

**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 JUNE 1, 2026,
AT 6:00 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
	Josh Campell	Fire Marshall
	Ken Ahrens	Deputy City Manager
	Jalynn Armendarez	Open Meetings Act Manager
	Shawn Mitchell	Citizen
	Ellen Krumm	Citizen
	Deborah Coluin	Citizen
	Ken Aarons	Citizen
	Erin Johnston	Citizen
	Justin Angel	Citizen
	Marcus Bluth	Citizen
	Celina Folmar	Harcrow Surveying
	Dennis Griffin	Citizen
	Jake Johnson	Citizen
	Dan Cross	Citizen
	Ann Cross	Citizen
	David Rodriguez	Citizen
	Howard Dauforth	Citizen
	Ivan Sosa	Citizen
	Amanda Sosa	Citizen
	Amanda Mashaw	Century 21 Dunagan Associates
	George Dunagan	Century 21 Dunagan Associates
	Angel De Leon	Citizen
	Robert Porter	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**

0:01:07 **1. ROLL CALL AND DETERMINATION OF QUORUM**

Roll was called determining the presence of a quorum.

0:01:25 **2. APPROVAL OF MEETING MINUTES – MAY 4, 2026**

0:03:21 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to deny the meeting minutes from May 4, 2026

0:03:28 **VOTE**

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

0:03:49 **3. CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT
TO ALLOW A MULTIFAMILY COMPLEX AT THE PROPERTY LOCATED AT 2012
STANDPIPE RD, ZONED "R-R" RURAL RESIDENTIAL DISTRICT**

Mr. Patterson stated the request is to allow a multifamily residential complex at 2012 Standpipe Road, which is zoned "R-R" Rural Residential District. He explained multifamily dwellings are permitted within this zoning district when approved through a Conditional Use Permit. He said the applicant is seeking approval to construct an additional studio apartment building on the property, which currently contains three apartment units. **Mr. Patterson** said the Planning Department recommends approval of the request.

Angel De Leon stated the property consists of approximately two acres and currently contains a triplex. He explained he would like to add a studio apartment to the site and noted the existing septic system would serve the additional unit.

Chairman McCormick stated the conditional use permit is only for the applicant and cannot be sold to another person.

0:07:16 **Chairman McCormick asked if anyone would like to address the commission regarding this request.**

Robert Porter expressed concerns regarding the property's septic system, stating, to his knowledge, no recent action had been taken to address it. He noted the neighboring property owners have described the site as having a cesspool and recalled when the matter previously came before the Commission, residents were informed the applicant would be required to verify an approved septic system. **Mr. Porter** said he did not believe an additional studio apartment could be connected to the existing septic system without confirmation the system was adequate.

Chairman McCormick asked whether Mr. Porter was questioning the adequacy of the septic system. **Mr. Porter** responded he would like verification that the property has a

properly functioning septic and leach field system, noting that inadequate wastewater disposal could potentially contaminate groundwater.

Mr. De Leon stated he possesses the permits and inspection records associated with the installation of the property's most recent septic system.

Commissioner Cornum said review and enforcement of septic systems fall outside the Commission's purview. He stated it is the applicant's responsibility to ensure the septic system complies with state requirements and that any concerns regarding compliance could be directed to the State.

Commissioner Branson asked whether the City has the authority to enforce septic system requirements. **Commissioner Cornum** replied that septic permits are issued through the State, which provides installation reports to the City upon completion of the work.

Commissioner Madrid-Boyea asked whether anyone from the City had informed Mr. De Leon that a new water service line might be required for the property. **Mr. De Leon** responded that he had been told the existing service would likely be sufficient for the proposed studio apartment. **Commissioner Madrid-Boyea** asked whether the Utility Department had recommended approval of the request, noting that an upgraded water service line might be necessary. **Mr. Patterson** confirmed that the Utility Department recommended approval, but indicated that installation of a new water service line could be required for the additional structure. He explained the determination would depend on the size and capacity of the existing water meter and whether it is adequately sized to serve four dwelling units.

Commissioner Madrid-Boyea advised Mr. De Leon to contact the Utilities Department prior to construction to confirm whether the existing water meter and service line would be sufficient for the proposed development.

