



## DEVELOPMENT REVIEW BOARD APPLICATION

<u> </u>	<u> 140 </u>	Consideration of the Constant					**	
Please check the appropriate box of application.	(es) and ref	er to supplemental	forms for s	ubmittal requ	uiremen	ts. All fees must be p	paid at the time	
SUBDIVISIONS	X	☑ Final Sign off of EPC Site Plan(s) (Form P2)			☐ Variance for Carport within setback(s) (Form V)			
☐ Major – Preliminary Plat (Form P1)		☐ Amendment to Site Plan (Form P2)				☐ Vacation of Public Right-of-way (Form V)		
☐ Minor – Preliminary/Final Plat (Form	S2) M	MISCELLANEOUS APPLICATIONS				☐ Vacation of Public Easement(s) DRB (Form V)		
☐ Major - Final Plat (Form S1)		☐ Extension of Infrastructure List or IIA (Form S1)				☐ Vacation of Private Easement(s) (Form V)		
☐ Amendment to Preliminary Plat (For	m S2) 🗆	☐ Amendment to Infrastructure List (Form P1)				PRE-APPLICATIONS		
☐ Extension of Preliminary Plat (Form	nS1) 🗆	☐ Temporary Deferral of S/W (Form P2)			□ Ske	☐ Sketch Plat Review and Comment (Form P2)		
		☐ Sidewalk Waiver (Form V)						
SITE PLANS		☐ Variance to IDO (Form V)			APPEAL			
☐ DRB Site Plan (Form XX)		□ Variance to DPM (Form V)			□ De	☐ Decision of DRB (Form A)		
BRIEF DESCRIPTION OF REQUEST		•	,					
Sign-off of EPC-approved site plan for a senior living facility.								
APPLICATION INFORMATION								
Applicant: SP Albuquerque, LLC						Phone:		
Address: 500 Stevens Avenue					Er	ail:		
City: Solana Beach				State: CA Zip: 92075				
Professional/Agent (if any): Consensus Planning, Inc. Phone: (505) 764-9801								
Address: 302 8th Street NW	1		Email: fishman@consensusplanning.com					
City: Albuquerque				State: NM Zip: 87102				
Proprietary Interest in Site: Contract Purchaser  List all owners: Hoffmantown Baptist Church								
SITE INFORMATION (Accuracy of the				eparate sheet i				
Lot or Tract No.: Tract B-2 and Por					Unit:			
Subdivision/Addition: Yorba Linda and F				UPC Code: 102006217933920950				
Zone Atlas Page(s): E-20	Existing Zoning: MX-L				Proposed Zoning No Change			
# of Existing Lots: 2	# of Proposed Lots:	of Proposed Lots: 1			Total Area of Site (Acres): 14.14 acres			
Site Address/Street: Harper Road NE Between: Ventura Street NE and: Wyoming Blvd NE								
CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)								
1007412 and PR-2018-001560					oquoo.,			
0								
Signature: Date: 5/21/2019								
Printed Name: Jacqueline Fishman, AICP ☐ Applicant or ☒ Agent								
FOR OFFICIAL USE ONLY	8-33	1	1-100		130			
Case Numbers Action		Fees Case Number		Case Numbers	Action Fees			
Meeting/Hearing Date:					_	Fee Total:		
Staff Signature: Project #								

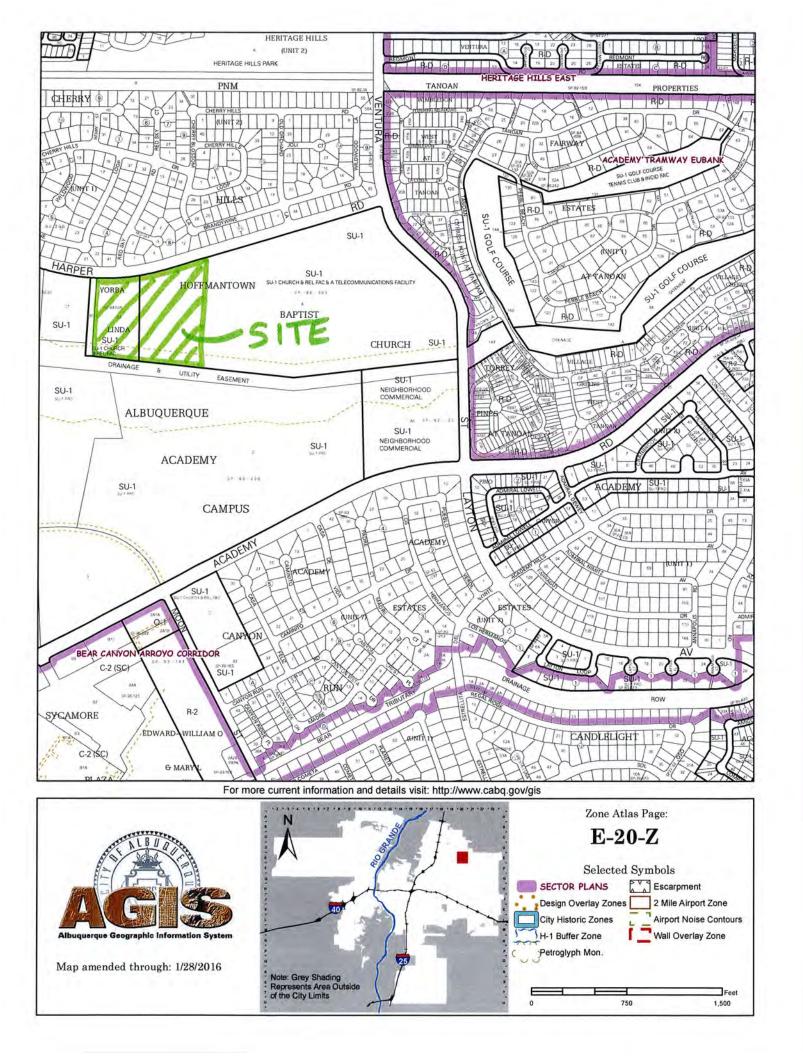
### FORM P2: SITE PLAN - DRB

Date:

### Please refer to the DRB public meeting schedules for hearing dates and deadlines. Your attendance is required.

A Single PDF file of the complete application including all documents being submitted must be emailed to <a href="PLNDRS@cabq.gov">PLNDRS@cabq.gov</a> prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF <a href="https://shall.be.organized">shall be organized</a> with the Development Review Application and this Form P2 at the front followed by the remaining documents <a href="mailto:in-the-order-provided">in-the-order-provided</a> on this form.

	er provided on this form.	it followed by the femaling documents <u>inf</u>						
	E PLAN – DRB							
	JOR AMENDMENT TO SITE PLAN - DRB							
] EX	TENSION OF SITE PLAN - DRB							
_	Interpreter Needed for Hearing? if yes, indicate language:							
_	PDF of application as described above  Zone Atlas man with the entire site clearly outlined and labeled							
	Zone Atlas map with the entire site clearly outlined and labeled Letter of authorization from the property owner if application is submitted by an agent							
	Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14							
_	Signed Traffic Impact Study (TIS) Form	T-10-0-0(r) (not royallou for,						
_	Cincid Franchiscoping Providence Continue of Decision Providence Continue of C	er Availability Statement filing information						
	(not required for Extension)	•						
_	Justification letter describing, explaining, and justifying the request per the criteria in I							
	Explanation and justification of requested deviations, if any, in accordance with IDO S	Section 14-16-6-4(O)						
	Note: If requesting more than allowed by deviation, a Variance – ZHE or Variance – L							
_	Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B) (not req	juired for Extension)						
_	<ul> <li>Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)</li> <li>Office of Neighborhood Coordination neighborhood meeting inquiry response</li> </ul>							
	Proof of email with read receipt OR Certified Letter offering meeting to applicable a	associations						
	If a meeting was requested or held, copy of sign-in sheet and meeting notes	2330014110110						
_	Sign Posting Agreement							
	Required notices with content per IDO Section 14-16-6-4(K)(6)							
	Office of Neighborhood Coordination notice inquiry response							
	Copy of notification letter and proof of first class mailing     Proof of emailed notice to affected Neighborhood Association representatives							
	Buffer map and list of property owners within 100 feet (excluding public rights-of-w	(av) provided by Planning Department or						
	created by applicant, copy of notifying letter, and proof of first class mailing	ay) provided by Fidining Department						
	Completed Site Plan Checklist							
	Site Plan and related drawings (7 copies, 24" x 36" folded to fit into an 8.5" x 14" pock							
	Copy of the original approved Site Plan or Master Development Plan (for amendment Site Plan and related drawings reduced to 9 E" v 14" format (1 copy)	ts <i>only</i> ) (1 copy, 24" x 36")						
_	Site Plan and related drawings reduced to 8.5" x 11" format (1 copy)							
	Landfill disclosure statement per IDO Section 14-16-5-2(G) if site is within a designate Infrastructure List, if required	ad landilli buner zone						
FIN	VAL SIGN-OFF FOR MASTER DEVELOPMENT PLANS AND SITE PLANS — EPC							
_X	the state of the s							
	PDF of application as described above							
X	Zone Atlas map with the entire site clearly outlined and labeled							
	Letter of authorization from the property owner if application is submitted by an agent							
	Solid Waste Department signature on Site Plan							
<u>~</u>	Signed Form DRWS Drainage Report, Grading and Drainage Plan, and Water & Sewer Availability Statement filing information							
X	Approved Grading and Drainage Plan Copy of Site Plan with Fire Marshal's stamp, i.e. "Fire 1" plan <i>(not required for Master Development Plans)</i>							
$\hat{\mathbf{x}}$	Copy of EPC Notice of Decision and letter explaining how each EPC condition has be	een met						
	x Site Plan and related drawings (7 copies, 24" x 36" folded to fit into an 8.5" x 14" pocket)							
X								
<u> </u>	Infrastructure List, if required							
l, the sched	applicant or agent, acknowledge that if any required information is not submitted with uled for a public meeting or hearing, if required, or otherwise processed until it is complete	this application, the application will not be						
Signatu	re: Onu D	Date: 5/2//2019						
Printed	Name: Jacqueline Fishman, AICP	☐ Applicant or ※ Agent						
	FICIAL USE ONLY							
	Case Numbers: Project Number:	ALTERNATION AND ADDRESS OF THE PARTY OF THE						
		ALB WALL						
		Trans						
17/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/1/								
Staff Signature:								





HOFFMANTOWN CHURCH

TO KNOW CHRIST AND FOLLOW HIM - COL 1:28-29 8888 Harper Drive NE | Albuquerque, New Mexico 87111 505.828.2600 | www.HoffmantownChurch.org

June 29, 2017

Ms. Karen Hudson, Chair Environmental Planning Commission 600 Second Street NW Albuquerque, NM 87102

RE:

A portion of Tract A, Hoffmantown Baptist Church and Tract B-2,

Yorba Linda Subdivision

Dear Madam Chair:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as our agent on this request for Zone Map Amendment, and Site Plans for Subdivision and Building Permit. The property is located west of Ventura NE, and between Harper and Academy Boulevard NE. Hoffmantown Baptist Church is the current owner of the property.

Sincerely,

Tim Hale, Executive Pastor

Hoffmantown Baptist Church Representative

June 29, 2017

Ms. Karen Hudson, Chair Environmental Planning Commission 600 Second Street NW Albuquerque, NM 87102

RE:

A portion of Tract A, Hoffmantown Baptist Church and Tract B-2,

Yorba Linda Subdivision

Dear Madam Chair:

The purpose of this letter is to authorize Consensus Planning, Inc. to act as our agent on this request for Zone Map Amendment, and Site Plans for Subdivision and Building Permit. The property is located west of Ventura NE, and between Harper and Academy Boulevard NE. SP Albuquerque, LLC is the contract purchaser and developer of the project.

Thank you for your consideration.

Singerely,

Timothy J. Fox, Executive Vice President

Senior Resource Group SP Albuquerque, LLC



Landscape Architecture Urban Design Planning Services

302 Eighth St. NW Albuquerque, NM 87102

(505) 764-9801 Fax 842-5495 cp@consensusplanning.com www.consensusplanning.com May 20, 2019

Kym Dicome, Chair.
Development Review Board
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Re: Project #1007421; AC-18-4; 17EPC-40026 – Harper Senior Living

Dear Madam Chair:

The purpose of this letter is to transmit the Site Plan for Building Permit that was approved by the Environmental Planning Commission on January 12, 2018, and subsequently, by the City Council on April 18, 2018. I have also included the Infrastructure List associated with this project and prepared by Bohannan Huston. The project was approved and should be reviewed pursuant to the old Zoning Code and procedures.

The EPC, and subsequently, the City Council placed the following conditions on approval of the Site Plan for Building Permit. Our response to each condition is shown in italics.

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.

Agreed.

2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.

I met with Russell Brito on 4/29/2019 and received his concurrence that the Site Plan was ready to be submitted to DRB.

- 3. Transportation Development Conditions:
  - a. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).

#### **PRINCIPALS**

James K. Strozier, FAICP Christopher J. Green, PLA, ASLA, LEED AP Jacqueline Fishman, AICP



 Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

Agreed, we have included public improvements on the attached Infrastructure list.

4. A water and sewer availability statement from the ABCWUA is required prior to DRB sign-off of the site development plan.

Agreed.

5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

Agreed.

Please do not hesitate to contact me with any questions or if additional information is needed.

Sincerely,

acqueline Fishman, AICP

Principal

Att: EPC and City Council Notifications of Decision

# CITY OF ALBUQUERQUE

PLANNING DEPARTMENT URBAN DESIGN & DEVELOPMENT DIVISION 600 2nd Street NW, 3rd Floor, 87102 P.O. Box 1293, Albuquerque, NM 87103 Office (505) 924-3860 Fax (505) 924-3339



### OFFICIAL NOTIFICATION OF DECISION

January 12, 2018

SP Albuquerque LLC 500 Stevens Avenue Solana Beach, CA 92075

### Project# 1007412

17EPC-40024 Zone Map Amendment (Zone Change) 17EPC-40025 Site Development Plan for Subdivision 17EPC-40026 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

The above actions for all or a portion of Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, zoned SU-1 for Church and related facilities and SU-1 for Church & Related Facilities and a Telecommunications Facility, to SU-1 for Senior Living Facility and related services, including onpremise liquor consumption, located on Harper Rd. NE, between Ventura St. NE and Wyoming Blvd. NE, containing approximately 14.2 acres. (E-20) (REMAND FROM CITY COUNCIL)

Staff Planner: Michael Vos

PO Box 1293

Albuquerque

NM 87103

On January 11, 2018 the Environmental Planning Commission (EPC) voted to APPROVE Project 1007412, 17EPC-40024, a Zone Map Amendment (Zone Change), 17EPC-40025, a Site Development Plan for Subdivision and 17EPC-40026, a Site Development Plan for Building Permit, based on the following findings and subject to the following conditions of approval:

## www.cabq.gov.FINDINGS, Zone Map Amendment, 17EPC-40024:

- 1. This is a request for a zone map amendment (zone change) for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site located on Harper Road NE between Wyoming Blvd NE and Ventura Street NE and containing approximately 14.14 acres.
- 2. The request is to change the zoning of the subject site from SU-1 for Church and related facilities and SU-1 for Church and related facilities and a Telecommunication Facility to SU-1 for Senior Living Facility and related services, including on-premise liquor consumption.
- 3. The existing zoning of the subject site only allows for church and related uses, so a zone change is necessary to allow the proposed senior living facility.
- 4. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

OFFICIAL NOTICE OF DECISION Project #1007412 January 11, 2018 Page 2 of 27

5. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:

<u>Policy 4.1.2</u> Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request <u>furthers</u> Policy 4.1.2 because the site was designed to minimize the impact of the building scale on adjacent residential uses through large setbacks and building orientation along with materials, colors, and landscape design.

<u>Policy 5.2.1</u> Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request <u>furthers</u> Policy 5.2.1 a) because it brings additional senior housing and services, as well as employment within walking and biking distance of existing neighborhoods, as well as the proposed facility being in a convenient location with good access to walking trails and less than one mile to a library, shopping, and other commercial activities.

b) Encourage development that offers choice in transportation, work areas, and lifestyles.

The request <u>furthers</u> Policy 5.2.1 b) because the proposed development offers a choice in lifestyle for seniors who want a smaller place to live or need more care, and is in a location with good access to the major road network, will provide shuttle service, and is less than half a mile from a transit stop.

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request <u>furthers</u> Policy 5.2.1 d) because it broadens housing options for seniors to include independent living, assisted living, and memory care.

h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request <u>furthers</u> Policy 5.2.1 h) because senior living is a low impact, institutional land use that is complementary to the existing institutional and single-family residential nature of the surrounding neighborhoods and has been designed to lessen the impacts of its size through building orientation and setbacks as shown in the accompanying Site Development Plan for Building Permit.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request <u>furthers</u> Policy 5.2.1 n) because it will bring a productive use to a vacant piece of land.

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Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

<u>Policy 5.3.1</u> Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request <u>furthers</u> Policy 5.3.1 because it supports growth in an area with existing infrastructure including roadways and all utilities in an infill location not at the urban edge.

<u>Policy 5.3.3</u> Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

The request <u>furthers</u> Policy 5.3.3 because it clusters the proposed units in a building at the center of the subject site leaving space that has been utilized for landscaping and courtyards around the facility and along the adjacent arroyo.

<u>Policy 5.6.3</u> Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The request <u>furthers</u> Policy 5.6.3 b) because the zone change has been carefully considered with regard to its surrounding context, and the proposed site design as shown by the accompanying Site Development Plan for Building Permit incorporates a large front setback similar to the adjacent church, the building height steps down closer to the street and Cherry Hills neighborhood, and the proposed facility is of a density comparable to development in the surrounding area.

<u>Policy 5.6.4</u> Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

The request <u>furthers</u> Policy 5.6.4 a) because an appropriate transition has been incorporated into the site design between the Cherry Hills neighborhood and the proposed senior living facility that includes a large setback and landscaped berm. In addition, the maximum height of 40 feet is set a minimum of 272 feet away from Harper Road and at least 120 feet from the closest eastern property line.

b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The request <u>furthers</u> Policy 5.6.4 b) because the proposed senior living use is a low traffic generating use that will be a good neighbor to the church, school, and single-family neighborhood as shown by a traffic analysis submitted by the applicant. The proposed lighting in the parking areas are proposed to be 16 feet in height, and all lighting must be compliant with the New Mexico Night Sky and City Zoning regulations.

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<u>Policy 6.2.1</u> Complete Networks: Design and build a complete, well-connected network of streets and trails that offer multiple efficient and safe transportation choices for commuting and daily needs.

The request <u>furthers</u> Policy 6.2.1 because it will maintain a six-foot crusher fines trail adjacent to Harper Road along with a six-foot sidewalk similar to what exists in front of the Hoffmantown Church, which connects to the nearest bus stops as well as the larger trail system around Albuquerque Academy and the proposed trail along the South Pino Arroyo.

<u>Policy 7.3.1</u> Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

a) Minimize alteration of existing vegetation and topography in subdivision and site design.

The request <u>furthers</u> Policy 7.3.1 a) because it utilizes the existing topography, both the slope and berm along Harper Road, and incorporates it into the site design to minimize the development's impacts on adjacent properties. The proposal will modify the South Pino Arroyo floodplain, but the applicant is working with AMAFCA and FEMA to ensure that the impacts of this change are minimized and the function of the arroyo are unaffected.

