

CITY OF CARLSBAD  
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION

Monday, November 2, 2015, at 5:00 PM

Municipal Building 101 N. Halagueno Street  
Planning Room (Second Floor)

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Meeting held October 7, 2015.
4. Approval of Minutes from the Meeting held October 14, 2015.
5. Consider approval of a Preliminary Plat for St. Peter Evangelical Church Land Division.
6. Consider approval of a Preliminary Plat for Crestline Subdivision.
7. Consider an Appeal (Variance) for reducing the number of bathrooms in a previously approved employee housing park located at 808 W. Kircher.
8. Consider an Appeal (Variance) for a 4.5' fence instead of 3' at 3102 W. Lea St.
9. Consider a recommendation for a Zone Change at 201 S. Guadalupe St. currently zoned "C-2" Commercial District to "C-1" Commercial District, legally described as Lots 1 & 3, Block 99, Stevens 2<sup>nd</sup> Addition.
10. Consider an Appeal (Variance) for a 50' Right-of Way instead of 60' in Powers Addition Amended.
11. Consider a recommendation of Zone Change at the corner of McKay St. and Elm St. from "R-1" Residential District to "R-2" Residential District.
12. Report regarding plats approved through Summary Review Process.
13. Adjourn.

If you require hearing interpreters, language interpreters, auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's offices at (575) 887-1191 at least 48 hours prior to the scheduled meeting.

Agenda Item #1: Roll Call of Voting Members and determination of Quorum



## Agenda Item #2: Approval of Agenda

### #3 Approval of Minutes from Previous Meeting

**MINUTES OF THE REGULAR MEETING OF THE**

**City of Carlsbad  
Planning & Zoning Commission**

**October 5, 2015, at 5:00 p.m.**

**Meeting Held in the Planning Room**

CITY OF CARLSBAD  
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION  
REGULAR MEETING

Monday, October 5, 2015, at 5:00 PM

Municipal Building 101 N. Halagueno Street  
Planning Room (Second Floor)

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Meeting held August 3, 2015.
4. Presentation of information only for the C-Hill Master Plan, 9 parcels, zoned "R-R" Rural Residential District located at Church St. and Happy Valley Rd.
5. Consider an Appeal (variance) from Section 47-42 III. 2 to allow a street ROW width of 42' instead of the required 60' ROW for Annie Oakley Subdivision, located at the corner of W. Church St. and Happy Valley Rd., zoned "R-R" Rural Residential District.
6. Consider approval of a Preliminary Plat for Annie Oakley Subdivision, creating 53 new lots for residential use, zoned "R-R" Rural Residential District, pursuant to Code of Ordinances Chapter 47, located on the intersection to the north of W. Church St. and east of Happy Valley Rd.
7. Consider approval of an application and recommendation to the City Council regarding the Infrastructure Reimbursement for Petroleum Park Subdivision Unit 3.
8. Consider a Conditional Use Permit for truck repair and equipment storage at 2411 E. Greene St., zoned "R-R" Rural Residential District.
9. Consider approval of a Preliminary Plat for River Bend Subdivision 2, creating 17 new lots, zoned "PUD" Planned Unit Development, pursuant to Code of Ordinances Chapter 47, located along Cimarron Trail and San Juan Manor Ave.
10. Consider a Temporary Use Permit at 3412 Hidalgo Rd., legally described as Lunsford Tracts No. 1, zoned "R-R" Rural Residential Zoning District.
11. Consider a Temporary Use Permit at 5050 National Parks Hwy, Legally described as Lot 31, Block B, Joel Subdivision, Zoned "C-2" Commercial District.
12. Consider the re-naming of new roads for Ocotillo School.
13. Consider a Conditional Use Permit for an in home photo/print business at 1214 W. Ural Dr. zoned "R-1" Residential District.
14. Report regarding plats approved through Summary Review Process.
15. Adjourn.

<p>If you require hearing interpreters, language interpreters, auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's offices at (575) 887-1191 at least 48 hours prior to the scheduled meeting.</p>
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**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL BUILDING PLANNING ROOM, 101 N. HALAGUENO STREET, OCTOBER 5, 2015, AT 5:00 P.M.**

**VOTING MEMBERS PRESENT:**

**JAMES KNOTT  
JAMES MCCORMICK  
LASON BARNEY  
WANDA DURHAM  
BRIGIDO GARCIA**

**CHAIRPERSON  
COMMISSION SECRETARY  
COMMISSIONER  
COMMISSIONER  
COMMISSIONER**

**VOTING MEMBERS ABSENT: NONE**

**EX-OFFICIO MEMBERS PRESENT:**

**JEFF PATTERSON  
GEORGIA GOAD  
LUIS CAMARO  
MIKE HERNANDEZ**

**PLANNING DIRECTOR  
PLANNING DEPUTY DIRECTOR  
DIRECTOR OF UTILITIES  
UTILITIES**

**SECRETARY PRESENT:**

**PATTIE PISTOLE**

**PLANNING, ENGINEERING  
AND REGULATION DEPARTMENT  
SECRETARY**

**OTHERS PRESENT:**

**LARRY LUNSFORD  
SUSAN MARTIN  
TROY D. HATCH  
GARY D. TAYLOR  
DOUGLAS TINDALL  
KEN THURSTON  
DAVID CHURCH  
SCOTT GOODALE  
SHANNON SUMMERS  
KAY TIGERT  
VICKI JONES**

**3412 HIDALGO  
3412 HIDALGO  
PO BOX 3086  
5050 NATIONAL PARKS HIGHWAY  
KT HOMES  
KT HOMES  
KT HOMES  
LMC  
CDOD  
LAKEVIEW  
1214 W. URAL**

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

0:00:00      Start Recording [5:02:01 PM]

0:00:44      **1.      Roll call of voting members and determination of quorum.**

Roll was called, confirming the presence of a quorum of commission members. Present – **Ms. Durham, Mr. McCormick, Mr. Knott, Mr. Garcia, Mr. Barney**; Absent –None.

0:02:52      **2.      Approval of Agenda.**

**Mr. McCormick** made a motion to approve the Agenda, with a change to strike item number thirteen. **Ms. Durham** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. McCormick, Mr. Knott, Mr. Garcia, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

0:03:46      **3. Approval of Minutes from the Meeting held August 3, 2015.**

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

0:04:20      **4. Presentation of information only for the C-Hill Master Plan, 9 parcels, zoned “R-R” Rural Residential District located at Church St. and Happy Valley Rd.**

**Mr. Patterson** explained that the Master Plan was created to show what **Mr. Thurston** intends to do with the property. There are large-scale tracts of land he wants to develop, and there is a certain order he needs to do it in to provide access and utilities. Annie Oakley will be first, then the Hackberry Estates. It is an overall good plan, the way the land and roads are laid out. **Mr. Thurston** said they just wanted to make sure they were on the right track. There was discussion of the matter.

0:21:15      **5. Consider an Appeal (variance) from Section 47-42 Ill. 2 to allow a street ROW width of 42’ instead of the required 60’ ROW for Annie Oakley Subdivision, located at the corner of W. Church St. and Happy Valley Rd., zoned “R-R” Rural Residential District.**

There was a discussion regarding a discrepancy on the chart. **Mr. Camaro** pointed out that some of the requirements had changed when the infrastructure specifications were updated earlier this year. **Mr. Thurston** said he had thought they were meeting road specs. Since they were not, he wanted to amend his application to fit the specs. There would be a 42’ ROW, containing 28’ riding surface, 2’ curbs and gutters on each side, 4’ sidewalks on each side, and 1’ parkway on each side. That way, they would still meet the 42’ ROW width. There was no public comment.

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

0:40:37      **6. Consider approval of a Preliminary Plat for Annie Oakley Subdivision, creating 53 new lots for residential use, zoned “R-R” Rural Residential District, pursuant to Code of Ordinances Chapter 47, located on the intersection to the north of W. Church St. and east of Happy Valley Rd.**

**Mr. Patterson** said that Staff recommended approval, providing all the conditions for a final plat are met. The land is on the north side of West Church Street, east of Happy Valley Road, with 53 new lots for development. The applicant will install infrastructure and turn it over to the City. **Mr. Thurston** said they needed to change the name of one of the streets, since they found out it would have been a duplicate. They wanted to use Calamity Jane Drive (rather than Annie Oakley). There would be no sidewalks, curbs, or gutters on Church Street, but they would be put in on their streets (Buffalo Bill, etc.) to City specs. There was no public comment.

**Mr. McCormick** made a motion to approve the Preliminary Plat with the street name change. **Mr. Garcia** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. McCormick, Mr. Knott, Mr. Garcia, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

0:50:56      **7. Consider approval of an application and recommendation to the City Council regarding the Infrastructure Reimbursement for Petroleum Park Subdivision Unit 3.**

**Mr. Patterson** said that Staff recommended a \$26,927.60 Infrastructure Reimbursement payment for water and sewer lines in the subdivision.

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

0:58:20      **8. Consider a Conditional Use Permit for truck repair and equipment storage at 2411 E. Greene St., zoned “R-R” Rural Residential District.**

**Mr. Patterson** recommended approval, provided a site plan was provided and all requirements were met for Section 56-42(aa) of the City’s Zoning Ordinance. **Mr. Goodale** said they would not be disturbing anyone, since they were far off the road. They would put in a proper access road with a 30’ road easement to the back, where they will be. They already have City water, and there is a concrete slab where they wash off trucks, so the soil will not be contaminated. **Mr. Hatch** spoke during public comment. His only concern was that he has a right of way to reach his property. After the conditional use is granted, it will make it easier for him to extend water and electricity back to his property.

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

1:07:18      **9. Consider approval of a Preliminary Plat for River Bend Subdivision 2, creating 17 new lots, zoned “PUD” Planned Unit Development, pursuant to Code of Ordinances Chapter 47, located along Cimarron Trail and San Juan Manor Ave.**

**Ms. Tigert**, of Lakeview Christian Homes, represented the applicant. The lots on Cimarron Trail and San Juan Manor in Block 3 were originally 13 lots. They were replatted to one large lot in 2001, and then split again into these 17. The property is all built out and complete. Some of the owners need to finance, and can’t get loans because all the property is considered one plat. **Ms. Goad** added that there has been no new construction there for years. This plat serves as both a preliminary and final. There was no public comment.

**Mr. McCormick** made a motion to approve the Preliminary and Final Plats. **Ms. Durham** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. McCormick, Mr. Knott, Mr. Garcia, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

1:15:16      **10. Consider a Temporary Use Permit at 3412 Hidalgo Rd., legally described as Lunsford Tracts No. 1, zoned “R-R” Rural Residential Zoning District.**

**Mr. Patterson** said that the building department had reviewed the permit, which meets all the codes. Mr. Lunsford said the units will be similar to RV's. They will have 50-amp service, be less than 400 square feet each, and have full-size appliances. Utilities are available, but not on site. Each space is 30'x45'. There was no public comment.

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

1:27:41      **11. Consider a Temporary Use Permit at 5050 National Parks Hwy, Legally described as Lot 31, Block B, Joel Subdivision, Zoned "C-2" Commercial District.**

**Mr. Patterson** explained that the applicant had been approved for temporary housing for five spaces at this location in March of 2014. Now, he wants to add four more spaces. He still meets all the requirements for setbacks and parking, and there are no issues with the site. Because he is altering the number of spaces, the application will need to go on to City Council. There was no public comment.

**Ms. Durham** made a motion to recommend approval of the Temporary Use, and **Mr. Barney** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. McCormick, Mr. Knott, Mr. Garcia, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

1:34:30      **12. Consider the re-naming of new roads for Ocotillo School.**

**Mr. Patterson** explained that the two roads were previously named, but the Carlsbad Schools and the Mayor's office requested the names to be changed. The request is for Learning Avenue to be called Gary Perkowski Avenue and for Elementary Lane to be called Captain Williams Lane.

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

1:41:13      **14. Report regarding plats approved through Summary Review Process.**

There was discussion of the plats signed by the commission designees during the month of August and September.

1:43:53      **15. Adjourn.**

There being no further business, the meeting was adjourned.

1:44:00      Stop Recording [6:43:14 PM]

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Chairman

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Date



**MINUTES OF THE SPECIAL MEETING OF THE**

**City of Carlsbad  
Planning & Zoning Commission**

**October 14, 2015, at 5:00 p.m.**

**Meeting Held in the Planning Room**

CITY OF CARLSBAD  
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION  
SPECIAL MEETING

Wednesday, October 14, 2015, at 5:00 PM

Municipal Building 101 N. Halagueno Street  
Planning Room (Second Floor)

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Consider the re-naming of a new road for Ocotillo School.
4. Adjourn.

If you require hearing interpreters, language interpreters, auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's offices at (575) 887-1191 at least 48 hours prior to the scheduled meeting.

**MINUTES OF A SPECIAL MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL BUILDING PLANNING ROOM, 101 N. HALAGUENO STREET, OCTOBER 14, 2015, AT 5:00 P.M.**

**VOTING MEMBERS PRESENT:**

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

**CHAIRPERSON  
COMMISSION SECRETARY  
COMMISSIONER  
COMMISSIONER**

**VOTING MEMBERS ABSENT:**

**WANDA DURHAM**

**COMMISSIONER**

**EX-OFFICIO MEMBERS PRESENT:**

**JEFF PATTERSON**

**PLANNING DIRECTOR**

**SECRETARY PRESENT:**

**PATTIE PISTOLE**

**PLANNING, ENGINEERING  
AND REGULATION DEPARTMENT  
SECRETARY**

**OTHERS PRESENT:**

**CHARLIE GARCIA**

**POLICE DEPARTMENT**

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

0:02:03      Start Recording [5:01:56 PM]

0:02:11      **1.      Roll call of voting members and determination of quorum.**

Roll was called, confirming the presence of a quorum of commission members. Present –**Mr. Knott, Mr. McCormick, Mr. Barney, Mr. Garcia**; Absent – **Ms. Durham**.

0:02:28      **2.      Approval of Agenda.**

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

0:03:20      **3.      Consider the re-naming of a new road for Ocotillo School.**

**Mr. Patterson** explained that at the meeting on October 5, 2015, the street name had been changed from Learning Avenue to Gary Perkowski Avenue. The Mayor had since then asked for the street to be changed from Gary Perkowski Avenue to Jed Howard Avenue. Mr. Howard was a teacher for many years here in Carlsbad and is still the go-to guy for historical information regarding Carlsbad. He even set up a website which includes information from the Carlsbad cemeteries and many historical photographs from the area. The road has only school property on it, no houses. During public comment, **Mr. Charlie Garcia** said he thought it was a good idea.

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

0:05:50      **4.      Adjourn.**

There being no further business, the meeting was adjourned.

0:05:54      Stop Recording [5:05:47 PM]

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering and Regulation	<b>BY:</b> Jeff Patterson. Planning Director	<b>DATE:</b> 10/20/2015																																																								
<p><b>SUBJECT:</b> Preliminary Plat for St. Peter Lutheran Evangelical Church Land Division, creating 2 new lots, zoned "R-1" Residential District, pursuant to Code of Ordinances Chapter 47, located in the 1300 block of Westridge Rd.</p> <p>Applicant:  St. Peter Evangelical Lutheran Church  1302 W. Pierce St.  Carlsbad, NM 88220</p>																																																										
<p><b>SYNOPSIS:</b> The subject site, zoned "R-1" Residential District, is located in the 1300 block on the south side of Westridge Rd. in Pecos Acres # 2 Replat, Block 5, Lots 2 &amp; 9. The Church intends to sell the 2 new lots.</p>																																																										
<p><b>IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):</b> Approval of this request will allow for the creation of 2 new lots for residential development.</p> <p>The following <i>Greater Carlsbad Comprehensive Plan: Strategy 2030</i> goals apply to this request:</p> <p><b>Chapter 3: Land Use</b>  <u>Goal 1:</u> The City of Carlsbad will adopt policies to support the Infill/Redevelopment Land Use Scenario.  <u>Goal 2:</u> The City of Carlsbad will make efficient use of government resources through well-planned land use decisions.  <u>Goal 4:</u> The City of Carlsbad will strive to create an aesthetically pleasing built environment.  <u>Goal 5:</u> The City of Carlsbad will ensure that land use does not negatively impact the city's environmental resources.</p> <p><b>Chapter 4: Housing</b>  <u>Goal 1:</u> Carlsbad will continue to encourage the development and redevelopment of housing in appropriate locations and at appropriate densities in order to provide a range of housing choices that meets the needs of current and future Carlsbad residents.  <u>Goal 2:</u> Carlsbad will ensure that local housing protects the health, safety, and welfare of residents and their neighbors.</p> <p><b>Chapter 5: Economic Development</b>  <u>Goal 4:</u> Improve the appearance of Carlsbad.  <u>Goal 6:</u> Support the efforts and expansion of existing major industries, such as potash mining, oil and gas drilling, and nuclear waste disposal.</p>																																																										
<p><b>PLANNING STAFF RECOMMENDATION:</b> based on review of the application and staff comments, planning staff recommends approval provided the applicant meets all of the conditions from City staff prior to approval of the final plat:</p>																																																										
<p><b>DEPARTMENT RECOMMENDATION (please check):</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Approval</th> <th>Denial</th> <th>n/a</th> <th></th> <th>Approval</th> <th>Denial</th> <th>n/a</th> </tr> </thead> <tbody> <tr> <td>Public Works</td> <td></td> <td></td> <td>x</td> <td>Planning., Eng. &amp; Reg. Dept.</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Fire Department</td> <td></td> <td></td> <td></td> <td>Code Enforcement Division</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Legal Department</td> <td></td> <td></td> <td></td> <td>Engineering Division</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Police Department</td> <td></td> <td></td> <td></td> <td>Planning Division</td> <td>x</td> <td></td> <td></td> </tr> <tr> <td>Utilities Department</td> <td></td> <td></td> <td></td> <td>Building &amp; Regulation Division</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Culture &amp; Rec. Dept.</td> <td></td> <td></td> <td></td> <td>Carlsbad Irrigation District</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Approval	Denial	n/a		Approval	Denial	n/a	Public Works			x	Planning., Eng. & Reg. Dept.				Fire Department				Code Enforcement Division				Legal Department				Engineering Division				Police Department				Planning Division	x			Utilities Department				Building & Regulation Division				Culture & Rec. Dept.				Carlsbad Irrigation District			
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Culture & Rec. Dept.				Carlsbad Irrigation District																																																						

**DEPARTMENT COMMENTS:**

Public Works: No comments.

Utilities Dept.: There is no sewer available directly in front, rear or side of property. The closest sewer line is to the West behind 1315 Westridge.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See above.

Police Department: No Comments.

Culture and Recreation Department: No comments.

City Engineer: N/A

Carlsbad Irrigation District: CID neither objects nor supports these applications since the applications do not affect our operations.

City Administration:

**ATTACHMENTS:** Application materials

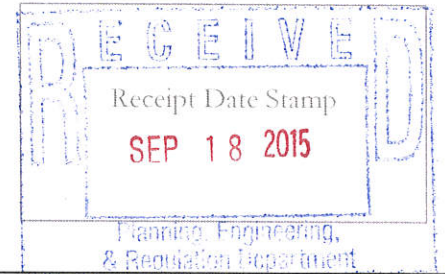
# APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 - SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

Application Date: September 14, 2015

Fee Paid: 9-18-15 *[Signature]*

- 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)



St. Peter Evangelical Lutheran Church

NAME OF PROPERTY OWNER

1302 W. Pierce St.

ADDRESS

Carlsbad

CITY

NM

STATE

88220

ZIP

575-887-3033

PHONE

stpeterlutheran@pvtnetworks.net

EMAIL

NAME OF DEVELOPER (IF DIFFERENT FROM OWNER)

ADDRESS

CITY

STATE

ZIP

PHONE

EMAIL

Location of the property being subdivided: 1302 W. Pierce St.

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: Vacant land behind church

Proposed Use of the Property: Residential

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.

*[Signature]*

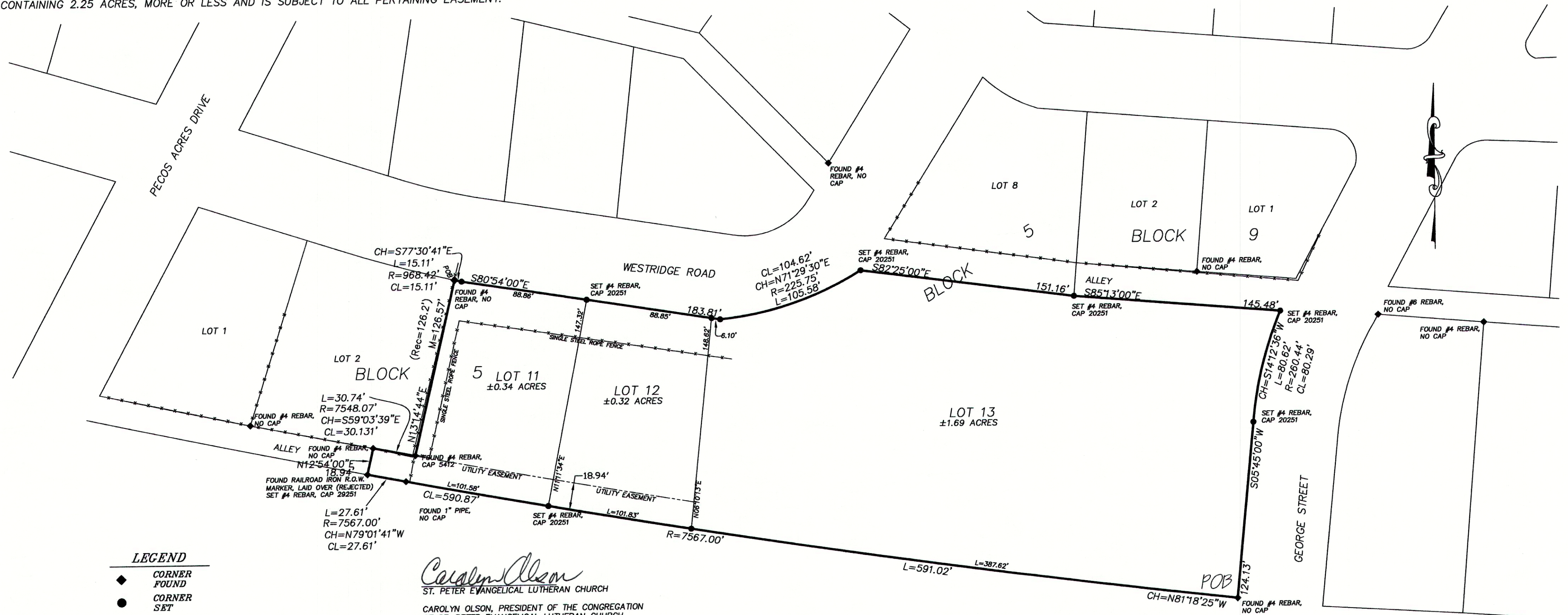
SIGNATURE OF PROPERTY OWNER



# ST. PETER LUTHERAN EVANGELICAL CHURCH LAND DIVISION

OF LOT 9, BLOCK 5 OF THE REPLAT OF LOTS 2 AND 9, BLOCK 5, OF THE AMENDED PLAT OF BLOCK NUMBER FIVE, UNIT NUMBER TWO, PECOS ACRES SUBDIVISION, RECORDED IN CABINET 3 SLIDE 241-1, OF THE MAPPING RECORD OF EDDY COUNTY, NEW MEXICO, IN WHICH LOTS 11, 12 & 13 ARE BEING CREATED AND WHOSE PERIMETER IS FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SE COR OF SAID LOT 9 OF THE AFOREMENTIONED REPLAT, WHICH POINT LIES AT THE INTERSECTION OF THE WEST R.O.W. OF GEORGE STREET AND THE NORTHERLY R.O.W. OF WEST PIERCE STREET; THEN TO A POINT, THROUGH A RIGHT HAND CURVE (R=7567') FOR 27.61 FEET, WHICH CURVE HAS A CHORD THAT BEARS S14°12'36"W 27.61 FEET; THEN N12°54'00"E FOR 591.02 FEET, WHICH CURVE HAS A CHORD THAT BEARS N81°12'08"W 611.19 FEET; THEN TO A POINT THROUGH, CONTINUING ALONG SAID RIGHT HAND CURVE (R=7567') FOR 27.61 FEET, WHICH CURVE HAS A CHORD THAT BEARS S14°12'36"W 27.61 FEET; THEN N12°54'00"E FOR 18.94 FEET TO THE NORTH SIDE OF AN ALLEY; THEN TO A POINT, ALONG THE NORTH SIDE OF AN ALLEY, THROUGH A LEFT HAND CURVE (R=7548.07') FOR 30.13 FEET, WHICH CURVE HAS A CHORD THAT BEARS S79°03'39"E 30.13 FEET; THEN N13°15'53"E FOR M=126.57 FEET (Rec=126.2 FEET) TO THE SOUTH R.O.W. OF WESTRIDGE ROAD; THEN S80°54'00"E, ALONG SAID SOUTH R.O.W., FOR 183.81 FEET; THEN TO A POINT, CONTINUING ALONG SAID R.O.W., THROUGH A LEFT HAND CURVE (R=225.75') FOR 105.58 FEET, WHICH CURVE HAS A CHORD THAT BEARS N71°29'30"E 104.62 FEET TO THE SOUTH LINE OF SAID ALLEY; THEN S82°25'00"E, ALONG THE SOUTH LINE OF SAID ALLEY, FOR 151.16 FEET; THEN S85°13'00"E, CONTINUING ALONG SAID SOUTH LINE, FOR 145.48 FEET TO THE WEST R.O.W. OF GEORGE ST.; THEN TO A POINT, ALONG THE WEST R.O.W. OF GEORGE ST., THROUGH A LEFT HAND CURVE (R=260.44') FOR 80.60 FEET, WHICH CURVE HAS A CHORD THAT BEARS S14°12'36"W 80.29 FEET; THEN S05°45'00"W, CONTINUING ALONG SAID WEST R.O.W., FOR 124.13 FEET TO THE POINT OF BEGINNING. CONTAINING 2.25 ACRES, MORE OR LESS AND IS SUBJECT TO ALL PERTAINING EASEMENT.



- LEGEND**
- ◆ CORNER FOUND
  - CORNER SET
  - x- FENCE LINE
  - M=12.34' MEASURED DISTANCE
  - (Rec=12.34') RECORDED DISTANCE
  - ===== NEW & OLD EASEMENTS

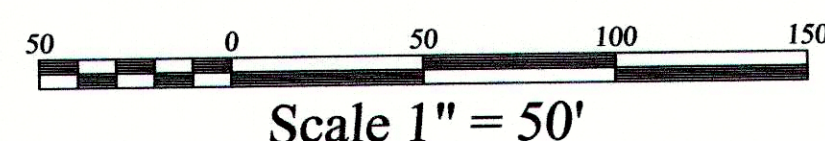
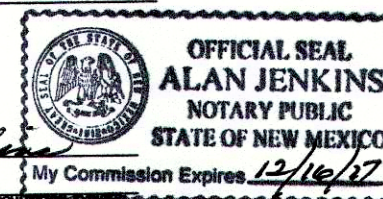
*Carolyn Olson*  
ST. PETER EVANGELICAL LUTHERAN CHURCH  
CAROLYN OLSON, PRESIDENT OF THE CONGREGATION  
OF ST. PETER EVANGELICAL LUTHERAN CHURCH

OWNERS STATEMENT AND AFFIDAVIT  
STATE OF New Mexico : SS  
COUNTY OF Eddy  
THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE:  
AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND  
CONSENT CAUSED THIS PLAT WITH ITS LOTS AND UTILITY EASEMENT TO BE  
PLATTED.  
THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING  
JURISDICTION OF:

THE CITY OF CARLSBAD  
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME  
THIS 12 DAY OF SEPTEMBER, 2015

BY *Carolyn Olson*  
LUTHERAN CHURCH

*Alan Jenkins*  
NOTARY PUBLIC



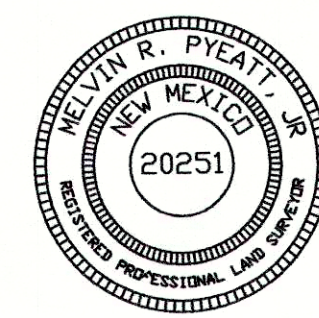
- BASIS OF BEARINGS AND DISTANCES:**
1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83), NEW MEXICO EAST ZONE (NM ZONE 3001).
  2. A COMBINED FACTOR OF 0.999728968 IS NEEDED TO CONVERT DISTANCES FROM GRID TO SURFACE.
  3. AREAS AND DISTANCES ARE SURFACE MEASUREMENTS. THE DISTANCES ARE MEASURED IN THE US SURVEY FOOT AND DISTANCES ARE SURFACE DISTANCES.
  4. ALL MEASUREMENTS WERE MADE ON MARCH 18, 2015.

**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, COUNTY OF EDDY, STATE OF NEW MEXICO ON  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

COMMISSION DESIGNEE

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

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



STATE OF NEW MEXICO, COUNTY OF EDDY, I HERE  
BY CERTIFY THAT THIS INSTRUMENT WAS FILED  
FOR RECORD ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_  
ROBIN VAN NATTA-COUNTY CLERK

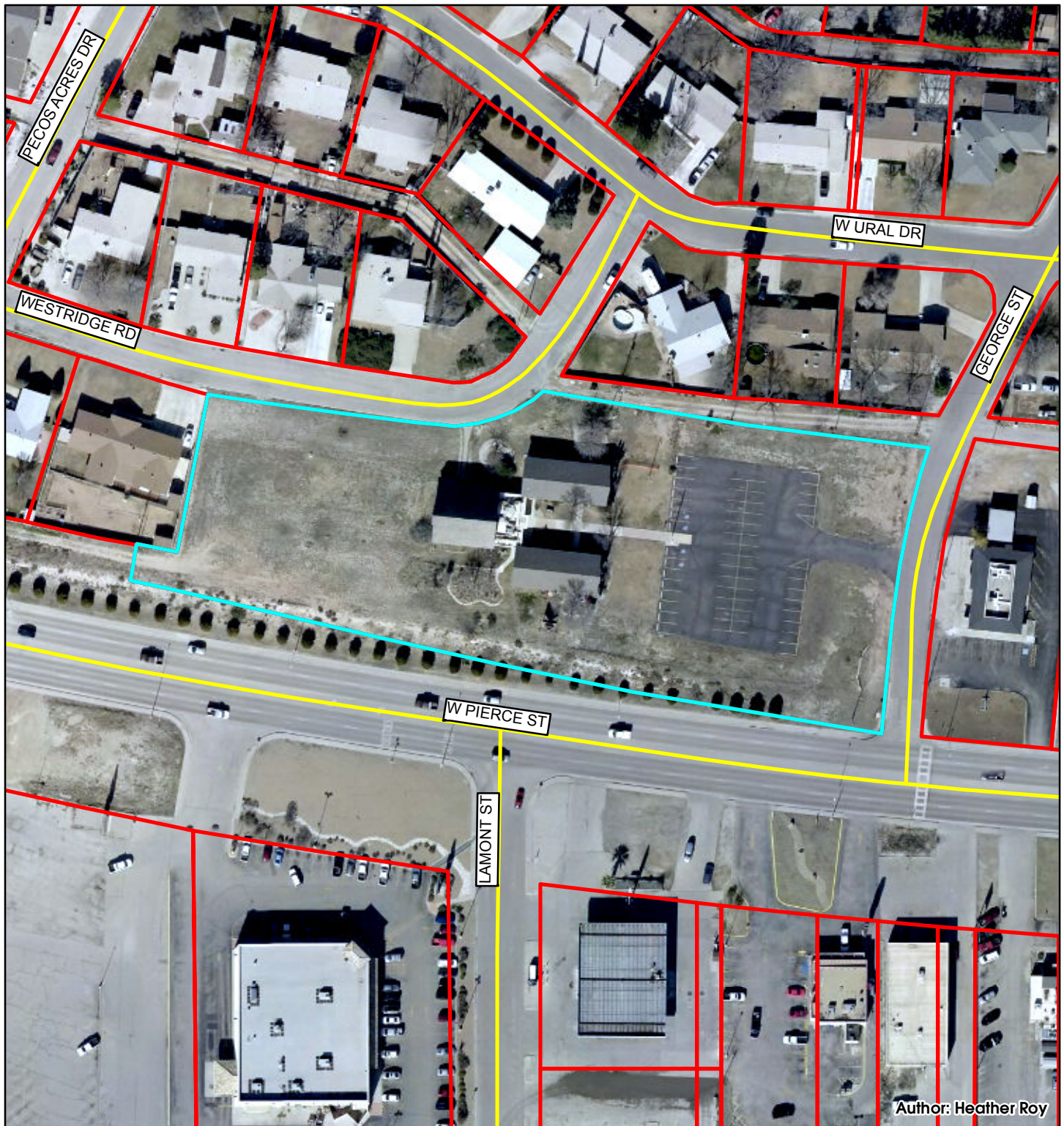
BY \_\_\_\_\_, DEPUTY

R&R SURVEYING LLC	
A LAND SURVEYING COMPANY	
INDEXING INFO. FOR CO. CLERK	
SEC. 36	T21S R36E N.M.P.M.
SUBDIVISION:	
ST. PETER LUTHERAN EVANGELICAL CHURCH LAND DIVISION	
OWNER:	
ST. PETER EVANGELICAL LUTHERAN CHURCH	
CITY:	
CARLSBAD	
COUNTY:	
EDDY	
STATE:	
NEW MEXICO	
DATE:	
JUNE 3, 2015	
ACCESS:	
YES	
AREA:	
±2.25A TOGETHER	

## NOTES AND OBSERVATIONS:

1. WATER, IS IN THE STREET AT THE FRONT OF THE PROPERTY. THE SEWER AND ELECTRIC ARE IN THE ALLEY AROUND THE PROPERTY.
2. THERE ARE NO SIDEWALKS AT THE SUBJECT PROPERTY.
3. WESTRIDGE DRIVE HAS CURB AND GUTTER, AND GEORGE STREET HAS ASPHALT IN THE ROADWAY.
4. BUILDING SETBACKS ARE AS PER CITY OF CARLSBAD REQUIREMENTS:  
FRONT-  
SIDE- 5 FEET  
REAR-
5. THE SUBJECT PROPERTY LIES IN THE CITY LIMITS OF CARLSBAD.
6. LOTS SIZES ARE:  
1 LOT-±0.32 ACRES 1 LOT-±0.34 ACRES 1 LOT-±1.69 ACRES
7. THE SUBJECT PROPERTY LIES IN FLOOD PLANE "X", WHERE AREAS ARE DETERMINED TO LIE OUTSIDE THE 0.20% CHANCE ANNUAL FLOODPLAIN, ACCORDING TO THE FIRM 35015C1055 D, WITH AN EFFECTIVE DATE OF JUNE 4, 2010.

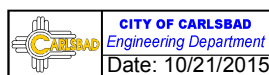
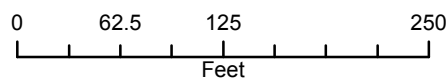




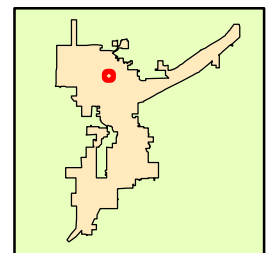
Author: Heather Roy

## Legend

- Address
- Roads
- Parcel



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



**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 10/2/15**

<b>DEPARTMENT:</b> Planning, Engineering and Regulation	<b>BY:</b> Jeff Patterson. Planning Director	<b>DATE:</b> 10/20/2015
<p><b>SUBJECT:</b> Preliminary Plat for Crestline Subdivision, creating 70 new lots, zoned “PUD” Planned Unit Development District, pursuant to Code of Ordinances Chapter 47, located on Cherry Ln. in Tract A, Copperstone Summary Replat No. 3.</p> <p>Applicant:          Carlsbad Properties LLC          1401 Don Roser, Ste. 82          Las Cruces, NM 88011</p>		
<p><b>SYNOPSIS:</b> The subject site, legally described as Copperstone Summary Plat No. 3 Tract A, is zoned “PUD” Planned Unit Development and is located on the south side of W. Cherry Ln. and the east side of Copperstone Apartments. The property is currently vacant. The applicant is requesting approval of a preliminary plat to create 70 new lots for residential development, as well as creating Tracts A, B, and C that will serve as drainage areas for the development.</p> <p>The applicant brought their zone change request and Concept Plan before the Planning and Zoning Commission at the June 1, 2015 regular meeting (minutes attached). The applicant was granted Planned Unit Development PUD zoning and had their Concept Plan approved by City Council at the July 14, 2015 regular meeting (minutes attached). As required by the (PUD) zoning process, the applicant has submitted this preliminary plat and construction plan as the Final PUD Plan. The Final PUD Plan adheres to the approved Concept Plan. Approval of this Final PUD Plan will be accompanied by the City entering into a Development Agreement with the applicant (agreement attached).</p> <p>The applicant has also included with the subdivision plat the required drainage study and construction drawings.</p> <p>The applicant plans to install the needed infrastructure for this development. Once installed, the City will take over maintenance of this infrastructure.</p>		
<p><b>IMPACT (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):</b> Approval of this request will allow for the creation of 70 new lots for residential development.</p> <p>The following <i>Greater Carlsbad Comprehensive Plan: Strategy 2030</i> goals apply to this request:</p> <p><b>Chapter 3: Land Use</b></p> <p><u>Goal 1:</u> The City of Carlsbad will adopt policies to support the Infill/Redevelopment Land Use Scenario.</p> <p><u>Goal 2:</u> The City of Carlsbad will make efficient use of government resources through well-planned land use decisions.</p> <p><u>Goal 4:</u> The City of Carlsbad will strive to create an aesthetically pleasing built environment.</p> <p><u>Goal 5:</u> The City of Carlsbad will ensure that land use does not negatively impact the city’s environmental resources.</p> <p><b>Chapter 4: Housing</b></p> <p><u>Goal 1:</u> Carlsbad will continue to encourage the development and redevelopment of housing in appropriate locations and at appropriate densities in order to provide a range of housing choices that meets the needs of current and future Carlsbad residents.</p> <p><u>Goal 2:</u> Carlsbad will ensure that local housing protects the health, safety, and welfare of residents and their neighbors.</p> <p><b>Chapter 5: Economic Development</b></p> <p><u>Goal 4:</u> Improve the appearance of Carlsbad.</p> <p><u>Goal 6:</u> Support the efforts and expansion of existing major industries, such as potash mining, oil and gas</p>		

drilling, and nuclear waste disposal.

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**PLANNING STAFF RECOMMENDATION:** based on review of the application and staff comments, planning staff recommends approval provided the applicant meets any and all of the conditions from City staff or the Planning and Zoning Commission prior to approval of the final plat.

**DEPARTMENT RECOMMENDATION (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			x	Planning., Eng. & Reg. Dept.			
Fire Department			x	Code Enforcement Division			x
Legal Department			x	Engineering Division			x
Police Department			x	Planning Division	x		
Utilities Department			x	Building & Regulation Division			x
Culture & Rec. Dept.				Carlsbad Irrigation District		x	

**DEPARTMENT COMMENTS:**

Public Works: No comments.

Utilities Dept.: No Comments.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See above.

Police Department: No Comments.

Culture and Recreation Department: No comments.

City Engineer: N/A

Carlsbad Irrigation District: the south side of this subdivision encroaches on CID's Lateral 2 easement. For this reason, CID objects to the current configuration of this application.

**ATTACHMENTS:** Application materials



# CRESTLINE SUBDIVISION

A SUBDIVISION OF PART OF TRACT A OF COPPERSTONE SUMMARY PLAT NO.3, FILED IN CABINET 5, SLIDE 522-1 OF THE MAPPING RECORDS FOR EDDY COUNTY, IN WHICH THIS SUBDIVISION HAS A PERIMETER DESCRIPTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY CORNER OF COPPERSTONE SUMMARY PLAT NO.2, FILED IN CABINET 5, SLIDE 506-1; THEN S00°00'00"E, ALONG THE EASTERLY LINE OF SAID COPPERSTONE NO.2 FOR 212.63 FEET; THEN N90°00'00"E, FOR 13.72 FEET; THEN THRU A CURVE TO THE LEFT 24.81 FEET (R=25.00 FEET), WITH A CHORD THAT BEARS S61°34'10"E FOR 23.80 FEET; THEN THRU A SECOND CURVE TO THE LEFT 108.56 FEET (R=50.00 FEET), WITH A CHORD THAT BEARS S29°03'10"E FOR 88.46 FEET; THEN S61°39'42"E FOR 67.98 FEET; THEN S36°36'26"W FOR 239.05 FEET; THEN S30°03'42"W FOR 263.16 FEET; THEN S48°25'24"W FOR 169.29 FEET; THEN S34°42'52"W FOR 82.91 FEET; THEN N55°58'37"W FOR 176.61 FEET; THEN S35°24'38"W FOR 155.05 FEET; THEN S55°58'37"W FOR 20.00 FEET; THEN S35°24'38"W FOR 377.23 FEET, TO THE NORTH LINE OF RIVERSIDE COUNTRY CLUB SUBDIVISION; THEN S55°26'14"E, ALONG SAID SUBDIVISION; THEN S87°50'26"E, CONTINUING ALONG SAID NORTH LINE, FOR 292.60 FEET; THEN S79°17'18"E, CONTINUING ALONG SAID NORTH LINE FOR 442.27 FEET; THEN N00°17'58"E FOR 211.90 FEET; THEN N00°02'33"E 618.33 FEET, TO THE PROJECTED SOUTH LINE OF COPPERSTONE SUMMARY PLAT NO.4; THEN N89°49'43"E, ALONG THE SAID PROJECTED LINE, FOR 60.00 FEET; THEN N00°02'33"E, ALONG THE WEST LINE OF CALLED SUMMARY PLAT NO.4 FOR 225.58 FEET, TO THE SOUTH LINE OF CHERRY LANE PARK; THEN N89°54'33"W, ALONG SAID SOUTH PARK LINE FOR 24.65 FEET; THEN N28°54'33"W, ALONG SAID PARK, FOR 263.57 FEET; THEN N61°03'33"E, ALONG SAID PARK FOR 400.00 FEET, TO THE WEST LINE OF WEST CHERRY LANE ROAD, ALSO THE EAST LINE OF CALLED TRACT A; THEN N56°24'00"W, ALONG SAID LINE FOR 729.75 FEET, BACK TO THE POINT OF BEGINNING. CONTAINING ±25.15 ACRES MORE OR LESS.

AND TOGETHER WITH A 60 FOOT WIDE ACCESS AND UTILITY RIGHT-OF-WAY ALONG THE EAST LINE OF WEST CHERRY LANE LINE ADJUSTMENT SHOWN HEREON, WHICH EASEMENT LIES EAST OF THE SURVEY LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION POINT OF THE SOUTH LINE OF COPPERSTONE SUMMARY PLAT NO.4 AND SAID LINE ADJUSTMENT; THEN S00°02'33"E, ALONG THE EAST LINE OF SAID LINE ADJUSTMENT FOR 618.33 FEET TO THE END OF THIS EASEMENT, WHICH POINT LIES ON THE SOUTH LINE OF CRESTLINE SUBDIVISION.

N90°00'00"E 13.72'  
CH=S61°34'10"E L=24.81'  
R=25.00' CL=23.80'  
CH=S29°03'10"E L=108.56'  
R=50.00' CL=88.46'

COPPERSTONE  
SUMMARY PLAT NO.3  
PHASE 3  
(CABINET 5, SLIDE 522-1)

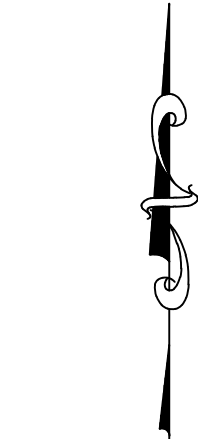
COPPERSTONE  
SUMMARY PLAT NO.2  
PHASE 2  
(CABINET 5, SLIDE 506-1)

APPROVAL BY THE CITY COUNCIL  
THIS IS TO CERTIFY THAT THIS "CRESTLINE SUBDIVISION"  
HAS BEEN EXAMINED AND APPROVED BY THE CITY COUNCIL  
OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF  
NEW MEXICO, DURING A REGULARLY SCHEDULED MEETING  
HELD ON

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

MAYOR

CITY CLERK



BASIS OF BEARINGS AND DISTANCES:  
1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE  
NORTH AMERICAN DATUM OF 1983 (NAD 83), NEW  
MEXICO EAST ZONE (NM ZONE 3001).

2. A COMBINED FACTOR OF 0.99976890 IS FOR THIS  
SURVEY.

3. AREAS AND DISTANCES ARE SURFACE  
MEASUREMENTS. THE MEASUREMENTS MADE HEREON  
ARE IN THE US SURVEY FOOT.

4. ALL MEASUREMENTS WERE MADE ON JUNE 31, 2014.

### NOTES AND OBSERVATIONS:

1. WATER, SEWER, GAS, AND ELECTRIC ARE AVAILABLE AROUND THE PROPERTY.

2. THERE ARE NO SIDEWALKS AROUND THE SUBJECT PROPERTY.

3. THERE IS ASPHALT ONLY IN CHERRY LANE, THERE IS CURB IN THE PARKING  
LOT OF THE APARTMENTS AND AROUND COPPERSTONE SUMMARY PLAT NO.4.

4. BUILDING SETBACKS ARE AS PER PUD REQUIREMENTS:  
FRONT-25 FEET SECONDARY STREET FRONT-10 FEET  
SIDE - 5 FEET REAR - 10 FEET

5. THE SUBJECT PROPERTY LIES IN FLOOD ZONE X, WHERE AREAS ARE  
DETERMINED TO LIE OUTSIDE THE 0.20% ANNUAL CHANCE FLOODPLAIN.  
ACCORDING TO THE FIRM 35015C1055 D, WITH AN EFFECTIVE DATE OF JUNE 4,  
2010.

6. THERE ARE NO LOTS BEING DEDICATED FOR PUBLIC USE, SUCH AS PARKS,  
SCHOOLS, CHURCHES, OR INDUSTRY.

7. THIS SUBDIVISION HAS 72 LOTS LAID OUT INTO BLOCKS.

### APPROVAL BY THE CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS "CRESTLINE SUBDIVISION" HAS BEEN  
EXAMINED AND APPROVED BY THE CITY PLANNING COMMISSION  
OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO,  
DURING A REGULARLY SCHEDULED MEETING HELD ON

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

CHAIRMAN

SECRETARY

CARLSBAD PROPERTIES, LLC  
DAVID PARAMETER, SIGNED FOR  
CARLSBAD PROPERTIES, LLC

### OWNERS STATEMENT AND AFFIDAVIT

STATE OF \_\_\_\_\_: SS

COUNTY OF \_\_\_\_\_

THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE:  
AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL  
AND CONSENT CAUSED THIS PLAT WITH ITS LOTS AND BLOCKS,  
STREET DEDICATIONS, EASEMENTS, AND ACCESS AND UTILITY RIGHT  
OF WAYS TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT  
LIES WITHIN THE PLATTING JURISDICTION OF:  
CITY OF CARLSBAD

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME

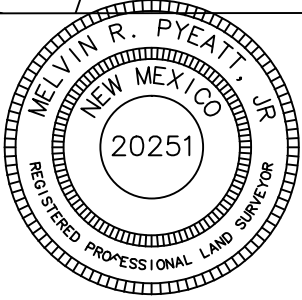
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY \_\_\_\_\_

SIGNEE FOR CARLSBAD PROPERTIES, LLC

NOTARY PUBLIC

MY COMMISSION EXPIRES  
mm/dd/yyyy



STATE OF NEW MEXICO, COUNTY OF EDDY, I HERE  
BY CERTIFY THAT THIS INSTRUMENT WAS FILED  
FOR RECORD ON  
THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M.

CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_  
ROBIN VAN NATTA-COUNTY CLERK

BY \_\_\_\_\_, DEPUTY

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

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

**R&R SURVEYING LLC**  
A LAND SURVEYING COMPANY

INDEXING INFO. FOR CO. CLERK

SEC. 25 T21S R26E N.M.P.M.

SUBDIVISION: CRESTLINE SUBDIVISION

OWNER: CARLSBAD PROPERTIES, LLC

CITY: CARLSBAD

COUNTY: EDDY

STATE: NEW MEXICO

DATE: SEPTEMBER 18, 2015

ACCESS: YES

AREA: ±25.15 ACRES

DRAWING NAME:

### LEGEND

- ◇ CORNER FOUND AS NOTED
- SET #4 REBAR, CAP 20251
- OE—OE— OVERHEAD ELECTRIC LINE
- W—W— WATER LINE
- G—G— GAS LINE
- X—X— FENCE LINE
- SS—SS— SEWER LINE
- LAND LINE
- CENTERLINE OF A C.I.D. DITCH
- NEW & OLD EASEMENTS
- CORPORATE BOUNDARY

100 0 100 200 300

Scale 1" = 100'

# APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 - SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

Application Date: 9/30/2015

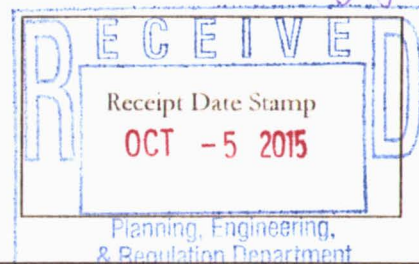
Fee Paid: 510<sup>00</sup> DP

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)



CARLSBAD PROPERTIES LLC  
NAME OF PROPERTY OWNER

1401 S. DON ROSEN. STE. 82  
ADDRESS

LAS CRUCES NM 88011  
CITY STATE ZIP

575-532-8310 dparmer@carlsbadplanning.com  
PHONE EMAIL

NAME OF DEVELOPER (IF DIFFERENT FROM OWNER)

ADDRESS

CITY STATE ZIP

PHONE EMAIL

Location of the property being subdivided: N.W. of CHERRY ST & SANDY LANE

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: VACANT LAND

Proposed Use of the Property: RESIDENTIAL SUBDIVISION - P.U.D.

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.

David L. Parmer  
SIGNATURE OF PROPERTY OWNER



**DOCUMENTATION TO BE SEALED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER,  
AS APPLICABLE, AND SUBMITTED WITH THIS APPLICATION:**

- ☒ A plat of the property to be subdivided prepared in conformance with Chapter 47 of the Carlsbad Code of Ordinances and applicable New Mexico Surveying Law.
- ☐ A scaled drawing locating all existing structures, water and sewer service lines, and other utilities on or serving the property with accurate dimensions from all existing structures to all property lines. The drawing is not required if the property is vacant or otherwise undeveloped.
- ☒ Construction plans defining and illustrating the design and construction requirements for all public improvements required by Chapter 47 of the Carlsbad Code of Ordinances and subject to approval and acceptance by the City (not required for summary review).
- ☐ If applicable, detailed Estimates of Construction Costs for the proposed infrastructure improvements suitable for the preparation of the performance bond typically submitted as the financial guarantee that the infrastructure will be completed (not required for summary review).

***\*LIMITATION ON THE USE OF SUMMARY REVIEW PROCESS***

*(AS PER SECTION 3-20-8 NMSA 1978 AND CHAPTER 47 CODE OF ORDINANCES)*

Subdivisions submitted for review under this process shall comply with applicable subdivision regulations and are limited to:

1. Subdivisions of not more than two parcels of land;
2. Re-subdivisions, where the combination or recombination of portions of previously planted lots does not increase the total number of lots;
3. Subdivision of two or more parcels of land in areas zoned for industrial use.
4. One per parcel of land per year as calculated from approval date.

***VARIANCES***

*(AS PER CHAPTER 47 SEC. 47-7 CODE OF ORDINANCES)*

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; and
2. The variance will not adversely affect the reasonable development of adjacent property; and
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; and
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; and
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; and
6. The hardship must not be pecuniary and must be a direct result of the land location, topography or other characteristic; and
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.



## CITY OF CARLSBAD

*Planning, Engineering,  
and Regulation Department*

101 N. Halagueno (PO Box 1569)

Carlsbad, NM 88221

Phone (575) 887-1191, Fax (575) 885-9871

## APPLICATION FOR SUBDIVISION APPROVAL

(SEE MUNICIPAL CODE CHAPTER 47 – SUBDIVISION REGULATIONS FOR PLAT REQUIREMENTS)

### PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the FIRST MONDAY OF THE MONTH. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Special Property Use, etc.) from the City of Carlsbad (Planning, Engineering, and Regulation Office).
2. With the exception of Summary Reviews, **Applicant must submit a completed Application to the "Planning, Engineering, and Regulation" Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.** (As per Section 3-20-8 NMSA 1978 and Chapter 47 Code of Ordinances, Summary Reviews may be submitted at any time.) The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. If desired, a letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.  
  
The desired maximum size for all documents is 11"x17". One original plat on mylar and three copies are required. **However, if the applicant wishes to support his or her application with larger size documents, an original on mylar and fifteen (15) copies need to be provided. (For Summary Review—an original on mylar and three (3) copies are required.)** Separate arrangements for copying these large documents may be possible, but will incur additional costs. Plats must be signed in permanent black ink.
3. The Planning, Engineering, and Regulation Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the Application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of four months from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.



# CRESTLINE SUBDIVISION

## DESCRIPTION OF SUBDIVISION

A SUBDIVISION OF PART OF TRACT A OF COPPERSTONE SUMMARY PLAT NO.3, FILED IN CABINET 5, SLIDE 522-1 OF THE MAPPING RECORDS FOR EDDY COUNTY, NEW MEXICO

- T-1

G-1

G-2

G-3

C-1

C-1.1

ECP

C-2

C-3

C-4

C-5

C-6

C-7

C-8
- FINAL PLAT

COVER SHEET

GENERAL CONSTRUCTION NOTES

UTILITY DETAILS (SHEET 1 OF 2)

UTILITY DETAILS (SHEET 2 OF 2)

MASTER GRADING PLAN

EXTENDED GRADING PLAN

ECP SWPPP

MASTER UTILITY PLAN

P-N-P: MAHAGONY DRIVE  
FROM STA:0+00 TO STA: 3+90

P-N-P: PALO VERDE CR  
FROM STA:0+00 TO STA: 3+50

P-N-P: PALO VERDE CR  
FROM STA: 3+50 TO STA: 5+34

P-N-P: ASPEN DR  
FROM STA: 0+00 TO STA: 4+50

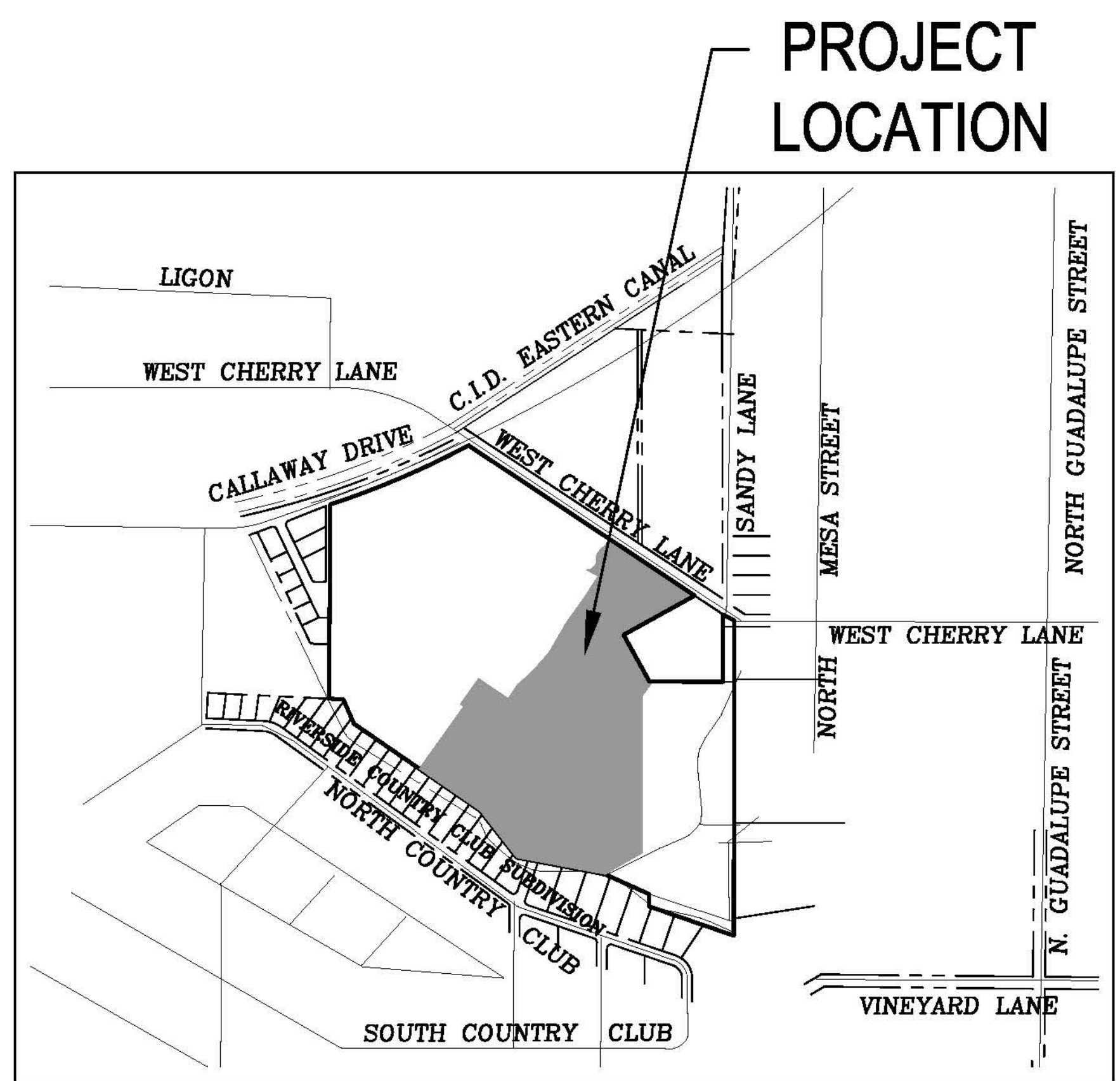
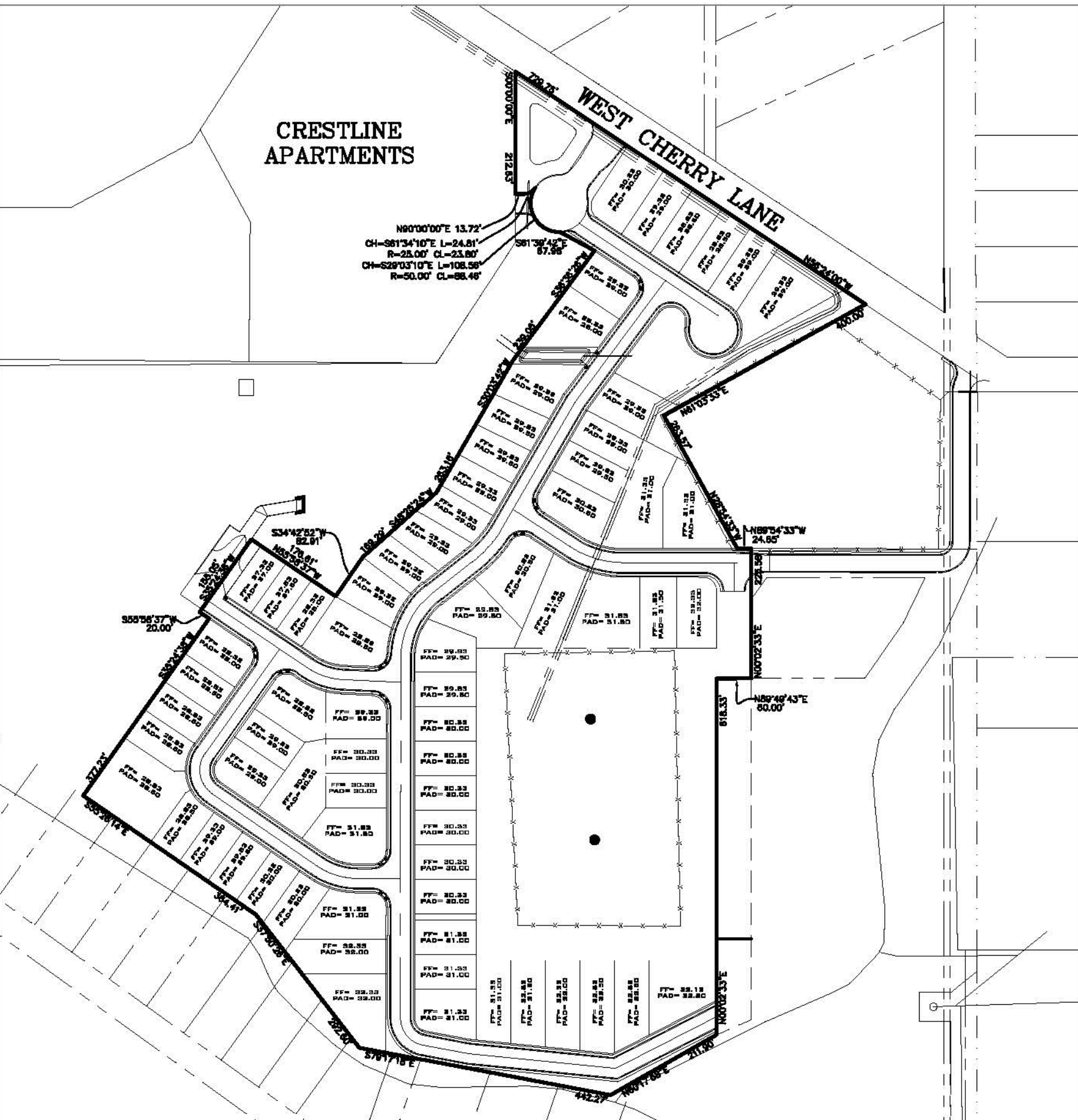
P-N-P: ASPEN DR  
FROM STA: 4+50 TO STA: 13+50

P-N-P: ASPEN DR  
FROM STA: 13+50 TO STA: 20+22

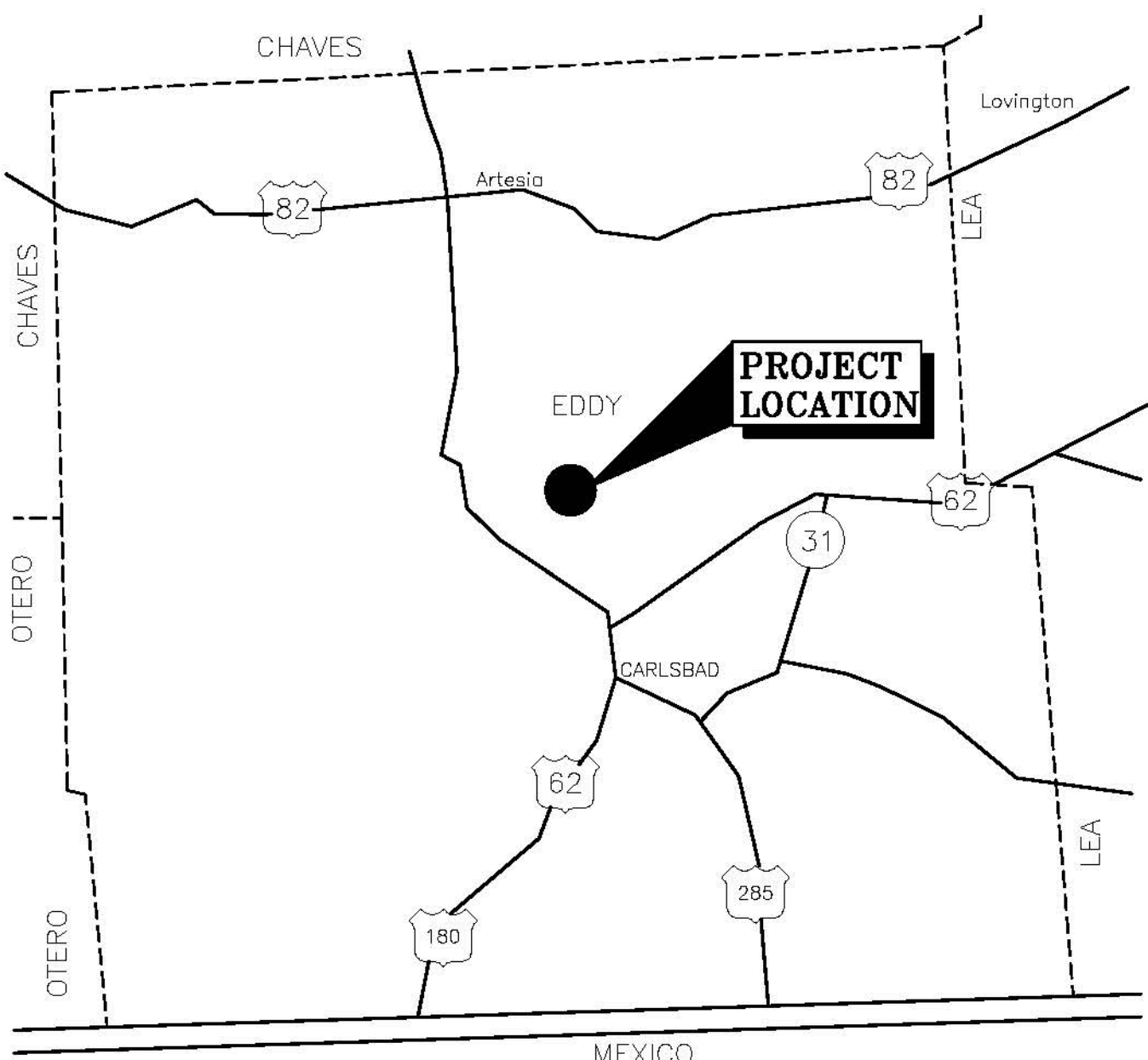
P-N-P: REDWOOD DRIVE  
FROM STA: 0+00 TO STA: 4+13

P-N-P: CHITALPA CT  
FROM STA: 0+00 TO STA: 2+77

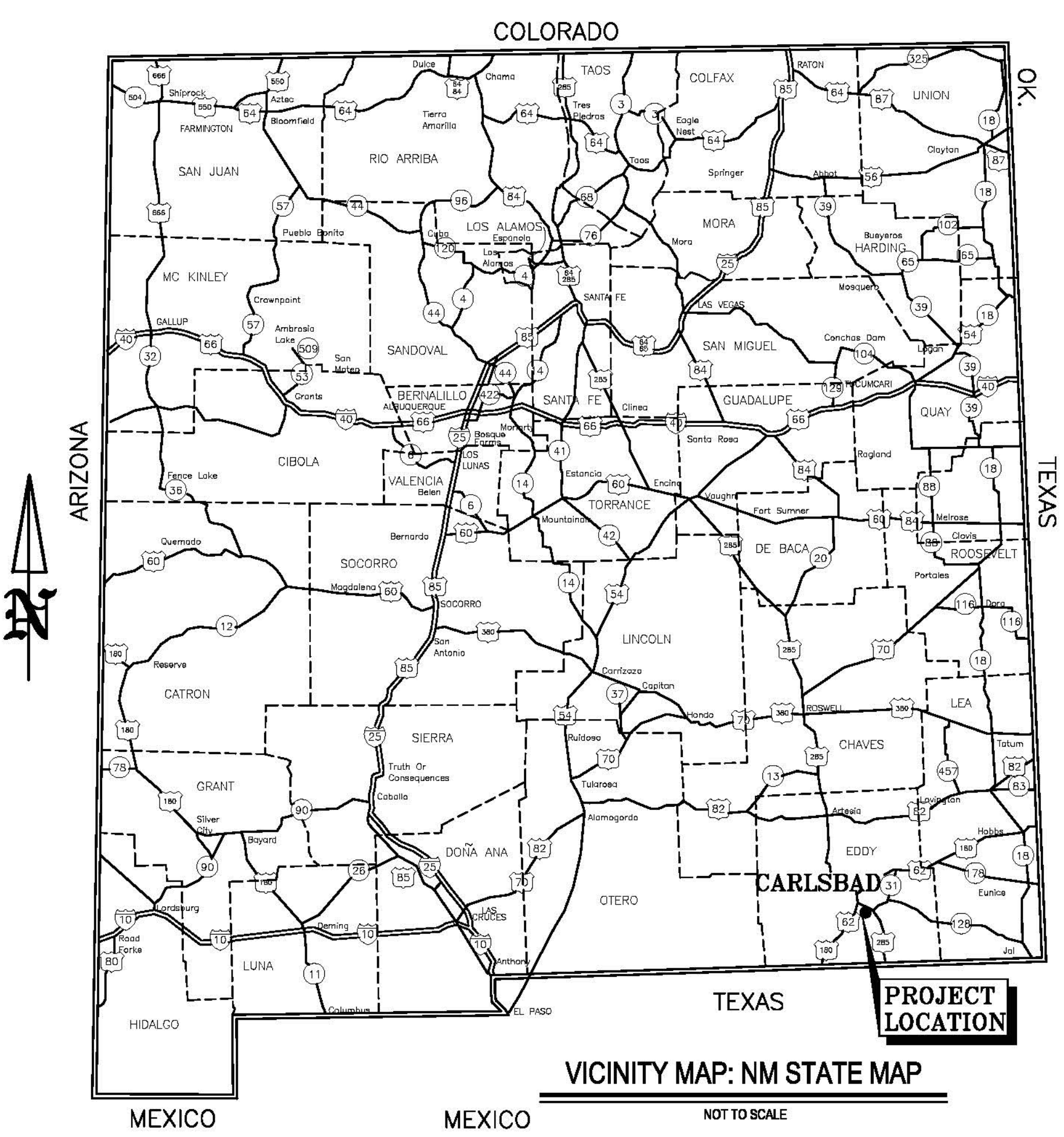
STONEGATE DRIVE



VICINITY MAP: LOCAL AREA MAP  
NOT TO SCALE



VICINITY MAP: EDDY COUNTY MAP  
NOT TO SCALE



VICINITY MAP: NM STATE MAP  
NOT TO SCALE

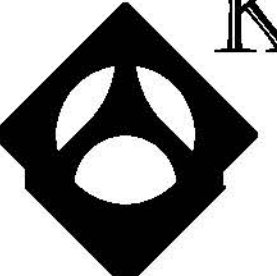
CITY OF CARLSBAD:

Approved: **MR. JEFF PATTERSON**  
Date: \_\_\_\_\_  
Planning Director

OWNER/ CONTRACTOR:

**CRESTLINE BUILDING CORP.**  
1401 S DON ROSER STE. B2  
LAS CRUCES, NM 88011  
PH: (575) 532-8310  
FAX: (575) 532-8312

PROJECT ENGINEER:



**KD ENGINEERING**

1880 E. LOHMAN AVE. LAS CRUCES, NM 88001

CIVIL / MECHANICAL ENGINEERING

DAVID B. CHURCH, P.E.