0:14:24 **Chairman McCormick declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

0:14:29 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a Conditional Use Permit to allow a multifamily complex at the property located at 2012 Standpipe Rd, zoned "R-R" Rural Residential District

0:14:41 **VOTE**

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

0:14:53 **4. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 56-90(B) TO ALLOW A ONE-FOOT (1') SIDE SETBACK INSTEAD OF THE**

REQUIRED FIVE-FOOT (5') SIDE SETBACK FOR THE PROPERTY LOCATED AT 1105 W BRONSON ST, ZONED "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a variance to allow a 1-foot side yard setback in lieu of the required 5-foot side yard setback at 1105 W. Bronson Street, a property zoned "R-2" Residential 2 District. He explained the applicant is seeking approval to construct a porch addition with a 1-foot setback along the west side of the property rather than complying with the required 5-foot setback. **Mr. Patterson** said the applicant indicated no additional construction would encroach further toward the property line beyond the proposed addition. **Mr. Patterson** stated the Planning Department recommends denial of the request.

Dennis Griffin stated he would like to construct a carport at the front of his property. He said the side of the house is not wide enough to accommodate a double-car carport while maintaining the required 5-foot setback, and the variance would allow him to park vehicles side by side.

Chairman McCormick asked what materials would be used to construct the carport. **Mr. Griffin** said it would be constructed of corrugated metal and professionally installed.

Chairman McCormick noted a water line is located along the side of the property and expressed concern about encroachment into the area needed to maintain utility access and any applicable easement rights. **Mr. Griffin** stated he was not aware of the water line's location prior to the discussion.

0:21:26 MOTION

The motion was made by Commissioner Branson and seconded by Commissioner Madrid-Boyea to table until July 6, 2026 a Variance from Ord. 56-90(b) to allow a one-foot (1') side setback instead of the required five-foot (5') side setback for the property located at 1105 W Bronson St, zoned "R-2" Residential 2 District

0:21:35 VOTE

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

0:22:39 5. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.09 ACRES LOCATED AT 103 S CYPRESS ST, FROM "C-2" COMMERCIAL 2 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT

Mr. Patterson stated the request is for a zoning change from "C-2" Commercial District to "R-2" Residential District for the property located at 103 S. Cypress. He said the properties to the north, east, and west are currently zoned "C-2" Commercial District, while the property to the south is zoned "R-2" Residential District, which would not

create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request.

Justin Angell stated he intends to construct a duplex on the property. He said the duplex would provide housing for his family, while rental income from the second unit would help offset the mortgage costs.

0:25:20 **Chairman McCormick** asked if anyone would like to speak regarding this item. No one appeared and the Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.

0:25:51 **MOTION**

The motion was made by Commissioner Madrid-Boyea and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.09 acres located at 103 S Cypress St, from "C-2" Commercial 2 District to "R-2" Residential 2 District

0:25:58 **VOTE**

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

0:26:56 **6. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING AT THE PROPERTY LOCATED AT 302 W PIERCE ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "C-1" COMMERCIAL 1 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "C-1" Commercial District for the property located at 302 W. Pierce Street. He explained that the properties to the north, east, and west are zoned "R-1" Residential District, while the properties to the south are zoned "C-2" Commercial District. He said the proposed rezoning would not create a spot zone. **Mr. Patterson** said the Planning Department recommends approval of the request, the Building Department recommends denial at this time, and has requested additional information regarding the proposed development.

Shawn Mitchell stated he plans to install fencing along the north side of the property at a height that meets City requirements. He said residential housing would be located along Tracy Place, while the portion of the property fronting W. Pierce Street would be developed for one or two small retail establishments.

0:30:34 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ann Cross said she opposes the request, citing concerns that the proposed development would increase traffic in an area that already experiences congestion. She said she

would like it to remain residential and noted that a petition had circulated throughout the neighborhood reflecting opposition to the rezoning request.

Mr. Mitchell said based on the current traffic volume in the area, the proposed small-scale commercial development would not significantly increase traffic.

Commissioner Cornum informed Ms. Cross that a small commercial business would likely generate less traffic than additional residential housing. **Commissioner Cornum** asked whether W. Pierce Street is a state highway. **Mr. Patterson** said yes.