<u>Policy 7.3.2</u> Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

- a) Design development to reflect the character of the surrounding area and protect and enhance views.
- b) Encourage development and site design that incorporates CPTED principles.
- e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

The request <u>furthers</u> Policy 7.3.2 because it takes into account the natural topography while incorporating design elements that are found in the surrounding area including Hoffmantown Church, Academy Campus, and the Cherry Hills neighborhood. The site design includes CPTED principles such as gated access and site lighting that increases security for residents.

<u>Policy 7.3.4</u> Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.

The request <u>furthers</u> Policy 7.3.4 b) because it is appropriately set back from Harper Road and oriented to reduce long unbroken facades from facing the neighborhood. The tallest portions of the building are farthest from the nearby homes, and the overall the building is similar in height and massing to the neighboring Hoffmantown Church.

Policy 7.4.3 Off-street Parking Design: Encourage well-designed, efficient, safe, and attractive parking facilities.

### OFFICIAL NOTICE OF DECISION

Project #1007412 January 11, 2018

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- b) Incorporate trees, vegetation, and pervious surfaces in parking areas to mitigate environmental impacts, minimize heat and glare, and improve aesthetics.
- c) Ensure safe pedestrian pathways in parking areas that connect to building entrances, adjacent roadways, and adjacent sites.

The request <u>furthers</u> Policy 7.4.3 b) and c) by providing most of the site parking to the sides and rear of the proposed building with only a smaller visitor parking lot at the front. All parking areas are landscaped with required trees and other shrubs. The berm along Harper Road will also help improve the aesthetics of the parking areas from the public right-of-way. Pedestrian pathways are provided at both vehicular entrances and connect around the entire site to multiple building entrances and courtyards.

Goal 7.5 Context-Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

<u>Policy 7.5.1</u> Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

- a) Design landscape and site improvements to complement the individual site, the overall appearance of the corridor, and surrounding land uses.
- b) Design landscapes and vegetation to be consistent with the microclimate of the site location as well as within the site.
- c) Discourage planting of higher water use species outside of riparian microclimates, the Middle Rio Grande Conservancy District, or areas served by swales.
- d) Incorporate xeric site design principles to establish an oasis area and transition areas, identify beneficial placement for plant species, and maximize shade in summer months.

The request <u>furthers</u> Policy 7.5.1 because the plant palette has been selected to be consistent with the high desert climate and trees have been thoughtfully placed for their specific needs while providing shade to residents. Cottonwoods are along the arroyo edge and Japanese Maples are in protected courtyard spaces. All plantings except for a small section of turf are low to medium water use.

<u>Policy 8.1.2</u> Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

c) Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

The request <u>furthers</u> Policy 8.1.2 c) because the proposed facility will create approximately 68 jobs for local residents.

- Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.
- <u>Policy 9.1.1</u> Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.
- c) Assure the availability of a wide distribution of quality housing for all persons regardless of race, color, religion, sex, national origin, ancestry, age, or disabled status.

### OFFICIAL NOTICE OF DECISION Project #1007412 January 11, 2018 Page 6 of 27

- e) Provide for the development of quality housing for elderly residents.
- i) Provide for the development of multi- family housing close to public services, transit, and shopping.

The request <u>furthers</u> Policy 9.1.1 because it will add another quality housing option for seniors that will help ensure the availability of such housing, which is shown by the applicant's market study to be undersupplied in the 3-mile Primary Market Area, with access to community services such as the Cherry Hills library, access to transit, and is not far from a variety of shopping and other commercial options.

<u>Policy 9.2.1</u> Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context - i.e. urban, suburban, or rural - with appropriate densities, site design, and relationship to the street.

The request <u>furthers</u> Policy 9.2.1 because it has been designed with a density appropriate for its suburban context with a large setback and other site design elements to minimize the impacts of the structure on the adjacent neighborhood while maintaining features such as the arroyo and existing multi-use path along Harper Road.

<u>Policy 11.3.2</u> Arroyos: Preserve and enhance arroyos identified in the Rank 2 Facility Plan for Arroyos as important cultural landscapes.

The request <u>furthers</u> Policy 11.3.2 by preserving the stormwater function of the South Pino Arroyo and working through the appropriate channels to make modifications to the floodplain while ensuring downstream impacts are minimized. Bank stabilization and proposed landscaping are appropriate for an arroyo edge, and the proposal is consistent with the Facility Plan for Arroyos.

<u>Policy 11.3.5</u> Sandia Mountains: Protect views of the Sandia Mountains from key vantages within public rights-of-way, along corridors, and from strategic locations as an important cultural feature of the region.

The request <u>furthers</u> Policy 11.3.5 because the site design takes into account the existing topography and the proposed setback from Harper Road creates a view corridor toward the mountains east of the subject site.

- <u>Policy 12.1.4</u> Drainage and Flood Control: Reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the development process and in coordination with flood control agencies.
- a) Minimize and mitigate storm water run-off from development by limiting the amount and extent of impervious surfaces and encouraging landscaped medians and parking swales.
- b) Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

The request <u>furthers</u> Policy 12.1.4 by coordinating the use and modification of the South Pino Arroyo with the appropriate flood control agencies, utilizing landscape areas and ponding on-site to the greatest extent possible, and using naturalistic treatments for bank stabilization of the arroyo channel.

6. The request is adjacent to the South Pino Arroyo, which is a Major Open Space Link in the Rank II Facility Plan for Arroyos.

The request <u>furthers</u> the Facility Plan for Arroyos by providing a land use that fits within the "medium-density residential, commercial and institutional uses" that were under consideration between Wyoming Blvd and Ventura Street (p. 36). The proposed development is consistent with the design guidelines for development adjacent to a major open space link by orienting buildings with entrances and windows facing the open space and landscaping the open space edge using native and naturalized plant materials.

The proposed development <u>furthers</u> Drainage Policy 1 and Multiple Use Policy 4 by maintaining the arroyo for its primary drainage purpose, providing access for maintenance, and working with AMAFCA and FEMA to coordinate any changes or modifications related to stabilizing channel treatments.

The request <u>furthers</u> Multiple Use Policy 5 – Land Use Compatibility by adding a density of housing and jobs adjacent to an arroyo channel that will provide users who will maximize the usefulness of future trails.

<u>Policy 1</u> – Drainage Facilities Within Designated Major Open Space Links: Wherever feasible, the design of drainage facilities within Major Open Space Links shall be sensitive to their function as an open space recreational arroyo, incorporating naturalistic channel stabilization treatments such as gabions and ungrouted riprap. Tinted concrete or soil cement may be used in limited applications such as in low flow channels or as needed to control erosion at points where developed runoff enters the arroyo.

The request <u>furthers</u> Major Open Space Links Policy 1 by proposing a naturalistic channel stabilization treatments and landscaping that will be coordinated with AMAFCA and FEMA.

<u>Policy 5</u> – Landscaping within the Public Right-of-Way: Landscaping of a portion of drainage rights-of-way including reseeding of disturbed land with low maintenance native plant materials and native shrubs or trees and vegetative ground covers shall be encouraged.

The request <u>furthers</u> Major Open Space Links Policy 5 by reseeding the drainage right-of-way with a variety of native ground covers.

**DESIGN GUIDELINES – Orientation** 

<u>Policy 1A</u>: Multi-storied residential, office, and commercial developments having windows facing onto the arroyo shall be encouraged.

<u>Policy 1B</u>: Wherever feasible, development adjacent to the arroyo should orient toward and place landscaped public open areas adjacent to the arroyo right-of-way. These entries may necessarily constitute minor or secondary entries with the main entry oriented to the parking area of the street. Where this is not feasible, pedestrian access from the arroyo corridor to a building entry shall be required.

The request <u>furthers</u> Design Guidelines Policy 1 by proposing a development that includes windows and entrances facing toward the South Pino Arroyo drainage right-of-way.

<u>Policy 2 – Open Areas</u>: Site plans for multi-family residential developments adjacent to the arroyo should incorporate landscaped, open areas adjacent to the arroyo right-of-way.

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The proposed project <u>furthers</u> Design Guidelines Policy 2 – Open Areas by providing a landscaped open space between the proposed parking area and the South Pino Arroyo.

<u>Policy 3 – Parking and Service Areas</u>: When a parking or service area is located adjacent to the drainage right-of-way, pedestrian and bicycle access should be provided. A minimum 20-foot landscaped setback from the arroyo right-of-way is recommended, with sufficient screening provided to conceal views from the arroyo to the parking area. Landscaping should consist of native or naturalized plant species and vegetative groundcovers. The screening element should consist of one or more of the following: low walls, shrubs, trees, earth forms (berms).

Only a portion of the proposed project's parking is located at the rear of the facility adjacent to the South Pino Arroyo. Where parking is located there is a minimum 20-foot landscaped setback that includes trees and natural vegetative groundcover, which will screen the parking areas from the arroyo, thus <u>furthering</u> Design Guidelines Policy 3.

<u>Policy 4 – Walls</u>: Continuous perimeter walls should not be located adjacent to the arroyo right-of-way. Where fencing is required for privacy or security reasons, the following guidelines will apply: Fences and walls adjoining the arroyo corridor right-of-way should have staggered, landscaped setbacks, varied heights or provide openings for visual access into public open areas within the development from the arroyo corridor; Specific materials for solid fences and walls shall be determined by the individual arroyo corridor plan. Stucco over concrete block, brick, stone, or wood are recommended as suitable materials.

A continuous wall is not proposed along the arroyo edge of the property, but rather a landscaped area is located between the building, parking, and access areas and the South Pino Arroyo, so the request <u>furthers</u> Design Guidelines Policy 4.

<u>Landscaping - Policy 1</u>: Except in park sections, the landscaping of public open areas on private development adjacent to the drainage right-of-way should consist primarily of nature or naturalized vegetation with the predominate form being tree masses, preferably drought resistant shade trees located in clusters offset from the right-of-way.

Private landowners have a responsibility to maintain landscaping adjacent to the arroyo corridor as a complementary action to the City's responsibility to maintain the public right-of-way.

The private developer will install clusters of trees in accordance with the proposed landscape plan within the Site Development Plan for Building Permit and maintain that landscaping on their own, so the request <u>furthers</u> Landscaping Policy 1.

- 7. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
  - A. The applicant's updated justification letter dated January 2, 2018 and the policies cited and analyzed in Findings 5 and 6 substantiate the claim that the request is consistent with the health, safety, morals, and general welfare of the city.
  - B. The proposed zoning category, as an SU-1 designation is restrictive in the allowed uses, and the proposed Senior Living Facility use is compatible with and similar in intensity to the adjacent church and school, as well as the zoning of adjacent vacant lands that may develop in the future with a variety of residential uses of varying densities. The density of approximately 12.7 units per acre for the proposed senior living facility is also similar to existing developments found nearby that are consistent with the surrounding R-1 zoning.

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- C. The request is consistent with and furthers adopted plans and policies, including the Comprehensive Plan and Rank II Facility Plan for Arroyos as summarized in Findings 5 and 6.
- D. First, the existing zoning is inappropriate because of changed community conditions since it was granted in 1985. The approved church site plan for the site that allows for a significant expansion is no longer needed or desired by the church, as demonstrated by their letter submitted by the applicant and by the development of the private park on part of the church property, which is different than the original plans. The existing building suits the church's needs, and has for the past 30-plus years while the surrounding neighborhoods developed and no additional demand for church space was created. This is in line with general trends related to church membership highlighted in the applicant's justification letter. In addition, over those 30 years, the City of Albuquerque and the community surrounding the subject site have continued to age significantly, which is demonstrated by the demographic analysis performed by the applicant. Specifically, the older (65-85+) segment of the population went from 8 percent in 1980 up to 14 percent in 2016. The North Albuquerque CPA and a smaller geographic area closer surrounding the subject site and Cherry Hills neighborhood show that in recent years, the community around the subject site has seen an even higher percentage change in this older population than the city as a whole, and these changed conditions justify the change of zoning to allow for the proposed senior living use.

Second, the existing zoning is also inappropriate because the proposed different use category for senior housing and related services is more advantageous to the community as articulated by the Comprehensive Plan. The changing demographics demonstrated by the applicant are in line with trends highlighted in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. The market study completed for this project and submitted by the applicant also supports a need and demand for such facilities within the Primary Market Area located within 3 miles of the subject site. As such, and as demonstrated by the policy analysis in Findings 5 and 6, as well as the justification letter submitted by the applicant, the zone change is justified as it is more advantageous to the community by providing infill development, senior housing options, and site design in accordance with the Comprehensive Plan and the Facility Plan for Arroyos.

- E. As this request is for an SU-1 zone that does not reference a base zone district from the Comprehensive City Zoning Code, it is tailored only to allow a Senior Living Facility with services on-site to support such a facility. As the only permissive use on the site, controlled by the accompanying site development plans, this request will not be harmful to adjacent property, the neighborhood, or the community because it will produce a small amount of traffic or other impacts especially compared to other uses existing or allowed in the surrounding area.
- F. Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has infrastructure. If future development requires additional infrastructure the applicant will have to make those improvements themselves.
- G. While economic considerations are always a factor with regard to development proposals, they are not the determining factor for the requested zone change, rather the applicant has

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demonstrated this request is justified based on changed community conditions and being more advantageous to the community in accordance with the policies of the Comprehensive Plan as summarized in Findings 5 and 6.

- H. The request has not been justified based on the site location along Harper Road; rather it is justified based on changed community conditions and as being more advantageous to the community as articulated by the Comprehensive Plan as summarized in Findings 5 and 6.
- I. SU-1 zones create spot zones by definition as they are unique to the parcel they are being applied to; however, the request creates a justifiable spot zone because the applicant has demonstrated that the request clearly facilitates realization of the Comprehensive Plan as shown in Findings 5 and 6 by allowing development of a senior living facility that is in an infill location, provides expanded senior housing options, creates jobs, and is designed in a way that respects the surrounding uses and context.
- J. The request would not result in a strip of land along a street, so the request will not create strip zoning.
- 8. The Cherry Hills Civic Association, District 4 Coalition, and property owners within 100 feet of the request were notified, as required. A facilitated meeting was held for this request on August 29, 2017, and there is significant known opposition due to concerns related to loss of views and open space, traffic, spill-over parking, and building height among others.

### CONDITION OF APPROVAL, Zone Map Amendment, 17EPC-40024:

1. The zone map amendment does not become effective until the accompanying site development plan for subdivision is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

### FINDINGS, Site Development Plan for Subdivision, 17EPC-40025:

- 1. This is a request for a Site Development Plan for Subdivision for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site located on Harper Road NE between Wyoming Blvd NE and Ventura Street NE and containing approximately 14.14 acres.
- 2. The Site Development Plan for Subdivision proposes to eliminate the existing lot line between Tract B-2 and Tract A, and creates a new lot line to the east to carve out the subject site from the larger church site for this development.
- 3. The Site Plan for Subdivision shows two access points along Harper Road at existing median openings, and also proposes the elimination or relocation of existing easements and a fence that crosses the site.

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- 4. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
- 5. Section 14-16-3-1I of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
- 6. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:
  - <u>Policy 4.1.2</u> Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request <u>furthers</u> Policy 4.1.2 because the site was designed to minimize the impact of the building scale on adjacent residential uses through large setbacks and building orientation along with materials, colors, and landscape design.

<u>Policy 5.2.1</u> Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request <u>furthers</u> Policy 5.2.1 a) because it brings additional senior housing and services, as well as employment within walking and biking distance of existing neighborhoods, as well as the proposed facility being in a convenient location with good access to walking trails and less than one mile to a library, shopping, and other commercial activities.

b) Encourage development that offers choice in transportation, work areas, and lifestyles.

The request <u>furthers</u> Policy 5.2.1 b) because the proposed development offers a choice in lifestyle for seniors who want a smaller place to live or need more care, and is in a location with good access to the major road network, will provide shuttle service, and is less than half a mile from a transit stop.

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request <u>furthers</u> Policy 5.2.1 d) because it broadens housing options for seniors to include independent living, assisted living, and memory care.

h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request <u>furthers</u> Policy 5.2.1 h) because senior living is a low impact, institutional land use that is complementary to the existing institutional and single-family residential nature of the surrounding neighborhoods and has been designed to lessen the impacts of its size through

building orientation and setbacks as shown in the accompanying Site Development Plan for Building Permit.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request <u>furthers</u> Policy 5.2.1 n) because it will bring a productive use to a vacant piece of land.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request <u>furthers</u> Policy 5.3.1 because it supports growth in an area with existing infrastructure including roadways and all utilities in an infill location not at the urban edge.

Policy 5.3.3 Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

The request <u>furthers</u> Policy 5.3.3 because it clusters the proposed units in a building at the center of the subject site leaving space that has been utilized for landscaping and courtyards around the facility and along the adjacent arroyo.

<u>Policy 5.6.3</u> Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The request <u>furthers</u> Policy 5.6.3 b) because the zone change has been carefully considered with regard to its surrounding context, and the proposed site design as shown by the accompanying Site Development Plan for Building Permit incorporates a large front setback similar to the adjacent church, the building height steps down closer to the street and Cherry Hills neighborhood, and the proposed facility is of a density comparable to development in the surrounding area.

<u>Policy 5.6.4</u> Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

The request <u>furthers</u> Policy 5.6.4 a) because an appropriate transition has been incorporated into the site design between the Cherry Hills neighborhood and the proposed senior living facility that includes a large setback and landscaped berm. In addition, the maximum height of 40 feet is set a minimum of 272 feet away from Harper Road and at least 120 feet from the closest eastern property line.

b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The request <u>furthers</u> Policy 5.6.4 b) because the proposed senior living use is a low traffic generating use that will be a good neighbor to the church, school, and single-family neighborhood as shown by a traffic analysis submitted by the applicant. The proposed lighting in the parking areas are proposed to be 16 feet in height, and all lighting must be compliant with the New Mexico Night Sky and City Zoning regulations.

<u>Policy 6.2.1</u> Complete Networks: Design and build a complete, well-connected network of streets and trails that offer multiple efficient and safe transportation choices for commuting and daily needs.

The request <u>furthers</u> Policy 6.2.1 because it will maintain a six-foot crusher fines trail adjacent to Harper Road along with a six-foot sidewalk similar to what exists in front of the Hoffmantown Church, which connects to the nearest bus stops as well as the larger trail system around Albuquerque Academy and the proposed trail along the South Pino Arroyo.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

a) Minimize alteration of existing vegetation and topography in subdivision and site design.

The request <u>furthers</u> Policy 7.3.1 a) because it utilizes the existing topography, both the slope and berm along Harper Road, and incorporates it into the site design to minimize the development's impacts on adjacent properties. The proposal will modify the South Pino Arroyo floodplain, but the applicant is working with AMAFCA and FEMA to ensure that the impacts of this change are minimized and the function of the arroyo are unaffected.

- <u>Policy 7.3.2</u> Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.
- a) Design development to reflect the character of the surrounding area and protect and enhance views.
- b) Encourage development and site design that incorporates CPTED principles.
- e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

The request <u>furthers</u> Policy 7.3.2 because it takes into account the natural topography while incorporating design elements that are found in the surrounding area including Hoffmantown Church, Academy Campus, and the Cherry Hills neighborhood. The site design includes CPTED principles such as gated access and site lighting that increases security for residents.

<u>Policy 7.3.4</u> Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.

The request <u>furthers</u> Policy 7.3.4 b) because it is appropriately set back from Harper Road and oriented to reduce long unbroken facades from facing the neighborhood. The tallest portions of the building are farthest from the nearby homes, and the overall the building is similar in height and massing to the neighboring Hoffmantown Church.

Policy 7.4.3 Off-street Parking Design: Encourage well-designed, efficient, safe, and attractive parking facilities.

