Environmental Planning Commission

Supplemental Staff Report to be read with the August 10, 2017 Staff Report

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<th>Agent</th>
<th>Consensus Planning</th>
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<tr>
<td>Applicant</td>
<td>SP Albuquerque, LLC</td>
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<tr>
<td>Request</td>
<td>Zone Map Amendment (Zone Change), Site Development Plan for Subdivision, Site Development Plan for Building Permit</td>
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<tr>
<td>Legal Description</td>
<td>Tract B-2, Yorba Linda Subdivision &amp; Tract A, Hoffmantown Baptist Church Site</td>
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<tr>
<td>Location</td>
<td>Harper Rd NE between Wyoming Blvd NE and Ventura St NE</td>
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<tr>
<td>Size</td>
<td>14.2 acres</td>
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<tr>
<td>Existing Zoning</td>
<td>SU-1 for Church and Related Facilities</td>
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<tr>
<td>Proposed Zoning</td>
<td>SU-1 for Senior Living Facility and Related Services including on-premise liquor consumption</td>
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Staff Recommendation

APPROVAL of Case # 17EPC-40024 based on the Findings beginning on Page #8, and subject to the Conditions of Approval beginning on Page #16.

APPROVAL of Case # 17EPC-40025 based on the Findings beginning on Page #16, and subject to the Conditions of Approval beginning on Page #23.

APPROVAL of Case # 17EPC-40026 based on the Findings beginning on Page #23, and subject to the Conditions of Approval beginning on Page #30.

Staff Planner
Michael Vos, AICP – Planner

Summary of Analysis

This project was deferred from the August 10, 2017 EPC hearing so the applicant could have a facilitated meeting with neighbors. A copy of the facilitated meeting report is attached to this supplemental staff report.

Although no areas of agreement were reached, the applicant revisited the proposed building layout and Site Development Plan for Building Permit in response to neighborhood comments and concerns.

A revised Site Plan and Landscape Plan are included with this report, and the applicant intends to provide revised Grading and Drainage and Building Elevation sheets prior to the 48-hour rule.

The R-270-1980 justification has not been revised since the last hearing, and the request is based on changed community conditions and the request being more advantageous to the community as articulated by the Comprehensive Plan.

Staff recommends approval with the findings and conditions of approval as outlined in this supplemental staff report.
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I. INTRODUCTION

A. Overview

This supplemental staff report is intended to be read in conjunction with and provide additional information to the original, August 10, 2017 staff report, which is available online: http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports

On August 10, 2017, the Environmental Planning Commission (EPC) voted to defer this request to the September 14, 2017 hearing to allow additional time for a facilitated meeting to occur. A resident of the Cherry Hills neighborhood, located to the north of the subject site, requested the facilitated meeting.

The facilitated meeting was held on Tuesday, August 29, 2017. The results of this meeting will be summarized below under Agency & Neighborhood Concerns, and the meeting report is attached to this supplemental staff report.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS AND POLICIES

Please refer to the original August 10, 2017 staff report and the updated recommended Findings found in this supplemental staff report for a complete analysis of the applicant’s zone change justification against the applicable ordinances, plans, and policies.

III. SITE DEVELOPMENT PLAN FOR SUBDIVISION

No changes have been made to the Site Development Plan for Subdivision since the August 10, 2017 EPC hearing.

IV. SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

A. Request

The third part of this request is for a Site Development Plan for Building Permit for the construction of a Senior Living Facility as permitted by the requested zoning. Since the deferral and facilitated meeting, the applicant has revisited their site layout and design in order to incorporate changes based on neighborhood comments and concerns.

B. Site Plan Layout / Configuration

The proposed building is still a single large, multi-part building including the same total of 180 combined units. The overall size has been reduced by approximately 14,000 square feet based on the changes that were made.

The assisted living and memory care portions of the building on the western half of the site have not changed, and the building is still a maximum of three stories in height, but the location of some of that height has been moved on the site. The applicant has shifted
the single-story amenity hall more toward the center of the site and relocated some of the independent living units more toward the southern and eastern edges of the structure. This results in lower, stepped-down building heights in the front and middle portions of the property. This is best shown in a massing graphic included in the attached memo from the agent dated September 6, 2017.

Related to the shifted amenity space, the applicant also adjusted the eastern entry drive and drop-off area to a more internal location, which allowed guest parking spaces to be moved farther back from Harper Road.

C. **Vehicular Access, Circulation and Parking**

Two vehicular access points remain along Harper Road to be located where median openings and turn lanes already exist. The eastern access, as described above, has been modified to extend to a different drop-off area and building entry location more central to the site. This relocation of parking also resulted in reorientation so headlights are less likely to shine across Harper Road.

As an SU-1 site, parking is determined by the EPC, and the applicant originally submitted a plan with approximately 215 spaces provided on site. As senior living facilities are not described in the Zoning Code with specific parking ratios, the applicant included a justification for these spaces with their original submittal, which matches numbers that are found in the draft of the Integrated Development Ordinance under consideration by City Council (see attached facilitated meeting amendment and September 6, 2017 agent memo) and then added additional employee and visitor spaces. As parking and the potential for overflow is a concern of neighbors, the applicant has added approximately 11 more additional spaces to the site plan.

D. **Pedestrian and Bicycle Access and Circulation, Transit Access**

Pedestrian circulation is still from the public sidewalk along Harper Road entering the site near each of the vehicular access points and connecting around the site.

Two bicycle racks provide 14 spaces split between the two main building entries.

E. **Landscaping**

An updated landscaping plan was submitted with the revised site plan. While the overall percentage of landscaping has decreased from 76% to 72% of the net lot area, this is attributable more to the decrease in building size leaving more lot area to be landscaped than the actual square footage of landscaping, and this amount greatly exceeds the minimum 15% required. The number of parking lot and street trees remain the same, and the total number of trees on the site as a whole was increased slightly.
F. Grading, Drainage, Utility Plans

While no updated grading plan has been submitted discussion has occurred as to whether the site could be lowered any more, and the applicant’s memo states that only one foot was able to be changed.

Additional work has been done by the applicant team with regard to moving forward with the bank protection and related improvement to the South Pino Arroyo channel including meeting with AMAFCA. Additional notes and comments related to Hydrology are attached to this supplemental staff report.

V. AGENCY & NEIGHBORHOOD CONCERNS

A. Reviewing Agencies

Agencies reviewed this request from July 3, 2017 to July 20, 2017. Related to the additional meetings with Hydrology and AMAFCA, additional and revised agency comments are provided with this report for informational purposes. The applicant will complete the required engineering analysis for approval of a separate grading and drainage plan through the Hydrology Section of the Planning Department prior to approval of the Site Development Plan for Building Permit by the Development Review Board (DRB).

B. Neighborhood/Public

The Cherry Hills Civic Association (CHCA) and neighbors within 100 feet were notified of this request prior to the August 10, 2017 hearing, as required. At that time, it was discovered that the applicant had not notified the District 4 Coalition of neighborhood associations because those contacts were not originally provided. As the case was deferred, this allowed adequate time to provide the required notice to the District 4 Coalition, and that notification information is included in this supplemental staff report. The District 4 Coalition was also invited to the facilitated meeting that was held.

The August 10, 2017 hearing was deferred to September 14, 2017 in order to allow time for a facilitated meeting to occur between the applicant and concerned neighbors. That meeting was held on August 29, 2017 and a facilitated meeting report is attached to this supplemental staff report. No areas of agreement were noted.

There is significant neighborhood opposition to this request, and many neighbors expressed the view that the project would be inconsistent with the neighborhood and lead to a lower quality of life. Neighborhood concerns include increased traffic and issues of access to the neighborhood, the amount of parking proposed and whether it can handle all vehicles without overflow into the neighborhood, the proposed building height of three stories and how that affects privacy and views of the mountains from neighbor’s homes, and whether such a facility is truly needed at this location.
A full list of neighborhood comments and concerns that was shared prior to the facilitated meeting is also attached to this report. A few additional written letters and emails were also submitted, including a letter reviewing specific policy analysis and findings contesting whether the application is actually in alignment with the Goals and Policies of the Comprehensive Plan and R-270-1980.

VI. CONCLUSION

This is a three part request for a Zone Map Amendment 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, a Site Development Plan for Subdivision, and a Site Development Plan for Building Permit for an approximately 14.14 acre site located on Harper Road NE between Wyoming Blvd NE and Ventura Street NE. The purpose of the zone change and site development plan requests is to allow for development of a senior living facility on the subject site that will provide a combination of independent living, assisted living, and memory care services totaling 180 units.

The Zoning Code requires that applicants requesting SU-1 Special Use zoning submit a site development plan to the Environmental Planning Commission (EPC) for review and approval. The applicant has submitted a Site Development Plan for Subdivision showing the portion of the subject lots where the new zoning will apply, access locations, and where a future application will subdivide the property. A Site Development Plan for Building Permit is also before the EPC showing how the applicant intends to develop the site including building locations and setbacks, heights, parking and circulation, landscaping, elevations, and other design elements.

The request for the zone change and accompanying site development plans are consistent with and further numerous Comprehensive Plan policies related to infill development, housing options, economic development, and urban design. The request is also consistent with the Facility Plan for Arroyos.

The Cherry Hills Civic Association, District 4 Coalition, and property owners within 100 feet were notified of the request. A facilitated meeting was held, and there is significant known opposition to this request.

Staff recommends approval of all three portions of the request with the findings and subject to the recommended conditions of approval within this supplemental staff report. Changes from the Findings and Conditions included in the original August 10, 2017 staff report are in bold font.
FINDINGS, Zone Map Amendment
Project # 1007412, Case # 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.

5. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and further 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 further 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 further 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 further 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.

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 further Policy 5.6.3 b) because the zone change has been carefully considered with regard to its surrounding context, and the proposed site design incorporates a large front setback similar to the adjacent church and 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 further 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.

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

The request further 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. 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 further 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 further 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.

c) 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.

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.

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 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.

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.

7. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

A. The applicant’s updated justification letter dated July 26, 2017 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.

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. The existing zoning is inappropriate because changed community conditions, including an increase in retirees seeking alternative housing options as articulated in the newly updated Comprehensive Plan precipitate the need for additional senior housing, and the subject site is an appropriate place for such a senior housing facility. In addition, as described in Findings 5 and 6, the existing zoning is 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.

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 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.

RECOMMENDATION

APPROVAL of 17EPC-40024, a request for Zone Map Amendment 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 for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, based on the preceding Findings and subject to the following Condition of Approval.
CONDITION OF APPROVAL, Zone Map Amendment

Project # 1007412, Case # 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

Project # 1007412, Case # 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.

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 further 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 further 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 further 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 further 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 further 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 further 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 incorporates a large front setback similar to the adjacent church and 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.

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. 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 further 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 further 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 further 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.

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 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.

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 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.

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.

RECOMMENDATION

APPROVAL of 17EPC-40025, a request for Site Development Plan for Subdivision, for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site, based on the preceding Findings and subject to the following Conditions of Approval.
CONDITIONS OF APPROVAL, Site Development Plan for Subdivision

Project # 1007412, Case # 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

Project # 1007412, Case # 17EPC-40026

1. This is a request for a Site Development Plan for Building Permit for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site located on Harper Road NE between Wyoming Blvd NE and Ventura Street NE and containing approximately 14.14 acres.

2. The purpose of this request is to allow for development of a 180 unit Senior Living Facility.

3. The Albuquerque/Bernalillo County Comprehensive Plan, Facility Plan for Arroyos, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

4. Section 14-16-3-11 of the Zoning Code states, “…Site Development Plans are expected to meet the requirements of adopted city policies and procedures.” The attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan, and other applicable Plans.

5. The subject site is within the Area of Consistency of the Comprehensive Plan. The request is in general compliance with and furthers the following applicable goals and policies of the Comprehensive Plan:
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.
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 incorporates a large front setback similar to the adjacent church and 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.

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. 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 Hoffmanton 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 Hoffmanton 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.

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.

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 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.

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.

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.

RECOMMENDATION

APPROVAL of 17EPC-40026, a request for Site Development Plan for Building Permit, for Tract B-2, Yorba Linda Subdivision and a portion of Tract A, Hoffmantown Baptist Church Site based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL, Site Development Plan for Building Permit

Project # 1007412, Case # 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. 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.
Notice of Decision cc list:

Consensus Planning
SP Albuquerque, LLC
Cherry Hills Civic Association
District 4 Coalition
AGENCY COMMENTS

PLANNING DEPARTMENT

CITY ENGINEER

Hydrology Development

- The development will be above the 100-year base flood elevation plus freeboard. Flow rates will be based on the published Flood Insurance Study (FIS) of the South Pino Arroyo.
- There will be no adverse impact to the existing floodplain on neighboring properties, unless the owner(s) of adversely effected property is in agreement that their property can be impacted.
- AMAFCA approval of the turnkey agreement to maintain the Bank Protection
- Compliance with Section 404 of the Clean Water Act

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

P#1007412 Harper Road Senior Living Facility, (E-20)
17EPC-40024 Reviewed. No comment.
17EPC-40025 Reviewed. No adverse comment. AMAFCA will sign the Final Plat. Vacation of the Temporary AMAFCA Easement will require a quitclaim deed approved by the AMAFCA Board of Directors.
17EPC-40026 Reviewed. No adverse comment. AMAFCA will continue to coordinate bank protection plans for the Pino Arroyo with the owner and engineer. Construction and maintenance of the bank protection will be accomplished under a Turnkey Agreement approved by the AMAFCA Board of Directors.
ADDITIONAL APPLICATION INFORMATION
Memorandum

To: Michael Voss
From: Jacqueline Fishman, AICP
Date: September 6, 2017
Re: Project #1007412; Harper Road Senior Living Zone Map Amendment and Site Plans for Building Permit and Subdivision

Based on our facilitated meeting on August 29th, our Project Team has made revisions to the Site Plan for Building Permit to address some of the neighborhood concerns. The following revisions significantly reduce the impact this project has on the neighborhood:

- Bohannan Huston reanalyzed the grading and constraints with being in a flood plain and determined that we could only reduce the pad elevation of the IL building by 1 foot.

