PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
January 28, 2020 at 6:00 p.m.

BOARD MEMBERS PRESENT:
Sharon Thomas, Chair
James Bennett, Member
Harvey Gordon, Vice-Chair
Luis Armando Guerrero, Member
LaVonne Muniz, Member
Abraham Sanchez, Member
Russ Smith, Member

STAFF PRESENT:
Larry Nichols, Director Community Development Department, CLC
Sara Gonzales, Planner, CLC
Mark Dubbin, CLC Fire Department
David Weir, Chief Planning Administrator
Srjiana Basnyat, Senior Planner, CLC
Mark Miller, Planner
Becky Baum, Recording Secretary, RC Creations, LLC

I. CALL TO ORDER (6:00)

Thomas: Thank you. Good evening and welcome to the Planning and Zoning Commission. This is Tuesday, January 28th and it's 6:00 p.m. I believe we have a quorum, one, two, three, four, five. Yes.

II. CONFLICT OF INTEREST
At the opening of each meeting, the chairperson shall ask if any member on the Commission or City staff has any known conflict of interest with any item on the agenda.

Thomas: Does anyone up here on the Commission have a conflict of interest? Okay, seeing none.

III. APPROVAL OF MINUTES

a. December 17, 2019

Thomas: Next item is the approval of the minutes. Can I have a motion to approve the minutes of December 17?

Gordon: I make a motion that we approve the minutes.
Thomas: Is there a second?

Guerrero: I'll second it.

Thomas: Thank you. Any discussion? All those in favor approving the minutes of December 17, 2019 please say "aye."

MOTION PASSES UNANIMOUSLY.

IV. POSTPONEMENTS - NONE

V. PUBLIC PARTICIPATION

Thomas: Next is public participation. This is for anyone in the audience who has something they want to talk about that is not on the agenda. If you're here to speak about something that's on the agenda, we prefer that you wait till we get to that item. Okay, do you want to come forward?

Trevizo: Hello. Thank you for letting me speak. My name is Jose Trevizo. I'm representing Full Court Fiesta.

Thomas: Nick, I think you're just a little too close to the mic.

Trevizo: Sorry about that. My name is Jose Trevizo. I'm representing Full Court Fiesta. It's an event we're trying to put on at Klein Park right over here off of Mesquite Street by Beck's Coffee Shop. The idea is a five-on-five full court basketball tournament, food truck festival, brew fest, a concert, all going on in the park at the same time. And it's an event we want, it's going to be free for the public, we're just going to have the event pay for itself through vendors and registration fees. But the issue is that the basketball court is not to regulation, so it has to be redone. And we also wanted to donate a basketball court to the City from funds that we will be acquiring through investors, and we wanted to put forth that effort and have permission from the City to do that. That's all I have at this time.

Thomas: I don't think that's really an item for us, but I'll defer to Mr. Nichols who's the Community Development Director.

Trevizo: Okay.

Nichols: Good evening. Larry Nichols, the Community Development. Well I applaud your wanting to bring an event to the City and I wish you all success with that.

Trevizo: Thank you.
Nichols: I think probably this action would be more to the City Council than the Planning and Zoning Commission. But if you want to bring your application for that, and working with the Economic Development Department, we can help you process it.

Trevizo: Okay. Thank you. Thank you very much.

Thomas: Thank you. Was there someone else?

Pearson: Good evening. My name is George Pearson. I'm Vice-President of Velo Cruces, which is a bicycle/pedestrian advocacy group in Las Cruces, and also the Chair of the MPO Bicycle and Pedestrian Facilities Advisory Committee. Thank you Commissioners for your service on this board. Except for City Council, this board probably has the most direct impact on the citizens of Las Cruces. Plans that you approve create the built environment which determines our quality of life here in Las Cruces.

The Metropolitan Planning Organization Policy Committee recently adopted safety targets as federally mandated part of the requirements for federal funding, to receive federal highway funding to come to our area. While the safety targets continue previous targets because of higher vehicle miles traveled, the targets project higher traffic fatalities. In general, vehicle fatalities have been decreasing, but bicycle and pedestrian fatalities have been increasing. As you do your work at the Planning and Zoning Committee, I'm asking that you remain mindful on how the built environment can impact safety. Please be sure to ask questions like; what is the design speed for roads that are being built by projects; and what speed limit will be placed on those roads; can a roundabout be used to improve safety? What about even sidewalks? Will sidewalks be wide enough to accommodate pedestrians? Will the corners of the sidewalks avoid some of those wide turning radii which encourages vehicles to speed through neighborhoods? Has there been consideration like, including consideration for active modes of transportation connecting between neighborhoods, even specially when vehicle connectivity may not be appropriate? And what about school (inaudible) and how does the project and positioning of schools' impact? These are all things that I hope that you will consider, have considered and will continue to consider during the work that comes before you. The safety targets do not bode well and there doesn't appear to be an effort at the federal or state level to try to reduce these fatalities. And so that's being left at the local level. And this Board is part of the local level. You and City Council, you advise City Council so hopefully you can advise City Council to be mindful and create safe projects. Thank you for your volunteer work on this Committee which I'm sure is not always easy.

Thomas: Thank you, George. So have you bought this before the City Council or do you plan to do that?
Pearson: I haven't been to City Council. I was in front of the Policy Committee, which of course has three, only one Councilor was present at that particular meeting. But yes, that's the intent is our group would be to try to improve safety concerns. We hopefully will have an Active Transportation Coordinator hired. I wonder if you could indulge me, I will ask that question at some point.

Thomas: Well, I think it's important that the council be informed as well and I would just like to say that we've, one of the things this group asked for in the comprehensive plan was that the Active Transportation Plan and the Transit Plan be included with the Thoroughfare Plan so that anytime we're working on thoroughfares the City's also aware of the Active Transportation Plan.

Pearson: Yes.

Thomas: And the transit where there's quite a bit about multimodal, there's some stuff about the speed problems. So these are all at this point very general, broad things, and the next steps will be to develop the ...

Pearson: Yes. I think my comments are more it's not just that plan that this covers, it's all your work that this covers.

Thomas: Right. And so as we move forward with implementing this plan, and I hope, I know you'll stay involved and invested and I think Mr. Nichols would like to comment as well.

Nichols: Thank you, Madam Chairman. Larry Nichols, Community Development. George, I know that you attended a number of our meetings, not only the Planning and Zoning, but City Council and a number of our public outreach meetings when we were going through the Active Transportation Plan to be adopted as ordinance, that was accomplished. City Council did adopt that on almost a year ago I believe. I'm very pleased to report that we have gone through the recruitment process for an Active Transportation Coordinator, and we anticipate them joining our staff here and within the next 30 days. And that will go toward a lot to help you with the issues that, and concerns that you brought up this evening, so we're headed in the right direction, George.

Thomas: Is there anyone else?

VI. CONSENT AGENDA

1. Case 19CS0500081: A request for approval of a non-administrative replat known as Baltierrez Tracts for three properties encompassing 0.5013 +/- acres, zoned R-2 (Medium Density Residential District) and located 512 N.
Manzanita Street, 627 and 639 E. Hadley Avenue. The proposed replat will subdivide the existing three lots into four new lots. Submitted by Moy Surveying Inc., on behalf of Baltierrez Raul & Tabita P. Baltierrez, property owners. Council District 1.

Thomas: Okay, the next item is the consent agenda. here come Sara. It's okay.

Okay. All right. I'll entertain a motion to accept the consent agenda.

Smith: Motion to approve consent agenda.

Sanchez: I'll second the motion.

Thomas: Is there any discussion? No. We can just do, all those in favor please say "aye."

MOTION Passes UNANIMOUSLY.

Thomas: Okay. Any against? Don't see any. Okay.

VII. OLD BUSINESS - NONE

Thomas: We don't have any old business

VIII. NEW BUSINESS

1. Election of Officers

Thomas: New business. The first item is election of officers. So we just take motions right, and vote.

Gonzales: Madam Chair. That is correct. Yes. You would take a motion for Chairperson and then you would take a motion for Vice-Chair and then a motion for Secretary.

Thomas: Thank you.

Gordon: I'd like to make a motion for Chair please.

Thomas: Go ahead.

Gordon: I'd like to nominate Sharon Thomas, take another year as our excellent Chair.

Guerrero: I second the motion.
Thomas: Okay, been moved and seconded to nominate Sharon Thomas. That would be me. Are there any other nominations? Okay, Becky will you call the roll?

