



ZONE CHANGE
EXTRA-TERRITORIAL ZONING COMMISSION

DOÑA ANA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
Doña Ana County Government Complex • 845 N. Motel Blvd.
Las Cruces, New Mexico 88007 • Office: (575) 647-7250

MEETING DATE: April 21, 2011

CASE #: Z11-002

REQUEST: A Zone Change from ER 2 to ER 3 to subdivide the parcel into a twelve (12) lot subdivision.

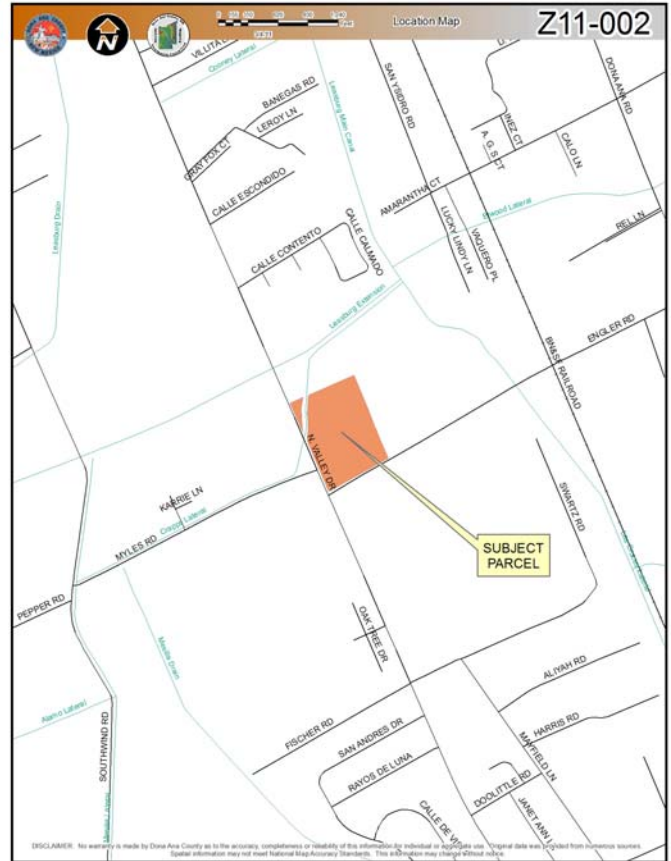
APPLICANT: Four Neighbors LLC

LOCATION: 3500 N. Valley Dr.

PROPERTY SIZE: 15.45-acres

RECOMMENDATION: APPROVAL

STAFF CONTACT: Jonathan Kesler, Planner



SUMMARY: The applicant, Four Neighbors, LLC, is requesting a Zone Change from ER 2 (Residential, 2-acre minimum new lot size, single-family site-built homes) to ER 3 (Residential, 1-acre minimum new lot size, single-family site-built homes) on a 15.45-acre parcel in order to create a 12-lot residential subdivision through the City of Las Cruces. The parcel is located north of Las Cruces, within Section 2, Township 23 South, Range 1 East, and is described as being Tract 5-133, NMPM of the USRS Surveys, recorded on February 14, 2006 in Book 685, Page 1885 in the Doña Ana County Clerk’s office. It is addressed as 3500 North Valley Dr., and can be further identified by Map Code # 4-005-133-205-035.

REPORT CONTENTS: (1) Summary, (2) Applicable Policies and Ordinances, (3) Staff Analysis, (4) Site Plan and Supporting Documents, (5) GIS Information & Maps.

SURROUNDING ZONING AND LAND USE

SITE	ZONING	LAND USE
North	ER 3 (Residential, 1-acre minimum new lot size, single-family site-built homes.)	Residential housing, farmland
South	ER 2 (Residential, 2-acre minimum new lot size, single-family site-built homes.)	Residential housing, farmland
East	ER 2 (Residential, 2-acre minimum new lot size, single-family site-built and mobile homes.)	Residential housing, farmland
West	ER 3 (Residential, 1-acre minimum new lot size, single-family site-built homes.)	Residential housing, farmland

BACKGROUND

The Request:

CASE # Z11-002/Four Neighbors, LLC: The applicant, Four Neighbors, LLC, is requesting a Zone Change from ER 2 (Residential, 2-acre minimum new lot size, single-family site-built homes) to ER 3 (Residential, 1-acre minimum new lot size, single-family site-built homes) on a 15.45-acre parcel in order to create a 12-lot residential subdivision through the City of Las Cruces. Currently, the parcel is in agricultural production. However, the owners of the property can no longer afford to utilize the property in this capacity, as the parcel is too small to be profitable, according to the applicant's agent, Greg Byers of Summit Engineering.

Existing Conditions and Zoning:

The subject property is zoned ER 2 and is in agricultural production. It is located in a residential area at the intersection of two paved county-maintained roads (North Valley Dr. and Engler Rd, both classified as principal arterials). The entire area is zoned residential; ER 2, ER 3, or ER 4, except three parcels on Valley Dr. north of the subject parcel that have EC 1 Zoning. Two parcel contiguous to the subject property are zoned the same as the ER 3 Zoning requested by the applicant. Pursuant to FIRMs No. 35013C0525 E and 35013C0518 F, the subject property is NOT located within a FEMA Special Flood Hazard Area.

APPLICABLE PLANS, POLICIES, AND CRITERIA FOR APPROVAL

1. Las Cruces Extra-territorial Zoning Ordinance No. 88-02, as Amended

Section 1.6 Definitions

Spot Zoning: An amendment to a zoning ordinance that is not compatible with a comprehensive scheme of zoning, whether one lot, several lots or a large area. Spot

zoning can also be created through variances, which are granted without regard for impact on the surrounding area.

2.1.B Zoning District Changes: Rezoning

A zoning district change or rezoning is a change in classification of the zoning district map and shall be recorded and shown on the Official Zoning District Map. Zoning district changes shall not include initial zoning whenever ETZ boundaries are realigned.

2.1.D Evaluation Criteria

The Planning Director and the ETZ Commission may use the following general criteria when reviewing Special Use Permits and Zoning applications. The ETZ Commission shall have the authority to require additional specific information on any of the following criteria.

Unless additional justification is presented, the fact that there is an existing legal nonconforming use shall not be considered sufficient grounds for a zone change in order to bring that use into conformity.

- 2.1.D.1 Determination of potential number of homes, population and population demographics.
- 2.1.D.2 Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system.
- 2.1.D.3 Determination of need for new commercial activity.
- 2.1.D.4 Determination of potential water and sewage needs.
- 2.1.D.5 Evaluation of existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development.
- 2.1.D.6 The difference between capacity and impact should be stated. Those areas which are appropriate for the developer to underwrite should be negotiated between local government and developer.
- 2.1.D.7 The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance or areas which contain endangered or rare species of animal or plant life.
- 2.1.D.8 Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission.
- 2.1.D.9 Determination of impact of a proposed zone change on surrounding properties.

