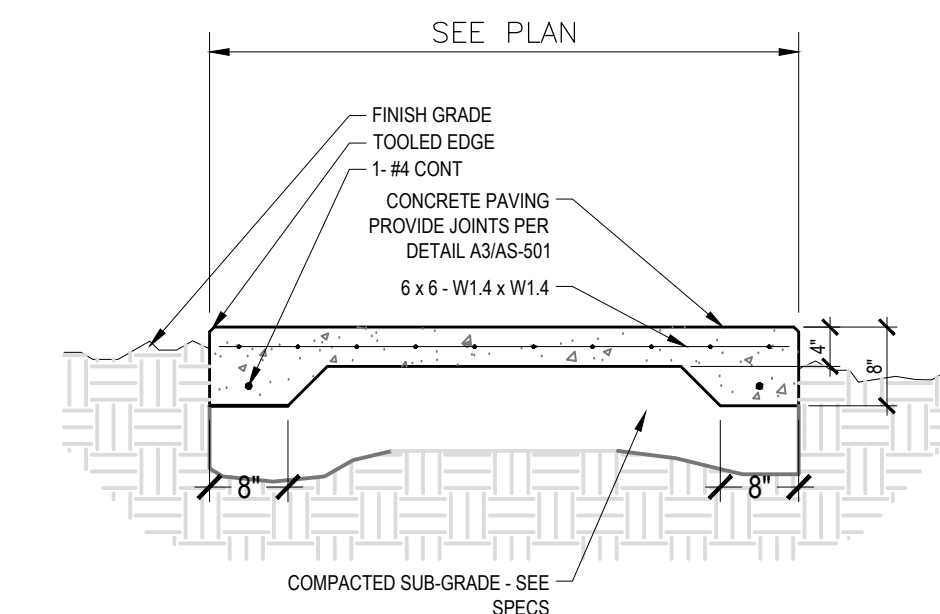
NOTE: ALL FILL IN EXCESS OF 8" DEPTH REQUIRED TO BRING DRIVEWAYS TO FINISH GRADE SHALL BE COMPACTED TO 90% OF ASTM D-1557



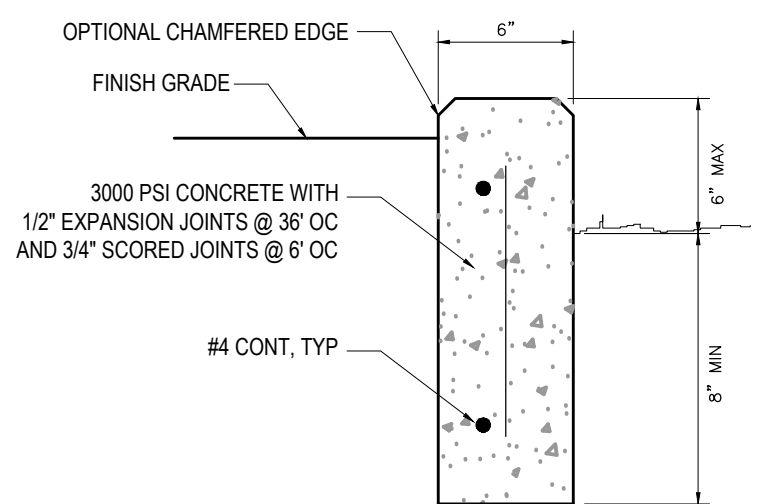
C5 A.D.A. PARKING SYMBOL
SCALE: 3/4" = 1'-0"



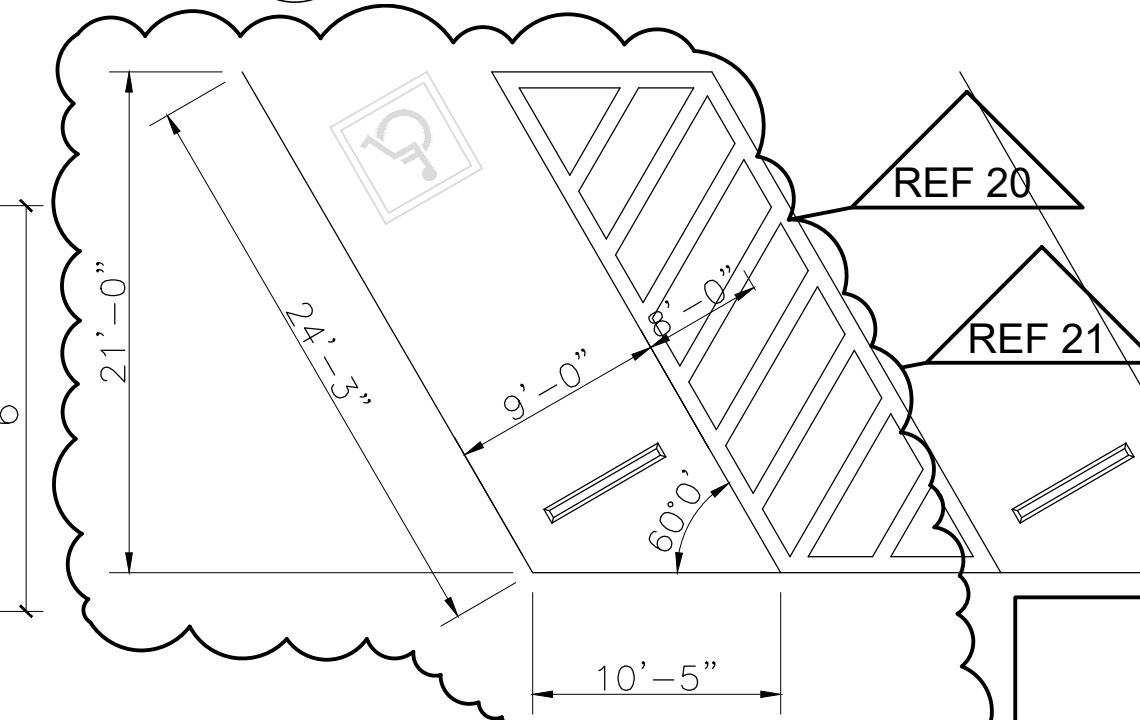
B5 CONCRETE WHEEL STOP
SCALE: 3/4" = 1'-0"



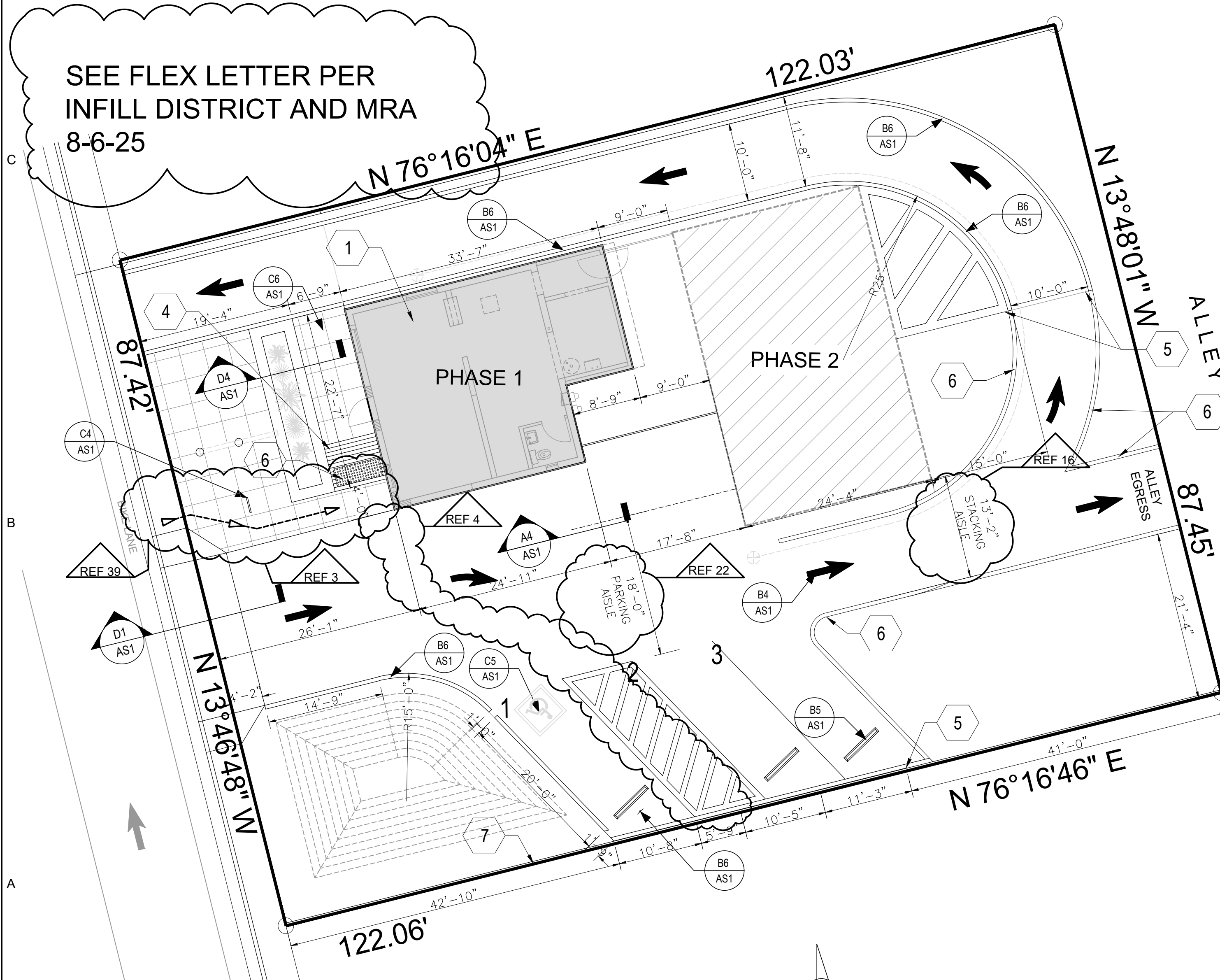
C6 **SIDEWALK DETAIL**
SCALE: 3/4" = 1'-0"



B6 **HEADER CURB DETAIL**
SCALE: 3/4" = 1'-0"



A6 **PARKING STALL**
SCALE: 3/4" = 1'-0"



ELEVATE LAS CRUCES

The following is a list of some of the key supporting goals, policies and actions:

- Community Environment:
 - Goal CE-3: Centers and Corridors – Support community growth through concentrated development at activity centers and along key corridors.
 - Policy CE-3.2 – Allow for a mix of development type and intensity along major thoroughfares that reflects surrounding urban, suburban, and rural contexts.
 - Goal CE-4: Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment, and civic uses.
 - Policy CE-4.2 – Incorporate employment and shopping nodes into new and redeveloping neighborhoods to provide residents with convenient access to services.
- Community Prosperity:
 - Goal CP-2: Economic Equity – Generate employment opportunities that create economic security for all residents.
 - Policy CP-2.2 – Support efforts to connect vulnerable populations to job opportunities.
 - Action CP -2.2.2 – Identify and promote places of employment to minimize commutes and increase accessibility to other transportation modes to create a job housing balance.
 - Goal CP-4: Diversification - Seek a balance of business recruitment, retention, and expansion to diversify economic opportunities.
 - Policy CP-4. - Support efforts to be regionally and nationally competitive in regard to retaining and growing businesses, jobs, and students.

FINDINGS

- The subject property meets the distance separation requirements from any school and nursery/day care.
- The subject parcel as it exists is surrounded by commercial land uses of similar context.
- In terms of the proposed use, the business will function as any other business within the City.
- All applicable requirements as outlined in the Realize Las Cruces Development Code and those stipulated by the State of New Mexico must be adhered to for subsequent operation of the proposed business.
- The proposed SUP meets the intent and purpose of Elevate Las Cruces Comprehensive Plan.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	John Castillo	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A MASTER PLAN KNOWN AS COYOTE RUN. THE PROPOSED SUBDIVISION ENCOMPASSES APPROXIMATELY 25.095 ACRES, IS ZONED R-1A/R-1B (SINGLE-FAMILY MEDIUM DENSITY/SINGLE-FAMILY HIGH DENSITY) AND R-3/R-4/C-2 (MULTI-DWELLING MEDIUM DENSITY/MULIT-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE/COMMERICAL MEDIUM INTENSITY) AND LOCATED APPROXIMATELY 642 FEET WEST OF THE INTERSECTION OF SETTLERS PASS AND THURMOND ROAD. THE MASTER PROPOSES TO HAVE A MIXED-USE DEVLEOPMENT WITH APPROXIMATELY 3.07 ACRES OF NON-RESIDENTIAL DEVELOPMENT AND APPROXIMATELY 18.81 ACRES OF RESIDENTIAL DEVELOPMENT. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 24CS0500117)			

PURPOSE(S) OF ACTION:

Approval of a master plan.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

2001 Zoning Code, as amended and Chapter 37, City of Las Cruces Subdivision Code.

PURPOSE:

The purpose of the master planning process is to advance the goals and objectives of the City’s Comprehensive Plan and to address a variety of environmental and social issues in an area being proposed for future development. A master plan is considered part of the planning process in which the proposal is viewed as a conceptual tool reflecting the ideas and thoughts for future development.

The Planning and Zoning Commission shall act upon the proposed master plan by reviewing the master plan report, comments and recommendations received from the Development Review Committee (DRC), subdivision administrator and presentations from the applicant or applicant’s representative.

LAND USE HISTORY:

In 2006 the City of Las Cruces annexed approximately 210.755 acres of land known as Rincon Hills (East Mesa) Annexation per Ordinance 2335. In 2006 the 210.755 acres created Rincon Hills Subdivision master plan, which is where the subject property is located. The initial zoning of the property is R-1a (Single-Family Medium Density), R-1b (Single-Family High Density), R-1c (Single-Family Low Density), R-3 (Multi-Dwelling Medium Density), R-4 (Multi-Dwelling High Density & Limited Office and Retail Space), and C-2 (Commercial Medium Intensity) following the 2001 Zoning Code per Ordinance 2336.

PROJECT DESCRIPTION:

The proposed master plan, Coyote Run, encompasses approximately 25.095 acres of vacant/undeveloped land that is zoned R-1a/R-1b (Single-Family Medium/High Density), R-3/R-4/C-2 (Multi-Dwelling Medium Density/Multi-Dwelling High Density and Limited Retail & Office/Commercial Medium Intensity) and located west of Settlers Pass and South of Thurmond Road, approximately 642 feet west of its intersection. The subdivision proposes 20 single-family residential lots and one non-residential lot to be constructed in a single phase with lots that range from approximately 0.881 to 3.070 acres in size.

SITE SUITABILITY:

This is a multi-zone property, and the applicant has chosen to utilize the development standards of the R-1a zoning district for the residential lots and the C-2 development standards for the non-residential lot. The applicant could subdivide the non-residentially zoned portion of property into several lots meeting the minimum required 10,000 square foot lot size, the required 70 foot by 60-foot minimum lot depth and width dimensions. Additionally, the applicant could subdivide the residentially zoned portion of the property into several lots meeting the required 5,000 square foot minimum lot size and the required 70 foot by 50-foot minimum lot depth and width dimensions. As designed, the proposed lot sizes vary from 38,376.36 square feet (0.881 acres) to 133,729.2 square feet (3.070 acres) and are at least 51.44 feet wide and 180.41 feet deep. The proposed lots exceed the minimum lot size requirement for the R-1a zoning district and C-2 Zoning district. With the expansion of Thurmond Road, the applicant is responsible for extending all utilities from both the City of Las Cruces and Dona Ana Mutual Water.

ACCESS/TRAFFIC:

Access to lots within a residential subdivision shall be from a dedicated and improved public right-of-way, which is built to City of Las Cruces Design Standards. Coyote Run Loop will be classified as a low-density local roadway which will be 40-ft wide providing sidewalk, curb, gutter, pavement, and streetlights. Thurmond Road is classified as a principal arterial roadway, which is 120 feet in width, and the applicant is responsible for dedicating and improving half of the cross section, 60-feet, to which the subdivision is adjacent. In this case, the southern half of Thurmond Road located in the city limits will be built out and expanded to match the 60-foot-wide section that has been constructed to the east.

PARK LAND DEDICATION:

A condition placed with the approval of Ordinance 2335 that approved the annexation known as Rincon Hills, stated that 10 acres of land be dedicated to the City for park/open space and not in lieu of park fees that would be applicable at the time. Through discussions between staff and the City of Las Cruces Legal Department the request for park land dedication can be made, but the applicant is not required to provide the park land dedication. As the application was submitted prior to the adoption of Realize Las Cruces, the applicant will utilize the 2001 Code and Chapter 37, City of Las Cruces Subdivision Code, which they are not required to have to dedicate the necessary park land, but would be required to pay all necessary park impact fees. If the master plan is to delay approval and get approval in the new year, then park land dedicated will be required or payment in lieu, as the proposed master plan and preliminary plat will follow the newly adopted Realize Las Cruces.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed master plan will allow the property owners to subdivide and develop the vacant land with similar residential uses in the neighborhood and provide commercial services to the community. For goals and policies refer to Attachment "F".

FLOOD PLAIN:

The property is located within a flood zone and will have to follow all requirements designated by the Flood Administrator and FEMA. The requirements that are needed for approval of the final plat and construction

Agenda Item #8.3.

drawings are going to be the filing of a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR).

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed master plan. The DRC reviews master plans from an infrastructure, utilities and improvement standpoint. After some discussion of the location and proposed development of this area, the DRC voted to recommend APPROVAL WITH CONDITIONS. The condition being that the master plan must get approval prior to December 31, 2025, to refrain from having to dedicate park land or pay a fee in lieu of dedication. For additional information please refer to Attachment "D" for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed Coyote Run master plan meets all requirements of the Subdivision Code, Design Standards, and the 2001 Zoning Code, as amended. The proposed master plan also meets the objectives for the purpose of a master plan as required by the Subdivision Code. The proposed development is compatible with the surrounding area and will extend connectivity with the future improvements along Thurmond Road. Furthermore, the forthcoming final plat and construction drawings will be required to meet any remaining or additional requirements of the Zoning Code and Design Standards.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed master plan request.

APPLICATION TIMELINE:

Applicant Submitted: September 23, 2024
Staff Returned: October 15, 2024
Applicant Returned: July 23, 2025
Staff Returned: April 23, 2025
Applicant Returned: March 11, 2025
Staff Returned: May 19, 2025
Applicant Returned: July 23, 2025
Staff Returned: August 01, 2025
Applicant Returned: August 12, 2025
DRC Recommended Approval: August 20, 2025

SUPPORT INFORMATION:

[Attachment A - Zoning Map](#)
[Attachment B - Aerial Map](#)
[Attachment C - Proposed Master Plan](#)
[Attachment D - 08-20-25 DRC Minutes](#)
[Attachment E - Findings Coyote Run Master Plan](#)
[Attachment F - Elevate Las Cruces](#)

COMMITTEE/BOARD REVIEW:

DRC

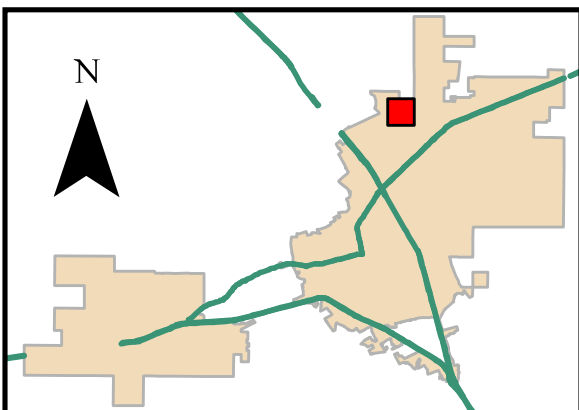
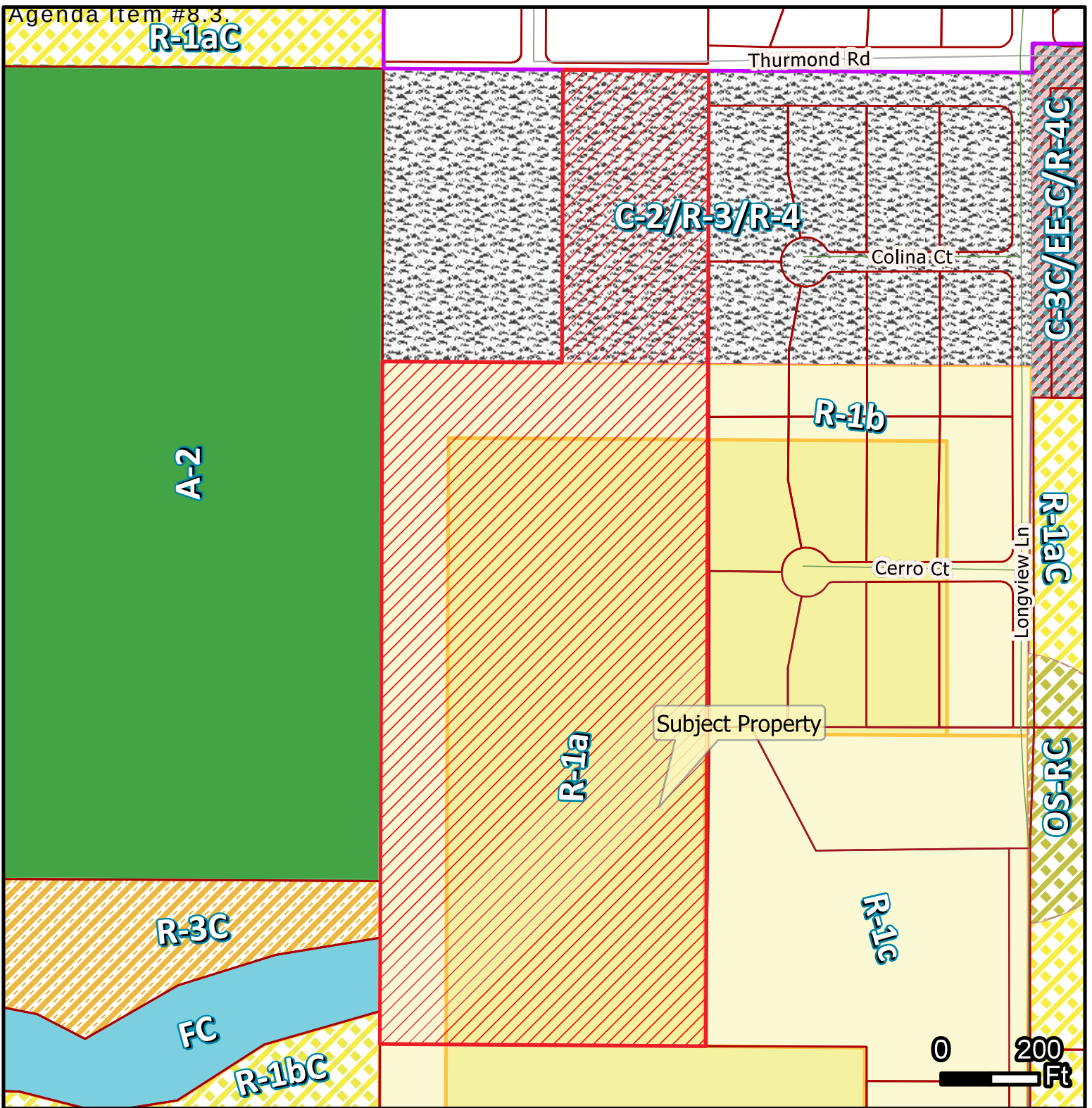
OPTIONS / ALTERNATIVES:

1. Vote "Yes" this will approve the proposed master plan known as Coyote Run Subdivision as recommended by staff.
2. Vote "No" this will deny the proposed master plan.