- b) Incorporate trees, vegetation, and pervious surfaces in parking areas to mitigate environmental impacts, minimize heat and glare, and improve aesthetics.
- c) Ensure safe pedestrian pathways in parking areas that connect to building entrances, adjacent roadways, and adjacent sites.

The request <u>furthers</u> Policy 7.4.3 b) and c) by providing most of the site parking to the sides and rear of the proposed building with only a smaller visitor parking lot at the front. All parking areas are landscaped with required trees and other shrubs. The berm along Harper Road will also help improve the aesthetics of the parking areas from the public right-of-way. Pedestrian pathways are provided at both vehicular entrances and connect around the entire site to multiple building entrances and courtyards.

Goal 7.5 Context-Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

<u>Policy 7.5.1</u> Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

- a) Design landscape and site improvements to complement the individual site, the overall appearance of the corridor, and surrounding land uses.
- b) Design landscapes and vegetation to be consistent with the microclimate of the site location as well as within the site.
- c) Discourage planting of higher water use species outside of riparian microclimates, the Middle Rio Grande Conservancy District, or areas served by swales.
- d) Incorporate xeric site design principles to establish an oasis area and transition areas, identify beneficial placement for plant species, and maximize shade in summer months.

The request <u>furthers</u> Policy 7.5.1 because the plant palette has been selected to be consistent with the high desert climate and trees have been thoughtfully placed for their specific needs while providing shade to residents. Cottonwoods are along the arroyo edge and Japanese Maples are in protected courtyard spaces. All plantings except for a small section of turf are low to medium water use.

<u>Policy 8.1.2</u> Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

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c) Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

The request <u>furthers</u> Policy 8.1.2 c) because the proposed facility will create approximately 68 jobs for local residents.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

<u>Policy 9.1.1</u> Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

- c) Assure the availability of a wide distribution of quality housing for all persons regardless of race, color, religion, sex, national origin, ancestry, age, or disabled status.
- e) Provide for the development of quality housing for elderly residents.
- i) Provide for the development of multi- family housing close to public services, transit, and shopping.

The request <u>furthers</u> Policy 9.1.1 because it will add another quality housing option for seniors that will help ensure the availability of such housing, which is shown by the applicant's market study to be undersupplied in the 3-mile Primary Market Area, with access to community services such as the Cherry Hills library, access to transit, and is not far from a variety of shopping and other commercial options.

<u>Policy 9.2.1</u> Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context - i.e. urban, suburban, or rural - with appropriate densities, site design, and relationship to the street.

The request <u>furthers</u> Policy 9.2.1 because it has been designed with a density appropriate for its suburban context with a large setback and other site design elements to minimize the impacts of the structure on the adjacent neighborhood while maintaining features such as the arroyo and existing multi-use path along Harper Road.

<u>Policy 11.3.2</u> Arroyos: Preserve and enhance arroyos identified in the Rank 2 Facility Plan for Arroyos as important cultural landscapes.

The request <u>furthers</u> Policy 11.3.2 by preserving the stormwater function of the South Pino Arroyo and working through the appropriate channels to make modifications to the floodplain while ensuring downstream impacts are minimized. Bank stabilization and proposed landscaping are appropriate for an arroyo edge, and the proposal is consistent with the Facility Plan for Arroyos.

<u>Policy 11.3.5</u> Sandia Mountains: Protect views of the Sandia Mountains from key vantages within public rights-of-way, along corridors, and from strategic locations as an important cultural feature of the region.

The request <u>furthers</u> Policy 11.3.5 because the site design takes into account the existing topography and the proposed setback from Harper Road creates a view corridor toward the mountains east of the subject site.

<u>Policy 12.1.4</u> Drainage and Flood Control: Reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the development process and in coordination with flood control agencies.

- a) Minimize and mitigate storm water run-off from development by limiting the amount and extent of impervious surfaces and encouraging landscaped medians and parking swales.
- b) Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

The request <u>furthers</u> Policy 12.1.4 by coordinating the use and modification of the South Pino Arroyo with the appropriate flood control agencies, utilizing landscape areas and ponding on-site to the greatest extent possible, and using naturalistic treatments for bank stabilization of the arroyo channel.

7. The request is adjacent to the South Pino Arroyo, which is a Major Open Space Link in the Rank II Facility Plan for Arroyos.

The request <u>furthers</u> the Facility Plan for Arroyos by providing a land use that fits within the "medium-density residential, commercial and institutional uses" that were under consideration between Wyoming Blvd and Ventura Street (p. 36). The proposed development is consistent with the design guidelines for development adjacent to a major open space link by orienting buildings with entrances and windows facing the open space and landscaping the open space edge using native and naturalized plant materials.

The proposed development <u>furthers</u> Drainage Policy 1 and Multiple Use Policy 4 by maintaining the arroyo for its primary drainage purpose, providing access for maintenance, and working with AMAFCA and FEMA to coordinate any changes or modifications related to stabilizing channel treatments.

The request <u>furthers</u> Multiple Use Policy 5 – Land Use Compatibility by adding a density of housing and jobs adjacent to an arroyo channel that will provide users who will maximize the usefulness of future trails.

<u>Policy 1</u> – Drainage Facilities Within Designated Major Open Space Links: Wherever feasible, the design of drainage facilities within Major Open Space Links shall be sensitive to their function as an open space recreational arroyo, incorporating naturalistic channel stabilization treatments such as gabions and ungrouted riprap. Tinted concrete or soil cement may be used in limited applications such as in low flow channels or as needed to control erosion at points where developed runoff enters the arroyo.

The request <u>furthers</u> Major Open Space Links Policy 1 by proposing a naturalistic channel stabilization treatments and landscaping that will be coordinated with AMAFCA and FEMA.

<u>Policy 5</u> – Landscaping within the Public Right-of-Way: Landscaping of a portion of drainage rights-of-way including reseeding of disturbed land with low maintenance native plant materials and native shrubs or trees and vegetative ground covers shall be encouraged.

The request <u>furthers</u> Major Open Space Links Policy 5 by reseeding the drainage right-of-way with a variety of native ground covers.

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<u>Policy 1A</u>: Multi-storied residential, office, and commercial developments having windows facing onto the arroyo shall be encouraged.

<u>Policy 1B</u>: Wherever feasible, development adjacent to the arroyo should orient toward and place landscaped public open areas adjacent to the arroyo right-of-way. These entries may necessarily constitute minor or secondary entries with the main entry oriented to the parking area or the street. Where this is not feasible, pedestrian access from the arroyo corridor to a building entry shall be required.

The request <u>furthers</u> Design Guidelines Policy 1 by proposing a development that includes windows and entrances facing toward the South Pino Arroyo drainage right-of-way.

<u>Policy 2 – Open Areas</u>: Site plans for multi-family residential developments adjacent to the arroyo should incorporate landscaped, open areas adjacent to the arroyo right-of-way.

The proposed project <u>furthers</u> Design Guidelines Policy 2 – Open Areas by providing a landscaped open space between the proposed parking area and the South Pino Arroyo.

<u>Policy 3 – Parking and Service Areas</u>: When a parking or service area is located adjacent to the drainage right-of-way, pedestrian and bicycle access should be provided. A minimum 20-foot landscaped setback from the arroyo right-of-way is recommended, with sufficient screening provided to conceal views from the arroyo to the parking area. Landscaping should consist of native or naturalized plant species and vegetative groundcovers. The screening element should consist of one or more of the following: low walls, shrubs, trees, earth forms (berms).

Only a portion of the proposed project's parking is located at the rear of the facility adjacent to the South Pino Arroyo. Where parking is located there is a minimum 20-foot landscaped setback that includes trees and natural vegetative groundcover, which will screen the parking areas from the arroyo, thus <u>furthering</u> Design Guidelines Policy 3.

<u>Policy 4 – Walls</u>: Continuous perimeter walls should not be located adjacent to the arroyo right-of-way. Where fencing is required for privacy or security reasons, the following guidelines will apply: Fences and walls adjoining the arroyo corridor right-of-way should have staggered, landscaped setbacks, varied heights or provide openings for visual access into public open areas within the development from the arroyo corridor; Specific materials for solid fences and walls shall be determined by the individual arroyo corridor plan. Stucco over concrete block, brick, stone, or wood are recommended as suitable materials.

A continuous wall is not proposed along the arroyo edge of the property, but rather a landscaped area is located between the building, parking, and access areas and the South Pino Arroyo, so the request <u>furthers</u> Design Guidelines Policy 4.

<u>Landscaping – Policy 1</u>: Except in park sections, the landscaping of public open areas on private development adjacent to the drainage right-of-way should consist primarily of nature or naturalized vegetation with the predominate form being tree masses, preferably drought resistant shade trees located in clusters offset from the right-of-way.

Private landowners have a responsibility to maintain landscaping adjacent to the arroyo corridor as a complementary action to the City's responsibility to maintain the public right-of-way.

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The private developer will install clusters of trees in accordance with the proposed landscape plan within the Site Development Plan for Building Permit and maintain that landscaping on their own, so the request <u>furthers</u> Landscaping Policy 1.

- 8. The applicant has submitted a Site Development Plan for Building Permit for concurrent review with this Site Development Plan for Subdivision that more clearly shows how the subject site will be developed.
- 9. The Cherry Hills Civic Association, District 4 Coalition, and property owners within 100 feet of the request were notified, as required. A facilitated meeting was held for this request on August 29, 2017, and there is significant known opposition due to concerns related to loss of views and open space, traffic, spill-over parking, and building height among others.

## CONDITIONS OF APPROVAL, Site Development Plan for Subdivision, 17EPC-40025:

- 1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
  - 2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
  - 3. The subdivision of the site shall comply with the purpose, intent, and regulations of the Subdivision Ordinance (14-14-1-3).
  - 4. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

### FINDINGS, Site Development Plan for Building Permit, 17EPC-40026:

- 1. This is a request for a Site Development Plan for Building Permit for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site located on Harper Road NE between Wyoming Blvd NE and Ventura Street NE and containing approximately 14.14 acres.
- 2. The purpose of this request is to allow for development of a 180 unit Senior Living Facility.
- 3. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
- 4. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan

has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.

5. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:

<u>Policy 4.1.2</u> Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request <u>furthers</u> Policy 4.1.2 because the site was designed to minimize the impact of the building scale on adjacent residential uses through large setbacks and building orientation along with materials, colors, and landscape design.

<u>Policy 5.2.1</u> Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

a) Encourage development and redevelopment that brings goods, services, and amenities within walking and biking distance of neighborhoods and promotes good access for all residents.

The request <u>furthers</u> Policy 5.2.1 a) because it brings additional senior housing and services, as well as employment within walking and biking distance of existing neighborhoods, as well as the proposed facility being in a convenient location with good access to walking trails and less than one mile to a library, shopping, and other commercial activities.

b) Encourage development that offers choice in transportation, work areas, and lifestyles.

The request <u>furthers</u> Policy 5.2.1 b) because the proposed development offers a choice in lifestyle for seniors who want a smaller place to live or need more care, and is in a location with good access to the major road network, will provide shuttle service, and is less than half a mile from a transit stop.

d) Encourage development that broadens housing options to meet a range of incomes and lifestyles.

The request <u>furthers</u> Policy 5.2.1 d) because it broadens housing options for seniors to include independent living, assisted living, and memory care.

h) Encourage infill development that adds complementary uses and is compatible in form and scale to the immediately surrounding development.

The request <u>furthers</u> Policy 5.2.1 h) because senior living is a low impact, institutional land use that is complementary to the existing institutional and single-family residential nature of the surrounding neighborhoods and has been designed to lessen the impacts of its size through building orientation and setbacks as shown in the accompanying Site Development Plan for Building Permit.

n) Encourage more productive use of vacant lots and under-utilized lots, including surface parking.

The request <u>furthers</u> Policy 5.2.1 n) because it will bring a productive use to a vacant piece of land.

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Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

<u>Policy 5.3.1</u> Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request <u>furthers</u> Policy 5.3.1 because it supports growth in an area with existing infrastructure including roadways and all utilities in an infill location not at the urban edge.

<u>Policy 5.3.3</u> Compact Development: Encourage development that clusters buildings and uses in order to provide landscaped open space and/or plazas and courtyards.

The request <u>furthers</u> Policy 5.3.3 because it clusters the proposed units in a building at the center of the subject site leaving space that has been utilized for landscaping and courtyards around the facility and along the adjacent arroyo.

<u>Policy 5.6.3</u> Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

b) Ensure that development reinforces the scale, intensity, and setbacks of the immediately surrounding context.

The request <u>furthers</u> Policy 5.6.3 b) because the zone change has been carefully considered with regard to its surrounding context, and the proposed site design as shown by the accompanying Site Development Plan for Building Permit incorporates a large front setback similar to the adjacent church, the building height steps down closer to the street and Cherry Hills neighborhood, and the proposed facility is of a density comparable to development in the surrounding area.

<u>Policy 5.6.4</u> Appropriate Transitions: Provide transitions in Areas of Change for development abutting Areas of Consistency through adequate setbacks, buffering, and limits on building height and massing.

a) Provide appropriate transitions between uses of different intensity or density and between non-residential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

The request <u>furthers</u> Policy 5.6.4 a) because an appropriate transition has been incorporated into the site design between the Cherry Hills neighborhood and the proposed senior living facility that includes a large setback and landscaped berm. In addition, the maximum height of 40 feet is set a minimum of 272 feet away from Harper Road and at least 120 feet from the closest eastern property line.

b) Minimize development's negative effects on individuals and neighborhoods with respect to noise, lighting, air pollution, and traffic.

The request <u>furthers</u> Policy 5.6.4 b) because the proposed senior living use is a low traffic generating use that will be a good neighbor to the church, school, and single-family neighborhood as shown by a traffic analysis submitted by the applicant. The proposed lighting in the parking areas are proposed to be 16 feet in height, and all lighting must be compliant with the New Mexico Night Sky and City Zoning regulations.

<u>Policy 6.2.1</u> Complete Networks: Design and build a complete, well-connected network of streets and trails that offer multiple efficient and safe transportation choices for commuting and daily needs.

The request <u>furthers</u> Policy 6.2.1 because it will maintain a six-foot crusher fines trail adjacent to Harper Road along with a six-foot sidewalk similar to what exists in front of the Hoffmantown Church, which connects to the nearest bus stops as well as the larger trail system around Albuquerque Academy and the proposed trail along the South Pino Arroyo.

Policy 7.3.1 Natural and Cultural Features: Preserve, enhance, and leverage natural features and views of cultural landscapes.

a) Minimize alteration of existing vegetation and topography in subdivision and site design.

The request <u>furthers</u> Policy 7.3.1 a) because it utilizes the existing topography, both the slope and berm along Harper Road, and incorporates it into the site design to minimize the development's impacts on adjacent properties. The proposal will modify the South Pino Arroyo floodplain, but the applicant is working with AMAFCA and FEMA to ensure that the impacts of this change are minimized and the function of the arroyo are unaffected.

<u>Policy 7.3.2</u> Community Character: Encourage design strategies that recognize and embrace the character differences that give communities their distinct identities and make them safe and attractive places.

- a) Design development to reflect the character of the surrounding area and protect and enhance views.
- b) Encourage development and site design that incorporates CPTED principles.
- e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

The request <u>furthers</u> Policy 7.3.2 because it takes into account the natural topography while incorporating design elements that are found in the surrounding area including Hoffmantown Church, Academy Campus, and the Cherry Hills neighborhood. The site design includes CPTED principles such as gated access and site lighting that increases security for residents.

<u>Policy 7.3.4</u> Infill: Promote infill that enhances the built environment or blends in style and building materials with surrounding structures and the streetscape of the block in which it is located.

b) Promote buildings and massing of commercial and office uses adjacent to single-family neighborhoods that is neighborhood-scale, well-designed, appropriately located, and consistent with the existing development context and neighborhood character.

The request <u>furthers</u> Policy 7.3.4 b) because it is appropriately set back from Harper Road and oriented to reduce long unbroken facades from facing the neighborhood. The tallest portions of the building are farthest from the nearby homes, and the overall the building is similar in height and massing to the neighboring Hoffmantown Church.

Policy 7.4.3 Off-street Parking Design: Encourage well-designed, efficient, safe, and attractive parking facilities.

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- b) Incorporate trees, vegetation, and pervious surfaces in parking areas to mitigate environmental impacts, minimize heat and glare, and improve aesthetics.
- c) Ensure safe pedestrian pathways in parking areas that connect to building entrances, adjacent roadways, and adjacent sites.

The request <u>furthers</u> Policy 7.4.3 b) and c) by providing most of the site parking to the sides and rear of the proposed building with only a smaller visitor parking lot at the front. All parking areas are landscaped with required trees and other shrubs. The berm along Harper Road will also help improve the aesthetics of the parking areas from the public right-of-way. Pedestrian pathways are provided at both vehicular entrances and connect around the entire site to multiple building entrances and courtyards.

Goal 7.5 Context-Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

<u>Policy 7.5.1</u> Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

- a) Design landscape and site improvements to complement the individual site, the overall appearance of the corridor, and surrounding land uses.
- b) Design landscapes and vegetation to be consistent with the microclimate of the site location as well as within the site.
- c) Discourage planting of higher water use species outside of riparian microclimates, the Middle Rio Grande Conservancy District, or areas served by swales.
- d) Incorporate xeric site design principles to establish an oasis area and transition areas, identify beneficial placement for plant species, and maximize shade in summer months.

The request <u>furthers</u> Policy 7.5.1 because the plant palette has been selected to be consistent with the high desert climate and trees have been thoughtfully placed for their specific needs while providing shade to residents. Cottonwoods are along the arroyo edge and Japanese Maples are in protected courtyard spaces. All plantings except for a small section of turf are low to medium water use.

<u>Policy 8.1.2</u> Resilient Economy: Encourage economic development efforts that improve quality of life for new and existing residents and foster a robust, resilient, and diverse economy.

c) Prioritize local job creation, employer recruitment, and support for development projects that hire local residents.

The request <u>furthers</u> Policy 8.1.2 c) because the proposed facility will create approximately 68 jobs for local residents.

Goal 9.1 Supply: Ensure a sufficient supply and range of high-quality housing types that meet current and future needs at a variety of price levels to ensure more balanced housing options.

<u>Policy 9.1.1</u> Housing Options: Support the development, improvement, and conservation of housing for a variety of income levels and types of residents and households.

c) Assure the availability of a wide distribution of quality housing for all persons regardless of race, color, religion, sex, national origin, ancestry, age, or disabled status.

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- e) Provide for the development of quality housing for elderly residents.
- i) Provide for the development of multi- family housing close to public services, transit, and shopping.

The request <u>furthers</u> Policy 9.1.1 because it will add another quality housing option for seniors that will help ensure the availability of such housing, which is shown by the applicant's market study to be undersupplied in the 3-mile Primary Market Area, with access to community services such as the Cherry Hills library, access to transit, and is not far from a variety of shopping and other commercial options.

<u>Policy 9.2.1</u> Compatibility: Encourage housing development that enhances neighborhood character, maintains compatibility with surrounding land uses, and responds to its development context - i.e. urban, suburban, or rural - with appropriate densities, site design, and relationship to the street.

The request <u>furthers</u> Policy 9.2.1 because it has been designed with a density appropriate for its suburban context with a large setback and other site design elements to minimize the impacts of the structure on the adjacent neighborhood while maintaining features such as the arroyo and existing multi-use path along Harper Road.

<u>Policy 11.3.2</u> Arroyos: Preserve and enhance arroyos identified in the Rank 2 Facility Plan for Arroyos as important cultural landscapes.