- Most significantly, all of the 3-story portions of the building have been pulled back south away from Harper Road. On the original Site Plan, there was a 3-story portion set back from Harper by 134 feet. The revised Site Plan has the closest 3-story portion set back from Harper by 272 feet (see massing graphic below).

Massing graphic.
• The 1-story amenities went from being located in the center of building to the northwest wing, again significantly reducing the building massing along Harper Road.

• Residential units are added to the northeast wing. These units step down to 2 and 1 story as the building gets closer to Harper Road.

• The overall building area is reduced by ±14,000 SF due to the re-design of the IL building. Our total building area is now ±238,000 sf.

• The visitor parking area is pulled further back from Harper Road and re-arranged so that parking spaces are not pointed to the north toward residences on the north side of Harper.

• The overall parking count is increased by 11 spaces - from 215 spaces to 226. The additional spaces were added to the visitor area and the areas around the IL building. We based our required minimum parking on what is currently proposed in the Integrated Development Code for these different levels of senior housing. Based on the IDO, the minimum number of spaces required would be 121 spaces; we now have exceeded that amount by 105 parking spaces.

• We have also checked on nearby senior living facilities in regard to parking. Morningstar, which is an assisted living and memory care facility, has 88 units with a parking ratio of 1 space per 2 units (beds). The required parking is 44 spaces and the project provides an overall parking count of 50 parking spaces.

• We have also confirmed that a traffic signal is not warranted at Harper Road and Red Sky. The traffic issues that were mentioned by the neighborhood exist and should be brought to the attention of the Department of Municipal Development. It is not this applicant's burden to solve their neighborhood ingress/egress issues.
ADDITIONAL NOTIFICATION & NEIGHBORHOOD INFORMATION
August 11, 2017

Michael Pridham
6413 Northland Avenue NE
Albuquerque, NM 87109

Tony Huff
9712 Sand Verbena Trail NE
Albuquerque, NM 87122

Dear District 4 Representative:

This letter is notification that Consensus Planning has a submitted request for a Zone Map Amendment, Site Plan for Subdivision, and Site Plan for Building Permit to the Environmental Planning Commission (EPC) on behalf of SP Albuquerque, LLC. The site is located at 8888 Harper Road NE, between Ventura Street and the Albuquerque Academy. The project is a senior living community called Harper Road Senior Living. The EPC hearing for this application will be held on September 14, 2017 8:30 a.m. at the Plaza del Sol Building, located at 600 2nd Street NW. The following are detailed descriptions of these requests:

The proposed project is a senior living community called Harper Road Senior Living, which provides three different care options for its residents. There will be 96 Independent Living (IL) units, 60 Assisted Living (AL) units, and 24 Memory Care (MC) units, for a total of 180 units. Common areas such as a library, internet lounge, multi-purpose media room, private dining restaurant, beauty salon and spa, wellness/fitness center, indoor pool, and recreational gathering spaces are provided for the convenience of the residents are included in the project. The project will also include on-site consumption of beer and wine for the residents during meals, which is common for senior living communities.

This development is intended to create a living environment that encourages intellectual, social, and physical wellness for seniors. The goal is to serve seniors by providing support services and much needed residential and medical facilities for the aging senior population in Albuquerque, as well as seniors who may relocate to Albuquerque. This project is appropriate for the area and would be an excellent neighbor to the surrounding community.

Please do not hesitate to contact me if you have any questions or desire any additional information. The City has assigned a meeting facilitator, Jessie Lawrence, to facilitate a meeting on this project. She will be notifying you regarding the meeting date, time, and location.

Sincerely,

[Signature]

Jacqueline Fishman, AICP
Principal

PRINCIPALS

James K. Strotzer, AICP
Christopher J. Green, PLA,
ASLA, LEED AP
Jacqueline Fishman, AICP
I will include them. Thank you, Michael.

---

Jessie Eaton Lawrence, JD, MUP, AICP  
Attorney at Law and Mediator  
Lawrence Meeting Resources  
Physical Address: 128 Grant #214, Santa Fe, NM 87501  
Mailing Address: PO Box 31854, Santa Fe, NM 87594  
Phone: 505-603-4351  
Website: lawrencemeetingresources.com

On Fri, Aug 11, 2017 at 8:43 AM, Vos, Michael J. <mvos@cabq.gov> wrote:

Good morning Tyson and Jessie,

When scheduling this facilitated meeting, please include the District 4 Coalition as an affected NA with the following contacts:

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Address Line 1</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Home Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael</td>
<td>Pridham</td>
<td><a href="mailto:michael@drpridham.com">michael@drpridham.com</a></td>
<td>6413 Northland Avenue NE</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87109</td>
<td>5058721900</td>
</tr>
<tr>
<td>Tony</td>
<td>Huffman</td>
<td><a href="mailto:thuffman663@comcast.net">thuffman663@comcast.net</a></td>
<td>9712 Sand Verbena Trail NE</td>
<td>Albuquerque</td>
<td>NM</td>
<td>87122</td>
<td>505823245</td>
</tr>
</tbody>
</table>

Thanks,

Michael J. Vos, AICP

Planner – Development Facilitator  
Urban Design & Development Division  
City of Albuquerque Planning Department  
Office 505.924.3955
From: Hummell, Tyson  
Sent: Monday, August 07, 2017 12:38 PM  
To: Jessie Lawrence (jessie@lawrencemeetingresources.com)  
Cc: Trippett, Shannon; Dicome, Kym; Vos, Michael J.  
Subject: EPC 1007421

Jessie,

Thank you for agreeing to serve as facilitator in the above referenced matter. This will confirm that you are authorized to proceed with all work associated with this assignment and invoice our office accordingly. Please find summary information for the project below. The project application and other relevant materials are accessible at the following link:

https://partner.cabq.gov/EPC/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fEPC%2fShared%20Documents%2fEPC%20SharePoint%2f8%2f102d17&FolderCTID=&View=%7b722342BE%2Od45E2%2d46D9%2d9E2D%2d725308EE9504%E7d  Please note that you will need to open the EPC folder containing files for the 8-10-2017 hearing date, then click on EPC 1007421.

EPC Project 1007421

Case Overview:

This project involves a proposed multi-unit senior living center. Agent, Consensus Planning is seeking the following: Zone Map Amendment, Site Development Plan for Subdivision and Site Development Plan for Building Permit, on behalf of their client SP Albuquerque, LLC.

Requesting Party / Affected NA: Cherry Hills Civic Association “CHC”:

Andrew Robertson,

bkyella@hotmail.com;

6916 Rosewood Road NE, Albuquerque NM 87111

(505) 550-0473; (505) 255-6018
Joel Boyer,
dfwqualityproperties@gmail.com;
6928 Cherry Hills Loop NE, Albuquerque NM 87111
(505) 974-8195; (505) 284-9457

Ellen Dueweke,
edueweke@juno.com
8409 Cherry Hills Road NE, Albuquerque, NM 87111
(505) 858-1863

Agent, Consensus Planning:
Jackie Fishman
fishman@consensusplanning.com
(505) 764-9801

City of Albuquerque Staff Planner:
Michael Vos
mvos@cabq.gov
(505) 924-3955

Please do not hesitate to contact me with any questions or concerns.

TRH
Tyson Hummell
Assistant City Attorney / ADR Coordinator
City of Albuquerque Legal Department
P.O. Box 2248
Albuquerque, New Mexico 87103
(505) 768-4500
(505) 768-4440 (Fax)
CITY OF ALBUQUERQUE
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Project #: 1007412
Property Description: Tract B-2 and a portion of Tract A, Yorba Linda and a portion of Hoffmantown Baptist Church, located on Harper Rd. NE between Ventura St. NE and Wyoming Blvd. NE

Date Submitted: August 31, 2017
Submitted By: Jessie Lawrence

Meeting Date/Time: August 29, 2017; 6:30 PM
Meeting Locations: North Domingo Baca Multigenerational Center Classroom 1

Facilitator: Jessie Lawrence
Co-facilitator: Kathleen Oweegon

Parties (individual names and affiliations of attendees are listed at the end of the report):
- Applicant:
  - SP Albuquerque, LLC
- Agent:
  - Consensus Planning
- Affected Neighborhood Associations:
  - Cherry Hills Civic Association
  - District 4 Coalition

Background/Meeting Summary:
Applicant requests a zone map amendment, site development plan for subdivision approval, and site development plan for building permit approval for property located at 8888 Harper Rd. NE. Applicant intends to develop a senior living community at the site.

Neighbors in attendance expressed a number of concerns about the project, with many expressing the view that the project would be inconsistent with the neighborhood and would lower the quality of life for the Cherry Hills residents. Primary areas of concern discussed include the potential increase in traffic due to the project, especially as access to the Cherry Hills neighborhood is limited and traffic is already difficult; whether the planned number of parking spaces will be enough to prevent overflow parking in the neighborhood; the three-story height of the building, and in particular whether it will affect neighbors’ privacy and reduce the quality of neighbors’ views; and whether the facility is a necessary and positive use at this location. (See Meeting Specifics for all recorded concerns.)
As follow up, the Applicant and Agent agreed to:

- Look at whether there are ways to lower the grade or build into the ground to lower the height of the project.
- Provide additional information about the planned grade for the site and a cross-section of the elevation.
- Look at the planned number of parking spots and compare it with other similar facilities.
- Provide renderings from different perspectives and angles to provide a better sense of what the buildings will look like.
- Provide information about the views and how much of the existing views would be lost.
- Share some additional information about the market research, although much of that study is proprietary.

Outcome:

- **Areas of Agreement**
  - None noted at the meeting.
- **Unresolved Issues & Concerns**
  - Meeting participants expressed concerns about an increase in traffic when travel along Harper and access in and out of the Cherry Hills neighborhood is already difficult. Some expressed doubt about the trip generation calculations for this project.
  - Meeting participants expressed the concern that the planned parking will not be enough for the facility and residents, employees, and visitors will park in the adjacent neighborhood.
  - Meeting participants expressed concern about the three-story facility, with specific concerns that it will reduce neighbors' privacy due to the high windows and that it will reduce the quality of their views.
  - Meeting participants questioned whether this facility is a necessary use and whether this size facility is necessary, with some questioning whether there is a market for this facility.

Meeting Specifics:

1) **Overview of Proposed Project**
   a) Jackie Fishman, representing project agent Consensus Planning, presented information on the proposed project.
   b) The request at issue is for a zone map amendment, site development plan for subdivision approval, and site development plan for building permit approval.
   c) The proposed project is a senior living center with independent living, assisted care, and memory care facilities.
   d) Building heights will range from 1 to 3 stories, with a maximum height of 37 feet.
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e) Access points to Harper Rd. will align with existing median crossings, one across from Red Sky Rd. and one farther east.
f) The project will try to maintain the existing 8-foot berm along Harper to screen the building from the road.
g) There will be 96 independent living units, 60 assisted living units, and 24 memory care units, for a total of 180 and a density of 12.7 dwelling units per acre on the 14.14 acres.