Proposed Zoning District:

Section 3.1.C.2 ER3 RESIDENTIAL DISTRICT

3.1.C.2.a PURPOSE

The purpose of the ER3 zoning district is to establish residential districts of single-family site-built homes on moderate to large size lots, specifically designed to meet the demand for those persons whose lifestyles include raising and keeping of large and small animals in a semi-rural atmosphere.

3.1.C.2.b DEVELOPMENT REQUIREMENTS

The development requirements set for the ER3M district as outlined in Section 3.1.C.1.b of this Article are applicable to the ER3 district.

3.1.C.2.c ER3 PERMITTED USES

The permitted uses set for the ER3M district as outlined in Section 3.1.C.1.c of this Article are applicable to the ER3 district, EXCEPT that mobile homes are not allowed in the ER3 district.

3.1.C.2.d ER3 SPECIAL USE PERMITS

The Special Use Permit uses and conditions set for the ER3M district as outlined in Section 3.1.C.1.d of this Article are applicable to the ER3 district.

Current Zoning District:

Section 3.1.B.2 ER2 RESIDENTIAL DISTRICT

3.1.B.2.a PURPOSE

The ER2 zoning district is intended as a residential district of single-family site-built homes on large size lots specifically designed for keeping certain livestock with not more than one (1) dwelling unit and customary accessory building upon one (1) lot. It is intended that the ER2 district meet the demand for those lifestyles that include the raising and keeping of animals in a rural atmosphere in areas where the impact of such activities on those who do not share this lifestyle is negligible.

3.1.B.2.b DEVELOPMENT REQUIREMENTS

The development requirements set for the ER2M district are outlined in Section 3.1.B.1.b of this Article and are applicable to the ER2 district.

3.1.B.2.c ER2 PERMITTED USES

The permitted uses set for the ER1M district as outlined in Section 3.1.A.1.c of this Article are applicable to the ER2 district, EXCEPT that mobile homes are not allowed in the ER2 district.

3.1.B.2.d ER2 SPECIAL USE PERMITS

The Special Use Permit uses and conditions set for the ER1M district as outlined in Section 3.1.A.1.d of this Article are applicable to the ER2 district.

2. ETZ Comprehensive Plan 2000-2020

The proposed Zone Change **meets** the following objectives of the Comprehensive Plan:

Goal 1, Objective 1.2: Promote an efficient pattern of land use that follows the adopted comprehensive planning policies and regulatory requirements.

Goal 1, Policy 1.2.3: Large lot rural densities should be encouraged in areas where wastewater services are not available.

The Zone Change, from ER 2 to ER 3, would help to unify the area under a single zoning that is very applicable to the proposed property and the surrounding properties, with the development utilizing one-acre lots, and the rural atmosphere of the area would still be maintained.

3. Miller Criteria

The Supreme Court of New Mexico, Miller versus Albuquerque, September 9, 1976, stated: *“The fundamental justification for an amendatory or repealing zoning ordinance is a change of conditions making the amendment or repeal reasonably necessary to protect the public interest. Also, a zoning amendment may cover and perfect previous defective ordinances or correct mistakes or injustices therein.”*

AGENCY COMMENTS

NMED:

Wastewater Treatment and Disposal- All the parcels meet the minimum lot size requirements of 0.75-acres for a three bedroom or smaller home. It is assumed the acreage given is for NET lot size.

Water Supply/Water Quality- No Comment

Solid Waste Disposal- No Comment

Surface Drainage/Land Clearing/Dust Control- The U.S. Environmental Protection Agency (USEPA) requires National Pollutant Discharge Elimination System (NPDES) permit coverage for storm water discharges from construction projects (common plans of development) that will result in the disturbance (or re-disturbance) of one or more acres (as of June 30, 2008), including expansions, of total land area. If this project exceeds one acre, it requires appropriate NPDES permit coverage prior to beginning construction.

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil & grease and construction materials from construction sites) in storm water runoff from entering waters of the U.S. This permit also requires that permanent stabilization measures (revegetation, paving, etc.), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters.

You should also be aware that EPA requires that all "operators" (see **Federal Register/Vol. 63, No. 128/Monday, July 6, 1998** pg 36509) obtain NPDES permit coverage for construction projects. Generally, this means that at least two parties will require permit coverage. The owner/developer of this construction project who has operational control over project specifications (probably Juan Rosales or Inez Villegas in this case), the general contractor who has day-to-day operational control of those activities at the site, which are necessary to ensure compliance with the storm water pollution plan and other permit conditions, and possibly other "operators" will require appropriate NPDES permit coverage for this project.

NMDOT: No objection with the Zone Change. However, when the Subdivision goes thru the development stage, the NMDOT wishes to review the package.

CLC MPO: Be advised that both Valley and Engler are principal arterials which require a 60' ROW from the centerline of the road and the ROW will have to be dedicated at time of subdivision.

CLC Planning Dept: This subdivision proposal is not in application currently. No ETZ Subdivision issues exist for the existing tract. However, EBID owns the ROW not shown in the [future] subdivision proposal.

DAC Engineering: 1) Adhere to all requirements associated with proposed zoning and adjacent land use requirements.

DAC Flood Commission: The subject property is found NOT to be within a FEMA Special Flood Hazard Area and can be further identified on FIRM No. 35013C0525 E and FIRM No. 35013C0518 F. Please be aware that the property is still susceptible to localized flooding despite not being identified within a FEMA Special Flood Hazard Area.

DASO Codes: No violations.

DAC Fire Marshal: Zone Change approved only. Subdivision must meet all fire code and fire flow requirements prior to final approval.

DAC Building Services: No permits are required.

EBID: We have objections to this subdivision [? - this is a Zone Change request]. There are no plans showing the Crapps Lateral. This lateral cuts across the northwest quarter of this [proposed] subdivision. Applicant should submit revised plans indicating how they intend to develop EBID's right-of-way (i.e. – piping).

OSE: No comment, other than we assume that the CLC will be the water provider for the development.

NOTICE / NOTIFICATION

Fifteen (15) letters of notification were sent out. No correspondence in support or opposition was received by April 14, 2011.

Legal Notification was posted in the Las Cruces Sun News on Sunday, April 3, 2011.

Signs were posted on the property in early April 2011.

Agenda was posted on County Web Site.