Commissioner Cornum asked Mr. Mitchell whether the proposed fencing would run east to west. **Mr. Mitchell** said yes, and he intends for the fencing to complement the residential housing planned for the property.

John Bowen said he opposes the request and would prefer the area to remain a residential neighborhood.

Mr. Mitchell said his goal is to improve the area by creating a development that is unique to Carlsbad. He said the project would enhance the appearance of the neighborhood and provide a development that he believes is needed in the community.

Deborah Coluim said she opposes the request. She said she spoke with representatives of the New Mexico Department of Transportation (NMDOT), who advised that any additional commercial development would increase traffic. She said if the zoning change were approved and the property were later sold, future development could occur without the restrictions associated with the current zoning. She said there is a gas line easement across the property.

Mr. Mitchell said he intends to improve the area and noted that the gas line easement is an existing utility matter over which he has no control.

David Rodriguez said a fire station is located on W. Pierce Street, and increased traffic could create a bottleneck that might impede emergency response operations.

0:57:16 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Chairman McCormick said the Planning and Zoning Commission would make a recommendation on the request; the final decision rests with the City Council. He said if the property is rezoned to "C-1" Commercial District, any use permitted within that zoning classification could potentially be developed on the site.

Commissioner Branson said the concerns extend beyond the intersection itself and include the speed of vehicles traveling along W. Pierce Street.

Commissioner Cornum said commercial development already exists in the area and that traffic concerns are not unique to this location but are experienced throughout the city. He said the proposed development itself is not the primary issue; rather, concerns center on traffic flow and safety. He said the installation of a traffic signal at the intersection could help reduce vehicle speeds and improve traffic conditions.

Mr. Mitchell said the nearby fire station is equipped with a warning system intended to alert motorists when emergency vehicles are responding to calls. He said the system has reportedly been activated only once in the past 13 years. He said a traffic study conducted for the area found traffic volumes comparable to those on Canal Street and concluded that traffic congestion is a citywide issue rather than one specific to this location.

Commissioner Wilson stated the surrounding residential neighborhood would not be adversely affected, and the residential portion of the development would remain residential while the commercial component would be located adjacent to existing commercial properties.

Commissioner Madrid-Boyea asked whether the proposed zoning change would create a spot zone. **Mr. Patterson** said yes.

1:05:42 **MOTION**

The motion was made by Commissioner Branson and seconded by Commissioner Cornum to approve a recommendation to City Council regarding a request to change the zoning at the property located at 302 W Pierce St, from "R-1" Residential 1 District to "C-1" Commercial 1 District

1:05:51 **VOTE**

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

1:06:49 **7. CONSIDER A RECOMMENDATION TO CITY COUNCIL REGARDING A REQUEST TO CHANGE THE ZONING TO APPROXIMATELY 0.21 ACRES LOCATED AT 922 REX ST, FROM "R-1" RESIDENTIAL 1 DISTRICT TO "R-2" RESIDENTIAL 2 DISTRICT**

Mr. Patterson stated the request is for a zoning change from "R-1" Residential District to "R-2" Residential District for the property located at 922 Rex Street. He said the properties to the north, south, east, and west are all zoned "R-1" Residential District and that the proposed rezoning would create a spot zone. **Mr. Patterson** said the Planning Department recommends denial of the request.

Ivan Sosa stated he would like to construct a secondary structure on the property that would include living quarters.

Chairman McCormick asked whether the request for "R-2" Residential District zoning was intended to allow multiple dwelling units on the property. **Mr. Sosa** said yes.

1:09:44 **Chairman McCormick** asked if anyone would like to speak regarding this item.

Ken Aaron stated he is concerned about the proposed secondary dwelling unit, noting that parking in the area is already limited and that vehicles are frequently parked along both sides of the street. He asked whether the zoning change would be permanent.

Chairman McCormick said the zoning change would be permanent if approved.

Mr. Patterson said the property is currently zoned "R-1" Residential District, which permits one dwelling unit per lot for single-family residential use. He explained that "R-2" Residential District zoning allows for multiple dwelling units and emphasized that the requested rezoning would not permit commercial uses.

Mr. Aaron asked whether there is a limit to the number of dwelling units that could be constructed on the property. **Mr. Patterson** said yes, there is a limit, which is determined by the size of the property and applicable density requirements.