2) Questions and Concerns about Traffic
a) A meeting participant expressed the concern that there are 307 families in Cherry Hills and only four access points, and traffic from this project would cause the blockage of the access point at Red Sky Rd.
   i) Another meeting participant added that three of the four Cherry Hills access points are on Harper, and traffic is already difficult.
b) Several meeting participants asked whether a traffic study would be required.
   i) Agent stated that the project does not meet the city thresholds to require a traffic study, which are 300 units or a peak hour ingress/egress of 100 cars.
   ii) A meeting participant asked what the total trips during the peak hours would be.
      (1) Agent said that the trip generation calculations project 37 additional trips during the AM peak hour and 38 additional trips in the PM peak hour, including employees.
      (2) A meeting participant suggested that employees alone would take up a large portion of those additional trips, and asked how many employees there would be.
         (a) Agent said there would be 68 employees over three shifts.
   iii) A meeting participant asked how the trip generation calculations were made.
      (1) Eric Wragge, with Bohannan Huston, said that they use a trip generation manual that uses data from thousands of similar facilities, and that the projection does include employees entering and exiting the facility.
      (2) Bruce Stidworthy, with Bohannan Huston, explained that the trip generation estimates in the manual are made by doing counts of vehicles at similar facilities in various locations and then calculating rates based on the size of the facility.
iv) A meeting participant asked for the names of the City traffic engineers that have provided information to the agent.
   (1) Agent said that the City staff are Raquel Michel and Logan Patz.
v) A meeting participant asked if the traffic estimates include the number of people entering and exiting from the neighborhood.
   (1) Agent said that it is an estimate of the new traffic generated by the project, and does not include any existing traffic.
vi) Several meeting participants expressed the concern that there is already too much traffic driving too fast on Harper, and even if the trip generation count is correct, any additional traffic is a problem in this area.
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c) A meeting participant asked if the applicant had considered cutting through the
Hoffmowntown Church property, so employees in particular could use that route
rather than the entrance across from Big Sky.
    i) Agent said that the change in elevation between the two properties could be a
       problem.
d) Agent stated that this kind of facility often uses a limo/shuttle service for residents,
    and this would limit the number of cars further.
e) A meeting participant asked about the age of the residents.
    i) Applicant said that the minimum age would be approximately 62 or as required
       by law, and the average age of residents in these types of facilities is 83.
    ii) The meeting participant asked if residents would be driving.
        (1) Applicant said that some residents would drive, but they often drive less
            because of the transportation provided by the facility.
    iii) The meeting participant expressed the concern that some independent living
         units could even have two drivers.
f) A meeting participant asked about the number of visitors.
    i) Agent stated that there are 94 guest parking spaces.
g) A meeting participant asked if the facility is really continuing care with so many
    residences and suggested that this would impact the amount of traffic.
    i) Applicant said that the facility has three levels of care, and estimated that the
dementia patients would not be driving, 25% of assisted living residents would
    have cars, and 85% of independent living residents would have cars.
h) A meeting participant asked how many of the independent living units would have
    more than one person.
    i) Applicant estimated that 20-25% of the independent living might be couples.
    ii) A meeting participant asked if there would be one- and two-bedroom units.
        (1) Applicant confirmed this.
i) A meeting participant expressed the concern that this will result in a stoplight at
    Red Sky Rd.
    i) Agent said that counts have shown that there are only 11,000 cars a day on
       Harper.

3) Questions and Concerns about Parking
a) A meeting participant asked about the total number of parking spaces.
    i) Agent said there would be 215 spaces.
    ii) The City's parking requirements include 1 space per unit for independent living,
        1 space per unit for assisted living, and 1 space per 5 units for memory care.
        (1) This requirement includes employee spaces.
    iii) There are 94 guest spaces.
    iv) Parking is located along the west, south, and east edges, with a visitor parking lot
        on the northeast corner near Harper.
b) A meeting participant who lives on the north side of Harper across from the exit expressed concern about headlights shining directly at his house, affecting his quality of life.
   i) Agent said that the existing 6-foot wall would be higher than the lights coming from the driveway.
   ii) The meeting participant expressed concern that there would still be lights from the downhill slope.

c) A meeting participant expressed the concern that the parking would not be adequate, especially not for the number of employees at shift changes.

d) A meeting participant expressed the concern that people will park in the neighborhood and in front of neighbors’ houses.
   i) Agent said that she would compare the number of parking spots with other similar projects.

e) A meeting participant expressed a concern about only 14 ADA parking spots and said that she did not believe that would be enough.
   i) Agent said that the City requires 8 ADA spots, and while there is room on the site for more parking, they don’t want to over-park the facility, either.

f) A meeting participant expressed a concern about parking on the holidays and worried that overflow from the facility would block neighbors’ families and visitors from being able to park.

g) A meeting participant asked if the facility could look into leasing Hoffmantown Baptist Church parking as overflow at the holidays.
   i) Agent said that they could look at that.

4) Questions and Concerns about Visual Impact and Views
   a) A meeting participant asked how the 37-foot height was calculated.
   i) Agent said that it is 37 feet above the adjacent land.
      (1) A meeting participant noted that it is roughly eight feet from the road to the level where the building would be built, adding additional height.

b) A meeting participant asked if it would be possible to lower the grade and build a lower building.
   i) Applicant said that they would look at this, though there may be issues with drainage.

c) A meeting participant suggested that the highest part of the building should be on the lowest part of the site, rather than the highest part, and expressed the concern that the higher windows will look into the neighboring yards.
   i) Agent said that the grade of the property will look different when it is done, and the highest parts will be lowered.

d) A meeting participant asked how high the top of the three-story building will be compared to the road.
   i) Agent said that the existing rise would be lowered by 7-8 feet, so the slab would be approximately 8 feet above the road, and the building would rise 37 feet from the slab.
ii) Agent said that she could provide more information about the grade plan and cross-section of elevation.

e) Meeting participants asked for clarification about where the different building heights would be located in the facility.
   i) The three-story levels will be on the outside of the independent living building, with two-story levels around the courtyard of that building and nearest to Harper.
      (1) The three-story sections will be 37 feet tall.
   ii) The assisted living and memory care areas will be one story.

f) A meeting participant asked how many units there would be in the three-story section.
   i) Agent said that the independent living section would include 36 first-floor units, 36 second-floor units, and 24 third-floor units.
      (1) The memory care and assisted living sections are one floor.

g) A meeting participant asked for renderings from different perspectives and angles to provide a better sense of what the buildings will look like.
   i) Agent said that they could provide this.

h) A meeting participant asked for more information about how much of the views from the park looking west and from Harper looking south would be lost.
   i) Agent said that they could provide this.

i) A meeting participant said that the part closest to Harper will look over her backyard and asked for it to be lowered.
   i) Agent said that the tip is 100 feet from Harper.
   ii) Other meeting participants asked that the project be designed so the buildings are farther back on the lot.

j) A meeting participant asked if the third floor could be removed.
   i) Applicant said it could not.

k) A meeting participant asked about differences in the architectural design in the drawings, including contrasts in design and coloration.
   i) Applicant said that the differences in the drawings are intentional to show some variety.

l) A meeting participant said that this project would be stealing his view to create a view for the residents of this facility.
   i) Agent agreed to share more information about what the views will look like and what neighbors will see.

5) Questions and Concerns about Facility Need

a) A meeting participant asked where the market study for this facility came from.
   i) Agent said that it was done by a marketing company based on a 3-5 mile radius of the site.
   ii) Agent said that they want to show the City that there is demand, but this isn’t part of the City’s decision-making considerations.
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b) A meeting participant stated that most of the other similar facilities in the area are 50% empty.

c) A meeting participant asked for more information about the need for this type of project and the number of units.
   i) Applicant said that he could share some of the marketing study, but could not share all of it as some of it is proprietary.

d) A meeting participant expressed a concern that the property could become an apartment complex in 10-20 years if it is not successful as this facility.
   i) Agent said that such a change would require a change in zoning, and the assisted living and memory care units do not have kitchens and would be difficult to convert.
      (1) This would require another application process, meeting with neighbors, and EPC or ZHE hearing.

e) A meeting participant asked if the project would be affordable to individuals on Social Security or Medicare.
   i) Applicant said that it would not be prohibitive of lower income people, though some may not be able to afford it.

6) Other Questions and Concerns

a) A meeting participant expressed the concern that the density is actually higher than calculated by the applicant, because the density calculation includes the arroyo and drainage easements to the south.

b) A meeting participant asked if the sidewalk and walking path would be affected by the project.
   i) Agent stated that the sidewalk would remain 6 feet, as it is now, and currently the closest point of the building is 124 feet from Harper Rd.

c) A meeting participant noted that the number of estimated employees is much smaller than the number when the project was discussed in 2008, and asked why.
   i) Agent stated that the lower number of employees reflects 100 fewer residents.
   ii) The height of the buildings and the number of units were reduced from earlier plans in response to neighbor feedback to the 2008 application.

d) A meeting participant said that density comparisons should take into account the lower density of the existing neighborhood, and that the City should more heavily consider the density and style of adjacent neighborhoods in its planning processes.

e) A meeting participant asked about the pedestrian walking path and whether there would be provisions to ensure the safety of the two entrances to the walking path.
   i) Agent said that they are aware of the pedestrian path and can do stop signs with pedestrian warnings at the facility exits.
   ii) The landscaping will also include clear-sight triangles.

f) A meeting participant asked what the cost per independent living unit would be.
   i) Applicant said that they would be rentals and the amount was not yet available.

g) A meeting participant asked where runoff drainage would go.
   i) Agent said that it would be directed to the west and south, to the existing arroyo.
city of albuquerque
land use facilitation program
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ii) Harper discharges to a channel along the west side of the property.
iii) There will be flood control ponds.
   (1) A meeting participant asked if there would be mosquitos.
   (a) Agent said that there would not be standing water for very long to attract mosquitos.

h) A meeting participant asked if there would be fencing around the project or if foot traffic would be permitted.
i) Agent said that the project would not be fenced all the way around.

i) A meeting participant asked what would happen if the project decided to expand, and whether the project could have a vertical addition.
i) Agent said that there would have to be an additional application process for expansion, and expansion would need to be horizontal, not vertical, because of the difficulty of constructing a vertical addition.

j) A meeting participant asked if there is a proposed bike route along Ventura and Harper.
i) Agent said that they would maintain the existing running path on the property and the City would eventually be connecting the routes in its trails plan.

k) A meeting participant asked why this site was chosen when there are others available.
i) Agent said that there are not many suitable infill sites in the city, and Hoffmanton Baptist Church has had an interest in assisted living on the site.

l) A meeting participant asked if any of the members of the project team are from Cherry Hills.
i) No, they are not.

m) A meeting participant said that the project will have an adverse impact on the quality of life and property values for the Cherry Hills community and maybe also the Tanoan community.

n) A meeting participant asked about the request to serve alcohol and whether that would affect the school.
i) Agent said that they meet the distance requirements from the church and said that this would allow the service of beer and wine during dinner.
ii) Agent said that this is an unusual request because there is not a straight zone to cover this.

o) A meeting participant asked about the potential start of construction and the construction workday.
i) Applicant said that the project would take about 20 months to build and that they hope to open in mid-fall of 2020.
ii) Construction will occur during a typical construction work day, possibly starting as early as 6:30 AM.
iii) Another meeting participant expressed a concern that trucks will arrive and unload at 4:00 AM.

p) A meeting participant said that single-family homes would be much preferred.
q) A meeting participant asked who the project team met with previously from Cherry Hills and why the application says that there was a positive response.
   i) Agent said that they met with a small group including the NA board president in June and that there was some support.

r) A meeting participant asked about the EPC meeting sign posted at the site.
   i) Agent said that the project was originally scheduled to be heard by the EPC last month, but they requested a deferral to meet with neighbors.
      (1) The sign is only required to be posted for the first hearing date.
   ii) Some meeting participants indicated that the sign was confusing regarding who to contact with concerns.

Application Hearing Details:
1. The Environmental Planning Commission (EPC) is an appointed, 9-member, volunteer citizen board with authority on many land use and planning issues. The EPC was formed in 1972 per City of Albuquerque Ordinance #294-1972. Members:
   - Karen Hudson, Chair, Council District 8
   - Derek Bohannan, Vice Chair, Council District 5
   - Dan Serrano, Council District 1
   - Moises Gonzalez, Council District 2
   - Vacant, Council District 3
   - Peter Nicholls, Council District 4
   - Maia Mullen, Council District 6
   - James Peck, Council District 7
   - Bill McCoy III, Council District 9

2. Hearing Time:
   i. The hearing is scheduled for September 14, 2017.
   ii. The Commission will begin hearing applications at 8:30 a.m.
   iii. The actual time this application will be heard by the Commission will depend on the applicant’s position on the Commission’s schedule.
   iv. The agenda is posted on http://www.cabq.gov/planning/boards-and-commissions/environmental-planning-commission on the Friday immediately prior to the EPC Hearing.

3. Hearing Process:
   i. Comments from facilitated meetings will go into a report which goes to the City Planner.
   ii. City Planner includes the facilitator report in recommendations.
   iii. The Commission will make a decision and parties have 15 days to appeal the decision.

