AGENDA

Carlsbad Planning & Zoning Commission Regular Meeting
Janell Whitlock Municipal Complex Council Chambers
114 S. Halagueno Street
Carlsbad, New Mexico
February 2, 2026 at 5:00 PM

Agenda

1. Roll Call and Determination of Quorum

2. Approval of Meeting Minutes — January 5, 2026

3. Consider approval of a Variance from Ord. 56-90(b) to allow a zero-foot (0') rear setback instead of the required ten-foot (10') rear setback & zero-foot (0') side setback instead of the required ten-foot (10') street side setback for the property located at 702 Elma Dr., zoned "R-1" Residential 1 District

4. Consider approval of a Conditional Use Permit to allow a Multi-Family complex at the property located at 208 North Sixth Street, a property zoned "C-2" Commercial 2 District

5. Consider a recommendation to City Council regarding a request to change the zoning to approximately 1.23 acres located at 208 N. Sixth St, legally described as Beginning at SW corner of NW/4 said Section 1; North 370 feet to the point of beginning; North 176.60 feet, THENCE East 302.57 feet, THENCE South 178 feet; THENCE West 302.57 feet to the Point of beginning, also known as Tract 43 in NW/4 Section 1, Township 22 South, Range 26 East, EXCEPTING the North 78.44 feet thereof, from "C-2" Commercial 2 District to "R-2" Residential 2 District

6. Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.67 acres located at 328 Farris St., legally described as Tract 17, in the SW/4 of Section 20, Township 22S, Range 27E, from "R-1" Residential 1 District to "C-1" Commercial 1 District

7. Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.43 acres located at 606 & 608 W. Pierce St., legally described as Lots 12 & 14, Block 181 Westfall Subdivision, from "R-2" Residential 2 District to "C-2" Commercial 2 District

8. Consider a recommendation to City Council regarding a request to change the zoning to approximately 4.97 acres located at 1604 E. Greene St, legally described as Tract 5, Industrial Park Second Amendment Subdivision, from "I" Industrial District to "C-2"

Commercial 2 District

9. Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.30 acres located north of 2813 San Jose Blvd., legally described as Lots 25 & 27, Block 31, New San Jose First Addition Subdivision, from “R-1” Residential 1 District to “C-1” Commercial 1 District

10. Consider a recommendation to City Council regarding a request to change the zoning to approximately 2.09 acres located west of 1500 Blodgett St., legally described as Lot 6, Lamont Addition Unit 2, Replat NO. 1 Subdivision, from “R-2” Residential 2 District to “C-1” Commercial 1 District

11. Consider a recommendation to City Council regarding a request to change the zoning to approximately 1.435 acres located at 2814 San Jose Blvd., legally described as Lot 15A, Southridge Subdivision Replat of Lots 15, 16, 17 & 18, Block 6, from “R-1” Residential 1 District to “C-1” Commercial 1 District

12. Consider approval of the Branson Industrial Subdivision, Lot 1, Phase 1 final plat, creating 1 new lot located along the south side of Derrick Rd., zoned “I” Industrial District

13. Report of Summary Review Subdivisions

FOR INFORMATION ONLY

Agendas and City Council minutes are available on the City website: cityofcarlsbadnm.com and may be viewed in the Office of the City Clerk during regular business hours.

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

• Regular Meeting — March 2, 2026

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

LINKED MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CARLSBAD, NEW MEXICO, HELD IN THE JANELL WHITLOCK MUNICIPAL COMPLEX BUILDING ON JANUARY 5, 2026, AT 5:00 P.M.

Present:	James McCormick	Chairperson
	Trent Cornum	Commissioner
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
Absent:		
Also Present:	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Ken Ahrens	Deputy City Manager
	Jalynn Dominguez	Open Meetings Act Manager
	Stephan Brown	Compliance Clerk
	Miguel Martinez	Associate Planner
	Marie Blea	Representative for Jimmy Fuson
	Joy Ainsworth	Representative for Jimmy Fuson
	Gerald Cruley	3042 Carver Street
	Lonnie Wilhile	Smith Engineering
	Scott Hicks	Smith Engineering

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 **Call Meeting to Order**

0:00:40 **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called, determining the presence of a quorum.

0:01:00 **2. APPROVAL OF MEETING MINUTES - DECEMBER 1, 2025**

0:01:12 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve meeting minutes from December 1, 2025.

0:01:16 **VOTE**

The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:01:28 **3. REMOVE FROM TABLE A CONSIDERATION OF APPROVAL OF THE FUSON TRACTS SUBDIVISION PLAT, CREATING 3 NEW LOTS ALONG HIDALGO ROAD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**

0:01:42 **MOTION**
The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to Remove from Table a Consideration of approval of the Fuson Tracts Subdivision plat,creating 3 new lots along Hidalgo Road, zoned "R-R" Rural Residential District

0:01:49 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:02:03 **4. CONSIDER APPROVAL OF THE FUSON TRACTS SUBDIVISION PLAT, CREATING 3 NEW LOTS ALONG HIDALGO ROAD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**
Mr. Patterson stated that this item is a request for approval of a preliminary plat for the Fuson Tracts, located at 3506 Hidalgo Road, which proposes the creation of three new tracts. He explained that the request meets the City's minimum acreage and street frontage requirements. He noted that the applicant has not yet submitted construction or infrastructure design plans for the development. **Mr. Patterson** stated that Planning staff recommends approval of the preliminary plat subject to the following conditions the measurements on the plat must be corrected, as the lot sizes and line distances do not match the descriptions provided; the notes and observations on the plat must be revised, as the building setbacks are incorrect; clarification is required regarding the statement indicating that the City will supply water to the development; and the misspelling of "Hidalgo" on the plat must be corrected.

Chairman McCormick asked Marie Blea to provide additional information regarding the intended use of the property and whether she was aware of the conditions outlined by staff. **Ms. Blea** stated that she was not aware of the conditions but explained that the surveyor is responsible for the plat and that the corrections will be made. She noted that two of the lots have already been sold and that the remaining property will be developed at a later date.

0:06:02 **Chairman McCormick asked if anyone would like to speak regarding the item. No one appeared, and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:06:37 **MOTION**
The motion was made by Commissioner Cornum and seconded by Commissioner Branson to approve the Fuson Tracts Subdivision plat, creating 3 new lots along Hidalgo Road, zoned "R-R" Rural Residential District

0:06:43 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:06:58 **5. CONSIDER RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.35 ACRES LOCATED AT 3040 & 3042 CARVER ST, LEGALLY DESCRIBED AS TRACT 72B & TRACT 72C, TRACT 72 SUBDIVISION, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R1" RESIDENTIAL 1 DISTRICT**

Mr. Patterson stated that this item is a request to rezone the properties located at 3040 and 3042 Carver Street from the "C-2" Commercial 2 District to the "R-1" Residential 1 District. He explained that the properties to the east and south are zoned "C-2" Commercial 2 District, while the properties to the west and north are zoned "R-1" Residential 1 District and "C-2" Commercial 2 District. He noted that the proposed rezoning would not constitute spot zoning and that Planning staff recommends approval of the request.

Chairman McCormick asked Gerald Cruley about the intended use of the property. **Mr. Cruley** stated that he plans to either construct a single-family residence or place a mobile home on the property.

Mr. Patterson stated that the Utilities Department recommends installing an easement to the south and further recommends the installation of a pump or lift station, as there is no sewer line currently available adjacent to the property. **Mr. Cruley** asked what alternatives would be available if he is unable to obtain approval from the neighboring property owner for the easement. **Mr. Patterson** responded that he could arrange a meeting with the Utilities Director to discuss other available options in that area.

Chairman McCormick asked Mr. Cruley to indicate where the proposed easement would be located. **Mr. Cruley** explained that there is an existing sewer line on Rose Street, with neighboring properties on both sides. He stated that one option would require crossing a neighbor's yard, while the other would require crossing concrete and a driveway. **Mr. Patterson** noted that Mr. Cruley would need permission from the property owner to the south, located at the corner of Carver Street and Rose Street.

Chairman McCormick clarified that the request before the Commission is strictly a zoning change and that the sewer condition would exist regardless of whether the zoning remains the same or is changed. He stated, for the record, that Mr. Cruley is fully aware of the utility issue. **Mr. Patterson** confirmed that this is not a condition of approval but information provided by the Utilities Department to inform the applicant.

0:14:50 **Chairman McCormick asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:15:17 **MOTION**
The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a recommendation to City Council regarding a request to change the zoning to approximately 0.35 acres located at 3040 & 3042 Carver St, legally described as Tract 72B & Tract 72C, Tract 72 Subdivision, from "C-2" Commercial 2 District to "R-1" Residential 1 District

0:15:22 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:16:24 **6. CONSIDER APPROVAL OF THE AVALON VILLAGE DEVELOPMENT PRELIMINARY PLAT, CREATING 98 NEW LOTS LOCATED IN THE CARLSTON RANCH DEVELOPMENT, ZONED "PUD" PLANNING UNIT DEVELOPMENT DISTRICT**
Mr. Patterson stated that this item is a housing initiative intended to provide new housing units marketed as workforce or attainable housing. He explained that the City is currently in negotiations with the Carlston Ranch Development team for the donation of two tracts within the Carlston Ranch master-planned community, which will serve as the project site. **Mr. Patterson** stated that the City will serve as the developer of the proposed housing project, to be known as Avalon Village. He said the Avalon Village project will create 98 new residential lots. He explained that the two tracts total approximately 20.51 acres and are located just east of the intersection of Aviation Way and National Parks Highway. He further stated that a request was submitted to the Planning Director to change the land use designation of the two tracts from Light Industrial to Single-Family Residential, and that this request has been approved. **Mr. Patterson** said that upon approval of the donation agreement, the City will use the Avalon Village preliminary plan to prepare construction plans for the installation of the required infrastructure for the development. He said that the City will act as the developer for the project and will be responsible for hiring a contractor to construct the infrastructure, and that the project will be built in two phases. He mentioned that phase one will create 56 residential lots and include the construction of three new streets.

Chairman McCormick asked whether the property would be conveyed to the City for development as part of the larger Carlston Ranch subdivision plan. **Mr. Patterson** confirmed that the property will be donated in full to the City and that the City will own the property once the donation is complete.

Commissioner Cornum asked what the City's role will be after the infrastructure and utilities are installed. **Mr. Patterson** stated that a third party will take over once the infrastructure is completed, and private contractors will construct and sell the homes.

Chairman McCormick asked Mr. Patterson to verify that the property will remain with the City and will not revert to Carlston Ranch Developers after development. **Mr.**

Patterson confirmed that the City will not fund the infrastructure only to return the property to the developer. **Chairman McCormick** also noted that once the infrastructure is installed, the surrounding Carlston Ranch subdivision will benefit from the improvements. **Mr. Patterson** agreed and stated that adjacent properties will benefit as infrastructure is extended.

0:21:27 **Chairman McCormick asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:21:54 **MOTION**
The motion was made by Commissioner Branson and seconded by Commissioner Wilson to approve of the Avalon Village Development preliminary plat, creating 98 new lots located in the Carlston Ranch Development, zoned "PUD" Planning Unit Development District

0:21:58 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:22:12 **7. CONSIDER APPROVAL OF THE C-HILL SUBDIVISION UNIT 1 PRELIMINARY PLAT, CREATING 10 NEW LOTS LOCATED NORTH OF CHURCH ST., WEST OF MIEHLS DR., ZONED "R-R" RURAL RESIDENTIAL DISTRICT**
The applicant was not present for this agenda item.

Chairman McCormick stated the applicant needs to be present for the discussion.

0:23:27 **MOTION**
The motion was made by Chairman McCormick and seconded by Commissioner Branson to table the approval of the C-Hill Subdivision Unit 1 preliminary plat, creating 10 new lots located north of Church St., west of Miehls Dr., zoned "R-R" Rural Residential District

0:23:34 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:23:55 **8. CONSIDER APPROVAL OF THE CARLSBAD MUNICIPAL SCHOOLS TEACHERAGE DEVELOPMENT PRELIMINARY PLAT, CREATING 35 NEW LOTS LOCATED ON SANDY RIDGE DR., ZONED "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated that this item is a request for approval of a preliminary plat for the Carlsbad Municipal Schools Teachers Development Program, which proposes the creation of 35 new residential lots. He stated that the applicant has submitted construction and infrastructure design plans, which are currently under review by City staff. **Mr. Patterson** noted that City water and sewer services are available and can be extended to serve the development. He further stated that the east portion of the subdivision is located within an AH Flood Zone and that the design professional is aware of this condition and has designed the project accordingly. **Mr. Patterson** stated that Planning staff recommends approval of the preliminary plat subject to the following conditions: the developer and engineer shall complete and submit final construction plans for review and approval by City staff; the developer shall provide water and sewer modeling demonstrating anticipated usage and load capacities upon connection to City services; the developer and engineer shall continue to coordinate with City staff regarding the design and installation of infrastructure; and the City's Infrastructure Inspector shall monitor the installation of all approved infrastructure. He also noted that the Utilities Department requests that the utility easement be dedicated once the utilities are installed, and that the Planning Department recommends the street be designated as one-way traffic.

Chairman McCormick asked Scott Hicks if he understood the conditions of approval. **Mr. Hicks**, representative of Smith Engineering, stated that he did understand. He explained that the request was previously approved in 2020, but the project did not meet the required timeline, which triggered the statute of limitations and required the applicant to return to the Planning and Zoning Commission. **Mr. Hicks** stated that the property owner would prefer not to have a one-way street and would like to utilize 6th Street for access to the teachers' development.

0:31:53 **Chairman McCormick asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:32:11 **MOTION**
The motion was made by Commissioner Wilson and seconded by Commissioner Branson to approve of the Carlsbad Municipal Schools Teacherage Development preliminary plat, creating 35 new lots located on Sandy Ridge Dr., zoned "R-2" Residential 2 District

0:32:17 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:32:32 **9. CONSIDER APPROVAL OF THE CITY OF CARLSBAD KIRCHER STREET LAND DIVISION SUBDIVISION PLAT, CREATING 2 NEW**

LOTS LOCATED ON THE SOUTHEAST CORNER OF KIRCHER ST. & BOYD DR., ZONED "R-R" RURAL RESIDENTIAL DISTRICT

Mr. Patterson stated that this item is a proposal to create two new tracts at the southeast corner of Kircher Street and Boyd Drive. He explained that this would typically qualify as a summary subdivision, as one tract is being divided into two. He said the summary subdivision process has resulted in the creation of Tract A-1 and Tract A-2 on this property. **Mr. Patterson** further stated that a Request for Proposals (RFP) has been issued to select a developer to construct affordable housing apartments at this location. He noted that the property is currently undergoing the rezoning process.

0:35:07 **Chairman McCormick asked if anyone would like to speak regarding the item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:35:27 **MOTION**
The motion was made by Commissioner Branson and seconded by Commissioner Cornum to approve of the City of Carlsbad Kircher Street Land Division Subdivision plat, creating 2 new lots located on the southeast corner of Kircher St. & Boyd Dr., zoned "R-R" Rural Residential District

0:35:32 **VOTE**
The vote was as follows: Yes - McCormick, Cornum, Wilson, Branson; No - None; Absent - None; the motion carried.

0:35:52 **10. REPORT OF SUMMARY REVIEW SUBDIVISIONS**
There were no questions regarding the summary review subdivision.

0:36:30 **Adjourned**
With no further business to discuss, Chairman McCormick declared the meeting adjourned at 5:38 PM.

_____ _____

James McCormick, Chairperson Date

CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider approval of a Variance from Ord. 56-90(b) to allow a zero-foot (0') rear setback instead of the required ten-foot (10') rear setback & zero-foot (0') side setback instead of the required ten-foot (10') street side setback for the property located at 702 Elma Dr., zoned "R-1" Residential 1 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Variance from Ord. 56-90(b) to allow a zero-foot (0') rear setback instead of the required ten-foot (10') rear setback & zero-foot (0') side setback instead of the required ten-foot (10') street side setback for the property located at 702 Elma Dr., zoned "R-1" Residential 1 District, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
Donald W. Cantrell
702 Elma Dr
Carlsbad, NM 88220

SYNOPSIS/HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
The applicant has submitted a request to allow a 25'x35' garage to have a zero-lot line on the north rear yard setback instead of the required ten-foot (10') rear yard setback and the east street side yard setback instead of the required ten-foot (10') street side yard setback, not to encroach or expand beyond the property line.

A. Where a lot abuts two or more streets along two or more non-adjoining sides of the lot, the required street setback shall be provided on all streets. No accessory building shall project beyond the street-side setbacks. Where a lot abuts two streets along two adjoining sides of the lot, there shall be a street setback on one street and a side setback on the other, with the side setback having a depth of not less than ten feet; provided, however, where the rear lot line of the corner lot is also a side lot line of an abutting lot, then there shall be a street setback on each street side of the corner lot. No accessory building shall project beyond the street setback on either street.

The Planning and Zoning Commission shall only approve a variance if it makes the following findings:

(a) The stated hardship is one that is unique to the applicant rather than one suffered by the neighbors or the general public, and
(b) The hardship relates to the applicant's land, rather than personal circumstances, and
(c) The hardship is not the result of the applicant's own actions, and
(d) The granting of the variance is consistent with the City's Comprehensive Plan or other City master plan, and
(e) The granting of the variance is in harmony with the purpose and intent of the Zoning Ordinance, and
(f) The variance granted is the minimum necessary to make possible the reasonable use of the land or structure, and
(g) The granting of the variance will not be injurious to adjacent property or the neighborhood or detrimental to the public health, safety or general welfare, and
(h) The variance will neither result in the extension or expansion of a non-conforming structure or use in violation of Article VII nor authorize the initiation of a non-conforming use of land.
The applicant did not meet all of the listed criteria.

IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
The minimum setbacks are for fire safety between structures.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:

Chapter 4: Housing & Neighborhoods

Objectives:

- *To preserve the character, identity, and integrity of established neighborhoods.*
- *To encourage the on-going maintenance of rental and owner-occupied properties.*

DEPARTMENT RECOMMENDATION:
PLANNING STAFF RECOMMENDATION: Upon review of the application materials and City staff comments, the Planning Dept. recommends denial.

Department Comments:
Utilities Department: Recommend denial
Building Department: Recommend approval – Must use non-combustible materials and be at least 5 feet from existing structure.
Fire Department: Recommend denial
Legal Department: Recommend denial
Police Department: Recommend denial
Project Department: Recommend denial
Planning Department: Recommend denial
Code Enforcement: No comment

BOARD/COMMISSION/COMMITTEE ACTION:
-

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Variance - 702 Elma Dr - Application



CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

BOARD OF APPEALS APPLICATION

(VARIANCE FROM SUBDIVISION OR ZONING ORDINANCE)
Sec. 47-7 or Sec. 56-150(c)

Application Date: _____ **Fee Paid ($50.00):** 50.00

APPLICANT INFORMATION:

NAME	ADDRESS	CITY	STATE	ZIP	PHONE	EMAIL
Donald W. Cantrell	702 Elma Drive	Carlsbad	NM	88220	575-885-9938	dcantrell1@windstream.net

PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT):

NAME	ADDRESS	CITY	STATE	ZIP	PHONE	EMAIL
Donald W. Cantrell	702 Elma Drive	Carlsbad	NM	88220	575-885-9938	dcantrell1@windstream.net

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH VARIANCE IS REQUESTED): 702 Elma Drive

TYPE OF REQUEST (CHECK ONE):

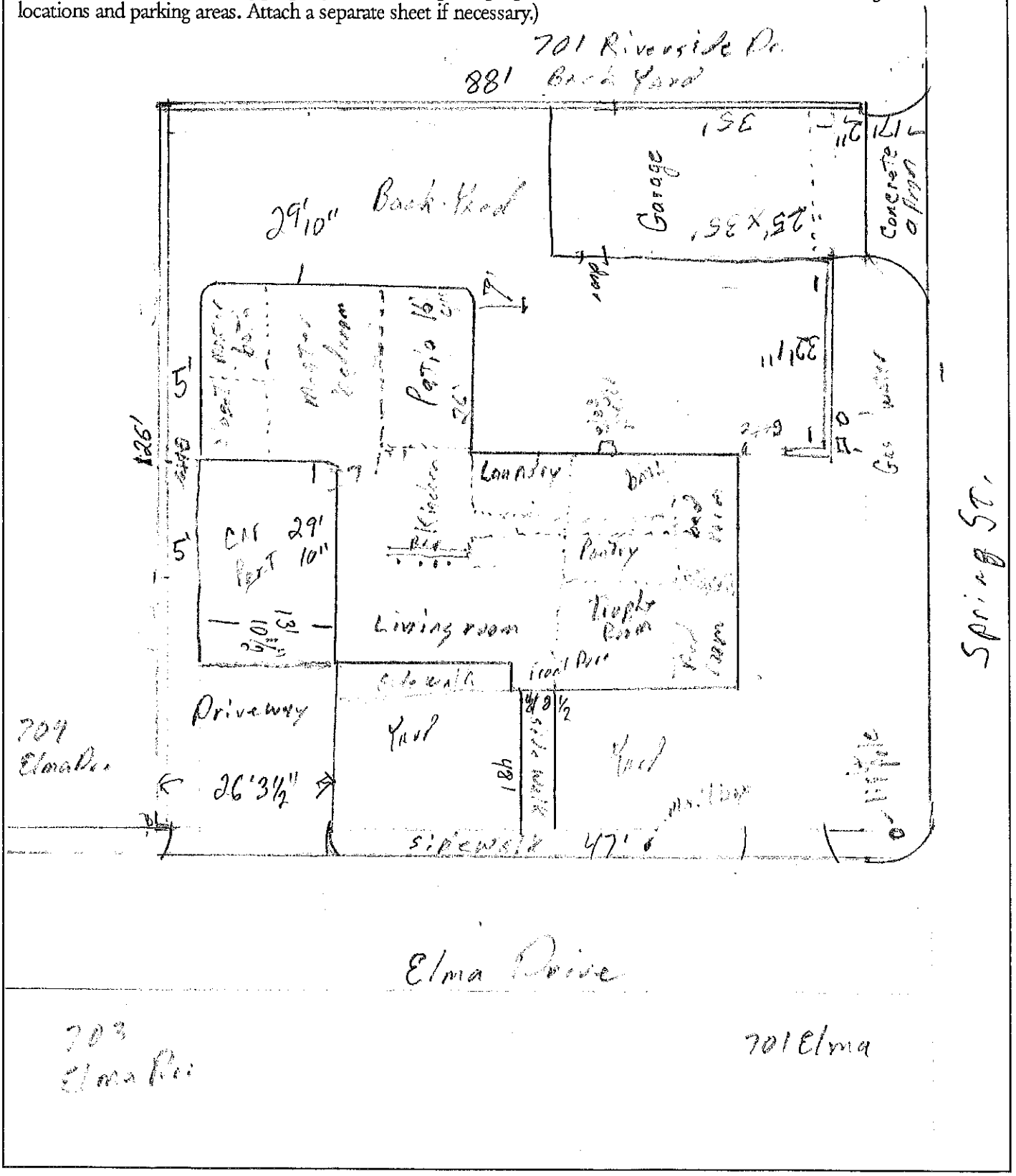
_____ VARIANCE FROM THE **SUBDIVISION REGULATIONS** (CHAPTER 47 - CODE OF ORDINANCES) AS PROVIDED FOR IN SECTION 47-7, VARIANCES.

SPECIFY REGULATION AND/OR SUBSECTION: _____

✓ VARIANCE FROM THE **ZONING ORDINANCE** (CHAPTER 56 - CODE OF ORDINANCES) AS PROVIDED FOR IN SECTION 56-150(c).

SPECIFY REGULATION AND/OR SUBSECTION: _____

JUSTIFICATION FOR REQUEST AND SITE PLAN: (Describe the topographical uniqueness of the property or extreme practical difficulties or undue hardship that would result from the strict application of the requirement(s) contained in the ordinance section from which the variance is requested. Include a site plan drawn to scale or with accurate dimensions showing property lines, existing and proposed fences and/or walls, setbacks, building and structure locations and parking areas. Attach a separate sheet if necessary.)



Zoning Ordinance
Criteria for Appeals - Sec. 56-150(c)(4):

The purpose of the appeal procedure is to determine if the decision being appealed meets the requirements of this Zoning Ordinance. The City Council or the Planning and Zoning Commission, when hearing an appeal, is limited to the following determinations:

(a) The decision-maker made an error in reviewing whether a standard was met, by a misreading of the facts, plans, regulations or an error in judgment.

(b) Where conflicting evidence exists, the appeal is limited to determining what evidence or testimony bears the greatest credibility.

(c) The decision-maker made the decision on standards not contained in this or other City ordinances, regulations or state law; or a standard was applied more strictly or broadly than is appropriate to implement the City's Comprehensive Plan and this Zoning Ordinance.

Subdivision Regulations
Criteria for Appeals – Sec. 47-7

Whenever, in the opinion of the board of appeals, the strict application of the requirements contained in this chapter would result in extreme practical difficulties or undue misuse of property, the board may modify such requirements as are necessary so that the subdivider is allowed to develop his/her property in a reasonable manner providing that the public interests of the community and its citizens are protected and the general intent and spirit of these regulations are preserved. **The board shall grant such a variance or modification only upon determination that:**

1. The variance will not be detrimental to the public health, safety and general welfare of the community;
2. The variance will not adversely affect the reasonable development of adjacent property;
3. The variance is justified because of topographic or other special conditions unique to the property involved in contradistinction to mere inconvenience or financial disadvantage;
4. The variance is consistent with the objectives of this chapter and will not have the effect of nullifying the intent or purpose of this chapter or the comprehensive plan;
5. The variance has been shown to be in the best interest of the general public and not only of interest to the developer, land owner or other interested party;
6 The hardship must not be pecuniary and must be a direct result of the land location, topography or other characteristic;
7 Where a variance is requested from the required provision of sidewalks, and ADA compliant, alternative route to the nearest bus stop or school is required. If an alternative route cannot be provided, a variance shall not be approved.

FOR OFFICIAL USE ONLY

Required prior to P & Z:
Complete Application Including: ☐ Site Plan ☐ Fee ☐ Notification ☐ Letter of Explanation
☐Sign Posting Agreement ☐Sign Posted
☐ ABM ☐ Staff Comments ☐ Application Packet

P & Z Action: ☐ Approved ☐ Denied ☐ Other Date: _____

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☐ZONING CHANGE ☐CONDITIONAL USE ☒VARIANCE ☐TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 702 Elma Drive (STREET ADDRESS)

LEGAL DESSCRPTION: Subd: SCARBOROUGH Lot: 6 Block 203 Parcel 5: 2c: 11125 SF 89'x125' (SUBDIVISION / BLOCK / LOT OR TRACT)

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: Donald W Cantrell (NAME) 575-885-9938 (PHONE)

702 Elma Drive Carlsbad, NM 88220 (ADDRESS)

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: Donald W Cantrell
SIGNATURE

BY: DONALD W. CANTRELL
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this 15 **day of** December,

20 25 **by** Donald W. Cantrell.

