

ORDINANCE NO. 2018-28

AN ORDINANCE ANNEXING A PORTION OF LAND CONTAINING +/-1.34 ACRES MORE OR LESS, CONTIGUOUS TO THE CITY OF CARLSBAD, NEW MEXICO, LOCATED AT 2414 MARTIN LANE, LEGALLY DESCRIBED AS TRACT A2 OF THE MCGONAGILL LAND DIVISION #2, PURSUANT TO THE PETITION METHOD PROVIDED FOR IN SECTION 3-7-1 ET. SEQ., NMSA 1978.

WHEREAS, a petition for annexation of territory contiguous to the City of Carlsbad has been presented to the Governing Body of the City of Carlsbad; and

WHEREAS, said petition is accompanied by a map showing the external boundary of the territory proposed to be annexed and its relationship to the existing boundary of the City of Carlsbad, New Mexico.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, NEW MEXICO:

Section 1. Subject to the proviso contained in Section 2 hereof, the City of Carlsbad hereby consents to the annexation of 1.34 acres, more or less, of contiguous territory situated in Eddy County, New Mexico, located at 2414 Martin Lane, legally described as follows:

TRACT A2 OF THE MCGONAGILL LAND DIVISION #2

Section 2. A copy of this ordinance and the plat of said property shall be filed in the office of the County Clerk of Eddy County. After such filing, the property shall be included in and be a part of the City of Carlsbad. Appeal may be made by any person owning land within this said territory to the District Court of Eddy County within thirty (30) days on the grounds and in the manner provided by law.

INTRODUCED, PASSED, ADOPTED, AND APPROVED THIS 13TH DAY OF NOVEMBER, 2018.

/S/Dale Janway

DALE JANWAY, MAYOR

ATTEST:

/s/Nadine Mireles

CITY CLERK

MCGONAGILL LAND DIVISION #2

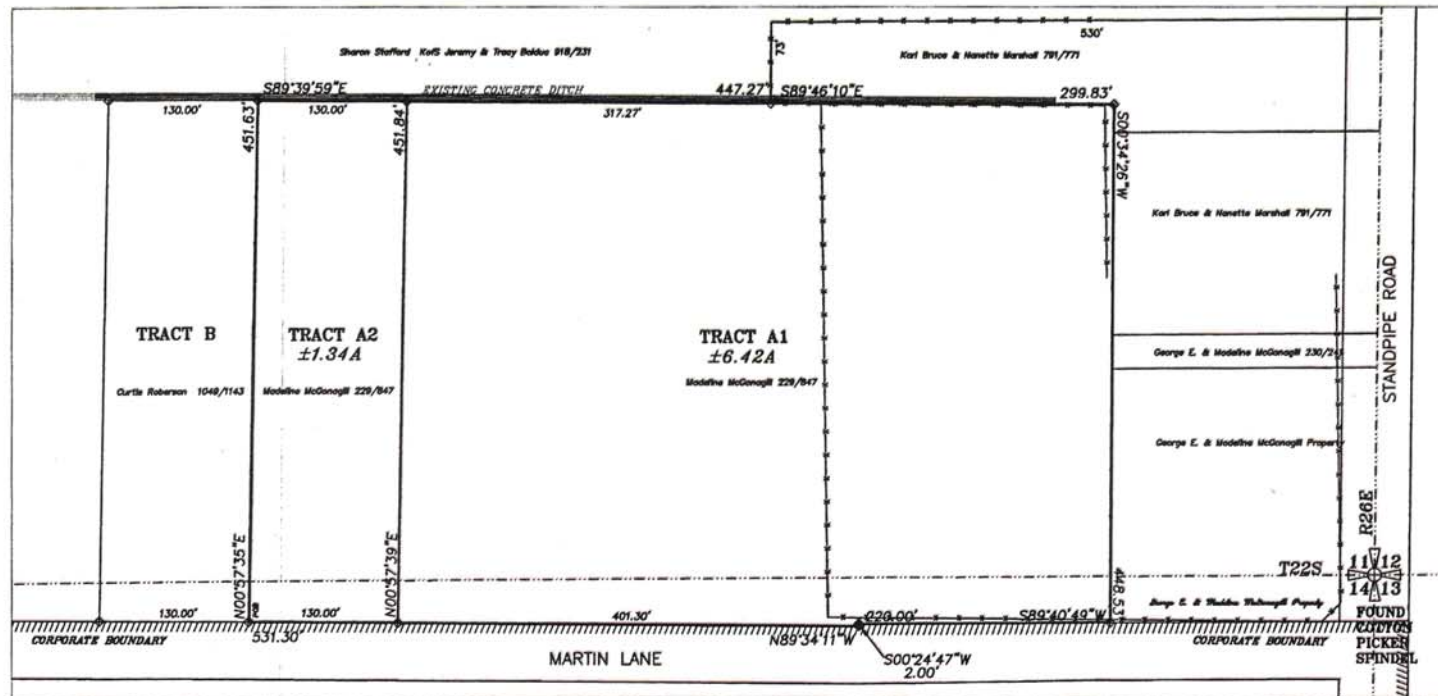
A DIVISION OF TRACT A OF MCGONAGILL LAND DIVISION, RECORDED IN CABINET 8 SLIDE 445-1 OF THE MAPPING RECORDS OF EDDY COUNTY, NEW MEXICO; IN WHICH TRACTS A1 AND A2 ARE BEING CREATED, AND WHOSE PERIMETER IS FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF TRACT B OF MCGONAGILL LAND DIVISION, THEN N00°57'35"E, ALONG THE EAST LINE OF TRACT B, FOR 451.63 FEET; THEN S89°39'59"E FOR 447.27 FEET; THEN S89°46'10"E TO THE NORTHEAST CORNER OF CALLED TRACT A1, FOR 299.83 FEET; THEN S00°34'26"W, ALONG THE EAST LINE OF SAID TRACT A1 TO THE NORTH R.O.W. OF MARTIN LANE, FOR 448.53 FEET; THEN S89°40'49"W, ALONG THE NORTH R.O.W. MARTIN LANE FOR 220.00 FEET; THEN S00°24'47"W FOR 2.00 FEET; THEN N89°34'11"W FOR 531.30 FEET, BACK TO THE POINT OF BEGINNING CONTAINING 7.76 ACRES, ALL TOGETHER, MORE OR LESS.

