

Agenda #1



## Memorandum

**To:** Angela Behrens, City Planning

**From:** Jim Strozier, Consensus Planning, Inc.

**Date:** December 10, 2018

**Re:** PR-2018-001759, Inspiration

The purpose of this memo is to respond to and to request removal of proposed Condition 3 as stated on page 19 of the Staff Report. This memo is provided in compliance with the EPC's 48-hour rule. The following outlines our rationale for this request:

1. The property is zoned PC and is regulated by the Westland Master Plan and Western Albuquerque Land Holdings Sector Plan. The Master Plan provides specific open space policies that provided support for the plan at the time of adoption (Page 8):

Bullet 4 states "Planning and implementation of a system of neighborhood parks and community open areas shall be undertaken to meet a range of needs at different scales."

*This policy anticipated both open areas and neighborhood parks within neighborhoods.*

Bullet 5 states "Developing areas shall have neighborhood parks and open areas located to serve the population being accommodated in the developing area."

*This policy also anticipates both functions within neighborhoods and the central location of the proposed park meets this policy very effectively.*

*These policies are carried forward throughout the plan in that it discusses open space, trails, and parks as a system designed to serve the residents of the development.*

*In addition, the proposed site plan is consistent with and furthers ABC Comprehensive Plan policies 10.3.5 and 11.3.4 as evidenced by the letter from the NPS Superintendent. Policy 11.3.1 is also furthered by the edge treatment along the MPOS as proposed. The development is significantly below the MPOS property to minimize drainage issues and visual impact from the proposed development on the MPOS and from the City as well. Policy 11.4.4. is also furthered since the property has completed a phase 3 archeological survey along with required data gathering. None of these policies are negatively impacted by the inclusion of the private park in the location proposed.*

2. The Site Plan is consistent with that approved by both the National Park Service, City Open Space Superintendent, and the Open Space Advisory Board. The Project Team spent a lot of time and effort working with the Open Space staff, NPS staff, and the OSAB in reviewing the site plan. The following are statements in support of this effort:

- The Project Team presented the site plan to the OSAB at their meeting on November 27<sup>th</sup>, at which time they thoroughly discussed the site plan in general and specifically regarding issues of the edges regarding the edges of the project and voted unanimously to support the site plan.
- After several meetings with both Open Space and NPS staff, we organized a site visit where we walked the property edges with the draft site plan as our guide.
- Following the site visit, the NPS Superintendent provided a letter of support.
- The City Open Space superintendent provided a memo supporting the project and the allowance for the use of the landscape buffer adjacent to the four lots located in the southwest corner of the project.
- The requirement to relocate the proposed private park was never discussed with these entities.

*It is clear from these meetings and discussions that the required landscape buffer (in lieu of a single loaded street), the additional open space buffers between the single loaded street and the MPOS, and the private park were reviewed as distinct site plan elements. The private park is proposed in addition to and separate from both the landscape buffers and the open space areas.*

3. The open space that has been provided between the single loaded street and the Atrisco Terrace is not required by the IDO. The IDO does not require additional on-site open space, but states that if you provide it, then you shall "Locate on-site open space to be contiguous with the Major Public Open Space, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department".

*The site plan has clearly complied with and gone above and beyond this requirement. By providing additional (not required) open space buffer along the edge of the MPOS, the site plan is meeting the intent of this regulation.*

4. The IDO differentiates between different types of Open Space as provided for in the definitions section. The definitions for both Landscape Buffers and Open Space refer to those areas "required" by various methods in the IDO. Private Open Space is also defined to be those areas zoned NR-PO-C. None of these definitions, other than the Landscape Buffer (which is required to meet the requirements in lieu of a single loaded street) apply to those areas being proposed and created by this site plan.

5. Park is defined by the IDO separately from Open Space and is defined as follows:

**“Publicly or privately-owned land that is maintained for active or passive recreational use and for the use and enjoyment of the general public or the residents or occupants of a development. This use includes areas consisting of vegetative landscaping and/or areas improved for outdoor sports and recreation. Structural improvements are generally limited to those that facilitate the use of the land as a park. Incidental uses include, but are not limited to, playgrounds, maintenance facilities, swimming pools, restrooms and dressing rooms, concessions, caretaker’s quarters, and parking.”**

*The proposed private park meets this definition and therefore should not be considered “on-site open space” in the context of the MPOS edge treatment requirements. It should also be noted that the location of the private park is incorporated into the overall grading plan and cannot be moved to the north.*

We appreciate your consideration of these arguments and respectfully request that staff support and recommend that the EPC remove condition 3 from the recommended conditions of approval for this project.

c: Russell Brito, Division Manager, Urban Design & Development  
EPC Commissioners  
Project Team