



PLANNING AND ZONING MEETING AGENDA
Tuesday, JULY 1, 2025 AT 6:00 P.M.
Roswell Development Services Conference Room
500 N. Main Street, Suite 100 (Sunwest Centre)
Roswell, New Mexico 88201

Chair: Saul Aguilar
Vice Chair: Jana Lessard
Members: Steve Henderson
Richard L. Gutierrez
Alicia Gilmore
Secretary: Gregory Holman

CALL TO ORDER

ROLL CALL

SWEARING IN

APPROVAL OF AGENDA

1. Approval of the July 1, 2025 Planning & Zoning Commission Agenda

APPROVAL OF MINUTES

2. Approval of Draft P&Z Commission Regular Meeting Minutes 2025-06-10

ACTION ITEMS

3. Conduct a public hearing on Retail Cannabis Zoning Case CANN-25-0063.
4. Request to hold a public hearing on Zoning Case VAR-25-0059.

OTHER BUSINESS

PUBLIC COMMENTS

ANNOUNCEMENTS

ADJOURN

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 24-23.

NOTICE OF POTENTIAL QUORUM – A quorum of the City Council may or may not attend, but there will not be debate by the City Council, and no action will be taken.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats; please contact the City Clerk at 575- 624-6700.

Printed and posted: Friday June 27, 2025

TO ATTEND THE PLANNING & ZONING COMMISSION MEETING BY GO TO MEETING
Tuesday, JULY 1, 2025 6:00 PM -- 7:00 PM (MDT)

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Meeting Date: 07/01/2025

CONTACT: Merideth Hildreth

CHAIR: Saul Aguilar

ACTION REQUESTED

Approval of the July 1, 2025 Planning & Zoning Commmission Agenda

Meeting Date: 07/01/2025

CONTACT: Merideth Hildreth

CHAIR: Saul Aguilar

ACTION REQUESTED

Approval of Draft P&Z Commission Regular Meeting Minutes 2025-06-10

Attachments

250610 P&Z DRAFT MINUTES



P&Z DRAFT REGULAR MEETING MINUTES
Roswell Planning & Zoning Commission
Tuesday, June 10, 2025 at 6:00 PM

Roswell Development Services Conference Room
500 N Main Street, Suite 100 (Sunwest Centre)
Roswell, New Mexico

Chair: Saul Aguilar; Vice Chair: Jana Lessard; Secretary: Greg Holman
Members: Steve Henderson, Richard L. Gutierrez, Alicia Gilmore

Jessica Vickers, Esq
Merideth Hildreth, AICP
Esperanza DeLeon
James MacCornack, P.E.

Notice of this meeting has been given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 24-23.

A. CALL TO ORDER AND WELCOME – Commissioner Greg Holman

Commissioner Greg Holman called to order the regular meeting of the Planning & Zoning Commission at approximately **6:07 p.m.**

B. ROLL-CALL

Saul Aguilar	Absent
Jana Lessard	Present Online
Steve Henderson	Present
Richard L. Gutierrez	Absent
Greg Holman	Present
Alicia Gilmore	Present Online

Staff Members Present:

Jessica Vickers, Esq, Community Development Director
Merideth Hildreth, AICP, Planning and Zoning Administrator
Esperanza DeLeon, Planner II

Audience Members Present:

Daisy Serrato, Martin G. Serrato, Tracy Diver, Scott Hicks, Mark “MJ” Lewis, Mark Lewis, Joel Smith

C. SWEARING IN: Commissioner Steve Henderson swore in staff and members of the audience.

D. APPROVAL OF THE AGENDA

Commissioner Holman: Pointed out removal of Case #2 from the Agenda. Requested a motion to approve the June 10, 2025 Agenda as amended.

CASE CUP-25-0046 Applicant requests a 36-month Time Extension of a Conditional Use Permit per conditions listed in Exhibit F of previously approved Zoning Case 22-021 CUP that allows installation of a 2.70 MW Community Solar Array pursuant to selection by the New Mexico Community Solar Program. 1612 E 2nd St & 1607 E Alameda St in I-1 Light Industrial Zoning District.

Commissioner Henderson MOTIONED to approve the Tuesday, June 10, 2025 Planning & Zoning Commission agenda as amended to remove Item F.2. CASE CUP-25-0046. SECONDED by Commissioner Lessard.
Note: Commissioner Holman did not call for a vote

E. APPROVAL OF MINUTES:

Commissioner Holman: Requested a motion to approve the May 6, 2025 Planning & Zoning Commission meeting minutes as presented.

Commissioner Henderson MOTIONED to approve the May 6, 2025 Planning & Zoning Commission meeting minutes as presented. SECONDED by Commissioner Gilmore.

A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

F. PUBLIC HEARING ITEMS:

- 1. CASE CUP-25-0043** Request for a Conditional Use Permit for Major Home Occupation In-Home Childcare for up to twelve (12) children at 1000 Bel Aire Drive in the R-1 Residential Zoning District. Legal Summary: Subd: BEL-AIRE ESTATES 1 Block: 9 Lot: 1 AND:- Lot: 2 W 35' , Quarter: NE S: 21 T: 10S R: 24E BK 764 PG 689 WDJT. (Property Owner: Daisy Serrato & Martin G. Serrato).

Commissioner Holman: Introduced **CASE CUP-25-0043** Request for approval of a Major Home Occupation In-Home Childcare for up to twelve (12) children at 1000 Bel Aire Drive in the R-1 District.

Commissioner Henderson MOTIONED to waive the reading of the findings of fact and land use and zoning considerations with respect to case CUP-25-0043. SECONDED by Commissioner Lessard.

A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

Ms. Hildreth: Presented Case CUP-25-0043. The 9200 square foot lot is located in Zoning District R-1 and surrounded by R-1. The applicant has a home-occupation license for an in-home childcare for up to six children as allowed in the Zoning Ordinance Article 62: Home Occupations. See Exhibit F: Zoning Verification Letter issued for the in-home childcare on August 31, 2024. The applicant Daisy Serrato is present to request increasing the in-home childcare from six up to 12 children. An excerpt from the 2016 Comprehensive Master Plan Preferred Land Use Scenario Map shows the property on Bel Aire Drive is in the low-density residential area. As of this evening, the Planning & Zoning Office has received one written protest letter; the envelope was postmarked on June 5, 2025 and received by the Planning & Zoning Office on June 9, 2025 and is on your dais and was also posted in your Calendar Invite. There were zero verbal protests and zero inquiries.

Commissioner Lessard: Received and read the letter and it appears there is a misunderstanding that this is zone change. This is not a zone change. Commissioner Lessard asked Ms. Hildreth if she had addressed that with the person who sent the letter.

Ms. Hildreth: I did speak with Ms. Diver this afternoon and clarified that this case is not a change in zoning.

Commissioner Holman: Those wishing to speak in favor of Case CUP-25-0043, please state your name and address for the record.

Daisy Serrato: 1000 Bel Aire Drive stated she has been operating an in-home childcare at her home for almost a year. The reason for the request for a Conditional Use Permit is because of a lack of daycare and she herself was on a waitlist for months. There is a lack of daycare in the community. Mrs. Serrato stated she receives calls from parents daily to see if she has availability in her home daycare.

Commissioner Holman: Anyone wishing to speak in opposition of Case CUP-25-0043 or who have questions or concerns?

Tracy Diver: 1005 E Mescalero Road. Ms. Diver stated she is the one who sent the letter and thank you for the clarification. Thank you for your time and the opportunity to express concerns about the increased impact of doubling the childcare and the impact that will have on our city services and disturbances on the residential community: city designed with a shared physical waste disposal system and their trash system is already burdened with trash overflowing into the alley, street, and community. Homes are peace and respite for residents. Recently been experiencing disruptive behavior by children in the evening.

Daisy Serrato: Daycare hours are from 7:30 a.m., to 5:15 p.m., and the oldest child is three years old. Mrs. Serrato stated she has two boys, one who will soon turn 15 and the other is 12 who both play baseball and play with a lot of other neighborhood kids. There are a lot of children in the neighborhood who ride their

bikes in the alleys and streets. We live right by Del Norte Elementary and can hear the children playing during recess and Goddard Band practicing early in the morning. Running a business for nearly a year, there has never been an issue with sharing the trash can in the alley. Yes, there are more diapers. Playtime is only about an hour before lunch time and never received complaints from closer neighbors.

Commissioner Gilmore: Expressed appreciation for more options for daycare in town as she has a couple of young children, it is hard to find childcare at this time.

MOTION – CUP-25-0043

Based on the land use and zoning considerations, findings of fact, conclusions of law, surrounding land uses, regulations established in the Zoning Ordinance and the following reasons that it doesn't substantially change the activity of the operation moving from six to 12, Commissioner Henderson MOTIONED to approve CUP-25-0043. SECONDED by Commissioner Lessard based on the reasons and the community is in desperate need of childcare services.

A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

Commissioner Lessard: Let Ms. Diver know this decision can be appealed to City Council.

Commissioner Holman: Ms. Diver, if you would like to appeal, you can contact Merideth's office and file appeal in two business days.

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- 2. CASE SUP-25-0024** Request a Special Use Permit for Professional Office at 2311 N Salee Loop in R-3 Residential Zoning District with a variance to allow 15,000 to 20,000 square feet of office space for a health and wellness center with professional office spaces intended for, but not limited to, chiropractic care, rehabilitation, therapy, training, and overall fitness and physical wellbeing. Legal Summary Subd: SALEES SUBDIVISION #4 Lot: 1; Lot: 2; & Lot: 5 Quarter: NW S: 28 T: 10S R: 24E DOC# 202404945 REC (Property Owner: Rock Docs LLC) (Applicant: Scott Hicks, Smith Engineering).

Commissioner Holman: Introduced **CASE SUP-25-0024** Request for approval of a Special Use Permit for Professional Office and a Variance to the maximum building square footage at 2311 N Salee Loop in R-3 Residential Zoning District.

Commissioner Lessard MOTIONED to waive the reading of the findings of fact and land use and zoning considerations with respect to case SUP-25-0024. SECONDED by Commissioner Henderson. A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

Ms. Hildreth: Presented Case SUP-25-0024.

This case is at 2311 N Salee Loop and is a request for a Special Use Permit for a Health and Wellness Professional Office and a Variance to the Building Square Footage. This is Case SUP-25-0024. Development will include consolidation of three lots into one 1.6-acre lot at the north end of the professional office cul-de-sac. The request for the Special Use Permit is for a Medical Health and Wellness Office and Activities. The Request for a Variance is for up to 20,000 square feet of building in the R-3 Residential Zoning District. The R-3 Residential Zoning District does allow for professional offices up to 10,000 square feet. Ten-thousand square foot buildings could be built separately on each of the three lots and that would be 30,000 square feet. The request is for a variance to build up to 20,000 square feet on the three lots consolidated into one lot. Google Earth photos of the lots under consideration and the surrounding area. The Conceptual Site Plan is in Exhibit B in the meeting packet. There are already two professional offices built on Salee Loop. ROC Chiropractic is MJ and Catie Lewis's business right now. They will continue to utilize their original building. A building on the corner is a medical office not currently being utilized. Dr. Lewis is in the audience as is Scott Hicks with Smith Engineering. An excerpt from the 2016 Comprehensive Master Plan Preferred Land Use Scenario Map shows high density residential on Salee Loop and high density residential to the east. Main Street Commercial Corridor is to the west. As of today's date, the Planning & Zoning Office has received zero written protests, zero verbal protests, and one inquiry for Zoning Case CUP-25-0024. The inquiry was by Mr. Alan Tucker who developed the subdivision and still owns adjacent lot to the south on the west side of the cul-de-sac. Mr. Tucker wanted to see the conceptual site plan.

