

MINUTES OF THE REGULAR MEETING OF THE

**City of Carlsbad
Planning & Zoning Commission**

Monday, February 3, 2020, at 5:00 p.m.

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



CITY OF CARLSBAD
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, February 3, 2020 at 5:00 PM
Municipal Annex 114 S. Halagueno Street
Council Chambers

1. Roll call of voting members and determination of quorum
2. Approval of Agenda
3. Approval of Minutes from the Meeting held January 6, 2020
4. Consider approval of a Preliminary Plat for the Carlsbad Municipal Schools Teacherage Development, zoned "R-2" Residential 2 District
5. Consider a recommendation to Council for a Zone Change request from "R-R" Rural Residential District to "I" Industrial District for approximately 79.251 acres legally described as Tract D-3, Danny Stafford Land Division #1
6. Consider approval of a Preliminary Plat for the Derrick Road Subdivision
7. Consider a recommendation to Council for a Zone Change request from "R-1" Residential 1 District to "C-2" Commercial 2 District for approximately 0.375 acres located at 818 Center Ave., legally described as Lot 9B, Tract A, Hall Subdivision
8. Consider approval of a Variance request to reduce the required bathroom facilities from 10 to 5 for an RV Park located west of 113 Kircher, zoned "C-2" Commercial 2 District
9. Consider approval of a Variance request to reduce the required front-yard setback from 30' to 20' at Cielo Lindo Subdivision, zoned "R-1" Residential 1 District
10. Consider approval of a Variance to reduce the required side setback from 5' to 0' at 1406 W. Edward, zoned "R-1" Residential 1 District
11. Consider naming a private road: Monument Court
12. Report regarding Summary Review Subdivisions
13. Adjourn

FOR INFORMATION ONLY

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cityofcarlsbadnm.com

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

PLANNING AND ZONING COMMISSION MEETING SCHEDULE

- Regular meeting – Monday, March 2, 2020 at 5:00 p.m.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING &
ZONING COMMISSION HELD IN THE MUNICIPAL ANNEX PLANNING ROOM, 114 S.
HALAGUENO STREET, FEBRUARY 3, 2020, AT 5:00 P.M.**

VOTING MEMBERS PRESENT:

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

**CHAIRPERSON
COMMISSIONER
COMMISSIONER
COMMISSIONER
COMMISSIONER**

VOTING MEMBERS ABSENT:

NONE

EX-OFFICIO MEMBERS PRESENT:

**JEFF PATTERSON
TRYSHA ORTIZ**

**PLANNING DIRECTOR
DEPUTY PLANNING DIRECTOR**

SECRETARY PRESENT:

JENNIFER CAMPOS

**PLANNING AND REGULATION
DEPARTMENT EXECUTIVE SECRETARY**

OTHERS PRESENT:

**EILEEN RIORDAN
CHARLIE GARCIA
PATRICIA DECKER
TREY HUGHES
JOE JENKINS
GEORGE DUNAGAN
REO MILLER
KEVIN DILLON
SHERRY V. NEATHERLIN
BARBARA VANLANDINGHAM
JOHNNY TOMLIN
BRENDA TOMLIN
MELISSA RAMIREZ
SCOTT HICKS
REBECCA LUCAS
GREG LUCAS
JAYDEN JENKINS**

**CITY ATTORNEY
CITY
NPSR
CARLSBAD
CARLSBAD
212 W. STEVENS
CMX
CMS
1501 STANDPIPE
921 N. ALAMEDA
907 CENTER AVE.
907 CENTER AVE.
905 CENTER AVE.
ROSWELL
2324 WILDROSE
2324 WILDROSE
802 W. ORCHARD LN.**

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

0:00:02 Start Recording [5:02:11 PM]

0:00:13 **1. Roll call of Voting Members and Determination of Quorum.**

Roll was called, confirming the presence of a quorum of commission members. The following members were present– **Mr. Knott, Mr. McCormick, Mr. Garcia, Mr. Barney, Mr. Nesser.** Absent- None.

0:00:23 **2. Approval of Agenda.**

Mr. Patterson states that the applicant for Item #10 has withdrawn her request. **Mr. Nesser** made a motion to approve the Agenda; **Mr. Barney** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser.** No–None; Abstained–None; Absent–None. The motion carried.

0:01:04 **3. Approval of Minutes from the Meeting held January 6, 2020**

Mr. McCormick made a motion to approve the minutes from the meeting held January 6, 2020; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser.** No–None; Abstained–None; Absent–None. The motion carried.

0:01:55 **4. Consider approval of a Preliminary Plat for the Carlsbad Municipal Schools Teacherage Development, zoned “R-2” Residential 2 District**

Scott Hicks comes to the podium. **Mr. Patterson** explains this request is for 34 new single family residences and will be owned by Carlsbad Municipal Schools and operated as teacherages. The Planning Staff recommends approval, with the conditions that the developer and engineer submit construction plans for review; perform a traffic impact analysis and submit results to City’s Planning Dept.; submit a Drainage and Grading Plan for the project; work with City staff, who will monitor the infrastructure installation and design; when approved, the City shall formally accept the infrastructure installed. **Mr. Hicks** states they have already worked on the Drainage Plan and with the Utilities Dept., and will conduct the traffic analysis. **Mr. Knott** questions storm run-off, **Mr. Hicks** explains the water will run into a retention pond. Floor opened for public comment. There was none.