The request <u>furthers</u> Policy 11.3.2 by preserving the stormwater function of the South Pino Arroyo and working through the appropriate channels to make modifications to the floodplain while ensuring downstream impacts are minimized. Bank stabilization and proposed landscaping are appropriate for an arroyo edge, and the proposal is consistent with the Facility Plan for Arroyos.

Policy 11.3.5 Sandia Mountains: Protect views of the Sandia Mountains from key vantages within public rights-of-way, along corridors, and from strategic locations as an important cultural feature of the region.

The request <u>furthers</u> Policy 11.3.5 because the site design takes into account the existing topography and the proposed setback from Harper Road creates a view corridor toward the mountains east of the subject site.

<u>Policy 12.1.4</u> Drainage and Flood Control: Reduce or eliminate flooding by improving ponding and drainage capacities in an environmentally sensitive manner through the development process and in coordination with flood control agencies.

- a) Minimize and mitigate storm water run-off from development by limiting the amount and extent of impervious surfaces and encouraging landscaped medians and parking swales.
- b) Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

The request <u>furthers</u> Policy 12.1.4 by coordinating the use and modification of the South Pino Arroyo with the appropriate flood control agencies, utilizing landscape areas and ponding on-site to the greatest extent possible, and using naturalistic treatments for bank stabilization of the arroyo channel.

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6. The request is adjacent to the South Pino Arroyo, which is a Major Open Space Link in the Rank II Facility Plan for Arroyos.

The request <u>furthers</u> the Facility Plan for Arroyos by providing a land use that fits within the "medium-density residential, commercial and institutional uses" that were under consideration between Wyoming Blvd and Ventura Street (p. 36). The proposed development is consistent with the design guidelines for development adjacent to a major open space link by orienting buildings with entrances and windows facing the open space and landscaping the open space edge using native and naturalized plant materials.

The proposed development <u>furthers</u> Drainage Policy 1 and Multiple Use Policy 4 by maintaining the arroyo for its primary drainage purpose, providing access for maintenance, and working with AMAFCA and FEMA to coordinate any changes or modifications related to stabilizing channel treatments.

The request <u>furthers</u> Multiple Use Policy 5 – Land Use Compatibility by adding a density of housing and jobs adjacent to an arroyo channel that will provide users who will maximize the usefulness of future trails.

<u>Policy 1</u> – Drainage Facilities Within Designated Major Open Space Links: Wherever feasible, the design of drainage facilities within Major Open Space Links shall be sensitive to their function as an open space recreational arroyo, incorporating naturalistic channel stabilization treatments such as gabions and ungrouted riprap. Tinted concrete or soil cement may be used in limited applications such as in low flow channels or as needed to control erosion at points where developed runoff enters the arroyo.

The request <u>furthers</u> Major Open Space Links Policy 1 by proposing a naturalistic channel stabilization treatments and landscaping that will be coordinated with AMAFCA and FEMA.

<u>Policy 5</u> – Landscaping within the Public Right-of-Way: Landscaping of a portion of drainage rights-of-way including reseeding of disturbed land with low maintenance native plant materials and native shrubs or trees and vegetative ground covers shall be encouraged.

The request <u>furthers</u> Major Open Space Links Policy 5 by reseeding the drainage right-of-way with a variety of native ground covers.

DESIGN GUIDELINES - Orientation

<u>Policy 1A</u>: Multi-storied residential, office, and commercial developments having windows facing onto the arroyo shall be encouraged.

<u>Policy 1B</u>: Wherever feasible, development adjacent to the arroyo should orient toward and place landscaped public open areas adjacent to the arroyo right-of-way. These entries may necessarily constitute minor or secondary entries with the main entry oriented to the parking area or the street. Where this is not feasible, pedestrian access from the arroyo corridor to a building entry shall be required.

The request <u>furthers</u> Design Guidelines Policy 1 by proposing a development that includes windows and entrances facing toward the South Pino Arroyo drainage right-of-way.

<u>Policy 2 – Open Areas</u>: Site plans for multi-family residential developments adjacent to the arroyo should incorporate landscaped, open areas adjacent to the arroyo right-of-way.

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The proposed project <u>furthers</u> Design Guidelines Policy 2 – Open Areas by providing a landscaped open space between the proposed parking area and the South Pino Arroyo.

<u>Policy 3 – Parking and Service Areas</u>: When a parking or service area is located adjacent to the drainage right-of-way, pedestrian and bicycle access should be provided. A minimum 20-foot landscaped setback from the arroyo right-of-way is recommended, with sufficient screening provided to conceal views from the arroyo to the parking area. Landscaping should consist of native or naturalized plant species and vegetative groundcovers. The screening element should consist of one or more of the following: low walls, shrubs, trees, earth forms (berms).

Only a portion of the proposed project's parking is located at the rear of the facility adjacent to the South Pino Arroyo. Where parking is located there is a minimum 20-foot landscaped setback that includes trees and natural vegetative groundcover, which will screen the parking areas from the arroyo, thus <u>furthering</u> Design Guidelines Policy 3.

<u>Policy 4 – Walls</u>: Continuous perimeter walls should not be located adjacent to the arroyo right-of-way. Where fencing is required for privacy or security reasons, the following guidelines will apply: Fences and walls adjoining the arroyo corridor right-of-way should have staggered, landscaped setbacks, varied heights or provide openings for visual access into public open areas within the development from the arroyo corridor; Specific materials for solid fences and walls shall be determined by the individual arroyo corridor plan. Stucco over concrete block, brick, stone, or wood are recommended as suitable materials.

A continuous wall is not proposed along the arroyo edge of the property, but rather a landscaped area is located between the building, parking, and access areas and the South Pino Arroyo, so the request <u>furthers</u> Design Guidelines Policy 4.

<u>Landscaping – Policy 1</u>: Except in park sections, the landscaping of public open areas on private development adjacent to the drainage right-of-way should consist primarily of nature or naturalized vegetation with the predominate form being tree masses, preferably drought resistant shade trees located in clusters offset from the right-of-way.

Private landowners have a responsibility to maintain landscaping adjacent to the arroyo corridor as a complementary action to the City's responsibility to maintain the public right-of-way.

The private developer will install clusters of trees in accordance with the proposed landscape plan within the Site Development Plan for Building Permit and maintain that landscaping on their own, so the request <u>furthers</u> Landscaping Policy 1.

- 7. Development of the subject site as shown in the Site Development Plan for Building Permit relies on a Letter of Map Revision (LOMR) to modify the South Pino Arroyo Floodplain, so coordination with Hydrology, AMAFCA, and FEMA is necessary prior to final sign-off of the Site Development Plan for Building Permit. Such coordination between the applicant, Hydrology, and AMAFCA has already begun.
- 8. The Cherry Hills Civic Association, District 4 Coalition, and property owners within 100 feet of the request were notified, as required. A facilitated meeting was held for this request on August 29, 2017, and there is significant known opposition due to concerns related to loss of views and open space, traffic, spill-over parking, and building height among others.

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## CONDITIONS OF APPROVAL, Site Development Plan for Building Permit, 17EPC-40026:

- 1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
- 2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
- 3. Transportation Development Conditions:
  - a. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
  - b. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.
- 4. A water and sewer availability statement from the ABCWUA is required prior to DRB sign-off of the site development plan.
- 5. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

<u>APPEAL</u>: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **JANUARY 26, 2018.** The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City Zoning Code must be complied with, even after approval of the referenced applications.

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(16), a change to the zone map does not become official until the Certification of Zoning (CZ) is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If

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such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing through the Planning Director that the Planning Commission extend the plan's life an additional five years. Additional design details will be required as a project proceeds through the Development Review Board and through the plan check of Building Permit submittals for construction. Planning staff may consider minor, reasonable changes that are consistent with an approved Site Development Plan so long as they can be shown to be in conformance with the original, approved intent.

Sincerely,

David Campbell Planning Director

### DC/MV

cc: SP Albuquerque LLC, 500 Stevens Avenue, Solana Beach, CA 92075 Hoffmantown Baptist Church, 8888 Harper Dr. NE, ABQ, NM 87111 Consensus Planning Inc, 302 8th St NW, ABQ, NM 87102 Cherry Hills Civic Assoc., Joel Boyer, 6928 Cherry Hills Lp NE, ABQ, NM 87111 Cherry Hills Civic Assoc., Andrew Robertson, 6916 Rosewood Rd NE, ABQ, NM 87111 Sutin, Thayer & Browne, Frank Salazar, 6100 Uptown Blvd NE, #400, ABQ, NM 87110 Mike Koller, 8509 Red Sky Pl. NE, ABQ, NM 87111 Patricia Cordeiro, 6820 Loop NE, ABQ, NM 87111 Rob & Carol MacIvor, 6904 Red Sky Rd NE, ABQ, NM 87111 Ellen Dueweke, 8409 Cherry Hills Rd NE, ABQ, NM 87111 Joe Bednarski, 6916 Red Sky Rd NE, ABQ, NM 87111 Mary Johnson, 6900 Red Sky Rd NE, ABQ, NM 87111 John Teel, 8512 Red Sky Pl. NE, ABQ, NM 87111 Robert Johnson, 6904 Wildwood Ct. NE, ABQ, NM 87111 Dist. 4 Coalition, Michael Pridham, 6413 Northland Ave. NE, ABQ, NM 87109 Dist. 4 Coalition, Tony Huffman, 9712 Sand Verbena Trail NE, ABQ, NM 87122

### Notice of Decision City Council City of Albuquerque April 18, 2018

2010 APR 19 PM 1: 45

AC-18-4 Project #107412/17EPC-40024, 17EPC-40025, 17EPC-40026 Cherry Hills Givic Association appeals the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment (Zone Change) and related Site Development Plans for Subdivision and Building Permit for all or a portion of Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, zoned SU-1 for Church and related facilities and SU-1 for Church & Related Facilities and a Telecommunications Facility, to SU-1 for Senior Living Facility and related services, including on-premise liquor consumption, located on Harper Rd. NE, between Ventura St. NE and Wyoming Blvd. NE, containing approximately 14.2 acres

### Decision

On April 16, 2018, by a vote of 8 FOR, 1 AGAINST, the City Council voted to deny the appeal and affirm the decision of the EPC by accepting and adopting the recommendation and findings of its Land Use Hearing Officer.

Against: Winter

### IT IS THEREFORE ORDERED THAT THE APPEAL IS DENIED; THE ZONE CHANGE AND ASSOCIATED SITE DEVELOPMENT PLANS FOR SUBDIVISION AND **BUILDING PERMIT ARE APPROVED**

### **Attachments**

Land Use Hearing Officer's Recommendation 1.

2. Action Summary from the April 16, 2018 City Council Meeting

A person aggrieved by this decision may appeal the decision to the Second Judicial District Court by filing in the Court a notice of appeal within thirty (30) days from the date this decision is filed with the City Clerk.

Ken Sanchez, President

Received by:

City Council

City Clerk's Office

Date:

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Page 1 of 1

# BEFORE THE CITY OF ALBUQUERQUE LAND USE HEARING OFFICER

### APPEAL NO. AC-18-4 Related to AC-17-11

Project No. 107412; 17-EPC-40024

CHERRY HILLS CIVIC NEIGHBORHOOD ASSOCIATION, Appellants, and,

SP ALBUQUERQUE, LLC, Party Opponents.

### I. BACKGROUND & HISTORY

1

2 This appeal originates from the Environmental Planning Commission's (EPC) approvals of a zone change, a site plan, and a building permit for a 180-unit, residential senior 3 4 care development for independent living and memory care on a 14.14-acre site. The zonechange amends the existing SU-1 zone for church-related uses (including cellular tower uses) 5 6 to a SU-1 zone for only the senior living development. The development is located on Harper Road NE, between Ventura Street, NE and Wyoming Boulevard, NE. The 14.14-acre site is 7 located within a larger 62.5-acre site-plan that was approved by the City in 1985. 8 The relevant history of the zone change need not be restated here as it was detailed in a 9 previous appeal of this project and which was remanded back to the EPC for a new hearing [See 10 AC-17-11]. The City Council adopted the findings and recommendations from AC-17-11. The 11 record of AC-17-11 and the history outlined therein the Land Use Hearing Officer's (LUHO) 12

recommendation is therefore incorporated herein and will not be duplicated here.

Upon remand from the City Council, the EPC held a new hearing on January 11, 2018. This appeal was timely filed on January 25, 2018 [R. 7]. Appellants, the Cherry Hills Civic Association and Property Owners, are the same appellants from the AC-17-11 appeal. In this appeal, the Appellants raise similar issues from those raised in the previous appeal. After reviewing the records of this appeal and the previous appeal, and after hearing arguments and testimony at the appeal hearing, I find that the Appellants appeal should be denied. I also find that in the remand hearing, the EPC substantially cured all the defects in the record that required the previous remand. Moreover, I find that the record and decision of the EPC's January 11, 2018 hearing is supported by substantial evidence and should be upheld.

In this appeal, Appellants first contend that a market study which the applicants partly relied on in their zone change application has several errors of fact in it. They claim that the market study and the errors in the study do "not provide evidence to support findings of changed community condition" under R-270-1980 [R. 42]. Appellants, next assert that evidence of the changing demographics in general and specifically "religiosity" was irrelevant to the analysis of changing conditions [R. 42-43]. Appellants next claim that the EPC disregarded Appellants' testimony with respect to the comprehensive plan and it neglected its remand instructions [R. 42]. Finally, Appellants claim that individual EPC Commissioners acted in an arbitrary and capricious manner at the hearing by making what Appellants believe to be inappropriate or inaccurate statements of fact [R. 43-45].

#### II. STANDARD OF REVIEW

A review of an appeal is a whole record review to determine if the EPC erred:

36	1. In applying adopted city plans, policies, and ordinances in arriving at the
37	decision;
38	2. In the appealed action or decision, including its stated facts;
39	3. In acting arbitrarily, capriciously or manifestly abusive of discretion.
40	At the appeal level of review, the decision and record must be supported by a preponderance
41	of the evidence to be upheld. The LUHO is advisory to the City Council. If a remand is
42	necessary to clarify or supplement the record, or if the remand would expeditiously dispose
43	of the matter, the LUHO has authority to recommend that the matter be remanded for
44	reconsideration by the EPC. The City Council may grant the appeal in whole or in part, deny
45	it, or remand it to the LUHO or to the EPC.1
46	
47	III. DISCUSSION
48	Because of the remand, there is a lengthy, well-supported record regarding this three-part,
49	zone-change application. It is clear after reviewing the transcript of the January 11, 2018 decision
50	and the EPC's subsequent January 12, 2018 decision that the EPC took the remand seriously and
51	addressed all the concerns raised in the remand instructions.
52	
53	A. The Zone-Change Satisfies R-270-1980
54	City Resolution R-270-1980 establishes the principal policy standards for judging zone-
55	changes in the City. The following policy rules in R-270-1980 are applicable to this appeal in
56	terms of justifying the zone-change. First, a "proposed zone change must be found to be

<sup>1.</sup> See Rules of the Land Use Hearing Officer adopted by the City Council, February 18, 2004. Bill No. F/S OC-04-6 and codified in Section 14-16-4-4 of the Zoning Code.

consistent with the health, safety, morals, and general welfare of the City" [R-270-1980, § 1.A]. Second, because stability of land-uses and zoning is the overriding policy goal of R-270-1980, zone-changes must be justified by the applicant. That means the applicant proposing a zone-change carries the burdens of proof. [R-270-1980, §1.B]. Third, the "proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City" [R-270-1980, § 1.C]. Fourth, the applicant to a zone-change has the burden to show with substantial evidence that the existing zoning of the zone-change site is "inappropriate" because there was a mistake in the existing zoning; or that "changed neighborhood or community conditions justify" the zone-change; or that a "different use category is more advantageous to the community" as supported by one of the Rank City plans [R-270-1980, § 1.D]. These three foundations for justifying the zone-change are disjunctive—only one need be shown.

Beginning with the inappropriateness of the existing zone, there was considerable evidence submitted to the EPC to support the finding that the existing SU-1 for Church uses zone on the vacant 14.14 acres is inappropriate. First, it is undisputed that the zone is remarkably narrow—only church uses are allowed under the existing zone.<sup>2</sup> The original approved Hoffmantown Baptist Church Site Plan, which dates to 1985, includes a total of 62.5-acres with the church uses zoning designation. The unrebutted evidence in the record shows that a total of 511,000 square feet in building space was designated and allowed under the 1985 Site Plan [R. 84]. However, to this date, only 161,000 square feet of building space on the 62.5-acre site has been constructed for church uses [R. 84]. Over the years, since 1985, the evidence reveals that the overall site developed with a park containing a soccer field, walking paths, prayer garden, an amphitheater,

<sup>2</sup> The only use other than "church uses" allowed in the zone is a wireless communications tower.

and the Hoffmantown Baptist Church building facility [R. 150]. The 14.14-acre zone-change site has remained vacant and has never developed. With respect to the 14.4-acre surplus land, Pastor Tim Hale of Hoffmantown Church testified at the January 11, 2018 EPC hearing [R. 351-352]. Pastor Hale testified that the Hoffmantown Church will not expand its church uses and that the 14.14 acre-site is now surplus land and will not ever be utilized for church uses [R. 351-352]. This evidence was not disputed. The totality of the evidence before the EPC is substantial evidence demonstrating that the narrow SU-1 for church uses zoning designation of the 14.14-acre site is inappropriate because there is no longer a need to develop such uses at the site.

Although Appellants contend that other denominations or church officials from other churches may wish to develop the site with their church uses, I find not only is that scenario too speculative, but that the 30-plus year history of vacancy belies their speculative theory. In addition, the Appellants offered no facts to show that such an interest even existed, only their conjecture. Unsupported supposition is not evidence.

Next, the Appellants claim that the applicant's market study, which is now in the record, does not demonstrate changed conditions under R-270-1980.<sup>3</sup> I agree. However, the EPC did not find that the applicant's market study supports a change in conditions under R-270-1980. The market study demonstrates, and the EPC found, that there is a changing demographic (an increased senior citizen population), and there is a demand for senior care and senior residential uses in the area. The EPC found that granting a zone-change to make senior residential care a permissive use at the 14.14-acre site will better address the changing demographic shown in the Study, and therefore be more advantageous to the community as articulated in the

<sup>3</sup> The applicants were granted permission by the LUHO to redact information regarding rental structures, revenue data, and other proprietary information in the Study.

Comprehensive Plan [R. 20, Finding 7.D]. The EPC finding is rationally related to the proof required under R-270-1980 §1.D(3) (the more advantageous requirement). How the zone-change furthers Comprehensive Plan policies is discussed in the next subsection.

The market study was performed by certified experts in the real estate industry [R. 180-181 and 293-298]. Although, Appellants find error in the analysis and conclusions of the study, they did not support their arguments with any expert opinions—only lay opinion testimony. Lay-opinion is evidence, but it is accorded less weight when it is utilized to challenge the analysis and opinions of experts in the subjects of contention. Appellants' passionate arguments claiming that there is not a need for senior care residential facilities in the community is contravened by the market study experts' conclusions. Because the market study was performed by experts, the it is not an abuse of discretion to accept the analysis and conclusions of the experts over the opinions of the Appellants on the study. Moreover, as stated above, in its decision, the EPC relied on numerous Comprehensive Plan policies to support that the zone-change will be more advantageous to the community than will the existing zone.