Notary Public Sherri Page

My commission expires: April 29, 2028

SHERRI PAGE
Notary Public
State of New Mexico
Comm. # 1036653
My Comm. Exp. Apr 29, 2028

NOTIFICATION SIGN
POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Donald W Cantlay

APPLICANT SIGNATURE

12-15-25

DATE

Sign issued by: _____

Staff Member

Rev. 10/11

Date: 12-15-25

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Donald W. Cantrell (Name) 702 Elma Drive (Address) 575-499-4403 (Phone)

Subject Site Location: Subd: SCARBOROUGH Lot: 6 Block 203

The proposed action is a:

☐ Zoning Change from _____ to _____ in accordance with Sec. 56-150(b).

☒ Variance/Appeal from Sec. Property line in accordance with Sec. 56-150(c). 56-90(b) 2ft sideyard setback

The purpose of the variance/appeal is:

For a Garage to protect my vehicles from damage from weather and so they aren't in the street for vandals

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

- ☒ Home Occupation: Yard Superintendent
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:

Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

BOARD OF APPEALS APPLICATION

(VARIANCE FROM SUBDIVISION OR ZONING ORDINANCE)
Sec. 47-7 or Sec. 56-150(c)

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, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **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**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. 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 eight (8) copies need to be provided.** 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 90-days 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.

5. The Planning and Zoning Commission will vote to approve or deny the request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have. Appeals of Planning and Zoning Commission decisions will be heard by the City Council pursuant to Sec. 56-150(c).

6. The applicant shall mail notice of the Planning and Zoning Commission hearing, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing.

9589 0710 5270 1422 2049 24

CERTIFIED MAIL® RECEIPT

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Frank Romero
Street and Apt. No., or PO Box No.: 609 W. Riverside Dr.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1422 2050 01

CERTIFIED MAIL® RECEIPT

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- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Donald & Erin Gregory
Street and Apt. No., or PO Box No.: 701 W. Riverside Dr.
City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

9589 0710 5270 1422 2049 98

CERTIFIED MAIL® RECEIPT

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OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Phillip & Misty Price
Street and Apt. No., or PO Box No.: 1124 Spring St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1422 2049 50

CERTIFIED MAIL® RECEIPT

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OFFICIAL USE

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- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Jimmy Joe & Juanita Hughes
Street and Apt. No., or PO Box No.: 703 Elma Dr.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

9589 0710 5270 1422 2049 74

CERTIFIED MAIL® RECEIPT

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$

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
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Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Lewise Vaughan, Amie Land
Street and Apt. No., or PO Box No.: 614 Lakeside Dr.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1422 2049 67

CERTIFIED MAIL® RECEIPT

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Michael Ranner
Street and Apt. No., or PO Box No.: 701 Elma Dr.
City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

9589 0710 5270 1422 2049 36

U.S. Postal Service
CERTIFIED MAIL® RECEIPT

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OFFICIAL USE

Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Gary Shields
Street and Apt. No., or PO Box No.: 705 Riverside Dr.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1422 2049 43

U.S. Postal Service
CERTIFIED MAIL® RECEIPT

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OFFICIAL USE

Certified Mail Fee
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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: WESMC Cinthy Properties
Street and Apt. No., or PO Box No.: 423 Wisteria Ln.
City, State, ZIP+4®: Kerrville TX 78028

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 1422 2049 81

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OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Postmark Here
DEC 15 2025

Sent To: Nathan & Marsha Knight
Street and Apt. No., or PO Box No.: 112 D North Spring St.
City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

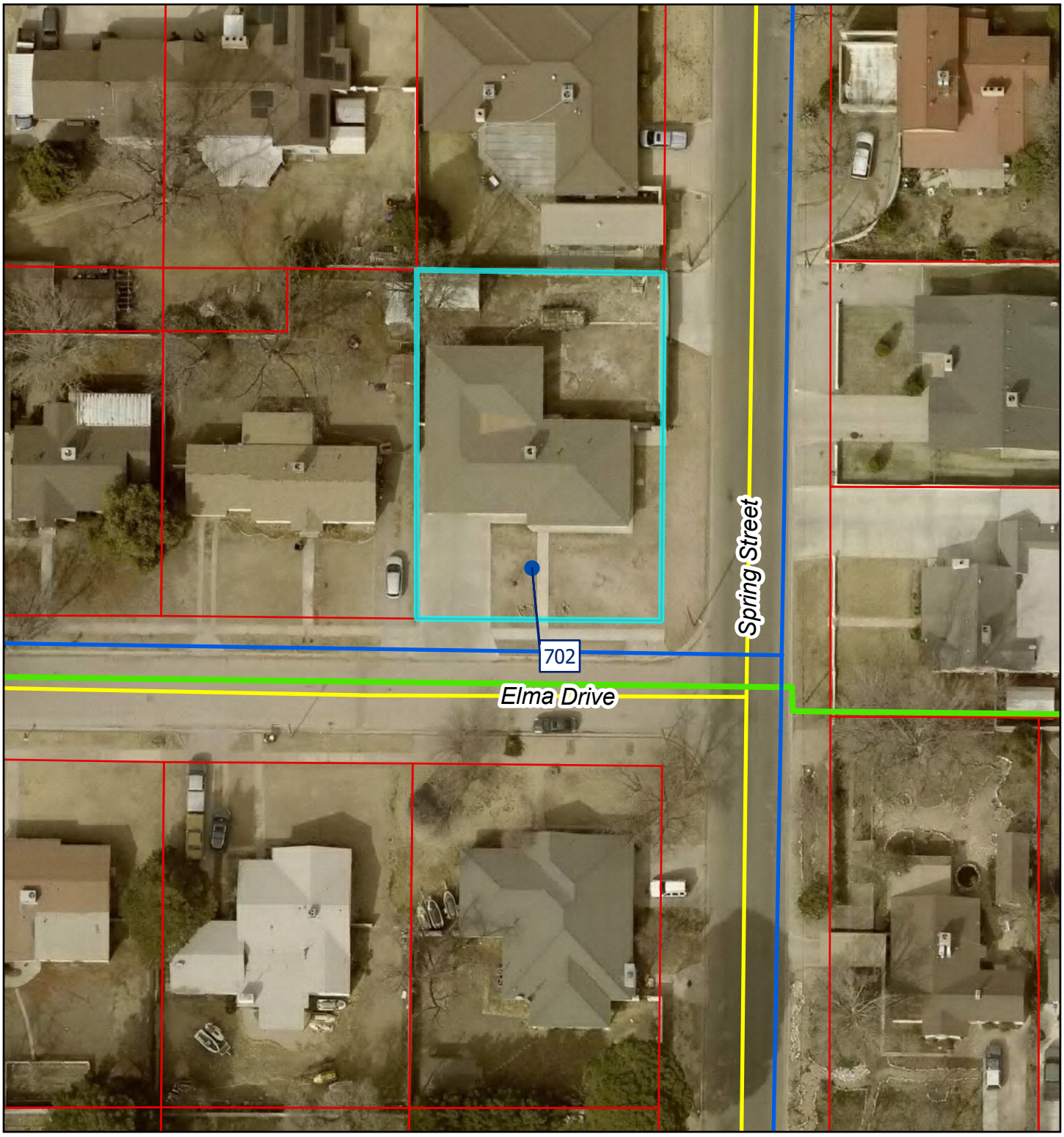
Scale: 1:600

1 inch = 50 feet

Variance
Carlsbad, NM

Map #: 3479_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Sewer Main
- Water Main
- Roads

0 25 50 100

Feet

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

City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider approval of a Conditional Use Permit to allow a Multi-Family complex at the property located at 208 North Sixth Street, a property zoned "C-2" Commercial 2 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for a Conditional Use Permit to allow a Multi-Family complex at the property located at 208 North Sixth Street, a property zoned "C-2" Commercial 2 District, in accordance with Sections 56-42 Table 1 of the Zoning Ordinance.

Applicant:
Larry Gregory
1710 W Riverside Dr
Carlsbad NM 88220

Owner:
Ana Lilia Bankhead
107 Taylor Circle
Carlsbad NM 88220

SYNOPSIS: The applicant is requesting a Conditional Use Permit to allow a Multi-Family complex at the property located at 208 North Sixth Street, a property zoned "C-2" Commercial 2 District. According to Sec. 56-42 Table 1 of the Zoning Ordinance, Multi-Family is allowed in this zoning with the approval of a Conditional Use Permit. The applicant would like to open a multi-family complex at the property.

IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
The Planning and Zoning Commission can require additional improvements to the site as conditions of approval, if desired.

*Conditional Use Permits are not transferable and do not run with the land. Conditional Use Permits expire upon the sale, transfer, or lease of the property to a new owner or tenant.
Chapter 4: Housing & Neighborhoods
Objectives:

- *To encourage the development of market rate, workforce, and affordable housing to meet the needs of Carlsbad households.*

- *To reduce housing costs of low-income renter-and owner-occupied households.*
- *To preserve the character, identity, and integrity of established neighborhoods.*
- *To ensure public reinvestment and improvements in existing neighborhoods.*
- *To foster new single-family and multi-family residential development.*

Chapter 5: Land Use

Objectives:

- *To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services.*

The Planning and Zoning Commission, in approving a Conditional Use Permit, shall make the following findings and may attach to the permit such reasonable conditions of approval, in addition to those specified in this Zoning Ordinance, to ensure that the development in its proposed location:

(a) Will not endanger the public health, safety, or welfare; and
(b) Will not adversely impact abutting or nearby properties; and
(c) Will not impair the integrity and character of the zoning district in which it is located; and
(d) Will be in conformity with the City's Comprehensive Plan and other plans officially adopted by the City.

DEPARTMENT RECOMMENDATION:
PLANNING STAFF RECOMMENDATION: Upon review of the application materials and other staff comments, the Planning Department recommends denial of this request based on the following findings:

- a zone change is preferable to the conditional use permit application.

DEPARTMENT COMMENTS:
Utilities Department: Recommend denial – requested zone change is supported
Building Department: Recommend denial – requested zone change is supported
Fire Department: Recommend denial – requested zone change is supported
Legal Department: Recommend denial – requested zone change is supported
Police Department: Recommend denial – requested zone change is supported
Project Department: Recommend denial – requested zone change is supported
Planning Department: Recommend denial – requested zone change is supported
Code Enforcement: No comments

BOARD/COMMISSION/COMMITTEE ACTION:
-

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Conditional User Permit - 208 N Sixth St - Application

RECEIVED
DEC. 31 2025
Receipt Date Stamp
Planning, Engineering & Development Department

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

CONDITIONAL USE PERMIT APPLICATION

(INCLUDING HOME OCCUPATIONS)
Sec. 56-150(f)

Application Date: 12/23/2025

Fee Paid ($50.00): _____
NON-REFUNDABLE

APPLICANT INFORMATION:

Larry Gregory — 1710 W. Riverside Drive
NAME — ADDRESS

Carlsbad, NM — 88220 — 575-988-0876 — LLG@keylogprops.com
CITY — STATE — ZIP — PHONE — EMAIL

PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT*):

Ana Lilia Bankhead — 107 Taylor Circle
NAME — ADDRESS

Carlsbad, NM — 88220 — 575-706-7748 — bankheadtyana@yahoo.com
CITY — STATE — ZIP — PHONE — EMAIL

* If the applicant is not the property owner, a signed affidavit from the property owner, consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH CONDITIONAL USE IS REQUESTED):

208 N. 6th St. Carlsbad — S 178' Tract 43 — Sec 1 T22S R26E
ADDRESS — LOT — BLOCK — SUBDIVISION

ZONING OF PROPERTY: C-2

TYPE OF CONDITIONAL USE REQUESTED (IF HOME OCCUPATION, INDICATE TYPE): Multi-family

JUSTIFICATION FOR REQUEST AND SITE PLAN: (Describe the proposed use and any conditions on the property or within the neighborhood that may affect the use i.e. parking, building locations, neighborhood character, etc. Include a site plan, drawn to scale or with accurate dimensions, showing property lines, fences and/or walls, setbacks, building and structure locations and parking areas. Attach a separate sheet if necessary.)

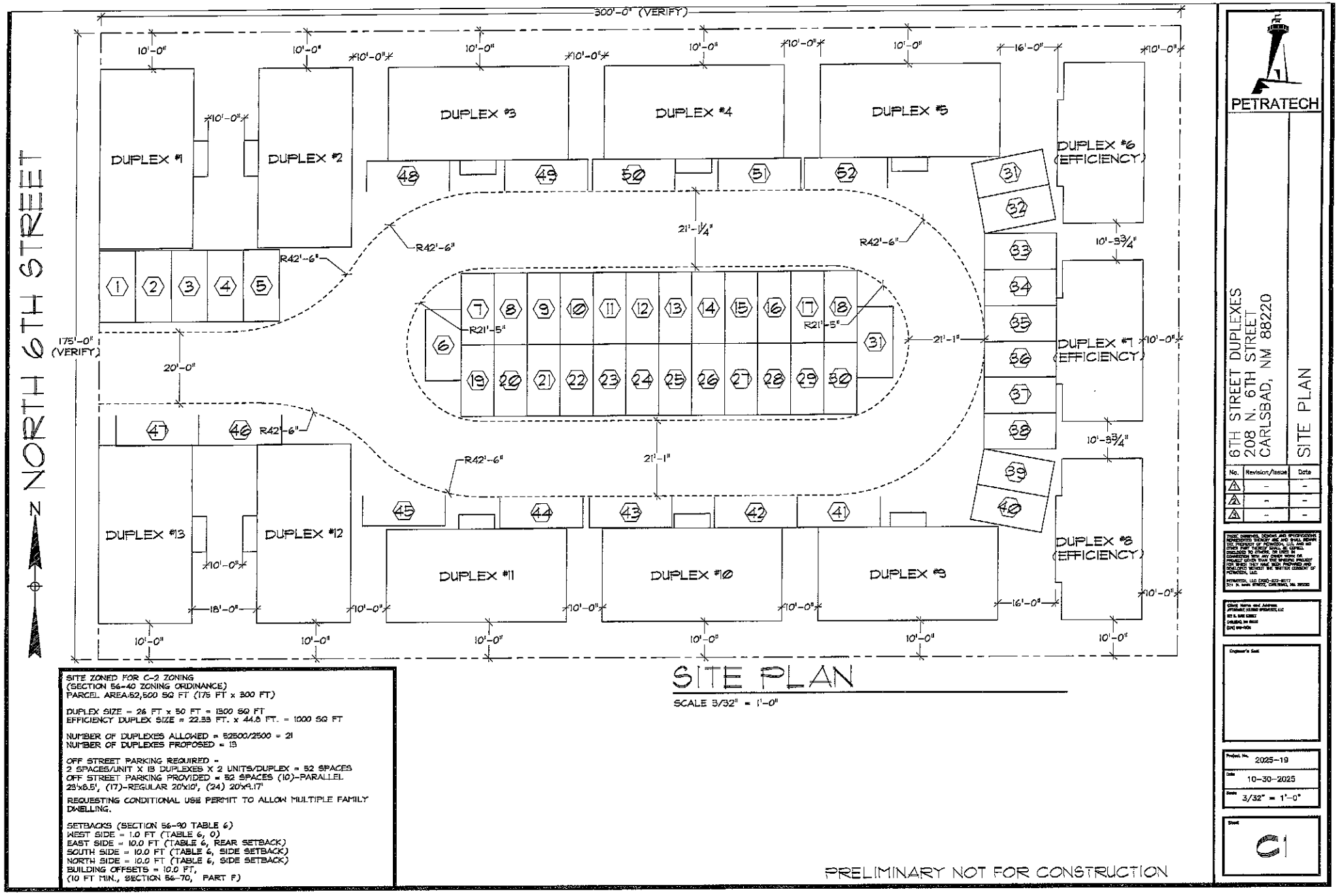
See attached.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:

Complete Application Including: ☐ Site Plan ☐ Fee ☐ Notification ☐ Letter of Explanation
☐ Sign Posting Agreement ☐ Sign Posted
☐ ABM ☐ Staff Comments ☐ Application Packet

P & Z Action: ☐ Approved ☐ Denied ☐ Other Date: _____



SITE ZONED FOR C-2 ZONING
(SECTION 56-40 ZONING ORDINANCE)
PARCEL AREA:52,500 SQ FT (175 FT x 300 FT)

DUPLEX SIZE = 26 FT x 50 FT = 1300 SQ FT
EFFICIENCY DUPLEX SIZE = 22.33 FT. x 44.8 FT. = 1000 SQ FT

NUMBER OF DUPLEXES ALLOWED = 52500/2500 = 21
NUMBER OF DUPLEXES PROPOSED = 19

OFF STREET PARKING REQUIRED =
2 SPACES/UNIT X 19 DUPLEXES X 2 UNITS/DUPLEX = 52 SPACES
OFF STREET PARKING PROVIDED = 52 SPACES (10)-PARALLEL 23'x8.5', (17)-REGULAR 20'x10', (24) 20'x9.17'

REQUESTING CONDITIONAL USE PERMIT TO ALLOW MULTIPLE FAMILY DWELLING.

SETBACKS (SECTION 56-90 TABLE 6)
WEST SIDE = 1.0 FT (TABLE 6, 0)
EAST SIDE = 10.0 FT (TABLE 6, REAR SETBACK)
SOUTH SIDE = 10.0 FT (TABLE 6, SIDE SETBACK)
NORTH SIDE = 10.0 FT (TABLE 6, SIDE SETBACK)
BUILDING OFFSETS = 10.0 FT,
(10 FT MIN., SECTION 56-70, PART F)

SITE PLAN

SCALE 3/32" = 1'-0"

PRELIMINARY NOT FOR CONSTRUCTION

PETRATECH

6TH STREET DUPLEXES
208 N. 6TH STREET
CARLSBAD, NM 88220

SITE PLAN

No.	Revision/Issue	Date
1	-	-
2	-	-
3	-	-

Project No. 2025-19
Date 10-30-2025
Scale 3/32" = 1'-0"
Sheet C1

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☐ **ZONING CHANGE** ☑ **CONDITIONAL USE** ☐ **VARIANCE** ☐ **TEMPORARY USE**

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 208 N. Sixth St, Carlsbad, NM
STREET ADDRESS

LEGAL DESSCRPTION: S 178' Tract 43 Sec 1 T22S R26E
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: Amanda Mashaw 575-302-0382
NAME PHONE

Dunagan Assoc 212 W. Stevens St Carlsbad
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: Ana Lilia Bankhead
SIGNATURE

BY: ANA LILIA BANKHEAD
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this 23rd **day of** December,

20 25, **by** Ana Lilia Bankhead.

Notary Public Shelly Von Wheeler

My commission expires: 4/30/2028

STATE OF NEW MEXICO
NOTARY PUBLIC
SHELLY VON WHEELER
COMMISSION# 1064775
EXPIRES: APRIL 30, 2028

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

APPLICANT SIGNATURE

12-24-25
DATE

Sign issued by: _____
Staff Member

Sign Notification Agreement Rev. 10/11

3-25-25

Date: _____

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Larry Gregory 112 E. Mermod St. 575-988-0876
Name Address Phone

Subject Site Location: 208 N. Sixth St, Carlsbad

The proposed action is a:

☐ Zoning Change from _____ to _____ in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☑ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

- ☐ Home Occupation: _____
- ☑ Other Use: Multi-family

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

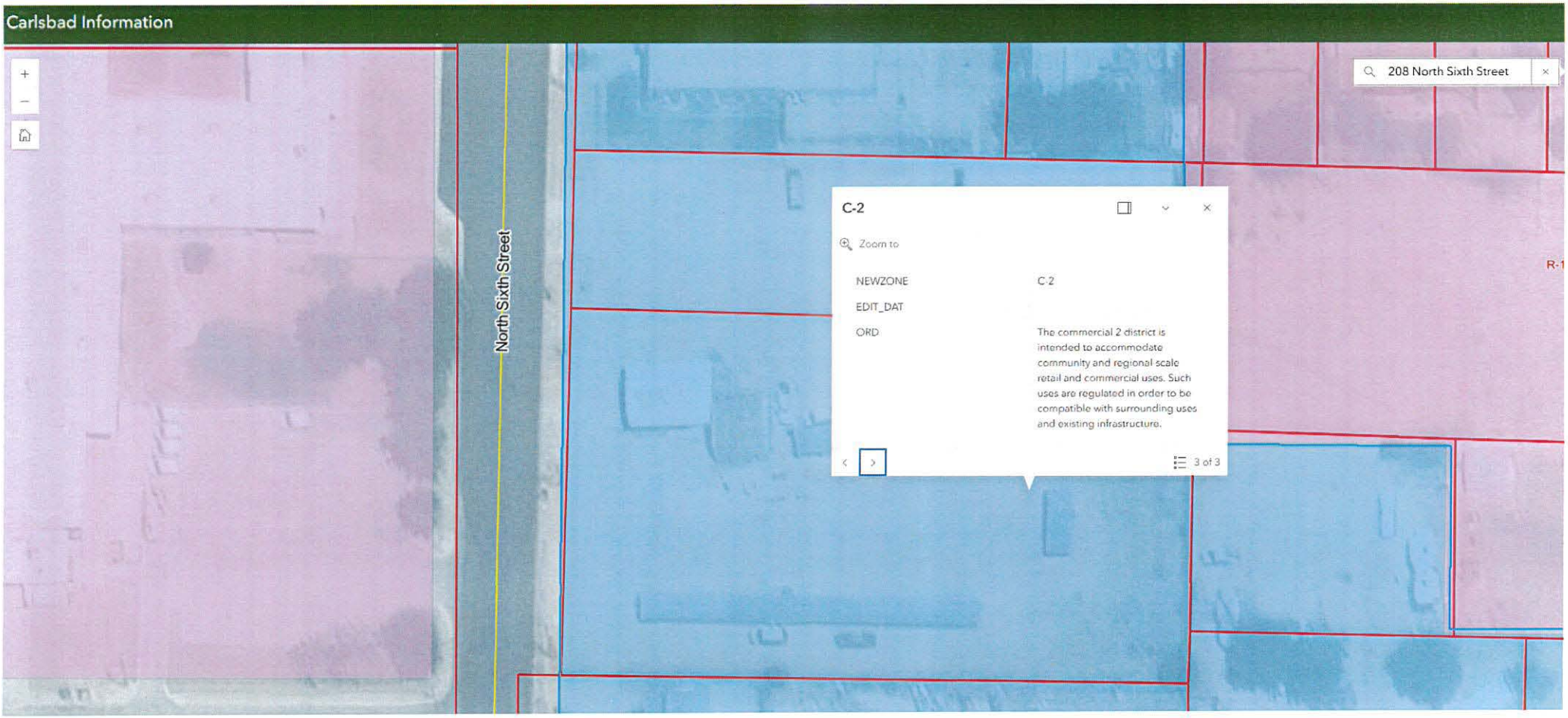
The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Amanda Mathew for Larry Gregory

Applicant/Agent Please call Amanda @ 575-302-0382 for any questions you may have. Thank you.

3-25-25


Carlsbad Information
208 North Sixth Street
North Sixth Street
C-2
Zoom to
NEWZONE
C-2
EDIT_DAT
ORD
The commercial 2 district is intended to accommodate community and regional scale retail and commercial uses. Such uses are regulated in order to be compatible with surrounding uses and existing infrastructure.
3 of 3
R-1

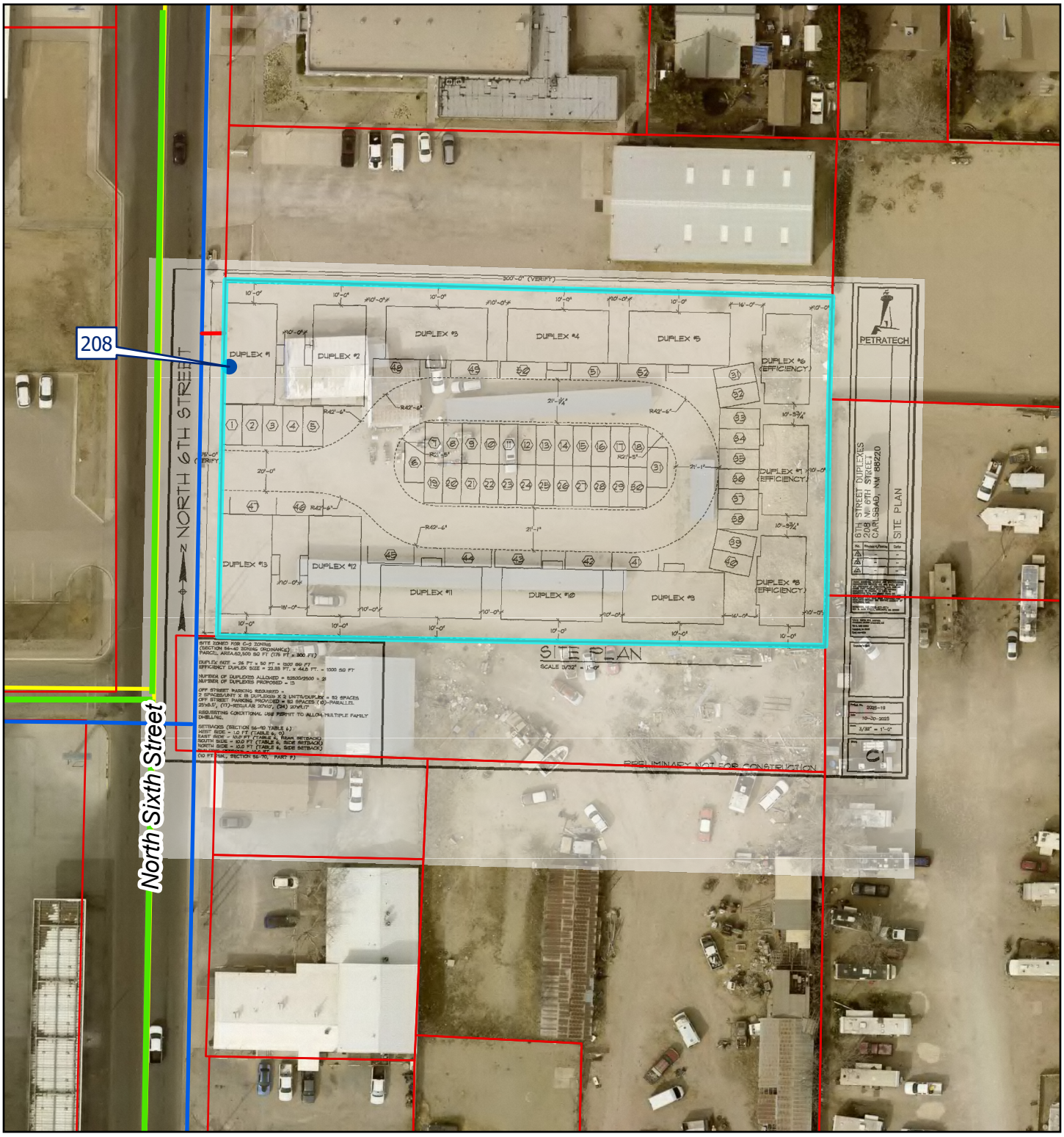
Scale: 1:840

1 inch = 70 feet

Conditional Use
Carlsbad, NM

Map #: 3477_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Sewer Main
- Fire Hydrant Line
- Water Main
- Roads

