AGENDA

Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
June 27, 2019, at 3:00 p.m.

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

1. Call Meeting to Order
2. Approval of the Agenda
3. Approval of the Minutes of the June 13, 2019 P&Z Meeting
4. Petition No. ZC 19-33 – a request from the property owners on Hillcrest Place, represented by Ricky Wenzel, for the abandonment of City property, beginning at the residential property lines and ending 5 feet behind the curb of a cul-de-sac on Hillcrest Place in the SF-10, Single Family District. (Francisco Alvarado)
5. Business from:
   - Floor:
   - Chairman:
   - Members:
   - Staff:
6. Adjournment

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, July 9, 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 ABD 19-51 – Abandonment of City right-of-way, beginning at residential property lines and ending 5 feet behind the back of curb of a cul-de-sac on Hillcrest Place

A. STAFF REPORT, June 27, 2019

PROJECT INFORMATION

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Ricky Wenzel, Rebecca Kysar, Calvin Mathews, Danée Vick</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative</td>
<td>Ricky Wenzel</td>
</tr>
<tr>
<td>Date of Application</td>
<td>May 30, 2019</td>
</tr>
<tr>
<td>Requested Action</td>
<td>Abandonment of City property, beginning at residential property lines and ending 5 feet behind the back of curb of a cul-de-sac on Hillcrest Place, in the Country Club Manor Replat E Subdivision.</td>
</tr>
<tr>
<td>Location</td>
<td>Cul-de-sac on Hillcrest place and surrounding properties (R0021274, R0037036, R0027991, R0027320, R0038781).</td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Residence</td>
</tr>
<tr>
<td>Existing Zoning</td>
<td>SF-10, Single-family Residential District</td>
</tr>
</tbody>
</table>

Surrounding Zoning & Land Use

| North                      | SF-10, Single-family District / Residential.             |
| South                      | SF-10, Single-family District / Residential.             |
| East                       | SF-10, Single-family District / Residential.             |
| West                       | SF-10, Single-family District / Residential.             |

Notice

Notice for public hearings of the Planning and Zoning Commission is required on the agenda. A sign was posted on Friday, June 14, 2019.

Staff Planner

Francisco Alvarado, Associate Planner

STAFF ANALYSIS

Project Description

The petitioners and property owners on Hillcrest Place, represented by Ricky Wenzel, are requesting an abandonment of City right-of-way, beginning at residential property lines and ending 5 feet behind the back of curb of the cul-de-sac on Hillcrest Place, in the Country Club Manor Replat E Subdivision, in the SF-10, Single-family Residential District.

Ricky Wenzel, one of the petitioners, and representative, whose property is located at 6403 Hillcrest Place on the cul-de-sac (R0021274), was initially granted a variance
(ARB 18-28) to reduce the front yard setback from 30 feet to 20 feet, to allow for a detached 30’ x 50’ (1,500 ft²) two-car garage/shop on the property. Subsequently, a second variance (ARB 19-25) was approved for an additional curb cut of 26 feet providing access from the cul-de-sac to the garage.

**Figure 1. Aerial of Dedicated Right-of-way**

The Summary Plat for Country Club Manor Subdivision (Figure 2) shows that a 200-foot diameter cul-de-sac on Hillcrest Place was dedicated to the City in 1958. A proposed center island was never built, and the cul-de-sac was paved 80 feet, without sidewalks. The area between the back of curb and residential property lines remains as unimproved City right-of-way.
Following the 20-foot setback variance approval (ARB 18-28), the applicant considered his property line to be 5 feet behind the back of curb, and thought to build the garage 25 feet from the back of curb (Figure 3). This resulted in an encroachment of 5.5 feet onto dedicated City property, according to a licensed surveyor (p. 14). The garage overlaps into the cul-de-sac by approximately 151 sq. ft.

The map provided by Water and Wastewater (p. 15) shows a City water meter on the right-of-way behind the back of curb, covered by bushes between lots R0021274 and R0037036 on Hillcrest Place. Representatives from every other utility entity stated that there are no other utilities in the right-of-way (see Comments Summary).
Proposal

The petitioner and representative is requesting an abandonment of City property, beginning at residential property lines and ending 5 feet behind the back of curb of a cul-de-sac on Hillcrest Place.
Pursuant to UDC 8.8.7A, **Abandonment/vacation plat application process**, “an abandonment/vacation plat shall be required where a resubdivision or replat vacates or relocates any street, alley, or other public right-of-way”. Pursuant to UDC 8.8.7C, City Council shall review and have final action on the abandonment/vacation plat.