#### B. The Comprehensive Plan

The EPC made individual findings that the zone-change and the proposed uses will further 25 individual Comprehensive Plan policies that could not be furthered under the existing zone [R. 51-55]. These findings also support the EPC's analysis and findings under R-270-1980, § 1.D(3). Appellants challenge some of the Comprehensive Plan policy findings, claiming that the policies are not furthered by the zone-change. For example, the EPC found that:

"The request furthers Policy 5.3.1 because it supports growth in an area with existing infrastructure including roadways and all utilities in an infill location not at the urban edge." [R. 52].

Appellants, however contend that this finding is erroneous because they disagree that development of the 14.14-acre site qualifies as "infill." I find that the development of the proposed senior care facility clearly satisfies the definition of infill development because the site is currently vacant land surrounded by scattered development [See Comp. Plan, A-9].

Next, Appellants contend that because the site is within an "area of consistency," as defined by the Comprehensive Plan any new development or redevelopment must be consistent with the established character of its surroundings. Specifically, Appellants contend that the senior care development will not be in-scale with the its surroundings and it creates higher intensity uses than what surrounds it. I find that the Senior care development, of which is primarily a residential use with in-house care, is similar to the density and scale of all the uses allowed in the surrounding zones. There are PRD and townhouse zoned lands neighboring the site to the South and to the South-East that allows an increased, apartment-like density of residential uses in-scale with the senior-care development. Second, although not residential, the Church use directly East of the site is also similar in scale and intensity. Third, the school uses to the West and the R-LT zoned lands to the North-West are both similar in densities and are comparable to the senior care development. Although the Cherry Hill residential uses directly North of the site are at a slightly lower zoning-density, the uses are similarly residential. Thus, regarding Comp. Plan Policy 5.2.1, the EPC did not err.

Appellants also contend that there will not be an appropriate transition between the senior care residential development and the lower density Cherry Hills residential uses to the North. They claim that this is contrary to Comp Plan Policy 5.6.4. However, the EPC found otherwise, and its findings are supported with the evidence in the record. The EPC expressly found:

The request furthers Policy 5.6.4 a) because an appropriate transition has been incorporated into the site design between the Cherry Hills

neighborhood and the proposed senior living facility that includes a large setback and landscaped berm. In addition, the maximum height of 40 feet is set a minimum of 272 feet away from Harper Road and at least 120 feet from the closest eastern property line [R. 52].

In addition to the extended setback and landscaping, the site plan does incorporate a one-story articulation, stepping up to the three-story allowed height as part of the transition on the Northern facing side of the development.

Although the Appellants seem to believe that setbacks, landscaping, and building articulation should not be considered as an appropriate transition, I note for the Appellants, that an appropriate transition in the context of land-use planning and zoning involves and includes site plan elements that provide separation and buffering between uses. I find that the extended setback, the landscaping berm, and the building articulation on the North facing side of the development is an appropriate transition between the senior care development and the Cherry Hills Neighborhood. Thus, the EPC did not err.

### C. Other Appeal Issues Raised in this Appeal

Finally, in this appeal, Appellants make references to statements made by individual EPC Commissioners at the public hearing, claiming that the statements made were either inappropriate or were erroneous. Appellants also claim that certain EPC Commissioners ignored their testimony and cross examination of the Applicant's witnesses at the hearing. Regarding the statements made by individual Commissioners, I find that whether the statements were erroneous or not is irrelevant. It is the record, the findings, and the collective decision of the EPC that matters to determine whether the EPC erred—not statements made by individual Commissioners. And, although it may seem to Appellants that the EPC ignored their positions and opposition to the application, I find that there is no proof of this in the record.

### IV. CONCLUSION

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For all the reasons described above, I respectfully recommend that Appellants' appeal be denied in full. In the remand hearing, the EPC adhered to its instructions to allow cross examination and it fleshed out facts from an otherwise vague record and decision. Although time consuming, the remand served its purpose. The findings of the EPC and the decision are well-supported by the record with substantial evidence and it should be upheld.

Steven M. Chavez, Esq. Land Use Hearing Officer

March 22, 2017

### Copies to:

Appellants
Party Opponents
City Staff



# City of Albuquerque

# **Action Summary**

Albuquerque/Bernalillo County Government Center One Civic Plaza Albuquerque, NM 87102

### **City Council**

Council President, Ken Sanchez, District 1 Vice-President, Don Harris, District 9

isaac Benton, District 2; Klarissa J. Peña, District 3 Brad Winter, District 4; Cynthia D. Borrego, District 5 Patrick Davis, District 6; Diane G. Gibson, District 7 Trudy E. Jones, District 8

Monday, April 16, 2018

5:00 PM

Vincent E. Griego Chambers One Civic Plaza NW

Albuquerque/Bernalillo County Government Center

### TWENTY-THIRD COUNCIL - TENTH MEETING

1. ROLL CALL

**Present** 9 - Ken Sanchez, Don Harris, Isaac Benton, Klarissa Peña, Brad Winter, Cynthia Borrego, Patrick Davis, Diane Gibson, and Trudy Jones

2. MOMENT OF SILENCE

Pledge of Allegiance - Brad Winter, Councilor, District 4

- 3. PROCLAMATIONS & PRESENTATIONS
- 4. ECONOMIC DEVELOPMENT DISCUSSION
- 5. ADMINISTRATION QUESTION & ANSWER PERIOD
- 6. APPROVAL OF JOURNAL

April 2, 2018

- 7. COMMUNICATIONS AND INTRODUCTIONS
- 8. REPORTS OF COMMITTEES

Finance and Government Operations Committee - April 9, 2018

9. CONSENT AGENDA: {Items may be removed at the request of any Councilor}

*a.	EC-18-68

HOME TBRA Supplemental Agreement with the Supportive Housing Coalition in the amount of Two Hundred Ninety-Seven Thousand Six Hundred Eighty-Five Dollars (\$297,685.00) to continue to provide tenant based rental assistance to Albuquerque Heading Home program participants until December 31, 2019

A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

### **\*b.** <u>EC-18-69</u>

HOME TBRA Supplemental Agreement with St. Martin's in the amount of Two Hundred Twenty-Five Thousand, Six Hundred Forty-One Dollars, and Fourteen Cents (\$225,641.14) to continue to provide tenant based rental assistance to homeless individuals and families

A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

#### \*c. <u>EC-18-79</u>

Approval of the First Supplemental Agreement to add monies for FY18 Outside Counsel Legal Services Agreement between Kennedy, Moulton & Wells, P.C. and the City of Albuquerque

A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

#### \*d. <u>EC-18-80</u>

Approval of the First Supplemental Agreement to add monies for FY18 Outside Counsel Legal Services Agreement between German Burnette & Associates, LLC., and the City of Albuquerque

A motion was made by Vice-President Harris that this matter be Approved. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

#### **e.** EC-18-84

Mayor's Reappointment of Dr. Karen E. Brown to the Balloon Museum Board of Trustees

A motion was made by Vice-President Harris that this matter be Confirmed. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

#### f. EC-18-85

Mayor's Appointment of Mr. Victor C. Limary to the Central Avenue Business Advisory Board

A motion was made by Vice-President Harris that this matter be Confirmed. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

g.	EC-18-86	Mayor's Appointment of Ms. Sanders Moore to the Albuquerque Energy Council
	•	A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
h.	EC-18-87	Mayor's Appointment of Mr. Travis M. Davis to the Greater Albuquerque Recreational Trails Committee
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
, i.	<u>EC-18-88</u>	Mayor's Appointment of Ms. Roselyn (Rose) M. McCamey to the Greater Albuquerque Bicycling Advisory Committee
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
j.	EC-18-89	Mayor's Appointment of Mr. Sean F. Gilligan to the Housing & Neighborhood Economic Development Committee
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
k.	EC-18-90	Mayor's Appointment of Mr. Len Romano to the Central Avenue Business Advisory Board
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
I.	EC-18-91	Mayor's Appointment of Mr. Likhaya Dayile to the Greater Albuquerque Recreational Trails Committee
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones
m.	EC-18-92	Mayor's Appointment of Ms. Lovie McGee to the Albuquerque Housing Authority Board
		A motion was made by Vice-President Harris that this matter be Confirmed.  The motion carried by the following vote:
		For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

#### 14. FINAL ACTIONS

**a.** R-18-7

C/S Strengthening Albuquerque's Status As An Immigrant Friendly City, Promoting Public Safety, Safeguarding The Civil Rights, Safety And Dignity Of All Our Residents And Creating An Environment Conducive To All Victims Of Violent Crime Seeking Assistance (Peña, Davis)

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 1. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

A motion was made by Councilor Davis that this matter be Amended. Councilor Davis moved Amendment No. 2. The motion carried by the following vote:

For: 9 - Sanchez, Harris, Benton, Peña, Winter, Borrego, Davis, Gibson, and Jones

A motion was made by Councilor Davis that this matter be Passed as Amended. The motion carried by the following vote:

For: 6 - Sanchez, Benton, Peña, Borrego, Davis, and Gibson

Against: 3 - Harris, Winter, and Jones

### 10. GENERAL PUBLIC COMMENTS

#### 11. ANNOUNCEMENTS

### 12. PUBLIC HEARINGS: {Appeals, SAD Protest Hearings}

**a.** AC-18-4

Project #107412/17EPC-40024, 17EPC-40025, 17EPC-40026: Cherry Hills Civic Association appeals the decision of the Environmental Planning Commission (EPC) to Approve a Zone Map Amendment (Zone Change) and related Site Development Plans for Subdivision and Building Permit for all or a portion of Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, zoned SU-1 for Church and related facilities and SU-1 for Church & Related Facilities and a Telecommunications Facility, to SU-1 for Senior Living Facility and related services, including on-premise liquor consumption, located on Harper Rd. NE, between Ventura St. NE and Wyoming Blvd. NE, containing approximately 14.2 acres

A motion was made by Councilor Winter that this matter be To Reject the Land Use Hearing Officer Recommendation. The motion failed by the following vote:

For: 3 - Winter, Borrego, and Davis

Against: 6 - Sanchez, Harris, Benton, Peña, Gibson, and Jones

A motion was made by Councilor Jones that this matter be To Accept the Land Use Hearing Officer Recommendation and Findings. The motion carried by the following vote:

For: 8 - Sanchez, Harris, Benton, Peña, Borrego, Davis, Gibson, and Jones

Against: 1 - Winter

# 13. APPROVALS: {Contracts, Agreements, and Appointments}

### 14. FINAL ACTIONS

**b.** R-18-26

Reserving Council Project Funds To Provide For Community Arts Projects Related To The History And Culture Of The Atrisco Area Of The City Of Albuquerque (Peña)

A motion was made by Councilor Peña that this matter be Passed. The motion failed by the following vote:

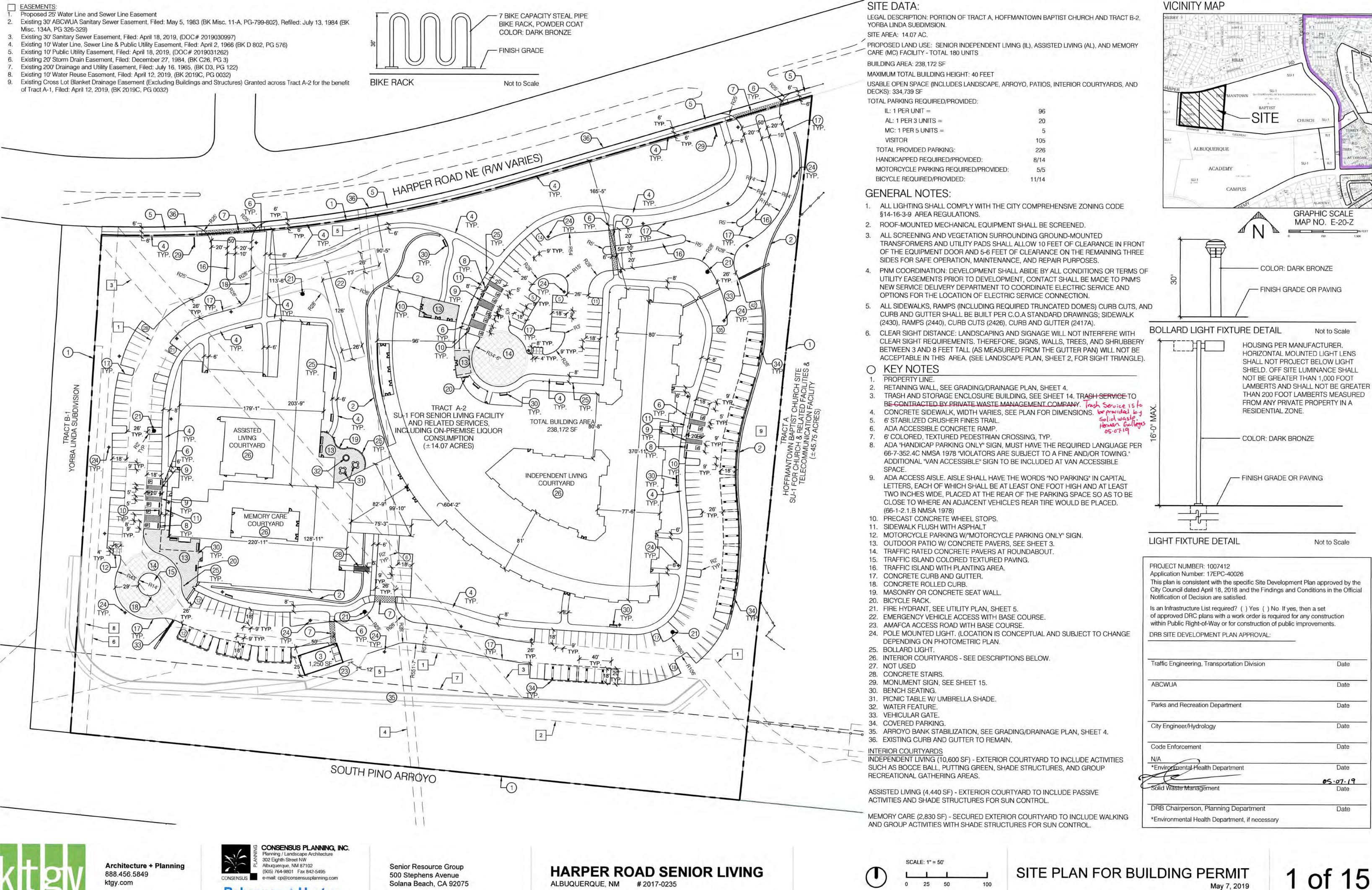
For: 3 - Sanchez, Peña, and Borrego

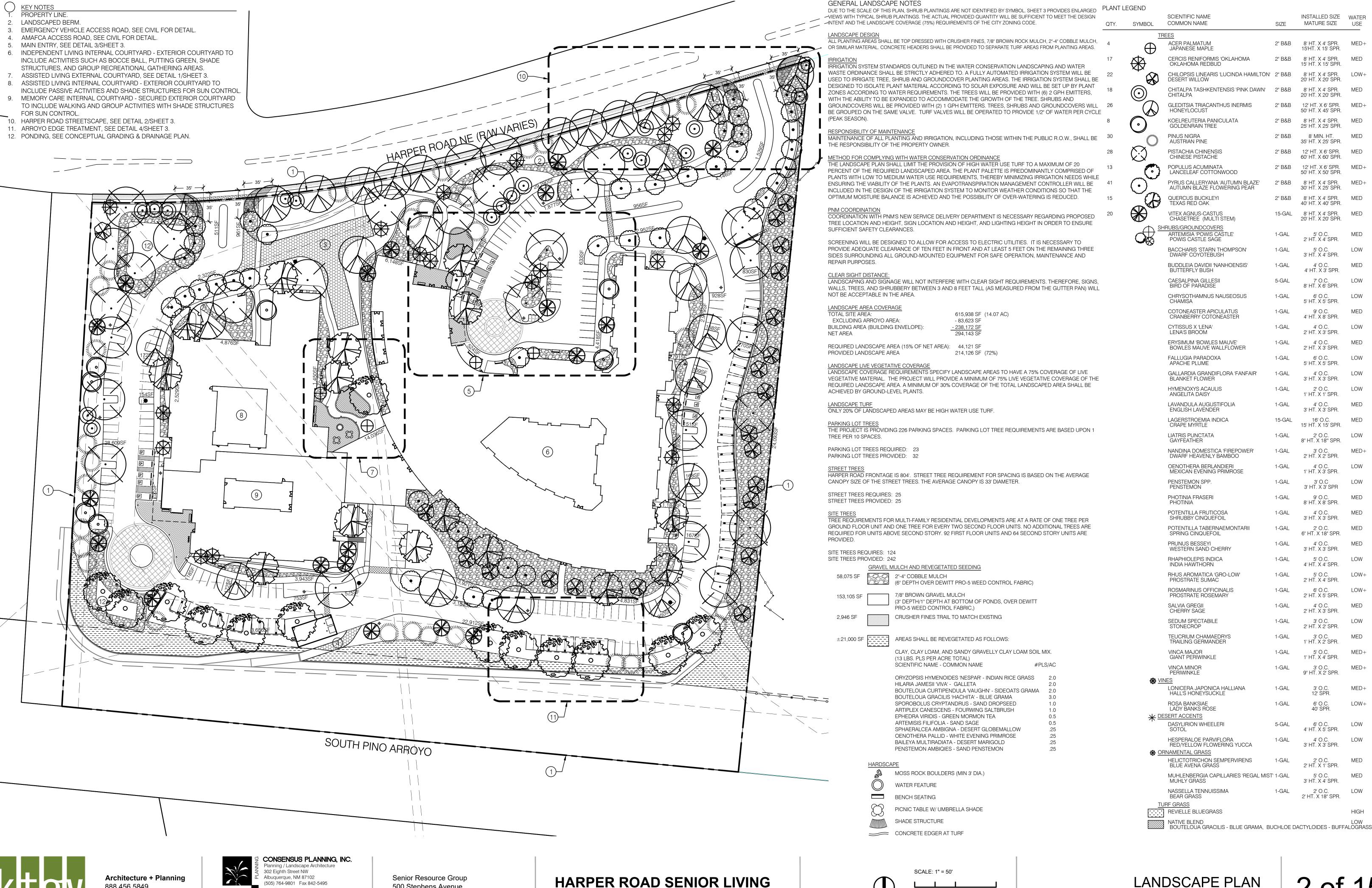
Against: 6 - Harris, Benton, Winter, Davis, Gibson, and Jones

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PROJECT NAME: _	Harper Senior L	iving	
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LEGAL DESCRIPTIO		B-2. Yerba Linda Subdivision	
	and a Portion of	Track A, Hoffmantown	
	Baptist Church	6ite.	
	EPORT/GRADING AND DRA	AINAGE PLAN	
submitted to th		n, as per the Drainage Ordinance, wa ing Department, Hydrology Division (2 19 (date).	
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Applica	ant/Agent	Date	
Renée. 1	3resett	5/6/19	
Hydrology	Division Representative	Date	
APPROVAL		ST BE APPROVED PRIOR TO DRB	
WATER AND	SEWER AVAILABILITY STA	ATEMENT	
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ABCWUA	Representative	Date	

FORM DRWS: DRAINAGE REPORT/GRADING AND DRAINAGE PLAN / WATER &

PROJECT # PR-2018-001560 (1007412)







