

APPLICATION



**Please check the appropriate box and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.**

<b>Administrative Decisions</b>		
<input type="checkbox"/> Archaeological Certificate (Form P3)	<input type="checkbox"/> Historic Certificate of Appropriateness – Major (Form L)	<input type="checkbox"/> Wireless Telecommunications Facility Waiver (Form W2)
<input type="checkbox"/> Historic Certificate of Appropriateness – Minor (Form L)	<input type="checkbox"/> Historic Design Standards and Guidelines (Form L)	<b>Policy Decisions</b>
<input type="checkbox"/> Alternative Signage Plan (Form P3)	<input type="checkbox"/> Master Development Plan (Form P1)	<input type="checkbox"/> Adoption or Amendment of Comprehensive Plan or Facility Plan (Form Z)
<input type="checkbox"/> WTF Approval (Form W1)	<input checked="" type="checkbox"/> Site Plan – EPC including any Variances – EPC (Form P1)	<input type="checkbox"/> Adoption or Amendment of Historic Designation (Form L)
<input type="checkbox"/> Minor Amendment to Site Plan (Form P3)	<input type="checkbox"/> Site Plan – DRB (Form P2)	<input type="checkbox"/> Amendment of IDO Text (Form Z)
<b>Decisions Requiring a Public Meeting or Hearing</b>	<input type="checkbox"/> Subdivision of Land – Minor (Form S2)	<input type="checkbox"/> Annexation of Land (Form Z)
<input type="checkbox"/> Conditional Use Approval (Form ZHE)	<input type="checkbox"/> Subdivision of Land – Major (Form S1)	<input type="checkbox"/> Amendment to Zoning Map – EPC (Form Z)
<input type="checkbox"/> Demolition Outside of HPO (Form L)	<input type="checkbox"/> Vacation of Easement or Right-of-way (Form V)	<input type="checkbox"/> Amendment to Zoning Map – Council (Form Z)
<input type="checkbox"/> Expansion of Nonconforming Use or Structure (Form ZHE)	<input type="checkbox"/> Variance – DRB (Form V)	<b>Appeals</b>
	<input type="checkbox"/> Variance – ZHE (Form ZHE)	<input type="checkbox"/> Decision by EPC, LC, DRB, ZHE, or City Staff (Form A)

**APPLICATION INFORMATION**

Applicant: Gamma Development, LLC		Phone:
Address: 9798 Coors Blvd NW #400		Email:
City: Albuquerque	State: NM	Zip: 87114
Professional/Agent (if any): Consensus Planning, Inc.		Phone: (505) 764-9801
Address: 302 Eighth Street NW		Email: cp@consensusplanning.com
City: Albuquerque	State: NM	Zip: 87102
Proprietary Interest in Site: Contract Purchaser		List <u>all</u> owners: Daniel's Family Properties, LLC

**BRIEF DESCRIPTION OF REQUEST**

Request for Site Plan - EPC submission for a 73 dwelling unit subdivision under the existing R-A zoning.

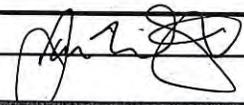
**SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)**

Lot or Tract No.: Please see attached legal description.		Block:	Unit:
Subdivision/Addition:		MRGCD Map No.:	UPC Code: Please see attached UPC list.
Zone Atlas Page(s): F-11 and F-12	Existing Zoning: RA		Proposed Zoning: NA
# of Existing Lots: 3	# of Proposed Lots:	Total Area of Site (acres): 22.75	

**LOCATION OF PROPERTY BY STREETS**

Site Address/Street: 5001 Namaste Road NW    Between: La Bienvenida Place    and: Oxbow Open Space

**CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)**

Signature: 	Date: 9/27/2018
Printed Name: James Strozier, FAICP	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

Case Numbers	Action	Fees
-		
-		
-		

Meeting/Hearing Date: \_\_\_\_\_ Fee Total: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Project # \_\_\_\_\_

**FORM PT: SITE PLAN – EPC**

**Please refer to the EPC hearing schedule for public hearing dates and deadlines. Your attendance is required.**

**A single PDF file of the complete application including all plans and documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD.**

**INFORMATION REQUIRED FOR ALL SITE PLAN – EPC AND VARIANCE – EPC APPLICATIONS**

- Interpreter Needed for Hearing?  if yes, indicate language: \_\_\_\_\_
- Letter of authorization from the property owner if application is submitted by an agent
- Zone Atlas map with the entire site clearly outlined and labeled
- Required notices with content per IDO Section 14-16-6-4(K)(6)
  - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
  - Proof of emailed notice to affected Neighborhood Association representatives
  - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing
- Sign Posting Agreement
- Signed Traffic Impact Study (TIS) Form
- Completed Site Plan Checklist