0 35 70 140

Feet

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

City of Carlsbad GIS

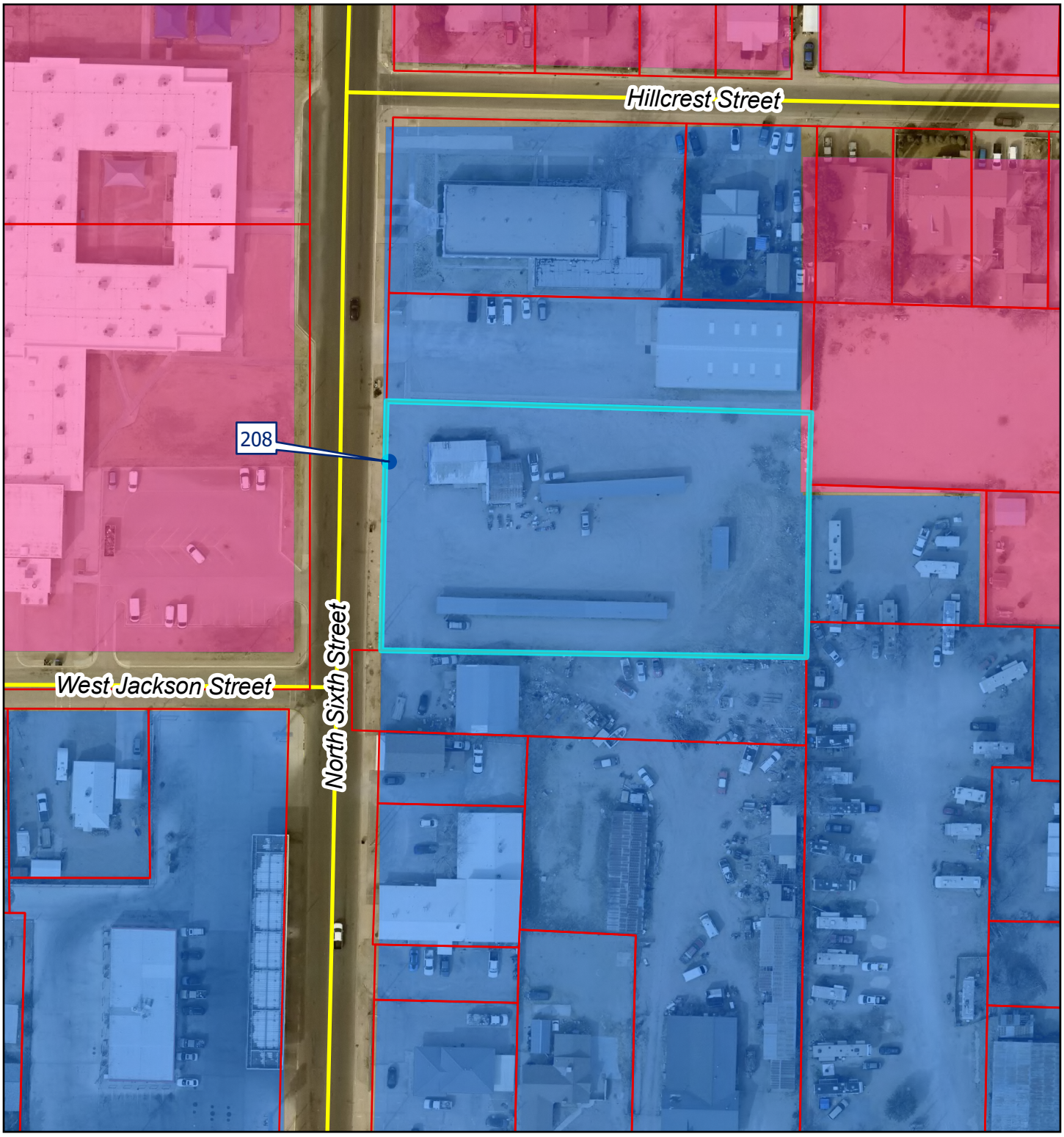
Scale: 1:1,200

1 inch = 100 feet

Conditional Use
Carlsbad, NM

Map #: 3477_ed02

Date: 1/28/2026



Carlsbad Address
Parcel
Zoning
C-2
R-1
Roads

0 50 100 200
Feet

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

City of Carlsbad GIS

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S

CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 1.23 acres located at 208 N. Sixth St, legally described as Beginning at SW corner of NW/4 said Section 1; North 370 feet to the point of beginning; North 176.60 feet, THENCE East 302.57 feet, THENCE South 178 feet; THENCE West 302.57 feet to the Point of beginning, also known as Tract 43 in NW/4 Section 1, Township 22 South, Range 26 East, EXCEPTING the North 78.44 feet thereof, from "C-2" Commercial 2 District to "R-2" Residential 2 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Zone Change from "C-2" Commercial 2 District to "R-2" Residential 2 District for approximately 1.23 acres, located at 208 North Sixth Street, legally described as Beginning at SW corner of NW/4 said Section 1; North 370 feet to the point of beginning; North 176.60 feet, THENCE East 302.57 feet, THENCE South 178 feet; THENCE West 302.57 feet to the Point of beginning, also known as Tract 43 in NW/4 Section 1, Township 22 South, Range 26 East, EXCEPTING the North 78.44 feet thereof, to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant:
Larry Gregory
1710 W Riverside Dr
Carlsbad NM 88220

Owner:
Ana Lilia Bankhead
107 Taylor Circle
Carlsbad NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from "C-2" Commercial 2 District to "R-2" Residential 2 District for the 1.23-acre property located at 208 North Sixth Street.

The properties to the north, south and east are zoned "C-2" Commercial 2 District. The other properties to the east and west are zoned "R-1" Residential 1 District. This change would create a spot zone.

Sec. 56-40(c) of the Zoning Ordinance states:
(c) Residential 2 (R-2) district. The Residential 2 District is intended to accommodate higher density single-family, duplex, multiple-family, and mobile home parks and subdivisions and to provide land-use protection for areas that develop in such a manner.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:

Chapter 4: Housing & Neighborhoods

Objectives:

- *To encourage the development of market rate, workforce, and affordable housing to meet the needs of Carlsbad households.*
- *To ensure public reinvestment and improvements in existing neighborhoods.*
- *To foster new single-family and multi-family residential development.*

Chapter 5: Land Use

Objectives:

- *To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services.*

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:
PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends approval of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City’s Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:
Utilities Department: Recommend approval
Building Department: Recommend approval
Fire Department: Recommend approval
Legal Department: Recommend approval
Police Department: Recommend approval
Project Department: Recommend approval
Planning Department: Recommend approval
Code Enforcement: No comment

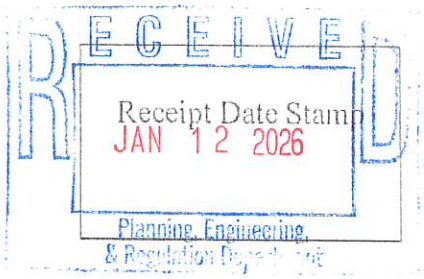
BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - 208 N Sixth St





CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 1/12/26
Existing Zoning: C2

Fee Paid ($100.00): 100.00 CK# 2057
Proposed Zoning: R2

APPLICANT INFORMATION:

Larry Gregory
NAME ADDRESS

Carlsbad NM 88220 575-988-0876 LLG@Keyloprops.com
CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Amalilia Bankhead 107 Taylor Circle
NAME ADDRESS

Carlsbad NM 88220 575-706-7748
CITY STATE ZIP PHONE EMAIL
bankheadtyara@yahoo.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

208 N 6th St Carlsbad S 178' Tract 43 Sec 1 T22S R26E
ADDRESS LOT BLOCK SUBDIVISION

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☑ZONING CHANGE ☐CONDITIONAL USE ☐VARIANCE ☐TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 208 N. 6th St
STREET ADDRESS

LEGAL DESSCRPTION: Sec 1 T22S R26E S178' of Tract 43
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: Amanda Mathew 575-302-0382
NAME PHONE

Dunagan Associates. 212 W. Stevens St
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: _____
SIGNATURE

BY: ANA LILIA BANKHEAD
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this _____ **day of** January,
2026**, by** Ana Lilia Bankhead.

Notary Public Jean Elizabeth Kartchner

My commission expires: _____

STATE OF NEW MEXICO
NOTARY PUBLIC
JEAN ELIZABETH KARTCHNER
COMMISSION# 1075322
EXPIRES: JULY 11, 2026

11-15-16

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☑ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☑ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

APPLICANT SIGNATURE

1/12/2026
DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

Date: 1/12/2026

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Larry Gregory
Name Address Phone

Subject Site Location: 208 N. 6th Street

The proposed action is a:

☑ Zoning Change from C2 to R2 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Amanda McShan

Applicant/Agent

Please call Amanda @ 575-302-0382 for any questions you may have. Thank you

11-15-16

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF “C-2” COMMERCIAL 2 DISTRICT TO “R-2” RESIDENTIAL 2 DISTRICT FOR A TOTAL OF APPROXIMATELY 1.23 ACRES, LOCATED AT 208 N. SIXTH STREET, LEGALLY DESCRIBED AS BEGINNING AT SW CORNER OF NW/4 SAID SECTION 1; NORTH 370 FEET TO THE POINT OF BEGINNING; NORTH 176.60 FEET, THENCE EAST 302.57 FEET, THENCE SOUTH 178 FEET, THENCE WEST 302.57 FEET OT THE POINT OF BEGNING ALSO KNOWN AS TRACT 43 IN NW/4 SECTION1, TOWSHIP 22 SOUTH, RANGE 26 EAST, EXCEPTING THE NORTH 78.44 FEET THEREOF, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "C-2" Commercial 2 District to "R-2" Residential 2 District, for approximately 1.23 acres, located at 208 N. Sixth St., legally described as:

BEGINNING AT SW CORNER OF NW/4 SAID SECTION 1; NORTH 370 FEET TO THE POINT OF BEGINNING; NORTH 176.60 FEET, THENCE EAST 302.57 FEET, THENCE SOUTH 178 FEET, THENCE WEST 302.57 FEET OT THE POINT OF BEGNING ALSO KNOWN AS TRACT 43 IN NW/4 SECTION1, TOWSHIP 22 SOUTH, RANGE 26 EAST, EXCEPTING THE NORTH 78.44 FEET THEREOF

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____

RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

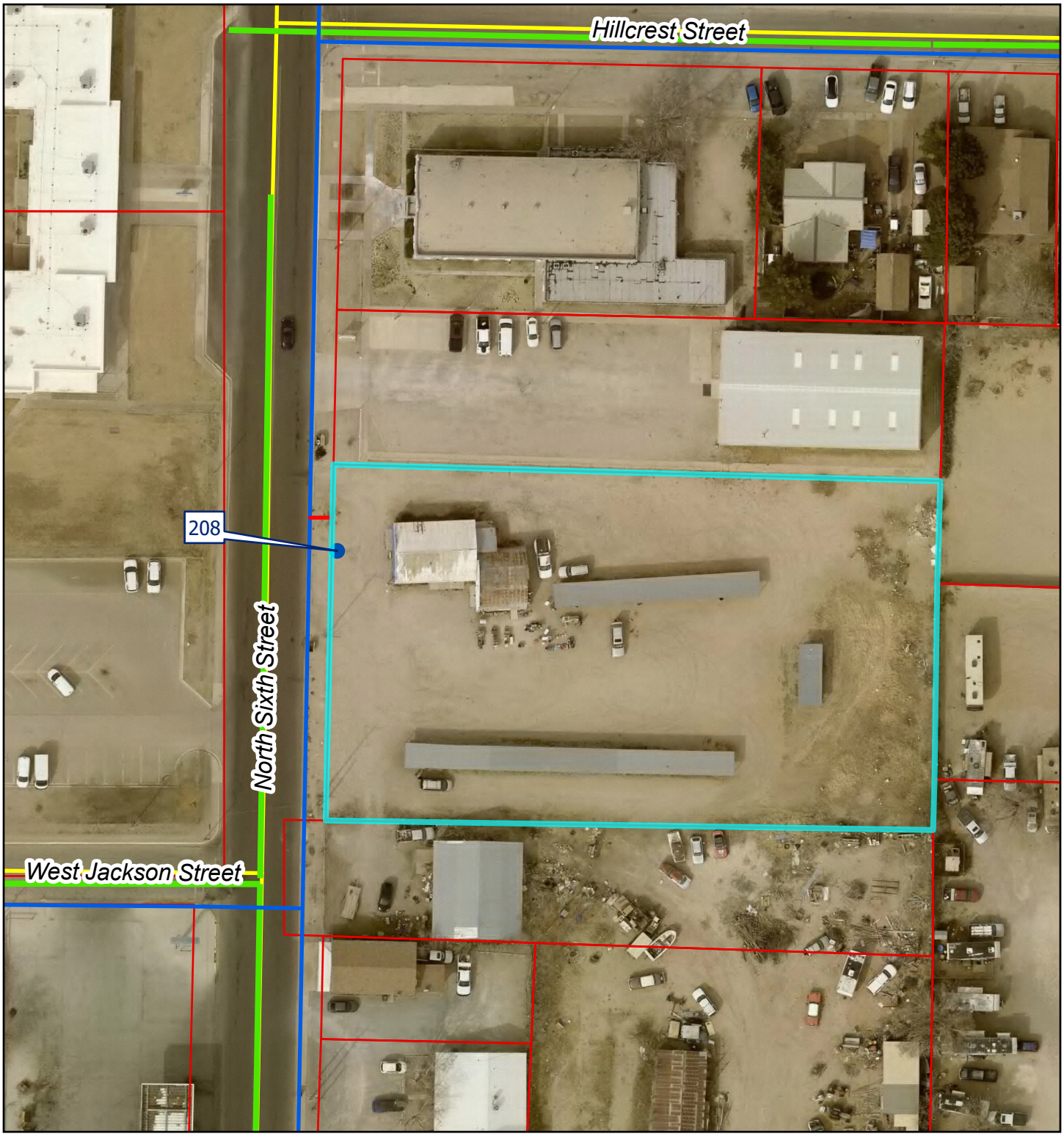
Scale: 1:840

1 inch = 70 feet

Zone Change
Carlsbad, NM

Map #: 3480_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Sewer Main
- Fire Hydrant Line
- Water Main
- Roads

0 35 70 140

Feet

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

City of Carlsbad GIS

N

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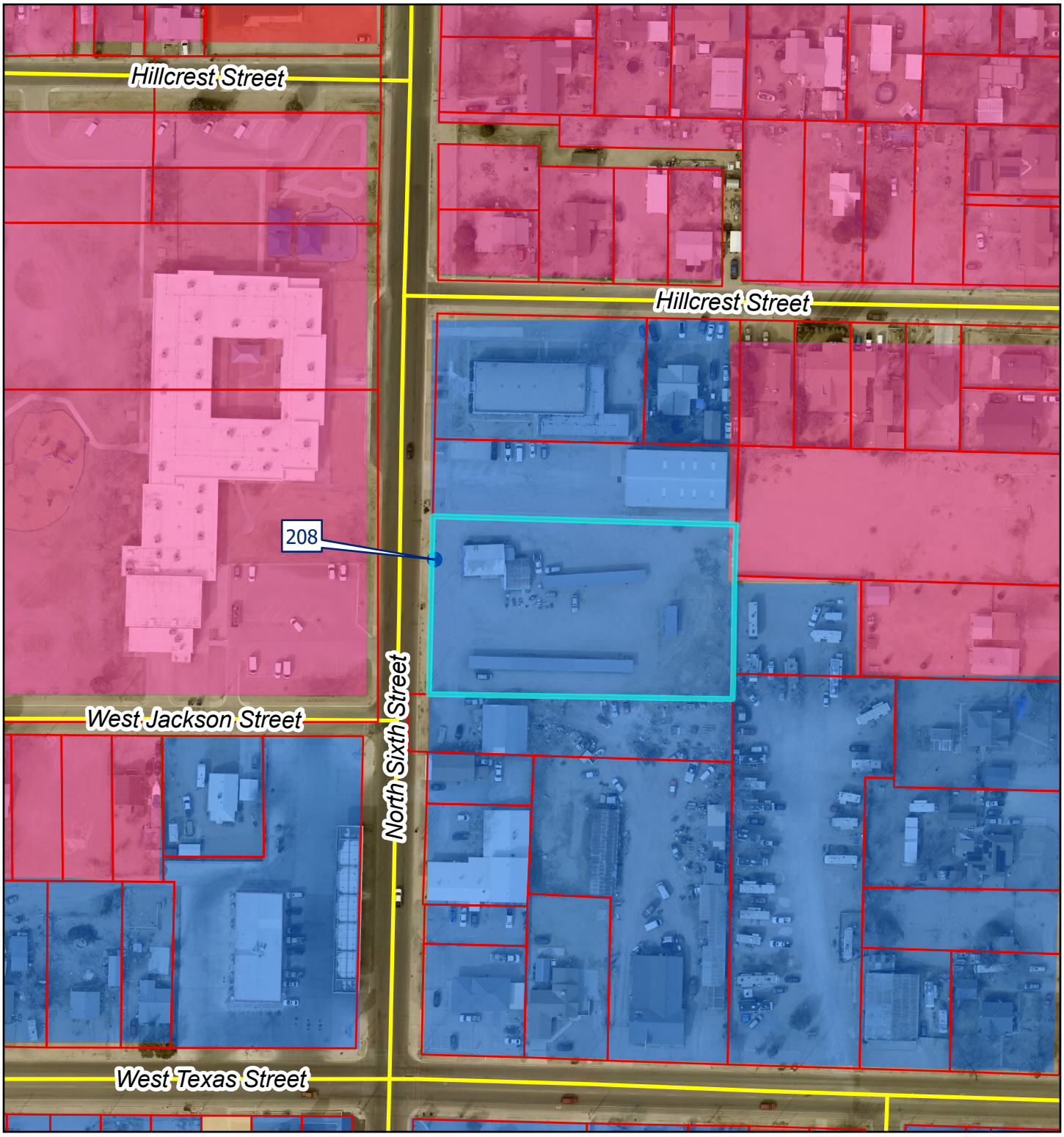
Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3480_ed02

Date: 1/28/2026



Carlsbad Address
Parcel
Zoning
C-1
C-2
R-1
R-2
Roads

0 70 140 280
Feet

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

City of Carlsbad GIS

N
S

CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.67 acres located at 328 Farris St., legally described as Tract 17, in the SW/4 of Section 20, Township 22S, Range 27E, from “R-1” Residential 1 District to “C-1” Commercial 1 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
Request for Zone Change from “R-1” Residential 1 District to “C-1” Commercial 1 District for approximately 0.67 acres located at 328 Farris Street, legally described as Tract 17, in the SW/4 of Section 20, Township 22S, Range 27E; pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
Edgar Gonzalez Galvan
301 W Chapman Rd Apt 805
Carlsbad, NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from “R-1” Residential 1 District to “C-1” Commercial 1 District for the 0.67-acre property located at 328 Farris Street.

The properties to the north, south, west and east are zoned “R-1” Residential 1 District. This change would create a spot zone.

Sec. 56-40(d) of the Zoning Ordinance states:
(d)
Commercial 1 (C-1) district. The commercial 1 district is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

(a) The proposed amendment will or will not adversely impact the public health, safety or

general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City’s Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:

PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends denial of this request based on the following findings:

(a) The proposed amendment **will** adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

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(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment **will** adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City’s Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:

Utilities Department: Recommend denial

Building Department: Recommend denial
Fire Department: Recommend denial
Legal Department: Recommend denial
Police Department: Recommend denial
Project Department: Recommend denial
Planning Department: Recommend denial
Code Enforcement: Recommend denial based on the following: The infrastructure strain on Farris St.. Truck traffic will have an impact on children's safety in the area. There are several bus stops in this area and a school being built. This presents a danger to children and residents with instances of trucks making sharp and dangerous turns. Changing this to a C1 will open up more opportunities for more zone changes. This is an R1 area with condensed housing and a small road and should be kept for residential purposes.

BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - 328 Farris St

RECEIVED
Receipt Date Stamp
JAN 2 2026
Planning, Engineering, & Regulation Department

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 12/3/25
Existing Zoning: _____

Fee Paid ($100.00): 100.00 pd cc
Proposed Zoning: C-1 see Inv. # 19379

APPLICANT INFORMATION:

Edgar Gonzalez — NAME
3702 Saguaro Dr — ADDRESS
Carlsbad — CITY
NM — STATE
88220 — ZIP
3073508766 — PHONE
edgargonzalez2676@hotmail.com — EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Edgar Gonzalez — NAME
3702 Saguaro Dr — ADDRESS
Carlsbad — CITY
NM — STATE
88220 — ZIP
3073508766 — PHONE
edgargonzalez2676@hotmail.com — EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

328 Farris St Carlsbad, NM
ADDRESS — LOT — BLOCK — SUBDIVISION

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☒ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

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☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

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FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☑ **ZONING CHANGE** ☐ **CONDITIONAL USE** ☐ **VARIANCE** ☐ **TEMPORARY USE**

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 2811 San Jose BLVD Carlsbad NM
STREET ADDRESS

LEGAL DESSCRPTION: _____ 31 _____ 25
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: _____ _____
NAME PHONE

_____
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: _____
SIGNATURE

BY: _____
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this _____ **day of** _____,

20 ____, **by** _____.

Notary Public _____

My commission expires: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Edgar Gonzalez _____ 12/29/25

APPLICANT SIGNATURE DATE

Sign issued by: _____

Staff Member

Notification Agreement Rev. 10/11

CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

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, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **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**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. 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 eight (8) copies need to be provided.** 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 90-days 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.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

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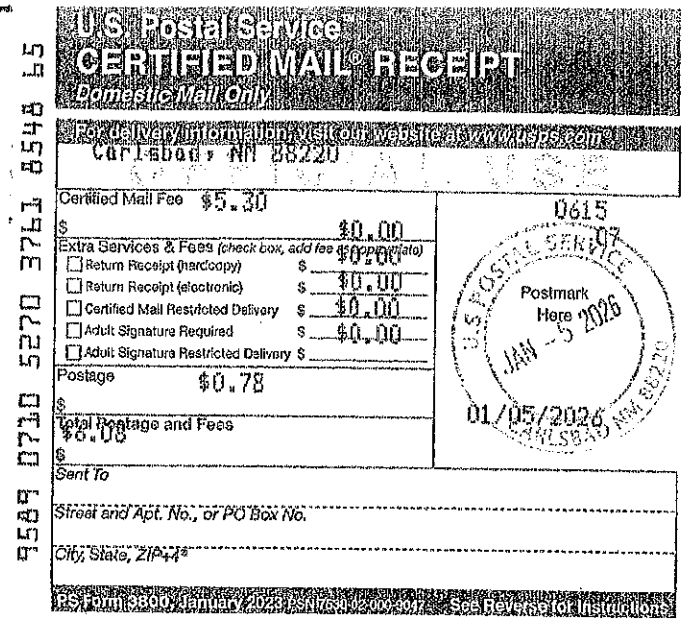
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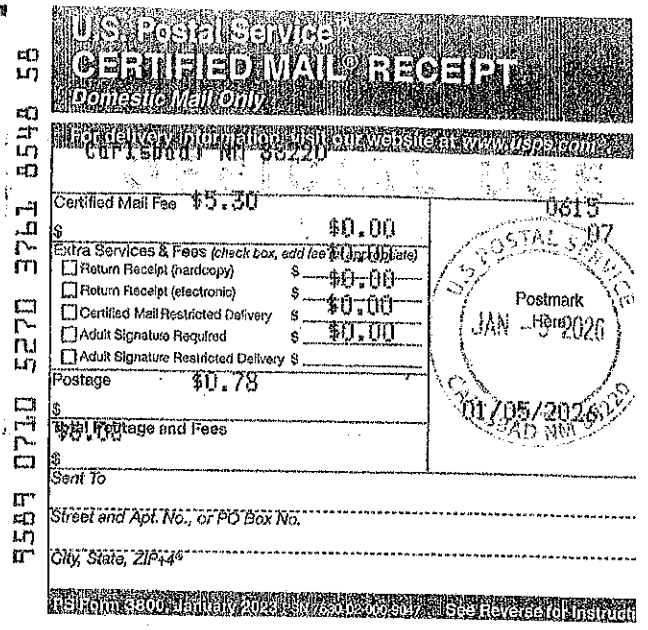
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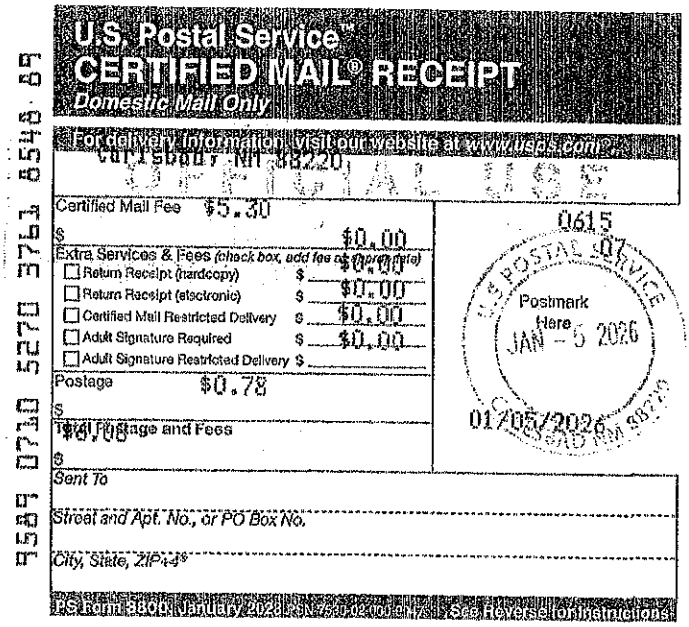
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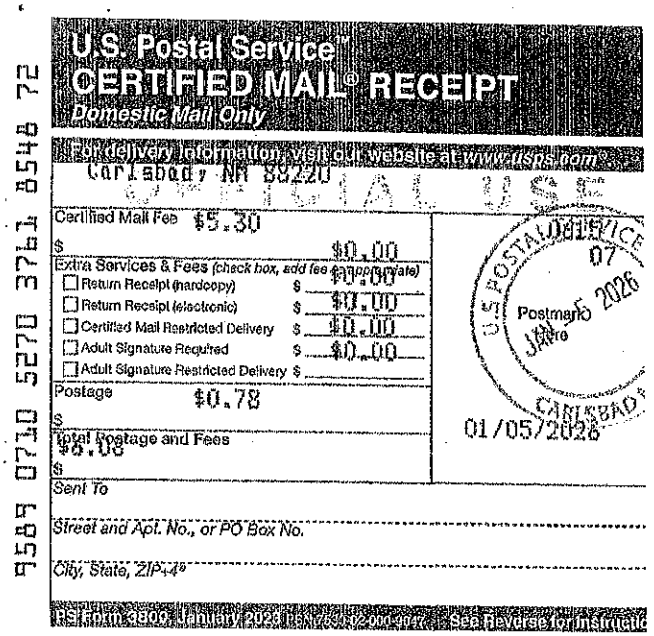
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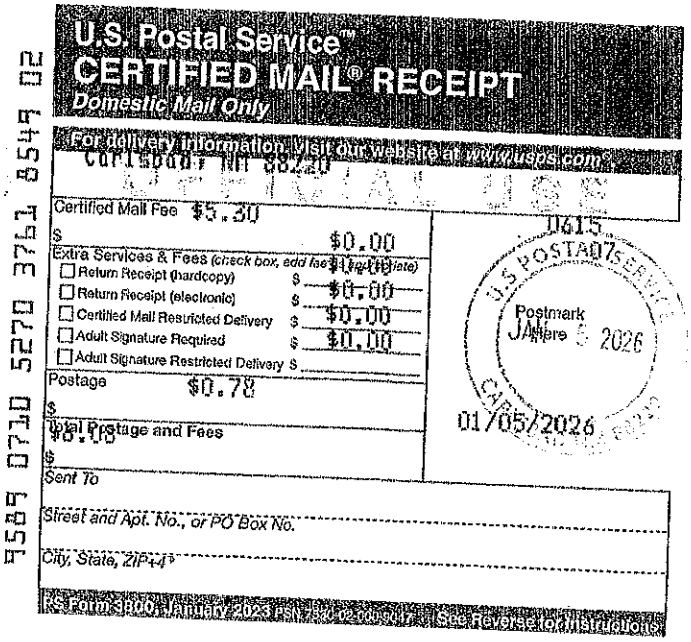
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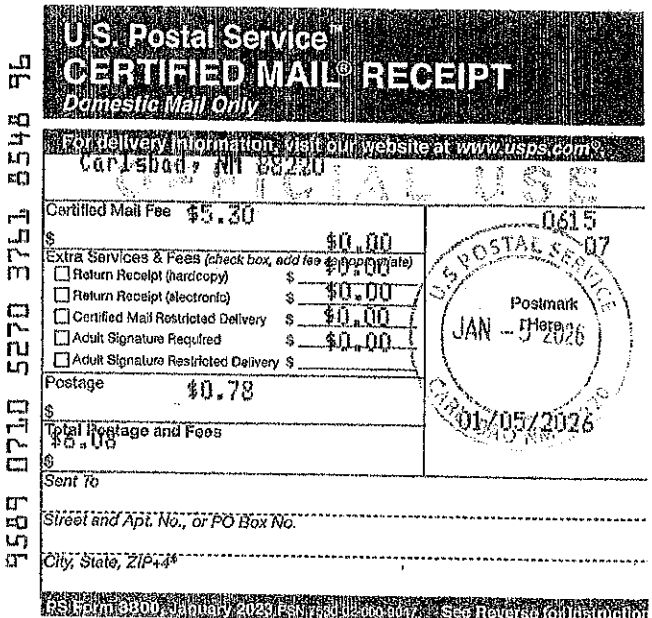
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ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF “R-1” RESIDENTIAL 1 DISTRICT TO “C-1” COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 0.67 ACRES, LOCATED AT 328 FARRIS STREET, LEGALLY DESCRIBED AS TRACT 17 IN THE SW/4 OF SECTION 20, TOWNSHIP 22S, RANGE 27E, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "C-1" Commercial 1 District, for approximately 0.67 acres, located at 328 Farris St., legally described as:

