AGENDA
Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
June 13, 2019, at 3:00 p.m.

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Call Meeting to Order</td>
</tr>
<tr>
<td>2</td>
<td>Approval of the Agenda</td>
</tr>
<tr>
<td>3</td>
<td>Approval of the Minutes of the May 30, 2019 P&amp;Z Meeting</td>
</tr>
<tr>
<td>4</td>
<td>Petition No. SUP 19-46 – a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center (group care facility) in the OP, Office Professional District, for property located at 2670 Piñon Frontage Road. (Helen Landaverde)</td>
</tr>
<tr>
<td>5</td>
<td>Business from:</td>
</tr>
<tr>
<td></td>
<td>Floor:</td>
</tr>
<tr>
<td></td>
<td>Chairman:</td>
</tr>
<tr>
<td></td>
<td>Members:</td>
</tr>
<tr>
<td></td>
<td>Staff:</td>
</tr>
<tr>
<td>6</td>
<td>Adjournment</td>
</tr>
</tbody>
</table>

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, June 25, 2019.

ATTENTION PERSONS WITH DISABILITIES:
The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.
COMMUNITY DEVELOPMENT
PETITION REPORT
Petition SUP 19-46 Special Use Permit to allow for an inpatient treatment center (group care facility) at 2670 Piñon Frontage Road in the OP, Office Professional

A. STAFF REPORT, June 13, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Life Choices LLC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Christiana Greene</td>
</tr>
<tr>
<td>Date of Application</td>
<td>May 14, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Approval of a special use permit to allow for an inpatient treatment center (group care facility), in the OP, Office Professional District.</td>
</tr>
<tr>
<td>Location</td>
<td>2670 Piñon Frontage Road</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>OP, Office Professional</td>
</tr>
<tr>
<td>Surrounding Zoning &amp; Land Use</td>
<td>North: OP, Office Professional /undeveloped</td>
</tr>
<tr>
<td></td>
<td>South: RA, Rural Agricultural/institutional (San Juan Community College)</td>
</tr>
<tr>
<td></td>
<td>East: OP, Office Professional /commercial</td>
</tr>
<tr>
<td>Notice</td>
<td>Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday, May 26, 2019. Property owners within 100 feet were sent notice by certified mail on Tuesday, May 21, 2019 and a sign was posted on Friday, May 31, 2019.</td>
</tr>
<tr>
<td>Staff Planner</td>
<td>Helen Landaverde, Associate Planner</td>
</tr>
</tbody>
</table>

STAFF ANALYSIS

Background
The applicant is requesting a Special Use Permit to allow for an inpatient treatment center (group care facility), Life Choices Chemical Health Services, at 2670 Piñon Frontage Road in the OP, Office Professional District. Pursuant to UDC 2.3 Use Table, Group Care Facilities are allowed in the OP District with approval of a Special Use Permit.
San Juan County Tax Assessor's records show that the size of the subject property (parcel R0055325) is 7.5 acres and is owned by The Benevolent and Protective Order of Farmington Elks, Lodge 1747. The applicant is proposing to develop the eastern portion of the property, 2.5 acres north of Piñon Frontage Road (see Figure 1), created through a Warranty Deed in 1988 (see attachment).

The subject property (previously BLM land) was annexed into the City in 1995 and has not been platted with the City. A zone change (Petition No. 1669) from R-S2, Suburban Residential to OP, Office Professional and a Special Use Permit (Petition No. 1669) for a club liquor license was approved by City Council on September 22, 1998, subject to the following:

a) the building height being limited to 35 feet or less;

b) submittal of a drainage plan with installation of a retention pond and/or a storm drain being proposed to the satisfaction of the City Engineer prior to issuance of a building permit;

c) the Pinon Hills Boulevard frontage road being improved with a minimum 24-foot wide strip of paving meeting City specifications, from the west edge of the site to existing paving near the southeast corner of the subject property; and

d) any exterior lighting being installed in such a manner that no direct light or glare shall be directed off site.

The special use permit for Petition 1669 expired on September 9, 2003. In 2003 City Council approved Petition 2006, another Special Use Permit for a club liquor license with a waiver to Farmington City Code Section 27-27-4(c) to begin the allowed use within five years. The subject property is currently undeveloped and the special use permit for Petition 2006 has expired.
Life Choices Chemical Health Services is a co-occurring Rule 31 Chemical and Mental Health outpatient clinic licensed by the state of Minnesota. Life Choices treats substance abuse disorders and mental health disorders to individuals and families. They are currently located in Brooklyn Center, Minnesota and would like to open a treatment center in Farmington to provide services for clients in the surrounding Navajo Nation. Services are paid by the state through federal funds and by insurance companies.
Proposal
Life Choices Chemical Health Services proposes to construct a new facility; a one story building measuring approximately 20,000 ft.\(^2\). The applicant is proposing the following for the treatment center (see Figure 2):

- 30 rooms; each room will have one (1) bathroom and two (2) beds;
- Five (5) large conference rooms;
- A visiting area;
- Kitchen and dining room;
- Meditation room;
- Movie room;
- Reading Library;
- Storage rooms;
- Janitor closet;
- Additional bathrooms; and
- 16 offices for 16 on-site staff members.

Figure 2. Proposed Floor Plan
Parking

Pursuant to the UDC 5.2.3 *Minimum off-street parking requirements* the proposed use requires a minimum of 2.0 parking spaces per dwelling unit plus one space per employee (see Table 1).

<table>
<thead>
<tr>
<th>UDC 5.2.3 Minimum off-street parking requirements</th>
<th>Minimum number of space required</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0 per dwelling unit plus 1 per employee</td>
<td>30 rooms = 60 spaces</td>
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<tr>
<td></td>
<td>16 employees = 16 spaces</td>
</tr>
<tr>
<td><strong>Total minimum off-street parking</strong></td>
<td><strong>76 spaces</strong></td>
</tr>
</tbody>
</table>
Hours of Operation and Procedures
Inpatient treatment will be 24 hours. The outpatient treatment will be from Monday to Friday 9:00 a.m. – 6:00 p.m. According to the applicant, the average length of stay for inpatient clients will be from 90 days to 120 days; however, length of stay will be determined by the patient's treatment plan.