575 640-3790 CELL/575 528-1108 OFFICE

DAVID@THURSTONHOMES.COM

DRAFTING BY:



**NAVA TECH INC.**

AND ASSOCIATES

CONSTRUCTION PLAN PRODUCTION & COORDINATION

Civil, Commercial and Residential Drafting  
1815 S.SOLANO DRIVE Las Cruces, New Mexico 88001  
Phone: (575) 541-5050

THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES BEFORE COMMENCING WORK AND BE RESPONSIBLE FOR COMPLYING WITH THE EDDY COUNTY UTILITY COUNSEL BLUE STAKE PROCEDURES. ANY DAMAGE TO EXISTING UTILITIES WILL BE THE CONTRACTOR'S RESPONSIBILITY.

**KD ENGINEERING**

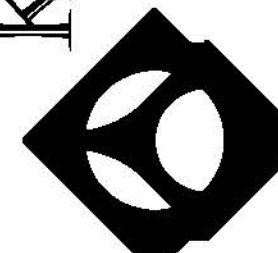
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REVISIONS	REV D:
DATE:	

CRESTLINE SUBDIVISION  
COVER SHEET & TITLE

SHEET NO.

**T-1**



CITY OF CARLSBAD SPECIFICATIONS  
FOR THE INSTALLATION OF WATER AND SEWER IMPROVEMENTS

THE FOLLOWING SPECIFICATIONS FOR MATERIALS AND EQUIPMENT TO BE USED IN THE INSTALLATION OF POTABLE WATER AND SANITARY SEWER IMPROVEMENTS, ARE INTENDED TO BE THE MINIMUM SPECIFICATIONS TO BE ACCEPTED BY THE CITY. WHERE SPECIFIC ITEMS ARE CALLED FOR BY NAME, MAKE, OR CATALOG NUMBER SUCH REFERENCE SHALL BE INTERPRETED AS ESTABLISHING A STANDARD QUALITY AND NOT CONSTRUED AS LIMITING COMPETITION. THE USE OF SUBSTITUTES IS PERMISSIBLE IN MOST CASES, PROVIDED WRITTEN REQUEST AND PROPER CERTIFICATIONS ARE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.

MATERIALS AND EQUIPMENT USED IN THE INSTALLATION OF WATER AND SEWER IMPROVEMENTS SHALL BE NEW AND UNUSED, MANUFACTURED IN COMPLIANCE WITH STANDARDS PUBLISHED BY THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), THE AMERICAN WATER WORKS ASSOCIATION (AWWA) OR OTHER PUBLISHED APPLICABLE STANDARDS

**SANITARY SEWER**  
**COLLECTOR:** 8 INCHES MINIMUM, PVC, SDR 35, PUSH-ON GASKETED SEWER PIPE.  
**SERVICE:** 4 INCHES MINIMUM, PVC, SDR 35, PUSH-ON, GASKETED SEWER PIPE.  
**FITTINGS:** PVC, SDR 35, PUSH-ON, GASKETED SEWER PIPE.  
**MANHOLES:** PRECAST REINFORCED CONCRETE, 4 FT. INSIDE DIAMETER, TYPE "E" CONCENTRIC MANHOLES.  
**MANHOLE RIM AND LID:** STANDARD CAST IRON, BOTTOM FLANGE, 325 LB. MANHOLE RIM AND LID, CONCEALED PICK SLOT, VENT HOLE REQUIRED. WESTERN IRON WORKS # 41 - 42 OR EQUAL.

**POTABLE WATER**  
**DISTRIBUTION LINES:** 8 INCHES MINIMUM, PVC, SDR 18, CLASS 150, C-900 PUSH GASKETED WATER PIPE (CONNECTION TO EXISTING MAINS IS DONE BY THE CITY UPON REQUEST).  
**FITTINGS:** MECHANICAL JOINT (MJ), CLASS 350 S.S.B. TYPE, DUCTILE IRON PIPE FITTINGS. FIRE HYDRANT LINES REQUIRE MJ X FLANGE FITTINGS.  
**GATE VALVES:** BONDED RESILIENT SEAT, NON-RAISING STEM TYPE, MECHANICAL JOINT, FUSE BONDED EPOXY COATED INSIDE AND OUT, 2 INCH OPERATING NUT, OPENS COUNTER-CLOCKWISE.

1. VALVES TO BE USED FOR ISOLATION OF MAIN LINES SHALL BE MJ X MJ TYPE.  
2. VALVES TO BE USED ON FIRE HYDRANT LINES SHALL BE MJ X FLANGE TYPE.

**FIRE HYDRANTS:** TYPE MUELLIER SUPER CENTURION 250  
THE COLOR OF THE HYDRANTS SHALL BE CHROME YELLOW.

CITY OF CARLSBAD  
SPECIFICATIONS FOR HYDROSTATIC TESTING, FLUSHING, DISINFECTION & FLOW TESTING

**HYDROSTATIC TESTING**  
THE CONTRACTOR SHALL BE REQUIRED TO HYDROSTATIC TEST ALL WATER MAINS, LATERALS, DEAD ENDS, AND SERVICE LINES. THE TEST SHALL BE CONDUCTED IN THE PRESENCE OF THE WATER DEPT. SUPERINTENDENT OR HIS AUTHORIZED REPRESENTATIVE.

THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT NEEDED TO PERFORM THE TEST. IF CONNECTIONS TO THE EXISTING LINES ARE ALLOWED, IT IS WITH THE UNDERSTANDING THAT THE CONTRACTOR ASSUMES ANY RESPONSIBILITY IN CASE OF DAMAGE OR FAILURE OF THE EXISTING SYSTEM. LEAKAGE THROUGH CONNECTIONS TO THE EXISTING LINES, OR LEAKING EXISTING VALVES UNDER THE TEST PRESSURE WILL INVALIDATE THE TEST. THE LINE SHALL BE TESTED AT 150 POUNDS, OR 1.5 TIMES THE NORMAL OPERATING PRESSURE OF THE LINE, WHICH EVER IS GREATER, FOR NOT LESS THAN FOUR HOURS. LEAKAGE SHALL NOT EXCEED 10 GALLONS PER INCH OF PIPE DIAMETER PER MILE OF PIPE. THE COST OF TESTING AND FINDING LEAKS, AND RETESTING SHALL BE AT THE EXPENSE OF THE CONTRACTOR. WATER FOR TESTING WILL BE FURNISHED BY THE CITY OF CARLSBAD,

**FLUSHING & DISINFECTION**  
PRIOR TO DISINFECTING THE CONTRACTOR IS REQUIRED TO FLUSH ALL NEW WATER LINES. TO REMOVE ANY FOREIGN MATERIAL THAT MAY INTERFERE WITH DISINFECTION.

FLUSHING CAN BE PERFORMED FROM FIRE HYDRANTS OR CONVENIENT OUTLETS. IF NOT AVAILABLE THE CONTRACTOR SHALL INSTALL FLUSH POINTS.

AFTER FLUSHING THE WATER LINES THEY WILL BE DISINFECTED WITH A CHLORINE LIQUID SOLUTION. THIS SOLUTION MUST BE DRAWN THROUGH OUT THE NEW SYSTEM, AS WELL AS ANY NEW SERVICE LINES. THE CHLORINE SOLUTION SHALL REMAIN IN THE LINE FOR AT LEAST 24 HOURS. THE LINE CAN THEN BE FLUSHED UNTIL THE CHLORINE RESIDUAL IS EQUAL TO THE NORMAL RESIDUAL IN THE EXISTING SYSTEM OR AT LEAST 0.2 PPM.

**TESTING**  
PRIOR TO THE LINE BEING PLACED INTO SERVICE, BACTERIA SAMPLES WILL BE TAKEN BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. SHOULD RESULTS OF THE BACTERIOLOGAL ANALYSIS BE UNSATISFACTORY, THE DISINFECTION PROCEDURE SHALL BE REPEATED.

**FLOW TEST**  
ALL NEW FIRE HYDRANTS WILL BE FLOW TESTED. THE FIRE DEPT. WILL PERFORM THE FLOW TEST BEFORE THE NEW SYSTEM IS APPROVED.

**SERVICE LINES**  
EACH NEW SERVICE WILL BE FLOW TESTED TO MAKE SURE THERE HAS BEEN ANY DAMAGE TO THE COPPER LINE.

**HYDROSTATIC TESTING**  
THE CONTRACTOR SHALL BE REQUIRED TO TEST ALL SEWER MAINS & LATERALS, AND SERVICE LINES. THE TEST SHALL BE CONDUCTED IN THE PRESENCE OF THE WASATEWATER DEPT SUPERINTENDENT OR HIS AUTHORIZED REPRESENTATIVE. THE CONTRACTOR SHALL PROVIDE ALL EQUIPMENT NEEDED TO PERFORM THE TEST. CONNECTIONS TO THE EXISTING LINES ARE ALLOWED, IT IS WITH THE UNDERSTANDING THAT THE CONTRACTOR ASSUMES ANY RESPONSIBILITY IN CASE OF DAMAGE OR FAILURE OF THE EXISTING SYSTEM. LEAKAGE THROUGH CONNECTIONS TO THE EXISTING LINES, OR LEAKING EXISTING VALVES UNDER THE TEST PRESSURE WILL INVALIDATE THE TEST. THE LINE SHALL BE TESTED TO A SLOPE +/- .001 ft/ft THE COST OF TESTING AND RESETTNG PIPE, REPAIR OF LEAKS, AND RETESTING SHALL BE AT THE EXPENSE OF THE CONTRACTOR. WATER FOR TESTING WILL BE FURNISHED BY THE CITY OF CARLSBAD,

**FLUSHING & CLEANOUT**  
PRIOR TO PLACING SAS IN USE THE CONTRACTOR IS REQUIRED TO FLUSH ALL NEW SEWER LINES. TO REMOVE ANY FOREIGN MATERIAL THAT MAY INTERFERE WITH OPERATION +F THE SEWER SYSTEM. THE CONTRACTOR SHALL INSTALL FLUSH POINTS.

**SERVICE LINES**  
EACH NEW SERVICE WILL BE INSPECTED TO INSURE THERE HAS NOT BEEN ANY DAMAGE TO THE FINAL INSTALLED LINE(SAS) LINE.

GENERAL CONSTRUCTION NOTES

1.

ALL STREET, SIDEWALK, AND UTILITY WORK IS TO BE PERFORMED IN CONFORMANCE WITH NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, LATEST EDITION, UNLESS OTHERWISE PROVIDED.
2.

WHEN ABUTTING NEW PAVEMENT TO EXISTING, NEAT CUT BACK EXISTING PAVEMENT TO A NEAT LINE AS REQUIRED TO REMOVE BROKEN OR CRACKED PAVEMENT AND MATCH NEW TO EXISTING. NO SEPARATE PAYMENT WILL BE MADE FOR NEAT CUTTING EXISTING PAVEMENT BUT SHALL BE CONSIDERED INCIDENTAL TO THE COMPLETION OF THE WORK.
3.

THE ENGINEER WILL MAKE AVAILABLE TO THE CONTRACTOR ANY INFORMATION THAT IT OBTAINS FROM ENGINEER INVESTIGATIONS AND OTHER SUPPLEMENTAL INFORMATION OBTAINED FROM UTILITY COMPANIES, PIPELINE OWNERS AND OTHER FACILITY OWNERS THAT HAVE BEEN IDENTIFIED. THE ENGINEER MAKES NO REPRESENTATION AS TO THE VALIDITY OR ACCURACY OF THE INFORMATION PROVIDED. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING LOCATIONS FROM UTILITY OWNERS AND MAKING SUCH FURTHER INVESTIGATIONS AS NECESSARY IN ORDER TO LOCATE SUCH PERMANENT AND TEMPORARY UTILITY APPURTENANCES PRIOR TO INITIATING EARTHWORK OPERATIONS.
4.

THE CONTRACTOR WILL BE RESPONSIBLE FOR EXPLORATORY TRENCHING, IF NECESSARY, TO MORE SPECIFICALLY LOCATE UTILITY LINES. THE COST OF LOCATING UTILITY LINES INCLUDING EXPLORATORY TRENCHING WILL BE CONSIDERED INCIDENTAL TO CONSTRUCTION. FOR THE VERIFICATION AND DETERMINATION OF DEPTHS OF UNDERGROUND UTILITIES, THE CONTRACTOR SHALL CONTACT THE CITY OF CARLSBAD; FOR UTILITY LOCATES PLEASE CONTACT NM ONE CALL 1-800-885-2537  
PUBLIC WORKS Water Superentendent: (Emergency Only!)- Mike Abell 1-575-885-6313  
Wastewater Superentendent: (Emergency Only!)- Art Sena 1 1-575-887-5412
5.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REMOVALS REQUIRED TO COMPLETE THE PROJECT. ADDITIONAL REMOVALS NOT SHOWN ON THE PLANS WILL BE DESIGNATED BY THE PROJECT MANAGER. REMOVAL OF STRUCTURES AND OBSTRUCTIONS AND THE CONTRACTOR WILL NOT RECEIVE ADDITIONAL COMPENSATION FOR UNLISTED REMOVALS. ITEMS DESIGNATED FOR REMOVAL WITHOUT SALVAGE, UNSUITABLE CONSTRUCTION MATERIALS AND DEBRIS FROM CLEARING AND GRUBBING ARE TO BE PLACED IN AN ENVIRONMENTALLY SUITABLE DISPOSAL SITE DECIDED UPON AND COORDINATED BY THE CONTRACTOR WITH THE APPROPRIATE REGULATORY AGENCIES. CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER IN WRITING OF THE DETAILS OF DISPOSAL OPERATIONS. BORROW MATERIAL, ROCK WASTE, VEGETATION DEBRIS, ETC., SHALL NOT BE PLACED IN WETLAND AREAS OR AREAS WHICH MAY IMPACT ENDANGERED SPECIES OR ARCHAEOLOGICAL RESOURCES.
6.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING AND CLEANUP OF SPILLS ASSOCIATED WITH PROJECT CONSTRUCTION AND SHALL REPORT AND RESPOND TO SPILLS OF HAZARDOUS MATERIALS SUCH AS GASOLINE, DIESEL, MOTOR OILS, SOLVENTS, CHEMICALS, TOXIC AND CORROSIVE SUBSTANCES, ETC., WHICH MAY BE A THREAT TO PUBLIC HEALTH OR THE ENVIRONMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING DISCOVERIES OF PAST SPILLS AND OF CURRENT SPILLS NOT ASSOCIATED WITH CONSTRUCTION. REPORTS SHALL BE MADE IMMEDIATELY THE NM ENVIRONMENT DEPARTMENT EMERGENCY RESPONSE AT 827-4308 OR 470-3657. THE CONTRACTOR SHALL PROPERLY HANDLE AND DISPOSE OF ALL ASPHALT PAVEMENT MATERIAL REMOVED ON THE PROJECT BY HAULING TO AN APPROVED LANDFILL; IN ACCORDANCE WITH THE REGULATIONS OF THE NEW MEXICO SOLID WASTE ACT.
7.

THE CONTRACTOR IS REQUIRED TO PROVIDE A TRAFFIC CONTROL PLAN FOR THE WORK SPECIFIED IN THIS CONTRACT. THE CONTRACTOR SHALL FURNISH ALL MATERIALS, TOOLS, LABOR, EQUIPMENT AND ANY OTHER APPURTENANCES NECESSARY TO COMPLETE THE WORK. FLAGGING SHALL BE PROVIDED AS REQUIRED FOR SAFETY AND/OR AS DIRECTED BY THE ENGINEER, WITH NO SEPARATE PAYMENT PROVIDED. THE TRAFFIC CONTROL PLAN MUST CONFORM TO THE SPECIFICATIONS SET FORTH IN THE MUTCD AND BE APPROVED BY THE ENGINEER BEFORE IMPLEMENTATION. ALL CONSTRUCTION TRAFFIC CONTROL DEVICES IN THIS CONTRACT SHALL BE PROVIDED WITH HIGH RETROREFLECTIVITY SHEETING. THROUGH THE LIFE OF THE PROJECT, THE CONTRACTOR SHALL KEEP THE LOCAL NEWS MEDIA INFORMED AT LEAST ONCE A WEEK OF ANY LANE CLOSURE WHICH WILL RESTRICT THE NORMAL FLOW OF TRAFFIC THERE WILL BE NO DIRECT COMPENSATION FOR THIS WORK.
8.

MAINTENANCE OF RECORD PLANS. THE CONTRACTOR SHALL MAINTAIN AN UP-TO-DATE SET OF RECORD DRAWINGS FOR THE PROJECT. THESE PLANS SHALL BE KEPT CURRENT WITHIN TWO WEEKS AND SHALL BE SUBJECT TO REVIEW BY THE PROJECT REPRESENTATIVE FOR COMPLETENESS ONCE A MONTH. THE FINAL AS-BUILT PLANS SHALL BE SUBMITTED TO THE PROJECT REPRESENTATIVE PRIOR TO FINAL PAYMENT. THIS WORK WILL BE CONSIDERED AS INCIDENTAL TO THE COMPLETION OF THE PROJECT AND NO SEPARATE MEASUREMENT OR PAYMENT WILL BE MADE THEREFORE.
9.

QUALITY CONTROL/QUALITY ASSURANCE INCIDENTAL TESTING FOR CONCRETE AND BASE COURSE IS REQUIRED. THE CONTRACTOR SHOULD INCLUDE COSTS FOR QC TESTING WITH THESE ITEMS.
10.

SHRINKAGE FACTOR-THE EARTHWORK QUANTITIES ARE BASED ON A SHRINKAGE FACTOR OF 10%.
11.

THE CONTRACTOR WILL PROVIDE A STORM WATER POLLUTION PREVENTION PLAN FOR HIS EQUIPMENT YARD AND FOR THE INTERIM CONSTRUCTION ACTIVITIES.
12.

THE CONTRACTOR SHALL PROVIDE MATERIALS AND PAVEMENT MIX DESIGN TO BE USED ON THIS PROJECT TO THE PROJECT ENGINEER FOR APPROVAL.

THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES BEFORE COMMENCING WORK AND BE RESPONSIBLE FOR COMPLYING WITH THE EDDY COUNTY UTILITY COUNSEL BLUE STAKE PROCEDURES. ANY DAMAGE TO EXISTING UTILITIES WILL BE THE CONTRACTOR'S RESPONSIBILITY.

KD ENGINEERING

1880 E. LOHMAN AVE. LAS CRUCES, NM 88001

CIVIL / MECHANICAL ENGINEERING

DAVID B. CHURCH, P.E.

679 640-7960 CELL/679 528-1108 OFFICE

DAVID@THURSTONHOMES.COM

REVISIONS	DATE:	REV'D:		

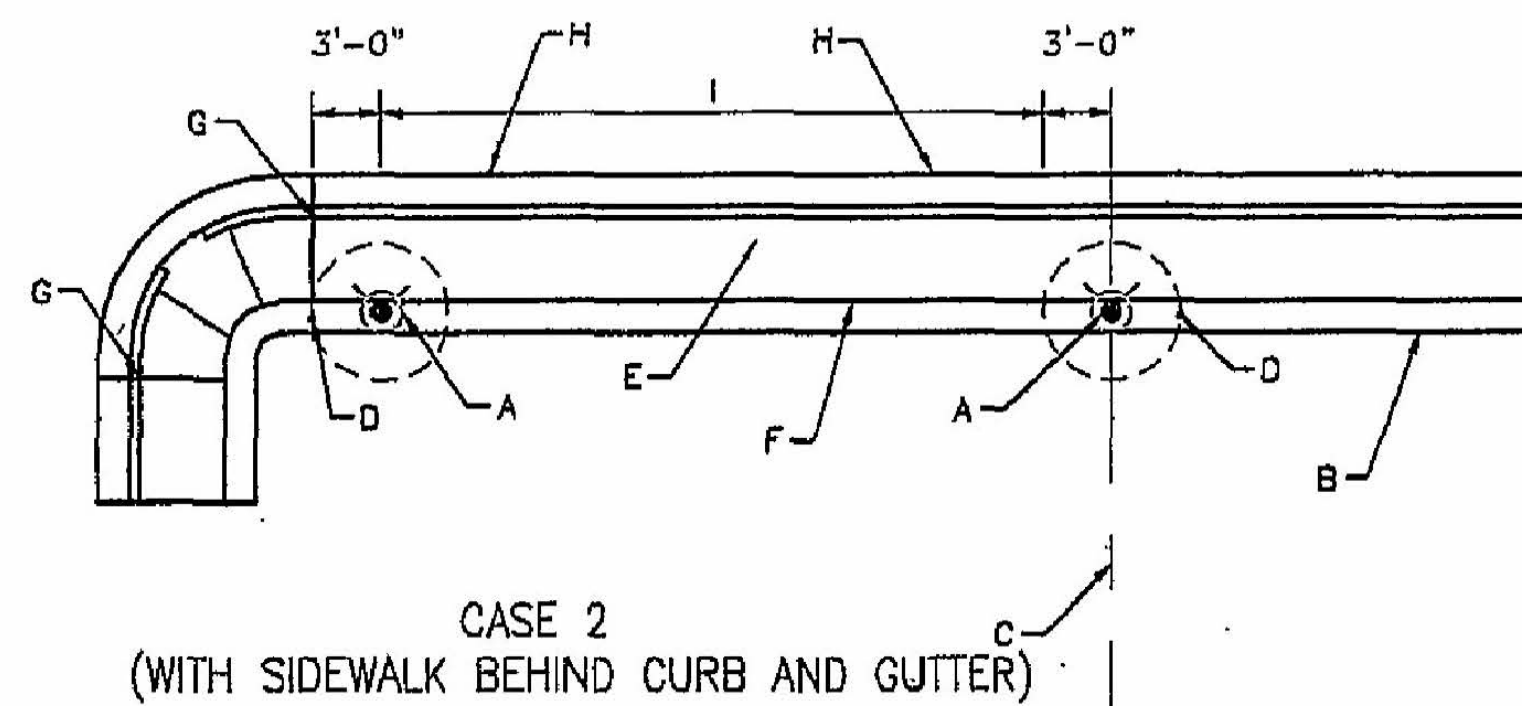
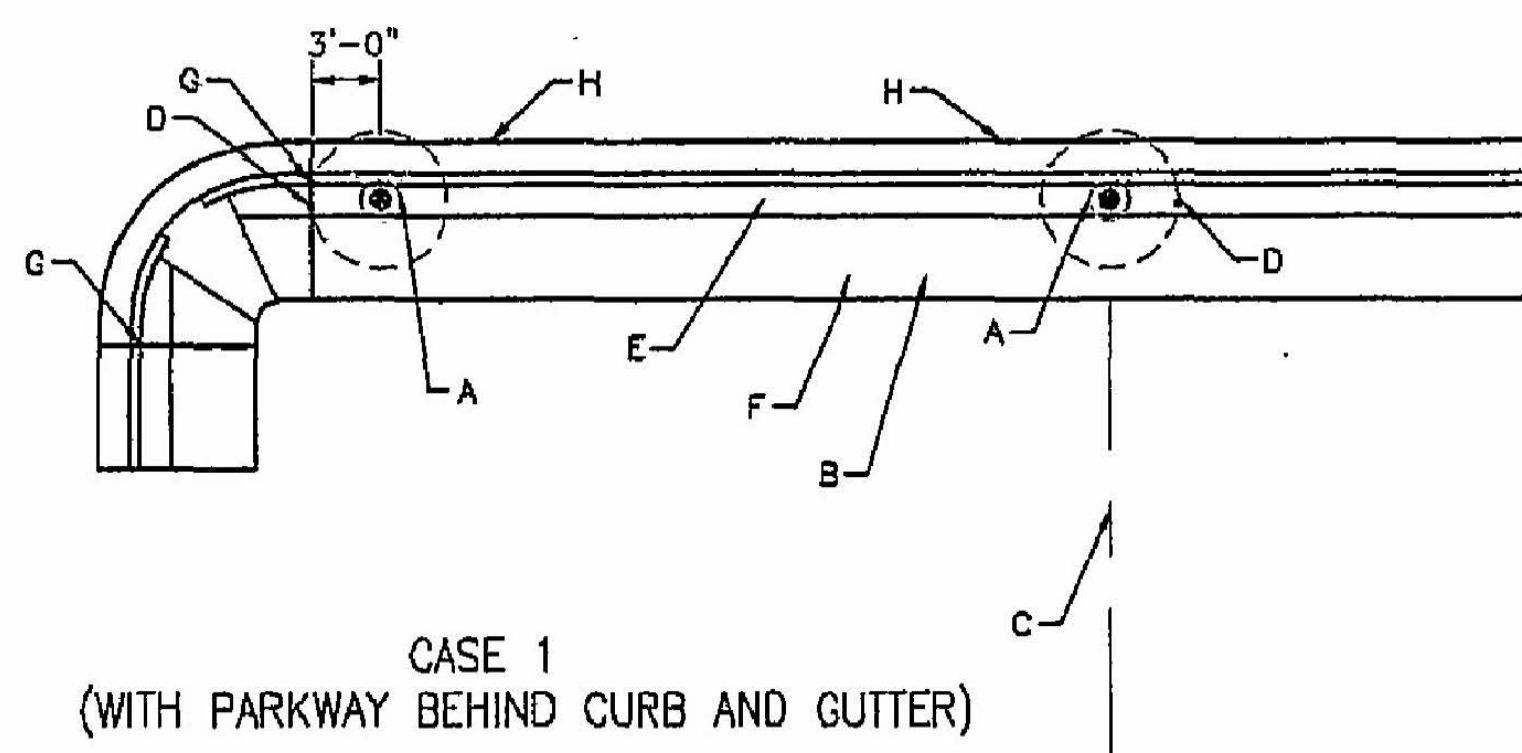
CRESTLINE SUBDIVISION

GENERAL NOTES

SHEET NO.

G-1





### FIRE HYDRANT LOCATIONS

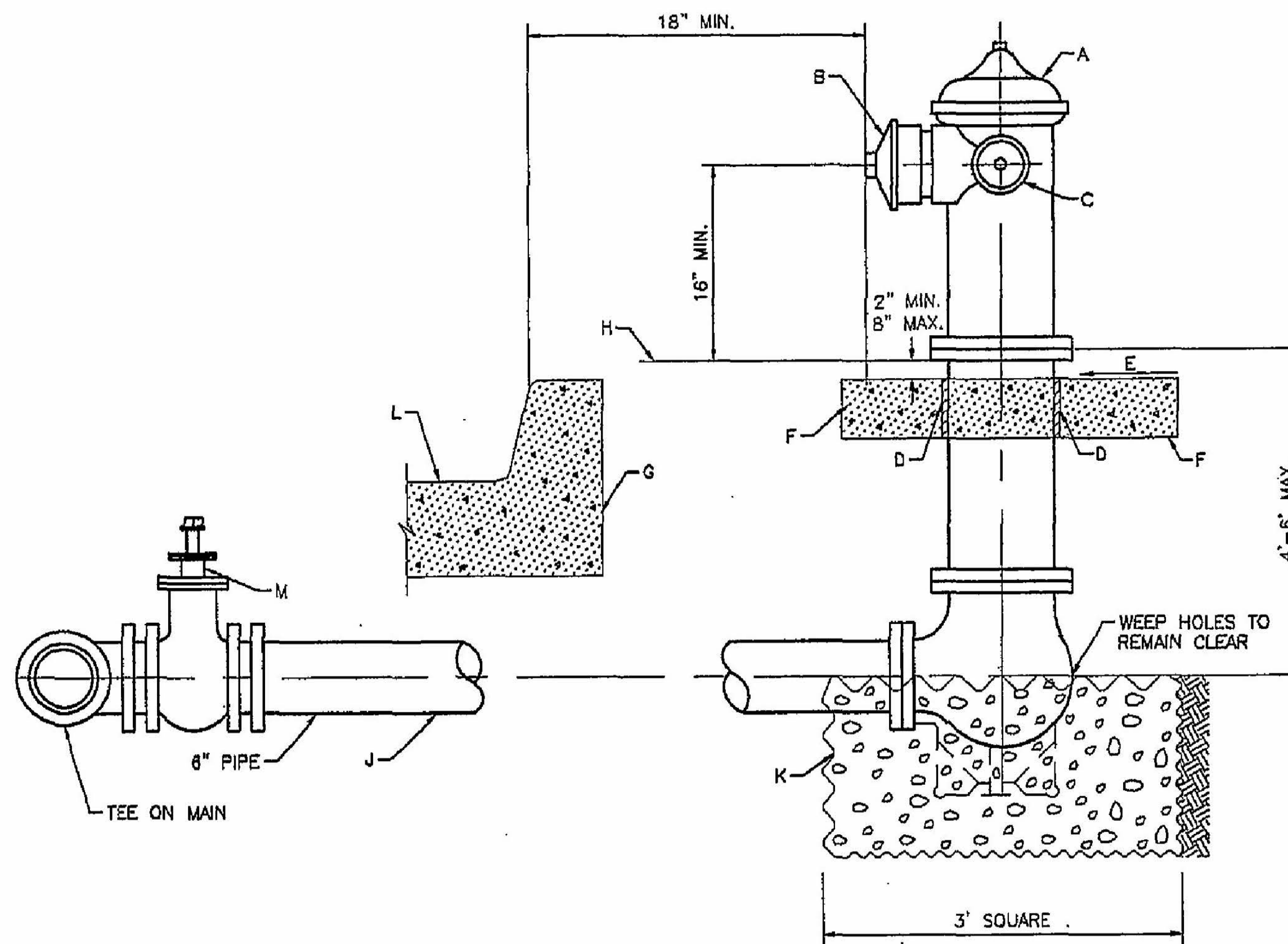
SCALE: NTS

#### GENERAL NOTES:

1. FIRE HYDRANTS ARE NOT TO BE LOCATED WITHIN THE CURB RETURN AREA. FIRE HYDRANTS LOCATED IN THE MID BLOCK LENGTH SHALL BE CENTERED ON ADJOINING PROPERTY LINES.
2. A MINIMUM CLEARANCE OF 3' WILL BE PROVIDED BETWEEN A FIRE HYDRANT AND A PERMANENT OBSTRUCTION (UTILITY POLE, LIGHT STANDARD, TRAFFIC SIGNAL, ETC.).

#### CONSTRUCTION NOTES:

- A. FIRE HYDRANT.
- B. RIGHT-OF-WAY OR EASEMENT LINE.
- C. PROPERTY LINE.
- D. PERMANENT OBSTRUCTION.
- E. PARKWAY.
- F. SIDEWALK.
- G. PC OR PT OF CURB RETURN.
- H. MAINTAIN A MINIMUM CLEARANCE OF 3' RADIUS FROM CENTER OF HYDRANT TO ANY AND ALL OBSTRUCTIONS.
- I. MAXIMUM DISTANCE OF 500' IN RESIDENTIAL NEIGHBORHOODS WITH NO HOME MORE THAN 250' FROM A FIRE HYDRANT.



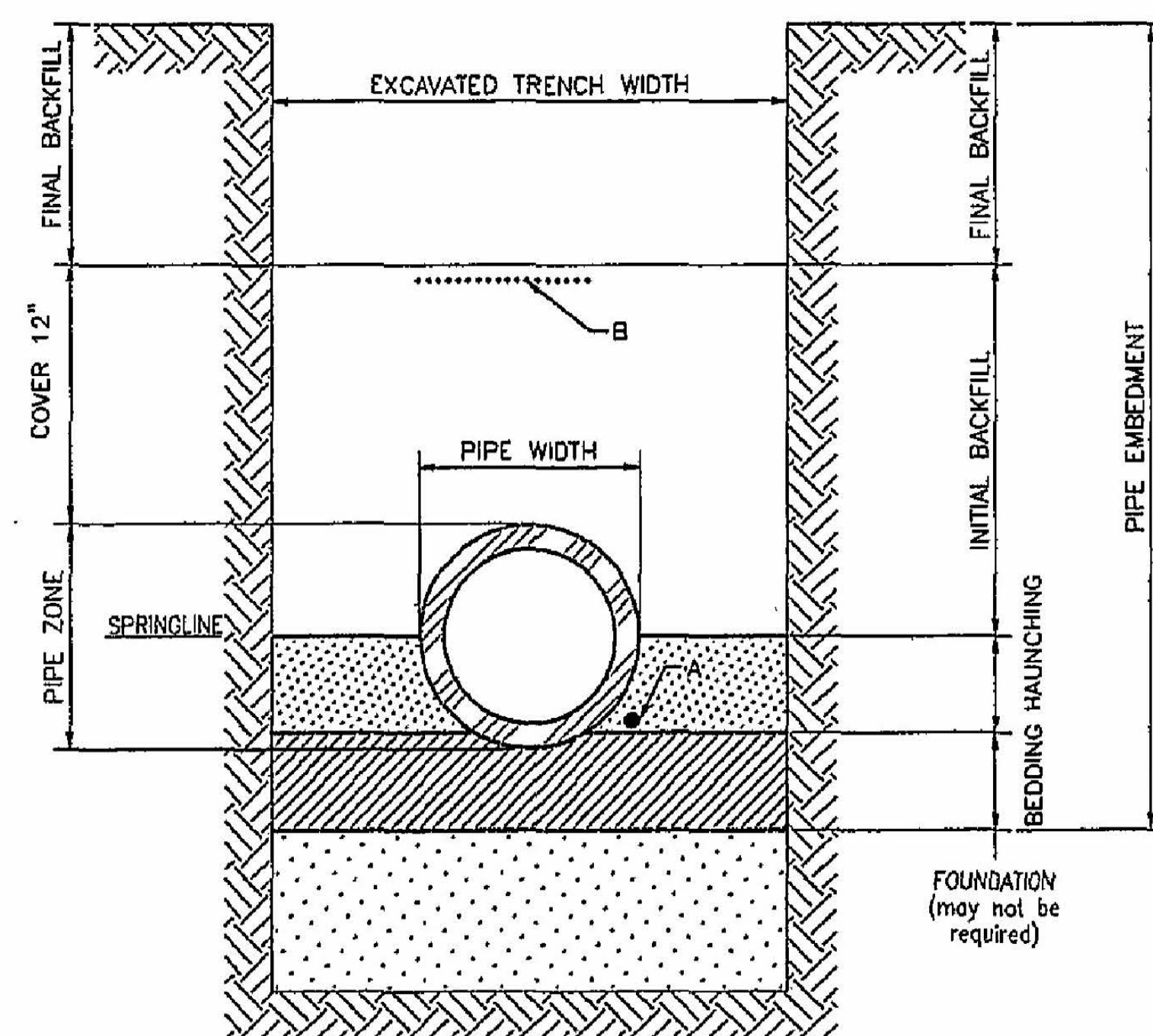
### FIRE HYDRANT INSTALLATION

SCALE: NTS

1. NO OBSTRUCTIONS WILL BE PERMITTED WITHIN 3 FT. OF FIRE HYDRANT.
2. HYDRANT LEG SHALL BE VALVED, IN ARTERIAL STREETS LOCATED IN COMMERCIAL AREAS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR SETTING TOP FLANGE OF FIRE HYDRANT TO THE CONTROLLED ELEVATION LINE.
4. FOR FIRE HYDRANT LOCATION, SEE DWG. 2347.
5. WHEN NEW OR EXISTING SIDEWALK ABUTS CURB, RECONSTRUCT SIDEWALK AS PER DWG. 2430, 2431.
6. PUMPER NOZZLE TO BE SET FACING THE TRAVELED WAY, UNLESS OTHERWISE NOTED ON PLANS.
7. HYDRANT INSTALLED IN SIDEWALK AREAS SHALL MAINTAIN 5 MIN. 36-INCH CLEAR PEDESTRIAN PATH PER ADA STANDARDS.

#### CONSTRUCTION NOTES:

- A. FIRE HYDRANT PER SPECIFICATIONS.
- B. PUMPER NOZZLE 4 1/2".
- C. HOSE NOZZLE 2 1/2".
- D. 1/2" EXPANSION JOINT MATERIAL.
- E. MATCH SIDEWALK SLOPE OR SLOPE 1/4" PER FT.
- F. 3' X 3' X 6" CONC. SQ. PAD, TO BE CONSTRUCTED AROUND FIRE HYDRANT'S CENTER LINE WHEN NOT LOCATED WITHIN SIDEWALK OR CONC. AREA. CONCRETE PER SEC. 101 EXTERIOR CONCRETE, 3500 PSI @ 28 DAYS.
- G. BACK OF CURB.
- H. CONTROLLED ELEV. LINE, LEVEL IN ALL DIRECTIONS.
- J. USE OF RESTRAINED JOINTS IS MANDATORY. ALL FIRE HYDRANT LEG PIPING AND FITTINGS INCLUDING TEE ON MAIN SHALL BE RESTRAINED JOINTS.
- K. GRAVEL DRAIN POCKET, COVER TOP SURFACE WITH TAR PAPER, ASTM C33, NO. 57 GRAVEL.
- L. STANDARD CURB & GUTTER, FOR OTHER TYPES OF C. & G., OR WHERE NO C. & G. EXIST, THE PLACEMENT OF FIRE HYDRANT REQUIRES SPECIAL DESIGN.
- M. A VALVE IS REQUIRED, VALVE WILL BE CONNECTED TO TEE AT MAIN.



TRENCH CROSS-SECTION  
SHOWING TERMINOLOGY

### TYPICAL PIPE TRENCH DETAIL

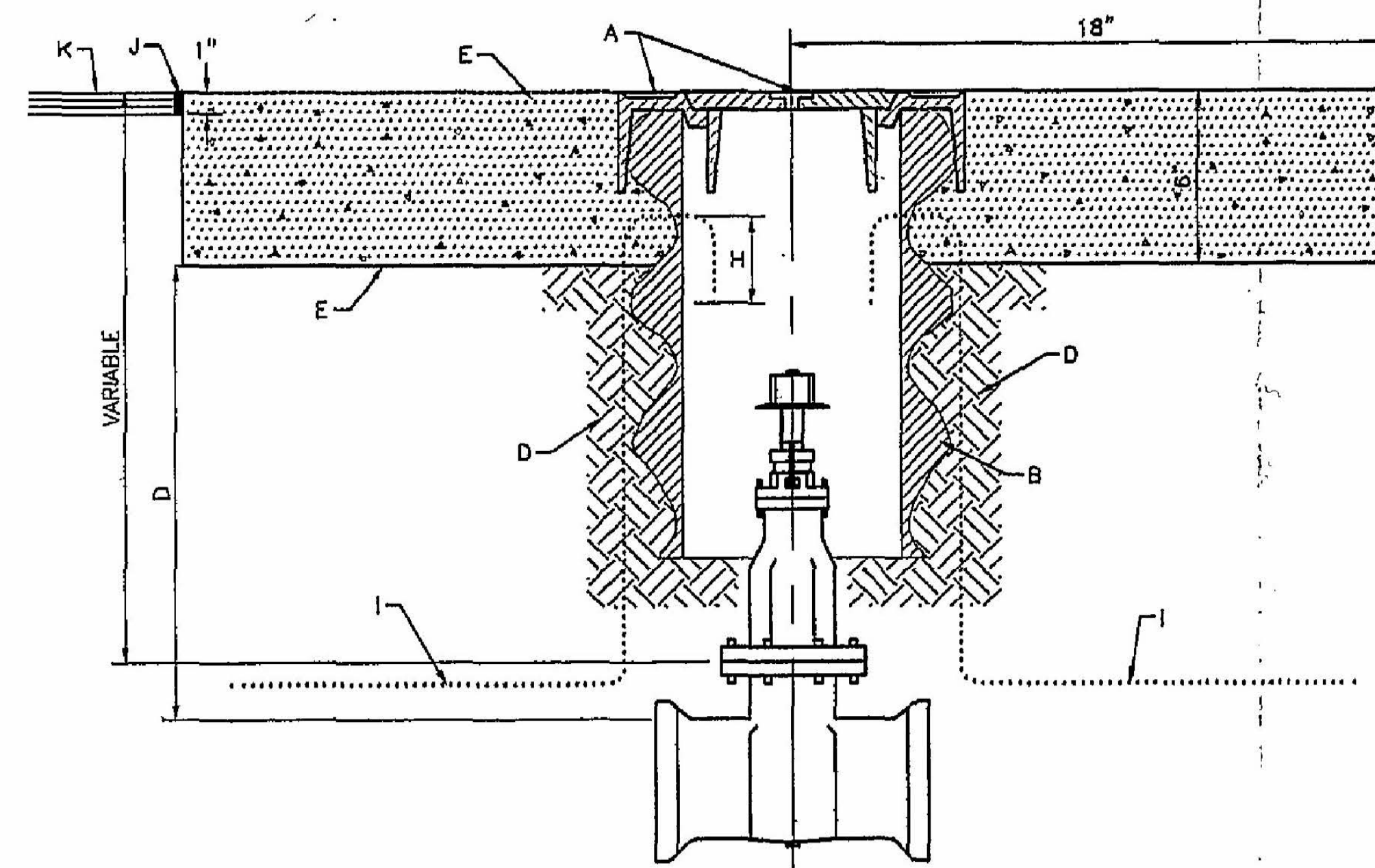
SCALE: NTS

#### GENERAL NOTES:

1. MECHANICAL TAMPERS SHALL NOT BE USED IN THE INITIAL BACKFILL REGION FOR FLEXIBLE PIPE, WHEN FLEX PIPE IS USED, CONTRACTOR SHALL, PRIOR TO THE START OF CONSTRUCTION, PROVIDE THE PROPOSED COMPACTION METHOD IN THE INITIAL BACKFILL REGION TO THE ENGINEER FOR APPROVAL.
2. MINIMUM CLASS "C" BEDDING WILL BE USED.

#### CONSTRUCTION NOTES:

- A. #12 AWG SOLID COPPER WIRE WITH HOPE DIRECT BURIAL TRACER WIRE. BURIAL IN HAUNCHING ZONE CONTINUOUS RUNS TERMINATING IN MAIN LINE VALVE BOXES.
- B. MAGNETIC MARKER TAPE MARKED "WATER LINE BURIED BELOW".

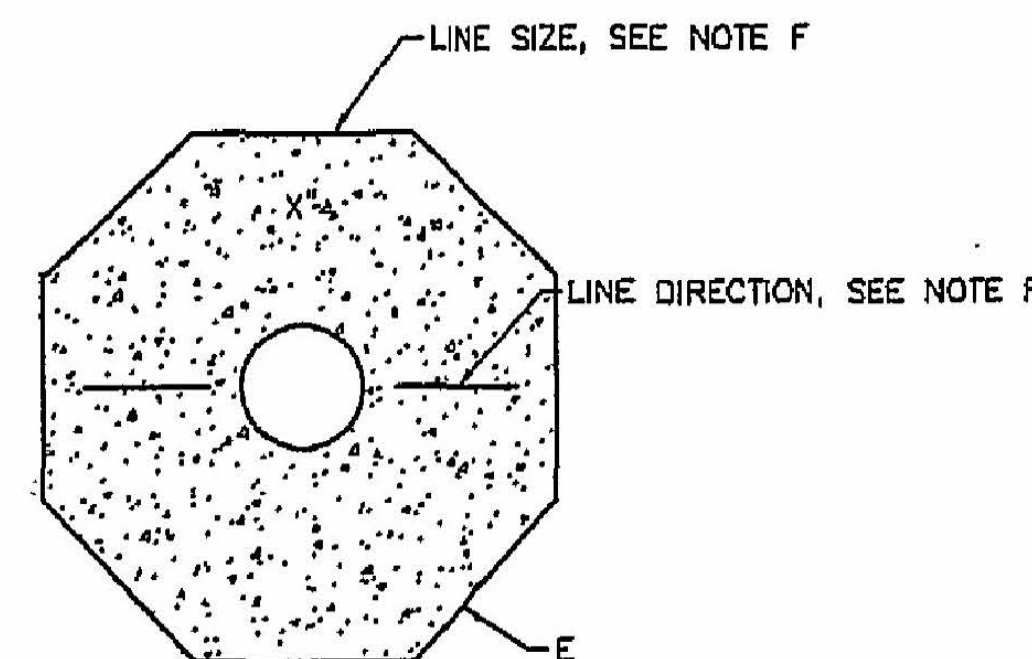


### WATER VALVE AND VALVE BOX DETAILS

SCALE: NTS

#### GENERAL NOTES:

- A. VALVE BOX RING AND COVER PER STD NO. 70 SHORTLY VALVE BOX.
- B. 6" DIAMETER RIBBED OR CORRUGATED PVC OR PE PIPE WITH SMOOTH INTERIOR (C-900).
- C. NEW OR EXISTING VALVE.
- D. COMPACTED BACKFILL SOIL OR BASE COURSE MATERIAL (95% COMPACTION). SEE SECTION 701.
- E. 6" THICK CONCRETE COLLAR.
- F. TOP OF CONCRETE COLLAR SHALL BE STAMPED WITH LINE SIZE AND DIRECTION. MINIMUM LETTER SIZE SHALL BE 3" IN HEIGHT.
- G. MIN. 5" OR MATCH EXISTING.
- H. TAIL APPROX. 6"-12" IN LENGTH.
- I. TRACING WIRE.
- J. JOINT FILLER, INSTALL PER MANUFACTURE'S INSTRUCTIONS OVER BACKER ROD OR JOINT TAPE.
- K. TYPICAL PAVEMENT SECTION.



LABEL REQUIREMENTS

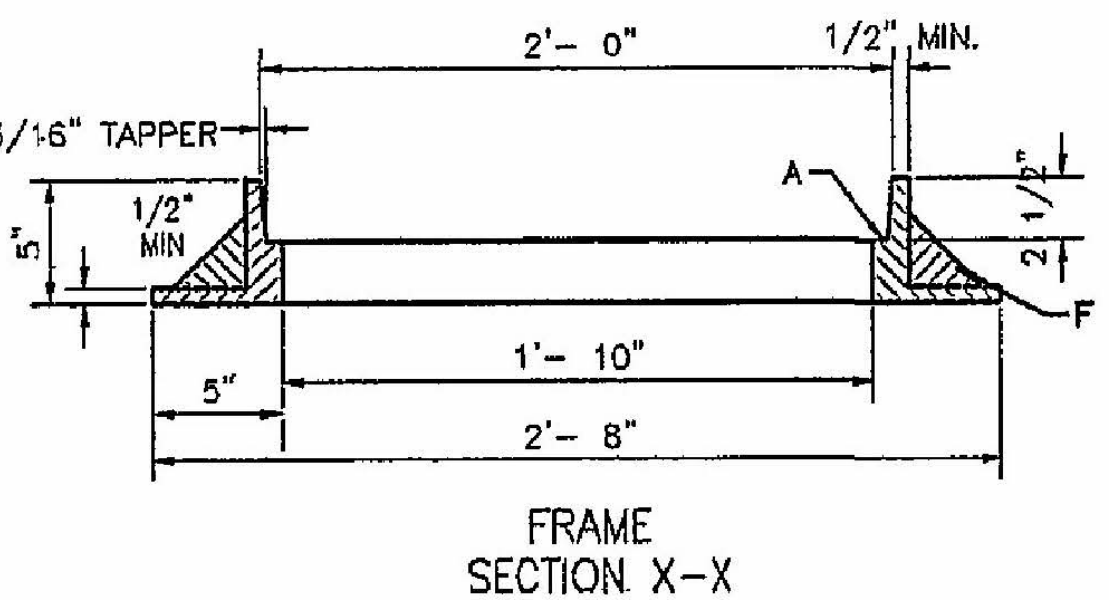
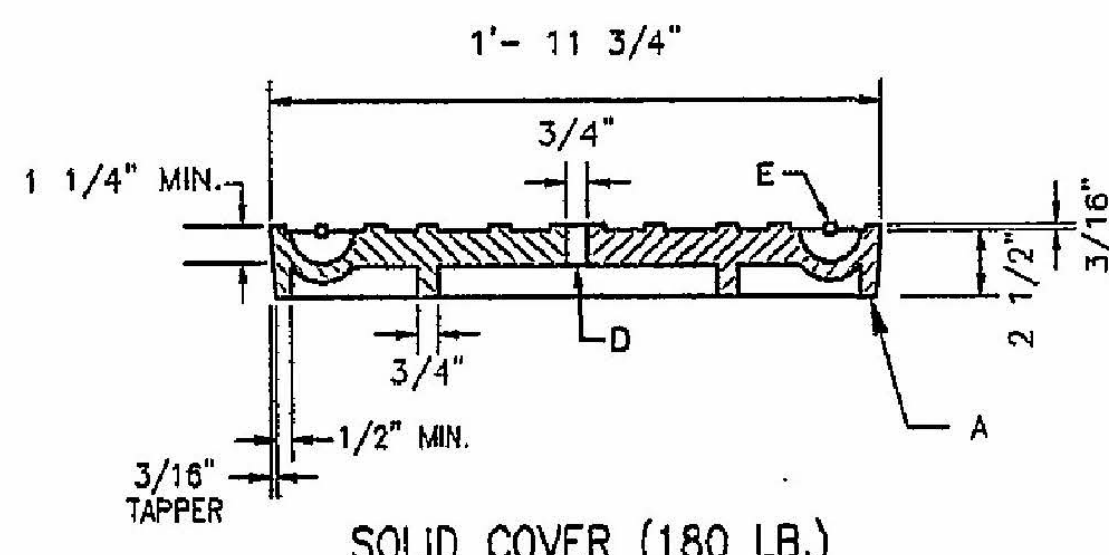
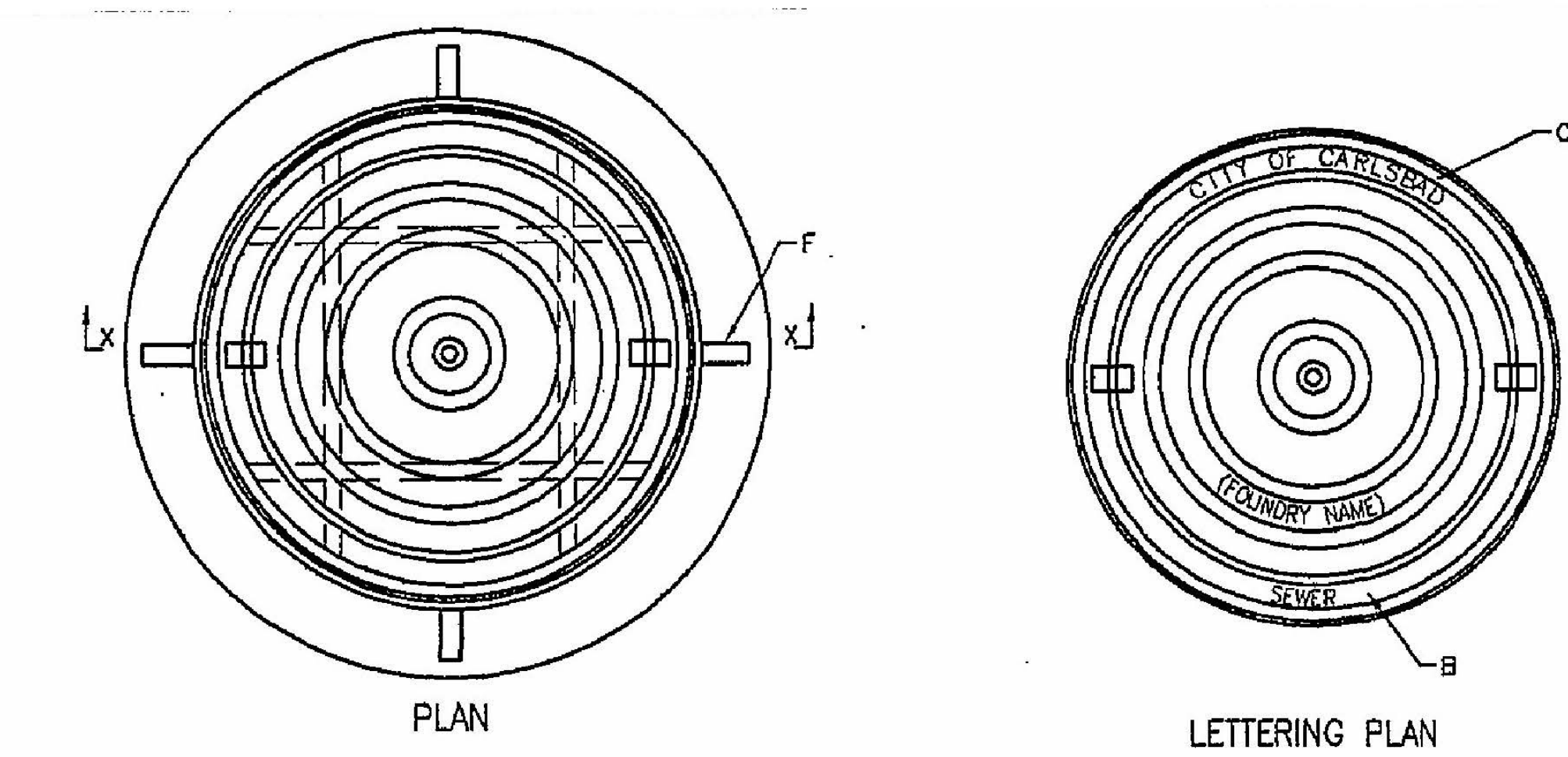
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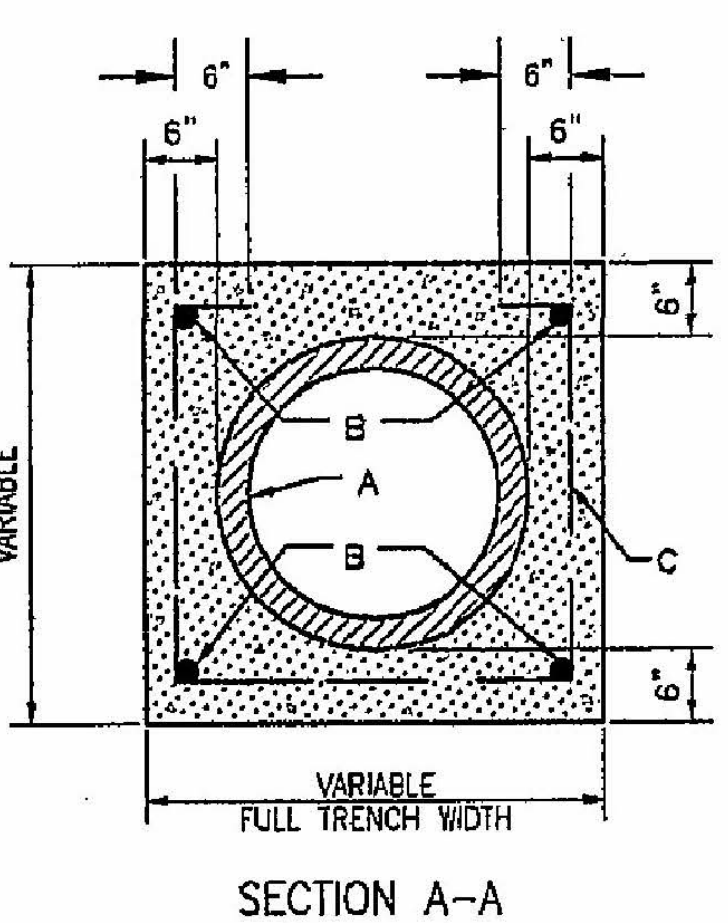
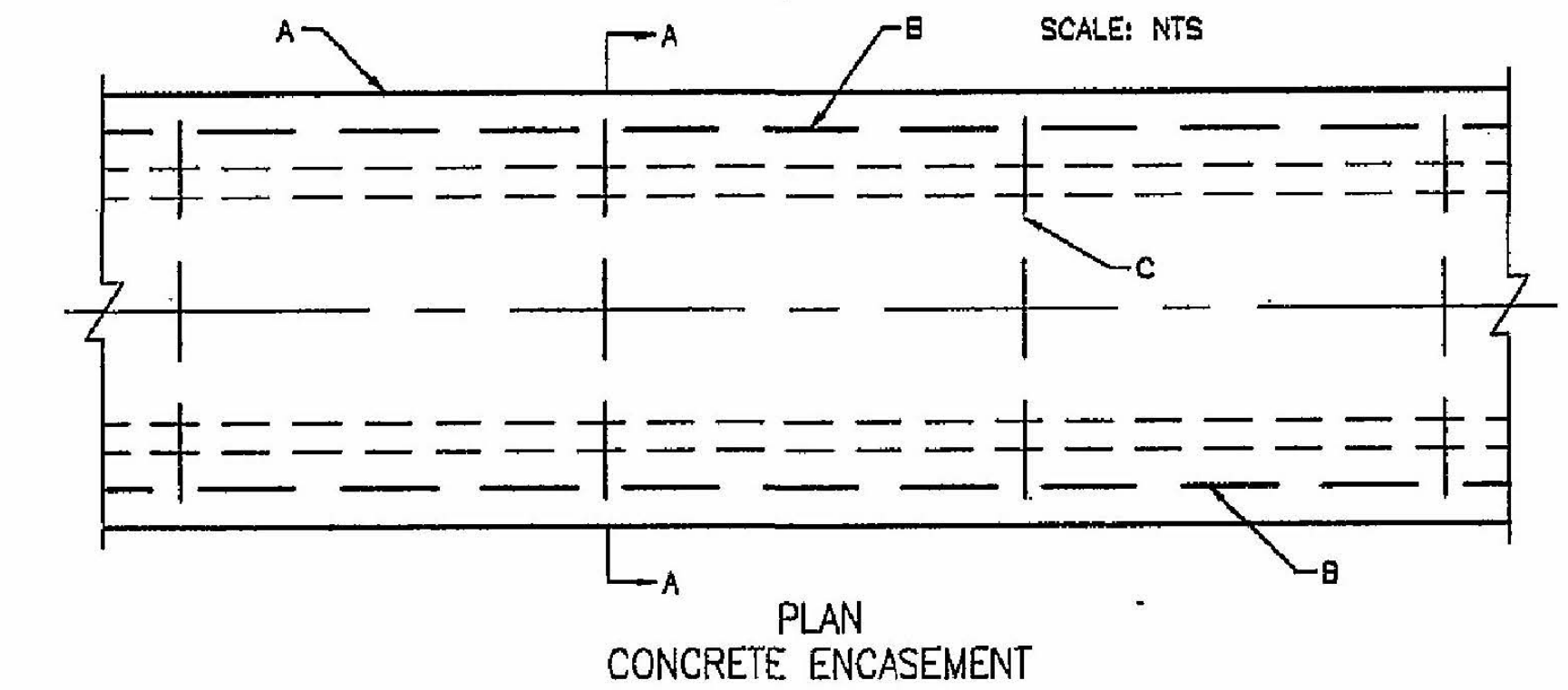
CRESTLINE SUBDIVISION  
UTILITY DETAILS

SHEET NO. **G-2**





MANHOLE FRAME AND COVERS



SEWER ENCASEMENT DETAILS

- GENERAL NOTES:
1. WHERE A WATER LINE PASSES BENEATH OR LESS THAN 18 IN. ABOVE AN EXIST. SEWER LINE, THE SEWER LINE SHALL BE ENCASED IN CONC. 6" THICK AS DETAILED, FOR AT LEAST 10 FT. ON EACH SIDE OF THE WATER LINE, OR THE SEWER LINE SHALL BE D.I. OR C-900 PVC PIPE WITH PRESSURE-TYPE JOINTS FOR AT LEAST 10 FT. ON EACH SIDE OF THE WATER LINE. THIS SHALL ALSO APPLY WHERE A PARALLEL WATER LINE IS LESS THAN 10 FT. HORIZONTALLY AND LESS THAN 2 FT. ABOVE THE SEWER LINE.
- CONSTRUCTION NOTES:
- A. SANITARY SEWER LINE AS SHOWN ON PLANS.
  - B. 4- NO. 4 BARS, CONT. WITH 3" CLEARANCE.
  - C. NO. 4 BARS, AT 36" O.C.

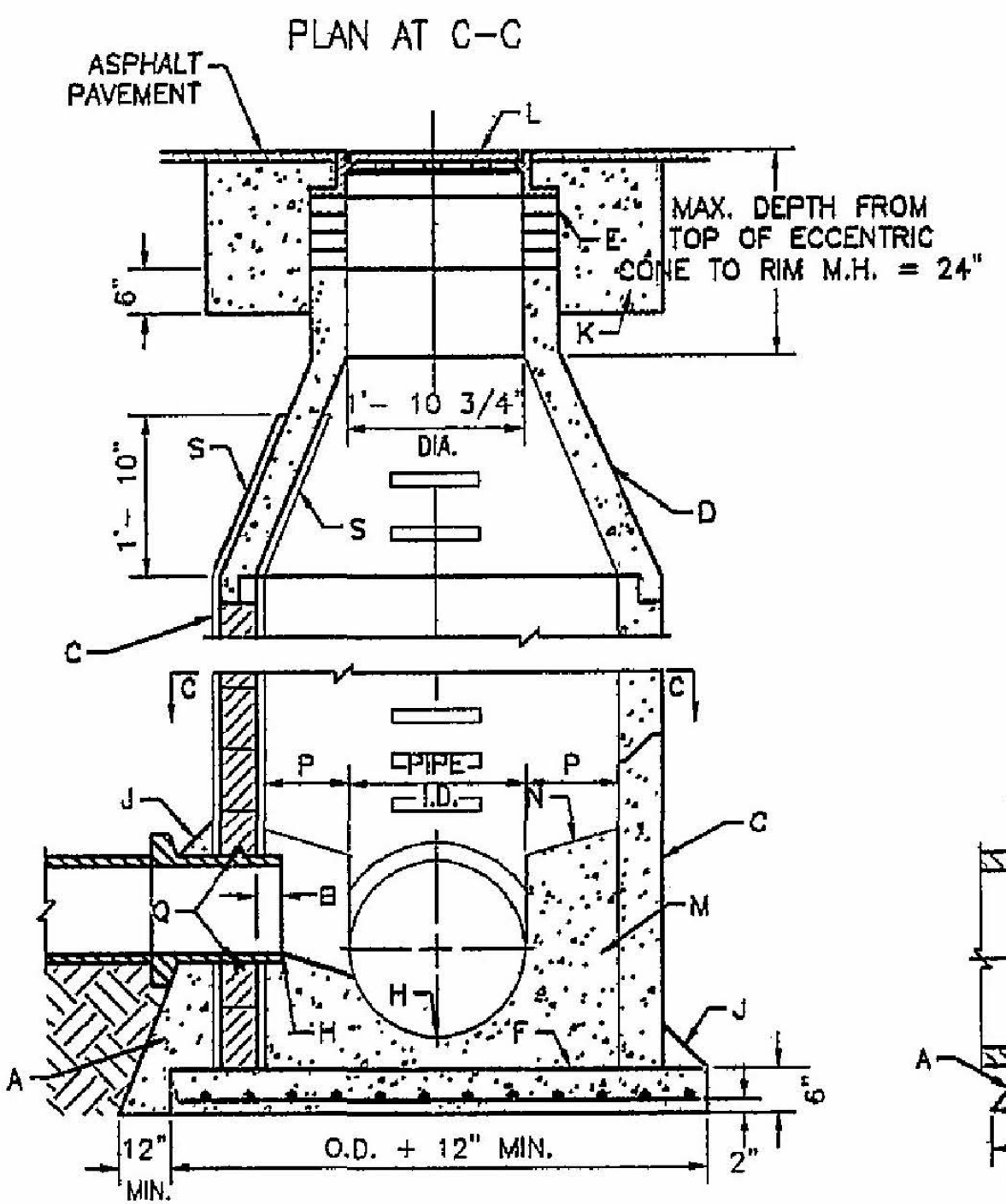
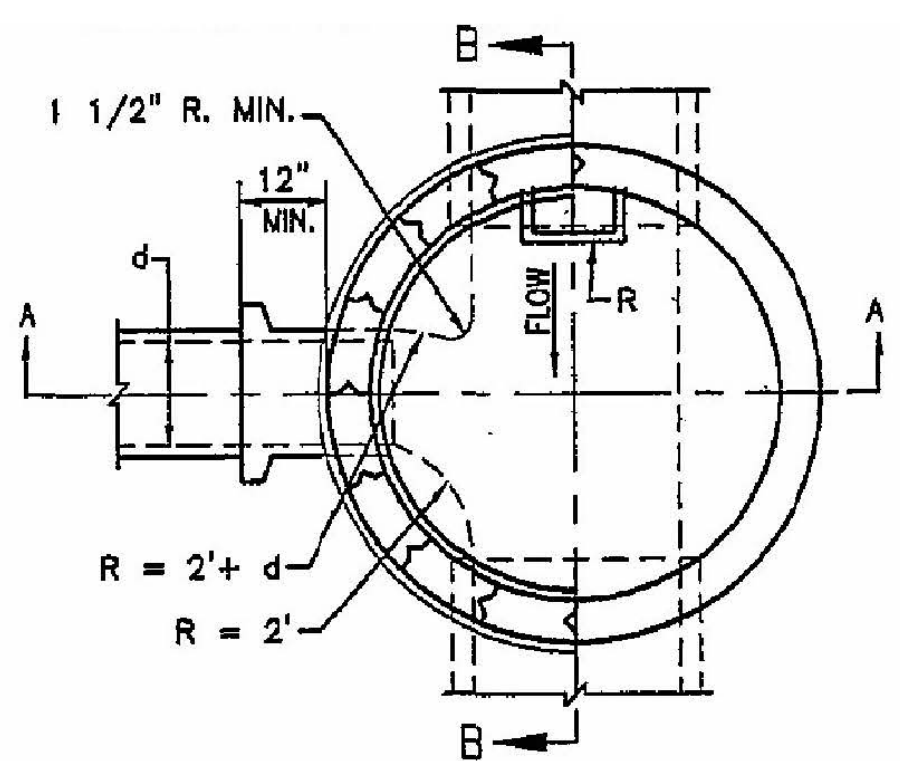
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GENERAL NOTES:

1. STANDARD CAST IRON M.H. FRAME AND COVER. WEIGHTS: COVER = 180 LBS., FRAME = 145 LBS. TOTAL = 325 LBS. (TOLERANCE = ±5%)
2. REFERENCE SPEC. SECTION 130.

CONSTRUCTION NOTES:

- A. MACHINED OR GROUND BEARING SURFACES.
- B. "SEWER", "WATER", OR "STORM" CAST ON COVER TO IDENTIFY SANITARY SEWER, WATER OR STORM DRAINAGE SYSTEMS RESPECTIVELY.
- C. LETTER SIZE TO BE 1" MIN. IN HEIGHT, TYPICAL.
- D. VENT HOLE REQUIRED.
- E. MONOLITHIC CAST IRON OR STEEL ROD INSERTS AT MANUFACTURER'S OPTION. IF INSERT IS PROVIDED IT MUST HAVE 3/16" MIN. COVER AND 3/4" END EMBEDMENT IN CASTING.
- F. GUSSETS OPTIONAL IF REQUIRED BY MANUFACTURER.



MANHOLE TYPE 'E'

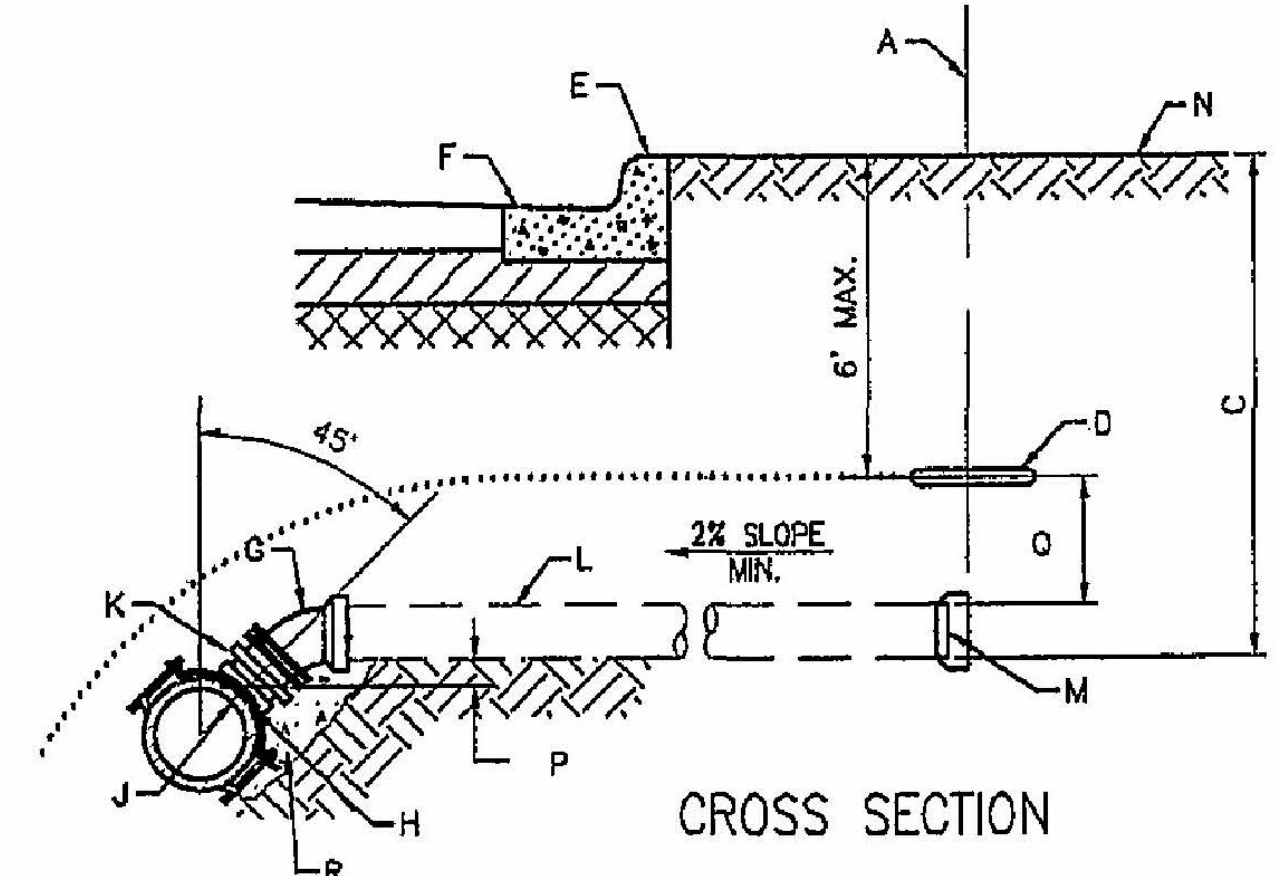
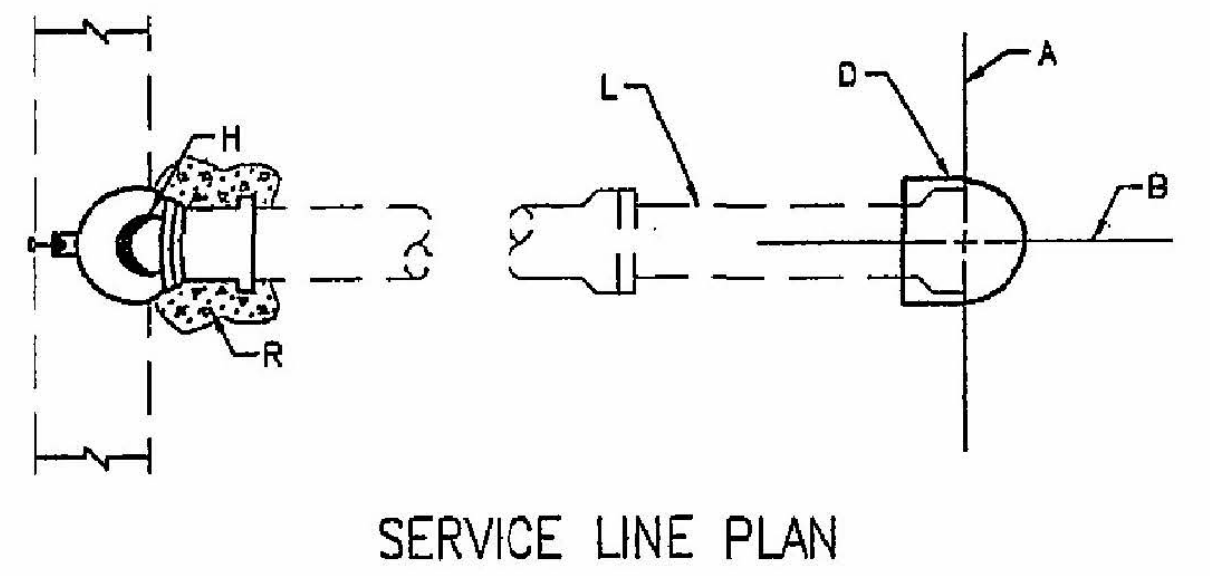
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GENERAL NOTES:

1. ALL SERVICE LINES SHALL CONFORM TO THE PLUMBING CODE OF CITY OF ALBUQUERQUE AND TO CHAPTER 24 SECTION 2 PART E, DEVEL. PROC. MANUAL.