Agenda Item #8.3.

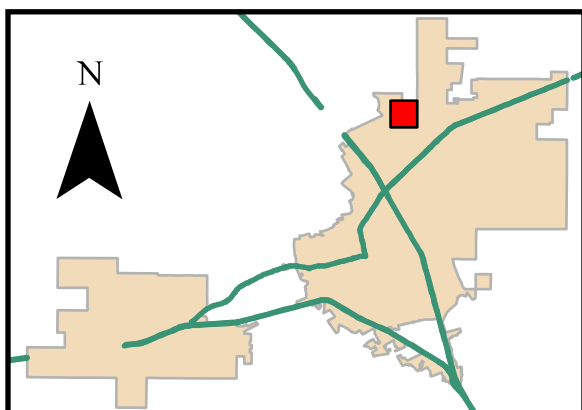
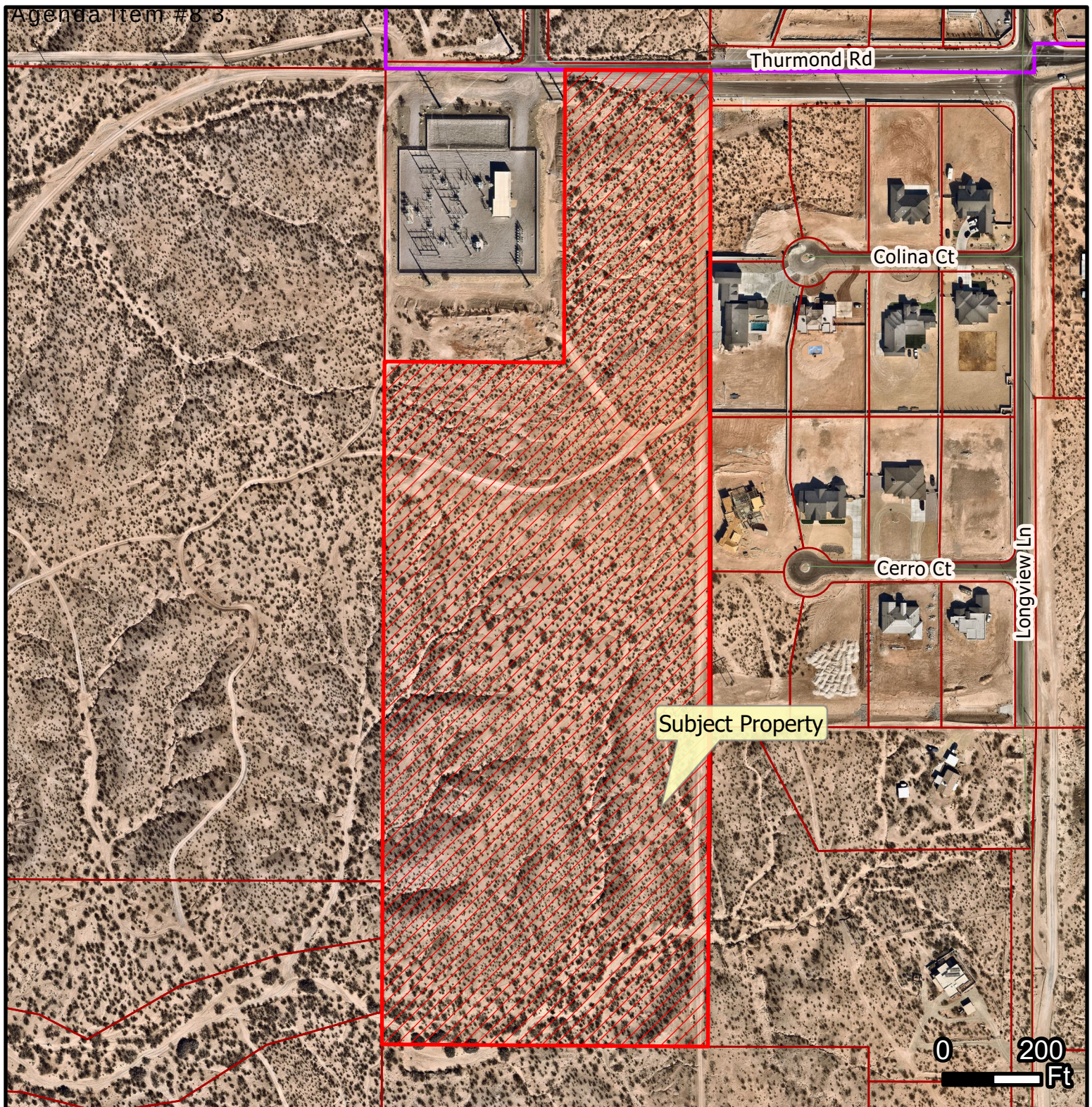
3. Vote to "Amend" this could modify approval of the proposed master plan by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table" this will postpone consideration of the proposed master plan pursuant to further direction from the Commission.

Agenda Item #8.3

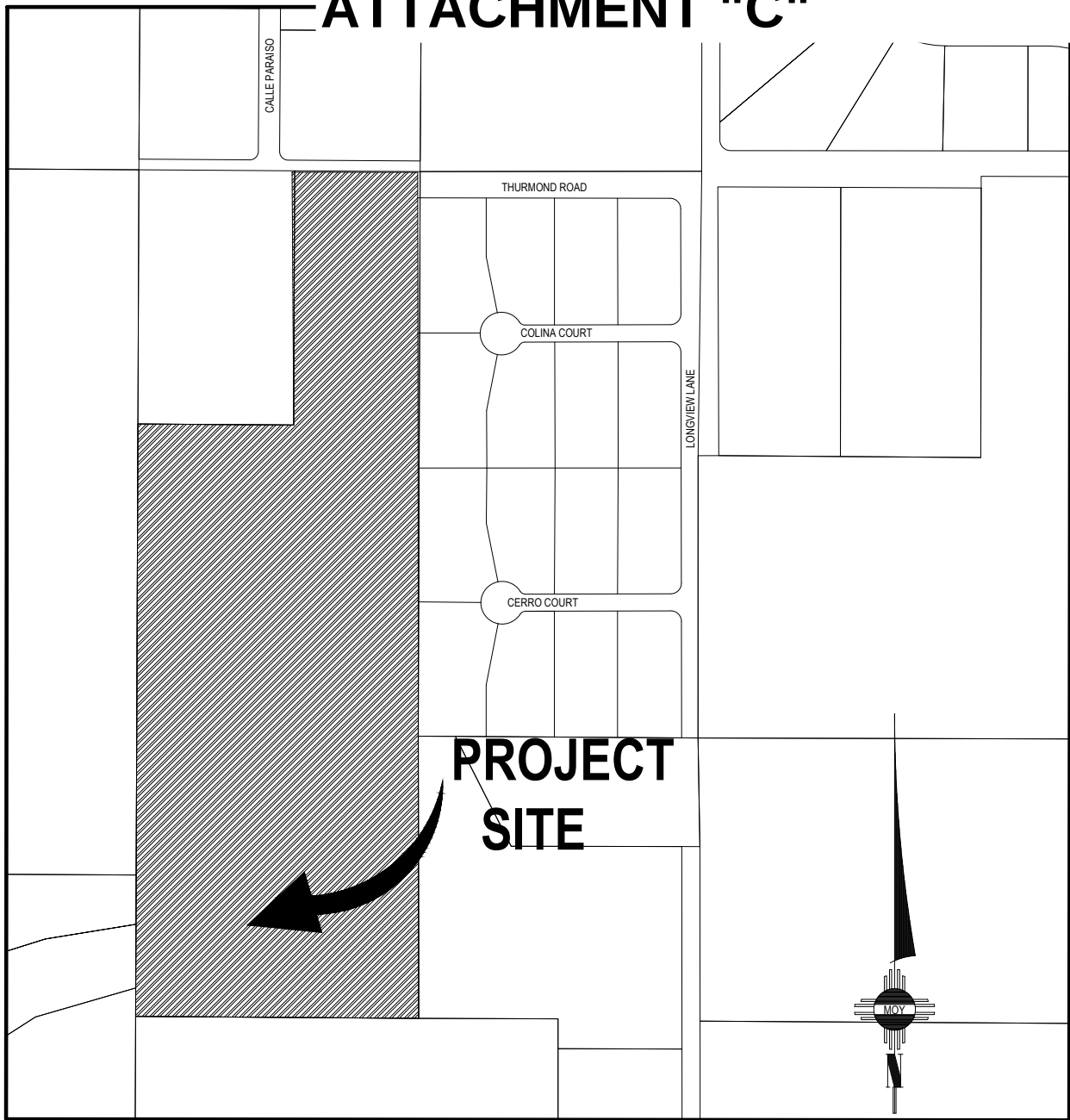


Coyote Run Subdivision

Agenda Item #8.3.



Coyote Run Subdivision



VICINITY MAP

NOT TO SCALE

LEGAL DESCRIPTION

A TRACT OF LAND SITUATE IN THE CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO IN SECTION 20, T.22S., R.2E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT A NAIL SET ON THE NORTH LINE OF SAID SECTION 20, AND ON THE CENTERLINE OF A 50 FOOT ROAD AND UTILITY EASEMENT (A.K.A. THURMOND ROAD) FOR THE NORTHWEST CORNER OF THIS TRACT HEREIN DESCRIBED, WHENCE THE N1/4 CORNER OF SAID SECTION 20 BEARS N 89° 56' 47" W FOR A DISTANCE OF 365.42 FEET;

THENCE FROM POINT OF BEGINNIG, ALONG THE NORTH LINE OF SAID SECTION 20, AND ALONG THE CENTERLINE OF SAID 50 FOOT ROAD AND UTILITY EASEMENTS (A.K.A. THURMOND ROAD), S 89° 56' 56" E FOR A DISTANCE OF 294.57 FEET TO A NAIL SET ON THE EAST LINT OF A 25 FOOT ROAD AND UTILITY EASEMENT FOR THE NORTHEAST CORNER OF THIS TRACT:

THENCE LEAVING THE NORTH LINE OF SAID SECTION 20 AND THE CENTERLINE OF SAID 50 FOOT ROAD AND UTILITY EASEMENT (A.K.A. THURMOND ROAD), S 00° 06' 33" E FOR A DISTANCE OF 1985.69 FEET TO AN IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE N 89° 55' 09" W FOR A DISTANCE OF 660.20 FEET TO AN IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 00° 06' 51" W FOR A DISTANCE OF 1389.57 FEET TO AN IRON ROD SET FOR AN ANGLE POINT ON THIS TRACT;

THENCE S 89° 54' 23" E FOR A DISTANCE OF 365.39 FEET TO AN IRON ROD FOUND FOR AN ANGLE POINT ON THIS TRACT;

THENCE N 00° 04' 28" W A DISTANCE OF 596.05 FEET TO THE POINT OF BEGINNING, CONTAINING 25.095 ACRES OF LAND, MORE OR LESS. SUBJECT TO A 25 FOOT ROAD AND UTILITY EASEMENT SOUTH OF PARALLEL AND ADJACENT TO THE NORTH BOUNDARY, A 25 FOOT ROAD AND UTILITY EASEMENT WEST OF, PARALLEL AND ADJACENT TO THE EAST BOUNDARY, A 50 FOOT EL PASO ELECTRIC COMPANY TRANSMISSION LINE EASEMENT, AND ANY RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

NOTES:

1. FLOOD ZONE "X"; AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AND FLOOD ZONE "AE" AREA DETERMINED TO BE WITHIN 100 YEAR FLOOD ZONE AS PER MAP NO. 35013C0894 G, REVISED JULY 6, 2016.
2. FIELD NOTES BY MOY SURVEYING INC., LICENSE #18078. ALL CORNERS SET ARE 1/2" REBAR WITH 1" ORANGE PLASTIC CAPS STAMPED #18078. ALL REBAR OR MONUMENTS FOUND, TAGGED, STAMPED #18078.
3. BASIS OF BEARINGS: TWO 1/2" REBAR FOUND WITH NO CAP ALONG THE SOUTH BOUNDARY OF THIS PLAT.
4. UNLESS OTHERWISE NOTED DEED BEARINGS AND DISTANCES AND FIELD BEARING AND DISTANCES ARE THE SAME.
5. INFORMATION IN THE PREPARATION OF THIS PLAT DERIVES FROM REAL ESTATE CONTRACT FILED 03/03/2022, INST.: 2206284.
6. PROPOSED "PARCEL 4" TO BE DEDICATED TO AND MAINTAINED BY THE CITY OF LAS CRUCES. EXISTING 25' ROAD AND UTILITY EASEMENT WITHIN THURMOND ROAD TO BE VACATED BY THIS PLAT.
7. PROPOSED DEVELOPMENT TO UTILIZE CITY OF LAS CRUCES GAS SERVICE.
8. INCREASE RUNOFF WILL BE ATTENUATED WITH A COMBINATION OF ROADWAY SWALES AND ON-LOT PONDING AS DESCRIBED WITHIN THE MASTER DRAINAGE PLAN.
9. THE DEVELOPER/OWNER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUB-OUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES, AND (B) COMPLIANCE WITH ALL APPLICABLE UTILITY STANDARDS.
10. WATER SERVICE TO BE PROVIDED BY MOONGATE WATER COMPANY.

PREPARED BY:
MOY SURVEYING INC.
1985 CALLE DE COLON
MESILLA, NM 880465

DEVELOPER:
MOUNTAIN HIGH GROUP
ROBERT RODRIGUEZ
446 SIRENA LANE
LAS CRUCES, NM 88012



LEGEND:

- 1/2" REBAR FOUND (NO CAP)
 ○ 1/2" REBAR SET WITH 1"
 ORANGE PLASTIC CAP (18078)

CITY PLANNING AND ZONING COMMISSION APPROVAL

THIS PLAT HAS BEEN SUBMITTED TO AND CHECKED BY THE CITY OF LAS CRUCES
PLANNING AND ZONING COMMISSION. IT CONCURS WITH THE EXPANSION OF EXISTING
UTILITIES AND THOROUGHFARES AND IS IN ACCORDANCE WITH GENERAL CITY PLANNING

BY: _____
SUBDIVISION ADMINISTRATOR

DATE: _____

EASEMENTS:

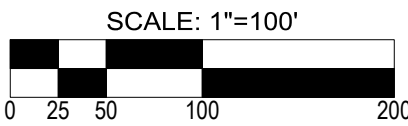
- | | |
|-----|---|
| E1. | EASEMENTS SHOWN DERIVE FROM REAL ESTATE CONTRACT FILED WARRANTY DEED FILED 03/03/2022, INST.: 2206284 DOÑA ANA COUNTY RECORDS, DOÑA ANA COUNTY, NEW MEXICO. |
| E2. | EASEMENTS SHOWN ARE CREATED AS PER THE FILING OF THIS PLAT. |

I, HENRY MAGALLANEZ, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED THIS SURVEY AND/OR WAS DONE UNDER MY DIRECTION, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

HENRY MAGALLANEZ

N.M.P.S.

#18078



JOB NO: 22-0461
DRAWN BY: ANTON
FIELD BY: KENNY/VIC/ANTON
DATE: 08/09/2022



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 20, 2025, at 9:00 a.m. in Room 1158.

DRC PRESENT: David Weir, Deputy Director Community Planning
Sara Gonzales, Interim Deputy Director
Adam Ochoa, Senior Planner
Rocio Nasir, Senior Engineer, Utilities
Michael Danner, CLC Fire
Katherine Harrison-Rogers, Plan & Construct Admin, Parks
William Bass, Senior Engineer
Susan Reeder, Associate Engineer

STAFF PRESENT: John Castillo, Planner, Community Development

OTHER PRESENT: Anton Magallanez, Moy Surveying
Kent Thurston, KT Homes
Adrian Renteria, AE Engineering
Zack Libbin, Libbin Underwood Engineering
Terry Boyce, President of Boyce Tracts
Caitlin Frugoli, Libbin Underwood Engineering

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

Weir: Okay, we're going to call the August 20, 2025 Development Review Committee meeting to order. We have representatives of all departments except Public Works. And my understanding is they're on their way. But we do have a quorum, so we'll go ahead and start.

2. APPROVAL OF MINUTES

2.1 May 7, 2025

Weir: First order of business today is to approve the minutes of the DRC from May 7, 2025. Have all had an opportunity to look at those? Or is anyone comfortable with making a motion to adopt?

Gonzales: I make a motion to approve.

Weir: Okay. Do I have a second?

Nasir: Second.

1
2 Weir: Okay, I'll just do a voice vote. All those in favor, say "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Weir: All those opposed.

7
8 Harrison-Rogers: I abstain since I wasn't here. I'm going to abstain.

9
10 Weir: Okay.

11
12 Harrison-Rogers: Okay, thanks.

13
14 Weir: Okay. Minutes have been approved, 3-0-2.

15
16 **3. NEW BUSINESS**

17
18 **3.1 Case No. 24CS0500036: Hacienda Acres Replat No. 9**

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- A request for approval of a non-administrative replat, known as Hacienda Acres Replat No. 9.
 - The proposed subdivision is currently approximately 0.864 acres in size, is zoned NH-3S (Neighborhood 3 Suburban) and located on the south side of Bataan Memorial East, approximately 450 feet east of its intersection with Hacienda Avenue, a.k.a. 6975 Reynolds Drive.
 - The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are equally divided and approximately 0.423 acres in size.
 - Submitted by Moy Surveying, Representative.

29 Weir: Okay. We'll go on to new business. The first item on the agenda is Hacienda Acres, replat No 9. Community Development. Do you have an overview or presentation you'd like to make?

30
31
32
33 Gonzales: Sure. This is a replat for a non-administrative replat, which is going from one lot to two lots. It is Hacienda Acres, replat no. 9. The property is currently 0.864 acres in size and is being subdivided equally to accommodate 0.0432 acres in size for each lot. They are zoned NH-3 Suburban under Realize Las Cruces. It is located on the south side of Bataan Memorial East, in which they would not have access to. However, they will be having entrance off of Reynolds Drive, which is about 450 feet east of its intersection with Hacienda Avenue. Staff did sent it out for review. There were no pending comments as far as any approve with conditions or contingencies moving forward onto the plat.

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43
44 Weir: Okay. Does Moy Surveying have anything they would like to present or add to the report?

Agenda Item #8.3.

1 Steve: I think I just wanted some clarification on that park impact fee, just because
2 I'm not as familiar with it with now the changes to it. So if we can talk a little
3 bit about that.
4

5 Harrison-Rogers: The fee in lieu or the park impact fee?
6

7 Steve: Both.
8

9 Harrison-Rogers: Okay. All right. So if you'd like some clarification, I can try to do it for
10 you.
11

12 Steve: Sure.
13

14 Harrison-Rogers: So there are two different things. There's a park dedication and
15 improvement or fee in lieu.
16

17 Steve: Okay.
18

19 Harrison-Rogers: And in a case like this, of course, you can't dedicate park, right. And
20 then there's a park impact fee. The way the park impact fees were adopted
21 this year, it excludes neighborhood parks simply because of now that
22 dedication or that fee in lieu. So when the equation was done, it was
23 assuming facility types that were aquatics, specialty facilities, regional
24 parks, community parks, not neighborhood parks. So at the time of building
25 permit, a fee in lieu is still applicable to the homes. Now, those are sliding
26 scale now. So if it's a smaller home, the fee actually went down. If it's a
27 larger home, the fee probably went up. And so that'll be due at the time of
28 building permit for the house.
29

30 Now, because you can't build a neighborhood park or dedicate land towards
31 a neighborhood park in this particular case, there is a fee in lieu. That
32 particular, when we did the calculation, because we're looking at the new
33 lot being added, not the old lot, right. And it comes to a really, really small
34 acreage amount. It would be .00732 acres to be dedicated for this particular
35 type of lot split.
36

37 Steve: 0.00732 is a calculated park that we would have had to have dedicated.
38

39 Harrison-Rogers: Yes, which is ridiculous.
40

41 Steve: Which we don't want, so we would do fee in lieu anyway.
42

43 Harrison-Rogers: Yes, exactly. And so based on that calculation and looking at the
44 current cost of land and average cost to build a park per acre, that fee is
45 \$3,718.56. Now, Sara did indicate to me that this particular project was
46 submitted in advance of the adoption of Realize.