Commissioner Gilmore: Asked if this would be a gym with weight training equipment or strictly rehabilitation, chiropractic, therapy.

Ms. Hildreth: Dr. Lewis will address that question.

Commissioner Holman: Those wishing to speak in favor of Case SUP-25-0024, please state your name and address for the record.

Dr. MJ Lewis: 1513 N Eisenhower Loop. To address the question asked, to correctly be a health and wellness center for longevity, which is what we are looking to bring to Roswell that has an older population and people moving in. We are very muscle-centric, so there will definitely be weights that will be used for longevity and care. Longevity requires that we do this for long periods of time. Memberships to my office will facilitate passive modalities such as red-light tables, vibration therapies, electro-therapies, with physical care like chiropractic care and physical type therapies will utilize a coaching staff for cross-fit methodology or metabolic-fix. The practice provides proper health care and guidance for all ages

Scott Hicks with Smith Engineering acting as Agent: 401 N Pennsylvania. This facility will fit in with the other two professional offices similar in nature to this facility on Salee Loop. The variance request for the size is to fit the building and parking lot on 1.6-acres. This will be very beneficial to the community and the area. Mr. Hicks stated he worked on the plans for the subdivision in 2002 with Alan Tucker. There are only two lots developed since then. This project will fit nicely on the cul-de-sac because there is no through street there, so traffic won't be an issue.

MOTION – SUP-25-0024

Based on the land use and zoning considerations, findings of fact, conclusions of law, surrounding land uses, regulations established in the Zoning Ordinance, Commissioner Lessard MOTIONED to approve SUP-25-0024 because it is fantastic, unique facility for longevity in Roswell. SECONDED by Commissioner Gilmore. A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

Commissioner Holman introduced Other Business.

G. OTHER BUSINESS

1. Planning & Zoning Commissioner application.

Ms. Hildreth: Joel Smith submitted an application for a Planning & Zoning Commissioner position. Joel Smith is here to introduce himself to the Commission.

Ms. Vickers: Staff wanted to bring this application to the Commission which is welcome to make a recommendation, but a recommendation is not a requirement. The application goes to the Mayor and then to Council for full approval.

Joel Smith: Stated he grew up in Roswell, attended Goddard High School, NMMI, and New Mexico State for an Engineering degree, then returned to Roswell in 2003. Mr. Smith stated he has a primarily structural engineering consultancy, and exposure to civil engineering. Submitted an application at the request of a colleague and it's something he can do for the City.

Commissioner Holman: Said he asked Mr. Smith to submit an application.

Commissioner Henderson: Thanked Joel for a willingness to serve. The Commission provides guidance to the City.

Commissioner Lessard: Seconded Commissioner Henderson's comments. Having Joel on the Commission would be outstanding with his background.

Commissioner Henderson **MOTIONED** that the Commission recommend Joel Smith to fill the vacant seat on the Planning & Zoning Commission. **SECONDED** by Commissioner Lessard. A voice vote was as follows: Steve Henderson- yes, Jana Lessard- yes, Alicia Gilmore- yes, Greg Holman-yes, the motion passed 4-0 with Richard Gutierrez and Saul Aguilar being absent.

H. ANNOUNCEMENTS

Ms. Hildreth:

The Next Roswell Planning & Zoning Commission Meeting will be held on July 1, 2025.

I. ADJOURN

Commissioner Holman adjourned the meeting at 6:44 p.m.

DRAFT

Meeting Date: 07/01/2025

COMMITTEE: Planning & Zoning

CONTACT: Merideth Hildreth

CHAIR: Saul Aguilar

ACTION REQUESTED:

Conduct a public hearing on Retail Cannabis Zoning Case CANN-25-0063.

BACKGROUND:

Initiated by Merideth Hildreth, AICP, Planning & Zoning Administrator

Request for a Variance to Distance from Residential District, Zone Change to CCAN (Commercial Cannabis), and Conditional Use Permit to operate a Retail Cannabis Establishment in the C-2 Zoning District at 3107 N Main Street Unit B.

FINANCIAL CONSIDERATION:

No financial consideration at this time.

REVIEW:

No legal review required at this time.

BOARD AND COMMITTEE ACTION:

Conduct a public hearing on the case and vote on a recommendation to be forwarded to City Council for final decision.

STAFF RECOMMENDATION:

Conduct a public hearing on the case and make a recommendation to City Council.

Attachments

CANN-25-0063 EXHIBIT A-I

**CITY OF ROSWELL
CANNABIS APPLICATION**PO Box 1838 • Roswell, NM 88202-1838
Phone: (575) 637-6280 • ROSWELL-NM.GOV

Please review Chapter 27 of the City of Roswell Ordinances before applying for a cannabis business license.

https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_CH27CAProperty Owner's Name: KSBL Enterprises LLCEmail: ksblentsllc@gmail.com

Phone: _____

Address: PO Box 757 Roswell, NM 8201Agent's Name: Dwayne BairdEmail: admin@jandjinc.netPhone: 970-946-8537Address: PO Box 5843 Pagosa Springs, CO 81147Physical Address: 3107 N Main St Roswell NM 88201**Full Legal Description of Proposed Location:**UPC 4136059017106000000 BK 384 PG 1141 WDLOT 4 N 150' S 351' E 220' W 240' BLK 21 LEGAL SD 10 AREA NE03 ZONE C2**Please check the applicable application type(s):**☒ Conditional Use Permit (CUP) ☒ Change of Zone ☒ Variance

By signing this document, I acknowledge that I have read and fully understand the conditions of Chapter 27 of the City of Roswell Ordinances. I also acknowledge that I have been informed of the dates, times and locations of the meetings for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in order to fulfill the requirements of this application.

Property Owner Signature

Date

6-21-25

Agent's Signature

Date

6/1/25**FOR OFFICIAL USE ONLY**P & Z Case #: CANN-25-0063Date: JULY 1, 2025Flood Zone: xCurrent Zoning District: C-2Comprehensive Master Plan General Development Plan: ☐ Residential ☒ Commercial ☐ Industrial
☐ Park & Open Space ☐ RS OverflightQuadrant of the city: ☐ NW ☒ NE ☐ SW ☐ SE

All documentation and fees shall be required at the time this application is submitted, unless otherwise noted by Planning and Zoning staff. Application fees are NON-REFUNDABLE.

EXHIBIT B

STAFF SUMMARY FOR CASE: CANN-25-0063 REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO OPERATE A RETAIL CANNABIS ESTABLISHMENT



Roswell Planning & Zoning Commission

Tuesday, July 1, 2025

Roswell Development Services Conference Room
500 North Main Street, Suite 100 (SunWest Centre)
Roswell, NM 88201

CASE CANN-25-0063: Request for approval of a Variance to residential distance requirements, Zone Change to CCAN, and Conditional Use Permit to operate an adult use retail cannabis establishment located at 3107 N Main Street Unit B, in the C-2 Community Commercial Zoning District.

I. Property Under Consideration:

Property Address: 3107 N Main Street

Legal Description: Legal Summary Subd: BERRENDO IRRIGATED FARMS
Block: 21 Lot: 4 N 150' S 351' E 220' W 240' Quarter: NW S:
21 T: 10S R: 24E BK: 384 PG: 1141 WD

Property Owner: KSBL ENTERPRISES LLC

Applicant: Animacann Inc dba The Greenhouse of Roswell

II. Site Data:

Site Area: 1,622 sf Tenant Space in a 4,793 sf Building on a 3,300 sf lot

UPC(s): 4-136-059-017-106-000000

Existing Land Use: Commercial Structure

Proposed Land Use: Facility to dispense adult-use retail cannabis

Existing Zoning: Community Commercial District C-2

Table 1: Existing Land Use and Zoning adjacent to the property under consideration

Direction:	Land Use:	Zoning:
North	The Ivory Brunch House / Restaurant	C-2
South	Blakes / Restaurant	C-2
West	Strip Commercial / Retail	C-2
East	Commercial Property with Building	C-2

STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

W Linda Vista Blvd

E Linda Vista Blvd

N Main St

Alhambra Dr

Calle del Sol

Papa Murphy's

Taco Bell

22-012 CANN

3107

*Bryan's Green Care is Closed

P&Z Commission

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

III. Intent of Petition:

Applicant Animacann Inc., dba The Green House Roswell requests approval of a Variance to residential distance requirements, Zone Change to CCAN (Commercial Cannabis floating zone), and Conditional Use Permit to operate an adult use retail cannabis establishment at 3107 N Main Street Unit B.

IV. Planning & Zoning Commission Considerations from Staff Review:

A. Background Information

1. Applicant is requesting approval of Zoning Case CANN-25-0063 to operate an adult-use retail cannabis at 3107 N Main Street, Suite B, in a 1,662 square foot tenant space in the existing commercial building constructed in 1961 according to Chaves County Assessor information.
2. The property under consideration is zoned C-2 Community Commercial District.
3. The property under consideration has ample existing paved parking.
4. A staff photo of the property under consideration is provided below.



Staff Photo of Commercial Building at 3107 N Main Street 5/22/2025.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT



Image Date 12/24 Google Earth Photo looking east toward Commercial Building at 3107 N Main Street showing Blake's Lotaburger adjacent to the south and The Ivory Brunch House adjacent to the north.



Image Date 12/24 Google Earth Photo looking north along Main Street toward Commercial Building at 3107 N Main Street showing building within context of the Main Street Commercial Corridor.

B. Land Use and Zoning Considerations

1. The property under consideration is located in the North Main Street commercial corridor and adjacent to properties zoned C-2 Community Commercial on the north, east, and south sides. Properties zoned C-2 are located directly across Main Street on the west side.
2. A residential subdivision (Linda Vista Estates) is located approximately 80' east of the property under consideration's property line (54.70' commercial lot plus 25' wide alley) to the back fences of the two closest residentially zoned properties with single-family dwellings zoned R-1.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

3. Per the Municipal Code Chapter 27: Cannabis, the underlying C-2 Community Commercial zoning is designated to accept the CCAN (Commercial Cannabis) Floating Zone.

Sec. 27-62. - Establishment of CCAN zoning designation.

(a) Purpose.

(1) The CCAN zoning designation is intended to provide for a variety of commercial and retail cannabis establishments, including on-site consumption of cannabis products.

(2) Because of the potential for heavy traffic generating characteristics, potential ability to operate 24 hours per day, and potentially detrimental appearance and performance, the CCAN zoning designation is only applicable to properties currently zoned C-2 (Community Commercial), with further restrictions on locations pursuant to sections [27-64](#) (Prohibited Districts) and [27-65](#) (Prohibited Locations and Activities) of this chapter.