AND THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD.



LEGEND
 CORNER FOUND AS NOTED
 SET #4 REBAR, CAP 20251
 FENCE LINE
 LAND LINE
 NEW & OLD EASEMENTS
 CORPORATE BOUNDARY



THIS PLAT IS EXEMPT FROM THE STATE SUBDIVISION ACT, AND THE COUNTY SUBDIVISION ORDINANCE, UNDER 47-6-2 M(9) DEFINITIONS (EFFECTIVE 2013); THE DIVISION OF LAND AS A GIFT TO A FAMILY MEMBER; HOWEVER, IT IS LIMITED TO ONE PARCEL PER FAMILY MEMBER.

ENTITLEMENT EXEMPTION FILED ON
 THE 29th DAY OF August, 2017 A.D.
 IN BOOK 1698 PAGE 386 OF THE (ECR).

APPROVED AND ACCEPTED BY THE EDDY COUNTY BOARD OF COMMISSIONERS OR AGENT

THIS 1st DAY OF August, 2017
 BY: *[Signature]*
 COUNTY CLERK



NOTES AND OBSERVATIONS:

- SEWER IS SEPTIC. ELECTRIC IS IN THE STREET SOUTH OF THE PROPERTY.
- THERE ARE NO SIDEWALKS AROUND THE SUBJECT PROPERTY.
- THE ROADS HAVE NO CURB AND GUTTER, AND THERE IS ASPHALT IN THE ROADWAYS.
- THE SUBJECT PROPERTY LIES IN THE CITY LIMITS OF CARLSBAD PLANNING AND PLATTING AREA AND EDDY COUNTY.
- BUILDING SETBACKS ARE AS PER CITY OF CARLSBAD REQUIREMENTS: FRONT- 24 FEET
- LOTS SIZES ARE:
1 TRACT - ±1.34 ACRES 1 TRACT - ±6.42 ACRES
- THE SUBJECT PROPERTY LIES IN FLOOD PLANE "X", WHERE AREAS ARE DETERMINED TO LIE OUTSIDE THE 0.20% CHANCE ANNUAL FLOODPLAIN, ACCORDING TO THE FIRM 3501SC1055 D, WITH AN EFFECTIVE DATE OF JUNE 4, 2010.