The treatment center will not have curfew hours; clients are not allowed to leave the premises without being accompanied by a staff member. Clients will be accompanied by staff for medical appointments and/or court appointments. Life Choices Chemical Health Services will maintain daily electronic records of sign-ins and sign-outs for each client.

Life Choices Chemical Health Services will not administer medications, but will provide storage lockers for the clients' medications. The clients will be responsible for administering their own medications. There will be a registered nurse (RN) on staff to monitor the intake of medications.

Visiting Hours
The proposed treatment center will have a visiting lounge for the clients' visitors. Visitors will not be allowed in the living quarters. The visiting hours will be Saturday and Sunday 12:00 p.m. to 6:00 p.m. and there will be 24 hours security to oversee visitors and visiting hours.

Consistency with the Comprehensive Plan
The applicant's proposed special use permit promotes and facilitates the City's Housing goals and objectives of the Comprehensive Plan for alternative housing:

"Goal: Promote quality, affordable, and safe housing that meets the needs of the community and assure implementation of sound standards for orderly development and growth."

"Objective 7.1: Provide for a variety of housing options, including traditional subdivisions and mixed use developments, to accommodate housing needs of all residents in Farmington including the elderly, disabled, students, and low-income residents."

Additionally, the proposed use supports one of the priorities of the City's Economic Development Plan, core goals of the Comprehensive Plan:

4. Businesses and industries that produce goods or services locally, for distribution within the region to displace imported goods and services².

A Special Use Permit for an inpatient treatment center (group care facility) in the OP District is consistent with the Comprehensive Plan.

Consistency with HUD Fair Housing Act

Furthermore, the proposed use facilitates the implementation of the Department of Housing and Urban Development's (HUD) Fair Housing Act\(^3\) intended to increase housing opportunities for people with disabilities. The Fair Housing Act applies to municipalities and other local government entities and prohibits zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons.

Moreover, Section 504, Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities "solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency ..."\(^4\)

Consistency with the Piñon Hills Boulevard Corridor Plan (PHBCP)
The PHBCP recommends Institutional for the subject property (see Figure 4).

Figure 4. Piñon Hill Boulevard Corridor Plan

Municipal Code

The Municipal Code Chapter 22 Article 7 Section 22-7-5 prohibits discrimination of "the development, construction, occupancy and operation of an affordable housing program or an affordable housing project financed or assisted under the Act..."


UDC
Pursuant to UDC 8.9.6 *Expiration of approval*, “The city council may extend the special use permit for up to five years upon written request from the applicant...”

Special Use Permit Criteria – Section 8.9.4 of the UDC

Section 8.9.4 of the UDC sets forth the criteria for review of a special use permit. The section states that an SUP may be approved where it is reasonably determined that there will be no significant negative impact upon residents of surrounding property or upon the public. Criteria are listed as follows:

A. **Effect on environment**: The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, not be substantially or permanently injurious to the neighboring property.

   The proposed inpatient treatment center is permitted with an approved special use permit in the OP District. It is not anticipated that the proposed use will be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor will it be injurious to the neighboring property.

Piñon Frontage Road is mostly undeveloped and the proposed inpatient treatment center is compatible with other local services, commercial and institutional uses, along Piñon Hills Boulevard.

B. **Compatible with surrounding area**: The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with relationship to scale, height, landscaping and screening and density.

   The applicant has submitted a site plan. The proposed inpatient treatment center is compatible and is in harmony with the character of the surrounding area. The uses along Piñon Hills Boulevard are commercial and institutional uses. Additionally, Piñon Frontage Road is mostly undeveloped. The applicant is proposing to provide local services, inpatient treatment, in the City of Farmington.

   Any future development, redevelopment, and demolition will need to meet established requirements of the zone district and off-street parking regulations.

C. **External impacts minimized**: The proposed use shall not have negative impacts on existing uses in the area and in the city through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to the impacts.
Any future development, redevelopment, and demolition will need to meet established requirements of the district. Improvements and/or development on the subject property will require submission of building plans that are consistent with all of the City’s current building and fire standards and/or other agency permits for review and approval prior to site improvements and/or development.

The applicant is required to mitigate any adverse impacts to the area.

D. **Infrastructure impacts minimized:** The proposed use shall not have negative impacts on existing uses in the area and in the city through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

Any future development, redevelopment, and demolition will need to meet established requirements of the district.

E. **Consistent with the UDC and Comprehensive Plan:** The proposed use will be consistent with purposes of this UDC, the Comprehensive Plan, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses otherwise permitted in the zone in which it is located.

Although the PHBCP recommends Institutional, the proposed zone change supports the Comprehensive Plan (Housing and Economic Development chapters) as it encourages alternative housing and local services. A Special Use Permit for a group care facility in the OP, Office Professional District is consistent with the UDC and the Comprehensive Plan.

F. **Parcel size:** The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

N/A

G. **Site Plan:** The proposed use shall be required to comply with the site plan review procedures and standards of Section 8.5, site plan review, as specified.

The applicant provided a site plan that conforms to the standards of Section 8.5 (see attachment).

**STAFF CONCLUSION**

Staff concludes approval of SUP 19-46 is appropriate. Staff has determined that the proposed group care facility (treatment center), services, and program are designed in a manner that provides a safe and stable environment for its clients and future residents.
Staff does not anticipate any adverse effects on the surrounding area due to the proposed use.

STAFF RECOMMENDATION

The Community Development Department recommends approval of Petition SUP 19-46, a request from Life Choices Chemical Health Services, for a special use permit to allow for a group care facility (treatment center) at 2670 Piñon Frontage Road in the OP, Office Professional District and with conditions:

1. The applicant will be required to submit a summary plat application and/or proof of Lot of Record for building permits prior to development/site work on the property. Lots may have previously been created via the 1938 Small Tract Act.

2. Prior to any construction for the group care facility (treatment center), the applicant shall submit building plans that are consistent with all of the City's current building and fire standards and/or other agency permits for review and approval prior to site work.
Street view of subject property
Unified Development Code 2.4.25

2.4.25 Group care facilities. (Residential land use categories; congregate living).

Group care facilities shall comply with the standards of this section.