Baum: Board Member Smith.

Smith: Yes.

Baum: Board Member Sanchez.

Sanchez: Yes.

Baum: Board Member Muniz.

Muniz: Yes.

Baum: Board Member Guerrero

Guerrero: Yes.

Barraza: Board Member Bennett.

Barrett: Yes.

Baum: Board Member Gordon.

Gordon: Yes.

Baum: Chairperson Thomas.

Thomas: Yes, I accept. I'd like to make a motion for Vice-Chair. I would like to move the Harvey continue as Vice-Chair. He's done a great job and he's always available when I'm not, so that works out very well. Is there a second?

Muniz: I'd like to second the motion.


Baum: Board Member Smith.

Smith: I'd like to hear campaign speeches on these things, be kind of fun. I vote yes.

Baum: Board Member Sanchez.

Sanchez: Yes.
Baum: Board Member Muniz.
Muniz: Yes.

Baum: Board Member Guerrero.
Guerrero: Yes.

Baum: Board Member Bennett.
Barrett: Yes.

Baum: Board Member Gordon.
Gordon: Yes. Thank you.

Baum: Chairperson Thomas.
Thomas: Yes. Now I'll entertain a motion for nomination for Secretary.

Gordon: I'd like to make a motion that we have Yvonne Muniz continue as our secretary.

Thomas: Is there a second?
Guerrero: Second that.


Baum: Board Member Smith.
Smith: Yes.

Baum: Board Member Sanchez.
Sanchez: Yes.

Baum: Board Member Muniz.
Muniz: Is it proper to vote for yourself? Yes.

Baum: Yes. Board Member Guerrero:
Guerrero: Yes.

Baum: Board Member Bennett.
Barrett: Yes.

Baum: Board Member Gordon.

Gordon: Yes.

Baum: Chairperson Thomas.

Thomas: Yes.

Muniz: Thank you.

Thomas: Okay, that was pretty quick.

2. **Adoption of Statement of Reasonable Notice** as required by Section 10-15-1(B) of the Open Meetings Act, Section 10-15-1 to 10-15-4, New Mexico Statutes Annotated (1978), as amended.

Thomas: Next is the adoption or statement of reasonable notice as required by Section 10-15-1(B) of the Open Meetings Act. Are you going to talk about that Sara?

Gonzales: Madam Chair. We no longer read through them. We just ask if any of the P&Z Commissioners would like to make any changes or add any additional information to please let us know, and then we will note that on there and update it. If not, we would just vote to approve and then move forward with the agenda.

Thomas: Okay. Is there a motion to approve?

Gordon: All right. I make a motion that we adopt the statement of reasonable notice as required by the state.

Thomas: Is there a second?

Smith: Second.

Thomas: Okay. It's been moved and seconded that we adopt the statement of reasonable notice as required by the state. Any discussion? Roll call.

Gordon: I think I just like to, also aware that we might have to waive the reading. Is that correct?

Gonzales: Madam Chair and Commissioner Gordon. Based on the reading of the portion, as long as it is approved, we don't have to.
Gordon: Okay fine. Thank you.
Baum: Board Member Smith.
Smith: Yes.
Baum: Board Member Sanchez.
Sanchez: Yes.
Baum: Board Member Muniz.
Muniz: Yes.
Baum: Board Member Guerrero.
Guerrero: Yes.
Baum: Board Member Bennett.
Barrett: Yes.
Baum: Board Member Gordon.
Gordon: Yes.
Baum: Chairperson Thomas.
Thomas: Yes. It's been approved seven to zero.

3. Case 19ZO1000135: A Special Use Permit application by 7 Diamond LLC, applicant's representative, to establish a waste transfer station associated with a dewatering facility located at 341 Southgate Court. The property is zoned M1/M2 (Industrial Standard) and encompasses 1.18 + acres in size. Council District 4.

Thomas: Next is Case 19ZO1000135. I'll entertain a motion to approve.
Smith: Madam Chair. I move the we approve Case 19ZO1000135.
Thomas: Is there a second?
Sanchez: I'll second.
Thomas: Okay. It's been moved and seconded. So what we do at this point is any discussion up here, then we'll move to public discussion, and then we'll come back here. Okay, any comments or questions from up here? Do you have a presentation?

Gonzales: Madam Chair. We do have a presentation.

Thomas: Okay.

Gonzales: We do the presentation and then go through the discussion.

Thomas: Okay. We'll do that first. Thanks.

Gonzales: Okay, so this is for a Special Use Permit located at 341 Southgate Court. Property is currently located south of its intersection with Amador Avenue and Southgate Court. It encompasses 1.18 acres in size. It is zoned M1/M2 which is industrial standard, primarily in an industrial area with some of it being commercial as well as our agricultural district. This is one of the last vacant lots within the US/RS tracts 9-30. The surrounding area encompasses Southwest Disposal, a contractor's yard for one of our electrical companies, equipment suppliers, as well as an auto body shop.

Here's a current aerial map of the subject property. As you can see it is one of the last vacant lots to be developed within this subdivision. Primary around this building are metal buildings, mainly its industrial zoned properties. So these are going to be your supply stores, your contractor yards, and then our solid waste disposal. As you can see in the zoning map everything that's highlighted in the purple or the dark purple tint is our M1/M2 zoning designation which is primarily industrial. Some of the hashed areas also include our commercial which is either medium or high intensity. And then we have the green areas that are indicated with our A-2 zoning which is agricultural.

Jontel septic is proposing to put in a waste transfer station and dewatering facility. The reason for this dewatering facility is because the facility in Vado, New Mexico is no longer going to be accepting any of the liquid waste from our private companies. So this will help some of the citizens here as well as our waste facilities that are being produced now. Some of the improvements that the site will have is a 400 square foot office building, as well as some of the dewatering equipment. They will put in three 15,000-gallon storage tanks that will put basically the storage waste into it and then do the watering from there. There is a portable dewatering boxes, and then ancillary storage as well as holding tanks.

So essentially what the site will look like is you will have a truck coming in from Southgate Court, they will enter, they will drop off basically the sewage into the tanks. The tanks will then be added with a polymer and then put through the dewatering process. From there, the dewatering process goes into these containers and then they will begin the separation
process. They are using charcoal which is going to help mitigate the odors for the area. And then it will actually process out 80% of them being liquid and then 20% being solid. So as I've gone through that, that is basically the process that will take place. Once the solids and the liquids have gone through the process, the solids will be taken to a landfill because they will be cleaned out so it will not hurt the environment, and then the water will go back into our wastewater treatment plants, so it'll actually go back into the City and be recycled. None of the waste will be stored on site. And we don't see any traffic issues since there will be a minimum of eight to 10 trucks per day. They will be on site so they will be filtering through basically their site and not being located along Southgate Court and blocking any entrances to the existing businesses.

This is an example of one that we did do located on Copper Loop in 2013. So as you can see the site stays fairly open, you see that they actually have tanks, they have their office building, and then their facility. This was a Johnny's Septic Tank that came in and wanted or requested a Special Use Permit as well. So the site is maintained, it's cleaned out. It's not going to create any additional trash or storage within the site. This is the view from the front. So as you can see, it's basically a well kept site that's going to be maintained in the same manner to where you will not actually notice that it's being a septic facility. So with that when staff did its analysis this is supported by the Comprehensive Plan. We do encourage development of our industrial properties. This is one of the few vacant properties that are still within this area, so we do encourage some type of development to go in. This is also meeting the requirements of Section 38-54 B of the 2001 Zoning Code, meaning as a waste transfer station has to be at least 300 feet from a residential zoning district. We're basically closer than a mile or two from the next residential zoning district, so they're well within their means of the Special Use Permit. Staff did send this to all the relevant agencies and departments and they did support the Special Use Permit. The applicant did already reach out to New Mexico Health Department and they did say that the site was sufficient and did not see any issues with this moving forward as far as the waste treatment plant. We did receive two phone calls when notification was sent cut to the surrounding property owners. They did support the development as far as no more weeds and no more dust blowing. So they were in support of something at least being developed there.

