DEVELOPMENT REVIEW COMMITTEE (DRC)

Following are the minutes from the City of Las Cruces Development Review Committee Meeting held Wednesday, May 27, 2020 at 11:00 a.m.

DRC PRESENT:    David Weir, Chief Planning Administrator
                 Katherine Harrison-Rogers, Planner Senior*
                 Mark Dubbin, Fire Department
                 Rocio Nasir, Engineering Services-CD
                 Geremy Barela, Engineering-CD
                 Meei Montoya, Utilities
                 Andrew Wray, MVMPO
                 Soo Gyu Lee, Gary Skelton, Streets and Traffic
                 Cathy Mathews, Landscape Architect

STAFF PRESENT:    Sara Gonzales, Community Development
                  Tim Pitts, Building Development
                  Hector Terrazas, Engineer
                  David Sedillo, Public Works
                  Debra Fuller, Planner
                  Valerie Sherman, MVMPO
                  Tony Trevino, Engineering
                  Michael McAdams, MVMPO

OTHER PRESENT:    Martin Pillar
                  John Moscato
                  Chad Sells
                  Paul Pompeo, Souder Miller
                  Mike Johnson, Souder Miller
                  Ken Thurston
                  Dan Lilley
                  Mark Miller

I. CALL TO ORDER (10:00)

Weir: Good morning everybody. It looks like we have a quorum of the DRC members so I'll go ahead and call this meeting to order.

II. APPROVAL OF MINUTES – May 11, 2020

Weir: The first item of business is the approval of the May 11, 2020 minutes. I believe there are some minor edits or corrections, grammatical things that could be done. So is it possible to get a motion to approve the minutes with the ability to make those corrections to the minutes?

Nasir: So moved.
Mathews: Second.

Weir: Okay. All those in favor say aye.

MOTION PASSES UNANIMOUSLY.

Weir: If it may have been easier to say all those that were opposed. Anybody opposed? I will consider the minutes from May 11th approved.

III. OLD BUSINESS - None

Weir: Okay the next item on the agenda is old business and we have no items today for that.

IV. NEW BUSINESS

1. Determination of the policy on and the process for requiring right-hand turn lanes

Weir: The next item on the agenda is new business. We have three items today. What I would like to do is have Katherine Harrison-Rogers introduce each of the items and then make a staff recommendation from Community Development, and then have members of the DRC offer any comment or discussion they'd like to, and then we have several members of the development community and the public and give them the opportunity to comment on the discussion, and then entertain a motion or action on each of the items.

The first item is determination of policy on and the process for requiring right-hand turn lanes. Katherine can you give us a summary of what this is about?

H-Rogers: Sure. So we've had some general questions from the public on various applications about how we are applying the current policy and code regarding right-hand turn lanes. There've been some questions about if it's been uniformly applied now and in the past. And staff wanted to delve into that a little bit to look at whether or not our current adopted policies that have had been adopted in the last couple of years are still in keeping with the way the code is written and how we should apply that in the future. Staff of course has had several discussions over the course of several months regarding this. We had a lengthy discussion last, what was that two weeks ago, of those minutes that were just passed, about this and staff is recommending that developers follow the recommendations of the Traffic Engineer based on current codes and guidelines, with an option for that particular design engineer to provide context sensitive alternatives in order to eliminate the need for turn lanes if applicable. So we're asking that
perhaps Traffic and Public Works clarify the process through perhaps a
simplified handout about how those warrants are determined just so that the
applicants, the developers understand why the information is being
requested and what their alternatives are moving forward. Hopefully, that
was detailed enough. I stand for questions if anybody has any.

Weir: Thank you Katherine. Now I’d open it up to DRC members. Is there
anything that you’d like to add to that or any comments you’d like to make?

Lee: Mr. Chair. I have a comment or suggestion. As I sent the e-mail to Sara
yesterday, I would recommend to change the title of this first discussion item
to process for alternative to deceleration and an acceleration lane. The
reason I recommend is because of our City code is clearly spelled out what
the policy and what the procedure. So we better change the title more
talking about the alternatives of how the City will implement the process of
the alternative of the deceleration with the acceleration lane instead of
talking about the policy and the procedure.

Weir: Thank you Soo. So what you would recommend is process for alternative
designs of acceleration and deceleration lane or alternative review process.
I didn't quite get what you were requesting.

Lee: Okay I'm going to say again my recommendation is process for alternatives
to deceleration and an acceleration lane.

Weir: Okay thank you Soo. What I'd recommend is after we have discussion
when we make a motion for decision that that be your recommendation as
to how to act on this. That way we can continue with the discussion, then
we don't have to reschedule this for a future meeting but we can take action
on it today. Is there anyone else that wanted to comment on that?

Lilley: Dave. You haven’t opened it up to public yet have you?

Weir: I haven't. But if I don't get any request I will that Dan.

Lilley: Yes it is. I don't know if this is appropriate or if there was two other items
but one of my specific concerns or two of them are the items that are actually
being requested (inaudible) the plat for clear sight triangle. Discussion in
the past probably several times about setbacks. Anything (inaudible) from
(inaudible) plat is (inaudible). And any changes to (inaudible). These items
(inaudible).

Weir: Let me clarify. That's going to be the third item we're going to discuss. I
apologize. The first item is talking about requirement for right-hand turn
lanes. And the second one is for determining potential additional right-of-
way requirements. And then the third item we're going to discuss is the
intersection site design and plat. So if you if you want to hold on your
comments a while (inaudible) back.