1
2 Gonzales: Correct.

3
4 Harrison-Rogers: So this particular case, it's kind of a moot point because of the timing of
5 when you submit it. So for at least replant number nine, as I understand it
6 from the submittal date that Sara indicated, you are not subject to that.

7
8 Steve: So we're not subject to fee in lieu, but of course we are subject to the park
9 fee for the permit when they build the home.

10
11 Harrison-Rogers: Exactly. Exactly. But anything else that was submitted at a later date
12 that falls under Realize, they're subject to that fee in lieu and the park impact
13 fee.

14
15 Steve: Even if Realize is in effect but are still using to, we know we have that
16 Realize date, but we have an eight month or whatever transition period. So
17 even if we're electing to use the prior code, if Realize was already in effect
18 we're still subject to fee in lieu.

19
20 Harrison-Rogers: If you're using the prior code, I think the determination was that you're
21 not subject to the fee in lieu.

22
23 Steve: Even if it's after the Realize date of the submittal?

24
25 Harrison-Rogers: I don't know. Sara.

26
27 Gonzales: What it would mean is if you're using the prior code, you have to have
28 everything approved and basically completed before December 31st.
29 Starting January 1, there would be nothing under the previous code.

30
31 Steve: Okay.

32
33 Gonzales: Everything has to be in effect. So in this case development on this property
34 would take place within probably Realize Las Cruces. We have no
35 development plans, and so we're moving it forward. However, the submittal
36 date will allow it to not have that park dedication being required.

37
38 Steve: But for instance, anything, again hypothetically I recognize, but anything
39 submitted today could still be using the old plan, but everything would have
40 to be completed by 2025 to then not have a park dedication...

41
42 Gonzales: Correct.

43
44 Steve: Fee or park dedication requirement.

45
46 Weir: My understanding is that your plat would need to be filed by January 1st.

1
2 Steve: Yes, and final plat. Therefore, we'd have to have everything completed.
3
4 Weir: So, yes any plat afterwards. Just a point of order, Katherine and Steve. So
5 this fee in lieu, would that need to be collected at the time we were having
6 the plat recorded?
7
8 Harrison-Rogers: Yes.
9
10 Weir: And so the impact fee would still be collected with the building?
11
12 Harrison-Rogers: Correct.
13
14 Weir: Because the fee in lieu with the plat.
15
16 Harrison-Rogers: Because the fee in lieu is tied specifically to the subdivision.
17
18 Weir: Okay. All right.
19
20 Steve: So that's just the fee that would be assessed. However, we're not going to
21 be assessed on this because of the plat submission date. And then if it was
22 after the date, we'd have to have everything done before. I got it. So yes,
23 kind of park dedication or fee in lieu doesn't have impact to this, but we will
24 be subject to a new park fee for each lot at the time of (*inaudible*).
25
26 Harrison-Rogers: Yes.
27
28 Steve: That helps.
29
30 Harrison-Rogers: Okay.
31
32 Weir: Okay. Anything else? Any questions? Departments, anything that you'd
33 like to comment on that or anything else? If that's the case, I'll go ahead
34 and entertain a motion to approve Hacienda Acres replat number nine
35 subdivision. Do I have a motion?
36
37 Nasir: So moved.
38
39 Weir: Do I have a second?
40
41 Danner: Second.
42
43 Weir: Okay. I'll go ahead and take a roll this time. Public works.
44
45 Bass: No comments.
46

1 Weir: This would be the vote to approve.

2
3 Bass: Yes.

4
5 Weir: Yes. Okay. Community development votes yes. Utilities.

6
7 UTILITIES UNKNOWN: Yes.

8
9 Weir: Fire.

10
11 Danner: Yes.

12
13 Weir: Parks and Rec.

14
15 Bingham: Yes.

16
17 Weir: Okay. DRC is recommending approval to the Planning and Zoning
18 Commission for this subdivision.

19

20 **3.2 Case No. 25CS500057: Hacienda Acres Replat No. 10**

21 • A request for approval of a non-administrative replat, known as
22 Hacienda Acres Replat No. 10.

23 • The proposed subdivision is currently approximately 0.914 acres in size,
24 is zoned NH-3S (Neighborhood 3 Suburban) and located on the south
25 side of Bataan Memorial East, approximately 300 feet east of its
26 intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive.

27 • The subdivision proposes subdivide one (1) existing lot into two (2) new
28 lots that are approximately 0.460 and 0.454 acres in size.

29 • Submitted by Carter Surveying and Mapping LLC, Representative.

30

31

32 Weir: Next item of business is Hacienda Acres replat number 10 subdivision.
33 Community Development, do you have a review?

34

35 Magallanez: I'm sorry, is that Zach Libbin. I can let him know to come in.

36

37 Gonzales: Carter's not here.

38

39 Magallanez: Oh, okay. Carter.

40

41 Harrison-Rogers: Now Sara, this one was submitted after though, correct.

42

43 Gonzales: Submitted after it. The question would be though is they still have the right
44 to use old code up until December 31st.

45

46 Harrison-Rogers: Okay.

1
2 Gonzales: Yes. I would see that as being assembled. So this is going to be Hacienda
3 Acres replat number 10. This is adjoining, essentially adjacent to the lot
4 that we just discussed at 6955 Reynolds Drive. It is also a non-
5 administrative replat subdividing the lots from one to two. It is also zoned
6 NH-3 Suburban within Realize Las Cruces, located on the south side of
7 Bataan. This property is about 300 feet east of its intersection from
8 Hacienda Avenue. This went through the review process as well. There
9 were no pending comments or approved with conditions.

10
11 Weir: Sara, just a point of order. Does the applicant need to be present before
12 we can act?

13
14 Gonzales: The applicant was on their way, however, something came up and had to
15 turn back around. There were no comments extended from the applicant
16 as the application has gone through with full approval. So there was nothing
17 additional to add in.

18
19 Harrison-Rogers: Mr. Chair. Can I ask a point of clarification from Sara? So in this
20 particular case they would be subject to the fee in lieu if they don't get this
21 recorded by January 1?

22
23 Gonzales: Correct. I would say for the record, if the plat does come in, if they can file
24 it by December 31st, then they would not be subject to the fee. If we receive
25 the application after, then they are subject to that fee if it's filed after January
26 1.

27
28 Harrison-Rogers: So as part of the discussion related to this, I would recommend then a
29 condition that based on the timing of when the plat gets recorded, if they
30 passed the date, as you indicated, they would be subject to a \$3,718.56 fee
31 in lieu.

32
33 Weir: Katherine, can you repeat that?

34
35 Harrison-Rogers: \$3,718.56.

36
37 Weir: Thank you.

38
39 Harrison-Rogers: Thanks.

40
41 Gonzales: For staff, so noted. I will put the condition upon that as well as the staff
42 report going to P&Z.

43
44 Harrison-Rogers: Okay.

1 Gonzales: So that way there is an understanding that that fee would be required if it is
2 filed after December 31, 2025.

3
4 Weir: Okay. Any other departments have any questions regarding this
5 subdivision plat? Hearing none. I guess I'll first take a, let's see probably a
6 motion for the condition. Does the DRC have a motion?

7
8 Harrison-Rogers: I move to approve this particular case with the condition as stated
9 previously.

10
11 Gonzales: Second.

12
13 Weir: I'll go ahead and do a roll vote again. Public Works.

14
15 Bass: Yes.

16
17 Weir: Community Development. Yes. Utilities.

18
19 Nasir: Yes.

20
21 Weir: Fire

22
23 Danner: Yes.

24
25 Weir: And Parks and Recreation.

26
27 Bingham: Yes.

28
29 Weir: Okay, so again the DRC is then recommending approval of the Hacienda
30 Acres Replat No. 9 subdivision with a condition relative to the fee in lieu and
31 date of filing the plat. Okay, I will leave the message and turn chairing over
32 to Sara.

33
34 **3.3 Case No. 25CS0500021: Mesa Crossings Subdivision Preliminary Plat**

- 35 • A request for approval of a preliminary plat known as Mesa Crossings
36 Subdivision.
37 • The proposed subdivision encompasses approximately 20.468 acres, is
38 zoned NH-1S (Neighborhood 1 Suburban) and is located on the
39 southeast corner of Mesa Grande Drive and Peachtree Hills Road.
40 • The subdivision proposes 89 single-family residential lots and 5 tracts
41 that will be utilized for drainage and right-of-way dedication.
42 • The subdivision is proposing an alternate cross-section for Peachtree
43 Hills Road and an alternative turn-around road design for two internal
44 roads.
45 • Submitted by Libbin Underwood Engineering & Surveying,
46 Representative.

1
2 Gonzales: Okay, so we'll move on to Case No. 3.3, which is Mesa Crossing
3 Subdivision Preliminary Plat. I will turn to Community Development staff.
4

5 Ochoa: Thank you, Chair. Next case is Case 25CS0500021. It is a request for
6 approval of a preliminary plat known as Mesa Crossing Subdivision. The
7 subdivision itself encompasses approximately 20.468 acres in size. It is
8 Zone NH-1S, Neighborhood 1 Suburban. And located in the southeast
9 corner of Mesa Grande Drive and Peachtree Hills. Subdivision proposes
10 89 single-family residential lots in five separate tracts. That will be utilized,
11 a couple for drainage and three for right-of-way dedication, and I believe for
12 trail development as well.
13

14 The subdivision will also proposed, along with this DRC will be reviewing
15 alternate cross sections for Peachtree Hills, as well as alternate turnaround
16 road designs for two internal roadways proposed by the subdivision. This
17 did go out for review. All reviewing parties had recommended approval,
18 some with conditions. I believe engineering had a couple conditions, as
19 well as potentially other departments. I'll let them speak on those
20 conditions, if they had any. This was submitted by Libbin Underwood
21 Engineering. That concludes my presentation, and the applicant is here for
22 any questions for clarification.
23

24 Gonzales: Okay, so I will go ahead and go to staff first, and then have the applicant
25 respond to any other comments or conditions that were in place. I will start
26 with Public Works/Engineering. We'll go with Public Works first.
27

28 Bass: So, just based on our comments, that could address the pavement profile.
29

30 Ochoa: Sure. I could clarify that for you, Will. Thank you for that. So Public Works
31 was comfortable with the alternate cross section on Peachtree Hills with the
32 change of the actual pavement cross section to provide a three-inch asphalt
33 on an eight-inch base core on that Peachtree Hills. They were fine with the
34 cross section. It was just that change that Public Works was requesting.
35 So is the applicant good with that?
36

37 Libbin: Yes.
38

39 Gonzales: Okay.
40

41 Ochoa: Perfect.
42

43 Gonzales: Then so that would meet the needs of Public Works. I would go to
44 Engineering for any of their contingencies that are left onto the
45 development.
46

1 Reeder: Okay, so for Engineering, we approved with contingency. Drainage is going
2 to be reviewed and addressed as the permitting process moves forward. If
3 there's any layout changes, we don't know what's going to change with
4 drainage. So we have that initial drainage report. We're going to move
5 forward with that for right now. And we'll address any comments as we
6 move forward. For Transportation, for the dead ends, they need to be
7 approved or denied here. We were going to defer to Fire. If Fire is okay
8 with it, Engineering is okay with it.
9

10 Thurston: We're just talking about the two dead ends and the bottom left, bottom right?
11

12 Reeder: Yes, sir.
13
14

15 Thurston: Okay. What is the, do you have the distance on those? I know they're less
16 than 150 feet so. We're good.
17

18 Reeder: And then our last comment for Transportation was that the TIA needs to be
19 completed and submitted prior to filing the final plat. Okay. We want to get
20 this done sooner rather than later because it is a 30 working day review
21 cycle, so that's six weeks. The sooner we get that in and get it approved,
22 then the sooner we know what mitigation needs to be completed, if any, for
23 the subdivision before we go in for design and final plat submittal and
24 construction submittal.
25

26 Thurston: Okay.
27

28 Reeder: Okay.
29

30 Gonzales: Okay.
31

32 Thurston: Susan, I have a question about that, just real quick.
33

34 Reeder: Yes.
35

36 Thurston: Is a draft acceptable? The engineer that did the TIA provided the draft for
37 submittal for review, but do you want it stamped or do you want the draft
38 reviewed?
39

40 Reeder: We have to go through a whole TIA process, so that's a separate permit
41 process, actually. It'll come through Accela, I will route it out to
42 Transportation or Traffic Administration upstairs. They will conduct their
43 review, give back comments, and then we'll have that back and forth trying
44 to make sure all those mitigations are addressed. So we need to go through
45 that process separately. So I know that the draft is in there right now. If

1 you want I can forward that to Sue for a courtesy review. But we want to
2 get a full stamp set like done as soon as possible.
3
4 Thurston: Great.
5
6 Reeder: All right. And it should be under Realize a Tier 1 TIA, so if you haven't
7 gotten with Sue already, I would recommend doing that so you can get your
8 scoping done.
9
10 Thurston: Yes, he did get Sue on it for the scoping.
11
12 Reeder: Okay. Thank you.
13
14 Gonzales: Parks and Recreation.
15
16 Harrison-Rogers: Sure. so the developer worked with us to come up with a solution for
17 park dedication related to this. It was a trail, a multi-use trail along
18 Peachtree in the sort of same design as we've seen sort of further towards
19 Metro Verde. It'll help ultimately connect that hopefully in the next couple
20 of years. It does exceed the required acreage as per my calculations. And
21 so, in so long as we receive any landscaping plans or irrigation plans to
22 coincide with this during construction, that's all we need.
23
24 Gonzales: Okay. And Utilities.
25
26 Nasir: Utilities, we have no issues with this. I did the review for the master plan,
27 for Utilities master plan, and the connections for water, sewer, and gas were
28 there.
29
30 Gonzales: Okay. Fire Department?
31
32 Danner: No comments.
33
34 Ochoa: And just for point of clarity for Fire, the one cross section which is Holden
35 Lane is about 110 feet deep. And the one for Mesa Crossing Street is about
36 83 feet deep.
37
38 Thurston: Yes, anything less than 150 will get.
39
40 Ochoa: Perfect.
41
42 Nasir: So they're not going to be on the streets, right. They're going to be dead
43 ends.
44
45 Ochoa: They're dead ends, yes ma'am.
46

1 Gonzales: Okay. Any other comments from the applicant or any other comments from
2 staff? Okay, so I would entertain a motion for approval of the Mesa Crossing
3 subdivision preliminary plat.
4

5 Ochoa: Point of order. I'm sorry, point of order. Can we do two separate votes, one
6 for Mesa Crossing itself, the subdivision, and one for the alternate cross
7 sections.
8

9 Gonzales: Okay. So we will start with the cross section because that will ultimately
10 lead into your preliminary plat. So I will take a motion for the alternate cross
11 section being proposed by the applicant.
12

13 Danner: So moved.
14

15 Gonzales: Do I have a second?
16

17 Reeder: Seconded.
18

19 Gonzales: Okay, I will just do around the room is all in favor say "aye."
20

21 MOTION PASSES UNANIMOUSLY.
22

23 Gonzales: Any opposed? Okay, so approval of the alternate cross section as it does
24 get approved through the DRC. So now we'll move on to the Mesa Crossing
25 subdivision preliminary plat. May I get a motion for the preliminary plat?
26

27 Danner: So moved.
28

29 Gonzales: And a second?
30

31 Ochoa: Second.
32

33 Gonzales: Okay. All those in favor.
34

35 MOTION PASSES UNANIMOUSLY.
36

37 Gonzales: Any opposed? Okay, so the preliminary plat moves forward also with
38 approval recommended by DRC.
39

40 **3.4 Case No. 22CS0500007: M Boyce Tracts**

- 41 • A request for approval of a non-administrative replat known as M. Boyce
42 Tracts.
- 43 • The proposed subdivision encompasses approximately 7.00 + acres, is
44 zoned NH-3.S (Neighborhood-3 Suburban) and located at 3300 Del Rey
45 Avenue.

- The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are 2.87 ± and 3.84 ± acres in size.
- Dedication of Del Rey Boulevard and Mars Avenue is provided, and the applicant seeks to waive improvements.
- Submitted by Libbin Underwood Engineering and Surveying, Representative.

Gonzales: Okay, so I will go ahead and hear 3.4 which is M. Boyce tracts. And go to Community Development staff.

Castillo: Thank you. So today we have case number 23CS0500007 also known as the M Boyce tracts. This is a request for a non-administrative replant. The proposed subdivision encompasses approximately seven acres. It is zoned NH-3 S which is our neighborhood three suburban and it's located at 3300 Del Rey Avenue. It's at the intersection of Del Rey and Mars. The subdivision, the subdivision proposes to subdivide the existing lot into two new lots which range from 2.87 acres to 3.84 acres in size. They will be providing dedication of Del Rey Boulevard and Mars Avenue. But the applicant does seek to waive the improvements that would be required based on the subdivision's requirements.

Gonzales: Okay. Is there anything the applicant would like to add additionally?

Boyce: No, I don't think so. I think John covered it pretty well.

Gonzales: Okay, so then we'll just go around the room. I will look to Public Works. Any additional comments?

Bass: Public Works has no comments.

Gonzales: Okay. Fire Department.

Danner: No comments.

Gonzales: Utilities.

Nasir: I've been working with the surveyor about finding out where the sewer connection is at. Because there's no sewer along Del Rey Boulevard. It's only sewer along Mars. So I am assuming that that's where it's connected. And we would like to have a dedication from lot to lot about having that sewer line there. Our jurisdiction will end at the property line, but we would like to have from the daycare lot to the other lot to have that easement between each lot. So in case it breaks or needs to be repaired, they'll be able to do it.

Agenda Item #8.3.

1 Gonzales: Okay. Are there any concerns from the applicant? Is that feasible as far as
2 providing a utility easement to allow the sewer to be extended through Lots
3 1 and Lots 2?
4
5 Libbin: That's fine. No problem with an easement.
6
7 Gonzales: Okay. Any other comments from Utilities?
8
9 Nasir: We also have a gas line main along the back side of the property and a
10 hydrant, an 8-inch line where the daycare is at. Right at the property border,
11 so we would like to have easements for those too. And those will be
12 easements for CLC.
13
14 Gonzales: Okay. So I turn to the applicant once again to see if there's any concerns
15 with the existing lines or fire hydrants to provide those easements as well,
16 so that way they're designated and located.
17
18 Nasir: That is correct. If it's not already out there. I'm not sure if - I couldn't find
19 an easement for the fire hydrant or the two-inch gas line. But if it's not, then
20 we would like to have easements because those are our mains.
21
22 Gonzales: Okay.
23
24 Libbin: I'm sorry, I'm not quite clear. What do you need for the gas line?
25
26 Nasir: So there is a gas line on the back side of the property.
27
28 Libbin: Yes.
29
30 Nasir: And it, I don't know why it was ran, but it was there.
31
32 Libbin: Right.
33
34 Nasir: Either the, if you're not going to need it, we can vacate it.
35
36 Libbin: No, that gas line goes to the building.
37
38 Nasir: That's what needs to be, we need to have an easement for that.
39
40 Libbin: Okay.
41
42 Nasir: And then the same thing for the fire hydrant.
43
44 Libbin: Okay. Yes. No problem.
45
46 Nasir: Thank you.

Agenda Item #8.3.

1
2 Gonzales: Okay. Any other comments from Utilities?
3
4 Nasir: No.
5
6 Gonzales: Okay. Parks and Recreation.
7
8 Harrison-Rogers: So a question for you, Sara. I just need to understand whether or not
9 this was proposed under the old versus new code to determine whether or
10 not the fees in lieu are applicable.
11
12 Gonzales: Based on the application it was submitted in 2023. Because of the time
13 frame it's taken to go through and understand essentially the dedication and
14 the waiving of the improvements, it would be following our previous code.
15
16 Harrison-Rogers: Okay.
17
18 Gonzales: The reason we are writing our reports to move forward with Realize is
19 understanding that the development of these properties will probably take
20 place under Realize Las Cruces. So that would be the difference between
21 these properties.
22
23 Harrison-Rogers: Okay. All right. So with that then unless this particular development
24 gets delayed, similar to how we spoke of it before, they wouldn't be subject
25 to the fee in lieu. However, if the development does get delayed and they
26 stumble into being required to follow the new code, they would be subject
27 to a \$3,718.56 fee in lieu for the dedication and development of a park.
28
29 Gonzales: Okay. So in that case the applicant, what that means is if the application or
30 the subdivision, once it goes through the Planning and Zoning Commission,
31 this is scheduled for next month. If the application or the subdivision is not
32 filed by December 31st, then it would be subject to the park impact fees
33 based on the time frame in which we would now be under Realize Las
34 Cruces.
35
36 Harrison-Rogers: Fees in lieu. Point of clarification, fees in lieu, not park impact fees.
37 Park impact fees are a separate and distinct thing.
38
39 Gonzales: Yes.
40
41 Libbin: Okay.
42
43 Gonzales: Any other comments by staff? Okay, seeing none. I would accept a motion
44 to approve with conditions similar to our previous case where we condition
45 it as if the plat has not been filed by December 31st, then it is subject to the

1 park dedication fee in lieu of. Can I get a motion for approval with the
2 conditions?

3
4 Danner: So moved.

5
6 Gonzales: And a second.

7
8 Nasir: Second.

9
10 Gonzales: Okay. All those in favor, please signify by saying "aye."

11
12 MOTION PASSES UNANIMOUSLY.

13
14 Gonzales: Any opposed? Okay, so motion passes and moves forward to P&Z with a
15 recommendation of approval.