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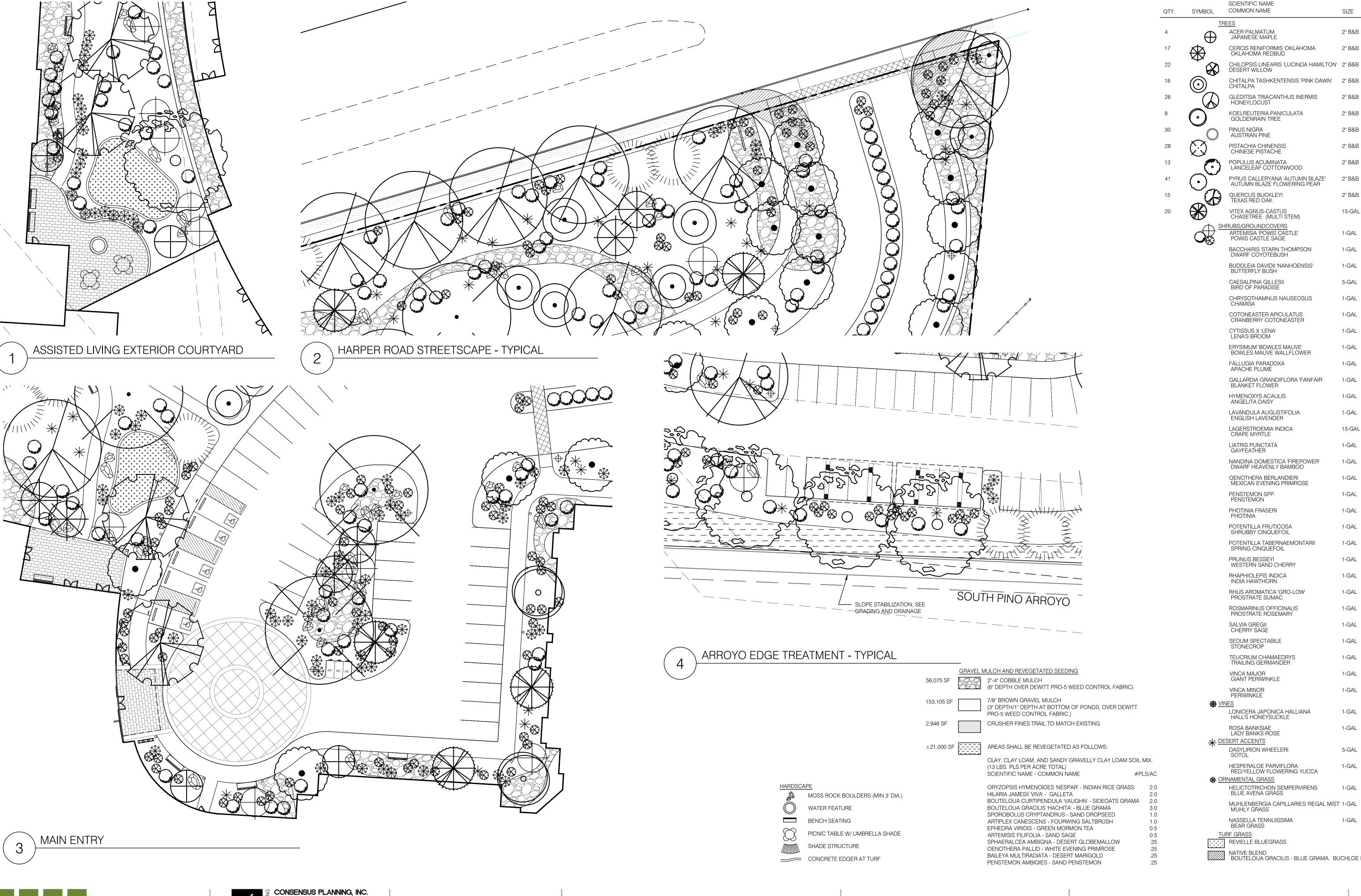


500 Stephens Avenue Solana Beach, CA 92075

ALBUQUERQUE, NM # 2017-0235



LANDSCAPE PLAN May 7, 2019



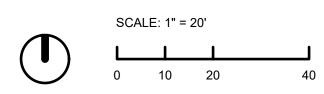


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HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235



2' HT. X 3' SPR. 6' O.C. 5' HT. X 5' SPR. GALLARDIA GRANDIFLORA 'FANFAIR' BLANKET FLOWER 4' O.C. 3' HT. X 3' SPR. 1' HT. X 1' SPR. 4' O.C. 3' HT. X 3' SPR. 15' HT. X 15' SPR. 8" HT. X 18" SPR. 2' HT. X 2' SPR. 1-GAL 3' HT. X 3' SPR. 2' O.C. 6" HT. X 18" SPR. 1-GAL 3' HT. X 3' SPR. 4' HT. X 4' SPR. 2' HT. X 4' SPR. 1-GAL 2' HT. X 5' SPR. 1-GAL 2' HT. X 3' SPR. 2' HT. X 2' SPR. 1-GAL 1-GAL 9" HT. X 2' SPR. 6' O.C. 4' HT. X 5' SPR. 1-GAL 3' HT. X 3' SPR. MUHLENBERGIA CAPILLARIES 'REGAL MIST' 1-GAL MUHLY GRASS 2' O.C. 2' HT. X 18" SPR. NATIVE BLEND LOW BOUTELOUA GRACILIS - BLUE GRAMA, BUCHLOE DACTYLOIDES - BUFFALOGRASS LANDSCAPE DETAIL

PLANT LEGEND

INSTALLED SIZE WATER

SIZE MATURE SIZE

8' HT. X 4' SPR.

15' HT. X 15' SPR.

20' HT. X 20' SPR. 8' HT. X 4' SPR.

20' HT. X 20' SPR.

12' HT. X 6' SPR. 50' HT. X 45' SPR.

25' HT. X 25' SPR.

8' MIN. HT. 35' HT. X 25' SPR. 12' HT. X 6' SPR.

30' HT. X 25' SPR.

40' HT. X 40' SPR.

5' O.C. 2' HT. X 4' SPR.

5' O.C. 3' HT. X 4' SPR.

4' O.C. 4' HT. X 3' SPR.

7' O.C. 8' HT. X 6' SPR.

6' O.C. 5' HT. X 5' SPR.

4' HT. X 8' SPR.

2' HT. X 3' SPR.

15-GAL 8' HT. X 4' SPR. 20' HT. X 20' SPR.

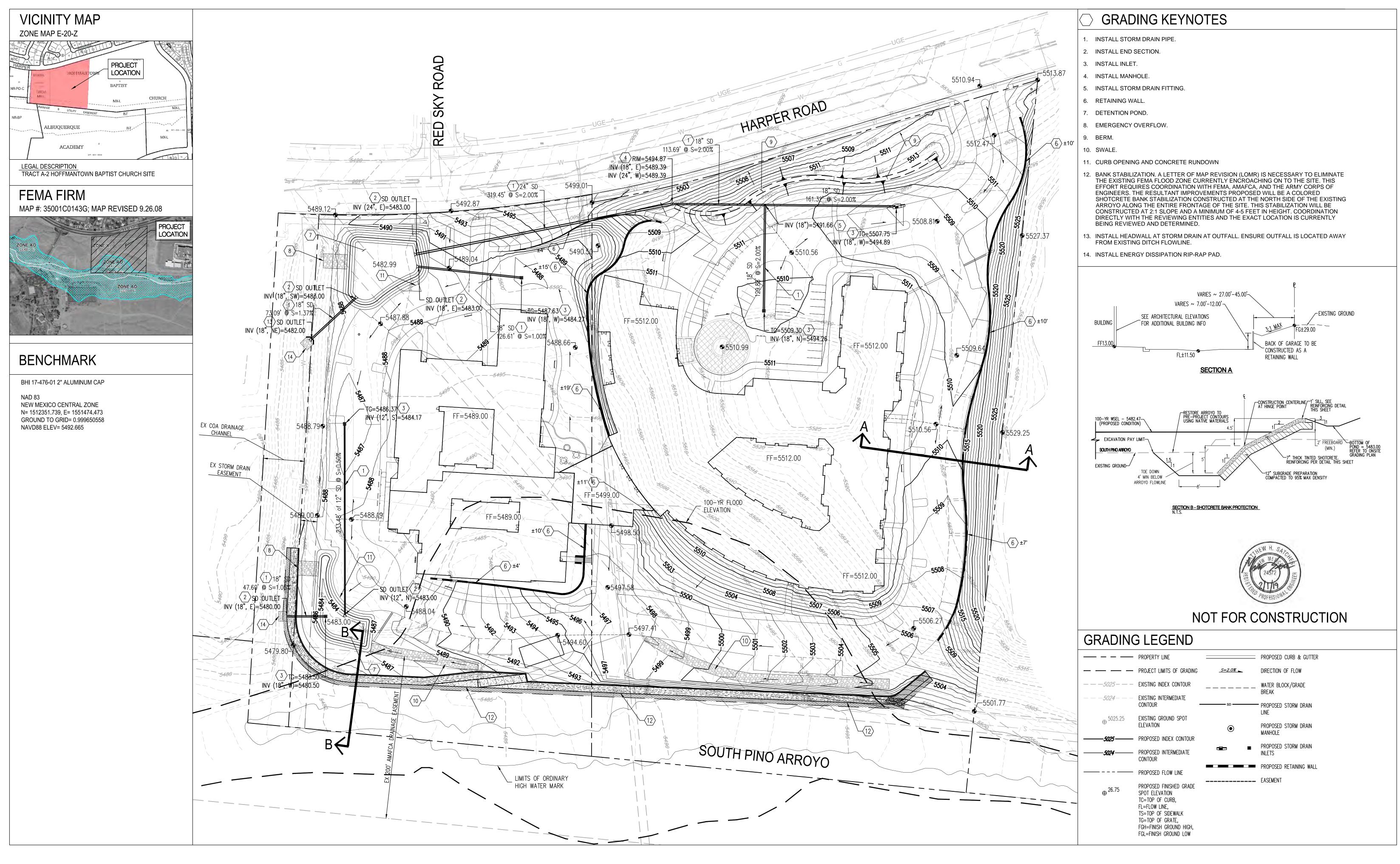
8' HT. X 4' SPR. MED

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2" B&B

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1-GAL





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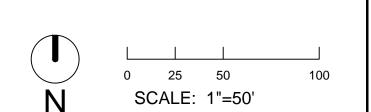
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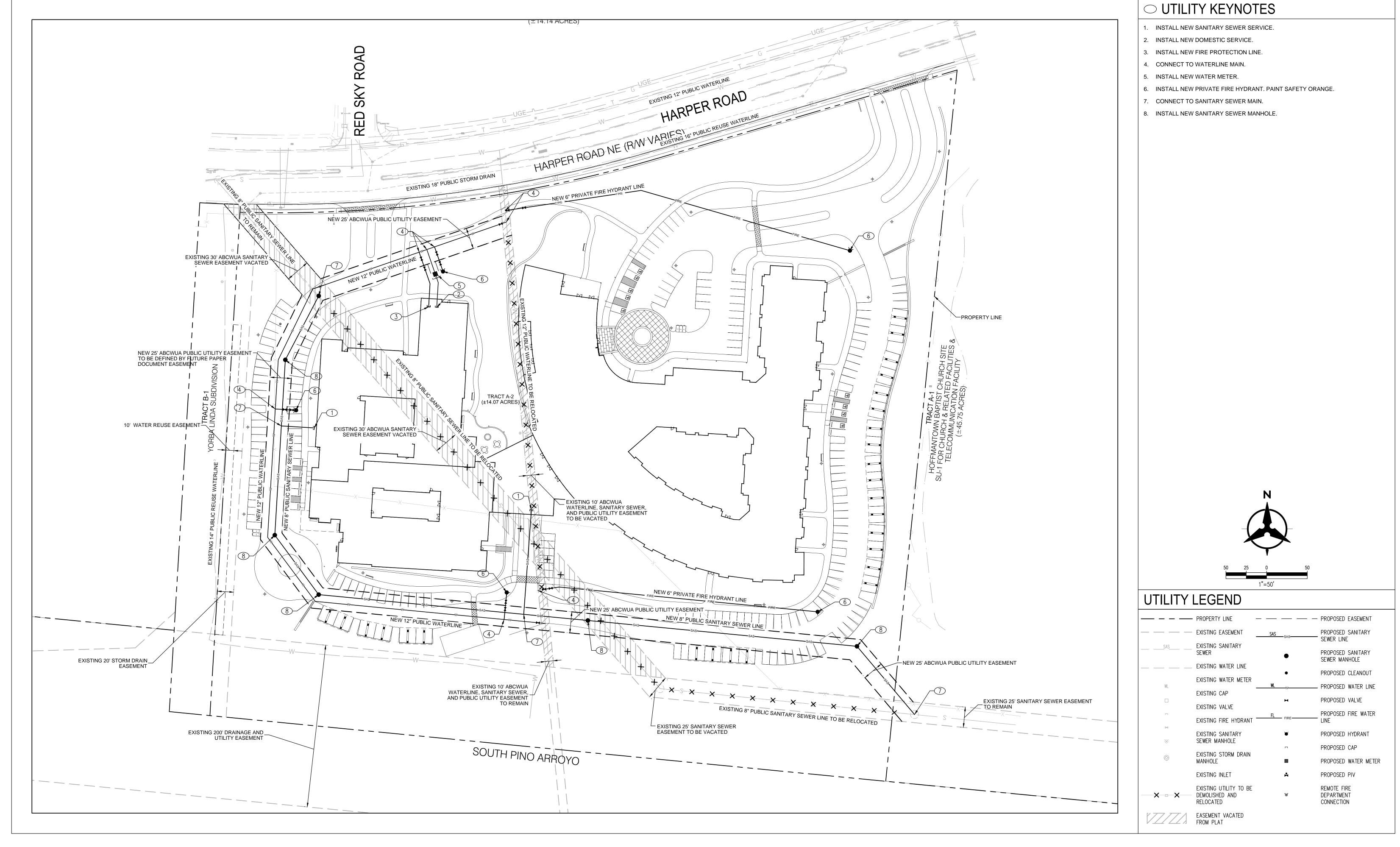
Senior Resource Group 500 Stephens Avenue Solana Beach, CA 92075

HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235



CONCEPTUAL GRADING PLAN

C-100 FEBRUARY 4, 2019





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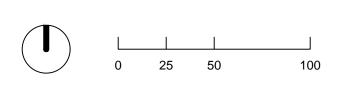
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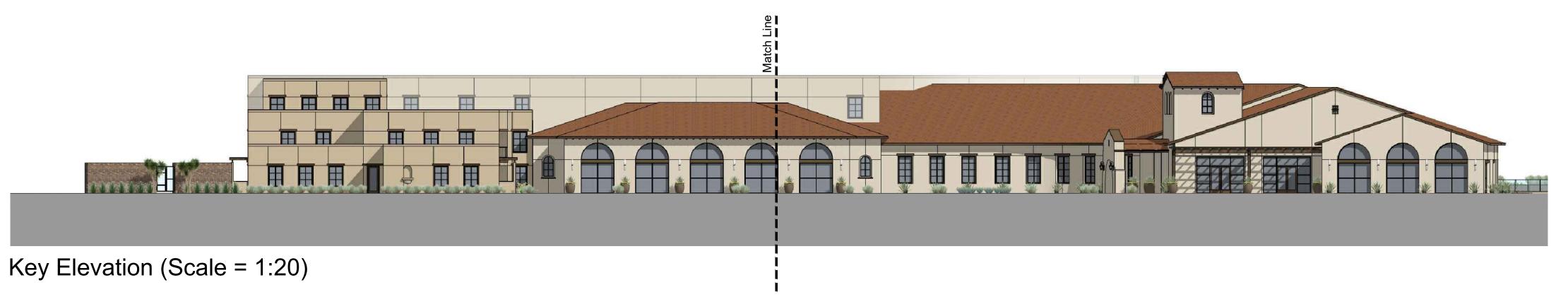


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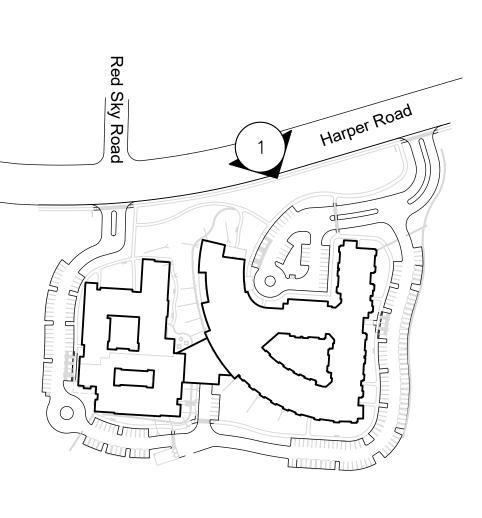
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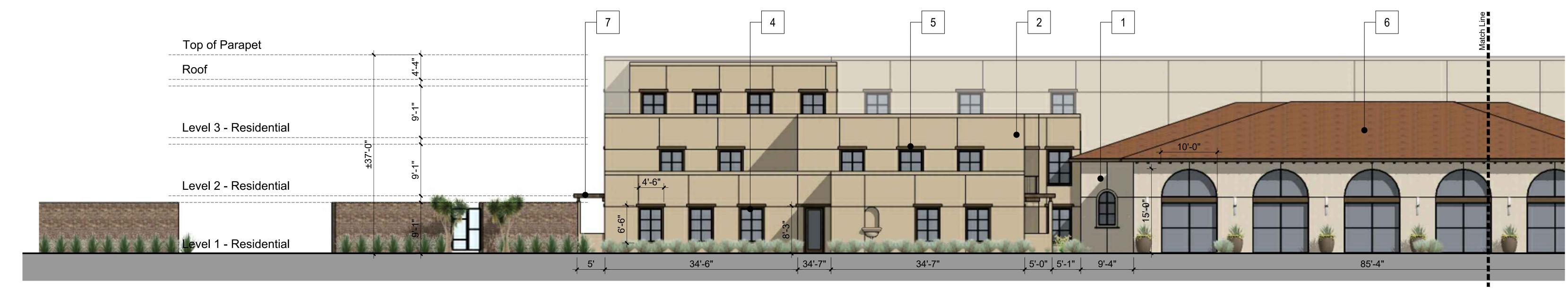
CONCEPTUAL UTILITY PLAN



- 1. Exterior Stucco Finish Light Beige Color
- 2. Exterior Stucco Finish Medium Beige Color
- 3. Exterior Stucco Finish Dark Beige Color
- 4. Exterior Glazing
- 5. Decorated Window Header Dark Brown Color
- 6. Clay/Concrete Roof Tile Red Color
- 7. Wood Canopy Structure Dark Beige Color



Keymap - n.t.s.