Lilley: Yes I apologize as I didn't hear a little (inaudible) in there. I apologize.

Trevino: Hey Dave. I cannot hear ...

Lilley: I don't know that I haven't anything specific about these though.

Weir: I'm sorry Tony could you repeat?

TV I cannot hear what Mr. Lilley was saying. He was breaking up pretty bad.

Weir: Dan had comments in regards to the ISD requirements on plats. And so I
told him we would come back to that discussion. And I apologize. It was a
Chair error not realizing the agenda wasn't available to everyone. There
are three items of discussion today and we have the ability to take action
on all. The first was the having requirements for right-hand turn lanes. The
second one is how to process requests for additional right-of-way. And then
the third was the Intersection Site Design requirements. So right now we're
talking about the right-hand turn lane. So I'll open that up to anybody that
wants to discuss that, whether they be on the DRC or with other City
departments or if it's a member of the development community or design
professionals.

Moscato: David. Can you hear me?


Moscato: So both Katherine and Soo have mentioned current codes and guidelines
being clear on the issue of deceleration lanes. And I'm just wondering if
anyone can point out to me in either the right-of-way design standards or
the traffic standards where there is clarity on the issue of deceleration
lanes? Where they're required and how they are to be built because I'm
having trouble finding that.

Weir: Okay. Soo or Hector do you have a particular site that you can provide for
John?

Lee: Yes. If you go to the City Code Section 32-404.4 spelled out the
deceleration and acceleration lane. And in that section refer to New Mexico
show how we determine whether we need any deceleration or the
acceleration lane warrants. And it depends on the type of the roadway and
then we can determine whether we need to build a deceleration or the
acceleration lane.
Moscato: Okay thank you Soo. The way I look at that 32-404 specifically refers to driveway design elements. And when you get down to Section 4 that you just referred to, I can read it, "Warrants for deceleration and acceleration lanes along with the associated design dimensions at driveway locations shall be in conformance with criteria" etc., etc. So I don't see any thing here that relates to deceleration lanes at roadway intersections. This is clearly in the section driveway design elements. And what I just read refers clearly to driveway locations. So I'm wondering if there's anywhere else in the right-of-way design standards or the traffic standards that provides clarity on deceleration lanes at roadway intersections.

Weir: Soo. Do you have any other information to provide on that?

Lee: At this point I have to read through the design standard. I thought that the more concern about that the deceleration and an acceleration lane was associate with the driveway but if somebody have a question like John then I will research it and find out what is the reference, section code in the Design Standard for related to the roadway not the driveway. Hector, do you have any idea where is that or how we can reference in the Design Standard for the deceleration or the acceleration lane?

Weir: Hector do you have any comments you want to add?

Lilley: David. Is Hector on, or can I talk or should I talk?

Weir: I was wanting to see if Hector Terrazas had any comments to make.

Terrazas: But to my knowledge just like Soo said I would have to look at it and see if there's anything else in the roadway standards. I do know that the NMDOT as far as the State Access Management Manual, they do use this for not just driveways themselves but also roadways. So a good example is that Boutz development at Boutz and Stern. We asked the developer to have their engineer look at deceleration lanes because that was one of the issues we had even though they're going to be putting new roadways that are going to be accessing residential streets off of either Stern or Boutz. So that's where I think the nomenclature for the driveway is, it's the way it's written. If you look at it it's just driveway, it's not correctly written. But that's how the DOT interprets it and that's how I interpret it. Now as far as having another section that calls out deceleration lanes, just like Soo said we would have to look at it and see if there's another portion in our standards.

Weir: Okay. Dan before I go to you, Tim Pitts is a staff member and he's got his hand up, so I'd like to ask Tim to comment and then I'll come back to you.
Pitts: Yes thank you Dave. Tim Pitts, Development Deputy Director Building Development. So I'm looking through the Design Standards and the standards for public right-of-ways in Article 2, Section 32-36 doesn't directly deal with this, but it does talk about coordination between City staff, Development Review Committee, and the developer will occur to provide and I think that's more about the alignment of the roads but I that's really how we've been handling the right-of-way issues. It's not called out in any of the standards but I think what Soo and Hector are saying which is that we defer to the State Access Manual and the State Design Manuals is correct. But I think in answer kind of John's question I don't think it's directly in City code but it is in by reference in State Design Manuals that we reuse.

Weir: Thank you Tim. Dan Lilley, did you want to comment?

Lilley: Yes and it's more of a for discussion than complaint but in general we have minor locals, major vocals, we have all sorts of street designs and cross sections all throughout the City that we've done for as long as I have been doing this. We have an intersection with the street and the right-of-way in a larger street stop condition that there's a condition almost always a stop condition. There is a design that doesn't require acceleration and deceleration lanes. We have a minor local coming into a collector and there's not a requirement for a right turn lane or deceleration lane. Now we start talking collectors and collectors is a different story, but minor locals that are intersecting collectors, we do not put acceleration lanes or deceleration lanes. And yet if we have an intersection with a driveway in the same situation and driveways you know typically I'm not going to say all of them, but typically have the fewer traffic than actually the local street. And so that's something I think that puts a little kink or a little confusion when I'm trying to design a development, if I have to put an acceleration lane on driveway and yet there's a street 150, 250, 300 feet or whatever away and I'm held to a higher requirement in my driveway than the street is. And that's something that I think would be helpful to know.

Lee: Mr. Chair. Let me add the response to the list of question, Mr. Lilley's question.

Weir: Okay.