16
17 **3.5 Case No. 23CS0500095: Lujan Tracts**

- 18 • A request for approval of a non-administrative replat known as Lujan
- 19 Tracts.
- 20 • The proposed subdivision encompasses 2.05 + acres, is zoned REM
- 21 (Residential Estate Mobile) and located at 6401 Jefferson Lane.
- 22 • The subdivision proposes to subdivide one (1) existing lot into three (3)
- 23 new lots that range in size from 0.420 ± to 1.050 ± acres in size.
- 24 • Submitted by Libbin Underwood Engineering and Surveying,
- 25 Representative.
- 26

27 Gonzales: Okay, so we are now moving on to case 3.5 and 3.6. I would like to suspend
28 the rules and hear those together as they do basically pertain to one
29 another. It is Lujan Tracts that is coming in with a road improvement waiver.
30 The waiver is subject to going through City Council's process. The reason
31 it's going through City Council's process is because the zoning designation
32 in which is proposed is following REM standards. There is an accessory
33 building that would be on a separate lot by itself, which is not allowed in
34 Realize Las Cruces as part of the permission. So we are going through the
35 waiver process through City Council for this one. And so I will turn to staff
36 to hear Lujan Tracts and the improvement waiver.

37
38 Castillo: So today we have two cases. Case number 23CS0500095, also known as
39 Lujan Tracts. And then we have case number 24CS400008, which is a
40 Lujan Tracts road improvement waiver. So the Lujan Tracts is a request for
41 approval of a non-administrative replat. The property is currently zoned
42 REM, which is a residential estate mobile, and encompasses 2.05 acres in
43 size. And it's located at 6401 Jefferson Lane.

44
45 The subdivision proposes to subdivide the existing lot into three new lots
46 that range in size from 0.420 acres to 1.050 acres in size. The property has

dedicated right-of-way along Poose Creek, and will dedicate right-of-way for Pecan Lane, which is just north of the subdivision. At this time, the applicant is requesting to waive improvement to Pecan Lane. Poose Creek has been dedicated to the city, and the city has accepted it back in I believe 1996, or no, I'm sorry, 2004.

Gonzales: Okay. Just to do a point of clarification. In discussing it with the applicant, because Poose Creek was done in 2004, that was one of the conditions that had prolonged the process, because Poose Creek would have required improvements. However, with the city requesting that dedication back in 2004, the improvements would now be on to the city to actually implement. Jefferson Lane has also improved. It has already been improved to the dedication standards, and that's why the request is only for the improvements to Pecan Lane. It is a 50-foot road easement currently. Twenty-five feet would be dedicated to the city. So the understanding would be is improvements are very difficult to implement on a 25-foot road that we cannot maintain when it needs to be 50 feet wide. Just for clarification. And so I would go through Public Works. Any comments or concerns?

Bass: No comments.

Gonzales: Fire Department.

Danner: No comments.

Gandara: Utilities.

Nasir: No issues with the road improvements.

Gonzales: Parks and Recreation.

Harrison-Rogers: No issues with the road improvements.

Gonzales: Anything from Engineering?

Reeder: No.

Gonzales: Okay, so moving with that one, I would entertain a motion for Lujan Tracts. We will separate these ones out, as this does have to get separate votes through City Council and the Planning and Zoning Commission. So I will start with the road improvement waiver for Lujan Tracts. May I get a motion for approval?

Frugoli: I'm sorry, before we—I just have a question real quick. Just before we move any further forward, I did discuss with the property owner. He's not here today, but I discussed with him potentially just doing two lots. So I just want

1 to throw that out there in case that changes anybody's thoughts about
2 anything at all. So he would probably just remove that northmost division
3 line, the new one. He would probably just remove that one and split it into
4 two lots instead.

5
6 Gonzales: So I would say this is going to hold to the same standard as we have
7 previously indicated on the other plats, and that would have to be
8 determined as to what that park dedication fee would be. And so with
9 changing those, just because this right now is currently with an accessory
10 building as it is by itself, it is still a non-administrative replat. We would still
11 process it through P&Z. You're allowed to reduce the number of lots
12 administratively if they choose to or through that process. With us moving
13 forward though, it would be the understanding that the final plat would need
14 to be filed prior to December 31st in order to not be subject to the park
15 dedication fees.

16
17 Frugoli: Okay. Thank you.

18
19 Gonzales: And so I will still go back to the road improvements, as those are still a
20 requirement, regardless if it is a one-to-three or a one-to-two lot subdivision.
21 So I will entertain a motion for the improvement waiver.

22
23 Danner: So moved.

24
25 Gonzales: And a second.

26
27 Reeder: Second.

28
29 Gonzales: Okay. All those in favor signify by saying "aye."

30
31 MOTION PASSES UNANIMOUSLY.

32
33 Gonzales: Any opposed? No. Okay. So seeing that, the waiver will move forward to
34 Planning and Zoning Commission as well for recommendation to City
35 Council.

36
37 **3.6 Case No. 24CS0500008: Lujan Tracts Road Improvement Waiver**

- 38 • A request to waive the required improvements to Pecan Lane for a non-
39 administrative replat known as Lujan Tracts.
- 40 • Dedication of Pecan Lane is being provided through the non-admirative
41 replat.
- 42 • The City of Las Cruces Desing Standards Section 32-36.B states: A
43 subdivider shall be responsible for 100% of the street improvements
44 within the boundaries of the subdivision.
- 45 • Submitted by Libbin Underwood Engineering and Surveying,
46 Representative

1
2 Gonzales: I would move to Lujan Tracts. This is where the condition will be placed on
3 the final plat essentially being approved and filed prior to December 31st in
4 order to not be subject to the parkland dedication fees. Those were not
5 discussed. Those have not been determined as to what that fee would be,
6 but we would work with the applicant and let them know those fees prior to
7 the Planning and Zoning meeting. With that, may I get a motion for the
8 approval with conditions for Lujan Tracts?
9

10 Nasir: I would like, I'm sorry, I forgot that it was going to be discussed together, so
11 I do have a comment for the plat itself, and I've been talking to the applicant,
12 to the surveyor, about the fact that the water is only along Pecan, and they
13 do have a water meter there. And we would like to have an easement from
14 property owner to property owner, again for maintenance of that waterline
15 in case of a break or anything else after the meter.
16

17 Gonzales: Thank you. As the applicant's representative, is that a concern, or is that
18 going to be a problem to receive the easement for the waterline?
19

20 Frugoli: I don't think so.
21

22 Gonzales: Okay.
23

24 Frugoli: I will, I tried to get a hold of the property owner for today, but I will definitely
25 mention that to him, and if anything comes up, I'll contact you immediately
26 and let you know.
27

28 Nasir: And also for future development, the northern parcel, the sewer and gas will
29 have to be extended, because right now it's one parcel and it could have
30 been done right now through service lines, but not anymore at the moment,
31 it breaks. Or the other way around, if it will do something else for the bottom
32 one, they will have to extend the waterline for future development on the
33 southern parcel.
34

35 Gonzales: Okay.
36

37 Nasir: Because the waterline is only along Pecan, and the gas and sewer is only
38 along Jefferson.
39

40 Gonzales: So there's no waterline along Poose Creek or Jefferson that actually
41 currently services the home that's located on Lot 1?
42

43 Nasir: That is correct. That's why I'm asking for an easement from lot to lot.
44

45 Gonzales: Okay.
46

1 Nasir: Because the water right now is connected on Pecan, and the meter is on
2 Pecan.

3
4 Gonzales: Okay.

5
6 Nasir: And the rest is, it will be an easement from Lot 1 to Lot 2, or whatever lot
7 will be.

8
9 Gonzales: Okay. So yes, that would be subject to the easement in order to actually
10 get the services basically extended.

11
12 Nasir: And we don't need that easement to be dedicated to Las Cruces Utilities, it
13 will have to be dedicated from lot owner to lot owner.

14
15 Gonzales: Okay. Any other comments related to the plat?

16
17 Nasir: No. I apologize. I skipped that.

18
19 Gonzales: Okay. So with that I would entertain a motion with the approval of the two
20 conditions that we've now outlined. I would say the conditions of plat being
21 filed by December 31, 2025, for the Parkland Dedication Requirement, or
22 fee in lieu. And the second condition being that the easement for the
23 waterline extension to be dedicated onto the plat as an easement for utility
24 services. I will take a motion.

25
26 Nasir: So moved.

27
28 Gonzales: And a second.

29
30 Danner: Second.

31
32 Gonzales: Okay. All those in favor, please signify by saying aye.

33
34 MOTION PASSES UNANIMOUSLY.

35
36 Gonzales: Any opposed? Okay, this moves forward to the Planning and Zoning
37 Commission for a recommendation for waiver, and then condition for P&Z
38 action for Lujan Tracts as an approval.

39
40 Frugoli: Great. Thank you.

41
42 **3.7 Case No. 24CS0500117: Coyote Run Master Plan**

- 43 • A request for approval of a Master Plan known as Coyote Run
44 Subdivision.
45 • The proposed subdivision encompasses approximately 25.095 acres, is
46 a multi-zoned property with R-1a/R-1b and R-3/R-4/C-2 and located

approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass.

- The master plan proposes to have a mixed-use development with 3.07 ± acres of non-residential land uses and 18.81 ± acres of residential land uses.
- The subdivision will dedicate a 0.406 ± acre tract of land for the expansion of Thurmond Road.
- Submitted by Moy Surveying, Representative.

Gonzales: Okay. We're going to swap people. Last application. Once again, everyone, we are going to hear, or I'd ask to suspend the rules as we do have the Coyote Run. Well, we can go ahead and just keep them separated. We'll go ahead and hear Coyote Run Master Plan first, which is Case 24CS0500117. I will go to staff.

Castillo: Good morning. Today we have a request for approval of a master plan known as Coyote Run Subdivision. The proposed subdivision encompasses approximately 25.095 acres. It's a multi-zone property that contains R-1a, R-1b, R-3, R-4, and C-2. The property is located approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass. The master plan proposes to have a mixed-use development with 3.07 acres of non-residential development and 18.81 acres of residential land use or residential development. The subdivision will dedicate approximately 0.406 acre tract of land for the expansion of Thurmond Road. And this was submitted by Moy Surveying as the representative.

Gonzales: Okay. Is there anything additional the applicant would like to add?

Magallanez: No.

Gonzales: Okay. Then we will go around the room to see if there's any comments or conditions placed onto this. I will start with engineering.

Reeder: Like previous, we're going to move forward with the contingency that drainage is reviewed and addressed as the permitting process moves forward in case there's any layout changes or if there's any flood changes so that we can address those before we have that permit out. And we're not doing any backtracking work.

Gonzales: Okay. Parks and Recreation.

Harrison-Rogers: So this is going to be really similar to some of the other things that we've talked about. We really don't have an issue with the master plan. I know that we had a lot of discussions about this would be a great location for a park. The ordinance related to a previous annexation in this area was

1 reviewed. We actually were told that we can ask for a park, but we can't
2 require a park per that annexation ordinance that required 10 acres. And
3 so with that they are still subject to park impact fees related to individual
4 construction permits. And depending upon when this particular project gets
5 recorded, they may or may not be subject to a fee in lieu for park dedication
6 per Realize Las Cruces, which is a separate and distinct issue from the
7 annexation ordinance that had required some park dedication. Totally
8 distinct and separate. And I've done a down and dirty calculation of that,
9 but I'll talk about that at the preliminary plot rather than the master plan,
10 unless you want to hear it now.

11
12 Gonzales: So I think in the case of the master plan, knowing that the master plan would
13 go to the Planning and Zoning Commission for final action, if this moves
14 forward to our September meeting, if this were to be approved that would
15 technically be the approval. Would it still be conditioned upon dedication?
16 Because technically that is their approval. There would be no file date
17 associated with it.

18
19 Harrison-Rogers: Okay. Yes, no. If it gets approved before the December 31st date,
20 then no fee in lieu for park dedication would be required. If something
21 happens and it gets delayed, then yes, they might be. In which case, we
22 can get you that number.

23
24 Gonzales: Okay. Does that clarify for the applicant? So essentially if we go to the
25 Planning and Zoning Commission in September, if the case is approved,
26 then that considers the master plan approved. And then we would move
27 forward with essentially the approved land uses you have in place. If it does
28 not get approved, and it is not approved until after December 31, 2025, then
29 it would be subject to Realize Las Cruces park dedication or fee in lieu
30 requirements.

31
32 Magallanez: And that's only specific to the master plan?

33
34 Gonzales: Correct.

35
36 Magallanez: So we had mentioned, so if my understanding is correct, the park dedication
37 fee in lieu is required at the recording of the master plan? Or what was the
38 recording of a preliminary plan or final plan at that point? Does this, I guess
39 I'm just confused with the master plan part of it versus this. Because is this
40 getting recorded via final plan?

41
42 Harrison-Rogers: The master plan vests it, I think is what Sara was indicating.

43
44 Magallanez: Okay.

Agenda Item #8.3.

1 Harrison-Rogers: So the master plan, like the approval of the master plan would then vest
2 what comes after.

3
4 Magallanez: Okay.

5
6 Harrison-Rogers: If there was no master plan, we'd be talking about the recording of a
7 plat.

8
9 Magallanez: And so therefore, as long as this got done by December 2025 and approved
10 by P&Z, then we would not be subject to a park dedication or fee in lieu of
11 for the preliminary plan, even if that is in fact recorded in December of 2026,
12 let's say, or completed whenever that might be in 2026?

13
14 Gonzales: That is correct. Because the master plan ...

15
16 Magallanez: I think it's just approved by P&Z, right, is that the for the master plan, yes.

17
18 Gonzales: And the master plan just, essentially the master plan will vest basically your
19 land uses and the layout that's basically being proposed.

20
21 Magallanez: Got you. Okay. So then we're just subject to the master plan's deadline of
22 December 2025, not the preliminary plan, or what would be the final plan
23 then at that point could be thereafter?

24
25 Gonzales: Correct. So point of clarification. So you would have a vested master plan
26 if your preliminary plan does come in and get approved, and development
27 takes place within that two-year timeframe, because preliminary plans also
28 do expire.

29
30 Magallanez: Sure. Yes.

31
32 Gonzales: So if any point in which the preliminary plan expires, then the master plan
33 will expire, and now you're subject to whatever the current code would be.

34
35 Magallanez: At that time.

36
37 Gonzales: Correct.

38
39 Magallanez: Got you. So we'd have a two-year window to complete a preliminary plan if
40 this was done by December 2025 to then be vested and not have to face a
41 park dedication or fee in lieu of. Got you.

42
43 Gonzales: Correct.

44
45 Harrison-Rogers: If you want that calculation, I can give it to you. Do you want that
46 calculation?

1
2 Magallanez: I think the developer might want to hear what that calculation is.
3
4 Harrison-Rogers: All right. So if things go sideways for whatever reason, the park
5 dedication for this particular would be 0.1464 of an acre, which comes out
6 to \$74,371.20 for a fee in lieu.
7
8 Magallanez: We'll wait here for September meeting.
9
10 Harrison-Rogers: Okay.
11
12 Gonzales: So nothing additional. So we've gone through Parks. Anything additional
13 from Parks and Recreation? Okay. Utilities.
14
15 Nasir: Yes, we do have a condition of approval, and it was the variance for the gas
16 layout on the street. We will be approving the layout as it is right now
17 because right now it's just going on the loop, and what happens is when
18 you're on one side of the street, you're on the north side, and when you're
19 on the other one, you're on the south side.
20
21 Magallanez: On the southside. Right.
22
23 Nasir: And we do have it that all of it needs to be there on one side because it's
24 the loop. We will be okay approving that variance. We just need to have it.
25
26 Magallanez: You had to process the variance.
27
28 Nasir: Yes.
29
30 Magallanez: Is that your preference, just to stay on one side versus...
31
32 Nasir: Yes, because we don't want to have it crossing, especially because we don't
33 have water. The water out there is not... it's Moongate yes. And we don't
34 have sewer there. So we would like, we don't have a problem having it on
35 the loop instead of crossing back and forth.
36
37 Magallanez: Right. Okay.
38
39 Nasir: Because you will be doing the same thing with water and sewer. You will
40 be crossing back and forth. I think it's more practical.
41
42 Magallanez: RIGHT.
43
44 Nasir: To have it on one side or to have it looped together without crossing back.
45
46 Magallanez: Without crossing back to keep it consistent on one side of the street.

Agenda Item #8.3.

1
2 Gonzales: Yes.
3
4 Nasir: We just need to have a variance to have it documented, and so everyone
5 else knows that.
6
7 Magallanez: Again design standards as well.
8
9 Nasir: That is correct.
10
11 Gonzales: Okay. Fire department.
12
13 Danner: No comments. But just kind of a heads up. I think the way it was laid out
14 was like 20 lots, I believe it was, something like that.
15
16 Magallanez: Yes.
17
18 Danner: So in the event that layout changes or stuff like that happened, just be aware
19 that if you go over 30 lots we're going to need an additional access to that
20 area. And it can't be, it has to be, the two access points has to be no less
21 than a third of the total diagonal left of the property. So they essentially just
22 have to be on opposite sides.
23
24 Magallanez: Got you.
25
26 Danner: Other than that, we're good.
27
28 Magallanez: Okay. We're constrained by not having septic, so we don't anticipate having
29 more lots.
30
31 Danner: Got you.
32
33 Magallanez: Like we won't have more lots. Yes. Thank you.
34
35 Gonzales: Anything from Public Works?
36
37 Bass: No comments from Public Works.
38
39 Gonzales: Anything additional from staff or the applicant? Okay. With that I'd entertain
40 a motion for Coyote Run master plan approval?
41
42 Danner: So moved.
43
44 Gonzales: And a second?
45
46 Reeder: Second.

1
2 Gonzales: Okay. All those in favor, please signify by saying "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Gonzales: Any opposed?. Okay. So master plan is moving forward with a
7 recommendation of approval.

8
9 **3.8 Case No. 23CS0500099: Coyote Run Preliminary Plat**

- 10 • A request for approval of a Preliminary Plat known as Coyote Run
11 Subdivision.
12 • The proposed subdivision encompasses 25.095 ± acres, is a multi-
13 zoned property with R-1a/R-1b and R-3/R-4/C-2 and located
14 approximately 642 feet west of the intersection of Thurmond Road and
15 Settlers Pass.
16 • The preliminary plat proposes twenty (20) large residential lots and one
17 (1) non-residential lot.
18 • The subdivision will dedicate a 0.406 ± acre tract of land for the
19 expansion of Thurmond Road.
20 • Submitted by Moy Surveying, Representative.

21
22 Gonzales: We will now go to our final case on the agenda. This is case 23CS0500099,
23 Coyote Run preliminary plat. I will turn to John with staff.

24
25 Castillo: So we have a request for approval of a preliminary plat, also known as
26 Coyote Run. As we know, it encompasses 25.095 acres. It is a multi-zoned
27 property, which is located approximately 642 feet west of the intersection of
28 Thurmond Road and Settlers Pass. So the preliminary plat proposes 20
29 large residential lots and one non-residential lot. The subdivision will
30 dedicate roughly a 0.406 acre tract of land for the expansion of Thurmond
31 Road. And once again, this was submitted by a Moy Surveying as a
32 representative.

33
34 Gonzales: Okay. Anything additional from the applicant? Okay. Seeing that, we'll go
35 around the room once again. I will start with Engineering on any concerns
36 with the preliminary plat.

37
38 Reeder: Same thing for drainage. Since we'll handle that under the master plan,
39 they just coincide.

40
41 Gonzales: Okay. Parks and Recreation.

42
43 Harrison-Rogers: I have no information outside of what we already discussed related to
44 the timing of approval and fees in lieu.

45
46 Gonzales: Utilities.

1
2 Nasir: We do have the condition that we put on every plat that the final plat will be
3 approved upon approval of the final set of subdivision construction plats.

4
5 Gonzales: Okay. And Fire Department.

6
7 Danner: Nothing.

8
9 Gonzales: And Public Works.

10
11 Bass: No comments.

12
13 Gonzales: All right. Seeing no comments or any additional, I would entertain a motion
14 for the preliminary plat.

15
16 Nasir: So moved.

17
18 Gonzales: And a second?

19
20 Danner: Second.

21
22 Gonzales: Okay. All those in favor, please signify by saying "aye."

23
24 MOTION PASSES UNANIMOUSLY.

25
26 Gonzales: Any opposed? All right, seeing none. Then this will move forward again to
27 P&Z, This I believe it's September 23rd's meeting as far as the Planning
28 and Zoning Commission with recommendation of approval from DRC.

29
30 Magallanez: Sounds good.

31
32 Gonzales: All right. Thank you.

33
34 Magallanez: Thank you, guys.

35
36 **4. DISCUSSION ITEMS**

37
38 Gonzales: Okay. Do we have any additional discussion items from staff? I know we're
39 still in the transition phase, so I'm just, you know, I'm going to bring up that
40 it's very difficult. We're going back and forth. We are trying to get a lot of
41 people moving forward with Realize Las Cruces so we can start
42 implementing those goals and those plans and policies. And so it could be,
43 you know we're still tugging at going back and forth for the next four or five
44 months. The hope would be is that by January we're all under Realize and
45 we have a clear understanding of what would be required by applicants. As
46 they are coming in, we are working with them to let them know they can use

1 either code. It's just you know we're trying to move forward with writing our
2 reports and understanding what's going to be the expectations moving
3 forward in January.
4

5 Harrison-Rogers: Okay.
6

7 **5. ADJOURNMENT (09:10 a.m.)**
8

9 Gonzales: So if there's any other comments or nothing, I would entertain a motion to
10 adjourn.
11

12 Danner: So moved.
13

14 Gonzales: And a second.
15

16 Nasir: Second.
17

18 Gonzales: All in favor?
19

20 MOTION PASSES UNANIMOUSLY.
21
22
23
24
25

26 _____
Chairperson

FINDINGS:

- Based upon review by relevant City staff, the proposed master plan known as Coyote Run Subdivision complies with the requirements and standards of the City of Las Cruces Subdivision Code.
- The proposed new lots that are being created by the master plan comply with all the requirements of the 2001 Zone Code, as amended, and Realize Las Cruces Development Code.
- Following the goals and actions outlined in Elevate Las Cruces, the proposed subdivision will allow for the development of alternative housing types and medium to high intensity commercial opportunities.
- Development Review Committee recommended Approval with Condition August 20, 2025.