4. Section 27-65 of the Municipal Code specifies Cannabis-related business be located a minimum quarter mile 1,320 feet distance from each other (see code text below IV.C.1). The business under consideration at 3107 N Main Street meets this minimum distance requirement and measures approximately 4,200 feet from R Greenleaf at 4311 N Main Street, approximately 2,290' feet from GNOMAD at 3606 N Main Street in Starlight Plaza, and approximately 2,360' from UltraHealth at 2800 N Main Street in Adobe Plaza. These are the nearest active Retail Cannabis establishments to the property under consideration.
5. Bryan's Green Care located across the street at 3108 N Main Street has permanently closed. See Staff Photos below of signage indicating the business closed and the tenant space was for lease at the time these photos were taken.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT



Staff Photos showing the closure of Byran's Green Care that was located at 3108 N Main Street 5/22/2025.

C. Variance Request

1. The property under consideration is within 300 feet of Linda Vista residential subdivision zoned R-1 and R-3 Residential (See Zoning Map on page 2 above).
2. A variance is requested to the 300' distance requirements to Residential Zoning Districts as stipulated in Chapter 27 of the Municipal Code that states:

Sec. 27-65. - Prohibited locations and activities.

- (a) To protect the health, safety and welfare of the community's most vulnerable populations, particularly children, seniors, and individuals who struggle with neurochemical dependencies, no cannabis-related businesses shall be permitted:

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

- (1) Within 300 feet of all schools, parks, churches, recreation facilities, childcare facilities, military facilities, senior care facilities, retirement facilities and medical facilities (including but not limited to outpatient facilities, hospitals and urgent care). Cannabis-related businesses shall not be permitted within 300 feet of any mental health centers, addiction centers, or rehabilitation facilities (both medical and non-medical facilities).
- (2) Within 300 feet of any residential district measured from exterior property line to exterior property line. This includes the following residential zones: R-S; R-L; R-VL; R-1; R-2; R-3; R-4; MU-P; RMS; MHC and RVP.
- (3) Cannabis-related businesses must maintain a reasonable separation distance of at least one-quarter ($\frac{1}{4}$) mile (1,320 feet) from one cannabis-related business to another as measured from the nearest outside wall to outside wall of the building.

D. Zone Change Request

1. Retail cannabis establishments are required to obtain a zone change to the CCANN Commercial Cannabis floating zone per City Ordinance Chapter 27 – Cannabis as follows:

Sec. 27-61. Introduction, purpose, and intent.

- (b) To protect the health, safety and welfare of the city's residents and visitors while simultaneously allowing accessibility for cannabis sales and consumption, all cannabis retail establishments and cannabis consumption facilities (including medical and recreational cannabis, and cannabis-infused products) must be located in the city's commercial cannabis (CCAN) floating zone located within the community commercial zone (C-2). The C-2 zone is the most geographically prominent commercial zone in the city and is located throughout the city along collector and arterial street facilities (City of Roswell, Comprehensive Plan, 2016).
2. The property under consideration is zoned C-2 Community Commercial.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

E. Conditional Use Permit Request

1. Retail cannabis establishments are required to obtain a Conditional Use Permit per City Ordinance Chapter 27 – Cannabis as follows:

Sec. 27-67. Conditional use permit application requirements.

- (a) *Conditional use permit (CUP)*. A conditional use permit allows property owners to utilize their properties for uses not listed as being permitted or allowable by right under the site's current zoning designation. To receive a conditional use permit in order to utilize property for use under specific conditions, applicants must adhere to the city's list of conditional uses for cannabis-related business activities (section 27-62(b) and section 27-63(b). Conditional use permits for cannabis-related businesses correspond to the facility's location. These permits are applicable at the designated site of the cannabis-related business and cannot be transferred if the business chooses to change locations within the city.

2. See Appendix F for Draft Conditions of Approval.
3. See Appendices G and H for Applicant's supporting documentation.

F. Draft Conditions of Approval for Zoning Case CANN-25-0063

Exhibit F contains the Draft Conditions of Approval that the Planning & Zoning Commission is requested to review. The Planning & Zoning Commission's recommendation to City Council may include the Draft Conditions of Approval as written or modified.

G. Applicant Documents

The applicant provided the following documents that are included in the exhibits for this Zoning Case CANN-25-0063.

1. Exhibit G: Animacann Inc., State of New Mexico Cannabis Retailer License
2. Exhibit H: The Green House Roswell Dispensary Business Plan

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

V. Legal Standards:

The legal standard for a zoning variance in New Mexico requires the applicant to demonstrate "unnecessary hardship." This involves showing that the parcel in question is distinguishable from other properties subject to the same zoning restrictions and that the requested variance is appropriate ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

Additionally, the body considering the variance must determine whether the condition or use of the property makes it "exceptional" in the sense that the application of zoning restrictions affects the property more harshly than other properties under the ordinance, thereby creating a particular hardship that deprives the owner of a reasonable return ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

The ultimate question in determining whether to grant a variance is whether the applicant has shown "unnecessary hardship." This requires the body considering the variance to determine if the parcel is distinguishable from other properties subject to the same zoning restrictions and whether the requested variance is appropriate ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)). For cannabis establishments, the local jurisdiction's authority to set distance requirements and the general standards for variances apply. An applicant seeking a variance to residential distance requirements would need to demonstrate that strict application of the distance requirement would create an extraordinary hardship due to unique circumstances. The applicant would also need to show that the variance is necessary to overcome these difficulties, does not significantly interfere with the enjoyment of other land, and is consistent with the spirit of the ordinance and public interest ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)). In summary, the legal standard for a variance to residential distance requirements for a cannabis establishment in New Mexico involves demonstrating extraordinary hardship due to unique circumstances and ensuring that the variance is consistent with local zoning rules and the general public interest.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

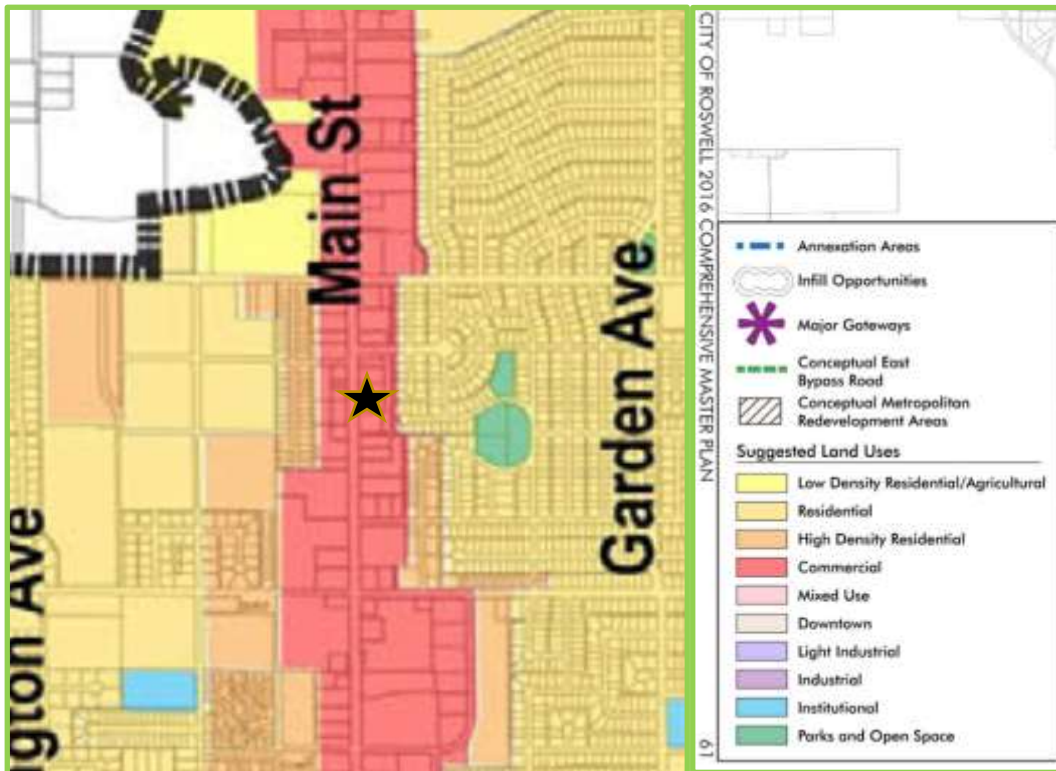
The city council, when ruling on an appeal from the grant of a zoning variance, must determine that the condition or use of the property makes it "exceptional." This means that the application of zoning restrictions affects the property more harshly than other properties under the ordinance, creating a particular hardship that deprives the owner of a reasonable return. The effect on the parcel must be exceptionally harsh in comparison to other properties, although the parcel need not be the only property so affected ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

VI. Findings of Fact (Conclusions of Law):

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notifications of the public hearing were mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor Map, with lots or land within three-hundred (300) feet of the area under consideration, excluding public rights-of-way.
3. This agenda, which includes this case, has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. As of the time of this writing, the Planning & Zoning Office has received one (1) written protest (See Exhibit I), zero (0) verbal protests, and zero (0) inquiries.
5. The property under consideration is currently within the jurisdiction of the City of Roswell, New Mexico.
6. Chapter 27 of the Roswell Municipal Code regulates all projects related to cannabis within the City of Roswell.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

7. The land use is compatible with the 2016 Comprehensive Master Plan Preferred Land Use Scenario Map that indicates the property under consideration is located within the North Main Street commercial corridor.



Excerpt from 2016 Comprehensive Master Plan Preferred Land Use Scenario

VII. Action by the Planning & Zoning Commission:

1. Chapter 27 – Cannabis states the following for the Planning & Zoning consideration.

Sec. 27-32. - Commission review.

Unless the cannabis project application is rejected, the commission shall consider whether to recommend a zoning request to city council at its next regular meetings after issuance of the department's written opinion. The commission may recommend the zoning request as presented or with conditions or amendments it deems appropriate. In the event that the commission votes to recommend denying a zoning request, the motion to recommend denial shall state the reasons for such.

EXHIBIT B
STAFF SUMMARY FOR CASE: CANN-25-0063
REQUEST FOR VARIANCE, ZONE CHANGE, AND CONDITIONAL USE PERMIT TO
OPERATE A RETAIL CANNABIS ESTABLISHMENT

2. It is requested that the Planning and Zoning Commission hold a public hearing, then make a motion to recommend to the City Council ***(for approval or denial or no recommendation)*** of Zoning Case CANN-25-0063 with Conditions of Approval specified in Exhibit F.

**EXHIBIT C.1: LETTER NOTIFYING SURROUNDING PROPERTY OWNERS OF
ZONING CASE CANN-25-0063**

LETTER SENT VIA CERTIFIED MAIL ON JUNE 17, 2025 TO SURROUNDING PROPERTY OWNERS



**COMMUNITY DEVELOPMENT DEPARTMENT
500 N Main St, Suite 100
Roswell, NM 88201
Telephone: (575) 637.6294**

RE: PUBLIC HEARING NOTICE for ZONING CASE CANN 25-0063

Dear Property Owner:

You have received this notice via certified mail because Chaves County Assessor information indicates you are a property owner of record within **300** feet of **City of Roswell Planning & Zoning Case CANN 25-0063**. This notice informs you of an upcoming public hearing before the City of Roswell Planning and Zoning Commission regarding a Zoning Case for the following property.