A. Care may be provided for more than eight adults or 12 minors; and more than eight adults, including 24-hour caregivers, may reside in any group care facility.

B. City Council may increase occupancy limits where the square footage of the building, lot size, sanitary facilities, traffic impacts, and similar factors warrant increased occupancy.

C. Applications for group care facilities shall include:
   (1) A site plan prepared in accordance with the requirements of section 8.5 shall be approved and filed with the findings of fact and conclusions of law as part of the approval;
   (2) Detailed plan of operation showing proposed hours, number of residents, number of staff and number of 24-hour equivalent staff, lighting and other similar components which could impact neighboring uses;
   (3) Demonstration that a group care home will not be used for purposes other than serving the residents except for normally allowed uses in the district in which the use is located; and
   (4) Off-street parking plan in accordance with the provisions of section 5.2.

D. Applications for permission to construct or operate a group home shall be accompanied by copies of all valid permits required by the State of New Mexico. If such permit cannot be obtained prior to the time of application, the application shall be accompanied by a report from the applicable licensing agency stating the licensing requirements and an explanation of how the applicant intends to meet these requirements. Any approval may be conditioned upon approval by the appropriate state agency.

E. All group care facilities shall have direct access to a dedicated public street.

F. All group care facilities shall comply with applicable state requirements for the location of such facilities and the minimum square feet of safe, outdoor recreation area and usable floor area for every person that the assisted living facility or nursing home is licensed to accommodate.

G. The applicant must demonstrate adequate access and circulation for police, fire, ambulance and other emergency vehicles and must prominently display the street address. Increases in traffic above the allowed uses in the zoning district may not impact the safety of abutting landowners.

H. The city may impose other conditions that it deems necessary and appropriate to safeguard the public health, safety and welfare and as may be imposed to limit any adverse effect on adjacent properties as a result of the proposed use including a provision that the special use permit may be revoked, after notice and hearing, for un-remedied material violations of any such conditions.

I. For purposes of this section, a 24-hour equivalent care provider shall be a single provider residing in the facility or a number of providers who together
provide coverage totaling 24 hours. Such care providers may be housed on-site.

J. Services shall be provided to persons who, because of mental or physical disability, addiction to drugs, alcohol, incarceration, or family/school problems, require specialized attention and care to achieve personal independence.
CITY COUNCIL MEETING 09/22/98

RECOMMENDATIONS FROM THE LIQUOR HEARING OFFICER:

1. Approval of application for the transfer of ownership and transfer of location of Liquor License No. 0987/10313 from Southwest Hotels, Inc., 600 East Broadway, Farmington, New Mexico, proposing a transfer of ownership and transfer of location from Chama Valley Inn, doing business as Banding From, State Highway 17, Chama, New Mexico to Southwest Hotels, Inc., to do business as Holiday Inn, 600 East Broadway, Farmington, New Mexico. (Hearing held September 9, 1998)

2. Approval of application for the transfer of ownership and transfer of location of Liquor License No. 0987/10313 from Dial Oil Company, 424 North Mesa Verde, Aztec, New Mexico, proposing a transfer of ownership and transfer of location from Southwest Hotels, Inc., 600 East Broadway, Farmington, New Mexico to Dial Oil Company to do business as Sundial Inn, 2615 East Main Street, Farmington, New Mexico. (Hearing held September 9, 1998)

AUTHORIZATION for Community Development Department staff to prepare a response to the FY 1998 RMC Continuous Request for Proposals for Homeowner Modification Funds, and to authorize the Mayor to sign a letter of support.

STREET NAME ASSIGNMENT of "Collibri Place" for the unnamed street located within the city limits, west of the end of the pavement at the northern end of Foothills Drive in Section 16, Township 30 North, Range 12 West.

ADOPTION OF RESOLUTION No. 98-525 adopting an Infrastructure Capital Improvements Plan (ICIP).

Councilman Nasreen requested that the bid for purchase of automatic meter reading equipment and the bid for purchase of electrical materials be removed from the Consent Agenda.

Motion made by Councilman Nasreen, seconded by Councilman Fischer to approve the Consent Agenda with the exception of the bid for purchase of automatic meter reading equipment and the bid for purchase of electrical materials, and upon voice vote the motion carried unanimously.

UNFINISHED BUSINESS

RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND PUBLIC HEARING:

1. Petition No. 1689 from the BPDF (Elks Lodge No. 174), represented by Jerry Laquey, which requests approval of a zone change from the R-2d, Suburban Residential, District to the O-F, Office, Professional, and Institutional, District, for the property located in the 2500 block of the Foothills Boulevard frontage road, subject to:

   (a) the building height being limited to 35 feet or less;
   (b) submission of a drainage plan with installation of a retention pond and/or a storm drain being proposed to the satisfaction of the City Engineer prior to issuance of a Building Permit;
   (c) the Foothills Boulevard frontage road being improved with a minimum 25-foot wide strip of paving meeting City specifications, from the west edge of the site to existing paving near the southeastern corner of the subject property; and
   (d) any exterior lighting being installed in such a manner that no direct light or glare shall be directed off site.

Long Range Planner Mike Sullivan reported that a motion upon the requested zone change was tabled at the regular City Council meeting of September 9, 1998 and that a 3/4 vote of the City Council will be required to approve the zone change since the owners of 20 percent or more of the property within 100 feet of the area under consideration have submitted written protest.
CITY OF FARMINGTON
FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL DECISION
PETITION 2006 - SPECIAL USE PERMIT

REQUEST:
Petition 2006 is a request from Mr. Gordon Dalen representing Elk's Lodge 1747 for a Special Use Permit (SUP) for a club liquor license for property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive.

PUBLIC PARTICIPATION:
A. Notice was published in the Daily Times on Wednesday, October 15, 2003. Certified notification letters were mailed on Friday, October 17, 2003 to owners of property within 100 feet of the proposed site. A sign was posted on the property on Friday, October 17, 2003.
B. The Planning and Zoning Commission conducted a public hearing on this request on Thursday, October 30, 2003. Mr. Gordon Dalen spoke in favor of the petition.