[Signature]
 MADELINE MCGONAGILL
 801 W CHERRY LANE
 CARLSBAD, NM 88220

OWNERS STATEMENT AND AFFIDAVIT

STATE OF NM : SS
 COUNTY OF Eddy
 THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE, AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS TRACTS TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF:
 CITY OF CARLSBAD PLANNING & PLATTING AREA & EDDY COUNTY
 SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME
 THIS 2nd DAY OF August, 2017
 BY *[Signature]*
 PRINT OWNER NAME



[Signature]
 Rachel Pyeatt
 NOTARY PUBLIC

APPROVAL BY THE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN INSPECTED APPROVED BY THE PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO ON THIS 28th DAY OF August, 2017

[Signature]
 COMMISSION DESIGNEE

I, MELVIN R. PYEATT, JR., A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I AM RESPONSIBLE FOR THIS SURVEY, AND THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

MELVIN R. PYEATT, JR., 423 W. GREENE ST. SUITE 1, CARLSBAD, N.M., 88220, CERTIFICATE NO. 20251, TELE. 885-6867, FAX 885-6867



STATE OF NEW MEXICO, COUNTY OF EDDY, I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON



Reception: 1709966 Cat: 0006 Slide: 0767 Pages: 1
 Recorded: 08/28/2017 03:55 PM Fee: \$25.00
 Eddy County, New Mexico - Robin Van Natta, County Clerk

R&R SURVEYING LLC	
A LAND SURVEYING COMPANY	
SERVING CARLSBAD AREA FOR 20+ YEARS	
INDEXING INFO. FOR CO. CLERK	
SEC. 11 & 14 T22S R28E N.M.P.M.	
SUBDIVISION: MCGONAGILL LAND DIVISION #2	
OWNER: MADELINE MCGONAGILL	
CITY: CARLSBAD	
COUNTY: EDDY	
STATE: NEW MEXICO	
DATE: JULY 26, 2017	
ACCESS: YES	
AREA: ±7.76 ACRES TOGETHER	
Y:\2017\07 JULY 2017 MCGONAGILL R0072017 MCGONAGILL R0072017.DWG	

22 x 17

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, September 10, 2018, at 5:00 p.m.

**Meeting Held in the Annex Planning Room
114 S. Halagueno**



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, September 10, 2018 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Planning Room

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Meeting held August 6, 2018.
4. Consider a recommendation to Council for a Zone Change request for an approximately 0.40 acre parcel, located at 412 E. Church St., "R-1" Residential 1 District to "C-2" Commercial 2 District.
5. Consider a recommendation to Council for a Zone Change request for an approximately 0.49 acre property, located at 1000 Malaga Ave., "C-2" Commercial 2 District to "R-R" Rural Residential District.
6. Consider recommendation to Council for an Annexation of approximately 1.34 acres located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2.
7. Consider recommendation to Council for an Application of "R-R" Rural Residential District zoning of approximately 1.34 acres located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2.
8. Consider approval of a Variance request to reduce the required side-yard setback from 5' to 2' at 1103 W. Church St., zoned "R-2" Residential 2 District.
9. Consider approval of a Variance request to reduce the required street frontage from 50' to 0' for Tract 4 of Spring Farms Replat 4, zoned "C-2" Commercial 2 District.
10. Consider approval or denial of a Conditional Use Permit for the installation of Congregate Housing to be located north of Derrick Road and east of National Parks Hwy, zoned "R-R" Rural Residential District.
11. Consider approval of an application and recommendation to the City Council regarding the Infrastructure Reimbursement for Copperstone Estates Subdivision.
12. Report regarding Summary Review Subdivisions.
13. Adjourn.

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.

MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S. HALAGUENO STREET, SEPTEMBER 10, 2018, AT 5:00 P.M.

VOTING MEMBERS PRESENT:

**JAMES KNOTT
JAMES MCCORMICK
BRAD NESSER
LASON BARNEY
BRIGIDO GARCIA**

**CHAIRPERSON
COMMISSION SECRETARY
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT: NONE

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
TRYSHA CARRASCO**

**PLANNING DIRECTOR
PLANNING DEPUTY DIRECTOR**

SECRETARY PRESENT:

PATTIE PISTOLE

**PLANNING AND REGULATION
DEPARTMENT SECRETARY**

OTHERS PRESENT:

**JEFF MCLEAN
MARIA KNITTEL
WANDA WELCH
JAMES & TARA OLDS
GARLON & SHERRY ELLIS
GEORGE DUNAGAN
MATT LAVERY
JOSIE ROCHA
ADELE & DICK HEMBREE
UNKNOWN
GREG HAUCH
TRAVIS KELLEY
DEAN & DONNA HAMMER
TESS GADBURY
ERIC BELL
JOY AINSWORTH
JOE BRININSTOOL
TANYA MOORE
OFFICER C. GARCIA**