DESCRIPTION OF ZONING APPLICATION REQUEST:

CASE CANN 25-0063 Request for approval of a Variance to residential distance requirements, Zone Change to CCAN, and Conditional Use Permit to operate an adult use retail cannabis establishment.

PROPERTY OWNER: KSBL ENTERPRISES LLC

APPLICANT: Animacann Inc dba The Greenhouse

PROPERTY LOCATION: 3107 N Main Street

LEGAL DESCRIPTION: Subd: BERRENDO IRRIGATED FARMS Block: 21 Lot: 4 N 150' S 351' E 220' W 240' Quarter: NW S: 21 T: 10S R: 24E BK: 384 PG: 1141 WD

The City of Roswell Planning and Zoning Commission will hear public comments on the above zoning cases on Date: TUESDAY, JULY 1, 2025 at 6:00 p.m. in the Roswell Development Services Conference Room at the Sun West Centre Office Complex, located at 500 North Main Street, Suite 100. You are entitled, although not obligated, to comment either in writing to our office, in person, or online at the hearing.

To be considered, written protests must be submitted to and received by the Planning and Zoning Division no later than noon on the working day prior to the Planning and Zoning Commission meeting. Written comments may be delivered to the Planning & Zoning Division Community Development Department in the Roswell Development Services Office at 500 N Main Street Suite 100, or sent to: *City of Roswell, Planning & Zoning Administrator, PO BOX 1838, Roswell, NM 88202-1838* or via email to m.hildreth@roswell-nm.gov.

The **information packet** for these zoning cases will be available no later than 5:00 p.m., on **Friday, JUNE 27, 2025**, and may be viewed at <https://www.roswell-nm.gov/489/Planning-Zoning-Commission>. You may inspect the information packet in detail by calling 575.637.6294 for an appointment at the Planning & Zoning Division in the Roswell Development Services Office at 500 N Main Street, Suite 100. You may obtain copies of the information packet at a cost of 35 cents per sheet. The City's Zoning Ordinance is available online at: https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

City of Roswell Code of Ordinances Article 27: CANNABIS is available online at: https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_CH27CA

Planning & Zoning Commission will forward a recommendation regarding this case to City Council for final consideration.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Respectfully,

Merideth Hildreth

Merideth Hildreth, AICP
Planning & Zoning Administrator

Esperanza DeLeon

Esperanza DeLeon
Planner II

(Area of Notification Map attached)

**ANEXO C.2: CANN-25-0063 CARTA DE NOTIFICANDO A LOS PROPIETARIOS DE LOS
ALREDEDORES**

**CARTA ENVIADA POR CORREO CERTIFICADO EL 17 DE JUNIO DE 2025 A LOS PROPIETARIOS DE LOS
ALREDEDORES**



**COMMUNITY DEVELOPMENT DEPARTMENT
500 N Main Street, Suite 100
Roswell, NM 88201
Teléfono: (575) 637.6294**

RE: AVISO DE AUDIENCIA PÚBLICA para el CASO DE ZONIFICACIÓN CANN-25-0063

Estimado propietario:

Usted ha recibido este aviso por correo certificado porque el condado de Chaves Asesor, la información indica que usted es un propietario registrado dentro **de los 300** pies del **Caso de Planificación y Zonificación de la Ciudad de Roswell CANN-25-0063**. Este aviso le informa de la próxima audiencia pública ante la Comisión de Planificación y Zonificación de la Ciudad de Roswell con respecto a un caso de zonificación para la siguiente propiedad.

DESCRIPCIÓN DE LA SOLICITUD DE ZONIFICACIÓN:

CASO CANN-25-0063 Solicitar el cambio de Zona a CCAN (Cannabis Comercial) y Permiso de Uso Condicional para operar un establecimiento minorista de cannabis para uso adulto.

PROPIETARIO: KSBL ENTERPRISES LLC

SOLICITANTE: Animacann Inc dba The Greenhouse

UBICACIÓN DE LA PROPIEDAD: 3107 N Main Street

DESCRIPCIÓN LEGAL: Subd: BERRENDO IRRIGATED FARMS Block: 21 Lot: 4 N 150' S 351' E 220' W 240' Quarter: NW S: 21 T: 10S R: 24E BK: 384 PG: 1141 WD

La Comisión de Planificación y Zonificación de la Ciudad de Roswell escuchará los comentarios del público sobre el caso de zonificación. Fecha: MARTES 1 de JULIO de 2025 a las 6:00 p.m. en la Sala de Conferencias de Roswell Development Services ubicada en 500 N Main Street, Suite 100 en el Complejo de las Oficinas de Sun West Centre. Usted tiene derecho, aunque no este obligado(a), a comentar por escrito a nuestra oficina, en persona o en línea en la audiencia.

Para ser considerado, las protestas por escrito deben ser presentadas y recibidas por la División de Planificación y Zonificación a más tardar del mediodía del día anterior de la reunión de la Comisión de Planificación y Zonificación. Los comentarios por escrito pueden enviarse a la División de Planificación y Zonificación en la Oficina de Servicios de Desarrollo de Roswell en 500 N Main Street Suite 100, o enviarse a: *Ciudad de Roswell, Administrador de Planificación y Zonificación, PO BOX 1838, Roswell, NM 88202-1838* o por correo electrónico a m.hildreth@roswell-nm.gov.

ANEXO C.2: CANN-25-0063
CARTA DE NOTIFICANDO A LOS PROPIETARIOS DE LOS ALREDEDORES

El **paquete** de información para estos casos de zonificación estará disponible a más tardar a las 5:00 p.m., el **viernes 27 de junio de 2025**, y se puede ver en <https://www.roswell-nm.gov/489/Planning-Zoning-Commission>. Puede inspeccionar el paquete de información en detalle llamando al 575.637.6294 para una cita en la División de Planificación y Zonificación en la Oficina de Servicios de Desarrollo de Roswell en 500 N Main Street, Suite 100. Puede obtener copias del paquete de información a un costo de 35 centavos por hoja.

La Ordenanza de Zonificación de la Ciudad está disponible en línea en:
https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

Código de Ordenanzas de la Ciudad de Roswell Artículo 27: CANNABIS está disponible en línea en:
https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_CH27CA

La Comisión de Planificación y Zonificación enviará una recomendación sobre este caso al Concejo Municipal para su consideración final.

Si usted es una persona con una discapacidad que necesita un lector, amplificador, intérprete calificado de lenguaje de señas o cualquier otra forma de ayuda o servicio auxiliar para asistir o participar en la audiencia o reunión, comuníquese con Recursos Humanos al 575-624-6700 al menos una semana antes de la reunión o lo antes posible. Los documentos públicos, incluyendo el orden del día y las actas, pueden proporcionarse en varios formatos accesibles. Comuníquese con el Secretario Municipal al 575-624-6700 si necesita un resumen u otro tipo de formato accesible.

Respetuosamente

Merideth Hildreth

Merideth Hildreth, AICP
Planning & Zoning Administrator

Esperanza DeLeon

Esperanza DeLeon
Planner II

(Área de Mapa de Notificación adjunta)

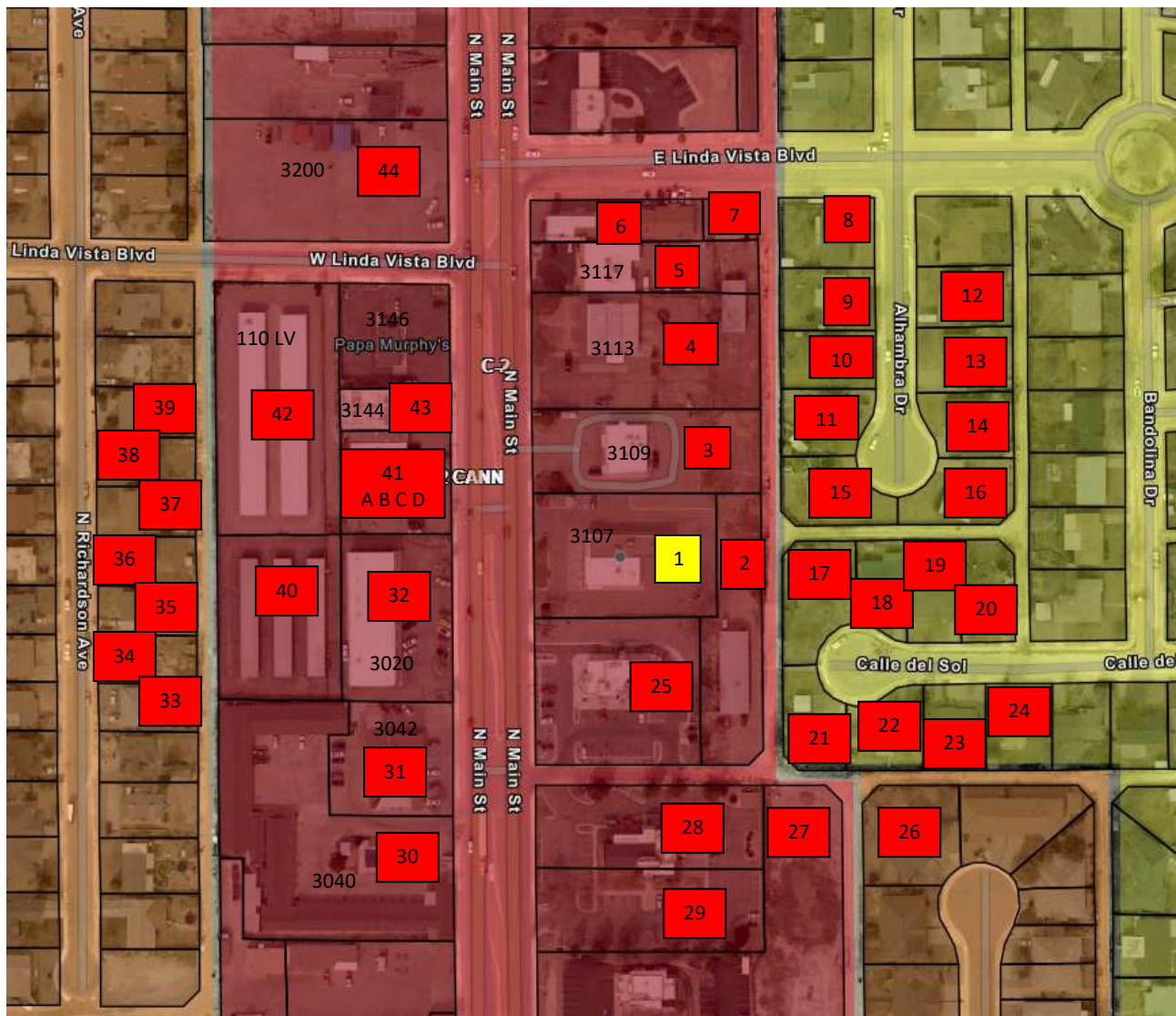
3107 N Main Street – The Green House Roswell

