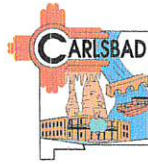


MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, March 7, 2022 at 5:00 p.m.

**Meeting Held in the Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno St.**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, March 7, 2022 at 5:00 PM
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
GoToMeeting ID: 369-071-925
US Phone: (224) 501-3412 Access Code: 369-071-925

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held February 7, 2022
4. Consider approval of a Variance to allow a 5' rear setback located at 3812 Jasper Dr., zoned "R-1" Residential 1 District
5. Consider approval of a Variance to allow a 10' rear setback located at 4001 Cowboys Country Dr., zoned "R-R" Rural Residential District
6. Consider approval of a Variance to allow a 50' sign at 4412 National Parks Hwy.
7. Consider approval of a Variance to allow the storage of an RV in the front setback at 1120 Tracy Pl., zoned "R-1" Residential 1 District
8. Consider approval of a Variance to allow a subdivision of approximately 1.03 acres without the required 75' street frontage located at 2109 Sandy Ln, zoned "R-R" Rural Residential District
9. Consider approval of a Variance to allow a subdivision of approximately 2.81 acres into parcels less than 1 acre and without the required 100' street frontage located along Verdel Ave., outside City limits, within the 5-mile Platting & Permitted Jurisdiction
10. Consider a recommendation to Council for an Annexation of approximately 80 acres to the south of Hidalgo Rd., legally described as the S1/2 of the SE1/4 of S21, T22S, R26E
11. Consider a recommendation to Council for a Zone Change request for approximately 80 acres located south of Hidalgo Rd., legally described as the S1/2 of the SE1/4 of S21, T22S, R26E. from County to "I" Industrial District
12. Report regarding Summary Review Subdivisions
13. Adjourn

FOR INFORMATION ONLY

Agendas and Planning and Zoning Commission meeting minutes are available on the City web site:
cityofcarlsbadnm.com

or may be viewed in the Office of the City Clerk or at the Carlsbad Public Library during normal and regular business hours

Regular meeting – Monday, April 4, 2022 at 5:00 p.m.

If you require hearing interpreter, language interpreters or auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's office at (575) 887-1191 at least 48 hours prior to the scheduled meeting time.

PLANNING AND ZONING COMMISSION MEETING SCHEDULE
MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING &
ZONING COMMISSION HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX
COUNCIL CHAMBERS,
114 S. HALAGUENO STREET, FEBRUARY 7, 2022 AT 5:00 P.M.

VOTING MEMBERS PRESENT:

BRAD NESSER
TRENT CORNUM
VALERIE BRANSON

COMMISSIONER
COMMISSIONER
COMMISSIONER

VOTING MEMBERS ABSENT:

JAMES McCORMICK
LINDA WILSON

EX-OFFICIO MEMBERS PRESENT:

JEFF PATTERSON
TRYSHA ORTIZ

PLANNING DIRECTOR
DEPUTY PLANNING DIRECTOR

SECRETARY PRESENT:

JUDITH WEBSTER

PLANNING AND REGULATION
DEPARTMENT SECRETARY

OTHERS PRESENT:

DENISE MADRID-BOYEA
CHARLIE GARCIA
RON MYERS
ASHLEY COVINGTON
PHILLIP BRAKE
CHELSEA BRAKE
JIMMY FUSON
KENNEY RAYROUX
CAROLYN RAYROUX
DEAN WALL
MISSY WALL
BLAS CASTANEDA
STACEY BLACKMON

CITY
CITY
CITY (Via virtual meeting)
1120 TRACY PL.
4001 COWBOYS COUNTRY
4001 COWBOYS COUNTRY
302 RIVERSIDE DR.
2107 SANDY LN.
2107 SANDY LN.
2109 SANDY LN.
2109 SANDY LN.
3812 JASPER
203 E. ORCHARD LN.

Recording failed.