CONSTRUCTION NOTES:

- A. RIGHT-OF-WAY LINE.
- B. C. SERVICE LINE.
- C. MIN. OF 4 FT. FROM INVERT TO TOP OF CURB AT RIGHT-OF-WAY LINE.
- D. ELECTRONIC MARKER TAPE, COLOR CODED GREEN, PLACED ONLY IF SERVICE HOOK-UP IS POSTPONED.
- E. STAMP OR CHISEL 3" SIZE, "S" ON TOP OF CURB OVER LOCATION OF SERVICE LINE, MIN. 1/4" DEEP.
- F. CURB & GUTTER.
- G. 22.5° OR 45° BEND.
- H. CORE DRILLED, USING FOWLER QUIK-WAY DRILL SYSTEM, OR PILOT HOLE CUTTER SYSTEM OR APPROVED EQUAL.
- J. SERVICE LINE SHALL NOT PROTRUDE INTO SEWER MAIN.
- K. SANITARY SEWER TAPPING TEE, USING PIONEER OR GENERAL ENGINEERING CO. SADDLES OR APPROVED EQUAL. DO NOT OVER TIGHTEN SADDLE BOLTS WHICH WOULD PREVENT FREE PASSAGE OF REQUIRED MANDREL.
- L. SERVICE LINE, (C.I. SOIL PIPE, SERVICE WEIGHT PVC SCH 40 OR ABS SCH 40).
- M. PLUG OR CAP.
- N. GROUND LEVEL.
- P. SAME ELEVATION OR HIGHER.
- Q. APPROX. 6" BUT DEPTH OF BURIAL SHALL NOT BE MORE THAN 6".
- R. BACKFILL UNDER SERVICE WITH MIN. 1 CUBIC FOOT OF P.C. CONCRETE ("SACKCRETE" OR EQUAL ALLOWABLE THIS INSTALLATION).



CROSS SECTION

SERVICE LINE DETAIL

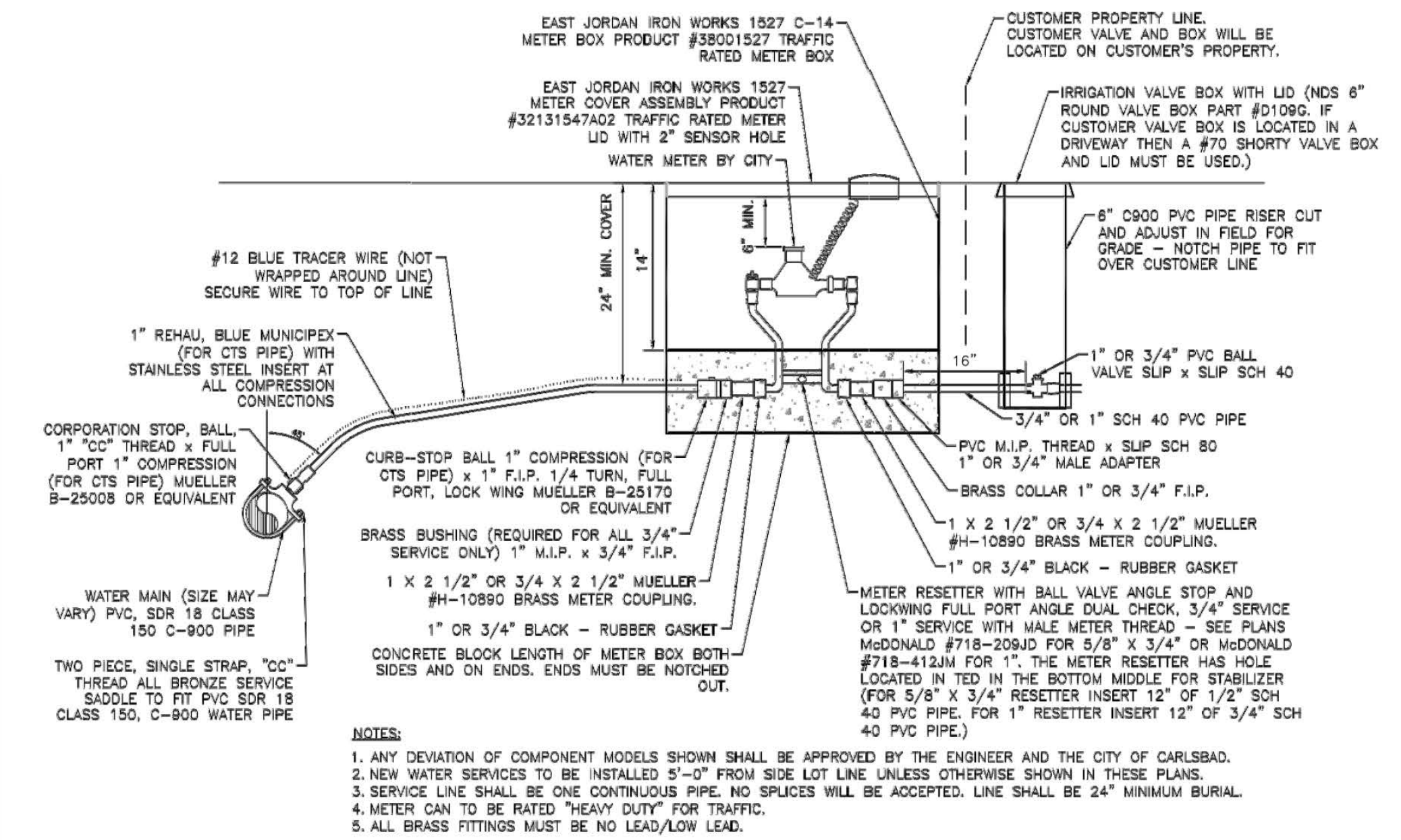
SCALE: NTS

GENERAL NOTES:

1. TYPE E M.H. NOT TO BE USED FOR DEPTHS LESS THAN 6' MEASURED FROM INV. TO RIM.
2. M.H. GREATER THAN 18' IN DEPTH SHALL BE OF PRECAST CONC. SECTIONS ONLY.
3. DESIGN APPLIES TO 4' AND 6' I.D. MANHOLES.
4. USE NON-SHRINK GROUT FOR JOINTS, FILLETS & PIPE PENETRATIONS.
5. COMPACT ALL BACKFILL AROUND M.H. TO 95%.
6. POSITION M.H. OPENING OVER THE UPSTREAM SIDE OF MAIN LINE.

CONSTRUCTION NOTES:

- A. CONCRETE PIPE SUPPORTS SHALL EXTEND OUTSIDE OF M.H. TO BELL OF FIRST JOINT AND SHALL GRADLE PIPE TO SPRING LINE.
- B. PIPE PENETRATION INTO MANHOLE SHALL BE FLUSH TO 2" MAX., MEASURED AT SPRINGLINE OF PIPE.
- E. USE MAX. 4 COURSES GR. MS BRICK ON UNPAVED STREET FOR FUTURE ADJ. OF FRAME TO PAVEMENT GRADE. PLASTER INSIDE WITH 1/2" MORTAR.
- F. BASE TO BE POURED IN PLACE USING NO. 4 BARS AT 6" O.C. EA. WAY FOR M.H. DEPTH OF 16' OR GREATER. NO. 4 BARS AT 12" O.C. EA. WAY FOR M.H. LESS THAN 16' DEEP.
- H. INV. ELEV. OF STUB OR LATERAL AS SHOWN ON PLANS.
- J. 6" GROUT FILLET ON UPPER HALF OF PIPE AND AROUND BASE.
- K. USE A 5' X 5' CONCRETE PAD IN ALL AREAS. M.H. FRAME AND COVER, SEE DETAIL.
- M. CONCRETE FILL, 3000 PSI.
- N. SLOPE 1" PER FT. FROM PIPE CROWN.
- P. SLOPE TO BE 9" WIDE MIN.
- Q. APPROVED WATERSTOP TO BE WITH TYPE-OF PIPE.
- R. STEPS TO BE INSTALLED AS PER SPEC. SECTION 920.4.7.
- S. EMO (IN UNPAVED AREAS).
- T. IN UNPAVED AREAS SET FRAME TO GRADE AND SLOPE TOP OF PAD.



1 TYPICAL WATER SERVICE LATERAL

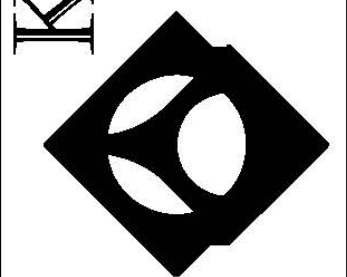
4-3 SCALE: NTS

NOTES:

1. ANY DEVIATION OF COMPONENT MODELS SHOWN SHALL BE APPROVED BY THE ENGINEER AND THE CITY OF CARLSBAD.
2. NEW WATER SERVICES TO BE INSTALLED 5'-0" FROM SIDE LOT LINE UNLESS OTHERWISE SHOWN IN THESE PLANS.
3. SERVICE LINE SHALL BE ONE CONTINUOUS PIPE. NO SPLICES WILL BE ACCEPTED. LINE SHALL BE 24" MINIMUM BURIAL.
4. METER CAN TO BE RATED "HEAVY DUTY" FOR TRAFFIC.
5. ALL BRASS FITTINGS MUST BE NO LEAD/LOW LEAD.

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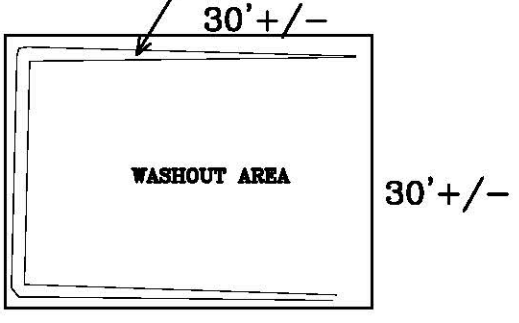
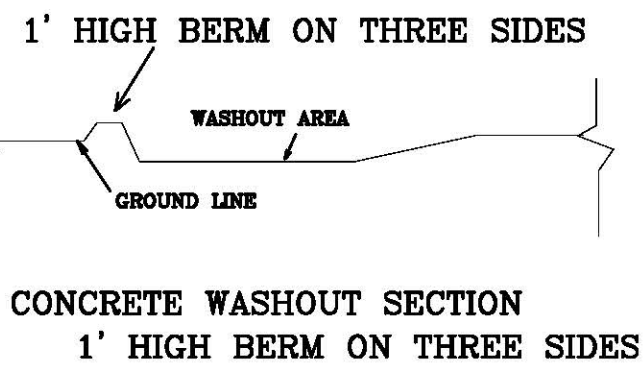
UTILITY DETAILS

SHEET NO.

G-3



BMP 2 –INSTALL  
& MAINTAIN CONCRETE  
WASHOUT AREA  
DISPOSE OF UNUSED  
CONCRETE AND PAVING  
MATERIAL PROPERLY.



NOTE: EROSION CONTROL PLAN IS SUBJECT TO CHANGE BY ON-SITE S.W.P.P.P. MANAGER TO COMPLY WITH E.P.A. STANDARDS. ALL MAINTENANCE AND WASHOUT AREAS TO BE DETERMINED BY CONTRACTOR AND UPDATED IN THE S.W.P.P.P. SEDIMENTATION BASIN USES STREET BASIN AREA VOLUME SIZING. EROSION CONTROL BERMS TO LIMIT FLOWS FROM LOT TO THE STREET.

CONCRETE WASHOUT AREA  
APPROXIMATE LOCATION

Site Coordinates:  
32 deg 26 min. 53.72 sec N.  
104 deg 14 min. 28.20 sec W.

Site Operators:  
Contractor: \_\_\_\_\_  
Responsible for:  
Grading, Earthwork, Utility Installation, and Paving.

POTENTIAL STORMWATER POLLUTION SOURCES

- 1.Sediments/Storm Runoff
- 2.Porta–Potties
- 3.Staging Areas/On Site Waste
- 4.Non–Storm Discharges
  - A.Fuels and Equipment Oil/Hydraulic Fluids
  - B.Concrete Curing Compounds
  - c.Paving Products/Oils
- 5.Off Site Tracking of Materials(earth)

STORMWATER PLAN

NOI FILED DATE: \_\_\_\_\_

NOT FILED DATE: \_\_\_\_\_

Project:: CRESTLINE SUBDIVISION

Location: 1101 CALLAWAY DRIVE–CARLSBAD , N.M.

Project Area : 25.15 Acres

SWPPP Project Area–(Disturbed area this project) : 25.15 Acres

Owner: CARLSBAD COPPERSTONE, LLC.

Address:1401 S. DON ROSER TE. B2

City: LAS CRUCES State: NM Zip: 88011

Date Project Construction Activities Begin: DEC 01, 2015

Expected Project Construction Completion Date: JUNE. 01, 2015

Site Contact Representative: Zachary J. Theus

Address: 1401 S. Don Roser TE. B2

Telephone: 575–532–8310

Description of Proposed Project Work:  
Grading, Utility Installation, and Paving of roadways  
tp provide a stabilized roadway and storm drainage system.

Description of Receiving Waters for Site Storm Runoff:

Site is tributary to the Pecos River.

Endangered Species Act: – No Endangered Species were  
found during site inspection.

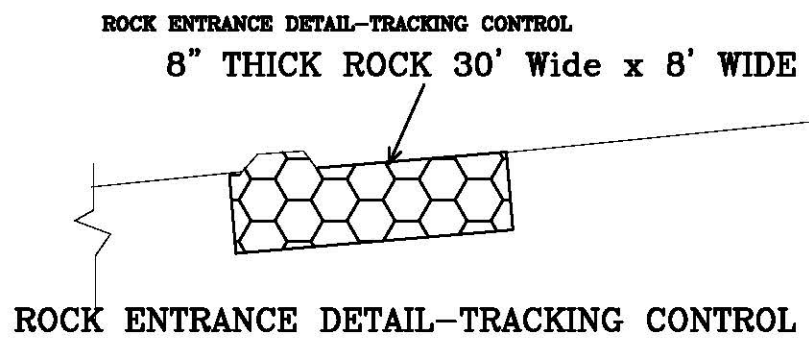
Historical Properties:

Project is located on existing desert area.

Project does not affect any existing buildings.

EROSION CONTROL PLAN

SCALE: 1" = 80'



BMP 1 –INSTALL  
8' x 30' x 8" ROCK  
AT SITE ENTRANCE

BMP 2 –INSTALL  
8' x 30' x 8" ROCK  
AT SITE ENTRANCE

- SILT FENCES
- HAY BALES
- ROCK BERMS
- EARTH DIKE/BERM
- SEDIMENT TRAP
- PAVED FLUMES
- CHANNEL LINERS
- EARTHEN SWALES
- DRAINAGE SWALES
- PIPE SLOPE DRAINS
- STABILIZED CONSTRUCTION ENTRANCE
- OTHER – SEE ATTACHED SITE PLAN

ALL WASTE MATERIALS, INCLUDING CONSTRUCTION DEBRIS, SHALL BE COLLECTED AND SORTED IN A SECURELY LIDDED METAL DUMPSTER. NO CONSTRUCTION WASTE MATERIAL SHALL BE BURIED ON SITE, THE TRANSIT DUMPSTER SHALL COMPLY WITH APPLICABLE STATE AND LOCAL SOLID WASTE MANAGEMENT REGULATIONS. THE DUMPSTER SHALL BE EMPTIED AS NECESSARY OR AS REQUIRED BY LOCAL REGULATION AND THE TRASH SHALL BE HAULED TO A LICENSED LANDFILL.

AT A MINIMUM, ANY PRODUCTS IN THE FOLLOWING CATEGORIES SHALL BE CONSIDERED HAZARDOUS: PAINT, ACIDS FOR CLEANING MASONRY SURFACES, CLEANING SOLVENTS, ASPHALT PRODUCTS, CHEMICAL ADDITIVES FOR SPILL STABILIZATION, CURING COMPOUNDS AND ADDITIVES. IN THE EVENT OF A SPILL WHICH MAY BE HAZARDOUS, THE CONTRACTOR SHALL TAKE IMMEDIATE ACTION AND CONTACT THE APPROPRIATE AUTHORITIES.

SANITARY WASTE SHALL BE COLLECTED FROM THE CONSTRUCTION PORTABLE UNITS AS NECESSARY OR AS REQUIRED BY LOCAL REGULATION BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR. ALL WASTE MATERIAL SHALL BE RESPONSIBILITY OF THE CONTRACTOR.

THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE STABILIZED WITH ROCK RIP RAP

THE FOLLOWING PRACTICES SHALL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURES OF MATERIALS TO STORM WATER RUNOFF.

- \* STORE ONLY ENOUGH PRODUCT REQUIRED TO DO THE JOB.
- \* NEATLY STORE MATERIALS ON-SITE IN A ORDERLY MANNER.
- \* KEEP PRODUCTS IN THEIR ORIGINAL CONTAINER.
- \* DO NOT MIX SUBSTANCES WITH ONE ANOTHER, UNLESS OTHERWISE RECOMMENDED BY THE MANUFACTURER.
- \* USE ENTIRE CONTENTS OF A PRODUCT BEFORE DISPOSING THE CONTAINER.
- \* FOLLOW MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL.

- \* KEEP PRODUCTS IN THEIR ORIGINAL CONTAINER IF AT ALL POSSIBLE.
- \* RETAIN ORIGINAL LABELS, PRODUCT INFORMATION AND MATERIAL SAFETY SHEETS.
- \* DISPOSE SURPLUS PRODUCT IN ACCORDANCE WITH MANUFACTURER'S OR LOCAL AND STATE RECOMMENDED METHODS.

ALL ON-SITE VEHICLES SHALL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE THE CHANCE LEAKAGE. PETROLEUM PRODUCTS SHALL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED. ANY ASPHALT SUBSTANCES USED ON-SITE SHALL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATION.

- \* MANUFACTURER'S RECOMMENDATION METHODS FOR SPILL CLEANUP SHALL BE CLEARLY POSTED AND SITE PERSONNEL SHALL BE MADE AWARE OF THE PROCEDURES.
- \* MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE KEPT IN THE MATERIAL STORAGE AREA ON-SITE.
- \* ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY;
- \* SPILL AREA SHALL BE WELL VENTILATED AND APPROPRIATE CLOTHING WILL BE WORN
- \* ANY SPILL SHALL BE REPORTED TO THE APPROPRIATE GOVERNMENTAL AGENCY
- \* MEASURES SHALL BE TAKEN TO PREVENT A SPILL REOCCUR.

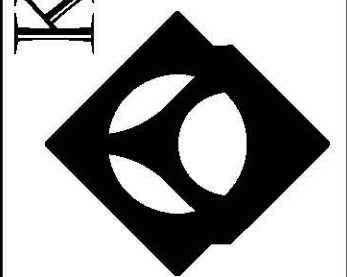
ALL POLLUTION PREVENTION MEASURES SHALL BE INSPECTED AT LEAST ONCE A WEEK OR WITHIN 24-HOURS FOLLOWING A STORM EVENT OF 0.5 INCHES OR MORE. INSPECTION WILL BE CONDUCTED IN FINAL STABILIZED AREAS OR DURING ARID PERIODS MONTHLY. BEST MANAGEMENT PRACTICES AND POLLUTION CONTROL PROCEDURES SHALL BE INSPECTED FOR ADEQUACY.

DISPOSAL AREAS, STOCKPILES, AND HAUL ROADS SHALL BE CONSTRUCTED IN A MANNER THAT WILL MINIMIZE THE AMOUNT OF SEDIMENT THAT MAY ENTER RECEIVING WATERS. DISPOSAL AREAS SHALL NOT BE LOCATED IN ANY WETLAND, WATER BODY OR STREAMBED. CONSTRUCTION STAGING AREAS AND VEHICLE MAINTENANCE AREAS SHALL BE CONSTRUCTED BY THE CONTRACTOR IN A MANNER TO MINIMIZE THE RUNOFF OF POLLUTANTS. ALL WATERWAYS SHALL BE CLEANED AS SOON AS PRACTICABLE OF TEMPORARY EMBANKMENT, TEMPORARY BRIDGES, MATTING, FALSE WORK, PILING, DEBRIS OR OTHER OBSTRUCTIONS PLACED DURING CONSTRUCTION OPERATIONS THAT ARE NOT A PART OF THE FINISHED WORK.

1. PERFORM PERIODIC INSPECTION OF THE SWPPP STRUCTURES. PERFORM MAINTENANCE, ADJUSTMENTS OR REPLACEMENTS AS NEEDED.
2. CLEARING AND GRUBBING.
3. SITE GRADING AND PAD SCARIFYING AND COMPACTING.
4. EXCAVATE FOR SITE AND BUILDING UTILITIES.
5. CONSTRUCTION OF SITE IMPROVEMENTS.
6. WHEN ALL CONSTRUCTION ACTIVITY RELATED TO DEVELOPMENT OF THE SITE IS COMPLETE, REMOVE TEMPORARY CONTROLS.

SCALE: 1"=80'

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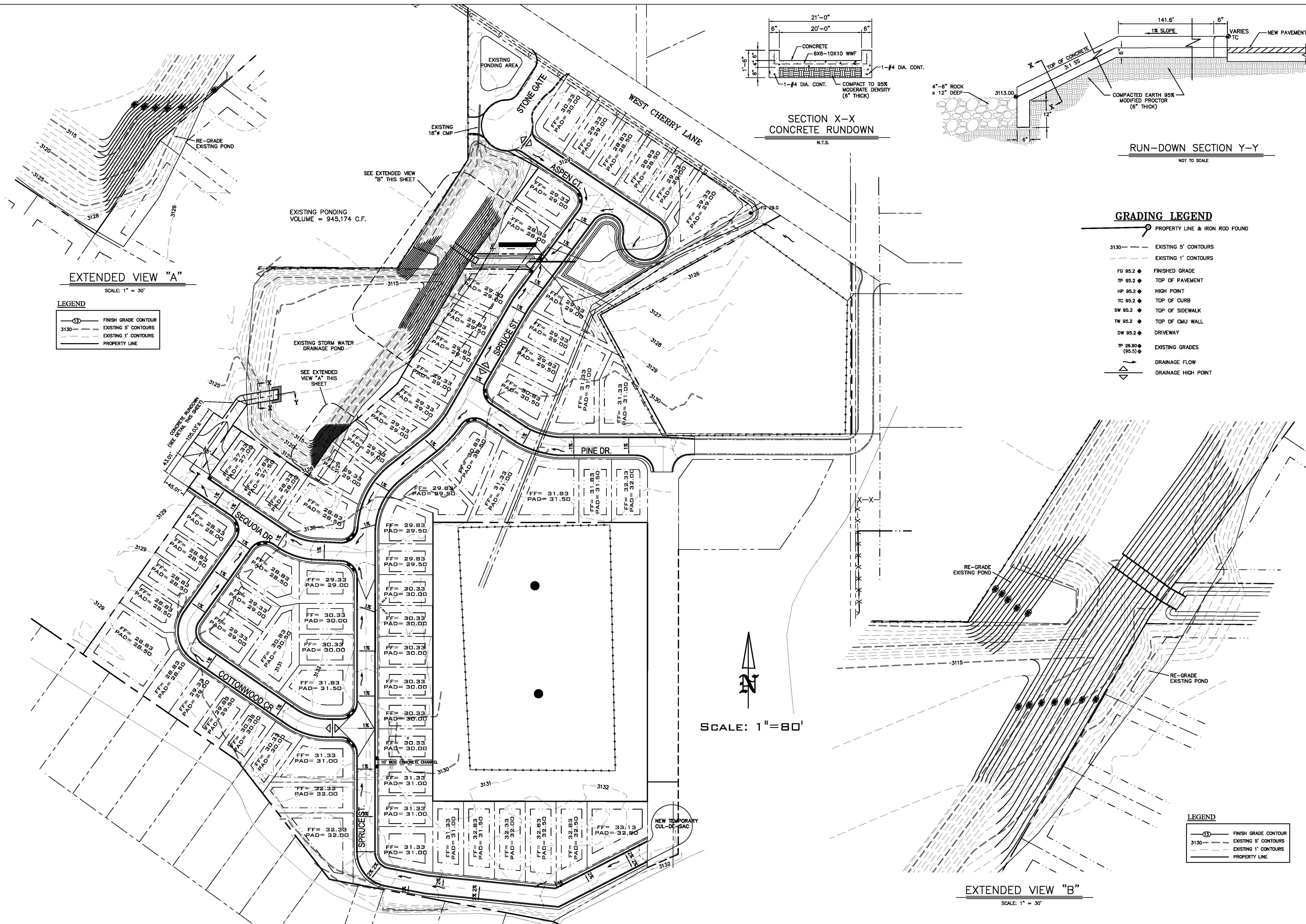


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CRESTLINE SUBDIVISION  
EROSION CONTROL PLAN

SHEET NO. ECP





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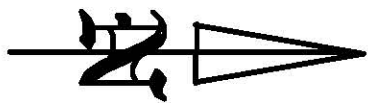
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C-1

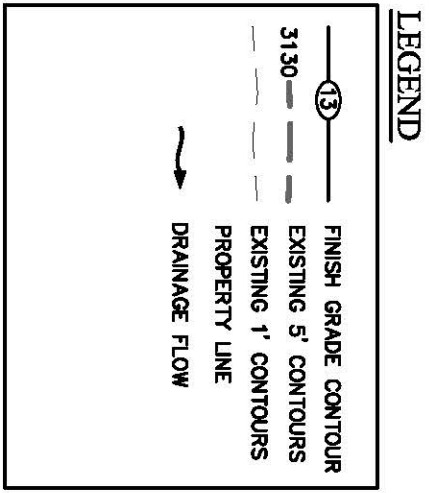
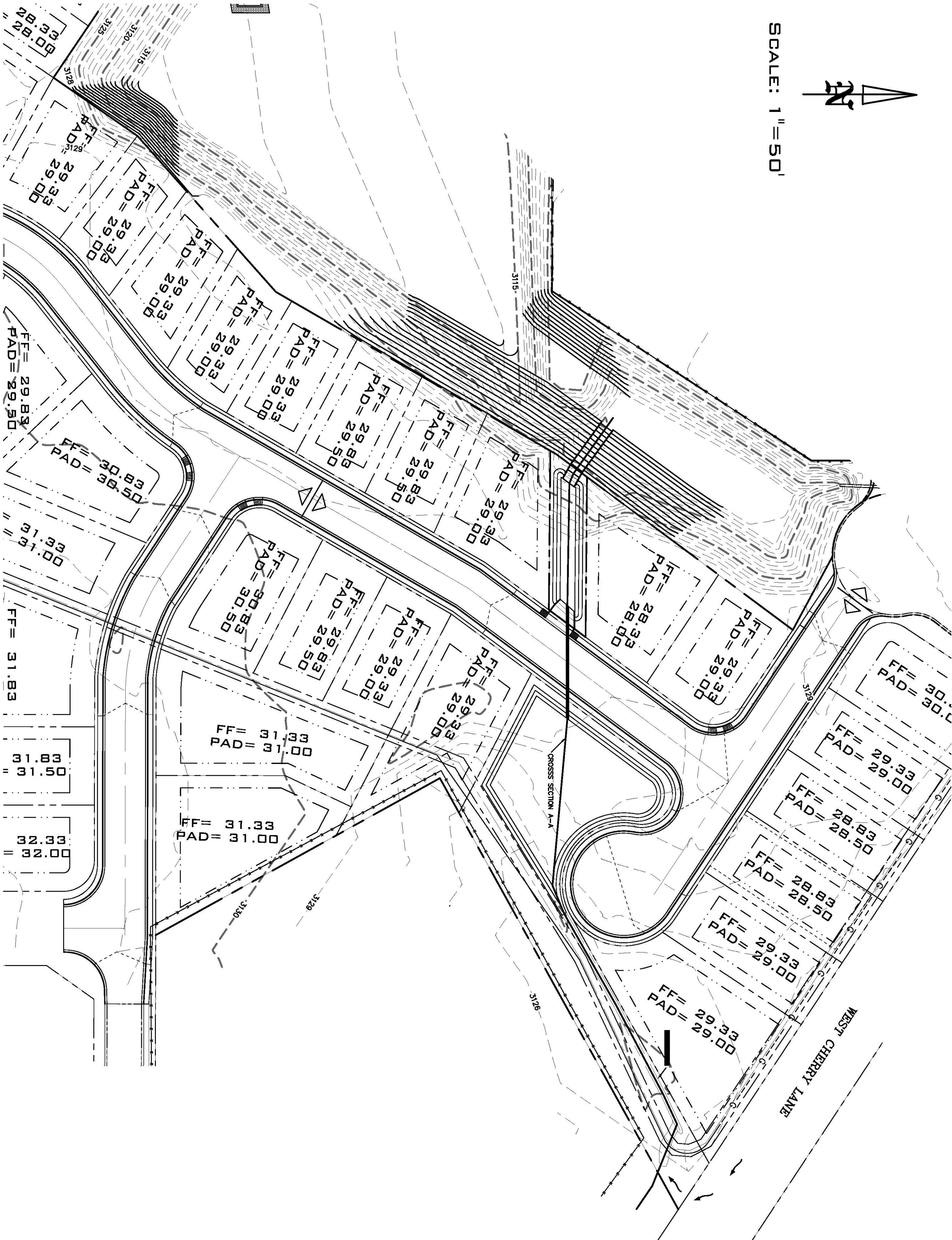
CRESTLINE SUBDIVISION

OVERALL GRADING PLAN





SCALE: 1"=50'



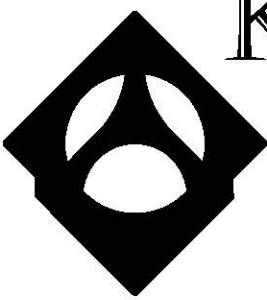
CROSS SECTION "A"

SCALE: 1" = 30'

SHEET NO.  
C-11.1

CRESTLINE SUBDIVISION  
OVERALL GRADING PLAN

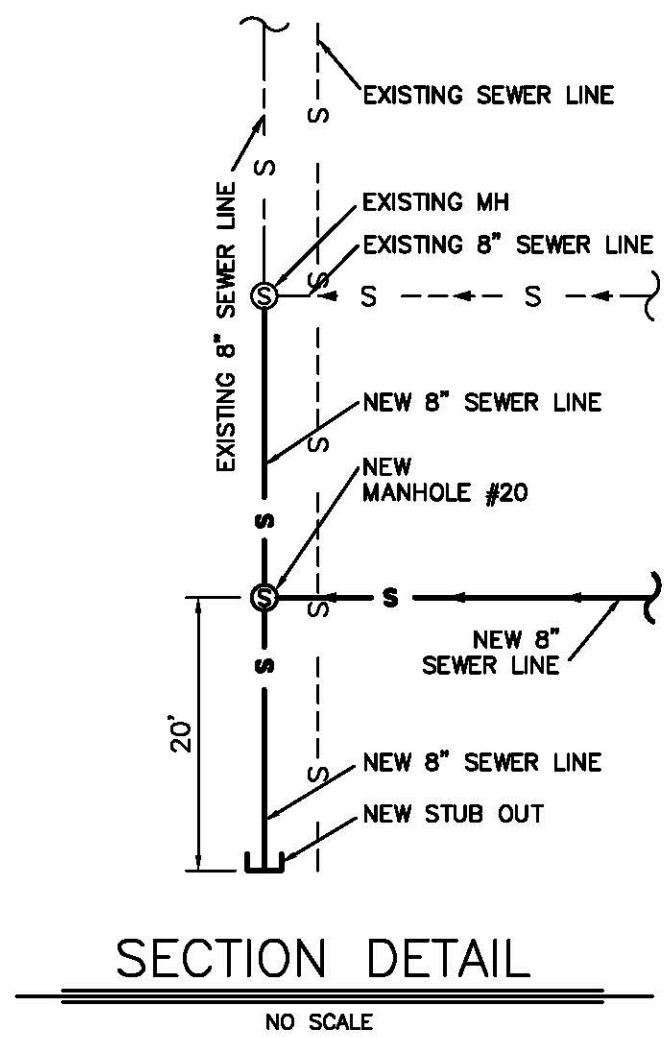
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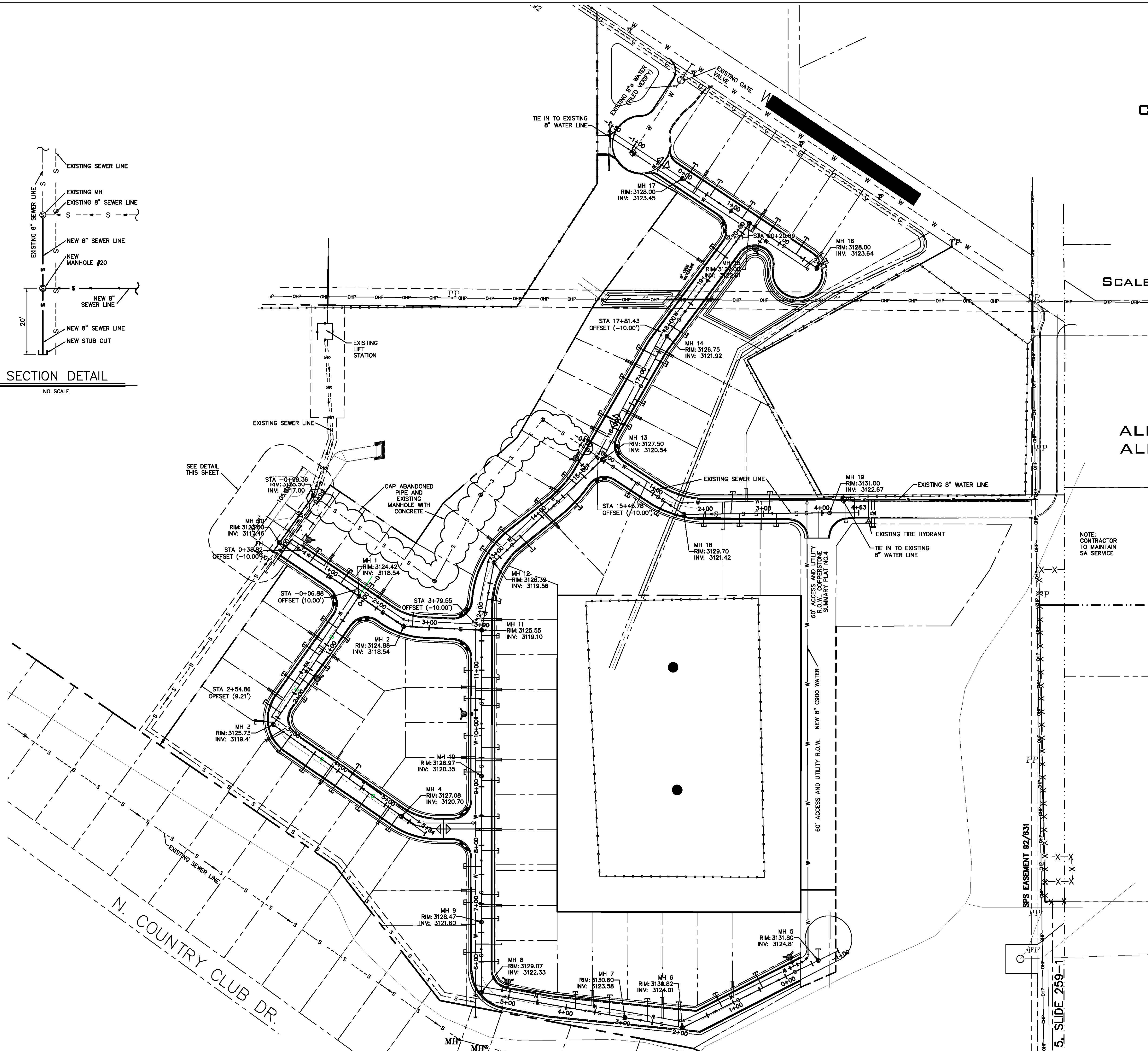


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SECTION DETAIL

NO SCALE



CRESTLINE SUBDIVISION  
MASTER UTILITY PLAN

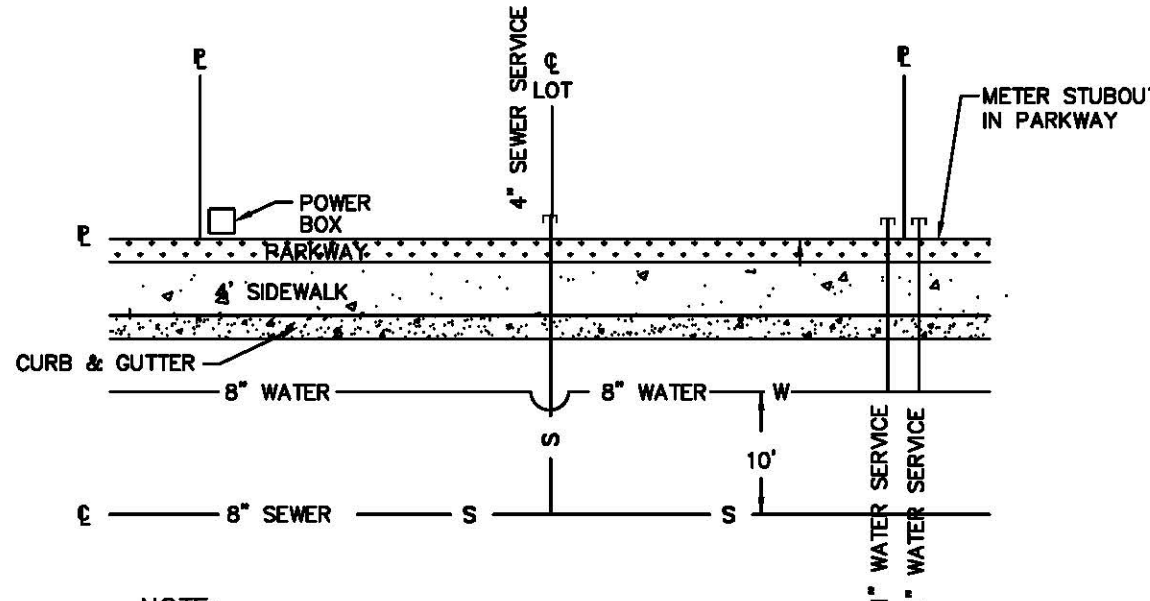


SCALE: 1"=80'

WATERLINE SYSTEM DATA OWNER: CITY OF CARLSBAD OPERATOR: CITY OF CARLSBAD SYSTEM PRESSURE: EXPECTED IN PROJECT AREA 50-60 PSI WATER DEPTH IN GENERAL - 4' BELOW GRADE	CONTRACTOR TO INSTALL NEW 1" WATER SERVICES & TIE-IN AS PER CODE. CAP ALL PRESSURIZED LINES.
SANITARY SEWER SYSTEM DATA OWNER: CITY OF CARLSBAD OPERATOR: CITY OF CARLSBAD SYSTEM TYPE: GRAVITY ON SITE 8" SDR 35 TO EXISTING EXISTING LIFT STATION SOUTH OF SUBDIVISION SYSTEM IN CITY OF CARLSBAD RW	

ALL WATER SERVICES - 1"  
ALL SEWER SERVICES - 4"

UTILITY PLAN & PROFILE LEGEND	
S	NEW SEWER LINE
W	NEW 12" WATER LINE
1"	WATER STUB OUT
4"	SAS STUB OUT
⊙	SEWER MANHOLE LOCATION
AV	AIR RELEASE VALVE
8" G.V. W/ 8X8 TEE W/ THRUST BLOCK	
22'	ELBOW
45'	ELBOW
90'	ELBOW
	NEW FIRE HYDRANT ASSEMBLY TEE, GATE, & THRUST BLOCK, VALVE
	POINT OF CONNECTION TO EXISTING UTILITIES



NOTE:  
UTILITY LOCATION SHOWN BELOW ARE TYPICAL. ANY VARIATION  
WILL BE SHOWN ON UTILITY PLANS. ALL SERVICE CONNECTIONS  
SHALL MAINTAIN 5' SEPARATION DISTANCE AS A MINIMUM.

TYPICAL UTILITY LOCATION

NO SCALE

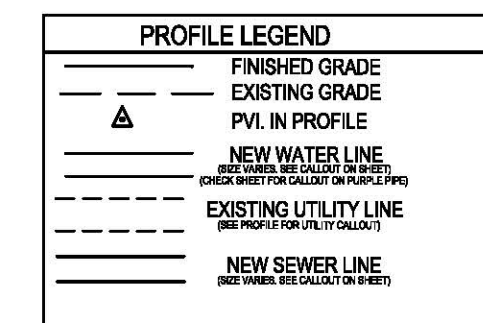
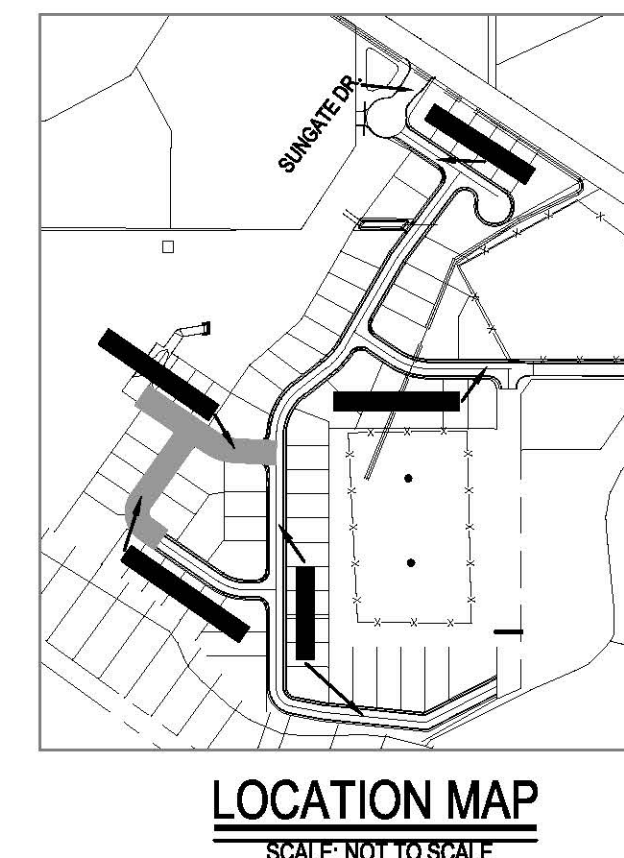
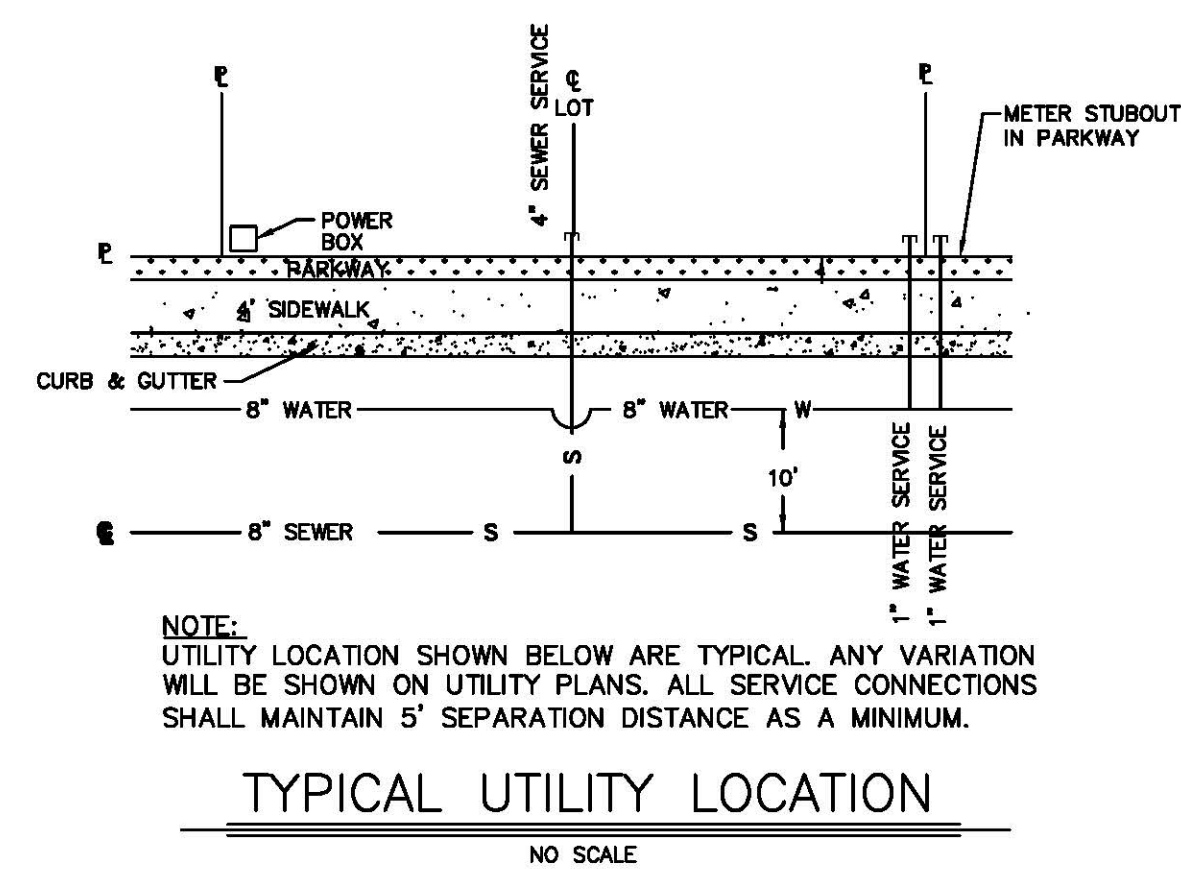
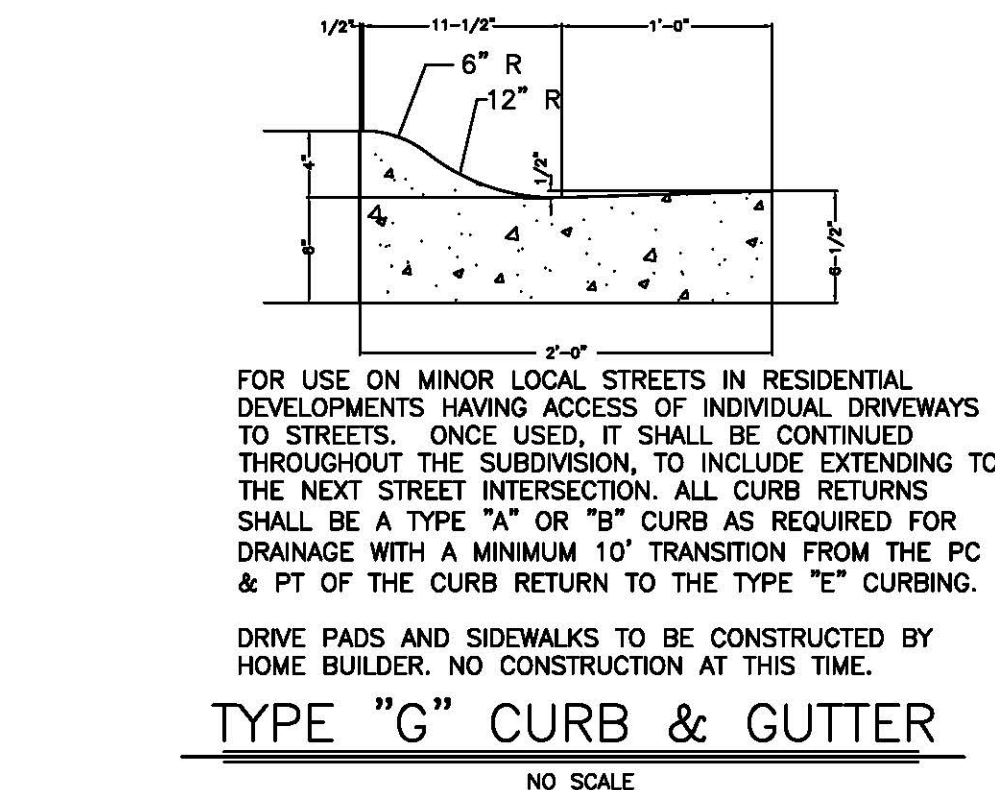
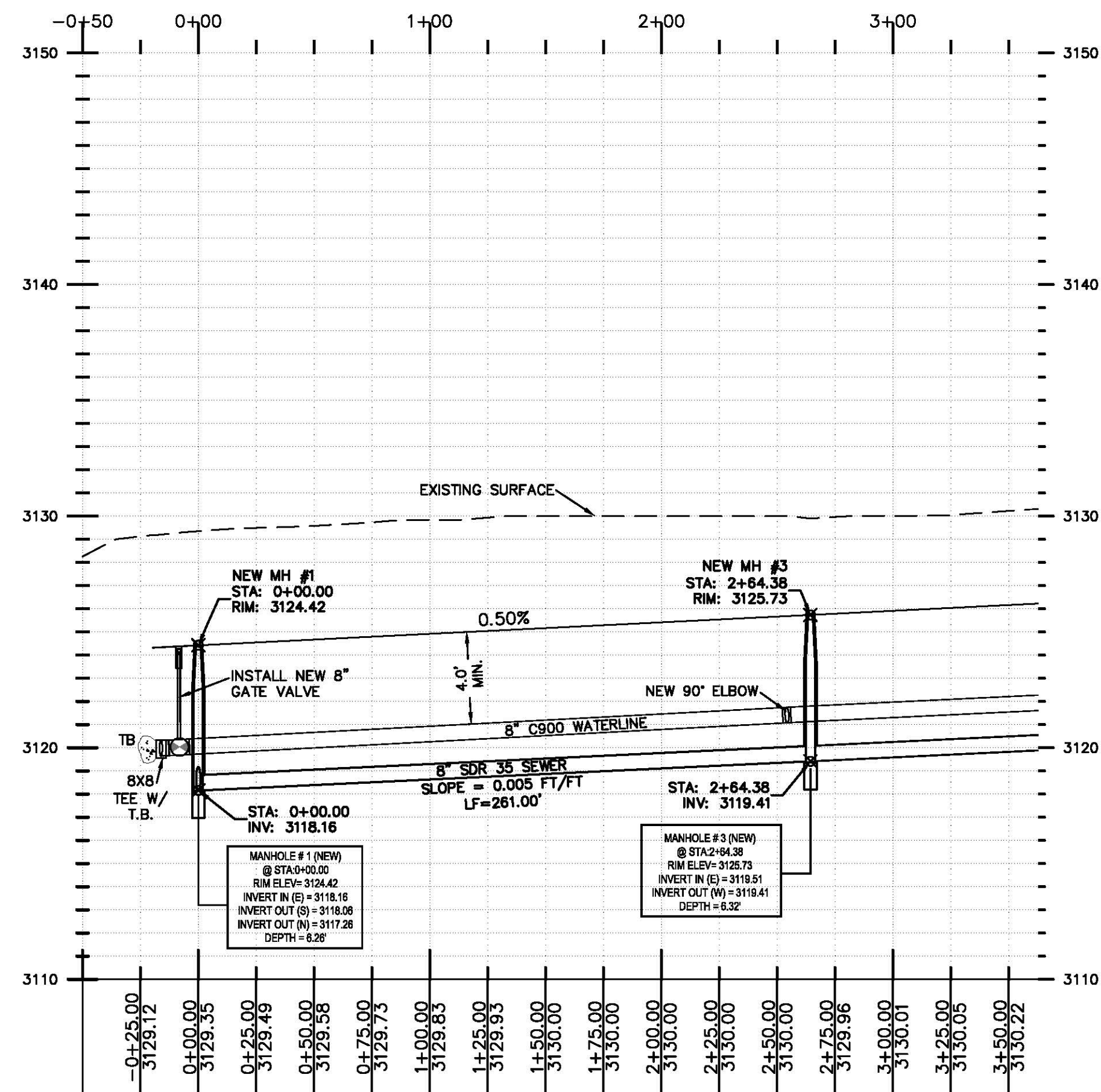
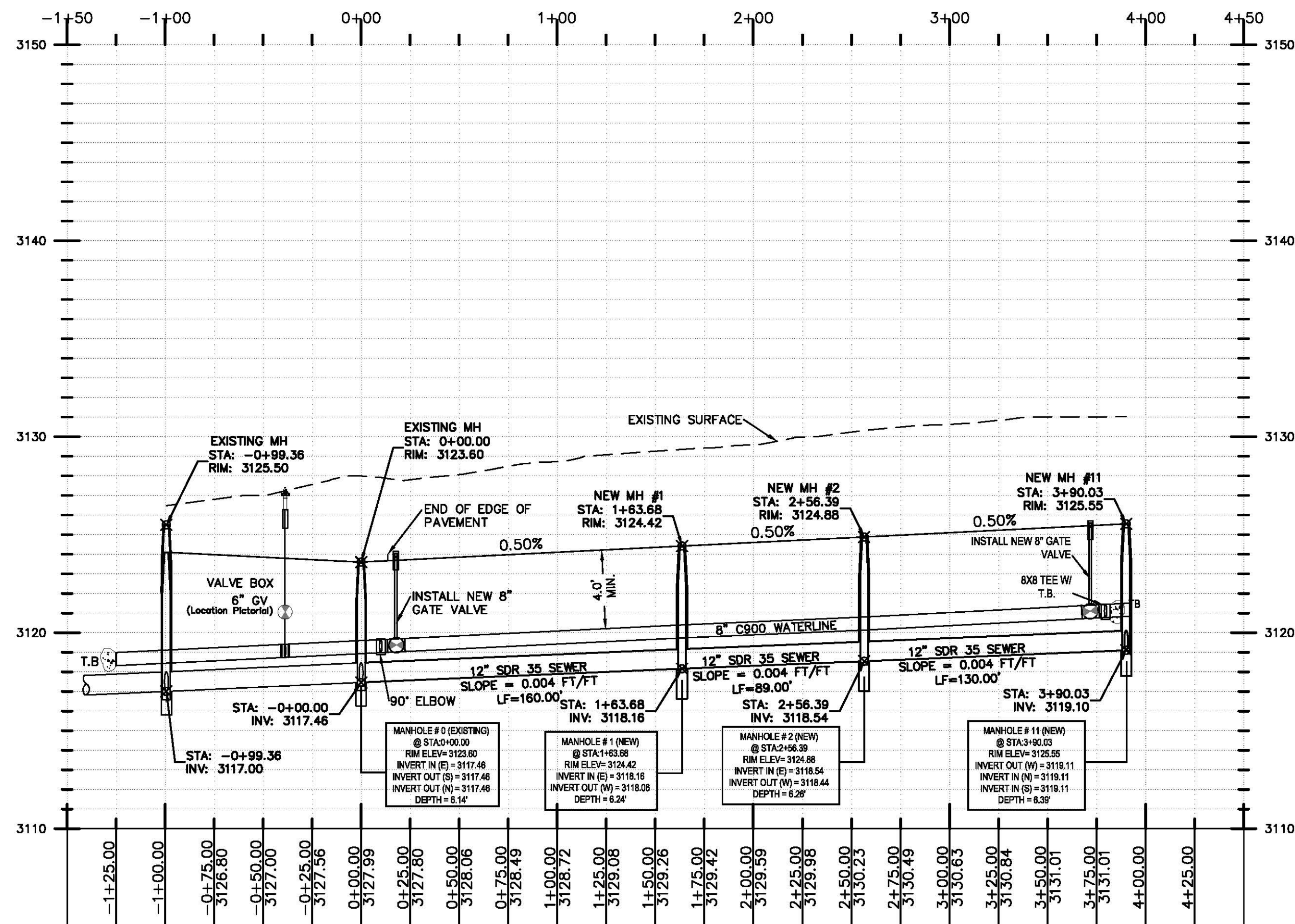
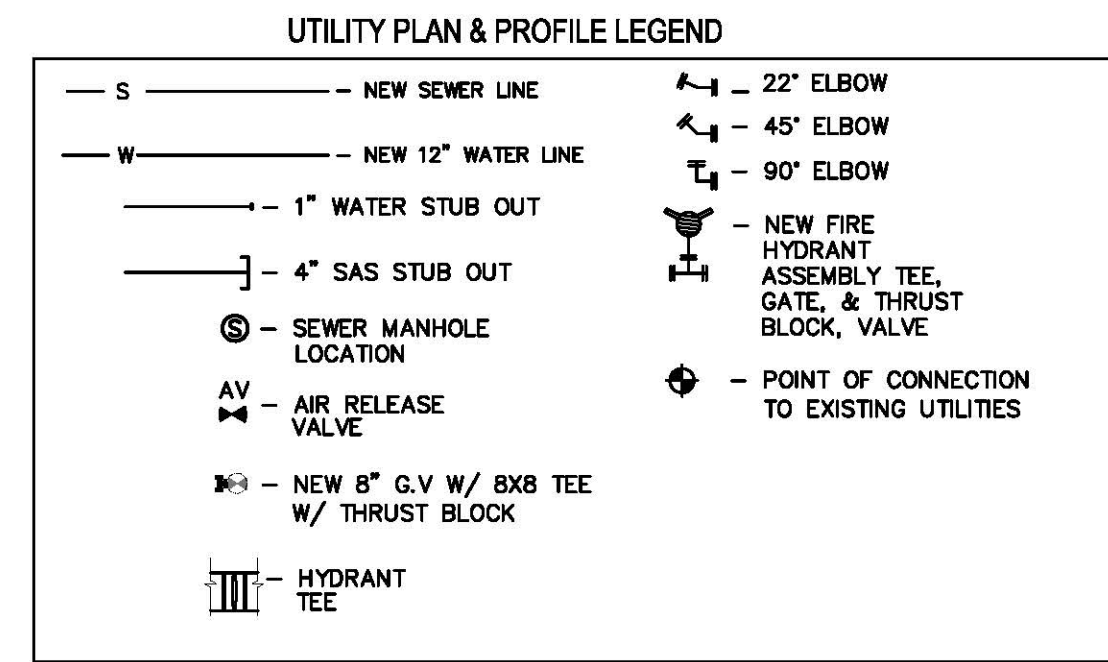
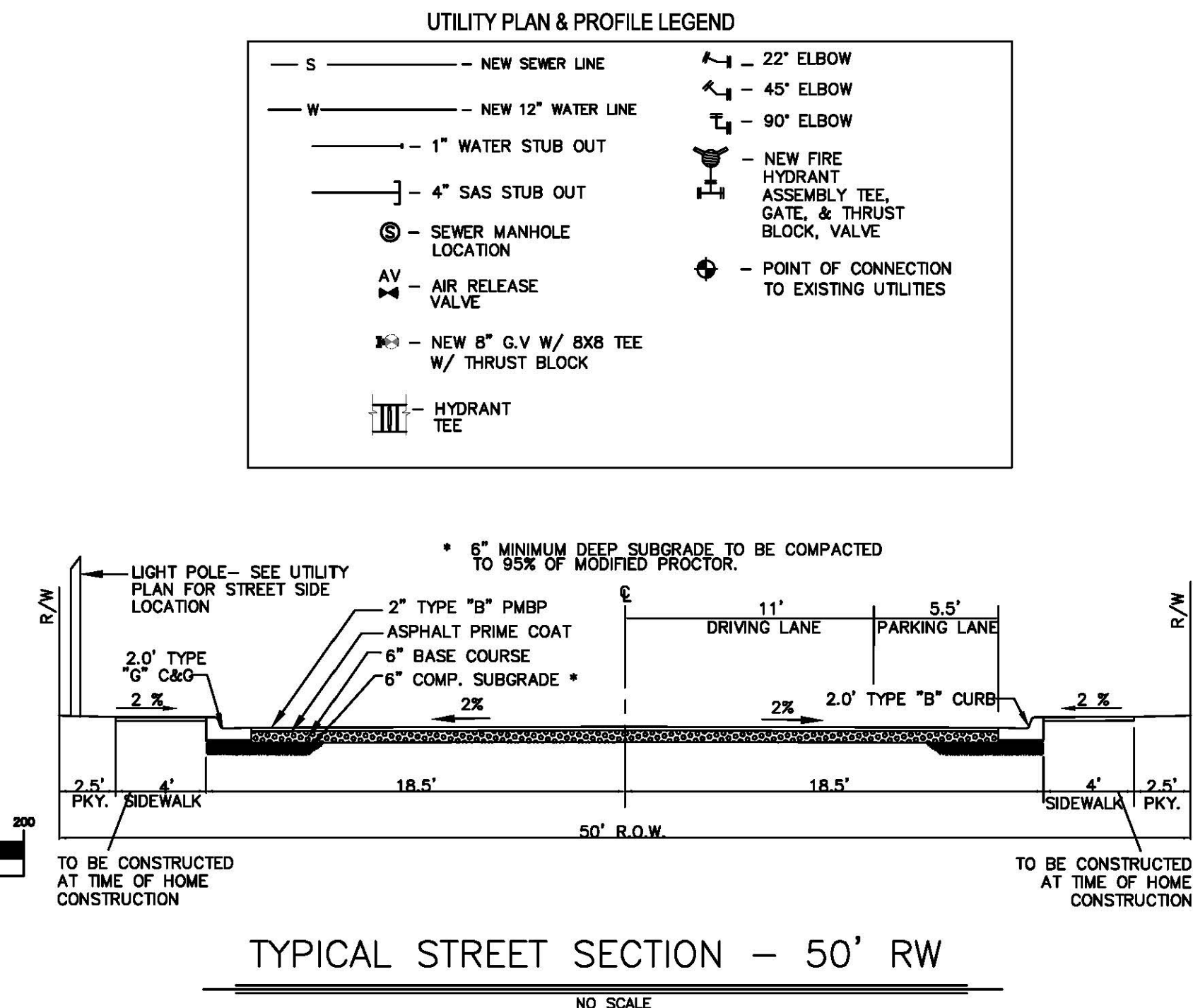
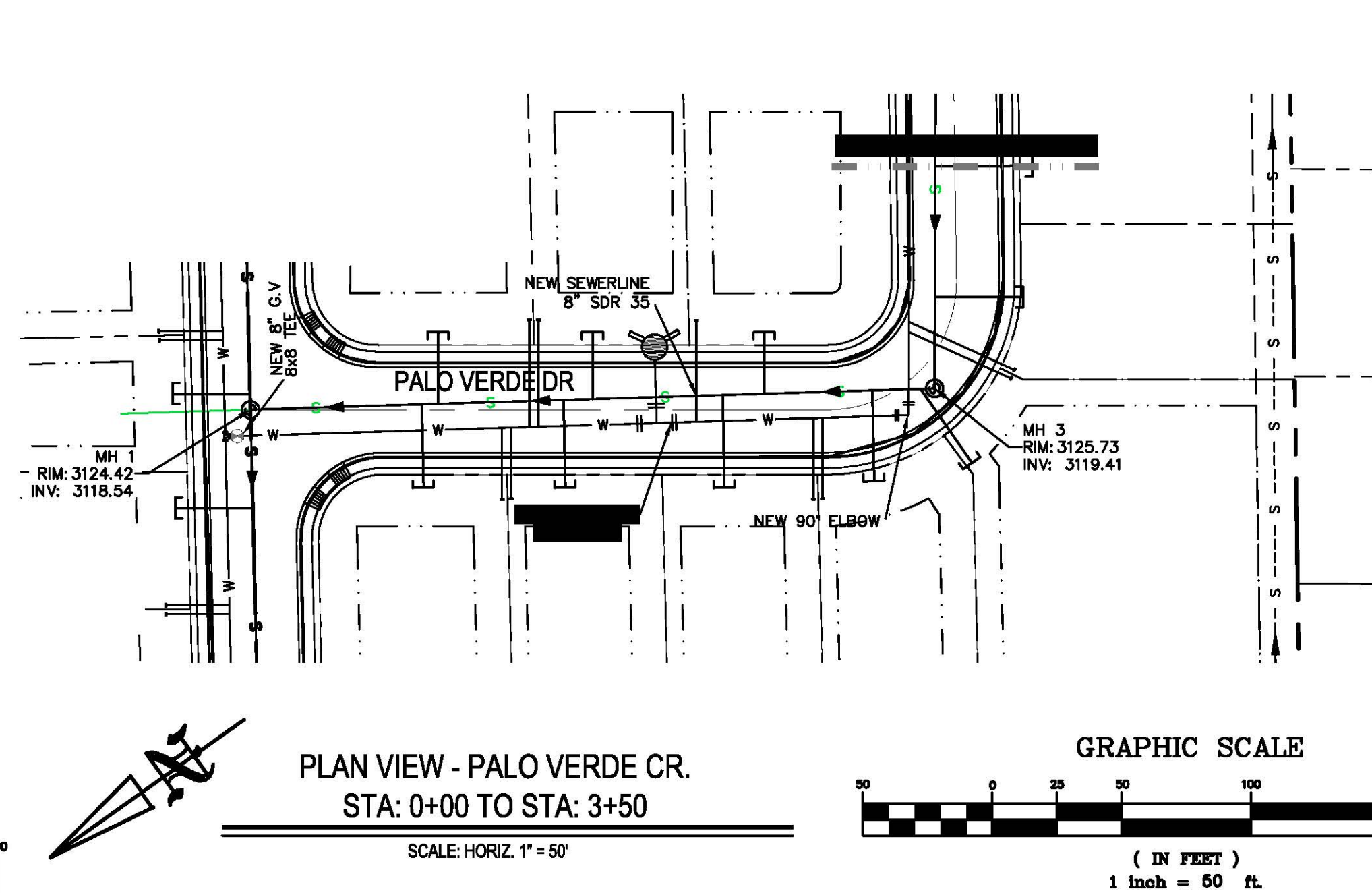
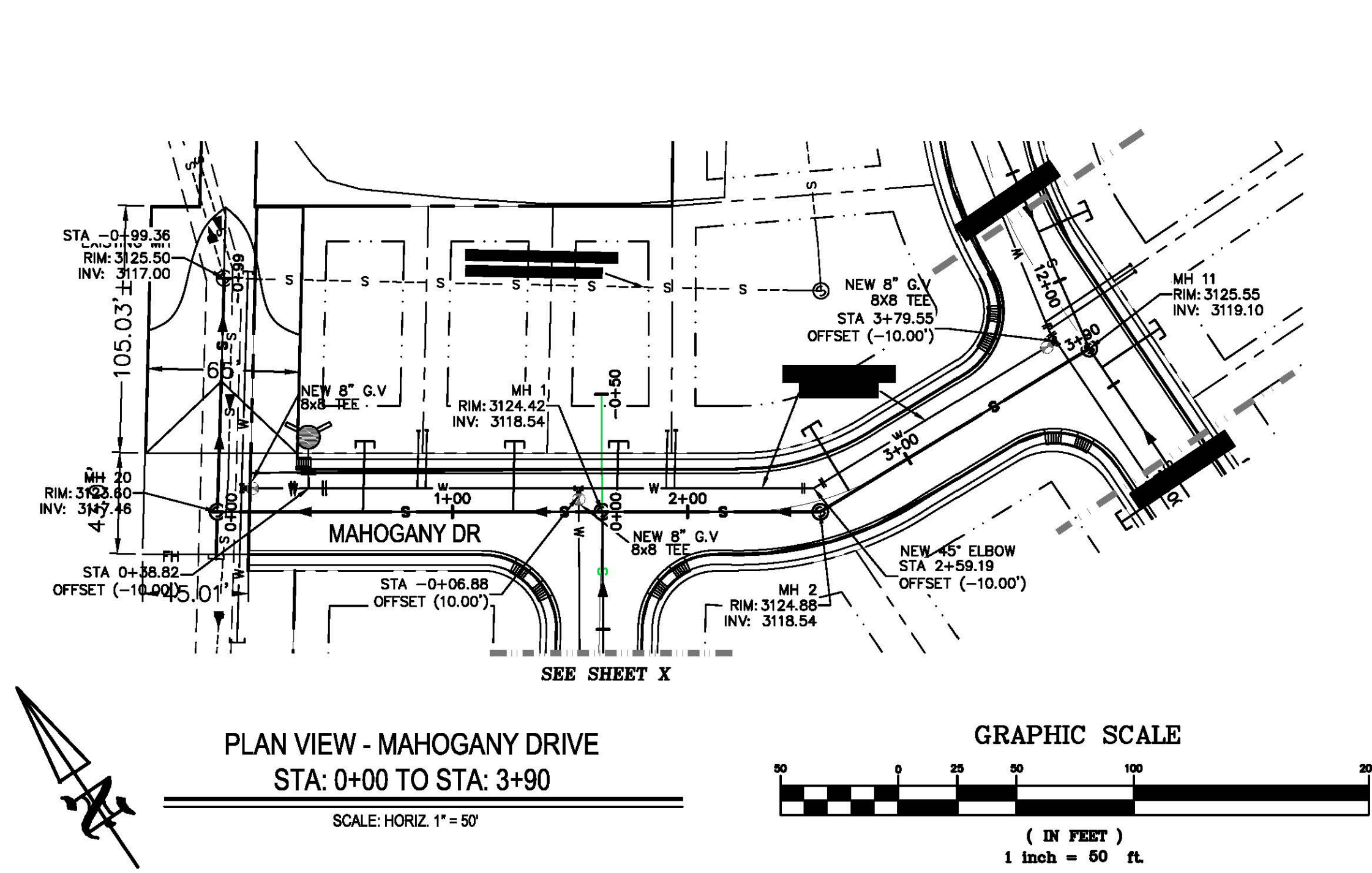
**KD ENGINEERING**  
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CIVIL / MECHANICAL ENGINEERING  
DAVID B. CHURCH, P.E.  
679 640-3990 CELL 679 528-1108 OFFICE  
DAVID@THEIRSTONEENGINEERS.COM

REVISIONS	REV'D
DATE:	

CRESTLINE SUBDIVISION  
MASTER UTILITY PLAN

SHEET NO. **C-2**





THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES BEFORE COMMENCING WORK AND BE RESPONSIBLE FOR COMPLYING WITH THE EDDY COUNTY UTILITY COUNSEL BLUE STAKE PROCEDURES. ANY DAMAGE TO EXISTING UTILITIES WILL BE THE CONTRACTORS RESPONSIBILITY.