So with that staff is recommending approval that it does follow our Comprehensive Plan. We intend to get more of our industrial properties developed and this is one of the ways to encourage that development. And second, it does meet the requirements for the Special Use Permit of being 300 feet away from a residential district. So I leave you with your options tonight to vote "yes" and approve; vote "no" to deny, however, if you do vote to deny please remember that we did recommend our findings and approval, so you will have to provide new facts of finding if you choose to deny; you can vote "yes" with conditions; or vote to table. The Planning and
Zoning Commission is final authority on all Special Use Permits. If there's any questions, I stand for them, and then the applicant is here as well if there's any additional questions on how the process works,

Thomas: Okay. Any questions or discussion from Commissioners? Commissioner Muniz.

Muniz: I have a question for you, Sara. How many people will this place employ? Do you know?

Gonzalez: I can defer to the applicant Commissioner Muniz. They're gonna ask you to swear in.

Herrell: My name is Tommie Herrell. I'll be glad to answer your question but...

Thomas: I need to swear you in. Do you swear and affirm the testimony you're about to give is the truth and nothing but the truth under penalty of law?

Herrell: I do.

Thomas: Okay, go ahead.

Herrell: Like I say my name is Tommie Herrell. I'm associated with the group that's putting this project together. And it's fairly simple. It's very green and so on. But we started out with we don't know exactly how much water we'll be processing but we'll probably have at least two full time employees, and it'll depend on what degree of business that we do after that, of how many additional employees will have after that.

Muniz: Okay. And I have one more question.

Herrell: Okay.

Muniz: Will this place emit odors?

Herrell: Well...

Muniz: I say that because truckers that come through they call a stink town you know the outskirts we have the sewage and stuff. And I was just wondering if this would add to it.

Herrell: Anytime you have a liquid waste and a septic waste there's going to be some kind of odor. We have visited a couple of plants in Texas where they've been doing this in the past for the last 30 years and the back East and so forth. But when they mix the liquid waste with the polymer it actually condenses the product, the solids into, and eliminates probably 80% of the
order. On top of that we intend to put charcoal filters on top of the tanks because they refill the tanks and so forth you're gonna eliminate some air that's going to rise in the tanks, it's going to escape. So that charcoal filter system will eliminate, I'm not an expert, but we think it will control probably at least 80% of the odor that's coming out of that. And your regs and so forth, that's one reason in an industrial area. We're fairly certain that we're not that close to the residential area. So with the trucks that we're going to have in there, what we're figuring on processing, we think the odor will be minimal, but I'm not going to sit here and say there's not some kind of odor that's attached to this product.

Muniz: Okay. Thank you.

Gordon: I have a question. Will there be some time in the future that you may need another facility like this on the same piece of land?

Herrell: Probably not. The way this works, the dewatering containers that go in and forth, the storage units, we're able to add additional dewatering containers. And so we're building the project to accommodate up to four right now. We will just have two at the present. They basically handle 30,000 gallons of waste each. And so with that rotation and in the process they dewater at least 24 hours, they have to meet the paint test when the waste is hauled back to the landfill. And so with that rotation and we're hoping to grow some in all honesty, but we feel like with the property there that we can handle up to at least four and possibly more containers. It's just a matter of how much truck traffic and how much holding capacity that we want to do in the future.

Gordon: Is there a protection for containment in case there's a leak?

Herrell: Well we intend, there's, when we build the slab that these containers are set on, this is all, it's built in recessed area. You know we have a letter from the State of New Mexico, the Environmental Department, and it's kind of interesting. We're in the liquid waste business now in Alamogordo, but one of the biggest projects that we come across, the thought we were doing was would we have to have a permit from the state. They said, as long as there's nothing in this that they didn't require a permit from the State of New Mexico, which kind of shocked us. As long as the product never touches the ground. In our containment area that's what we intend with our recessed slab work, I mean in the slab, and so that retention pond, well not a pond, but the slab, I don't have the exact calculations on what that will hold, but if there is, the worst case scenario is that this is hooked to the city sewer system and its primary water that we'll be disposing of. But the worst case scenario is if there's something happen like that, it would be able to go into the sewer system on you know, God permit that it happen that way, but it's not any worse than you know a motel or something like that going into it. So it's very green. I mean it's just a, it's a new process for New Mexico. We'll be
probably the one of the first ones in New Mexico that's establishing a system like this. I know the facility that you all approved earlier is basically handling grease waste. We intend to possibly move forward in handling that also in the future. Because you have to have a certain amount of liquid waste to go with the grease waste, the fog, what they call fog, and you mix that one on 80/20 ratio and mix lime with it, and then it comes out with the same system, you can actually dewater it and come out with basically pure water. The water that we'll be generating basically you can do an UV light through it and add a little chlorine and basically come up with a flow of water that's what you can use anywhere. It's a class C type water but it's ...

Gordon: Okay, thank you.

Herrell: Yes, sir.

Thomas: Any other questions or comments?

Nichols: Madam Chairman.

Thomas: Yes, Mr. Nichols.

Nichols: Thank you for that very thorough explanation of the process of the process and what the facility you're wanting to put in. And albeit that you didn't have a requirement from the state on certain type of permitting, once you begin to install your facility if you'll stop by the Community Development one stop shop so we can get you the necessary electrical, mechanical, and utility permits, we appreciate that

Herrell: Right. That's what we're working on. In other words, we wanted to get our Special Use Permit first, and then once we have that, we'll come up with a set of plans. We have an engineer working on that process now. And we'll be taking to the Utility Department and to the state of New Mexico for anything they wish to record.

Nichols: Thank you. Much appreciated.

Thomas: Any other comments from Commissioners? Was there anyone in the public who wishes to comment on this? Seeing none. Come back to Commissioners. final chance. Okay, roll call.

Baum: Board Member Smith.

Smith: I vote yes. It meets with the ambitions of the Comprehensive Plan and it's good use of unused land right now.

Baum: Board Member Sanchez,
Sanchez: I vote yes based on staff recommendation and its compliance with the Comprehensive Plan 2040.

Baum: Board Member Muniz.

Muniz: I vote yes. And I vote yes, because it is a necessary facility for our City.

Baum: Board Member Guerrero.

Guerrero: I vote yes based on staff recommendations and the Comprehensive Plan and also I like the idea that it's a green type of business. So I think that we need more of that.

Baum: Board Member Bennett.

Barrett: I vote yes based on staff recommendation and it meets surrounding character, Comprehensive Plan 2040, fills the industrial zone, and handles a need in the area that we're going to be lacking.

Baum: Board Member Gordon.

Gordon: I vote yes based on the staff recommendation, it's presentation. I think it's compatible to the neighborhood, and it certainly is supported by the Comprehensive Plan.

Baum: Chairperson Thomas.

Thomas: I vote yes, based on staff recommendation and the fact that it's increasing a little bit of our industrial footprint for the City, and that it's okay with the Comprehensive Plan. So case passes seven to zero.

4. Case CP-20-01: Recommendation to the City Council for the adoption of the City of Las Cruces Comprehensive Plan, to be known as "Elevate Las Cruces."

The proposed plan is a major revision to the currently adopted comprehensive plan and will include a Future Development Map and a Future Thoroughfare Map. The plan area includes all City Council Districts.

Thomas: Next up is the comprehensive plan. So Srijana do we, if we start with a motion I'm not quite sure what the language should be for it.

Basnyat: Good evening, Madam Chair, Members of the Commission. My name is Srijana Basnyat. I am Senior Planner with Community Development. And we are here today to present Case CP-20-01 which is the recommendation to City Council for adoption of the City of Las Cruces Comprehensive Plan to be known as Elevate Las Cruces. With that ...
Thomas: Okay, let us start with that. So we need a motion to recommend to the City Council. This statement is up here. Somebody want to make the motion?

Gordon: All right, I make a motion that we, on Case No. CP-20-01, a recommendation to the to the City Council. Thank you.

Basnyat: I'm sorry, I'm actually going to the actual recommendation language since that's what you are requesting.

Gordon: Okay. That's fine. I don't want to read the whole thing there, just the first line. All right. A recommendation to the City Council for the adoption of the City of Las Cruces Comprehensive Plan to be known as Elevate Las Cruces.

Smith: Second.

Thomas: Okay. There's been a motion and a second and we'll go with, are you, presentations first. We're moving from you, are you have something or Jim?

Basnyat: No, it's fine. I just wanted to introduce Mr. Jim Carrillo. He is our project manager on behalf of Half Associates. And he will give you a quick overview. If you would like a full presentation you just need to say so.

Thomas: Okay. Thank you.

Carrillo: Good evening, Madam Chair, Commissioners. And thank you again for the chance to present the comprehensive plan to you ...