Mr. Aaron also asked whether parking requirements would apply. **Mr. Patterson** stated the property would be required to provide two off-street parking spaces for the additional dwelling unit.

Chairman McCormick asked whether parking would be permitted along Blodgett Street. **Mr. Patterson** stated he was unsure of any restrictions and would need to consult with the Police Department regarding applicable traffic regulations.

Mr. Sosa stated he intends to construct a driveway from Blodgett Street into the backyard to provide access to the proposed dwelling unit.

Commissioner Madrid-Boyea asked how construction access to the backyard would be provided. **Mr. Sosa** said a section of the existing cinder block fence would be temporarily removed to allow construction vehicles and equipment to enter and exit the property. He said he has concerns about using the alley for access due to the presence of utility lines.

Commissioner Branson asked whether it would be possible to add living space to the existing residence without changing the zoning designation. **Mr. Sosa** said the family would prefer separate living quarters to provide privacy for both households.

Mr. Patterson noted that "R-1" Residential District zoning allows for multi-generational living arrangements, provided the additional living space is attached to the primary residence.

Amanda Sosa said the request intends to create a separate dwelling unit to provide privacy for both parties. She said expanding the existing home would also present parking challenges that the proposed detached dwelling would better address.

1:22:04 **The Chairman declared the public hearing closed and reconvened the Planning and Zoning Commission into regular session.**

Commissioner Madrid-Boyea said this would create a spot zone.

Commissioner Wilson asked what the church is zoned as. **Mr. Patterson** said "R-1" Residential 1 District. **Commissioner Madrid-Boyea** said there is parking for the church across the street. **Mr. Sosa** said the additional dwelling will match the exterior of the home, so it will not be an eyesore.

1:23:28 **MOTION**

The motion was made by Commissioner Cornum and seconded by Commissioner Wilson to approve a recommendation to City Council regarding a request to change the zoning to approximately 0.21 acres located at 922 Rex St, from "R-1" Residential 1 District to "R-2" Residential 2 District

1:23:37 **VOTE**

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

1:24:03 **8. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR THE SOUTHERN SKY SUBDIVISION, UNIT 4, HOUSING DEVELOPMENT, CREATING 24 NEW RESIDENTIAL LOTS FOR DEVELOPMENT, ZONED PLANNED UNIT DEVELOPMENT (PUD)**

Mr. Patterson stated the request is for approval of a preliminary plat creating 24 new residential lots within the Southern Sky Subdivision. He said this phase represents the fourth unit of the Southern Sky development. He said the project engineer has submitted construction plans for the development and that City staff is currently conducting an internal review of those plans. **Mr. Patterson** said City water and sewer services are available for connection and are capable of serving the proposed development. He said the Planning Department recommends approval of the preliminary plat, subject to the conditions outlined in the staff report.

Chairman McCormick asked Sarah Folmar whether there would be any issues complying with the recommended conditions. **Ms. Folmar** said no, the construction plans are nearly complete, and that she would like to address any staff comments before the plans are finalized and stamped.

Commissioner Madrid-Boyea asked whether the development includes adequate points of ingress and egress to comply with the requirements of the City's subdivision

Ordinance. **Mr. Patterson** said yes and confirmed that the development meets the applicable access requirements.

1:29:50 **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.

1:30:13 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Madrid-Boyea to approve of a preliminary plat for the Southern Sky Subdivision, Unit 4, housing development, creating 24 new residential lots for development, zoned Planned Unit Development (PUD)

1:30:22 **VOTE**

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

1:30:36 **9. CONSIDER APPROVAL OF A VARIANCE FROM ORD. 47-7 TO ALLOW A SEPTIC SYSTEM TO BE INSTALLED AT THE BRANSON INDUSTRIAL SUBDIVISION LOCATED ON THE SOUTH SIDE OF WEST DERRICK ROAD, ZONED "I" INDUSTRIAL DISTRICT**

Commissioner Branson recused herself from this agenda item

Mr. Patterson stated the request is to allow the use of in-ground septic service in place of connection to the City sanitary sewer system for the Branson Industrial Subdivision, located along the south side of West Derrick Road within property zoned I Industrial District. He said a similar request for this development previously came before the Commission in May.