**1107 N. SHORE DRIVE
1107 N. SHORE DRIVE
1201 N. SHORE DRIVE
807 N. RIVERSIDE DR
1103 W. CHURCH
212 W. STEVENS
EDGEWOOD, NEW MEXICO
CITY
2413 MARTIN LANE
CARLSBAD ENERGY DEVELOPMENT
TARGET LOGISTICS
TARGET LOGISTICS
409 ROSEDALE
1314 DOEPP DRIVE
37 BILLY DRIVE
1701 WATSON COURT
CED**

Time Stamps and headings below correspond to recording of meeting and the recording is hereby made a part of the official record.

0:00:00 Start Recording [5:01:56 PM]

0:00:06 **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. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott**; Absent—**Mr. Barney**. (Mr. Barney arrived later, around 5:10 p.m., during discussion of Item #4.)

0:01:19 **2. Approval of Agenda.**

Mr. Nesser made a motion to approve the Agenda; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes– Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Garcia**; **No–None**; **Abstained–None**; **Absent–Mr. Barney**. The motion carried. (Mr. Barney arrived later, around 5:10 p.m., during discussion of Item #4.)

0:01:39 **3. Approval of Minutes from the Meeting held August 6, 2018.**

Mr. Nesser made a motion to approve the Minutes; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes– Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott**; **No–None**; **Abstained–None**; **Absent– Mr. Barney**. The motion carried. (Mr. Barney arrived later, around 5:10 p.m., during discussion of Item #4.)

0:02:16 **4. Consider a recommendation to Council for a Zone Change request for an approximately 0.40 acre parcel, located at 412 E. Church St., “R-1” Residential 1 District to “C-2” Commercial 2 District.**

Mr. McLean and **Ms. Knittel** were on hand to answer any questions regarding their request. **Mr. Patterson** stated that Staff recommended denial because of what would be allowed there with “C-2” zoning. He recommended “C-1” for the property instead. **Mr. McLean** explained that they tore down the two-story home that had been on the property, because it was not structurally sound and because narcotics had been stashed in the walls. People were breaking in to retrieve the drugs. They have been approached by a resident of Carlsbad, who wants to remain anonymous, to purchase the property once the zoning is changed. The party wants to open a restaurant at the location to service the beach and waterpark area. The sale is contingent on the property becoming commercial. They want to keep the beach area nice and keep people coming to the area. **Ms. Knittel** said she thinks the restaurant would complement the waterpark and events such as Christmas on the Pecos and would be beneficial for the City.

During public comment, **Mr. Olds** expressed that he and his wife were unequivocally against the matter. He said he doesn’t want the added noise and traffic. It is fine as residential, but not as a restaurant. **Ms. Welch** said a lot of thought had gone into keeping the integrity of the area. The City wants to promote the beach area and keep people in Carlsbad. She thinks it will promote the area and will be an asset to the area and to the City. It will provide people a place to grab something to eat. **Mr. and Mrs. Hammer** stated that it would increase trash, traffic, and noise in a residential neighborhood. They also were concerned that since the lot is so small that there would not be enough parking onsite and that people would park in front of the residences in the area.

Motion was made by **Mr. Garcia** to recommend denial of the Zone Change. **Mr. Knott** seconded the motion. The vote was as follows: **Yes– Mr. Garcia, Mr. McCormick, Mr. Knott, Mr. Nesser**; **No–None**; **Abstained–Mr. Barney**; **Absent–None**. The motion carried to recommend denial of the request.

0:34:18 **5. Consider a recommendation to Council for a Zone Change request for an approximately 0.49 acre property, located at 1000 Malaga Ave., “C-2” Commercial 2 District to “R-R” Rural Residential District.**

Ms. Gadbury, from ERA Real Estate, and **Mr. Bell** came forward to present the request. **Mr. Patterson** explained that the change would not result in spot zoning and that Planning Staff recommended approval. **Ms. Gadbury** said that there had been three ½-acre lots, of which two had been sold. At that time it was found that the third lot was zoned commercial, rather than residential. It is a quiet residential street, with no businesses.

There was no public comment. **Mr. Barney** made a motion to recommend approval of the Zone Change; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes— Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney**; No—None; Abstained—None; Absent—None. The motion carried.