Pursuant to UDC 8.1.3C, **Minimum submission requirement**, the director shall have the authority to request any pertinent information required to ensure compliance with this UDC. Likewise, the director may waive any substantial requirements deemed irrelevant in a given application. For this application, it was determined that a letter from a licensed surveyor, verifying the garage encroachment and front lot corners at 6403 Hillcrest Place, was sufficient. A plat will be required if the abandonment is approved.

Pursuant to UDC 6.4.7F, **Subdivision Design Standards/Streets and alleys**, cul-de-sacs shall have a minimum right-of-way diameter of 90 feet, and a minimum outside edge-of-pavement radius of 40 feet exclusive of curbs. The current paved radius in the cul-de-sac is in compliance with the UDC, with a diameter of approximately 80 feet. The proposed abandonment would leave space for a 5-foot wide sidewalk around the cul-de-sac. The added pedestrian right-of-way would increase the diameter by 10 feet and bring the cul-de-sac into compliance with the UDC.

On May 3, 2018, the Administrative Review Board approved Petition ARB 18-28, allowing for a variance to reduce the required front yard setback from 30 feet to 20 feet to allow for a 30’ x 40’ detached garage/workshop. The garage currently encroaches 5.5 feet onto City property. The abandonment would allow for the petitioner to meet the 20-foot front yard setback permitted by the approved variance. According to the Chief Building Official, the abandonment would also bring two of the other Hillcrest Place houses into compliance with their front yard setback (30’ for the SF-10 District).

**Table 1. UDC 2.8.1 – Required Setbacks**

<table>
<thead>
<tr>
<th>Standard</th>
<th>SF-10</th>
<th>Garage encroachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>30’</td>
<td>5.5’ (20’ allowed by variance for 6403 Hillcrest Pl)</td>
</tr>
</tbody>
</table>

It should be noted that the proposed abandonment is subject to the condition of maintaining a 10-foot utility easement behind the right-of-way and around the cul-de-sac with connecting adjacent easements. There is currently an electric utility easement between lots R0027991 and R0027320 that would need connection to the 10-foot utility easement (Figure 2). Farmington Electric Utility Service has stated that it will not abandon the easement that was dedicated in the Country Club Manor Subdivision Plat.
Consistency with the Comprehensive Plan

The proposed abandonment, subject to the aforemention condition, supports the following core goals and objectives in the Comprehensive Plan:

Transportation

Goal: Facilitate, provide, and maintain an integrated, multi-modal transportation system to accommodate the movement of all people and goods while maintaining a realistic balance of safety, convenience and efficiency.

Objective 6.6: Provide a safe and continuous system of sidewalks and pedestrian walkways.

Action 6.6.2: Revise… the Subdivision Regulations in the Unified Development Code to ensure better pedestrian access near… residential areas.

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.

Action 7.3.1: Actively pursue compliance with City codes and ordinances…

Public Utilities, Facilities, and Services

Goal: Provide and maintain public utilities, municipal services, and community facilities that encourage orderly growth, enhance quality of life for Farmington’s citizens, and promote Farmington as a desirable community.

ANALYSIS

Abandonment/vacation Plat Criteria – UDC Section 8.8.7D.

In determining whether to approve, approve with modifications, or deny the proposed abandonment/vacation plat, the City shall consider the following criteria:

1. Consistency with the comprehensive plan:

The Comprehensive Plan does not specifically address abandonment of City property. However, the Plan identifies the need to make streets more user-friendly, with a safe and continuous system of sidewalks. Currently, there are no pedestrian facilities on Hillcrest Place, and the proposed abandonment would

1 Farmington Comprehensive Plan (2002). Chapter 6 Transportation, pp. 6-12, 6-14.
2 Farmington Comprehensive Plan (2002). Chapter 7 Housing, pp. 7-11, 7-12.
begin 5 feet behind the back of curb in order to leave enough space for a future sidewalk around the cul-de-sac.