STAFF ANALYSIS

If the applicants' were granted the Zone Change to ER 3 from the current ER 2, their parcel would allow the same density as the parcels to the immediate north and west (ER 3), & would still allow for less density than large numbers of properties south of the parcel, which have ER 4 Zoning. The parcel has direct access to North Valley Drive, and Engler Road. They are both paved county roads that are classified as principal arterials.

Furthermore, allowing this Zone Change would not result in "spot zoning". The contiguous parcels to the west and north of the subject property are both zoned ER 3, and have been since the advent of the ETZ twenty-one (21) years ago. In addition, the property immediately northwest of this parcel, also on North Valley Dr., was granted the same type of Zone Change (from ER 2 to ER 3) by the ETA on February 15, 2006 (Case # Z05-010/Zulu Properties).

Several agency reviewers discussed subdivision issues in their submittals to staff. However, the case before the ETZ Commission is for a **Zone Change**. If the ETZ recommends approval of this Zone Change and the ETA concurs, then the applicants could submit a subdivision application to the City of Las Cruces.

STAFF RECOMMENDATION

Based on the applicants' meeting the appropriate goals and policies of the Comp. Plan, the ETZ Ordinance and the Evaluation Criteria of Section 2.1.D, staff recommends **APPROVAL** of Zone Change Request **Case # Z11-002/Four Neighbors**, based on the following findings:

FINDINGS

If the Extra-territorial Zoning Commission wishes to recommend approval to the ETA of Case # Z11-002/Four Neighbors, staff recommends the following proposed findings:

1. The request of this application is consistent with the requirements of the Las Cruces Extra-territorial Zoning Ordinance Article II, Section 2.1.C/Application Procedures and Section 2.1.G/Public Hearing and Notice Requirements.
2. The subject property is located outside the corporate limits of the City of Las Cruces, but within the five-mile Extra-territorial Zone (ETZ) as set forth by 3-19-5(1), NMSA 1978 and the Joint Powers Agreement between Doña Ana County and the City of Las Cruces. Therefore, the Las Cruces ETZ Commission (ETZ-C) has jurisdiction to review this case.
3. The ER 3 Zoning District permits a minimum new lot size of 1.0-acre net, with site built homes permitted.
4. The Supreme Court of New Mexico, Miller versus Albuquerque, September 9, 1976, stated: *"The fundamental justification for an amendatory or repealing zoning ordinance is a change of conditions making the amendment or repeal reasonably necessary to protect the public interest. Also, a zoning amendment may cover and perfect previous defective ordinances or correct mistakes or injustices therein."* **This Zone Change would correct a mistake in zoning under the Miller Criteria. The contiguous properties to the north and west were assigned ER 3 zoning when the ETZ was established in 1989 (per the Las Cruces Extra Territorial Zoning Atlas issued June 22, 1990), while this property was given ER 2 Zoning. In addition, the property immediately northwest of this parcel, also on North Valley Dr., was granted the same type of Zone Change (from ER 2 to ER 3) by the ETA on February 15, 2006 (Case # Z05-010/Zulu Properties).**
5. The proposed Zone Change Request does meets the following Goals, Policies, and Objectives of the ETZ Comprehensive Plan 2000-2020:

Goal 1, Objective 1.2: Promote an efficient pattern of land use that follows the adopted comprehensive planning policies and regulatory requirements. **If this Zone Change is approved, the applicant would go through the subdivision process with the City to divide the property in an orderly, legal way.**

Goal 1, Policy 1.2.3: Large lot rural densities should be encouraged in areas where wastewater services are not available.

The Zone Change, from ER 2 to ER 3, would help to unify the area under a single zoning that is very applicable to the proposed property and the surrounding properties, with the development utilizing one-acre lots, and the rural atmosphere of the area would still be maintained.

DETERMINATION CRITERIA

The ETZ Commission may recommend a Zone Change to the ETA as specified by the Extra-territorial Zoning Ordinance Article II, Section 2.1.B/Zoning District Changes: Rezoning and by using the criteria defined by the Extra-territorial Zoning Ordinance Article II, Section 2.1.D/Evaluation Criteria:

2.1.D.1. Determination of the number of homes, population, and population demographics.

The application indicates that if the Zone Change was approved, and with subdivision approval, they would subdivide the parcel into twelve (12) 1-acre parcels. Site built homes would be erected on each parcel. The application bases its demographic data on a count of 2.8 persons per household, or a total parcel population of thirty-four (34).

2.1.D.2 Determination of potential traffic flows (average daily traffic) and where they will impact the transportation system. 148 trips per day would be generated with the full development of the proposed twelve (12) lots. The applicants submitted a Traffic Impact Analysis prepared by a professional engineer (see attached, pages 14-23).

2.1.D.3 Determination of need for new commercial activity.

No new commercial activity is planned or is necessary with the proposed development

2.1.D.4 Determination of potential water and sewage needs.

For each residence, a total of 424 gallons per day would be the proposed water demand (Total 5088 gal/day). For each residence, a total of 238 gallons per day would be proposed for liquid waste (Total 2856 gal/day).

2.1.D.5 Evaluation of existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development.

For the water system, Doña Ana Mutual Domestic Water Consumers Association was contacted, & a request for a ready, willing, and able letter was made (in file). For the roadways, a Traffic Impact Analysis (TIA) was performed, and it was determined that there is no significant impact to the existing road network.

2.1.D.6 The difference between capacity and impact should be stated. Those areas that are appropriate for the developer to underwrite should be negotiated between local government and developer.

Impact is minimal in relation to both the water system and the roadway.

2.1.D.7 The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance, or areas on which contain endangered or rare species of animal or plant life.

The parcel being requested for rezoning is not environmentally sensitive, historically significant and does not contain any endangered or rare species of animal or plant life.