TRACT 17 IN THE SW/4 OF SECTION 20, TOWNSHIP 22S, RANGE 27E

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

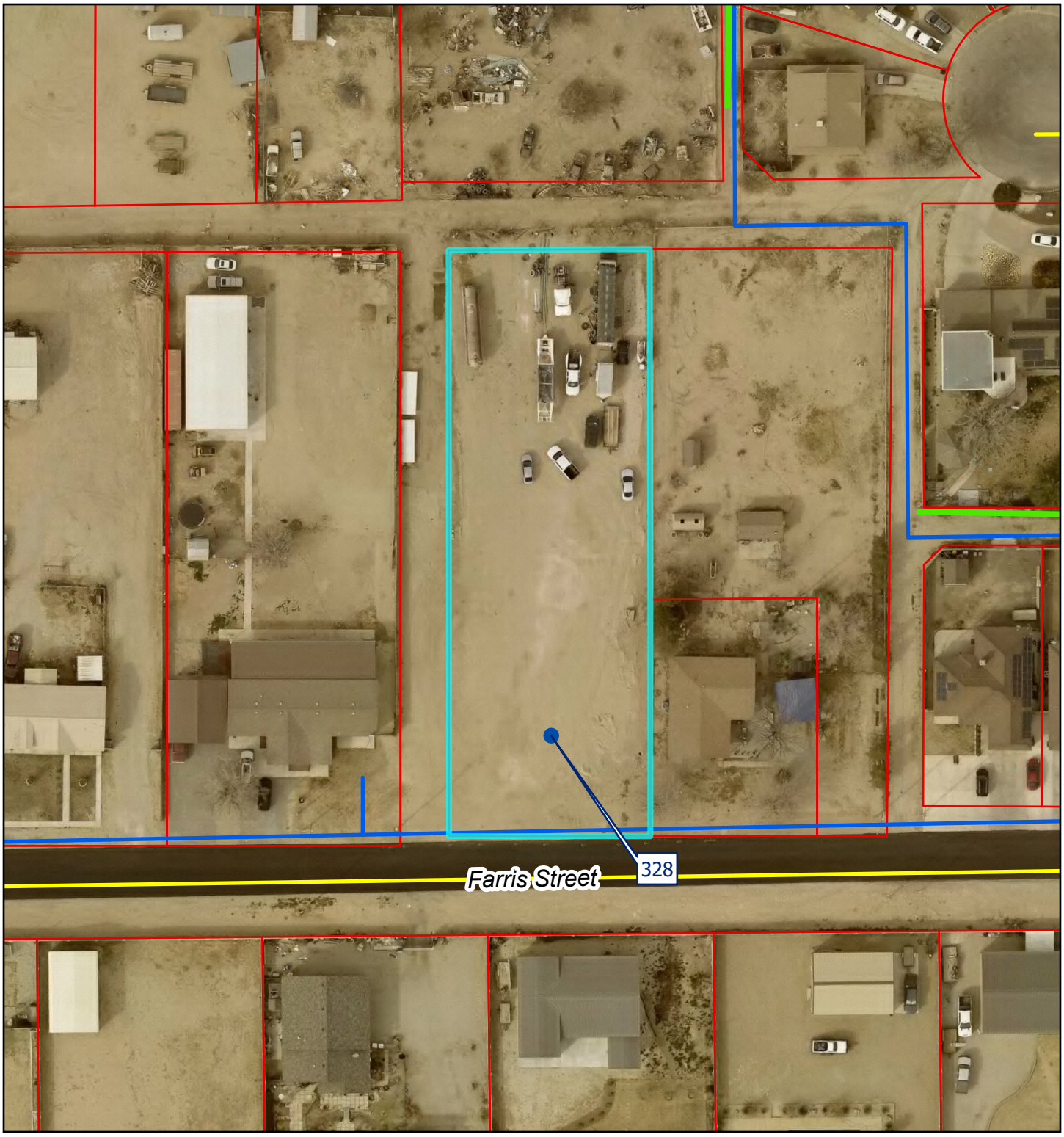
Scale: 1:840

1 inch = 70 feet

Zone Change
Carlsbad, NM

Map #: 3481_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Sewer Main
- Water Main
- Roads

0 35 70 140

Feet

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City of Carlsbad GIS

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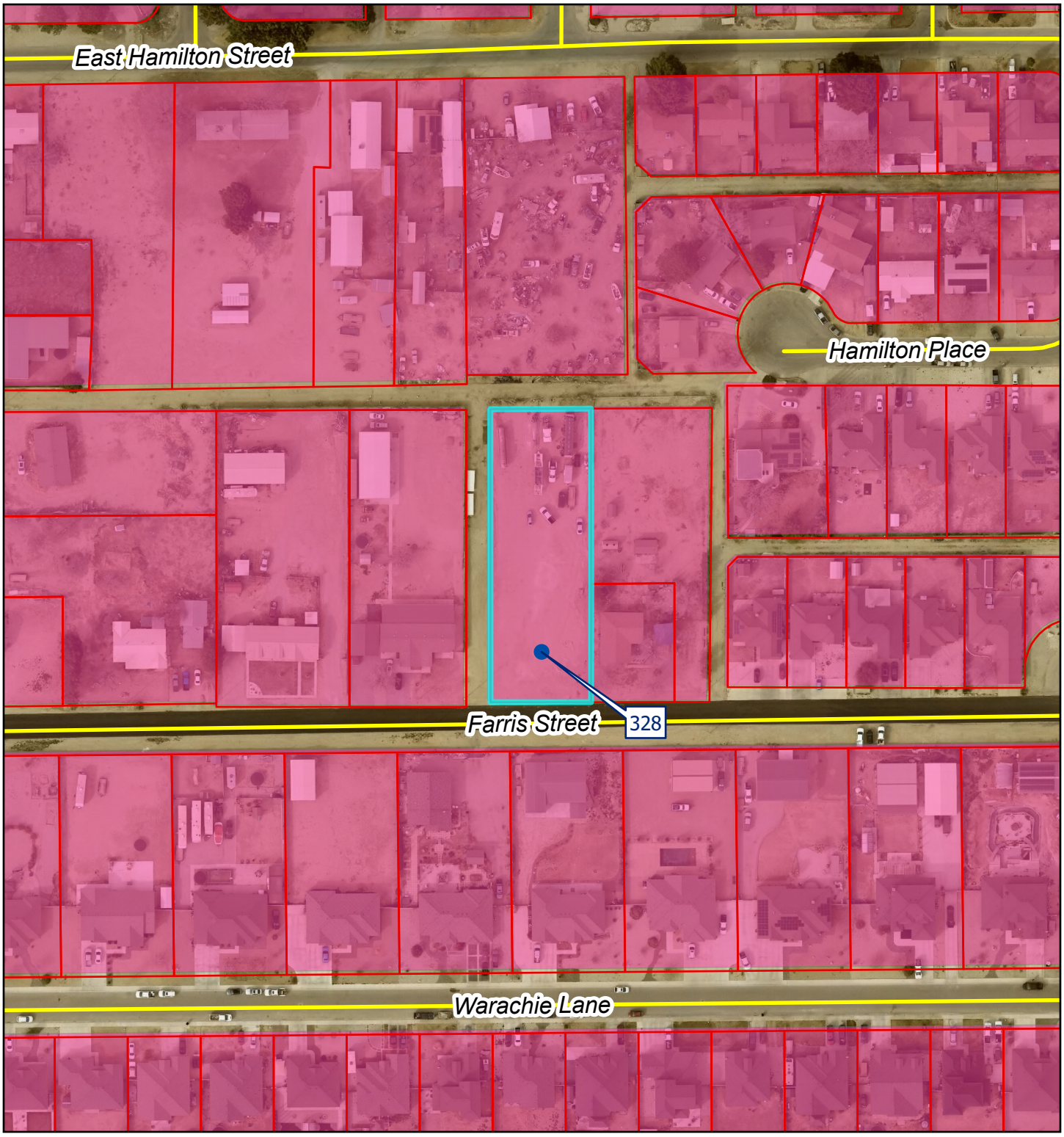
Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3481_ed02

Date: 1/28/2026



Carlsbad Address

Parcel

Zoning

R-1

Roads

0 70 140 280

Feet

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City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.43 acres located at 606 & 608 W. Pierce St., legally described as Lots 12 & 14, Block 181 Westfall Subdivision, from “R-2” Residential 2 District to “C-2” Commercial 2 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
Request for Zone Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for approximately 0.43 acres located at 606 West Pierce Street and 608 West Pierce Street, legally described as Lot 12 &14 Block 181, Westfall Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.
Applicant/Owner:
Mandalin Properties LLC
209 N Guadalupe St
Carlsbad, NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): Request for Zone Change from “R-2” Residential 2 District to “C-2” Commercial 2 District for the properties located at 606 West Pierce Street and 608 West Pierce Street.

The properties to the north are zoned “R-1” Residential 1 District. The properties to the west and south are zoned “C-2” Commercial 2 District. The properties to the east are zoned “R-2” Residential 2 District. This change would not create a spot zone.

Sec. 56-40(e) of the Zoning Ordinance states:
(e) Commercial 2 (C-2) district. The commercial 2 district is intended to accommodate community and regional-scale retail and commercial uses. Such uses are regulated in order to be compatible with surrounding uses and existing infrastructure.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:
Chapter 5: Land Use Objectives:

- *To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services*
- *To increase the supply of commercial and industrial properties.*
- *To meet the commercial market demand and needs of existing and future Carlsbad*

residents.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:
An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:
(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and
(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:
PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends approval of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and
(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and
(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and
(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and
(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:
Utilities Department: Recommend approval
Building Department: Recommend approval
Fire Department: Recommend approval
Legal Department: Recommend approval
Police Department: Recommend approval
Project Department: Recommend approval
Planning Department: Recommend approval
Code Enforcement: No comment

BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - 606 & 608 W Pierce St

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

RECEIVED
Receipt Date Stamp
JAN 13 2026
Planning, Engineering, and Regulation

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 1/13/26
Existing Zoning: R2

Fee Paid ($100.00): 100.00
Proposed Zoning: C2

APPLICANT INFORMATION:

NAME	ADDRESS
Amanda McShaw	209 N. Guadalupe St

CITY	STATE	ZIP	PHONE	EMAIL
Carlsbad	NM	88220	575-302-0382	AmandaMcshaw21@gmail.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME	ADDRESS
Mandalia Properties LLC	209 N. Guadalupe St.

CITY	STATE	ZIP	PHONE	EMAIL
Carlsbad	NM	88220	575-302-0382	AmandaMcshaw21@gmail.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS	LOT	BLOCK	SUBDIVISION
608½ 606 W. Pierce St.	12½ 14	181	Westfall

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☐ZONING CHANGE ☐CONDITIONAL USE ☐VARIANCE ☐TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 606 & 608 W. Pierce St.
STREET ADDRESS

LEGAL DESSCRPTION: Westfall 181 12 & 14
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: Amanda Mashaw 575-302-0302
NAME PHONE

209 N. Guadalupe St.
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: A Mashaw
SIGNATURE

BY: Amanda Mashaw
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this 12th **day of** January,
20 26, **by** Amanda Mashaw.

Notary Public Jean Elizabeth Kartchner

My commission expires: _____

STATE OF NEW MEXICO
NOTARY PUBLIC
JEAN ELIZABETH KARTCHNER
COMMISSION# 1075322
EXPIRES: JULY 11, 2026

11-15-16

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Amanda MaShaw
APPLICANT SIGNATURE

1/9/2026
DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☑ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

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, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **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.** The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. 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 eight (8) copies need to be provided.** 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 90-days 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.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

Date: Jan 12, 2026

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Mandalin Properties LLC, 209 N. Guadalupe St
Name Address Phone

Subject Site Location: 606 & 608 W. Pierce St.

The proposed action is a:

☑ Zoning Change from R2 to C2 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: Feb 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Amanda McShan

Applicant/Agent

Please call 575-302-0382 with any questions you have. Thank you!

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at *www.usps.com®*.

Artesia, NM 88210

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

0615 17

Postmark Here

JAN 13 2026

01/13/2026

Sent To: JS + Son, Inc

Street and Apt. No., or PO Box No.: 101 S. 4th Street

City, State, ZIP+4®: Artesia, NM 88210

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 9318 6283

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Carlsbad, NM 88220

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Jaimie Covington

Street and Apt. No., or PO Box No.: 601 Lakeside Dr.

City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

7018 0680 0000 9318 6214

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Carlsbad, NM 88220

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Extra Services & Fees (check box, add fee as appropriate)	
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☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Shaniaque + Jeffrey Bishop

Street and Apt. No., or PO Box No.: 603 Lakeside Dr.

City, State, ZIP+4®: Carlsbad, Nm 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 9318 6221

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Carlsbad, NM 88220

OFFICIAL USE

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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Franklin & Heather Sanford

Street and Apt. No., or PO Box No.: 1103 N. Guadalupe St.

City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instruction

9589 0710 5270 1673 6024 99

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Extra Services & Fees (check box, add fee as appropriate)	
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☐ Return Receipt (electronic)	$0.00
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☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Shelby Brandon

Street and Apt. No., or PO Box No.: 607 Lakeside Dr.

City, State, ZIP+4®: Carlsbad, Nm 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: John + Phyllis Walker

Street and Apt. No., or PO Box No.: 605 Lakeside Dr.

City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 9318 6238

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Carlsbad, NM 88221

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: K2C Properties, LLC

Street and Apt. No., or PO Box No.: PO Box 1210

City, State, ZIP+4®: Carlsbad, NM 88221-1210

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Carlsbad, NM 88220

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Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Thomas + Michelle Kesterson

Street and Apt. No., or PO Box No.: 609 Lakeside Dr.

City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instruction

7018 0680 0000 9318 6252

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Carlsbad, NM 88220

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☐ Return Receipt (electronic)	$0.00
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☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: George Wheeler

Street and Apt. No., or PO Box No.: 612 W. Pierce St.

City, State, ZIP+4®: Carlsbad, NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 9318 6276

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at *www.usps.com®*.

Carlsbad, NM 88220

OFFICIAL USE

Certified Mail Fee	$5.30
Extra Services & Fees (check box, add fee as appropriate)	$4.40
☐ Return Receipt (hardcopy)	$0.00
☐ Return Receipt (electronic)	$0.00
☐ Certified Mail Restricted Delivery	$0.00
☐ Adult Signature Required	$0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
Total Postage and Fees	$10.48

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JAN 13 2026

01/13/2026

Sent To: Mariposa Enterprises LLC

Street and Apt. No., or PO Box No.: 612 W. Pierce St

City, State, ZIP+4®: Carlsbad NM 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7018 0680 0000 9318 6375

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF“R-2” RESIDENTIAL 2 DISTRICT TO “C-2” COMMERCIAL 2 DISTRICT FOR A TOTAL OF APPROXIMATELY 0.43 ACRES, LOCATED AT 606 & 608 W. PIERCE STREET, LEGALLY DESCRIBED AS LOTS 12 &14, BLOCK 181, WESTFALL SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-2" Residential 2 District to"C-2" Commercial 2 District, for approximately 0.43 acres, located at 606 & 608 W. Pierce St., legally described as:

LOTS 12 &14, BLOCK 181, WESTFALL SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

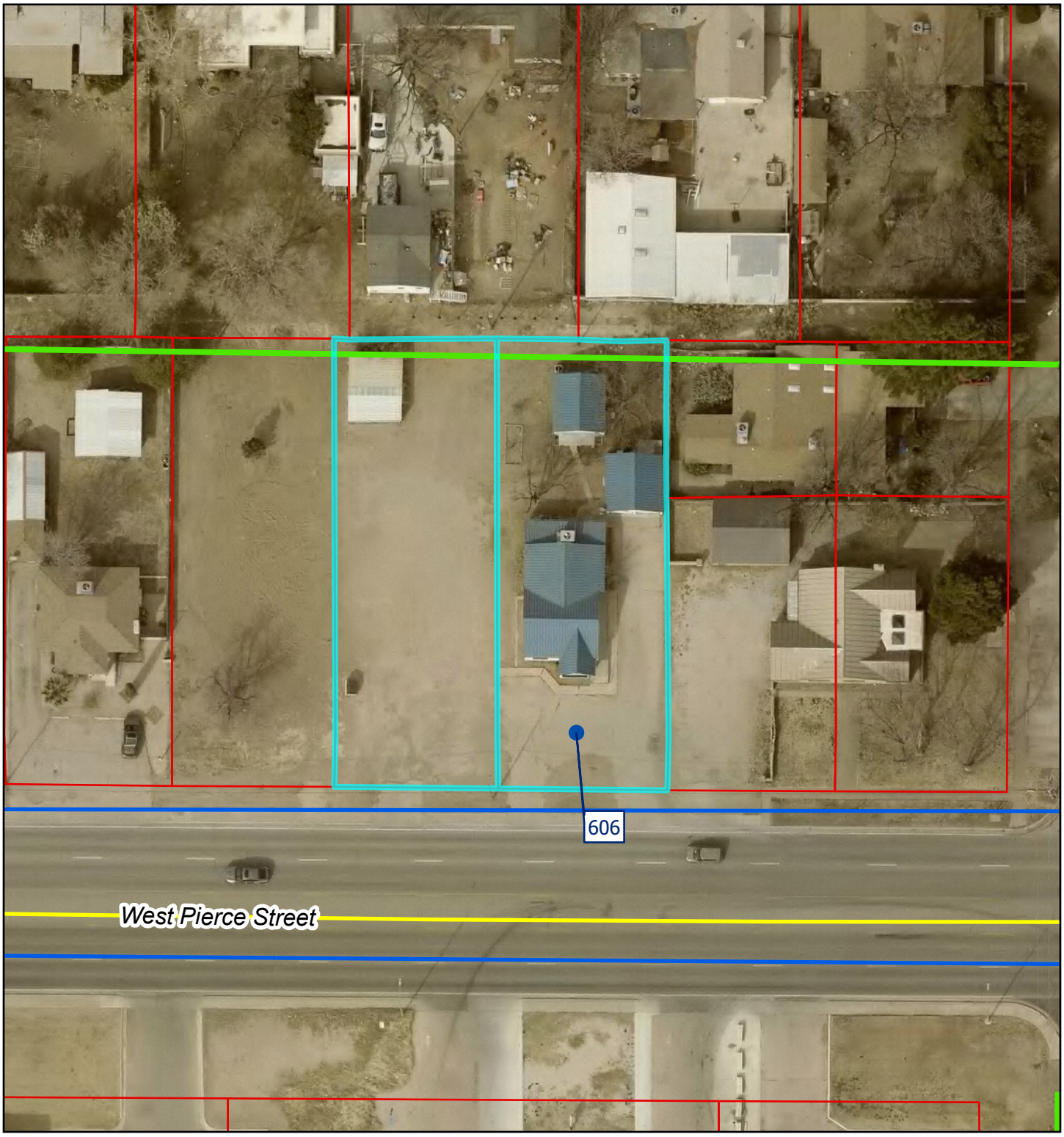
Scale: 1:600

1 inch = 50 feet

Zone Change
Carlsbad, NM

Map #: 3482_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Sewer Main
- Water Main
- Roads

0 25 50 100

Feet

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

City of Carlsbad GIS

N

S

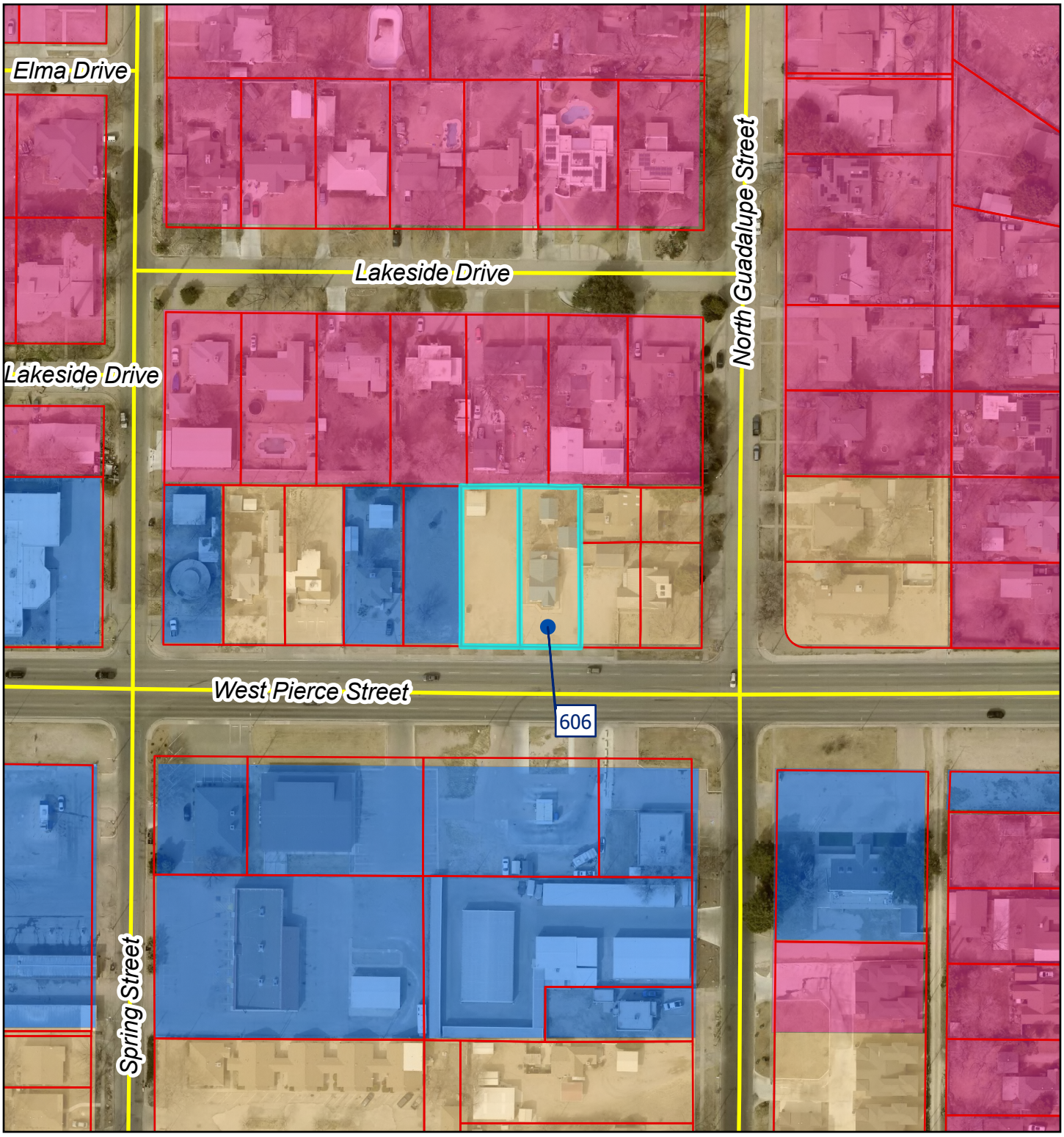
Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3482_ed02

Date: 1/28/2026



Carlsbad Address
Parcel
Zoning
C-2
R-1
R-2
Roads

0 70 140 280
Feet

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

City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 4.97 acres located at 1604 E. Greene St, legally described as Tract 5, Industrial Park Second Amendment Subdivision, from "I" Industrial District to "C-2" Commercial 2 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Zone Change from "I" Industrial District to "C-2" Commercial 2 District for the property located at 1604 East Greene Street, legally described as Tract 5, Industrial Park Second Amendment Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant:
Sarge Trucking Services, LLC/Claudia Gomez
210 Fulbright
Carlsbad, NM 88220

Owner:
BLUE SAPPHIRE INVESTMENTS LLC
210 Fulbright
Carlsbad, NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from "I" Industrial District to "C-2" Commercial 2 District for the 4.97-acre property located at 1604 East Greene Street.

The properties to the north, south, west and east are zoned Industrial District. This change would create a spot zone.

Sec. 56-40(e) of the Zoning Ordinance states:
(e) Commercial 2 (C-2) district. The commercial 2 district is intended to accommodate community and regional-scale retail and commercial uses. Such uses are regulated in order to be compatible with surrounding uses and existing infrastructure.