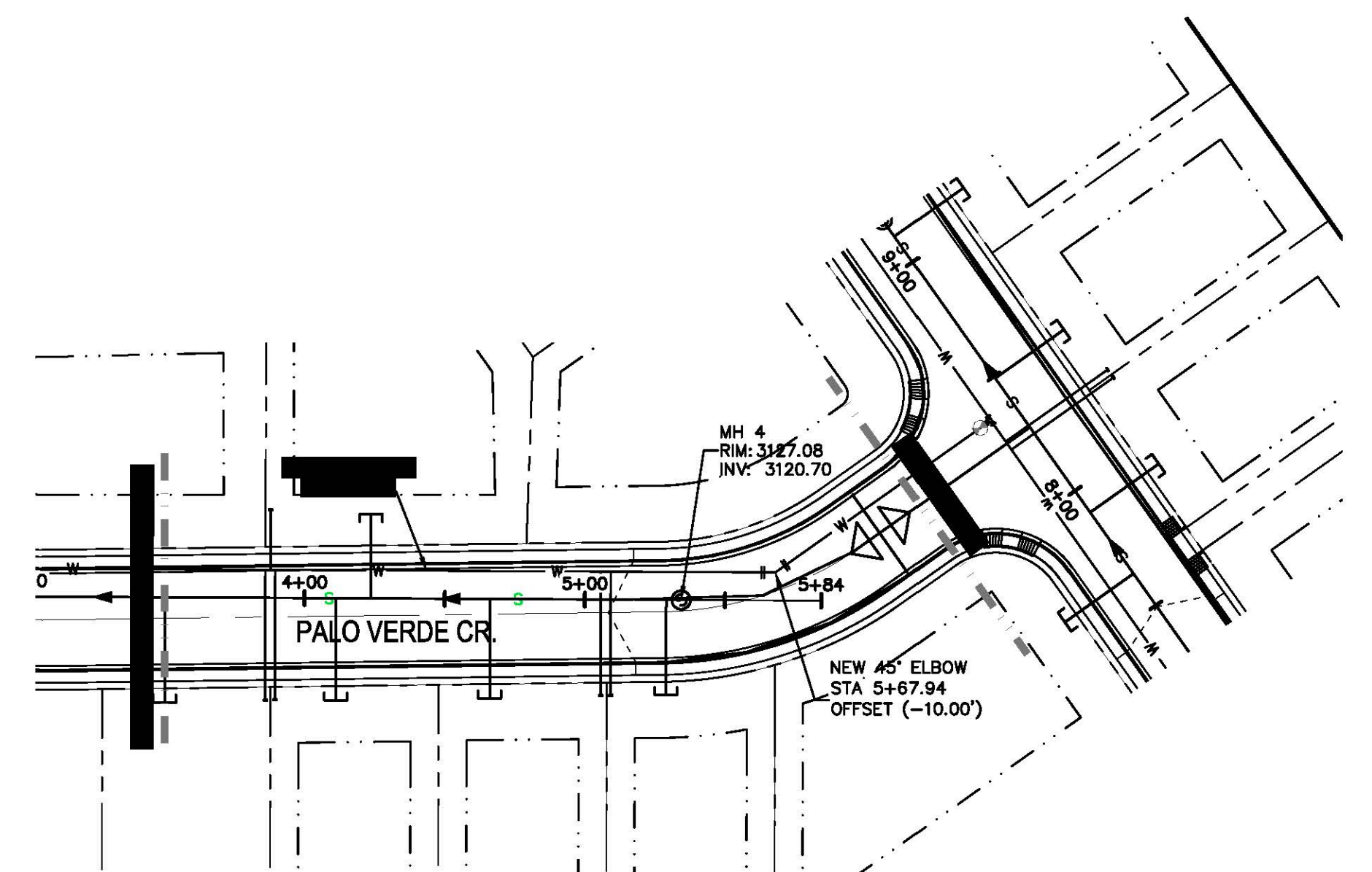
**KD ENGINEERING**  
1880 E. LOHMAN AVE LAS CRUCES, NM 88001  
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DAVID B. CHURCH, P.E.  
679 610-3790 CELL 679 528-1108 OFFICE  
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REVISIONS	Rev'd:
DATE:	

CRESTLINE SUBDIVISION  
P-N-P MAHOGANY DRIVE & PALO VERDE CR.

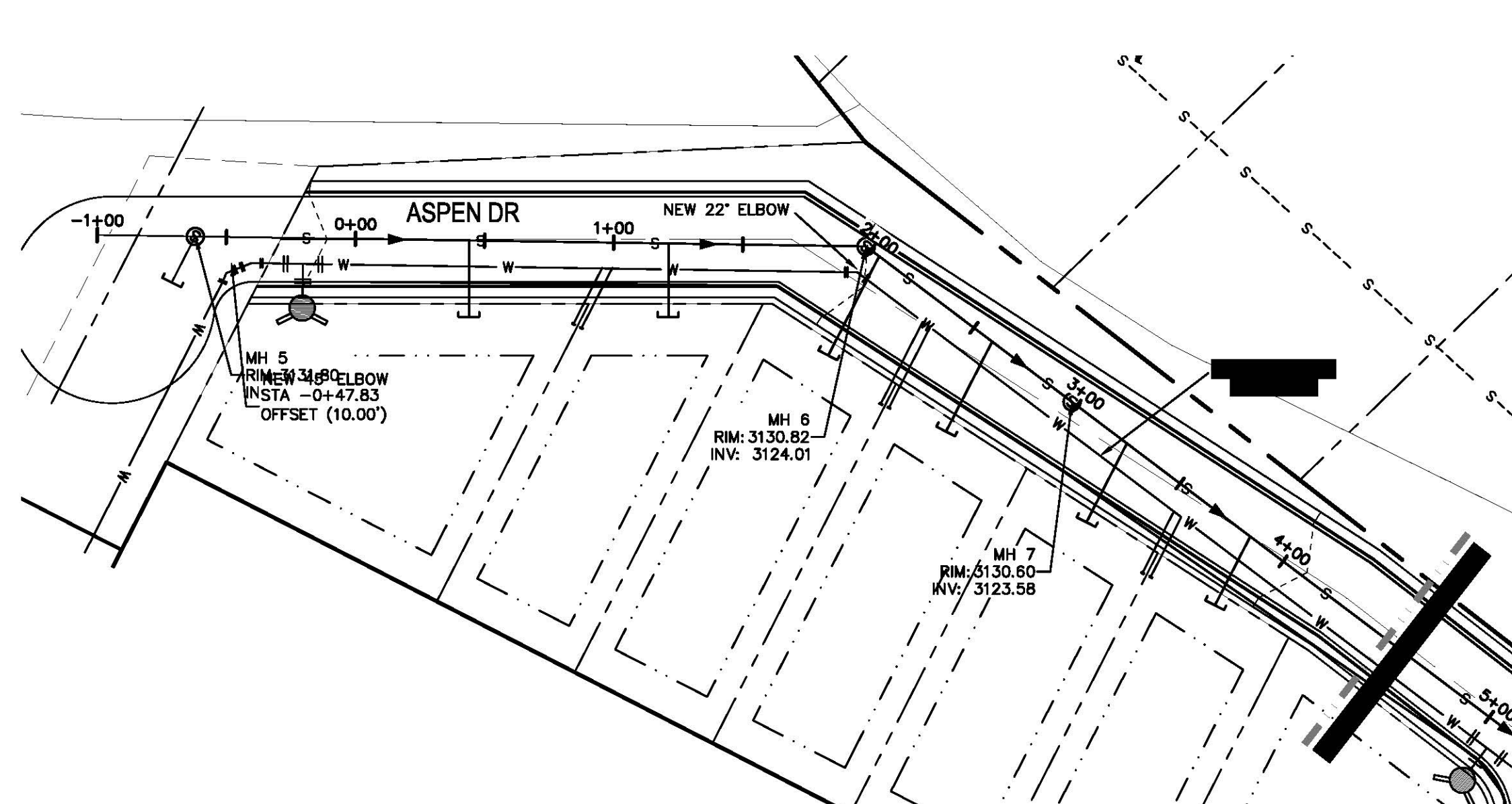
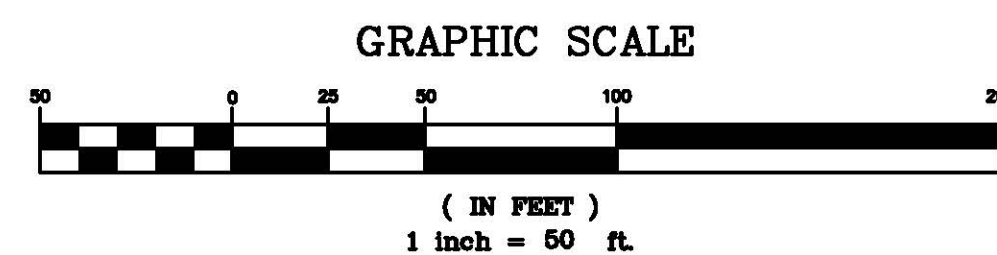
SHEET NO. **C-3**





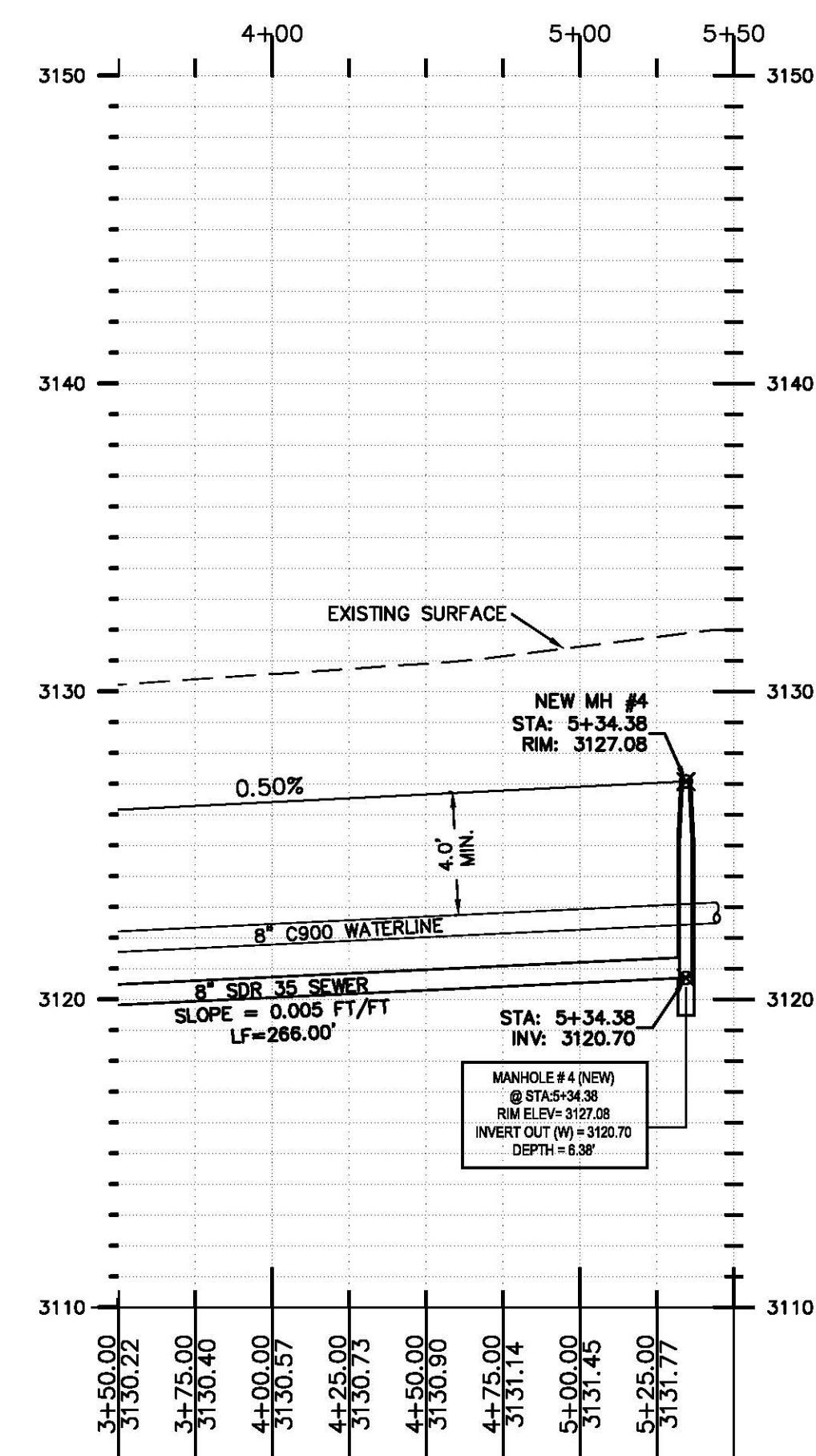
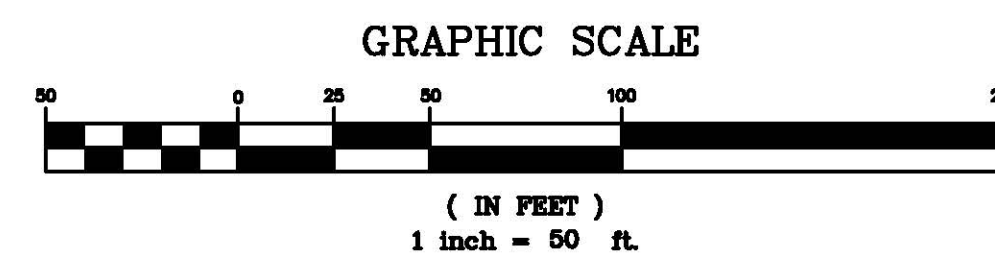
PLAN VIEW - PALO VERDE CR.  
STA: 3+50 TO STA: 5+34 END

SCALE: HORIZ. 1" = 50'



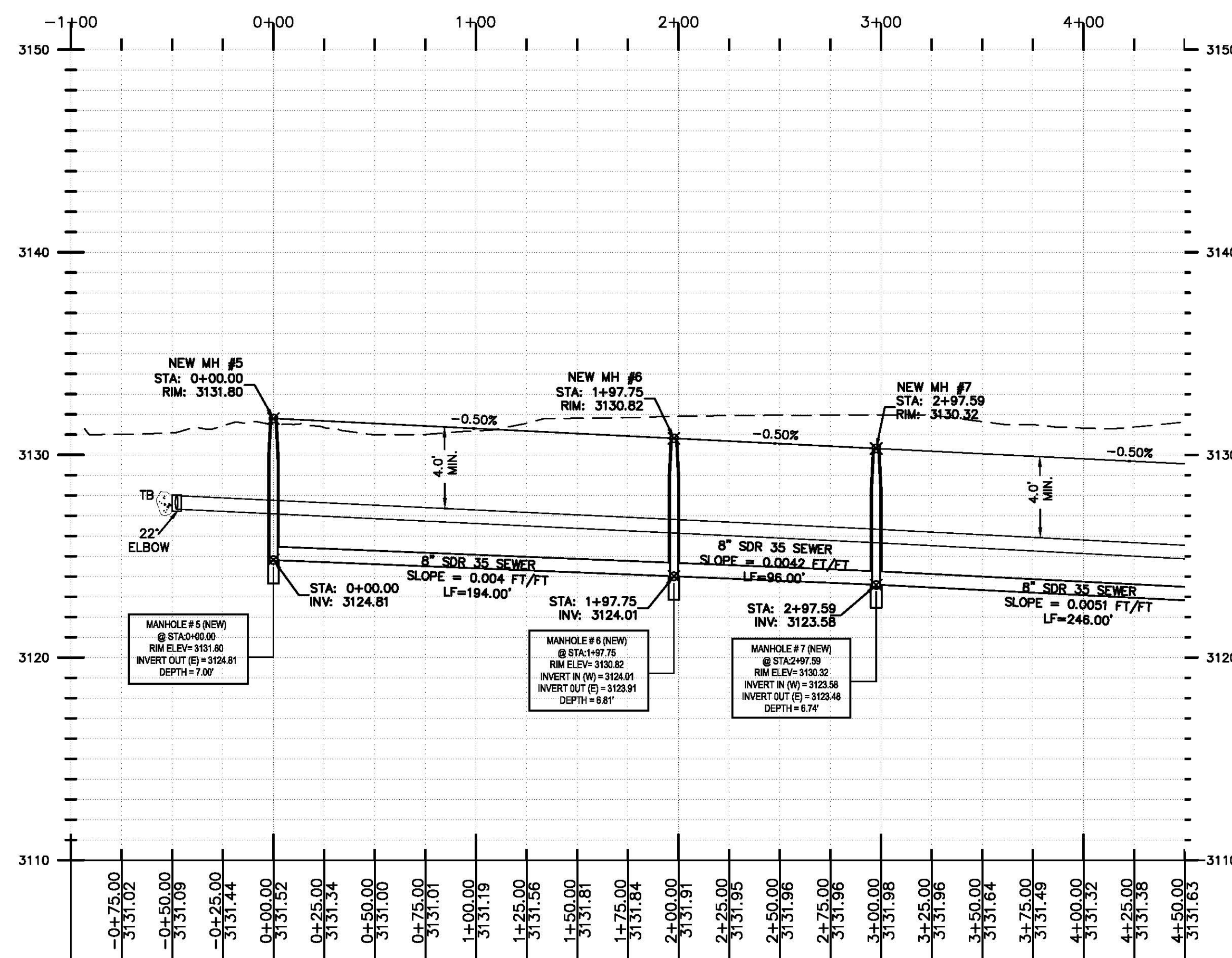
PLAN VIEW - ASPEN DR  
STA: 0+00 TO STA: 4+50

SCALE: HORIZ. 1" = 50'



PROFILE VIEW - PALO VERDE CR  
STA: 3+50 TO STA: 5+34 END

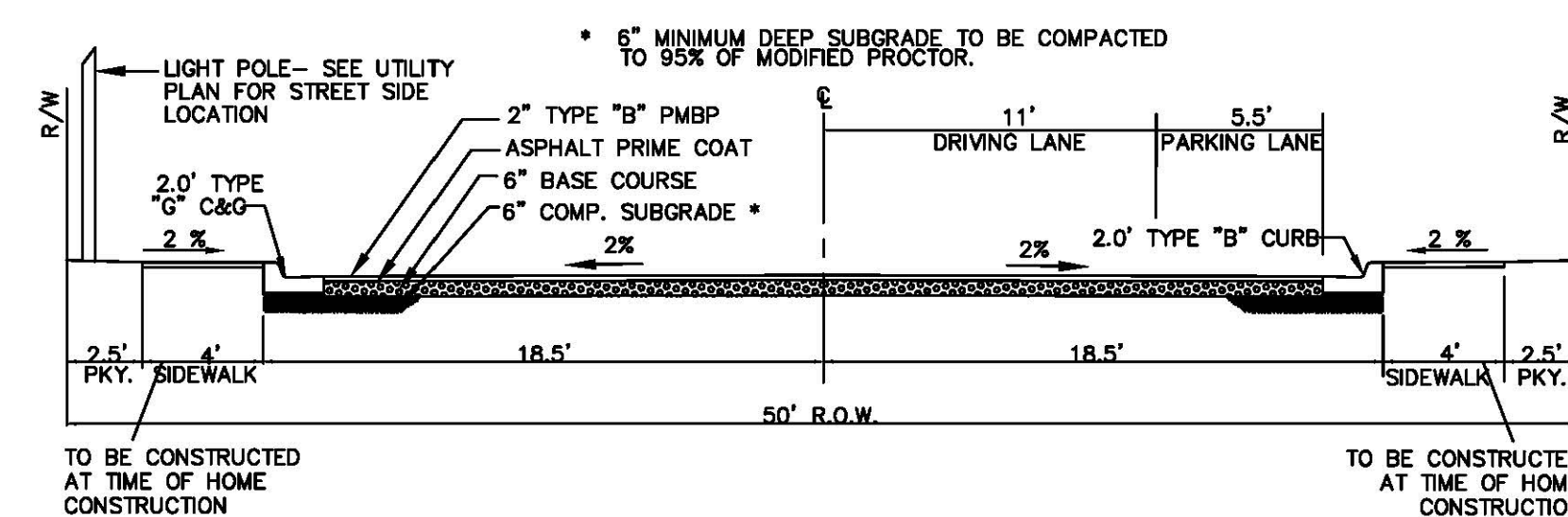
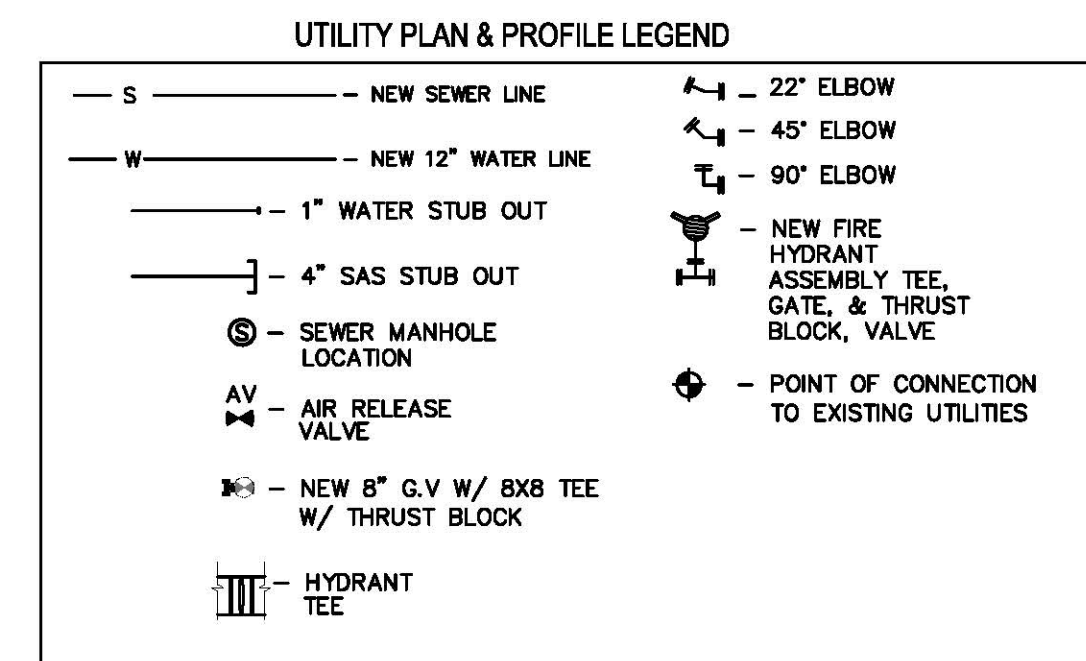
SCALE: HORIZ. 1" = 50'  
VERT. 1" = 5'



PROFILE VIEW - ASPEN DR  
STA: 0+00 TO STA: 4+50

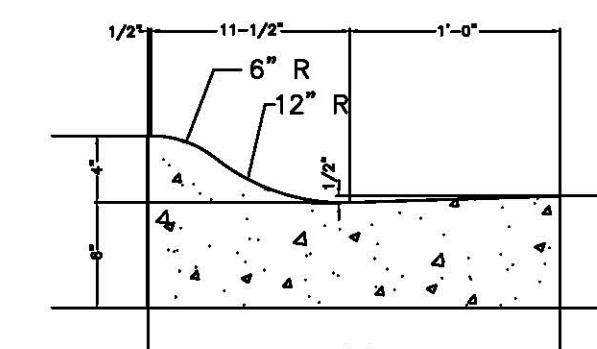
SCALE: HORIZ. 1" = 50'  
VERT. 1" = 5'

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TYPICAL STREET SECTION - 50' RW

NO SCALE

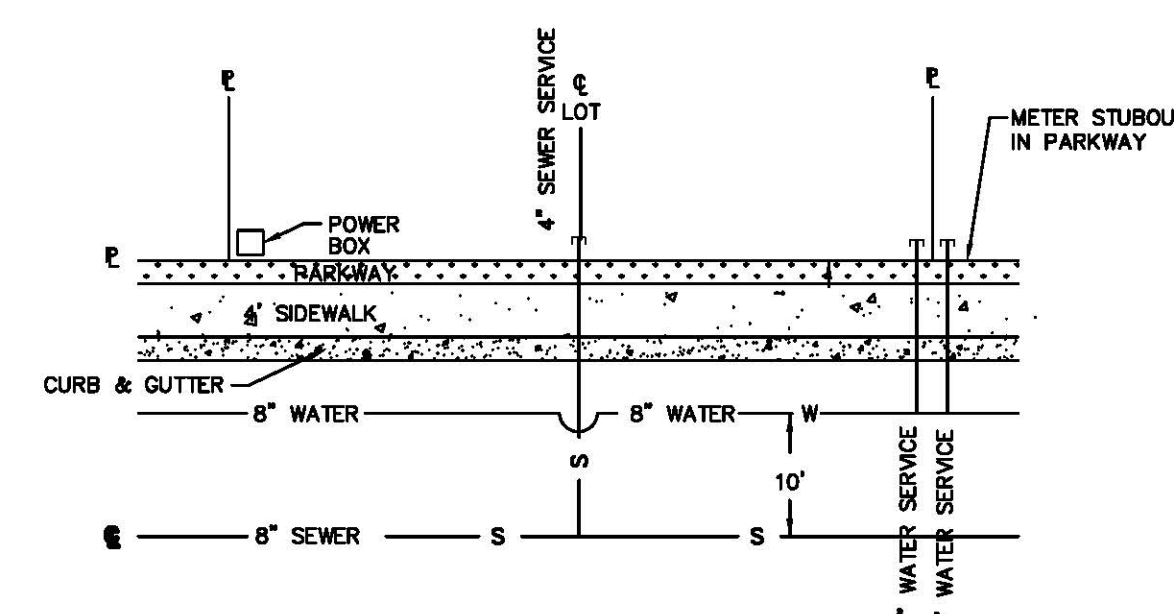


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TYPE "G" CURB & GUTTER

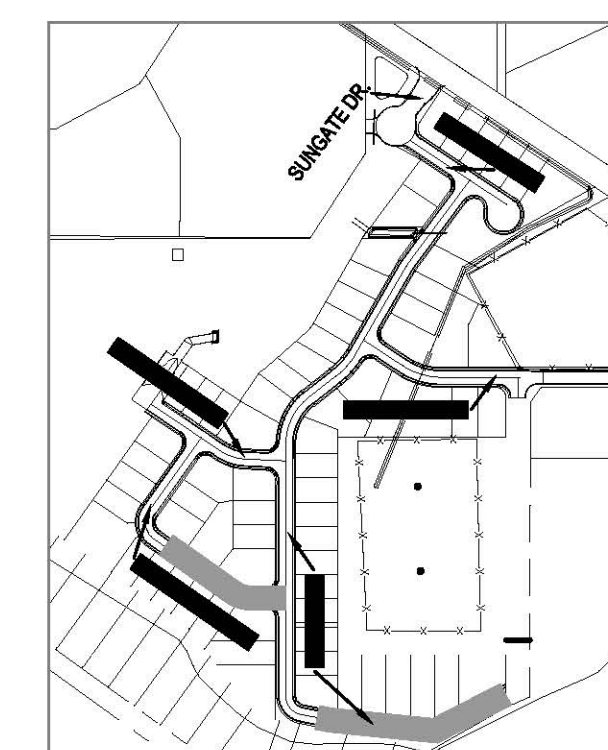
NO SCALE



NOTE: UTILITY LOCATION SHOWN BELOW ARE TYPICAL. ANY VARIATION WILL BE SHOWN ON UTILITY PLANS. ALL SERVICE CONNECTIONS SHALL MAINTAIN 5' SEPARATION DISTANCE AS A MINIMUM.

TYPICAL UTILITY LOCATION

NO SCALE



LOCATION MAP

SCALE: NOT TO SCALE

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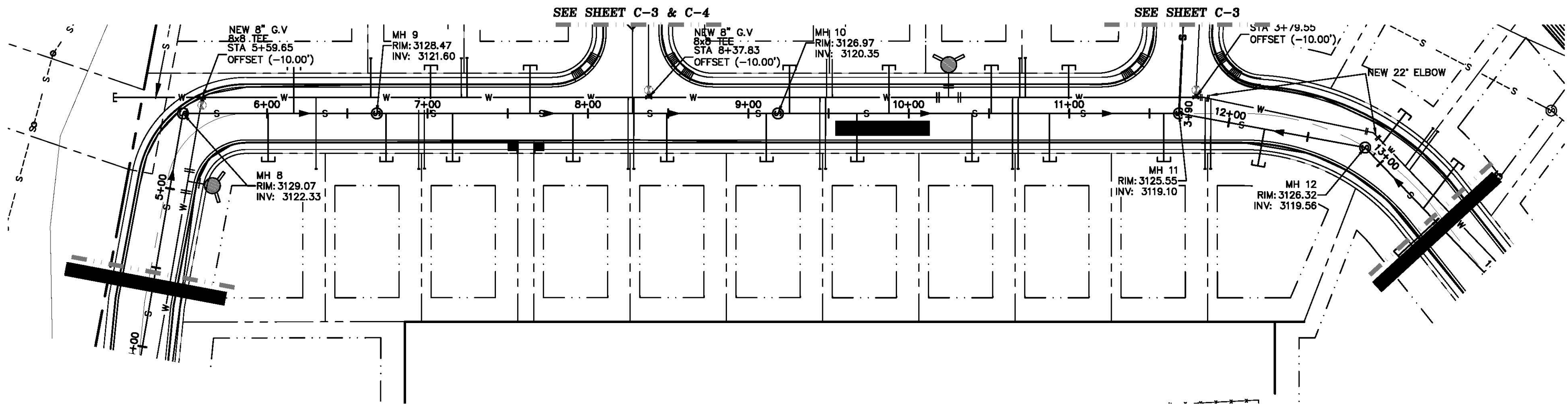
CRESTLINE SUBDIVISION

P-N-P ASPEN CR & PALO VERDE DR

SHEET NO.

C-4

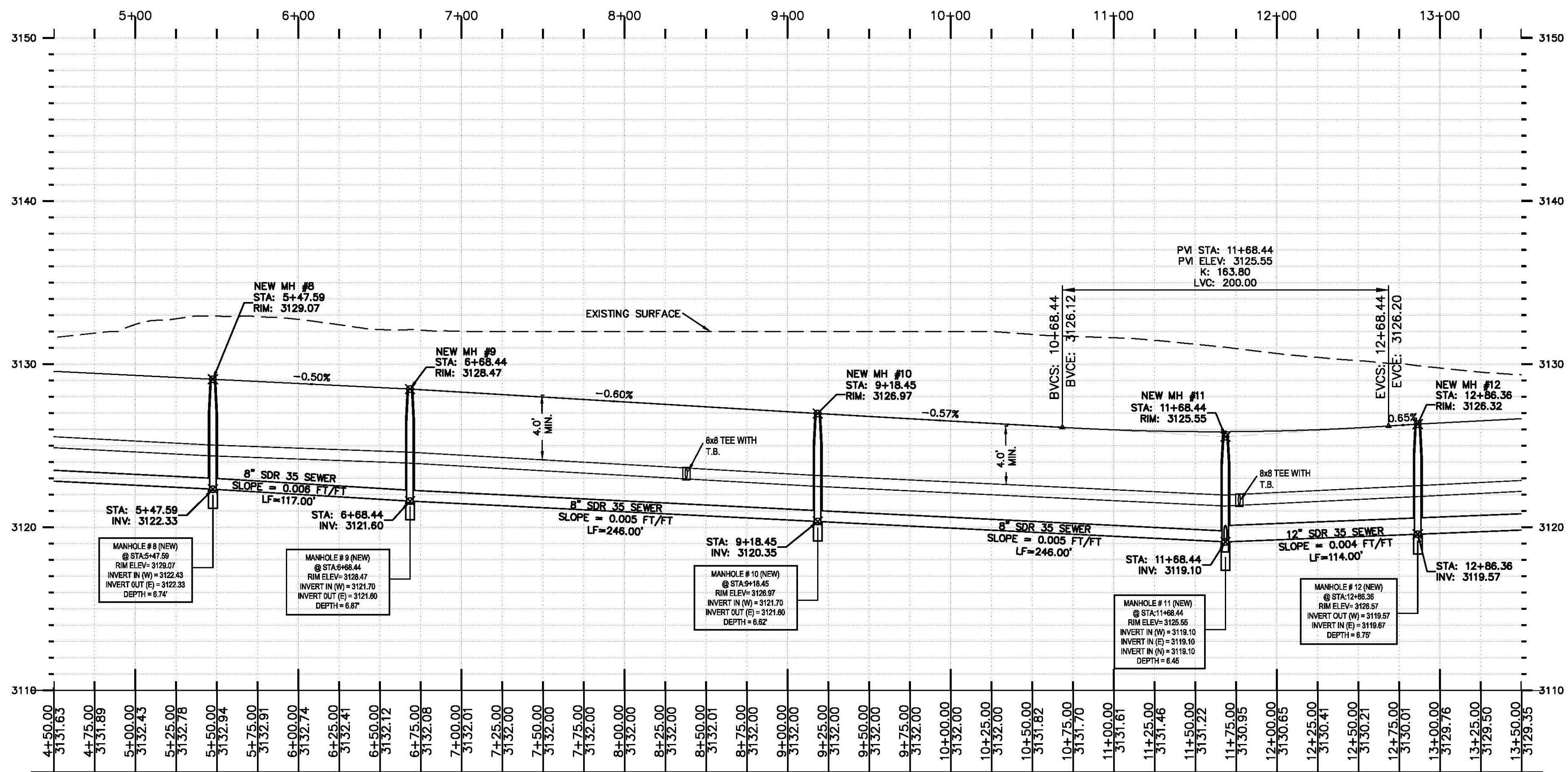
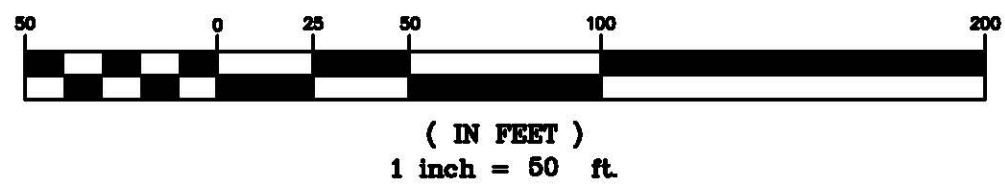




PLAN VIEW - ASPEN DRIVE  
STA: 4+50 TO STA: 13+50

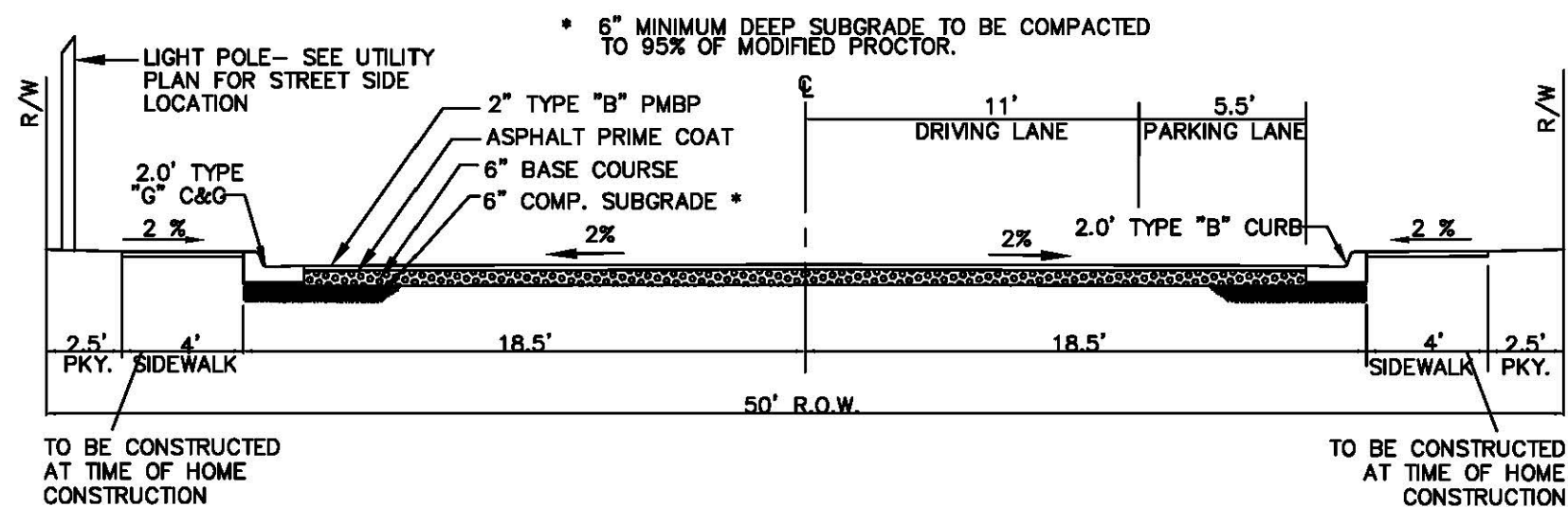
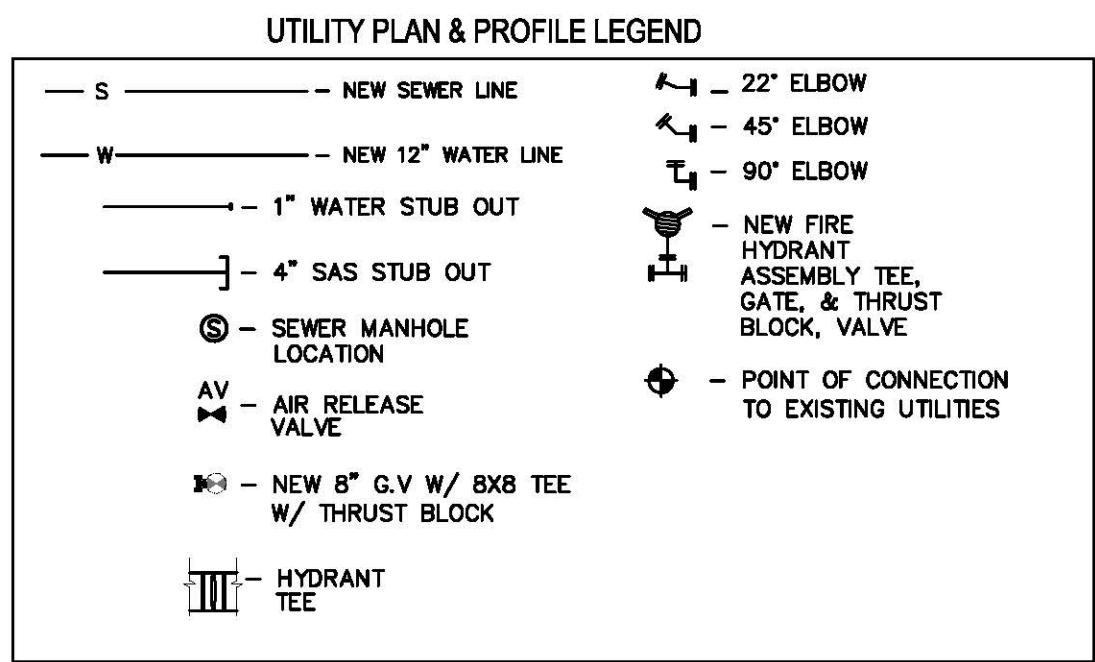
SCALE: HORIZ. 1" = 50'

GRAPHIC SCALE



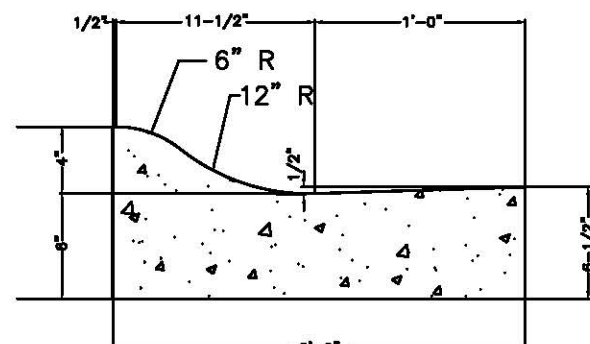
PROFILE VIEW - ASPEN DRIVE  
STA: 4+50 TO STA: 13+50

SCALE: HORIZ. 1" = 50'  
VERT. 1" = 5'



TYPICAL STREET SECTION - 50' RW

NO SCALE

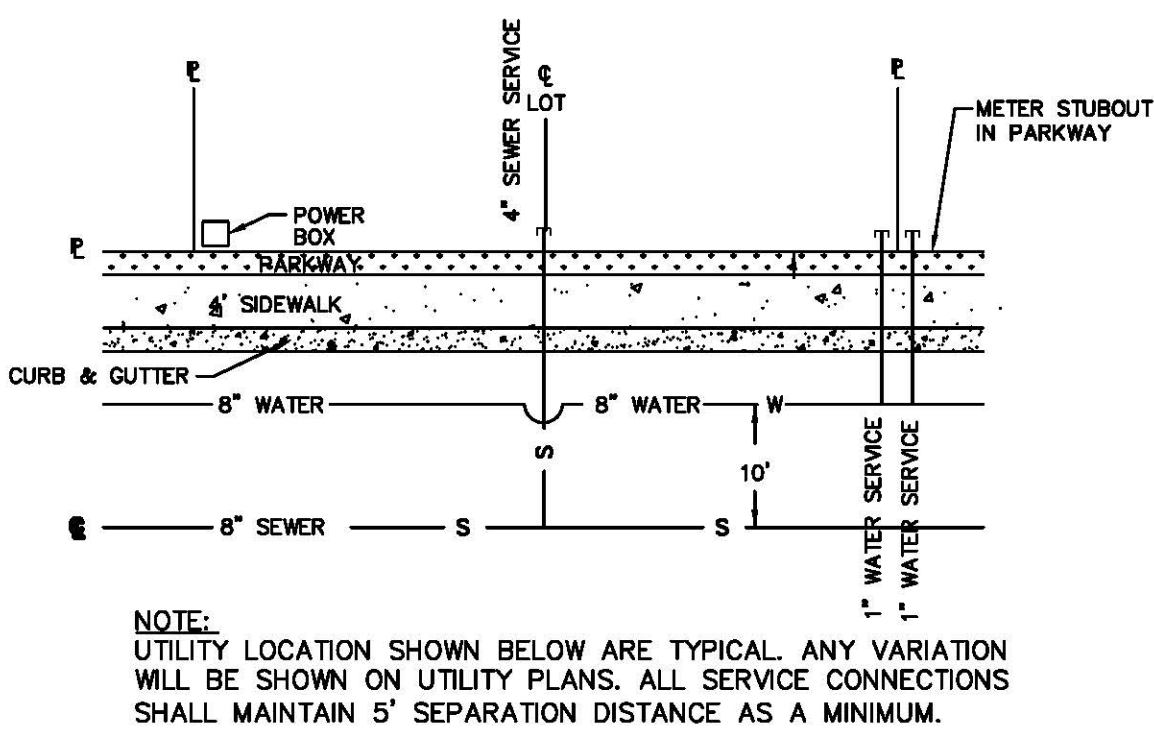


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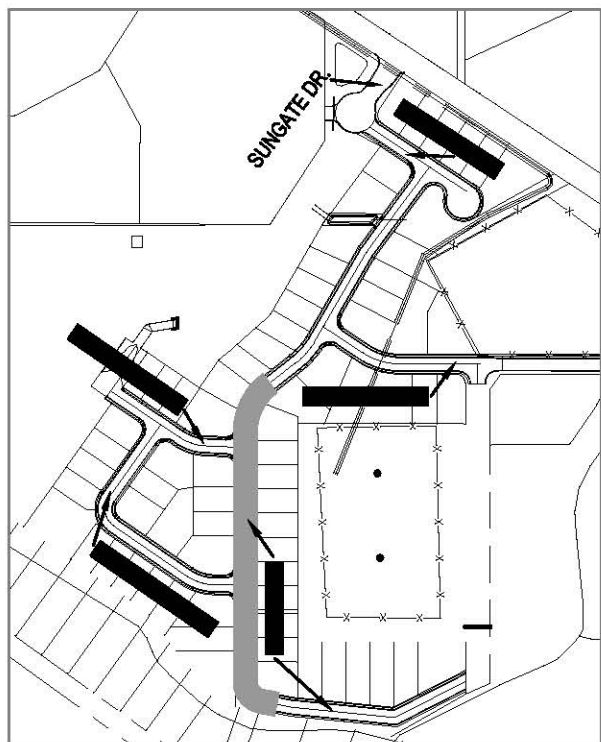
NO SCALE



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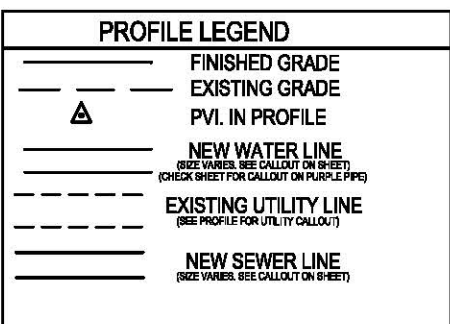
TYPICAL UTILITY LOCATION

NO SCALE



LOCATION MAP  
SCALE: NOT TO SCALE

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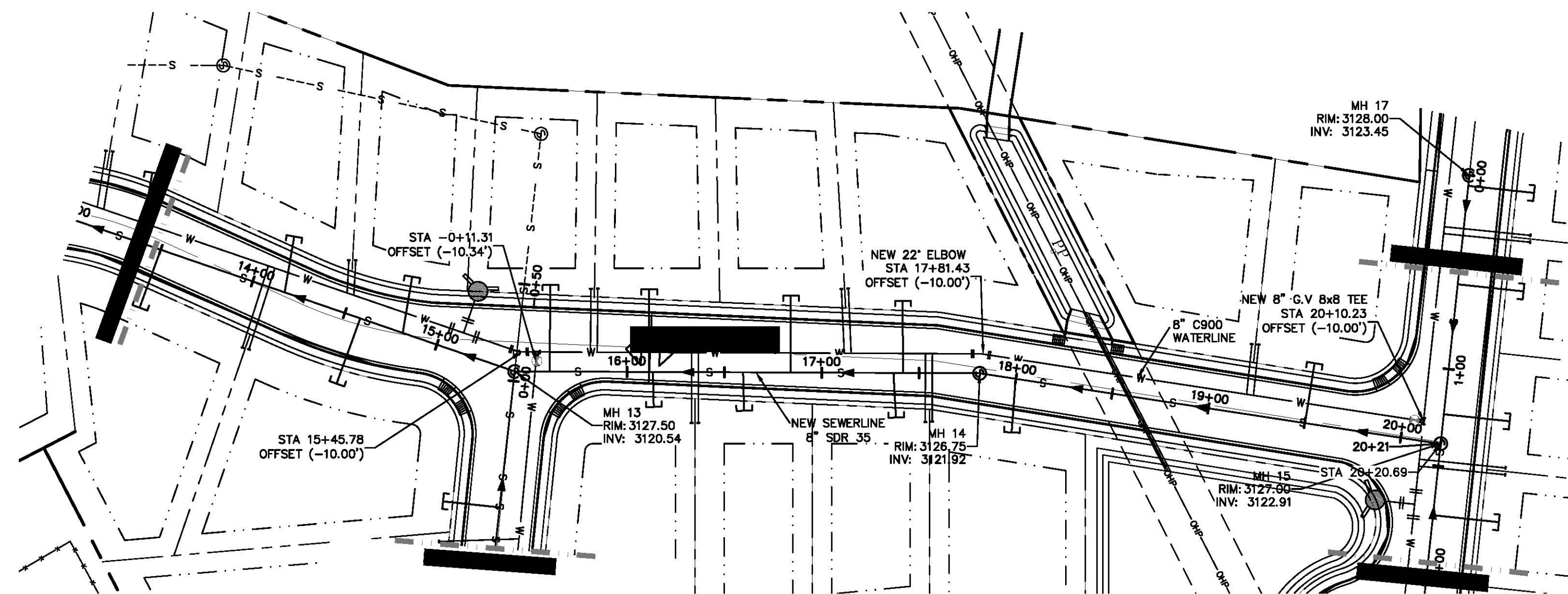
CRESTLINE SUBDIVISION

P-N-P ASPEN DRIVE

SHEET NO.

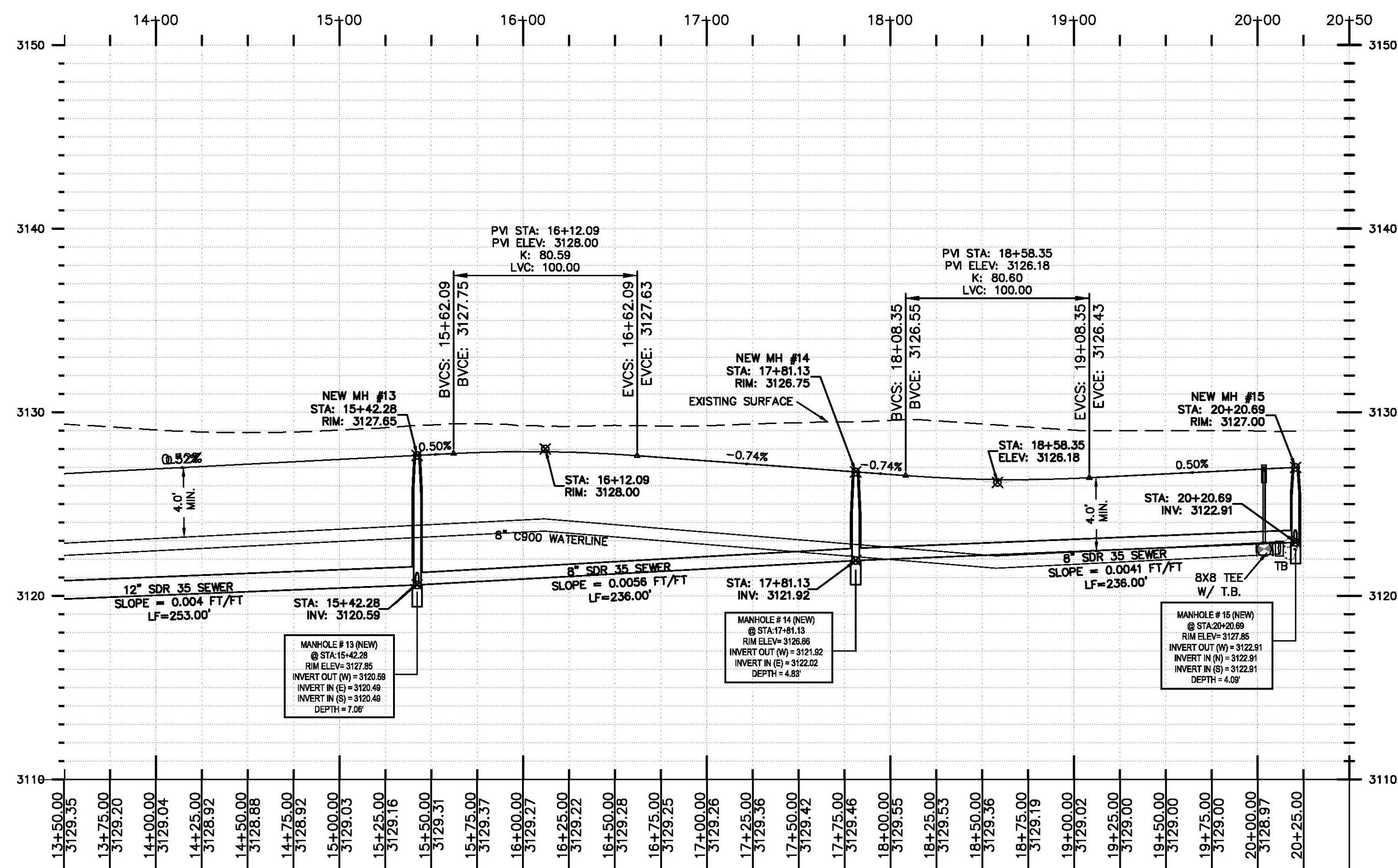
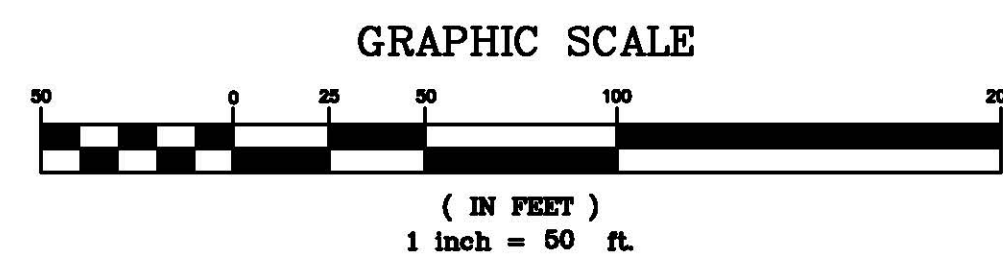
C-5





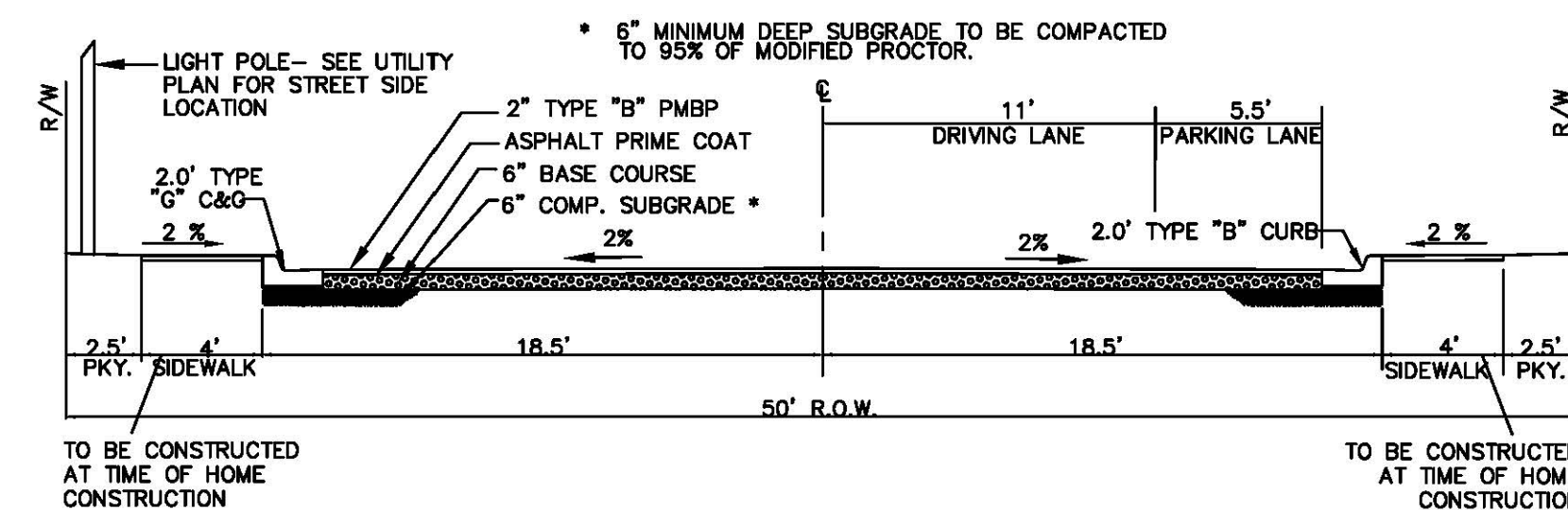
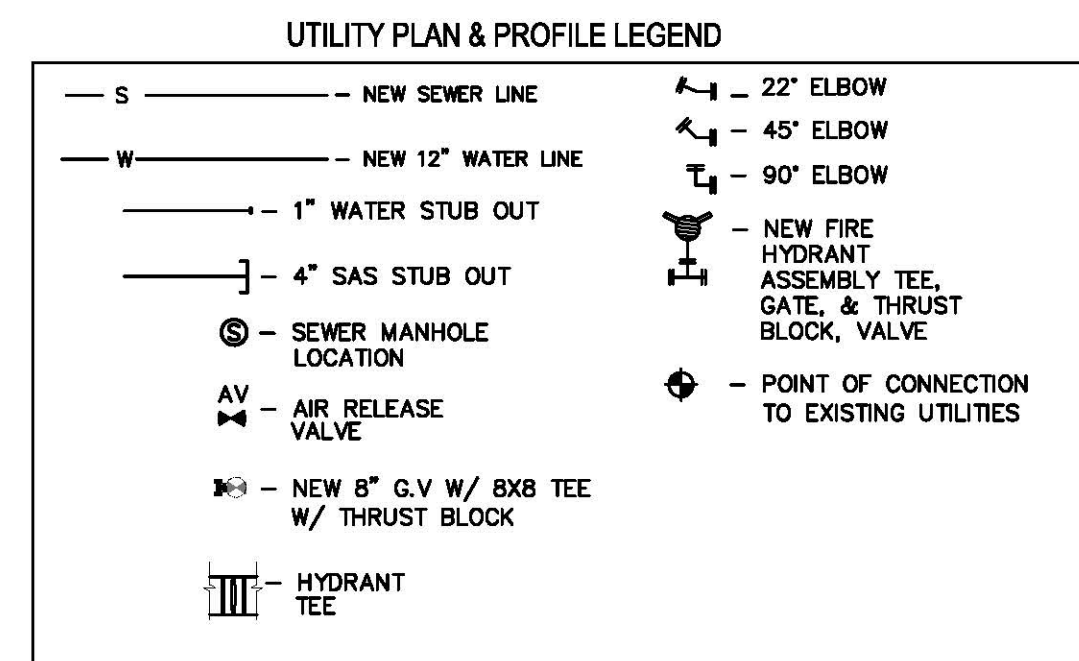
PLAN VIEW - ASPEN DR  
STA: 13+50 TO STA: 20+22

SCALE: HORIZ. 1" = 50'



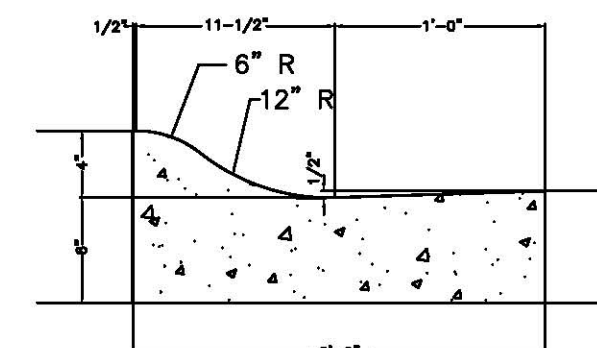
PROFILE VIEW - ASPEN DR  
STA: 13+50 TO STA: 20+22 END

SCALE: HORIZ. 1" = 50'  
VERT. 1" = 5'



TYPICAL STREET SECTION - 50' RW

NO SCALE

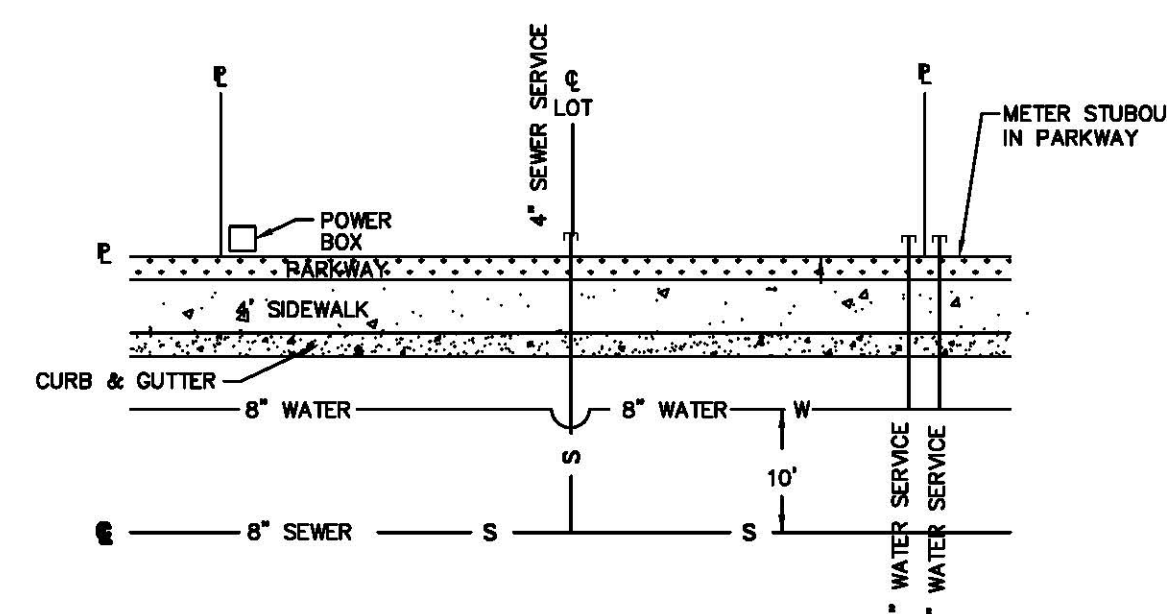


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TYPE "G" CURB & GUTTER

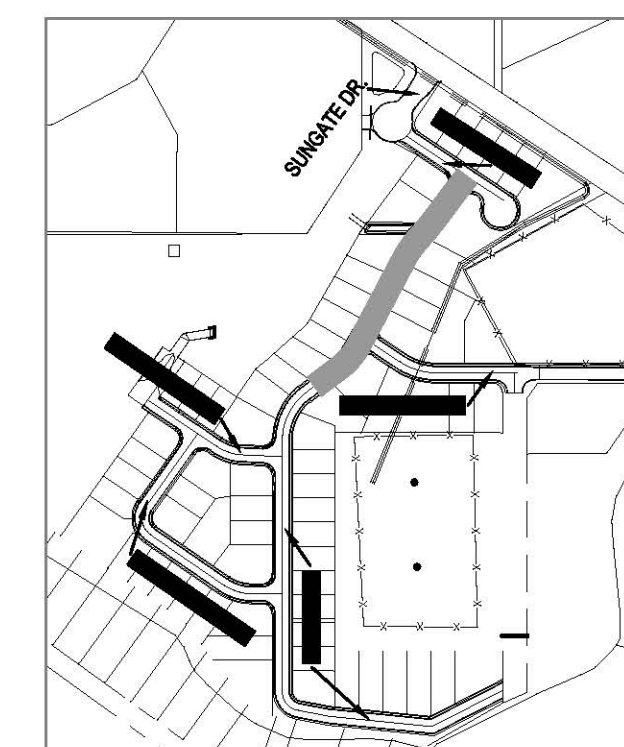
NO SCALE



NOTE:  
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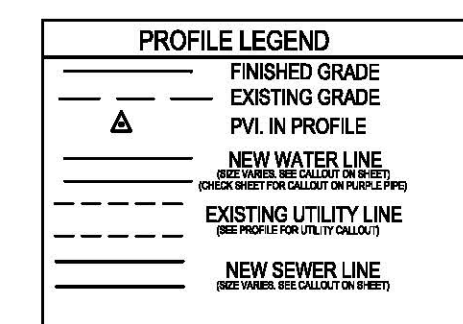
TYPICAL UTILITY LOCATION

NO SCALE



LOCATION MAP  
SCALE: NOT TO SCALE

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REVISIONS  
DATE: \_\_\_\_\_  
REV'D: \_\_\_\_\_

CRESTLINE SUBDIVISION

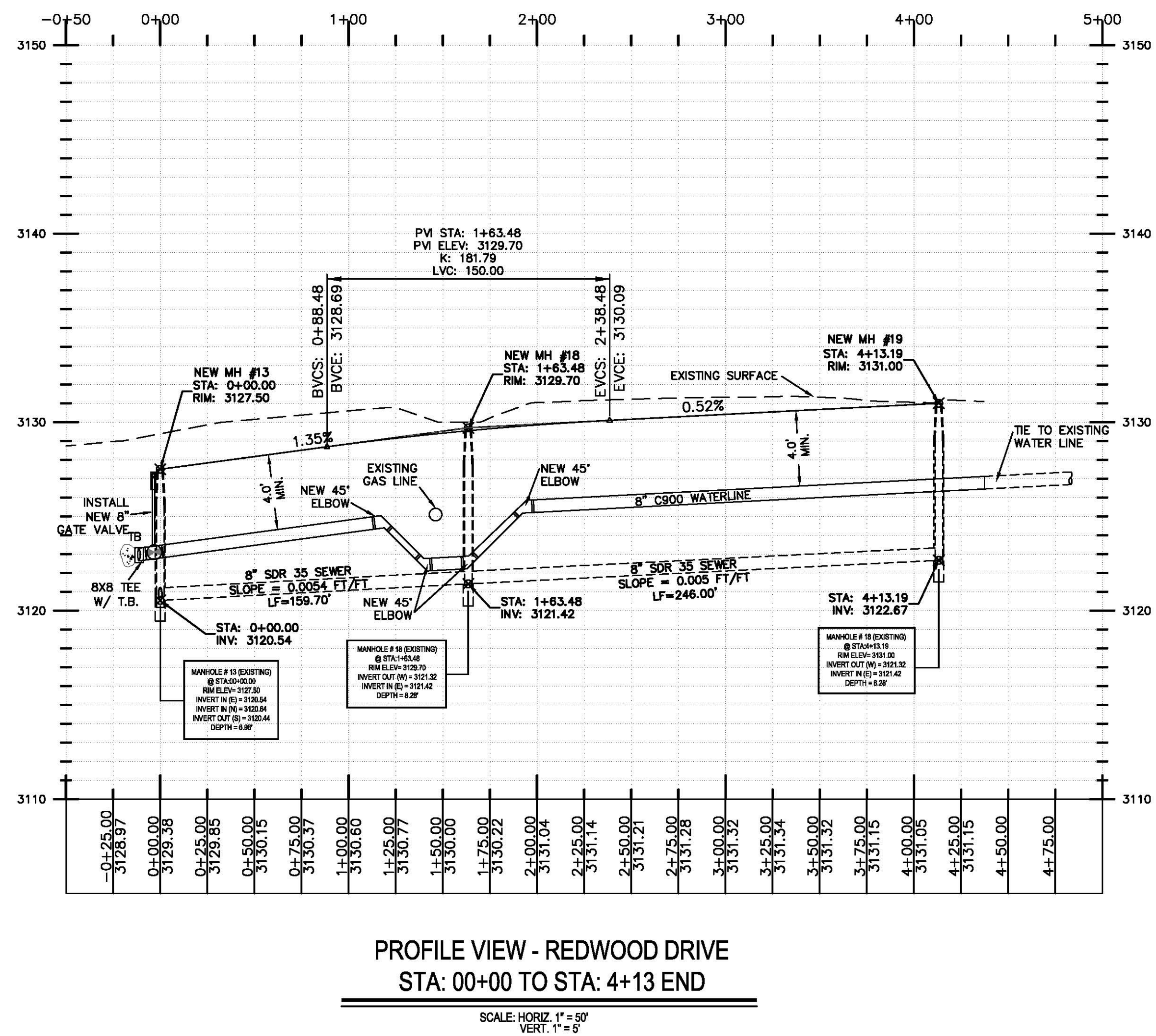
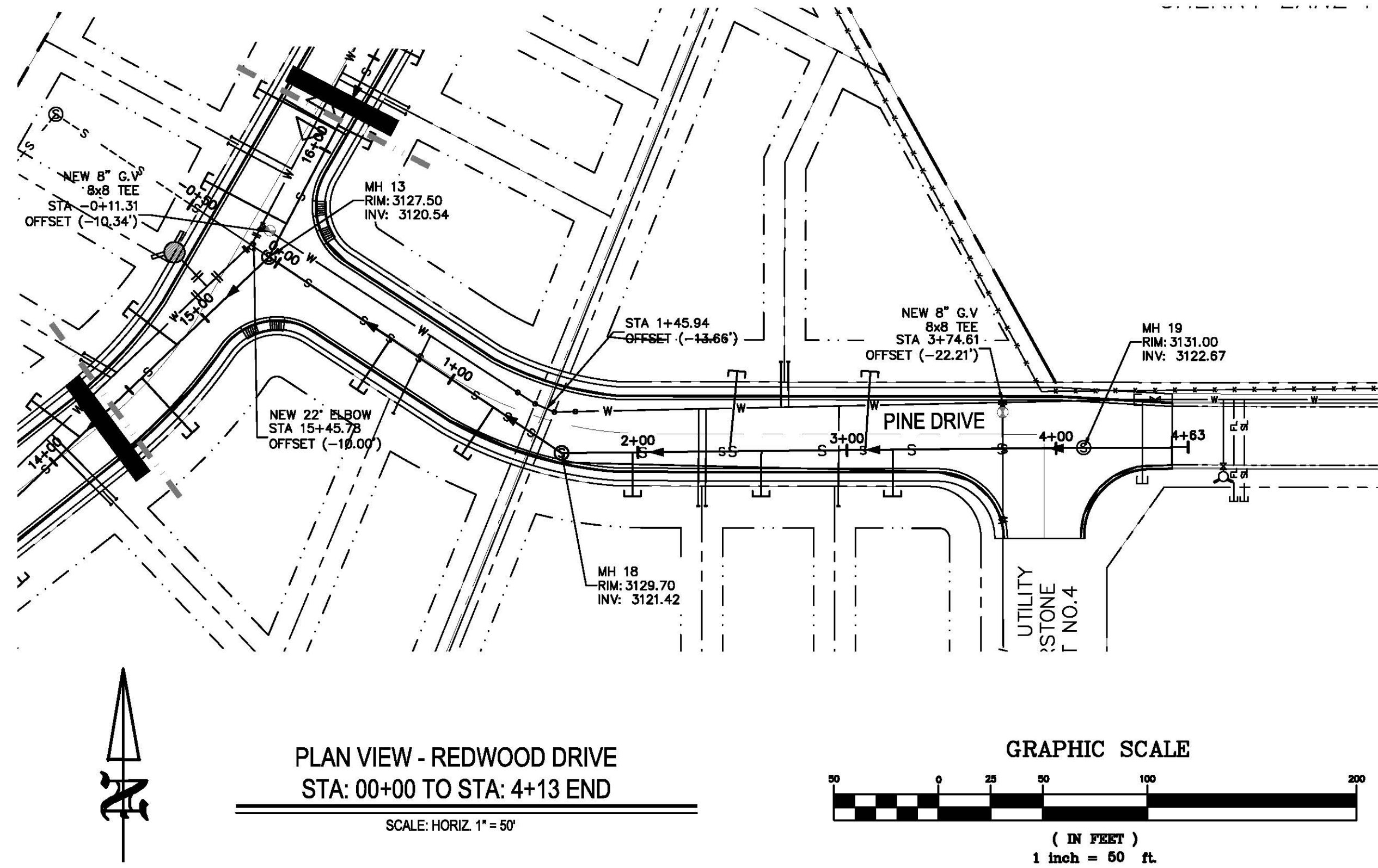
P-N-P ASPEN DR

SHEET NO.