4. Comment Submission:
   i. Comments may be sent to:
CITY OF ALBUQUERQUE
LAND USE FACILITATION PROGRAM
PROJECT MEETING REPORT

Michael Vos, Staff Planner
600 2nd Street NW, Third Floor
Albuquerque, NM 87102
mvos@cabq.gov
(505) 924-3955

OR

Karen Hudson, Chair, EPC
Derek Bohannan, Vice Chair, EPC
c/o Planning Department
600 2nd St, NW, Third Floor
Albuquerque, NM 87102

Names and Affiliations of All Attendees:
Marvin Henderson    Cherry Hills
Tom Hall            Cherry Hills
Alene Hardin        Cherry Hills
Ellen Dueweke       Cherry Hills
James Stewart       Cherry Hills
Linda Marie Lendino Cherry Hills
Mike Balaskovits    BHI
Rob Maclvor         Cherry Hills
John Peterson       Cherry Hills
John Winship        Self
Mike Koller         Cherry Hills
Nicolette Westphal  Resident
Matt Satches        BHI
Han W Egenes        Paradise Knolls
Joe Bednarski       Self
Eric Wrage          BHI
Margot Teel         Self
Ally Teel           Self
Joe Johnson         Self
Polly Johnson       Self
John Hemphill       Self
Blaine Hart         Self
Nancy Hart          Self
Dick Cramer         Self
Carrie Cramer       Self
Henry Happ          Self
Jan Happ            Self
Meeting Specifics:
3)a)ii) Change "The City's parking requirements include 1 space per unit for independent living, 1 space per unit for assisted living, and 1 space per 5 units for memory care" to "The City's parking ratios in the Integrated Development Ordinance (IDO) being considered by City Council are 1 space per independent living unit, 1 space per 3 assisted living units, and 1 space per 5 memory care units."
• Development Size/Setback
  – Not a natural fit in terms of size, height, activity level, density, and commercial purpose.
  – 180 units is too large for such a small footprint.
  – Built on a hill with the three-stories section at the top of the hill. This does not blend in aesthetically with the existing environment.
  – High density housing is not an appropriate transition between Cherry Hills and Albuquerque Academy open land.
  – Building lights and vehicle lights will shine into our neighborhood.
  – Relatively high density housing between Cherry Hills neighborhood, church and park, and open land.
  – Large facilities are on much larger tracts of land than this. 180 unit facility is upper end of what is considered large in this city.
  – Not a “like setback” to the church. The facility will be set back 120 feet. The church is set back more than 400 feet.
  – Large structures will affect viewscape.
  – Proposed height will obscure Cherry Hills views of the Sandias and the Manzanos.
  – Developer brags of great 360 degree views for center residents at Cherry Hills expense

• Traffic
  – A traffic study should be conducted.
  – Driveways along Harper will be hazardous for walkers, bikers, and joggers.
  – Traffic on Harper will be a problem.
  – The curve at Red Sky makes it difficult to see oncoming traffic. Heavier traffic will pose a safety concern.
  – Children crossing to Albuquerque Academy both during the school year and in the summer will be at higher risk with increased traffic at the four-way intersection.
  – Employees and visitors parking will spill into neighborhood streets.
  – Increased traffic, noise and light from 24/7 service.
  – Parking will overflow to Red Sky. This will add to the hazardous intersection as pedestrians cross Harper after parking on Red Sky.
  – Traffic increases will affect Cherry Hills ability to exit the neighborhood.
  – A traffic study will likely conclude that a light is necessary at Red Sky as it is already difficult to turn left onto Harper during rush hour. Also, the apex of the curve is right at Red Sky making it difficult to see oncoming traffic from both directions.
  – More traffic volume coming into the intersection from the other direction will only add to the hazardous condition. We don’t want a light there, but it will likely be necessary for public safety.
  – Service trucks will impact pedestrian and vehicular safety.
- A traffic study was not done. Will a traffic light be necessary?
- Increased traffic will make Harper unsafe for children.
- 96 of the 180 units are independent living. That is just senior apartments. Many of these seniors will drive, and there will likely be two vehicles for some units.
- There is no public transit to service this facility. The Wyoming bus stop is .75 miles away. The Ventura stop and the Academy stop (accessed by walking through the Academy) are both 1/3 mile away, but are both early morning and evening commuters only.
- Noise pollution will increase from delivery trucks and emergency vehicles.

• **Need or “Changed Community Conditions”**
  - The argument of public need for this facility in this location is false. There are plenty of such facilities nearby. The reason for this location is developers’ profit.
  - A market analysis is not in the file, but the report says that a facility is needed in this area. This is not a neighbor’s experience. Would this facility be converted to apartments if it could not fill?
  - There are at least 7 other such facilities within 1.5 miles, dispelling the “need” argument.
  - Administrators from local facilities say they have trouble filling them. There is overcapacity already that will last for years. They also have difficulty finding enough qualified employees.
  - Plenty of such facilities in the area dispels argument of need.
  - Development of one of the few open spaces left in town for the developer’s profit is short-sighted.

• **Open Space/Aesthetic Benefits**
  - Lack of natural environmental and aesthetic transition between single family residence neighborhood, a two-story church and park and undeveloped Academy land.
  - Loss of wildlife habitat. Wildlife will be displaced and/or negatively impacted.
  - Loss of rare open space in the middle of the city, Albuquerque’s “Central Park”.
  - Devastating loss to the North Albuquerque Community Planning Area (CPA).
  - Deterioration of open space will affect aesthetic value important to many civic and recreational users.
  - Inappropriate transition between Cherry Hills and Academy.
  - Neighborhood character will permanently change due to noise, light pollution, lost viewscape, parked vehicles, and lost wildlife.
  - When trees grow, views will be further impacted. Lights will also obscure our views.
  - Once we destroy this special place, it will be irreversible. Then we will be looking at it like we look at the Alvarado Hotel.
  - Loss of open space diminishes the aesthetics of the area.
• We need to preserve the small existing corridors of open land, as it is used and enjoyed by citizens from all over the NE Heights.
• This will destroy the local character and charm of Cherry Hills.

• Property Value Impacts
  • Neighbors purchased their homes in Cherry Hills with the understanding that this property was zoned for church only.
  • Cherry Hills property values will decline
  • Property values of Cherry Hills will be adversely affected.
  • Neighbors bought house for quiet, low traffic, open land of Albuquerque Academy and Hoffmantown Church. Property across the street was zoned for Church, not high-density residential. Would not have bought if they knew this was coming.

• Other/General
  • Snowball effect – the Albuquerque Academy may be incentivized to develop their open land.
  • Don’t it always seem to go that you don’t know what you’ve got till its gone? They pave paradise, put up a parking lot.”
  • Developers are coming after this land because it is the biggest such tract available. That means big bucks for them. But they could find plenty of more appropriate locations for a smaller (albeit less profitable) facility.
  • Slippery slope – Albuquerque Academy has kept most of its property undeveloped for 40 years. Commercial development next door may give them the go-ahead to begin development on their land too.
Sent from my iPhone
Tonya Hemphill
Interior Designs, LLC

Begin forwarded message:

From: Tonya Hemphill Interior Designs <tchemphill@comcast.net>
Date: August 31, 2017 at 12:43:46 PM MDT
To: Jessie Lawrence <jessie@lawrencemeetingresources.com>
Subject: Re: CABQ Land Use Facilitated Meeting Report: Project #1007412

Hey Jesse,

Two areas of traffic conversations were not included in the attached report;
a discussion on the unusually large amount of neighborhood (s) pedestrian foot traffic and charitable fund raising events, I.E. running and walking events around the Academy and Hoffman town church property, A request was made for a pedestrian study and acknowledged by all parties

- A request for further information on future road bike lanes on Harper.

Thank You Again for a well managed meeting.

Sent from my iPhone
Tonya Hemphill
Interior Designs, LLC

On Aug 31, 2017, at 11:26 AM, Jessie Lawrence <jessie@lawrencemeetingresources.com> wrote:

Hi all,

Attached, please find the meeting summary report from Tuesday's facilitated meeting. Should you read something in the report that you feel is an inaccurate representation of what was said in the meeting, please refer to the amendment parameters at the bottom of this message.
I'm including links to the applicant survey for the applicant team, and the participant survey for everyone else who attended the meeting:


Thank you for providing feedback. Please be sure to include project number #1007412 and include my name, Jessie Lawrence, at the top of the form.

Thank you all for your participation. Kathleen and I enjoyed working with you.

Sincerely,
Jessie Lawrence

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Clarification of Amendment Parameters

Reports are distributed to meeting participants and city staff at the same time. In this program, I have limits on how I can utilize people's input in my reports. These limits are in place to preserve the integrity of my role and of my reports. My parameters are:

1. I can never change a report, but...
2. If a correction is offered on something that occurred at the facilitated meeting, and is reflected in the notes that I have (i.e., I miscommunicated in the report what I have in my notes), I then write an amendment to the report, which goes out to the same people as the report.
3. If a correction is based strictly on objective fact (e.g., I got the name of a street wrong), I then write an amendment to the report, which goes out to the same people as the report.
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5. If something was said at the meeting but omitted from the report, please send those comments directly to the planner listed at the end of the report.

It is entirely possible that my co-facilitator or I might mis-hear things, yet we must let that clarification come from the speaker directly to the planner, so we maintain the integrity of the process. This is especially important because other meeting participants may have a contrasting correction or clarification, and I have no way to determine which I should represent unless I stay consistent in representing only what the facilitators heard.

---
Jessie Eaton Lawrence, JD, MUP, AICP
Attorney at Law and Mediator
Lawrence Meeting Resources
Physical Address: 128 Grant #214, Santa Fe, NM 87501
Mailing Address: PO Box 31854, Santa Fe, NM 87594
Phone: 505-603-4351
Website: lawrencemeetingresources.com

<1007412 Facilitated Meeting Report.docx>
Jessie,

Thank you for the report. Here are some voiced comments I don't think were captured in the report. I will also copy Michael Vos, whom I believe you asked us to notify.

Zoning

- Agent stated that Church zoning was not appropriate for the property (based on what?)
- References to the IDO and Res 270-1980 (supporting what statements?)

Plan

- Buildings should be set back from the road more consistent with the Church
- There is no planned roadway inside the property south of Harper
- The top of the high buildings will be 45 ft above the Harper street elevation
- Neighbors who have been exploring senior living for their own parents/loved ones repeatedly refuted Agents' estimated need for ~839 senior living spaces, citing high vacancies, and problems attracting both residents and staff
- Bike path is to be proposed along arroyo, not along street
- Housing density should be compared with existing neighborhood rather than the current comparison of 6 homes per acre

Parking

- Parking needs to be adequate for the overlap of vehicles while next shift arrives, prior to current shift vacating the lot
- Neighborhood near Palomas senior living has had significant trouble with parking overflow on adjacent properties
Safety

- Pedestrian traffic has not been measured
- Construction hours would be from 6:30 am to 2:30 pm

Thank you,

P. Cordeiro

On 08/31/2017 01:26 PM, Jessie Lawrence wrote:

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I'm including links to the applicant survey for the applicant team, and the participant survey for everyone else who attended the meeting:


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Thank you all for your participation. Kathleen and I enjoyed working with you.

Sincerely,
Jessie Lawrence

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Jessie Eaton Lawrence, JD, MUP, AICP
Attorney at Law and Mediator
Lawrence Meeting Resources
Physical Address: 128 Grant #214, Santa Fe, NM 87501
Mailing Address: PO Box 31854, Santa Fe, NM 87594
Phone: 505-603-4351
Website: lawrencemeetingresources.com
Michael Vos, AICP  
Planner - Development Facilitator  
Urban Design & Development Division  
City of Albuquerque Planning Department

Dear Mr. Vos,

I attended the facilitated meeting between Cherry Hills neighbors and the developers proposing the construction of a senior care facility west of the Hoffmantown church held on August 29, 2017 for Project #1007412. Since I did not have the opportunity to ask any questions or speak, I am writing on behalf of my family, and in support of those concerns expressed at that meeting. In addition, I have questions that I do not believe were addressed. Please add this to the official records for the meeting and rezoning application process.

As you are aware, R270-1980 Sections 1-A, 1-B, and 1-D state that a proposed zone change must be found consistent with the health, safety, morals, and general welfare of the city. The burden of justification for a zone change is placed on the applicant and the applicant must show the proposed change to favor stability of land use and demonstrate that a change in zoning is desirable. The applicant must demonstrate the existing zoning is inappropriate because of an error when the existing map was made, because of changed neighborhood conditions, or because a different use category is more advantageous to the community.

First, based on all the documents and information that have been made available, to me, we believe the applicant has not met its burden of justification. The applicant has not produced evidence of an existing error to the zoning map when it was made. Nor has it produced any evidence that the neighborhood conditions have changed. In fact, they cannot, because the neighborhood conditions have not changed.

The applicant is therefore left with a burden of proving that a different use category would be more advantageous to the community. The applicant has thus far failed to meet even this burden. To date, the applicant refuses to make public the “market analysis” that it has based its entire justification for the zoning change on and yet, this is the exact type of economic consideration that cannot be used as a factor to justify the zone change. In addition, it seems as though the staff approval recommendation for the zone change is wrongly based entirely on the “market analysis” without requiring the applicant to provide information as to current occupancy rates of other similar nearby facilities which Cherry Hills neighbors have found to be low.

Has the applicant conducted any studies of the numbers of Cherry Hills residents or nearby neighborhoods who would be in need of the proposed facility? If there is in fact a legitimate need for senior housing in Albuquerque, has the applicant provided information unrelated to the market analysis demonstrating why another high end senior living center is necessary in this neighborhood? Is the projected need for senior housing for seniors who have excess dispensable income or is the need for those fixed or low-income seniors who will not be able to afford the facility that, by its own admission, the applicant is building for the first group of seniors? Has the applicant provided any arguments
as to why it is more advantageous to develop the open space as a senior living center rather than allowing it to remain an open space that residents of the Cherry Hills neighborhood enjoy?

Regulation R270-1980 Section 1-E states that the proposed zoning change should not be approved where the proposed uses would be harmful to adjacent property, neighborhood or community. Our concerns related to this regulation may be categorized into the following topics: the facility design; parking and traffic; and environment.

The current facility proposes 96 independent living units, but the combined assisted living units and memory care units do not equal the independent living units. If the goal is to provide continuous care from independent living to assisted living to memory care if necessary, will the applicant be asking to further expand its design in later years? If the zoning change is approved and the facility is built as currently proposed but later fails because the seniors who actually need housing can’t afford to live at this facility, the city will have an increased incentive to allow whatever development will fill the vacant building. Has the applicant or the city addressed this possibility and considered the slippery slope that a zoning change in this neighborhood poses?