ELEVATE LAS CRUCES:

The property is located in the Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. The following goals, policies, and actions from Elevate Las Cruces are relevant to the proposed master plan:

- Community Environment:
 - Goal CE-1: Balanced Growth – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
 - Policy CE-1.1 – Create consistency between the Elevate Las Cruces Future Development Program recommendations and development regulations.
 - Action CE-1.1.5 – Consider the appropriateness of future development proposals with place type designations and their relationship with surrounding land uses.
- Community Environment:
 - Goal CE-4: Complete Neighborhoods – Develop mixed-use neighborhoods that incorporate a wide range of recreational, commercial, employment, and civic uses.
- Community Environment:
 - Goal CE-9: Sustainable Infrastructure Systems – Encourage efficient land use development patterns that accommodate projected growth in a sustainable manner.
- Community Livability:
 - Goal CL-7: Transportation -Land Use Connection – Develop an accessible and efficient transportation systems that provides seamless connectivity to surrounding land uses and complements various development patterns.
 - Policy CL-7.2 – promote street interconnectivity within and between neighborhoods, between commercial developments, and within town centers and neighborhood centers.



Type of Action:
Planning & Zoning
Staff Report

Planning & Zoning Commission Staff Report

District:	☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ N/A			
Adopted:	September 23, 2025			
Drafter:	John Castillo	Department:	Community Development	
Program:	Community Planning	Line of Business:	Community Planning	
Title:	A REQUEST FOR APPROVAL OF A PRELIMINARY PLAT KNOWN AS COYOTE RUN SUBDIVISION. THE PROPOSED PRELIMINARY PLAT ENCOMPASSES APPROXIMATELY 25.095 ACRES, ZONED R-1A/R-1B (SINGLE-FAMILY MEDIUM DENSITY/SINGLE-FAMILY HIGH DENSITY), R-3/R-4/C-2 (MULTI-DWELLING MEIDUM DENSITY/MULTI-FAMILY HIGH DENSITY & LIMITED RETAIL AND OFFICE/COMMERCIAL MEDIUM INTENSITY) AND LOCATED APPROXIMATELY 642 FEET WEST OF THE THURMOND ROAD AND SETTLERS PASS INTERSECTION. THE SUBDIVISION PROPOSES TWENTY (20) LARGE RESIDENTIAL LOTS AND ONE (1) NON-RESIDENTIAL LOT. SUBMITTED BY MOY SURVEYING, REPRESENTATIVE. (CASE 23CS0500099)			

PURPOSE(S) OF ACTION:

To approve a preliminary plat.

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

CODE UTILIZED:

2001 Zoning Code, as amended and Chapter 37, City of Las Cruces Subdivision Code.

PURPOSE:

The purpose of the preliminary platting process is to establish quality site design that promotes the compatibility of development with physical and cultural issues within the city. The preliminary plat process identifies street location, promotes flexibility within development that is compatible with the surrounding area, while ensuring that the proposed subdivided lots follow all adopted city plans, zoning rules and regulations, and master plan, if applicable.

The Planning and Zoning Commission shall act upon the proposed preliminary plat by reviewing the zoning standards outlined in the 2001 Zoning Code, as amended, for the development of the multi-zoned property. In addition, as the city has recently adopted a new land development code the final plat and construction drawings when submitted will follow all development standards of Realize Las Cruces.

LAND USE HISTORY:

In 2006 the City of Las Cruces annexed approximately 210.755 acres of land known as Rincon Hills (East Mesa) Annexation per Ordinance 2335 and approved Rincon Hills Subdivision Master Plan. The initial zoning of the property is R-1a (Single-Family Medium Density), R-1b (Single-Family High Density), R-1c (Single-Family Low Density), R-3 (Multi-Dwelling Medium Density), R-4 (Multi-Dwelling High Density & Limited Office and Retail Space), and C-2 (Commercial Medium Intensity) following the 2001 Zoning Code per Ordinance 2336.

PROJECT DESCRIPTION:

The proposed preliminary plat, Coyote Run, encompasses approximately 25.095 acres of vacant/undeveloped land that is zoned R-1a/R-1b (Single-Family Medium/High Density), R-3/R-4/C-2 (Multi-Dwelling Medium Density/Multi-Dwelling High Density and Limited Retail & Office/Commercial Medium Intensity) and located 642 feet west of the Thurmond Road and Settlers Pass intersection. The subdivision proposes 20 single-family residential lots and one non-residential lot to be constructed in a single phase with lots ranging from approximately 0.881 to 3.070 acres in size.

SITE SUITABILITY:

This is a multi-zone property, and the applicant has chosen to utilize the standards of the R-1a zoning district for the residential lots and the C-2 development standards for the non-residential lot. The applicant could subdivide the non-residentially zoned portion of property into several lots meeting the minimum required 10,000 square foot lot size and the minimum 70-foot by 60-foot minimum lot depth and width dimensions. Additionally, the applicant could subdivide the residentially zoned portion of the property into several lots meeting the required 5,000 square foot minimum lot size and the required 70-foot by 50-foot minimum lot depth and width dimensions. As designed, the proposed lot sizes vary from 38,376.36 square feet (0.881 acres) to 133,729.2 square feet (3.070 acres) and are at least 51.44 feet wide and 180.41 feet deep. The proposed lots exceed the minimum lot size requirement for the R-1a zoning district and C-2 Zoning district. With the expansion of Thurmond Road, the applicant is responsible for extending all utilities from both the City of Las Cruces and Dona Ana Mutual Water.

ACCESS/TRAFFIC:

Access to lots within a residential subdivision shall be from a dedicated and accepted improved public right-of-way, which is built to City of Las Cruces Design Standards. Coyote Run Loop will be classified as a low-density local roadway which will be 40-feet wide including sidewalk, curb, gutter, pavement, and streetlights. Thurmond Road is classified as a principal arterial roadway, which is 120 feet in width, and the applicant is responsible for dedicating and improving half of the cross section, 60 feet, to which the subdivision is adjacent. In this case, the southern half of Thurmond Road located in the city limits will be built out and expanded to match the existing 60-foot-wide cross-section to the east.

PARK LAND DEDICATION:

A condition placed with the approval of Ordinance 2335 that approved the annexation known as Rincon Hills, stated that 10 acres of land be dedicated to the City for park/open space and not in lieu of park fees that would be applicable at the time. Through discussions, the City of Las Cruces Legal Department determined that the request for park land dedication can be made. However, the applicant is not required to provide the park land dedication as the condition included multiple landowners. As the application was submitted prior to the adoption of Realize Las Cruces, the applicant will utilize the 2001 Code and Chapter 37, City of Las Cruces Subdivision Code, which indicates the applicant is not required to dedicate the necessary park land, but would be required to pay park impact fees at the time of lot development. If the master plan is not approved prior to January 1, 2026, then the park land dedication or payment in lieu will be required as the master plan will follow Realize Las Cruces development standards.

ELEVATE LAS CRUCES COMPREHENSIVE PLAN:

The property is located within an area designated as a Suburban Neighborhood Place Type as shown on the Future Development Map in the Elevate Las Cruces Comprehensive Plan. Suburban Neighborhood areas provide for low-to-moderate density residential land uses intermixed with areas of commercial development. The proposed preliminary plat will allow the property owners to subdivide and continue to develop vacant land that is compatible with the existing neighborhoods and continue to provide housing opportunities for those desirous to live in the area.

Goals, policies and actions from the Elevate Las Cruces Comprehensive Plan have not been added to this staff report because a preliminary plat comes in after the master plan and zoning destinations are established. Subsequent subdivisions, such as what is being proposed, are developed based on zoning development standards and subdivision standards.

FLOOD PLAIN:

The property is located within a flood zone and will have to follow all requirements designated by the Flood Administrator and FEMA. The documents that are needed for approval at the time of final platting and construction drawings include a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR).

DRC/STAFF RECOMMENDATION:

On August 20, 2025, the Development Review Committee (DRC), which includes Community Development, Fire, Public Works, Parks, and Utilities Directors or designees, reviewed the proposed preliminary plat. The DRC reviews preliminary plats from an infrastructure, utilities and improvement standpoint. After some discussion of the location and proposed development of this area, the DRC voted to recommend APPROVAL WITH CONDITIONS. The condition being that the master plan must be approved prior to January 1, 2026, to refrain from having to dedicate the required park land or pay a fee in lieu. For addition information please refer to Attachment "D" for minutes of the DRC meeting.

ANALYSIS/ CONCLUSION:

The proposed Coyote Run preliminary plat meets all requirements of the Subdivision Code, Design Standards, the 2001 Zoning Code, as amended. The proposed preliminary plat also meets the objectives for the purpose of a preliminary plat as required by the Subdivision Code. The proposed development is compatible with the surrounding area and will extend connectivity with the future improvements along Thurmond Road. Furthermore, the forthcoming final plat and construction drawings will be required to meet any remaining or additional requirements of the Zoning Code and Design Standards.

NOTICE:

In accordance with the Subdivision Code, the Notice of Public Hearing was mailed to all property owners within 500 feet of the subject property. All comments and concerns will be discussed during the presentation regarding the proposed preliminary plat request.

APPLICATION TIMELINE:

Applicant Submitted: September 23, 2024
Staff Returned: October 15, 2024
Applicant Returned: April 23, 2025
Staff Returned: May 19, 2025
Applicant Returned: July 23, 2025
Staff Returned: July 29, 2025
Applicant Returned: August 1, 2025
Staff Returned: August 15, 2025
DRC Recommended Approval: August 20, 2025

SUPPORT INFORMATION:

[Attachment A - Zoning Map](#)
[Attachment B - Aerial Map](#)
[Attachment C - Proposed Preliminary Plat](#)
[Attachment D - 08-20-25 DRC Minutes](#)
[Attachment E - Findings Coyote Run Preliminary Plat](#)

PLAN(S):

Elevate Las Cruces

COMMITTEE/BOARD REVIEW:

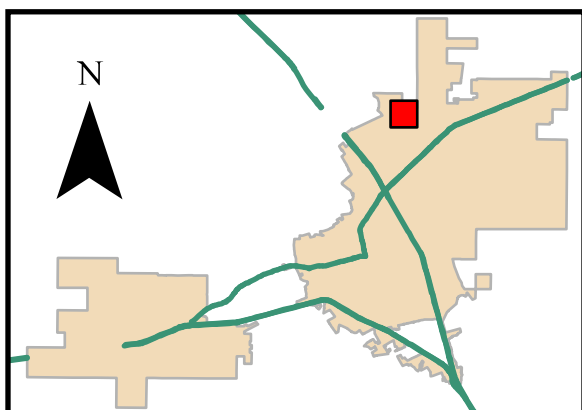
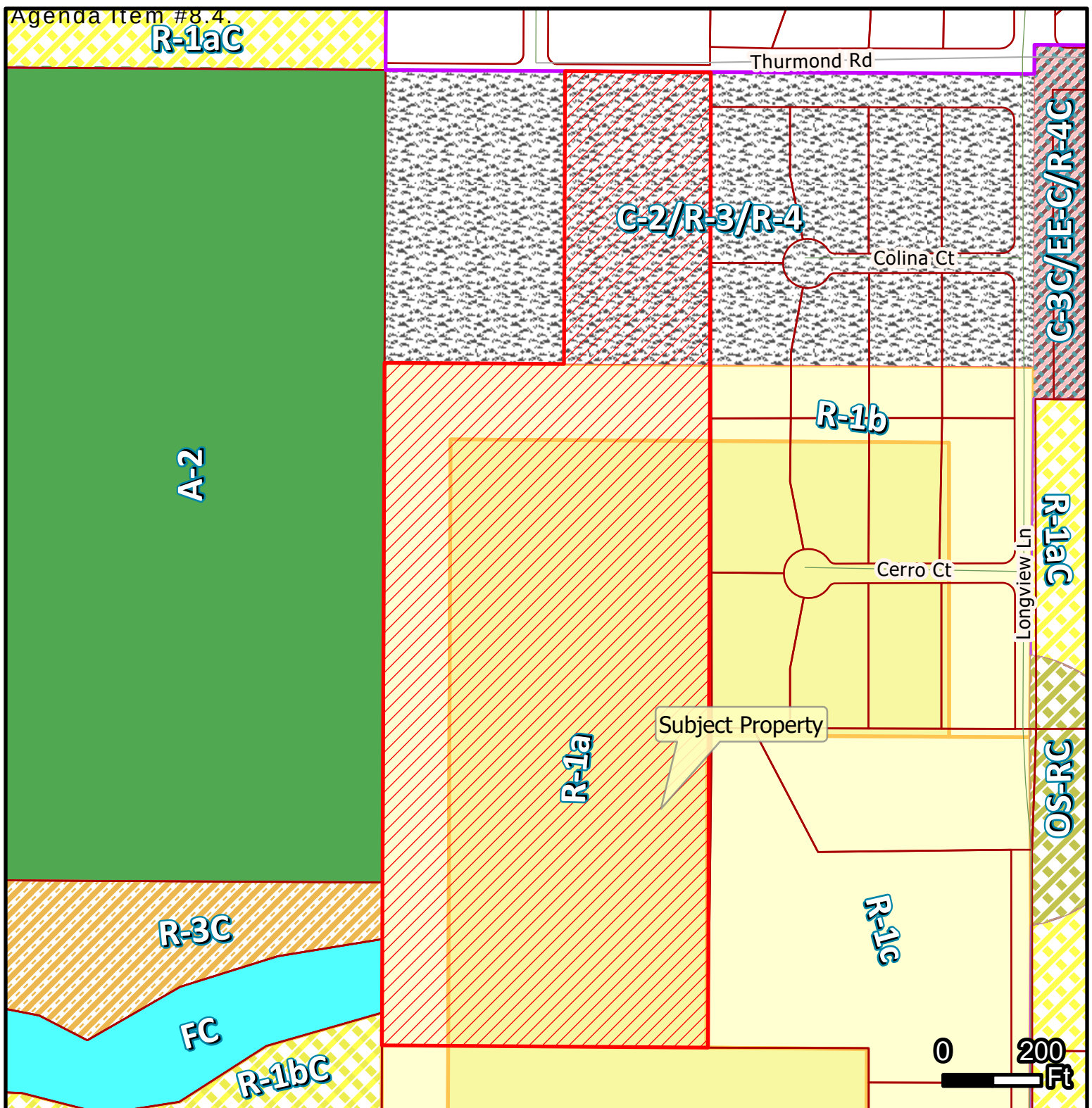
DRC

Agenda Item #8.4.

OPTIONS / ALTERNATIVES:

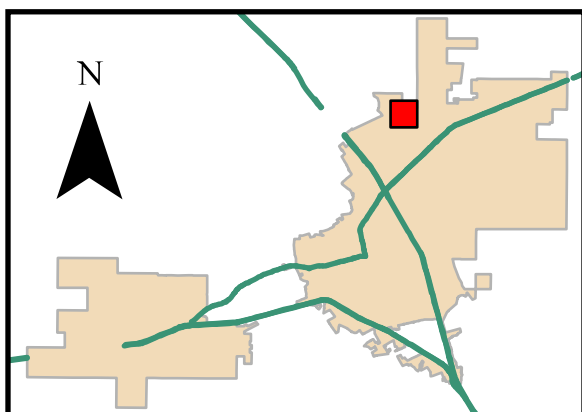
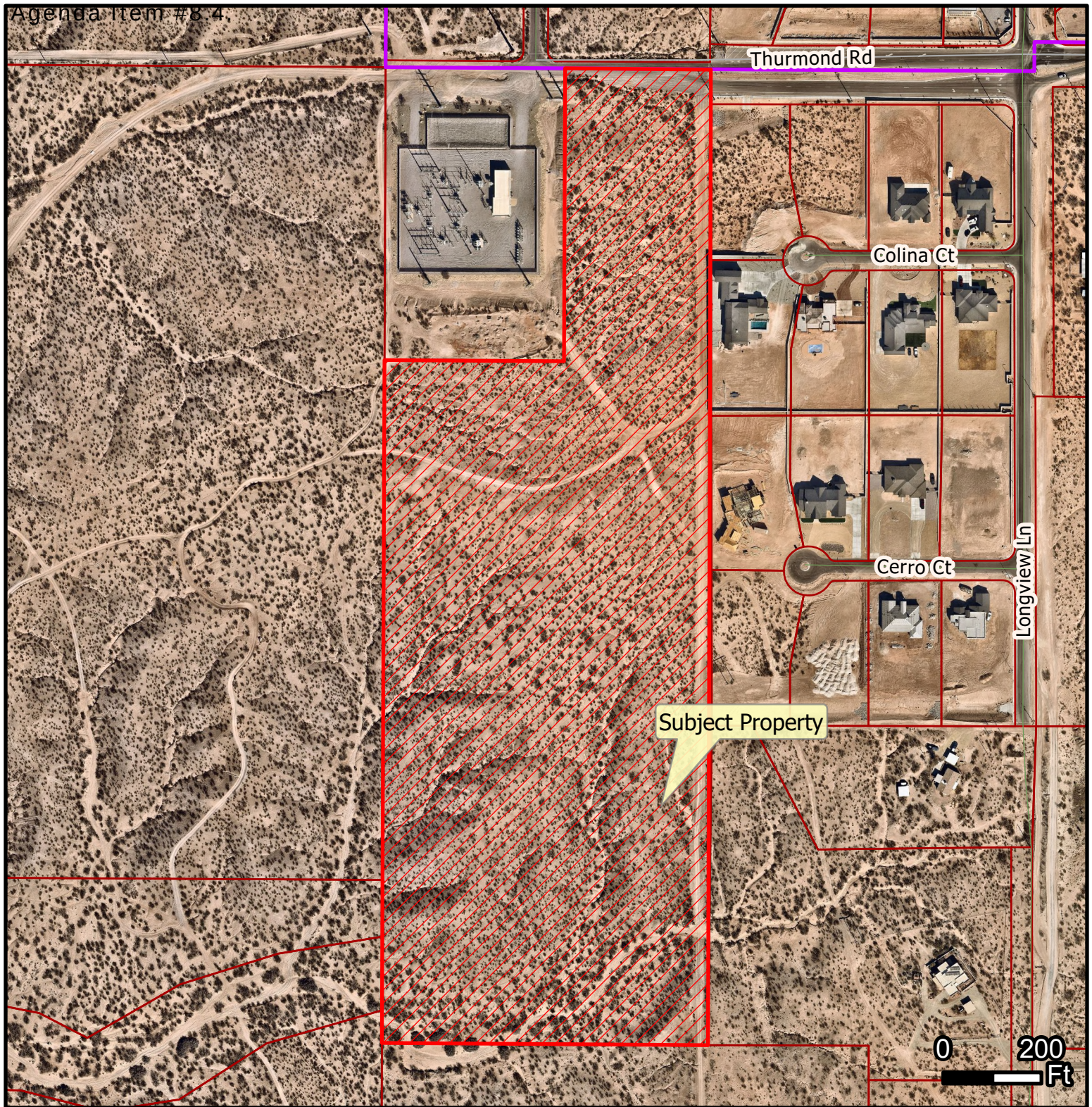
1. Vote "Yes" this will approve the proposed preliminary plat known as Coyote Run Subdivision as recommended by staff.
2. Vote "No" this will deny the proposed preliminary plat.
3. Vote to "Amend" this could modify approval of the proposed preliminary plat by adding conditions as the Planning and Zoning Commission deems appropriate.
4. Vote to "Table" this will postpone consideration of the proposed preliminary plat pursuant to further direction from the Commission.

Agenda Item #8.4.



Coyote Run Subdivision

Agenda Item #8.4.