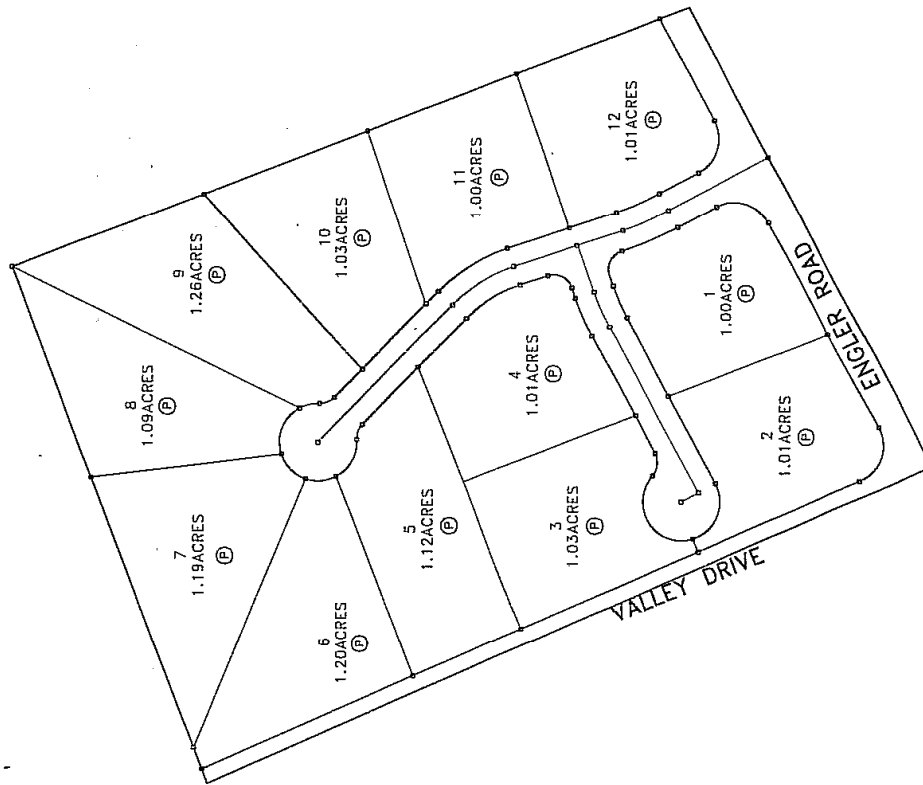
2.1.D.8 Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission.

All requested analysis have been prepared and paid for by the developer.

2.1.D.9 Determination of impact of a proposed zone change on surrounding properties.

The Zone Change, from ER 2 to ER 3, would help to unify the area under a single zoning that is very applicable to the proposed property and the surrounding properties, with the development utilizing one-acre lots, and the rural atmosphere of the area would still be maintained. Facilities and infrastructure would have no significant impact on them, with full development, under the proposed zoning.

FOUR NEIGHBORS SUBDIVISION



SUMMIT ENGINEERING
ONE WASHINGTON STREET - COVINGTON
PO BOX 275 FARMVILLE, VA 22423 (540) 547-1411

February 17, 2011

Extra-Territorial Zoning Commission
c/o Jonathan Kesler
845 Motel Blvd.
Las Cruces, NM 88007



Attn: Jonathan Kesler

**RE: Purpose for Zone Change
3500 North Valley Drive
Las Cruces, New Mexico**

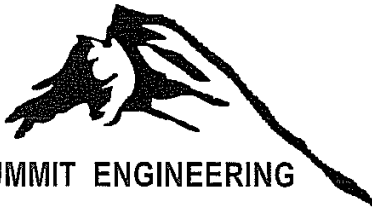
Dear Mr. Kesler:

Please accept this letter as our justification for a change in zoning for the above referenced parcel. The current zoning is ER-2, and we are requesting a change to ER-3. It is the intention of the current owners, to develop the 15.45 acre parcel into a subdivision with twelve lots.

Attached to this letter is a portion of the current zoning map that depicts the zoning of the subject parcel and the surrounding properties. The properties to the west of the subject property have a current zoning of ER-2 and ER-3, the properties to the north have a current zoning of ER-2 and ER-3, the properties to the east are all zoned ER-2 as are the properties to the south. Re-zoning of the property would not be considered "spot zoning", but rather, it would add to a more consistent application of zoning density. Several of the adjacent parcels are less than 2.0 acres in size, which does not comply with the current ER-2 zoning being applied, to the parcels. A more consistent and compliant zoning would be that of ER-3.

The subject parcel is currently being utilized for agriculture. However, the owners of the property can no longer afford to utilize the property in this capacity, as the parcel is too small to be profitable. The same type of economics needs to be applied to the property when it comes to development. The cost of the development infrastructure, both initial cost and long term maintenance, needs to be distributed to the highest number of shareholders possible. The infrastructure also needs to service the highest number of users as possible. In the case of this parcel, the limitation on density is determined by the use of individual liquid waste systems. The minimum lot size for an average 3 bedroom home is one acre.

Infrastructure costs for, roadway, water, gas, drainage improvements, electrical and telecommunications would be roughly the same for a development of this size, regardless



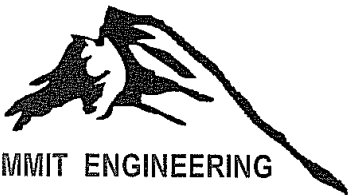
SUMMIT ENGINEERING

CIVIL ENGINEERING -DESIGN -CONSULTING PO BOX 375 FAIRACRES, NEW MEXICO 88033 (575) 527-5321 FAX (575) 527-1161

of lot sizes being two acres, or one acre. However, the distributed initial and long term costs, would be considerably less, and considerable more economical with the higher density. This idea is clearly stated in the County's Comprehensive Plan. Primary Goal 5: Adopt and Implement a Land Use Plan, Policies: Promote location of development to effectively utilize existing infrastructure, public services and facilities.

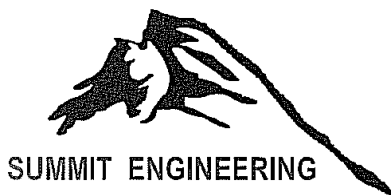
The following is an outline of the Evaluation Criteria requested in Section 2.1.D, of the Application for Zone Change:

1. Determination of potential number of homes, population and population demographics:
 - 12 lots / homes are being proposed
 - At 2.8 residents per household a total population of 34 is anticipated
 - It is expected that the majority of the homes would be occupied by families, therefore is expected that there would be approximately 22 adults and 12 children
2. Determine the potential traffic flows (average daily traffic) and where they will impact the transportation system:
 - 148 trips per day would be generated with the full development of the proposed 12 lots. There would be no substantial impact on the existing transportation system. Please review the Traffic Impact Analysis submitted with this application.
3. Determination of need for new commercial activity:
 - No new commercial activity is planned or is necessary with the proposed development.
4. Determine the potential water and sewage needs:
 - for each residence a total of 424 gal per day would be the proposed water demand. (Total = 5,088 gal/day)
 - for each residence a total of 238 gal per day would be proposed for liquid waste. (Total = 2856 gal/day)
5. Evaluation of the existing infrastructure capacities and an analysis of the ability of the existing system to accommodate the new development:



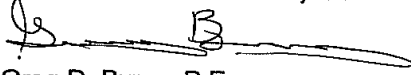
- for the water system, Dona Ana Mutual Domestic Water Consumers Association, was contacted, and a request for a ready, willing and able letter was made, (see attached)
 - for roadways, a traffic impact analysis was performed, and it was determined that there is no significant impact on the existing roadway network.
6. The difference between capacity and impact should be stated. Those areas which are appropriate for the developer to underwrite should be negotiated between local government and developer:
- Impact is minimal in relation to capacity of both the water system and roadway.
7. The ETZ should reserve the right to place appropriate zoning categories on environmentally sensitive areas, areas of historical significance or areas which contain endangered or rear species of animals or plant life:
- the parcel being requested for re-zoning is not environmentally sensitive, historically significant, and does not contain any endangered or rare species of animal or plant life.
8. Any analysis required should be undertaken and paid for by the developer and verified by the ETZ Commission:
- all required analysis have been prepared and paid for by the developer.
9. Determination of impact of a proposed zone change on surrounding properties:
- The zone change, from ER-2 to ER-3, would help to unify the area under a single zoning that is very applicable to the proposed property and the surrounding properties. Impacts would be minimal to surrounding properties, with the development utilizing one acre lots, the rural atmosphere of the area would still be maintained. Facilities and infrastructure would have no significant impact on them, with full development under the proposed zoning.