Lee: So State Access Management Manual only require the deceleration or the acceleration lane on arterial and then collector as he mentioned. In general we're not expecting to have any deceleration specifically the lane on the minor collector. And then also the low volume street. So it's more the street. We have some known issue or high volume street or corridor. And then also in terms of the, in general you know the understanding or how we are dealing with any intersection for the right turn lane or the left turn lane, we used to go by the level of service. So if the intersection even the driveway
we analyze this as an intersection. If intersection any movement the level
of service E or F, then we need to mitigate to make it above the D. That's
how we're doing it. But unfortunately at this point I cannot find the exact
reference in the Design Standard for the roadway deceleration and then
acceleration lane for the roadway design.

Pompeo: Can I ask a question?

Weir: Go ahead Paul.

Pompeo: Okay. Just my two cents and then a question. In the past when we've
looked at roadway intersections we have strictly looked at analyzing those
intersections using the Highway Capacity software, looking at what the level
of service is and then we've had to add turn lanes or through lanes based
on that analysis. So particular to roadway intersections that's the way it's
always been done in the past. And I guess my question is, is that the way
we're going to continue to do it in the future?

And then another question for either Hector or Soo is that we have
had the opportunity to use the Highway Capacity software analysis at
driveways treating it as a T intersection with a no stop condition on the
through roadways in lieu of using the SAM manual charts which are very
conservative and overly restrictive because they come from the State
Highway Department. So I want to make sure that that's also available to
us as design engineers that we can use that methodology as well.

Lee: Mr. Chair. Can I respond?

Weir: Yes.

Lee: Yes, the traffic we used to allow to the any engineering from use the level
of service the analyze this method when we determine the alternative.
That's the reason when at the beginning of the conversation I recommend
to change the title the process for the alternative because it's the traffic we
used to allow to engineer to use the level of service. The analyzes method
find out the different mitigation instead of put it in the deceleration lane or
the acceleration lane. So we're going to continue to do it unless we've been
told by the (inaudible) management or the VPRC to make a different
recommendation with a decision.

Terrazas: Mr. Chair. Can I speak.

Weir: Yes Hector.

Terrazas: Yes. And going back to what Soo was mentioned, that's always been and
Mr. Pompeo mentioned, that's always been an option. That's one of the
options that we would put forward. If they say it meets or if it doesn't meet
then they can always say, "you know what this is above our level of service
D, it's not creating a safety issue" then we're going to be fine. In some
instances where you have planned development that (inaudible) says that
level of service is not an option, then it kind of binds our hands to the options
that we can provide to the developer or the engineer that they're working on
as far as like well how can we mitigate this issue? But in general if it's just
a typical roadway there's no master plan, there's nothing that alludes to level
service not being a factor, then we can just like Mr. Lee said, we can go
ahead and look at those levels of service and either Highway Capacity
Manual, Highway Capacity software or Vista or whatever software that that
engineer uses that's a software that's used nationwide.

Weir: Thank you. Tim. Did you want to comment again?

Pitts: No. I must have left my hand up.

Weir: I want to go back to John. Mr. Moscato you had asked a question about the
code requirements. The explanation that's been given by City staff, does
that clarify things in your mind?

Moscato: Not really because I've been hearing that it's clear in the codes and it's clear
in the guidelines. And yet I don't see anything in the codes, in the guidelines
to provide clarity other than you know a vague reference to well if it's not
here then we go to DOT or we go to the Access Control manual. Well you
know if that's the case why is there any section of traffic standards here at
all? If items are not referred to here as being required seems to me that
they shouldn't be required. And here it seems that it specifically says
driveways which to me means commercial driveways you know if it's a large
commercial development with a lot of traffic going in and out, but even there
I guess what got us a little uncertain and maybe well perplexed about this
requirement all of a sudden is what we see as really an issue of selective
enforcement that I can't think of any other developments anywhere in the
City, residential developments that have access from arterials and
collectors were deceleration lanes have been required. Now maybe I'm
missing some. I mean I even go to commercial developments that generate
a lot more traffic than any of the individual phases that we've been told need
warrants for deceleration lanes. You look at the neighborhood Walmart that
wasn't built very long ago. The access points off Sonoma Ranch Boulevard
for that don't even have deceleration lanes. The City's Public Safety
Complex off Sonoma Ranch Boulevard doesn't have a decel lane. So all of
a sudden it seems just out of the blue decel lanes are being required kind
of willy-nilly, selectively enforced when they've never been enforced before.
So I'm just wondering what has happened. Is there suddenly some
epiphany that decel lanes need to be built everywhere now when in the past
they were built nowhere. I'm just curious how this situation has evolved to
the point where we're having this meeting and discussing this.
Weir: Okay. I'm going to come back to that. Tony Trevino wanted to make comments and I think he may address some of your comments. Tony.

Trevino: Thanks Dave. After listening to the first part of this conversation John, I agree with you. What I want to make sure kind of we don't start to do is start to enforce stuff based on interpretation. I think it needs to be made clear to everybody. And I totally agree that the development side as well as the City side should know what the requirements are. And (inaudible) are bound to change depending on what staff is in traffic at some point or another. So I would like to kind of get with staff with Soo and Hector and kind of defining, kind of see where their interpretation came from, and then be able to provide some kind of formal explanation to the developers and to Community Development of why or if we even going to continue to do that. I think it's only fair to not only you guys but for other (inaudible) staff for what's going to be looked on for the future, we know exactly what to be expected.