The Comprehensive Plan also encourages the City to pursue compliance with the Unified Development Code. The abandonment would bring the subject property into compliance with the required front yard setback allowed by the approved variance. Moreover, with this abandonment, the City is requesting a 10-foot utility easement behind the right-of-way, around the cul-de-sac, with connecting adjacent easements. This condition is in alignment with the Comprehensive Plan’s goal to ensure the provision and maintenance of public utilities.

2. Transportation and circulation needs of nearby property, the neighborhood and the city:
The petitioner, and representative, was granted a variance to allow for an additional curb cut of 26 feet for a two-car garage for property located at 6403 Hillcrest Place. It was found that the addition of the curb cut to the property aligned with the traffic movement versus land access principle of the Comprehensive Plan’s Major Thoroughfare Plan. According to this movement function, the cul-de-sac provides unlimited opportunities for property access, and is not intended to move or have large traffic flow. Only trips having an origin or destination at a lot on the cul-de-sac would be made on such a street. The abandonment would not be detrimental to transportation and circulation needs of nearby property, the neighborhood and/or the city.

Moreover, owners of every property on Hillcrest Place have signed and joined the petition to abandon City property around the cul-de-sac.

3. Right-of-way needs relative to sewer, water, and stormwater facilities.
City Engineering verified that there are no stormwater utilities on Hillcrest Place. Water and Wastewater has identified a water meter on the proposed abandonment, between lots R0021274 and R0037036. In order for the utility entity to access the water device, the City has concluded that maintaining a 10-foot utility easement on vacated property would be appropriate. Also, connection to the adjacent electric utility easement would be included, which Farmington Electric Utility Service does not plan to vacate.

STAFF CONCLUSION
The Community Development Department concludes approval of ABD 19-51 is appropriate. The proposed abandonment would bring the cul-de-sac into compliance with subdivision standards. The garage on property located at 6403 Hillcrest place would meet the setback allowed by the approved variance. The remaining 5 feet behind the back of curb would allow for future installation of sidewalks, as
recommended by the Comprehensive Plan, and the proposed 10-foot utility easement would facilitate legal access for utility entities onto vacated property.

**STAFF RECOMMENDATION**

The Community Development Department recommends approval of Petition ABD 19-51, a request from Ricky Wenzel, Rebecca Kysar, Calvin Mathews, Danée Vick, represented by Ricky Wenzel, to abandon City property, beginning at residential property lines and ending 5 feet behind the back of curb of the existing paved cul-de-sac on Hillcrest Place, in the Country Club Manor Replat E Subdivision, and in the SF-10, Single-family Residential District., and subject to the following conditions:

- Maintain 10-foot utility easement behind the right-of-way and around the cul-de-sac with connecting adjacent easements.

- An abandonment/vacation plat shall be required where a resubdivision or replat vacates a public right-of-way (UDC 8.8.7.A).

- An approved abandonment will expire automatically unless an abandonment/vacation plat is recorded in the office of the San Juan County Clerk within one (1) year from the date of approval by city council (UDC 8.8.7.F).
Encroaching Garage at 6403 Hillcrest Place
# PLANNING MEMO COMMENTS SUMMARY

**ABD 19-51 HILLCREST PLACE ROW**  
**Deadline: 6/12/2019**

<table>
<thead>
<tr>
<th>City of Farmington Departments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>CD</td>
<td>Director</td>
</tr>
<tr>
<td>CD</td>
<td>Addressing – Planning Division</td>
</tr>
</tbody>
</table>
| CD                            | Chief Building Official – D. Childers  
This abandonment will bring two of the other houses into compliance with their front yard setback. |
| CD                            | Long Range Planner |
| CD                            | MPO |
| CD                            | Oil & Gas Inspector – L. Simms |
| CITY                          | City Manager’s Office – J. Baird |
| ELEC                          | Customer Care Manager – L. Richardson |
| ELEC                          | Electrical Engineering – L Algarbos  
1. To keep the 10’ wide utility easement behind the sidewalk ROW and around the cul-de-sac.  
2. Farmington Electric Utility Service will not abandon Electric Utility easement that was dedicated in the subdivision plat. |
| ELEC                          | T & D – R. Romero |
| FIRE                          | Fire Captain – K. Rix |
| FIRE                          | Fire Marshall – B. Vega  
No comment |
| LEGAL                         | City Attorney – J. Breakell |
| LEGAL                         | Deputy City Attorney – E. Wayne  
No comment |
| POLICE                        | Code Compliance – M. Romero  
No comment |
| POLICE                        | Sergeant – P. Flores |
| FRCA                          | S. Reeves/ R. Crosby |
| FRCA                          | ORII – C. Styrong |
| PW                            | City Engineer – N. Westerling |
| PW                            | Engineering – T. Sitta  
An abandonment plat does need to be submitted for official abandonment of ROW.  
There are no storm drain utilities on Hillcrest Pl. Storm water on Hillcrest Pl sheet flows along the surface only, towards Country Club drive, where storm utilities are located.  
Per the UDC 6.4.7.F Cul-de-sacs, the minimum ROW diameter is 90 feet, with a minimum outside edge-of-pavement radius of 40 feet exclusive of curbs. The minimum standards for cul-de-sacs will still be met with the proposed abandonment. |
| PW                            | Streets Superintendent |
| PW                            | Traffic Engineer – I. BlueEyes |
| PW                            | Water/Waste Water – M. Tso  
No comment |