0:38:07 **6. Consider recommendation to Council for an Annexation of approximately 1.34 acres located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2.**

Ms. Rocha was on hand to present her request. **Mr. Patterson** said that Planning recommended approval. The applicant's son had bought the land and wants to build a house or put a mobile home there. City water is on the other side of the street, but not where his land is. If it is annexed, he can connect to City water.

During public comment, **Mr. and Mrs. Hembree** had no objections after all their questions were answered.

Mr. Nesser made a motion to recommend approval of the Annexation. **Mr. Barney** seconded the motion. The vote was as follows: **Yes— Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney**; No—None; Abstained—None; Absent—None. The motion carried.

0:48:36 **7. Consider recommendation to Council for an Application of "R-R" Rural Residential District zoning of approximately 1.34 acres located at 2414 Martin Lane, legally described as Tract A2 of the McGonagill Land Division #2.**

Mr. Patterson explained that this item went hand in hand with the previous item. "R-R" zoning ties in with the surrounding area.

Mr. Barney made a motion to recommend approval of designating the annexed property "R-R"; **Mr. Garcia** seconded the motion. The vote was as follows: **Yes— Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney**; No—None; Abstained—None; Absent—None. The motion carried.

0:50:43 **8. Consider approval of a Variance request to reduce the required side-yard setback from 5' to 2' at 1103 W. Church St., zoned "R-2" Residential 2 District.**

Mr. Patterson said that Staff recommended denial of the request because of how near to their neighbors the applicants are. **Mr. and Mrs. Ellis** explained that they wanted to build a garage big enough to be able to open their car doors. Two feet is how close the old one was. There was also confusion as to how much of a variance they were asking for, since the letters they sent out and the sign that they posted listed their request as "zero" setback requested. They said they wanted as much room as they could get. **Mr. Patterson** explained that the vote was for two feet setback and that he listed the request on the ABM as "2' side setback (or as close as possible)." He explained that if they had to appeal the decision to City Council, they could request a zero-foot setback.

There was no public comment. **Mr. Nesser** made a motion to deny the Variance; **Mr. Barney** seconded the motion. The vote was as follows: **Yes— Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney;** **No—Mr. Garcia;** **Abstained—None; Absent—None.** Motion carried to deny the Variance.

Mr. Patterson explained the appeal process to the applicants.

1:14:55 **9. Consider approval of a Variance request to reduce the required street frontage from 50' to 0' for Tract 4 of Spring Farms Replat 4, zoned "C-2" Commercial 2 District.**

Mr. Dunagan came forward to represent the applicant on this matter. **Mr. Patterson** explained that presently Tract 3 and Tract 4 are considered one parcel of property. A portion of Tract 4 is in the Flood Zone. To avoid Tract 3 also being considered in the Flood Zone, the applicant wants to split it off and build a hotel. The new plat showing the split will not be signed unless the Variance is granted. It was mentioned that perhaps a deed restriction could be put on the property that prohibited ever having any vertical construction on Tract 4. **Mr. Patterson** said that Planning recommended approval. **Mr. Dunagan** further noted that on Tract 4 they were planning to put 20 parking spaces, with curb and gutter. If the land is not separated, then they would have to follow flood zone requirements for both tracts.

There was no public comment. **Mr. Nesser** made a motion to approve the Variance. **Mr. Garcia** then seconded the motion. The vote was as follows: **Yes— Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney;** **No—None; Abstained—None; Absent—None.** Motion carried.

1:21:15 **10. Consider approval or denial of a Conditional Use Permit for the installation of Congregate Housing to be located north of Derrick Road and east of National Parks Hwy, zoned "R-R" Rural Residential District.**

Mr. Hauch and **Mr. Kelley** (both from Target Lodging) came forward to answer any questions about the request. **Mr. Patterson** told the commissioners that the property is at the north end of Production Lane. Planning Staff recommended approval, if the applicant can get adequate services. He thinks it is an appropriate place for this type of development. **Mr. Hauch** explained that it would be a workforce facility with 500 rooms. **Mr. Kelley** added that they are a turn-key workforce provider all over the United States. He feels that it is a good combo for the community and will fill a gap. **Ms. Moore** came forward to interject that they had spoken with the City and with Xcel and that there would be no trouble tying in to the services. **Mr. Patterson** added that where the private line connects at Airport may be an issue. Six inches is the minimum, and they will need fire suppression. They need to talk to the City to verify that pressure and flow will be adequate. They would be connecting to private lines, not to City lines.