If you have any questions or need additional information please contact our office.

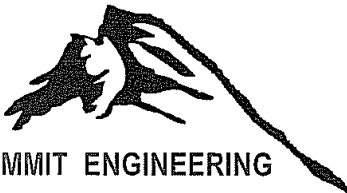


Respectfully;

SUMMIT ENGINEERING, LLC



Greg D. Byres, P.E.

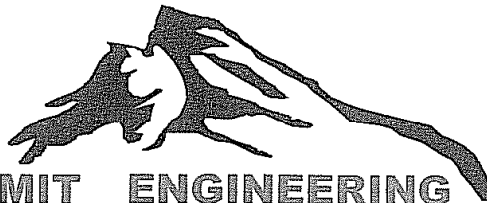


TRAFFIC IMPACT ANALYSIS
FOUR NEIGHBORS SUBDIVISION
DONA ANA COUNTY, NEW MEXICO

PREPARED FOR:

Four Neighbors, LLC

February 1, 2011



SUMMIT ENGINEERING

CIVIL ENGINEERING - DESIGN - CONSULTING

PO Box 375 Fairacres, New Mexico 88033 Phone (505)527-5321 Fax (505)527-1161

INTRODUCTION & PURPOSE

The proposed project is a 12 lot subdivision to be constructed on approximately 15.47 acres. The site is located north of Las Cruces, northeast of the intersection of NM 185 (Valley Drive) and Engler Road, Dona Ana County, New Mexico. The property can further be described as a tract of land located within Section 2, T.23S. R.1E, N.M.P.M. Dona Ana County, New Mexico.

The proposed improvements will include new residential streets complete with curb and asphalt pavement. The curb will be flush header curb intended to maintain and direct storm water runoff from the roadway to ponding areas that parallel the roadway, outside of the right-of-way. Improvements will also include new utilities to include water, gas, sewer, electrical, telephone and cable television.

Lots are intended for single family detached homes, to be site built. The terrain is generally level, and has been utilized for agriculture.

The findings of the analysis performed and documented in this report, indicate that the traffic generated by the proposed subdivision has no significant impact on the existing roadways adjacent to the subject property. It does not appear necessary for offsite improvements to be conducted as part of this development, as no such improvements are warranted by the results of the analysis which is further detailed in this report.

DESCRIPTION OF PROPOSED DEVELOPMENT

As described previously, the site is located North of Las Cruces, and is situated north of Engler Road and east of NM-185 (Valley Drive). There is one proposed point of ingress / egress from the subdivision, which will intersect with Engler Road about 450 feet east of the intersection of Valley Drive and Engler Road. Access to each of the lots will be gained from the proposed internal roads, with no additional access to individual lots allowed from either Valley Drive or Engler Road. There are a total of 12 lots planned for the proposed development.

All roadways would provide for two way traffic, with the proposed internal roadways complying with Dona Ana County Design Standards. Proposed roadways shall consist of 15 foot driving lanes with header curb along the edges of the roadways.

Construction of the proposed development would occur under one phase of construction, with the projected completion scheduled for 2012. Full build-out and implementation of the traffic would occur in 2014.

DESCRIPTION AND EXTENT OF STUDY

The study area analyzed for this report includes Valley Drive, Engler Road, the intersections of Valley Drive/Engler Road/Myles Road. In addition Dona Ana Road and the intersection of Dona Ana Road/Engler Road/Armstrong Road was also analyzed. The analysis followed and conformed to the criteria of a Level One TIA as described in the Dona Ana County Development Design Standards.

NM-185 (Valley Drive), in the area of study, is oriented north / south and is generally utilized for passenger car traffic as the dominant source of traffic, with generally low percentages of truck traffic. This route is generally utilized by residents of communities north of its intersection with Engler Road, as they commute to and from City of Las Cruces. The controlling authority for NM-185 is the New Mexico Department of Transportation. The posted speed limit is 40 miles per hour.

Engler Road which is oriented east / west at the point of proposed access is also dominantly traveled by passenger cars. Engler Road is utilized as a residential road, accessing both nm-185 (Valley Drive) and Dona Ana Road. The controlling authority for Engler Road is Dona Ana County. The posted speed limit is 30 miles per hour.

Dona Ana Road is also oriented north / south and is dominantly traveled by passenger cars with a generally low percentage of truck traffic. This route is generally utilized by residents north of its intersection with Engler Road as they also commute into the City of Las Cruces. The controlling authority of Dona Ana Road is Dona Ana County.

DESCRIPTION OF STUDY TIME FRAMES

As previously stated, construction of the proposed development should be completed in 2012, with complete build-out by 2014. Summary:

Year	Status	Basis	Additions
2011	Existing Condition	Traffic Counts	+ 3% Growth*
2014	Full Build Out	+ Generated Trips	+ 3% Growth

*Count was adjusted using a 3% growth factor for City of Las Cruces MPO Data

Summit Engineering performed its own traffic counts on January 5 & 11, 2011. The

counts performed by Summit Engineering, were conducted during the course of the school year which will include traffic that may be associated with schools in the area. Traffic counts were available from the City of Las Cruces Metropolitan Planning Organization (MPO), 2009 Traffic Flow Map of the Las Cruces Urbanized Area. These counts reflect AAWDT data for years 2007 (Dona Ana Road), 2008 (Valley Drive) and 2009 (Engler Road), and were adjusted using a 3 percent growth factor per year.