Policy 4.1.2 cited in the city’s recommendation to approve the zoning change requires that the proposed facility protect the identity and cohesiveness of the neighborhoods by ensuring the appropriate scale, location and character of the building design. Policy 5.6.4 also requires that the proposed facility be an appropriate transition between uses of different intensity. These protections are afforded to existing residents and NOT to any proposed development and yet the design of the facility protects potential residents’ views and amenities while threatening the identity and cohesiveness of the neighborhood.

While the assisted living and memory care portions of the facility have some arches and architectural similarities to the Academy, the independent living units do not and seem to be a marked contrast between existing architecture and architecture in the neighborhood. The independent living units are also proposed as a three story building to be constructed on the high point of the property. They are being advertised as offering views of the Sandia and Manzano mountains and as preserving the view for motorists driving east on Harper. There seems to be no consideration of the views of those mountains that will be replaced with a large structure from the Cherry Hills neighborhood. Has the applicant adequately addressed how this design will protect the identity of the neighborhood? Has the city asked the applicant to produce evidence or information in how it plans to preserve the views that the Cherry Hills neighbors currently enjoy and preserve the privacy of those residents whose homes and private backyards back onto Harper? Has the applicant or city addressed how a three story building that would dominate the landscape from the Cherry Hills neighborhood and for any motorists traveling along Harper will be an appropriate transition between small neighborhood homes and open space? Even if the applicant cites the commercial use of property south of the academy, have they addressed how the proposed facility will blend in with the single story stores and restaurants in that area? Has the city asked the applicant, to consider a two story design instead of three stories in order to fulfill Policies 4.1.2 and 5.6.4?

The design includes a total of 215 parking spaces for all residents, visitors and employees. Cherry Hills residents have observed that at the nearby senior care facilities that people visiting/working at those facilities often park on the streets around the facility because of inadequate parking. Increased traffic in the Cherry Hill streets adjacent to the facility would pose an additional negative impact and safety hazards in the Cherry Hills neighborhood. Has an arrangement between Hoffmanton Church and the applicant to allow overflow parking in the church parking lot been discussed? Is Hoffmanton amenable to this? If not, what mitigating action has been considered?

The applicant has released traffic statistics based on national averages and have estimated increased traffic of about 37 cars at peak hours. Has the applicant considered the cumulative impact of those cars on the Cherry Hills neighborhood? It is already extremely difficult to turn left on any of the egresses from the southern side of the neighborhood that would border the facility. It is also difficult to turn right at peak hours. Has the cost of a traffic light and additional signs that may be needed at those intersections been factored into the cost to the city? Has the applicant or the city considered the impact that the increased traffic may have on school buses that have to enter and exit the neighborhood at peak hours to bring children to and from school? In addition to the bike/jogging path around the outside of the Academy and Hoffmanton Church, nearby residents and Northeast Heights residents in general (adults and children)
use the open space at the Academy. More immediately than the fact that the development will impact the use of the open space by a large Northeast Heights population, crossing Harper to access the open space with additional traffic will pose a safety hazard to adults and children from the neighborhood who regularly use that open space. This will undeniably be harmful to the neighborhood. Will any considerations be given to those people who walk/run/ride across Harper to the open space in this development? Has the applicant addressed whether it will maintain access to the Academy open space from the western edge of its property near Red Sky?

Our final concerns relate to environmental issues addressed in Policy 5.2.1, water law, AMAFCA policy, and Section 404 of the Clean Water Act.

Policy 5.2.1 requires that land uses create healthy, sustainable and distinct communities with a mix of uses. This neighborhood is already in close proximity to senior care facilities, but we have only one open space like the land around the Academy and Hoffmantown church. The applicant and city state that the facility would “bring a productive use to a vacant piece of land.” We do not view a “vacant piece of land” as an unproductive use of land. Has the city considered that a sustainable community includes not only development, but open space as well? Has the applicant or city shown evidence that another senior living facility targeting the higher income seniors as opposed to lower income seniors creates a greater mix of uses by decreasing the limited amount of open space that we have in this area? Has the applicant addressed the impact the proposed development will have on wildlife (insects, reptiles, raptors, rabbits, coyotes and other small mammals) that use that open space? They also contribute to a healthy, sustainable and distinct community.

A facility of this size will require a great deal of water to operate. How much water will be needed? Where is the applicant getting its water rights from? Is it a surface water or a ground water right?

The development will require that a portion of the Pino Arroyo be filled in. This will necessitate coordination with AMAFCA and Section 404 of the Clean Water Act. Has the applicant yet addressed whether such actions will create a situation in which arroyos further west will be unable to handle increased water flow? The proposal may require a NPDES permit. Has this been explored with AMAFCA? Has the applicant addressed any potential violations of water quality from dredge/fill runoff? Will any degradation of water quality impact endangered species like the Rio Grande Silvery minnow in the Rio Grande?

While we recognize that some development of the land in the proposed zone change may be appropriate, we do not believe that a combined one, two and three story building is a responsible use of the land. Based on information available to us, we believe that neither the applicant or city has considered all aspects of this development and has not adequately shown that it will protect the morals, values, identity or cohesiveness of the Cherry Hills neighborhood. Thank you for your attention to these questions and to those posed by our neighbors at the recent facilitated meeting.

Sincerely,

Arden and Heather Anderson
8504 Cherry Hills Rd NE
ABQ, NM 87111
Environmental Planning Commission
600 2nd Street NW
Albuquerque, NM 87102

September 5, 2017

RE: Project #1007412, Hoffmantown Baptist Church Property

Dear Commissioners,

I am a resident of Cherry Hills neighborhood, and I am asking for your consideration to deny Consensus Planning’s application for zone change for the above project.

City Vision
The first part of this letter is concerned with the issue of the City’s vision for development. The recently revised Comprehensive Plan is a clear statement of how the City wants to proceed cautiously with development so as not to lose our sense of special place. The policies were established to protect the character and culture of neighborhoods. The vision is to maintain Albuquerque’s character to make sure it is a desirable place to live. Of course development is necessary, but the Comprehensive Plan is full of policies designed to ensure that the goal of development is balanced with the vision of a livable city. There are many, many references to protecting the areas designated as Areas of Consistency. The subject site has been designated as such because the authors recognized the special character and culture of the location. The Comprehensive Plan clearly states that Areas of Consistency are not desired places of higher density development. However, if they are to be developed, the development must meet certain criteria and requirements that preserve the local character.

Please recognize that the subject site is not “infill” according to the Comprehensive Plan definition. This is not just a vacant lot! It is a section of what we all consider “The Academy”. Locals use it as a park. People traverse around it and through it for exercise and enjoyment. It is Albuquerque’s “Central Park”. It is a gem of nature in the middle of the city. It is part of the City’s culture and character. If this large commercial institution is built, we will lose a special place and look back on it with regret.

Following are some of the many citings from the Comprehensive Plan that indicate that this development in not appropriate for this location.

As one of the oldest and most diverse cities in the United States, Albuquerque faces the challenge of preserving significant historic resources. Past failures, such as the demolition of the Alvarado and Franciscan Hotels, underline the importance of ongoing assessment, identification, and preservation of historic assets in the future.

The most valued neighborhood assets we strive to protect and enhance make Albuquerque unique and valuable, including historically and culturally significant resources, such as Old Town Plaza and landscape features, such as acequias. As redevelopment and infill occur, policies help ensure that development is consistent with the community’s vision and compatible with the surrounding area.

A strategy to achieve our vision: Ensuring that new development is compatible with established character in Areas of Consistency in the city.
At the neighborhood level, Areas of Consistency are primarily made up of single-family neighborhoods where little change is anticipated, and any future development should be mindful of surrounding context to be compatible with the established character of existing development. Directing growth to Areas of Change is intended to reduce pressure on established neighborhoods and rural areas to absorb growth and infill at a scale and density that could negatively affect their character.

Enhance, protect, and preserve distinct communities. Protect and enhance the natural and cultural characteristics and features that contribute to distinct identity and prioritize projects and programs to meet the needs of communities, neighborhoods, and sub-areas.

Respect natural environmental conditions and carrying capacities and cultural landscapes when locating new development and regulating its intensity and design.

 Neighborhoods designated as Areas of Consistency will be protected by policies to limit densities, new uses, and negative impacts from nearby development. While these areas may see some infill development and new uses, new development or redevelopment will need to be compatible in scale and character with the surrounding area.

Areas of Consistency, where any development that happens should be designed carefully to reinforce the character, scale, and intensity of surrounding neighborhoods.

As a guidance tool, Areas of Change and Consistency direct more dense development to areas where growth is desired (Areas of Change). In parallel, it is used to apply policies limiting new development to an intensity and scale consistent with places that are highly valued for their existing character (Areas of Consistency).

Encourage higher density housing as an appropriate use in the following situations:

- Within designated Centers and Corridors;
- In areas with good street connectivity and convenient access to transit;
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses, and where adequate infrastructure is or will be available;
- In areas now predominately zoned single-family only where it comprises a complete block face and faces onto similar or higher density development;
- In areas where a transition is needed between single-family homes and much more intensive development.

Applying guiding principles of sustainability: Focusing more intense uses in Centers preserves open spaces, agricultural land, and sensitive natural areas.

Encourage multi-family and mixed-use developments in areas where transition is needed between single-family homes and more intense development.

Consider local history and the visual environment, particularly features unique to Albuquerque, as significant determinants in development and redevelopment decisions.
Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes. Minimize negative impacts and maximize enhancements and design that complement the natural environment, particularly features unique to Albuquerque, in development and redevelopment.

Protect areas with unique landforms, and crucial habitat for wildlife, through sensitive urban development or acquisition as Open Space.

Protect crucial habitat on private land, by limiting the density and intensity of adjoining development, encouraging wildlife corridors and buffers, and mitigating the impacts of development.

The Comprehensive Plan continually communicates a desired vision of a city that balances the need for development with the need to maintain its character and sense of place. As shown above, the Comprehensive Plan is full of support of why this development does not fit the City’s vision. Approval of this request would require the Commission’s disregard of many policies and of the overall vision outlined throughout the Comprehensive Plan.

Analysis of Applicant’s Request for Zone Change
The second part of this letter is concerned with the City’s report dated 8/10/17 that recommends approval of the requested zone change and associated site plan for subdivision, and building permit. The report is extremely supportive of the applicant’s justification for the zoning change request, stating that the development “furthers” relevant policies in every instance. The analysis does not appear to be objective, as it does not find one criticism or weakness in the entire application. A similar application was submitted in 2008 for a like development at this site. The City’s report for that application was much more objective than this one, and concluded with a recommendation to deny the zone change. While it is true that the proposed facility in 2008 was larger than this one, much of the analysis dealt with the type of development being inappropriate for this location. None of that has changed.

Attached is part of the City’s report revised to include CH analysis. I did find parts of the report that were accurate and appropriate, and in the name of efficiency, I did not readdress those parts in my analysis. I did cite the City’s analysis of the 2008 application where relevant. I will admit that I did have an agenda when doing my review. I am attempting to convince the EPC that the rezoning is inappropriate and should be denied. The City’s goal however, should be to approve or deny the rezoning request based on an objective analysis of whether this development furthers the policies of the Comprehensive Plan and achieves the vision illustrated throughout it.

Sincerely,

Ellen Dueweke
8409 Cherry Hills Road NE
Albuquerque, NM 87111
edueweke@juno.com
APPLICABLE POLICY ANALYSIS
The subject site is located in the area designated Area of Consistency by the Comprehensive Plan. Applicable policies are:

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.

Staff analysis: 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.

CH analysis: The “minimum 100-foot setback from the property line along Harper Road” (7/26/17 application) is much closer than the church setback of over 500 feet. The building scale is three stories situated at the highest point of the property, which will result in it towering over the one and two story residences of Cherry Hills. The scale of the development is much too large with density of 180 units on 14.14 acres. This is 12.7 dwelling units per acre vs. Cherry Hills neighborhood, where lots are 1/3 to 1/4 acre each, which is 3 or 4 dwelling units per acre. The facility density would be 3 or 4 times that of its neighbor. Additionally, 2 of the 14 acres are not usable as they are along the arroyo. This effectively reduces the developed site to 12 acres, resulting in 14.8 dwelling units per usable acre.

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.

Staff analysis: 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.

CH analysis: “Additional senior housing” is not a good, service, or amenity that is needed within walking and biking distance of Cherry Hills residents. One cannot be a resident of Cherry Hills simultaneously with obtaining senior housing at the facility. Also, the services provided by the facility will not be available to Cherry Hills residents unless they move from Cherry Hills to the facility. It is unlikely that many, if any residents of Cherry Hills will be employed at the facility. Also, I interpret Policy 5.2.1 to be saying that land use should bring goods, services, and amenities to neighborhoods. It is not talking about bringing new neighbors to already established goods, services, and amenities.

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

Staff analysis: The request furthers Policy 5.2.1 a) because the proposed development offers a choice of 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.
CH analysis: The proposed development does offer lifestyle choices to seniors. However, there is nothing about this particular location that enhances that. Also, this location has no bearing on the shuttle service that will be provided. Therefore, these statements do not support approval of a zoning change for this location. The report states that “There are bus routes along Wyoming, Academy, and Ventura, with the nearest stop at the corner of Ventura and Harper, approximately 2000 feet east of the subject site.” However, the Ventura bus is a commuter during morning and evening rush hours. The Academy bus is also a commuter, and unless accessed by walking through the undeveloped Albuquerque Academy land, would be over a mile away. The Wyoming bus is the only one that would provide useful transit to residents, and it is approximately .75 miles from the Harper entrance of the facility. The 2008 Staff Report noted the same when it stated, “In reality, the area is poorly served by transit. The Ventura bus is a commuter and the Wyoming bus is approx. 0.75 mi. away.”