Weir: Okay. So Tony are you recommending that the DRC table action on that today and that we would come back at a later time after you have a chance to work with traffic staff?

Trevino: David. I don't see how a proper vote can come about with Public Works not been able to provide a specific location of where that interpretation's coming from. The questions regarding the Design Standards based on driveways and the deceleration lanes in there. I would like to kind of speak with staff and kind of see and get back on where this interpretation came from.

Weir: Okay. I'll entertain a motion to table this item to a future DRC meeting. Any of the members?

Trevino: In the meantime, I'm sorry I know there're several issues that are kind of going on this right now for Sonoma Ranch Boulevard where deceleration lanes are there. So I would like Mr. Sedillo, myself, and Soo to kind of discuss these and kind of see how we can get this clarified to get those moving forwards. Because I know there's several pending items on these right now.

Weir: Okay. I think if we table it, it doesn't change anything in the way that we're treating them right now. And I'd much rather the DRC have a recommendation from Public Works before we actually took action on this. Because I was going to explain this later, the DRC is the body that can make an overall interpretation for the City going forward and so if Public Works has a specific recommendation that they want to make on this item I would
prefer we table it. So I guess as the Chair I will make that motion to table. Do I have a second?

Wray: I'll second.

Weir: Okay thanks Andrew. My understanding Robert's Rules of Order, once we have a motion to table we need to vote on that. So Katherine I'll go back and get your comments once we have action on that unless you're trying to talk us out of tabling.

H-Rogers: No. I was just trying to second the motion.

Weir: Okay. I know there's several people from the various departments on the DRC today so I'll just ask for the departments to vote on the motion for tabling. So Public Works.

Sedillo: Yes sir. I do.

Weir: Okay. Utilities.

Nasir: Yes.

Weir: Thank you. Parks and Rec.

Mathews: Aye.

Weir: Fire. Mark said yes next door. And then Community Development. I will vote be tabled also. So we'll table that to a future meeting and then go forward.

2. Determination of potential right-of-way requirements for improvements triggered by development adjacent to existing right-of-way with compliant width

Weir: The next item on our agenda is determination of potential right-of-way requirements for improvements triggered by development adjacent to existing right-of-way with compliant widths. So again I'd like Katherine to give a summary of what this item is about and then the recommendation that Community Development came up with.

H-Rogers: David. Thank you. This particular item is related to the accel/decel lane question. I think that we can make a determination on this even though the other one was tabled. Ultimately this is if an accel or a decel lane is determined to be needed, part of a development, then is additional rights-of-way required as part of that request even if the roadway is of compliant width. And I will give an example. So for example if we have an arterial
roadway that's 120 feet wide and it's built in a compliant fashion with the required widths as outlined by code, would we request additional rights-of-way as part of those improvements. So staff at this point in time is recommending that no additional rights-of-way in those instances be requested because they are complying with code already. Now I think that although it's not part of this particular question, if we were dealing with a situation where the right-of-way was clearly not wide enough to accommodate certain safety requirements, let's say it was an arterial roadway, it was undersized, it was constrained but the site was large enough to accommodate a turn lane on their property, then I think that that's how we would deal with that then, but that's not part of the question today. This is simply in regard to compliance right-of-way widths

Terrazas: Chair. I have a comment.

Weir: Thank you Catherine. Was that Hector that wanted to comment?

Terrazas: Yes sir.

Weir: Hector go ahead.

Terrazas: So I agree with you Katherine, if the if the right-of-way is there and it's an arterial and the development's adjacent to it, and the sidewalks and City right-of-way and we still have another 20 feet along it, then yes I agree that we shouldn't ask for more right-of-way from private right-of-way. The only issue would be if let's say in that 120 foot section once we have the ATP implementation and we have on that same side that's been developed we have 10 feet of landscaping and a wide 10 foot path. Do we want to keep those amenities through there as far as having those or does the City have to go ahead and okay we're going to remove that 10 foot wide landscaping strip and that 10 foot wide path and accommodate it to just go back to let's say we need 12 feet for the turn lane and we end up with an eight foot path and no landscaping. OR is the need more looking at the ATP, do we need to keep these roadway amenities going throughout? It doesn't matter if it's an arterial or collector residential. So I think that's my main point to make, does the City want to keep those amenities even if we have the right-of-way to accommodate that in there?

Now like I agree on what you said if it's a residential street and it's for some reason Walmart's going in the middle of a residence, then yes we would ask them to put in a turn bay using their right-of-way. But my main issue is, does the City want to compromise what's been proposed at the ATP and with the Elevate to have these roadway amenities. And then whatever it is, a fast food restaurant comes in and they want to go right there on, I don't know, wherever we have a nice fancy landscape and maybe a side park or something, does the City just want to make sure okay we're
going to give that up and put a roadway or do we want to continue that and just shift it all over?

Weir: So Hector what's you're talking about is when the street has been pretty much built out with all the amenities, it's not an area where it's going into a new situation, you have concerns. My understanding is that those would be reviewed on a case-by-case basis. And I think that would be similar to the situation Katherine described. Tim did you have some comments you wanted to add?

Pitts: Yes. I want to say that I think that you know part of what ATP and Elevate are asking for is narrowing the walkable distance across the street. And so by getting more right-of-way you're just making it farther across for someone to walk, it's already hard enough to walk across an arterial highway to make it 132 feet instead of 120 is just making it all that much more difficult. And I think as you say it's more on a case-by-case basis that should be handled. There may be a circumstance in which we need extra right-of-way to keep the amenities but I would work to keep the roadway out of the, in those cases where we're trying to get walkability you're not getting walkability if you make that roadway too wide. And that's what the policies are looking to accomplish.