SUMMARY OF RELATED FACTS:
A. The Property
   Location
   Physical Characteristics
   Existing Land Use
   Existing Zoning

B. Surrounding Zoning and Land Use
   North
   East
   South
   West

C. Description of Proposed Activity
The request is approval of a five year extension of a special use permit for a club liquor license.
FINDINGS:
A. Elk's Lodge 1747 is the titled owner of the subject property in the 2500 block of Piñon Hills Frontage Road.
B. On September 9, 1998 the City Council approved Petition 1669 requesting a zoning change from R-S2, Suburban Residential District to O-P, Office, Professional and Institutional District and a special use permit for a club liquor license.
C. Special Use Permit 1669 expired on September 9, 2003, as the Elk's Lodge failed to use the permit within the extended five year period.
D. A private club or lodge such as the Elk's Lodge is a use permitted by right in the O-P district. A club liquor license is necessary to serve alcohol.
E. The petitioner lacks a plan or timetable for the construction of a building in which to house the license.

COMMISSION ACTION:
Motion was made by Commissioner Wimsatt and seconded by Commissioner Simpson to approve Petition 2006, from Elk's Lodge 1747 for a five-year Special Use Permit (SUP) for a club liquor license on property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive.

AYE: Commissioners Kuchera, Memror., Moffett, Simpson, Wimsatt and Chairman Shields
NAY: None
ABSTAINED: None
ABSENT: Commissioners Kysar and Williams

The motion passed (5-0).

COUNCIL ACTION:
On November 11, 2003, the City Council, by a vote of four (4) in favor, none (0) opposed, adopted the Planning and Zoning Commission Action Summary and approved Petition No. 2006 a request from a request from Mr. Gordon Daken representing Elk's Lodge 1747 for a Special Use Permit (SUP) for a club liquor license for property located on the north side of the Piñon Hills Boulevard frontage road, approximately 600 feet west of Los Arcos Drive with a waiver of Farmington City Code Section 27-27-4(c) to allow five years in which to begin the allowed use.

Approved this 11th day of November 2003

[Signature]
William E. Standley, Mayor
PLANNING MEMO COMMENTS SUMMARY  
SUP 19-46 2670 PINON FRONTAGE ROAD  
Deadline: 5/28/19

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
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</thead>
<tbody>
<tr>
<td>CD Director</td>
<td></td>
</tr>
<tr>
<td>CD Addressing – Planning Division</td>
<td></td>
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<tr>
<td>CD Chief Building Official – D. Childers</td>
<td>No comment</td>
</tr>
<tr>
<td>CD Long Range Planner</td>
<td></td>
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<tr>
<td>CD MPO</td>
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<tr>
<td>CD Oil &amp; Gas Inspector – L. Simms</td>
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<tr>
<td>CITY City Manager’s Office – J. Baird</td>
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<tr>
<td>ELEC Customer Care Manager – L. Richardson</td>
<td></td>
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<tr>
<td>ELEC Electrical Engineering – L Aligarbes</td>
<td>No comment</td>
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<tr>
<td>ELEC T &amp; D – R. Romero</td>
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<tr>
<td>FIRE Fire Captain – K. Rix</td>
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<td>FIRE Fire Marshall – B. Vega</td>
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<tr>
<td>LEGAL City Attorney – J. Breakell</td>
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<tr>
<td>LEGAL Deputy City Attorney – E. Wayne</td>
<td>No comment</td>
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<tr>
<td>POLICE Code Compliance – M. Romero</td>
<td>No comment</td>
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<tr>
<td>POLICE Sergeant – P. Flores</td>
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<tr>
<td>PRCA S. Reeves/ R. Crosby</td>
<td>No comment</td>
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<tr>
<td>PRCA ORII – C. Styron</td>
<td>No comment</td>
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<tr>
<td>PW City Engineer – N. Westerling</td>
<td></td>
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<tr>
<td>PW Engineering – T. Sitta</td>
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<tr>
<td>PW Submittal of a drainage plan with installation of a detention pond and/or a storm drain being proposed to meet the supplemental drainage requirements of the City Unified Development Code (UDC) prior to the issuance of a building permit; and</td>
<td></td>
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<tr>
<td>PW The Pinon Frontage Road may be required to be improved with a minimum of 24-feet wide strip of paving meeting City specification, from the west edge of the site to existing paving near the southeast corner of the subject property.</td>
<td></td>
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<tr>
<td>PW (See prior development requirements for</td>
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| PW | Streets Superintendent | this property per the Petition No 1669 – Elks, O-P Zone Change and Club Liquor License) |
| PW | Traffic Engineer – I. BlueEyes | Would we require them to pave the frontage road adjacent to their property and build curb/gutter/sidewalk? I would also like to see a little more detailed site plan. I reviewed the conceptual plan attached and the driveway/access is unclear. Also, I agree with the comments on the memo about the parking lot. More detail about the parking lot would be helpful. |
| PW | Water/Waste Water – M. Tso | No comment |

**Other Entities**

<table>
<thead>
<tr>
<th>Entity</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – J. Laurence</td>
<td>No comment</td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td></td>
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<tr>
<td>Comcast Cable – M. Johnson</td>
<td></td>
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<tr>
<td>CH2MILL OMI</td>
<td></td>
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<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td></td>
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<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
ETICTION APPLICATION

Incomplete applications will not be accepted. Return completed application to:

Planning Division
Community Development Department
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

PROJECT TYPE (Check Those Applicable)

☐ Annexation and/or Zoning
☐ General Plat
☐ Preliminary Plat
☐ Final Plan
☐ Summary Plat
☐ Special Use Permit
☐ Zone Change to _______ District
☐ Temporary Use Permit
☐ Proposed Length of Use:
☐ Well Site Equipment Modification

INFORMATION

Applicant's Name: Lifechoices LLC
Address: 2670 Pinon Frontage Rd
E-Mail: julieumti@aol.com
Telephone: 612-328-4819
Relationship to Property Owner: Buyer

Project Location: 2670 Pinon Frontage Rd
Existing Use: Empty Lot
Proposed Use: Inpatient Treatment Center
Current Zoning: Office/Professional
Assessor's Parcel I.D. and/or Tax I.D. Number: TIN: 83-365-63-53

Legal Description of Subject Property: 5129 EWSW SE AND NWSW WEG 263013 BLk, 1174, 52-5

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes ☐ No ☐
If Yes, please provide copy with application.