During public comment, **Mr. Lavery** said he would support it, if subdivision rules were followed, because the City needs infrastructure on that side of town. **Mr. Patterson** reminded him that subdivision rules only kick in when you are splitting (subdividing) property. This applicant is not proposing that. **Ms. Moore** expressed that Target Logistics does this all over the country and that the one they manage here (Iron Horse) is the cleanest, neatest facility around town.

Mr. McCormick made a motion to recommend approval of the Conditional Use, which was seconded by **Mr. Nesser**. The vote was as follows: **Yes— Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney;** **No—None; Abstained—None; Absent—None.** Motion carried to recommend approval.

1:53:00 **11. Consider approval of an application and recommendation to the City Council regarding the Infrastructure Reimbursement for Copperstone Estates Subdivision.**

Mr. Patterson introduced the item and explained that this Infrastructure Reimbursement application would be the last application brought forward using this program unless the City decided to fund this program again. The applicant would have been eligible for a full 15% reimbursement of \$163,415.67. However, there is only \$95,000.00 left in the budget line item for this program. This application was the first in line among a number of others that had been submitted over the last 18 months, and a payout of \$95,000.00 to this applicant would finish out the budget in this line item. **Mr. Knott** asked if the City would consider re-funding this program in the future as an incentive to developers. **Mr. Patterson** stated that he was unsure if the program would receive funding in the future, that for the time being, the program would not receive funding.

There was no public comment. **Mr. Nesser** motioned to recommend approval of the Reimbursement. **Mr. Barney** seconded. The vote was as follows: **Yes– Mr. Garcia, Mr. Nesser, Mr. McCormick, Mr. Knott, Mr. Barney**; No–None; Abstained–None; Absent–None. Motion carried to recommend approval.

2:12:52 **12. Report regarding Summary Review Subdivisions.**

There was discussion of the various plats signed by the designees.

2:20:43 **13. Adjourn.**

There being no other business, the meeting was adjourned.

2:20:44 Stop Recording [7:14:48 PM]


Chairman

10-3-18
Date



CITY OF CARLSBAD

*Planning, Engineering,
and Regulation Department*

114 S. Halagueno (PO Box 1569)
Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

APPLICATION FOR ANNEXATION

(SEE 3-7-17 NMSA, 1978, FOR PETITION REQUIREMENTS)

PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Special Property Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.
2. With the exception of Summary Reviews, **Applicant must submit a completed Application to the Planning, Engineering, and Regulation Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** (As per Section 3-20-8 NMSA 1978 and Chapter 47 Code of Ordinances, Summary Reviews may be submitted at any time.) The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. If desired, a letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.

The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and fifteen (15) copies need to be provided. (For Summary Review—an original and three (3) copies are required.)** Separate arrangements for copying these large documents may be possible, but will incur additional costs.

3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of four months from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.

PETITION FOR ANNEXATION

(SEE 3-7-17 NMSA, 1978, FOR PETITION REQUIREMENTS)

Application Date: 7-3-18

Fee Paid: \$50.00 VPVP

I/We, the undersigned owners of the following described real estate, do by our signature, hereby present the City of Carlsbad with this petition for Annexation under Article 7, Section 3-17 et. seq. NMSA 1978, which regulates the annexation of land. As the property owner(s), I/we understand that all required information must be provided in accordance with these regulations. In addition, I/we understand that the construction or upgrade of public infrastructure may be required as a condition of approval. In this case, a Development Agreement or an Assessment District may be required by the City. As the applicant, I/we may be required to provide a financial guarantee for the construction of said improvements. The financial guarantee and timeline for completion are subject to approval by the City.

<u>Jesus O. Rocha</u>		<u>1.35</u>
NAME OF PROPERTY OWNER		ACREAGE
<u>2414 Martin Ln.</u>		
ADDRESS		
<u>Carlsbad</u>	<u>NM</u>	<u>88220</u>
CITY	STATE	ZIP
<u>(575) 725-0843</u>	<u>Superrocha</u>	<u>23</u>
PHONE	EMAIL	
<u>Jesus Rocha</u>	<u>7-3-18</u>	
SIGNATURE	DATE	

NAME OF PROPERTY OWNER		ACREAGE
ADDRESS		
CITY	STATE	ZIP
PHONE	EMAIL	
SIGNATURE	DATE	

Legal description of property being annexed (attach copy of Annexation Plat):

MCB0 Nagill # Tract A2 Quarter SES:
11T: 22S R: 26E

Total acreage: _____

Current Zoning: County

Proposed Zoning: R-R (Please attach a completed Zoning Change application, a separate fee may be required)

