

**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 MARCH 2, 2026, AT 5:00 P.M.**

Present:	James McCormick	Chairperson
	Trent Cornum	Commissioner
	Valerie Branson	Commissioner
	Linda Wilson	Commissioner
	Denise Madrid-Boyea	Commissioner

Absent:

Also Present:	Jeff Patterson	Planning Director
	Trysha Ortiz	Deputy Planning Director
	Barbara Hodgson	City Attorney
	Ken Ahrens	Deputy City Manager
	Mike Abell	Director of Utilities
	K.C. Cass	Chief of Operations
	Jalynn Dominguez	Open Meetings Act Manager
	JoAnne Jaure	Deputy City Clerk
	Edgar Gonzalez	328 Farris St
	Mary Cruz-Alvarez	328 Farris St
	Valen Martinez	Citizen
	Shelly Thompson	Citizen
	Faith Quintela	Citizen
	Roselle Shipman	Citizen
	Zack Downing	Citizen

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**

0:00:44            **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called, Determining the presence of a quorum.

0:01:10            **2. APPROVAL OF MEETING MINUTES - FEBRUARY 2, 2026**

0:01:20                    **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve meeting minutes for - February 2, 2026.

0:01:21

**VOTE**

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

0:01:45

**3. REMOVE FROM TABLE A CONSIDERATION OF RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.67 ACRES LOCATED AT 328 FARRIS ST. FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT**

0:02:03

**MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve Remove from Table a Consideration of recommendation to City Council regarding a request to change the zoning to approximately 0.67 acres located at 328 Farris St. from "R-1" Residential I District to "C Commercial 1 District

0:02:16

**VOTE**

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

0:02:36

**4. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING FOR APPROXIMATELY 0.67 ACRES LOCATED AT 328 FARRIS ST., LEGALLY DESCRIBED AS TRACT 17, IN THE SW/4 OF THE NW/4 OF SECTION 20, TOWNSHIP 22S, RANGE 27E, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1 COMMERCIAL 1 DISTRICT**

Mr. Patterson stated that the request is to change the zoning designation of the property located at 328 Farris St. from "R-1 Residential 1 District to "C-1" Commercial 1 District. He explained that the properties located to the north, south, east, and west of the subject property are all zoned "R-1" Residential 1 District. Mr. Patterson noted that approval of this request would create a spot zone. He stated that, after internal review, City staff and the Planning and Zoning Department recommend denial of the request.

Chairman McCormick asked Mr. Gonzalez what he intends to do with the property. Mr. Gonzalez stated that he purchased the property with the intention of building a house. He explained that when he applied for a building permit with the City, he was informed that there was no feasible way to connect the property to the City sewer line. He stated that he then considered installing a septic system; however, the property is not large enough to accommodate one. Mr. Gonzalez stated that, due to these limitations, he revised his proposal and is now requesting to rezone the property to commercial in order to establish a small business for storage.

Chairman McCormick asked Mr. Patterson how far the sewer line is from the property. Mr. Patterson stated that the sewer line is located in the alley and is too far from the property for a standard connection. He stated that if the line is not deep enough, a

pump system would be required to facilitate the sewer connection. **Chairman McCormick** asked whether the surrounding properties are connected to the City sewer system. **Mr. Patterson** said yes.

**Chairman McCormick** asked Mr. Gonzalez if he is requesting the zone change because he intends to establish a business that would not require a sewer connection. **Mr. Gonzalez** said yes. He stated that after visiting the City Planning and Zoning Department, he was informed that there is no feasible way to connect the property to the City sewer system. **Mr. Gonzalez** stated that he was advised the cost to connect to the sewer would be approximately \$160,000. He explained that he is therefore planning to construct a storage facility, as it would not require a sewer connection.

**Commissioner Cornum** asked Mr. Gonzalez whether his preference was to build a residential home on the property or if establishing a commercial use was his priority. **Mr. Gonzalez** stated that he would prefer to build a residence, however, without access to the sewer system, that option is not feasible.

**Commissioner Cornum** asked Mike Abell whether a city easement exists only on the closest sewer line. **Mr. Abell** stated that the sewer line is very shallow and runs to the east, and that the line located to the north is also very shallow. He explained that a small residential lift station would likely be required to connect to the sewer system. **Mr. Abell** stated that staff recommended the applicant approach the neighboring property owner to the east to request a utility easement in order to facilitate a connection to the sewer line.