Chapter 5: Land Use
Objectives:

• *To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services.*

Chapter 6: Economic Development

Objectives:

• *To support industrial development within the Carlston Ranch Maser Plan area, along E. Greene St/US 62, West Bypass, and Derrick Road as identified on the Future Land Use Scenario.*

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City’s Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:

PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends denial of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:
Utilities Department: Recommend denial
Building Department: Recommend denial
Fire Department: Recommend denial
Legal Department: Recommend denial
Police Department: Recommend denial
Project Department: Recommend denial
Planning Department: Recommend denial
Code Enforcement:

BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - 1604 E Greene St



CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: 12/23/25
Existing Zoning: Industrial

Fee Paid ($100.00): $100.00
Proposed Zoning: C2

APPLICANT INFORMATION:

NAME	ADDRESS	CITY	STATE	ZIP	PHONE	EMAIL
Claudia Gomez	210 Fulbright	Carlsbad	NM	88220	(575) 973-4415	sargescorp@gmail.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME	ADDRESS	CITY	STATE	ZIP	PHONE	EMAIL
Sarge Trucking Services S. Corp	1604 E Greene st	Carlsbad	NM	88220	575-973-4415	sargescorp@gmail.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS	LOT	BLOCK	SUBDIVISION
1604 E Greene st	Lot Five(5)	of the	second Amended Plat of Industrial Park subdivision located in section 33 and 34 Township 21 South Range 27 East N.M.P.M.

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

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FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

Date: 12/23/2025

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Claudia Gomez 210 Fulbright 575-973-4415
Name Address Phone

Subject Site Location: 1104 E Greene st Carlsbad NM 88220

The proposed action is a:

☑ Zoning Change from Industrial to C2 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent



NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

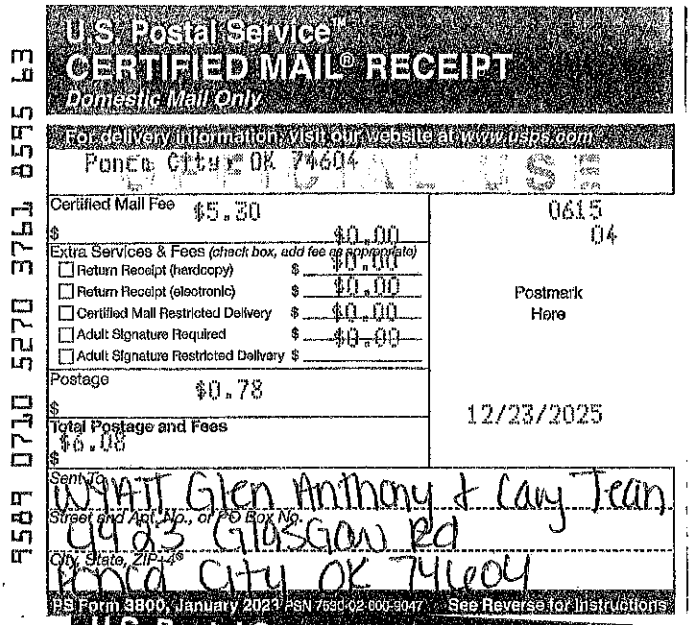
APPLICANT SIGNATURE

12/23/25
DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

11-15-16



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Ponca City OK 74604

OFFICIAL USE

Certified Mail Fee	$5.30
$	$0.00
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$ $0.00
☐ Return Receipt (electronic)	$ $0.00
☐ Certified Mail Restricted Delivery	$ $0.00
☐ Adult Signature Required	$ $0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
$	
Total Postage and Fees	$6.08
$	

0615
04

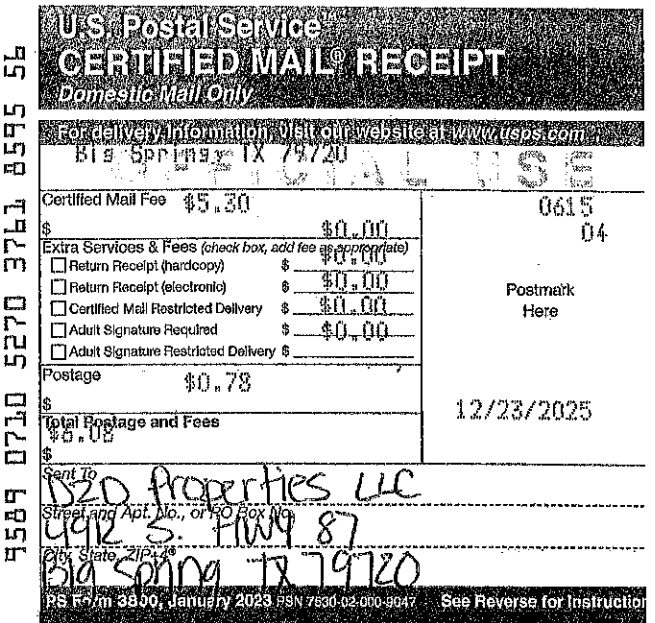
Postmark Here

12/23/2025

Sent To: Wyatt Glen Anthony & Cary Jean
Street and Apt. No., or PO Box No.: 9923 Glasgow Rd
City, State, ZIP+4®: Ponca City OK 74604

9589 0710 5270 3761 8595 63

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Big Spring TX 79720

OFFICIAL USE

Certified Mail Fee	$5.30
$	$0.00
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$ $0.00
☐ Return Receipt (electronic)	$ $0.00
☐ Certified Mail Restricted Delivery	$ $0.00
☐ Adult Signature Required	$ $0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
$	
Total Postage and Fees	$6.08
$	

0615
04

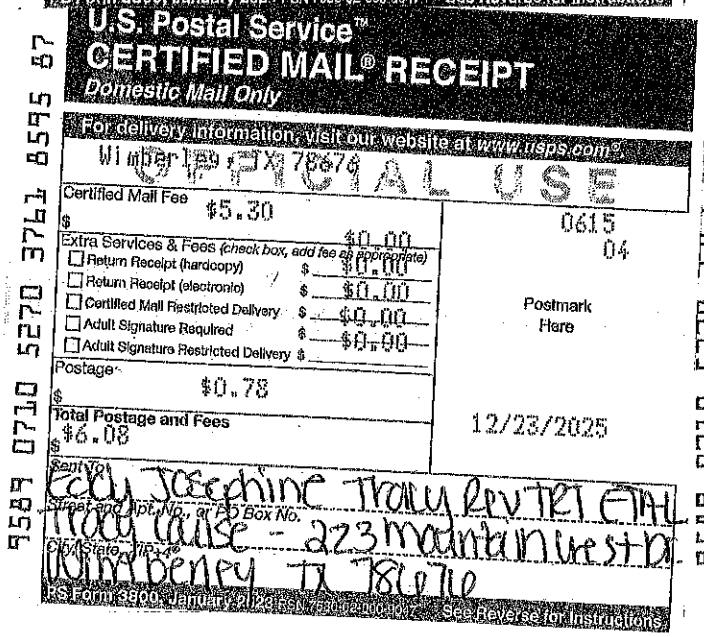
Postmark Here

12/23/2025

Sent To: 1520 Properties LLC
Street and Apt. No., or PO Box No.: 4912 S. FM 87
City, State, ZIP+4®: Big Spring TX 79720

9589 0710 5270 3761 8595 56

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructio



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Wimberley TX 78676

OFFICIAL USE

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$	$0.00
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	$ $0.00
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☐ Certified Mail Restricted Delivery	$ $0.00
☐ Adult Signature Required	$ $0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
$	
Total Postage and Fees	$6.08
$	

0615
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Postmark Here

12/23/2025

Sent To: Eddy Josephine Trally Rev TRT ETAL
Street and Apt. No., or PO Box No.: Trally Cause - 223 Mountain West Dr
City, State, ZIP+4®: Wimberley TX 78676

9589 0710 5270 3761 8595 87

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Carlsbad NM 88220

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☐ Certified Mail Restricted Delivery	$ $0.00
☐ Adult Signature Required	$ $0.00
☐ Adult Signature Restricted Delivery	$
Postage	$0.78
$	
Total Postage and Fees	$6.08
$	

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04

Postmark Here

12/23/2025

Sent To: K2C Properties LLC
Street and Apt. No., or PO Box No.: 1125 Mission Ave
City, State, ZIP+4®: Carlsbad NM 88220

9589 0710 5270 3761 8595 70

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructio

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF "I" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL 2 DISTRICT FOR APPROXIMATELY 4.97 ACRES, LOCATED AT 1604 E. GREENE ST., LEGALLY DESCRIBED AS TRACT 5, INDUSTRIAL PARK SECOND AMENDMENT SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "I" Industrial District to "C-2" Commercial 2 District, for approximately 4.97 acres, located at 1604 E. Greene St., legally described as:

TRACT 5, INDUSTRIAL PARK SECOND AMENDMENT SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3483_ed01

Date: 1/28/2026



- Carlsbad Address
- Parcel
- Water Main
- Roads

0 70 140 280

Feet

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

City of Carlsbad GIS

N

S

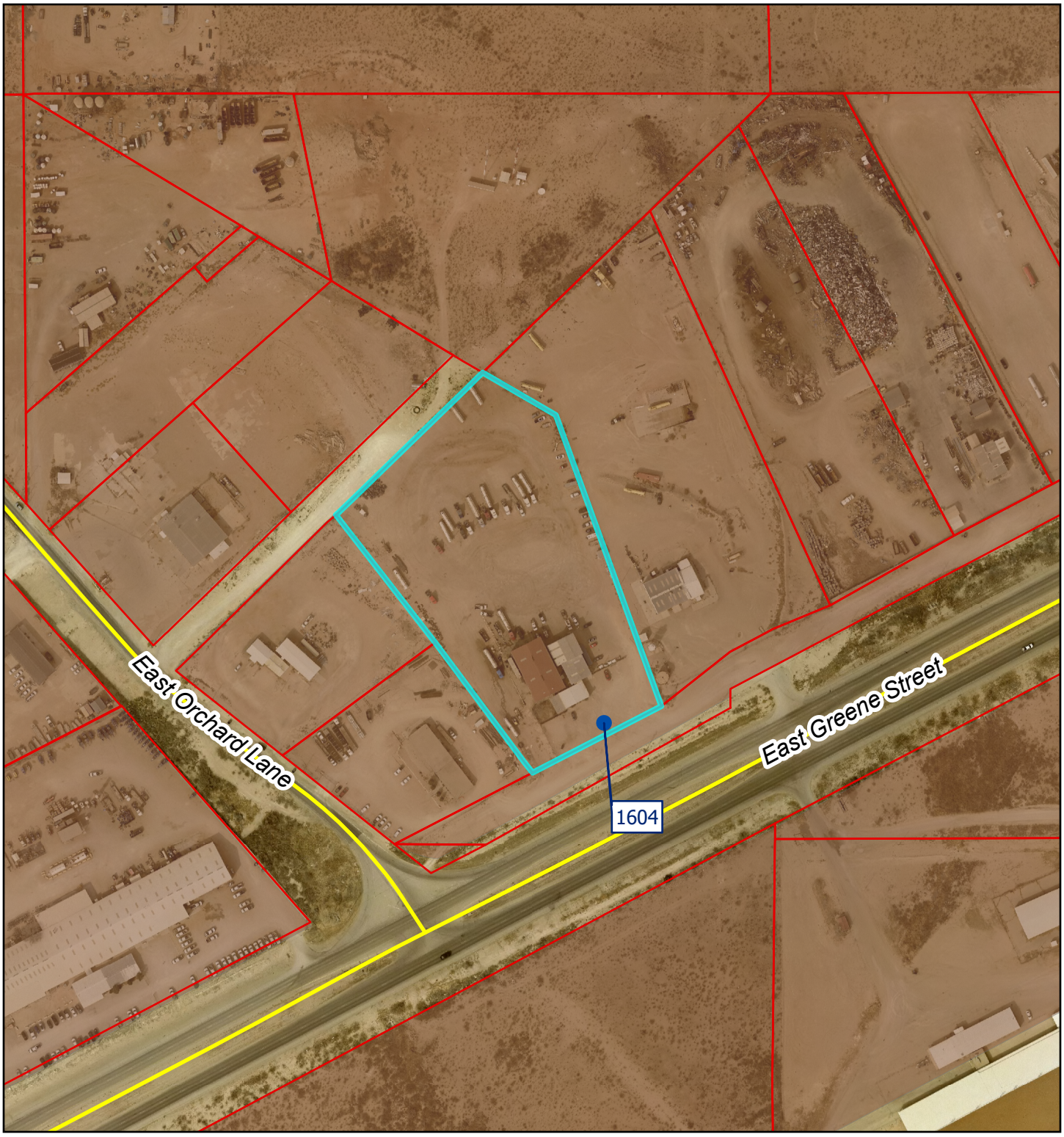
Scale: 1:3,000

1 inch = 250 feet

Zone Change
Carlsbad, NM

Map #: 3483_ed02

Date: 1/28/2026



Carlsbad Address

Parcel

Zoning

I

Roads

0 125 250 500

Feet

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

City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/23/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 0.30 acres located north of 2813 San Jose Blvd., legally described as Lots 25 & 27, Block 31, New San Jose First Addition Subdivision, from "R-1" Residential 1 District to "C-1" Commercial 1 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Zone Change from "R-1" Residential 1 District to "C-1" Commercial 1 District for the two parcels located north of 2813 San Jose Boulevard, legally described as Lots 25 & 27, Block 31, New San Jose First Addition Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant:
Edgar Gonzalez
3702 Saguaro
Carlsbad, NM 88220

Owner:
Tanis King Starck
1517 San Miguel Ave
Spring Valley, CA 91977

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from "R-1" Residential 1 District to "C-1" Commercial 1 District for the two properties located north of 2813 San Jose Boulevard.

The properties to the north and south are zoned "R-1" Residential 1 District. The properties to the west are zoned "R-2" Residential 2 District. The properties to the east are zoned "C-1" Commercial 1 District. This change would not create a spot zone.

Sec. 56-40(d) of the Zoning Ordinance states:

(d) Commercial 1 (C-1) district. The commercial 1 district is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:

Chapter 5: Land Use

Objectives:

- *To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services.*
- *To increase the utilizations and productive use of existing vacant land throughout Carlsbad, including the Carlston Ranch Master Plan area in South Carlsbad.*
- *To increase the supply of commercial and industrial properties.*
- *To meet the commercial market demand and needs of existing and future Carlsbad residents.*

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:

An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:

PLANNING STAFF RECOMMENDATION: After review of the application and City staff comments, the Planning Department recommends approval of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in

public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:
Utilities Department: Recommend denial – sewer inadequate for commercial use.
Building Department: Recommend approval
Fire Department: Recommend denial
Legal Department: Recommend denial
Police Department: Recommend denial
Project Department: Recommend approval
Planning Department: Recommend denial
Code Enforcement:

BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - 2809 & 2811 San Jose Blvd

RECEIVED
Receipt Date Stamp
JAN 2 2026
Planning, Engineering, & Regulation Department

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

pd cc

Application Date: 12/3/2025
Existing Zoning: R-1

Fee Paid ($100.00): $100.00
Proposed Zoning: C-1

APPLICANT INFORMATION:

Edgar Gonzalez 3702 Saguaro
NAME ADDRESS

Carlsbad. NM 88220 307-350 87-66 edgargonzalez2676@hotmail.com
CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

Edgar Gonzalez 3702 Saguro Dr
NAME ADDRESS

Carlsbad NM 88220 307-350-8766 edgargonzalez2676@hotmail.com
CITY STATE ZIP PHONE EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

2811 & 2809 San Jose Blvd. 27-25
ADDRESS LOT BLOCK SUBDIVISION

Inv. # ~~19362~~
00019379
$200.00

pd for 328 Farris street $100.00

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☐ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☒ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☒ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☒ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☒ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY:

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☑ZONING CHANGE ☐CONDITIONAL USE ☐VARIANCE ☐TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: 2801 San Jose BLVD Carlsbad NM
STREET ADDRESS

LEGAL DESSCRPTION: _____ 31 _____ 25
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: _____ _____
NAME PHONE

_____
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: _____
SIGNATURE

BY: _____
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this _____ **day of** _____,

20 ____, **by** _____.

Notary Public _____

My commission expires: _____

NOTIFICATION SIGN POSTING AGREEMENT

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- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

Edgar Gonzalez

APPLICANT SIGNATURE

12-29-25

DATE

Sign issued by: _____

Staff Member

Notification Agreement Rev. 10/11

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

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, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **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**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. 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 eight (8) copies need to be provided.** 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 90-days 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.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

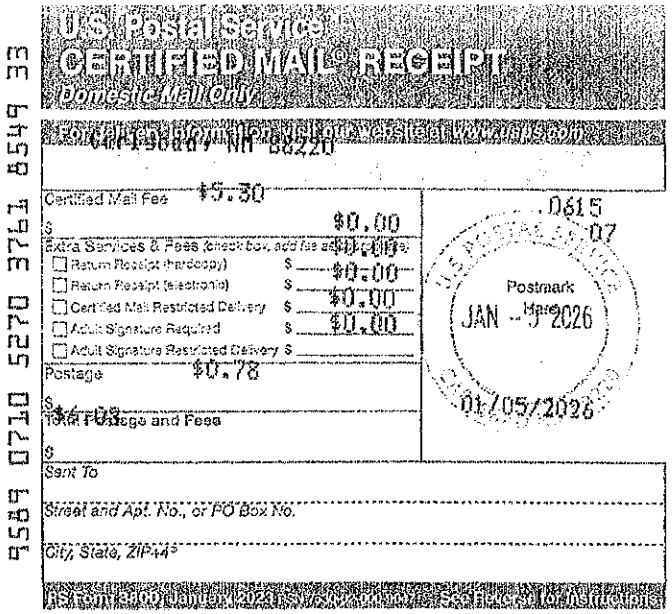
1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.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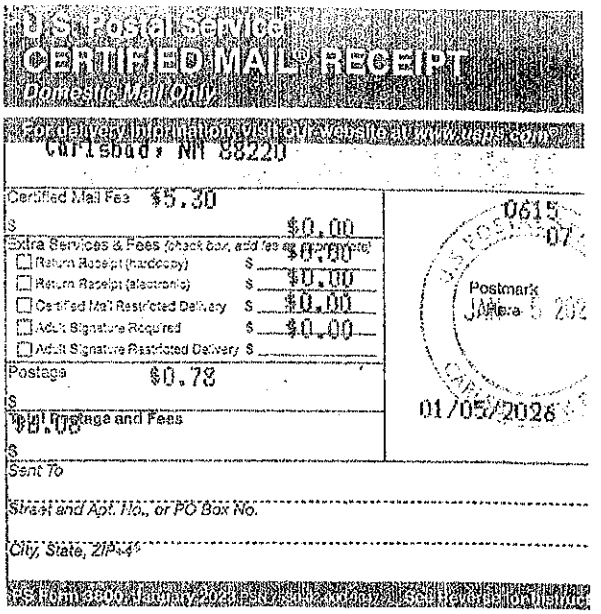
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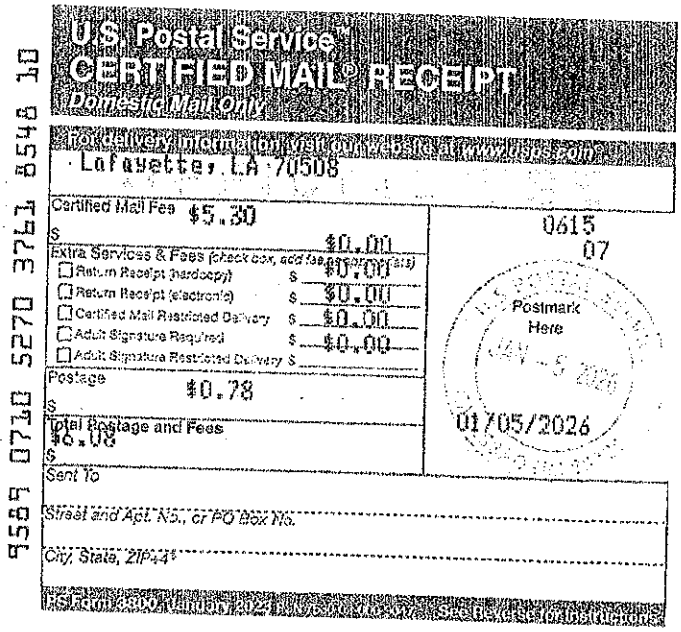
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For delivery information, visit our website at www.usps.com
Lafayette, LA 70508
Certified Mail Fee $5.30
$0.00
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $0.00
Return Receipt (electronic) $0.00
Certified Mail Restricted Delivery $0.00
Adult Signature Required $0.00
Adult Signature Restricted Delivery $
Postage $0.78
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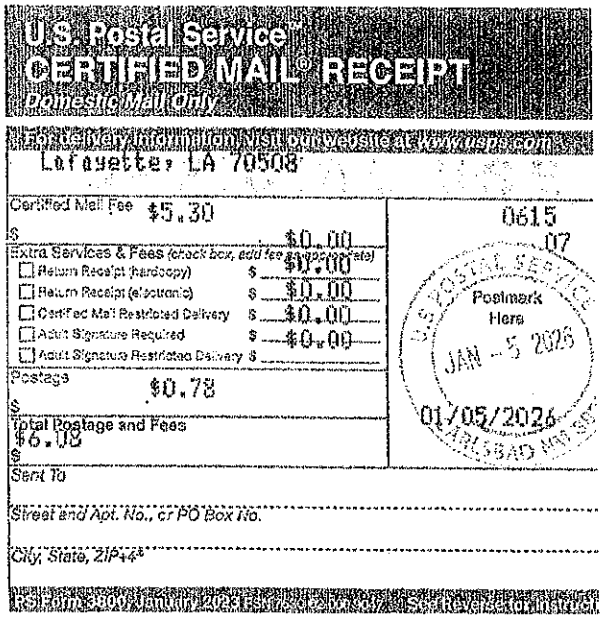
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CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com
Lafayette, LA 70508
Certified Mail Fee $5.30
$0.00
Extra Services & Fees (check box, add fee as appropriate)
Return Receipt (hardcopy) $0.00
Return Receipt (electronic) $0.00
Certified Mail Restricted Delivery $0.00
Adult Signature Required $0.00
Adult Signature Restricted Delivery $
Postage $0.78
Total Postage and Fees $6.08
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City, State, ZIP+4®
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions
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01/05/2026
CARLSBAD NM 88
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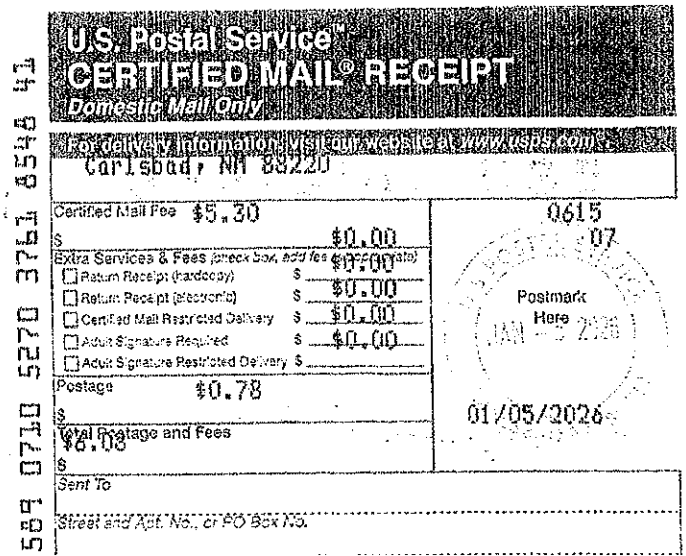
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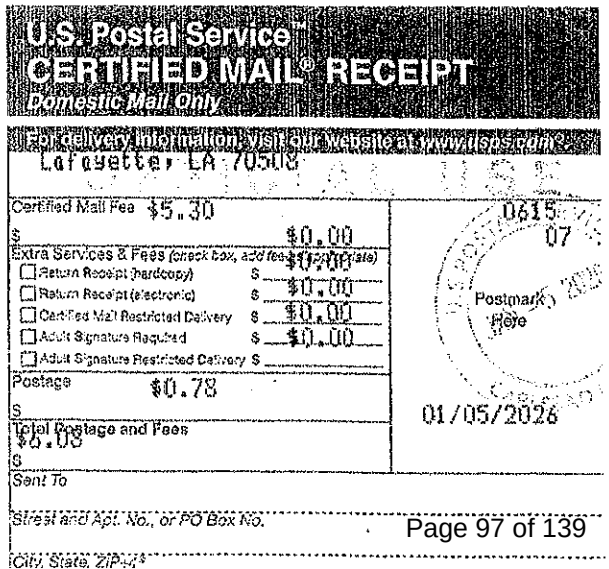
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Total Postage and Fees	$6.08
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Total Postage and Fees	$6.08
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City, State, ZIP+4®

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Carlsbad, NM 88220

Certified Mail Fee	$5.30
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Extra Services & Fees (check box, add fee as appropriate)	$0.00
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Total Postage and Fees	$6.08
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01/05/2026

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF “R-1” RESIDENTIAL 1 DISTRICT TO “C-1” COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 0.30 ACRES, LOCATED AT NORTH OF 2813 SAN JOSE BLVD., LEGALLY DESCRIBED AS LOTS 25 & 27, BLOCK 31, SAN JOSE FIRST ADDITION SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "C-1" Commercial 1 District, for approximately 0.30 acres, located north of 2813 San Jose Blvd., legally described as:

LOTS 25 & 27, BLOCK 31, SAN JOSE FIRST ADDITION SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