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

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

CH analysis: While this is true, is does not support approval of a zoning change for this location. Also, the Staff analysis statement did not address the part of the policy about broadening housing options to meet a range of incomes. Because this will be a high-end facility, it will not broaden housing options to meet a range of incomes.

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

Staff analysis: 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.

CH analysis: The Comprehensive Plan defines “infill development” as: “the development of new commercial or residential buildings on scattered vacant sites or small groups of sites in an otherwise built up area.” The proposed site is a section of undeveloped land surrounded by more undeveloped land. This cannot be considered a “vacant site...in an otherwise built up area,” and does not appear to be the intention of the Comprehensive Plan’s authors. The Staff analysis statement appears to skirt the issue of infill development.

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.

Staff analysis: 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 incorporates a large front setback similar to the adjacent church and is of a density comparable to development in the surrounding area.
CH analysis: The setback is much shorter than that of the adjacent church, and density is much greater than the adjacent neighborhood of Cherry Hills. (See CH analysis of Policy 4.2.1 Identity and Design above.)

The proposed development site is located within an Area of Consistency. The Comprehensive Plan states that “In Areas of Consistency, the focus is on protecting and enhancing the character of single-family neighborhoods and green spaces. Revitalization and development that do occur should be at a scale and density similar to immediately surrounding development in order to reinforce the existing character of established neighborhoods.” Areas of Change, on the other hand, are defined as areas “where growth is desired and can be supported by multi-modal transportation, that includes designated Centers, most Corridors, Metropolitan Redevelopment Areas, and master planned areas such as industrial parks and planned communities. Development of higher density... is encouraged within Areas of Change.” From these definitions, one might conjecture that the reason the subject land was determined to be an Area of Consistency is because of its proximity to Cherry Hills neighborhood. The proposed development is not “at a scale and density similar to immediately surrounding development” and therefore does not “reinforce the existing character of established neighborhoods.”

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 nonresidential uses and single-family neighborhoods to protect the character and integrity of existing residential areas.

Staff analysis: The request further 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.

CH analysis: The Comprehensive Plan defines a “transition” as a strategy “to serve as a buffer between two distinct and potentially incompatible uses. Transitions include using zoning that allows medium-intensity uses between zones with low-intensity and high-intensity uses, such as single-family residential areas and industrial areas.” The proposed development is clearly not a transition between low-intensity and high-intensity. It is a medium to high-intensity institution situated between a single-family residential area (low-density) and undeveloped land (no-density). The 2008 Staff Report states “The proposed development would not face similar or higher density development and would not serve as a transition. For these reasons, the subject site may not be the most appropriate location for high density housing.”

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

Staff analysis: The request further 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. 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.
CH analysis: 16-foot lighting on a hill overlooking Cherry Hills neighborhood will be extremely intrusive on neighbors, virtually eliminating their dark nights. Traffic will be negatively impacted at the Red Sky exit to the neighborhood, as it will now become a four-way intersection. Left turns from Red Sky are already precarious as the street intersects Harper at a curve where it is difficult to see oncoming traffic. Additional vehicles entering the intersection from the south side of Harper will create an additional traffic hazard.

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.

Staff analysis: 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 Hoffmanton Church, Academy Campus, and the Cherry Hills neighborhood.

CH analysis: The design does not protect and enhance views. The facility was designed for Independent Living residents to have 360 degree views, by constructing their second and third floor units on the highest point of the site. Unfortunately, their awesome vantage point will be at the expense of those of us currently enjoying the magnificent open vistas of the Sandias and Manzanos from north, south, and west of the facility. The beautiful unobscured sunsets and city light views currently enjoyed from east of the facility will also be impaired.

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.

Staff analysis: 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 Hoffmanton Church.

CH analysis: One could not say that the large structures enhance the built environment or blend in style with surrounding structures because it will be constructed on undeveloped land, and therefore there are no built environment or surrounding structures. Comparing the proposed buildings to Hoffmanton Church is inappropriate as the church is over 1,000 feet away and will not be in view of the facility. The nearest homes in Cherry Hills however, will be as close as 200 feet away, due to the facility’s short 100-foot setback from Harper. This large, three-story facility on top of a hill, is not “in neighborhood-scale, appropriately located, or consistent with the existing development context and neighborhood character.”

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

CH analysis: The development does not protect views of the Sandia Mountains from Harper Road. The artist’s rendition of the facility indicates that the beautiful clear view of the mountains currently enjoyed by those traveling east on Harper will be marred by this large complex set too close to the road. It will also be visible from Wyoming looking toward the Sandias. The three-story building will be built at a high point, totally spoiling the view, like a billboard on a scenic highway. The few unspoiled views of the Sandia left in the heights of this “important cultural feature of the region” should be preserved.

RESOLUTION 270-1980 POLICIES AND REQUIREMENTS
Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

a) A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

Staff analysis: The applicant’s justification letter and the policies cited substantiate the claim that the request is consistent with the health, safety, morals, and general welfare of the city.

CH analysis: As discussed per Policy 5.6.4 b), public safety will be impacted by the increased traffic at the proposed four-way intersection at Red Sky and Harper Road. Additionally, the many joggers, bicyclists, and baby strollers who traverse the open space around the perimeter of the Hoffmiantown Church and Albuquerque Academy properties will be at risk as they cross two driveways that provide ingress and egress to and from the facility.

b) Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not why the change should not be made.

Staff analysis: 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.

CH analysis: The applicant’s justification states, “The proposed zoning will provide stability in land use and zoning by allowing the development of a high quality, senior living facility on long vacant and underutilized land that will help serve an unmet need in the area.” This statement does not make sense and does not address the test. Resolution 270-1980 states that “stability of land use and zoning is desirable” and is therefore asking for justification for changing the zoning from SU-1 Church and Related Facilities to SU-1 Senior Living Facility and Related Services. It is not asking how the proposed zoning will provide stability. In fact, stability of land use would be for it to remain vacant, and stability of zoning would be to keep it as SU-1 Church and Related Facilities. The 2008 Staff Report responded to a similar comment with the following
analysis, “Any proposal for new development will result in land no longer being vacant. This does not automatically translate into stability of land use and zoning.” In addressing the applicant’s statement that the development will help serve an unmet need in the area, the 2008 Staff Report continues: “Though providing facilities for older persons would be beneficial, how does doing so promote stability of land use and zoning in the propose location? There is no provision in R270-1980 which states that need is a criterion to be evaluated in a zone map amendment request.” Cherry Hills neighbors have been assured by City staff and by Ms. Fishman from Consensus Planning, that need is not a factor in determining the zone change.

The applicant goes on to say, “The proposed uses are compatible with the Albuquerque Academy’s existing zoning of SU-1 for PRD (approved in 1979) and the Site Plan for Subdivision (approved in the 1980s).” While it is true that some of the Academy property is zoned for housing, it is also true that it is still SU-1, and would require EPC approval to develop. Our contact at Albuquerque Academy stated that “The current zoning has been in effect for almost 40 years, and there are no plans currently to do any development.” He said the Academy “may choose to develop some of the acreage in 5 years, or 20 years, or 50 years, or never.” Therefore, it is not appropriate to say that the proposed zone change would result in stability of land use or zoning.

c) A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

Staff analysis: Refer to the policy analysis section of the staff report, as well as the applicant’s justification letter for a thorough review of applicable plans and policies.

CH analysis: Refer to the Applicable Policy Analysis section of this document beginning on Page 4 above.

d) The applicant must demonstrate that the existing zoning is inappropriate because:
(1) There was an error when the existing zone map pattern was created; or
(2) Changed neighborhood or community conditions justify the change; or
(3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (d)(1) or (d)(2) above do not apply.

Staff analysis: The existing zoning is inappropriate because changed community conditions that precipitate the need for additional senior housing, and the subject site is an appropriate place for such a senior housing facility. In addition, as described in the policy analysis the existing zoning is inappropriate because the proposed different use category for senior housing and related services is more advantageous to the community as articulated in the Comprehensive Plan.

CH analysis: The applicant provides three reasons why the existing zoning is inappropriate. (1)”Changed neighborhood and community conditions include the aging of the community, (2) the fact that Hoffmantown Baptist Church does not have the need or the resources to build the additional approved square footage allowed by the approved (1986) Site Development Plan for Building Permit, and (3) the recent adoption of the Comprehensive Plan which emphasizes infill development along corridors that are served by transit.” These are not adequate reasons to justify the zoning change.
1) While the community of Albuquerque, like all of America, is aging, it does not justify the zone change for this property. The applicant references a market study (not provided to Cherry Hills) which indicates a need for senior housing, but does not prove the need at this location. Additionally, as was stated in the 2008 Staff Report, “There is no provision in R270-1980 which states that need is a criterion to be evaluated in a zone map amendment request.”

2) It is unfortunate that the Church does not have the need or resources to develop their land as they intended when they obtained permission to expand their church facilities in 1986. However, their changed circumstances do not translate into cause for rezoning. As was stated in the 2008 Staff Report, “The fact that the church changed its mind with respect to the 1985 site plan does not constitute ‘changed neighborhood or community conditions’ that justify a zone change. Rather, the church’s decision was a private action in its interest.” If community need is not a criterion for zone change, then certainly the Church’s need cannot be considered.

3) The recently revised Comprehensive Plan does emphasize infill development. However, as explained above in the response to furthering Policy 5.2.1 (h), this location does not meet the definition of “infill development”. Additionally, this location is not along a corridor served by transit. The updated Vision Map in the newly approved Comprehensive Plan shows the five types of corridors in the city. Harper is not designated as a corridor of any type on the Vision Map. Additionally, the location is not served by transit because the nearest transit stop is .75 miles away. The 2008 Staff Report finds that this location is “poorly served by transit”.

e) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

Staff analysis: 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.

CH analysis: The staff analysis does not provide support for its conclusions. It appears to draw its conclusions from the applicant’s response that states, “This development will be less impactful than what is currently allowed by the existing zoning, as related to traffic generation, noise, pollution, smell, or views.” However, the applicant does not support this statement either. There is much concern in Cherry Hills that this medium to high-density housing development will worsen traffic problems at the corner of Red Sky, and result in spill-over parking on Red Sky across Harper.

f) A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
(1) Denied due to lack of capital funds; or
(2) Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

Staff analysis: 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.
CH analysis: As stated earlier, several Cherry Hills neighbors are concerned about traffic hazards resulting from the proposed facility exit at Red Sky. A traffic study was deemed unnecessary for this proposal, and therefore, installation of a traffic signal at the intersection is not part of the development plan. However, if Cherry Hills residents’ fears are realized, a traffic signal may be installed at a future time. It is unlikely that the project developer would provide funding for the signal if it is installed well after the construction is completed.

g) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Staff analysis: 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 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.

CH analysis: The applicant states, “The project with all of its levels of care and support services cannot be built at this location without a zone map amendment and there are not other available sites within this area that are large enough or with the correct zoning within to accommodate this project.” This is clearly an economic consideration of the applicant. A smaller facility would result in a lower profit margin. The applicant is anxious to develop on this large 14-acre vacant land (in the middle of the NE heights that it can claim to be “infill development”) because there is room for 180 units. The profit margin would deplete significantly if the applicant had to develop two 90-unit, or three 60-unit facilities on some of the abundantly available smaller vacant sites in the area. Additionally, the upscale location and magnificent views will also allow higher pricing, especially for the 96 independent living units. It is interesting that the applicant cited their inability to find available sites “with the correct zoning within to accommodate this project”, when this location also fits that scenario. Perhaps requesting a zone change for this particular property is worth their trouble.

i) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premises is involved, is generally called a “spot zone.” Such a change of zone may be approved only when:
(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Staff analysis: 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 through the policy analysis 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.

CH analysis: Regarding requirement (1), staff analysis states that “the applicant has demonstrated that the request clearly facilitates realization of the Comprehensive Plan”.

However, CH analysis provides arguments to the contrary throughout this document. Regarding requirement (2), as explained in the response to furthering Policy 5.6.4 (a) above, this development could not be considered a transition between adjacent zones. Additionally, although staff analysis states that this facility would be in an infill location, this project would not meet the definition of “infill development” according to the definition in the Comprehensive Plan as detailed in review of Policy 5.2.1 (h) above.
Michael,

Thanks for your response but your logic does not seem sound.

You state that the current zoning should be changed because of changing community conditions which will drive a need for addition senior housing. If there is no need for additional senior housing as other community members have mentioned, (i.e. ~ 50% occupancy rates at nearby facilities), then this cannot be a basis for stating the current zoning is inappropriate.

Also, as a comment concerning the staff’s analysis of the applicant’s Justification against the Comprehensive Plan, every point stated that the Goals and Policies were “furthered” and then the words of the applicant were parroted back as “justification.” It seems rather odd that not even one point of the justification was disagreed with and/or there was no request for additional rationale.

How often has this occurred in the past on other applications and can this data be provided to the community?