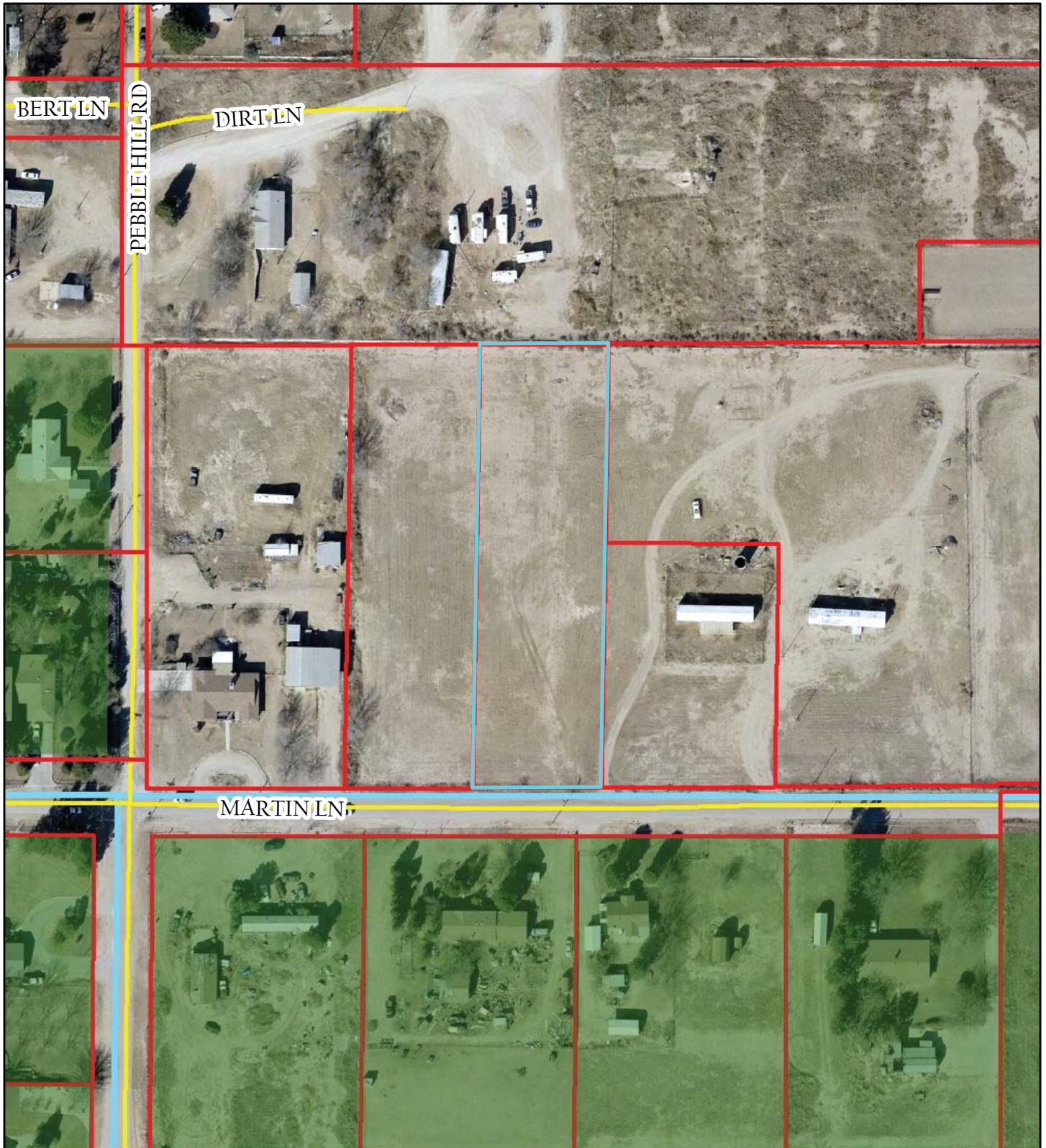
1:1,680

1 inch = 140 feet

Annexation
Tract A2 - McGonagill Land Division

Map # 1604_ed02

Date: 9/6/2018



Zone



Parcel



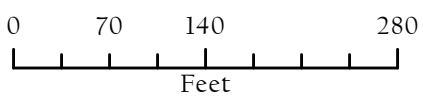
R-R



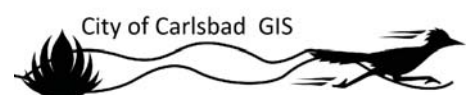
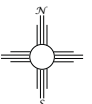
Roads



Water Lines



IMPORTANT: Maps, products and data are NOT surveyor quality and are only to be used as a reference.