REPRESENTATIVE/CONTACT PERSON (If other than applicant)

Name: Christiana Greene
E-Mail: julieumti@aol.com
Phone: 612-328-4819
Address: 6701 Shingle Creek Pkwy, Suite 660

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary, Specific type of ownership [Interest; Ten, Real Estate Contract, Option to Purchase])

Name: Nathan Williams
Phone: 505-360-6778
Address:

MORTGAGE HOLDERS (If any)

Name: Christiana Greene
Phone: 612-328-4819
Address: 6701 Shingle Creek Pkwy, Suite 660

OWNER CERTIFICATION

I certify that I am an owner and the information and exhibits heretofore are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of all parties in interest and understand that without the consent of all parties in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by the City Council at their first regular meeting following the PAZ review.

Name: Christiana Greene
Owner's Signature: ___________________________

Date: 3/14/19
Fee Received: 3/14/19
Project File No.: SUP 19-46 2670 Pinon
Date of Hearing/Meeting: 4/26/19

□ Staff Use Only

□ Blue Line Copies of Plans
□ Ownership Report (subject and surrounding properties)
□ Legal Description
□ Detailed Statement of Proposed Use
LIFE CHOICES
Chemical Health Services
2670 Pinon Frontage Road
Farmington, NM 87401
Tel: 763-762-6708
Fax: 763-762-6537

Wednesday, May 22, 2019

Letter of Intent to open an Inpatient/Outpatient Chemical Dependency Treatment Center

Lifechoices, LLC intends to open a Rule31 Chemical and Mental Health Inpatient and Outpatient Clinic, Farmington, New Mexico. Lifechoices mission is to provide a safe, caring, and therapeutic environment for those suffering from drug and alcohol addiction. We provide a customized, and patient-centered treatment approach that promotes long-term recovery. With the flexibility of services, our programs help get the client’s life back on track and to remain within a supportive family and community environment.

Lifechoices, LLC purposed location will be 2670 Pinon Frontage Road, Farmington, NM 87401.

The purpose of Lifechoices LLC is to provide Inpatient and Outpatient substance use treatment, comprehensive assessments, peer support, and care coordination to men and women age 18 and older, who meet the criteria for substance abuse disorders, and may have a co-occurring disorder in mental health. We will also provide a continuum of behavioral health, substance abuse and Mental Health services, to individuals and families in the New Mexico area, to improve the quality of their lives, and empower clients to participate in their communities at their highest level of functioning. The program goal is to help each individual function independently in the community, without further chemical health problems and find their path to recovery.

Lifechoices, LLC seeks to address the whole person, and to provide a bridge to recovery. We know that there are many pathways to recovery. We provide clients the resources to support, and to navigate systems and factors that interfere with recovery such as addiction, homelessness, mental health issues, relationship problems, legal issues, living environment and strategies for dealing with stress in daily living.

The overachieving purpose, is to help people improve the quality of their lives by providing these services.
We are therefore requesting a special use permit, for this proposed facility, so we can prepare for licensing.

USE OF PROPOSED SPACE

The proposed space will have 30 rooms of living space. Each equipped with a bathroom, and 2 beds. There will also be 5 large conference rooms for groups, a visiting area, a kitchen and dining room, a meditation room, a movie room, a reading library, Bathrooms, storage rooms and Janitor closet. There
will also be about 16 offices for on-site staff. There will be about 16 people on staff, with 4 – 6 after hours staff. There also will be 24 hour security for this facility. Parking will be on the proposed lot.

Because this is an inpatient facility, the clients are not allowed to leave the premises without staff approval, and must be accompanied by a staff member. All programming events will be on the premises.
WARRANTY DEED

ALBUQUERQUE VALLEY LAND COMPANY, a New Mexico Corporation

TO THE DEPARTMENT OF REVENUE OF SANTA FE, LEVY 1747

Property Address: 800 Municipal Drive
Farmington, N.M. 87401
San Juan County, New Mexico

In the following described tract:

The South one-half of the Southwest one-quarter of the Southwester one-quarter of the Southwest one-quarter of the Northwest one-quarter of the Southeast one-quarter of the Southeast one-quarter of Section Twenty-six (26), Township Thirty (30) North of Range Thirteen (13)

Levee 8 P.M.

Subject to easements, reservations and restrictions of record or in place.
PAZ PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico:

Petition No. SUP 19-46 - a request from Life Choices, LLC, represented by Christiane G. Gruenn, for a special use permit for an inpatient treatment center in the OP. Office Professional District, for property located at 2670 Piñon Frontage Road, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
The NE 1/4, SE 1/4, SW 1/4, and the
NW 1/4, SE 1/4, SW 1/4 of Section 26, Township
20 North of Range 13 West, N.M.R.M., in the
City of Farmington, San Juan County, New Mexico.

Otherwise known as 2670 Piñon Frontage Road

Pursuant to the provisions of Section 3-21-4,
New Mexico Statutes Annotated, 1978 Cumulative, notice is hereby given that the petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, June 13, 2019 at 3:00 p.m. in the
City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, June 25, 2019 at 6:00 p.m. in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject petition.

Karen Walker
Administrative Assistant

NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 19-46

May 21, 2019

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from Life Choices, LLC., represented by Christiana Greene, for a special use permit for an inpatient treatment center (group care facility) in the OP, Office Professional District, for property located at 2670 Piñon Frontage Road, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION
The S/2SW/4SW/4SE14 and the NW/4SW/4SW/4SE/4 of Section 26, Township 30 North of Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Otherwise known as 2670 Piñon Frontage Road

Pursuant to the provisions of Section 3-21-6, New Mexico statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on Thursday, June 13 2019 at 3:00 p.m., in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on Tuesday, June 25, 2019 at 6:00 p.m., in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons of interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearing noted above or submit written comments prior to the meeting to the Community Development Department – Planning Division at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that all submitted comments will become public record and that there is the possibility that any petition may be withdrawn before the hearing date.