Additionally, you state that the applicants justification is consistent with general trends for similar facilities. I don’t fully understand why this is a valid point. Each request for change within the city should be unique to the respective community factors. Are you implying that the justification met the “boiler plate” test?

Request you address my questions.

Thanks
Joe
Hi Joe,

That analysis is not based on the specifics of the market study, but rather looking at the applicant’s justification against our Comprehensive Plan Goals and Policies, as well as more general trends seen with applications for these types of facilities in Albuquerque.

Michael

From: Joe Bednarski [mailto:jwbednar@comcast.net]  
Sent: Saturday, August 05, 2017 11:41 AM  
To: Vos, Michael J.; Dicome, Kym; Emilllio, Dawn Marie  
Cc: edueweke@juno.com; delsunnn@hotmail.com; maryjohnson_brucebrown@hotmail.com; femoore43@aol.com; king0715@hotmail.com; wartstew@yahoo.com; dv7@comcast.net; wilgoldberg@hotmail.com; 'andrew robertson'; 'Michael Koller'; rtsilva.comcast.net; marshall ray@gmail.com; sharonsuep@comcast.net; ferjjeone@comcast.net; hhapp@juno.com; peggurule@yahoo.com; damgorto@aol.com; jpressbob@aol.com; sandager@sprynet.com; moniquerobertson74@yahoo.com; pfn_fcm@q.com; 75wildcat@comcast.net; waynedeskins@q.com; dpowers84@gmail.com; stock6917@hotmail.com; extrabases@comcast.net; rob1god@aol.com; leah@sandgraphics.com; delsun@msn.com; tchemphill@comcast.net; dulaney@swcp.com; d1ckncarr1@aol.com; chrissysalazar@yahoo.com; jhardin@savage.com; damgorto@aol.com; jpeterson114@comcast.net; miata333m3@gmail.com; dickncarr1@aol.com; marvatnm@gmail.com; johnsteel1@comcast.net; njihart@gmail.com; jd_wh2004@hotmail.com; slikuntiz@aol.com; kjurjevich@email.com; toddsandman@yahoo.com; jkunitiz@qwestoffice.com; skmolina@comcast.net; rhapsodyintherain@aol.com; jkunitiz@qwestoffice.net; 850rdstr@gmail.com; digitalroy1@comcast.net; tizaloner@comcast.net; tjwalling@gmail.com; eljoe48@hotmail.com; dfwqualityproperties@gmail.com; blhart@gmail.com; rvauhn.rv@gmail.com; hhibach@msn.com; thall42@netzero.net; k2riley@msn.com; njlindino@aol.com; charglo85@gmail.com; mer.wouters@gmail.com; wckendrick@yahoo.com

Subject: Question: Harper Road Senior Living (HRSL) project (CABQ project # 1007412).

Michael,

In reviewing your report where you recommend approval of the proposed zoning change request, you state that the request is justified based on changed community conditions as well as being more advantageous to the community.

In section II.F of the report, titled; Analysis of Applicant’s Justification, the staff’s analysis is as follows:

The existing zoning is inappropriate because changed community conditions that precipitate the need for additional senior housing, and the subject site is an appropriate place for such a senior housing facility. In addition, as described in the policy analysis the existing zoning is 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.

Previously in responding to questions concerning the accuracy of the applicants market study you’ve stated that market need is not a factor when considering a zoning change request yet your analysis points to this “need” as justifying it.

Can you clarify?
Thanks
Joe

From: Joe Bednarski [mailto:jwbednar@comcast.net]
Sent: Wednesday, August 02, 2017 10:39 AM
To: 'Vos, Michael J. '; 'Dicome, Kym'; 'Emilio, Dawn Marie'
Cc: 'edueweke@jun.com'; 'delsunmm@hotmail.com'; 'maryjohnson_brucetbrown@hotmail.com'; 'femoore43@aol.com';
'king0715@hotmail.com'; 'wartstew@yahoo.com'; 'dvd7@comcast.net'; 'willgoldberg@hotmail.com'; 'andrew robertson';
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'leah@sandgraphics.com'; 'delsun@msn.com'; 'tchemphill@comcast.net'; 'dulaney@swcp.com'; 'dkcncarr1@aol.com';
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'jkunitz@qwestoffice.com'; 'skmolina@comcast.net'; 'rhapsodyintherain@aol.com'; 'jkunitz@qwestoffice.com';
'850rstr@gmail.com'; 'digitalroy1@comcast.net'; 'tizaloner@comcast.net'; 'jtwalling@gmail.com'; 'elj6648@hotmail.com';
'dfwqualityproperties@gmail.com'; 'bhart@gmail.com'; 'rvaughn.rv@gmail.com'; 'hhibach@msn.com';
'thall42@netzero.net'; 'k2riley@msn.com'; 'njlendino@aol.com'; 'chrglo85@gmail.com'; 'mer.wouters@gmail.com';
'wckendrick@yahoo.com'
Subject: RE: Harper Road Senior Living (HRSLL) project (CABQ project # 1007412).

Michael,

If the application includes less than truthful information concerning the market study, doesn’t that suggest that all the other information could be less than truthful as well?

That said, it implies the developer could be submitting false and misleading materials in all sections of the application?

Comments?

Thanks
Joe

From: Vos, Michael J. [mailto:mvos@cabq.gov]
Sent: Tuesday, August 01, 2017 4:31 PM
To: Joe Bednarski; Dicome, Kym; Emilio, Dawn Marie
Cc: edueweke@jun.com; delsunmm@hotmail.com; maryjohnson_brucetbrown@hotmail.com; femoore43@aol.com;
king0715@hotmail.com; wartstew@yahoo.com; dvd7@comcast.net; willgoldberg@hotmail.com; andrew robertson;
Michael Koller; rtgsilva@comcast.net; marshall.ray@gmail.com; sharonsuep@comcast.net; fergieone@comcast.net;
happ@jun.com; peggurule@yahoo.com; damgogra@aol.com; jpressbob@aol.com; sandager@spynet.net;
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delsun@msn.com; tchemphill@comcast.net; dulaney@swcp.com; dkcncarr1@aol.com; chrisysalaraz@yahoo.com;
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marvatnm@gmail.com; johtnee11@comcast.net; njhjart@gmail.com; jd_wh2004@hotmail.com; slkunitz@aol.com;
kjurjevich@email.com; toddssandman@yahoo.com; jkunitz@qwestoffice.com; skmolina@comcast.net; rhapsodyintherain@aol.com;
jkunitz@qwestoffice.com; 850rstr@gmail.com; digitalroy1@comcast.net; tizaloner@comcast.net; jtwalling@gmail.com;
elj6648@hotmail.com; dfwqualityproperties@gmail.com; bhart@gmail.com; rvaughn.rv@gmail.com; hhibach@msn.com;
thall42@netzero.net; k2riley@msn.com; njlendino@aol.com; chrglo85@gmail.com; mer.wouters@gmail.com; wckendrick@yahoo.com
Subject: RE: Harper Road Senior Living (HRSLL) project (CABQ project # 1007412).
Good afternoon Joe,

The accuracy of the market study would not invalidate the entire application. As I previously stated, such an analysis and the exact market need for such a facility is not really a factor in the City’s review of the zone change request. Anyone can submit an application proposing a new zone category of any type regardless of the market need, and our review is of the submitted materials against our adopted plans and policies.

Thanks,
Michael

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From: Joe Bednarski [mailto:jwbednar@comcast.net]
Sent: Tuesday, August 01, 2017 11:52 AM
To: Vos, Michael J.; Dicome, Kym; Emilio, Dawn Marie
Cc: eduweke@juno.com; delsunnm@hotmail.com; maryjohnson-brucebrown@hotmail.com; femoore43@aol.com; king0715@hotmail.com; wartstew@yahoo.com; dv7@comcast.net; willgoldberg@hotmail.com; andrew.robertson@comcast.net; 'Michael Koller'; rtgsilva@comcast.net; marshall-ray@gmail.com; sharonsuep@comcast.net; fergieone@comcast.net; hhapp@juno.com; peggurule@yahoo.com; damgota@aol.com; jpressbob@aol.com; sandager@sprynet.com; moniqueroberston74@yahoo.com; phn_fcn@q.com; 75wildcat@comcast.net; waynedeskin@q.com; dpowers84@gmail.com; stock6917@hotmail.com; extrabases@comcast.net; rob1god@aol.com; leah@sandgraphics.com; delsun@msn.com; tchemphill@comcast.net; dulaney@swcp.com; d1ckncarr1@aol.com; chrisysalazar@yahoo.com; jhardin@sivage.com; damgotro@aol.com; jpeterson114@comcast.net; miata333m3@gmail.com; dickncarr1@aol.com; marvatnm@gmail.com; johnntel1@comcast.net; nljhart@gmail.com; jd_wh2004@hotmail.com; sklunitz@aol.com; kjurievich@gmail.com; Toddsandman@yahoo.com; jkunitz@qwestoffice.com; skmolina@comcast.net; rhapsodyintherain@gmail.com; jkunitz@qwestoffice.com; 850rdstr@gmail.com; digitalroy1@comcast.net; tzaloner@comcast.net; tjwalling@gmail.com; eljoh98@hotmail.com; dfwqualityproperties@gmail.com; blhart@gmail.com; rvaughn.ny@gmail.com; hhbach@msn.com; thall42@netzero.net; k2riley@msn.com; njliendo@aol.com; charg085@gmail.com; mer.wouters@gmail.com; wckendrick@yahoo.com
Subject: RE: Harper Road Senior Living (HRSL) project (CABQ project # 1007412).

Michael Vos,

If the market study summary section of this application is inaccurate, does that invalidate the entire content of the application?

Thanks
Joe

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From: Michael Koller [mailto:mkoller5@comcast.net]
Sent: Tuesday, August 01, 2017 9:45 AM
To: Vos, Michael J.; Dicome, Kym; Emilio, Dawn Marie; Joe Bednarski
Cc: eduweke@juno.com; delsunnm@hotmail.com; maryjohnson-brucebrown@hotmail.com; femoore43@aol.com; king0715@hotmail.com; wartstew@yahoo.com; dv7@comcast.net; willgoldberg@hotmail.com; andrew.robertson@comcast.net; rtgsilva@comcast.net; marshall-ray@gmail.com; sharonsuep@comcast.net; fergieone@comcast.net; hhapp@juno.com; peggurule@yahoo.com; damgota@aol.com; jpressbob@aol.com; sandager@sprynet.com; moniqueroberston74@yahoo.com; phn_fcn@q.com; 75wildcat@comcast.net; waynedeskin@q.com; dpowers84@gmail.com; stock6917@hotmail.com; extrabases@comcast.net; rob1god@aol.com; leah@sandgraphics.com; delsun@msn.com; tchemphill@comcast.net; dulaney@swcp.com; d1ckncarr1@aol.com; chrisysalazar@yahoo.com; jhardin@sivage.com; damgotro@aol.com; jpeterson114@comcast.net; miata333m3@gmail.com; dickncarr1@aol.com; marvatnm@gmail.com; johnntel1@comcast.net; nljhart@gmail.com; jd_wh2004@hotmail.com; sklunitz@aol.com; kjurievich@gmail.com; Toddsandman@yahoo.com; jkunitz@qwestoffice.com; skmolina@comcast.net; rhapsodyintherain@gmail.com; jkunitz@qwestoffice.com; 850rdstr@gmail.com; digitalroy1@comcast.net; tzaloner@comcast.net; tjwalling@gmail.com; eljoh98@hotmail.com; dfwqualityproperties@gmail.com; blhart@gmail.com; rvaughn.ny@gmail.com; hhbach@msn.com; thall42@netzero.net; k2riley@msn.com; njliendo@aol.com; charg085@gmail.com; mer.wouters@gmail.com; wckendrick@yahoo.com
Thank you for the clarification, Michael. Yes, I am concerned about the parking, which appears very likely inadequate. The developer's description of parking lacks transparency, since they credit more resident and guest parking than is real, since employees take many of those spaces.

Blaine Hart

On Mon, Aug 7, 2017 at 4:06 PM, Vos, Michael J. <mvos@cabq.gov> wrote:

Good afternoon Blaine,

Employee parking is within those 215 spaces. The applicant has submitted the site plan showing that amount of parking spaces and the justification for that amount, which you allude to, and it sounds like you may disagree with that number of spaces being adequate. The SU-1 zone leaves parking at the discretion of the Planning Commission, so they can determine whether or not additional spaces are needed given whatever data and information is presented to them.

Thanks,

Michael J. Vos, AICP

Planner – Development Facilitator

Urban Design & Development Division

City of Albuquerque Planning Department

Office 505.924.3955

Cell 505.263.5519

mvos@cabq.gov
Dear Mr. Vos,

Thank you for your investigation and work on the above-cited project.

I am confused about the proposed parking for this project. The developer's plan, and your evaluation, calls for 215 parking spaces, including parking for the residents and 94 guest spaces. How is employee parking accounted for? Also, the developer has allowed for 1 car for each independent living unit, assuming that many will choose not to drive. I am curious if this is based on actual data, such as rates of car use at nearby units in Albuquerque. In today's world, I would expect that some healthy elderly residents who have chosen to move out of a house may still expect to have a car each for both husband and wife. Again, are there data to support the assumption?