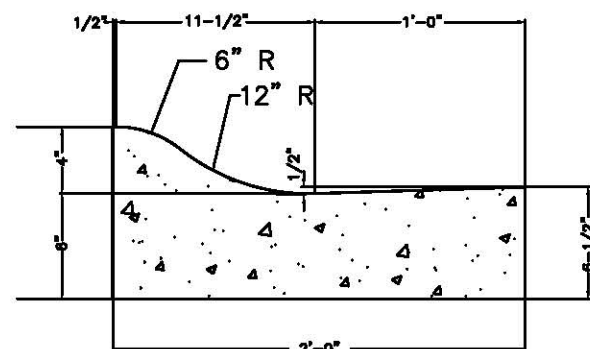
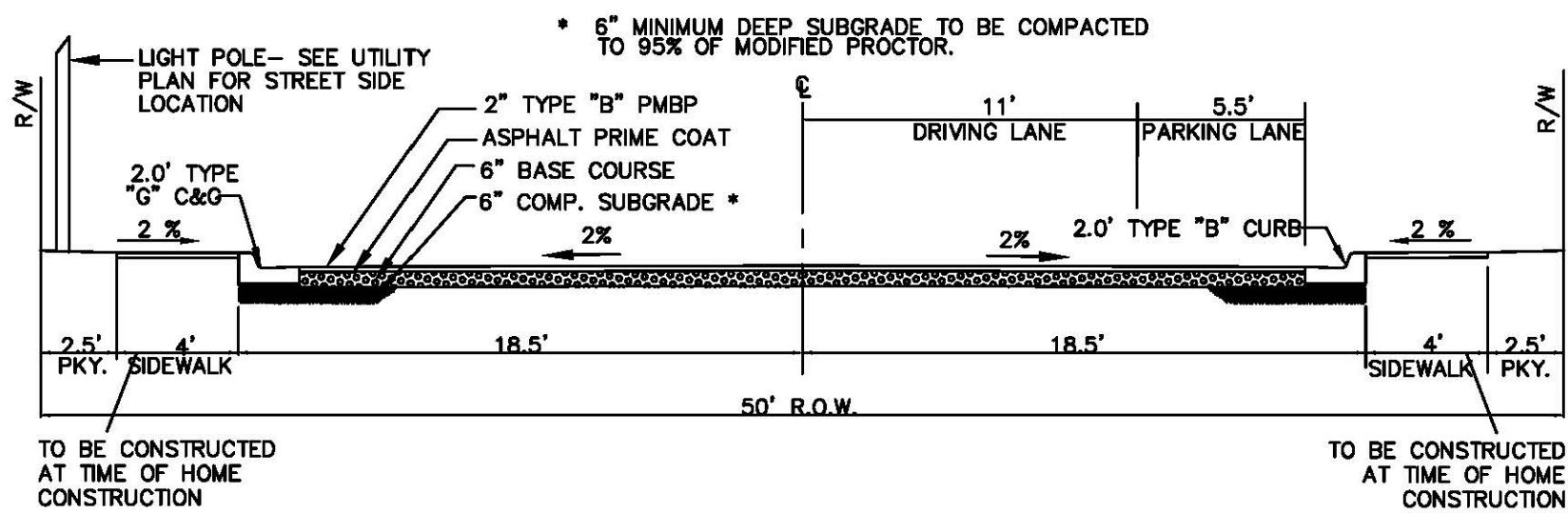
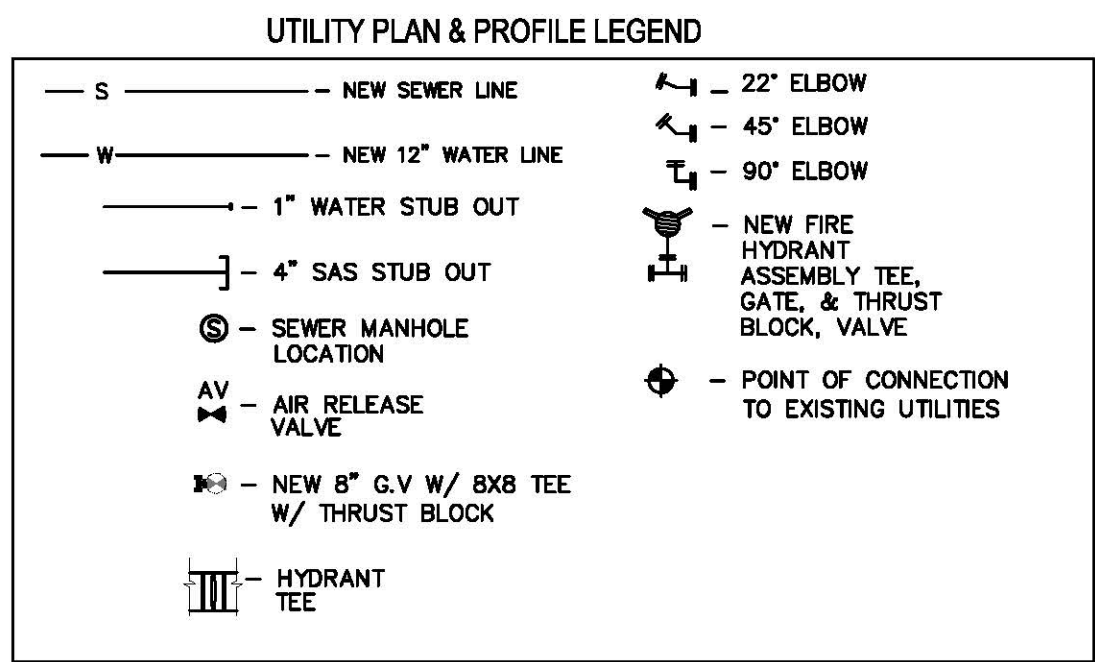
C-6



Friday, October 02, 2015 2:10 PM  
File Name: C:\2015\CreteLine P-N-P Redwood Drive.dwg  
49

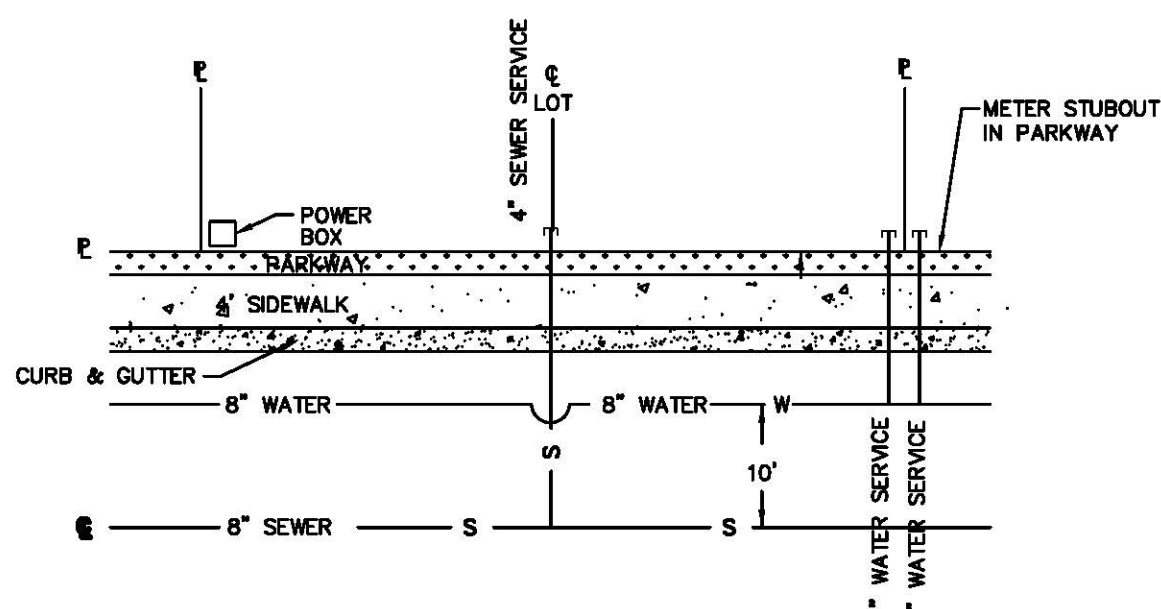


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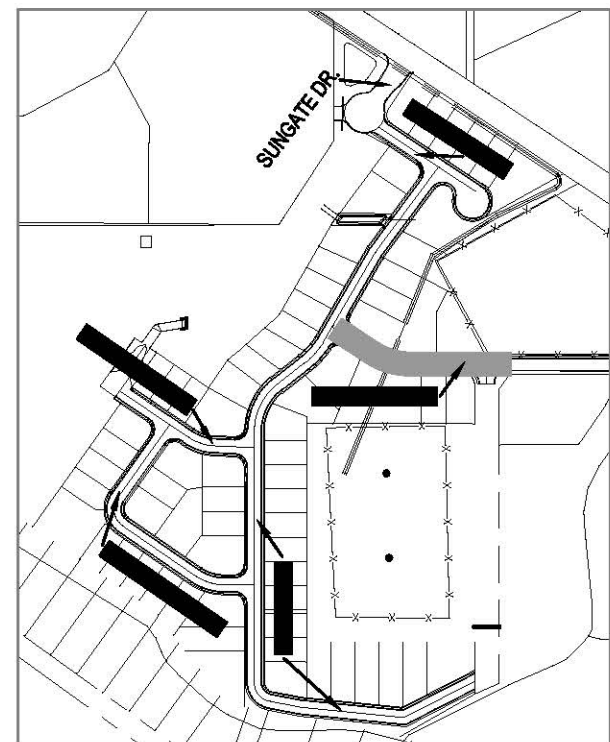


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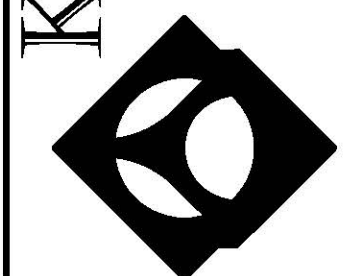
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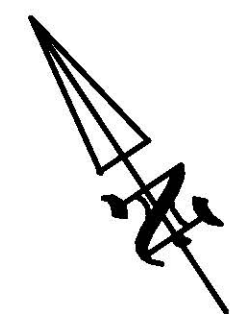
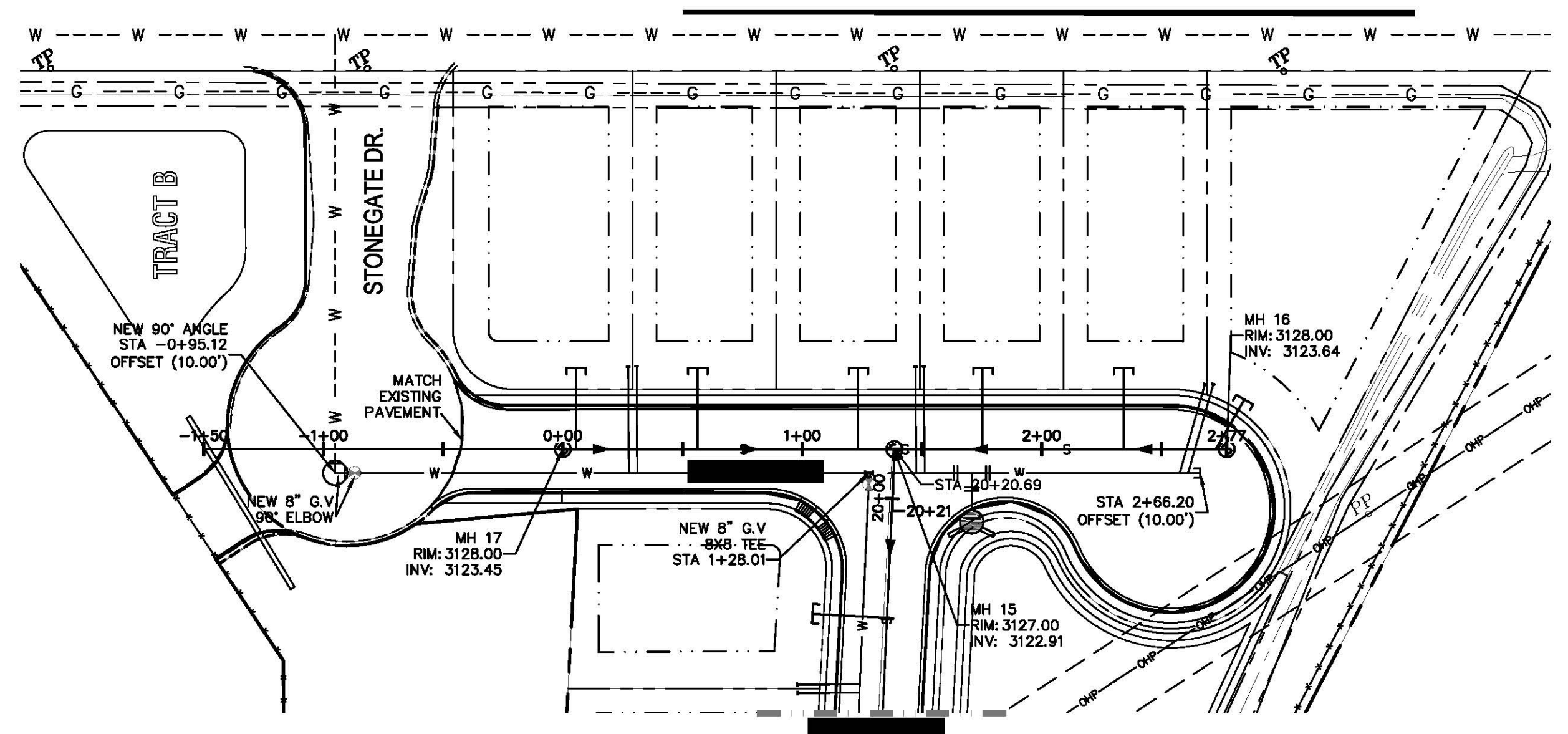
REVISIONS	REV'D:
DATE:	

CRESTLINE SUBDIVISION  
P-N-P REDWOOD DRIVE

SHEET NO. C-7



Monday, October 02, 2017 2:40 PM  
File Name: C:\2017\Creighton P-N-P\304 08262017.dwg



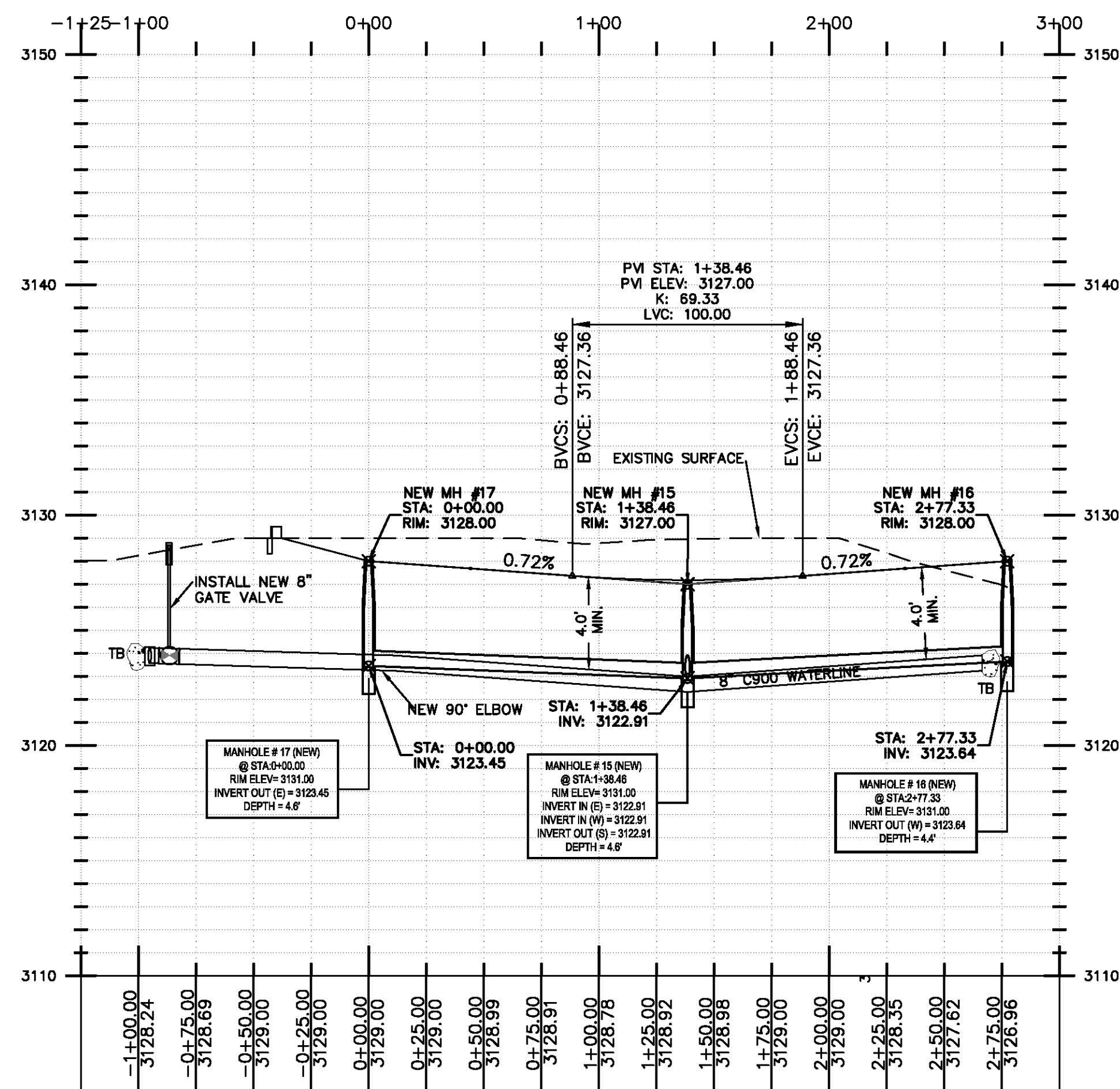
PLAN VIEW - CHITALPA CT  
STA: 00+00 TO STA: 2+77 END

SCALE: HORIZ. 1" = 50'

GRAPHIC SCALE



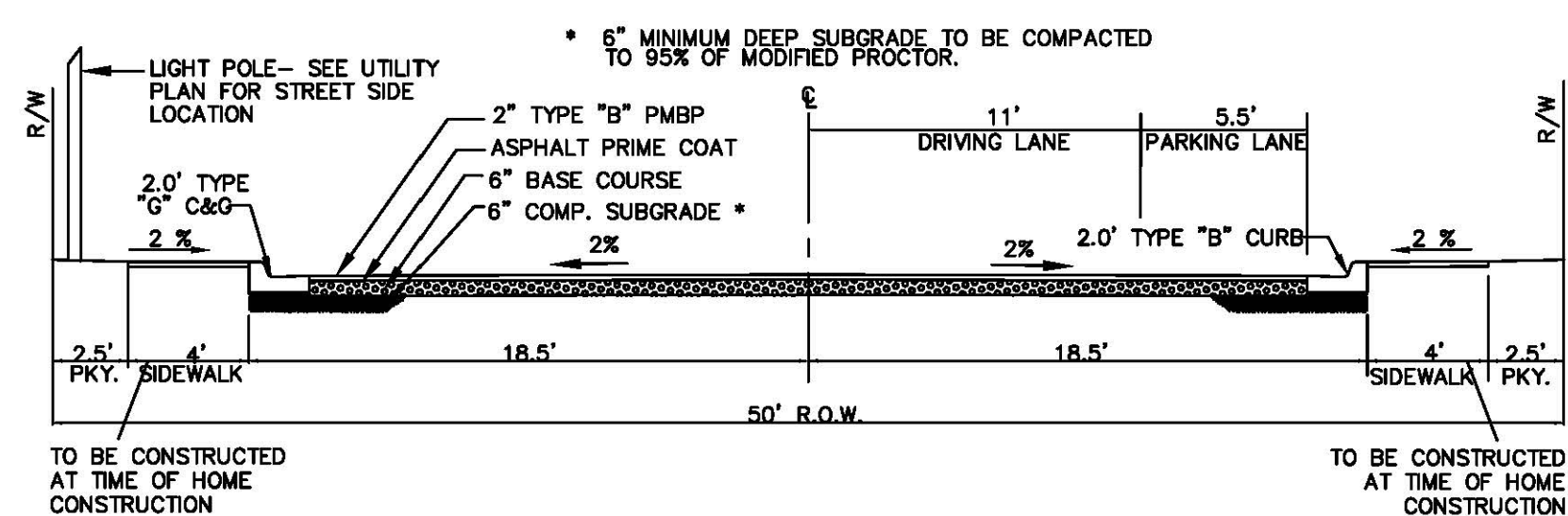
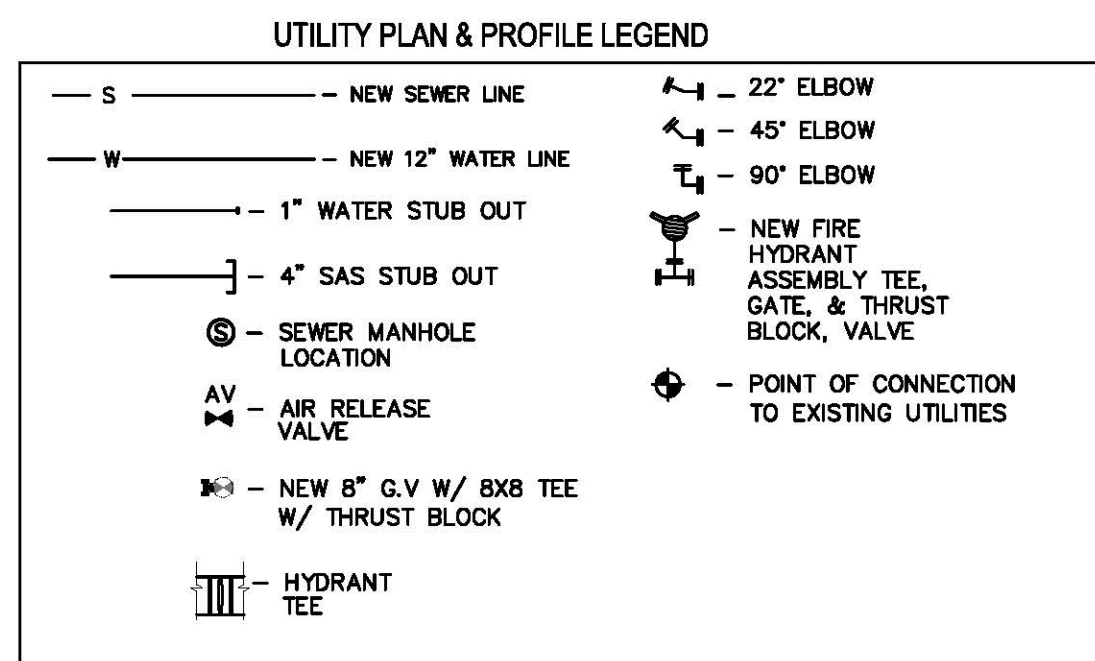
( IN FEET )  
1 inch = 50 ft.



PROFILE VIEW - CHITALPA CT  
STA: 00+00 TO STA: 2+77 END

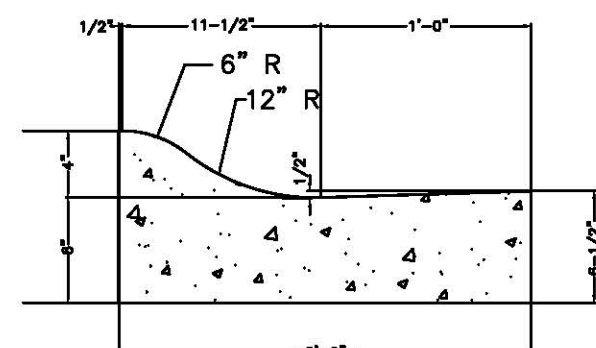
SCALE: HORIZ. 1" = 50'  
VERT. 1" = 5'

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THE EDDY COUNTY UTILITY COUNSEL BLUE STAKE PROCEDURES. ANY  
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RESPONSIBILITY.



TYPICAL STREET SECTION - 50' RW

NO SCALE

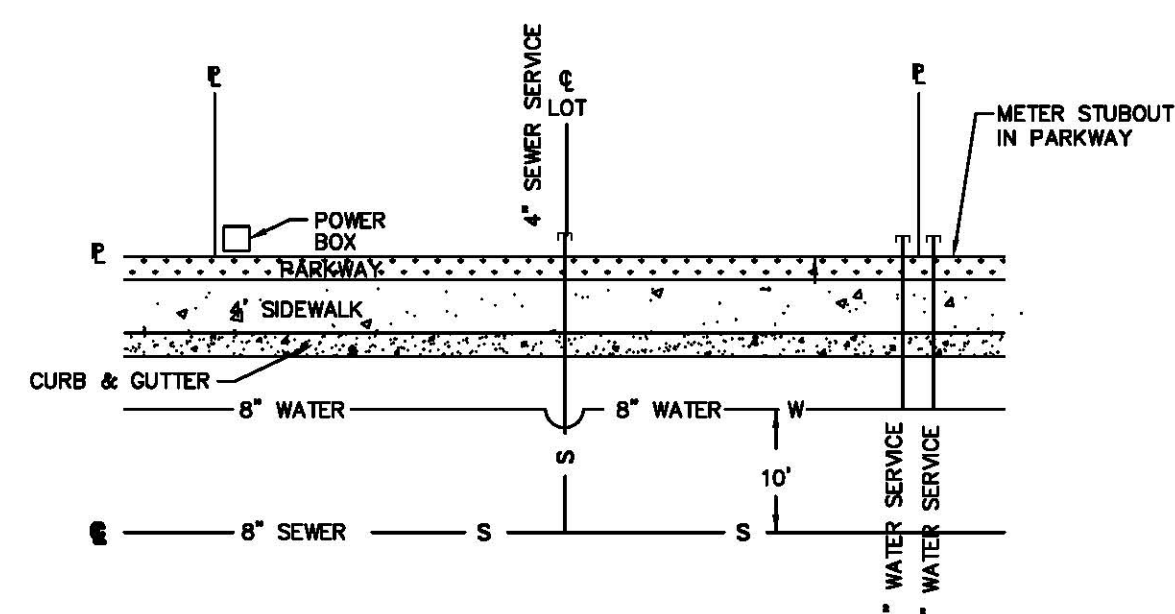


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TYPE "G" CURB & GUTTER

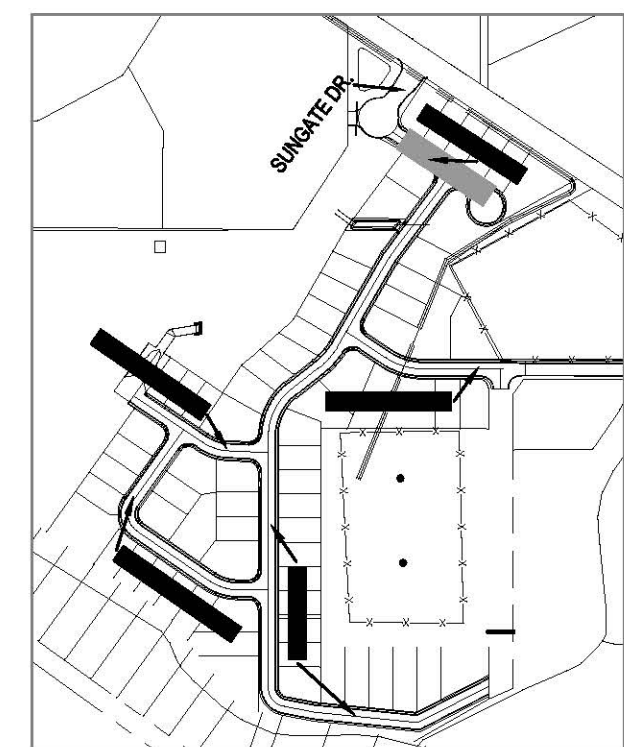
NO SCALE



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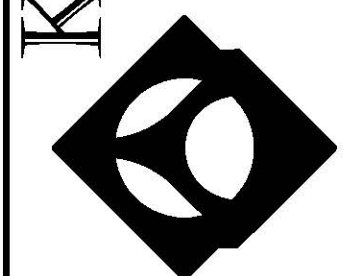
TYPICAL UTILITY LOCATION

NO SCALE



LOCATION MAP  
SCALE: NOT TO SCALE

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REV'D: \_\_\_\_\_

CRESTLINE SUBDIVISION

P-N-P STONEGATE DR & CHITALPA CT

SHEET NO. **C-8**

0:13:05 **Mayor Janway** asked if anyone would like to speak against the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.

0:13:14 **B. Consider Ordinance No 2015-11**

0:13:19 **Motion**

The motion was made by Councilor Carter and seconded by Councilor Nunley to approve Ordinance No. 2015-11, an Ordinance Amending Ordinance 2000-13 regarding Wellhead and Water Facilities Protection to clarify that a Permit must be obtained from the City prior to Drilling the Significant Impact Areas

0:13:26 **Vote**

The vote was as follows: Yes - Nunley, Shirley, Carter, Whitlock, Anaya Flores, Doporto, Doss; No - None; Absent - None; Ward 1 - Vacancy; The motion carried.

0:13:39 **7. CONSIDER APPROVAL OF ORDINANCE NO. 2015-14, AN ORDINANCE REZONING PART OF "R-2" RESIDENTIAL DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT AND APPROVAL OF CONCEPT PLAN FOR AN APPROXIMATELY 18.252 ACRE LOT, LOCATED ON THE SOUTH SIDE OF WEST CHERRY LANE, IN THE NE¼ OF THE SE ¼ OF SECTION 25, T21S R26E, LEGALLY DESCRIBED AS COPPERSTONE SUMMARY REPLAT #3 TRACTS 4 & 5, PURSUANT TO SECTION 3-21-1 ET. SEQ. NMSA 1978 AND SECTIONS 56-150(B) AND 56-140(I), CARLSBAD CODE OF ORDINANCES**

**Mr. Patterson** said this is a request for zone change from "R-2" to "PUD" Planned Unit Development. He explained the applicant is requesting to build single family housing in the neighborhood. He said the Planning and Zoning Commission has recommended approval.

**Councilor Shirley** asked what the advantage of "PUD" zoning is. **Mr. Patterson** said one of the differences the developer is requesting is the street width to be 50' not 60'. He said also the front set back is normally 30' and the applicant is asking for a minimum of 20'. He added the lot sizes and street frontage adhere to the City's single family residential zoning.

**Councilor Shirley** asked if the 20' setbacks are on Cherry Lane. **Mr. Patterson** responded that the 20' setbacks will be for the interior streets in the development.

**Councilor Carter** verified that the Spring Hollow Subdivision is also a "PUD" development. **Mr. Patterson** responded yes, Spring Hollow is a "PUD" development.

0:18:23 **A. Public Hearing**

0:18:24 **Mayor Janway** asked if anyone would like to speak in favor of the Ordinance.

**Ms. Shannon Summers**, CDOD, said she would like to speak in favor due to the housing issues in Carlsbad. She said the population is still growing and to continue with the growth additional housing is needed.

0:19:09 **Mr. Wyndall Bannigan** said he is present to confirm what he was told at the Planning and Zoning Commission Meeting. He said he was told once the concept plan is submitted; there can be no deviation from the plan without coming before Council. He said he has studied the proposal and he feels the proposal will make a less dense area and be in the comprehensive plan in reducing sprawl. He said for that reason he welcomes the proposal.

0:20:09 **Mr. Ken Thurston**, Developer of Spring Hollow, said he is in agreement with the development. He said he thinks the City needs the housing and he would like to see the development approved.

0:21:02 **Mayor Janway** asked if anyone would like to speak against the Ordinance. No one appeared and the Mayor declared the public hearing closed and reconvened the Council in regular session.

0:21:12 **B. Consider Ordinance No 2015-14**  
**Councilor Whitlock** asked how many residences are proposed for the development. **Mr. Patterson** responded 71 residences.

0:21:32 **Motion**  
 The motion was made by Councilor Whitlock and seconded by Councilor Carter to approve Ordinance No. 2015-14, an Ordinance Rezoning part of "R-2" Residential District to "PUD" Planned Unit Development and approval of Concept Plan for an approximately 18.252 acre lot, located on the South side of West Cherry Lane, in the NE1/4 of the SE1/4 of Section 25, T21S R25E, legally described as Copperstone Summary Replat #3 Tracts 4 & 5, Pursuant to Section 3-21-1 et. seq. NMSA 1978 and Sections 56-150(B) and 56-140(I), Carlsbad Code of Ordinances

0:21:36 **Vote**  
 The vote was as follows: Yes - Nunley, Shirley, Carter, Whitlock, Anaya Flores, Doporto, Doss; No - None; Absent - None; Ward 1 - Vacancy; The motion carried.

0:21:52 **8. CONSIDER RESOLUTION NO. 2015-27, A RESOLUTION REGARDING THE REQUIREMENTS FOR NOTICE OF PUBLIC MEETINGS OF THE GOVERNING BODY, BOARDS, COMMISSIONS, COMMITTEES, AGENCIES, AUTHORITIES, OR OTHER POLICYMAKING BODIES OF THE CITY OF CARLSBAD**

**MINUTES OF THE REGULAR MEETING OF THE**

**City of Carlsbad  
Planning & Zoning Commission**

**June 1, 2015, at 5:00 p.m.**

**Meeting Held in the Planning Room**



CITY OF CARLSBAD  
CARLSBAD, NEW MEXICO

PLANNING AND ZONING COMMISSION  
REGULAR MEETING

Monday, June 1, 2015, at 5:00 PM

Municipal Building 101 N. Halagueno Street  
Planning Room (Second Floor)

1. Roll call of voting members and determination of quorum.
2. Approval of Agenda.
3. Approval of Minutes from the Meeting held May 4, 2015.
4. Consider a recommendation of a zone change at 709 N. Lake St. from "R-1" Residential District to "C-2" Commercial District.
5. Consider a recommendation of a zone change at the property located on the south side of W. Cherry Ln. in Section 25 T21S R26E NMPM, from "R-2" Residential District to Planned Unit Development (PUD).
6. Consider a request to name a private road, Annie Oakley Ln., located off Cowboy Country Ln. west of Farmview Subdivision.
7. Consider a request to name four private roads, Crabb St., Willow St., Redbud St., and Sunwest Ln., in Sunwest Temporary Use Park.
8. Consider a request to name a private road of National Parks Hwy. located across from Hidalgo Rd.
9. Consider the extension of the deadline for the submission of a Final PUD Plan, Development Agreement, and Construction Plans for the El Dorado Development.
10. Report regarding plats approved through Summary Review Process.
11. Adjourn.

If you require hearing interpreters, language interpreters, auxiliary aids in order to attend and participate in the above meeting, please contact the City Administrator's offices at (575) 887-1191 at least 48 hours prior to the scheduled meeting.

**MINUTES OF A REGULAR MEETING OF THE CITY OF CARLSBAD PLANNING & ZONING COMMISSION HELD IN THE MUNICIPAL BUILDING PLANNING ROOM, 101 N. HALAGUENO STREET, JUNE 1, 2015, AT 5:00 P.M.**

**VOTING MEMBERS PRESENT:**

**JAMES KNOTT  
JAMES MCCORMICK  
WANDA DURHAM  
EDDIE RODRIGUEZ  
LASON BARNEY**

**CHAIRPERSON  
COMMISSION SECRETARY  
COMMISSIONER  
COMMISSIONER  
COMMISSIONER**

**VOTING MEMBERS ABSENT: NONE**

**EX-OFFICIO MEMBERS PRESENT:**

**JEFF PATTERSON  
GEORGIA GOAD**

**PLANNING DIRECTOR  
PLANNING DEPUTY DIRECTOR**

**SECRETARY PRESENT:**

**PATTIE PISTOLE**

**PLANNING, ENGINEERING  
AND REGULATION DEPARTMENT  
SECRETARY**

**OTHERS PRESENT:**

**DANNY SMITH  
ZACHARY THEUS  
PHIL CARRELL  
WENDELL BANIGAN  
OLIVIA BERNAL  
FRED TOOTHMAN  
SHANNON SUMMERS  
DANIEL FERNANDEZ  
DAVID CHURCH  
MARIA ELENA KELLY**

**1611 N. MESA  
CRESTLINE  
2602 STANDPIPE  
1613 N. MESA  
708 N. LAKE  
1713 SANDY LANE  
CDOD  
LAS CRUCES  
LAS CRUCES  
705 N. LAKE**

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

0:00:00      Start Recording [4:59:42 PM]

0:00:11      **1. Roll call of voting members and determination of quorum.**

Roll was called, confirming the presence of a quorum of commission members. Present – **Ms. Durham, Mr. Knott, Mr. McCormick, Mr. Rodriguez, Mr. Barney**; Absent –None.

0:00:26      **2. Approval of Agenda.**

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

0:00:52      **3. Approval of Minutes from the Meeting held May 4, 2015.**

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

0:01:49      **4. Consider a recommendation of a zone change at 709 N. Lake St. from “R-1” Residential District to “C-2” Commercial District.**

**Mr. Patterson** explained that the applicant wants to combine this lot with his two lots to the north, in order to expand his car wash. The other two lots are already zoned C-2. Staff recommended approval. **Mr. Carrell** added that he will be expanding his business anyway, but this lot would make a better exit/entrance (since it is not on Church Street, which is a busy street). He said he wants to pave and fence the property to keep it maintained and clean. During public comment, both **Ms. Bernal** and **Ms. Kelly** spoke against the proposal, citing noise, traffic, asthma-related health issues, and strangers in the area where kids play.

**Mr. McCormick** made a motion to recommend approval of the Zone Change. **Ms. Durham** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. Knott, Mr. McCormick, Mr. Rodriguez**; No – **Mr. Barney**; Abstained – None; Absent – None. The motion carried.

0:23:56      **5. Consider a recommendation of a zone change at the property located on the south side of W. Cherry Ln. in Section 25 T21S R26E NMPM, from “R-2” Residential District to Planned Unit Development (PUD).**

**Mr. Church**, engineer on the project, and **Mr. Theus**, from Crestline, came forward to represent the issue. **Mr. Patterson** explained that the PUD zoning would better suit the applicant’s concept plan. There is a two-step process for the plan. First, they present an overview, a general description of the concept. After approval of the Zone Change by Council, the applicant will have one year to flesh out the plan and sign the development agreement. Staff recommended approval. The plan shows where the roads and drainage ponds are being dedicated to the City. **Mr. Church** said that they had decided that less density would be better for the area. There will be 71 properties southeast of the existing apartments. There will be a 50’ right of way and curb and gutters on all the streets, which will help drain runoff from Cherry and Callaway. There will be three ways into the site. During public comment, **Mr. Toothman** had several questions, which were answered by Mr. Patterson and Mr. Church. **Mr. Banigan** stated that he just wanted to be sure the character of the area was maintained, and that no trailers were put in. **Ms. Summer** said she wanted to encourage the PUD zoning, if that is what is needed for this construction. She was in favor.

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

0:55:04      **6. Consider a request to name a private road, Annie Oakley Ln., located off Cowboy Country Ln. west of Farmview Subdivision.**

**Mr. Patterson** explained that the City is the applicant for the request. The name is required for E911 purposes. There was no public comment.

**Mr. McCormick** made a motion to approve the naming the private road Annie Oakley Lane. **Mr. Rodriguez** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. Knott, Mr. McCormick, Mr. Rodriguez, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

0:59:25      **7. Consider a request to name four private roads, Crabb St., Willow St., Redbud St., and Sunwest Ln., in Sunwest Temporary Use Park.**

**Mr. Patterson** stated that the developer had requested names for the roads for E911 purposes. **Mr. Knott**, the owner of Sunwest Park, asked who puts up the signs for the roads. **Mr. Patterson** explained that the signs and maintenance are the responsibility of the landowner, since it is a private road. There was no public comment.

**Mr. McCormick** made a motion to approve the naming of the four private roads—Crabb Street, Willow Street, Redbud Street, and Sunwest Lane. **Mr. Rodriguez** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. McCormick, Mr. Rodriguez, Mr. Barney**; No – None; Abstained – **Mr. Knott**; Absent – None. The motion carried.

1:03:03      **8. Consider a request to name a private road of National Parks Hwy. located across from Hidalgo Rd.**

**Mr. Patterson** said that the City is not in a position to take over the road, which is directly across from Hidalgo, but it needs to have a name for E911. If it was named Hidalgo, there might be confusion over the ownership. There might also be confusion because the dividing line for addressing is National Parks Highway. There was no public comment.

**Mr. Rodriguez** made a motion to recommend approval of naming the private road Energy Drive. **Ms. Durham** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. Knott, Mr. McCormick, Mr. Rodriguez, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

1:09:31      **9. Consider the extension of the deadline for the submission of a Final PUD Plan, Development Agreement, and Construction Plans for the El Dorado Development.**

**Mr. Patterson** explained that the applicant wants an extension because they haven't found a final developer. Whoever takes over, however, will have to stick to the basic concept plan already approved. Otherwise, the new developer will have to start the process over for approval of a PUD. Staff recommended approval of the extension. During public comment, **Ms. Summers** said that she had met with Mr. Sells (agent for the property owner), who had met with multiple developers. The lack of infrastructure has been a hindrance to developers. She was in favor of the extension.



**Ms. Durham** made a motion to recommend approval of the Extension. **Mr. Barney** seconded the motion. The vote was as follows: **Yes – Ms. Durham, Mr. Knott, Mr. McCormick, Mr. Rodriguez, Mr. Barney**; No – None; Abstained – None; Absent – None. The motion carried.

1:20:30      **10. Report regarding plats approved through Summary Review process.**

There was discussion of the plats signed by the commission designees during the months of May.

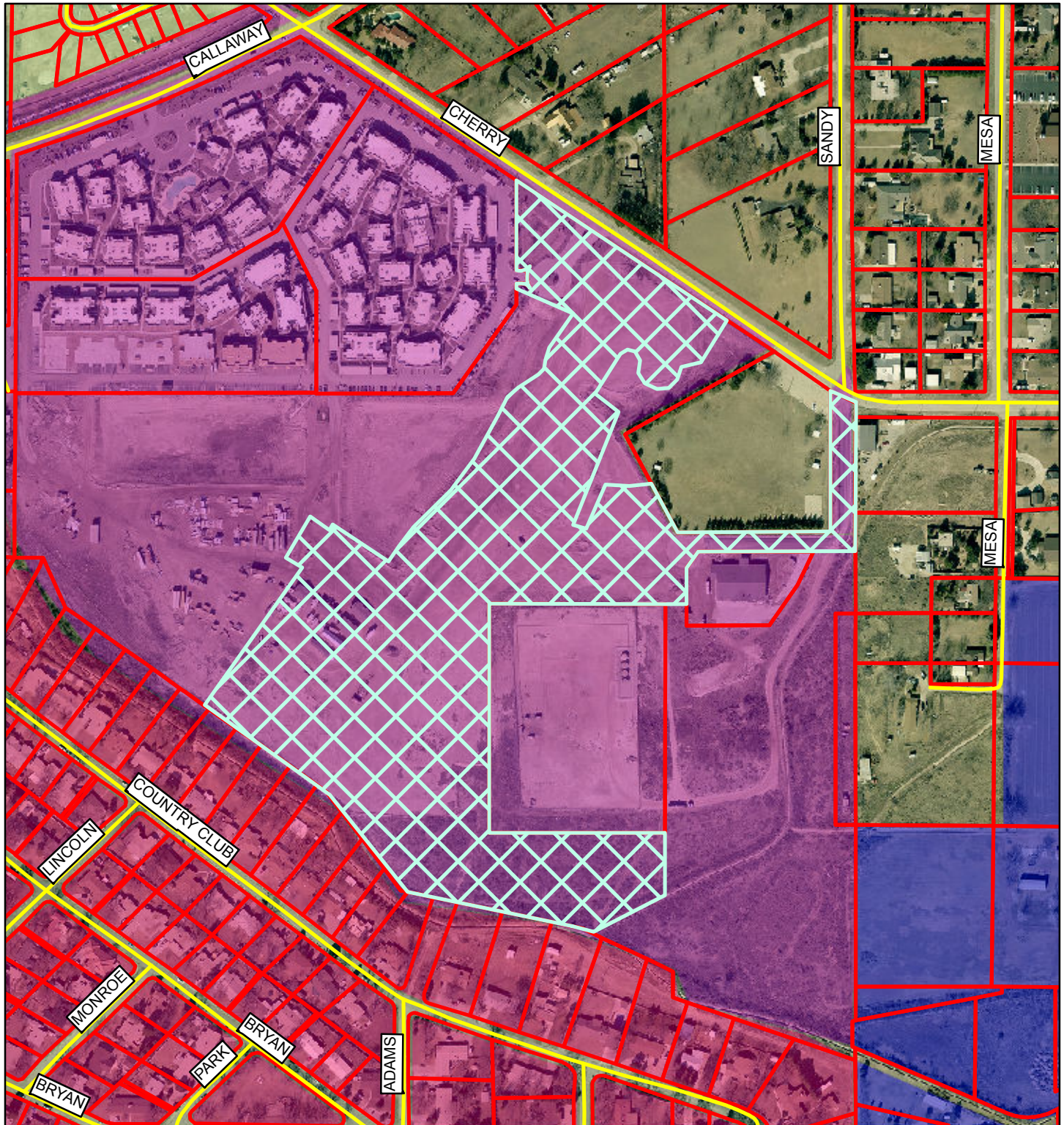
1:22:39      **11. Adjourn.**

There being no further business, the meeting was adjourned.

1:22:45      Stop Recording [6:23:01 PM]

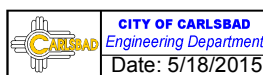
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Chairman

\_\_\_\_\_  
Date



# Legend

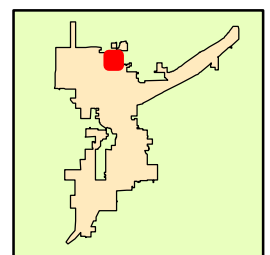
- |  |                  |             |     |
|--|------------------|-------------|-----|
|  | Roads            | <b>Zone</b> | R-1 |
|  | Area of Interest | PUD         | R-2 |
|  | Parcel           |             | R-R |



Creator: Heather Roy



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





# **MASTER DRAINAGE STUDY**

## **CRESTLINE SUBDIVISION and COPPERSTONE APARTMENT PROJECT**

located in

**CARLSBAD, NEW MEXICO  
PREPARED FOR**

**Mr. Dave Parmeter  
Crestline Building Corporation.**

**Original Report  
May 24 , 2011**

**Updated for Crestline Subdivision  
September 24, 2015**

**This document was prepared under the supervision and direction of the undersigned whose seal as a Professional Engineer, licensed to practice as such in the State of New Mexico, is affixed below.**

**DAVID B.CHURCH N.M.R.P.E. # 10139**

**Date: 9-30-2015**



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## **Master Drainage Study**

### **INTRODUCTION**

This Master Drainage Study was performed for the Crestline Subdivision and Copperstone Apartment Project, located in Carlsbad, New Mexico. The entire property consists of a approximate 69.2 acre land tract, which is has been developed for a phased apartment complex and a residential subdivision (Crestline Subdivision). This particular location is generally south of the intersection of Calloway and West Cherry Lane in Carlsbad, New Mexico.

The project site is shown on the project location map. It is the intent of the development to collect and contain all 100-year storm water rainfall and runoff on the site. The proposed on site storm water collection areas on the site will provide adequate volume for storage of the storm water collected from the Crestline Subdivision and the apartment areas. The main storm water ponding areas located throughout the site are proposed to be improved for storm water ponding and open space. The developer would like to continue explore the opportunity to contribute to the City of Carlsbad by allowing the City to use these storm water ponding areas for the drainage from the Calloway Street Project with the consideration of taking over operation and maintenance of the storm water ponding areas. A review of FEMA map 35013C0633E shows the site is in Zone X, indicating areas outside of the 100-year flood plain.

At the current time the owner has completed the first three phases of the Copperstone Apartment Complex and has one Phase (Phase IV) of the Apartment Complex reserved for future development. The owner is proposing to move forward with the Crestline Subdivision (70 lots), which was approved in concept by the City of Carlsbad Planning & Zoning Commission at the PUD Level.

This master drainage report assumes that the runoff generated from the site is in the developed state with all of the apartments complete and the subdivision lots developed with City of Carlsbad street sections as indicated on the site PUD master plan. We are planning the site drainage system to control the runoff in the fully developed condition.

### **SCOPE OF INVESTIGATION**

The objectives of this investigation are:

1. Determine the probable external and internal drainage areas responsible for runoff in the development.
2. Determine rainfall and runoff for the development for a 100-year frequency storm.
3. Determine drainage characteristics of the developed area and outline procedures for the creation of storm water collection areas to provide positive drainage for each property.



## CLIMATE

The climate of the area around the Pecos Valley is mild, arid continental type, which is characterized by fairly hot summers and mild winters with warm spring and fall seasons. The air is normally clear and dry with considerable annual and diurnal fluctuations in temperature. Most of the rainfall occurs in the form of summer thunderstorms. The most active thunderstorm season is typically June to late September. These storms are of short duration and result from convective and/or orographic lifting of air masses. The more intense of these storms follow a period of inflow of warm air originating in the Gulf of Mexico. A moist air mass invading the area from the southeast has shown to be the most likely to produce large scale storm events. Occasional precipitation occurs as a result of an invasion of tropical Pacific air. Frontal activity is most prevalent in the area during western fronts and is accompanied by rain or snow of light intensity.

## RAINFALL

The average annual rainfall around the Carlsbad Area is approximately 14 inches. (National Oceanic and Atmospheric Administration (N.O.A.A.). More than half of the total rainfall occurs during the summer months. The most severe storms usually occur during the period of July through September. Exhibit 2-2 of the Soil Conservation Service Field Manual for Estimating Runoff, shows 100-year, 24-hour rainfall intervals in tenths of an inch for the Pecos Valley area which were developed from data reported by N.O.A.A. Data from all of the one-hour recording stations in New Mexico were used to develop these iso-pluvials by N.O.A.A. The 100-year, 24-hour precipitation for this area is estimated to be 5.0 inches. The value of  $P-100_{24} = 5.00$ " rainfall is used in this drainage study. The 25-year, 24-hour precipitation for this area is estimated to be 4.0 inches. The value of  $P-25_{24} = 4.00$ " rainfall is used in this drainage study.

## GENERAL DRAINAGE CHARACTERISTICS

The Crestline Subdivision and Copperstone Apartment Project is located in the northern portion of Carlsbad, New Mexico. The existing site consists of undeveloped land and includes an area of formerly farmed land. Rainfall falling on the northwest portion of the site (approximately 58.15 acres) is currently retained on site in the flat farmed area. It should be noted that the site consists of 63.842 acres, but the drainage analysis will include the 5.198 acre tract that is a well site that is located within the property boundaries. The southeast portion of the site (approximately 10.528 acres) drains to the southeast. The drainage pattern on the site is stable.

There is a small amount of offsite drainage entering the site from the adjacent roadways (Calloway and West Cherry Lane). These storm flows will be allowed to flow into the site via the driveways. The flows will be routed to the storm water ponding area to be located in the center of the site. In addition, the Park on West Cherry drains into the site. Storm runoff from the park will be collected and routed to the ponding areas on the site.

## HYDROLOGIC SOILS CLASSIFICATION

Hydrologic soil classification for the site was determined from soil survey information available from Soil Conservation Service Web Soil Survey.

The soil survey map shows that the soil types on the site consist of:

Upton- Uo, Ut, Ub,

The soil is well drained with percolation rates ranging from .8 to 2.5 inches / hour.

and Reagan Loam- Rc and Anthony Sandy Loam- Ao.

The soil is well drained with percolation rates ranging from .8 to 2.5 inches / hour.

and Anthony Sandy Loam- Ao

The soil is well drained with percolation rates ranging from 2.5 to 5 inches / hour.

A site map is attached depicting the location of the S.C.S. Data concerning soil type on the site.

## SCS SOILS – CN VALUES

### Undeveloped Values On- Site Areas

	Drainage Area 1 -58.51 acres				Drainage Area 2 – 10.53 acres			
	Soil Type	CN	Area(ac.)	% sub area	Soil Type	CN	Area	% sub area
Upton- Uo, Ut, Ub,	C	85	36.43	62.3%	C	85	4.32	41%
Reagan Loam- Rc	B	86	17.25	29.4%	n/a			
Anthony Loam-Ao.	B	77	4.83	8.3%	C	85	6.21	59%
Composite Cn –(undev.)		85				85		

## Soil Conservation Service (SCS) DEVELOPED SITE – CN VALUES

### Developed Values

Apartment Drainage Area CN VALUES (Phase 1-3 Shown)				
Land Use	% Area	CN	Area(ac.)	COMPOSITE CN
Apartments & Grounds	52%	98	10.60	92
	48%	85		
Parking Lot & Landscape Areas	84%	98	7.56	96
	16%	85		
Total Area 1			18.16	94 Composite CN DEVELOPED

# **Soil Conservation Service (SCS) DEVELOPED SITE – CN VALUES (continued)**

<b>Ponding Area CN VALUES</b>				
<b>Land Use</b>	<b>% Area</b>	<b>CN</b>	<b>Area(ac.)</b>	<b>COMPOSITE CN</b>
Stormwater Ponding	100%	85	6.33	85
<b>Total Area 2</b>			<b>6.33</b>	<b>85 Composite CN DEVELOPED</b>
<b>Subdivision Drainage Area CN VALUES</b>				
<b>Land Use</b>	<b>% Area</b>	<b>CN</b>	<b>Area(ac.)</b>	<b>COMPOSITE CN</b>
<b>Subdivision Area</b>				
Proposed Street Areas	100%	98	3.96	98
Proposed House Pad Areas & Drive Pads	100%	98	4.18	98
Proposed Lot Areas	100%	78	11.80	78
Existing Well Lease Area Upton- Uo, Ut, Ub,	100%	78	5.20	78
<b>Total Area 3</b>			<b>25.14</b>	<b>85 Composite CN DEVELOPED</b>



## HYDROGRAPHS

The hydrographs for the 100 year storm volume and 100 year storm peak flows were created using the Corp of Engineer's HEC-HMS Model. The various sub areas were input into the model as outlined above with area, CN values, and time of concentration as variables for each sub-basin. The time of concentration for small sub-basins was set at 5 minutes (minimum value). The output from the HEC-HMS is summarized below. The complete printouts are attached in the appendix.

### Hydrograph Input/Output Summary Tables

#### Area 1 Undev

Area Ac.	Cn	Length ft.	Elevation Change-ft.	Slope(ave.) ft/ft	V ft./sec.	Tc min.	Rainfall inches/24 hr	Flow CFS	Volume AC.FT.
56.61	85	550' +/-	8'-12' +/-	.018	1.5	5(min.)	5.0	206	15.9

#### Area 2 Undev

12.60	85	780' +/-	16' +/-	.020	2.0	5(min.)	5.0	46	3.5
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#### Area 1 Existing Apartments Developed – AREA 1 EXIST DEV

Area Ac.	Cn	Length ft.	Elevation Change-ft.	Slope(ave.) ft/ft	V ft./sec.	Tc minutes	Rainfall inches/24 hr	Flow CFS	Volume AC.FT.
18.33	94	842' +/-	8' +/-	.011	2.0	5(min.)	5.0	80.5	6.6

#### Area 2 Future Apartments Developed- AREA 2 FUT DEV

6.81	94	555' +/-	3' +/-	.005	1.9	5(min)	5.0	29.9	2.4
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#### Area 3 Crestline Subdivision – AREA 3 CREST SUB DEV

25.14	85	1,774' +/-	8' +/-	.005	1.9	9(min.)	5.0	84.9	7.0
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#### Area 4 Ponding Areas – AREA 4 PONDING AREA

6.33	85	100' +/-	14' +/-	.14	4.0	5(min.)	5.0	13.6	1.9
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#### Area 5 SOUTHEAST AREA – AREA 5 UNDEVELOPED AREA

12.60	85	780' +/-	16' +/-	.02	2.0	5(min.)	5.0	46	3.5
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The two large pond(s) will take the storm water runoff from the site runoff. There will be a channel that will convey the runoff from the Cherry Street Park to the large storm water ponding areas. The above outlined hydrographs indicate the storm volume for the entire site. An additional hydrograph(area 5) was computed using the land areas draining to the separate ponding areas that may need to located on the site to check for system volume capacity. The storm water ponds that will be located on the southeast corner of the site receives water from a developed area of approximately 12.6 acres., with a CN of 85 and time of concentration 5 minutes. The total volume of the ponds will need to have a volume of approximately 3.5 acre feet. Actual development of the area may facilitate the need to revise the runoff values to reflect the actual development that occurs.

## Storm Water Ponding Areas

The Copperstone project proposes the construction of five ponding areas to control runoff from the apartment site, the majority of the townhouse area, the well site and the offsite flows from Cherry Street Park and adjacent roadways. The total storm water ponding volume available is 40 .4 acre-feet while the total volume of the 100 year storm runoff is estimated to be 17.8 acre feet. The ponding area was modeled using the HEC-HMS Model and the resulting maximum water surface elevation was 3,116.9 ft.

The storm water ponding area stage-storage volumes are calculated and shown on the figure 1.

### Storm Water Ponding Area Percolation:

#### Soil Type Rc

The expected rate of percolation of the existing soil type is in the range of .8-2.5 inches/hour

Using an average value of 1.6 inches per hour the 6.9 feet of storm water collected in a 100 year storm event is expected to percolate in approximately 52 hours on average. (2.2 days)

Calculation:  $6.9 \text{ ft} \times 12 \text{ in /ft} / 1.6 \text{ inches hours} = 51.75 \text{ hours}$  O.K. < less than 3 days(72 hours)

## OPERATION AND MAINTENANCE OF STORMWATER PONDING AREAS

It is proposed that the large ponding area be considered to be turned over to the City of Carlsbad for use as multi-purpose open space and storm water control areas at a future date as the project continues to be developed. The City of Carlsbad Public Works Department and the owner are expected to pursue the details of the proposal. At the current time, the owner will be responsible for the operation and maintenance of the storm water ponding areas within the development.

## STREET SECTION HYDRAULICS

The 25 year storm flow for the Crestline subdivision is 62.2 CFS. Seventy –five percent of the flow is routed to the northwest and 25 % is routed to the 'Cherry Park' channel. Thus the storm water flow in the street at the entrance to the northwest run-down is  $.75 \times 62.2 = 46.6$  of 47 CFS. (worst case)

Roadway characteristics : Roadway slope -  $s = .005$  ft./ft, Width = 36' Curb Height - .5' or 6 "  
Cross slope .005 ft./ft.

The conveyance in the Street Section at Curb Height of flow is:

$$Q = 1.49 \times A \times R_h^{2/3} \times S^{1/2} / n \text{ (manning formula)}$$

Where:

A = Area of flow sf

$R_h$  = Hydraulic Radius = Area-sf/ Wetted Perimeter- ft

S = slope ft./ft.

n = roughness coefficient for paving  $n = .016$

Cross Slope = .005 ft/ft.

Area = 14.28 sf

$W_p = 34.8$  ft

$R_h = 14.28/34.8 = .41$        $R_h^{2/3} = .55$

$S = .005$        $S^{1/2} = .071$

Q cfs (conveyance in street) =  $1.49 \times 14.28 \times .55 \times .071 / .016 = 52$  cfs

Q-25 = 47 cfs OK

## CONCLUSIONS AND RECOMMENDATIONS

As can be seen using the site grading plan, output hydrographs and analysis, with the storm water ponding volumes to be created by the project development, the Crestline Subdivision and Copperstone Project has provided the ponding capacity to safely retain the storm runoff from the developed site areas and the contributing offsite areas as shown on the attached grading site plan.

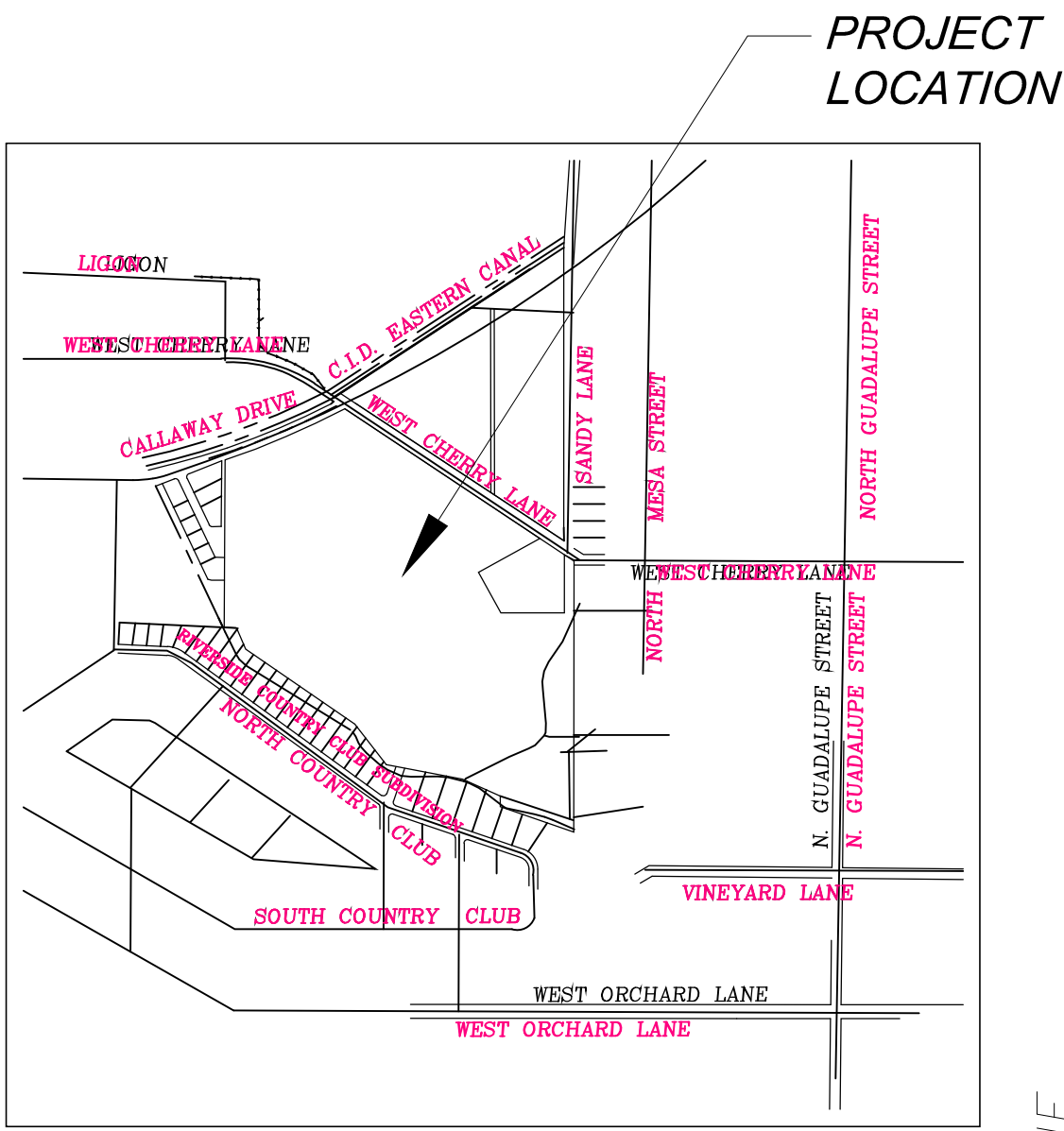
The development of this project can be accomplished with the use of the on-site storm water detention facilities to capture and control storm water runoff generated from the Crestline Subdivision and the adjacent Apartment Complex project.

## END OF REPORT

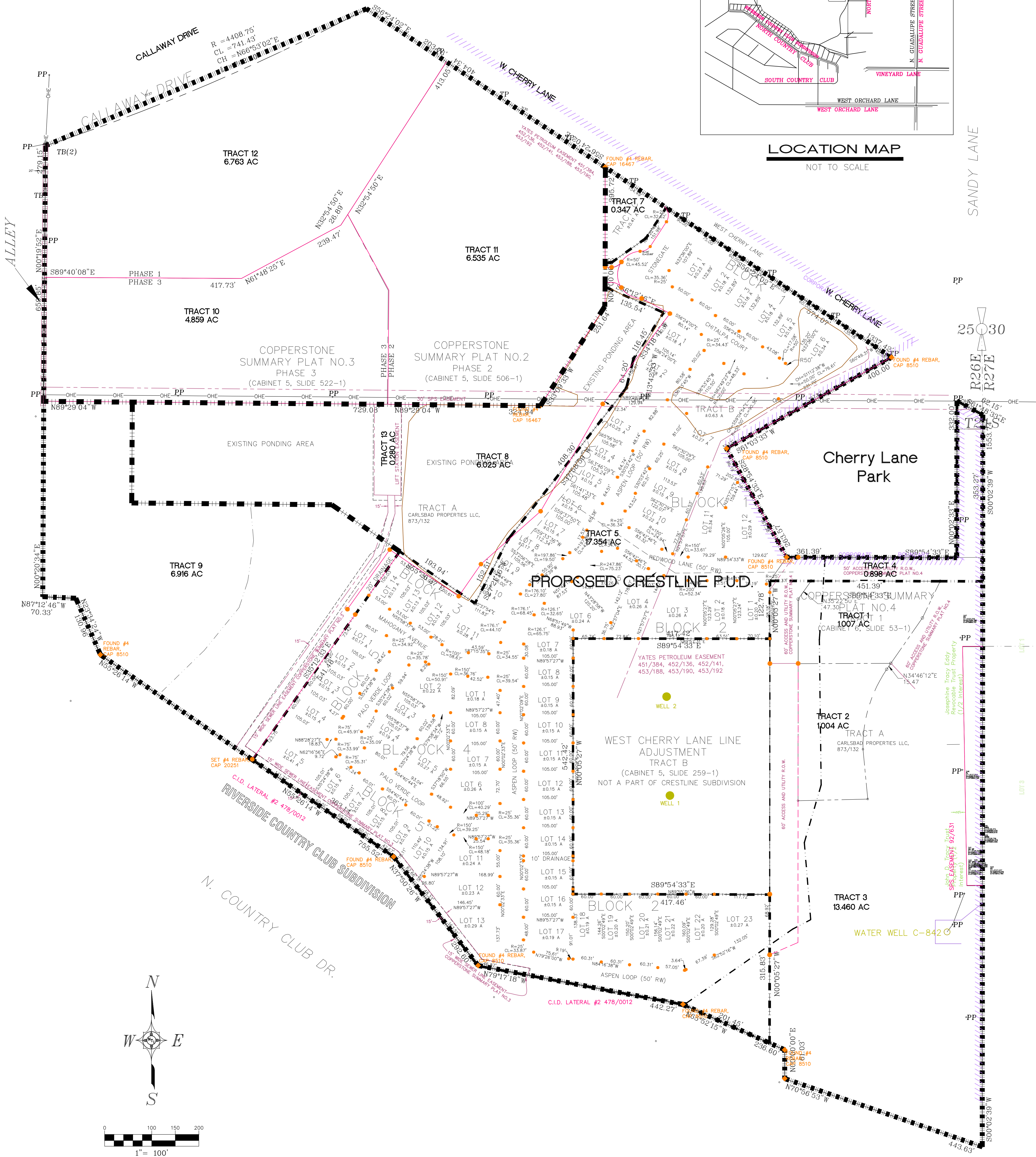


DESCRIPTION OF CRESTLINE P.U.D. TRACT

A 18.252 ACRE TRACT BEING THE PORTION OF LANDS KNOWN AS TRACT 4, & TRACT 5 WHICH IS PART OF A 50.108 ACRE TRACT OF LAND KNOWN AS COPPERSTONE SUMMARY REPLAT #3 OFFICIAL PLAT RECORDED ON JUNE 19TH. 2012, CABINET 5, SLIDE #522-1 WITHIN SECTION 25, T.21S., R.26E., N.M.P.M. OF THE U.S.G.L.O. SURVEYS, MAP RECORDS IN THE OFFICE OF THE COUNTY CLERK OF EDDY COUNTY, CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO



LOCATION MAP  
NOT TO SCALE





CRESTLINE PONDING AREA 1							CRESTLINE PONDING AREA 2					POND 1 + POND 2	
ELEVATION	AREA-SF		AREA - ACRES		VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.	ELEVATION	AREA-SF		AREA - ACRES	VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.
3,110	6,928		0.159		0	0.00	3,110	5,753		0.132	0	0.00	0.00
3,111	14,002		0.321		0.240	0.240	3,111	18,882		0.433	0.283	0.283	0.52
3,112	28,346		0.651		0.486	0.726	3,112	31,170		0.716	0.575	0.857	1.58
3,113	36,501		0.838		0.744	1.471	3,113	43,280		0.994	0.855	1.712	3.18
3,114	41,854		0.961		0.899	2.370	3,114	54,485		1.251	1.122	2.834	5.20
3,115	46,153		1.060		1.010	3.380	3,115	62,769		1.441	1.346	4.180	7.56
3,116	50,565		1.161		1.110	4.490	3,116	75,967		1.744	1.592	5.772	10.26
3,117	55,087		1.265		1.213	5.703	3,117	81,664		1.875	1.809	7.582	13.28
3,118	59,719		1.371		1.318	7.021	3,118	87,423		2.007	1.941	9.523	16.54
3,119	64,460		1.480		1.425	8.446	3,119	93,312		2.142	2.075	11.597	20.04
3,120	69,309		1.591		1.535	9.982	3,120	99,308		2.280	2.211	13.808	23.79
3,121	74,269		1.705		1.648	11.630	3,121	105,411		2.420	2.350	16.158	27.79
3,122	79,339		1.821		1.763	13.393	3,122	111,621		2.562	2.491	18.649	32.04
3,123	84,523		1.940		1.881	15.274	3,123	127,955		2.937	2.750	21.399	36.67
Water Surface Elevation 3124 Extends Over Both Ponds													
3,124	239,105		5.489		3.715	18.989	3,124						40.39



## NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations table contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations (BFEs)** shown on this map apply only landward of 0.6 North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was State Plane New Mexico East FIPS 3001. The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NDA, NNGS12  
National Geodetic Survey  
SSMC-3, #9202  
1515 East-West Highway  
Silver Spring, Maryland 20910-3282  
(301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was provided in digital format by the Eddy County Geographical Information Systems and Rural Addressing Department.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the FEMA Map Service Center at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://www.msc.fema.gov/>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2827) or visit the FEMA website at [www.fema.gov](http://www.fema.gov).