Gordon: You can raise the dais a little bit.

Thomas: Yes, can you raise the dais a little so that microphone's a little closer.

Carrillo: Better. All right. I'll give you a very quick background on the plan itself and we'll talk a little bit about some of the recommendations and feedback that we received, and then I'll leave it up to you for discussion. The comprehensive plan updates, the current comprehensive plan that you just mentioned in your previous case and the plan 2040 previously approved in 1999 and updated in 2013. Comprehensive plan is a critical plan for the City. It's an umbrella plan over everything else that you do. It's consistent with Smart Growth Principles, system planning where we operate and things work together instead of being sort of separated, in this process that included a fiscal impact analysis, significant public cutreach. We're now towards the end of an 18-month-plus process of going through the plan which included again many, many opportunities for public engagement and public input, and work with the Comprehensive Planning Advisory
Committee of which you were members of that, towards this final adoption
of the document.

The document includes a vision for the City that says this is what we
want to be, this is what we aspire to be, and will be throughout this period
of the process of the plan. It also includes vision components such as
balanced development, and livability of the community, economic fostering,
economic prosperity, and many other aspects of the City that again we’ve
received through the public process. We’ve been talking with you and your
residents about, and these reflect those items. The document is four
components, four volumes. The principle one is Volume I, which is the plan
itself, but with other support documents that go behind it.

Very briefly, we’ve had extensive public engagement and public
process, multiple meetings and public events and over 2,800 responses
from different surveys throughout the entire process. Many different
innovative ways of presenting, especially out at the Farmers Market and
many other ways of reaching out throughout the community. We had three
phases of that public input with different surveys and responses with each
of those phases. First one, we had almost 1,600 responses to a survey.
The second one we talked about future development and what it might be
like and had different very good input in terms of different aspects of the
City in different areas such as Downtown or open space preserves that were
valuable to you and your residents. The third phase, we talked about
implementation, and we had a whole series of different goals and again
received extensive feedback and input that helped guide the
recommendations of the plan.

So the plan itself includes a future development map which is based
on a process of going through a consensus scenario, growth scenario
process looking at how the City might develop. It uses place types, so this
is going to be something that’s a little bit different from your traditional
zoning categories, but again the intent there is flexibility. And the intent is
to encourage different kinds of uses instead of being completely separated,
to encourage where they’re compatible and where they work together, those
uses being side by side or working together to create a much more vibrant
city and a much more vibrant community throughout. Some of these place
types may include for an example, rural reserve which deals more with
farming and ranching, a lower level of development, and other kinds that
deal with suburban or urban type development.

The future development map as proposed in your packets and as
amended by the comments that we’ve presented to the CPAC today reflects
that picture of where you are in the future and what your growth might entail.
There are additional overlays contained in the document that look at
different corridors and specific town centers and neighborhood centers, so
these key sort of centerpieces and different neighborhoods. During the
process, we developed a very interesting overview of one example of the
Mesilla Mall and how that might evolve over time as malls change in the
character and what they might become. We looked at special areas of
consideration, the many blueprints that you've done, and then perhaps other areas that will evolve over time.

We’ve talked about the federal and state lands and how the City needs to work with the state in evolving more specific plans that come down from the very high level of the comprehensive plan to a much more specific direction for those properties. That’s really not attainable at the high level of the comprehensive plan and indeed recommendations as recently as today with your Comprehensive Plan Advisory Committee regarding working on not only the East Mesa and other areas around Centennial, but other properties at the state or the Bureau of Land Management may have throughout the City so that we can make sure that you work through joint planning processes with them on each of those.

Future thoroughfare plan looks at roadways a little bit differently, and essentially all it says is that roadways are more than just moving vehicles, it’s about the character and what those roadways and how they work with the development around them and lend to and add to those areas and also increase bike-ability and walkability in many parts of the City. So a different way of looking at streets instead of just how fast and how quickly can we move vehicles through these streets.

And the future thoroughfare plan is included in the comprehensive plan. It is again modified and updated from this version with recent changes suggested from the recent Council meeting, as well as input from you and the CPAC and staff. And all of these are made part of the record that you received in your packets.

The final part of the plan that I want to go over real quickly is the implementation process. So the process essentially creates additional policies as well as maintaining existing policies that you have, and those become the framework for much of what you as a City do in the future. They provide guidance, again, much as the case that you just looked at, but they provide guidance to departments, to the City Council, to you and other boards in terms of moving forward. And then underneath those policies there are multiple actions which essentially create the homework and the follow up steps to be looking at as you move forward with the plan itself.

There’s different levels of investment or operations or different types of procedures that are noted in the plan as to each of these actions and how they might be affected, whether it’s regulatory in updating your regulations or looking at your studies or operations or perhaps some sort of investment that goes in with that. We’ve recommended timeframes for all of these implementation processes, and then other corresponding actions, as well as sustainability which is a fundamental core area of the plan that we equate with each of the actions that you’ve taken.

So that’s a very quick summary of the plan. We talked about a few other things today in the Comprehensive Planning Advisory Committee and those will be made part of the record for your review and approval today of this plan and moving it forward to the City Council for adoption. And thank you again for your work on the Comprehensive Planning Advisory
Committee over the last 18 months, which is very extensive, and very in
depth. And we much appreciate your involvement. Thank you.

Thomas: Thank you very much.

Basnyat: Madam Chair, Members of the Commission. This is just to show you the
modifications that were recommended by the Comprehensive Plan
Advisory Committee earlier today. And please let me know if we need to
walk you through them or ...

Thomas: So everybody who's up here was at that meeting except Commissioner
Muniz. Do you have any questions or comments? You weren't here for the
earlier CPAC meeting. I don't know if you had, that there was something
you would have said there?

Muniz: Okay, I'll put my two cents in. We'll put it on record. Due to my son, I think
everybody knows I wasn't able to attend many meetings, but I did keep up
by reading the materials. And I see the hard work that was done. My wish
is more people from the public sector would participate, but that's hard. I
find it very, I'm very for this comprehensive plan. And I hope, the only thing
that I hope that by improving our community and elevating it as you say, I
hope it draws more industry or employment for the people living here. And
I also hope it attracts more specialists in the medical field. We're building
houses all over the place. And I was hearing that we're attracting younger
people now. And you know we're known as a retirement community, but it's
nice to know we're attracting with our housing and the prices younger
people to the community. So I hope this plan satisfies everyone. I think
we're going to the right direction. And I like the name Elevating this
community. But the only thing, sometimes I question where is the money,
you know it comes to money. I hope we don't have to raise property taxes.
But some of this will cost money and I hope the City starts doing things right
away. I don't want to see this plan sit in the corner 10 years. I'd like to see
the City pick out priorities and start as soon as they can. So I am for it and
I'm proud of all the work the staff and the consultants have done along with
the CPAC committee. Thank you.

Thomas: So the rest of us all sort of had our say earlier today, so I'm gonna go ahead
and move to public. And I know that Mr. Vierck is here from the State Land
Office. Have you had an opportunity to talk at all with our consultant Steve?
You want to come up and just ... And so this is not quasi judicial so we don't
have to swear people in correct? Okay so we had quite a long discussion
earlier at the CPAC meeting and some of the language that Srijana just put
up has to do with that, especially the first part. So if you want to briefly talk
about the State Land Office concerns, and then we can discuss what we
did at the earlier meeting.
Baum: You need to speak right into the microphone.

Vierck: Okay, thank you. Yes. Thank you Madam Chair. Good to see you again and Members of the Planning and Zoning Commission. My name is Steve Vierck and I'm the Assistant Commissioner of Commercial Resources for State Land Office. And I'd like to offer the following: I've got a statement I would like to read that essentially paraphrases a letter that I think many of you received from the State Land Commissioner that went to the Mayor. And I'd like to extract I guess some portions of that on behalf of Commissioner of Public Lands, Stephanie Garcia Richard. I'm interested to look at, examine the changes that were made at today's meeting earlier today. I wasn't able to get down here for that and I apologize. We had the of course 30 day session, things get pretty hectic for a lot of people up in Santa Fe this time of year. So my apologies for that. But I do look forward to getting caught up with some of the changes that were made. And I appreciate that responsiveness as well.