Request a Variance to Distance from Residential District, Zone Change to CCAN (Commercial Cannabis), and Conditional Use Permit to Operate an Adult Use Retail Cannabis Establishment

Solicitar una variación a la distancia desde el distrito residencial, un cambio de zona a CCAN (Cannabis comercial) y un permiso de Uso Condicional para operar un establecimiento minorista de cannabis para uso adulto

**CHAVES COUNTY ASSESSOR'S MAP IDENTIFYING PROPERTY UNDER CONSIDERATION
AND PROPERTIES WITHIN ZONING CASE NOTIFICATION AREA**

**EL MAPA DEL TASADOR DEL CONDADO DE CHAVES QUE IDENTIFICA LA PROPIEDAD
BAJO CONSIDERACIÓN Y LAS PROPIEDADES DENTRO DEL ÁREA DE NOTIFICACIÓN DE
CASOS DE ZONIFICACIÓN**



1 PROPERTY UNDER CONSIDERATION – 3107 N Main Street Unit B
NOTIFICATION LETTERS SENT TO PROPERTY OWNERS IN NOTIFICATION AREA

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

1

KSBL ENTERPRICES LLC
3107 N Main St
ROSWELL NM 88201

KSBL ENTERPRICES LLC
PO BOX 757
ROSWELL NM 88202-0757

THE GREENHOUSE ROSWELL
3107 N MAIN ST UNIT B
ROSWELL NM 88201

2

LESTER CORBELL & VERONICA CORBELL
OR CURRENT PROPERTY OWNER
3015 N MAIN ST
ROSWELL NM 88201

LESTER CORBELL & VERONICA CORBELL
21 LAFAYETTE LP
ROSWELL NM 88201

3

GARCIA INVESTMENT PROPERTIES LLC
OR CURRENT PROPERTY OWNER
3109 N MAIN ST
ROSWELL NM 88201

GARCIA INVESTMENT PROPERTIES LLC
402 SAUCEDO AVE
ROSWELL NM 88203

4

LUIS R GARCIA & MARIA GARCIA
OR CURRENT PROPERTY OWNER
3113 N MAIN ST
ROSWELL NM 88201

LUIS R GARCIA & MARIA GARCIA
402 S SUCEDO AVE

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

ROSWELL NM 88201

5
PVT NETWORKS INC
3117 N MAIN ST
ROSWELL NM 88201

PVT NETWORKS
4011 W MAIN ST
ARTESIA NM 88210

6
SWS FAMILY LLC
100 E LINDA VISTA BLVD
ROSWELL NM 88201

SWS FAMILY LLC
106 E LINDA VISTA BLVD STE 101
ROSWELL NM 88201

7
KIMBERLY PERRY
108 E LINDA VISTA BLVD
ROSWELL NM 88201

KIMBERLY PERRY
1313 N PENNSYLVANIA AVE
ROSWELL NM 88201

8
JOHN BELL & PHYLLIS J BELL
3108 ALHAMBRA DR
ROSWELL NM 88201

9
LESLEA TIVIS; JIMMY & KATHY TIVIS
3106 ALHAMBRA DR
ROSWELL NM 88201

10
MARTIN E SALAS

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

3104 ALHAMBRA DR
ROSWELL NM 88201

11
ROBERT DOMINGUEZ
RAMONA A DOMINGUEZ
3102 ALHAMBRA DR
ROSWELL NM 88201

ROBERT DOMINGUEZ
RAMONA A DOMINGUEZ
3102 ALHAMBRA DR
ROSWELL NM 88201

12
CHRISTOPHER GRIEGO & ROSA GRIEGO
3107 ALHAMBRA DR
ROSWELL NM 88201

13
LUPE JR LEYBA
3105 ALHAMBRA DR
ROSWELL NM 88201

14
WILLIAM KINCAID & SHANNON KINCAID
3103 ALHAMBRA DR
ROSWELL NM 88201

15
JUSTIN BONDS
OR CURRENT PROPERTY OWNER
3100 ALHAMBRA DR
ROSWELL NM 88201

JUSTIN BONDS
4681 RIMROCK DR
ROSWELL NM 88201

16
LINDA G CASSIDY
OR CURRENT PROPERTY OWNER

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

3101 ALHAMBRA DR
ROSWELL NM 88201

17
FRANK ESPINOZA & GLORIA ESPINOZA
101 CALLE DEL SOL
ROSWELL NM 88201

18
JEORGE V BELTRAN & CHARITY J BELTRAN
OR CURRENT PROPERTY OWNER
103 CALLE DEL SOL
ROSWELL NM 88201

JEORGE V BELTRAN & CHARITY J BELTRAN
6833 HEDGEWOOD DR
SACRAMENTO CA 95842

19
JONATHAN R GRANDI & EMILY A GRANDI
105 CALLE DEL SOL
ROSWELL NM 88201

20
CELESTE M ZAMORA
107 CALLE DEL SOL
ROSWELL NM 88201

21
MARK MASLIAN & DEMVIA MASLIN
100 CALLE DEL SOL
ROSWELL NM 88201

22
LESA DODD
102 CALLE DEL SOL
ROSWELL NM 88201

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

23

CHAD SANTOS
OR CURRENT PROPERTY OWNER
104 CALLE DEL SOL
ROSWELL NM 88201

CHAD SANTOS
20308 BLOSS AVE
HILMAR CA 95324

24

MARLYN GILBERT
106 CALLE DEL SOL
ROSWELL NM 88201

25

SLEEPING INDIAN INVESTMENTS LLC
OR CURRENT PROPERTY OWNER
3017 N MAIN ST
ROSWELL NM 88201

SLEEPING INDIAN INVESTMENTS LLC
3205 RICHMOND DR NE
ALBUQUERQUE NM 87107

26

ORLANDO S GUTIERREZ
OR CURRENT PROPERTY OWNER
3020 ALHAMBRA DR
ROSWELL NM 88201

ORLANDO S GUTIERREZ
2105 E 2ND ST
ROSWELL NM 88201

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

27

SWEET CRASH LLC
OR CURRENT PROPERTY OWNER
3009 N MAIN ST
ROSWELL NM 88201

SWEET CRASH LLC
131 N ROADRUNNER PARKWAY
LAS CRUCES NM 88011

28, 29

GARY FULTHEIM BROWN MARITAL TRUST
JUDITH L BROWN TRUSTEE
3013 N MAIN ST
ROSWELL NM 88201

GARY FULTHEIM BROWN MARITAL TRUST
JUDITH L BROWN TRUSEE
3064 BROADWAY
LONG BEACH CA 90803

30

247 MANAGEMENT LLC
OR CURRENT PROPERTY OWNER
3010 N MAIN ST
ROSWELL NM 88201

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

31

WALID A ABDEL -AZIZ
JOUMANA GHAZI KADDOURA
OR CURRENT PROPERTY OWNER
3012 N MAIN ST
ROSWELL NM 88201

WALID A ABDEL -AZIZ
JOUMANA GHAZI KADDOURA
607 E COUNTRY CLUB
ROSWELL NM 88201

32

ABERDEEN PROPERTIES LLC
3020 N MAIN ST
ROSWELL NM 88201

ABERDEEN PROPERTIES LLC
P.O BOX 3135
ROSWELL NM 88202

33

JOSHUA A CALVERT
3103 N RICHARDSON AVE
ROSWELL NM 88201

34

FAWNA L HENDRICKS
3105 N RICHARDSON AVE
ROSWELL NM 88201

35

CHRISTOPHER WILCOX & JENNIFER L WILCOX
OR THE CURRENT PROPERTY OWNER
3107 N RICHARDSON AVE
ROSWELL NM 88201

CHRISTOPHER WILCOX & JENNIFER L WILCOX
2503 N SYCAMORE AVE

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

ROSWELL NM 88201

36

DWIGHT PAUL PIRTLE & DENISE PIRTLE
OR THE CURRENT PROPERTY OWNER
3109 N RICHARDSON AVE
ROSWELL NM 88201

DWIGHT PAUL PIRTLE & DENISE PIRTLE
6793 CHEROKEE RD
DEXTER NM 88230

37

OJEDA MAGNO MORENO & KENIA ARLETTE
3111 N RICHARDSON AVE
ROSWELL NM 88201

38

JOSUE ROSARIO
3113 N RICHARDSON AVE
ROSWELL NM 88201

39

RITA MELENA & ALEJANDRO CORTEZ
3115 N RICHARDSON AVE
ROSWELL NM 88201

40, 42

GOODMAN MANAGEMENT LLC
S&D REAL ESTATE LLC
7608 CROUCH CT
SANTA FE NM 87507

40

GOODMAN MANAGEMENT LLC
S&D REAL ESTATE LLC
3020 N MAIN ST
ROSWELL NM 88201

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

41 (Shopping Plaza)
BUTT MCLEAN REVOCABLE FAMILY TRUST
DONALD GREGORY & BARBARA KAY MCLEAN TTEES
509 W ALAMEDA ST
ROSWELL NM 88203

41A
BUTT MCLEAN REVOCABLE FAMILY TRUST
OR CURRENT BUSINESS OWNER
3106 N MAIN ST
ROSWELL NM 88201

41B
BUTT MCLEAN REVOCABLE FAMILY TRUST
OR CURRENT BUSINESS OWNER
3108 N MAIN ST
ROSWELL NM 88201

41C
BUTT MCLEAN REVOCABLE FAMILY TRUST
OR CURRENT BUSINESS OWNER
3110 N MAIN ST
ROSWELL NM 88201

41D
BUTT MCLEAN REVOCABLE FAMILY TRUST
OR CURRENT BUSINESS OWNER
3112 N MAIN ST
ROSWELL NM 88201

42
GOODMAN MANAGEMENT LLC
S&D REAL ESTATE LLC
110 W LINDA VISTA BLVD
ROSWELL NM 88201

EXHIBIT E: CANN-25-0063 NOTIFICATION AREA ADDRESSES

43

FLA ENTERPRICES LLC
OR THE CURRENT PROPERTY OWNER
3116 N MAIN ST
ROSWELL NM 88201

FLA ENTERPRICES LLC
3257 N SYCAMORE AVE
ROSWELL NM 88201

44

WJE LLC
OR THE CURRENT PROPERTY OWNER
3200 N MAIN ST
ROSWELL NM 88201

WJE LLC
311 S VIRGINIA AVE
ROSWELL NM 88203

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State of New Mexico



Regulation & Licensing Department Cannabis Control Division

HEREBY CERTIFIES THAT

Animacann Inc

HAVING GIVEN SATISFACTORY EVIDENCE OF THE LICENSING REQUIREMENTS
PRESCRIBED BY LAW IS GRANTED A LICENSE TO OPERATE IN THE STATE
OF NEW MEXICO AS A

Cannabis Retailer

235 Bastille Dr

Pagosa Springs, CO, 81147

License No. RTLR-2022-0011

Issued 04/30/2022

Expires 04/30/2026

THIS LICENSE SHOULD BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS OR AS REQUIRED BY LAW

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State of New Mexico



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Cannabis Retailer

Retail

1698 Rio Bravo Blvd SW Ste B

Albuquerque, NM, 87105

License No. RTL-2022-0011-PRM-0002 Issued 05/01/2023 Expires 04/30/2026

THIS LICENSE SHOULD BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS OR AS REQUIRED BY LAW

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Cannabis Retailer

Retail

1901 E 20th St

Farmington, NM, 87401

License No. RTLRL-2022-0011-PRM-0001 Issued 04/30/2022 Expires 04/30/2026

THIS LICENSE SHOULD BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS OR AS REQUIRED BY LAW

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State of New Mexico



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OF NEW MEXICO AS A

Cannabis Retailer

Retail

701 N Grimes St

Hobbs, NM, 88240

License No. RTL-2022-0011-PRM-0003 Issued 05/02/2023 Expires 04/30/2026

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State of New Mexico



Regulation & Licensing Department Cannabis Control Division

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Animacann Inc

HAVING GIVEN SATISFACTORY EVIDENCE OF THE LICENSING REQUIREMENTS
PRESCRIBED BY LAW IS GRANTED A LICENSE TO OPERATE IN THE STATE
OF NEW MEXICO AS A

Cannabis Retailer

Retail

1500 Appaloosa Dr Bldg A Ste 140

Sunland Park, NM, 88063

License No. RTL-2022-0011-PRM-0004 Issued 06/26/2023 Expires 04/30/2026

THIS LICENSE SHOULD BE CONSPICUOUSLY POSTED IN PLACE OF BUSINESS OR AS REQUIRED BY LAW

The Green House Roswell Dispensary Business Plan

1. Executive Summary

Business Name: The Green House Roswell

Location: 3107 N Main St. Roswell Unit B, NM 88201

Ownership: Animacann Inc.