<table>
<thead>
<tr>
<th>Other Entities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico Gas Company – R. Castillo</td>
<td>No comment</td>
</tr>
<tr>
<td>CenturyLink – D. Willato</td>
<td>No comment</td>
</tr>
<tr>
<td>Enterprise Field Services</td>
<td>No comment</td>
</tr>
<tr>
<td>Comcast Cable – M. Johnson</td>
<td>No comment</td>
</tr>
<tr>
<td>CH2M HILL OMI</td>
<td></td>
</tr>
<tr>
<td>Surface Land Negotiator for BP – M. Venzara</td>
<td></td>
</tr>
<tr>
<td>Farmington School District – C. Lyons</td>
<td></td>
</tr>
</tbody>
</table>
PETITION 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) 599-1117
(505) 599-1299 (fax)

PROJECT TYPE (Check Those Applicable)
☐ Annexation and/or Zoning
☐ Preliminary Plat
☐ Final Plan
☐ Summary Plat
☐ Special Use Permit
☐ Variances (ARB)
☐ Zone Change to District
☐ Temporary Use Permit
☐ Proposed Length of Use:
☐ Well site equipment modification

INFORMATION

Applicant’s Name: Ricky Weazel
Address: 6403 Hillcrest Pl
E-Mail: rswweazel@hotmail.com
Telephone: 505-860-0560

Legal Description of Subject Property:

Is Property subject to deed restrictions, covenants, or homeowners’ association agreements? Yes ☐ No ☐

REPRESENTATIVE/CONTACT PERSON (if other than applicant)

Name: E-Mail:
Phone: Address:

OWNERSHIP

PROPERTY OWNER

Corporation: President and Secretary (Specify type of ownership interest) Fee, Real Estate Contract, Option to Purchase

MORTGAGE HOLDERS (if any)

Name: Phone:
Address: (See Affidavit)

OWNER CERTIFICATION

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

Received By:

Date: 2/27/19
Fee Received: $6.00
Project File No.:
Date of Hearing/Meeting: 6/17/19

☐ Blueprints Copies of Plans
☐ Ownership Report (subject and surrounding properties)
☐ Legal Description
☐ Detailed Statement of Proposed Use
I (Ricky Wenzel) am requesting an abandonment of up to 5 feet from the back of the curb due to the fact that the front of the shop building I built (25+ feet back from the back of the curb) was unknowingly built just over my property line onto the city property. Thank you

Ricky Wenzel
To whom it may concern,

We the property owners on Hillcrest pl. Farmington NM are requesting an abandonment from the city of Farmington of up to 5 feet from the back of the curb. We appreciate your consideration in this matter.

Thank you

6400 Hillcrest pl.
Rebecca J. Vysar

6401 Hillcrest pl.
Calvin Mathews

6403 Hillcrest pl.
Rick Wenzel

6409 Hillcrest pl.
Daneè Vicks

State of New Mexico
County of San Juan

This record was acknowledged before me on May 28th 2019.

Signature of Notary
Rachel Pratt

Commission Expires
March 19, 2020

Stamp
June 05, 2019

Cindy Lopez
Development Services
City of Farmington
800 Municipal Drive
Farmington, NM 87401

Re: Lot 9E Country Club Manor Subdivision Replat E
6403 Hillcrest Place
Farmington, NM 87402

Dear Ms. Lopez

On May 20th, 2019 I surveyed the above referenced property for Rick Wenzel. We found the front lot corners around the cul-de-sac, the center point of the cul-de-sac and the Northwest corner of Lot 9E, they appear to be the original corners set by Robert B. Stannard Jr. N.M. P. S. No. 11598, the surveyor who platted Replat E in 1993. I discovered a 5.5 foot ± building overlap into the cul-de-sac of approximately 151 sq. ft. The found corners appear to fit the surrounding property and no other issues were noted at the time of the survey.

