

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
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## OFFICIAL NOTIFICATION OF DECISION

January 12, 2018

SP Albuquerque LLC  
500 Stevens Avenue  
Solana Beach, CA 92075

**Project# 1007412**  
17EPC-40024 Zone Map Amendment (Zone Change)  
17EPC-40025 Site Development Plan for Subdivision  
17EPC-40026 Site Development Plan for Building Permit

### LEGAL DESCRIPTION:

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

PO Box 1293

Albuquerque

NM 87103

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

[www.cabq.gov](http://www.cabq.gov)

### FINDINGS, Zone Map Amendment, 17EPC-40024:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Design development to reflect the character of the surrounding area and protect and enhance views.

b) Encourage development and site design that incorporates CPTED principles.

e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

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

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

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

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

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

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b) Incorporate trees, vegetation, and pervious surfaces in parking areas to mitigate environmental impacts, minimize heat and glare, and improve aesthetics.

c) Ensure safe pedestrian pathways in parking areas that connect to building entrances, adjacent roadways, and adjacent sites.

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

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

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

a) Design landscape and site improvements to complement the individual site, the overall appearance of the corridor, and surrounding land uses.

b) Design landscapes and vegetation to be consistent with the microclimate of the site location as well as within the site.

c) Discourage planting of higher water use species outside of riparian microclimates, the Middle Rio Grande Conservancy District, or areas served by swales.

d) Incorporate xeric site design principles to establish an oasis area and transition areas, identify beneficial placement for plant species, and maximize shade in summer months.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DESIGN GUIDELINES – Orientation

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

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

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

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

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

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

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

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

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

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

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

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

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

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- C. The request is consistent with and furthers adopted plans and policies, including the Comprehensive Plan and Rank II Facility Plan for Arroyos as summarized in Findings 5 and 6.
- D. First, the existing zoning is inappropriate because of changed community conditions since it was granted in 1985. The approved church site plan for the site that allows for a significant expansion is no longer needed or desired by the church, as demonstrated by their letter submitted by the applicant and by the development of the private park on part of the church property, which is different than the original plans. The existing building suits the church's needs, and has for the past 30-plus years while the surrounding neighborhoods developed and no additional demand for church space was created. This is in line with general trends related to church membership highlighted in the applicant's justification letter. In addition, over those 30 years, the City of Albuquerque and the community surrounding the subject site have continued to age significantly, which is demonstrated by the demographic analysis performed by the applicant. Specifically, the older (65-85+) segment of the population went from 8 percent in 1980 up to 14 percent in 2016. The North Albuquerque CPA and a smaller geographic area closer surrounding the subject site and Cherry Hills neighborhood show that in recent years, the community around the subject site has seen an even higher percentage change in this older population than the city as a whole, and these changed conditions justify the change of zoning to allow for the proposed senior living use.
- Second, the existing zoning is also inappropriate because the proposed different use category for senior housing and related services is more advantageous to the community as articulated by the Comprehensive Plan. The changing demographics demonstrated by the applicant are in line with trends highlighted in the 2017 Albuquerque/Bernalillo County Comprehensive Plan. The market study completed for this project and submitted by the applicant also supports a need and demand for such facilities within the Primary Market Area located within 3 miles of the subject site. As such, and as demonstrated by the policy analysis in Findings 5 and 6, as well as the justification letter submitted by the applicant, the zone change is justified as it is more advantageous to the community by providing infill development, senior housing options, and site design in accordance with the Comprehensive Plan and the Facility Plan for Arroyos.
- E. As this request is for an SU-1 zone that does not reference a base zone district from the Comprehensive City Zoning Code, it is tailored only to allow a Senior Living Facility with services on-site to support such a facility. As the only permissive use on the site, controlled by the accompanying site development plans, this request will not be harmful to adjacent property, the neighborhood, or the community because it will produce a small amount of traffic or other impacts especially compared to other uses existing or allowed in the surrounding area.
- F. Approval of the requested amendment will not require any capital improvements because the site is located in an area that already has infrastructure. If future development requires additional infrastructure the applicant will have to make those improvements themselves.
- G. While economic considerations are always a factor with regard to development proposals, they are not the determining factor for the requested zone change, rather the applicant has

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

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

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

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

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

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

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4. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
5. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.
6. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Design development to reflect the character of the surrounding area and protect and enhance views.

b) Encourage development and site design that incorporates CPTED principles.

e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

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

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

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

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

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

b) Incorporate trees, vegetation, and pervious surfaces in parking areas to mitigate environmental impacts, minimize heat and glare, and improve aesthetics.

c) Ensure safe pedestrian pathways in parking areas that connect to building entrances, adjacent roadways, and adjacent sites.

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

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

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

a) Design landscape and site improvements to complement the individual site, the overall appearance of the corridor, and surrounding land uses.

b) Design landscapes and vegetation to be consistent with the microclimate of the site location as well as within the site.

c) Discourage planting of higher water use species outside of riparian microclimates, the Middle Rio Grande Conservancy District, or areas served by swales.

d) Incorporate xeric site design principles to establish an oasis area and transition areas, identify beneficial placement for plant species, and maximize shade in summer months.

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

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

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

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

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

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

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

e) Provide for the development of quality housing for elderly residents.

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

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

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

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

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

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

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

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

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

a) Minimize and mitigate storm water run-off from development by limiting the amount and extent of impervious surfaces and encouraging landscaped medians and parking swales.

b) Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

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

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

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

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

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

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

The request **further**s Major Open Space Links Policy 1 by proposing a naturalistic channel stabilization treatments and landscaping that will be coordinated with AMAFCA and FEMA.

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

The request **further**s Major Open Space Links Policy 5 by reseeding the drainage right-of-way with a variety of native ground covers.

DESIGN GUIDELINES – Orientation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Design development to reflect the character of the surrounding area and protect and enhance views.

b) Encourage development and site design that incorporates CPTED principles.

e) Encourage high-quality development that capitalizes on predominant architectural styles, building materials, and landscape elements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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e) Provide for the development of quality housing for elderly residents.

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

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

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

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

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

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

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

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

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

a) Minimize and mitigate storm water run-off from development by limiting the amount and extent of impervious surfaces and encouraging landscaped medians and parking swales.

b) Preserve natural drainage functions of arroyos to the extent possible and use naturalistic design treatment when structural improvements are required for flood control.

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

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

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

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

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

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

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

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

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

**DESIGN GUIDELINES – Orientation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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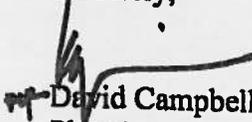
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such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

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

Sincerely,

  
David Campbell  
Planning Director

DC/MV

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