**Commissioner Madrid-Boyea** asked Mr. Gonzalez what he was currently using the property for. **Mr. Gonzalez** stated that there had been a semi-truck located on the property because he works with semi-trucks. He explained that after receiving a call from the City informing him that commercial trucks are not permitted on the property, he removed the vehicle. **Commissioner Madrid-Boyea** asked Mr. Gonzalez if he had spoken with the neighbors to the east regarding the possibility of obtaining a utility easement. **Mr. Gonzalez** stated that he had spoken with several neighbors; however, after consulting with the City he was advised not to pursue an easement because if the neighboring property were sold, the easement might not remain in effect.

**Commissioner Cornum** stated that there are septic systems that could potentially be installed on the property; however, they would likely be more costly. He noted that there are still options available that would allow Mr. Gonzalez to construct the residential home he originally intended.

0:20:51 **Chairman McCormick** asked if anyone would like to speak regarding this item.

**Valen Martinez** addressed the Commission and stated that allowing the property to transition to commercial use, such as a storage facility or other business, could increase traffic, noise, lighting, and overall activity in the area. She expressed concern that these changes would negatively impact the quiet residential character of the neighborhood. She stated that a new school is being constructed near the property and stated that traffic concerns should be top priority. She explained that introducing additional traffic from a commercial property, combined with traffic associated with the new school, could create potential safety risks for students, families, and pedestrians.

**Shelly Thompson** stated that she resides directly in front of the subject property. She expressed concern that the activities currently occurring on the property have created a significant amount of noise as well as unpleasant odors. She stated that her home was constructed in 2018 and that she completed all required steps and obtained the necessary permits from the City prior to building and moving into the residence.

**Faith Quintela** stated that she has previously experienced issues with trucks entering and leaving the property. She expressed concern that the truck traffic creates unsafe conditions for children living in the area.

**Mary Cruz-Alvarez** stated that she is the daughter of Mr. Gonzalez and provided the Commission with a proposed layout for the property. She explained that the layout is primarily intended for storage units and RV storage locations. She stated that the RV storage would be designed to keep the vehicles out of the way for the owners' convenience.

**Roselle Shipman** stated that she resides behind the subject property and expressed concern that allowing the property to be rezoned for commercial use could result in any type of business being established there. She noted that her security cameras are frequently triggered by individuals leaving the property through the alley. She stated that increased traffic from a commercial use would not be ideal for residents in the neighborhood and expressed concern that introducing a commercial property into an already densely developed residential area could create potential safety issues in the future.

0:35:27

#### **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Corum to deny a recommendation to City Council regarding a request to change the zoning for approximately 0.67 acres located at 328 Farris St., legally described as Tract 17, in the SW/4 of the NW/4 of Section 20, Township 22S, Range 27E, from "R-1" Residential 1 District to "C-1" Commercial 1 District

0:35:37

#### **VOTE**

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

0:36:45        **5.        CONSIDER APPROVAL OF THE KIRCHER STREET  
ATTAINABLE HOUSING SUBDIVISION PRELIMINARY PLAT, CREATING 44  
NEW LOTS, LOCATED AT 813 KIRCHER ST., ZONED "R-2" RESIDENTIAL 2  
DISTRICT PURSUANT TO THE CARLSBAD CODE OF ORDINANCES, CHAPTER  
47**

**Mr. Patterson** stated that this item is a request for approval of the Kircher Street Attainable Housing Subdivision Preliminary Plat, located at 813 Kircher Street. He stated that the property is zoned "R-2" Residential 2 District and that the City of Carlsbad is the developer of the project. He stated that the homes within the subdivision will be marketed to low- to moderate-income households as part of the City's efforts to address the shortage of affordable housing in Carlsbad. He stated that the City is currently working with design professionals on the development plans and confirmed that the subject property is owned by the City. **Mr. Patterson** stated that, if the preliminary plat is approved, site work is expected to begin within the next month.

**Commissioner Cornum** asked Mr. K.C. Cass whether a single developer or construction company would be responsible for the project. **Mr. Cass** responded that all aspects of the project must comply with the State Affordable Housing Act. He stated that staff is currently preparing a Request for Proposal (RFP) and that no decision has yet been made regarding which entity will develop or manage the project. He explained that, once selected, the developer and property manager will be responsible for constructing the homes selling them, and managing the properties for a minimum period of 20 years.

**Commissioner Madrid-Boyea** asked about the availability of utilities for the project. **Mr. Cass** stated that the utilities are currently in the design phase. He noted that the County is assisting with funding for the project.

0:43:14        **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.