Chairman McCormick asked whether sanitary sewer service had been extended to the property from National Parks Highway. **Mr. Patterson** said the closest City sewer line is located on Production Lane. **Chairman McCormick** recalled a previous case in which it was indicated that the City had adequate septic capacity for a request, with the understanding that sewer infrastructure would need to be extended to support future development. **Mr. Patterson** said earlier discussions were focused on a neighboring property to the west, and infrastructure planning at that time was intended to serve that area. **Mr. Patterson** said the sewer line installed along Production Lane was intended to serve the Carlson Ranch Master Plan community and, in the future, the Branson Subdivision once developed. He said according to the Utility Department, sufficient capacity exists to serve the development at that time. He said the sewer line has not been extended east of Production Lane.

Commissioner Wilson asked whether there are plans to extend the line in the near future. **Mr. Patterson** said, to his knowledge, the City does not currently have plans to extend sewer service eastward.

Chairman McCormick asked about the status of other utilities, including water, gas, and electricity. **Mr. Patterson** said City water has been extended to the first portion of the development, though he was unsure whether it extends throughout the entire subdivision. He said the intent is to extend City water to serve the full development. He said other utilities would need to be extended, and he was uncertain regarding the status of natural gas service.

George Dunagan said, as development planning has progressed, it has become clear that a new water line will need to be extended from National Parks Highway to serve the subdivision. He said the requested variance to utilize septic instead of sanitary sewer would offset some of the increased costs associated with the required water line extension and the installation of a pressure-reducing valve.

Chairman McCormick stated that both water and sewer infrastructure updates are required. **Mr. Dunagan** said the primary infrastructure concern relates to water service. **Chairman McCormick** asked if sewer service is still tied to the broader infrastructure upgrades and indicated that the overall project costs are substantial and were not originally anticipated. **Mr. Dunagan** agreed, stating that the costs were not anticipated based on the initial information available during planning. **Chairman McCormick** asked whether the request was effectively a trade-off, allowing septic service in exchange for the cost of extending water infrastructure. **Mr. Dunagan** said yes and reiterated that the project must remain economically feasible. He said that approval had previously been granted in May for construction on Lot 1.

Commissioner Madrid-Boyea stated the water line must still be installed because the development cannot proceed without water service, and that the cost increase was not anticipated due to the assumption that the existing line was closer than it is. **Mr. Dunagan** said the developers initially believed the water line at Production Lane would provide adequate service for fire suppression but have since determined that connection must instead occur at National Parks Highway. **Commissioner Madrid-Boyea** asked if the water line is farther than originally assumed. **Mr. Dunagan** said yes noting additional costs associated with the required pressure-reducing valve. **Commissioner Madrid-Boyea** asked whether these additional costs were unforeseen. **Mr. Dunagan** said yes. **Commissioner Madrid-Boyea** asked whether these conditions constitute a financial hardship. **Mr. Dunagan** said yes and extending sewer service approximately 500 feet would not be economically feasible.

1:43:35 **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.

1:43:57 **MOTION**

The motion was made by Commissioner Wilson and seconded by Commissioner Cornum to approve of a variance from Ord. 47-7 to allow a septic system to be installed at the Branson Industrial Subdivision located on the south side of West Derrick Road, zoned "I" Industrial District

1:44:09 **VOTE**

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

1:44:23 **10. REPORT OF SUMMARY REVIEW SUBDIVISIONS**

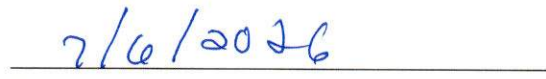
Mr. Patterson stated that the item is the Veterans Cemetery replat. He explained that the State has requested the City replat the property to create Tract B-1, which will be dedicated to the State to support the Veterans Cemetery project at Sunset Gardens. He noted that the State is preparing to proceed with the construction of the cemetery and that the State will own Tracts A and B.

Commissioner Madrid-Boyea asked whether there is adequate water service available for the expanded area. **Mr. Patterson** responded that there should be sufficient water availability to support the project.

1:47:43 **Adjourned**

With no further business to discuss, Chairman McCormick declared the meeting adjourned at 7:46 PM.


Denise Madrid-Boyea, Commissioner


Date