## LEGEND

## SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

## FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

## OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

## OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

## COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

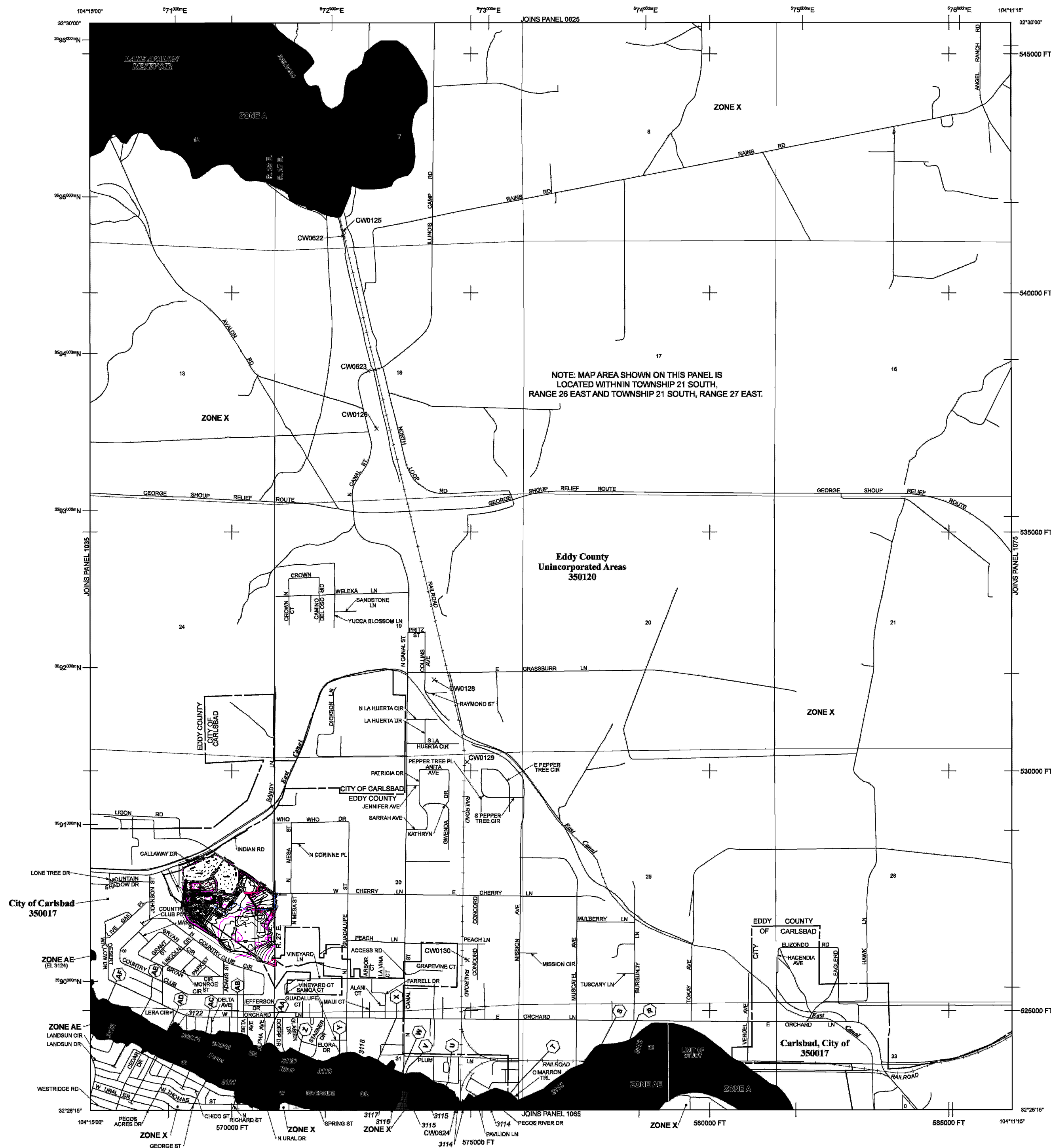
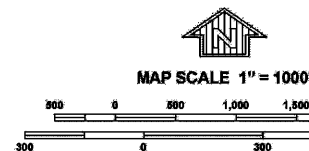
## OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities
- Base Flood Elevation line and value; elevation in feet\*
- Base Flood Elevation value where uniform within zone; elevation in feet\*
- \* Referenced to the North American Vertical Datum of 1988
- Cross section line
- Traverse line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-meter Universal Transverse Mercator grid ticks, zone 13
- 5000-foot grid values; New Mexico State Plane coordinate system, East Zone (FIPSZONE = 3001), Lambert projection
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- DX5510
- M1.5
- MAP REPOSITORIES
- Refer to Map Repositories list on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP
- JUNE 4, 2010
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 1055D**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**EDDY COUNTY,**

**NEW MEXICO**

**AND INCORPORATED AREAS**

**PANEL 1055 OF 2000**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	D	DATE
CARLSBAD, CITY OF	350117	1055	D
EDDY COUNTY	350125	1055	D
UNINCORPORATED AREAS			

Notes to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**

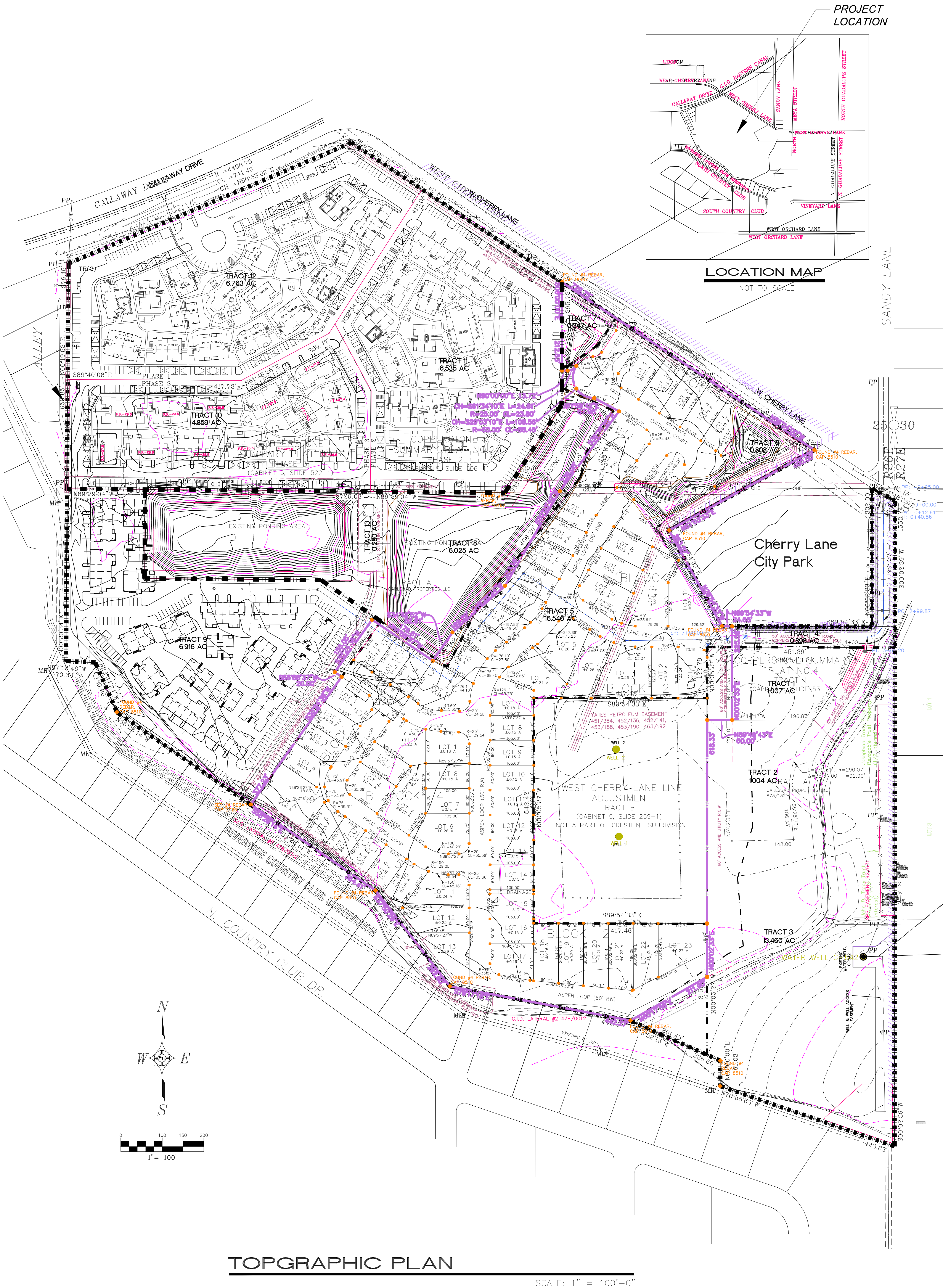
**35015C1055D**

**EFFECTIVE DATE**

**JUNE 4, 2010**

**Federal Emergency Management Agency**





SHEET NO.

D3

Carlsbad CopperStone New Road

West Cherry Lane

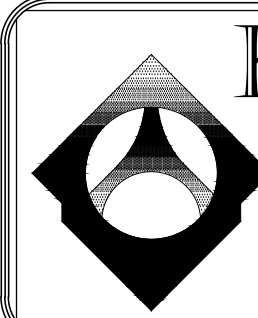
CARLSBAD NEW MEXICO 88220

OVERALL SITE PLAN

REVISIONS

DATE: 11/17/14

REV'D:



KD ENGINEERING

1880 E. LOHMAN AVE. LAS CRUCES, NM 88001

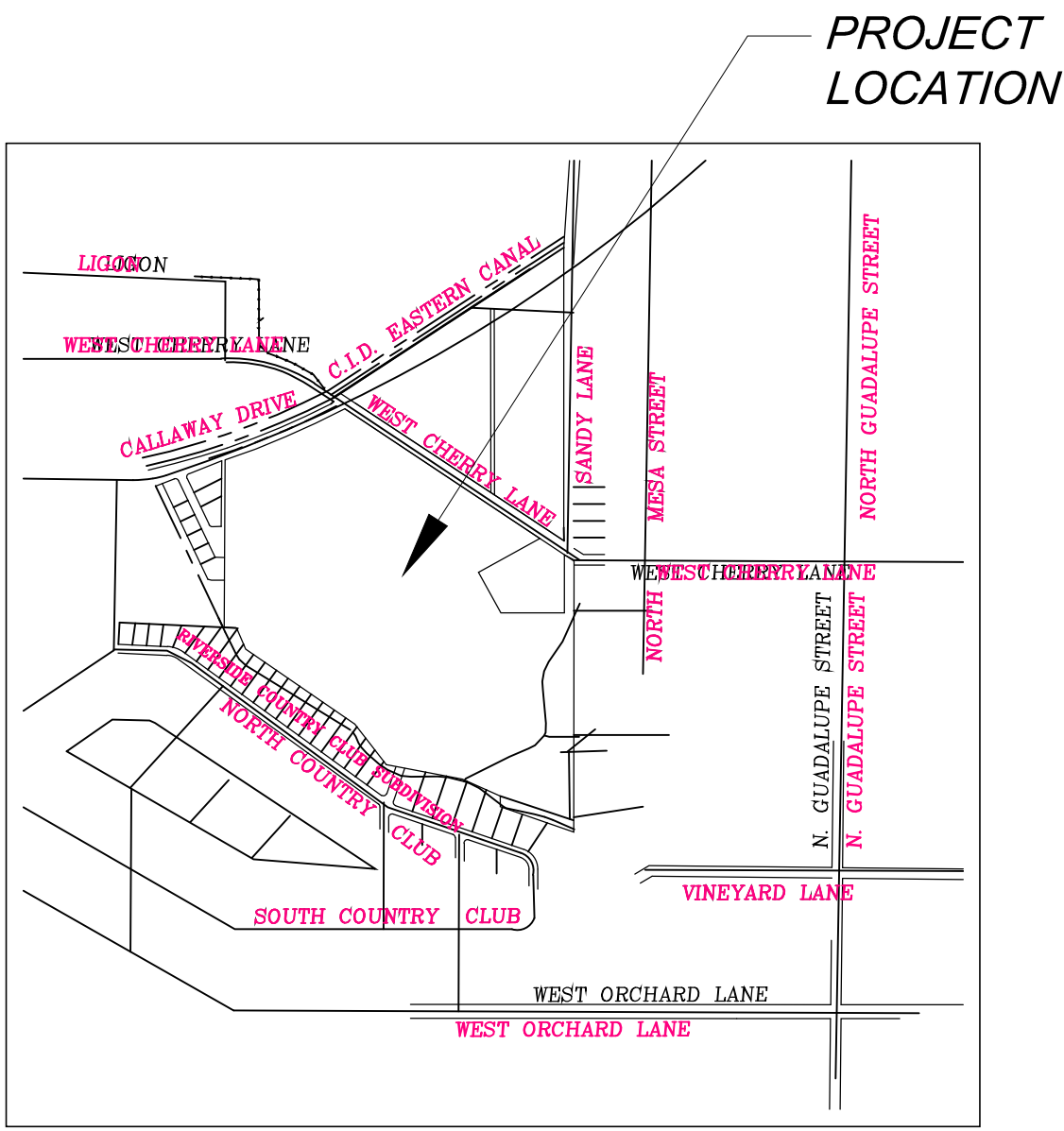
CIVIL & MECHANICAL ENGINEERING

DAVID B. CHURCH, P.E.

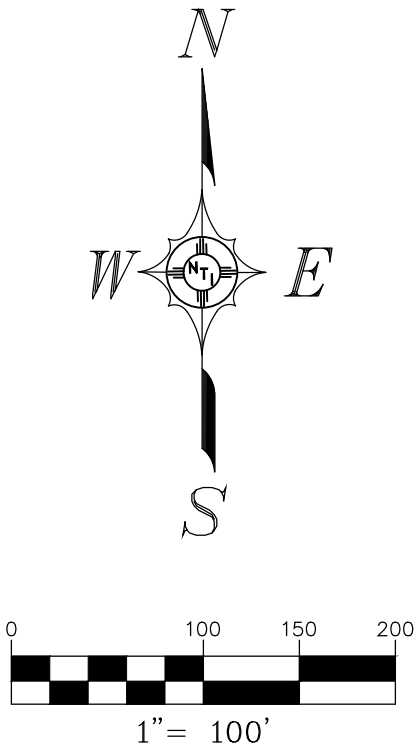
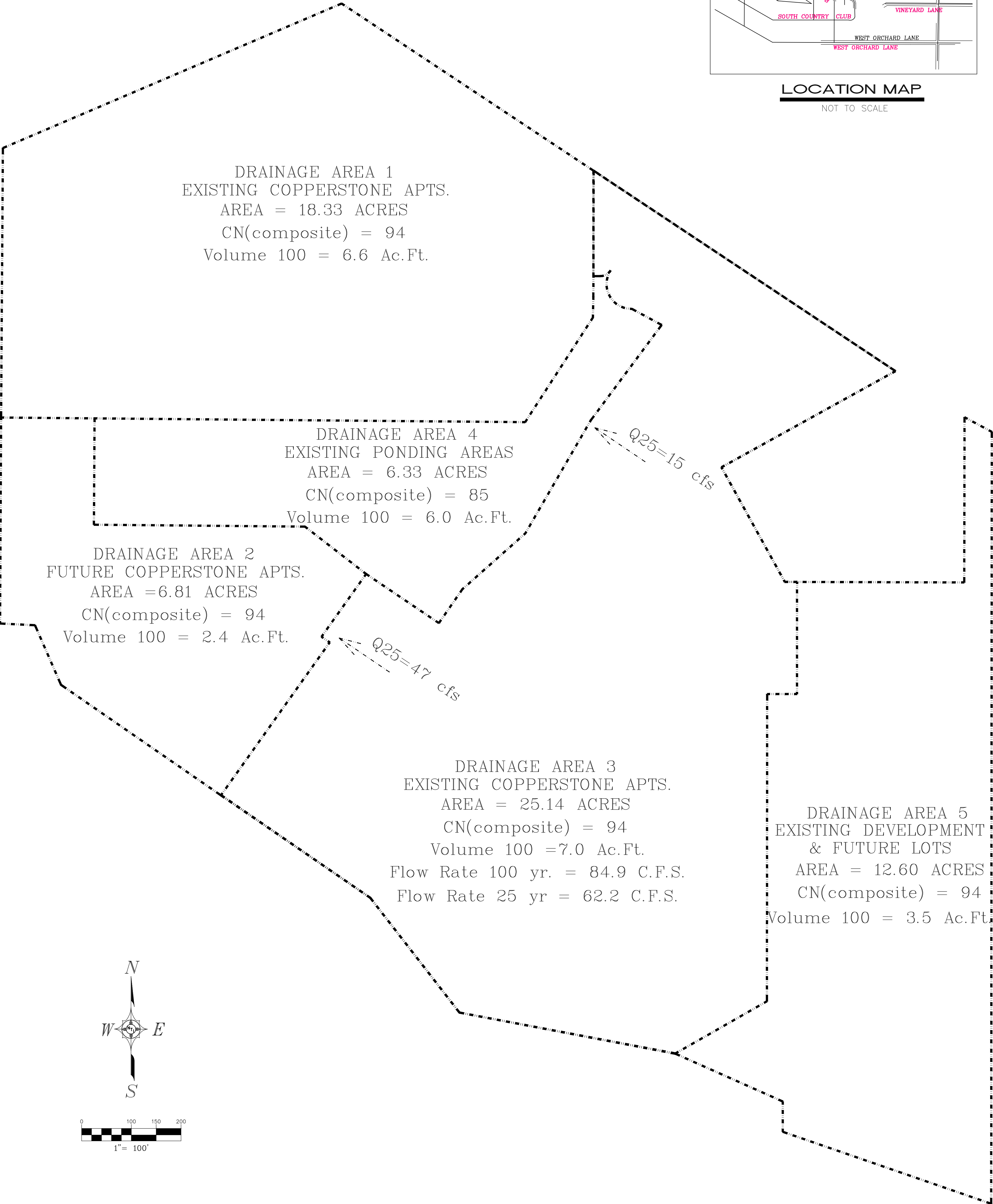
(575) 640-3790 CELL (575) 528-1108 OFFICE

DAVID@THURSTONHOMES.COM





LOCATION MAP  
NOT TO SCALE



**DRAINAGE BASIN LAYOUT**

SCALE: 1" = 100'-0"

DRAFTING BY:  
**NAVATECH INC.**

1615 S. Solano Dr.  
Las Cruces, NM 88001  
Office: (575) 941-5050

Fax: (575) 522-6960  
Email: csn@nava-techinc.com

SHEET NO.

D2

CRESTLINE P.U.D. SUBDIVISION

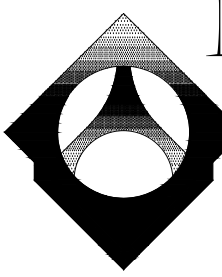
West Cherry Lane

CARLSBAD NEW MEXICO 88220

OVERALL SITE PLAN

**REVISIONS**

DATE: 5/14/15 REV'D:



**KD ENGINEERING**

1880 E. LOHMAN AVE. LAS CRUCES, NM 88001

CIVIL & MECHANICAL ENGINEERING

DAVID B. CHURCH, P.E.

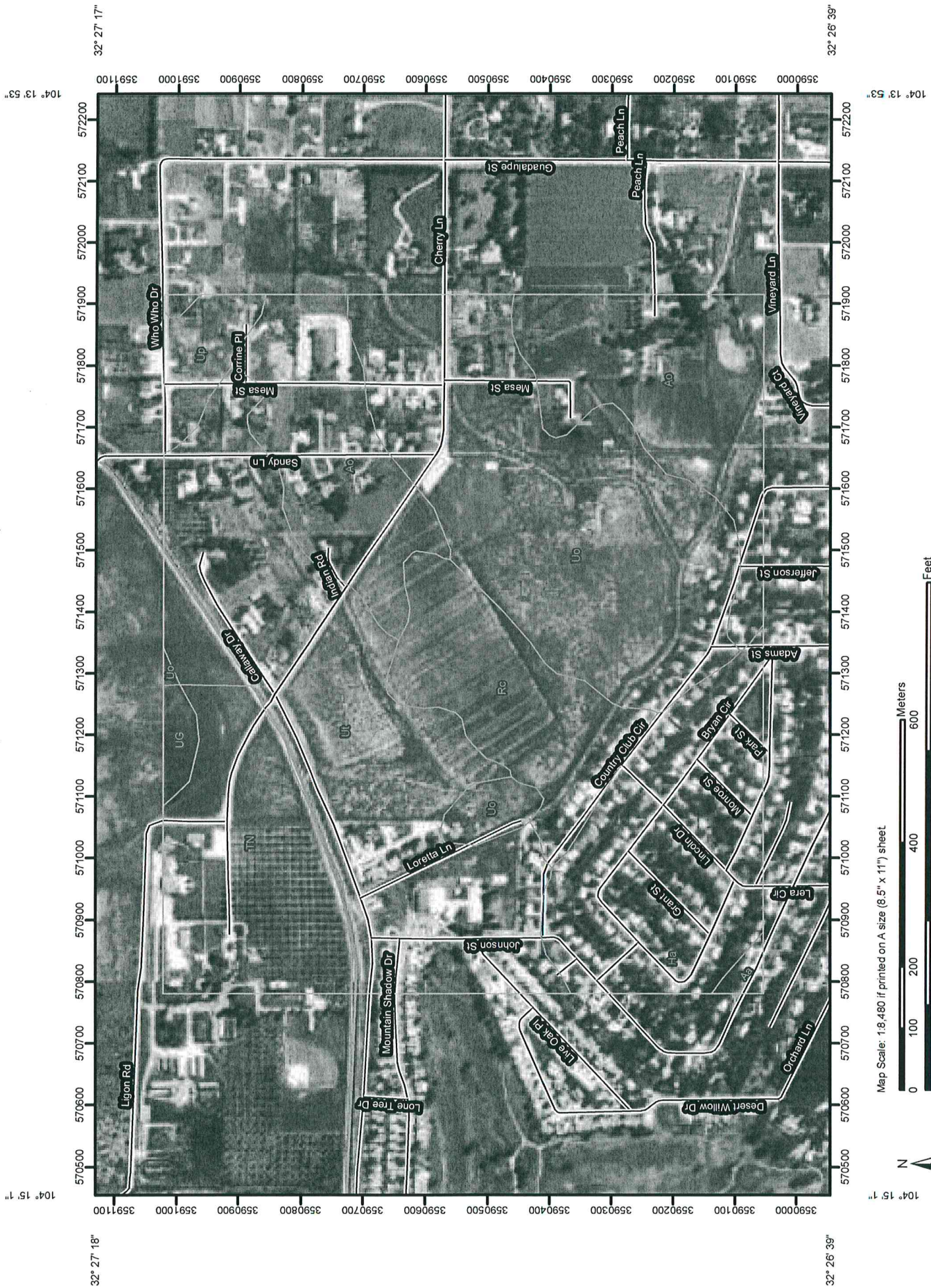
(575) 640-3790 CELL (575) 528-1108 OFFICE

DAVID@THURSTONHOMES.COM

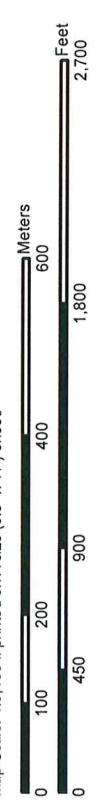
**APPENDIX A****1-CIVIL SITE MAP GRADING****2-SITE MAP/NRCS SOILS DATA****3-RAINFALL CHART****BACKGROUND DATA MAPS**



Soil Map—Eddy Area, New Mexico  
(COPPERSTONE APARTMENTS)



Map Scale: 1:8,480 if printed on A size (8.5" x 11") sheet





**ILLUSTRATION 11**  
**CITY OF CARLSBAD**  
**Intensity – Duration – Frequency Curve Spreadsheet**  
 (NOAA Atlas 14, Volume I for New Mexico, Elevation: 3300')

Return Period for Rainfall Distribution:

**Rainfall Depth in Inches**

	2-Year	5-Year	10-Year	25-Year	50-Year	100-Year
6-Hour	1.60	2.20	2.60	3.20	3.60	4.05
24-Hour	2.00	2.70	3.20	4.00	4.40	5.00

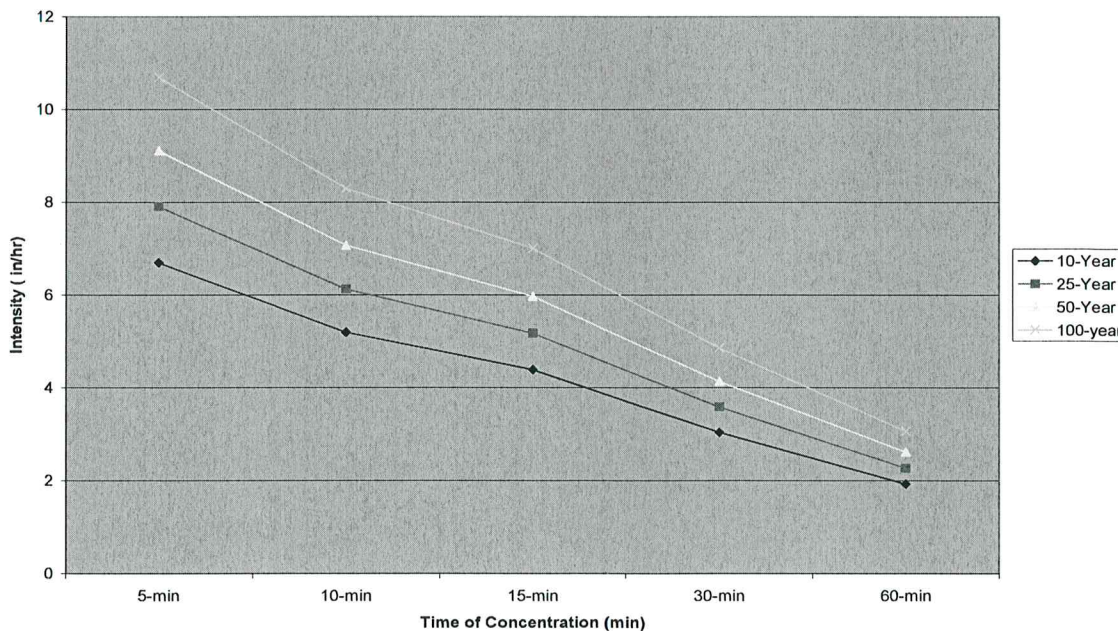
**Depth - Duration - Frequency (DDF) Table**

	2-Year	5-Year	10-Year	25-Year	50-Year	100-Year
5-min	0.345	0.470	0.558	0.659	0.759	0.891
10-min	0.535	0.730	0.866	1.022	1.179	1.383
15-min	0.677	0.925	1.097	1.295	1.493	1.752
30-min	0.939	1.281	1.521	1.795	2.069	2.428
1-hr	1.189	1.622	1.925	2.272	2.619	3.073
2-hr	1.329	1.820	2.156	2.589	2.954	3.407
3-hr	1.435	1.968	2.329	2.828	3.207	3.658
6-hr	1.600	2.200	2.600	3.200	3.600	4.050
12-hr	1.800	2.450	2.900	3.600	4.000	4.530
24-hr	2.000	2.700	3.200	4.000	4.400	5.000

**Intensity - Duration - Frequency (IDF) Table**

	2-year	5-Year	10-Year	25-Year	50-Year	100-year
5-min	4.14	5.64	6.70	7.91	9.11	10.69
10-min	3.21	4.38	5.20	6.13	7.07	8.30
15-min	2.71	3.70	4.39	5.18	5.97	7.01
30-min	1.88	2.56	3.04	3.59	4.14	4.86
60-min	1.19	1.62	1.93	2.27	2.62	3.07

**Intensity - Duration - Frequency**



## S.C.S. Initial Abstraction Chart

PATINA SMITH

prepared by:D.C.P.E. August 30, 2010

CN	Ia-inches	CONSTANT 1	CONSTANT/CN	CONSTANT 2	CONSTANT/CN- CONSTANT 2	CONSTANT 2
100	0.00	1000	10	10	0	0.2
99	0.02	1000	10.1010101	10	0.101010101	0.2
98	0.04	1000	10.20408163	10	0.204081633	0.2
97	0.06	1000	10.30927835	10	0.309278351	0.2
96	0.08	1000	10.41666667	10	0.416666667	0.2
95	0.11	1000	10.52631579	10	0.526315789	0.2
94	0.13	1000	10.63829787	10	0.638297872	0.2
93	0.15	1000	10.75268817	10	0.752688172	0.2
92	0.17	1000	10.86956522	10	0.869565217	0.2
91	0.20	1000	10.98901099	10	0.989010989	0.2
90	0.22	1000	11.11111111	10	1.111111111	0.2
89	0.25	1000	11.23595506	10	1.235955056	0.2
88	0.27	1000	11.36363636	10	1.363636364	0.2
87	0.30	1000	11.49425287	10	1.494252874	0.2
86	0.33	1000	11.62790698	10	1.627906977	0.2
85	0.35	1000	11.76470588	10	1.764705882	0.2
84	0.38	1000	11.9047619	10	1.904761905	0.2
83	0.41	1000	12.04819277	10	2.048192771	0.2
82	0.44	1000	12.19512195	10	2.195121951	0.2
81	0.47	1000	12.34567901	10	2.345679012	0.2
80	0.50	1000	12.5	10	2.5	0.2
79	0.53	1000	12.65822785	10	2.658227848	0.2
78	0.56	1000	12.82051282	10	2.820512821	0.2
77	0.60	1000	12.98701299	10	2.987012987	0.2
76	0.63	1000	13.15789474	10	3.157894737	0.2
75	0.67	1000	13.33333333	10	3.333333333	0.2
74	0.70	1000	13.51351351	10	3.513513514	0.2
73	0.74	1000	13.69863014	10	3.698630137	0.2
72	0.78	1000	13.88888889	10	3.888888889	0.2
71	0.82	1000	14.08450704	10	4.084507042	0.2
70	0.86	1000	14.28571429	10	4.285714286	0.2
69	0.90	1000	14.49275362	10	4.492753623	0.2
68	0.94	1000	14.70588235	10	4.705882353	0.2
67	0.99	1000	14.92537313	10	4.925373134	0.2
66	1.03	1000	15.15151515	10	5.151515152	0.2
65	1.08	1000	15.38461538	10	5.384615385	0.2
64	1.13	1000	15.625	10	5.625	0.2
63	1.17	1000	15.87301587	10	5.873015873	0.2
62	1.23	1000	16.12903226	10	6.129032258	0.2
61	1.28	1000	16.39344262	10	6.393442623	0.2
60	1.33	1000	16.66666667	10	6.666666667	0.2
59	1.39	1000	16.94915254	10	6.949152542	0.2
58	1.45	1000	17.24137931	10	7.24137931	0.2
57	1.51	1000	17.54385965	10	7.543859649	0.2
56	1.57	1000	17.85714286	10	7.857142857	0.2
55	1.64	1000	18.18181818	10	8.181818182	0.2



54	1.70	1000	18.51851852	10	8.518518519	0.2
53	1.77	1000	18.86792453	10	8.867924528	0.2
52	1.85	1000	19.23076923	10	9.230769231	0.2
51	1.92	1000	19.60784314	10	9.607843137	0.2
50	2.00	1000	20	10	10	0.2
49	2.08	1000	20.40816327	10	10.40816327	0.2
48	2.17	1000	20.83333333	10	10.83333333	0.2
47	2.26	1000	21.27659574	10	11.27659574	0.2
46	2.35	1000	21.73913043	10	11.73913043	0.2
45	2.44	1000	22.22222222	10	12.22222222	0.2
44	2.55	1000	22.72727273	10	12.72727273	0.2
43	2.65	1000	23.25581395	10	13.25581395	0.2
42	2.76	1000	23.80952381	10	13.80952381	0.2
41	2.88	1000	24.3902439	10	14.3902439	0.2
40	3.00	1000	25	10	15	0.2
39	3.13	1000	25.64102564	10	15.64102564	0.2
38	3.26	1000	26.31578947	10	16.31578947	0.2
37	3.41	1000	27.02702703	10	17.02702703	0.2
36	3.56	1000	27.77777778	10	17.77777778	0.2
35	3.71	1000	28.57142857	10	18.57142857	0.2

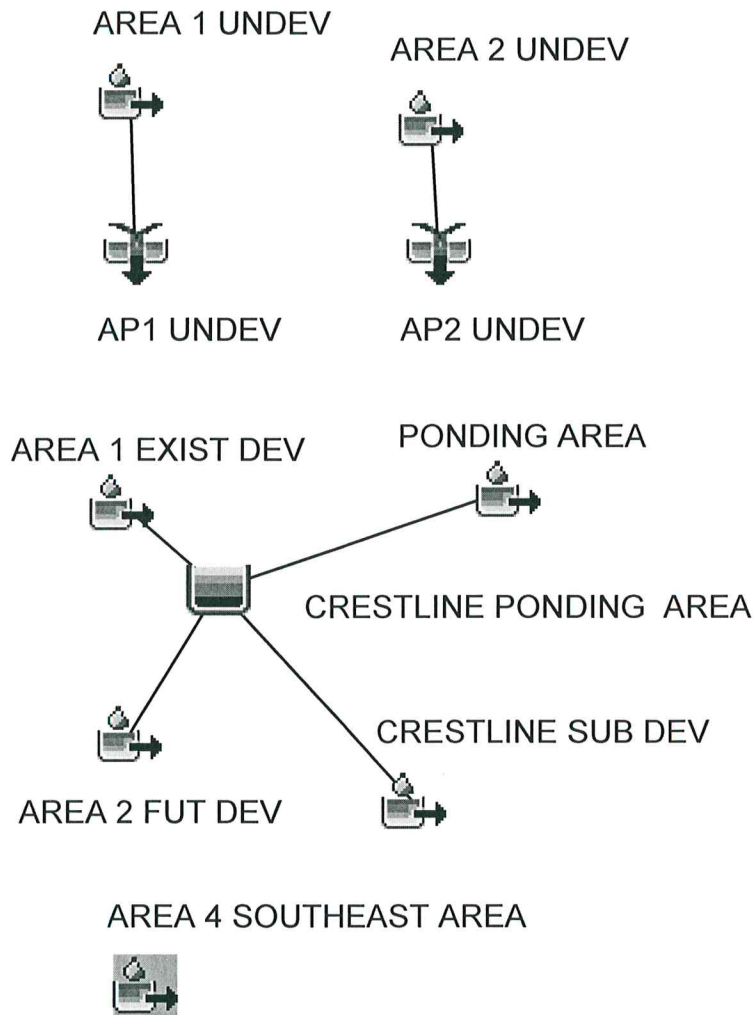


HEC-HMS

**Project : CRESTLINE SUB**

Basin Model : CRESTLINE SUBDIVISION

Oct 02 13:33:40 MDT 2015





Project: CRESTLINE SUB Simulation Run: CRESTLINE 25 4 in

Start of Run: 02Jul2014, 01:00 Basin Model: CRESTLINE SUBDIVISION  
 End of Run: 03Jul2014, 02:00 Meteorologic Model: 100 yr 24 SCS T II 4.0  
 Compute Time: 02Oct2015, 08:56:10 Control Specifications: CONTROL TIME 15 MIN

Hydrologic Element	Drainage Area (MI <sup>2</sup> )	Peak Discharge (CFS)	Time of Peak	Volume (AC-FT)
CRESTLINE SUB DEV	0.03928	62.2	02Jul2014, 13:00	5.1
AREA 1 EXIST DEV	0.02864	63.0	02Jul2014, 13:00	5.1
AREA 2 FUT DEV	0.01064	23.4	02Jul2014, 13:00	1.9
PONDING AREA	0.00989	16.9	02Jul2014, 13:00	1.3
CRESTLINE PONDING AREA	0.08845	4.5	02Jul2014, 18:00	5.2
AREA 1 UNDEV	0.08846	151.5	02Jul2014, 13:00	11.6
AP1 UNDEV	0.08846	151.5	02Jul2014, 13:00	11.6
AREA 4 SOUTHEAST AREA	0.01969	33.7	02Jul2014, 13:00	2.6
AREA 2 UNDEV	0.01969	33.7	02Jul2014, 13:00	2.6
AP2 UNDEV	0.01969	33.7	02Jul2014, 13:00	2.6

Project: CRESTLINE SUB Simulation Run: CRESTLINE 100 YR 5 IN

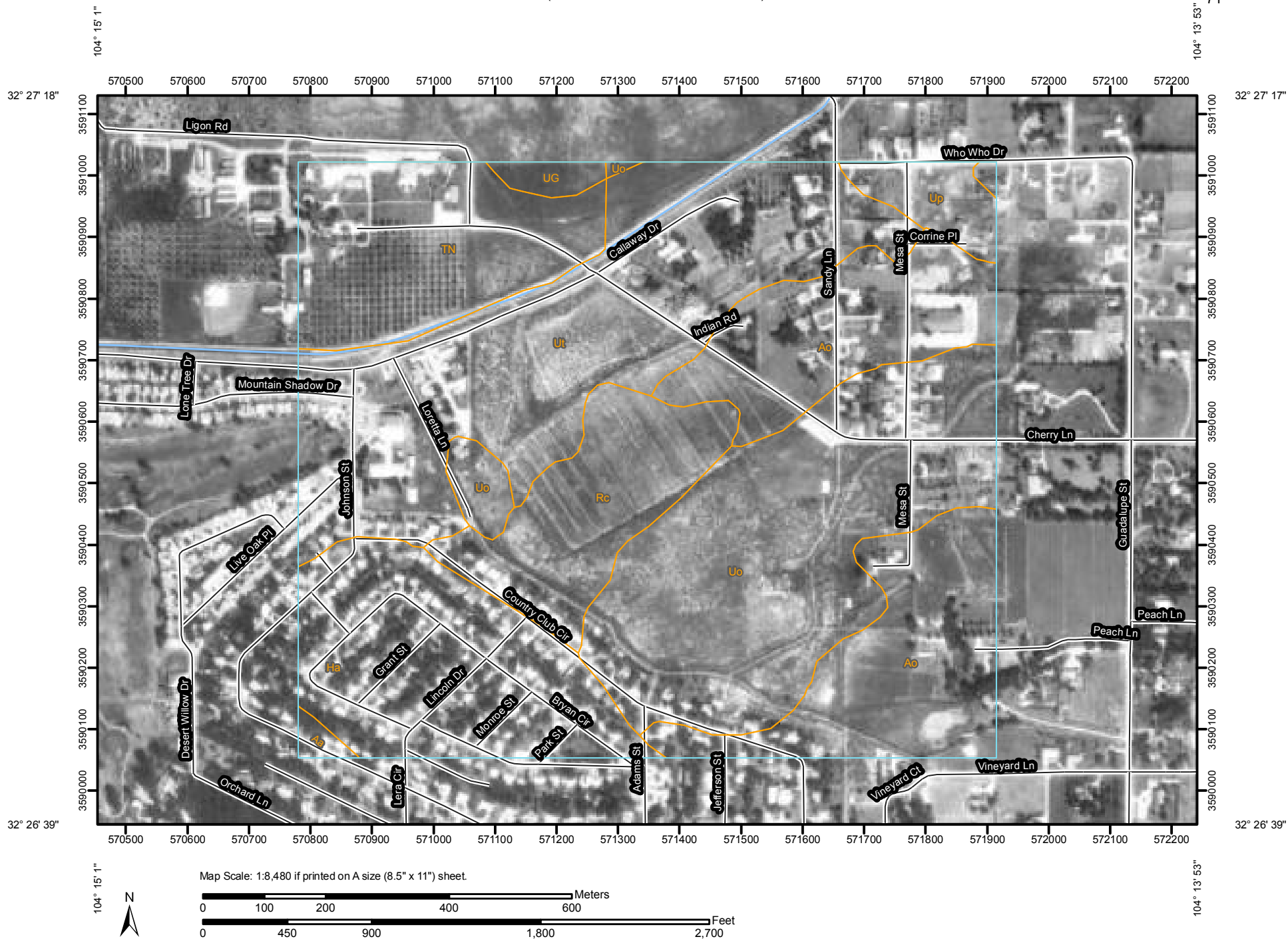
Start of Run: 02Jul2014, 01:00 Basin Model: CRESTLINE SUBDIVISION  
 End of Run: 03Jul2014, 02:00 Meteorologic Model: 100 yr 24 SCS T II 5.0  
 Compute Time: 02Oct2015, 13:33:57 Control Specifications: CONTROL TIME 15 MIN

Hydrologic Element	Drainage Area (MI <sup>2</sup> )	Peak Discharge (CFS)	Time of Peak	Volume (AC-FT)
CRESTLINE SUB DEV	0.03928	84.9	02Jul2014, 13:00	7.0
AREA 1 EXIST DEV	0.02864	80.5	02Jul2014, 13:00	6.6
AREA 2 FUT DEV	0.01064	29.9	02Jul2014, 13:00	2.4
PONDING AREA	0.00989	23.0	02Jul2014, 13:00	1.8
CRESTLINE PONDING AREA	0.08845	5.0	02Jul2014, 19:00	6.0
AREA 1 UNDEV	0.08846	206.2	02Jul2014, 13:00	15.9
AP1 UNDEV	0.08846	206.2	02Jul2014, 13:00	15.9
AREA 4 SOUTHEAST AREA	0.01969	45.8	02Jul2014, 13:00	3.5
AREA 2 UNDEV	0.01969	45.9	02Jul2014, 13:00	3.5
AP2 UNDEV	0.01969	45.9	02Jul2014, 13:00	3.5




Soil Map—Eddy Area, New Mexico  
(COPPERSTONE APARTMENTS)

71



## MAP LEGEND






















### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Units

### Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot



Very Stony Spot



Wet Spot



Other

### Special Line Features



Gully



Short Steep Slope



Other

### Political Features



Cities

### Water Features



Oceans



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

## MAP INFORMATION

Map Scale: 1:8,480 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: UTM Zone 13N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eddy Area, New Mexico  
Survey Area Data: Version 9, Feb 20, 2009

Date(s) aerial images were photographed: 10/19/1997; 9/19/1996

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Eddy Area, New Mexico (NM614)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Aa	Anthony sandy loam, 0 to 1 percent slopes	1.1	0.4%
Ao	Atoka loam, 0 to 1 percent slopes	51.2	18.8%
Ha	Harkey sandy loam, 0 to 1 percent slopes	34.9	12.8%
Rc	Reagan loam, 0 to 1 percent slopes	22.2	8.2%
TN	Tonuco loamy fine sand, 0 to 3 percent slopes, eroded	28.7	10.6%
UG	Upton gravelly loam, 0 to 9 percent slopes	2.1	0.8%
Uo	Upton gravelly loam, 0 to 9 percent slopes	60.9	22.4%
Up	Upton soils, 0 to 1 percent slopes	5.8	2.2%
Ut	Upton soils, 1 to 3 percent slopes	64.8	23.8%
<b>Totals for Area of Interest</b>		<b>271.8</b>	<b>100.0%</b>

CRESTLINE PONDING AREA 1							CRESTLINE PONDING AREA 2					POND 1 + POND 2	
ELEVATION	AREA-SF		AREA - ACRES		VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.	ELEVATION	AREA-SF		AREA - ACRES	VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.	CUMULATIVE VOLUME AC.FT.
3,110	6,928		0.159		0	0.00	3,110	5,753		0.132	0	0.00	0.00
3,111	14,002		0.321		0.240	0.240	3,111	18,882		0.433	0.283	0.283	0.52
3,112	28,346		0.651		0.486	0.726	3,112	31,170		0.716	0.575	0.857	1.58
3,113	36,501		0.838		0.744	1.471	3,113	43,280		0.994	0.855	1.712	3.18
3,114	41,854		0.961		0.899	2.370	3,114	54,485		1.251	1.122	2.834	5.20
3,115	46,153		1.060		1.010	3.380	3,115	62,769		1.441	1.346	4.180	7.56
3,116	50,565		1.161		1.110	4.490	3,116	75,967		1.744	1.592	5.772	10.26
3,117	55,087		1.265		1.213	5.703	3,117	81,664		1.875	1.809	7.582	13.28
3,118	59,719		1.371		1.318	7.021	3,118	87,423		2.007	1.941	9.523	16.54
3,119	64,460		1.480		1.425	8.446	3,119	93,312		2.142	2.075	11.597	20.04
3,120	69,309		1.591		1.535	9.982	3,120	99,308		2.280	2.211	13.808	23.79
3,121	74,269		1.705		1.648	11.630	3,121	105,411		2.420	2.350	16.158	27.79
3,122	79,339		1.821		1.763	13.393	3,122	111,621		2.562	2.491	18.649	32.04
3,123	84,523		1.940		1.881	15.274	3,123	127,955		2.937	2.750	21.399	36.67
Water Surface Elevation 3124 Extends Over Both Ponds													
3,124	239,105		5.489		3.715	18.989	3,124						40.39



**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering and Regulation	<b>BY:</b> Jeff Patterson, Planning Director	<b>DATE:</b> 10/19/14
--	---	-----------------------

**SUBJECT:** Appeal (variance) from Section 56-42(aa)(6)(l) to reduce the number of bathrooms for a RV Park from the required 12 facilities to 6 total facilities for the proposed Kircher St. RV Park.

Applicant:  
Cain C.E.S.  
Matthew A. Cain  
6136 Frisco Square Blvd. Ste. 400  
Frisco, TX 75304

Property Owner:  
RV Carlsbad, LLC  
8149 Santa Monica Blvd.  
Los Angeles, CA 90046

***\*The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i).***

**SYNOPSIS:** The applicant is requesting a variance that would reduce the number of bathroom facilities to 6 total facilities instead of the required 12 facilities. The applicant maintains that each RV should have on board restroom units and there will be less need for the bathroom facilities. The applicant plans to install 113 RV spaces within this park.

**IMPACT** (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): The installation of bathroom facilities in RV Parks is intended to assure that all residents of the park have access to sanitary bathroom facilities and provide for the removal or disposal of wastes created by the residents.

Sec. 56-42(aa)(6)(l) states:

“Total bathroom facilities. Bathroom facilities shall be for the sole use of residents or other paid-use patrons. The bathroom building shall be of permanent construction. No RV space shall be located more than three hundred feet (300 ft.) from a building containing the required bath and toilet facilities. Bathroom facilities shall be required for each gender according to the table below. One urinal may be substituted for one toilet.– For RV parks with more than thirty (30) spaces, the facilities shall be increased by one for each additional ten (10) spaces, rounding down.

Number Of Spaces	Toilet	Sink	Shower
24-30	4	3	3
30-40	5	4	4
40-50	6	5	5

As the park will have 113 RV spaces, the number of required bathrooms should total 12 facilities (men's and women's). The applicant would reduce this to 6 facilities (men's and women's).

Sec. 56-150(k) of the Zoning Ordinance states:

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's request is not justified based on the criteria above.***

The following *Greater Carlsbad Comprehensive Plan: Strategy 2030* goals apply to this request:

### **Chapter 3: Land Use**

Goal 4: "The City of Carlsbad will strive to create an aesthetically pleasing built environment."

### **Chapter 4: Housing**

Goal 2: Carlsbad will ensure that local housing protects the health, safety, and welfare of residents and their neighbors.

**PLANNING STAFF RECOMMENDATION:** Based on the application materials and staff comments, as the applicant's building plan meets all other RV Park requirements, the Planning Staff recommends approval.

### **DEPARTMENT RECOMMENDATION (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			x	Planning., Eng. & Reg. Dept.			x
Fire Department			x	Code Enforcement Division			x
Legal Department			x	Engineering Division			x
Police Department			x	Planning Division	x		
Utilities Department			x	Building & Regulation Division			
Culture & Rec. Dept.			x	City Administration			x
			x	Carlsbad Irrigation District			x



**DEPARTMENT COMMENTS:**

Public Works: No comments.

Utilities: No comments.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See Above.

Police Department: No comments.

Culture and Recreation Department: No comments.

City Engineer: N/A

Carlsbad Irrigation District. No comments

City Administration:

ATTACHMENTS: Application materials



## 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)

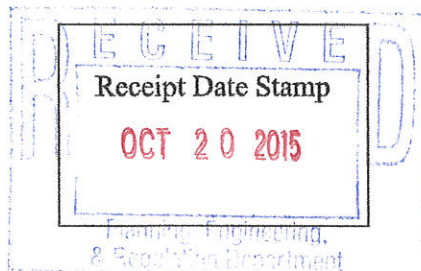
Sec. 47-7 or Sec. 56-150(c)

#### 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 fifteen (15) 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.



02/06/2015

**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: 10/9/2015Fee Paid (\$50.00): ✓**APPLICANT INFORMATION:**

RV Carlsbad, LLC

8149 Santa Monica Blvd., Suite 298

NAME

ADDRESS

Los Angeles, CA

90046

310-788-3445

CITY

STATE

ZIP

PHONE

EMAIL

**PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT):**

NAME

ADDRESS

CITY

STATE

ZIP

PHONE

EMAIL

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH VARIANCE IS REQUESTED):** 808 Kircher Street

**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:** \_\_\_\_\_

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

**SPECIFY REGULATION AND/OR SUBSECTION:** Section 56-42, aa, 6, l-total bathroom facilities

09/11/2014

**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.)

We are submitting this variance application to request a reduction in the total bathroom facilities required for the site. As part of our proposed design and on-site amenities, we are providing each RV stall with a water, sanitary sewer and electric connection, therefore we feel the private facilities located within each individual and private RV will be utilized primarily vs. the public restroom facilities located within and around the site. We are requesting that we provide a single toilet and sink within each of the stand-alone restroom buildings (2 total), and a sink, toilet and shower for each gender in the office and community buildings (2 buildings). This combination will maintain that a toilet and sink are still located within 300' of each RV stall on-site.



**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:			
<b>Required prior to P &amp; Z:</b>			
Complete Application Including:	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Fee	<input type="checkbox"/> Notification
	<input type="checkbox"/> Sign Posting Agreement	<input type="checkbox"/> Letter of Explanation	
	<input type="checkbox"/> ABM	<input type="checkbox"/> Staff Comments	<input type="checkbox"/> Sign Posted
	<input type="checkbox"/> Application Packet		
P & Z Action:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Other
Date: _____			





# CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF Los Angeles }

On October 7, 2015 before me, Seth L. Freedman Notary  
Date Insert Name and Title of the officer

Public, personally appeared Jason Port

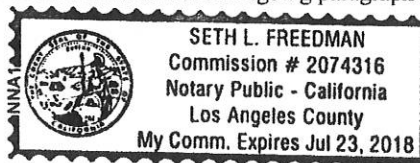
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Seth L. Freedman



## OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signers Name: \_\_\_\_\_

☐ Corporate Officer - Title(s) \_\_\_\_\_

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signers Name: \_\_\_\_\_

☐ Corporate Officer - Title(s) \_\_\_\_\_

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

## 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

10/7/15  
\_\_\_\_\_  
DATE

Sign issued by: \_\_\_\_\_

Staff Member





October 9, 2015

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: RV Carlsbad LLC  
8149 Santa Monica Blvd.  
Los Angeles, California 90046  
310.788.3445

Subject Site Location: 808 Kircher Street  
Lot 10a, Petroleum Park Subdivision Unit Two

The proposed action is a:

- ☐ Zoning Change from \_\_\_\_\_ to \_\_\_\_\_ in accordance with Sec. 56-150(b).
- ☒ Variance/Appeal from Sec. 56-42, aa, 6(1) in accordance with Sec. 56-150(c).  
The purpose of the variance/appeal is:  
To reduce the total number of bathroom facilities required for the site.
- ☐ 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: November 2, 2015**

**Time: 5:00pm**

**Place: City Hall Planning Room, 2nd Floor**

**101 N. Halagueno St.**

**Carlsbad, NM 88220**

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://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](mailto:jepatterson@cityofcarlsbadnm.com).

Sincerely,

**CAIN CONSULTING AND ENGINEERING SERVICES**

Matthew A. Cain  
Agent

**CAIN CONSULTING AND ENGINEERING SERVICES, INC.**  
6136 Frisco Square Blvd., Suite 400, Frisco, Texas 75034  
972.284.9916 (Tel) 866.275.7330 (Fax)

***Adjacent Property Owners (within 100 feet of property boundaries)***

<b>Owner Name</b>	<b>Owner Address</b>	<b>Site Location</b>
Walker, William W.	PO Box 3234 Carlsbad, NM 88221	Petroleum Park Unit Two, Lot 7
Simpson, Theresa A Living Trust	PO Box 571 Bloomfield, NM 87413	Petroleum Park Unit Two, Lot 8
Mesa Properties of Carlsbad LLC	PO Box 1266 Carlsbad, NM 88221	Petroleum Park Unit Two, Lot 9a
Mesa Properties of Carlsbad LLC	PO Box 1266 Carlsbad, NM 88221	Petroleum Park Unit Three, Lot 13
Walker, William W.	PO Box 3234 Carlsbad, NM 88221	Petroleum Park Unit Three, Lot 14
Maley, David & Laverne	PO Box 519 Carlsbad, NM 88221	3000 San Jose Blvd.



=====  
 WHITESBORO  
 110 W MAIN ST  
 WHITESBORO  
 TX  
 762739998  
 4896850673  
 10/09/2015 (800)275-8777 11:03 AM  
 =====

Product Description	Sale Qty	Final Price
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First-Class Mail Letter	1	\$0.49
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(Domestic)  
 (CARLSBAD, NM 88221)  
 (Weight:0 Lb 0.50 Oz)  
 (Expected Delivery Day)  
 (Tuesday 10/13/2015)

Certified	1	\$3.45
(@@USPS Certified Mail #) (70150640000007308164)		

Return Receipt	1	\$2.80
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(@@USPS Return Receipt #)  
 (9590940305125173089989)

First-Class Mail Letter	1	\$0.49
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(Domestic)  
 (BLOOMFIELD, NM 87413)  
 (Weight:0 Lb 0.50 Oz)  
 (Expected Delivery Day)  
 (Tuesday 10/13/2015)

Certified	1	\$3.45
(@@USPS Certified Mail #) (70150640000007308157)		

Return Receipt	1	\$2.80
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(@@USPS Return Receipt #)  
 (9590940305125173089996)

First-Class Mail Letter	1	\$0.49
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(Domestic)  
 (CARLSBAD, NM 88221)  
 (Weight:0 Lb 0.40 Oz)  
 (Expected Delivery Day)  
 (Tuesday 10/13/2015)

Certified	1	\$3.45
(@@USPS Certified Mail #) (70150640000007308140)		

Return Receipt	1	\$2.80
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(@@USPS Return Receipt #)  
 (9590940305125173090008)

First-Class Mail Letter	1	\$0.49
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(Domestic)  
 (CARLSBAD, NM 88221)  
 (Weight:0 Lb 0.50 Oz)  
 (Expected Delivery Day)  
 (Tuesday 10/13/2015)

Certified	1	\$3.45
(@@USPS Certified Mail #) (70150640000007308133)		
Return Receipt	1	\$2.80
(@@USPS Return Receipt #) (9590952106150087383469)		

Total	\$26.96
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Credit Card Remitd	\$26.96
(Card Name:AMEX) (Account #:XXXXXXXXXX1002) (Approval #:556952) (Transaction #:694)	

For tracking or inquiries go to  
USPS.com or call 1-800-222-1811.

After delivery, use this tracking  
number to track your Return Receipt.

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1-800-Stamp24. Go to  
usps.com/clicknship to print shipping  
labels with postage. For other  
information call 1-800-ASK-USPS.

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it with a secure Post Office Box. Sign  
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 \*\*\*\*\*

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Go to:  
<https://postalexperience.com/Pos>

or scan this code with  
your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS

Bill #: 840-57600132-1-268599-2  
 Clerk: 07

7015 0640 0000 0730 8140

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CARLEBAD, NM 88221

Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.74

0673  
07Postmark  
Here

10/09/2015

Sent To *Mesa Properties of Carlsbad, LLC*  
 Street and Apt. No., or PO Box No. *PO Box 1266*  
 City, State, ZIP+4® *Carlsbad NM 88221*

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7015 0640 0000 0730 8164

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CARLEBAD, NM 88221

Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.74

0673  
07Postmark  
Here

10/09/2015

Sent To *Wesley Williams*  
 Street and Apt. No., or PO Box No. *PO Box 3234*  
 City, State, ZIP+4® *Carlsbad NM 88221*

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7015 0640 0000 0730 8157

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CARLEBAD, NM 88221

Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.74

0673  
07Postmark  
Here

10/09/2015

Sent To *Melvin David & Lavonne*  
 Street and Apt. No., or PO Box No. *PO Box 519*  
 City, State, ZIP+4® *Carlsbad NM 88221*

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

BLOOMFIELD, NM 87413

Certified Mail Fee	\$3.45
Extra Services & Fees (check box, add fee as appropriate)	\$2.80
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.49

Total Postage and Fees \$6.74

0673  
07Postmark  
Here

10/09/2015

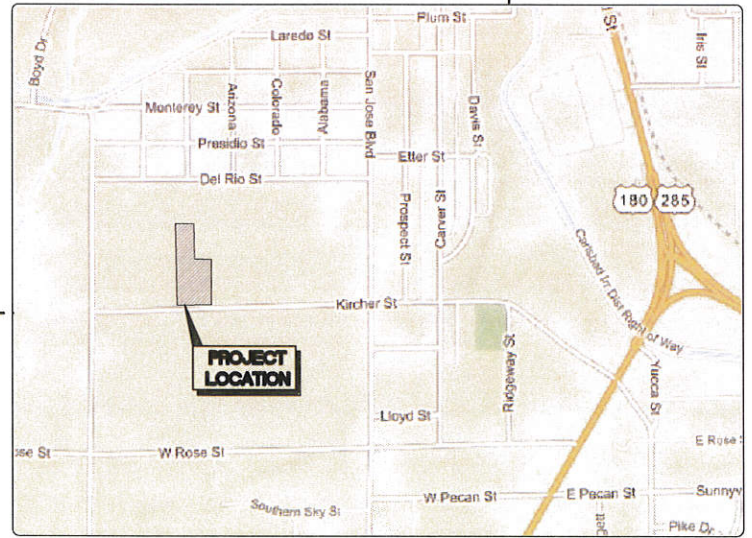
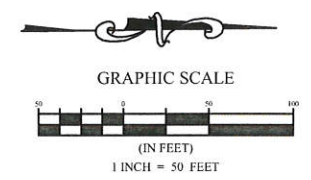
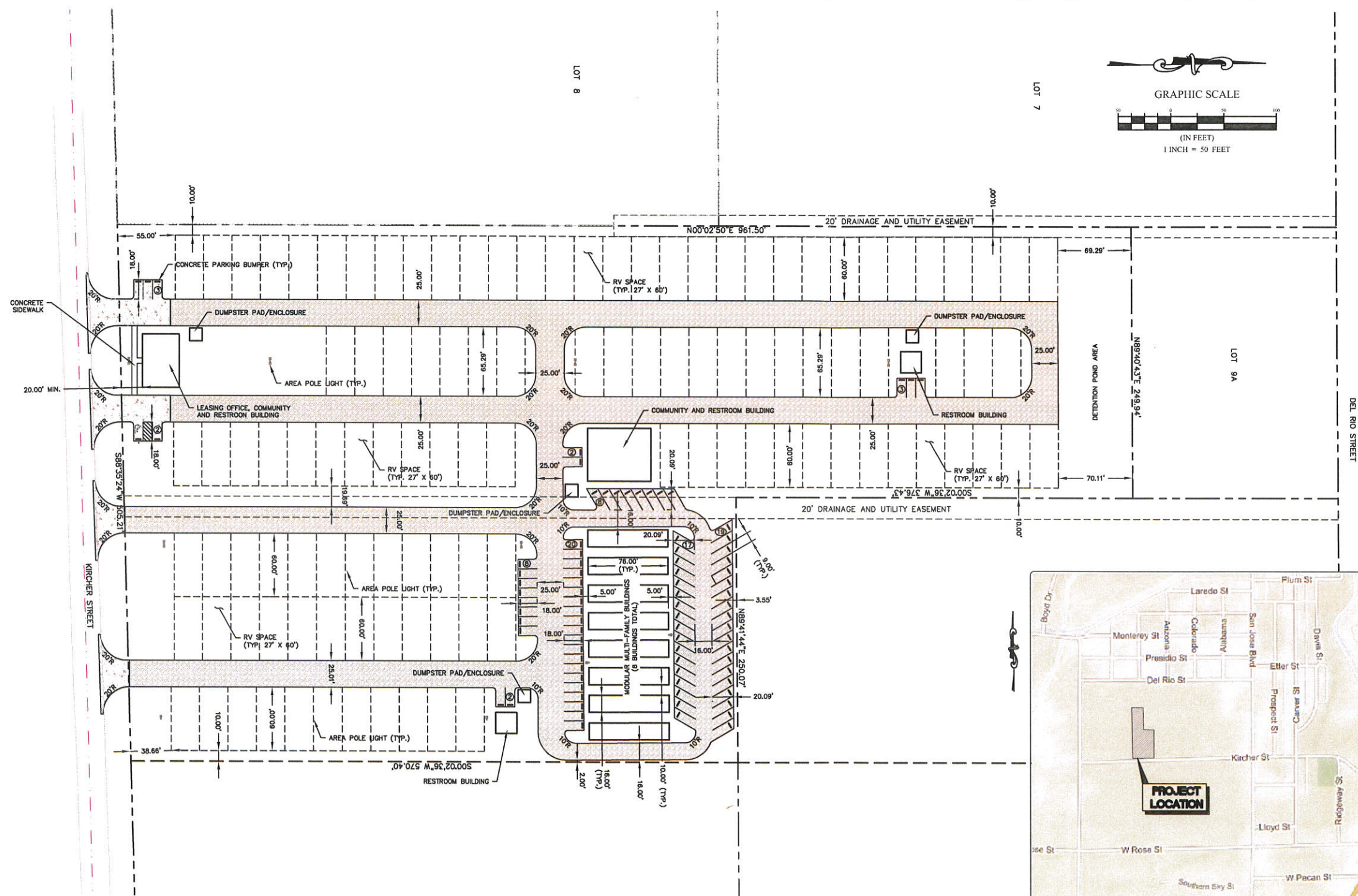
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 Street and Apt. No., or PO Box No. *PO Box 531*  
 City, State, ZIP+4® *Bloomfield NM 87413*

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



9/23/2015 10:56:38 PM  
ARCH D  
C:\P\DIGITAL SITE PLANNING



VICINITY MAP  
(NOT TO SCALE)

CONTACT INFORMATION

**OWNER**  
POST INVESTMENT GROUP  
801 CENTURY PARK EAST  
SUITE 2240  
LOS ANGELES, CA 90067

**ENGINEER**  
CAIN CONSULTING AND ENGINEERING  
SERVICES, INC.  
6136 FRISCO SQ. BLVD.  
SUITE 400  
FRISCO, TEXAS 75034  
972-284-9916

**SURVEYOR**  
R&R SURVEYING, LLC  
423 WEST GREENE STREET  
SUITE 1  
CARLSBAD, NEW MEXICO 88220

SITE INFORMATION SUMMARY

LEGAL DESCRIPTION	LOT 10A PETROLEUM PARK SUBDIVISION UNIT 2 REPLAT 2
ZONING	C-2
TOTAL PROPERTY AREA	8.93 ACRES
RV SPACES	113 SPACES
MULTI-UNIT MODULAR RESIDENTIAL BLDGS.	8 BUILDINGS
MULTI-UNIT MODULAR RESIDENTIAL UNITS	32 UNITS
PARKING SPACES PROVIDED	84 SPACES
REQUIRED OPEN SPACE (5%)	19,449 SQ. FT.
PROVIDED OPEN SPACE	83,304 SQ. FT.


LEGEND

	BOUNDARY / PROPERTY LINE
	EASEMENT LINE
	EXISTING FENCE LINE
	EXISTING OVERHEAD POWER LINE
	PROPOSED FENCE LINE
	PROPOSED CONCRETE PAVEMENT
	PROPOSED GRAVEL/CALICHE

NOTES

- BUILDINGS AND DUMPSTER ENCLOSURE LOCATIONS ARE SHOWN FOR GENERAL REFERENCE ONLY. THE ACTUAL DIMENSIONS OF THE BUILDINGS WILL BE PROVIDED BY OTHERS THROUGH SEPARATE PERMIT.
- PARKING STRIPING WITHIN THE GRAVEL SURFACED AREA IS FOR REFERENCE ONLY. THE ACTUAL PARKING SPACES WILL BE DELINEATED BY THE CONCRETE PARKING BUMPERS.
- RV SPACES HAVE MINIMUM DIMENSIONS OF 27' WIDE BY 60' DEEP.
- ALL STREET RADII AT PARKING STALLS ARE 3', UNLESS NOTED OTHERWISE.
- IF FENCES ARE INSTALLED WITHIN THE SITE, THEY SHALL NOT BE LOCATED WITHIN THE EXISTING 20' DRAINAGE AND UTILITY EASEMENTS.