0:43:33        **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve the Kircher Street Attainable Housing Subdivision preliminary plat, creating 44 new lots, located at 813 Kircher St., zoned "R-2" Residential 2 District pursuant to the Carlsbad Code of Ordinances, Chapter 47

0:43:38        **VOTE**

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

0:43:54        **6.        CONSIDER APPROVAL OF THE PEACH LANE AND CANAL  
STREET SUBDIVISION PRELIMINARY PLAT, CREATING 14 NEW LOTS FOR**

**RESIDENTIAL DEVELOPMENT, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF EAST PEACH LANE AND NORTH CANAL STREET, ZONED "R-2" RESIDENTIAL 2 DISTRICT**

0:44:17  
interest

*Commissioner Wilson recused herself from this item due to a conflict of*

**Mr. Patterson** stated that this item is a request for approval of a preliminary plat that would create 14 new lots. He said that the subject property is located at the southeast corner of North Canal Street and East Peach Lane. The property was recently annexed into the City of Carlsbad and is zoned "R-2" Residential 2 District. He stated that the proposed layout of the 14 lots is intended for single-family housing. The entrance to the development will be from North Canal Street, and a new street will be constructed to provide access to the cul-de-sac. He stated that the new street will be approximately 500 feet from North Canal Street and will not connect to or provide access through East Peach Lane to the north. All new homes will face the new street, with access to the lots provided along that street. **Mr. Patterson** stated that the applicant intends to provide utilities to each new lot, and that utilities are available along North Canal Street. He stated that, following an internal review, City staff and the Planning and Zoning Department recommend approval of the request subject to the following conditions: The developer and engineer shall submit construction plans for review by City staff. The developer shall provide water and sewer models, including usage and load capacity. The developer shall provide plans detailing how the development will provide sewer services. The developer and engineer shall continue to coordinate with City staff regarding the design and installation of infrastructure. City infrastructure inspectors shall monitor the installation of the approved infrastructure, and upon completion, City staff shall inspect and approve the installed infrastructure.

**Chairman McCormick** asked Zack Downing if he understood all the conditions that were asked if approved. **Mr. Downing** said yes.

**Commissioner Madrid-Boyea** asked Mr. Patterson whether the cul-de-sac turnaround would be accessible for emergency personnel. **Mr. Patterson** stated that the cul-de-sac is designed to have a diameter of 100 feet, with a paved diameter of 80 feet to provide sufficient space for trash trucks and emergency vehicles to maneuver. He further noted that if the cul-de-sac meets or exceeds the 100-foot diameter, it will satisfy all applicable requirements.

0:49:38  
**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.

0:49:59

**MOTION**

The motion was made by Commissioner Cornum and seconded by Commissioner Branson to approve the Peach Lane and Canal Street Subdivision preliminary plat, creating 14 new lots for residential development, located at the southeast corner of the intersection of East Peach Lane and North Canal Street, zoned "R-2" Residential 2 District

0:50:02

**VOTE**

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

0:50:23

**7. CONSIDER APPROVAL FOR A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A HOME OCCUPATION (ATTORNEY OFFICE) TO BE LOCATED AT 1906 SENTRY CIRCLE ZONED "R-1" RESIDENTIAL 1 DISTRICT**

0:50:42

*Commissioner Madrid-Boyea recused herself from this item due to a conflict of interest*

**Mr. Patterson** stated that this item is a request for a conditional use permit to operate an attorney's office from the applicant's residential home address. He explained that home occupations are permitted as a conditional use in the "R-R," "R-1," "R-2," and "C-1" zoning districts, and that approval of a conditional use permit, along with a City of Carlsbad business license, is required to operate such a business. **Mr. Patterson** stated that an attorney's office is an allowable use under a conditional use permit. He stated that, following an internal review, City staff and the Planning and Zoning Department recommend approval of the request.

**Chairman McCormick** asked Ms. Madrid-Boyea if she is able to comply with all of the requirements set forth with the conditional use permit. **Ms. Madrid-Boyea** said yes.

0:55:54

**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.

0:56:18

**MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Branson to approve for a request for a Conditional Use Permit to allow a Home Occupation (Attorney Office) to be located at 1906 Sentry Circle, zoned "R-1" Residential 1 District

0:56:20

**VOTE**

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

0:56:41      **8. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

**Mr. Patterson** stated that the final plat is included after it had been done by a new surveyor. He said that no changes have been made it just needed to be redrawn because of some mistakes that had been found after it had been completed.

**Commissioner Madrid-Boyea** asked what mistakes had been made. **Mr. Patterson** stated that some of the math on the measurements were incorrect to the point that each property would have to file an addendum.

0:59:17      **ADJOURNED**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 5:58 PM.

  
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James McCormick, Chairperson

4-6-26  
\_\_\_\_\_  
Date