Weir: Thank you Tim. Tony. You have your hand up. Did you want to add to this discussion?

Trevino: Sorry. No. I forgot to put it down. But since I'm already on. I agree with what you said David, this is a case-by-case scenario. If they can provide the turning bay or the acceleration and decel lane, and continue our amenities for the ATP or the Elevate Las Cruces whether it'd be landscaping or bypass, trails, whatever, as long as they can accommodate those and keep them going to do and keep it within our current right-of-way, I do (inaudible) we don't request the additional right-of-way. It's only when we can't continue those amenities through there, and then we've got to ask for additional right away to keep the consistency going through. That'd be the only time we ask for more right-of-way.

Weir: Okay. Thank you. Are there any other members of the DRC or City staff that want to comment on this item? Okay. John or some of the civil engineers, surveyors, do you have any comments you want to add to the discussion?

Pompeo: I have just one I guess question I'd like to solicit comment from the senior staff. If it is Council's position that they came up with these new plans of Elevate Las Cruces and such that are going to cause the need for say these additional turn lanes in order to keep the amenities such as landscaping and pavement width, is the City going to then assist the private developer
in the acquisition of these lands, since it's those codes and policies that are
passed by Council that are causing the need for the extra right away?

Weir: Paul. I'll weigh with my opinion and then I can let others opine. What I see
is kind of similar to what has taken place in the downtown and along El
Paseo that the City will first try to work within the right-of-way of those
situations, whether it's providing reduced driving widths of the lanes, going
to (inaudible) providing other items. And then my guess is the next level of
review we'd look at is there a way to provide easements on the property to
provide like the sidewalk amenities or the connectivity and some of the
landscaping and the actual street and potentially sidewalk improvements
would be within the right-of-way. But I think we'd have to look at all those
situations.

One of the things Elevate Las Cruces does is it wants streets that
are lack of a better term "Context sensitive." So they have
recommendations for an urban type of street, suburban street, and rural
street. And so I think we just have to work through all those issues as they
take place. My guess is that first off the City would try to reduce any
investment requirement from the developer or the City. But then I think they
would look at other avenues to meet those type of reeds. That's my two
cents worth. I see David Sedillo has his hands up. So David do you want
to provide your commentary?

Sedillo: Yes. Thank you David. And Paul to be able to give you a straightforward
answer I think there are way too many factors involved, because as David
Weir and other staff have mentioned a lot of properties are going to be on
a case-by-case basis. And for us to give you a straightforward answer on
how we think Council would basically move forward and participate in those,
I think that we'd be giving you a false sense of security if we gave you a
specific answer. So at this point David Weir did clarify you know based on
Elevate Las Cruces how we could potentially move forward with those.
Again to be able to provide an all encompassing answer to your question, I
don't think we can do that here right now. But each individual circumstance
would probably have to be looked at based on many, many factors. Now
there could be a standardized process of how we go through those things
but there may be some things included in each site that may have to have
different considerations. Thank you.

Pompeo: Thank you for that answer David. My question is just in the past and I'm
just going to go backwards in time. The City has been very, very, very
reluctant to assist in right-of-way acquisitions in the past however now with
these new concept plans and things that are coming along, it was just more
to get the discussion going of if Council does want these plans to be
implemented there may become a point where assistance is needed on
behalf of Council to acquire certain right-of-ways or easements. And I was
just gauging what staff's thoughts were about the City in engaging in that to help the private side along. So thank you for those comments.

Weir: Just to add, as you’re aware the City’s practice after adopting a new Comprehensive Plan is to go back and look at the Development Codes. We’re currently in the process of putting RFP out to update the Zoning Code Design Standards, some of the subdivision standards. And so this is an area that we in particular know that we need to look at and come with some additional direction for the community and for the development within the City. And then we’ve also been working on some of our fees, and I know Tim Pitts has a discussion on how to address some of those areas. And he has his hand up again. So Tim if you want to add anything to the discussion.

Pitts: I did I wanted to agree with both you and Dave Sedillo on what you were saying that that's the case. But I also think that you know it seems to me that these policies are not necessarily asking, we're not necessarily looking for more right-of-way as a result of the recently adopted policies in the ATP and Elevate. And I think Dave Weir is right that we need to be going back into our Design Standards and giving options to developers of how to develop those rights-of-way in ways that accomplish the goals of the streets but also accomplish the goals of the pedestrian, the bicycles, and all the other things. So there may be tradeoffs that are allowable in the future that are currently not available in code.

Weir: Thank you Tim. Okay. Does anyone else want to add to the discussion? Okay. On this item we have a recommendation from CD. The recommendation is no additional right-of-way should be required based upon the current road design and dedicated right-of-way, existing regulations, and the policies place types, thoroughfare map, and recommended street types outlined in Elevate Las Cruces. If based on the conversation and what I just read and if you'd like me to read it again I'd be happy to, do I have a motion to take action on this item?

Dubbin: So moved.

Weir: Mark Dubbin just moved for approval of the recommendation. Do I have a second?

Nasir: Second.

Weir: Okay. Second from Rocio. Is there any further discussion of the DRC? If not I'll go ahead and call each of the departments again. Public Works. David or Tony did you want to?

Trevino: Yes.
Weir: Okay. Utilities.

Nasir: Yes.

Weir: Okay. Parks and Recreation.