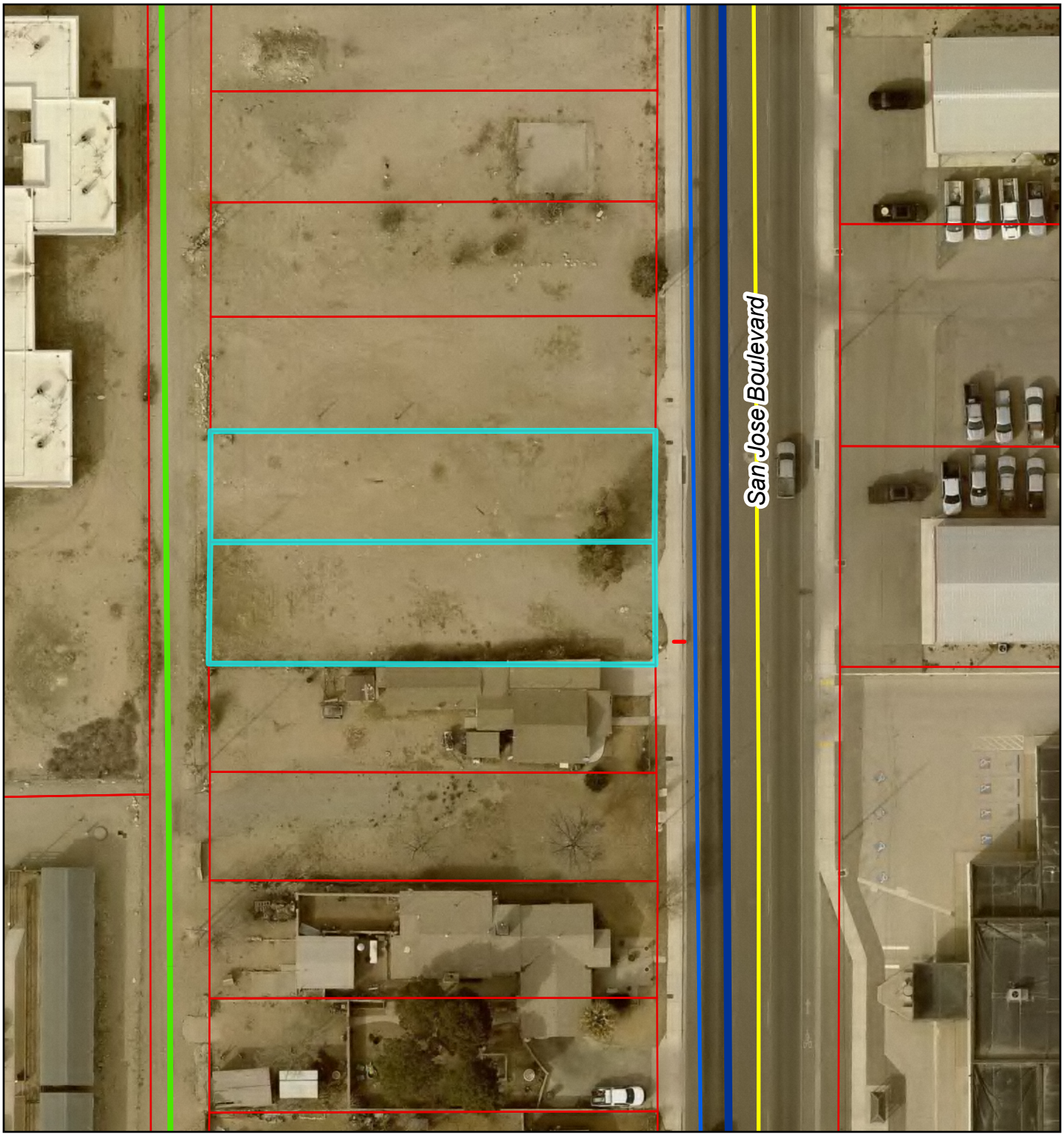
Scale: 1:600

1 inch = 50 feet

Zone Change
Carlsbad, NM

Map #: 3484_ed01

Date: 1/28/2026



Parcel
Sewer Main
Fire Hydrant Line
Water Main
Transmission
Roads

0 25 50 100
Feet

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

City of Carlsbad GIS

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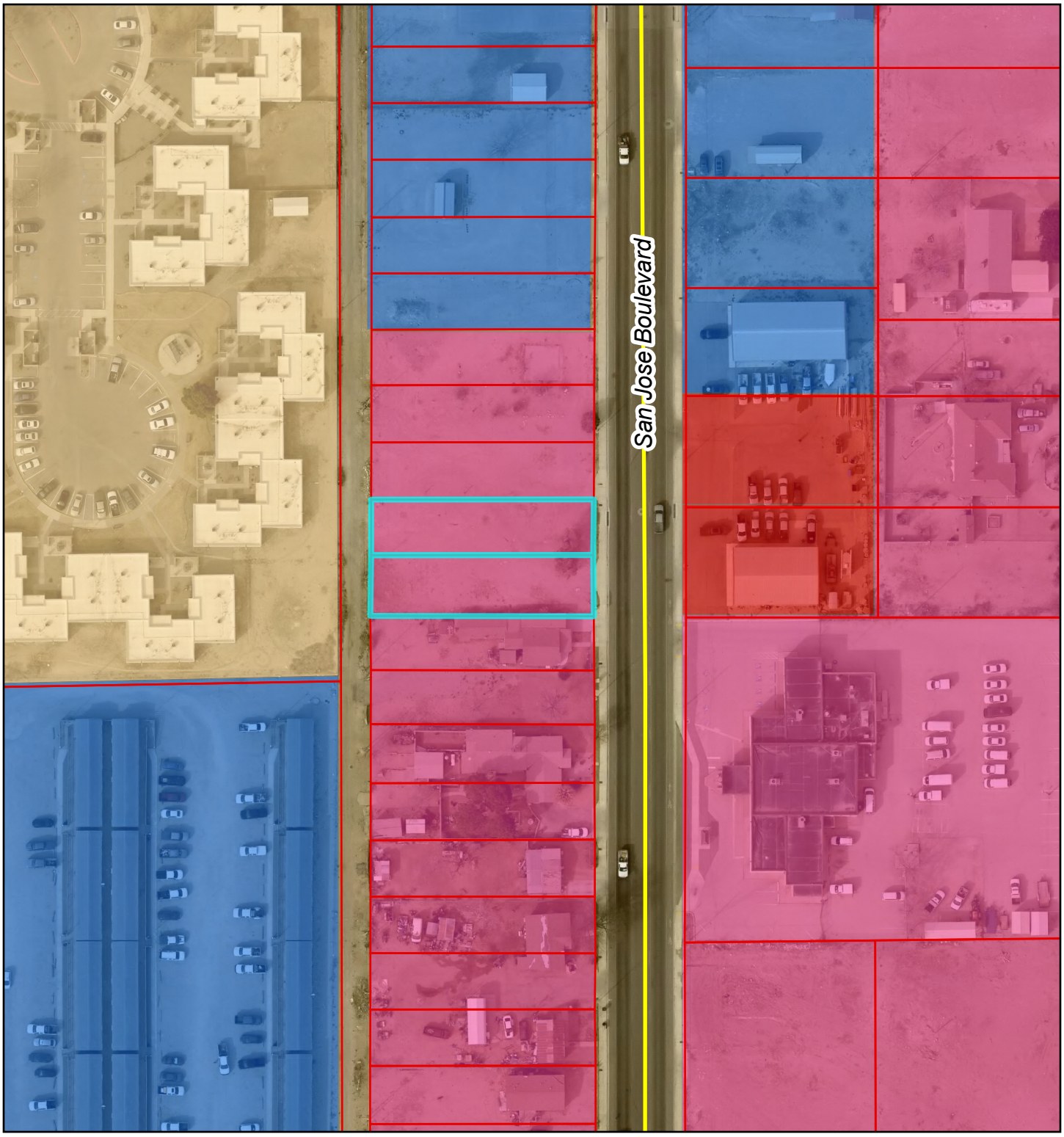
Scale: 1:1,200

1 inch = 100 feet

Zone Change
Carlsbad, NM

Map #: 3484_ed02

Date: 1/28/2026



Parcel

Zoning

C-1

C-2

R-1

R-2

Roads

0 50 100 200

Feet

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

City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/26/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 2.09 acres located west of 1500 Blodgett St., legally described as Lot 6, Lamont Addition Unit 2, Replat NO. 1 Subdivision, from "R-2" Residential 2 District to "C-1" Commercial 1 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Zone Change from "R-2" Residential 2 District to "C-1" Commercial 1 District for the property located west of 1500 West Blodgett Street, legally described as Lot 6, Lamont Addition Unit 2, Replat NO. 1 Subdivision, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
JBN Properties LLC
1402 W Riverside Dr
Carlsbad, NM 88220

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from "R-2" Residential 2 District to "C-1" Commercial 1 District for the 2.1-acre property located west of 1500 West Blodgett Street.

The properties to the north and south are zoned "R-2" Residential 2 District. The other properties to the north, south, west and east are zoned "R-1" Residential 1 District. This change would create a spot zone.

Sec. 56-40(d) of the Zoning Ordinance states:

(d) Commercial 1 (C-1) district. The commercial 1 district is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:
Chapter 5: Land Use
Objectives:
- To create a more compact urban form in areas appropriate for residential, commercial, or mixed-use development that currently have access to community services.

- To increase the supply of commercial and industrial properties.
- To meet the commercial market demand and needs of existing and future Carlsbad residents.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:
An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:

(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment responds or does not respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:
PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends approval of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the

text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:
Utilities Department: Recommend denial
Building Department: Recommend approval
Fire Department: Recommend denial
Legal Department: Recommend denial
Police Department: Recommend denial
Project Department: Recommend approval
Planning Department: Recommend approval
Code Enforcement:

BOARD/COMMISSION/COMMITTEE ACTION:
Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:
1. Application Materials - Zone Change - West of 1500 W Blodgett St

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

RECEIVED
Receipt Date Stamp
JAN 8 2026
Planning, Engineering, & Regulation Dept.

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: Jan 5, 26
Existing Zoning: R2

Fee Paid ($100.00): 100.00
Proposed Zoning: C1

APPLICANT INFORMATION:

NAME	ADDRESS
Jeremiah Norris	1402 W Riverside Dr

CITY	STATE	ZIP	PHONE	EMAIL
Carlsbad	NM	88220	575.390.5319	norris@upmcarlsbad.com

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME	ADDRESS
JBN Properties	1402 W Riverside Dr

CITY	STATE	ZIP	PHONE	EMAIL
Carlsbad	NM	88220	575.390.5319	norris@upmcarlsbad.com

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

ADDRESS	LOT	BLOCK	SUBDIVISION
W of 1500 W Blodgett	6		Lamont addition Unit 2

Replat No 1 Lot 6 Quarter SE
S:36 T:21S R:26E

REASON FOR THE REQUEST

An amendment to the Official Zoning Map or to the Text of the Zoning Ordinance must be justified by one or more of the following. Check all that apply:

☒ The proposed amendment will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance.

☐ The proposed amendment responds to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance.

☐ The proposed amendment is necessary in order to respond to State and/or Federal legislation.

☐ The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance.

☐ The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan.

☐ The proposed amendment will correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance.

☐ The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

FOR OFFICIAL USE ONLY

Required prior to P & Z:
Complete Application Including: ☐ Map ☐ Fee ☐ Letter ☐ Notification ☐ Sign Agreement

Required prior to City Council:
Council Hearing Date: _____ Publication Date: _____

Property Owner Notification Sent (within 100' minimum.): _____

☐ ABM ☐ Staff Comments ☐ Application Packet ☐ Draft Ordinance ☐ P&Z Minutes

Council Action: ☐ Approved ☐ Denied ☐ Other Ordinance No.: _____

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

APPLICANT SIGNATURE

1-5-26
DATE

Sign issued by: _____
Staff Member

Notification Agreement Rev. 10/11

11-15-16

Date: 1·5·25

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: Jeremian Norris (Name) 1402 W Riverside Dr (Address) 575·390·5319 (Phone)

Subject Site Location: W of 1500 W Blodgett

The proposed action is a:

☑ Zoning Change from R2 to C1 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent


BLODGETT LAUNDRY
— COIN LAUNDRY · WASH & FOLD —
OPEN
WASH · DRY · FOLD
LITTLE STARS
- DAYCARE -
NAIL SALON
MI FIESTA
MEXICAN FOOD
1500 W
BLODGETT ST
STOP

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF “R-2” RESIDENTIAL 2 DISTRICT TO “C-1” COMMERCIAL 1 DISTRICT TO FOR A TOTAL OF APPROXIMATELY 2.09 ACRES, LOCATED AT WEST OF 1500 W. BLODGETT, LEGALLY DESCRIBED AS LOT 6, LAMONT ADDITION UNIT REPLAT NO. 1 SUBDIVISION, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-2" Residential 2 District to "C-1" Commercial 1 District, for approximately 2.09 acres, located at west of 1500 W. Blodgett St., legally described as:

LOT 6, LAMONT ADDITION UNIT REPLAT NO. 1 SUBDIVISION

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

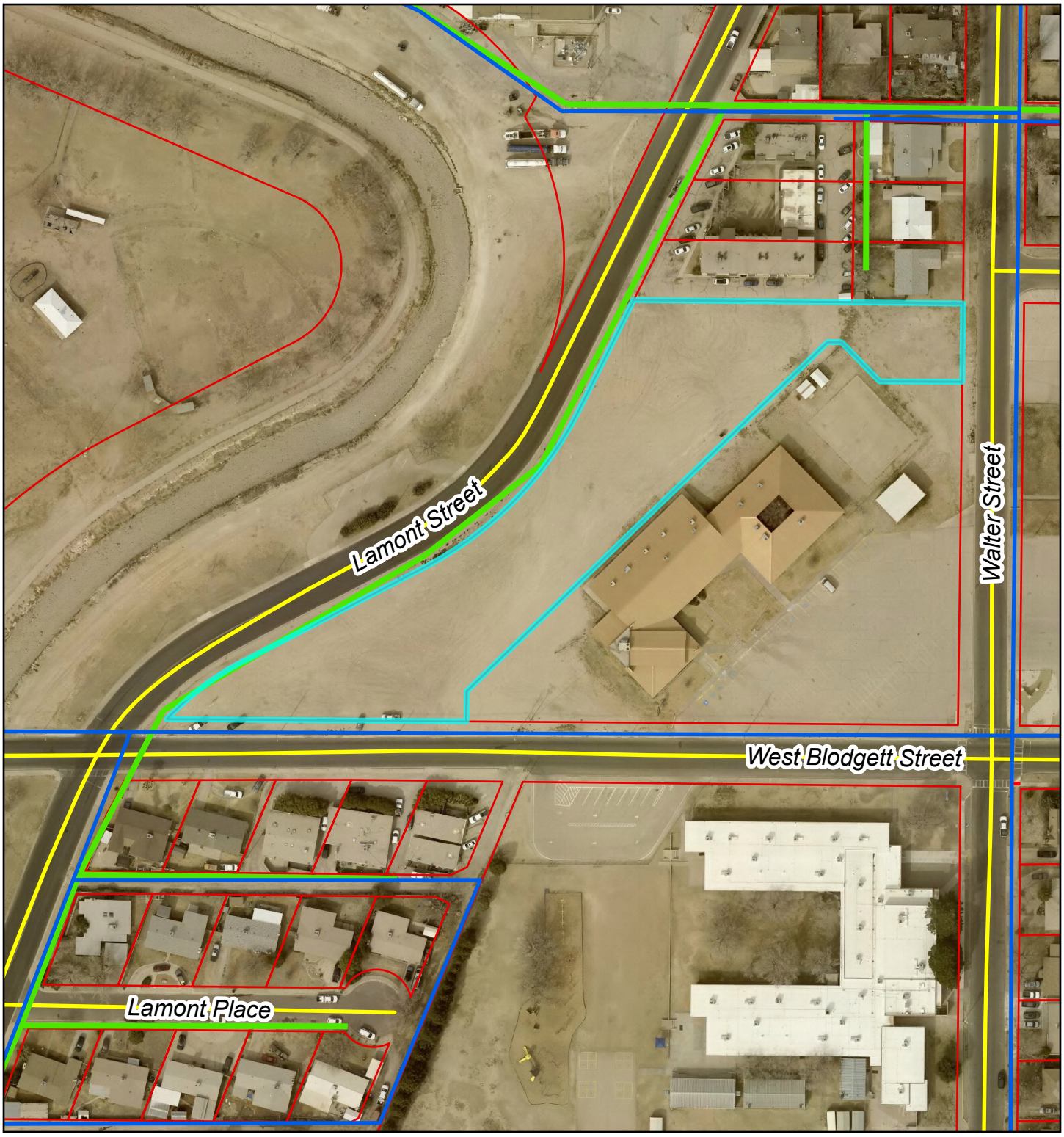
Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3486_ed01

Date: 1/28/2026



Parcel
Sewer Main
Fire Hydrant Line
Water Main
Roads

0 70 140 280
Feet

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

City of Carlsbad GIS

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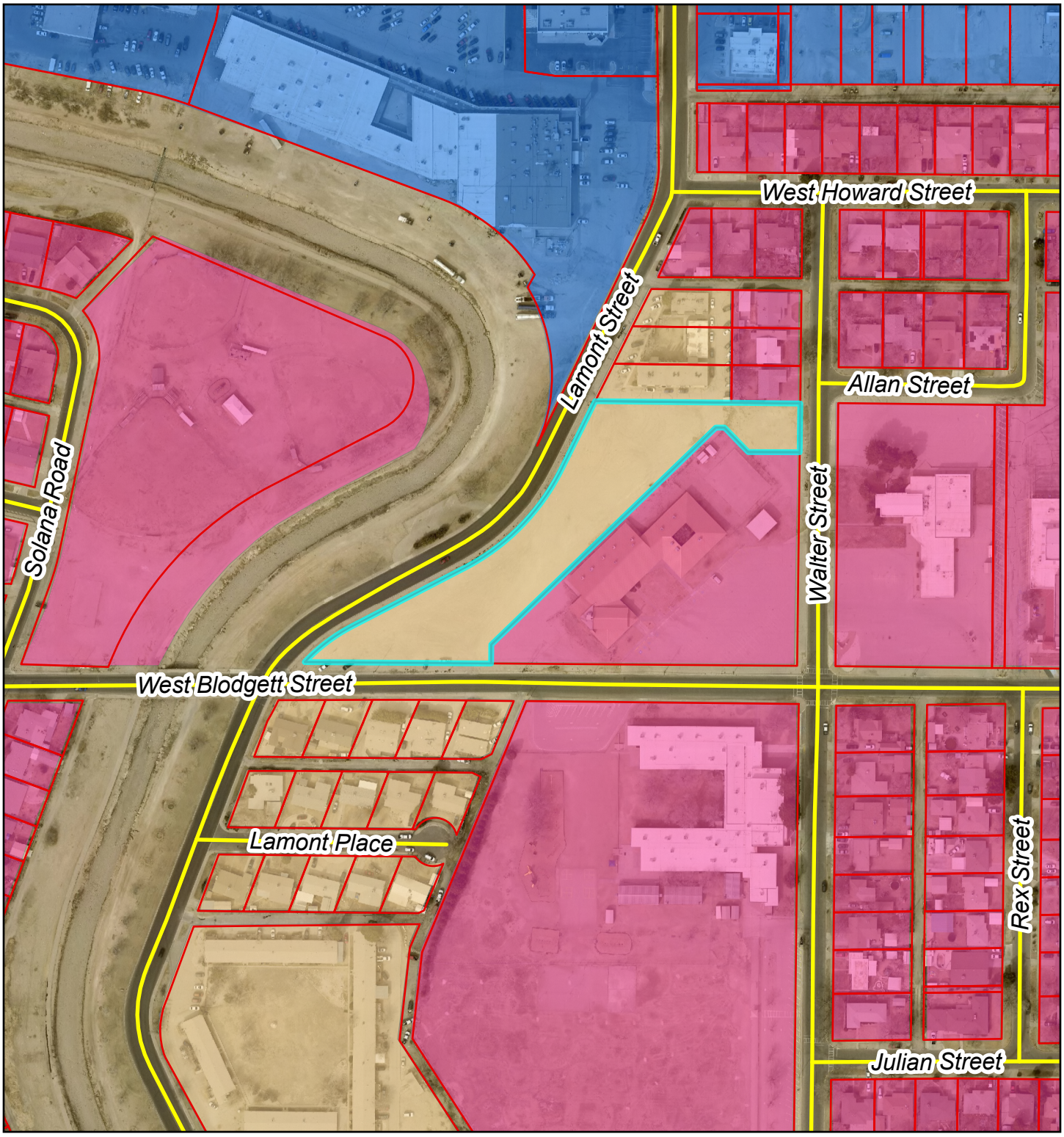
Scale: 1:2,700

1 inch = 225 feet

Zone Change
Carlsbad, NM

Map #: 3486_ed02

Date: 1/28/2026



Parcel
Zoning
C-2
R-1
R-2
Roads

0 115 230 460
Feet

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City of Carlsbad GIS

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CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Trysha Ortiz	**DATE**: 01/26/2026

SUBJECT:
Consider a recommendation to City Council regarding a request to change the zoning to approximately 1.435 acres located at 2814 San Jose Blvd., legally described as Lot 15A, Southridge Subdivision Replat of Lots 15, 16, 17 & 18, Block 6, from “R-1” Residential 1 District to “C-1” Commercial 1 District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Request for Zone Change from “R-1” Residential 1 District to “C-1” Commercial 1 District for the approximate 1.435 acres located at 2814 San Jose Boulevard, legally described as Lot 15A, Southridge Subdivision Replat 15, 16, 17 & 18, Block 6, pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.

Applicant/Owner:
City of Carlsbad
PO Box 1569
Carlsbad, NM 88221

SYNOPSIS, HISTORY AND IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Request for Zone Change from “R-1” Residential 1 District to “C-1” Commercial 1 District located at 2814 San Jose Boulevard.

The property to the north is zoned “C-1” Commercial 1 District. The properties to the east, west & south are zoned "R-1" Residential 1 District. This change would not create a spot zone.

Sec. 56-40(d) of the Zoning Ordinance states:
(d) Commercial 1 (C-1) district. The commercial 1 district is intended to accommodate neighborhood-scale retail, office, and customer service uses. Such uses are regulated in order to reduce adverse impacts on surrounding residential development.

According to Zoning Ordinance Sec. 56-150(b)(4). Amendments, Findings Required, a statement of fact regarding each of the following findings is required:
An amendment to the Official Zoning Map or to the Text of this Zoning Ordinance must be justified by one or more of the following findings:
(a) The proposed amendment will or will not adversely impact the public health, safety or general welfare and will or will not promote the original purposes of the Zoning Ordinance; and
(b) The proposed amendment responds or does not respond to changed conditions, such

as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is or is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment provides or does not provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is or is not in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will or will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment is justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment is justified in order to respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT RECOMMENDATION:

PLANNING STAFF RECOMMENDATION: After review of the application and staff comments, planning staff recommends approval of this request based on the following findings:

(a) The proposed amendment will not adversely impact the public health, safety or general welfare and will promote the original purposes of the Zoning Ordinance; and

(b) The proposed amendment does respond to changed conditions, such as changes in public capital investments, road locations or functional classification, population trends, density, use or further studies that have been completed since adoption of the Zoning Ordinance; and

(c) The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and

(d) The proposed amendment does provide additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and

(e) The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and

(f) The proposed amendment will not adversely affect the implementation of the goals and policies of the City's Comprehensive Plan or other City Master Plan; and

(g) The proposed amendment will not correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and

(h) The proposed amendment does respond to changes in the City's Comprehensive Plan or other City Master Plan including, but not limited to, changes in land use assumptions, surrounding uses, population forecasts, rates of land consumption, anticipated community needs or other factors.

DEPARTMENT COMMENTS:

Building Department: Recommend approval
Project Department: Recommend approval
Planning Department: Recommend approval

BOARD/COMMISSION/COMMITTEE ACTION:

Planning & Zoning Commission -

Reviewed by:	
City Manager:	Date:

Attachments:

1. Application Materials - Zone change - 2814 San Jose Blvd - R-1 to C-1

Receipt Date Stamp

CITY OF CARLSBAD

Planning, Engineering, and Regulation Department

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

Application Date: _____

Existing Zoning: R-1

Fee Paid ($100.00): _____

Proposed Zoning: C-1

APPLICANT INFORMATION:

City of Carlsbad PO Box 1569

NAME ADDRESS

Carlsbad NM 88220

CITY STATE ZIP PHONE EMAIL

PROPERTY OWNER INFORMATION (attach separate sheet for multiple owners):

NAME ADDRESS

CITY STATE ZIP PHONE EMAIL

* A signed affidavit from the property owner(s), consenting to submittal of the application, must be included with the application.

LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (INCLUDE A MEETS AND BOUNDS DESCRIPTION FOR UNPLATTED LAND, ATTACH SEPARATE SHEET, IF NECESSARY):

2814 San Jose Blvd

ADDRESS **LOT** **BLOCK** **SUBDIVISION**

11-15-16

CITY OF CARLSBAD
AFFIDAVIT BY PROPERTY OWNER(S)

IF AN APPLICATION IS MADE BY SOMEONE OTHER THAN THE PROPERTY OWNER THIS FORM MUST ACCOMPANY THE APPLICATION MATERIALS.

APPLICATION TYPE:

☐ZONING CHANGE ☐CONDITIONAL USE ☐VARIANCE ☐TEMPORARY USE

STATE OF NEW MEXICO)
) SS
COUNTY OF EDDY)

I (WE) HEREBY CERTIFY that I am (we are) the owners of record of the property described as follows:

ADDRESS OF PROPERTY: _____
STREET ADDRESS

LEGAL DESSCRPTION: _____
SUBDIVISION BLOCK LOT OR TRACT

I (WE) HAVE AUTHORIZED the following individuals to act as my (our) agent with regard to this application.

AGENT: _____ _____
NAME PHONE

_____
ADDRESS

I (WE) UNDERSTAND, CONCUR AND AFFIRM:

That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others and that compliance with all applicable City ordinances is required, and

I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: _____
SIGNATURE

BY: _____
PRINTED NAME

(ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY)

ACKNOWLEDGED, SUBSCRIBED, AND SWORN

to before me this _____ day of _____,

20 ____, by _____.

Notary Public _____

My commission expires: _____

11-15-16

NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

_____ _____

APPLICANT SIGNATURE DATE

Sign issued by: _____

Staff Member

Notification Agreement Rev. 10/11

11-15-16

Date: 1/21/2026

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: City of Carlsbad PO Box 1569, Carlsbad NM 88220
Name Address Phone

Subject Site Location: 2814 San Jose Blvd

The proposed action is a:

☒ Zoning Change from R-R to C-1 in accordance with Sec. 56-150(b).

☐ Variance/Appeal from Sec. _____ in accordance with Sec. 56-150(c).
The purpose of the variance/appeal is:

_____

_____

☐ Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:
- ☐ Home Occupation: _____
- ☐ Other Use: _____

The Planning and Zoning Commission will consider this request at a Public Hearing on:
Date: February 2, 2026
Time: 5:00pm
Place: City Annex Planning Room
114 S. Halagueno St.
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website www.cityofcarlsbadnm.com.
For details about this request contact the applicant OR contact the City Planner at 575-885-1185 or via email at jepatterson@cityofcarlsbadnm.com.

Sincerely,

Applicant/Agent

CITY OF CARLSBAD
Planning, Engineering, and Regulation Department
PO Box 1569, Carlsbad, NM 88221
Phone (575) 885-1185
Fax (575) 628-8379

ZONING CHANGE APPLICATION

Sec. 56-150(b)

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, Conditional Use, etc.) from the City of Carlsbad, Planning, Engineering, and Regulation Office.

2. **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**. The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. 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 eight (8) copies need to be provided.** 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 90-days 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.

ADDITIONAL PROCEDURAL REQUIREMENTS FOR ZONING CHANGES:

1) **PRESENCE AT MEETING:** The Planning and Zoning Commission will vote to recommend to the City Council approval or denial of request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have.

2) **CITY COUNCIL SETS A HEARING DATE:** After the Planning and Zoning Commission has made a recommendation on the request, the City Council (at their next regular meeting) will set a date for a public hearing. The date will be set for a regularly scheduled City Council meeting a minimum of 30 days from that date. A "notice of public hearing" is published in the Current Argus at least 30 days prior to the hearing.