Mr. McCormick made a motion to approve; **Mr. Garcia** seconded the motion The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick.** No–None; Abstained–**Mr. Nesser;** Absent–None. The motion carried.

Mr. Patterson tells the applicant to continue working with City staff as the project moves forward.

0:11:48 **5. Consider a recommendation to Council for a Zone Change request from “R-R” Rural Residential District to “I” Industrial District for approximately 79.251 acres legally described as Tract D-3, Danny Stafford Land Division #1**

Trey Hughes comes to the podium. **Mr. Patterson** explains his request, noting that the City needs more commercial and industrial areas to accommodate demand; and the Planning staff recommends approval. **Mr. Hughes** states the plan is for 14 new industrial lots for development with an internal street and tie each lot into City utilities. Floor opened for public comment. There was none.

Mr. Garcia made a motion to approve; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser.** No–None; Abstained–None; Absent–None. The motion carried.

0:16:20 **6. Consider approval of a Preliminary Plat for the Derrick Road Subdivision**

Mr. Hughes comes to the podium. **Mr. Patterson** explains this request, noting that this is in line with the Comprehensive Plan for the City of Carlsbad, for infilling vacant properties and promoting commercial and industrial activity. The Planning staff recommends approval with conditions, which shall be addressed before sign off on the final plat. **Mr. Hughes** states they are still working with the Water Dept. on the tie-in for utilities. Floor opened for public comment. There was none.

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

Mr. Patterson tells the applicant that Item #5 will be scheduled to go before City Council; and for Item #6 to continue working with City staff.

0:20:34 **7. Consider a recommendation to Council for a Zone Change request from “R-1” Residential 1 District to “C-2” Commercial 2 District for approximately 0.375 acres located at 818 Center Ave., legally described as Lot 9B, Tract A, Hall Subdivision**

The applicant does not attend. **Ms. Ortiz** states this item may be tabled. **Johnny Tomlin** comes to the podium and states he is not for this as it is a residential area.

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

Ms. Ortiz states this item will then come before the March 2, 2020 Planning & Zoning Committee meeting, and if **Mr. Tomlin** cannot attend, he may send a letter which will be read at the next meeting.

0:24:09 **8. Consider approval of a Variance request to reduce the required bathroom facilities from 10 to 5 for an RV Park located west of 113 Kircher, zoned “C-2” Commercial 2 District**

Reo Miller comes to the podium. **Jayden Jenkins** comes to the podium. **Mr. Patterson** explains this request is to reduce the number of bathrooms for an RV park. After review, the Planning staff recommends denial as there was no justification for the variance. **Mr. Jenkins** explains this is a not a temporary RV park and will have landscaping and fencing and nicer facilities; but feels 10 bathroom facilities is excessive, as each RV will have its own bathroom. They could then upgrade the landscaping and amenities. **Mr. Miller** states that the 5 bathrooms will be unisex. **Mr. Patterson** states that unisex bathrooms do not comply with City Ordinance. Floor opened for public comment. There was none.

Mr. Knott made a motion to approve; **Mr. McCormick** seconded the motion. The vote was as follows: **Yes-- Mr. Barney, Mr. Knott, Mr. McCormick,** No--**Mr. Garcia, Mr. Nesser;** Abstained--None; Absent--None. The motion carried 3-2.

Mr. Patterson tells the applicant to continue working with the Building Dept. and a letter with the Variance approval will be put in with the permit.

0:40:12 **9. Consider approval of a Variance request to reduce the required front-yard setback from 30’ to 20’ at Cielo Lindo Subdivision, zoned “R-1” Residential 1 District**

George Dunagan comes to the podium. **Mr. Patterson** explains this request. The Planning Dept. and other City departments recommend denial unanimously; based on increased cars and parking at houses in the city. **Mr. Dunagan** states other subdivisions have been granted variances on setbacks. He states they would like to create larger backyards for the subdivision.

Floor opened for public comment. There was none.

Mr. Garcia made a motion to approve; **Mr. Nesser** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Knott, Mr. Nesser.** No– **Mr. Barney, Mr. McCormick;** Abstained–None; Absent–None. The motion carried.

Mr. Patterson tells the applicant to continue working with City staff as the project moves forward.

0:52:17 **10. Consider approval of a Variance to reduce the required side setback from 5' to 0' at 1406 W. Edward, zoned "R-1" Residential 1 District**

This item was withdrawn by the applicant.

0:52:25 **11. Consider naming a private road: Monument Court**

Ms. Ortiz explains this will be a private road and is being requested by the owners. The City will not take over ownership or assume maintenance or repair. Planning staff recommends approval; this is necessary for E-911.

Mr. Garcia made a motion to approve; **Mr. Barney** seconded the motion. The vote was as follows: **Yes-- Mr. Garcia, Mr. Barney, Mr. Knott, Mr. McCormick, Mr. Nesser.** No–None; Abstained–None; Absent–None. The motion carried.

0:54:58 **12. Report regarding Summary Review Subdivisions.**

Nothing unusual was noted.

0:55:49 **13. Adjourn.**

There being no other business, the meeting was adjourned.

0:55:54 Stop Recording [5:58:05 PM]

Chairman

Date