If you have any questions or would like additional information regarding this notice or the petition, please contact Helen Landaverde at 505-599-1282 or hlandaverde@fmtn.org.

Sincerely,

Karen Walker
Administrative Assistant
Names and Tax-Roll Addresses of Owners Within One Hundred (100) Feet (excluding roadways and easements) of the Following Described Property Referenced as TRACT 1:

That part of the South Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (S/2SW/4SW/4SE/4) and the Northwest Quarter of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (NW/4SW/4SW/4SE/4) of Section Twenty-Six (26), Township Thirty (30) North of Range Thirteen (13) West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

TRACT 1 & 8
The Benevolent and Protective Order of Elks,
Lodge 1747
801 Municipal Drive
Farmington, NM 87401

That part of the S/2SW/4SW/4SE/4 and the NW/4SW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1174, page 899
AND
That part of the NE/4SW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 1115, page 47
Book 1115, page 48

TRACT 2
Robert T. Horvath
303 Canyon View Drive
Farmington, NM 87401

That part of the SE/4SE/4SW/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 406, page 172

TRACT 3
Elizabeth Anne McBride Living Trust
1703 Chinco Avenue
Farmington, NM 87401

That part of the N/2SW/4SE/4SW/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.

Book 726, page 102
Book 1374, page 549
Book 1496, page 511
TRACT 4
Edgar Harold Lohmann
9928 Wagner Lane
Westminster, CO 80031
That part of the NE/4SE/4SE/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 691, page 593
Book 1203, page 286

TRACT 5 & 6
Craig M. Horn and Linda H.C. Horn Living Trust
3600 North Coronado Avenue
Farmington, NM 87401
That part of the SE/4NE/4SE/4SW/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 1488, page 776
AND
That part of the SW/4NW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 1159, page 721

TRACT 7
Snowmass Corporation
1009 Ridgeway Place, Suite 204
Farmington, NM 87401
That part of the SE/4NW/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 1110, page 945

TRACT 9
Phillip Robert Voutierin, Gloria V. Quintana and Christine M. Voutierin Revocable Trust
1624 Erbbe NE
Albuquerque, NM 87112
That part of the NW/4SE/4SW/4SE/4 of Section 26, Township 30 North, Range 13 West, N.M.P.M., in the City of Farmington, San Juan County, New Mexico.
Book 1330, page 857
Book 1330, page 858
Book 1606, page 460

TRACT 10
Animas Land Company, I.L.C.
2630 East Pinon Frontage Road, Suite 200
Farmington, NM 87402
Unit 1 of the COLLEGE HILLS PROFESSIONAL PLAZA, in the City of Farmington, San Juan County, New Mexico, filed for record April 12, 2011.
Book 1544, page 518
AND

Jack O. Smalley and Lisa R. Smalley
5711 Tee Drive
Farmington, NM 87402

Unit 2 of the COLLEGE HILLS
PROFESSIONAL PLAZA, in the City of
Farmington, San Juan County, New Mexico, filed
for record April 12, 2011.

Book 1544, page 161

AND

College Hills Professional Plaza LLC
1509 Knudsen
Farmington, NM 87401

Unit 3 of the COLLEGE HILLS
PROFESSIONAL PLAZA, in the City of
Farmington, San Juan County, New Mexico, filed
for record April 12, 2011.

Book 1526, page 11

AND

Unit 4 of the COLLEGE HILLS
PROFESSIONAL PLAZA, in the City of
Farmington, San Juan County, New Mexico, filed
for record April 12, 2011.

Book 1526, page 11

TRACT 11
San Juan College
4601 College Boulevard
Farmington, NM 87402

That part of the S/2NE/4, N/2NE/4, E/2NW/4,
SW/4, SW/4SE/4, W/2SE/4SF/4,
S/2SE/4SE/4SE/4 and N/2NE/4SE/4SE/4 all in
Section 35, Township 30 North, Range 13 West,
and Lot 1 of Section 2, Township 29, Range 13
West, N.M.P.M., in the City of Farmington, San
Juan County, New Mexico.

Book 641, page 278
Book 647, page 108
Book 912, page 387
Book 942, page 305
Book 1062, page 111
Book 1100, page 279

TO: May 1, 2019, 4:30 p.m.

LIABILITY LIMITED TO THE AMOUNT PAID FOR THIS CERTIFICATE.

SAN JUAN COUNTY ABSTRACT & TITLE COMPANY

By: Lorraine Austin, Abstractor
The Planning and Zoning Commission met in a regular session on May 30, 2019 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present:  
Vice Chair-Clint Freeman  
Ryan Brown  
Kristin Langenfeld  
Elizabeth Lockmiller  
Joseph Mangum  
Cheryl Ragsdale  
Gary Smouse  
Cody Waldroup

P&Z Members Absent:  
Joyce Cardon  
Shay Davis  
Mitch Sewell

Staff Present:  
Francisco Alvarado  
Derrick Childers  
Helen Landaverde  
Cindy Lopez  
June Markle

Others Who Addressed the Commission:  
Anita Graciano  
Derald Polston

Call to Order
Vice Chair Clint Freeman called the meeting to order at 3:00 p.m. There being a quorum present the following proceedings were duly had and taken.

Presentation of the Agenda
There were no changes to the agenda.

Approval of the Minutes
A motion was made by Commissioner Ragsdale and seconded by Commissioner Mangum to approve the minutes of the May 16, 2019 P&Z Meeting. This motion was approved unanimously by an 8-0 vote.
CONSIDERATION & RECOMMENDATION
PP 19-35
Preliminary Plat for Sunset Ridge Subdivision Phase 1
At the intersection of Road 3000 and Road 3950

Planning & Zoning Commission Discussion of Petition PP 19-35 on May 30, 2019

Associate Planner Helen Landaverde presented the staff report for PP 19-35, a request from Stonetown Animas Lender, LLC., represented by Cheney-Walters-Echols, for a Preliminary Plan approval of the Sunset Ridge Subdivision Phase 1, Class 3, consisting of 17 lots on 64.17 acres of undeveloped land, located at the intersection of Road 3000 and Road 3950 in Tier II of Farmington’s Platting and Planning Jurisdiction. The lot sizes for Phase 1 range from 1.23 acres to 2.31 acres.