1. IL Building - North Elevation



1. IL Building - North Elevation

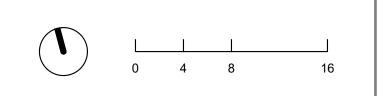


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HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235

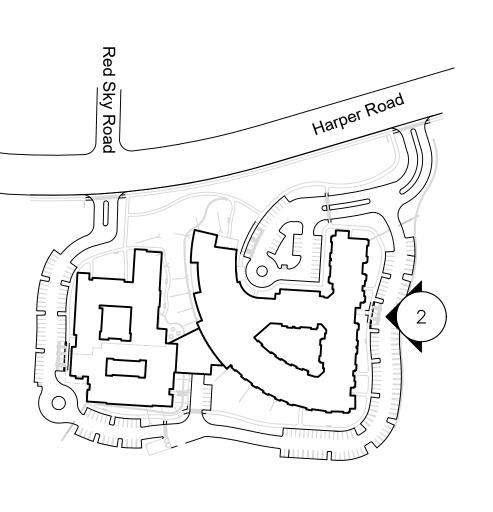
SEPTEMBER 14, 2017



**ELEVATIONS** 



- 1. Exterior Stucco Finish Light Beige Color
- 2. Exterior Stucco Finish Medium Beige Color
- 3. Exterior Stucco Finish Dark Beige Color
- 4. Exterior Glazing
- 5. Decorated Window Header Dark Brown Color
- 6. Clay/Concrete Roof Tile Red Color
- 7. Wood Canopy Structure Dark Beige Color



Key Elevation (Scale = 1:20)



2. IL Building - East Elevation



2. IL Building - East Elevation



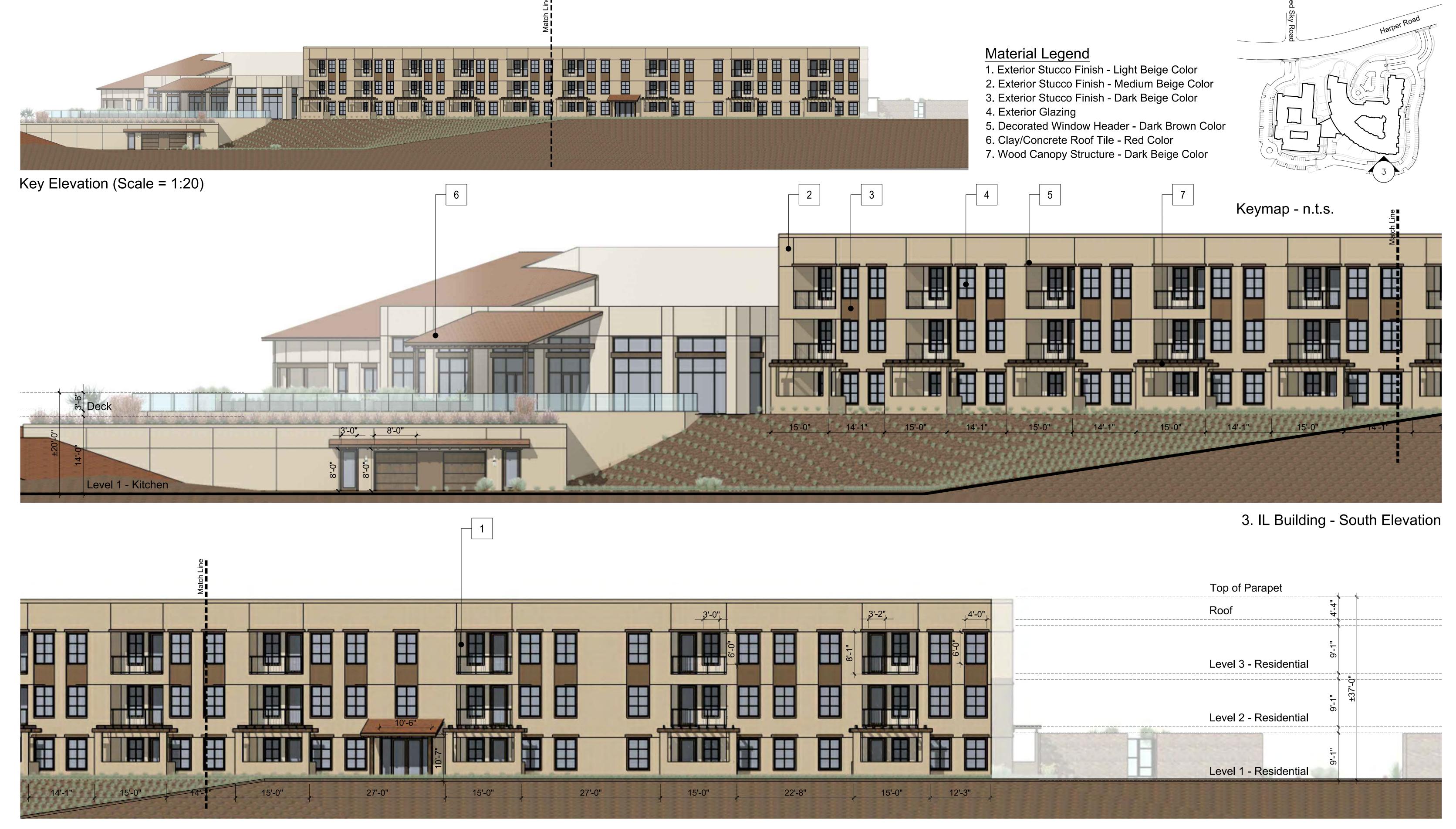
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Senior Resource Group 500 Stephens Avenue Solana Beach, CA 92075

HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235







3. IL Building - South Elevation



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Senior Resource Group 500 Stephens Avenue Solana Beach, CA 92075

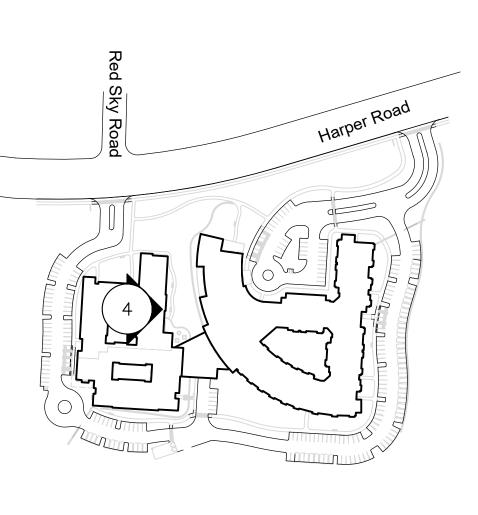
HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235

SEPTEMBER 14, 2017

**ELEVATIONS** 



- 1. Exterior Stucco Finish Light Beige Color
- 2. Exterior Stucco Finish Medium Beige Color
- 3. Exterior Stucco Finish Dark Beige Color
- 4. Exterior Glazing
- 5. Decorated Window Header Dark Brown Color
- 6. Clay/Concrete Roof Tile Red Color
- 7. Wood Canopy Structure Dark Beige Color



Key Elevation (Scale = 1:20)



4. IL Building - West Elevation



4. IL Building - West Elevation

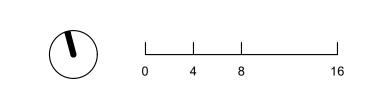


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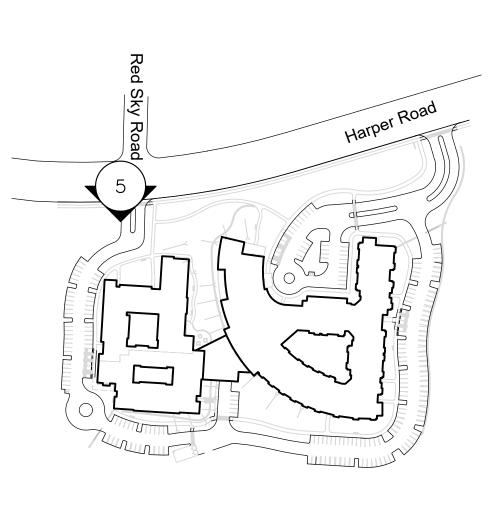
HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235

SEPTEMBER 14, 2017



**ELEVATIONS** 

- 1. Exterior Stucco Finish Light Brown Color
- 2. Exterior Stucco Finish Medium Brown Color
- 3. Exterior Glazing
- 4. Clay/Concrete Roof Tile Red Color
- 5. Decorative Metal Railing Gray Color
- 6. Wood Awning Structure Medium Brown Color
- 7. Decorated Window Header Dark Brown Color

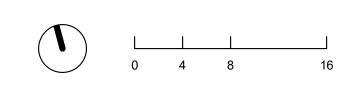


Keymap - n.t.s.



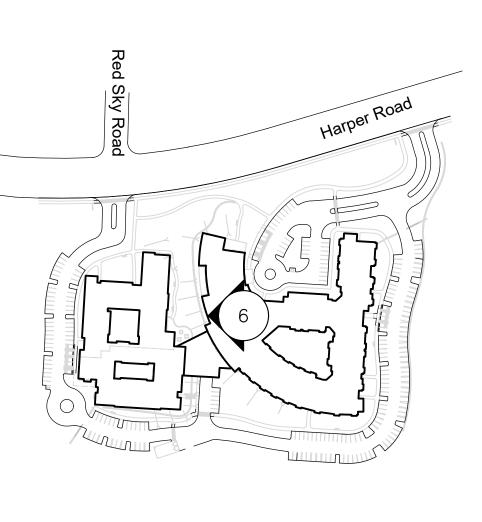
5. AL/MC Building - North Elevation

Note: Refer to Landscape Drawings for proposed landscape design.

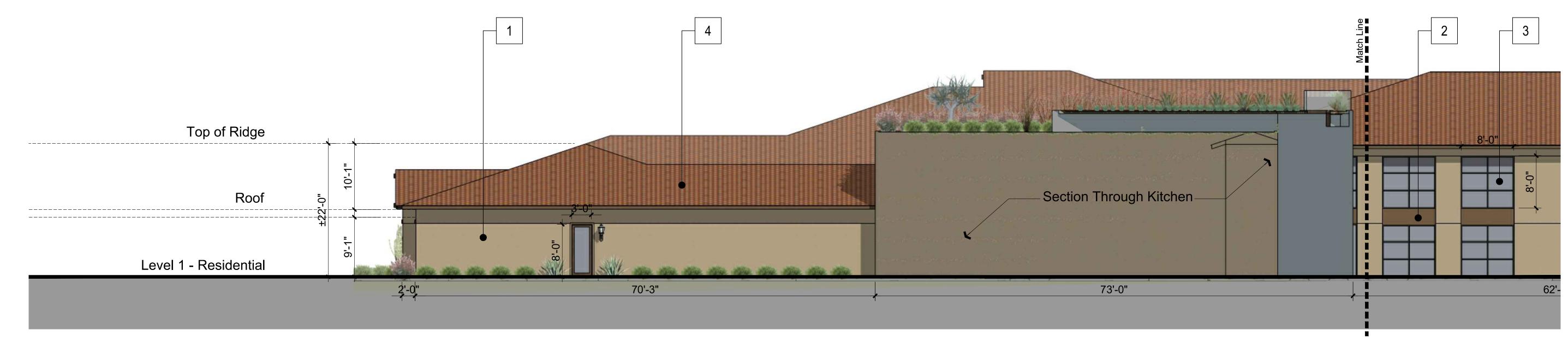




- 1. Exterior Stucco Finish Light Brown Color
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- 5. Decorative Metal Railing Gray Color
- 6. Wood Awning Structure Medium Brown Color
- 7. Decorated Window Header Dark Brown Color



Keymap - n.t.s.



6. AL/MC Building - East Elevation



6. AL/MC Building - East Elevation

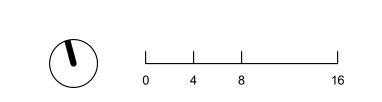
Note: Refer to Landscape Drawings for proposed landscape design.

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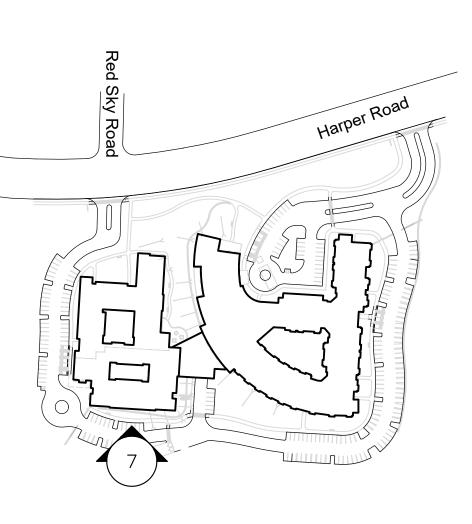
HARPER ROAD SENIOR LIVING ALBUQUERQUE, NM # 2017-0235

SEPTEMBER 14, 2017

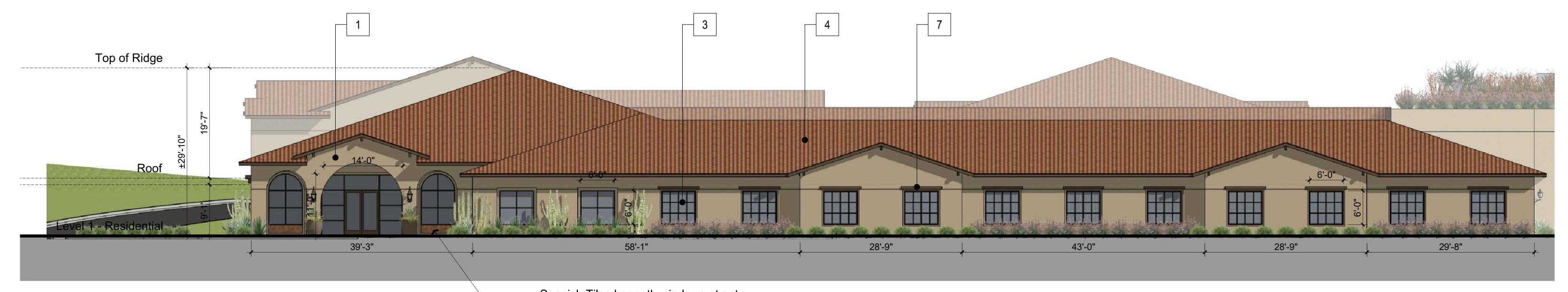


**ELEVATIONS** 

- 1. Exterior Stucco Finish Light Brown Color
- 2. Exterior Stucco Finish Medium Brown Color
- 3. Exterior Glazing
- 4. Clay/Concrete Roof Tile Red Color
- 5. Decorative Metal Railing Gray Color
- 6. Wood Awning Structure Medium Brown Color
- 7. Decorated Window Header Dark Brown Color



Keymap - n.t.s.



Spanish Tiles beneath windows at entry

7. AL/MC Building - South Elevation

Note: Refer to Landscape Drawings for proposed landscape design.

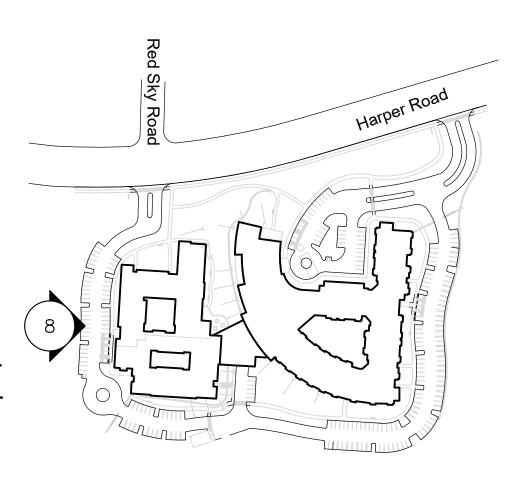
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- 1. Exterior Stucco Finish Light Brown Color
- 2. Exterior Stucco Finish Medium Brown Color
- 3. Exterior Glazing
- 4. Clay/Concrete Roof Tile Red Color
- 5. Decorative Metal Railing Gray Color
- 6. Wood Awning Structure Medium Brown Color
- 7. Decorated Window Header Dark Brown Color



Keymap - n.t.s.



8. AL/MC Building - East Elevation



8. AL/MC Building - East Elevation

Note: Refer to Landscape Drawings for proposed landscape design.

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9. Trash/Storage Building - North Elevation



11. Trash/Storage Building - South Elevation

Note: Refer to Landscape Drawings for proposed landscape design.



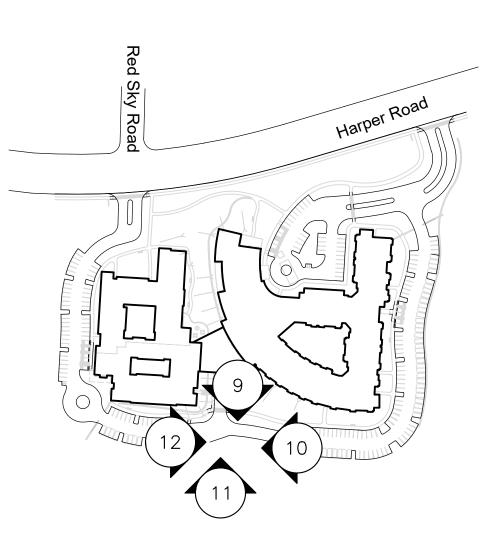
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ALBUQUERQUE, NM # 2017-0235

SEPTEMBER 14, 2017

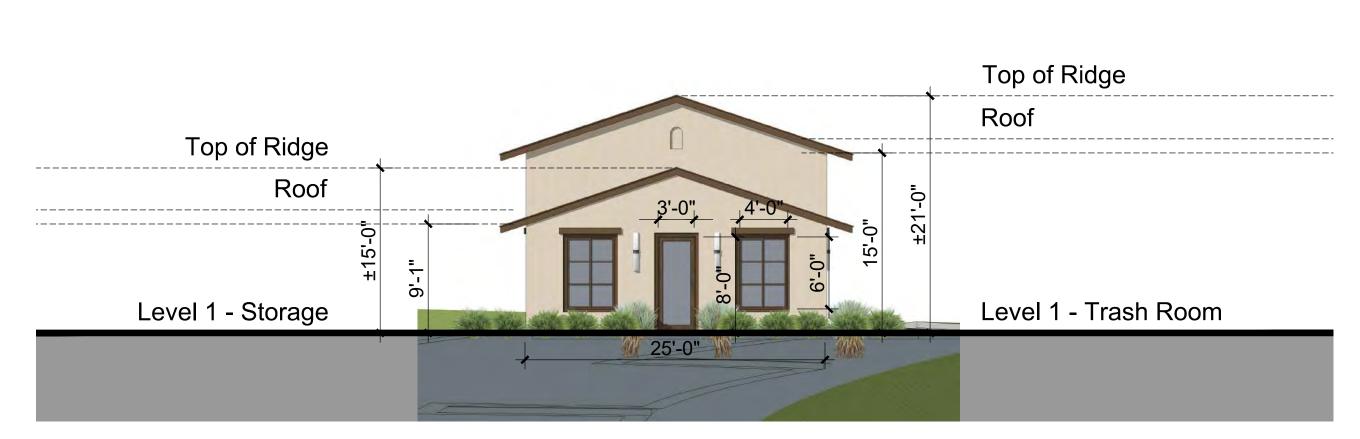
# Material Legend

- 1. Exterior Stucco Finish Light Beige Color
- 2. Exterior Stucco Finish Dark Beige Color
- 3. Exterior Glazing
- 4. Clay/Concrete Roof Tile Red Color
- 5. Metal Garage Door Dark Beige

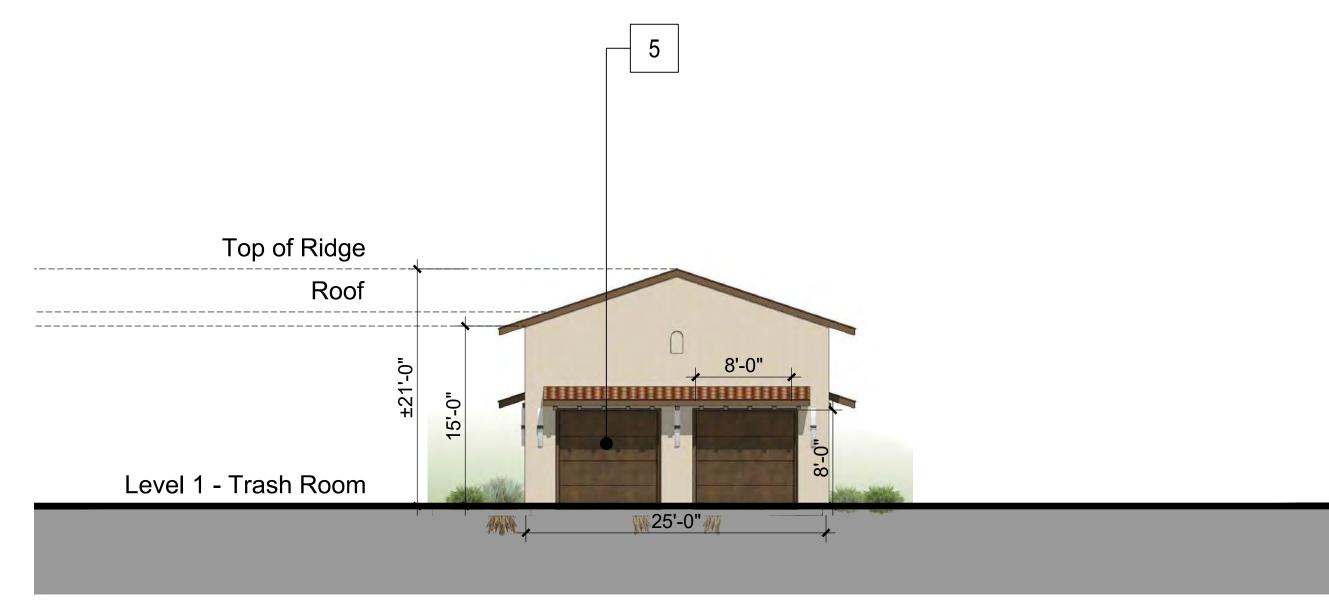
Note: The Trash Compactor servicing the whole project will be located in this structure.