Existing Peak Hour Traffic (AM / PM)

Roads at Intersections w/ Engler (Traffic count perf. Jan. 5&11, 2011 by Summit Engineering)

	North Bound (am/pm)	South Bound (am/pm)	Total (am/pm)
Valley Drive	320/668	644/304	964/972
Dona Ana Road	124/264	436/212	560/476
	West Bound (am/pm)	East Bound (am/pm)	Total (am/pm)
Engler Road	152/128	116/128	268/256

Valley Drive South of Engler Intersection (Traffic from MPO 2008, adjusted for 3% growth)

	North Bound (am/pm)	South Bound (am/pm)	Total (am/pm)
NM-185 (Valley Drive)	257/716	514/322	771/1038

Dona Ana Road South of Engler Intersection (Traffic from MPO 2007, adjusted for 3% growth)

	North Bound (am/pm)	South Bound (am/pm)	Total (am/pm)
Dona Ana Road	105/349	371/286	476/635

Engler Road east of Proposed Access (Traffic from MPO 2009, adjusted for 3% growth)

	West Bound (am/pm)	East Bound (am/pm)	Total (am/pm)
Engler Rd (prop. access)	90/106	68/106	158/212

From the traffic counts listed above, it appears that the traffic counts conducted by Summit Engineering are more conservative on Valley Drive and Engler Road, however Dona Ana Road's peak hour traffic is slightly more conservative with the MPO data Summit Engineering's data will be used for consistency.

EXISTING LAND USE

The surrounding area of the proposed development is composed of several agricultural fields and farms. There is also a mix of residential housing in the area. The majority of the residential lots are generally larger than 1 acre.

The existing roadways which border the proposed development along the west and south sides of the subject property are paved roadways with a single lane in each direction. The pavement surface for each of the roadways is in generally fair condition with unknown pavement sections.

NM-185 Valley Drive has 12 foot lanes with 8 foot shoulders, and is generally straight with no major obstructions. Dona Ana Road has 12 foot lanes with approximately 3 foot shoulders. Engler Road has 10 foot lanes with no shoulders. The proposed access point will intersect Engler Road at a right angle and there are no obstructions in either direction. Sight distance is not a problem.

Utilizing existing traffic data listed above an analysis was performed for Valley Drive, Dona Ana Road, and Engler Road. The analysis indicates that Valley Drive has an existing level of service of "D", Dona Ana Road has a level of service of "C", and Engler Road has an existing level of service of "B". See appendix "B" for HCS calculations.

PROJECTED TRAFFIC AND TRAFFIC IMPACTS

In preparation of the preliminary plat, the proposed development has been planned for 12 lots. Utilizing the Institute of Transportation Engineers, Trip Generation Manual, 7th Edition, Land Use Section 210; the following projected traffic volumes were calculated:

Weekday Traffic Volume (AADT)

50% Entering / 50% Exiting

$$\begin{aligned} \ln(T) &= 0.92 \ln(X) + 2.71 & X &= \text{No. of lots} \\ \ln(T) &= 0.92 \ln(12) + 2.71 = 147.8 \\ T &= 148 \text{ trips/day} \end{aligned}$$

AM Peak Hour Traffic (weekday)

26% Entering / 74% Exiting

$$\begin{aligned} T &= 0.70(X) + 12.05 & X &= \text{No. of lots} \\ T &= 0.70(12) + 12.05 = 20.4 \\ T &= 21 \text{ trips} \end{aligned}$$

PM Peak Hour Traffic (weekday) 64% Entering / 36% Exiting

$$\begin{aligned} \ln(T) &= 0.89 \ln(X) + 0.61 & X &= \text{No. of lots} \\ \ln(T) &= 0.89 \ln(12) + 0.61 = 16.8 \\ T &= 17 \text{ trips} \end{aligned}$$

SUMMARY OF DEVELOPMENT IMPACTS:

LAND USE	AADT		AM		PM	
	ENTER	EXIT	ENTER	EXIT	ENTER	EXIT
210: Single-Family Detached Housing	74	74	5	16	11	6

It is assumed that the directional split for the traffic generated by the proposed development would have 60% of the traffic heading west on Engler Road to Valley Drive. With the remaining 40% heading east towards Dona Ana Road.

For analysis of the projected traffic on existing roadways, not only does the projected traffic at full development need to be considered but so does the growth of the existing traffic. The charts below demonstrate the existing traffic of 2011 and the 3% growth rate accumulated each year. Also added is the total build out traffic.

STREET	Year	NORTH BOUND		SOUTH BOUND		TOTAL	
		am	pm	am	pm	am	pm
Valley Drive	2011	320	668	644	304	964	972
	2012	330	688	663	313	993	1001
	2013	339	709	683	323	1023	1031
	2014	350	730	704	332	1053	1062
Dona Ana Road	2011	124	264	436	212	560	476
	2012	128	272	449	218	577	490
	2013	132	280	463	225	594	505
	2014	135	288	476	232	612	520
Engler Road		EAST BOUND		WEST BOUND		TOTAL	
		am	pm	am	pm	am	pm
	2011	152	128	116	128	268	256
	2012	157	132	119	132	276	264
	2013	161	136	123	136	284	272
2014	166	140	127	140	293	280	

From Subdivision to ...	Year	NORTH BOUND	SOUTH BOUND	TOTAL
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		am	pm	am	pm	am	pm
Valley Drive	2014	2	1	8	3	10	4
Dona Ana Road	2014	1	0	4	2	5	2
From Subdivision to		EAST BOUND		WEST BOUND		TOTAL	
		am	pm	am	pm	am	pm
Engler Road	2014	6	2	10	4	16	6

Full Build Out Entering Traffic @ Year 2014							
To Subd. From	Year	NORTH BOUND		SOUTH BOUND		TOTAL	
		am	pm	am	pm	am	pm
Valley Drive	2014	2	5	1	1	3	6
Dona Ana Road	2014	2	3	0	1	2	4
Engler Road	2014	EAST BOUND		WEST BOUND		TOTAL	
		am	pm	am	pm	am	pm
		3	6	2	5	5	11

Total 2014 Traffic Count							
STREET	Year	NORTH BOUND		SOUTH BOUND		TOTAL	
		am	pm	am	pm	am	pm
Valley Drive	2014	354	736	713	336	1066	1072
Dona Ana Road	2014	138	291	480	235	619	526
Engler	2014	EAST BOUND		WEST BOUND		TOTAL	
		am	pm	am	pm	am	pm
		175	148	139	149	314	297

Analysis of the projected traffic with no changes to directional splits indicates that the level of service for Valley Drive remains at "D"; Dona Ana Road remains "C" and Engler Road also remains at "B". This analysis is based on actual counts conducted by Summit Engineering for directional percentages and peak hour traffic for a worst case scenario.

LEVEL OF SERVICE ANALYSIS RESULTS FOR ROADWAY SEGMENTS

Year →	2011	2014
Roadway Segment	AM / PM	AM / PM
Valley Drive	D / D	D / D
Dona Ana Road	C / C	C / C

Year →	2011	2014
Roadway Segment	AM / PM	AM / PM
Engler Road	B / B	B / B

In addition to the roadway segment analysis, all unsignalized intersections immediately impacted by the proposed development were studied. The intersections was analyzed for existing traffic, and projected traffic at full build-out with the 3% growth rate. The intersections at Valley Drive and Engler, Dona Ana Road and Engler road where egress and ingress for the subdivision will travel.