Mathews: Yes.

Weir: Okay. Fire.

Dubbin: Yes.

Weir: I'll vote for CD. Yes. So the recommendation has been adopted and that will be the policy of the DRC in the City in regards to requiring additional right-of-way.

3. Determination of the documentation needed to confirm adequate Intersection Site Design or other clear sight triangle requirements in new subdivisions and to alert potential developers/property owners of said requirements.

Weir: The third item on the discussion today is the determination of the documentation needed to confirm adequate Intersection Site Design or other clear sight triangle requirements in new subdivisions and to alert potential developers and property owners of said requirements. Katherine could you give us an overview and then a summary of the Community Development's recommendation on this item?

H-Rogers: Sure David. Essentially we've experienced some issues regarding the platting of subdivisions and then ultimately the final build out and how that affects the location of rock walls, and how it impacts the individual lot owners who purchased those lots that happened to be at intersections. Some of these problems arise from the geometry of the street in terms of their sight distance from the intersection. And staff has been contemplating a method by which to do a couple of things; one to alert the consumer as to the potential for limitations on their lot because of sight distance issues or clear sight issues and then also to prevent problems in regard to the buildable area on lots, making sure that the lots as designed are large enough to accommodate these areas for clear sight or sight distance at the intersections.

And so some options that have come up in the past were to add easements on particular lots, were to add a plat note, were to have some separate documentation as just part of the review process in terms of ensuring that these distances in these areas would remain clear. At this point in time what CD staff is recommending because plats are simply a legal document, they're not intended to provide everything that could
possibly be in terms of regulation. What we're recommending is that on lots
that could potentially have these types of issues, that they be provided an
emblem similar to the ponding icon, and then a corresponding note that they
may be subject to these types of restrictions. Of course Design Standards
and Subdivisions Regulations change over time and so we don't want to
lock ourselves in with something that require a plat modification just to move
an easement if you will or some no build area. And so that's our thought
process behind that. So if you have any questions for me I'd be glad to
answer those.

Weir: Thank you Katherine. Is there anybody from the DRC or City staff that
would like to offer any comments or additional information on this issue?

Terrazas: David. I have a comment.

Weir: Sure.

Terrazas: So as far as the clear sight triangle, I agree with Katherine, a note it's
probably better to put in there kind of like the one she mentioned with the
ponding note, that way it doesn't lock us into whatever the standards are at
the time. The City Standards change right now, if we go the Eastman way
showing it on the plat then that's going to be an issue for the future if the
traffic standards change or the ATP changes them somehow.

The other thing is the City and I would think that developers need to
know need to, like Katherine mentioned, alert the buyers that if you're
buying on a corner lot or something, there's going to be restrictions
because the reason for showing the clear sight right as either an easement
or a triangle on there was to let property owners know more clearly what
they're buying. Because if we just have a note there, the average person
that's not familiar with engineering is not going to know what that clear sight
triangle is. What we can do is if we have a plat associated with a
construction drawing maybe tie them together somehow and we can ask for
those actual clear sight triangles on there because in the last meeting how
we discussed that, surveyors don't want to put that in there because that's
dependent on the geometry of the road and the elevation which at that point
we don't know what the plats, the plat at that point doesn't know what the
elevation is of the adjacent roadways. So if we can somehow kind of put
the note in the plat and then tie it to the construction drawings and the
construction drawings actually having the clear sight triangle or the
Intersection Sight Distance, I think that that'll work to get the note out to the
buyers or the owners of the future a lot that are going to be developed. That
way everyone knows, you know what there's going to be some certain
restrictions. And when they try and get a permit to build a rock wall or
whatever it is, then hey there's a note in your plat that says it's going to be
subject to curse sight triangles.
Weir: Thank you Tony. Would anybody else with the City that wanted to comment?

Trevino: But I would like to hear what the private side, the developers and the engineer's on here, about having surveyors put a note regarding that matter. Because I know there's some concern before, some other notes that we can put on plats and the private side had some hesitations. So I just want to hear from like Paul and Mr. Pillar and everyone else.

Weir: Okay.

Pompeo: I can speak to some of the conversations I've had with Katherine. Number one, as Hector stated the Design Standards are subject to change over time, so we don't want to overly restrict a plat just to say that we don't do with building setbacks or building heights things of that nature. My concern with adding the other methodology for the clear sight triangle not just the chart that's in the Design Standards but the actual calculation, the plat is being sealed by a licensed professional surveyor not an engineer and of course the determination of that is an engineering analysis. So I had a concern there. I wouldn't have an issue with as Hector pointed out where we maybe put an icon or some kind of symbol on that corner with a note indicating that additional Design Standards for clear sight triangles may apply or some such note like that, just alerting to the fact that at the time of building permit that the clear sight triangle would be being analyzed or looked at that time. Thank you.

Weir: Thanks Paul. Dan Lilley. Did you have comments? You had mentioned earlier you wanted to discuss this item.

Lilley: No, actually if I'd known Paul was there I would have just defer to him to begin with.

Weir: All right thank you. Marty. Did you have anything that you to add?

Pillar: Question that I would have is will the lots be subject to the clear sight triangle for the Intersection Sight Distance? And if those are going to be requirements for the City, that that portion of the lot that is located in those triangles are restricted on construction. What if that becomes right-of-way for the City and then there is no issue?