Mission Statement: To provide high-quality, lab-tested cannabis products in a safe, welcoming, and educational environment that promotes wellness and community values.

Vision Statement: To become a leading dispensary in Roswell by prioritizing customer trust, education, regulatory compliance, and sustainable business practices.

1. Business Description

Products and Services:

- Flower (various strains)
- Pre-rolls
- Edibles
- Concentrates
- Vape cartridges
- Tinctures and topicals
- CBD-only products
- Accessories (rolling papers, grinders, etc.)
- Educational events and consultations

Unique Selling Proposition (USP):

- Expert budtenders who take the time to educate
 - The widest selection of premium product
 - Focus on education and transparency
 - Loyalty and referral programs
 - Aesthetic, clean, and safe retail environment
-

3. Market Analysis

Industry Overview:

- Strong growth in states with mature programs
- Consumer interest in wellness and alternative medicine is rising

Competitor Analysis:

- Comparative strengths/weaknesses
- Our advantage: customer service, product variety, education

Target Audience Demographics:

- Income level: \$35K-\$100K+
 - Lifestyle: Health-conscious, tech-savvy, socially aware
-

4. Marketing and Sales Strategy

Branding:

- Logo, color palette, and eco-friendly theme
- Consistent tone across all platforms (educational, approachable)

Marketing Channels:

- Digital: SEO, social media (within legal restrictions), email marketing
- Local: Sponsorship of community events, flyers, partnerships
- In-store: Loyalty programs, customer referral incentives

Customer Retention:

- Monthly specials
 - Rewards program
 - Educational workshops and tasting events
-

5. Operations Plan

Location:

Retail storefront in a high-foot-traffic area compliant with zoning regulations

Hours of Operation:

Monday-Sunday, 8 AM - 11 PM

Technology:

- POS system (BioTrackTHC-compliant)
- Security surveillance and alarm systems
- Customer database/CRM

EXHIBIT I CANN-25-0063: OPPOSITION LETTER

Roswell Planning & Zoning Case CANN 25-0063 Written Comments

From Lesa Dodd <lesa_dodd@yahoo.com>

Date Mon 6/23/2025 2:48 PM

To Merideth Hildreth <m.hildreth@roswell-nm.gov>

CAUTION: This email did **NOT** come from anyone using a valid City of Roswell email address.

Review it carefully before opening any attachments or clicking any links inside the email.

Please let this email serve as my written comments **AGAINST** allowing KSBL Enterprises LLC and Animacann Inc dba The Greenhouse open a cannabis establishment at 3107 N Main Street which is within 300 feet of my residential neighborhood. I am **AGAINST** this zone request for the following reasons:

1. This cannabis establishment will result in additional vehicle traffic not only via main street but also down the alleyways behind residential houses. When Blake's Hamburgers was opened, the traffic in the alleyways increased substantially due to people cutting through the alley to access Blake's.
2. A cannabis establish may attract questionable customers to our family-oriented neighborhoods. In addition, foot traffic of strangers in the alleyways behind our residences will increase just like vehicle traffic.
3. Roswell already has enough cannabis shops!

Again, I am **AGAINST** this zoning request. If you have any questions, please let me know. Thank you for your consideration.

Lesla Dodd
102 Calle Del Sol
Roswell, NM 88201
575-626-4683

Planning & Zoning Commission

4.

Meeting Date: 07/01/2025

COMMITTEE: Planning & Zoning

CONTACT: Merideth Hildreth

CHAIR: Saul Aguilar

ACTION REQUESTED:

Request to hold a public hearing on Zoning Case VAR-25-0059.

BACKGROUND:

Initiated by Merideth Hildreth, AICP. Planning & Zoning Administrator Request for a Variance to property line setbacks for new building construction along east side of property in I-1 Zoning District at 900-908 N Virginia Avenue.

FINANCIAL CONSIDERATION:

No financial consideration at this time.

REVIEW:

No legal review is required at this time.

BOARD AND COMMITTEE ACTION:

Planning & Zoning Commission conduct a public hearing and vote on a decision for Zoning Case VAR-25-0059.

STAFF RECOMMENDATION:

Planning & Zoning Commission conduct a public hearing and vote on a decision for Zoning Case VAR-25-0059.

Attachments

VAR-25-0059 EXHIBITS



CITY OF ROSWELL VARIANCE APPLICATION

PO Box 1838 • Roswell, NM 88202-1838
Phone: (575) 637-6280 • ROSWELL-NM.GOV

Property Owner's Name: Roswell Property Management Group F2 **Email:** tgross@kagm.com
Phone: 575-910-7670 **Address:** 2211 W. 2nd St., Roswell, NM 88201

Agent's Name: Smith Engineering Co. **Email:** scotth@smithengineering.pro
Phone: 575-626-5042 **Address:** 401 N. Pennsylvania Ave.

Physical Address: 900-908 N. Virginia Ave.

Legal Description of Proposed Zone Change Area (Lot/Block/Subdivision, Tract, Section-Township/Range):
Lots 3-7 Block 7 North Spring River Addition, S33 T10 R34

Reason for the Request: (Please attach extra sheet if necessary) Variance to property line setbacks for I1 zoning to allow for new building construction along east side of property.

By signing this document, I acknowledge that I have been informed of the dates, times, and locations of the meetings for the Planning and Zoning Commission and City Council and that I and/or my agent shall attend the meetings in order to fulfill the requirements of this application.

[Signature] OWNER AGENT
Property Owner Signature

6-3-2015
Date

[Signature]
Agent's Signature

6-3-2015
Date

FOR OFFICIAL USE ONLY

P & Z Case #: VAR-25-0059 **Date:** 07/01/2025 **Located in Historic District:** ☐ Yes ☒ No

Flood Zone: AH **Current Zoning District:** I-1 LIGHT INDUSTRIAL

Structure Size in Square Feet: 40' X 256' = 10,128 Sq. Ft.

Setback Requests for New Construction: Front Ft: 0' Side Ft: 0' Rear Ft: 15' Side Ft:

Comprehensive Master Plan General Development Plan: ☐ Residential ☐ Commercial ☒ Industrial
☐ Park & Open Space ☐ RS Overflight

Quadrant of the city: ☐ NW ☒ NE ☐ SW ☐ SE

All documentation and fees shall be required at the time this application is submitted, unless otherwise noted by Planning and Zoning staff. **Application fees are NON-REFUNDABLE.**

Revised 11/4/24

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE



Roswell Planning & Zoning Commission

Tuesday, July 1, 2025

Roswell Development Services Conference Room
500 North Main Street, Suite 100 (SunWest Centre)
Roswell, NM 88201

APPLICATION: CASE VAR-25-0059: Request for approval of a Variance to property line setbacks for new building construction along east side of property in the I-1 Light Industrial Zoning District. Location: 900-908 N Virginia Avenue.

I. Property Under Consideration:

Property Address: 902, 904, 906, 908 N Virginia Avenue
Legal Summary: Subd: NORTH SPRING RIVER Block: 7 Lot: 3 THRU:- Lot: 7 , , , ,
Quarter: NW S: 33 T: 10S R: 24E BOUNDARY SURVEY (S11-42) BK:
799 PG: 958 SWD
Property Owner: ROSWELL PROPERTY MANAGEMENT GROUP F2 LLC
Applicant/Agent: Smith Engineering Co.

II. Site Data:

Site Area: 53,627.00 Square Feet
UPC: 4136061049220000000
Existing Land Use: Roswell Ford (Sales and Service)
Proposed Land Use: Infill Redevelopment for Truck Fleet Service Center
Existing Zoning: I-1 Light Industrial

Table 1: Adjacent Existing Land Use and Zoning to the area under consideration		
Direction:	Land Use:	Zoning:
North On 10 th St	Shop, Professional Office	I-1
South On 9 th St	Rhoads Building and Vehicle/Equipment Yard	I-1
West side of Alley	Roswell Ford and Gas Station	C-2
East side of N Virginia Ave	Fueling Station & Propane Company & Vacant Lot	I-1

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059 REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

Zoning Map for VAR-25-0059



III. Intent of Petition:

1. The applicant for Zoning Case VAR-25-0059 is requesting approval of a Variance to property line setbacks for construction of a new 10,240 square foot building with 14 service bays and an office along the east side of the Roswell Ford property in the I-1 Light Industrial Zoning District located at 900-908 N Virginia Avenue to provide service for Fleet Vehicles and Trucks.

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

2. The proposed building is 256' in length; and the proposed location is placement along the east property line parallel with N Virginia Avenue with a zero ft street side-yard setback and a zero ft front yard setback on the property line parallel with E 9th Street.
3. Smith Engineering Company rendered the Conceptual Site Plan showing the proposed building in dark gray along the east property line with a 15' rear yard setback and 0' east street side yard setback and 0' south side front yard setback.
4. Buildings on the north side of 9th Street were damaged by the 750-year flood that occurred on October 19, 2024. These buildings have been removed, including the carwash that was established on the south property line on the adjacent lot to the west of the property under consideration.