Coyote Run Subdivision

COYOTE RUN SUBDIVISION PRELIMINARY PLAT

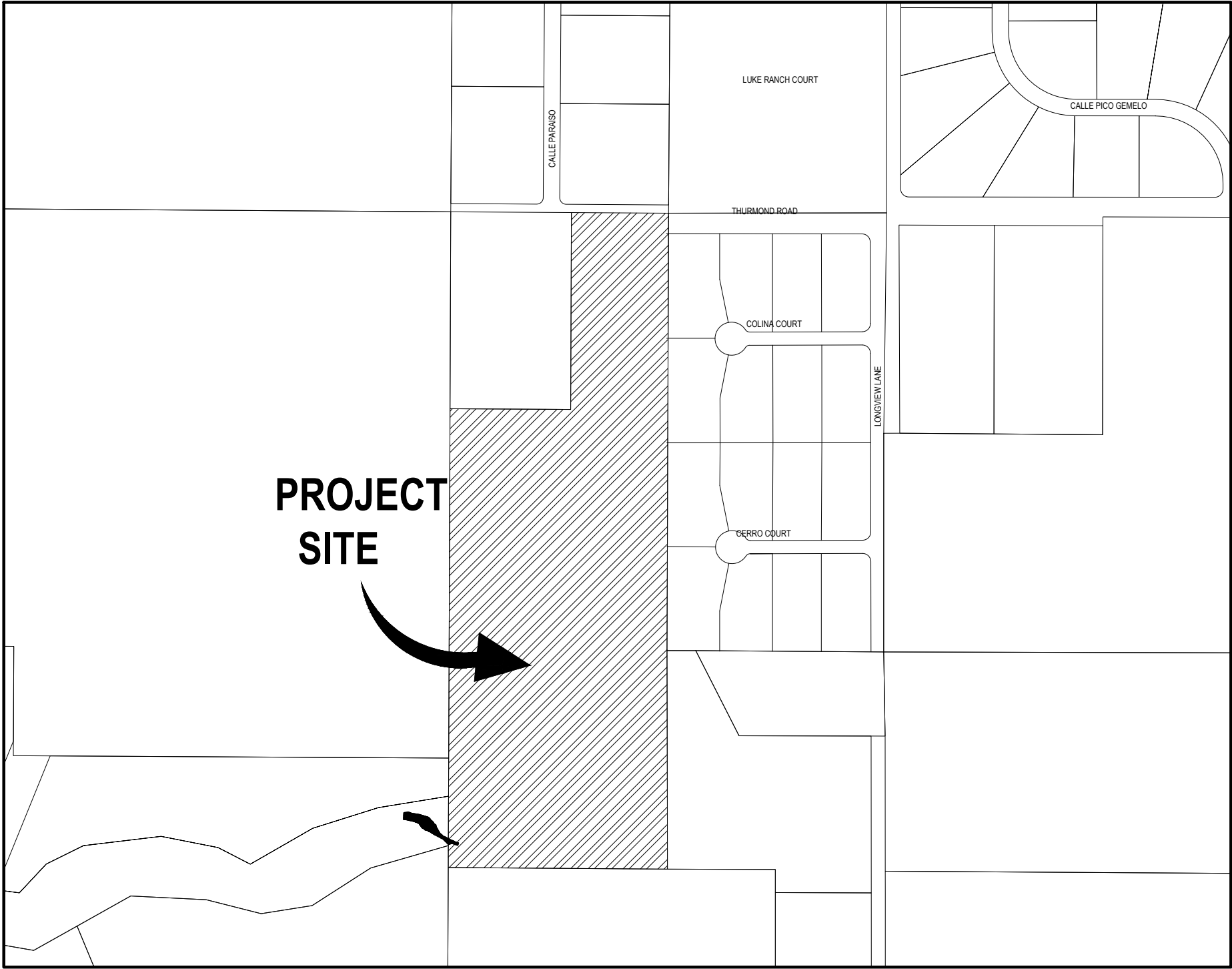
ATTACHMENT "C"

A 25.095 ACRE TRACT OF LAND BEING PART OF THE NORTHEAST 1/4 OF SECTION 20, T.22S.,
R.2E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS
CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

AUGUST, 2025

TOTAL AREA: 25.095 ACRES

SCALE: 1"=100'



VICINITY MAP

NOT TO SCALE

DEDICATION

THE 25.095 ACRE TRACT OF LAND SHOWN HEREON IS TO BE KNOWN AS
"COYOTE RUN SUBDIVISION"

ALL RIGHTS OF WAY AND PUBLIC AREAS SHOWN HEREON ARE DEDICATED TO THE CITY OF LAS CRUCES. UTILITY EASEMENTS ARE GRANTED FOR THE USE OF THE UTILITY COMPANIES THAT ARE SIGNATORY TO THIS PLAT AND THE CITY OF LAS CRUCES. ALL RULES AND REGULATIONS OF THE CITY OF LAS CRUCES AND SAID UTILITIES WILL APPLY TO THESE EASEMENTS. ALL OTHER EASEMENTS SHOWN HEREON ARE GRANTED FOR THE USE INDICATED. NO ENCROACHMENT THAT WILL INTERFERE WITH THE USE EASEMENT, AS SHOWN OF THE PLAT, IS ALLOWED.

THIS SUBDIVISION HAS BEEN DEDICATED IN ACCORDANCE WITH THE WISHES OF THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN HEREON.

INSTRUMENT OF OWNERSHIP: AS FILED JUNE 05, 2008
INSTRUMENT #0816310, DOÑA ANA COUNTY RECORDS.

I, THE UNDERSIGNED OWNER, HEREBY SET MY HAND AND SEAL
THIS DAY OF 20 .

WILLIAM GARCIA
TRUSTEE OF THE WILLIAM
GARCIA AND VI M. GARCIA
FAMILY TRUST
1660 SACRAMENTO CIRCLE
LAS CRUCES, NM 88001

VI M. GARCIA
TRUSTEE OF THE WILLIAM
GARCIA AND VI M. GARCIA
FAMILY TRUST
1660 SACRAMENTO CIRCLE
LAS CRUCES, NM 88001

CITY OF LAS CRUCES SUBDIVISION ADMINISTRATOR APPROVAL

THIS PLAT HAS BEEN APPROVED BY THE SUBDIVISION ADMINISTRATOR OF THE CITY OF LAS CRUCES, AND ALL THE REQUIREMENTS FOR APPROVAL IN THE ABOVE PLAT HAVE BEEN COMPLIED WITH TO THE SATISFACTION OF THE CITY OF LAS CRUCES SUBJECT TO ANY AND ALL CONDITIONS REQUIRED BY THE PLANNING AUTHORITY FOR APPROVAL OF THIS PLAT.

SUBDIVISION ADMINISTRATOR

DATE

NOTES:

- FLOOD ZONE "X"; AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AND FLOOD ZONE "AE" AREA DETERMINED TO BE WITHIN 100 YEAR FLOOD ZONE AS PER MAP NO. 35013C0894 G, REVISED JULY 6, 2016.
- FIELD NOTES BY MOY SURVEYING INC., LICENSE #18078. ALL CORNERS SET ARE 1/2" REBAR WITH 1" ORANGE PLASTIC CAPS STAMPED #18078. ALL REBAR OR MONUMENTS FOUND, TAGGED, STAMPED #18078.
- BASIS OF BEARINGS: TWO 1/2" REBAR FOUND WITH NO CAP ALONG THE SOUTH BOUNDARY OF THIS PLAT.
- UNLESS OTHERWISE NOTED DEED BEARINGS AND DISTANCES AND FIELD BEARING AND DISTANCES ARE THE SAME.
- INFORMATION IN THE PREPARATION OF THIS PLAT DERIVES FROM REAL ESTATE CONTRACT FILED 03/03/2022, INST.: 2206284.
- THIS SYMBOL REPRESENTS ON LOT PONDING. ALL LOTS THAT CONTAIN THIS SYMBOL WILL HAVE PONDS THAT WILL COMPLY WITH THE CITY OF LAS CRUCES DESIGN STANDARDS. PROPERTY OWNER IS RESPONSIBLE FOR ON-LOT POND MAINTENANCE.
- THE DEVELOPER IS RESPONSIBLE FOR (A) ALL EASEMENTS, MAIN LINE EXTENSIONS, AND STUBOUTS NECESSARY TO PROVIDE SEPARATE UTILITY SERVICES TO EACH LOT, AND (B) COMPLIANCE WITH ALL APPLICABLE UTILITY STANDARDS.
- DEVELOPMENT IS WITHIN THE WATERWATER SERVICE AREA OF DOÑA ANA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION. NO SEWER SERVICE PROVIDED IN AREA WITHIN DEVELOPMENT. SEPTIC TANKS WILL BE REQUIRED FROM EACH LOT OWNER AT THE TIME OF DEVELOPMENT
- LOTS LOCATED AT STREET INTERSECTIONS SHOWN WITH  ICON WILL BE SUBJECT TO CLEAR SITE TRIANGLE REGULATIONS.
- TRACT 1 TO BE DEDICATED AND MAINTAINED TO THE CITY OF LAS CRUCES WITH THE FILING OF THIS PLAT.
- NO BUILDINGS OR STRUCTURES DEVELOPED WITHIN ANY PART OF ANY EASEMENT SHOWN.
- LOTS 9, 10, 11, AND 12 WILL BE SUBJECT TO A DRAINAGE EASEMENT, WHICH WILL BE SHOWN GRAPHICALLY ON THE FINAL PLAT

EASEMENTS:

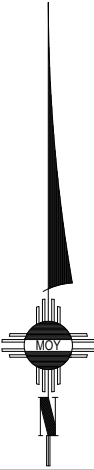
- EASEMENTS SHOWN DERIVE FROM REAL ESTATE CONTRACT FILED WARRANTY DEED FILED 03/03/2022, INST.: 2206284 DOÑA ANA COUNTY RECORDS, DOÑA ANA COUNTY, NEW MEXICO.
- EASEMENTS SHOWN ARE CREATED AS PER THE FILING OF THIS PLAT.

I, HENRY MAGALLANEZ, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED THIS SURVEY AND/OR WAS DONE UNDER MY DIRECTION, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

HENRY MAGALLANEZ

N.M.P.S.

#18078



- LEGEND:
- 1/2" REBAR FOUND (NO CAP)
 - 1/2" REBAR SET WITH 1" ORANGE PLASTIC CAP (18078)

SCALE: 1"=100'

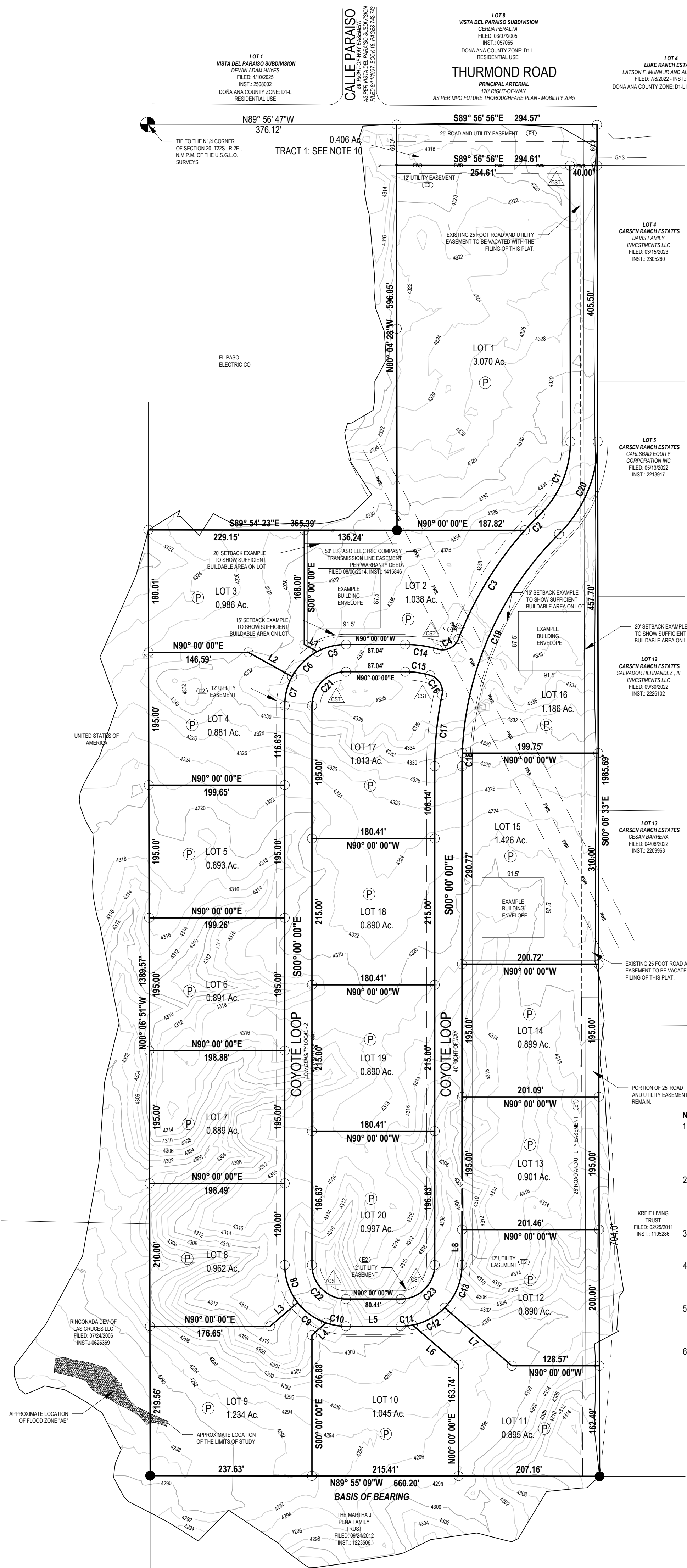


JOB NO: 22-0461
DRAWN BY: ANTON
FIELD BY: KENNY/MC/ANTON
DATE: 08/01/2025

COYOTE RUN SUBDIVISION

A 25.095 ACRE TRACT OF LAND BEING PART OF THE NORTHEAST 1/4 OF SECTION 20, T.22S., R.2E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS
CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

AUGUST, 2025 TOTAL AREA: 25.095 ACRES SCALE: 1"=100'



Line Table		
Line #	Length	Direction
L1	21.73'	S61° 01' 26"E
L2	73.47'	S61° 01' 26"E
L3	53.28'	N49° 10' 53"E
L4	27.40'	S49° 10' 53"W
L5	80.41'	N90° 00' 00"E
L6	89.04'	N49° 10' 53"W
L7	130.46'	N49° 10' 53"W
L8	52.00'	N00° 00' 00"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	119.23'	150.00'	045° 32' 27"	116.11'	S22° 43' 31"W
C2	31.94'	520.00'	003° 31' 08"	31.93'	S43° 34' 02"W
C3	188.14'	520.00'	020° 43' 49"	187.12'	S31° 26' 33"W
C4	37.20'	25.00'	085° 15' 51"	33.86'	S63° 42' 33"W
C5	43.96'	90.00'	027° 59' 19"	43.53'	S76° 00' 20"W
C6	52.83'	90.00'	033° 37' 52"	52.07'	S45° 11' 45"W
C7	44.62'	85.94'	029° 45' 02"	44.13'	S14° 11' 24"W
C8	59.39'	90.00'	037° 48' 38"	58.32'	S18° 54' 19"E
C9	52.17'	90.00'	033° 12' 43"	51.44'	S54° 25' 00"E
C10	29.81'	90.00'	018° 58' 38"	29.67'	S80° 30' 41"E
C11	17.73'	90.00'	011° 17' 17"	17.70'	N84° 21' 21"E
C12	54.24'	90.00'	034° 31' 54"	53.43'	N61° 26' 46"E
C13	69.40'	90.00'	044° 10' 49"	67.69'	N22° 05' 24"E
C14	48.45'	169.88'	016° 20' 28"	48.29'	N81° 50' 07"W
C15	37.04'	130.00'	016° 19' 34"	36.92'	S81° 50' 13"E
C16	37.17'	25.00'	085° 11' 09"	33.84'	S30° 59' 17"E
C17	105.32'	520.00'	011° 36' 17"	105.14'	S05° 48' 09"W
C18	19.24'	480.00'	002° 17' 48"	19.24'	N01° 08' 54"E
C19	360.43'	480.00'	043° 01' 24"	352.02'	N23° 48' 30"E
C20	150.98'	190.00'	045° 31' 43"	147.04'	N22° 42' 43"E
C21	78.54'	50.00'	090° 00' 00"	70.71'	S45° 00' 00"W
C22	78.54'	50.00'	090° 00' 00"	70.71'	S45° 00' 00"E
C23	78.54'	50.00'	090° 00' 00"	70.71'	N45° 00' 00"E

EASEMENTS:
E1. EASEMENTS SHOWN DERIVE FROM REAL ESTATE CONTRACT FILED WARRANTY DEED FILED 03/03/2022, INST.: 2206284 DOÑA ANA COUNTY RECORDS, DOÑA ANA COUNTY, NEW MEXICO.
E2. EASEMENTS SHOWN ARE CREATED AS PER THE FILING OF THIS PLAT.

LEGEND:
● 1/2" REBAR FOUND (NO CAP)
○ 1/2" REBAR SET WITH 1" ORANGE PLASTIC CAP (18078)

- NOTES:**
- FLOOD ZONE "X": AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN, AND FLOOD ZONE "AE" AREA DETERMINED TO BE WITHIN 100 YEAR FLOOD ZONE AS PER MAP NO. 35013C0894 G, REVISED JULY 6, 2016.
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 - LOTS LOCATED AT STREET INTERSECTIONS SHOWN WITH ICON WILL BE SUBJECT TO CLEAR SITE TRIANGLE REGULATIONS.
 - TRACT 1 TO BE DEDICATED AND MAINTAINED TO THE CITY OF LAS CRUCES WITH THE FILING OF THIS PLAT. EXISTING 25' ROAD AND UTILITY EASEMENT WITHIN THURMOND ROAD TO BE VACATED BY THIS PLAT.
 - NO BUILDINGS OR STRUCTURES DEVELOPED WITHIN ANY PART OF ANY EASEMENT SHOWN.
 - LOTS 9, 10, 11, AND 12 WILL BE SUBJECT TO A DRAINAGE EASEMENT, WHICH WILL BE SHOWN GRAPHICALLY ON THE FINAL PLAT

I, HENRY MAGALLANEZ, A NEW MEXICO PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED THIS SURVEY AND/OR WAS DONE UNDER MY DIRECTION, AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.



JOB NO: 22-0461
DRAWN BY: ANTON
FIELD BY: KENNY/MC/ANTON
DATE: 08/01/2025



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 20, 2025, at 9:00 a.m. in Room 1158.

DRC PRESENT: David Weir, Deputy Director Community Planning
Sara Gonzales, Interim Deputy Director
Adam Ochoa, Senior Planner
Rocio Nasir, Senior Engineer, Utilities
Michael Danner, CLC Fire
Katherine Harrison-Rogers, Plan & Construct Admin, Parks
William Bass, Senior Engineer
Susan Reeder, Associate Engineer

STAFF PRESENT: John Castillo, Planner, Community Development

OTHER PRESENT: Anton Magallanez, Moy Surveying
Kent Thurston, KT Homes
Adrian Renteria, AE Engineering
Zack Libbin, Libbin Underwood Engineering
Terry Boyce, President of Boyce Tracts
Caitlin Frugoli, Libbin Underwood Engineering

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

Weir: Okay, we're going to call the August 20, 2025 Development Review Committee meeting to order. We have representatives of all departments except Public Works. And my understanding is they're on their way. But we do have a quorum, so we'll go ahead and start.

2. APPROVAL OF MINUTES

2.1 May 7, 2025

Weir: First order of business today is to approve the minutes of the DRC from May 7, 2025. Have all had an opportunity to look at those? Or is anyone comfortable with making a motion to adopt?

Gonzales: I make a motion to approve.

Weir: Okay. Do I have a second?

Nasir: Second.

1
2 Weir: Okay, I'll just do a voice vote. All those in favor, say "aye."

3
4 MOTION PASSES UNANIMOUSLY.

5
6 Weir: All those opposed.

7
8 Harrison-Rogers: I abstain since I wasn't here. I'm going to abstain.

9
10 Weir: Okay.

11
12 Harrison-Rogers: Okay, thanks.

13
14 Weir: Okay. Minutes have been approved, 3-0-2.

15
16 **3. NEW BUSINESS**

17
18 **3.1 Case No. 24CS0500036: Hacienda Acres Replat No. 9**

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- A request for approval of a non-administrative replat, known as Hacienda Acres Replat No. 9.
 - The proposed subdivision is currently approximately 0.864 acres in size, is zoned NH-3S (Neighborhood 3 Suburban) and located on the south side of Bataan Memorial East, approximately 450 feet east of its intersection with Hacienda Avenue, a.k.a. 6975 Reynolds Drive.
 - The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are equally divided and approximately 0.423 acres in size.
 - Submitted by Moy Surveying, Representative.

29 Weir: Okay. We'll go on to new business. The first item on the agenda is Hacienda Acres, replat No 9. Community Development. Do you have an overview or presentation you'd like to make?

30
31
32
33 Gonzales: Sure. This is a replat for a non-administrative replat, which is going from one lot to two lots. It is Hacienda Acres, replat no. 9. The property is currently 0.864 acres in size and is being subdivided equally to accommodate 0.0432 acres in size for each lot. They are zoned NH-3 Suburban under Realize Las Cruces. It is located on the south side of Bataan Memorial East, in which they would not have access to. However, they will be having entrance off of Reynolds Drive, which is about 450 feet east of its intersection with Hacienda Avenue. Staff did sent it out for review. There were no pending comments as far as any approve with conditions or contingencies moving forward onto the plat.

34
35
36
37
38
39
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41
42
43
44 Weir: Okay. Does Moy Surveying have anything they would like to present or add to the report?

1 Steve: I think I just wanted some clarification on that park impact fee, just because
2 I'm not as familiar with it with now the changes to it. So if we can talk a little
3 bit about that.
4

5 Harrison-Rogers: The fee in lieu or the park impact fee?
6

7 Steve: Both.
8

9 Harrison-Rogers: Okay. All right. So if you'd like some clarification, I can try to do it for
10 you.
11

12 Steve: Sure.
13

14 Harrison-Rogers: So there are two different things. There's a park dedication and
15 improvement or fee in lieu.
16

17 Steve: Okay.
18

19 Harrison-Rogers: And in a case like this, of course, you can't dedicate park, right. And
20 then there's a park impact fee. The way the park impact fees were adopted
21 this year, it excludes neighborhood parks simply because of now that
22 dedication or that fee in lieu. So when the equation was done, it was
23 assuming facility types that were aquatics, specialty facilities, regional
24 parks, community parks, not neighborhood parks. So at the time of building
25 permit, a fee in lieu is still applicable to the homes. Now, those are sliding
26 scale now. So if it's a smaller home, the fee actually went down. If it's a
27 larger home, the fee probably went up. And so that'll be due at the time of
28 building permit for the house.
29

30 Now, because you can't build a neighborhood park or dedicate land towards
31 a neighborhood park in this particular case, there is a fee in lieu. That
32 particular, when we did the calculation, because we're looking at the new
33 lot being added, not the old lot, right. And it comes to a really, really small
34 acreage amount. It would be .00732 acres to be dedicated for this particular
35 type of lot split.
36

37 Steve: 0.00732 is a calculated park that we would have had to have dedicated.
38

39 Harrison-Rogers: Yes, which is ridiculous.
40

41 Steve: Which we don't want, so we would do fee in lieu anyway.
42

43 Harrison-Rogers: Yes, exactly. And so based on that calculation and looking at the
44 current cost of land and average cost to build a park per acre, that fee is
45 \$3,718.56. Now, Sara did indicate to me that this particular project was
46 submitted in advance of the adoption of Realize.