Comments and concerns from other departments regarding the proposed preliminary plan are listed on page 5 of the Planning & Zoning May 30, 2019 Agenda Book, said Ms. Landaverde.

The Community Development Department recommends approval.

Vice-Chair Freeman asked Ms. Landaverde to explain the term ‘Tier II’ for the new Commissioners. Ms. Landaverde said Tier II is property that is just outside of the city limits and within the 5-mile platting and planning jurisdiction. This preliminary plan is within the 5-mile platting and planning jurisdiction. Vice-Chair Freeman added that someday in the future this area might come into the city through an annexation.

Commissioner Brown asked Ms. Landaverde to explain the difference between Tier II and Tier III. Ms. Landaverde said there is not any zoning in Tier II or Tier III. The subdivision standards and requirements for Tier II allows the City to impose UDC requirements. Tier III is more rural and the City does not apply UDC requirements.

Vice-Chair Freeman noted that the petitioner and/or the petitioner’s representative were not present. Mr. Freeman asked the Commissioners if they would like to delay their vote.

Commissioner Langenfeld said it has become more common in terms of petitioners not being present. In the past, said Ms. Langenfeld, the Commission has taken the stance that if there are not any questions or concerns, the Commissioners should move forward with their decision. If this were more of a quasi-judicial circumstance, there would be more of a concern.
Commissioner Ragsdale said the lack of a petitioner or petitioner’s representative has happened in the past. Because there are not any questions or dissent, the Commissioners should go forward with their decision.

**Planning & Zoning Commission Action of Petition PP 19-35 on May 30, 2019**

A motion was made by Commissioner Langenfeld and seconded by Commissioner Waldroup to **approve** Petition PP 19-35, a request from Stonetown Animas Lender, LLC, represented by Cheney-Walters-Echols, for a Preliminary Plan approval of the Sunset Ridge Subdivision Phase 1, Class 3, consisting of 17 lots on 64.17 acres located at the intersection of Road 3000 and Road 3950 with the following conditions:

- All technical corrections to the plat will be finalized and approved prior to submittal of the final plat, including noted issues in this report.

AYE: Vice-Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

**Motion passed 8-0**

**Swearing in of Witnesses**

All parties that wished to speak on behalf of any agenda items were sworn in by June Markle.

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**CONSIDERATION & RECOMMENDATION**

**ZC 19-37**

Zone Change from SF-7 to MF-L to allow for two Manufactured homes in the backyard

1212 Smith Lane

**Planning & Zoning Commission Discussion of Petition ZC 19-37 on May 30, 2019**

Associate Planner Francisco Alvarado presented the staff report for ZC 19-37, a request from Nguyen Duc Chi Vuong, represented by Anita Graciano, for a zone change from SF-7, Single-family Residential District, to MF-L, Multifamily Low Density District, to allow for the placement
of two multi-section manufactured homes in the backyard of property located at 1212 Smith Lane.

The property has a Special Mobile Home Area Overlay (SMHAO). The abutting property to the north is zoned MF-L, Multifamily Low Density. The abutting property to the south is zoned MF-M, Multifamily Medium Density. The properties to the east and west are zoned SF-7, Single-family. All the abutting properties have a SMHAO.

San Juan County Tax Assessor’s records show that the size of the property is 0.438 acres. The property was annexed into the City in 1954 and is considered a lot of record. There is a duplex on the property that is legal nonconforming.

A zone change would allow for the placement of two multi-section manufactured homes in the backyard of the property. The minimum lot area per multifamily dwelling unit in the MF-L District is 3,500 sq. ft. The property is 19,079 sq. ft., and the existing residence is 1,512 sq. ft. The maximum allowed number of multifamily units is five according to UDC 2.8. The applicant is proposing two more dwelling units.

Mr. Alvarado noted a change of the Planning & Zoning May 30, 2019 agenda book. On page 14, it states multi-section manufactured homes are not permitted in the SF-7 District. It should say multi-family homes, said Mr. Alvarado.

The homes will be 24’ x 54’ and each home will have three bedrooms and two bathrooms. Mr. Alvarado noted the proposed placement of each manufactured home. Each home will be required to have two parking spaces. The existing duplex is required to have three parking spaces.

The current unit sits 20 feet from the front yard property line and does not meet the current SF-7 District setbacks. The property would meet the required setbacks for the proposed MF-L District and come into compliance with the City code if approved.

The 2020 Comprehensive Plan shows this area as having a Residential Single Family Urban land use. The proposed use supports the core goals and objectives of the 2020 Comprehensive Plan regarding land use and development.

Objective 4.1 of the Comprehensive Plan says there has to be a provision of a variety of different land use types in suitable locations, densities, and patterns while avoiding mixing of incompatible uses in close proximity to each other. Objective 4.1.2 recommends multi-family
residential areas. Action 7.1 recommends a variety of housing options to accommodate housing needs of all residents in Farmington.

According to UDC Section 3.9, multifamily districts are to accommodate a substantial portion of residential growth over the 20-year planning horizon of the Comprehensive Plan.

The proposed zone change to MF-L would allow for development consistent with the current land uses and character of the surrounding area. Although the general area is SF-7, the proposed land use is compatible with the SMHAO, as well as the abutting multifamily districts.

The Community Development Department recommends approval of Petition ZC 19-37 for a zone change from the SF-7, Single-Family Residential to MF-L, Multi-family Low Density District. The property will maintain the SMHAO.

Vice-Chair Freeman questioned the SMHAO for the property. Mr. Alvarado explained that the petitioner would be allowed a maximum of five units on the property with the zone change.

Cindy Lopez explained that the SMHAO allows for single section mobile homes in certain areas. It was an overlay that was applied prior to the current code. There are not any new areas with this overlay. Those areas can be single lots and allow for single section or multi section mobile homes. It is an overlay on the underlying zoning district.

Commissioner Waldroup asked if this would be spot zoning. Ms. Lopez said the SMHAO encompasses a large area. The neighborhood also has many multifamily housing units. Ms. Lopez pointed out that the properties on either side of the subject property had zone changes to multifamily because they had legal nonconforming multifamily dwellings. The zones were changed when ownership changed.