An additional intersection was analyzed involving Engler Road and the proposed access into the proposed subdivision. This intersection is located approximately 450 feet from Englers intersection with Valley Drive. The analysis reports and turning movement diagrams are attached in appendix "B".

LEVEL OF SERVICE ANALYSIS RESULTS FOR ROADWAY SEGMENTS

Valley Drive and Engler Road

Year & Time →	2011 AM	2011 PM	2014 AM	2014 PM
Approach	Lane Configurations & Level of Service			
North Bound	TR (na)	TR (na)	TR (na)	TR (na)
South Bound	LT (A)	LT (A)	LT (A)	LT (A)
West Bound	LR (C)	LR (B)	LR *(D)	LR *(C)

*The drop in LOS on the west bound lane was also analyzed with the 3% growth and no buildout traffic, showing the same drop in LOS. Which shows the drop was not a direct result of the proposed development.

Dona Ana Road and Engler Road

Year & Time→	2011 AM	2011 PM	2014 AM	2014 PM
Approach	Lane Configurations & Level of Service			
North Bound	LTR (A)	LTR (A)	LTR (A)	LTR (A)
South Bound	LTR (A)	LTR (A)	LTR (A)	LTR (A)
West Bound	LTR (B)	LTR (B)	LTR (B)	LTR (B)
East Bound	LTR (B)	LTR (B)	LTR (B)	LTR (B)

Engler Road and Subdivision Access

Year & Time→	2011 AM	2011 PM	2014 AM	2014 PM
Approach	Lane Configurations & Level of Service			
South Bound	LR (na)	LR (na)	LR (A)	LR (A)
West Bound	TR (na)	TR (na)	TR (na)	TR (na)
East Bound	LT (na)	LT (na)	LT (A)	LT (A)

IMPROVEMENT ANALYSIS

Analysis of the roadways which will be most affected by the impacts of the increased traffic from the proposed development, indicate that the impact is minimal and the level of service for the roadways is not effected.