1
2 Gonzales: Correct.

3
4 Harrison-Rogers: So this particular case, it's kind of a moot point because of the timing of
5 when you submit it. So for at least replant number nine, as I understand it
6 from the submittal date that Sara indicated, you are not subject to that.

7
8 Steve: So we're not subject to fee in lieu, but of course we are subject to the park
9 fee for the permit when they build the home.

10
11 Harrison-Rogers: Exactly. Exactly. But anything else that was submitted at a later date
12 that falls under Realize, they're subject to that fee in lieu and the park impact
13 fee.

14
15 Steve: Even if Realize is in effect but are still using to, we know we have that
16 Realize date, but we have an eight month or whatever transition period. So
17 even if we're electing to use the prior code, if Realize was already in effect
18 we're still subject to fee in lieu.

19
20 Harrison-Rogers: If you're using the prior code, I think the determination was that you're
21 not subject to the fee in lieu.

22
23 Steve: Even if it's after the Realize date of the submittal?

24
25 Harrison-Rogers: I don't know. Sara.

26
27 Gonzales: What it would mean is if you're using the prior code, you have to have
28 everything approved and basically completed before December 31st.
29 Starting January 1, there would be nothing under the previous code.

30
31 Steve: Okay.

32
33 Gonzales: Everything has to be in effect. So in this case development on this property
34 would take place within probably Realize Las Cruces. We have no
35 development plans, and so we're moving it forward. However, the submittal
36 date will allow it to not have that park dedication being required.

37
38 Steve: But for instance, anything, again hypothetically I recognize, but anything
39 submitted today could still be using the old plan, but everything would have
40 to be completed by 2025 to then not have a park dedication...

41
42 Gonzales: Correct.

43
44 Steve: Fee or park dedication requirement.

45
46 Weir: My understanding is that your plat would need to be filed by January 1st.

1
2 Steve: Yes, and final plat. Therefore, we'd have to have everything completed.
3
4 Weir: So, yes any plat afterwards. Just a point of order, Katherine and Steve. So
5 this fee in lieu, would that need to be collected at the time we were having
6 the plat recorded?
7
8 Harrison-Rogers: Yes.
9
10 Weir: And so the impact fee would still be collected with the building?
11
12 Harrison-Rogers: Correct.
13
14 Weir: Because the fee in lieu with the plat.
15
16 Harrison-Rogers: Because the fee in lieu is tied specifically to the subdivision.
17
18 Weir: Okay. All right.
19
20 Steve: So that's just the fee that would be assessed. However, we're not going to
21 be assessed on this because of the plat submission date. And then if it was
22 after the date, we'd have to have everything done before. I got it. So yes,
23 kind of park dedication or fee in lieu doesn't have impact to this, but we will
24 be subject to a new park fee for each lot at the time of (*inaudible*).
25
26 Harrison-Rogers: Yes.
27
28 Steve: That helps.
29
30 Harrison-Rogers: Okay.
31
32 Weir: Okay. Anything else? Any questions? Departments, anything that you'd
33 like to comment on that or anything else? If that's the case, I'll go ahead
34 and entertain a motion to approve Hacienda Acres replat number nine
35 subdivision. Do I have a motion?
36
37 Nasir: So moved.
38
39 Weir: Do I have a second?
40
41 Danner: Second.
42
43 Weir: Okay. I'll go ahead and take a roll this time. Public works.
44
45 Bass: No comments.
46

1 Weir: This would be the vote to approve.

2
3 Bass: Yes.

4
5 Weir: Yes. Okay. Community development votes yes. Utilities.

6
7 UTILITIES UNKNOWN: Yes.

8
9 Weir: Fire.

10
11 Danner: Yes.

12
13 Weir: Parks and Rec.

14
15 Bingham: Yes.

16
17 Weir: Okay. DRC is recommending approval to the Planning and Zoning
18 Commission for this subdivision.

19

20 **3.2 Case No. 25CS500057: Hacienda Acres Replat No. 10**

21 • A request for approval of a non-administrative replat, known as
22 Hacienda Acres Replat No. 10.

23 • The proposed subdivision is currently approximately 0.914 acres in size,
24 is zoned NH-3S (Neighborhood 3 Suburban) and located on the south
25 side of Bataan Memorial East, approximately 300 feet east of its
26 intersection with Hacienda Avenue, a.k.a. 6955 Reynolds Drive.

27 • The subdivision proposes subdivide one (1) existing lot into two (2) new
28 lots that are approximately 0.460 and 0.454 acres in size.

29 • Submitted by Carter Surveying and Mapping LLC, Representative.

30

31

32 Weir: Next item of business is Hacienda Acres replat number 10 subdivision.
33 Community Development, do you have a review?

34

35 Magallanez: I'm sorry, is that Zach Libbin. I can let him know to come in.

36

37 Gonzales: Carter's not here.

38

39 Magallanez: Oh, okay. Carter.

40

41 Harrison-Rogers: Now Sara, this one was submitted after though, correct.

42

43 Gonzales: Submitted after it. The question would be though is they still have the right
44 to use old code up until December 31st.

45

46 Harrison-Rogers: Okay.

1
2 Gonzales: Yes. I would see that as being assembled. So this is going to be Hacienda
3 Acres replat number 10. This is adjoining, essentially adjacent to the lot
4 that we just discussed at 6955 Reynolds Drive. It is also a non-
5 administrative replat subdividing the lots from one to two. It is also zoned
6 NH-3 Suburban within Realize Las Cruces, located on the south side of
7 Bataan. This property is about 300 feet east of its intersection from
8 Hacienda Avenue. This went through the review process as well. There
9 were no pending comments or approved with conditions.

10
11 Weir: Sara, just a point of order. Does the applicant need to be present before
12 we can act?

13
14 Gonzales: The applicant was on their way, however, something came up and had to
15 turn back around. There were no comments extended from the applicant
16 as the application has gone through with full approval. So there was nothing
17 additional to add in.

18
19 Harrison-Rogers: Mr. Chair. Can I ask a point of clarification from Sara? So in this
20 particular case they would be subject to the fee in lieu if they don't get this
21 recorded by January 1?

22
23 Gonzales: Correct. I would say for the record, if the plat does come in, if they can file
24 it by December 31st, then they would not be subject to the fee. If we receive
25 the application after, then they are subject to that fee if it's filed after January
26 1.

27
28 Harrison-Rogers: So as part of the discussion related to this, I would recommend then a
29 condition that based on the timing of when the plat gets recorded, if they
30 passed the date, as you indicated, they would be subject to a \$3,718.56 fee
31 in lieu.

32
33 Weir: Katherine, can you repeat that?

34
35 Harrison-Rogers: \$3,718.56.

36
37 Weir: Thank you.

38
39 Harrison-Rogers: Thanks.

40
41 Gonzales: For staff, so noted. I will put the condition upon that as well as the staff
42 report going to P&Z.

43
44 Harrison-Rogers: Okay.

1 Gonzales: So that way there is an understanding that that fee would be required if it is
2 filed after December 31, 2025.

3
4 Weir: Okay. Any other departments have any questions regarding this
5 subdivision plat? Hearing none. I guess I'll first take a, let's see probably a
6 motion for the condition. Does the DRC have a motion?

7
8 Harrison-Rogers: I move to approve this particular case with the condition as stated
9 previously.

10
11 Gonzales: Second.

12
13 Weir: I'll go ahead and do a roll vote again. Public Works.

14
15 Bass: Yes.

16
17 Weir: Community Development. Yes. Utilities.

18
19 Nasir: Yes.

20
21 Weir: Fire

22
23 Danner: Yes.

24
25 Weir: And Parks and Recreation.

26
27 Bingham: Yes.

28
29 Weir: Okay, so again the DRC is then recommending approval of the Hacienda
30 Acres Replat No. 9 subdivision with a condition relative to the fee in lieu and
31 date of filing the plat. Okay, I will leave the message and turn chairing over
32 to Sara.

33
34 **3.3 Case No. 25CS0500021: Mesa Crossings Subdivision Preliminary Plat**

- 35 • A request for approval of a preliminary plat known as Mesa Crossings
36 Subdivision.
37 • The proposed subdivision encompasses approximately 20.468 acres, is
38 zoned NH-1S (Neighborhood 1 Suburban) and is located on the
39 southeast corner of Mesa Grande Drive and Peachtree Hills Road.
40 • The subdivision proposes 89 single-family residential lots and 5 tracts
41 that will be utilized for drainage and right-of-way dedication.
42 • The subdivision is proposing an alternate cross-section for Peachtree
43 Hills Road and an alternative turn-around road design for two internal
44 roads.
45 • Submitted by Libbin Underwood Engineering & Surveying,
46 Representative.

1
2 Gonzales: Okay, so we'll move on to Case No. 3.3, which is Mesa Crossing
3 Subdivision Preliminary Plat. I will turn to Community Development staff.
4

5 Ochoa: Thank you, Chair. Next case is Case 25CS0500021. It is a request for
6 approval of a preliminary plat known as Mesa Crossing Subdivision. The
7 subdivision itself encompasses approximately 20.468 acres in size. It is
8 Zone NH-1S, Neighborhood 1 Suburban. And located in the southeast
9 corner of Mesa Grande Drive and Peachtree Hills. Subdivision proposes
10 89 single-family residential lots in five separate tracts. That will be utilized,
11 a couple for drainage and three for right-of-way dedication, and I believe for
12 trail development as well.
13

14 The subdivision will also proposed, along with this DRC will be reviewing
15 alternate cross sections for Peachtree Hills, as well as alternate turnaround
16 road designs for two internal roadways proposed by the subdivision. This
17 did go out for review. All reviewing parties had recommended approval,
18 some with conditions. I believe engineering had a couple conditions, as
19 well as potentially other departments. I'll let them speak on those
20 conditions, if they had any. This was submitted by Libbin Underwood
21 Engineering. That concludes my presentation, and the applicant is here for
22 any questions for clarification.
23

24 Gonzales: Okay, so I will go ahead and go to staff first, and then have the applicant
25 respond to any other comments or conditions that were in place. I will start
26 with Public Works/Engineering. We'll go with Public Works first.
27

28 Bass: So, just based on our comments, that could address the pavement profile.
29

30 Ochoa: Sure. I could clarify that for you, Will. Thank you for that. So Public Works
31 was comfortable with the alternate cross section on Peachtree Hills with the
32 change of the actual pavement cross section to provide a three-inch asphalt
33 on an eight-inch base core on that Peachtree Hills. They were fine with the
34 cross section. It was just that change that Public Works was requesting.
35 So is the applicant good with that?
36

37 Libbin: Yes.
38

39 Gonzales: Okay.
40

41 Ochoa: Perfect.
42

43 Gonzales: Then so that would meet the needs of Public Works. I would go to
44 Engineering for any of their contingencies that are left onto the
45 development.
46

1 Reeder: Okay, so for Engineering, we approved with contingency. Drainage is going
2 to be reviewed and addressed as the permitting process moves forward. If
3 there's any layout changes, we don't know what's going to change with
4 drainage. So we have that initial drainage report. We're going to move
5 forward with that for right now. And we'll address any comments as we
6 move forward. For Transportation, for the dead ends, they need to be
7 approved or denied here. We were going to defer to Fire. If Fire is okay
8 with it, Engineering is okay with it.
9

10 Thurston: We're just talking about the two dead ends and the bottom left, bottom right?
11

12 Reeder: Yes, sir.
13
14

15 Thurston: Okay. What is the, do you have the distance on those? I know they're less
16 than 150 feet so. We're good.
17

18 Reeder: And then our last comment for Transportation was that the TIA needs to be
19 completed and submitted prior to filing the final plat. Okay. We want to get
20 this done sooner rather than later because it is a 30 working day review
21 cycle, so that's six weeks. The sooner we get that in and get it approved,
22 then the sooner we know what mitigation needs to be completed, if any, for
23 the subdivision before we go in for design and final plat submittal and
24 construction submittal.
25

26 Thurston: Okay.
27

28 Reeder: Okay.
29

30 Gonzales: Okay.
31

32 Thurston: Susan, I have a question about that, just real quick.
33

34 Reeder: Yes.
35

36 Thurston: Is a draft acceptable? The engineer that did the TIA provided the draft for
37 submittal for review, but do you want it stamped or do you want the draft
38 reviewed?
39

40 Reeder: We have to go through a whole TIA process, so that's a separate permit
41 process, actually. It'll come through Accela, I will route it out to
42 Transportation or Traffic Administration upstairs. They will conduct their
43 review, give back comments, and then we'll have that back and forth trying
44 to make sure all those mitigations are addressed. So we need to go through
45 that process separately. So I know that the draft is in there right now. If

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1 you want I can forward that to Sue for a courtesy review. But we want to
2 get a full stamp set like done as soon as possible.
3
4 Thurston: Great.
5
6 Reeder: All right. And it should be under Realize a Tier 1 TIA, so if you haven't
7 gotten with Sue already, I would recommend doing that so you can get your
8 scoping done.
9
10 Thurston: Yes, he did get Sue on it for the scoping.
11
12 Reeder: Okay. Thank you.
13
14 Gonzales: Parks and Recreation.
15
16 Harrison-Rogers: Sure. so the developer worked with us to come up with a solution for
17 park dedication related to this. It was a trail, a multi-use trail along
18 Peachtree in the sort of same design as we've seen sort of further towards
19 Metro Verde. It'll help ultimately connect that hopefully in the next couple
20 of years. It does exceed the required acreage as per my calculations. And
21 so, in so long as we receive any landscaping plans or irrigation plans to
22 coincide with this during construction, that's all we need.
23
24 Gonzales: Okay. And Utilities.
25
26 Nasir: Utilities, we have no issues with this. I did the review for the master plan,
27 for Utilities master plan, and the connections for water, sewer, and gas were
28 there.
29
30 Gonzales: Okay. Fire Department?
31
32 Danner: No comments.
33
34 Ochoa: And just for point of clarity for Fire, the one cross section which is Holden
35 Lane is about 110 feet deep. And the one for Mesa Crossing Street is about
36 83 feet deep.
37
38 Thurston: Yes, anything less than 150 will get.
39
40 Ochoa: Perfect.
41
42 Nasir: So they're not going to be on the streets, right. They're going to be dead
43 ends.
44
45 Ochoa: They're dead ends, yes ma'am.
46

1 Gonzales: Okay. Any other comments from the applicant or any other comments from
2 staff? Okay, so I would entertain a motion for approval of the Mesa Crossing
3 subdivision preliminary plat.
4

5 Ochoa: Point of order. I'm sorry, point of order. Can we do two separate votes, one
6 for Mesa Crossing itself, the subdivision, and one for the alternate cross
7 sections.
8

9 Gonzales: Okay. So we will start with the cross section because that will ultimately
10 lead into your preliminary plat. So I will take a motion for the alternate cross
11 section being proposed by the applicant.
12

13 Danner: So moved.
14

15 Gonzales: Do I have a second?
16

17 Reeder: Seconded.
18

19 Gonzales: Okay, I will just do around the room is all in favor say "aye."
20

21 MOTION PASSES UNANIMOUSLY.
22

23 Gonzales: Any opposed? Okay, so approval of the alternate cross section as it does
24 get approved through the DRC. So now we'll move on to the Mesa Crossing
25 subdivision preliminary plat. May I get a motion for the preliminary plat?
26

27 Danner: So moved.
28

29 Gonzales: And a second?
30

31 Ochoa: Second.
32

33 Gonzales: Okay. All those in favor.
34

35 MOTION PASSES UNANIMOUSLY.
36

37 Gonzales: Any opposed? Okay, so the preliminary plat moves forward also with
38 approval recommended by DRC.
39

40 **3.4 Case No. 22CS0500007: M Boyce Tracts**

- 41 • A request for approval of a non-administrative replat known as M. Boyce
42 Tracts.
- 43 • The proposed subdivision encompasses approximately 7.00 + acres, is
44 zoned NH-3.S (Neighborhood-3 Suburban) and located at 3300 Del Rey
45 Avenue.

- The subdivision proposes to subdivide one (1) existing lot into two (2) new lots that are 2.87 ± and 3.84 ± acres in size.
- Dedication of Del Rey Boulevard and Mars Avenue is provided, and the applicant seeks to waive improvements.
- Submitted by Libbin Underwood Engineering and Surveying, Representative.

Gonzales: Okay, so I will go ahead and hear 3.4 which is M. Boyce tracts. And go to Community Development staff.

Castillo: Thank you. So today we have case number 23CS0500007 also known as the M Boyce tracts. This is a request for a non-administrative replant. The proposed subdivision encompasses approximately seven acres. It is zoned NH-3 S which is our neighborhood three suburban and it's located at 3300 Del Rey Avenue. It's at the intersection of Del Rey and Mars. The subdivision, the subdivision proposes to subdivide the existing lot into two new lots which range from 2.87 acres to 3.84 acres in size. They will be providing dedication of Del Rey Boulevard and Mars Avenue. But the applicant does seek to waive the improvements that would be required based on the subdivision's requirements.

Gonzales: Okay. Is there anything the applicant would like to add additionally?

Boyce: No, I don't think so. I think John covered it pretty well.

Gonzales: Okay, so then we'll just go around the room. I will look to Public Works. Any additional comments?

Bass: Public Works has no comments.

Gonzales: Okay. Fire Department.

Danner: No comments.

Gonzales: Utilities.

Nasir: I've been working with the surveyor about finding out where the sewer connection is at. Because there's no sewer along Del Rey Boulevard. It's only sewer along Mars. So I am assuming that that's where it's connected. And we would like to have a dedication from lot to lot about having that sewer line there. Our jurisdiction will end at the property line, but we would like to have from the daycare lot to the other lot to have that easement between each lot. So in case it breaks or needs to be repaired, they'll be able to do it.

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1 Gonzales: Okay. Are there any concerns from the applicant? Is that feasible as far as
2 providing a utility easement to allow the sewer to be extended through Lots
3 1 and Lots 2?
4
5 Libbin: That's fine. No problem with an easement.
6
7 Gonzales: Okay. Any other comments from Utilities?
8
9 Nasir: We also have a gas line main along the back side of the property and a
10 hydrant, an 8-inch line where the daycare is at. Right at the property border,
11 so we would like to have easements for those too. And those will be
12 easements for CLC.
13
14 Gonzales: Okay. So I turn to the applicant once again to see if there's any concerns
15 with the existing lines or fire hydrants to provide those easements as well,
16 so that way they're designated and located.
17
18 Nasir: That is correct. If it's not already out there. I'm not sure if - I couldn't find
19 an easement for the fire hydrant or the two-inch gas line. But if it's not, then
20 we would like to have easements because those are our mains.
21
22 Gonzales: Okay.
23
24 Libbin: I'm sorry, I'm not quite clear. What do you need for the gas line?
25
26 Nasir: So there is a gas line on the back side of the property.
27
28 Libbin: Yes.
29
30 Nasir: And it, I don't know why it was ran, but it was there.
31
32 Libbin: Right.
33
34 Nasir: Either the, if you're not going to need it, we can vacate it.
35
36 Libbin: No, that gas line goes to the building.
37
38 Nasir: That's what needs to be, we need to have an easement for that.
39
40 Libbin: Okay.
41
42 Nasir: And then the same thing for the fire hydrant.
43
44 Libbin: Okay. Yes. No problem.
45
46 Nasir: Thank you.

1
2 Gonzales: Okay. Any other comments from Utilities?

3
4 Nasir: No.

5
6 Gonzales: Okay. Parks and Recreation.

7
8 Harrison-Rogers: So a question for you, Sara. I just need to understand whether or not
9 this was proposed under the old versus new code to determine whether or
10 not the fees in lieu are applicable.

11
12 Gonzales: Based on the application it was submitted in 2023. Because of the time
13 frame it's taken to go through and understand essentially the dedication and
14 the waiving of the improvements, it would be following our previous code.

15
16 Harrison-Rogers: Okay.

17
18 Gonzales: The reason we are writing our reports to move forward with Realize is
19 understanding that the development of these properties will probably take
20 place under Realize Las Cruces. So that would be the difference between
21 these properties.

22
23 Harrison-Rogers: Okay. All right. So with that then unless this particular development
24 gets delayed, similar to how we spoke of it before, they wouldn't be subject
25 to the fee in lieu. However, if the development does get delayed and they
26 stumble into being required to follow the new code, they would be subject
27 to a \$3,718.56 fee in lieu for the dedication and development of a park.

28
29 Gonzales: Okay. So in that case the applicant, what that means is if the application or
30 the subdivision, once it goes through the Planning and Zoning Commission,
31 this is scheduled for next month. If the application or the subdivision is not
32 filed by December 31st, then it would be subject to the park impact fees
33 based on the time frame in which we would now be under Realize Las
34 Cruces.

35
36 Harrison-Rogers: Fees in lieu. Point of clarification, fees in lieu, not park impact fees.
37 Park impact fees are a separate and distinct thing.

38
39 Gonzales: Yes.

40
41 Libbin: Okay.

42
43 Gonzales: Any other comments by staff? Okay, seeing none. I would accept a motion
44 to approve with conditions similar to our previous case where we condition
45 it as if the plat has not been filed by December 31st, then it is subject to the

1 park dedication fee in lieu of. Can I get a motion for approval with the
2 conditions?

3
4 Danner: So moved.

5
6 Gonzales: And a second.

7
8 Nasir: Second.

9
10 Gonzales: Okay. All those in favor, please signify by saying "aye."

11
12 MOTION PASSES UNANIMOUSLY.

13
14 Gonzales: Any opposed? Okay, so motion passes and moves forward to P&Z with a
15 recommendation of approval.