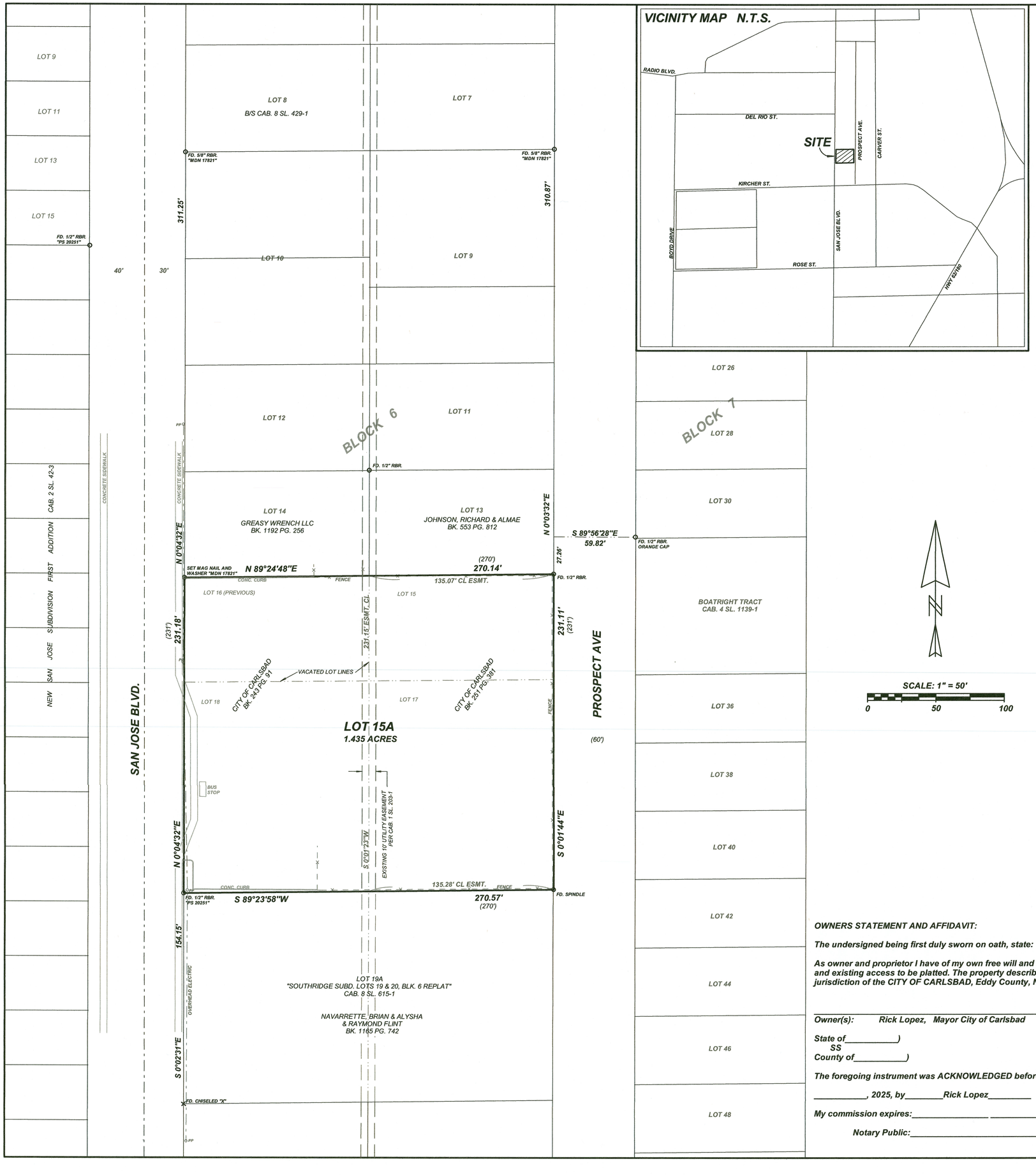
3) **NOTIFICATION:** The applicant shall mail notice of the Planning and Zoning Commission meeting, via certified mail, to all property owners within one-hundred feet (100') of the subject site. Evidence of such notification shall be provided with the application. In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing. At least fifteen (15) days prior to the City Council hearing, the City will notify adjacent property owners within 100' of the subject property via first-class mail for properties greater than one (1) block in size, or via certified mail for properties one (1) block or less in size. The notification will include a description of the request, applicant's information, legal description of subject property, and the date of the hearing.

4) **PUBLIC HEARING:** The Public Hearing will be held during a regularly scheduled City Council meeting, and the applicant or his/her representative **MUST BE PRESENT** to address any questions that the Mayor or Council members may have.

5) **ZONING CHANGE IS FINAL:** If the City Council approves the zone change, the ordinance is published in the Current Argus. The change is considered final five (5) days after publication.

SOUTHRIDGE SUBDIVISION
REPLAT OF LOTS 15, 16, 17, & 18, BLOCK 6

WITHIN SECTION 18, T22S, R27E, N.M.P.M.
CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO
NOVEMBER, 2025



DESCRIPTION

LOTS 15, 16, 17, AND 18 WITHIN BLOCK 6, AS SUCH LOTS ARE SHOWN AND SO DESIGNATED ON THE PLAT OF "SOUTHRIDGE SUBDIVISION", IN THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, SAID PLAT FILED FOR RECORD IN THE OFFICE OF THE EDDY COUNTY CLERK ON MARCH 23, 1951 IN PLAT CABINET 1 SLIDE 203-1.

REPLATTED AS SHOWN HEREON AND NOW TO BE KNOWN AS LOT 15A, OF THE "SOUTHRIDGE SUBDIVISION REPLAT OF LOTS 15, 16, 17, & 18, BLOCK 6" IN THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO ALONG WITH THE FILLING DATE AND PLAT CABINET AND SLIDE NUMBER ASSIGNED TO THIS PLAT.

APPROVAL BY THE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO ON THIS _____ DAY OF _____, 20____.

_____
COMMISSION DESIGNEE

SURVEY NOTES:

1. *Date of field survey September 22, 2025 .*
2. *Unless otherwise noted all property corners are set 5/8" rebars with plastic I.D. caps impressed "MDN 17821"*
3. *Basis of bearings is GRID NM East zone NAD 1983, Distances are ground. Ground to Grid factor = 0.99975958 scaled about an origin of 0,0; convergence = 00°02'05.27"*
4. *Course data in parenthesis is from plat or record (Cab. 1 Sl. 203-1) when field measured data to found points differ by an amount exceeding accuracy prescribed by the Minimum Standards for Land Surveyors in New Mexico.*
5. *The property shown hereon is within flood zone "X" (areas outside of the 0.2% annual chance flood) as shown on F.E.M.A., F.I.R.M. community panel No. 35015C1065D effective June 4, 2010.*
6. *No title commitment nor additional easement documentation was provided for this survey, and all easements may not be shown hereon however the property is subject to all Easements, Conditions, Restrictions and Reserevations of record or in existence.*
7. *File name: SOUTR6RE.ZAK, WINTHAD.CSV*

SURVEYORS CERTIFICATE

I, Matthew D. Norman, a New Mexico registered Professional Land Surveyor, certify that I conducted and am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief, and that this survey and plat meet the Minimum Standards for Surveying in New Mexico.

11/19/25
Matthew D. Norman, P.S. 17821 Date

MATTHEW D. NORMAN NEW MEXICO 17821 REGISTERED PROFESSIONAL SURVEYOR

OWNERS STATEMENT AND AFFIDAVIT:

The undersigned being first duly sworn on oath, state:

As owner and proprietor I have of my own free will and consent caused this plat with its lots and existing access to be platted. The property described hereon lies within the platting jurisdiction of the CITY OF CARLSBAD, Eddy County, NM.

_____
Owner(s): Rick Lopez, Mayor City of Carlsbad

State of_____)
SS
County of_____)

The foregoing instrument was ACKNOWLEDGED before me this_____day of

_____, 2025, by_____Rick Lopez_____

My commission expires:_____ _____

Notary Public:_____

FILING AND RECORDING INFORMATION

INDEXING INFORMATION FOR COUNTY CLERK

ASSESSED OWNER(S): City of Carlsbad
SECTION(S): 18, T22S, R27E, N.M.P.M.
TOTAL ACREAGE: 1.435 ACRES
SUBDIVISION: Southridge

MDN SURVEYING
401 W. GREENE ST.
CARLSBAD, NM 88220
(575) 234-3505

ORDINANCE NO. 2026-____

AN ORDINANCE REZONING PART OF “R-1” RESIDENTIAL 1 DISTRICT TO “C-1” COMMERCIAL 1 DISTRICT FOR APPROXIMATELY 1.435 ACRES, LOCATED AT 2814 SAN JOSE BLVD, LEGALLY DESCRIBED AS LOT 15A, SOUTHRIDGE SUBDIVISION REPLAT 15, 16, 17 & 18, BLOCK 6, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, that:

The official zoning map of the City is hereby amended to rezone part of "R-1" Residential 1 District to "C-1" Commercial 1 District, for approximately 1.435 acres, located at 2814 San Jose Blvd.., legally described as:

LOT 15A, SOUTHRIDGE SUBDIVISION REPLAT 15, 16, 17 & 18, BLOCK 6

INTRODUCED, PASSED, ADOPTED AND APPROVED this 10th day of March, 2026.

_____
RICHARD D. LOPEZ, MAYOR

ATTEST:

_____
CITY CLERK

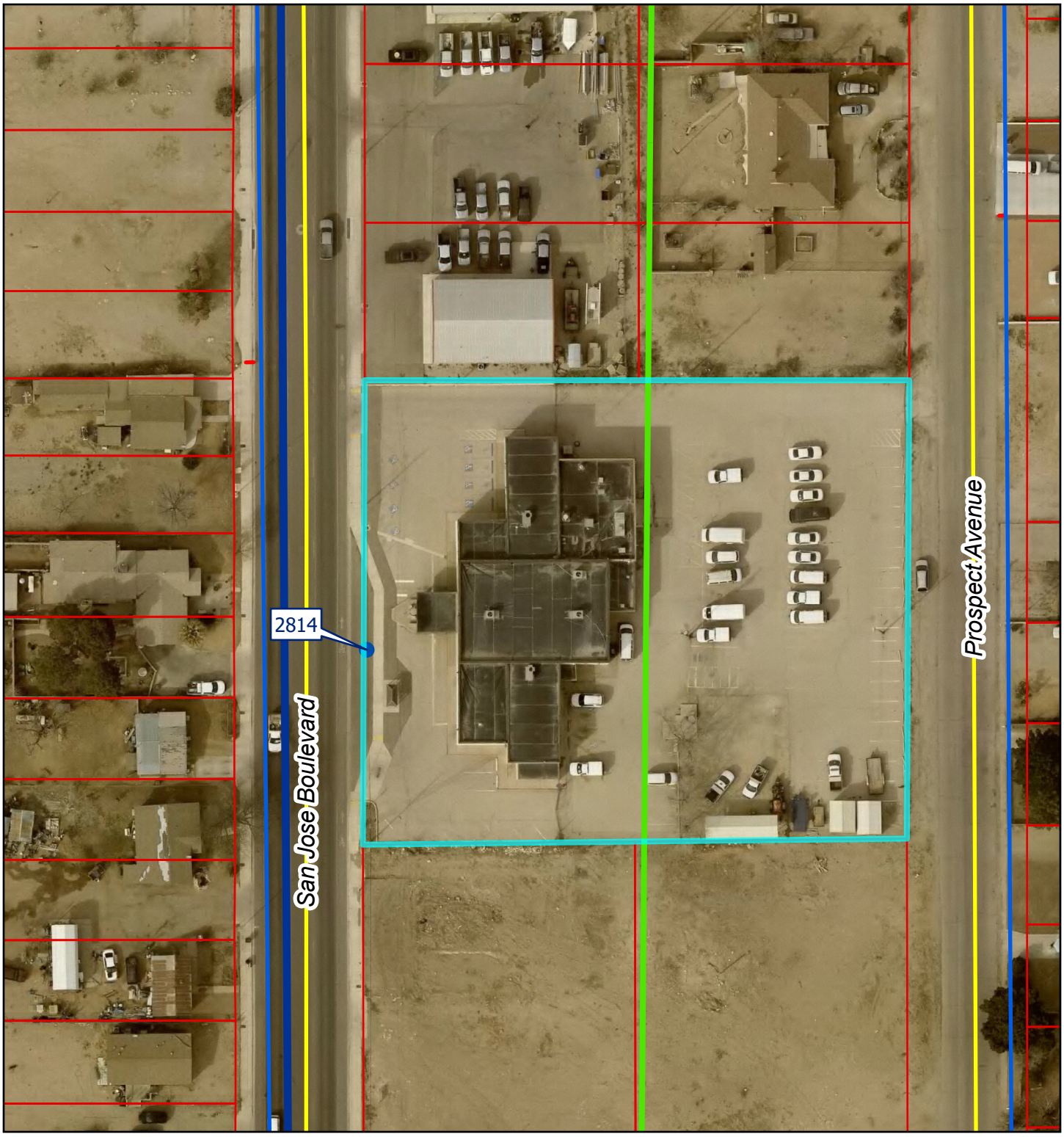
Scale: 1:840

1 inch = 70 feet

Zone Change
Carlsbad, NM

Map #: 3485_ed01

Date: 1/28/2026



Carlsbad Address
Parcel
Sewer Main
Fire Hydrant Line
Water Main
Transmission
Roads

0 35 70 140
Feet

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

City of Carlsbad GIS

N
S

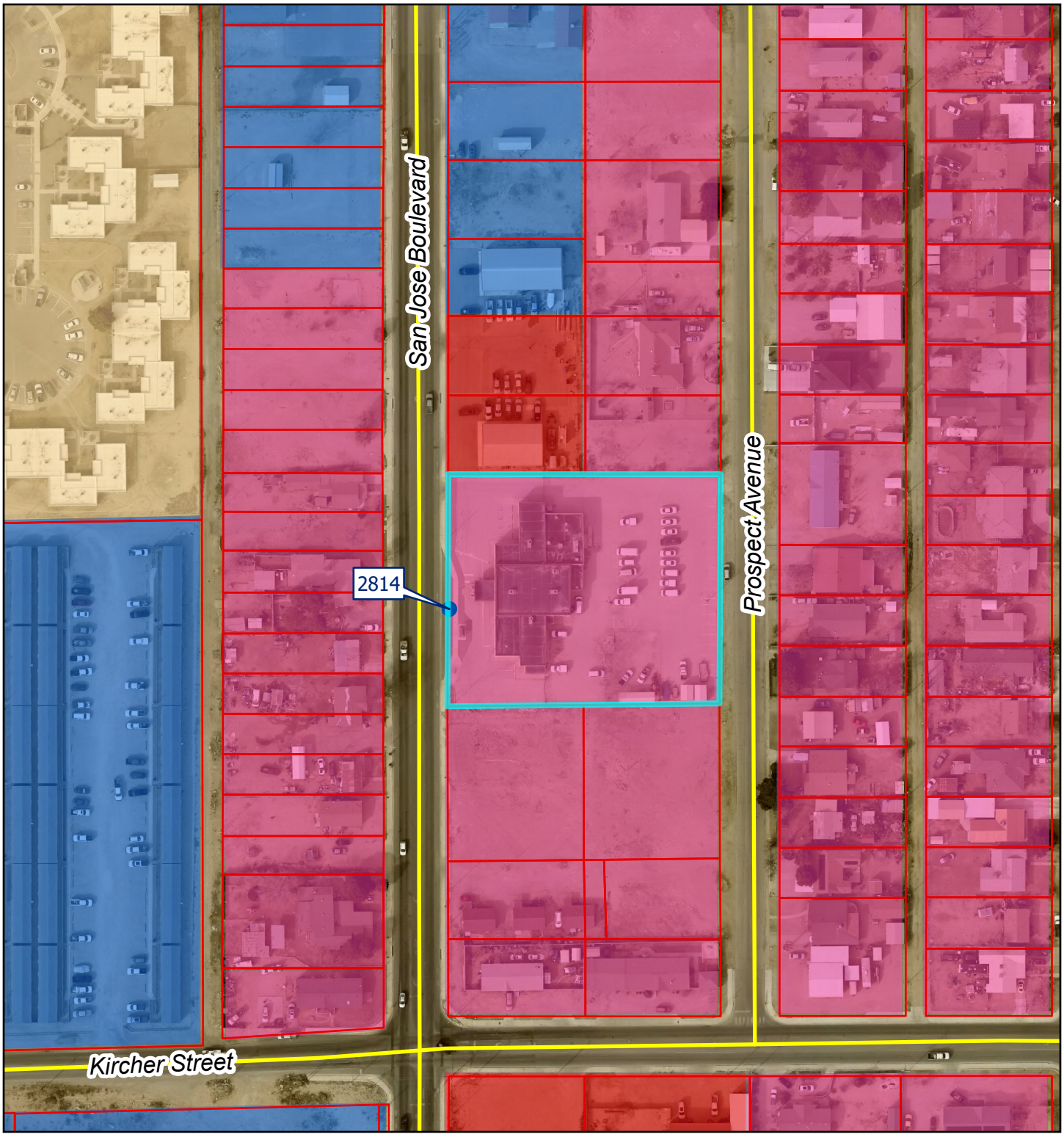
Scale: 1:1,680

1 inch = 140 feet

Zone Change
Carlsbad, NM

Map #: 3485_ed02

Date: 1/28/2026



Carlsbad Address
Parcel
Zoning
C-1
C-2
R-1
R-2
Roads

0 70 140 280
Feet

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

City of Carlsbad GIS

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S

CITY OF CARLSBAD
AGENDA BRIEFING
MEMORANDUM

Council Meeting Date: February 2, 2026

DEPARTMENT: Planning & Zoning	**BY**: Jeff Patterson	**DATE**: 01/26/2026

SUBJECT:
Consider approval of the Branson Industrial Subdivision, Lot 1, Phase 1 final plat, creating 1 new lot located along the south side of Derrick Rd., zoned "I" Industrial District

BACKGROUND, ANALYSIS AND IMPACT: (Safety and Welfare/Financial/Personnel/Infrastructure/etc.)
SUBJECT: Final Plat for Phase 1 of the Branson Industrial Subdivision, creating Lot 1 of that subdivision development, zoned "I" Industrial District, located at 785 W. Derrick Rd., pursuant to Code of Ordinances Chapter 47.

Applicant:
Branson Properties, LLC.
P.O. Box 1506
Carlsbad, NM 88220

SYNOPSIS: The applicant is requesting approval of the final plat for Phase 1 of the Branson Industrial Subdivision, which will create Lot 1 of the industrial development. The zoning for the property is "I" Industrial District. Work on this phase of the development has not begun.

The applicant has provided a Letter of Credit from Carlsbad National Bank as a financial guarantee in the amount of $995,930.75 to cover the completion of this phase of the development. City staff has reviewed this financial guarantee and the cost estimates and finds that the funds set aside should cover the costs of public infrastructure to be installed. The financial guarantee provides security for the City in the event that the developer is unable to complete the development. The developer wishes to create Lot 1 of this development in order to continue developing this lot and the storage building being built at this location. The Letter of Credit and cost estimates are attached to this packet.

City staff is working with the developer and design professionals to finalize and approve the plans for this development. The design professionals are expected to produce the construction plans for Phase 1 soon. The cost estimates provided cover the extension and installation of water and sewer lines from Production Ln. to the west to the building placed at Lot 1 of the development. The estimates also cover the installation of chip seal road surface from Derrick Rd. south along Lot 1.

IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):
Approval of this request will create one new lot for industrial development.

The following City of Carlsbad Comprehensive Plan 2045 objectives apply to this request:

Chapter 5: Land Use

Objectives:

- *To increase the supply of commercial and industrial properties.*
- *To encourage the location and development of commercial and industrial uses at and adjacent to the Cavern City Airport, Carlston Ranch Master Plan area, and along the West Bypass Road and George Shoup Relief Route.*

Chapter 6: Economic Development

Objectives:

- *To promote Carlsbad as a regional employment activity center for southeastern New Mexico.*
- *To position Carlsbad for target industry growth and development.*
- *To support industrial development within the Carlston Ranch Maser Plan area, along E. Greene St/US 62, West Bypass, and Derrick Road as identified on the Future Land Use Scenario.*

DEPARTMENT RECOMMENDATION:

PLANNING STAFF RECOMMENDATION: based on review of the application and staff comments, planning staff recommends approval. If approved, the following conditions shall be agreed to prior to sign off of the final plat:

1. The developer and design professionals shall provide complete construction plans that cover the proposed water and sewer line extensions and installations, and cover the installation of the proposed road surface.
2. The developer and contractor shall continue to work with City staff regarding the infrastructure installed and the design of the infrastructure.
3. The City's Infrastructure Inspector shall monitor the installation of the approved infrastructure.
4. Once the infrastructure is installed, the City shall review the work and formally accept the infrastructure.
5. The developer shall provide as-built documents for all installed infrastructure.

DEPARTMENT COMMENTS:

Public Works: Recommend Approval.
Utilities Department: Recommend Approval.
Building Department: No comments.
Fire Department: No comments.
Code Enforcement: No comments.
Legal Department: No comments
Planning Department: Recommend Approval.
Police Department: No comments.

BOARD/COMMISSION/COMMITTEE ACTION:

Planning & Zoning Commission -

Reviewed by:

City Manager:	Date:

Attachments:

1. Application Materials - Branson Industrial Subdivision Phase 1

APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 - SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

Application Date: 1/9/26 **Fee Paid:** See Letter

Application Type and fee:
- ☐ Sketch Plat (no fee)
- ☒ Preliminary Plat (1-7 lots: $150.00 + $2.00/lot; 8+ lots: $300.00+$3.00/lot)
- ☐ Final Plat (no fee)
- ☐ Summary Review* ($50.00)

Receipt Date Stamp

Branson Properties, LLC NAME OF PROPERTY OWNER	NAME OF DEVELOPER (IF DIFFERENT FROM OWNER)
PO Box 1586 ADDRESS	ADDRESS
Carlsbad, NM 88221 CITY STATE ZIP	CITY STATE ZIP
575 706 3235 Valerie ~~Branson~~ Branson PHONE EMAIL	PHONE EMAIL
@sboilfield.com	

Location of the property being subdivided: 785 W Derrick

Is the property:

- ☒ Within the City of Carlsbad Zoning District:
  - ☐ R-R ☐ R-1 ☐ R-2 ☐ C-1 ☐ C-2 ☒ I ☐ PUD
- ☐ Outside the City Limits but within the City's Planning and Platting Jurisdiction (5-Mile Radius)

Existing Use of the Property: Under Development - See Cover Letter

Proposed Use of the Property: Industrial Lot

The Carlsbad Code of Ordinances Chapter 47 - Subdivision Regulations and Section 3-20-1 et. seq. NMSA 1978, regulate the subdivision of land. As the property owner, I understand that all required information must be provided in accordance with these regulations and that the construction of certain public improvements may be required as a condition of plat approval. If these improvements are not already in place and accepted by the City, the applicant must attach a financial guarantee, subject to approval by the City, that these improvements will be completed within 1 (one) calendar year after the date of this application or request a variance by the City Council of the applicable subdivision regulation(s). The justification required for this variance is summarized on the reverse side of this page and must be reviewed by the Planning and Zoning Commission prior to submittal to the City Council.

X Valerie Branson
SIGNATURE OF PROPERTY OWNER

Dunagan Associates
212 W Stevens
Carlsbad, NM
88220
575 706 2951
georged@dunaganassociates.com

January 9, 2026

Jeff Patterson
City of Carlsbad Planning Department
114 S Halagueno Street
Carlsbad, NM
88220

RE: Branson Industrial Subdivision, 785 W Derrick Road, Phase One, Lot 1 submission

Dear Mr. Patterson,

Attached is Subdivision Application for 785 W Derrick Road, Lot 1, Phase 1 of Branson Industrial Subdivision. After consulting with your office a fee will not be due for this lot as it was paid in the initial submission in 2024.

Before the next Planning and Zoning meeting we will submit a separate survey of Lot 1 of the attached preliminary plat of the entire subdivision for specifically Lot 1, Phase 1, the current property being submitted. I have been told this will be available January 15. It will be in a recordable form.

Before the next Planning and Zoning meeting we will submit plans for water, sewer and any updated roads plans for Lot 1, Phase 1, Branson Industrial Subdivision in addition to those previously submitted for city review. Hopefully we will also submit updated plans for the entire subdivision in addition to those previously submitted.

The owner will be pursuing providing a Financial Guaranty acceptable to the city for Lot 1, Phase 1, Branson Industrial Subdivision as well per your email to me.

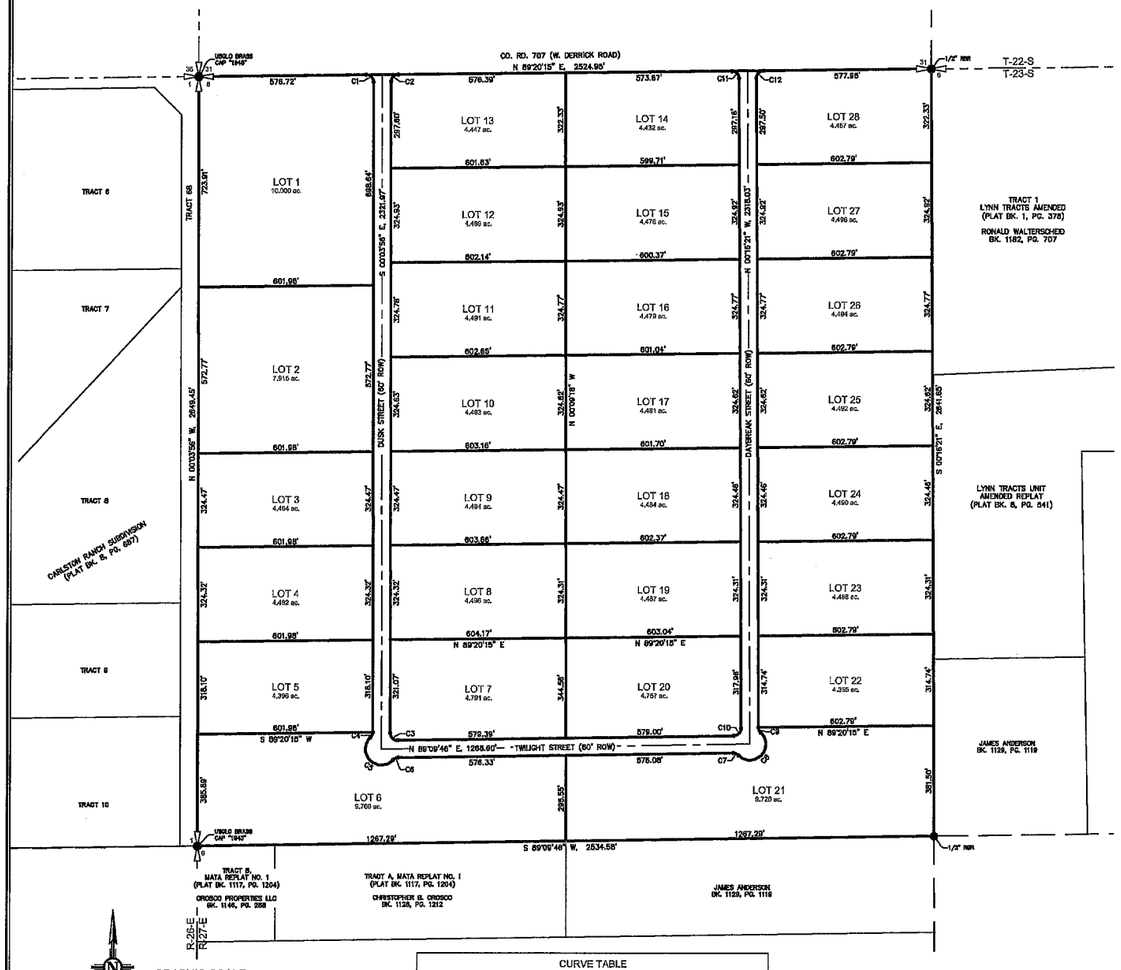
Our office and the Branson development team look forward to meeting and working with the city on the Lot 1, Phase 1 construction and finalization, as well as the overall subdivision plans, construction and finalization going forward once the above have been submitted to the city. Should you have any questions or need anything further don't hesitate to reach out to me.