Weir: Marty. This is my understanding is that what we're trying to do is just be sure to put people on notice. We've had some people that purchase the corner lots of street intersections and then when the clear sight triangle is applied basically that either limits the ability to build a house or the use of their backyard.
And then on the Intersection Sight Distance we've had instances where it's created safety problems because of elevation changes etc. And so what we're trying to do is put everyone on notice that there are additional restrictions in these areas and there may be additional calculations. When we discussed this at the last DRC meeting there was also a discussion that we need to look at these things a little more diligently at the preliminary plat stage and also the construction drawing stage so that we can adjust lot sizes or the construction to avoid those. But what we were really wanting to do is make sure whoever ultimately buys those lots are aware that there were additional analysis or requirements that need to be considered or there might be limitations on the sizes of fences or the ability to use portions of the lot. Hector or Soo, did you want to add anything to what I had said in regards to what we're trying to accomplish?

Lee

Mr. Chair, I don't have any additional comment but for the question about the (inaudible) you know we try to make sure we follow the most restricted or most conservative clear sight triangle. It doesn't matter what the clear sight triangle described in our City code or the AASHTO Green Book, we as the engineer we should design the roadway safe for everybody. Unfortunately what's happening is a lot of times the corner specifically whenever the property owner want to build something at the corner or along the roadway to build a rock wall, sometimes it interferes with the clear sight triangle, sometimes it is the ISD or sometimes there's a clear sight triangle per the City code. That's the reason we want to make sure we want to give the clear indication in the plat to (inaudible) any potential the buyer they understand what is the limitation of the corner. And then also we want to make sure anybody who's actually involved in the construction drawing, they know that they should properly analyze it at the property. That's the reason we would like to have the note but not the actual calculation because as Hector indicated during the plat there's no way we can properly analyze the ways that the most conservative clear sight triangle or the Intersection Sight Distance.

Weir:

Thank you. Hector did you have something you wanted to add?

Terrazas:

Yes. And I think I don't know who asked this question but are we going to be asking Intersection Sight Distance or clear sight triangle? Like Soo said, we're going to be asking for Intersection Sight Distance when we believe it's an issue that you have like a grade difference or the roads curving around, more than likely the clear sight for, the City clarify triangle, the ones that are in our code are really conservative, so for streets that are straight at grade and are at a 90 degree angle. Now when we start talking about the roads curving and you're going up the hill or down the hill that's when we come up to issues that those clear sight triangles aren't enough. The City clear sight triangles aren't enough. And that's why we ask for the intersection type distance. So it's on a case-by-case.
Weir: Thank you Hector. Chad, did you have anything that you want to add to this discussion?

Sells: Yes. The traffic standards say that the ones listed here are minimums and that the City's Traffic Engineer based on horizontal/vertical curvature roadways in question can calculate different ones. Is that not true? They can be smaller than those shown in Figure 2?

Weir: Chad. I'll let Hector and Soo at that. But my understanding was we wanted to make sure that you had maximum flexibility on that and so by doing the analysis it would allow different sight distances to be provided for the developments.

Lee: Chad for your question. The answer for your question is that it depends on the location of the property line. As Hector the mentioned, our City clear sight triangle is based on our property line instead of the actually the decision point. AASHTO which is the ISP reference, the AASHTO Green Book, based on the decision point about the 14 1/2 feet from the continuous line of the curb line, sometimes that location is completely different than our property line. That's the reason it's a case-by-case, and also depending on the grade, if there's a you know really a lot of elevation change, it's going to be also to make a longer distance. So that's the reason it's difficult to say what is the general situation compared to what the City codes show actual clear sight, the distance based on the roadway the type.

Weir: Okay is there any other comments? Anyone else want clarification on anything that's been discussed?

Nasir: I do. I just want to point out that ...

Lilley: This is Dan.

Weir: Let Rocio go first and they'll

Lilley: Go ahead Rocio.

Weir: We'll come back to you.

Nasir: I just want to point out on the reference that we've been talking about on Section 32-406 where it talks about the different values. I'm going to read the whole thing it says, "These values are considered minimums. Larger clear sight triangle areas may be needed as determined by the City Traffic Engineer based on horizontal and vertical curvatures of roadways in questions with appeal to the Development Review Committee allowed." So
That means that we are also a governing body if there's an appeal that by
the determination by the Traffic Engineer

Weir: Thank you Rocio. So basically there is an opportunity to get some relief
from the standards through the DRC.

Sells: So if we don't use the dimensions shown in Figure 2 the City's Traffic
Engineer's going to provide us what they want?

Nasir: From what I read here, yes. That's what it says here. Larger clear sight
triangle areas (inaudible) as determined by the City Traffic Engineer based
on horizontal and vertical curvatures.

Weir: My understanding that would be during the review process, whether it be
for a subdivision or the construction drawing. Dan did you want to
comment?

Lilley: Yes please Dave. To clarify Chad's question at least in my mind, there's
not a potential for reducing it below the City's Figure 2. Is that correct? If
that's a minimum is there a potential to reduce it with other methods?

Terrazas: So Mr. Chair if I could answer.

Weir: Yes please Hector.