1. Roll call of Voting Members and Determination of Quorum

Roll was called, confirming the presence of a quorum of commission members. The following members were present—**Mr. Nesser, Mr. Cornum, Ms. Branson.** Absent— **Mr. McCormick, Ms. Wilson.**

2. Approval of Agenda

Mr. Patterson requests that Item #7 will become Item #4 due to extenuating circumstances with the applicant for Item #7. **Mr. Cornum** made a motion to approve the Agenda moving Item #7 before Item #4; **Ms. Branson** seconded the motion. The vote was as follows: **Yes— Mr. Nesser, Mr. Cornum, Ms. Branson.** No—None. Absent— **Mr. McCormick, Ms. Willson.** Abstained—None. The motion carried.

3. Approval of Minutes from the regular Meeting held February 7, 2022

Mr. Cornum made a motion to approve the Minutes; Ms. Branson seconded the motion. The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

4. Consider approval of a Variance to allow the storage of an RV in the front setback at 1120 Tracy Pl., zoned "R-1" Residential 1 District

The applicant, Ashley Covington, comes to the podium. Mr. Patterson explains this request for a Variance to allow outdoor storage of an operable RV in the front setback at the property located at 1120 Tracy Place, zoned R-1 Residential 1 District. The Planning staff recommends approval. Ms. Covington explained the RV will need to be parked there until they can get parts to fix the trailer hitch on their truck to move it. Ms. Branson questions the repair needed to move the RV. Ms. Covington says the supply chain is causing the delay in getting the trailer hitch parts. Mr. Patterson states the time frame is considered on a case-by-case basis and suggests this one be 90 days.

Ms. Branson made a motion for approval with the condition of a 90-day limit; Mr. Cornum seconded the motion. The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

5. Consider approval of a Variance to allow a 5' rear setback located at 3812 Jasper Dr., zoned "R-1" Residential 1 District

The applicant, Blas Castaneda comes to the podium. Mr. Patterson explains the request for the Variance to allow a 5' rear setback as opposed to the minimum 10' rear setback and 5' side setback as opposed to the minimum 10' secondary street setback for a garage to be built at 3812 Jasper Dr. The Planning staff recommends approval. Mr. Castaneda states he has already started construction on the garage.

Mr. Cornum made a motion to for approval; Ms. Branson seconded the motion The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

6. Consider approval of a Variance to allow a 10' rear setback located at 4001 Cowboys Country Dr., zoned "R-R" Rural Residential District

The applicant, Phillip Brake, comes to the podium. Mr. Patterson explains this request is for a variance to allow a 10' rear setback as opposed to the minimum 20' rear setback to allow applicant to build a 20' x 25' metal shop in the backyard. Planning staff recommends approval. Floor opened for public comment. There was none.

Mr. Cornum made a motion to for approval; Ms. Branson seconded the motion The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

7. Consider approval of a Variance to allow a 50' sign at 4412 National Parks Hwy.

The applicant, Clovis Sign Service for Allsup's, comes to the podium. Mr. Patterson explains this request is to construct a sign to the height of 50' exceeding the limit of 35' for the location at 4412 National Parks Hwy. The Planning staff recommends approval. Clovis Sign Service states the higher sign increases visibility and has shown to be more successful. There was no public comment.

Ms. Branson made a motion for approval; **Mr. Cornum** seconded the motion. The vote was as follows: Yes— **Mr. Nesser, Mr. Cornum, Ms. Branson.** No—None. Absent— **Mr. McCormick, Ms. Wilson.** Abstained—None. The motion carried.

8. Consider approval of a Variance to allow a subdivision of approximately 1.03 acres without the required 75' street frontage located at 2109 Sandy Ln, zoned "R-R" Rural Residential District

The applicant, **Dean Wall**, comes to the podium. **Mr. Patterson** explains his request is to subdivide an approximately 1.03 acre property without the required 75' of street frontage, located at 2109 Sandy Lane. The Planning Dept. recommends denial of this request; if approved, the Planning Dept. recommends the following conditions: The surveyor should add "Access Easement" to the driveway used to access the new property that appears on the plat, and the property owner should post easily read address signage to the new residential lot location.