Sincerely,

George Dunagan
Development Consultant

BRANSON INDUSTRIAL SUBDIVISION

THE FOREGOING SUBDIVISION OF A TRACT OF LAND AS DESCRIBED BY SPECIAL WARRANTY DEED RECORDED IN BOOK 1181, PAGE 89, EDDY COUNTY RECORDS, EDDY COUNTY, NEW MEXICO AND BEING NORTHWEST QUARTER (NW/4) OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 27 EAST, N.M.P.M., CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO



GRAPHIC SCALE

0 200' 400'

SCALE: 1" = 200' (IN FEET)

BASIS OF BEARING

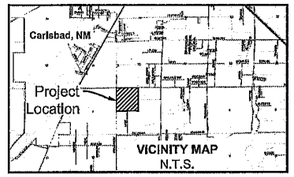
BEARINGS SHOWN HEREON ARE FROM GPS/GNSS OBSERVATIONS AND CONFORM TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM "NEW MEXICO EAST ZONE" NORTH AMERICAN DATUM OF 1983, TRUE NORTH CAN BE OBTAINED BY APPLYING A CONVERGENCE ANGLE OF 00°03'15.79" AT A 5/8" REBAR WITH ALUMINUM CAP MARKED "CONTROL POINT" (NOT SHOWN), LOCATED AT N 467,822.57, E 575,736.20. DISTANCES SHOWN HEREON ARE IN GROUND AND WERE OBTAINED BY APPLYING A COMBINED GRID TO GROUND SCALE FACTOR OF 1.0002390096 AT PREVIOUSLY NOTED POINT.

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	39.53	25.00	90°36'46"	N45°21'51"W	35.54
C2	39.01	25.00	89°24'11"	S44°38'09"W	35.17
C3	39.61	25.00	90°46'18"	S45°27'06"E	35.58
C4	20.32	25.00	46°34'03"	N23°13'08"E	19.76
C5	178.54	55.00	153°34'23"	N45°27'06"W	106.94
C6	20.32	25.00	46°34'03"	S68°32'46"W	19.76
C7	20.32	25.00	46°34'03"	N87°33'12"E	19.76
C8	178.25	55.00	182°24'13"	S44°38'43"W	108.87
C9	20.32	25.00	46°34'03"	S03°33'53"E	19.76
C10	39.02	25.00	89°26'06"	N44°26'42"E	35.16
C11	39.44	25.00	90°23'24"	N45°26'03"W	35.48
C12	39.10	25.00	89°36'36"	S44°31'57"W	35.23

NOTE:
1) NORTHWEST QUARTER OF THIS SECTION PREVIOUSLY ANNEXED TO THE CITY OF CARLSBAD JULY 7, 2025. PLAT FILED IN CABINET B, SLIDE 84 OF THE EDDY COUNTY RECORDS, EDDY COUNTY, NEW MEXICO.

2) FLOOD ZONE INFORMATION PER FLOOD INSURANCE RATE MAP #35015I1325D. EFFECTIVE JUNE 10, 2010. ZONE X

3) 5/8" REBAR WITH CAP MARKED "POINTER PS 29968" SET AT ALL INTERIOR LOT CORNERS, UNLESS OTHERWISE NOTED.



LEGAL DESCRIPTION
THE NORTH-WEST QUARTER (NW/4) OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 27 EAST, N.M.P.M., CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO. CONTAINING 153,833 ACRES, MORE OR LESS.

OWNERS STATEMENT AND AFFIDAVIT
STATE OF NEW MEXICO
COUNTY OF EDDY

THE UNDERSIGNED FIRST DULY SWORN ON OATH, STATE: ON BEHALF OF THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS TRACTS TO BE PLATTED WITH ALL RIGHTS OF WAY AS SHOWN DEDICATED TO THE PUBLIC. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO.

BY _____.
VALERIE BRANSON, MANAGER
BRANSON PROPERTIES, LLC

ACKNOWLEDGMENT
STATE OF NEW MEXICO
COUNTY OF EDDY

ON THIS _____ DAY OF _____,2025 , BEFORE ME, VALERIE BRANSON, TO ME KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

_____.
NOTARY PUBLIC

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN INSPECTED AND APPROVED BY THE PLANNING AND ZONING COMMISSION, OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO DURING A REGULARLY SCHEDULED MEETING ON

THIS ____ DAY OF _____, 2025

_____ CHAIRMAN

_____ SECRETARY

SURVEYOR'S CERTIFICATION

I, EVAN J. POINTER, NEW MEXICO PROFESSIONAL SURVEYOR NO. 29968, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EVAN J. POINTER, N.M.P.S. 29968 DATE

PRELIMINARY

SquareRoot services
Engineering | Surveying
Materials Testing

7021 N World Dr.
Hobbs, NM 88242-9032
Squarerootservices.net
575-231-7347

TYPE OF SURVEY:
CITY OF CARLSBAD SUBDIVISION

PROJECT NAME:
BRANSON INDUSTRIAL SUBDIVISION

CLIENT:
VALERIE AND SCOTT BRANSON

PROJECT NUMBER:
25073

PROJECT SURVEYOR:
Evan J. Pointer, PS
DRAWN BY:
Kendall Goad

INDEXING INFORMATION FOR COUNTY CLERK
OWNER:
BRANSON PROPERTIES, LLC

LOCATION:
NW/4 of Section 6, Township 23 South, Range 27 East, N.M.P.M., City of Carlsbad, Eddy County, New Mexico

State of New Mexico, County of Eddy, I here by certify that this instrument was filed for record on:

LEGEND

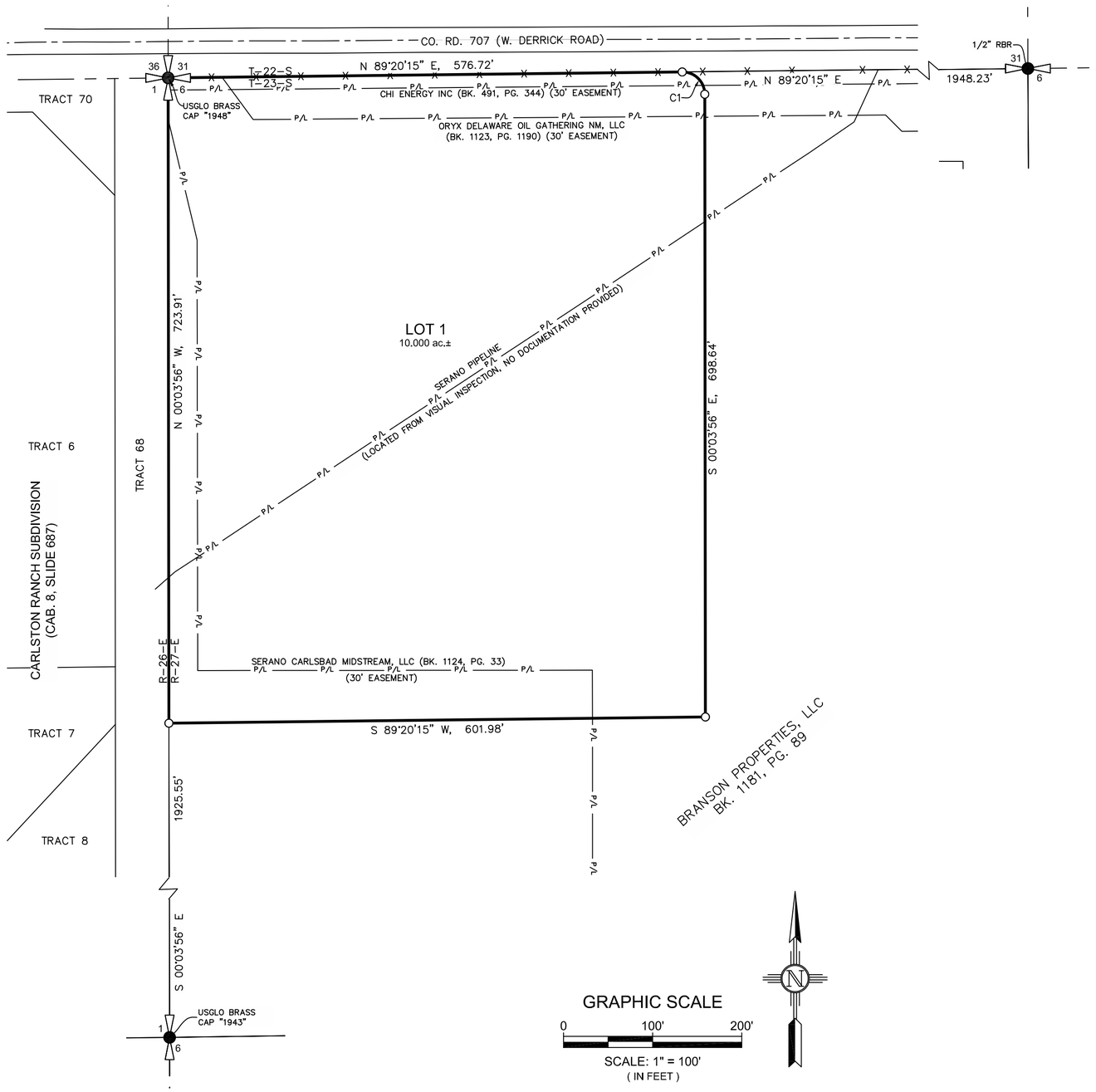
○	Set 5/8 inch rebar w/ cap marked "Pointer PS 29968" unless otherwise noted
●	Found monument as noted
•	Dimensions Point
NW NE SW SE	Found Section Corner
N W E S	Found Quarter Corner
BSBL	Building Setback Lines
XX°XX'XX" XX.XX'	Measured bearing and distance
(XX°XX'XX", XX.XX')	Record bearing and distance

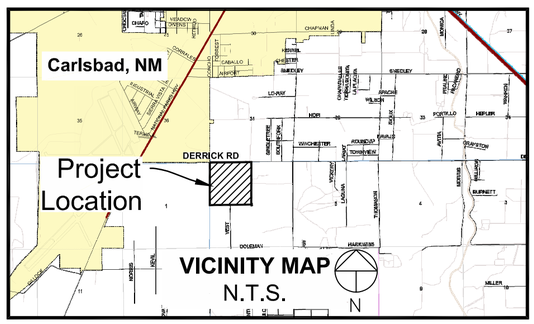
SHEET: 1 of 1
SU - 101

C:\Users\Kgoad\Desktop - squarerootservices.net\SRS Project's files - Projects 1\25073 Branson Industrial Subdivision\Survey\DWG\25073 BRANSON SUBD_08-21-2025.dwg 8/25/2025 2:50 PM

BRANSON INDUSTRIAL SUBDIVISION, PHASE 1

THE FOREGOING SUBDIVISION OF A TRACT OF LAND AS DESCRIBED BY SPECIAL WARRANTY DEED RECORDED IN BOOK 1181, PAGE 89, EDDY COUNTY RECORDS, EDDY COUNTY, NEW MEXICO, SITUATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 27 EAST, N.M.P.M., CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO





CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	39.53	25.00	90°35'49"	S45°21'51"E	35.54

NOTE:
1) THE NORTHWEST QUARTER OF THIS SECTION PREVIOUSLY ANNEXED TO THE CITY OF CARLSBAD ON JULY 7, 2025. PLAT FILED IN CABINET 8, SLIDE 84 OF THE EDDY COUNTY RECORDS, EDDY COUNTY, NEW MEXICO.

2) FLOOD ZONE INFORMATION PER FLOOD INSURANCE RATE MAP #3500171325D. EFFECTIVE JUNE 10, 2010. ZONE X

LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION 6, TOWNSHIP 23 SOUTH, RANGE 27 EAST, N.M.P.M., CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A USGLO BRASS CAP "1948" FOUND FOR THE NORTHWEST CORNER OF SAID SECTION AND THE NORTHWEST CORNER OF THIS TRACT; THENCE N.89°20'15"E. ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 576.72 FEET TO A 5/8" REBAR WITH CAP MARKED "POINTER PS 29968" SET FOR A CORNER OF THIS TRACT AND THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 90°35'49", THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.53 FEET WHOSE LONG CHORD BEARS S.45°21'51"E., 35.54 FEET TO A 5/8" REBAR WITH CAP MARKED "POINTER PS 29968" SET FOR A CORNER OF THIS TRACT; THENCE S.00°03'56"E., 698.64 FEET TO A 5/8" REBAR WITH CAP MARKED "POINTER PS 29968" SET FOR THE SOUTHEAST CORNER OF THIS TRACT; THENCE S.89°20'15"W., 601.98 FEET TO A 5/8" REBAR WITH CAP MARKED "POINTER PS 29968" SET ON THE WEST LINE OF SAID SECTION FOR THE SOUTHWEST CORNER OF THIS TRACT; THENCE N.00°03'56"W. ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 723.91 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 10.000 ACRES, MORE OR LESS.

OWNERS STATEMENT AND AFFIDAVIT

STATE OF NEW MEXICO:
COUNTY OF EDDY:

THE UNDERSIGNED FIRST DULY SWORN ON OATH, STATE: ON BEHALF OF THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS TRACTS TO BE PLATTED WITH. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO.

BY _____.
VALERIE BRANSON, MANAGER
BRANSON PROPERTIES, LLC

ACKNOWLEDGMENT

STATE OF NEW MEXICO:
COUNTY OF EDDY:

ON THIS _____ DAY OF_____,2026 , BEFORE ME, VALERIE BRANSON, TO ME KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

_____.
NOTARY PUBLIC

APPROVAL OF CITY PLANNING AND ZONING COMMISSION

THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN INSPECTED AND APPROVED BY THE PLANNING AND ZONING COMMISSION, OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO DURING A REGULARLY SCHEDULED MEETING ON

THIS _____ DAY OF _____, 2026.

_____ _____
CHAIRMAN SECRETARY

PRELIMINARY

SURVEYOR'S CERTIFICATION

I, EVAN J. POINTER, NEW MEXICO PROFESSIONAL SURVEYOR NO. 29968, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

_____ _____
EVAN J. POINTER, N.M.P.S. 29968 DATE

SquareRoot services
Engineering | Surveying
Materials Testing
7921 N World Dr.
Hobbs, NM 88242-9032
Squarerootservices.net
575-231-7347

TYPE OF SURVEY:
SUBDIVISION

PROJECT NAME:
BRANSON INDUSTRIAL SUBDIVISION, PHASE 1

CLIENT:
BRANSON PROPERTIES, LLC

PROJECT NUMBER:
25073

PROJECT SURVEYOR:
Evan J Pointer, PS

DRAWN BY:
Kendall Goad

INDEXING INFORMATION FOR COUNTY CLERK

OWNER:
BRANSON PROPERTIES, LLC

LOCATION:
NW/4 of Section 6,
Township 23 South, Range 27 East,
N.M.P.M., City of Carlsbad,
Eddy County, New Mexico

State of New Mexico, County of Eddy, I here by certify that this instrument was filed for record on:

Cabinet _____, Slide _____

LEGEND

○	Set 5/8 inch rebar w/ cap marked "Pointer PS 29968" unless otherwise noted
●	Found monument as noted
NW NE SW SE	Found Section Corner
N S	Found Quarter Corner
BSBL	Building Setback Lines
XX°XX'XX" XX.XX'	Measured bearing and distance
(XX°XX'XX", XX.XX')	Record bearing and distance

SHEET: 1 of 1

SU - 101

Jay D. Jenkins
President &
Chief Executive Officer

January 26, 2026

City of Carlsbad Community Development Department
Carlsbad New Mexico

Re: Branson Industrial Subdivision

To whom it may concern,

We have established a hold on funds that will be held in favor of the City of Carlsbad for exactly $995,930.75 (nine hundred ninety-five thousand nine hundred thirty dollars and seventy-five cents.)

Funds totaling exactly $995,930.75 (nine hundred ninety-five thousand nine hundred thirty dollars and seventy-five cents) will be held in favor of the City of Carlsbad to ensure the completion of the development of the Branson Industrial Subdivision. The development includes costs associated with water, sewer, street paving, grading, drainage and sewer lift station which are improvements related to the aforementioned subdivision.

Any request to draw on the account(s) related to the subject subdivision by the City of Carlsbad New Mexico and the Branson Industrial Subdivision must be accompanied by the following:

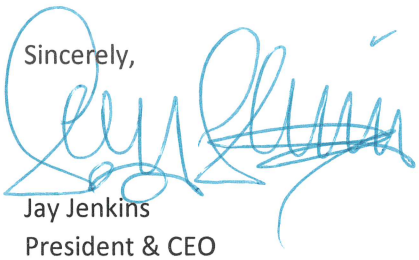
1. Certified copies of unpaid delinquent invoices or liens from mechanics and/or material men for work performed; and /or
2. Your sworn statement and engineer's certification that the work was not performed in accordance with the plans and specifications and City of Carlsbad Code; and/or
3. Your sworn statement that certain funds should be dispersed to the contractor accompanied by a written notification of acceptance by the City of Carlsbad. This will also require certified copies of unpaid delinquent invoices.

The hold on funds amount shall be reduced by evidenced payments made to SB Weed Control, LLC. on their contract amount of $995,930.75 including New Mexico Gross Receipts Tax. Branson Properties LLC is aware the City will be inspecting the construction progress and any reduction in payments may be

denied until Branson Industrial Subdivision and their contractors have corrected any construction deficiencies noted by the city.

The commitment to the City of Carlsbad shall mature on January 26, 2027.

Sincerely,



Jay Jenkins
President & CEO

Acceptance:

_____

Branson Properties, LLC
Branson Industrial Subdivision

_____

City of Carlsbad by its;

Estimate

Customer: Branson Properties
Project: Branson Industrial Subdivision
Contact: Scott & Valerie Branson
Bid Provided By: Bo Bowen

SCOPE OF WORK

Trench and install 12" water line from tie in point on Production Ln. to proposed building on Dusk Rd. Pricing includes all materials, labor, fire hydrants, fittings, connections to ensure the water line is built to City of Carlsbad specifications. Additionally, this estimate is for a sewer line to be installed from the tie in point near Production Ln and ending at proposed lot on Dusk Rd. All labor, materials, and construction will be built to City of Carlsbad specifications. Finally this bid includes the chip seal of the road from Derrick Rd and running 1200' down Dusk Rd. The road will be 1200' x 30' and will be double pinned seal.

All crews will conduct daily JSA's

COST

$995,930.75

We appreciate the opportunity to earn your business and look forward to working with you.

Bo Bowen
Vice President
SB Energy Services

S.B. Weed Control L.L.C.

4115 Tidwell Rd
Carlsbad, NM 88220
Phone:(575) 885-2066

Estimate

Date	Estimate #
1/25/2026	Bransonsubd

Name / Address
Branson Properties PO Box 1502 Carlsbad, NM 88220

Project

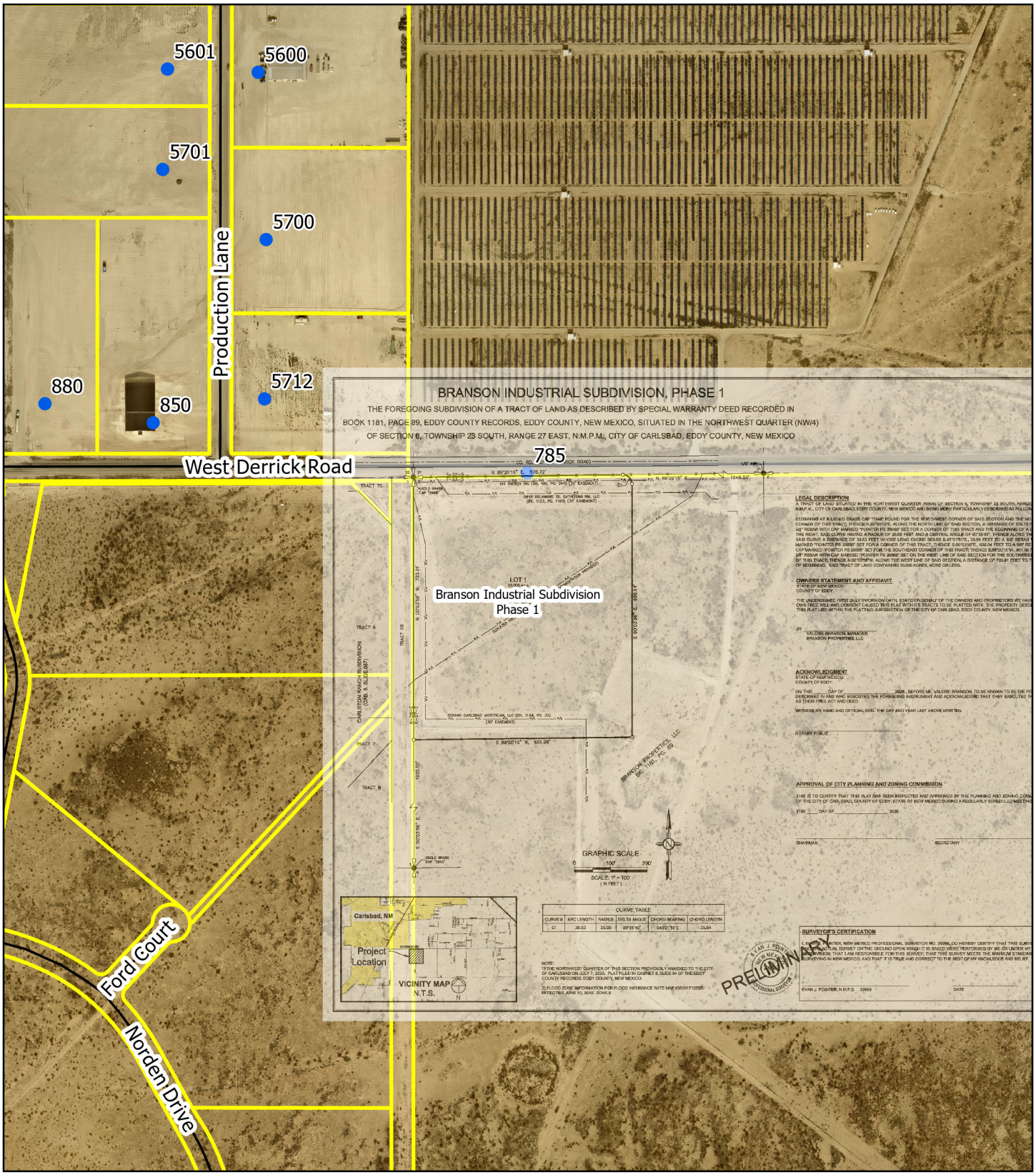
Description	Qty	Cost	Total
Chip Seal 1200' x 30' of road. Double pin 4000 square yards	4,000	9.00	36,000.00T
Install 1,650' of 12" water line from tie in point from Production Ln. to lot 1 on Dusk Rd. Line will be trenched with pipe, flow fill, connections, fittings, and backfill all to be done to City of Carlsbad specifications. Price includes site work, excavation, installation, and all materials.	1	637,150.00	637,150.00T
Install 1,400' of Sewer line to be installed from the tie in point near Production Ln and ending at proposed lot on Dusk Rd. All labor, materials, and construction will be built to City of Carlsbad specifications	1	269,000.00	269,000.00T
Branson Industrial Subdivision - Dusk Rd Lot 1			

Thank you for your business!

Subtotal	$942,150.00
Sales Tax (5.7083%)	$53,780.75
Total	$995,930.75

Branson Industrial Subdivision
Phase 1

1/26/2026



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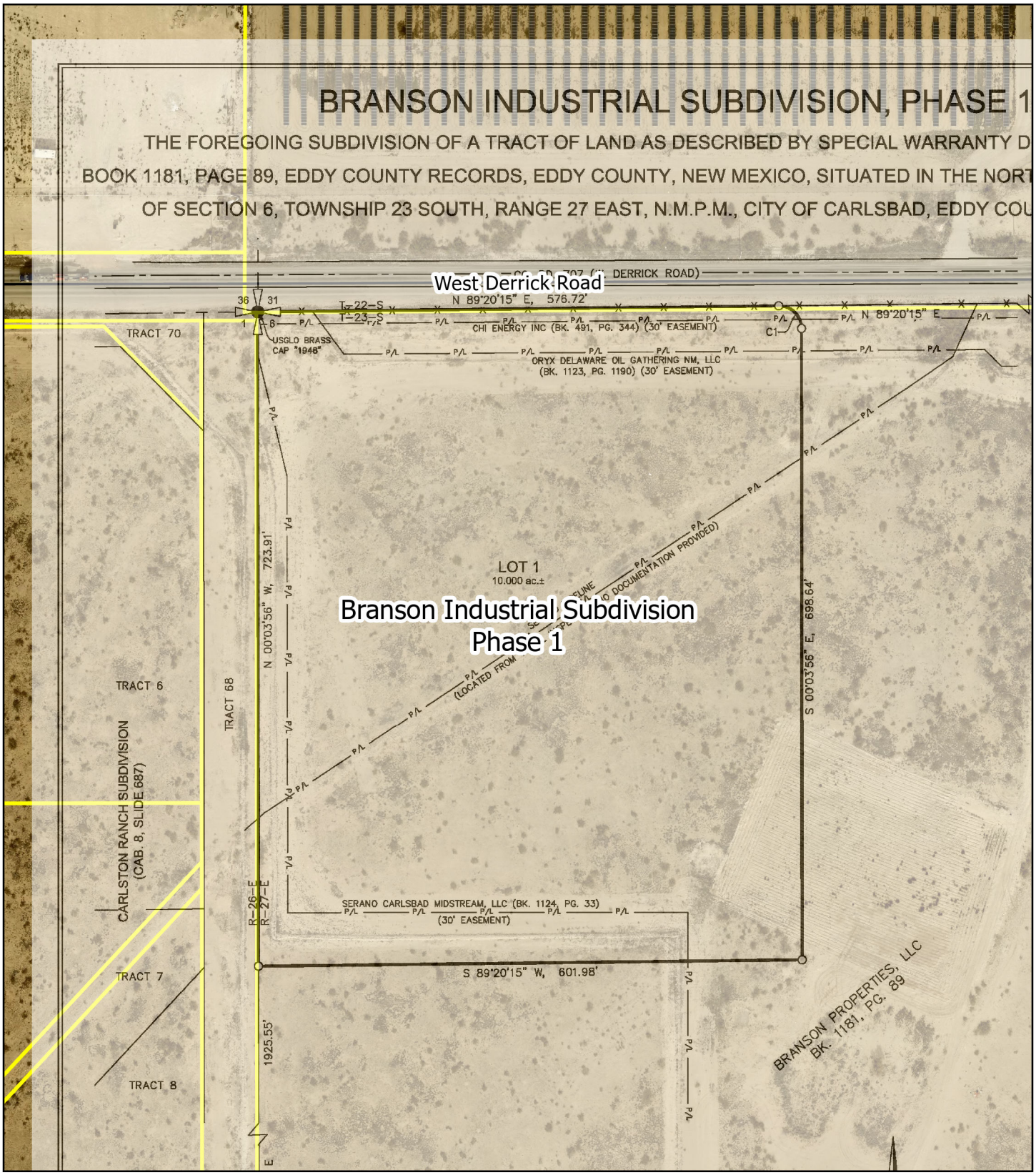
Feet

City of Carlsbad GIS

N

Branson Industrial Subdivision
Phase 1

1/26/2026



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Feet

City of Carlsbad GIS