If staff parking is separate, then this is probably not a problem. However, if staff parking is actually part of the 215 spaces, then 30-35 employees at time of shift change may take 50-70 parking spaces for part of the day, and the 94 guest spaces are not real. In fact, if independent living residents have more than 1 car per unit, then parking could be inadequate.

I would greatly appreciate your clarification.

Thank you

Blaine Hart
Environmental Planning Commission

City of Albuquerque Planning Department

600 Second Street NW

Albuquerque, NM 87102

Attn: Michael Vos

Terry and Gardner Kroeter

8508 Red Sky Pl NE

Albuquerque, NM 87111

To whom it may concern,

We are strongly opposed to the Project Number: 1007412 Case #: 17EPC-40024, 40025, 40026 being considered by the EPC.

Our property will be adversely effected by this development. We are very concerned about the re-sale value of our property if this was approved. We have struggled to recover from the housing crisis bubble burst that had an adverse effect on property values across the region. Right as we are recovering we are faced with this new threat. The main concern is that this development will adversely impact the view lines for my property. This is of value because it is called out as a positive for the proposed property and will fetch a higher cost for the higher floors with a view. The proposal makes the view a selling point. That proves my point that without the same view my value will decrease because it will now be obstructed by a 40 foot building.

Additionally this proposal should not be approved due to the fact that not all of the studies and departments have been able to comment on the effects it will have. Main concern being the Hydrology Development. There is no Grading and Drainage Plan. As of this date Hydrology has not received a request and there has been no hydraulic analysis. AMAFCA has not approved the request. A study of the possible issues to
the South Pino Arroyo are unknown. The Transportation Planning has made no comment which means no study has been requested of them as well.

**Recommendations for approval are premature without the full list of studies and requests being completed.**

Thank You for your attention in this Matter,

Terry and Gardner Kroeter

- J G Kroeter
505-228-3660
kroeter89@gmail.com

This message has been analyzed by Deep Discovery Email Inspector.
UPDATED SITE PLAN REDUCTIONS
INCLUSIONS
AN EXISTING CONCRETE EDGE WILL BE PROVIDED TO SEPARATE TURF AREAS FROM PLANTING AREAS.

KEY NOTES
GENERAL LANDSCAPE NOTES

1. PROPERTY LINE.
2. AUTO/PIZZA STATION.
3. DRIVEWAY/ENTRY COURTYARD.
4. PROPERTY LINE.
5. ENTRY COURTYARD/INTERIOR COURTYARD.
6. PROPERTY LINE.
7. GROUNDCOVERS WILL BE PROVIDED WITH (2) 1 GPH EMITTERS.
8. TURF VALVES WILL BE OPERATED TO PROVIDE 1/2 GALLON PER CYCLE.
9. STREET TREES MOUNTED TO A/8" STEEL CURB OR SIMILAR MATERIAL. CONCRETE HEADERS SHALL BE PROVIDED TO SEPARATE TURF AREAS FROM PLANTING AREAS.
10. GROUNDCOVERS WILL BE PROVIDED WITH (6) 2 GPH EMITTERS.
11. TREES, SHRUBS AND GROUNDCOVERS WILL BE GROUPED ON THE SAME VALVE.
12. TURF VALVES WILL BE OPERATED TO PROVIDE 1/2 GALLON PER CYCLE.
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ADDITIONAL STAFF INFORMATION
August 25, 2017

Mr. Doug Hughes, PE CFM
Principal Engineer
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87106

Re: Harper Road Senior Living – City Hydrology follow up.

Dear Doug:

The purpose of this letter is to provide the City of Albuquerque Hydrology Department information regarding the delineation of the Ordinary High Water Mark (OHWM) and our current progress of the US Army Corps of Engineers (USACE) Section 404 permitting process.

As a part of this development, bank stabilization will be required along the existing South Pino Arroyo to remove the existing FEMA flood zone from the developable site. It is anticipated that these improvements for the bank stabilization will fall under the USACE 404 permit process.

Marron and Associates has been hired to aid in confirming the location of the Ordinary High Water Mark (OHWM). Attached is an exhibit which depicts the OHWM they have determined. This location falls in line with where we originally estimated the OHWM, which was used to set our bank stabilization as shown on the current conceptual EPC grading and drainage plan. The attached Exhibit B shows the Marron and Associates OHWM and the bank stabilization. The length of affected stream bed by the new bank stabilization falls under USACE Nation Wide Permit (NWP) 29 as a part of their Section 404 permitting process.

The NWP 29 notes that “the discharge must not cause the loss of more than 300LF of stream bed”. Based on the OHWM and the new bank stabilization (as seen in the attached Exhibit B), these improvements fall under that threshold. In addition, the general conditions of the NWP 29 note that “Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to preconstruction contours and elevations after construction, are not included in the measurement of loss of the waters of the United States.” Given the construction of this bank stabilization would be temporary and the waters of the United States will be restored to preconstruction elevations, the construction length will not fall under the threshold.

We anticipate that the process with the USACE will begin with the submittal of the Pre-Construction Notification (PCN). Assuming all review and coordination goes per plan, this process is anticipated to take approximately 4 months. If additional information is requested by USACE, we understand that this time could be extended by a few months. A detailed schedule of submittals and review times can be provided if necessary. We will provide you with a copy of the authorization letter for the project under the NWP from the USACE once we receive it.
We have scheduled a meeting with AMAFCA to discuss the design of this bank stabilization as they will be maintaining this structure and understand you will be in attendance. After this meeting the conceptual design and the hydraulic and hydrologic analysis will continue and preparation for our formal submittal to the City Hydrology Department to request DRB site plan approval and FEMA to request CLOMR will occur in the months ahead.

Please feel free to let me know if you have any questions or comments.

Sincerely,

Michael Balaskovits, P.E.
Vice President
Community Development and Planning
AMAFCA Coordination Meeting

Meeting Purpose: Discuss next steps with AMAFCA regarding proposed bank stabilization along S. Pino Arroyo and elimination of the temporary drainage easement.

I. Project Update
   A. Mike communicated that the project was delayed at EPC as a result of neighborhood concerns. A facilitated meeting was conducted on 8/29/2017. The main concerns expressed at the facilitated meeting were related to traffic and parking. The only drainage related question was about how the project site will drain (to Harper or to the south).
      a. The project is on track to be heard at EPC in September (9/14/2017).
   B. The developer has reached out to Albuquerque Academy (AA) to communicate the proposed development. BHI is working with AA to communicate the proposed impacts. BHI anticipates that AA will provide a letter stating the increases to the floodplain (width and depth) are acceptable to AA.

II. Proposed Bank Protection Concept
   A. Vince described the proposed bank stabilization (also referred to as “bank protection”) concept referencing the attached exhibits and cross-sections:
      a. Shotcrete per detail provided by AMAFCA (utilized on Tijeras Arroyo at Juan Tabo Hills subdivision)
      b. Toe down to below scour depth. Preliminary scour is estimated at 2-2.5 feet
      c. Total length is approximately 800 feet
B.  Brad commented that location of existing buried wire tied riprap at Hoffmantown Church amphitheater should be investigated. Ideally proposed bank stabilization would abut that structure at the upstream (east) end.

C.  Brad commented that downstream end of bank stabilization should tie into contour (existing or proposed if there is site grading at this location) at 100-year WSE plus 2-feet freeboard.

D.  Doug commented that top of bank stabilization should be at 100-yr WSE plus 2-feet freeboard.
   a.  Doug also commented that the City has requested the 500-year flow also be contained within channelization in case FEMA develops a detailed study in future and develops 500-year profile. Vince noted that 500-year flow has not been evaluated and will be difficult to determine accurately because of the complexity of the upstream watershed (various diversions upstream of Tramway Road).
   b.  The group agreed that the top of bank stabilization shall be set at the 100-yr WSE plus 2-feet freeboard, minimum and demonstrate compliance with COA DPM freeboard criteria. The group agreed that evaluation of the 500-year flow and water surface profile is not necessary for the purposes of this project.

E.  Lynn noted that at least one (preferably 2) ramps be provided for maintenance access.
   a.  AMAFCA will also need blanket access easement through site.

F.  Doug commented that the existing drainage ditch within Tract B-1 of the Yorba Linda Subdivision (along project west boundary) may need to be put in storm drain and that he would discuss this condition with Shahab (City Engineer). If yes, the bank stabilization may need to extend beyond the storm drain outfall (and off project site) to allow for the storm drain to penetrate the bank stabilization.

G.  Mike indicated that 8” sanitary sewer line will be abandoned in place below wash and rerouted through site, behind the bank stabilization. The rerouted storm drain will connect to the existing manhole just east of the project site.

H.  AMAFCA and COA agreed that it is at BHI discretion to determine if bank stabilization is on own construction plan set or integrated into overall set.
   a.  Brad noted that as-builts for AMAFCA will be required and should show just bank stabilization related into.
   b.  Vince noted that future FEMA submittal is simplified if bank stabilization is in standalone set (particularly if the same plans accompanied the CLOMR and LOMR).

III.  FEMA Process
A.  Doug noted that a CLOMR will not be required for DRB approval or issuance of a building permit.
   a.  Vince noted that if CLOMR is pursued, it is at the discretion of the developer.

B.  LOMR will be on Infrastructure List.

C.  Doug communicated preference for the FEMA SFHA at the project site to remain Zone AO based on an “approximate study”, even as a result of the future LOMR (i.e.
not be revised to Zone AE with BFES determined). He commented that the characteristics of the naturalistic, sandy bottom wash with wide, shallow 100-year floodplain lend it to be Zone AO.

a. He suggested limiting the amount of data provided to FEMA to better support the case for it to remain Zone AO. For example, truncate the South Pino Assessment HEC-RAS model to minimum distance upstream and downstream necessary to demonstrate tie to effective SHFA. Brad agreed with this approach.

D. CLOMR/LOMR would not be formally approved (i.e. signed) by AMAFCA because the City is the Floodplain Administrator within the city limits. The City will still want acknowledgement (email would be fine) from AMAFCA that they are in agreement with the analysis and propose design.

IV. Hydrology

A. Vince raised question of design discharge and suggested use of FIS discharge downstream of Wyoming Boulevard (2432 cfs per the effective FIS). He commented that this will simplify the submittal to FEMA and provide FEMA with one less opportunity to provide comment.

a. The comparison of the FIS discharge (2432 cfs) to the South Pino Assessment HEC-HMS (1976 cfs at the project site) was discussed.

b. It was agreed by AMAFCA, COA, and BHI that the FIS is conservative and that this published discharge is appropriate to use.

c. It was agreed that the bank stabilization design should be based on the FIS discharge, to be consistent with the FEMA submittal.

V. AMAFCA Process

A. Brad and Lynn communicated that a turnkey agreement is the first step. This can be granted at September AMAFCA Board meeting (September 28) if necessary documentation is provided to Lynn by September 19. It needs to be included in an AMAFCA mailing that does out on 9/20. This schedule constraint means it does not go before the Board until October.

a. The vacation of the temporary AMAFCA drainage easement would be included in this Board action.

b. The quitclaim deed to permanently remove the easement would be a future Board action. AMAFCA policy is to not take this step until the LOMR is issued by FEMA.

B. AMAFCA will sign the Site Plan for Building Permit and the plat.

VI. Other Discussion Items

A. Doug confirmed that an increase to floodplain impacts on adjacent property will be accepted by COA if acknowledgement from property owner (AA) is provided. He also noted that the CLOMR and LOMR processes require that properties impacted by the request be notified and the notification be documented with FEMA.
B. Mike noted that the developer’s goal is to open the facility in 2020 with a 20 month construction schedule.

C. Lynn’s final day before retirement is Friday 9/29/2017.

VII. Action Items

1. BHI – Provide AMAFCA documentation necessary to support turnkey agreement and vacation of temporary easement. Lynn needs this by 9/19/2017 to get the item on the September Board meeting agenda.
   A. Based on subsequent coordination with Lynn Mazur, BHI will provide exhibits illustrating the proposed bank stabilization concept (plan view and typical section). Lynn will coordinate with BHI if any additional documentation needed to support Board authorization of the easement vacation.

2. AMAFCA – Prepare materials for inclusion of turnkey agreement and vacation of temporary easement on Board meeting agenda.

3. BHI – Provide AMAFCA and COA Hydrology with analysis of proposed bank stabilization demonstrating compliance with agreed upon design criteria.

4. COA – Determine if drainage ditch along west boundary in COA property shall be converted to storm drain in conjunction with this project. Doug indicated that this will be discussed with Shahab.

This represents our interpretation of the discussions and decisions made at the meeting. Please notify us if you have any additions or deletions to the minutes.

VCS/
LIMITS OF TEMPORARY DISTURBANCE

EXISTING CHANNEL BED TO BE RESTORED TO PRE-CONSTRUCTION CONTOURS

TEMPORARY EXCAVATION (DREDGE) TO FACILITATE BANK PROTECTION CONSTRUCTION

CROSS-SECTION - EXCAVATION TO CONSTRUCT PROPOSED BANK PROTECTION
SECTION G
BANK PROTECTION DETAIL

SHOT-crete X-SECTION
South Pino Arroyo
Proposed Floodplain Revision at Hoffmantown Senior Center Site
CONCEPTUAL CROSS-SECTION - S. PINO ARROYO BANK PROTECTION

N.T.S.