

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 fulltime 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
Chair



Karen Walker
Administrative Assistant

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