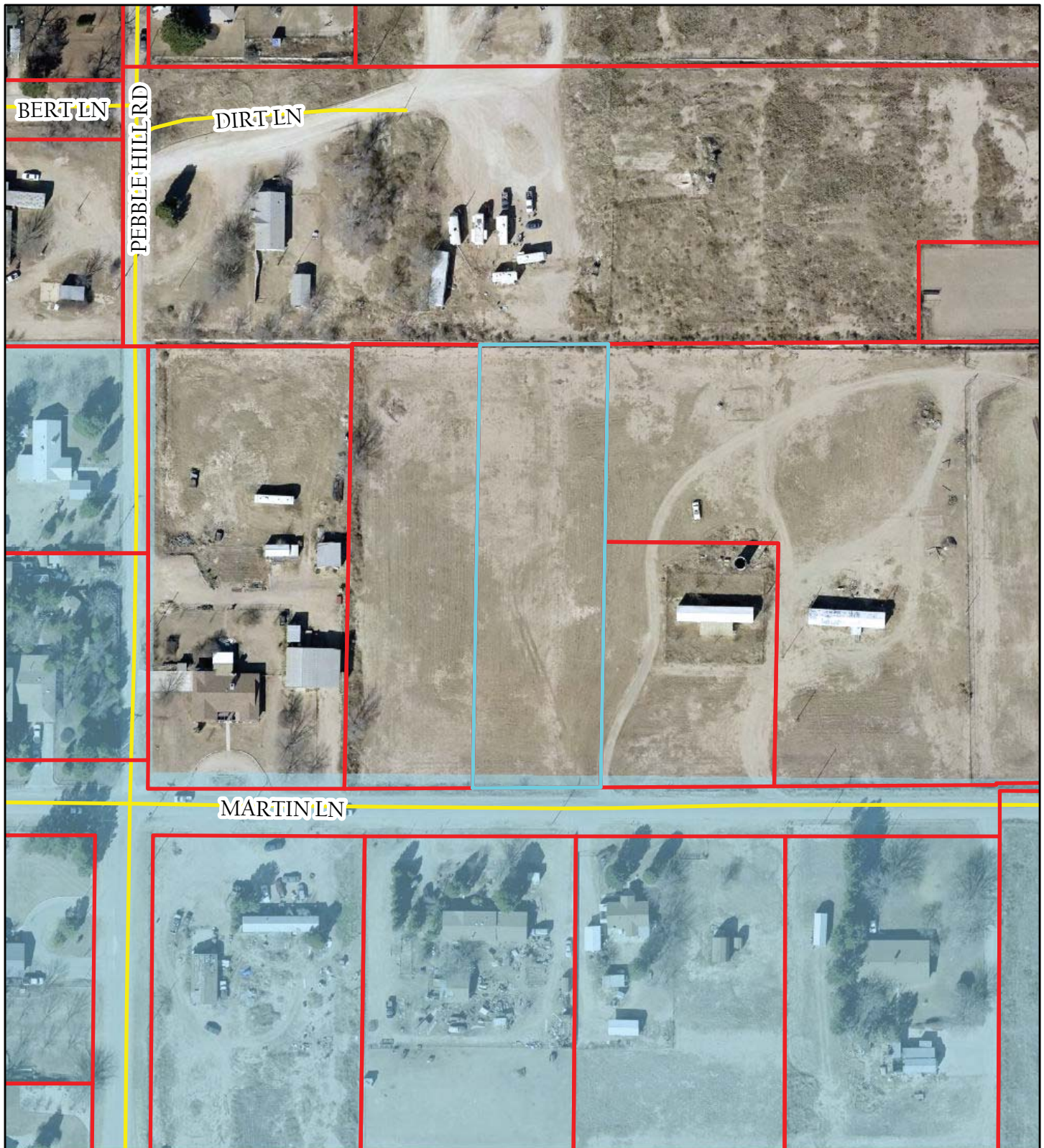
1:1,680

1 inch = 140 feet

Annexation
Tract A2 - McGonagill Land Division

Map # 1604_ed01

Date: 9/6/2018



 Parcel

 Roads

 City Boundary

0 70 140 280
Feet

IMPORTANT: Maps, products and
data are NOT surveyor quality and
are only to be used as a reference.