Terrazas: So these are considered minimums and the way I read them it's called
setbacks. So just like Soo mentioned like arterial/arterial. If you're in a
corner for arterial/arterial it's 50 feet on either leg from the property line. But
let's say you're on Calle Jitas and we have a 20 foot amenities there already,
so you're already 70 feet back from the edge of the roadway. Now if you
go back and use ISD like Soo said you're only going to be 14 1/2 feet back
from Calle Jitas. And I'm just using example because I know that one on
the south side has a path that's pretty wide. So at that point in my
consideration is that a smaller triangle on one leg, yes. On the other leg it
might be longer. So but as far as for development if the streets are straight
it would be using an ISD would be more friendly to development, that way
doesn't restrict your building height that much. So yes those are what I
consider minimum and when you end up, you might end up, depending on
the speed limit of that arterial street it might be a 14 1/2 foot triangle on one
leg and 300 feet on the other leg, but that's along the major roadway. So at
that point for me that's a smaller triangle because it's a smaller impact to
the developer. I don't know of that makes sense Dan or Chad.

Weir: I believe Soo wanted to comment too.
Lee: The main reason we want to go by the most stringent requirement is because of the City rideability. If somebody involved in accident at the intersection if we do not follow whatever the most stringent number then we're going to be in trouble. That's the reason we want to go by that. So for example Chad when you submit your waiver for the clear sight triangle, when you and I are working along the Peachtree, because Peachtree we have a really wide space between the curb to our proper line. So I allow you to put the stuff within the clear sight triangle, because the clear sight triangle per the City code and then for the Figure 1 it's not realistic. If we're going to go into the court and we're going to most likely going to both City clear sight triangle and the Intersection Sight Distance per the AASHTO. So what is the most reasonable decision based on the situation, we're going to go by that, instead of just whatever the unit of code says at this point it is a minimum, but sometimes you cannot use this one as a minimum because sometimes it's not useful to use as a minimum. That's the reason we the traffic are flexible, depends on the situation and the location.

Weir: So Soo and Hector from a process standpoint if that's the minimum requirement but then you are requesting that they go through the waiver process and then the Public Works Director acts on those, is that how you've handled those in the past?

Lee: Yes Mr. Chair. Yes. When we are working with the engineer about any of the certain situation it doesn't make sense we utilized the City clear sight triangle and then we recommend to the engineer submit the waiver to us and we use to make a recommendation to approve. We've already done several times. As long as the engineer clearly show what the clear sight triangle per City code and an ISD. If it meets the ISD requirement that we use to make a recommendation to approve it and we already approve the several case.

Weir: Okay. So for now when those situations come up there is a waiver process to get relief from the strict interpretation or the strict application of the clear sight triangles. And this is something else that we can ask be reviewed as a part of the Design Standards update and see if there's another way to address it. Okay. Is there any other discussion that anyone or any other commentary anyone wants to add to this item?

Sells: I have one more question.

Weir: Okay.

Sells: Location of the clear sight triangles in the construction drawings. Do you guys want a separate sheet just for clear sight triangles? Do you want it on the traffic sheet? Do you want it, just where would you like it in the construction drawing set?
Terrazas: Chair. I can respond to Mr. Sells.

Weir: Please.

Terrazas: It really, as long as it's legible I'd rather just see it on the traffic sheet with the signs if there's enough room in there. I don't want to just create a sheet just for that. Now if it gets too confusing that for some reason we have a lot of signs, so it's you're trying to put other stuff in there, then yes we might require a separate sheet. But it just comes down to legibility. We don't want, kind of like on the plat, we don't want to put a thousand things on one sheet and then it's hard to read.

Sells: Thank you

Mathews: Mr. Chair.

Weir: Yes. Katherine.

Mathews: Mr. Chair. It's also useful to have that information on the landscape plotting plan of course or at least referred to maybe as a note to make sure that the landscape architect is aware of that clear sight triangle setback requirement and to be able to verify graphically or at least in their mind how the planting plan coincides with that, no plant zone basically.

Weir: Okay. That seems like a reasonable request.

Lee: Mr. Chair. This used to be the traffic management request or ask the engineer to show the clear sight triangle on the landscape plan so it'll be common practice at this point.

Weir: Okay. Thank you. Any other discussion? If not I'll read CDs recommendation on this. The recommendation is plats are intended to define the legal boundaries of lots. Regulations should not be listed on plats as they are subject to change. However alerts in the form of plat notes are advisable. Staff recommends that lots was potential ISD and other clear sight triangles be identified with a symbol and a corresponding plat note included to advise prospective buyers or developers of restrictions associated in compliance with clear sight and ISD. Construction drawings should be used to determine these parameters. Changes to Design Standards and Subdivision Regulations should be incorporated in the future to address any ongoing issues. So would there be any additions or edits that the DRC would like to have to that recommendation? If not do have a motion to accept that recommendation?

Mathews: So moved.
Weir: I have a motion. Do I have a second?

Dubbin: Second

Nasir: Second.

Weir: So I'll put Mark and Rocio both down. I'm going to go ahead and do a roll call by department again. Public Works. I think Tony you got nominated to be the representative.

Trevino: Yes.

Weir: Okay. Utilities.

Nasir: Yes.

Weir: Parks and Recreation.

Mathews: Yes.

Weir: Fire.

Dubbin: Yes.

Weir: And Community Development, yes also. So that will become the policy of the City on handling the clear sight triangle identification on plats. Those are the three action items we have today. There are no other items specifically listed here. Are there any other things that the DRC members would like to be added on a future meeting or anything else that you would like to inform the DRC members about?

V. ADJOURNMENT (9:04)

Weir: Not having heard anything, I will take a motion to adjourn.

Nasir: So moved.

Weir: Okay. Do we have a second?

Dubbin: Second.

Weir: Okay. I will take it all are in favor of an adjourning. And if that's the case thank you everybody for the discussion today. And we will have further discussion on the right-hand turn lanes coming up. Thanks everybody be safe.
Chairperson