CAIN CONSULTING AND  
ENGINEERING SERVICES  
6136 FRISCO SQUARE BLVD.  
SUITE 400  
FRISCO, TEXAS 75034  
972-284-9916  
972-284-9918 FAX

808 KIRCHER STREET  
RV PARK

CARLSBAD, NEW MEXICO

OVERALL  
SITE PLAN

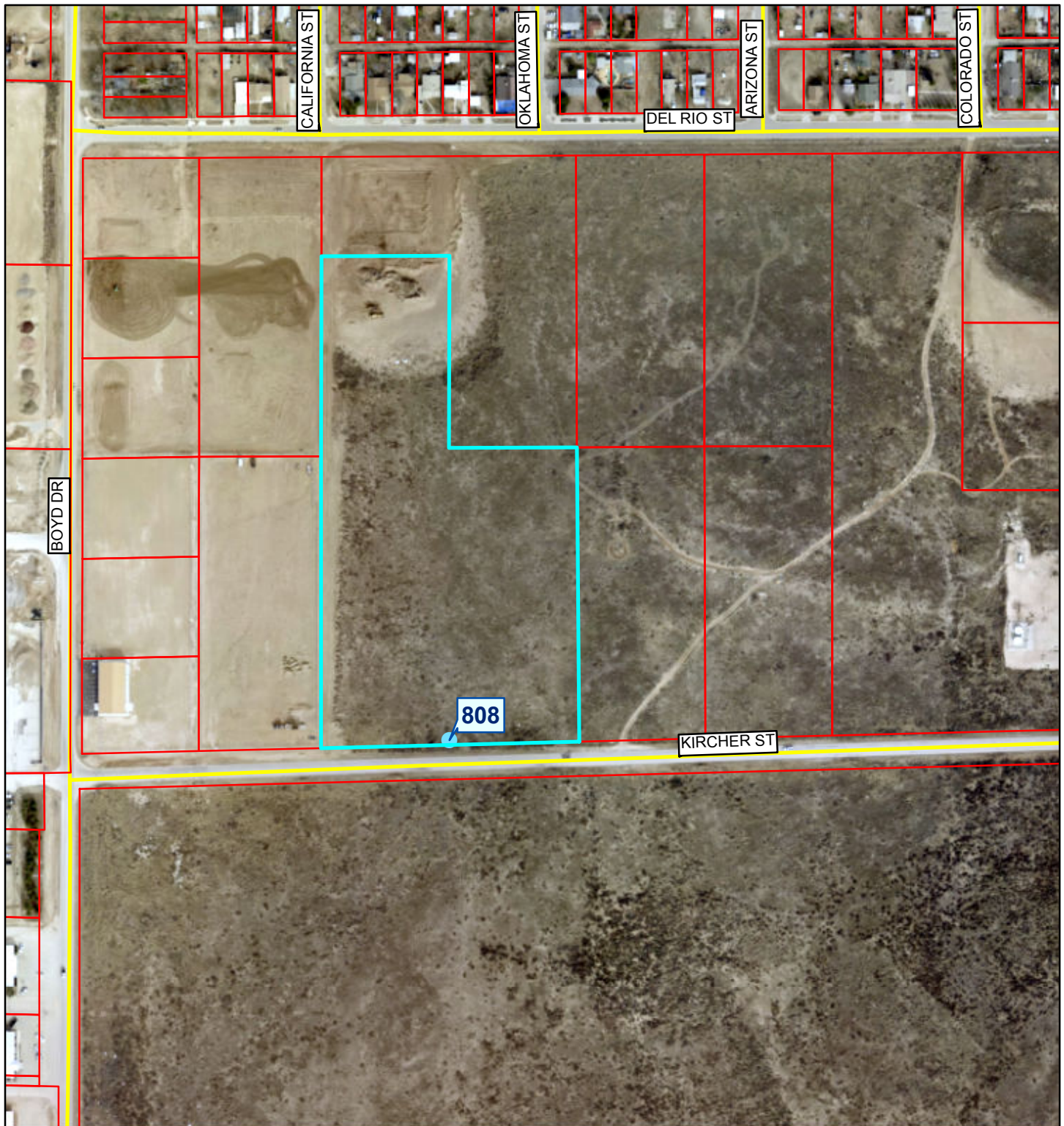
REV.	REV. DATE	DESCRIPTION
1	9/23/2015	REVISED PER CITY COMMENTS

AS SHOWN	DESIGNED BY: M. CAIN	PROJECT NO: 14-10004
DRAWN BY: R. GRAY	CHECKED BY: E. BRANDAO	
DATE: AUGUST 3, 2015		

C1.01

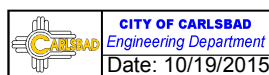
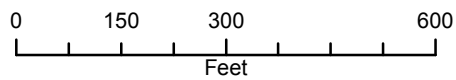
SHEET NO. 1 OF 1



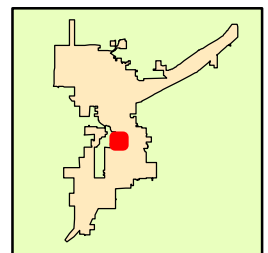


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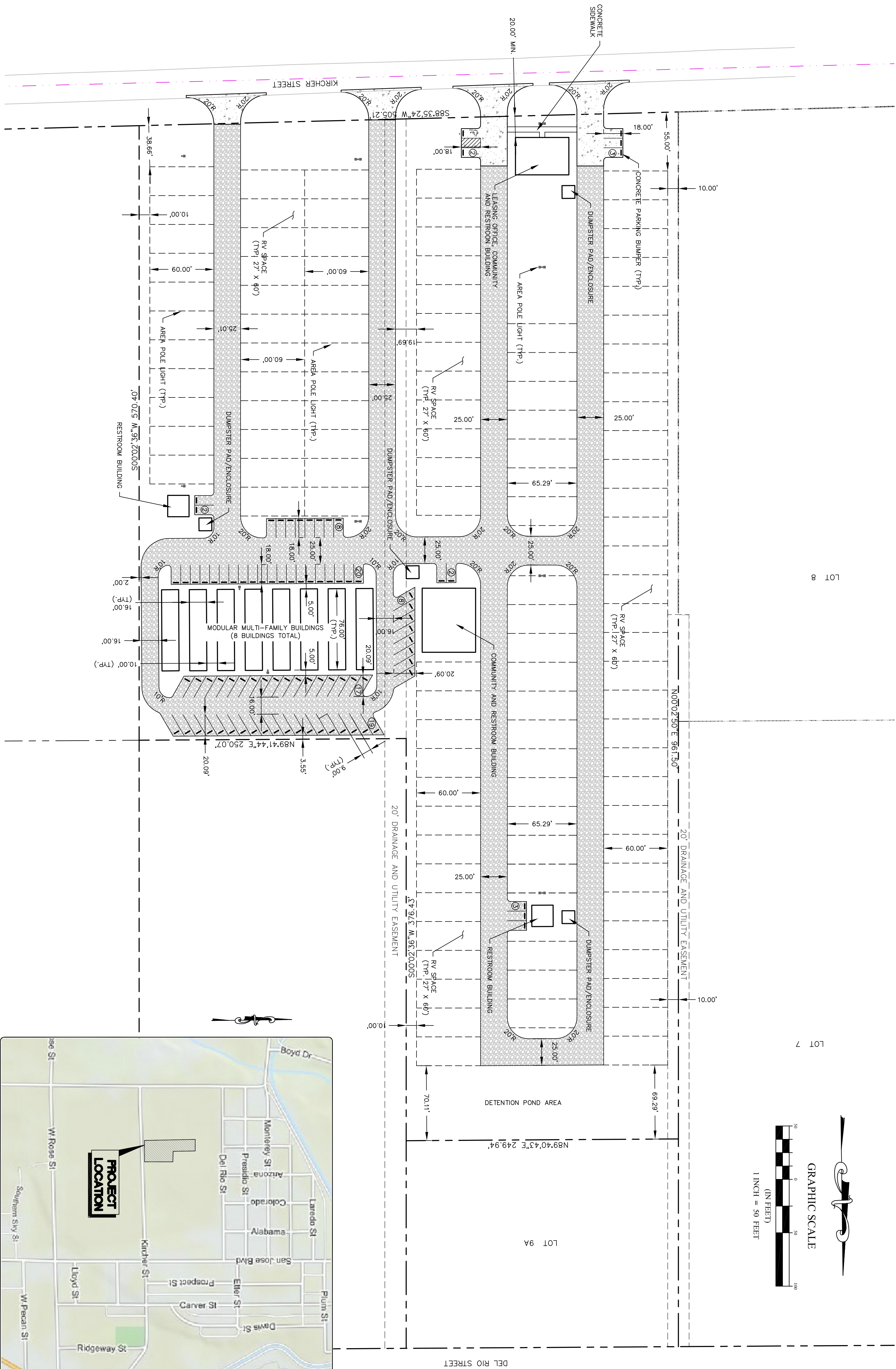
- Address
- Parcel
- Roads



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







CONTACT INFORMATION

OWNER:  
POST INVESTMENT GROUP  
801 CENTURY PARK EAST  
SUITE 200  
LOS ANGELES, CA 90067

ENGINEER:  
CAIN CONSULTING AND ENGINEERING  
SERVICES, INC.  
6136 FRISCO SQ. BLVD.  
SUITE 400  
FRISCO, TEXAS 75034  
972-284-9916

SUBVECTOR:  
RAE SURVEYING, LLC  
SUITE 100  
301 WEST GREENE STREET  
CARLSBAD, NEW MEXICO 88220

SITE INFORMATION SUMMARY

LEGAL DESCRIPTION: LOT 10A  
PETROLEUM PARK SUBDIVISION  
UNIT 2 REPLAT 2

ZONING: C-2

TOTAL PROPERTY AREA: 8.93 ACRES

RV SPACES: 113 SPACES

MULTI-UNIT MODULAR RESIDENTIAL BLDGS.: 8 BUILDINGS

MULTI-UNIT MODULAR RESIDENTIAL UNITS: 32 UNITS

PARKING SPACES PROVIDED: 84 SPACES

REQUIRED OPEN SPACE (3%): 19,449 SQ. FT.

PROVIDED OPEN SPACE: 83,304 SQ. FT.

LEGEND

BOUNDARY / PROPERTY LINE

EASEMENT LINE

EXISTING FENCE LINE

EXISTING OVERHEAD POWER LINE

PROPOSED FENCE LINE

PROPOSED CONCRETE PAVEMENT

PROPOSED GRAVEL/CALOHE

VICINITY MAP  
(NOT TO SCALE)



NOTES

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OVERALL  
SITE PLAN

808 KIRCHER STREET  
RV PARK

CARLSBAD, NEW MEXICO



CAIN CONSULTING AND  
ENGINEERING SERVICES

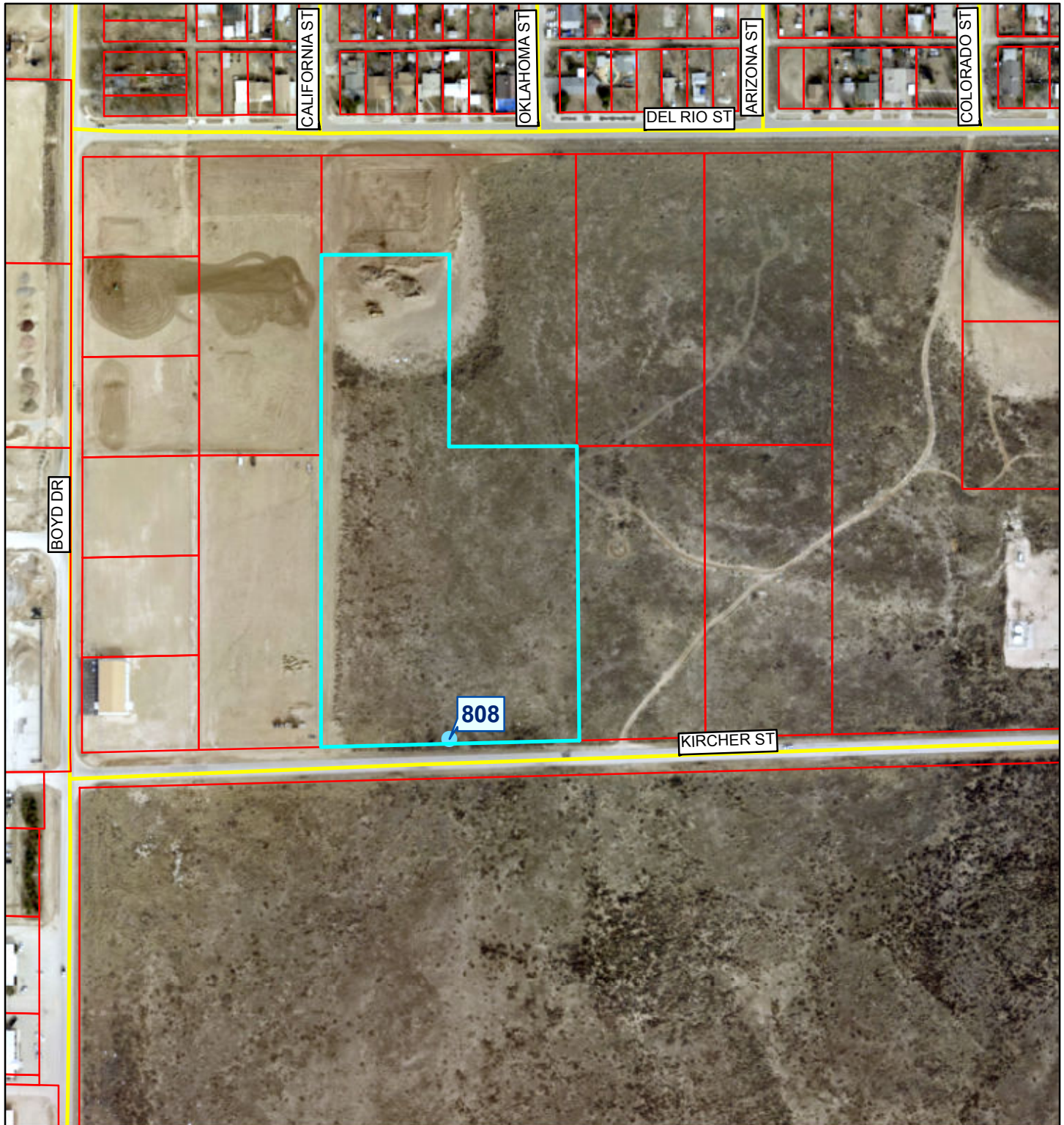
6136 FRISCO SQUARE BLVD.  
SUITE 400  
FRISCO, TX 75034  
972.284.9916  
866.275.7330 FAX

REV.	REV. DATE	DESCRIPTION
1	9/23/2015	REVISED PER CITY COMMENTS

C1.01

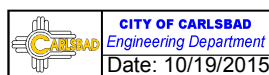
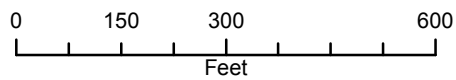
SHEET NO. 1 OF 1



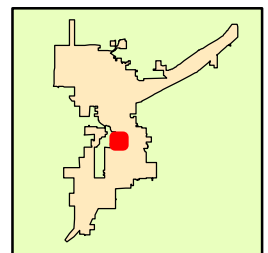


## Legend

- Address
- Parcel
- Roads



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





**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering and Regulation	<b>BY:</b> Jeff Patterson, Planning Director	<b>DATE:</b> 10/22/2015
<p><b>SUBJECT:</b> Appeal (variance) from Section 56-70(d)(5)(c) to allow a 4.5' tall perimeter fence instead of the maximum allowed 3' at 3102 W. Lea St., zoned R-1.</p> <p>Applicant: Mario Anaya 3102 W. Lea Carlsbad, NM 88220</p> <p><b><i>*The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i).</i></b></p>		
<p><b>SYNOPSIS:</b> This variance is a request from the applicant to erect a 4.5' wood slat fence along the front and east side of the applicant's home. This property is located at 3102 W. Lea St. on a corner lot.</p> <p>Section 56-70(d)(5)(c) states:</p> <p>(c) Fences, walls and hedges shall not exceed three-feet (3') in height from the front property line, or right-of-way line if the front property line is the street centerline, to the front building line of any existing dwelling or front setback line, whichever is further from the street.</p> <p>The variance request will result in a 1.5' variance from the City's Zoning Ordinance. The applicant states in their site plan that the fence will be constructed from wood slat fencing. The applicant is requesting this variance to build a taller fence than is allowed for noise suppression from large truck traffic on Lea St.</p> <p>The Planning and Zoning Commission shall only approve a variance if it makes the following findings:</p> <ul style="list-style-type: none"> <li>(a) The stated hardship is one that is unique to the applicant rather than one suffered by the neighbors or the general public, and</li> <li>(b) The hardship relates to the applicant's land, rather than personal circumstances, and</li> <li>(c) The hardship is not the result of the applicant's own actions, and</li> <li>(d) The granting of the variance is consistent with the City's Comprehensive Plan or other City master plan, and</li> <li>(e) The granting of the variance is in harmony with the purpose and intent of the Zoning Ordinance, and</li> <li>(f) The variance granted is the minimum necessary to make possible the reasonable use of the land or structure, and</li> <li>(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</li> <li>(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.</li> </ul>		

**The applicant did provide justification based on some of the criteria above, but did not meet all of the listed criteria.**

**IMPACT** (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): The maximum 3' height allowed for fences along the front of the property.

The following *Greater Carlsbad Comprehensive Plan: Strategy 2030* goals apply to this request:

**Chapter 3: Land Use**

Goal 4: The City of Carlsbad will strive to create an aesthetically pleasing built environment.

**Chapter 4: Housing**

Goal 2: Carlsbad will ensure that local housing protects the health, safety, and welfare of residents and their neighbors.

**PLANNING STAFF RECOMMENDATION:** Planning Staff recommends denial based on the prohibition in City Ordinance.

**DEPARTMENT RECOMMENDATION (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			x	Plng., Eng. & Reg. Dept:			
Fire Department				Code Enforcement Division			
Legal Department				Engineering Division			
Police Department				Planning Division		x	
Utilities Department			x	Building & Regulation Division			
Culture & Rec. Dept.				Carlsbad Irrigation District			x

**DEPARTMENT COMMENTS:**

Public Works: No comments.

Utilities: No comments.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See comments above.

Police Department: no comments.

Culture and Recreation Department: No comments.

City Engineer: N/A

Carlsbad Irrigation District: No comments.

City Administration: No comments.

**ATTACHMENTS:** Application materials





## CITY OF CARLSBAD

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

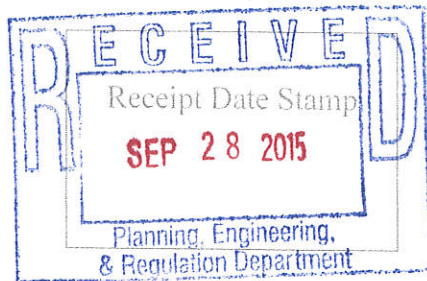
## BOARD OF APPEALS APPLICATION

(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 fifteen (15) 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.

**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: 9-28-15Fee Paid (\$50.00): 50.00 *pd*  
*gc***APPLICANT INFORMATION:**

MARIO + DEBORAH ANAYA 3102 W. LEA ST.  
 NAME ADDRESS  
CARLSBAD, NM 88220 (575) 499-8217  
 CITY STATE ZIP PHONE EMAIL

**PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT):**

NAME ADDRESS  
 CITY STATE ZIP PHONE EMAIL

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH VARIANCE IS REQUESTED):** \_\_\_\_\_

**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:** \_\_\_\_\_



**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:			
<b>Required prior to P &amp; Z:</b> Complete Application Including:	<input type="checkbox"/> Site Plan <input type="checkbox"/> Fee <input type="checkbox"/> Notification <input type="checkbox"/> Sign Posting Agreement <input type="checkbox"/> ABM <input type="checkbox"/> Staff Comments	<input type="checkbox"/> Letter of Explanation <input type="checkbox"/> Sign Posted <input type="checkbox"/> Application Packet	
P & Z Action: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> 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

**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

DATE: \_\_\_\_\_  
DATE SIGNED

NOTARY SEAL

**OWNER 2: (IF APPLICABLE)**

BY: \_\_\_\_\_  
SIGNATURE

BY: \_\_\_\_\_  
PRINTED NAME

DATE: \_\_\_\_\_  
DATE SIGNED

NOTARY SEAL

**ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY**



## 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

Date: 10-1-15

~~\*~~ Date Changed  
Please note

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: MARIO ANAYA 3102 W. Lea 575-499-8217  
Name Address Phone  
Subject Site Location: 3102 W. Lea

The proposed action is a:

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

☒ Variance/Appeal from Sec. 56-150(c)(4) in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

Fence 4 1/2 ft. tall in front, instead of  
3' tall.

☐ 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: ~~Oct. 5, 2015~~ Nov. 2, 2015

Time: 5:00pmPlace: City Hall Planning Room, 2<sup>nd</sup> Floor101 N. Halagueno St.Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://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](mailto:jepatterson@cityofcarlsbadnm.com).

Sincerely,

Applicant/Agent

Mario Anaya



7013 3020 0001 5892 1804

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**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

Sent To: **WILDA E GILLILAND**  
 Street, Apt. No., or PO Box No. **3107 WASHINGTON ST**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0001 5892 1798

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**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

Sent To: **SCOTT E VALARIE BEPUSCH**  
 Street, Apt. No., or PO Box No. **1501 MOUNTAIN SHADOW**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0001 5892 1811

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**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

Sent To: **Sim Bosh**  
 Street, Apt. No., or PO Box No. **3110 W. LEC**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0001 5892 1774

**U.S. Postal Service™**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

Sent To: **CITY OF CARLSBAD**  
 Street, Apt. No., or PO Box No. **101 N HOLAGUENO**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instruction

7013 3020 0001 5892 1767

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

Sent To: **ELIAS RODRIGUEZ**  
 Street, Apt. No., or PO Box No. **6015 14th**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instruction

7013 3020 0001 5892 1828

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

CARLSBAD, NM 88220

Postage	\$ 3.45
Certified Fee	\$0.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$0.49

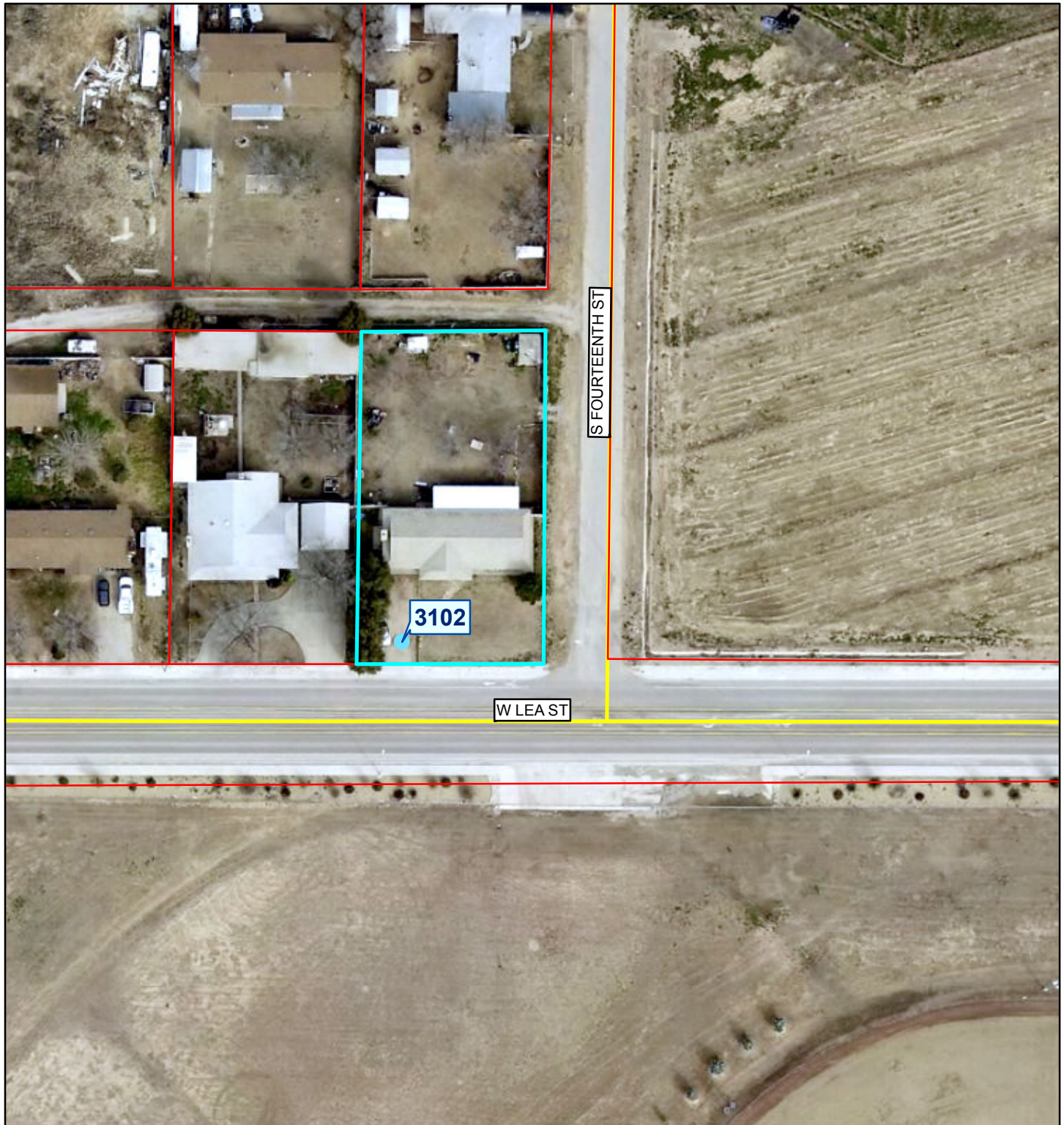
Sent To: **Dolores Hester**  
 Street, Apt. No., or PO Box No. **3166 W. LEC**  
 City, State, ZIP+4 **CARLSBAD NM 88220**

PS Form 3800, August 2006 See Reverse for Instruction

**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.)

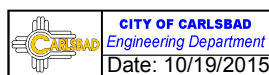
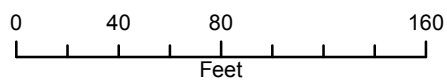
We, the property owners, are requesting a variance to put up a <sup>52"</sup> solid wood fence across the front of our house to block the considerable road noise especially from the very large trucks that go by at 4-6 AM every morning. We checked to see if it disrupts the driver's view from 14<sup>th</sup> st. It doesn't. Since it surrounds a very large yard and joins the 5' cinder block fence at the side of the house, a 30" fence would appear disproportionately small and wouldn't adequately block the noise.



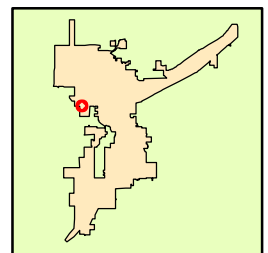


## Legend

- Address
- Parcel
- Roads



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



**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering & Regulation	<b>BY:</b> Jeff Patterson, Planning Director	<b>DATE:</b> 10/22/15
<p><b>SUBJECT:</b> Zoning Change from “C-2” Commercial District to “C-1” Commercial District for Lots 1 &amp; 3, Block 99, Powers Amended Subdivision, located on the corner of Guadalupe St and Fox St., pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.</p> <p>Applicant:          Craig, Sherry or Tim Stephens          203 W. Mermod St.          Carlsbad, NM 88220</p> <p>Owner:          Martha Skeen          201 S. Guadalupe St.          Carlsbad, NM 88220</p> <p><b><i>*The applicant provided the required notification to property owners within 100’ and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners’ 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.</i></b></p>		
<p><b>SYNOPSIS, HISTORY AND IMPACT</b> (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):          The applicant is requesting a Zoning Change from “C-2” Commercial District to “C-1” Commercial District at the subject site. There is mixed zoning in the area from “R-2”, “C-2” and “C-1”.</p> <p>According to Zoning Ordinance Sec. 56-4. Amendments, prior to approving a zoning change, the Planning and Zoning Commission must find “whether or not the proposal would improve or damage the comprehensive zoning plan herein established”.</p> <p><i>Comprehensive Plan: Strategy 2030 goals and policies that are applicable to this request are:</i></p> <p><b>Chapter 3: Land Use</b>  <u>Goal 1:</u> The City of Carlsbad will adopt policies to support the Infill/Redevelopment Land Use Scenario.  <u>Goal 2:</u> The City of Carlsbad will make efficient use of government resources through well-planned land use decisions.  <u>Goal 4:</u> The City of Carlsbad will strive to create an aesthetically pleasing built environment.  <u>Goal 5:</u> The City of Carlsbad will ensure that land use does not negatively impact the city’s environmental resources.</p> <p><b>Chapter 5: Economic Development</b>  <u>Goal 4:</u> Improve the appearance of Carlsbad.  <u>Goal 6:</u> Support the efforts and expansion of existing major industries, such as potash mining, oil and gas drilling, and nuclear waste disposal.</p> <p><b><i>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:</i></b>          (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</p>		



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.

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

1. 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; and
2. 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; and
3. The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and
4. The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
5. The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
6. 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
7. The proposed amendment is not justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
8. 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 (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			x	Planning, Eng. & Reg. Dept.:			
Fire Department			x	Code Enforcement Division			x
Legal Department			x	Engineering Division			x
Police Department			x	Planning Division	x		
Utilities Department			x	Building & Regulation Division			x
Culture & Rec. Dept.			x	Carlsbad Irrigation District			x

**DEPARTMENT COMMENTS:**

Public Works: No comments.

Utilities Department: No Comments.

Building Department: No comments.

Fire Department: No comments.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See above.

Police Department: No comments.

Culture & Rec. Dept.: No comments.

City Engineer: N/A

Carlsbad Irrigation District: CID neither supports nor objects to these applications since the applications do not affect our operations.

City Administration:

ATTACHMENTS: Application materials



**CITY OF CARLSBAD***Planning, Engineering, and Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

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**ZONING CHANGE APPLICATION****Sec. 56-150(b)**

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**PROCESS FOR ACCEPTANCE AND REVIEW  
OF PLANNING AND ZONING COMMISSION MATTERS**

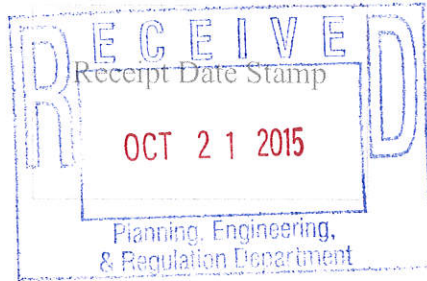
1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Planning, 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 fifteen (15) 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.

02/06/15

## **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.



**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: 10-14-15  
Existing Zoning: C2

Fee Paid (\$100.00): ✓ P  
Proposed Zoning: C1

**APPLICANT INFORMATION:**

Martha W SKeen P.O. Box 696  
NAME ADDRESS  
Loving nm 88256 % Curtis SKeen business  
CITY STATE ZIP PHONE EMAIL  
575-881-1106

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

Martha W. SKeen 603 + 605 W Fox st  
NAME ADDRESS  
Carlsbad nm 88220 % Curtis SKeen - sec above  
CITY STATE ZIP PHONE EMAIL  
201 S. Guadalupe

\* 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):**

Lots 1 + 3, block 99, Stevens 2nd Addition  
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.
- ☐ 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**

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

ADDRESS OF PROPERTY: 603-254 FOX & 201 S. GUADALUPE  
STREET ADDRESS

LEGAL DESSCRPTION: STEVEN ZND 99    LOTS 1 & 2  
SUBDIVISION                      BLOCK                      LOT OR TRACT

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

AGENT: TERA STEPHENS    TERA MONTGOMERY  
NAME                      NAME                      PHONE  
1015 CANYON ST, CARLSBAD, NM    885-4131  
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: Curtis K Skeen - For Martha Skeen  
SIGNATURE

BY: Curtis K SKEEN  
PRINTED NAME

DATE: 10-15-16  
DATE SIGNED

Notary - Craig R. Stephens  
Signature

**OWNER 2: (IF APPLICABLE)** TERES - 7/22/2016

BY: \_\_\_\_\_  
SIGNATURE

BY: \_\_\_\_\_  
PRINTED NAME

DATE: \_\_\_\_\_  
DATE SIGNED

NOTARY SEAL

NOTARY SEAL

**ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY**

## 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.

Curtis R. Sheen For Martha Skerw  
APPLICANT SIGNATURE

10-15-15  
DATE

Sign issued by: [Signature]  
Staff Member



Date: 10/20/2015

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: MARTHA SKREEN TOROX 696 575-887-1106  
Name Address Phone  
Subject Site Location: 201 S. GUADALUPE ST. LOVING, NM 88250

The proposed action is a:

☒ Zoning Change from C-2 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:** 11/2/2015

**Time:** 5:00pm

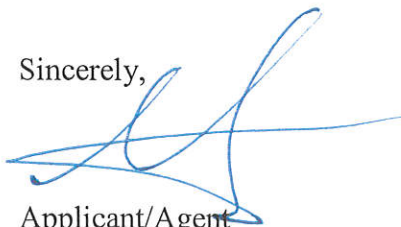
**Place:** City Hall Planning Room, 2<sup>nd</sup> Floor

101 N. Halagueno St.

Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://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](mailto:jepatterson@cityofcarlsbadnm.com).

Sincerely,



Applicant/Agent

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

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**CARLSBAD, NM 88220**

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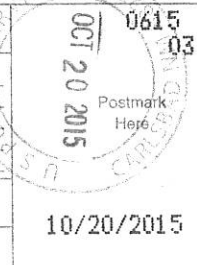
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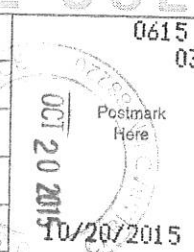
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**ADDISON, TX 75001**

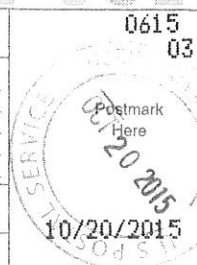
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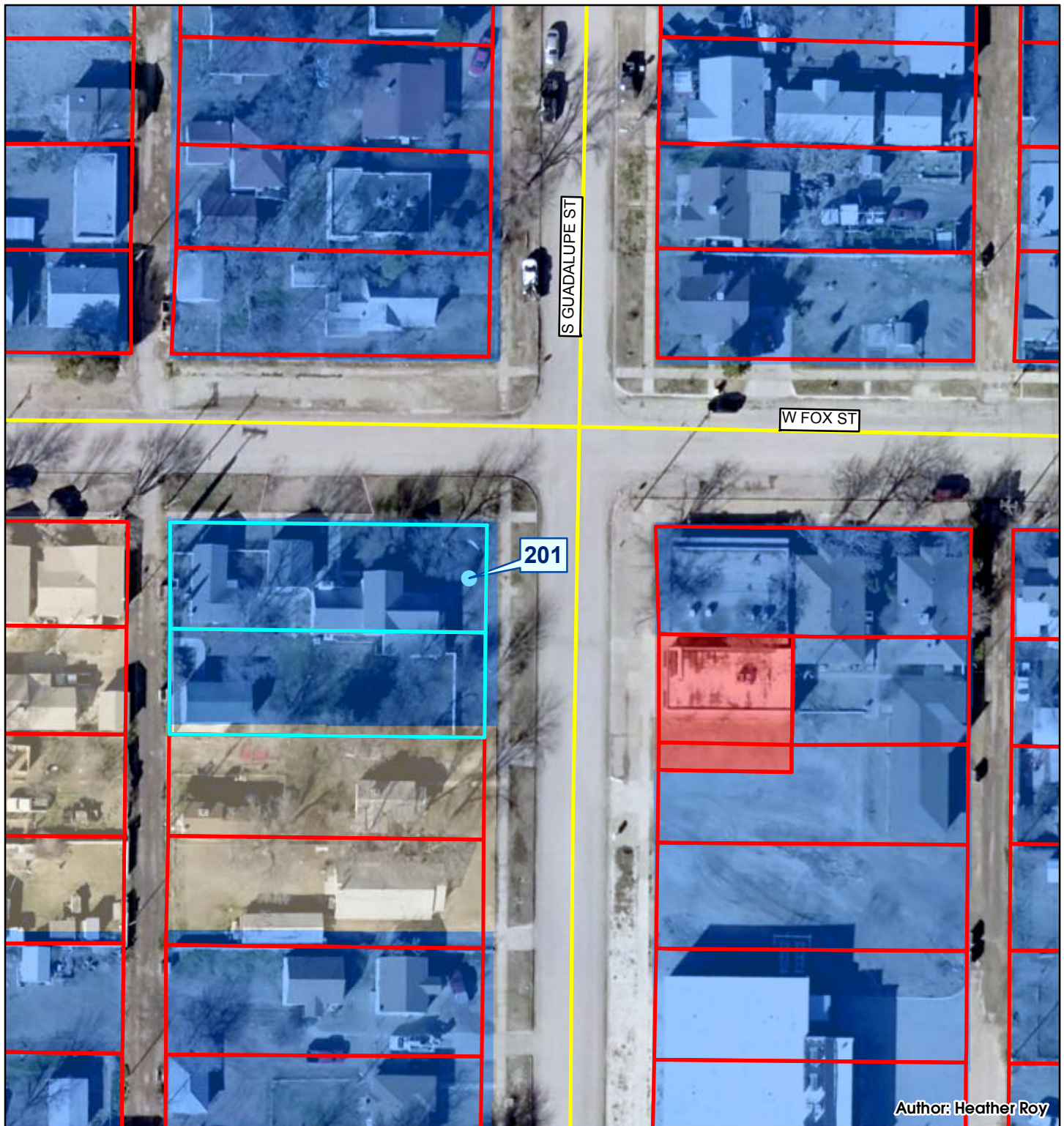
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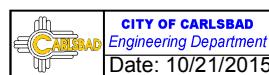
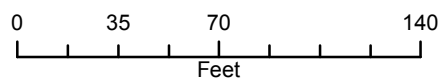
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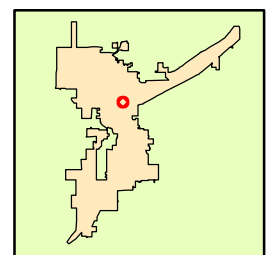


## Legend

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



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





**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

117

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering and Regulation	<b>BY:</b> Jeff Patterson, Deputy Planning Director	<b>DATE:</b> 10/28/2015
<p><b>SUBJECT:</b> Appeal (variance) from Section 47-42 III. 2 to allow a street ROW width of 50' instead of the required 60' ROW for a property on W. McKay St. and N. Elm St., legally described as Powers Amended Subdivision, Block 195, Lots 1, 2, 3, 5, 7, 9, 11, 13, and 15, zoned "R-1" Residential District.</p> <p>O'Dell Enterprises, LLC. 4658 Los Poblanos Cr. NW. Los Ranchos, NM</p> <p><b><i>*The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i).</i></b></p>		
<p><b>SYNOPSIS:</b> The applicant is requesting a variance from Sec. 47-42 of the City's Subdivision Ordinance, which requires all streets installed to City specifications should have a 60' ROW. The applicant wishes to build his street with only a 50' ROW in order to accommodate his development. The applicant feels that having a 50' ROW falls in line with the some of the surrounding street ROW's (Ash St., Dearborn St.) and the ability to construct to only a 50' ROW will allow the applicant to move forward with his development design. The property is vacant. The applicant plans on replatting the current property before developing, and a sketch of the replat has been provided.</p>		
<p><b>IMPACT</b> (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.): The Subdivision Ordinance for the City is meant to guide new development within the City, as well as the installation of new infrastructure. Granting this variance will not be in line with following this ordinance, however, the development being proposed is a small development, and the street that will be installed is a cul-de-sac, not a through street. The applicant has stated that he needs this variance in order to be able to develop this property, which has sat vacant for some time. Granting this variance would help to promote infill in this instance.</p> <p>Sec. 47-7 of the Subdivision Ordinance states:</p> <p style="padding-left: 40px;">Sec. 47-7. Variances.</p> <p style="padding-left: 40px;">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 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.</p> <p style="padding-left: 40px;">(a) <i>Criteria.</i> The Board shall grant the minimum variance or modification to relieve the hardship only upon determination that:</p> <p style="padding-left: 80px;">(1) The variance will not be detrimental to the public health, safety and general welfare of the community; and</p> <p style="padding-left: 80px;">(2) The variance will not adversely affect the reasonable development of adjacent property; and</p> <p style="padding-left: 80px;">(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; and</p> <p style="padding-left: 80px;">(4) The variance is consistent with the objectives of this chapter and will not have the effect</p>		

of nullifying the intent or purpose of this chapter or the comprehensive plan; and

(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; and

(6) The hardship must not be pecuniary and must be a direct result of the land location, topography or other characteristic; and

(7) Where a variance is requested from the required provision of sidewalks, an ADA complaint, alternative route to the nearest bus stop or school is required. If an alternative route cannot be provided, a variance shall not be approved.

***The applicant's request is not justified based on the criteria above.***

### **Chapter 3: Land Use**

Goal 1: The City of Carlsbad will adopt policies to support the Infill/Redevelopment Land Use Scenario.

Goal 2: The City of Carlsbad will make efficient use of government resources through well-planned land use decisions.

Goal 4: "The City of Carlsbad will strive to create an aesthetically pleasing built environment."

### **Chapter 4: Housing**

Goal 1: Carlsbad will continue to encourage the development and redevelopment of housing in appropriate locations and at appropriate densities in order to provide a range of housing choices that meets the needs of current and future Carlsbad residents.

Goal 2: Carlsbad will ensure that local housing protects the health, safety, and welfare of residents and their neighbors

**PLANNING STAFF RECOMMENDATION:** Based on the application materials and staff comments, the Planning Staff recommends denial.

### **DEPARTMENT RECOMMENDATION (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works				Planning, Eng. & Reg. Dept.			
Fire Department	x			Code Enforcement Division			
Legal Department				Engineering Division			
Police Department				Planning Division		x	
Utilities Department				Building & Regulation Division			
Culture & Rec. Dept.				City Administration			

### **DEPARTMENT COMMENTS:**

Public Works: No Comments.

Utilities Department:

Building Department: No comments

Fire Department: No comments or objections.

Code Enforcement: No comments.

Legal Department: No Comments.

Planning Department: see comments above.

Police Department: No comments.

Culture and Recreation Department: No comments

City Engineer: Recommend denial. N/A

City Administration: No Comments.

Carlsbad Irrigation District: No comments

**ATTACHMENTS:** Application materials



(5) *Improvement plans and data.* The subdivider shall submit construction plans and specifications for all improvements and installations required by Article V of this chapter. The construction plans and specifications shall consist of all cross sections, profiles and other engineering data deemed necessary by the City Engineer for the proper design and construction of all required improvements and installations.

(6) *Financial guarantees.* Financial guarantees as required in section 47-63 shall be submitted to the Commission along with the final plat. Approval of the final plat shall not be granted in the absence of such guarantees.

Secs. 47-34--47-40. Reserved.

## ARTICLE IV. DESIGN STANDARDS

### Sec. 47-41. General provisions.

The design standards contained herein shall be considered minimum standards. Higher standards are to be encouraged in subdivision design. The following standards shall be applied toward that end.

### Sec. 47-42. Streets.

(a) *Relation to adjoining street system.* The proposed street system shall extend existing streets or projects. They shall be extended at a width no less than the required minimum width as set forth in this article or the width of the existing street, whichever is greater.

(b) *Access to streets and subdivision boundaries.* Sufficient access streets to adjoining properties shall be provided in subdivisions to permit harmonious development of the area.

(c) *Street widths.* The minimum width of right-of-way, measured from lot line to lot line, shall be not less than follows (See Illustration 2):

(1) *Arterial streets and highways.* 80 to 150 feet, as may be required. Arterial streets and highways are those to be used primarily for fast or heavy traffic;

(2) *Collector streets.* 60 feet. Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets of a residential development and streets for major circulation within such a development;

(3) *Local streets.* 60 feet. Local streets are those streets which primarily permit direct access to abutting lands and connect to collector and arterial streets. Service to through-traffic movement should be deliberately discouraged.

(4) *Dead-end streets (cul-de-sacs).* The minimum diameter of a cul-de-sac is 100 feet. Cul-de-sacs are permanent dead-end streets or courts that may not exceed 800 feet in length or 15 dwelling units, and are designed so that they cannot be extended in the future; (See Illustration 4)

(5) *Rural streets.* 60 feet. Rural streets include:

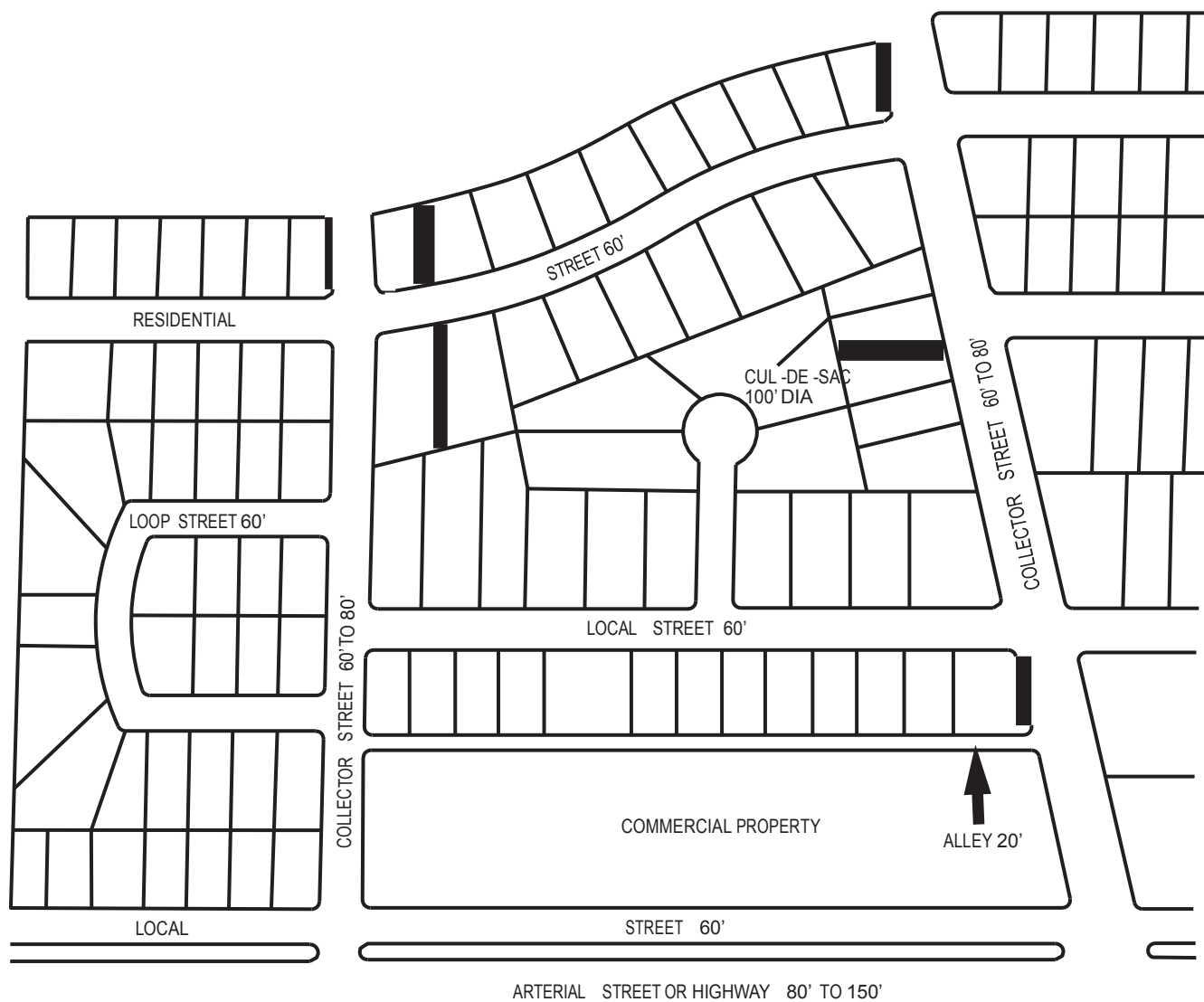
a. Those streets where development density is not more than one dwelling unit per acre; or

b. Streets developed in the 5-mile planning and platting jurisdiction of the City.

- (6) *Loop streets.* 60 feet. Loop streets are streets open at both ends and connected to only one residential street. Loop streets have a maximum length of 1,200 feet or 24 dwelling units.
- (7) *Alleys.* 20 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.
- (8) *Residential streets.* 60 feet. Residential streets are streets so designated and designed to carry low traffic volumes primarily through residential areas and neighborhoods.
- (9) The Commission will have the authority to classify a street.
- (d) *Additional width on existing streets.* Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street requirements.
  - (1) The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing streets; and
  - (2) When the subdivision is located on only one (1) side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided. In no case shall the resulting right-of-way be less than sixty (60) feet. When the subdivision is located on only one side of a newly platted street, a minimum of one-half of the required street width shall be constructed, but in no case shall the resulting street be less than twenty-four (24) feet in width.
- (e) *Restriction of access.* Where a subdivision abuts or contains an existing or proposed major street, the Commission may require a frontage street or buffering with vegetation or screen walls.
- (f) *Intersections.* Street intersections shall be as nearly at right angles as possible and no intersection shall be at an angle of less than 60 degrees (See Illustration 4). To permit the construction of a curb having a desirable radius, property line radii at all street intersections shall not be less than 20 feet. Where the angle of the street intersection is less than 90 degrees, the Commission may require a greater radius.
- (g) *Tangents.* A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.
- (h) *Street jogs.* Street jogs with centerline offsets of less than 125 feet shall not be allowed.
- (i) *Dead-end streets.*
  - (1) Minor terminal streets or courts designed to have one end permanently closed shall be no more than 800 feet long, unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 100 feet. The Commission may approve an alternate design such as the T or Y backaround shown on Illustration 6;
  - (2) Where, in the opinion of the Commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turnaround having a finished roadway diameter of at least 80 feet (See Illustration 4).
- (j) *Private streets and reserve strips.* There shall be no private streets platted in any subdivision, except in Planned Unit Development (PUD) districts. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips



ILLUSTRATION 2  
MINIMUM STANDARDS OF DESIGN  
RIGHT-OF-WAY WIDTH





# 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)**

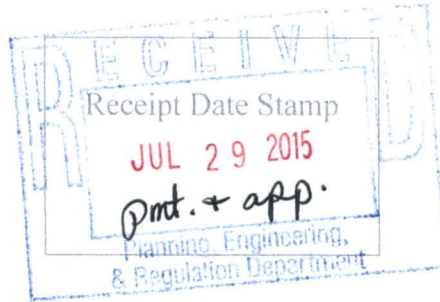
### PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

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 fifteen (15) 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.



**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: 7-29-15Fee Paid (\$50.00): ✓ PVP**APPLICANT INFORMATION:**

O'Dell Enterprises L.L.C. 4658 Los Poblanos Cr. N.W.  
NAME ADDRESS  
Los Ranchos N.M. 87107 (505) 3289745 daveodell1955@  
CITY STATE ZIP PHONE EMAIL  
Gmail.com

**PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT):**

Dan R. Mowery 4100 Paseo Del Norte N.E.  
NAME ADDRESS  
Alb. N.M. 87113 (505) 480-8526 danrmowery4@  
CITY STATE ZIP PHONE EMAIL  
Gmail.com

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH VARIANCE IS REQUESTED):** Powers Addition Lot 1, 2, 3, 5, 7, 9, 11, 13 + 15, Block 195

**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: 47-42 II. 2

**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:

- |   |   |                                       |  |
|---|---|---------------------------------------|--|
| <input type="checkbox"/> Site Plan              | <input type="checkbox"/> Fee            | <input type="checkbox"/> Notification | <input type="checkbox"/> Letter of Explanation |
| <input type="checkbox"/> Sign Posting Agreement |   |                                       | <input type="checkbox"/> Sign Posted           |
| <input type="checkbox"/> ABM                    | <input type="checkbox"/> Staff Comments |                                       | <input type="checkbox"/> 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

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

ADDRESS OF PROPERTY: CORNER of MCKAY & Elm  
STREET ADDRESS

LEGAL DESSCRPTION: Powder Addition 195 1,2,3,5,7,9,11,13 & 15  
SUBDIVISION                      BLOCK                      LOT OR TRACT

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

AGENT: O'Dell Enterprises (David O'Dell) (505)-328-9745  
NAME                      PHONE  
4658 Los Poblanos Cr. N.W., Los Ranchos N.M. 87107  
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

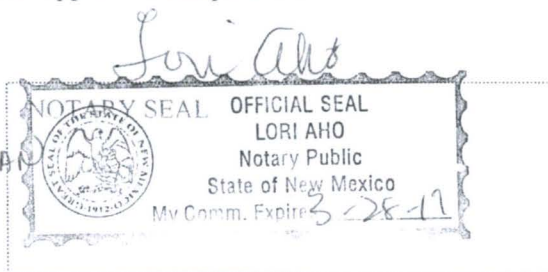
I (WE) HEREBY EXECUTE THIS AFFIDAVIT in support of the proposed application as presented:

OWNER 1:

BY: ANDRIA LIBERMAN  
SIGNATURE

BY: Dan R. Mowery ANDRIA LIBERMAN  
PRINTED NAME

DATE: 7-16-15  
DATE SIGNED

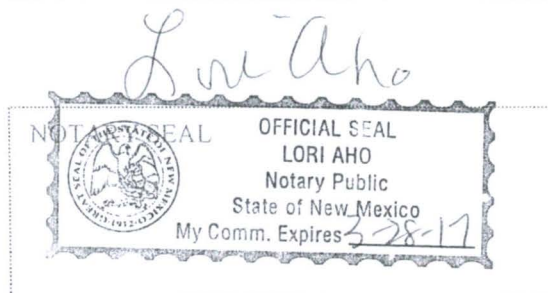


OWNER 2: (IF APPLICABLE)

BY: Dan R. Mowery  
SIGNATURE

BY: DAN R. MOWERY  
PRINTED NAME

DATE: 7-16-15  
DATE SIGNED



ADDITIONAL OWNERS: ATTACH SEPARATE SHEETS AS NECESSARY



7011 0110 0001 2171 3026

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Total Postage & Fees	\$	\$3.45

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 or PO Box No. 1110 W. MCKAY  
 City, State, ZIP+4 CARLSBAD, N. MEX 88220

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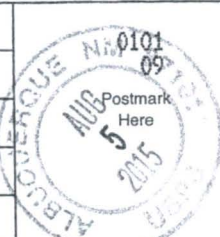
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Sent To **D. A. MEDRANO** 08/05/2015  
 Street, Apt. No., or PO Box No. **1010 DEARBORN**  
 City, State, ZIP+4 **CARLSBAD, N. Mex. 88220**  
 PS Form 3800, August 2006 See Reverse for Instructions

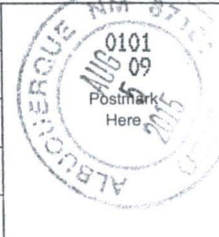
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Sent To **C. Mickibben** 08/05/2015  
 Street, Apt. No., or PO Box No. **515 N. Ash**  
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Sent To **W. J. Taylor** 08/05/2015  
 Street, Apt. No., or PO Box No. **320 N. Elm**  
 City, State, ZIP+4 **CARLSBAD, N. Mex. 88220**  
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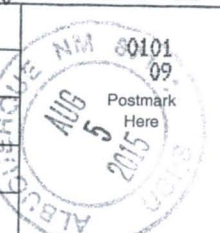
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Sent To **C. G. ARMENDARIZ** 08/05/2015  
 Street, Apt. No., or PO Box No. **1110 Williams Dr.**  
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Sent To **J. J. Munro** 08/05/2015  
 Street, Apt. No., or PO Box No. **2608 Camp St.**  
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Sent To: **H. & B. Ledbetter** 08/05/2015  
 Street, Apt. No., or PO Box No.: **1002 Dearborn**  
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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$0.49	

Sent To: **Skyline Property Mgmt. LLC** 08/05/2015  
 Street, Apt. No., or PO Box No.: **10850 E. Camino Miguel**  
 City, State, ZIP+4: **Tucson, Az. 85749**

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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$0.49	

Sent To: **L.S. & C. Jurva** 08/05/2015  
 Street, Apt. No., or PO Box No.: **321 S. Canyon**  
 City, State, ZIP+4: **CARLSBAD, N. Mex 88220**

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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$0.49	

Sent To: **A. Prince** 08/05/2015  
 Street, Apt. No., or PO Box No.: **1006 Dearborn**  
 City, State, ZIP+4: **CARLSBAD, N. Mex. 88220**

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Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
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Sent To: **C. Williams** 08/05/2015  
 Street, Apt. No., or PO Box No.: **3006 Piedras**  
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
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Sent To: **Q Brantley** 08/05/2015  
 Street, Apt. No., or PO Box No.: **511 N. Ash**  
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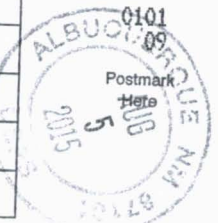
Sent To **Z. I. Hernandez**  
 Street & Apt. No.,  
 or PO Box No. **214 N. Main St.**  
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Total Postage & Fees	\$	



Sent To **J. Horsfall**  
 Street & Apt. No.,  
 or PO Box No. **404 N. Ash**  
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Total Postage & Fees	\$	



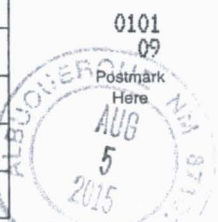
Sent To **D. Gonzalez**  
 Street & Apt. No.,  
 or PO Box No. **402 N. Ash**  
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Sent To **Sunshine Peaks LLC**  
 Street, Apt. No.,  
 or PO Box No. **PO Box 3174**  
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Return Receipt Fee (Endorsement Required)		\$0.00
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Total Postage & Fees	\$	



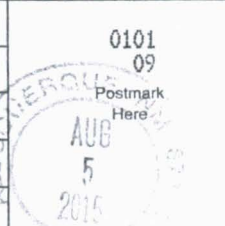
Sent To **B. J. Waldrop**  
 Street, Apt. No.,  
 or PO Box No. **406 N. Ash St.**  
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Sent To **J. Mann**  
 Street, Apt. No.,  
 or PO Box No. **1037 N. Eddy**  
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Date: August 4, 2015

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: O'Dell Enterprises L.L.C. 4658 Los Poblanos Cr. N.W.  
Name Address Phone

Subject Site Location: Powers Add Lot 1, 2, 3, 5, 7, 9, 11, 13, 15 Los Ranchos  
block 195 N.M. 87107  
(505) 328-9745

The proposed action is a:

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

☒ Variance/Appeal from Sec. 47-42/ Ill. 2 in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

To install a street with a ROW width of 50'  
instead of the required 60' of ROW.

☐ 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: September 1, 2015

Time: 5:00pm

Place: City Hall Planning Room, 2<sup>nd</sup> Floor

101 N. Halagueno St.

Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://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](mailto:jepatterson@cityofcarlsbadnm.com).

Sincerely,

Applicant/Agent

J. O'Dell O'Dell

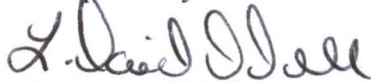
City of Carlsbad  
Planning , Engineering and Regulation Department  
PO Box 1569  
Carlsbad, NM 88221

Re: Variance

Legal Description:  
Powers Addition  
Block 195  
Lot 1,2,3,5,7,9,11,13 and 15  
McKay and Elm , Carlsbad, NM

This is a request for a variance to construct a short street with a ROW with of fifty (50) Feet, instead of the required sixty (60) feet ROW,  
We feel this would be consistent with the surrounding area. See original plat attached.  
This variance change would help the development of this now vacant property and enhance the beauty of the neighborhood and create uniformity of the surrounding area.  
This variance change would also create an opportunity for the city of Carlsbad and O'Dell Enterprises to infill this vacant propertyand help with the housing shortage of Carlsbad.  
Your help with this variance change would be greatly appreciated.

Respectfully



L. David O'Dell  
O'Dell Enterprises, LLC



0507754200

P.01/01

## TRANSACTION REPORT

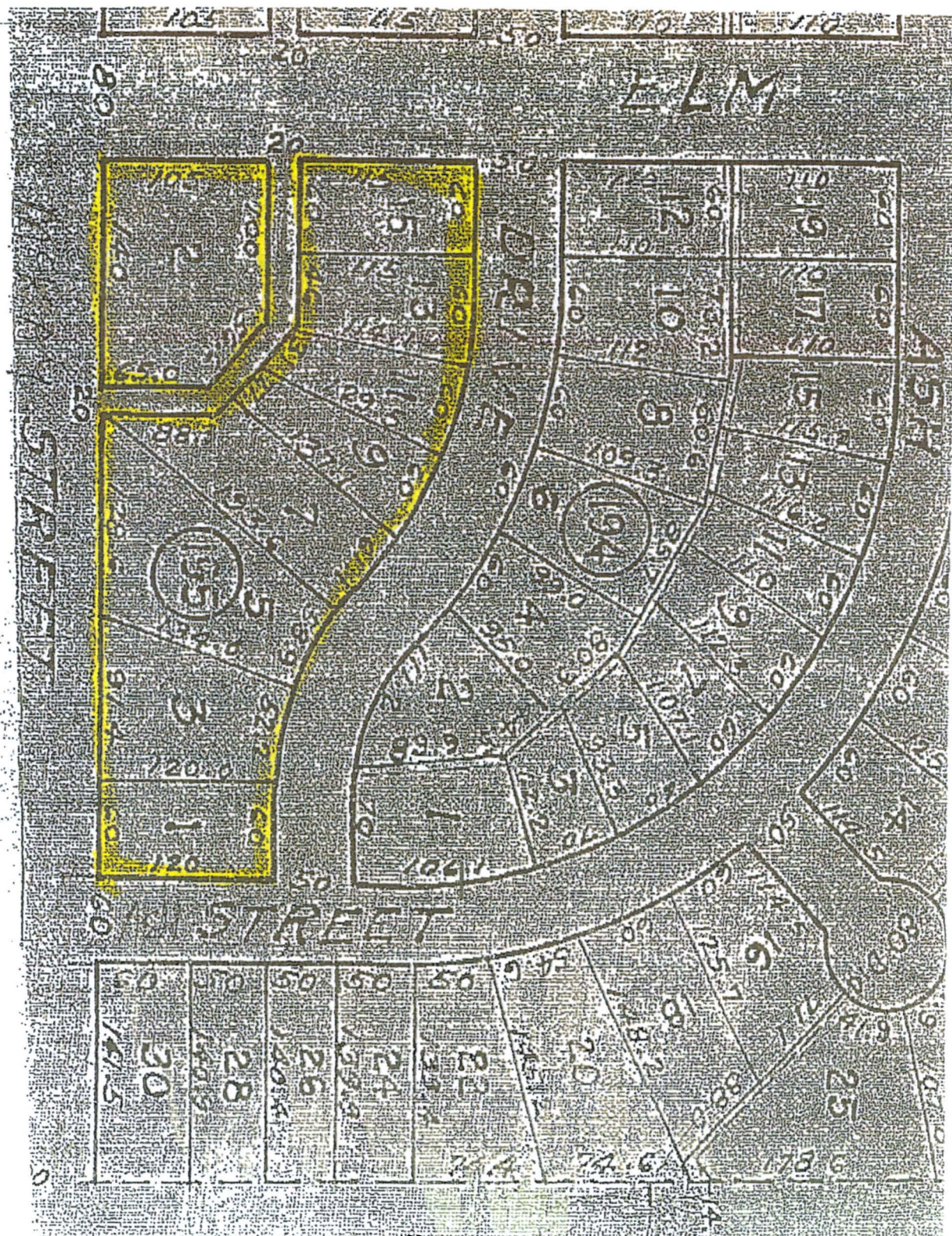
ELM &amp; MCKAY

NOV/09/2013/SAT 12:31 PM

FAX(TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	NOV/09	12:27PM	5752341861			MEMORY NO RESPONSE	8203

THE FOLLOWING DATA COULD NOT BE SENT.  
PLEASE GIVE THIS TRANSACTION REPORT TO SENDER.



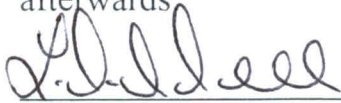


## NOTIFICATION SIGN POSTING AGREEMENT

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

7-29-15  
DATE

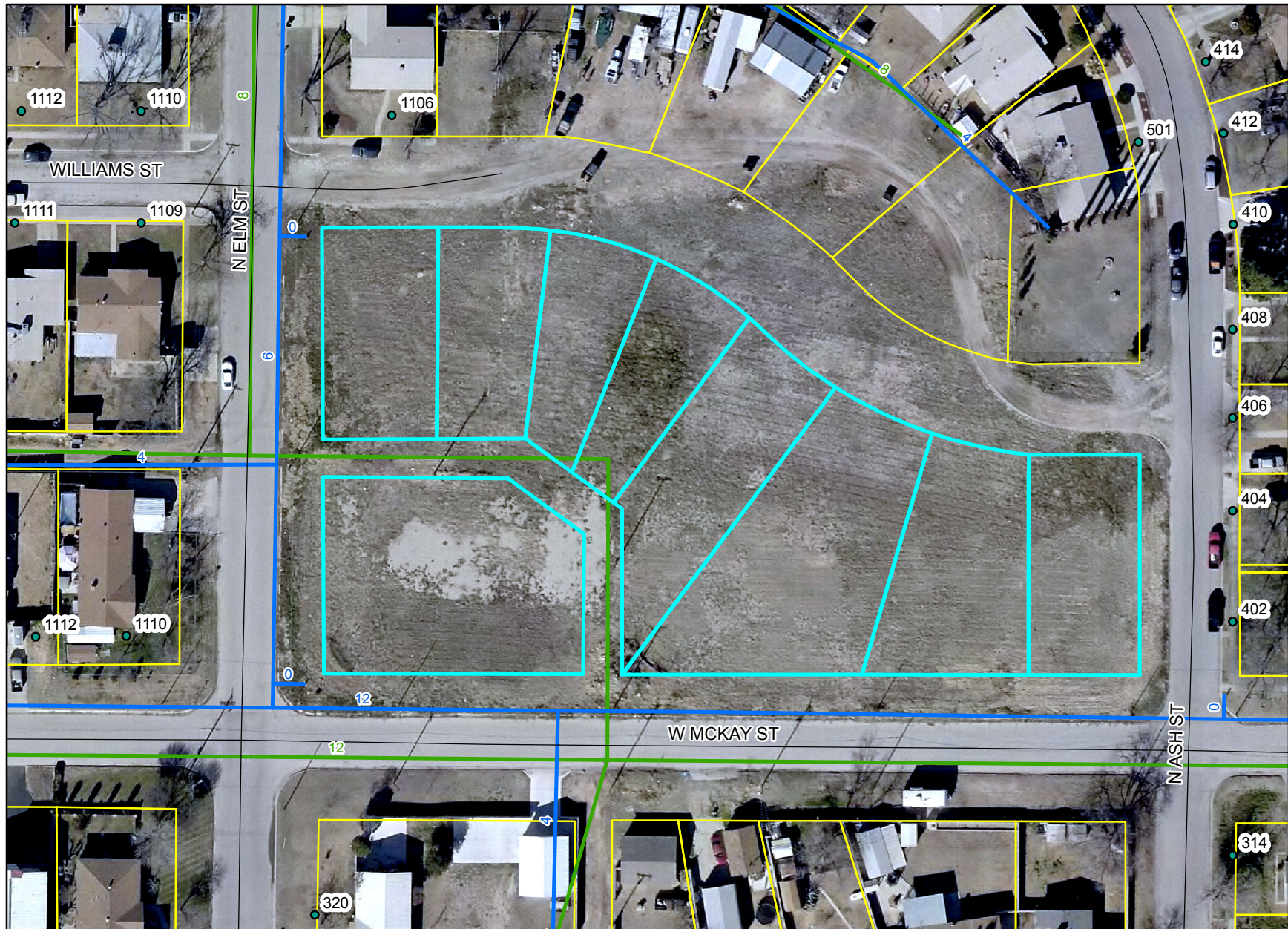
Sign issued by: \_\_\_\_\_  
Staff Member





# Variance Request - 50' ROW

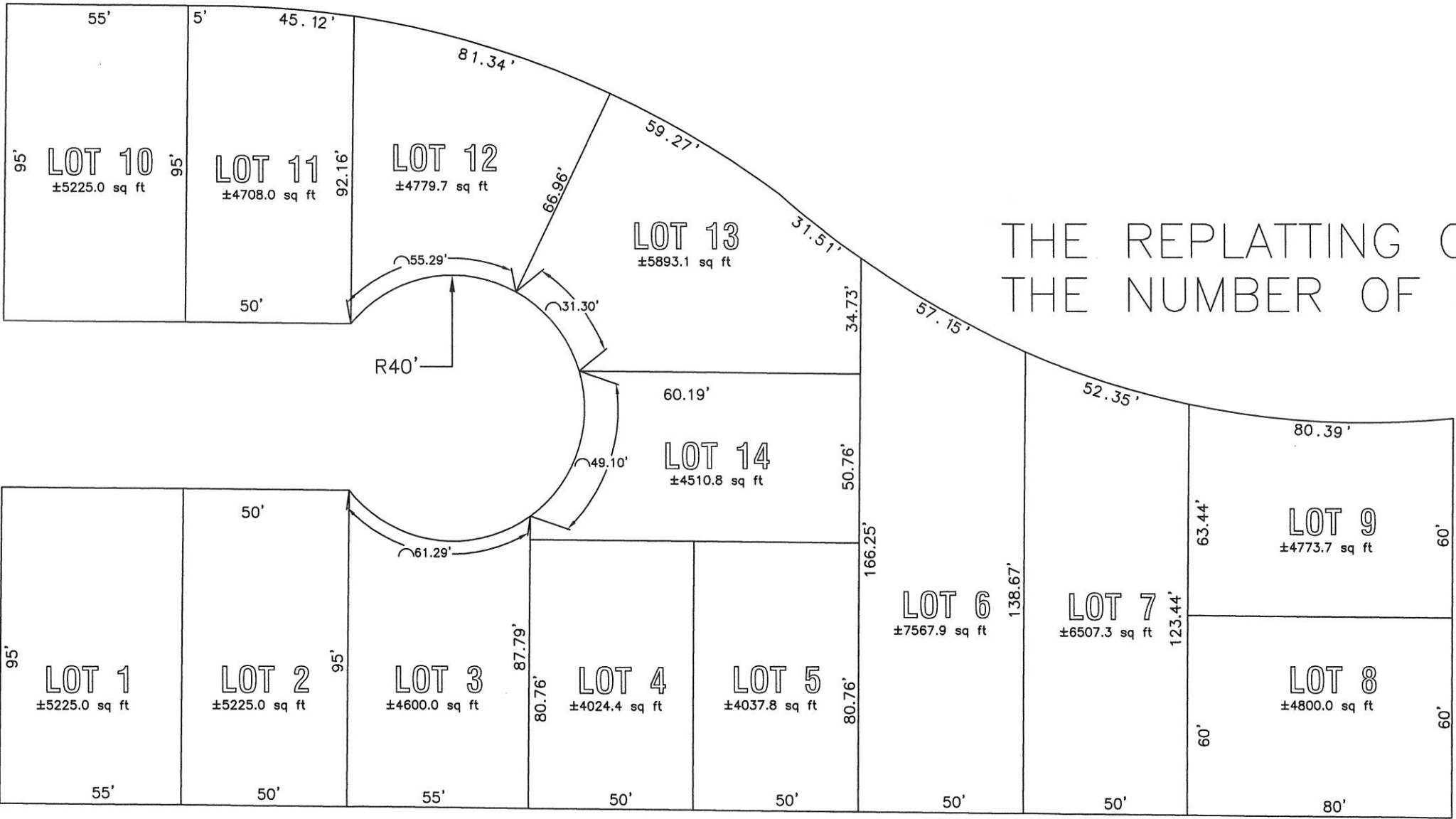
 Property Parcels



0 50 100 200 Feet



CITY OF CARLSBAD  
PLANNING, ENGINEERING AND  
REGULATION DEPARTMENT  
8/18/15



THE REPLATTING OF BLOCK 195  
THE NUMBER OF LOTS DECREASE TO 14



**CITY OF CARLSBAD**  
**AGENDA BRIEFING MEMORANDUM**  
**PLANNING AND ZONING COMMISSION**

**Meeting Date: 11/2/15**

<b>DEPARTMENT:</b> Planning, Engineering & Regulation	<b>BY:</b> Jeff Patterson, Planning Director	<b>DATE:</b> 10/22/15
<p><b>SUBJECT:</b> Zoning Change from “R-1” Residential District to “R-2” Residential District for Lot 1,3, 5, 7, 9, 11, 13 &amp; 15, Block 195, Powers Amended Subdivision, located on the corner of W. McKay St. and N. Elm St., pursuant to Section 3-21-1 et. Seq. NMSA 1978 and Sections 56-150(b) and 56-140(i), Carlsbad Code of Ordinances.</p> <p>Applicant:          O'Dell Enterprises, LLC.          4658 Los Poblanos Cr. NW.          Los Ranchos, NM 87107</p> <p>Owner:          Dan R. Mowery          4100 Paseo del Norte Cr. NW          Albuquerque, NM 87113</p> <p><i><b>*The applicant provided the required notification to property owners within 100' and agreed to post the required sign 5-days prior to the public hearing as required by Sec. 56-140(i). The City will notify the property owners' 15-days prior to the City Council hearing and publish notification in the newspaper 30-days prior to said hearing.</b></i></p>		
<p><b>SYNOPSIS, HISTORY AND IMPACT</b> (SAFETY AND WELFARE/FINANCIAL/PERSONNEL/INFRASTRUCTURE/ETC.):          The applicant is requesting a Zoning Change from “R-1” Residential District to “R-2” Residential District at the subject site, which currently is vacant. The zoning to the east and north is R-1, with the zoning to the south and west R-2. Changing the zoning to R-2 will not create a spot zone. The applicant is planning to develop the subject property along with the adjacent empty properties, and he wishes to replat the properties before he starts the development. In order to replat the properties, the applicant needs to have all of the properties zoned the same, R-2.</p> <p>According to Zoning Ordinance Sec. 56-4. Amendments, prior to approving a zoning change, the Planning and Zoning Commission must find “whether or not the proposal would improve or damage the comprehensive zoning plan herein established”.</p> <p><i>Comprehensive Plan: Strategy 2030</i> goals and policies that are applicable to this request are:</p> <p><b>Chapter 3: Land Use</b>  <u>Goal 1:</u> The City of Carlsbad will adopt policies to support the Infill/Redevelopment Land Use Scenario.  <u>Goal 2:</u> The City of Carlsbad will make efficient use of government resources through well-planned land use decisions.  <u>Goal 4:</u> The City of Carlsbad will strive to create an aesthetically pleasing built environment.  <u>Goal 5:</u> The City of Carlsbad will ensure that land use does not negatively impact the city's environmental resources.</p> <p><b>Chapter 5: Economic Development</b>  <u>Goal 4:</u> Improve the appearance of Carlsbad.  <u>Goal 6:</u> Support the efforts and expansion of existing major industries, such as potash mining, oil and gas drilling, and nuclear waste disposal.</p>		

**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 or is not 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.

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

1. 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; and
2. 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; and
3. The proposed amendment is not necessary in order to respond to State and/or Federal legislation; and
4. The proposed amendment provides additional flexibility in meeting the objectives of this Zoning Ordinance without lowering the standards of the Zoning Ordinance; and
5. The proposed amendment is in substantial compliance with the City's Comprehensive Plan or other City Master Plan; and
6. 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
7. The proposed amendment is not justified in order to correct a mistake in the Official Zoning Map or the text of the Zoning Ordinance; and
8. 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 (please check):**

	Approval	Denial	n/a		Approval	Denial	n/a
Public Works			x	Planning, Eng. & Reg. Dept.:			
Fire Department			x	Code Enforcement Division			x
Legal Department			x	Engineering Division			x
Police Department			x	Planning Division	x		
Utilities Department			x	Building & Regulation Division			x
Culture & Rec. Dept.			x	Carlsbad Irrigation District			x

**DEPARTMENT COMMENTS:**

Public Works: No comments.