So State Land Office remains committed to working with the City of Las Cruces regarding the development of State Trust Lands in a manner that first of all appropriately reflects our constitutional mandate to generate revenue for public institutions while second of all also helping achieve Las Cruces Communities land use objectives. The commissioner as I think many of you are aware is strongly supportive of efforts statewide to increasing open space and recreational uses of state lands as evidenced by her recent creation of our agency's first ever Outdoor Recreation Office that just was formulated a few weeks ago. However, she is mindful that our primary mission is to generate revenues for schools and other beneficiaries from state lands. We've been actively involved since the summer and do appreciate that several changes have been made in response to our concerns, but our fundamental concern after reviewing the updated future development plan map that does not include my remarks, does not include what happened earlier this afternoon, continues to be that a large share of State Trust Land has been classified under categories with no or limited development permitted. State Land Office has a legal mandate to responsibly generate revenue for our public schools, universities, and hospitals, and eliminating or categorically limiting develop an opportunity would greatly diminish the revenue potential of these working lands.

State Trust Land beneficiaries are located I think as you're aware throughout New Mexico, the whole state, but they definitely include Las Cruces Public Schools and Mexico State University. In fact within the planning area the number one beneficiary is a K through 12 trust, and the number two beneficiary, particularly the northeast portion of the planning area, is New Mexico State University. So yes some local institutions that would also be among those significantly impacted. Partially because there's so much state land within this area that's within this planning agreement. I know that was part of the challenge for all of you. The potential impact on
schools is literally in the hundreds of millions of dollars in basic analyses that we've done. So this is an important concern for us.

So and also to ensure that the State Land Office is meeting our legal obligations, every State Trust Land parcel should be in a category with some development potential, unless we're compensated through municipal or open space recreational leases. And there are some means we're glad to discuss with the City regarding some of the more critical areas. Other cities and counties you know have used some of these approaches, we're glad to discuss them, and I think we would definitely be flexible in terms of trying to identify a means to not have land be removed from revenue generating activities for state beneficiaries.

You know one other point I want to make would be that we really are desirous that appropriate processes should be in place to modify the designated land uses of State Trust Lands as future market conditions change. I've read the language, I must say it appears pretty onerous to me, any ability to go ahead and change as market conditions 10 or 15 years down the road may change. I mean we're definitely; we've had some meetings with White Sands Missile Range, lately it appears that they're again on a growth projection that will have some impact and much less land. And so the market may dictate different uses in what you know see currently and yet that language seems to put a tremendous burden of proof on anybody, particularly State Land Office that wants to change those uses.

I do want to say that we do appreciate the conversations we've had since the summer with staff and with your consultants to try to identify mutually acceptable land use designations. I mean I know we have a high (inaudible) house in Las Cruces on the east side. I've hiked many of those arroyos and many of our friends are here still, and so I understand you know what I believe what you're trying to achieve. But we also have a mission that is a legal mission that we need to achieve, they're very concerned about being able to carry out. So I did want to point out in particular David Weir and Srijana Basnyat, and also Jim Carrillo, particularly I think have really put a lot of effort into working with and I really you know, I know they're pulling a lot of different directions and I appreciate the effort that they made to do that. And we feel like we've made some progress around adjustments to land use designations through those various discussions, most notably the land surrounding the West Mesa Industrial Park to better ensure that those lands can be appropriately developed to meet projected growth.

We have several remaining areas are actually are specifically for areas of primary concern to the State Land Office in terms of revenue generation, and so I'm just going to mention them with a little bit of underlying rationale, if you don't mind. And the first would be the Mesa Grande thoroughfare which obviously is probably the main thoroughfare it appears in terms of what you're anticipating at least on the east side. And a couple points related to that would be there is a lot of state land as you're probably aware comprising much of the property on both east and west
sides of Mesa Grande Boulevard. And then we understand that some of
that 150 foot right-of-way has already been acquired as well. And we just
view that particularly as an agency that depends on generating revenues to
help fund schools, that there is excellent commercial development potential
at Mesa Grande major future intersections with east/west arterials including
Northrise and Lohman Avenue as well. And I should mention we have a,
there's a planning development lease currently located in the northern
portion of that corridor. So requested change would be, be able to shift to
suburban or town center which is used in other areas as well.

Second area of concern would be the Highway 70/Dunn Drive
commercial site. This is, if you're familiar with that site, it's actually located
on both sides of Highway 70, and it's one of the best remaining parcels on
70. Almost all, maybe all other remaining parcels long 70 have been placed
within a regional commercial land use. And we would like to see the State
Land parcel be treated the same. It is well located we believe for
commercial center or business park with excellent access to both White
Sands Missile Range and Holloman Air Force Base and a portion of that
site is also under an existing State Land Office planning and development
lease. And this parcel, you know just we offer could be used as a
technology campus or employment center we feel, the comprehensive plan
does not include any business park industrial place type for the entire east
side although it is a Las Cruces's main workforce growth center and White
Sands Missile Range again is expanding. So our request here again would
be to shift to business park/industrial/regional commercial, and suburban as
those other parcels along 70 are treated, just as the other parcels are
treated.

The third area would be in the northeast and along Red Hawk Golf
course area, which didn't exist when I lived here, but I've driven up there,
have been very impressed. It's a major amenity as you know for future
residential development. And it's located with the primary residential growth
corridor with this, having driven up there just about a month ago, a lot of
new infrastructure there as well. So our request here would be to shift that
land immediately north of Red Hawk Golf course, where again there's a lot
of state land, to suburban or rural neighborhood, but allow for some
residential development.

And then the last item I wanted to mention Madam Chair, Members
of the Commission, would be there is a variety of different well situated
residential lands that are within the area and the only emphasis for us would
be that we have to have some ability to derive revenue from them and so
they need to be placed within categories with some development potential,
so our request would be to shift to suburban or rural neighborhood.

In closing State Land Office does remain committed to working with
the City of Las Cruces regarding development of State Trust Lands in a
manner that appropriately reflects our constitutional mandate to generate
revenue for public institutions, particularly schools, while also helping
achieve the Las Cruces Communities land use objectives. We do
appreciate your consideration of the very substantial potential impact of
Elevate Las Cruces Comprehensive Plan's current land use designations
on future generation of revenues for schools and other beneficiaries, not
only within Las Cruces and Doña Ana County, but also throughout the entire
state. And we request that further improvements to be made within the
areas mentioned. Please let us know if you require any additional
information from us. And thank you for your consideration.

Thomas: Thank you, Mr. Vierck. Srijana is it possible to put up the map that shows
all the state and federal land? You might want to Mr. Vierck look at this map
and point out to people what the areas you're talking about. Can you go
back to the one you had up just before? Yes. So do you think on the, well
you probably don't know if this is a fair question, but on this method all of
the State Land Office land is properly represented here. There's quite a bit
of it, it's all the dark green.

Vierck: Madam Chair, Members of the Commission. I believe it is. I've seen this
map before. We've done some analysis and I think when we looked at City
limits and sections that are immediately adjoining, and what complicates it
is there's a lot of corridor sections and corridors of corridors you know so
it's hard to total it up some time. I did see the number that was in the comp
plan that I believe is a correct number, it's just much larger than what we
had. And I think it's because you go outside a certain number of miles
outside the city limits. But when we looked at city limits and adjoining I think
we were initially calculating 34 sections of land. So you know 20-some, 34
sections of land, 20,000 acres or so roughly, something so there's a lot of
land there. And so we feel like and I think through David Weir and others
help, I felt like, we felt like the West Mesa which is an important area just
because of the revenue generation potential and we have holdings that are
probably going to grow in Santa Teresa, and with High Mesa Road that the
primary I believe recommended routing of that being right out through that
interchange at West Mesa, those were important changes and we
appreciated those changes that were made. And I believe we're good with
that and appreciate what you did there. So that was off the, that was on the
original list but was not included on what you have in front of you right now.

Mesa Grande is important. As you can see there's such a large block
of state land in the east. And one thing I want to point out would be talking
to commissioner and just talk with her right before I left earlier today, very
supportive open space, we just need to ensure that there's some revenue
generation and we just, and I'm pretty sure legally just can't give away whole
sections and say we're not going to do anything with that. But there's ways
to do that. And I know as I look at the plan we've really clustered
development, stayed away from arroyos. In speaking with Commissioner
Garcia Richard, she definitely is supportive of that, it's just, we just can't
retire a whole swath and just say undevelopable you know just obviously
from a revenue generation standpoint. And we don't want to do that. And
we probably legally I'm sure can't do that. But Mesa Grande, the stuff more
closer in, because that's such a key arterial and there's a lot of land,
particularly on the east side, and I believe still some on the north side of
that, the west side of it towards the north, that's going to be you know that's
where your commercial is going to be, right. That's probably where some
of the employment centers are going to be and those types of things. That's
why we're concerned about that area and being able to use it for something
you know beyond let's say rural development or even suburban. In some
cases particularly where there's intersections where arterials, it makes a lot
of sense we feel you know to go ahead and put those into a higher category
that would enable some commercial, more commercial development.