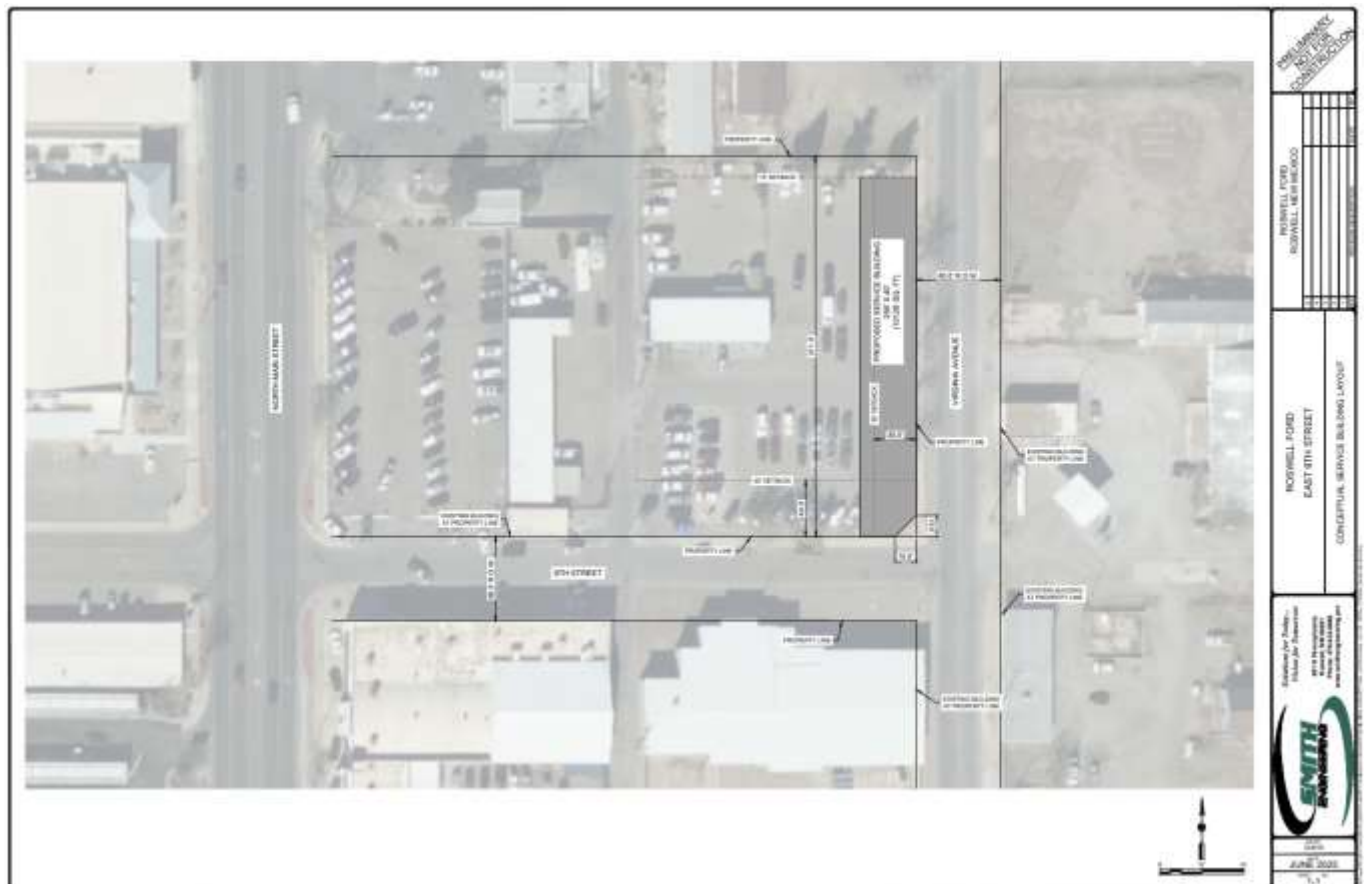


EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

5. Roswell Zoning Ordinance Article 50 Section 3. Commercial and Industrial Districts specifies the following setbacks for the C-1, C-2, I-1, and I-2 Zoning Districts.

"A. Front Yard Setback

1. The minimum setback shall be 40 feet or the same setback line established by an existing principal building on an adjacent lot within the same block, whichever is less."

"B. Side Yard Setback

3. Where the side yard is on the street side of a corner lot, the minimum side yard setback shall be 30feet or the setback line established by an existing principal building on an adjacent lot within the same block, whichever is less."

"C. Rear Yard Setback

1. The minimum setback shall not be less than 15 feet, except where the rear lot line abuts a residential zoning district.

6. The Conceptual Site Plan on the aerial map above shows edges of buildings on surrounding lots to the east, west, north, and south built on front, street side yard, and rear property lines. These buildings were built between 1940 and 1979 according to the Chaves County Assessor information.
7. Google Earth Street View image dated 12/2024 on the next page shows the Roswell Ford flood-damaged fence along North Virginia Avenue looking south from the vicinity of 10th Street toward 9th Street. This is the location of the proposed building under consideration for a zero lot-line variance.
8. Roswell Ford provided Reasons for the Variance Request in Exhibit F of Zoning Case VAR-25-0059.

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE



EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059 REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

IV. Planning & Zoning Commission Considerations from Staff Review:

1. As classified on the 2016 Functional Street Classification Plan
 - 9th and 10th Streets are Local Streets,
 - Virginia Avenue is a Minor Arterial.
 - Main Street is a Principal Arterial.
2. The area under consideration is in the revised Railroad District MRA Area adopted by City Council Resolution 20-23 on April 9, 2020.
3. The 2016 *Comprehensive Master Plan Preferred Land Use Scenario Map* shows the property under consideration in an industrial corridor along Virginia Avenue. Adjacent to a commercial corridor along N Main Street, and adjacent to a conceptual Metropolitan Redevelopment Area (MRA).



EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

4. The property under consideration is within the FEMA designated AH Flood Zone. The 750-year flood that occurred on October 19, 2024, and experienced flood damage as did contiguous Roswell Ford Properties and other properties within the vicinity.



V. Legal Standards

The legal standard for a zoning variance in New Mexico requires the applicant to demonstrate "unnecessary hardship." This involves showing that the parcel in question is distinguishable from other properties subject to the same zoning restrictions and that the requested variance is appropriate ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)). Additionally, the body considering the variance must determine whether the condition or use of the property makes it "exceptional" in the sense that the application of zoning restrictions affects the property more harshly than other properties under the

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059 REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

ordinance, thereby creating a particular hardship that deprives the owner of a reasonable return ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

The ultimate question in determining whether to grant a variance is whether the applicant has shown "unnecessary hardship." This requires the body considering the variance to determine if the parcel is distinguishable from other properties subject to the same zoning restrictions and whether the requested variance is appropriate ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

The city council, when ruling on an appeal from the grant of a zoning variance, must determine that the condition or use of the property makes it "exceptional." This means that the application of zoning restrictions affects the property more harshly than other properties under the ordinance, creating a particular hardship that deprives the owner of a reasonable return. The effect on the parcel must be exceptionally harsh in comparison to other properties, although the parcel need not be the only property so affected ([Downtown Neighborhoods Ass'n v. City of Albuquerque, 109 N.M. 186 \(1989\)](#)).

VI. Findings of Fact (Conclusions of Law):

1. A notice of the time and place of the public hearing for this case was published in the Roswell Daily Record at least fifteen (15) days prior to the date of this hearing.
2. Notifications of the public hearing were mailed via certified mail with return receipt requested to property owners of record, as shown by the Chaves County Assessor Map, with lots or land within one-hundred (100) feet of the area under consideration, excluding public rights-of-way.
3. This agenda, which includes this case, has been posted at City Hall and on the City of Roswell's website for over seventy-two (72) hours as required by State of New Mexico law for a public hearing.
4. The property under consideration is currently within the jurisdiction of the City of Roswell, New Mexico.
5. Roswell Planning & Zoning Commission has jurisdiction to review this application.
6. As of the time of this writing, the Planning & Zoning Office has received zero (0) written protests, zero (0) verbal protests, and zero (0) inquiries.

EXHIBIT B

STAFF SUMMARY FOR CASE: VAR-25-0059

REQUEST FOR A VARIANCE TO BUILD IN SETBACKS 900-908 N VIRGINIA AVENUE

7. Zoning Ordinance Article 3 Section 10 A. "The Planning & Zoning Commission may approve a variance to the zoning requirements for a property if the reason for the requested variance is due to the property being of exceptional narrowness, shallowness, shape, or having topographical or other extraordinary conditions which prevent the property owner from being able to comply with the zoning requirements and, if the strict application of this Ordinance would result in a peculiar, exceptional, or undue hardship, as opposed to a mere inconvenience upon the property owner." A public hearing held by the Planning and Zoning Commission is required per Section 10 C.
8. Section 10 D. states "The Planning and Zoning Commission shall decide whether or not to approve a variance request based on all oral and written statements from the applicant, the public, the City Staff, and its own members. The Planning and Zoning Commission shall also consider the effect of the proposed variance upon, neighborhood traffic, the public health, safety, and welfare of the community. The Planning and Zoning Commission shall not approve a variance unless it is satisfied that the request will alleviate some unusual hardship, is consistent with the general intent of this Ordinance, that it conforms to the Comprehensive Master Plan – City's Land Use Plan, and that it is in the public interest and in not solely in the interest of the applicant."
9. Section 10 E. states "Limitations, Amendments, and Revisions. The Planning and Zoning Commission may approve, deny, or table a variance request for not more than one regularly scheduled Commission meeting or for a period of time specified at the public hearing. The Planning and Zoning Commission may stipulate conditions and restrictions upon the property benefited by the variance as may be necessary to comply with the standards set forth in this Ordinance, to reduce or minimize the adverse effect the variance may have upon adjacent properties, and to ensure consistency with the general intent of this Ordinance."

VII. Action by the Planning & Zoning Commission:

Unless evidence to the contrary is introduced in the public hearing, based on the Land Use and Zoning Considerations, Findings of Fact, materials provided, and testimony, it is recommended that the **Planning and Zoning Commission introduce a motion and vote on Zoning Case VAR-25-0059.**

EXHIBIT C.1: VAR-25-0059

LETTER NOTIFYING SURROUNDING PROPERTY OWNERS

(Page 1 of 2)

**LETTER SENT VIA CERTIFIED MAIL ON JUNE 17, 2025
TO SURROUNDING PROPERTY OWNERS**



**COMMUNITY DEVELOPMENT DEPARTMENT
500 N Main Street, Suite 100
Roswell, NM 88201
Telephone: (575) 637-6280**

RE: PUBLIC HEARING NOTICE FOR ZONING CASE VAR-25-0059

Dear Property Owner:

You have received this notice via certified mail because Chaves County Assessor information indicates you are a property owner of record within 100 feet of **City of Roswell Planning & Zoning Case VAR-25-0059**. This notice informs you of an upcoming public hearing before the City of Roswell Planning and Zoning Commission regarding a Zoning Case for the following property.

DESCRIPTION OF ZONING APPLICATION REQUEST:

CASE VAR-25-0059 Request for approval of a Variance to property line setbacks for new building construction along east side of property in I-1 Zoning District.
PROPERTY OWNER: Roswell Property Management Group F2 LLC
AGENT/APPLICANT: Smith Engineering Co.
ADDRESS: 900 to 908 N Virginia Avenue
LEGAL SUMMARY: Subd: NORTH SPRING RIVER Block: 7 Lot: 3 THRU:- Lot: 7 , , , ,
Quarter: NW S: 33 T: 10S R: 24E BOUNDARY SURVEY (S11-42) BK:
799 PG: 958 SWD.)