Utilities Department: The sewer line on the map above is incorrect. The applicant needs to call in a design locate so that all lines can be marked properly, and a survey can be done to see exactly where the line runs through the property.

Building Department: No comments.

Fire Department: No comments or objections.

Code Enforcement: No comments.

Legal Department: No comments.

Planning Department: See above.

Police Department: No comments.

Culture & Rec. Dept.: No comments.

City Engineer: N/A

Carlsbad Irrigation District: CID neither supports nor objects to these applications since the applications do not affect our operations.

City Administration: No comments.

ATTACHMENTS: Application materials

**CITY OF CARLSBAD***Planning, Engineering, and Regulation Department*

PO Box 1569, Carlsbad, NM 88221

Phone (575) 885-1185

Fax (575) 628-8379

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**ZONING CHANGE APPLICATION****Sec. 56-150(b)**

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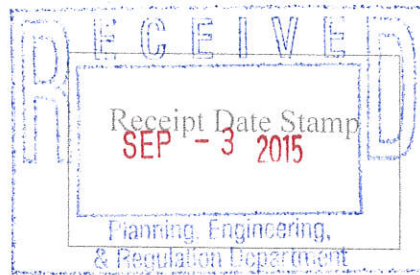
**PROCESS FOR ACCEPTANCE AND REVIEW  
OF PLANNING AND ZONING COMMISSION MATTERS**

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 fifteen (15) 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.



## 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: 9/2/15  
Existing Zoning: R-1

Fee Paid (\$100.00): N/A JP  
Proposed Zoning: R-2

## APPLICANT INFORMATION:

Daved O'dell O'dell Enterprises 4658 Los Poblanos Cr. N.W  
NAME ADDRESS  
Los Ranchos, N.Mex. 87107 (505)-328-9745 daveodell 1955 @  
CITY STATE ZIP PHONE EMAIL  
Gmail.com

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

Dan R. Mowery 4100 Paseo Del Norte N.E.  
NAME ADDRESS  
Alb. N.Mex. 87113 danrmowery 4 @ Gmail.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):

1000 Block of W. McKay St. 1, 3, 5, 7, 9, 11, 13, 15 195 Powers Amended  
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.
- ☐ 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.: \_\_\_\_\_

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

☒ ZONING CHANGE      ☐ CONDITIONAL USE      ☐ VARIANCE      ☐ TEMPORARY USE

ADDRESS OF PROPERTY: CORNER of McKay & Elm  
STREET ADDRESS

LEGAL DESSCRPTION: Powers Add. 195 1,2,3,5,7,9,11,13 & 15  
SUBDIVISION BLOCK LOT OR TRACT

AGENT: O'Dell Enterprises (David O'Dell) (505)-328-9745  
NAME PHONE  
1658 Los Poblanos Cr. N.W. Los Ranchos N.Mex. 87107  
ADDRESS

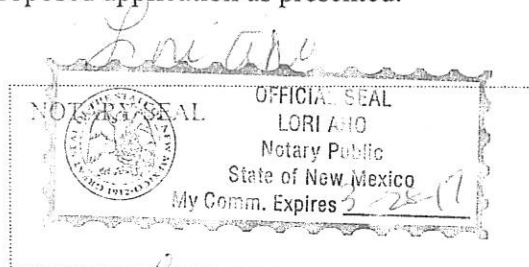
That this application may be approved, approved with conditions or denied and that, as the property owner, it is my responsibility to ensure that any conditions are complied with and to ensure that the property is maintained in a condition so as not to jeopardize the health, safety or welfare of others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

**OWNER 1:**

BY 7/16/15 7-16-15  
SIGNATURE

BY: ✓ ANDRIA LIBERMANN  
PRINTED NAME

DATE: 7-16-15

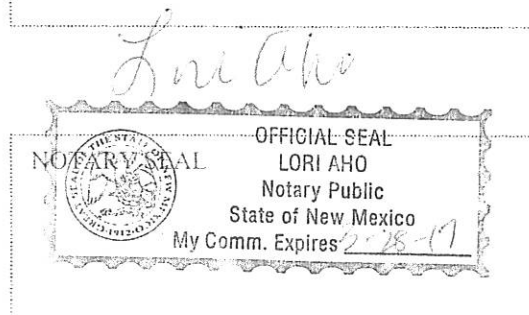


**OWNER 2: (IF APPLICABLE)**

BY: Don D. Mowery 7-16-15  
SIGNATURE

BY: DAN R. MAOWERY  
PRINTED NAME

DATE: 7-16-15 DATE SIGNED \_\_\_\_\_



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Date: 9-2-15

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: ODELL Enterprises 4658 Los Poblanos Dr. N.W. Los Ranchos  
Name Address Phone  
Subject Site Location: 1000 Block of W. McKay St. Lot 1, 3, 5, 7, 9, 11, 13 N. Mex 87107  
15 block 195 Powers Amendment (505)-328-9745  
The proposed action is a:  
☒ Zoning Change from R-1 to R-2 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: 11-2-15Time: 5:00pm

Place: City Hall Planning Room, 2<sup>nd</sup> Floor  
101 N. Halagueno St.  
Carlsbad, NM 88220

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://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](mailto:jepatterson@cityofcarlsbadnm.com).

Sincerely,



Applicant/Agent



GPPRP	GPPRE	GPXY	GONUM	UPC	GONAM	GOAD2	GOCIT	GOST	GOZPI
6127464162		0	106460	4-156-127-464-162	✓ HOEFT, CHAD E & HEATHER D (JT)	1110 W MC KAY	CARLSBAD	NM	88220
6127465150		0	19299	4-156-127-465-150	✓ MUNRO, JEFFREY & JO LYNN (JT)	2608 CAMP ST	CARLSBAD	NM	88220
6127466133		0	18821	4-156-127-466-133	✓ ARMENDAREZ, CHON N & GERALDINE	1110 WILLIAMS DRIVE	CARLSBAD	NM	88220
6127478148		0	253812	4-156-127-478-148	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127479133		0	13227	4-156-127-479-133	✓ WIGHT, ROXANE	PO BOX 3071	CARLSBAD	NM	88221
6127482163		0	253812	4-156-127-482-163	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127484148		0	253812	4-156-127-484-148	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127484180		0	253986	4-156-127-484-180	✓ TAYLOR, WH JR & JOANN (JT)	320 N ELM	CARLSBAD	NM	88220
6127485133		0	13227	4-156-127-485-133	✓ WIGHT, ROXANE	PO BOX 3071	CARLSBAD	NM	88221
6127489150		0	253812	4-156-127-489-150	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127492134		0	15341	4-156-127-492-134	✓ MCKIBBEN, CLINT	515 N ASH	CARLSBAD	NM	88220
6127493152		0	253812	4-156-127-493-152	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127494186		0	19463	4-156-127-494-186	✓ MEDRANO, DANIEL R & AIRIELL (JT)	1010 DEARBORN	CARLSBAD	NM	88220
6127495158		0	253812	4-156-127-495-158	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127498135		0	14672	4-156-127-498-135	✓ BRAITLEY, QUATA	511 N ASH	CARLSBAD	NM	88220
6127499184		0	19383	4-156-127-499-184	✓ WILLIAMS, CHARLES DEAN	3006 PIEDRAS	CARLSBAD	NM	88220
6127500165		0	253812	4-156-127-500-165	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127503183		0	17263	4-156-127-503-183	✓ PANGLE, ALLISON	1006 DEARBORN	CARLSBAD	NM	88220
6127505139		0	251009	4-156-127-505-139	✓ JURVA, LINDA A & SKEEN, CURTIS K	321 S CANYON	CARLSBAD	NM	88220
6127509143		0	251009	4-156-127-509-143	✓ JURVA, LINDA A & SKEEN, CURTIS K	321 S CANYON	CARLSBAD	NM	88220
6127509165		0	253812	4-156-127-509-165	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127509182		0	12413	4-156-127-509-182	✓ SKYLINE PROPERTY MANAGEMENT LLC	10850 E CAMINO MIRAMONTE	TUCSON	AZ	85749
6127516162		0	253812	4-156-127-516-162	✓ LERMAN, ANDREA & MOWERY, DAN R	4100 PASEO DEL NORTE NE	ALBUQUERQUE	NM	87113
6127516181		0	15492	4-156-127-516-181	✓ LEDBETTER, HULEN & BILLIE D	1002 DEARBORN	CARLSBAD	NM	88220
6127517146		0	103726	4-156-127-517-146	✓ MANN, JUDITH LEE	1037 NEDDY	CARLSBAD	NM	88220
6127532150		0	12837	4-156-127-532-150	✓ SUNSHINE PERKS LLC	PO BOX 3174	CARLSBAD	NM	88221
6127532155		0	16846	4-156-127-532-155	✓ WALDROP, BOBBY RAY & JUDY C (JT)	406 N ASH ST	CARLSBAD	NM	88220
6127532160		0	15630	4-156-127-532-160	✓ HORSFALL, JACQUELINE C	404 N ASH	CARLSBAD	NM	88220
6127532163		0	15630	4-156-127-532-163	✓ HORSFALL, JACQUELINE C	404 N ASH	CARLSBAD	NM	88220
6127532166		0	106742	4-156-127-532-166	✓ GONZALEZ, DELIA L	402 N ASH	CARLSBAD	NM	88220
6127532178		0	103932	4-156-127-532-178	✓ HERRANDEZ, ZEKE & IRMA F (JT)	214 N MAIN STREET	CARLSBAD	NM	88220



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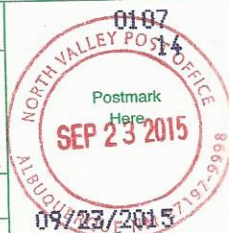
Certified Mail Fee \$3.45

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☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

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Street and Apt. No., or PO Box No.  
402 N. Ash  
City, State, ZIP+4®  
CARLSBAD N.M. 88220  
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Jaceuzine Horsfall  
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CARLSBAD, NM 88221

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☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

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Sunshinez Parks LLC  
Street and Apt. No., or PO Box No.  
PO Box 3174  
City, State, ZIP+4®  
CARLSBAD N.M. 88221  
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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CARLSBAD, NM 88220

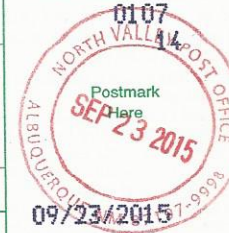
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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To  
Lize & Tema Hernandez  
Street and Apt. No., or PO Box No.  
214 N. Main St.  
City, State, ZIP+4®  
CARLSBAD N.M. 88220  
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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CARLSBAD, NM 88220

Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To  
Judith Mann  
Street and Apt. No., or PO Box No.  
1031 N. 2nd  
City, State, ZIP+4®  
CARLSBAD N.M. 88220  
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





7015 1520 0000 0086 2629

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Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Helen & Billie L. Lohbether

Street and Apt. No., or PO Box No. 1002 Draborn

City, State, ZIP+4® Carlsbad N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Allison Pangle

Street and Apt. No., or PO Box No. 1006 Draborn

City, State, ZIP+4® Carlsbad N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7015 1520 0000 0086 2612

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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TUCSON, AZ 85749

Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Skylar Property Mgmt. LLC

Street and Apt. No., or PO Box No. 10550 E. Camino Miramonte

City, State, ZIP+4® Tucson AZ 85749

PS Form 3800, April 2015 PSN 7530-02-000-9047

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7015 1520 0000 0086 2582

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Charles Williams

Street and Apt. No., or PO Box No. 3006 Pielas

City, State, ZIP+4® Carlsbad N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7015 1520 0000 0086 2605

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Linda Skzen & Curtis Jura

Street and Apt. No., or PO Box No. 321 S. Canyon

City, State, ZIP+4® Carlsbad N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



7015 1520 0000 0086 2575

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45

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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To: Quata Brantly

Street and Apt. No., or PO Box No. 511 N. Ash

City, State, ZIP+4® Carlsbad, N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45  
\$  
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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Daniel & Arrizli Mzdrano

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

1010 DEARBORN

City, State, ZIP+4<sup>®</sup>

CARLSBAD N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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149

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

CARLSBAD, NM 88221

Certified Mail Fee \$3.45  
\$  
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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Roxane Wright

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

PO Box 3571

City, State, ZIP+4<sup>®</sup>

CARLSBAD N.M. 88221

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Clint McKibben

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

515 N. Ash

City, State, ZIP+4<sup>®</sup>

CARLSBAD N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45  
\$  
Extra Services & Fees (check box, add fee as appropriate)  
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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Chon & Geraldine Amendez

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

1110 Williams Dr.

City, State, ZIP+4<sup>®</sup>

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PS Form 3800, April 2015 PSN 7530-02-000-9047

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45  
\$  
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 \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Ch. Dr. & Joann Taylor

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

320 N. Elm

City, State, ZIP+4<sup>®</sup>

CARLSBAD N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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CARLSBAD, NM 88220

Certified Mail Fee \$3.45  
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Extra Services & Fees (check box, add fee as appropriate)  
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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.49

Total Postage and Fees \$3.94

Sent To Jeffery & Jo Lynn Molero

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

2608 Camp St.

City, State, ZIP+4<sup>®</sup>

CARLSBAD N.M. 88220

PS Form 3800, April 2015 PSN 7530-02-000-9047

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**CARLSBAD, NM 88220**

Certified Mail Fee **\$3.45**

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$ <b>\$0.00</b>
<input type="checkbox"/> Return Receipt (electronic)	\$ <b>\$0.00</b>
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ <b>\$0.00</b>
<input type="checkbox"/> Adult Signature Required	\$ <b>\$0.00</b>
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ <b>\$0.00</b>

Postage **\$0.49**

**Total Postage and Fees**  
**\$3.94**

Sent To **Host Chad & Heather**

Street and Apt. No., or P.O. Box **110 W. McKay**

City, State, ZIP+4® **Carlsbad N.M. 88220**

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

7015 1520 9900 0000 025T 5107

0107  
 SEP 23 2015  
 NORTH VALLEY POST OFFICE  
 ALBUQUERQUE NM 87167  
 Postmark Here  
 09/23/2015

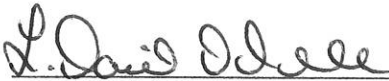


## NOTIFICATION SIGN POSTING AGREEMENT

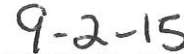
Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- 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



0507754200

P.01/01

## TRANSACTION REPORT

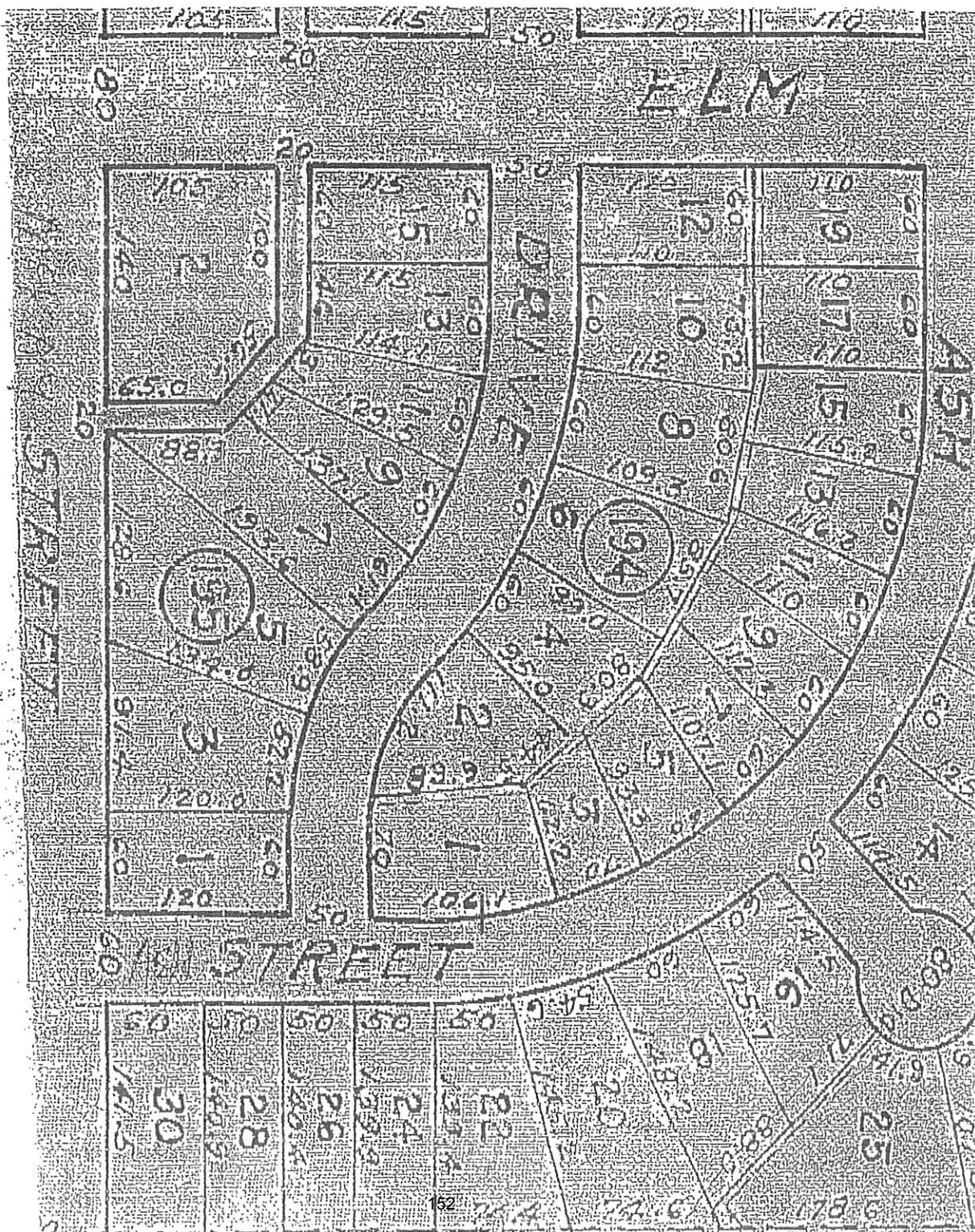
*ELM 4 mckay*

NOV/09/2013/SAT 12:31 PM

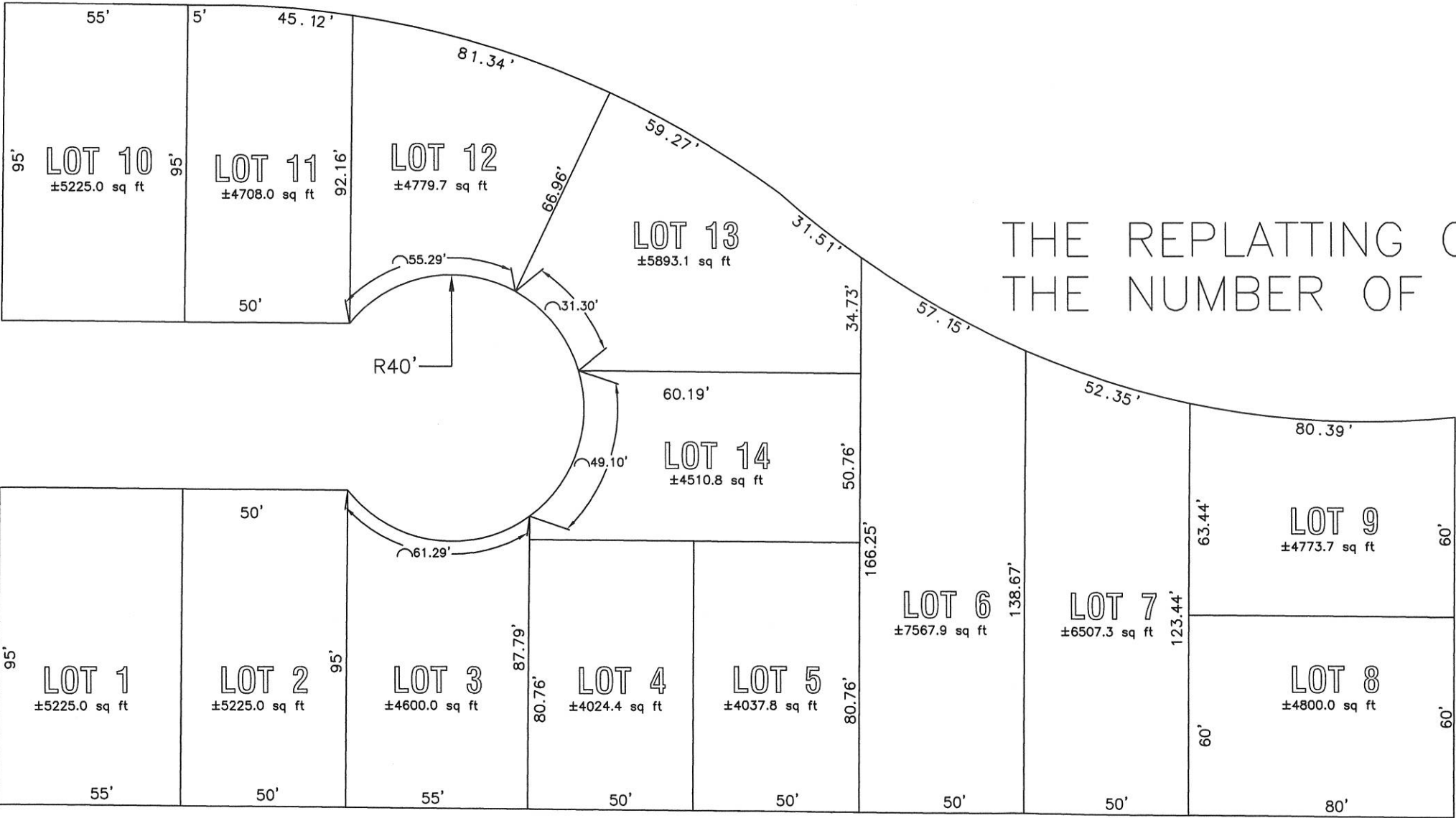
FAX(TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	NOV/09	12:27PM	5752341861			MEMORY NO RESPONSE	8203

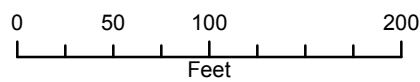
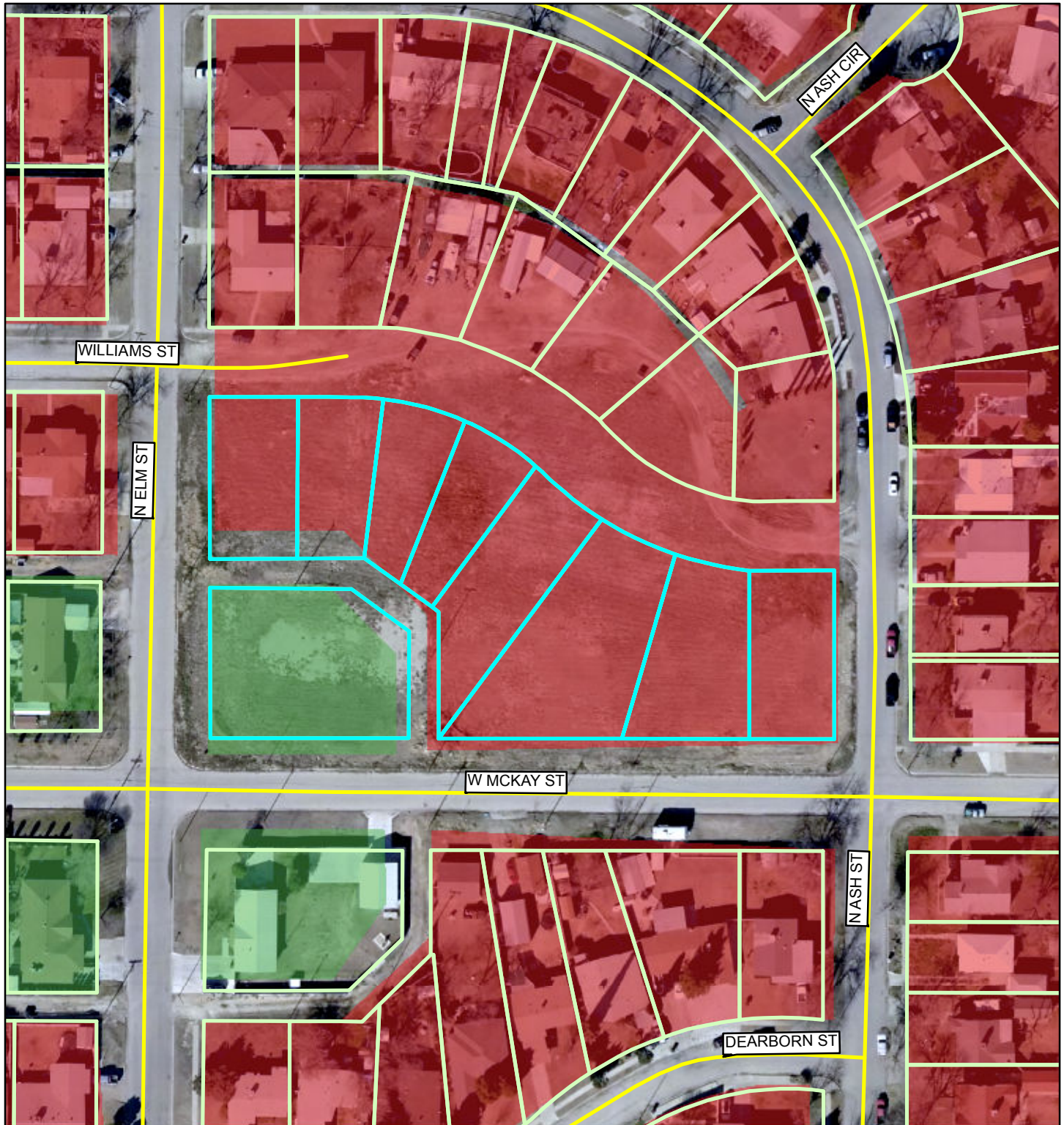
THE FOLLOWING DATA COULD NOT BE SENT.  
PLEASE GIVE THIS TRANSACTION REPORT TO SENDER.



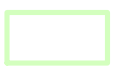





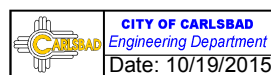


THE REPLATTING OF BLOCK 195  
THE NUMBER OF LOTS DECREASE TO 14

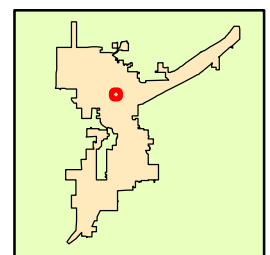


## Legend

- |  |        |   |     |
|--|--------|---|-----|
|  | Parcel |  | R-1 |
|  | Roads  |  | R-2 |



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





Agenda Item #12: Report Regarding Plats Approved Through Summary Review Process



# SOUTHRIDGE LOTS 24 AND 26 BLOCK 4 REPLAT

A REPLAT OF LOTS 24 AND 26, BLOCK 4, SOUTHRIDGE SUBDIVISION FILED IN CABINET 1, SLIDE 203-1, OF THE MAPPING RECORDS FOR EDDY COUNTY, NEW MEXICO, IN WHICH LOT 24A, BLOCK 4, IS BEING CREATED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 28, BLOCK 4, SOUTHRIDGE SUBDIVISION; THEN N00°00'23"W, ALONG THE WEST LINE OF BLOCK 4, FOR M=100.13 FEET (R=100.00 FEET), TO THE SOUTH LINE OF LOT 22; THEN N89°56'45"E, ALONG THE SOUTH LINE OF LOT 22, FOR M=120.20 FEET (R=120.00 FEET), TO THE WEST LINE OF AN ALLEY; THEN S00°02'24"W, ALONG THE WEST LINE OF AN ALLEY, FOR M=100.26 FEET (R=100.00 FEET), TO THE NORTH LINE OF LOT 28; THEN S89°59'27"E, ALONG THE NORTH LINE OF LOT 2, FOR M=120.20 FEET (R=120.00 FEET), BACK TO THE POINT OF BEGINNING. CONTAINING ±0.28 ACRES MORE OR LESS.

**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, COUNTY OF EDDY, STATE OF NEW MEXICO ON THIS 12TH DAY OF OCTOBER, 2015.

COMMISSION DESIGNEE

CMH HOMES INC  
GARY WADDELL, SIGNED FOR CMH HOMES INC

## OWNERS STATEMENT AND AFFIDAVIT

STATE OF NM : SS

COUNTY OF EDDY :

THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE: AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS LOT TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF: CITY OF CARLSBAD

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME

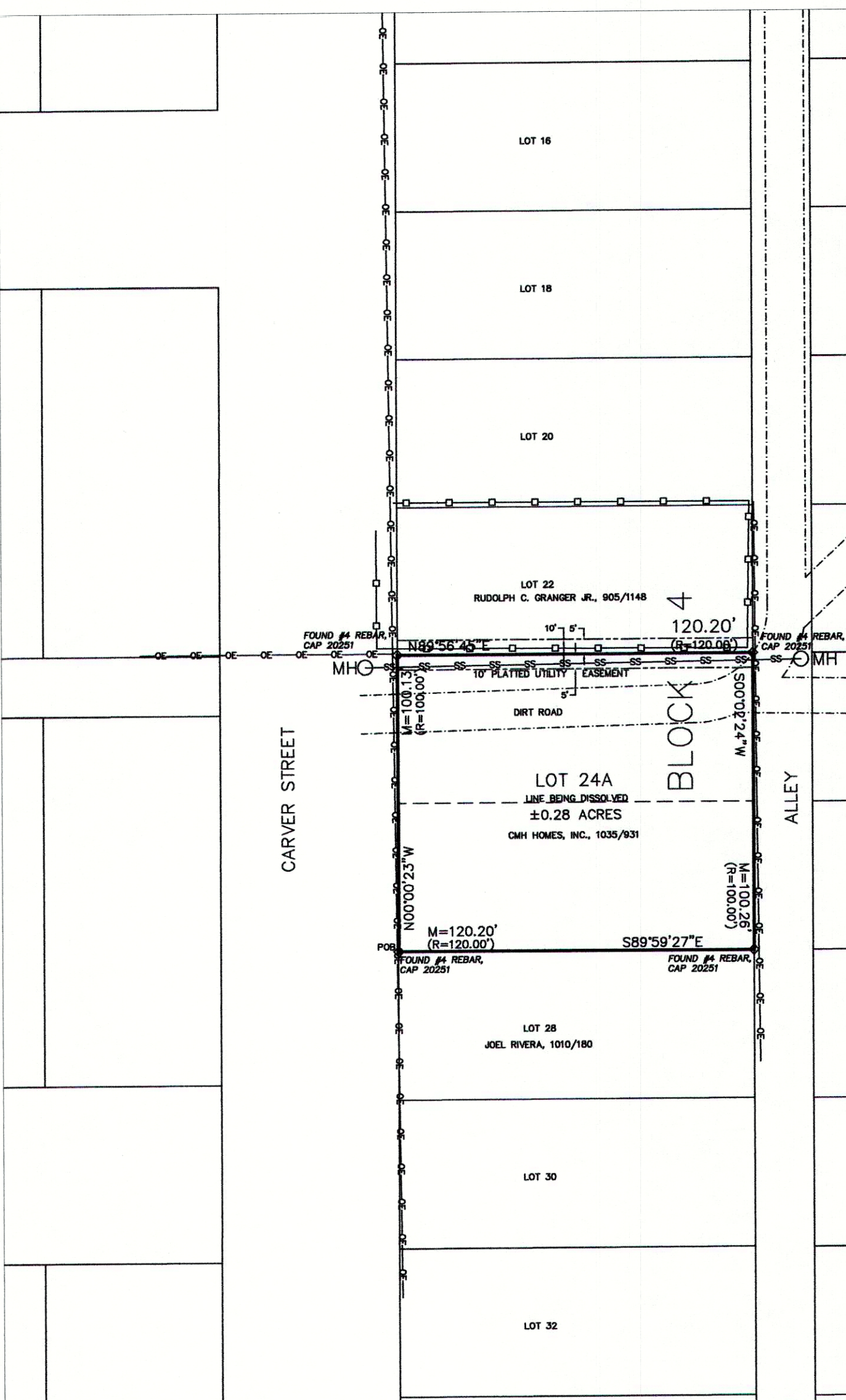
THIS 10th DAY OF OCTOBER, 2015

BY Gary Waddell



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

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



## LEGEND

- ◇ CORNER FOUND AS NOTED
- DIRT ROAD
- OE—OE— OVERHEAD ELECTRIC LINE
- LINE BEING DISSOLVED
- SS—SS— SEWER LINE
- CINDER BLOCK FENCE
- == == NEW & OLD EASEMENTS
- MH SEWER MANHOLE



Scale 1" = 40'

## NOTES AND OBSERVATIONS:

1. WATER, SEWER, GAS, AND ELECTRIC IS IN THE ALLEY, IN THE STREET, AND IN THE EASEMENT AROUND THE PROPERTY.
2. THERE ARE NO SIDEWALKS OR CURB AND GUTTER AROUND THE SUBJECT PROPERTY.
3. THERE IS ASPHALT IN THE ROADWAY.
4. BUILDING SETBACKS ARE AS PER CITY OF CARLSBAD REQUIREMENTS:  
RESIDENTIAL AREA 1 (R-1)  
FRONT— 30 FEET  
SIDE — 5 FEET  
REAR — 10 FEET
5. LOT SIZE IS LOT-±0.13 ACRES.
6. THE SUBJECT PROPERTY LIES IN THE CITY LIMITS OF CARLSBAD.
7. THE SUBJECT PROPERTY LIES IN FLOOD ZONE X, WHERE AREA DETERMINED TO LIE OUTSIDE THE 0.20% ANNUAL FLOODPLAIN, ACCORDING TO THE F.I.R.M. 35015C1065 D WITH AN EFFECTIVE DATE OF 06/10/2010.

## BASIS OF BEARINGS AND DISTANCES:

1. BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD 83), NEW MEXICO EAST ZONE (NM ZONE 3001).
2. A COMBINED FACTOR OF 0.999769874 IS NEED TO CONVERT DISTANCES FROM GRID TO SURFACE.
3. AREAS AND DISTANCES ARE SURFACE MEASUREMENTS.
4. ALL MEASUREMENTS WERE MADE ON JUNE 31, 2014. THE DISTANCES ARE MEASURED IN THE US SURVEY FOOT.

STATE OF NEW MEXICO, COUNTY OF EDDY, I HERE BY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_ M.  
CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_  
ROBIN VAN NATTA—COUNTY CLERK  
BY \_\_\_\_\_, DEPUTY

R&R SURVEYING LLC			
A LAND SURVEYING COMPANY			
INDEXING INFO. FOR CO. CLERK			
SEC. 19	T22S	R27E	N.M.P.M.
SUBDIVISION: SOUTHRIDGE LOTS 24 & 26, BLOCK 4 REPLAT			
OWNER: CMH HOMES INC			
CITY: CARLSBAD			
COUNTY: EDDY			
STATE: NEW MEXICO			
DATE: SEPTEMBER 30, 2015			
ACCESS: YES			
AREA: ±0.28 ACRES			



# REPLAT SURVEY OF A PORTION OF LOT 1 AND LOT 2, BLOCK "L" HEMLER SUBDIVISION

WITHIN THE NE 1/4 SECTION 19, TOWNSHIP 22 SOUTH RANGE 27 EAST, N.M.P.M.  
CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO  
OCTOBER, 2015

## DESCRIPTION:

THE SOUTH 1/2 OF LOT 2, BLOCK "L" AND ALL OF LOT 1, BLOCK "L", LESS THE EAST 20 FEET OF SAID LOT 1, AS SUCH LOTS ARE SHOWN AND SO DESIGNATED ON THE PLAT OF HEMLER SUBDIVISION, EDDY COUNTY, NEW MEXICO FILED FOR RECORD IN THE OFFICE OF THE EDDY COUNTY CLERK IN CABINET 1, SLIDE 123-1, ALSO SHOWN ON "BOUNDARY SURVEY PLAT LANDS OF TAYLOR LIVING TRUST" FILED ON JANUARY 13, 2013 IN CABINET 5, SLIDE 612-1.

REPLATTED AS SHOWN HEREON AND NOW TO BE KNOWN AS LOT 1-A, BLOCK "L" OF THE "REPLAT SURVEY OF A PORTION OF LOT 1 AND LOT 2, BLOCK "L" HEMLER SUBDIVISION", CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, ALONG WITH THE FILING DATE AND PLAT CABINET AND SLIDE NUMBER OF THIS PLAT.

## 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.

*Matthew D. Norman* 10-9-15  
Matthew D. Norman, P.S. 17821 Date



## OWNERS STATEMENT AND AFFIDAVIT:

The platting shown hereon, including the granting of easements as shown, is with the free consent and accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. The undersigned owner(s) and proprietor(s) do hereby freely consent to all the foregoing and do represent themselves that I am so authorized to act. The property described hereon lies within the planning and platting jurisdiction of the City of Carlsbad, Eddy County, NM.

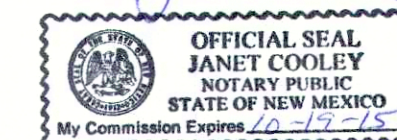
*Jimmy L. Spears & Tracie Spears*  
Owner(s): JIMMY L. SPEARS & TRACIE SPEARS

State of New Mexico  
County of Eddy

The foregoing instrument was acknowledged before me this 9th day of

October, 2015, by Jimmy L. Spears & Tracie Spears.

My commission expires: 10-19-15  
Notary Public



## FILING AND RECORDING

FILED FOR RECORD IN THE EDDY COUNTY CLERKS OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015,

AT \_\_\_\_\_ A.M., P.M., CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_

COUNTY CLERK \_\_\_\_\_

DEPUTY \_\_\_\_\_

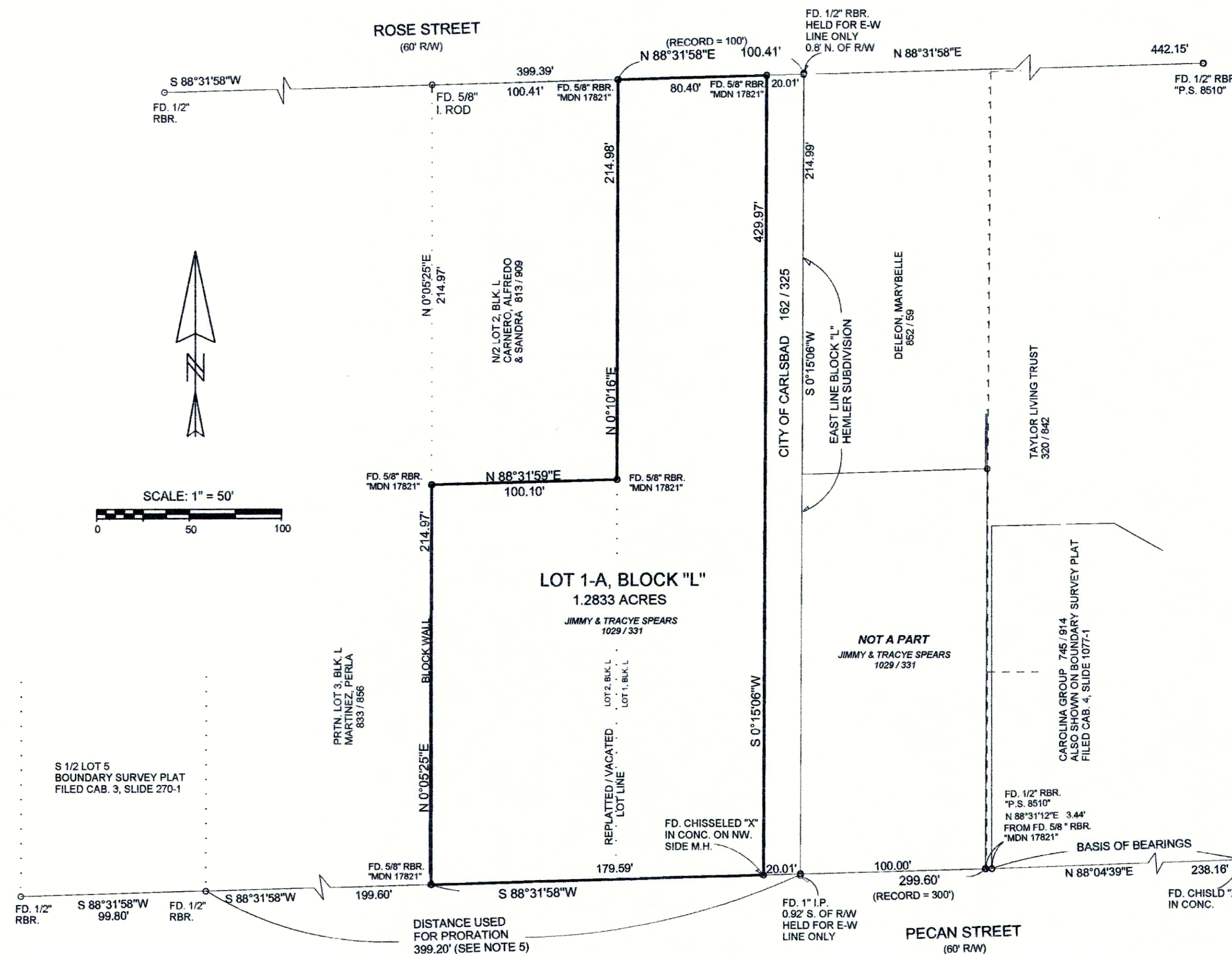
## INDEXING INFORMATION FOR THE COUNTY CLERK

ASSESSED OWNER: JIMMY L. SPEARS & TRACIE SPEARS  
SECTION(S): WITH IN NE 1/4 SECTION 19, T22S, R27E, N.M.P.M.  
SUBDIVISION: HEMLER SUBDIVISION  
ACREAGE: 1.2833 AC.

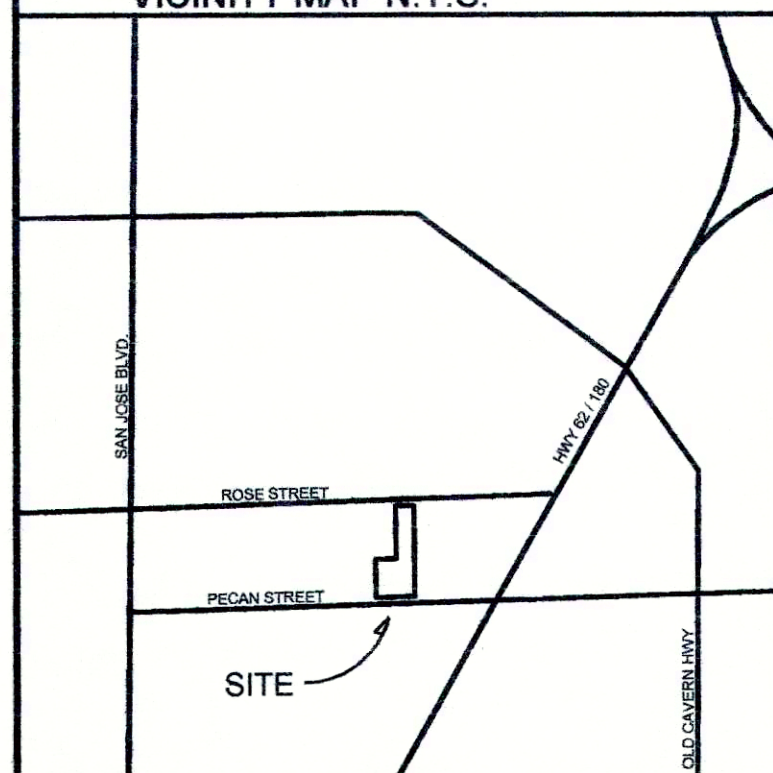


SURVEY PREPARED BY:

MDN SURVEYING CO.  
1104 ELGIN RD.  
CARLSBAD, NM 88220  
575-234-3505



## VICINITY MAP N.T.S.



## SURVEY NOTES:

1. Date of field survey October 9, 2015.
2. Basis of bearings is "Boundary Survey Plat" filed in Cabinet 4, Slide 1077-1 based on the found monumentation as shown, distances are ground.
3. The property shown hereon is subject to all Easements, Conditions, Restrictions and Reservations of record or in existence.
4. The Lot 1-A is not shown within a Special Flood Hazard Area as shown on F.E.M.A., F.I.R.M. map number 35015C1065D Effective June 6, 2010.
5. The Southerly boundary distances were prorated using calculated information shown on Boundary Survey plat of the S/2 Lot 5, Blk. L, filed in Cab. 3, Slide 270-1, which were compared to found monumentation and physical occupation.
5. File Name: HEMLR1RE.ZAK

## APPROVAL BY THE CITY PLANNING COMMISSION

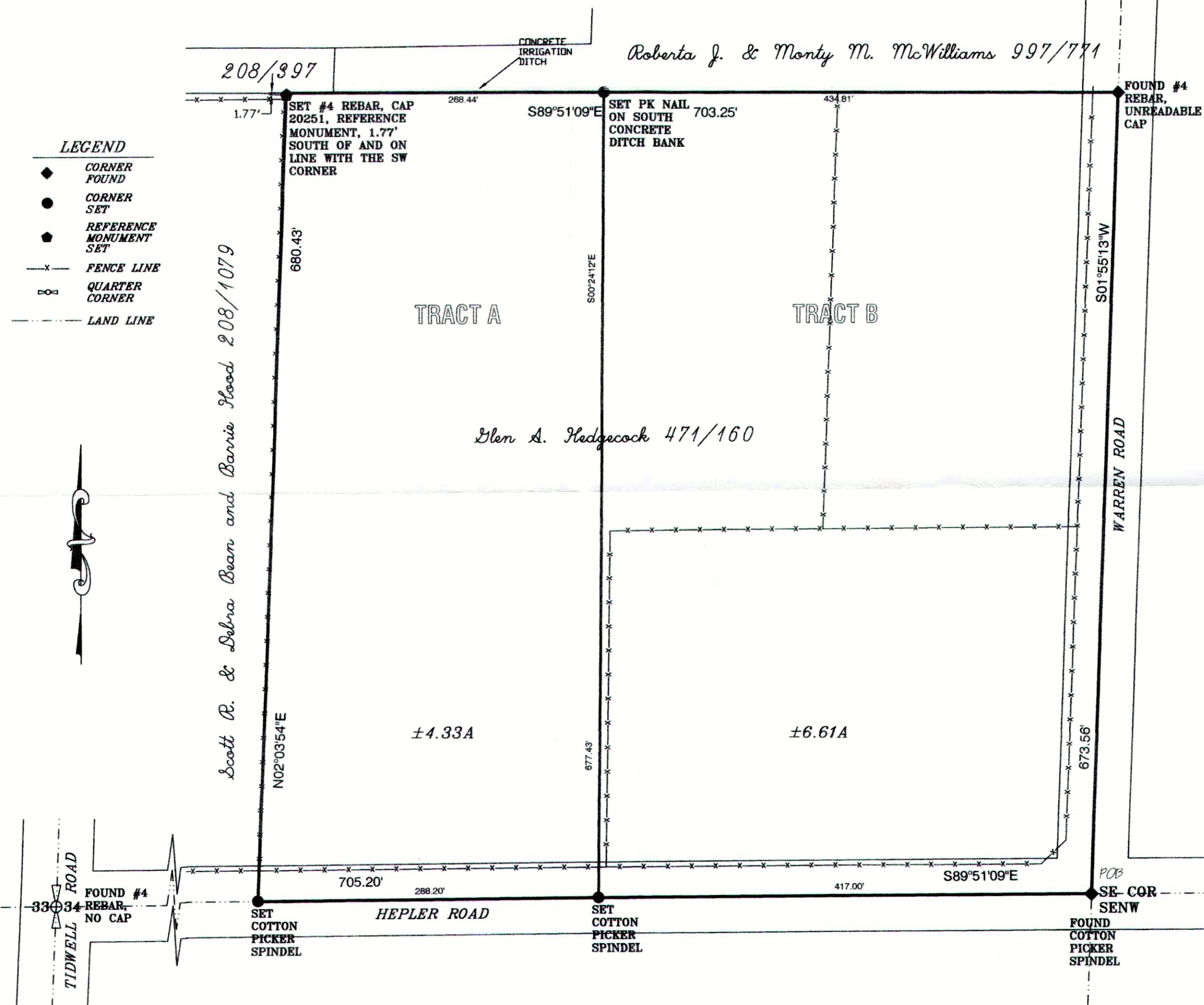
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO ON THIS 15th DAY OF OCTOBER, 20 15.

*[Signature]*  
COMMISSION DESIGNEE



# HEDGECOCK LAND DIVISION

A SURVEY OF LAND LYING IN PART OF THE SENW OF SEC 34, T22S, R27E, N.M.P.M., EDDY COUNTY, NEW MEXICO, IN WHICH TRACT A AND TRACT B ARE BEING CREATED; WHICH TRACTS HAVE A PERIMETER THAT DESCRIPTION AS FOLLOWS:



BEGINNING AT THE SE CORNER OF SAID SENW; THEN S89°35'38"W, ALONG THE SOUTH LINE OF SAID NW, FOR 705.20 FEET; THEN N02°03'54"E FOR 680.43 FEET TO A CONCRETE DITCH; THEN S89°51'09"E, IN THE GENERAL DIRECTION OF THE DITCH AND COMING OUT THE DITCH ON THE SOUTH SIDE, FOR 703.25 FEET TO THE WEST LINE OF SAID NW; THEN S01°55'13"W, ALONG SAID WEST LINE, FOR 673.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 10.94 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL PERTAINING EASEMENTS

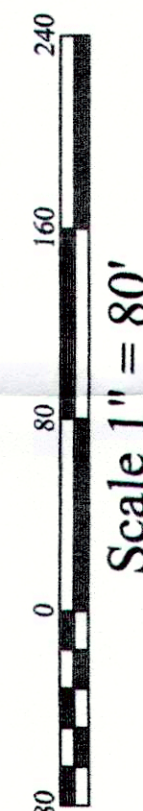
THIS PLAT IS EXEMPT FROM THE STATE SUBDIVISION ACT, AND THE COUNTY SUBDIVISION ORDINANCE, UNDER 47-6-2 P J13 DEFINITIONS (EFFECTIVE JULY 7, 1996); THE SALE OR CONVEYANCE OF A SINGLE PARCEL FROM A TRACT WITHIN A 5 YEAR PERIOD (NOT A PREVIOUSLY APPROVED SUBDIVISION).

ENTITLEMENT EXEMPTION FILED ON  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
IN BOOK \_\_\_\_ PAGE \_\_\_\_ OF THE (ECR).

APPROVED AND ACCEPTED BY THE EDDY COUNTY BOARD OF COMMISSIONERS OR AGENT THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_ AGENT  
ATTEST: \_\_\_\_\_ COUNTY CLERK

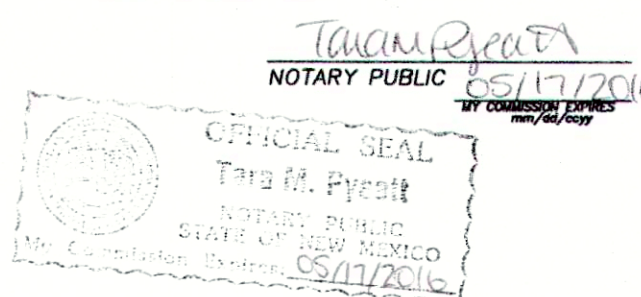
APPROVAL BY THE CITY PLANNING COMMISSION  
THIS IS TO CERTIFY THAT THIS PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION, OR ITS DESIGNEE, OF THE CITY OF CARLSBAD, COUNTY OF EDDY, STATE OF NEW MEXICO ON THIS 12th DAY OF OCTOBER, 2015.



Scale 1" = 80'

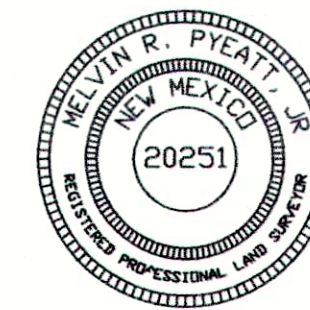
OWNERS STATEMENT AND AFFIDAVIT  
STATE OF New Mexico  
COUNTY OF Edgy  
THE ABOVE SIGNED BEING FIRST DULY SWORN ON OATH, STATE:  
AS THE OWNERS AND PROPRIETORS WE HAVE OF OUR OWN FREE WILL AND CONSENT CAUSED THIS PLAT WITH ITS TRACTS TO BE PLATTED. THE PROPERTY DESCRIBED ON THIS PLAT LIES WITHIN THE PLATTING JURISDICTION OF:

EDDY COUNTY AND CARLSBAD PLANNING AND PLATTING AREA  
SUBSCRIBED, SWORN TO AND ACKNOWLEDGED BEFORE ME  
THIS 12 DAY OF October, 2015  
BY Glen A Hedgecock  
NOTARY: PRINT SIGNER'S NAME



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

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



R&R SURVEYING LLC	
A LAND SURVEYING COMPANY	
INDEXING INFO. FOR CO. CLERK	
SEC. 34	T 22S R 27E N.M.P.M.
SUBDIVISION: HEDGECOCK LAND DIVISION	
OWNER:	GLEN A. HEDGECOCK
CITY:	CARLSBAD
COUNTY:	EDDY
STATE:	NEW MEXICO
DATE:	AUGUST 12, 2015
ACCESS:	YES
AREA:	±10.94 ACRES TOGETHER

STATE OF NEW MEXICO, COUNTY OF EDDY, I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.  
AT \_\_\_\_ O'CLOCK \_\_\_\_ M.

CABINET \_\_\_\_ SLIDE \_\_\_\_  
ROBIN VAN NATTA-COUNTY CLERK

BY \_\_\_\_\_, DEPUTY



BAR W. FARMS  
293 / 685

FD. 8 O.R.  
BRASS CAP  
N 1/4 COR.  
SEC. 20

FD. 1/2" RBR.  
"PYEATT 8810"  
NE COR. LOT 10  
GENTRY SUBD. REPLAT #1  
CAB. 3, SLIDE 778-1

HARDESTY, TOMMY & EVELYN  
484 / 871

LOT 6-A  
2.7132 AC.

LOT 6-B  
2.0000 AC.

NICHOLAS & NICOLE MARTIN  
985 / 1230

Mc CARTY, WESLEY & TANYA  
614 / 852

MATTA, ARTURO  
& HORTENCIA  
796 / 84

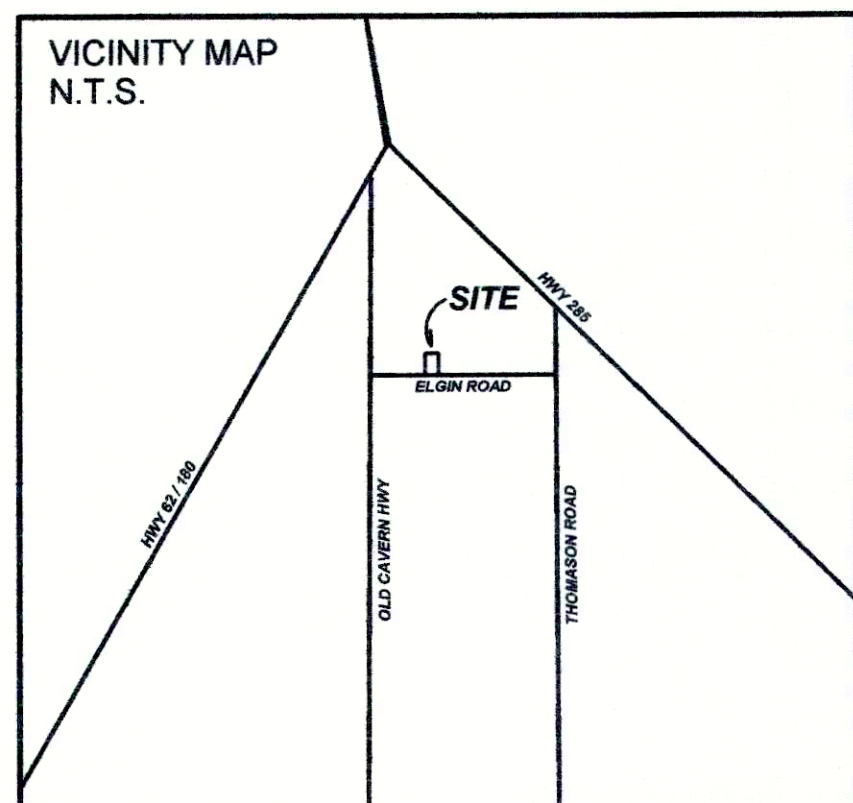
LARA, ERNESTINA  
887 / 1139

FD. 1" I.P. HELD  
FOR LINE ONLY  
S 89°51'28"W 2.09'  
FROM SET TYP.

ELGIN ROAD (40' R/W)

LOT 1 LOT 2  
"HARDESTY TRACTS"  
CAB. 3, SLIDE 684-1

VICINITY MAP  
N.T.S.



#### 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 1st DAY OF OCTOBER, 20 15.

COMMISSION DESIGNEE

#### SURVEY NOTES:

1. Unless otherwise noted all boundary stakes are set 5/8" rebar stakes with plastic I.D. caps impressed "MDN 17821".
2. Date of field survey September 28, 2015.
3. Basis of bearings are GRID "NM East Zone" NAD 1983, based on GPS observations. Distances are Ground.
4. The property shown hereon is subject to all Easements, Conditions, Restrictions and Reservations of record or in existence.
5. The westerly adjoins car port roof overhangs onto Lot 6-A by approximately 0.6' at the southeast corner of the car port and 0.4' at the northeast corner of the car port.
6. file name: GENTRY6.ZAK

SCALE: 1" = 100'

## LAND DIVISION OF GENTRY SUBDIVISION, LOT 6

WITHIN SE1/4 SW1/4 SECTION 20, T22S, R27E, N.M.P.M.  
CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO  
SEPTEMBER, 2015

#### DESCRIPTION

LOT 6, AS SUCH LOT IS SHOWN AND SO DESIGNATED ON THE PLAT OF "GENTRY SUBDIVISION" FILED FOR RECORD IN THE OFFICE OF THE EDDY COUNTY CLERK ON APRIL 17, 1941 IN CABINET 1, SLIDE 312-2.

DIVIDED AS SHOWN HEREON AND NOW TO BE KNOWN AS LOT 6-A AND LOT 6-B OF THE "LAND DIVISION OF GENTRY SUBDIVISION, LOT 6", CITY OF CARLSBAD, EDDY COUNTY, NEW MEXICO, ALONG WITH THE FILING DATE AND PLAT CABINET AND SLIDE NUMBER OF THIS PLAT.

#### 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.

Matthew D. Norman 9-29-15  
Matthew D. Norman, P.S. 17821 Date



#### OWNERS STATEMENT AND AFFIDAVIT:

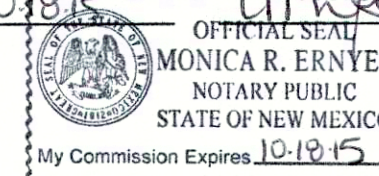
The platting shown hereon, including the granting of easements as shown, is with the free consent and accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. The undersigned owner(s) and proprietor(s) do hereby freely consent to all the foregoing and do represent themselves that I am so authorized to act. the property described hereon lies within the planning and platting jurisdiction of the City of Carlsbad, Eddy County, NM.

B. Nicole Martin Nicholas Martin  
Owner(s): (NICHOLAS & NICOLE MARTIN)

State of New Mexico  
SS  
County of Eddy

The foregoing instrument was acknowledged before me this 30th day of September, 2015, by B. Nicole Martin Nicholas Martin

My commission expires: 10-18-15  
Notary Public



#### FILING AND RECORDING

FILED FOR RECORD IN THE EDDY COUNTY CLERKS OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015,

AT \_\_\_\_\_ A.M., P.M., CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_

COUNTY CLERK \_\_\_\_\_ DEPUTY \_\_\_\_\_

#### INDEXING INFORMATION FOR THE COUNTY CLERK

ASSESSED OWNER: NICHOLAS & NICOLE MARTIN  
SECTION(S): SECTION 20, T22S, R27E, N.M.P.M.  
SUBDIVISION: GENTRY SUBDIVISION  
ACREAGE: LOT 6-A = 2.7132 AC; LOT 6-B = 2.0000 AC.



SURVEY PREPARED BY:

MDN SURVEYING CO.  
1104 ELGIN RD.  
CARLSBAD, NM 88220  
575-234-3505



## BRAZEAL, JOHN WILSON LAND DIVISION

WITHIN THE SE1/4 SW1/4 SECTION 11, T22S, R26E, N.M.P.M.  
EDDY COUNTY, NEW MEXICO  
SEPTEMBER, 2015

## DESCRIPTION: (Tract A)

A certain tract of land situate within the SE1/4 SW1/4 of Section 11, Township 22 South, Range 26 East, N.M.P.M., Eddy County, New Mexico and being more particularly described as follows:

Beginning at the southwest corner of the tract herein described whence a found 2.5" GLO brass cap at the southwest corner of section 11 bears S89°36'57"W, 2184.32 feet and running thence;  
N0°04'13"E, 468.56 feet to the northwest corner; thence,  
N89°32'16"E, 130.50 feet to the northeast corner; thence,  
S22°27'32"E, 260.22 feet to the an angle point; thence,  
S84°59'58"W, 94.00 feet to an angle point; thence,  
S0°07'16"E, 220.01 feet to the southeast corner; thence,  
S89°36'57"W, 137.30 feet to the southwest corner and point of beginning of the tract herein described and containing 1.7216 acres more or less.

## DESCRIPTION: (Tract B)

A certain tract of land situate within the SE1/4 SW1/4 of Section 11, Township 22 South, Range 26 East, N.M.P.M., Eddy County, New Mexico and being more particularly described as follows:

Beginning at the southeast corner of the tract herein described whence a found 2.5" GLO brass cap at the South 1/4 corner of section 11 bears N89°36'57"E, 60.00 feet and running thence;  
S89°36'57"W, 66.00 feet to an angle point; thence,  
N20°15'53"W, 242.00 feet to an angle point; thence,  
N22°27'32"W, 260.22 feet to the northwest corner; thence,  
N89°32'16"E, 249.80 feet to the northeast corner; thence,  
S0°04'11"W, 469.07 feet to the southeast corner and point of beginning of the tract herein described and containing 1.6723 acres more or less.

Divided as shown hereon and now to be known as Tract "A" and Tract "B", of the "Brazeal, John Wilson Land Division", Eddy County, New Mexico, along with the filing date and plat cabinet and slide number of this plat.

## CLAIM OF EXEMPTION:

THE HEREON DESCRIBED DIVISION IS EXEMPT FROM THE STATE SUBDIVISION ACT, AND THE COUNTY SUBDIVISION ORDINANCE PER THE EDDY COUNTY CLAIM OF SUBDIVISION EXEMPTION NO. 13, WHICH STATES: "the sale, lease or other conveyance of a single parcel from a tract of land, except from a tract within a previously approved subdivision, within any five (5) year period; provided that a second or subsequent sale, lease or other conveyance from the same tract of land within five (5) years of the first sale, lease or other conveyance shall be subject to the provisions of the New Mexico Subdivision Act and these Regulations;"

## 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.

*Matthew D. Norman* 9-14-15  
Matthew D. Norman, P.S. 17821 Date



## FILING AND RECORDING

FILED FOR RECORD IN THE EDDY COUNTY CLERKS OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015,

AT \_\_\_\_\_ A.M., P.M., CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_

COUNTY CLERK \_\_\_\_\_

DEPUTY \_\_\_\_\_

## ENTITLEMENT OF EXEMPTION FILED ON

THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015 IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ OF THE OFFICIAL RECORDS OF EDDY COUNTY

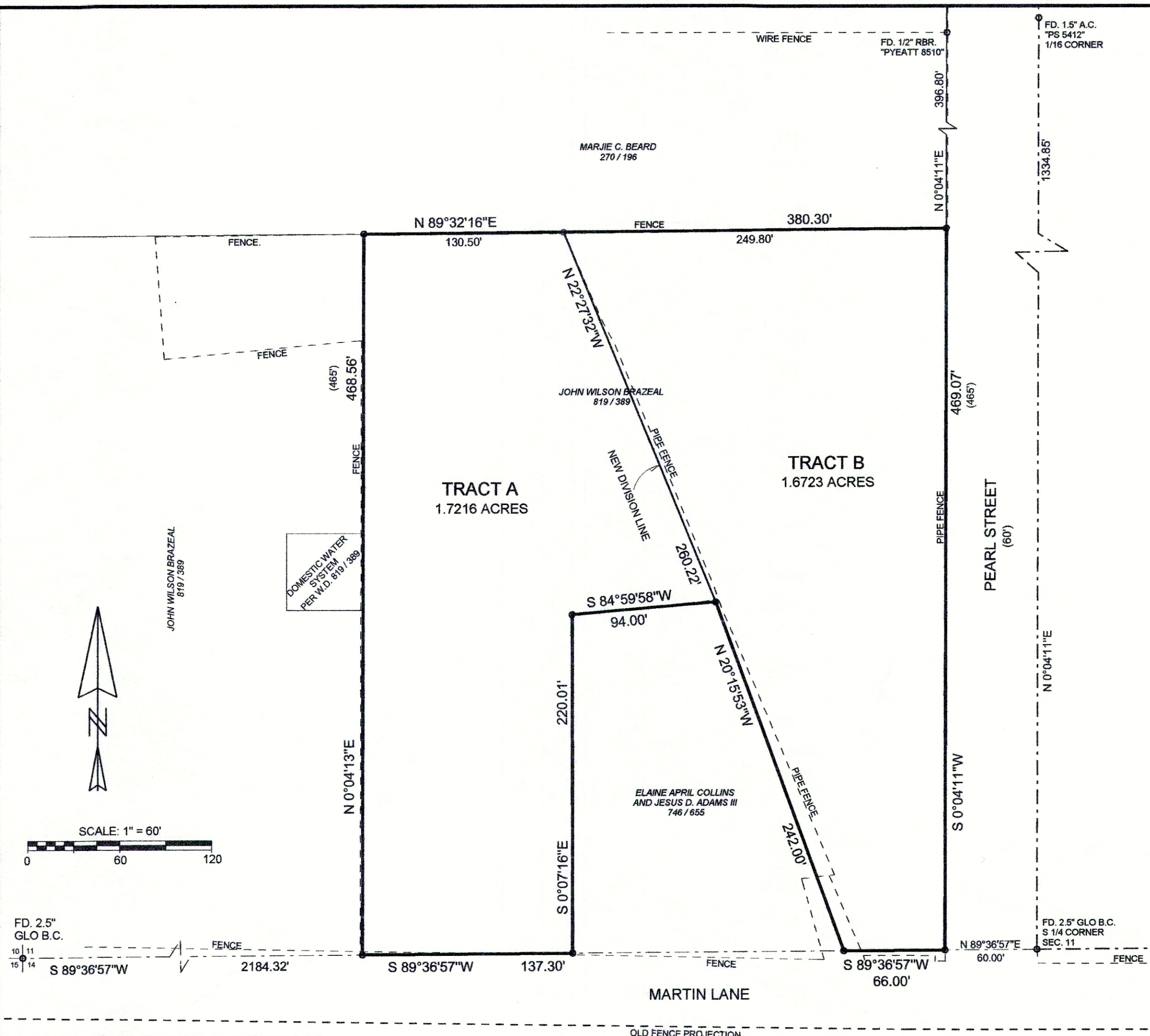
## INDEXING INFORMATION FOR THE COUNTY CLERK

ASSESSED OWNER(S): JOHN WILSON BRAZEAL  
SECTION(S): SECTION 11, T22S, R26E, N.M.P.M.  
ACREAGE: TR. A = 1.7216 AC., TR. B = 1.6723 AC.



SURVEY PREPARED BY:

MDN SURVEYING CO.  
1104 ELGIN RD.  
CARLSBAD, NM 88220  
575-234-3505



## 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 14th DAY OF OCTOBER, 2015.

*[Signature]*  
COMMISSION DESIGNEE

## OWNERS STATEMENT AND AFFIDAVIT:

The platting shown hereon, including the granting of easements as shown, is with the free consent and accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. The undersigned owner(s) and proprietor(s) do hereby freely consent to all the foregoing and do represent themselves that I am so authorized to act. the property described hereon lies within the planning and platting jurisdiction of Eddy County and Carlsbad Extrajurisdiction, Eddy County, NM.

*[Signature]*  
Owner(s): John Wilson Brazeal

State of New Mexico

County of Eddy

The foregoing instrument was acknowledged before me this 14th day of

October, 2015, by John W. Brazeal

My commission expires: November 1, 2015  
Notary Public *[Signature]*

## SURVEY NOTES:

1. Unless otherwise noted all boundary stakes are set 5/8" rebar stakes with plastic I.D. caps impressed "MDN 17821".
2. Date of field survey August 20, 2015.
3. Basis of bearings are GRID "NM East Zone" NAD 1983 based on GPS observations. Distances are Ground.
4. The property shown hereon is subject to all Easements, Conditions, Restrictions and Reservations of record or in existence.
5. Tract A and Tract B are not shown within a Special Flood Hazard Area as shown on F.E.M.A., F.I.R.M. map number 35015C1045D effective June 4, 2010.
6. Coarse data in parenthesis is from Warranty Deed of record Bk. 819 Pg. 389, when field measured data to found monumentation differ by an amount exceeding accuracy prescribed by the Minimum Standards for Land Surveyors in New Mexico.
7. File name: BRAZEAL.ZAK

## EDDY COUNTY APPROVAL

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

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

BY: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
AGENT COUNTY CLERK



Agenda Item #1 : Adjourn