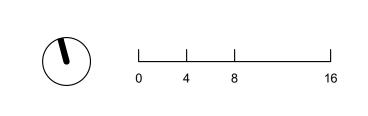
Keymap - n.t.s.



10. Trash/Storage Building - East Elevation

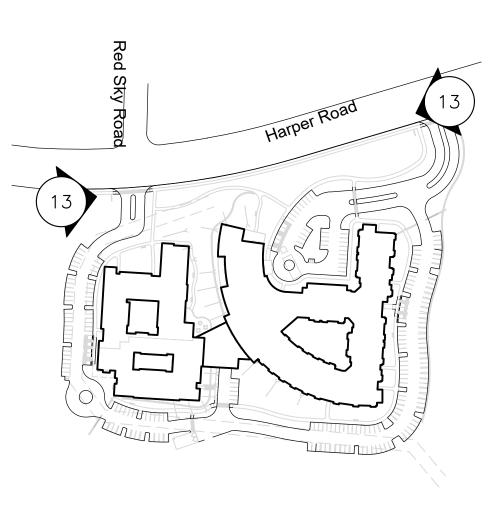


12. Trash/Storage Building - West Elevation

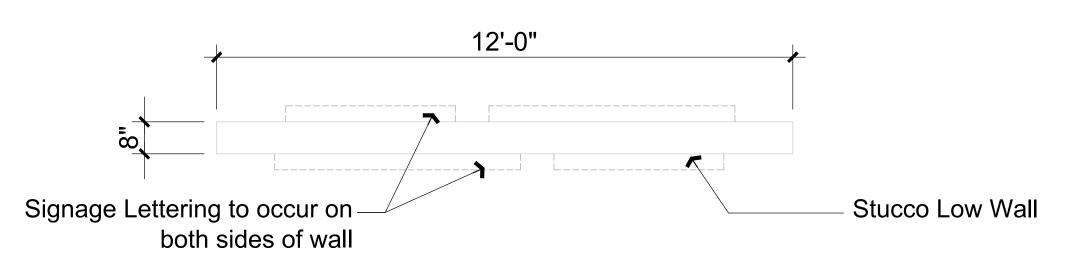


**ELEVATIONS** 

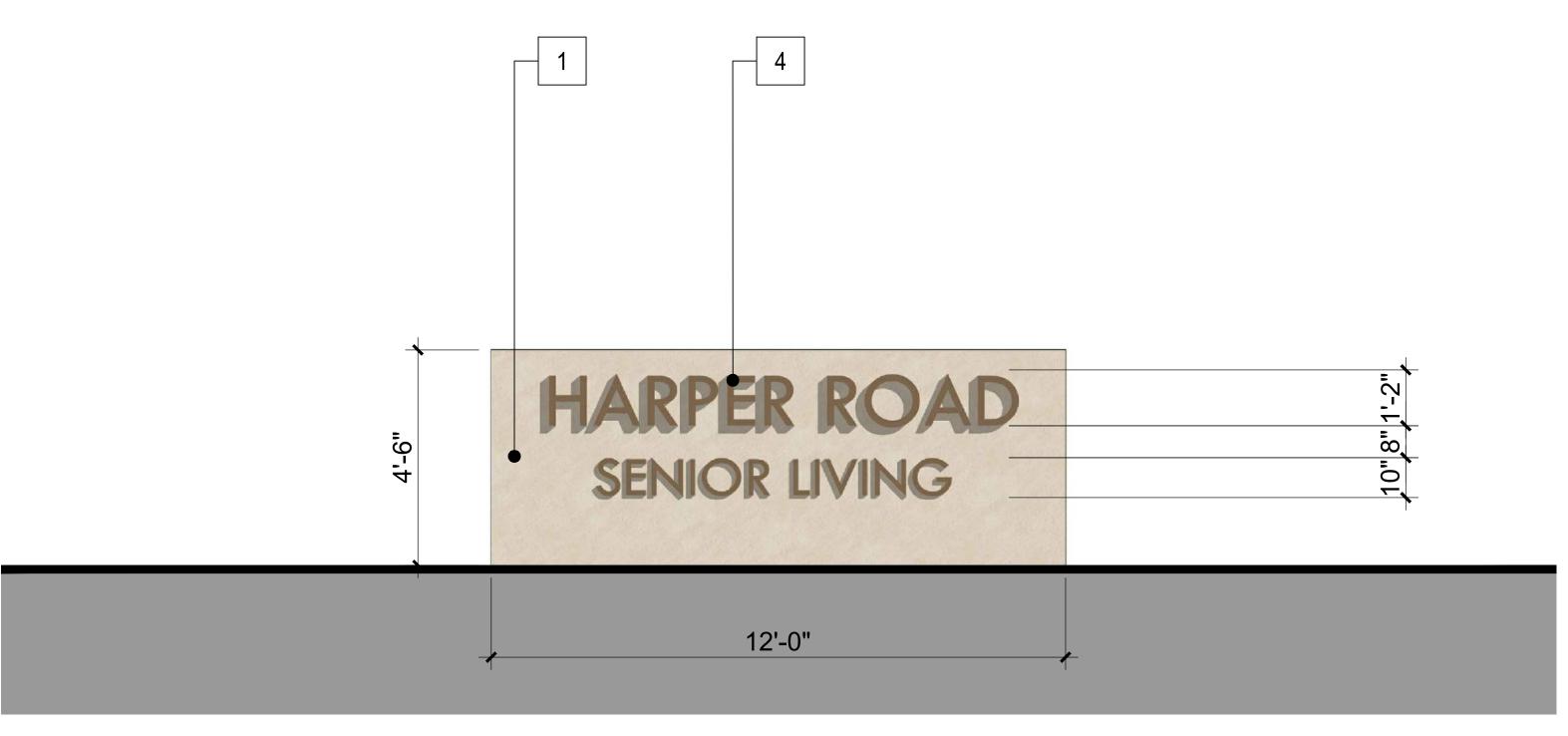
- 1. Exterior Stucco Finish Light Beige Color
- 2. Metal Signage Lettering Dark Beige Color



Keymap - n.t.s.



Monument Signage - Plan View



13. Monument Signage - Elevation

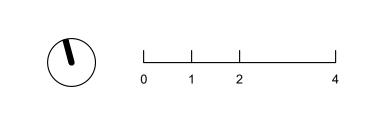


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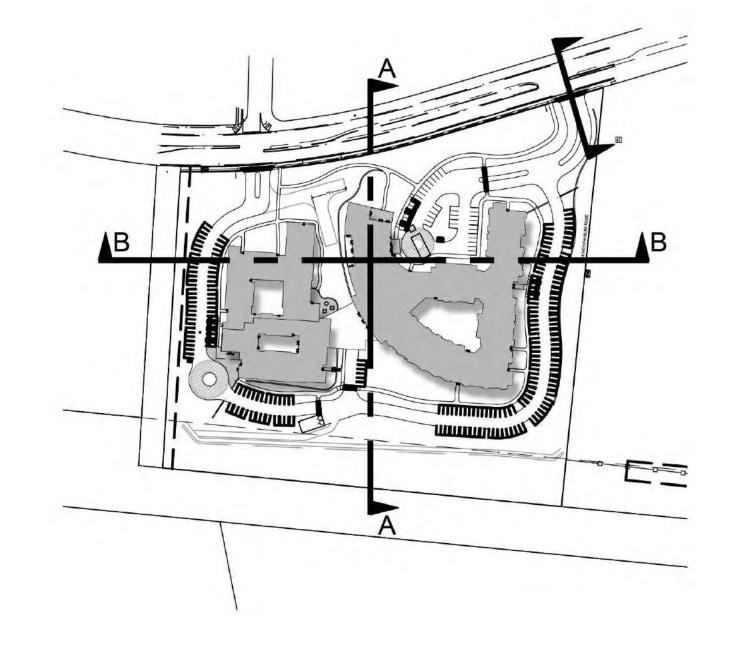
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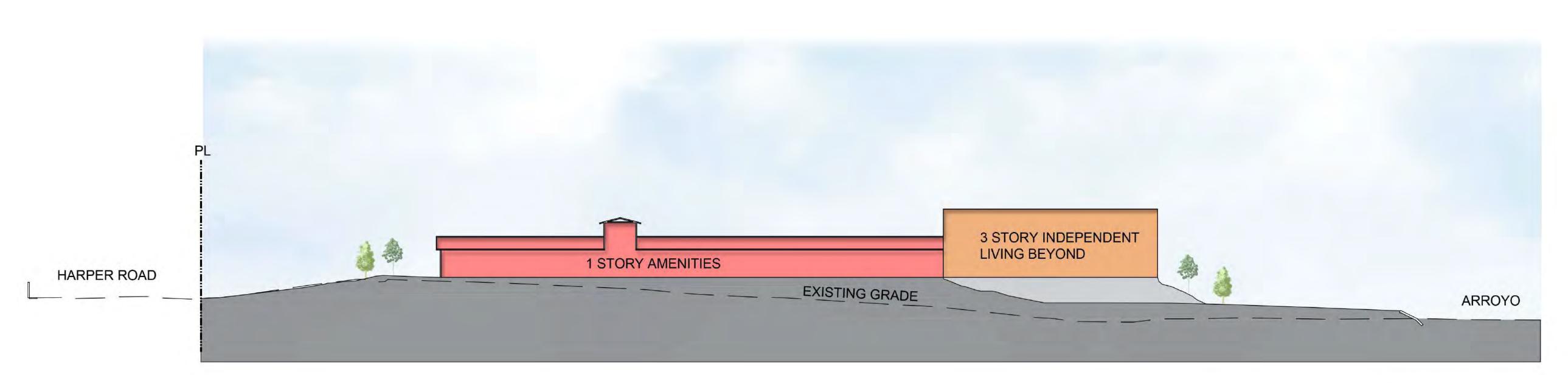
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SEPTEMBER 14, 2017



**ELEVATIONS** 





Section A



Section B



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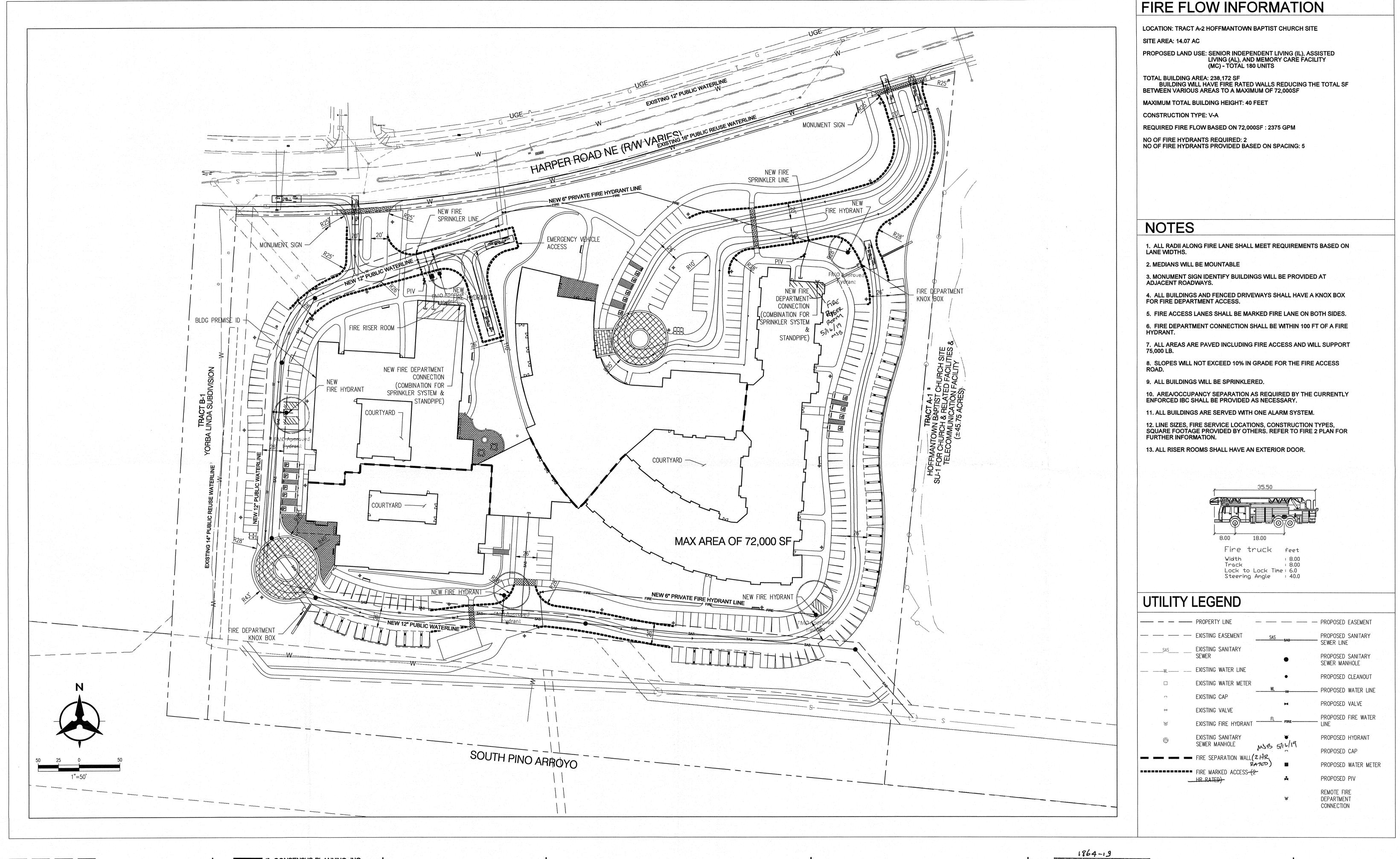
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ALBUQUERQUE, NM # 2017-0235

0 15 30

CONCEPTUAL SITE SECTIONS



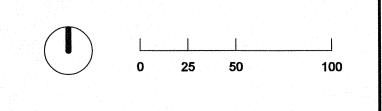


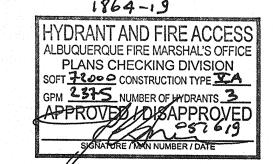
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FIRE ONE PLAN APRIL 29, 2019

F-01

Project No.  Figure 12  Date Site Plan for Bld Date Site Plan for Substite Plan for Bld Date Site Plan for Substite Plan	b. Approved:	
Figure 12  INFRASTRUCTURE LIST  EXHIBIT 'A'  TO SUBDIVISION IMPROVEMENTS AGREEMENT  DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  HARPER SENIOR CENTER SITE PLAN FOR BUILDING PERMIT APPROVAL	Plat Approved:	
INFRASTRUCTURE LIST  EXHIBIT 'A'  TO SUBDIVISION IMPROVEMENTS AGREEMENT  DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  HARPER SENIOR CENTER SITE PLAN FOR BUILDING PERMIT APPROVAL		
EXHIBIT 'A'  TO SUBDIVISION IMPROVEMENTS AGREEMENT  DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  DRB Project No	Plat Expires:	
EXHIBIT 'A'  TO SUBDIVISION IMPROVEMENTS AGREEMENT  DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  DRB Project No.  HARPER SENIOR CENTER SITE PLAN FOR BUILDING PERMIT APPROVAL	THE ENDINGS	
HARPER SENIOR CENTER SITE PLAN FOR BUILDING PERMIT APPROVAL	$\leftarrow$	
TRACTS A-2 HOFFMANTOWN BAPTIST CHURCH SITE		
Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revising approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during conwhich are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.	sions require	
SIA COA DRC Size Type of Improvement Location From To Private Sequence # Project # Inspector	City Inspector	City Cnst Engineer
PUBLIC ROADWAY IMPROVEMENTS		
6' SIDEWALK 6' SIDEWALK ALONG HARPER RD TRACT A-2 FRONTAGE EXISTING SIDEWALK ON WESTERN PROPERTY INDICATE TRACT A-1 LINE OF TRACT A-2		
	<u> </u>	
ABCWUA IMPROVEMENTS		
EX. 10" DIA REMOVAL OF EXISTING SANITARY TRACT A-2 ARROYO HARPER ROAD		1
EX. 12" DIA REMOVAL OF EXISTING WATERLINE TRACT A-2 ARROYO HARPER ROAD		<u> </u>
NEW 10" DIA NEW SANITARY SEWER W/ NEC. TRACT A-2 ARROYO HARPER ROAD /		
NEW 28' F-F WATERLINE W/ NEC, VALVES TRACT A-2 ARROYO HARPER ROAD    HARPER ROAD		
		· - t -

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		DRAINAGE IMPROV	EMENTS						
		BANK STABILIZATION	BANK STABILIZATION ALONG ARROYO	TRACT A-2	EASTERN PROPERTY LINE	WESTERN PROPERTY LINE		- J	
		LOMR	ADJUST FLOOD PLAIN ENCROACHING ONTO DEVELOPMENT	ALONG PINO ARROYO	EASTERN PROPERTY LINE	WESTERN PROPERTY LINE			- 1
								- 1	- 1
			I FOR THE BENEFIT OF THE CITY OF ALB	VIOLENO AND ANALOS T	ACCEPT THEIR FACILITIES				\ <u>= F</u>
***************************************		WILL BE GRANTED	DURING THE DEPERT OF ALE	***************************************	***************************************		***************************************	************	***************************************
	AGENT/OWNER	3		DE	VELOPMENT REVIEW BOARD MI	EMBER APPROVALS			
MICHAEL J. BALA PREPARED BY: F		4/23/2019 DATE	DRB CHAIR		DATE	PARKS	& RECREATION		DATE
BOHANNAN HUS	TON, INC.		TRANSPORTATION DEV	ELOPMENT	DATE		AMAFCA		DATE
SIGNATURE MAXIMUM TIME A	LLOWED TO CONS	STRUCT	ABCWUA		DATE	CODE	ENFORCEMENT		DATE
IMPROVEMENTS	WITHOUT A DRB E	XTENSION	CITY ENGINEE	R	DATE	-			DATE
***************************************	***************************************	***************************************		DESIGN REVIEW COMMIT	EE REVISIONS	***************************************	***********	***********	***********
REV	ISION	DATE	DRC CHAIR		USER DEF	PARTMENT	1	AGENT/OWNE	ER
			1.2						