To the north there are some parcels, Chair, I was going to say just
north of Red Hawk, and so because there's a golf course right there's an
amenity and a lot of new infrastructure, that's where we feel like that would
be of some value to us as well.

It gets more challenging in the last item in terms of the, kind of the
miscellaneous category, but as we looked at this and did analysis there are
sections sprinkled throughout the City that some of them have very good
residential development, and in some cases they've been placed in
categories where there's no development allowed whatsoever. And kind of
circling back we just feel it's really important to have some ability to generate
some revenue from every parcel that we have. And those that aren't in a
situation where it couldn't be clustered, and again I know that we need you,
you know we've discussed, Dave and others have, and Srijana, the need to
do a development agreement but we've, and I just checked on this message
before I left, we definitely would like to see some more progress and it
sounds like some of this, some progress was made this afternoon before I
headed down to Las Cruces. But before we would want to even engage in
those discussions because we're just too far apart at this point and there's
too much money that would be lost to the K through 12 fund essentially and
also to New Mexico State.

Thomas: Okay, thank you, Mr. Vierck. And Mr. Carrillo you want to come up and
look, and talk a little bit about the other map that's got the place types on it.

Carrillo: Thank you, Madam Chair, Members of the Commission. I think the two
main points that we took away from our discussion this afternoon was, one
definitely encouraged the creation of those joint use agreements with the
City. And again taking it down from that higher level to a more definitive
level where there's more information available to look at those in detail. I
think there's a lot of potential in it, some of it is shown on the map where
there is potential for as we talked about the western fringes of that area
certainly being developed with the suburban development, the town center
idea, or the neighborhood centers. So all of that is definitely possible. And
likely, and a good use for those areas. The question is then as you go
further into the area where it's a little bit more topographically challenged,
how do you deal with that. And again our feeling is that at this high level of
the comprehensive plan we don't want to just go in there and designate it
or quite frankly leave it sort of a completely blank slate. So we feel that this
is kind of the middle ground where there's a recommendation on the table
that there's some of it definitely has some topographic challenges, arroyo
challenges and things like that, that need to be respected with a cluster type
development, but it is developable. And other areas again as you get closer
to the mountains and become much more sensitive in terms of how you
develop those and what you do there. And so this is kind of a more detailed
look at it is the recommendation that I think we feel is a good one moving
forward, that balances the needs of the City with the needs of the state as
so clearly expressed.

We did make one change, and if I can go to that, I think it is pursuant
to the language that we talked about this afternoon. That's that very first
one where there was some language that some of your fellow CPAC
members expressed a concern that it was too restrictive in terms of allowing
when the state and the City come together to talk about things. That it was
too restrictive in terms of where it might result. So that was changed and
that was one of the recommendations coming out of this afternoon that quite
frankly in a language standpoint is one that's important for this sort of
coming together and figuring out the best use of this property. I would
certainly encourage and I think the state has an imperative and probably a
quick imperative to determine what's going to happen there, and so I would
hope that moving forward that the Council directs this process of working
and looking at that more detail, look at this area on a pretty expeditious
manner, but again that's entirely up to the Council to direct that moving
forward and working with the state of on this.

Thomas: So and we should maybe point out that this language here under line 1,
page 29 was, specifically had to do with the agreements between the City
and the State Land Office or you know or BLM, either dealing with federal
or state lands. So we were trying to not make it so restrictive that the first
three lines of what was on the, currently in the comprehensive plan. Didn't
want to say we got rid of the idea that we weren't talking about only things
that couldn't be (inaudible) by existing land supply. And so we wanted to
make it more general that that wasn't a steppingstone, I mean something
that was going to be too big a hurdle. So I hope Mr. Vierck sees that that
was an improvement. Yes.

Carrillo: Yes, Madame Chair. If I could make one more comment. It is rare and it is
for very fortuitous for you as a City that there is one property owner in this
area. So one stakeholder that you deal with, and indeed a stakeholder that
I think shares many of your ambitions and expectations for that area and
the way it's developed. So there is, and I will say this, there is a tremendous
opportunity for you working with the state to come up with a very, very
viable, very interesting, very forward thinking strategy for that area. So
there really is and I think the state would be a wonderful partner with you in working on that. So that's why I encourage that to happen as quickly as possible to move forward with it. Again though at that more detailed level. And I think David is also ...

Thomas: Mr. Weir would you like to comment?

Weir: Madam Chair and Commission Members. I just wanted to reiterate a few things that we discussed this afternoon. In regards to the language change, that was in the section on how to use the future development map, and it provided direction. The paragraph in particular, we didn't change all of the language, but it addressed how federal and state land should be treated when reviewing the future development map. So let me just read what it stated, "While the city should determine the suitability of the proposed development based on the future development map, it may enter into joint planning agreements with the federal or state entities that permit alternative development patterns for select tracts." And then it went to the language that you have here. "And such agreement should be based on sustainable growth principles and should further the future vision of the plan, master plan of these areas should be encouraged." So when Mr. Vierck talked about the concerns of State Land Office, one of them they had concerns about how the future land or future development map would be used. And so this particular area more or less points out that there is a need for additional planning for those areas and the community needs address themselves, they would be addressed in this manner.

And then at your discussion as a CPAC this afternoon you talked about there were some very specific language, almost like you had to do this, you had to prove that the land use would charge, so that's why we softened the language in particular. And then it's also important to remember that when these lands, the State Land Office goes, enters into a lease, they then have to come forward and master plan the properties per your Zoning and Subdivision Codes and do initial zoning. So if you enter into these joint planning agreements, you basically are getting a jump on that, you're calling the uses. And if there's an agreement on that, it makes it much simpler to get those master plans and initial zoning of those properties approved. So the other thing that we didn't really call out in any of the presentations, there is also a note on all of these future development maps that address the land, and just to read that into record also, "Federal and state," and it's too small for me to see.

Thomas: I have it. Hang on.

Weir: Okay. But basically, it ...
Thomas: It says, "Federal and state lands may be subject to alternative development plans not depicted on this map and subject to joint planning agreements with the City of Las Cruces." And I sent that to Mr. Vierck earlier today.

Weir: And the intent was to meet the needs of both the City and the State Land Office. And through all the development of this plan and discussions between the City and the State Land Office, it's never been an attempt to put any moratorium or prohibit development of that property. It just is that it is important to both entities and that there needs to be proper attention paid to it, so that's the intent. And I think the CPAC this afternoon was very aware of that and did a very nice job of trying to address those comments on that.

Thomas: So how quickly do you think an agreement could be put together between the City and the State Land Office?

Weir: Madam Chair and Commission Members. There are, Mr. Vierck and I have exchanged other agreements that have been entered into between the City and also other communities throughout the state, so I think that can be worked on very quickly.

I think the other matter would be when individual properties come forward to be master planning that we need to make sure we address that and have a smooth process to review those and be expeditious and allowing properties to be setup and a development plan for their use. But I am confident that we can do that in a timely manner.

Thomas: And we did finally find what had been done at that meeting a long time ago when the State Land Office, because that was a lot about cluster development and preserving the arroyos. And so we do still have that initial work, right?

Weir: Madam Chair. We still have that template. Yes.

Thomas: Okay, comments up here, questions? Anybody else in the public who wants to comment?

Sanchez: Madam Chair.

Thomas: Okay.

Sanchez: I have a comment and a question I guess for Mr. Carrillo. And this is mainly just for this to be on the record. And I believe we already covered some of it right now with this first piece with the State Land Office. But Mr. Carrillo, thank you so much for all your hard work. I know in the first meeting we ever had with you about this we discussed drafting a living document, right, that people could use, understand, and so on. So I'm just curious if you can
talk a little bit for us about how this document will be able to function as a living document. What are the periodic review processes? And then what might the process look like if people who find some kind of shortcoming in the plan, how they can actually address that and have it amended?