Sincerely,

CHENEY ▲ WALTERS ▲ ECHOLS, INC.

Daryl D. Northup
N.M.P.S. No. 10474

[Signature]

[Seal]
Water Meter at Proposed Abandonment
MINUTES
PLANNING & ZONING COMMISSION
June 13, 2019

The Planning and Zoning Commission met in a regular session on June 13, 2019 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico.

P&Z Members Present: Chair-Joyce Cardon
Shay Davis
Clint Freeman
Kristin Langenfeld
Cheryl Ragsdale
Gary Smouse

P&Z Members Absent: Ryan Brown
Elizabeth Lockmiller
Wayne Mangum
Mitch Sewell
Cody Waldroup

Staff Present: Helen Landaverde
David Sypher
Karen Walker

Others Who Addressed the Commission: Marsha Bingham
Mark Camrud
Christiana Greene
Dean Pecotte

Call to Order
Chair Joyce Cardon 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 Smouse to approve the minutes of the May 30, 2019 P&Z Meeting. This motion was approved unanimously by a 6-0 vote.
Swearing in of Witnesses
Karen Walker swore in all parties that wished to speak on behalf of any agenda items.

CONSIDERATION & RECOMMENDATION
SUP 19-46
A Special Use Permit to allow an inpatient treatment center
2670 Piñon Frontage Road

Planning & Zoning Commission Discussion of Petition SUP 19-46 on June 13, 2019
Associate Planner Helen Landaverde presented the staff report for SUP 19-46, a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center, otherwise known as a group care facility, in the OP, Office Professional District for property located at 2670 Piñon Frontage Road.

Pursuant to UDC 2.3 Use Table, Group Care Facilities are allowed in the OP District with approval of a Special Use Permit.

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. Life Choices is 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.

San Juan County Tax Assessor’s records show that the size of the parcel is 7.5 acres and is owned by The Benevolent and Protective Order of Farmington Elks, Lodge 1747. The subject property was previously BLM land. The applicant is proposing to develop the eastern portion of the property, 2.5 acres north of Piñon Frontage Road. This parcel was created through a Warranty Deed in 1988 and is a lot of record. The property was annexed into the City in 1995.

There have been previous special use permits on this property. A zone change, Petition No. 1669, from R-S2, Suburban Residential to OP, Office Professional with a special use permit for club liquor license. It was approved by City Council on September 22, 1998 with conditions. The special use permit 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 special use permit for has expired.

Life Choices Chemical Health Services proposes to construct a new facility; a one story building measuring approximately 20,000 sq. ft., and is proposing the following setup:

- 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
- Sixteen offices for 16 on-site staff members.

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. The total off street parking is 76 spaces.

Inpatient treatment will be 24 hours. The outpatient treatment will be from Monday to Friday 9:00 a.m. – 6:00 p.m. The average length of stay for inpatient clients will be from 90 days to 120 days; however, the length of stay will be determine 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. Staff for medical appointments and court appointments will accompany clients.

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. There will be a registered nurse on staff to monitor the intake of medications.

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.
The proposed SUP is consistent with the Comprehensive Plan for alternative housing. It promotes and facilitates the City’s housing goals for alternative housing and the City's Economic Development Plan, core goals:

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

The SUP is also consistent with The Department of Housing and Urban Development’s (HUD) Fair Housing Act intended to increase housing opportunities for people with disabilities. Moreover, Section 504, Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities.

The Municipal Code Chapter 22 Article 7 Section 22-7-5 also 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...”

Staff concludes that there will be no significant negative impact upon residents of the surrounding property or upon the public and has determined that the proposed group care facility, services, and program are designed in a manner that provides a safe and stable environment for its clients and future residents.

The Community Development Department recommends approval of Petition SUP 19-46, 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.

Condition #1 has been met and the property is considered a lot of record.