16
17 **3.5 Case No. 23CS0500095: Lujan Tracts**

- 18 • A request for approval of a non-administrative replat known as Lujan
- 19 Tracts.
- 20 • The proposed subdivision encompasses 2.05 + acres, is zoned REM
- 21 (Residential Estate Mobile) and located at 6401 Jefferson Lane.
- 22 • The subdivision proposes to subdivide one (1) existing lot into three (3)
- 23 new lots that range in size from 0.420 ± to 1.050 ± acres in size.
- 24 • Submitted by Libbin Underwood Engineering and Surveying,
- 25 Representative.
- 26

27 Gonzales: Okay, so we are now moving on to case 3.5 and 3.6. I would like to suspend
28 the rules and hear those together as they do basically pertain to one
29 another. It is Lujan Tracts that is coming in with a road improvement waiver.
30 The waiver is subject to going through City Council's process. The reason
31 it's going through City Council's process is because the zoning designation
32 in which is proposed is following REM standards. There is an accessory
33 building that would be on a separate lot by itself, which is not allowed in
34 Realize Las Cruces as part of the permission. So we are going through the
35 waiver process through City Council for this one. And so I will turn to staff
36 to hear Lujan Tracts and the improvement waiver.

37
38 Castillo: So today we have two cases. Case number 23CS0500095, also known as
39 Lujan Tracts. And then we have case number 24CS400008, which is a
40 Lujan Tracts road improvement waiver. So the Lujan Tracts is a request for
41 approval of a non-administrative replat. The property is currently zoned
42 REM, which is a residential estate mobile, and encompasses 2.05 acres in
43 size. And it's located at 6401 Jefferson Lane.

44
45 The subdivision proposes to subdivide the existing lot into three new lots
46 that range in size from 0.420 acres to 1.050 acres in size. The property has

dedicated right-of-way along Poose Creek, and will dedicate right-of-way for Pecan Lane, which is just north of the subdivision. At this time, the applicant is requesting to waive improvement to Pecan Lane. Poose Creek has been dedicated to the city, and the city has accepted it back in I believe 1996, or no, I'm sorry, 2004.

Gonzales: Okay. Just to do a point of clarification. In discussing it with the applicant, because Poose Creek was done in 2004, that was one of the conditions that had prolonged the process, because Poose Creek would have required improvements. However, with the city requesting that dedication back in 2004, the improvements would now be on to the city to actually implement. Jefferson Lane has also improved. It has already been improved to the dedication standards, and that's why the request is only for the improvements to Pecan Lane. It is a 50-foot road easement currently. Twenty-five feet would be dedicated to the city. So the understanding would be is improvements are very difficult to implement on a 25-foot road that we cannot maintain when it needs to be 50 feet wide. Just for clarification. And so I would go through Public Works. Any comments or concerns?

Bass: No comments.

Gonzales: Fire Department.

Danner: No comments.

Gandara: Utilities.

Nasir: No issues with the road improvements.

Gonzales: Parks and Recreation.

Harrison-Rogers: No issues with the road improvements.

Gonzales: Anything from Engineering?

Reeder: No.

Gonzales: Okay, so moving with that one, I would entertain a motion for Lujan Tracts. We will separate these ones out, as this does have to get separate votes through City Council and the Planning and Zoning Commission. So I will start with the road improvement waiver for Lujan Tracts. May I get a motion for approval?

Frugoli: I'm sorry, before we—I just have a question real quick. Just before we move any further forward, I did discuss with the property owner. He's not here today, but I discussed with him potentially just doing two lots. So I just want

1 to throw that out there in case that changes anybody's thoughts about
2 anything at all. So he would probably just remove that northmost division
3 line, the new one. He would probably just remove that one and split it into
4 two lots instead.

5
6 Gonzales: So I would say this is going to hold to the same standard as we have
7 previously indicated on the other plats, and that would have to be
8 determined as to what that park dedication fee would be. And so with
9 changing those, just because this right now is currently with an accessory
10 building as it is by itself, it is still a non-administrative replat. We would still
11 process it through P&Z. You're allowed to reduce the number of lots
12 administratively if they choose to or through that process. With us moving
13 forward though, it would be the understanding that the final plat would need
14 to be filed prior to December 31st in order to not be subject to the park
15 dedication fees.

16
17 Frugoli: Okay. Thank you.

18
19 Gonzales: And so I will still go back to the road improvements, as those are still a
20 requirement, regardless if it is a one-to-three or a one-to-two lot subdivision.
21 So I will entertain a motion for the improvement waiver.

22
23 Danner: So moved.

24
25 Gonzales: And a second.

26
27 Reeder: Second.

28
29 Gonzales: Okay. All those in favor signify by saying "aye."

30
31 MOTION PASSES UNANIMOUSLY.

32
33 Gonzales: Any opposed? No. Okay. So seeing that, the waiver will move forward to
34 Planning and Zoning Commission as well for recommendation to City
35 Council.

36
37 **3.6 Case No. 24CS0500008: Lujan Tracts Road Improvement Waiver**

- 38 • A request to waive the required improvements to Pecan Lane for a non-
39 administrative replat known as Lujan Tracts.
- 40 • Dedication of Pecan Lane is being provided through the non-admirative
41 replat.
- 42 • The City of Las Cruces Desing Standards Section 32-36.B states: A
43 subdivider shall be responsible for 100% of the street improvements
44 within the boundaries of the subdivision.
- 45 • Submitted by Libbin Underwood Engineering and Surveying,
46 Representative

1
2 Gonzales: I would move to Lujan Tracts. This is where the condition will be placed on
3 the final plat essentially being approved and filed prior to December 31st in
4 order to not be subject to the parkland dedication fees. Those were not
5 discussed. Those have not been determined as to what that fee would be,
6 but we would work with the applicant and let them know those fees prior to
7 the Planning and Zoning meeting. With that, may I get a motion for the
8 approval with conditions for Lujan Tracts?
9

10 Nasir: I would like, I'm sorry, I forgot that it was going to be discussed together, so
11 I do have a comment for the plat itself, and I've been talking to the applicant,
12 to the surveyor, about the fact that the water is only along Pecan, and they
13 do have a water meter there. And we would like to have an easement from
14 property owner to property owner, again for maintenance of that waterline
15 in case of a break or anything else after the meter.
16

17 Gonzales: Thank you. As the applicant's representative, is that a concern, or is that
18 going to be a problem to receive the easement for the waterline?
19

20 Frugoli: I don't think so.
21

22 Gonzales: Okay.
23

24 Frugoli: I will, I tried to get a hold of the property owner for today, but I will definitely
25 mention that to him, and if anything comes up, I'll contact you immediately
26 and let you know.
27

28 Nasir: And also for future development, the northern parcel, the sewer and gas will
29 have to be extended, because right now it's one parcel and it could have
30 been done right now through service lines, but not anymore at the moment,
31 it breaks. Or the other way around, if it will do something else for the bottom
32 one, they will have to extend the waterline for future development on the
33 southern parcel.
34

35 Gonzales: Okay.
36

37 Nasir: Because the waterline is only along Pecan, and the gas and sewer is only
38 along Jefferson.
39

40 Gonzales: So there's no waterline along Poose Creek or Jefferson that actually
41 currently services the home that's located on Lot 1?
42

43 Nasir: That is correct. That's why I'm asking for an easement from lot to lot.
44

45 Gonzales: Okay.
46

1 Nasir: Because the water right now is connected on Pecan, and the meter is on
2 Pecan.

3
4 Gonzales: Okay.

5
6 Nasir: And the rest is, it will be an easement from Lot 1 to Lot 2, or whatever lot
7 will be.

8
9 Gonzales: Okay. So yes, that would be subject to the easement in order to actually
10 get the services basically extended.

11
12 Nasir: And we don't need that easement to be dedicated to Las Cruces Utilities, it
13 will have to be dedicated from lot owner to lot owner.

14
15 Gonzales: Okay. Any other comments related to the plat?

16
17 Nasir: No. I apologize. I skipped that.

18
19 Gonzales: Okay. So with that I would entertain a motion with the approval of the two
20 conditions that we've now outlined. I would say the conditions of plat being
21 filed by December 31, 2025, for the Parkland Dedication Requirement, or
22 fee in lieu. And the second condition being that the easement for the
23 waterline extension to be dedicated onto the plat as an easement for utility
24 services. I will take a motion.

25
26 Nasir: So moved.

27
28 Gonzales: And a second.

29
30 Danner: Second.

31
32 Gonzales: Okay. All those in favor, please signify by saying aye.

33
34 MOTION PASSES UNANIMOUSLY.

35
36 Gonzales: Any opposed? Okay, this moves forward to the Planning and Zoning
37 Commission for a recommendation for waiver, and then condition for P&Z
38 action for Lujan Tracts as an approval.

39
40 Frugoli: Great. Thank you.

41
42 **3.7 Case No. 24CS0500117: Coyote Run Master Plan**

- 43 • A request for approval of a Master Plan known as Coyote Run
44 Subdivision.
45 • The proposed subdivision encompasses approximately 25.095 acres, is
46 a multi-zoned property with R-1a/R-1b and R-3/R-4/C-2 and located

approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass.

- The master plan proposes to have a mixed-use development with 3.07 ± acres of non-residential land uses and 18.81 ± acres of residential land uses.
- The subdivision will dedicate a 0.406 ± acre tract of land for the expansion of Thurmond Road.
- Submitted by Moy Surveying, Representative.

Gonzales: Okay. We're going to swap people. Last application. Once again, everyone, we are going to hear, or I'd ask to suspend the rules as we do have the Coyote Run. Well, we can go ahead and just keep them separated. We'll go ahead and hear Coyote Run Master Plan first, which is Case 24CS0500117. I will go to staff.

Castillo: Good morning. Today we have a request for approval of a master plan known as Coyote Run Subdivision. The proposed subdivision encompasses approximately 25.095 acres. It's a multi-zone property that contains R-1a, R-1b, R-3, R-4, and C-2. The property is located approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass. The master plan proposes to have a mixed-use development with 3.07 acres of non-residential development and 18.81 acres of residential land use or residential development. The subdivision will dedicate approximately 0.406 acre tract of land for the expansion of Thurmond Road. And this was submitted by Moy Surveying as the representative.

Gonzales: Okay. Is there anything additional the applicant would like to add?

Magallanez: No.

Gonzales: Okay. Then we will go around the room to see if there's any comments or conditions placed onto this. I will start with engineering.

Reeder: Like previous, we're going to move forward with the contingency that drainage is reviewed and addressed as the permitting process moves forward in case there's any layout changes or if there's any flood changes so that we can address those before we have that permit out. And we're not doing any backtracking work.

Gonzales: Okay. Parks and Recreation.

Harrison-Rogers: So this is going to be really similar to some of the other things that we've talked about. We really don't have an issue with the master plan. I know that we had a lot of discussions about this would be a great location for a park. The ordinance related to a previous annexation in this area was

1 reviewed. We actually were told that we can ask for a park, but we can't
2 require a park per that annexation ordinance that required 10 acres. And
3 so with that they are still subject to park impact fees related to individual
4 construction permits. And depending upon when this particular project gets
5 recorded, they may or may not be subject to a fee in lieu for park dedication
6 per Realize Las Cruces, which is a separate and distinct issue from the
7 annexation ordinance that had required some park dedication. Totally
8 distinct and separate. And I've done a down and dirty calculation of that,
9 but I'll talk about that at the preliminary plot rather than the master plan,
10 unless you want to hear it now.

11
12 Gonzales: So I think in the case of the master plan, knowing that the master plan would
13 go to the Planning and Zoning Commission for final action, if this moves
14 forward to our September meeting, if this were to be approved that would
15 technically be the approval. Would it still be conditioned upon dedication?
16 Because technically that is their approval. There would be no file date
17 associated with it.

18
19 Harrison-Rogers: Okay. Yes, no. If it gets approved before the December 31st date,
20 then no fee in lieu for park dedication would be required. If something
21 happens and it gets delayed, then yes, they might be. In which case, we
22 can get you that number.

23
24 Gonzales: Okay. Does that clarify for the applicant? So essentially if we go to the
25 Planning and Zoning Commission in September, if the case is approved,
26 then that considers the master plan approved. And then we would move
27 forward with essentially the approved land uses you have in place. If it does
28 not get approved, and it is not approved until after December 31, 2025, then
29 it would be subject to Realize Las Cruces park dedication or fee in lieu
30 requirements.

31
32 Magallanez: And that's only specific to the master plan?

33
34 Gonzales: Correct.

35
36 Magallanez: So we had mentioned, so if my understanding is correct, the park dedication
37 fee in lieu is required at the recording of the master plan? Or what was the
38 recording of a preliminary plan or final plan at that point? Does this, I guess
39 I'm just confused with the master plan part of it versus this. Because is this
40 getting recorded via final plan?

41
42 Harrison-Rogers: The master plan vests it, I think is what Sara was indicating.

43
44 Magallanez: Okay.

1 Harrison-Rogers: So the master plan, like the approval of the master plan would then vest
2 what comes after.

3
4 Magallanez: Okay.

5
6 Harrison-Rogers: If there was no master plan, we'd be talking about the recording of a
7 plat.

8
9 Magallanez: And so therefore, as long as this got done by December 2025 and approved
10 by P&Z, then we would not be subject to a park dedication or fee in lieu of
11 for the preliminary plan, even if that is in fact recorded in December of 2026,
12 let's say, or completed whenever that might be in 2026?

13
14 Gonzales: That is correct. Because the master plan ...

15
16 Magallanez: I think it's just approved by P&Z, right, is that the for the master plan, yes.

17
18 Gonzales: And the master plan just, essentially the master plan will vest basically your
19 land uses and the layout that's basically being proposed.

20
21 Magallanez: Got you. Okay. So then we're just subject to the master plan's deadline of
22 December 2025, not the preliminary plan, or what would be the final plan
23 then at that point could be thereafter?

24
25 Gonzales: Correct. So point of clarification. So you would have a vested master plan
26 if your preliminary plan does come in and get approved, and development
27 takes place within that two-year timeframe, because preliminary plans also
28 do expire.

29
30 Magallanez: Sure. Yes.

31
32 Gonzales: So if any point in which the preliminary plan expires, then the master plan
33 will expire, and now you're subject to whatever the current code would be.

34
35 Magallanez: At that time.

36
37 Gonzales: Correct.

38
39 Magallanez: Got you. So we'd have a two-year window to complete a preliminary plan if
40 this was done by December 2025 to then be vested and not have to face a
41 park dedication or fee in lieu of. Got you.

42
43 Gonzales: Correct.

44
45 Harrison-Rogers: If you want that calculation, I can give it to you. Do you want that
46 calculation?

1
2 Magallanez: I think the developer might want to hear what that calculation is.
3
4 Harrison-Rogers: All right. So if things go sideways for whatever reason, the park
5 dedication for this particular would be 0.1464 of an acre, which comes out
6 to \$74,371.20 for a fee in lieu.
7
8 Magallanez: We'll wait here for September meeting.
9
10 Harrison-Rogers: Okay.
11
12 Gonzales: So nothing additional. So we've gone through Parks. Anything additional
13 from Parks and Recreation? Okay. Utilities.
14
15 Nasir: Yes, we do have a condition of approval, and it was the variance for the gas
16 layout on the street. We will be approving the layout as it is right now
17 because right now it's just going on the loop, and what happens is when
18 you're on one side of the street, you're on the north side, and when you're
19 on the other one, you're on the south side.
20
21 Magallanez: On the southside. Right.
22
23 Nasir: And we do have it that all of it needs to be there on one side because it's
24 the loop. We will be okay approving that variance. We just need to have it.
25
26 Magallanez: You had to process the variance.
27
28 Nasir: Yes.
29
30 Magallanez: Is that your preference, just to stay on one side versus...
31
32 Nasir: Yes, because we don't want to have it crossing, especially because we don't
33 have water. The water out there is not... it's Moongate yes. And we don't
34 have sewer there. So we would like, we don't have a problem having it on
35 the loop instead of crossing back and forth.
36
37 Magallanez: Right. Okay.
38
39 Nasir: Because you will be doing the same thing with water and sewer. You will
40 be crossing back and forth. I think it's more practical.
41
42 Magallanez: RIGHT.
43
44 Nasir: To have it on one side or to have it looped together without crossing back.
45
46 Magallanez: Without crossing back to keep it consistent on one side of the street.

Agenda Item #8.4.

1
2 Gonzales: Yes.
3
4 Nasir: We just need to have a variance to have it documented, and so everyone
5 else knows that.
6
7 Magallanez: Again design standards as well.
8
9 Nasir: That is correct.
10
11 Gonzales: Okay. Fire department.
12
13 Danner: No comments. But just kind of a heads up. I think the way it was laid out
14 was like 20 lots, I believe it was, something like that.
15
16 Magallanez: Yes.
17
18 Danner: So in the event that layout changes or stuff like that happened, just be aware
19 that if you go over 30 lots we're going to need an additional access to that
20 area. And it can't be, it has to be, the two access points has to be no less
21 than a third of the total diagonal left of the property. So they essentially just
22 have to be on opposite sides.
23
24 Magallanez: Got you.
25
26 Danner: Other than that, we're good.
27
28 Magallanez: Okay. We're constrained by not having septic, so we don't anticipate having
29 more lots.
30
31 Danner: Got you.
32
33 Magallanez: Like we won't have more lots. Yes. Thank you.
34
35 Gonzales: Anything from Public Works?
36
37 Bass: No comments from Public Works.
38
39 Gonzales: Anything additional from staff or the applicant? Okay. With that I'd entertain
40 a motion for Coyote Run master plan approval?
41
42 Danner: So moved.
43
44 Gonzales: And a second?
45
46 Reeder: Second.

Gonzales: Okay. All those in favor, please signify by saying "aye."

MOTION PASSES UNANIMOUSLY.

Gonzales: Any opposed?. Okay. So master plan is moving forward with a recommendation of approval.

3.8 Case No. 23CS0500099: Coyote Run Preliminary Plat

- A request for approval of a Preliminary Plat known as Coyote Run Subdivision.
- The proposed subdivision encompasses 25.095 ± acres, is a multi-zoned property with R-1a/R-1b and R-3/R-4/C-2 and located approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass.
- The preliminary plat proposes twenty (20) large residential lots and one (1) non-residential lot.
- The subdivision will dedicate a 0.406 ± acre tract of land for the expansion of Thurmond Road.
- Submitted by Moy Surveying, Representative.

Gonzales: We will now go to our final case on the agenda. This is case 23CS0500099, Coyote Run preliminary plat. I will turn to John with staff.

Castillo: So we have a request for approval of a preliminary plat, also known as Coyote Run. As we know, it encompasses 25.095 acres. It is a multi-zoned property, which is located approximately 642 feet west of the intersection of Thurmond Road and Settlers Pass. So the preliminary plat proposes 20 large residential lots and one non-residential lot. The subdivision will dedicate roughly a 0.406 acre tract of land for the expansion of Thurmond Road. And once again, this was submitted by a Moy Surveying as a representative.

Gonzales: Okay. Anything additional from the applicant? Okay. Seeing that, we'll go around the room once again. I will start with Engineering on any concerns with the preliminary plat.

Reeder: Same thing for drainage. Since we'll handle that under the master plan, they just coincide.

Gonzales: Okay. Parks and Recreation.

Harrison-Rogers: I have no information outside of what we already discussed related to the timing of approval and fees in lieu.

Gonzales: Utilities.

1
2 Nasir: We do have the condition that we put on every plat that the final plat will be
3 approved upon approval of the final set of subdivision construction plats.

4
5 Gonzales: Okay. And Fire Department.

6
7 Danner: Nothing.

8
9 Gonzales: And Public Works.

10
11 Bass: No comments.

12
13 Gonzales: All right. Seeing no comments or any additional, I would entertain a motion
14 for the preliminary plat.

15
16 Nasir: So moved.

17
18 Gonzales: And a second?

19
20 Danner: Second.

21
22 Gonzales: Okay. All those in favor, please signify by saying "aye."

23
24 MOTION PASSES UNANIMOUSLY.

25
26 Gonzales: Any opposed? All right, seeing none. Then this will move forward again to
27 P&Z, This I believe it's September 23rd's meeting as far as the Planning
28 and Zoning Commission with recommendation of approval from DRC.

29
30 Magallanez: Sounds good.

31
32 Gonzales: All right. Thank you.

33
34 Magallanez: Thank you, guys.

35
36 **4. DISCUSSION ITEMS**

37
38 Gonzales: Okay. Do we have any additional discussion items from staff? I know we're
39 still in the transition phase, so I'm just, you know, I'm going to bring up that
40 it's very difficult. We're going back and forth. We are trying to get a lot of
41 people moving forward with Realize Las Cruces so we can start
42 implementing those goals and those plans and policies. And so it could be,
43 you know we're still tugging at going back and forth for the next four or five
44 months. The hope would be is that by January we're all under Realize and
45 we have a clear understanding of what would be required by applicants. As
46 they are coming in, we are working with them to let them know they can use

1 either code. It's just you know we're trying to move forward with writing our
2 reports and understanding what's going to be the expectations moving
3 forward in January.
4

5 Harrison-Rogers: Okay.
6

7 **5. ADJOURNMENT (09:10 a.m.)**
8

9 Gonzales: So if there's any other comments or nothing, I would entertain a motion to
10 adjourn.
11

12 Danner: So moved.
13

14 Gonzales: And a second.
15

16 Nasir: Second.
17

18 Gonzales: All in favor?
19

20 MOTION PASSES UNANIMOUSLY.
21
22
23
24
25

26 _____
Chairperson

FINDINGS:

- Based upon review by relevant City staff, the proposed preliminary plat known as Coyote Run Subdivision complies with the requirements and standards of the City of Las Cruces Subdivision Code.
- The proposed new lots that are being created by the preliminary plat comply with all the requirements of the 2001 Zone Code, as amended, and Realize Las Cruces Development Code.
- Following the goals and actions outlined in Elevate Las Cruces, the proposed subdivision will allow for the development of alternative housing types and medium to high intensity commercial opportunities.
- Development Review Committee recommended Approval on August 20, 2025.