Mr. Cornum made a motion for approval with conditions outlined by the Planning Dept.; **Ms. Branson** seconded the motion. The vote was as follows: Yes— **Mr. Nesser, Mr. Cornum, Ms. Branson.** No—None. Absent— **Mr. McCormick, Ms. Wilson.** Abstained—None. The motion carried.

9. Consider approval of a Variance to allow a subdivision of approximately 2.81 acres into parcels less than 1 acre and without the required 100' street frontage located along Verdel Ave., outside City limits, within the 5-mile Platting & Permitted Jurisdiction

The applicant, **Jeremy Griffin**, comes to the podium. **Mr. Patterson** explains this request is to allow the subdivision of approximately 2.81 acre property into three lots, located along Verdel Avenue, outside the Carlsbad City Limits. The Ordinance requires each lot to be a minimum of one acre in size with a minimum of 100' of street frontage. These lots are all under one acre in size and offer zero feet of street frontage along a platted street. There is a new 40' access easement created by this plat to provide access to the new lots. The Planning Dept. has reached out to the Eddy County Planner, Steve McCroskey, to discuss this subdivision. **Mr. McCroskey** expressed concerns that the new access easement will not provide adequate access to the newly created properties due to the limited area around the RV's currently parked at the property. The City's Utilities Department will need to know how water meters will be placed at the property due to the fact that the new lots do not front along street ROW. The Planning Dept. recommends denial of this request; but if approved recommends the following conditions: The surveyor and property owner work toward making each new lot meet the minimum one acre requirement; The surveyor and owner work with the City to identify how water will be provided to the new lots, as well as agreeing to the location of the new water meters; The owner will work to assure the City that access to the new properties will be adequate moving forward. Also, the surveyor and owner will need to add "Utility Easement" to any access easements servicing the new properties. There was no public comment. **Mr. Griffin** states he will work with his surveyor on these recommendations.

Ms. Branson made a motion for approval; **Mr. Cornum** seconded the motion The vote was as follows: Yes— **Mr. Nesser, Mr. Cornum, Ms. Branson.** No—None. Absent— **Mr. McCormick, Ms. Wilson.** Abstained—None. The motion carried.

10. Consider a recommendation to Council for an Annexation of approximately 80 acres to the south of Hidalgo Rd., legally described as the S1/2 of the SE1/4 of S21, T22S, R26E

The applicant, **Jimmy Fuson**, comes to the podium. **Mr. Patterson** explains his request to annex approximately 80 acres to the south of Hidalgo Rd., adjacent to the new West Carlsbad Bypass route. The property is contiguous to the current Carlsbad city boundary. The Planning staff recommends approval. **Mr. Fuson** states he would like to develop the property for Industrial use, the Bypass providing opportunity for Industrial expansion. There was no public comment.

Ms. Branson made a motion for approval; Mr. Cornum seconded the motion The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

Mr. Patterson informs Mr. Fuson this will go before City Council at their April 12, 2022 regular meeting for final approval.

11. Consider a recommendation to Council for a Zone Change request for approximately 80 acres located south of Hidalgo Rd., legally described as the S1/2 of the SE1/4 of S21, T22S, R26E, from County to "I" Industrial District

The applicant, Jimmy Fuson, comes to the podium. Mr. Patterson explains his request to apply "I" Industrial District zoning for approximately 80 acres located to the south of Hidalgo Rd. The Planning staff recommends approval of this request.

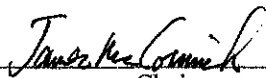
Mr. Cornum made a motion for approval; Ms. Branson seconded the motion. The vote was as follows: Yes— Mr. Nesser, Mr. Cornum, Ms. Branson. No—None. Absent— Mr. McCormick, Ms. Wilson. Abstained—None. The motion carried.

12. Report regarding Summary Review Subdivisions

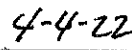
Ms. Ortiz give a report on the Summary Reviews. Nothing unusual was noted.

13. Adjourn

There being no other business, the meeting was adjourned.



Chairman



Date