Carrillo: That's a great question. When we talked to the Council in our workshop a few weeks ago, one of the things that we emphasized was that a plan like this needs to be flexible. We live in a world that is changing very, very quickly now, and many, many things happen that affect us. There's a virus in China right now that is causing some of our stock to ebb and flow a little bit. Who would have thought that something like that so far away could have an impact on what we're doing? But that's going to be the norm moving forward. And given what you are here, it's going to affect you. So there has to be flexibility. The other thing too is and as a result of that flexibility very frequent looks at the plan, perhaps adjustments to the plan as necessary. And we're recommending that it come back to the Council and that the staff put together sort of a record of this is how we're moving forward with it, these are the kinds of things that have been done, these are the things that we need to sort of adjust or tweak in it on a very regular basis, perhaps as frequently as every year coming back and doing that. So it's very important. As processes like this one that we've been talking about with the state come about, those become, are in fact adopted and they amend the comprehensive plan. So those are very much a process much as you approve cases that then ultimately amended the comprehensive plan. So this is not intended to be this kind of document that just sits up there and you just leaf through it and look at it and say, "Okay, it says this" and you do that for the next 10 years or so. This is very much intended to be something that reflects everything that's happening in Las Cruces today and tries to respond to that and make it a better place so that you know 20, 25 years from now you can say, "Yes, we made the changes and we moved in a direction that we wanted to do." So you as the Planning and Zoning Commission have a front row seat in looking at the plan, reviewing the plan, promoting the plan, pushing forward for changes to it where you feel or updates or other aspects of it where you feel it is necessary. And working in partnership with Larry and Srijana and David and the staff that you have here.

Thomas: I would add to that too that this plan has a very specific implementation plan and we've not had that attached to a comprehensive plan before. So that's going to make a huge difference in terms of how quickly we move forward and start changing things, and are going to have a need to work with agencies like the State Land Office so I think that makes a huge difference. What I used to not like about the previous comprehensive plan was that so much of it never got implemented. And so that's, that was, that's important to me. I think Mr. Vescovo had something you wanted to say.
Vescovo: Madam Chair. Do I need to be sworn in?

Thomas: No. You know this is not a quasi judicial situation.

Vescovo: Thank you. Madam Chair, Members of the Commission. My name is George Vescovo. I was on the Comprehensive Plan Advisory Committee. And I was the Economic Development PRC. And first and foremost I want to thank everybody for their hard work. I think we came up with a very good plan. There's a lot in the plan. A lot of it costs money. So I did want to echo Commissioner Muniz's sentiments about how are we going to pay for it? We primarily get our funds through gross receipts taxes. I think everybody knows. And what you may not know is we have one of the highest gross receipts tax in the state. I think the only metropolitan area that has a higher gross receipts tax is Santa Fe. Our gross receipts tax is higher than Albuquerque. So we need to be cognizant of that. We need to be efficient with taxpayer funds. And so one of the things that is imperative in this plan is economic development. As we grow the economy, that generates more GRT, and with increased GRT we can pay for mental health services, we can pay for multimodal transportation, we can pay for all these wonderful things that we elected to put into this plan, and they're all very good things. But it all is meaningless without economic development. So it's just a cornerstone, and we really need to be focused on that. So I just wanted to say that. In addition, as we grow the economy, it can address many of our other challenges which include our high unemployment rate, our low economic output, and our high poverty rate. So I just wanted to put that on the record. Thank you.

Thomas: Thank you Mr. Vescovo. And I always like when we do economic development to also include workforce development. So I think that's, you can't have economic development without workforce development. So and we've tried to do that throughout the plan.

Nichols: Madam Chair.

Thomas: Yes, Mr. Nichols.

Nichols: Madam Chairman and Members of the Commission. I want to have the State Land Office recognize that we did receive your letter and the requests that were contained within the letter. It was received by the Mayor, the City Manager, Assistant City Manager, City staff, and the Commission and the CPAC committee took it to heart. And we recognize that I think it was a very famous fellow in our history named Will Rogers that said it's easy to generate revenue, you just have to find out where people are going to go and go buy the land first. Well you have the land, and so I, and you're telling us tonight and with the letter that you presented, and with the requests that were within the letter indicate that you're a willing seller. And I think with
our comprehensive plan, with our development community, and with the modifications that were made this afternoon to the comprehensive plan, that it would position people to be willing buyers. And that’s a good formula for what you’re wanting to accomplish here. So I believe that what was accomplished earlier today with the modifications that we’ll provide you copies with, you will find that your requests have been recognized and that the plan will be able to help accommodate that.

Thomas: Commissioner Smith.

Smith: Madam Chair. Just a comment, doesn't need anybody to stand or respond to it, but it's a comment that comes listening to George on his idea of economic development. And I think he's also echoed ideas for action, not just a document that sits in a corner. So it's reminding me of a childhood experience growing up and getting a scouting merit badge in canoeing. And so I'm out on the lake and the instructor is teaching us how to row the boat, row the canoe. And he says, "The biggest thing here is to always pay attention to the horizon and know where you're going. If you are rowing the boat, and you're rowing the canoe, and you're not looking up and you're looking down and you're thinking about what's right in front of you, it doesn't get you to your promised horizon." So this document and this Elevate Las Cruces Comprehensive Plan is that tool to help us keep looking at that horizon. Just that.

Thomas: Thank you. So Mr. Vierck, would you like to respond to anything that's been said or discussed here?

Vierck: Madam Chair, Members of the Commission. Well first thing I want to say is I appreciate the responsiveness. I think the language on page 29 that was mentioned that was very important to us because in order to be able to change any land uses there needs to be a processes that's doable and I feel like looking at it individually it's like this is a much improved statement, and so I appreciate that. And I frankly appreciate just the concern to the State Land Office issues. We realize also we need to, and you had a statement up earlier that I think is, were still very consistent in terms of our leadership in terms of, we want to help the City of Las Cruces attain you know your objectives which make a lot of sense for more of a modernistic as you say systematic type approach which is probably needed and one that's got even an action plan implementation plan. We feel, we still feel that that is achievable. I feel a lot more optimistic about that happening as a staff member that's been assigned to this as one of my projects. And so I appreciate the response to this. And I think I'll take this information back, I'll look at the information I get and we look forward to continue to work with you. I do think also that it makes a lot of sense as has been mentioned this plan is more of a macro flexible document. You can't, and you mentioned this on the phone earlier as well, Chairman, we can't individually do all the
specific planning right for every parcel in a comp plan, nor would you ever want to do that, but I think once we meet, and I'm pretty certain we will want to meet, go ahead and get this thing you know totally worked out so Las Cruces can move ahead in terms of what you need to do and revenues for school kids are protected to a larger degree, and I think we can accomplish both. So I appreciate that. Thank you, everybody.

Thomas: Thank you. We appreciate your coming and discussing this with us. And I know that in the past, when we had that agreement between the City and the State Land Office we were all very excited about it. And when we did that session to try to plan the East Mesa it was one of the best planning sessions I've ever gone to. We really appreciated working with the people from the State Land Office. So I think it's very clear that this group, the City staff, everybody wants to get together with you and start planning this. And I really feel that at this point it's best for the City and the State Land Office to be doing this particular planning. And I think we will share a lot of common goals and that we can work out the policies to get there to the benefit of everyone.

Vierck: Thank you Chairman. I believe, once I need to talk to the commissioner, but I'm pretty certain that she will say essentially the same thing. We're looking forward to working with you on this. Thank you.

Thomas: Yes, we have a great Land Commissioner now. Okay, so any other comments or suggestions on anything else that we have in terms of the motion we have on the floor?

Nichols: Madam Chairman. Are you prepared to go to vote?

Thomas: If there are no more ...

Nichols: I'd like ...

Thomas: Suggestions or comments.

Nichols: I have another comment to make to the Commission and to the audience. Every so often cities find themselves and of course in this case there was mandates that we update the comprehensive plan. We've been using our current plan for some time now. But as Mr. Carrillo mentioned you know we live in dynamic times, and change is very dynamic. It's not often that one gets an opportunity to come up with a comprehensive plan that has uniqueness, has something that other comprehensive plans don't provide. But the CPAC committee, along with the participation of City staff, and our consultant, Halff Associates, you have done that. You have come up with a plan that is, has a unique quality, has a point of difference that other planets don't have. And I can't thank you enough as a City staff member.
and a resident of New Mexico and in particular Las Cruces for many years. This is going to be a hallmark plan. And I just wanted to bring that point forward. And to thank you for all the hours you spent as a CPAC committee and now as the Planning and Zoning Commission for enabling this plan to be recommended for approval to City Council.