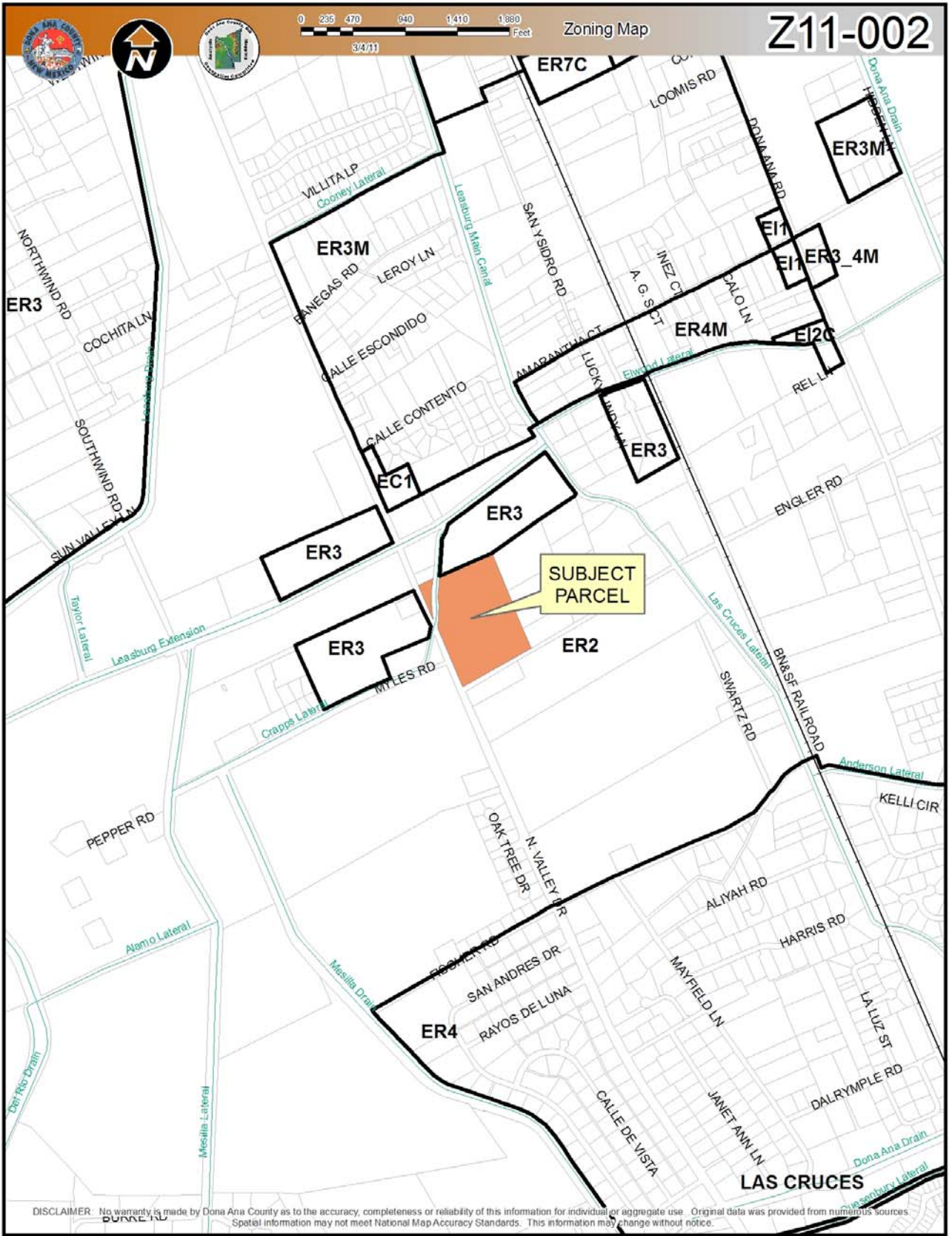
FINDINGS AND RECOMMENDATIONS

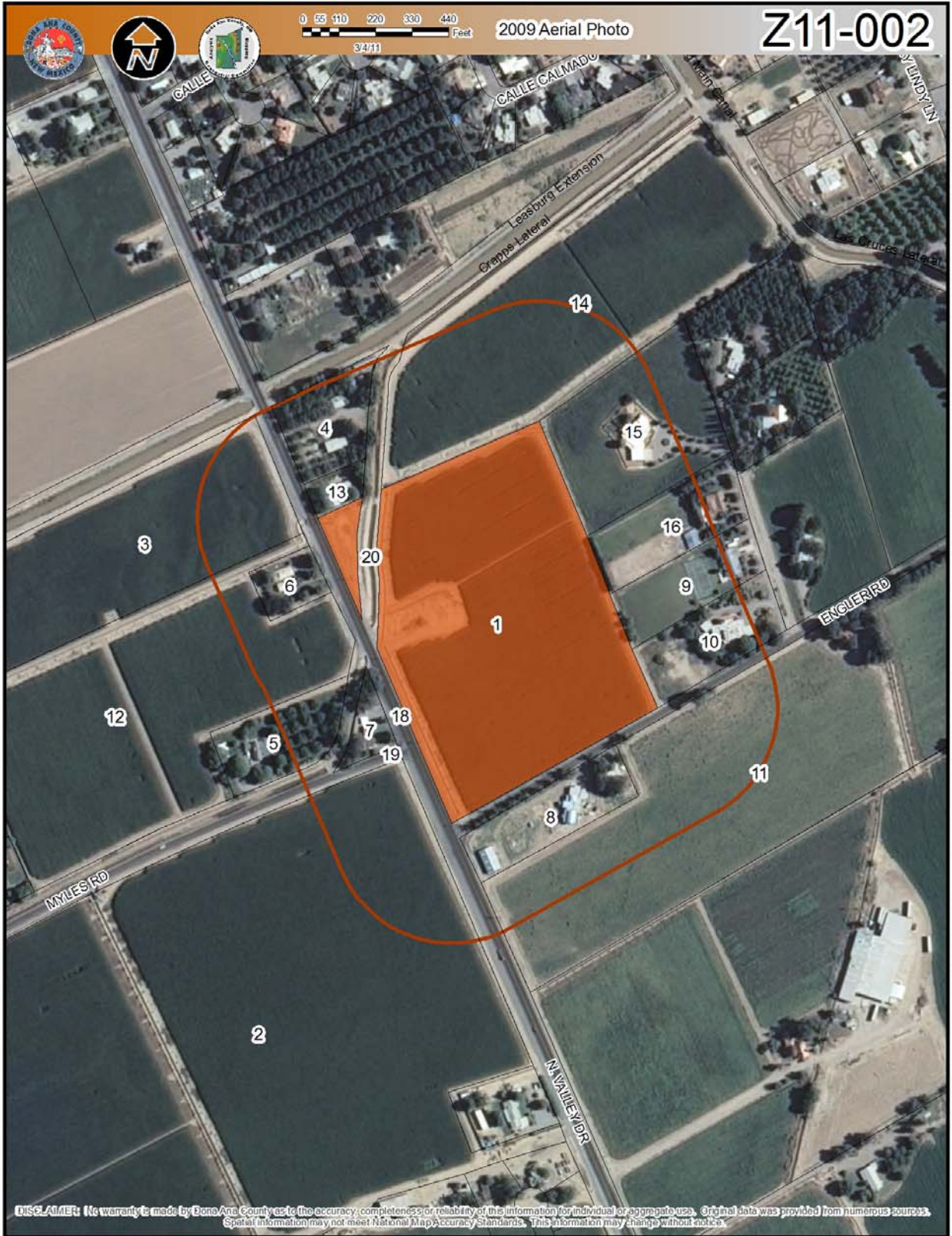
The analysis performed for the proposed development and described within this report, utilized existing traffic data provided by City of Las Cruces MPO and from independent traffic counts conducted by Summit Engineering.

The data obtained was utilized in an analysis using the Highway Capacity Manual and Highway Capacity Software, HCS 2000. Results of several runs are included in Appendix B of this report. Traffic generated by the proposed development was determined utilizing the Trip Generation Manual, 7th Edition. The calculated traffic

information was included with the background data which was adjusted for growth to the designated build-out years.

As a result of the analysis, there are no change in the level of service to any of the adjacent roadways from the proposed development, we make no recommendations for improvements to the existing infrastructure.





CODE	MAP_CODE	NAME	ADDRESS1	CITY	STATE	ZIP
1	4-005-133-205-035	FOUR NEIGHBORS LLC	1010 ENGLER RD	LAS CRUCES	NM	88007
2	4-005-133-106-244	VALDINON LAND COMPANY LLC	2240 A PEPPER RD	LAS CRUCES	NM	88007
3	4-005-133-022-045	VALDINON LAND COMPANY LLC	2240 A PEPPER RD	LAS CRUCES	NM	88007
4	4-005-132-152-496	FEELEY RICHARD & GAIL	3630 N HWY 85	LAS CRUCES	NM	88005-5440
5	4-005-133-139-065	LEON EDDIET & TERESA G	1408 MYLES RD	LAS CRUCES	NM	88007
6	4-005-133-147-028	LUDI ANTONIA R & EUGENIA L JANECKA	3545 N HWY 85	LAS CRUCES	NM	88005-5439
7	4-005-133-167-061	RIGALES LINDA A	1400 MYLES RD	LAS CRUCES	NM	88007
8	4-005-133-223-083	NUNLEY TIMOTHY & SHERI	1221 ENGLER RD	LAS CRUCES	NM	88007
9	4-005-133-260-018	HARLAS RANDAL & JUDITH L	1008 ENGLER RD	LAS CRUCES	NM	88007-6837
10	4-005-133-269-034	GONZALES ESTEBAN L & RITA M P	1100 ENGLER RD	LAS CRUCES	NM	88007
11	4-005-133-317-055	LYLES STEVEN & ANNA M	1100 SHALEM COLONY TRL	LAS CRUCES	NM	88007
12	4-005-133-091-061	VALDINON LAND COMPANY LLC	2240 A PEPPER RD	LAS CRUCES	NM	88007
13	4-005-132-157-522	3600 N VALLEY DR TRUST	3600 N VALLEY DR	LAS CRUCES	NM	88005
14	4-005-132-222-471	VALDINON LAND COMPANY LLC	2240 A PEPPER RD	LAS CRUCES	NM	88007
15	4-005-132-246-505	BEASLEY DON A & PATRICIA A	PO BOX 58	LAS CRUCES	NM	88004-0058
16	4-005-132-255-528	GROEN JERRY A & MARCELLA J REV TR	1010 ENGLER RD	LAS CRUCES	NM	88007
17		DAC ROAD DEPT.	2025 E. GRIGGS	LAS CRUCES	NM	88001
18		NM STATE HWY. DEPT.	8070 BATAAN MEMORIAL EAST	LAS CRUCES	NM	88011
19		DAC ROAD DEPT.	2025 E. GRIGGS	LAS CRUCES	NM	88001
20		EBID	530 S. MELENDRES	LAS CRUCES	NM	88001