Christiana Greene, representative for Life Choices, mentioned that 76 parking spaces might be excessive, as inpatient clients do not have cars on the premises. Ms. Landaverde said an alternative parking plan can be discussed with the Planning Director and a variance can be requested. David Sypher, Community Development and Public Works Director, said the purpose of the alternative parking plan is for situations such as this. Documentation will be necessary to show that clients will not have vehicles at the facility.
Commissioner Freeman asked Ms. Greene to clarify the type of business Life Choices conducts. Ms. Greene said the typical patient enters the facility with substance abuse through either alcohol or drugs. Patients have usually been through a detox center prior to being admitted. Mental health is often a component; therefore, there will be a full-time mental health staff member. Detox will not be done on site. Approximately 80% of clients are admitted through a court order and clients will come from all over the state of New Mexico. Four Winds is another facility in San Juan County that is similar to Life Choices. There is a need for this type of facility in this area due to the proximity of the Navajo reservation.

Dean Pecotte, 5720 Los Arcos, asked about the likelihood of emergency services being called to the facility. Ms. Greene said some clients have withdrawal symptoms and will need emergency care. There will be a registered nurse on staff and 24-hour security to prevent people from bringing drugs into the facility. Rarely do people come from detox and have a need to return to detox while at the facility.

Mr. Pecotte asked what measures would be taken to keep patients from escaping into the neighborhood. Ms. Greene said this is not a lockdown facility and patients can leave at any time. The property will be fenced and gated, and if a patient decides to leave, police are notified. The fence will be opaque.

Mr. Pecotte asked the age of clients, if conflicts are expected, and how clients will be separated. Ms. Greene said the clients are all adults. There will be no juveniles admitted to the facility. Clients are usually placed 2 to each room.

Mark Camrud, 5610 Los Arcos, asked Ms. Greene how long Life Choices has been in business. Ms. Greene said the parent company has been in business for 25 years and is located in Minnesota. Currently, there are 10 branches of Life Choices. Life Choices intends to recruit people from San Juan County and there will be 16-20 staff members once the facility is at full capacity. San Juan College graduates might be hired. There will be a manager on site.

Commissioner Langenfeld asked about the size of the facility. Ms. Greene said Life Choices did a study of the area to find out what was needed. An inpatient facility would be a desirable addition to this area and the facility needs to be large enough to accommodate the clients. The treatment process takes between 12-18 months. Then, the facility supports the clients on an outpatient basis and helps them find jobs, apartments, and to stay sober for life.
Commissioner Freeman noted that the buildings in this corridor of the city look nice. He said he would like to require block screening for the facility.

Marsha Bingham, 24 Road 5109, owns property in this area and asked why the facility needs to be located near a residential area near the high school and college. She said she would prefer it be located near the hospital. Ms. Greene said Life Choices looked at several areas of the city. They were restricted to a particular zoning district and did not find an appropriate area near the hospital.

A motion was made by Commissioner Davis to approve Petition SUP 19-46 with the condition that 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. Chair Cardon asked if Commissioner Davis would like to include screening in the motion. Commissioner Davis said he did not want to include screening. The motion was not seconded.

Chair Cardon asked Commissioner Davis if he would like to recede the motion. Commissioner Davis receded the motion.

Planning & Zoning Commission Action of Petition SUP 19-46 on June 13, 2019

A motion was made by Commissioner Freeman and seconded by Commissioner Smouse to approve Petition SUP 19-46, a request from Life Choices, LLC, represented by Christiana Greene, for a special use permit for an inpatient treatment center in the OP, Office Professional District for property located at 2670 Piñon Frontage Road with the following conditions:

1. 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.
2. Screening will be required in the form of a solid facing fence that accents the facility.

AYE: Chair Cardon, Commissioners Davis, Freeman, Langenfeld, Ragsdale, and Smouse.

NAY: None

Abstained: None

Absent: Commissioners Brown, Lockmiller, Mangum, Sewell, and Waldroup.

Motion passed 6-0
**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 Petitions PP 19-35, ZC 19-37, and ZC 19-38/SUP 19-39 were approved on consent at the June 11, 2019 City Council meeting.

**Adjournment:** With no further business and a motion by Commissioner Freeman and seconded by Commissioner Ragsdale, the Planning and Zoning Commission meeting of June 13, 2019 was adjourned at 3:48 p.m.

____________________________    _____________________________
Joyce Cardon       Karen Walker
Chair         Administrative Assistant