Thomas: Commissioner Smith. Did you want to add something? He wants to turn off his light. Okay. All right. If there's no more discussion or questions or comments, we'll go to a vote.

Baum: Board Member Smith.

Smith: Seeing the Comprehensive Plan and Elevate Las Cruces initiative I see it as a way that neighborhoods can watch their flight path for growth along with the City. I see it as a way that City leadership can capture opportunities. And I think I see it genuinely is for staff as a tool to take action. So I vote yes.

Baum: Board Member Sanchez.

Sanchez: So this morning as I spent the last little bit of time reviewing this plan, I actually walked to the park that's closest to my home, which is Klein Park, the original founding townsite of Las Cruces. And so I actually looked out at the park and then I looked at this plan and I really did ask myself, "Do I feel okay with this plan?" And I absolutely did. So I vote yes based on staff recommendation, also based on a very robust input process, process in general. And also Mr. Carrillo and Halff Associates, thank you so much for your wonderful service to Las Cruces.

Baum: Board Member Muniz.

Muniz: I vote yes for the plan. And my yes vote is a positive yes for the future of our community. And I hope the City Council accepts it. And I'd also like to see the empty buildings and we now have a historical society, some of these buildings can be saved, and they'll be part of the plan. And I think with this we're going to have a perfect community.

Baum: Board Member Guerrero.

Guerrero: So I will vote yes, but I do want to make just one super quick comment. So I've been on board with the P&Z a lot shorter than everybody else here. But before I was brought on board, I met with former Commissioner Roberta Gran for District 5, and she gave me an extremely detailed summary of what the Comprehensive Plan was and I loved it. I'm excited to see what's going to happen. When you think of 2040 that's a really long time away. And I love what Commissioner Sanchez said about this being a living document.
And I know for Mr. Carrillo mentioned that as well. And I'm just excited to have been a part of it. So yes, absolutely yes.

Baum: Board Member Bennett.

Barrett: I'm very proud of the work that we've all done. And just reviewing it in detail, I think it really covers a lot of what we need, and I think it's going to help Las Cruces move forward and give a good guideline of our growth. And yes, I vote yes. I just want to thank everyone that took the time with this project and I'm excited for the future.

Baum: Board Member Gordon.

Gordon: In case I will forget anything I have written my comments down which I would like to read. It may take a couple of minutes. It's a little lengthier than my fellow Commissioners have just stated. And fortunately and unfortunately what I'm going to say has already been said by my fellow Commissioners, but I would like to read my statement anyway. For approximately 19 months members of the Planning and Zoning Commission, the Las Cruces City Community Development Department, representatives of different segments of public interest, the outside consultants, Halff Associates, public engagements and surveys, have spent thousands of hours reviewing and discussing the creation of the Comprehensive Plan entitled Elevate Las Cruces, which will replace the current comprehensive plan titled 'Comprehensive Plan in 2040.'

I would like to thank the following people for the tremendous efforts that were made in formulating Elevate Las Cruces; from the Las Cruces City Community Development Department, Larry Nichols, the Director; David Deputy Director; Srijana Basnyat, Senior Planner and project manager for Elevate Las Cruces; the staff of the Community Development Department, Jim Carrillo, Christian Lentz and the staff of Halff Associates, the outside consultants; members of the Comprehensive Plan Advisory Committee, of which the Planning and Zoning Commissioners are members; as well as representatives of different organizations, local business and home builders, New Mexico State University, numerous participants in subcommittees; and last the public who participated in public engagements and surveys. And you can see there were a lot of people involved in doing this.

And in addition to attending all of the CPAC meetings, I also attended many events that were held for the public to obtain and then evaluate their input and objectives. In addition there was a joint meeting with CPAC and the Las Cruces City Council this past January 8th. There was a presentation to the City Council in a workshop to review and discuss the plan. Elevate Las Cruces is a living document which has already been stated, which should take the City well into the next 20 years-plus. As time goes on and adjustments need to be made, the City can amend the plan if
necessary. All aspects of the plan have been carefully thought out and
represent the coordinated efforts of both the City, CPAC, and the outside
consultants.

However, I do have one concern I would like to address before I cast
my vote. I have been advised that financial considerations should not be
taken into account into making my decision. I do realize that when a plan
requires financial availability, the plan will have to be adjusted if funding is
not available. So therefore my major concern in Elevate Las Cruces is
economic development. I strongly believe that economic development is a
driving force behind Elevate Las Cruces. If the City with its Economic
Development Department can entice business to come to Las Cruces and
encourage local business to grow and expand, this will be a giant step and
a success of Elevate Las Cruces. With new business whether it is Las
Cruces locals or outside interests, this will bring new residents to the City,
the new business will create jobs for residents, graduating students from
our schools, and Mexico State University, and in turn this will generate new
housing, real estate taxes, gross receipt taxes, etc. I believe that Elevate
Las Cruces provides an optimistic and a vibrant look at the future. I am in
favor of Elevate Las Cruces and I am voting yes to forward the plan to the
City Council. Thank you.

Baum: Chairperson Thomas.

Thomas: Everything everybody else said. So I don’t want to repeat all that, I just have
to tell my story once again, that I retired in 2003 from my previous career as
a professor. And very quickly one of the first things I got involved in was a
group of people started by Senator Jeff Steinborn and at that time
Commissioner Karen Perez to look at comprehensive plans. I had no idea
what a comprehensive plan was 14 years ago. But one of my major goals
for being on the City Council and now for being part of this Commission is
to see this City move into a comprehensive plan that really works for us in
the future. So I’m so pleased that we’ve come this far and done so much.
And maybe I will retire actually, someday. And I vote yes. Seven to nothing
is passes.

IX. COMMISSION COMMENTARY

Thomas: Okay, next we have commission commentary, but I think most of us already
did that probably. Any more commentary from the commissioners? Okay.

X. STAFF ANNOUNCEMENTS

Thomas: Are there any staff announcements?

Nichols: Yes, Madam Chairman and Commissioners. The I think we didn’t mention,
I believe and Srijana you may help me with this, but I know that based on
the decision you made tonight to recommend, recommendation for approval
to City Council, we have that coming up in February. I think it’s scheduled
for the 18th is it, 18th of February.

Thomas: Yes.
Nichols: So that is one very important staff announcement.
Thomas: And it is at 1:00 right? I’ve heard the date mentioned several times, but not
the time.
Nichols: They're normally at one o'clock.
Basnyat: Yes, Madam Chair. They're usually at 1:00. I'm just not ...
Thomas: Okay. Thank you.
Nichols: Then the other item that I have just very quickly, I’d like to provide a few
points of information for the Commission in that is the result of the work that
you have done this past year. Every month we provide an update of
construction activity report I sent to the City Manager's Office and to City
Council. And the last two years we’ve been showing an increase in
construction activity. But a lot of that construction activity is resulting from
the work that you do here. So here's some numbers for you. This past
year, 2019 has been the most active year in the last 12 years for
construction. We saw an overall increase in Community Development
through subdivisions, single-family dwellings, commercial properties, and
yes medical facilities, and a 16% increase in single-family dwelling
construction. We built 600, the home builders built 604 new homes last
year. That's nearly 200 more than two and a half years ago. Medical
facilities, we have eight new facilities; oncology treatment, cardiology,
dermatology. I inspected yesterday and they open up tomorrow, a new
oncology treatment center off Lohman. And then Memorial has a $12
million expansion project going on. The Three Crosses Regional Medical
Center on North Main is on schedule to open May or June. That was a $44
million project. So all of those developments came before you. You
approve them. And they have come to fruition. You know it's encouraging
to see that we have this level of activity in Las Cruces. Anytime something
goes to double digit I call it exponential. And that's the arena that we're in
right now. I see it continuing for some time. And so I wanted to point out
that the work you do here supporting the City staff very much appreciated.
The results is in the development and the development community.

Thomas: Thank you very much. Any more comments or announcements?

XI. ADJOURNMENT (7:40)
Thomas: Okay. Guess I'll entertain a motion to adjourn.

Smith: Motion to adjourn.

Guerrero: Second.

Thomas: All those in favor.

MOTION PASSES UNANIMOUSLY.

Thomas: We're adjourned. It's 7:40.

Chairperson