Anita Graciano, 4305 Terrace, said the property has changed hands and the owner would like to put more mobile homes on the property and to have more affordable housing.

Planning & Zoning Commission Action of Petition ZC 19-37 on May 30, 2019
A motion was made by Commissioner Langenfeld and seconded by Commissioner Ragsdale to approve Petition ZC 19-37, a request from Nguyen Duc Chi Vuong, represented by Anita Graciano, for a zone change from SF-7, Single-family Residential District, to MF-L, Multifamily Low Density District, to allow for the placement of two multi-section manufactured homes in the backyard of property located at 1212 Smith Lane and subject to the following conditions and/or UDC Requirements:

- The property will maintain the Special Mobile Home Area Overlay (SMHAO).
• The manufactured housing units will need to be placed a minimum of 10 feet apart from each other and from other accessory structures, including those on adjacent properties (2015 IRC: Table R302.1(1) & Sec. R202).
• Sidewalk installation will be required as part of any building or mobile home parking permit (UDC 7.1.2).

AYE: Vice-Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

Motion passed 8-0

CONSIDERATION & RECOMMENDATION
ZC 19-38 and SUP 19-39
Zone Change from MF-L to MF-M and Special Use Permit to allow a Place of Worship with more than 4,000 sq. ft.
1501 Sunrise Parkway


Senior Planner Cindy Lopez presented the staff report for ZC 19-38 and SUP 19-39, a request from Sagebrush Community Church, represented by Derald Polston, to rezone 4.09 acres from MF-L, Multi-family Low Density to MF-M, Multi-family Medium Density and for a Special Use Permit to allow a Place of Worship with a sanctuary space of more than 4,000 sq. ft. for property located at 1501 Sunrise Parkway.

The property has two zoning designations and an existing church building. It is a 4-acre parcel of land. The MF-M District is on the east side, and the MF-L District is on the west side. The petitioner would like to have both parcels zoned MF-M.

The property has an existing church building that the petitioner would like to expand. Sagebrush Community Church is proposing to expand its facility to include a sanctuary space of more than 4,000 square feet. They propose a 7,200 square foot sanctuary space. The Unified
Development Code requires a special use permit in any multifamily zoning district for a Place of Worship with a sanctuary space of more than 4,000 square feet.

With the addition to the existing church, a new parking plan is proposed. The petition is showing a parking plan that includes 240 regular parking spaces and 8 handicapped parking spaces.

The 4-acre parcel of land is Lot 1 of the Butler Subdivision. The subdivision plat was reviewed/approved by the City of Farmington and recorded at the San Juan County Clerk’s Office on December 23, 1991.

Approximately one week after recording the Butler Subdivision plat, the north one-acre portion of the lot was deeded as a separate parcel. This subsequent subdivision of Lot 1 of Butler Subdivision into two lots did not meet the requirements of the subdivision regulations of the City at the time it was deeded in 1991. Therefore, the City considers the property as one lot of 4 acres. The San Juan County Assessor’s map shows the property as two lots. The petitioner will need to correct this subdivision error.

Ms. Lopez presented various aerials of the property and noted the detention pond on a lower outcropping of the property. The church sits on a higher grade.

The property has a site triangle that would allow access to the property from Butler. A plat note labeled Access Restrictions states: “Two permitted access locations to Butler Avenue are to be located within the reciprocal access easement shown at the southeast corner and at location to be determined, but not less than ninety (90) south of the north property line.” (90 feet south of the north property line). The petitioner is proposing an entrance from Butler.

The proposed site plans, floor plans and elevations that were submitted with this application will not be considered final or approved with this request. They are required to be submitted as part of the building plan set and may need to be revised to meet codes.

The Community Development Department recommends approval of Petition ZC 19-38 and SUP 19-39 with the two conditions listed. The UDC does not recommend two zoning designations on one property. Surrounding properties are LNC, Local Neighborhood Commercial, or MF, Multifamily. Sunrise Parkway is a collector street and Butler Avenue is an arterial street. Both streets are designed to handle heavier traffic.
Vice-Chair Freeman asked for clarification on the deed and the zoning issue in regards to a lot consolidation. Ms. Lopez said the deed needs to be cleared up with the County.

Derald Polston, 5315 Calibri Place, said he would convey the information of the lot consolidation to the main office for Sagebrush Church in Albuquerque. Mr. Polston said all other issues should be taken care of. There are 112 parking spaces required and most will be paved.

Commissioner Smouse asked Mr. Polston if he is aware of the letter of opposition that was submitted. Mr. Polston said he is aware of the letter, and it stated opposition to increased traffic to the neighborhood. Mr. Polston said the traffic would be progressing in the other direction toward Butler for the most part.

Planning & Zoning Commission Action of Petition PP 19-35 on May 30, 2019

A motion was made by Commissioner Waldroup and seconded by Commissioner Smouse to approve Petition PP 19-35, a request from Sagebrush Community Church, represented by Derald Polston, to rezone 4.09 acres from MF-L, Multi-family Low Density to MF-M, Multi-family Medium Density and for a Special Use Permit to allow a Place of Worship with a sanctuary space of more than 4,000 sq. ft. for property located at 1501 Sunrise Parkway with the following conditions:

- The petitioner will work with the San Juan County Assessor to combine the two tax accounts on the property back to one account.
- All zoning, building and fire codes must be met prior to the issuance of a building permit.

AYE: Vice-Chair Freeman, Commissioners Brown, Langenfeld, Lockmiller, Mangum, Ragsdale, Smouse, and Waldroup.

NAY: None

Abstained: None

Absent: Chair Cardon, Commissioners Davis and Sewell.

Motion passed 8-0

Business from the Floor: There was no business from the Floor.

Business from the Chair: There was no business from the Chair.
Business from the Members: There was no business from the Members.

Business from Staff: Helen Landaverde reported that Petition ZC 19-33 was approved at the last City Council meeting.

Adjournment: With no further business and a motion by Commissioner Brown and seconded by Commissioner Langenfeld, the Planning and Zoning Commission meeting of May 30, 2019 was adjourned at 3:47 p.m.

____________________________    _____________________________
Clint Freeman       Karen Walker
Vice-Chair        Administrative Assistant