The City of Roswell Planning and Zoning Commission will hear public comments on the above zoning case on Date: **TUESDAY, July 1, 2025 at 6:00 p.m. in the Roswell Development Services Conference Room located at 500 North Main Street, Suite 100 in the Sun West Centre Office Complex.** You are entitled, although not obligated, to comment either in writing to our office or at the hearing. To be considered, written protests must be submitted to and received by the Planning and Zoning Division no later than noon on the working day prior to the Planning and Zoning Commission meeting. Written comments may be delivered to the Planning & Zoning Division in the Roswell Development Services Office at 500 N Main Street Suite 100, or sent to: *City of Roswell, Planning & Zoning Administrator, PO BOX 1838, Roswell, NM 88202- 1838* or via email to m.hildreth@roswell-nm.gov .

EXHIBIT C.1: VAR-25-0059
LETTER NOTIFYING SURROUNDING PROPERTY OWNERS
(Page 2 of 2)
LETTER SENT VIA CERTIFIED MAIL ON JUNE 17, 2025

The **information packet** for these zoning cases will be available no later than 5:00 p.m., on **Friday, June 27, 2025**, and may be viewed on the City of Roswell website at <https://www.roswell-nm.gov/489/Planning-Zoning-Commission>.

You may inspect the information packet in detail by calling 575.637.6294 for an appointment at the Planning & Zoning Division in the Roswell Development Services Office at 500 N Main Street Suite 100. You may obtain copies of the information packet at a cost of 35 cents per sheet.

The City's Zoning Ordinance is available on the City of Roswell website online at: https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Human Resources at 575-624-6700 at least one week prior to the meeting or as soon as possible. Public documents including the agenda and minutes can be provided in various accessible formats. Please contact the City Clerk at 575-624-6700 if a summary or other type of accessible format is needed.

Respectfully,

Merideth Hildreth

Merideth Hildreth, AICP
Planning & Zoning Administrator
m.hildreth@roswell-nm.gov
575.637.6294

Esperanza DeLeon

Esperanza DeLeon
Planner II

(Area of Notification Map attached)

ANEXO C.2: VAR-25-0059

CARTA DE NOTIFICANDO A LOS PROPIETARIOS DE LOS ALREDEDORES

CARTA ENVIADA POR CORREO CERTIFICADO EL 17 DE JUNIO DE 2025

A LOS PROPIETARIOS DE LOS ALREDEDORES



COMMUNITY DEVELOPMENT DEPARTMENT

500 N Main Street, Suite 100

Roswell, NM 88201

Teléfono: (575) 637-6280

RE: AVISO DE AUDIENCIA PÚBLICA PARA EL CASO DE ZONIFICACIÓN VAR-25-0059

Estimado propietario:

Usted ha recibido este aviso por correo certificado porque el condado de Chaves Asesor la información indica que usted es un propietario registrado dentro **de los 100** pies del **Caso de Planificación y Zonificación de la Ciudad de Roswell VAR-25-0059**. Este aviso le informa del próximo audiencia pública ante la Comisión de Planificación y Zonificación de la Ciudad de Roswell con respecto a un caso de zonificación para la siguiente propiedad.

DESCRIPCIÓN DE LA SOLICITUD DE ZONIFICACIÓN:

CASO VAR-25-0059 Solicitud de aprobación de una variación a los retranqueos de los límites de la propiedad para la construcción de nuevos edificios a lo largo del lado este de la propiedad en el Distrito de Zonificación I-1.

PROPIETARIO: Roswell Property Management Group F2 LLC

SOLICITANTE: Smith Engineering Co.

UBICACIÓN DE LA PROPIEDAD: 900, 904, 906, 908 N Virginia Avenue

DESCRIPCIÓN LEGAL: - Subd: NORTH SPRING RIVER Block: 7 Lot: 3 THRU:- Lot: 7 , , , ,
Quarter: NW S: 33 T: 10S R: 24E BOUNDARY SURVEY (S11-42)
BK: 799 PG: 958 SWD.

La Comisión de Planificación y Zonificación de la Ciudad de Roswell escuchará los comentarios del público sobre el caso de zonificación. Fecha: MARTES 1 de JULIO de 2025 a las 6:00 p.m. en la Sala de Conferencias de Roswell Development Services ubicada en 500 N Main Street, Suite 100 en el Complejo de las Oficinas de Sun West Centre. Usted tiene derecho, aunque no este obligado(a), a comentar por escrito a nuestra oficina o en persona en la audiencia.

Para ser considerado, las protestas por escrito deben ser presentadas y recibidas por la División de Planificación y Zonificación a más tardar del mediodía del día anterior de la reunión de la Comisión de Planificación y Zonificación. Los comentarios por escrito pueden enviarse a la División de Planificación y Zonificación en la Oficina de Servicios de Desarrollo de Roswell en 500 N Main Street Suite 100, o enviarse a: *Ciudad de Roswell, Administrador de Planificación y Zonificación, PO BOX 1838, Roswell, NM 88202-1838* o por correo electrónico a m.hildreth@roswell-nm.gov.

ANEXO C.2: VAR-25-0059
CARTA DE NOTIFICANDO A LOS PROPIETARIOS DE LOS ALREDEDORES

El **paquete** de información para estos casos de zonificación estará disponible a más tardar a las 5:00 p.m., el **viernes 27 de junio de 2025**, y se puede ver en <https://www.roswell-nm.gov/489/Planning-Zoning-Commission>. Puede inspeccionar el paquete de información en detalle llamando al 575.637.6294 para una cita en la División de Planificación y Zonificación en la Oficina de Servicios de Desarrollo de Roswell en 500 N Main Street, Suite 100. Puede obtener copias del paquete de información a un costo de 35 centavos por hoja.

La Ordenanza de Zonificación de la Ciudad está disponible en línea en:
https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_APXAZO

Si usted es una persona con una discapacidad que necesita un lector, amplificador, intérprete calificado de lenguaje de señas o cualquier otra forma de ayuda o servicio auxiliar para asistir o participar en la audiencia o reunión, comuníquese con Recursos Humanos al 575-624-6700 al menos una semana antes de la reunión o lo antes posible. Los documentos públicos, incluyendo el orden del día y las actas, pueden proporcionarse en varios formatos accesibles. Comuníquese con el Secretario Municipal al 575-624-6700 si necesita un resumen u otro tipo de formato accesible.

Respetuosamente

Merideth Hildreth

Merideth Hildreth, AICP
Planning & Zoning Administrator
m.hildreth@roswell-nm.gov 575.637.6294

Esperanza DeLeon

Esperanza DeLeon
Planner II

(Área de Mapa de Notificación adjunta)

Request for Request for approval of a Variance to property line setbacks for new building construction along east side of property in I-1 Zoning District.

CHAVES COUNTY ASSESSOR'S MAP IDENTIFYING PROPERTY UNDER CONSIDERATION AND PROPERTIES WITHIN ZONING CASE NOTIFICATION AREA

The map displays the 22nd Ward in Chicago, with 11 numbered red areas and one yellow area (1) within a dashed yellow boundary. The areas are numbered 1 through 11. The map includes street names such as N Main St, N Dearborn St, N Michigan Ave, and various East streets (E 10th St, E 9th St, E 8th St, E 7th St, E 6th St, E 5th St, E 4th St, E 3rd St, E 2nd St, E 1st St). The yellow area (1) is located in the center of the map, bounded by a dashed yellow line. The red areas are numbered 1 through 11, with 1 being the central yellow area. The map also shows various landmarks and buildings, including a 'Housing Development, Office and Vehicle Storage' area in the top left, a 'Housing Development, Office and Vehicle Storage' area in the bottom left, and a 'Housing Development, Office and Vehicle Storage' area in the bottom right. The map is oriented with North at the top.

NOTIFICATION LETTERS SENT TO PROPERTY OWNERS IN NOTIFICATION AREA CARTAS DE NOTIFICACIÓN ENVIADAS A LOS PROPIETARIOS EN EL ÁREA DE NOTIFICACIÓN

EXHIBIT E: VAR-25-0059 – NOTIFICATION AREA ADDRESSES

1, 2, 11

ROSWELL PROPERTY MANAGEMENT GROUP F2
C/O THOMAS KRUMLAND
PO BOX 1858
ROSWELL NM 88202

7 (913 N VIRGINIA AVE - VACANT LAND)
MORRIS E SCHERTZ & HOLLY K SCHERTZ
PO BOX 2588
ROSWELL NM 88202-2588

TOBY GROSS

ROSWELL PROPERTY MANAGEMENT GROUP F2
2211 W 2nd ST
ROSWELL NM 88201

8 (911 N VIRGINIA AVE - VACANT LAND)
MORRIS E SCHERTZ & HOLLY K SCHERTZ
1407 S SUNSET AVE
ROSWELL NM 88203

SCOTT HICKS P.E.

SMITH ENGINEERING CO
401 N PENNSYLVANIA AVE
ROSWELL NM 88201

9

ABC PROPANE INC
PO BOX 490
ROSWELL NM 88202-0490

3

BREWER OIL CO
2701 CANDELARIA RD NE
ALBUQUERQUE NM 87107

ABC PROPANE INC
OWNER OR MANAGER
813 N VIRGINIA AVE
ROSWELL NM 88201

BREWER OIL

MANAGER
917 N MAIN ST
ROSWELL NM 88201

10

RLJ INVESTMENTS LLC
PO BOX 2899
ROSWELL NM 88202

4

JAMES P MCDEVITT
2707 N MONTANA AVE
ROSWELL NM 88201

RLJ INVESTMENTS LLC
110 E 9TH ST
ROSWELL NM 88201

JAMES P MCDEVITT

CURRENT PROPERTY OWNER OR TENANT
108 E 10TH ST
ROSWELL NM 88201

5, 6 (912 N VIRGINIA AVE – UNDEVELOPED)

JESSE & JAHANNA MCDANIEL
2509 N CAMBRIDGE AVE
ROSWELL NM 88201

MCDANIEL HOME SOLUTIONS

110 E 10TH ST
ROSWELL NM 88201

Roswell Ford

Lots 3-7, Block 7 North Spring River Addition

(Tract 1 Roswell Ford Property Boundary Survey)

Property Setbacks Variance Request (I1 Zoning) – Tract 1

Reasons for Variance Request:

- The proposed 10,240 s.f. building, with 14 bay service bays and office, has a length of 256 ft. This exceeds the 216 ft. depth between the front yard and rear yard setbacks of the Tract without encroaching into one or both of the setbacks. However, for the last 40 years, there has been a car wash building with a “zero” ft. front yard setback on the north right-of-way line of E. 9th St. within the same block. This building established the front yard setback at “zero” ft. If the new building is set at the same setback established by the car wash building (as allowed by the City Zoning Ordinance), then it will not encroach into the 15 ft. rear yard setback.
- In order for the proposed service operations to function properly on the site, as much available area as possible is needed between the existing alley and the new service building. This will allow adequate internal vehicle circulation, staging, and storage. By locating the new building at the east property line there will be enough space for the proposed use and the new building will match the same setback as the three neighboring buildings just to the south and east along N. Virginia Ave.