**SITE PLAN – EPC**

**MASTER DEVELOPMENT PLAN**

**MAJOR AMENDMENT TO SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

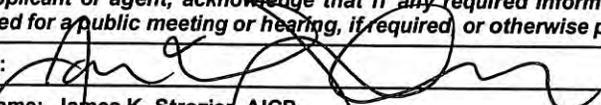
**EXTENSION OF SITE PLAN – EPC OR MASTER DEVELOPMENT PLAN**

- Proof of Pre-Application Meeting with City staff per IDO Section 14-16-6-4(B)
- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
- Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Sections 14-16-6-6(H)(3) or 14-16-6-6(F)(3), as applicable
- Explanation of requested deviations, if any, in accordance with IDO Section 14-16-6-4(O)
- Scaled Site Plan or Master Development Plan and related drawings (10 copies, 24" x 36" folded)  
*Master Development Plans should include general building and parking locations, as well as design requirements for buildings, landscaping, lighting, and signage.*
- Site Plan or Master Development Plan and related drawings reduced to 8.5" x 11" format (1 copy)
- Landfill disclosure statement on the plat per IDO Section 14-16-5-2(G) if site is within a designated landfill buffer zone

**VARIANCE – EPC**

- In addition to the above requirements for the Site Plan – EPC or Master Development Plan the proposed variance request is related to, please describe, explain, and justify the variance per the criteria in IDO Section 14-16-6-6(M)(3).

*Note: Any variance request from IDO Standards in Sections 14-16-5-3 (Access and Connectivity), 14-16-5-4 (Subdivision of Land), 14-16-5-5 (Parking and Loading), or DPM standards shall only be granted by the DRB per IDO Section 14-16-6-6(L) See Form V.*

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature: 	Date: 9/27/2018
Printed Name: James K. Strozier, AICP	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	

August 14, 2018

Derek Bohannon, Chairman  
Environmental Planning Commission

Kym Dicome, Chair  
Development Review Board

City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Dear Mr. Chairman:

Daniels Family Properties, LLC is the owner of the three properties legally described as the following:

- *Lots 1 through 3 Block 1 Plat of West Bank Estates Together with Tract A1 Lands of Suzanne H Poole Containing 14.1326 Acres;*
- *Tract C-1 Plat of Tracts C-1, C2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West;*
- *Lot 4-A Plat of Tracts C-1, C-2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West*

I hereby authorize Consensus Planning, Inc. to act as agent for all matters related to the Site Plan, planning, and platting actions through the City of Albuquerque related to the entitlement and development of the properties legally described above.

Sincerely,



Kevin Daniels  
Daniels Family Properties, LLC

August 14, 2018

Derek Bohannon, Chairman  
Environmental Planning Commission

Kym Dicome, Chair  
Development Review Board

City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Dear Mr. Chairman:

I hereby authorize Consensus Planning, Inc. to act as agent for all matters related to the Site Plan, planning, and platting actions through the City of Albuquerque related to the entitlement and development of the three properties legally described as:

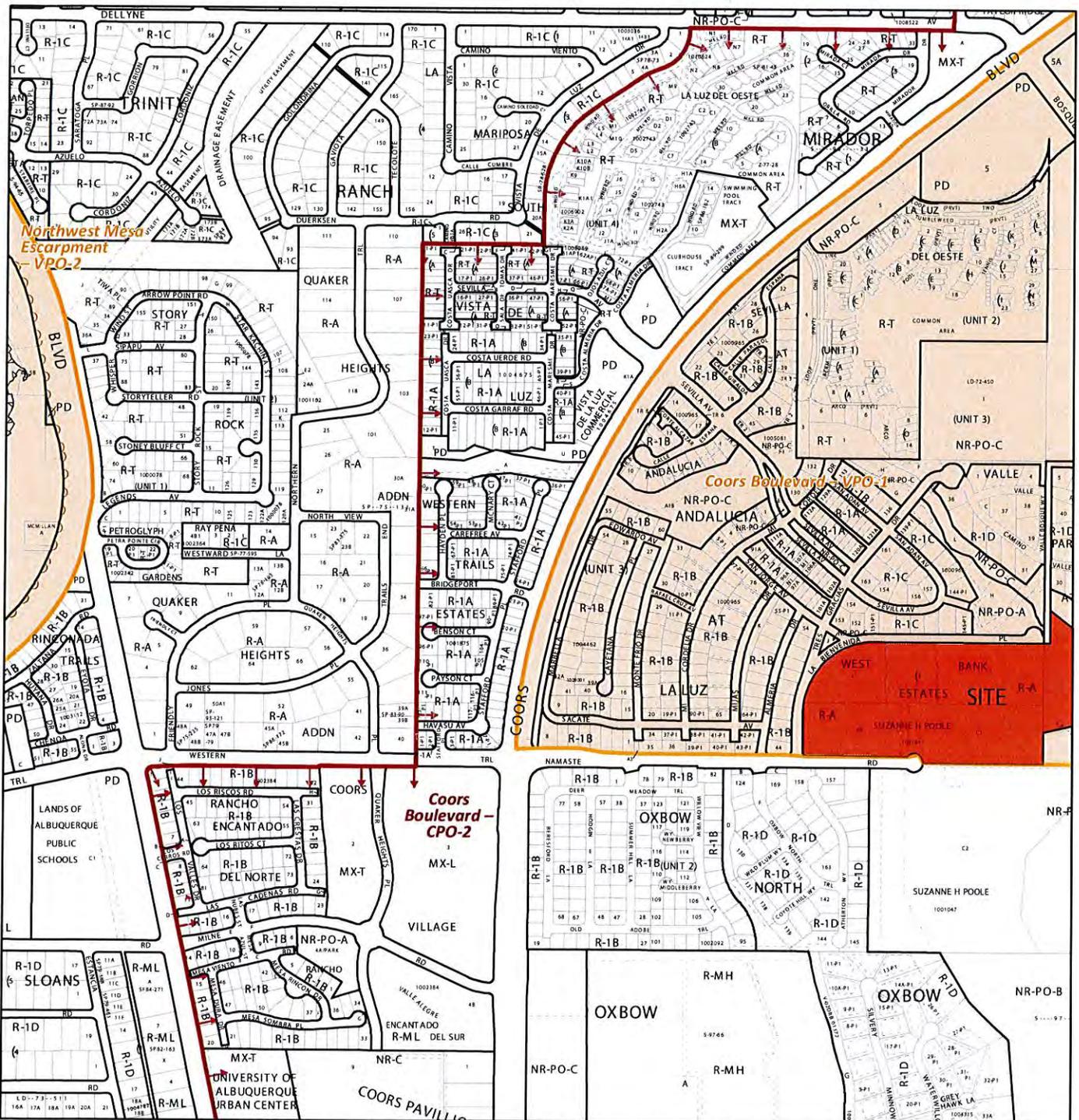
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- *Lot 4-A Plat of Tracts C-1, C-2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West*

Gamma Development, LLC is the contract purchaser of the properties.

Sincerely,



Chris Scott, Director of Acquisition  
Gamma Development, LLC



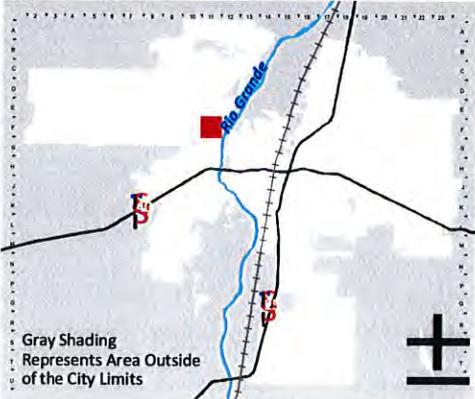
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas

### May 2018



IDZoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

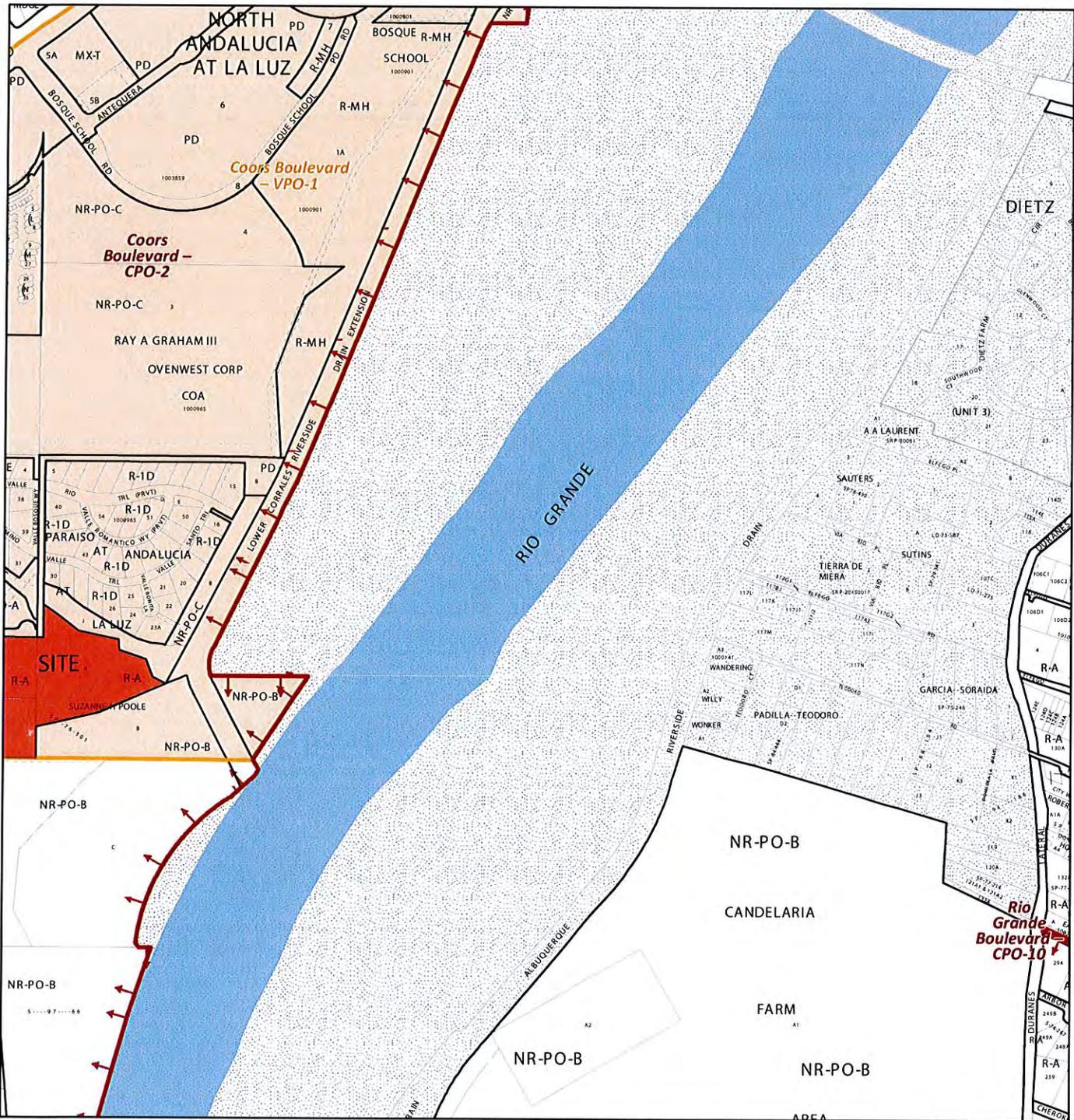


Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**F-11-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet



For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas

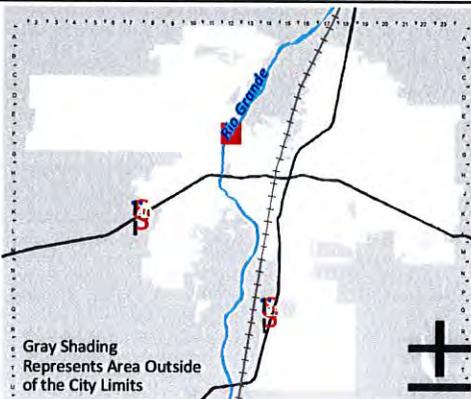
### May 2018



Albuquerque Geographic Information System

IDO Zoning information as of May 17, 2018

The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).



Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**F-12-Z**

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone

Feet

0    250    500    1,000

# SITE PLAN CHECKLIST

Project #: \_\_\_\_\_ Application #: \_\_\_\_\_

This checklist will be used to verify the completeness of site plans submitted for review by the Planning Department. **Because development proposals vary in type and scale, there may be submittal requirements that are not specified here. Also there may additional requirements if a site is located in CPO, HPO, and/or VPO or if located in DT-UC-MS or PT areas. See the IDO or AGIS for boundaries.** Nonetheless, applicants are responsible for providing a complete submittal. Certification as specified below is required.

***I CERTIFY THAT THE SUBMITTED SITE PLAN IS COMPLETE AND ACCURATE, AND THAT ALL APPLICABLE INFORMATION AS SPECIFIED IN THIS CHECKLIST IS PROVIDED. FURTHER, I UNDERSTAND THAT THIS APPLICATION IS BEING ACCEPTED PROVISIONALLY AND THAT INACCURATE AND/OR INCOMPLETE INFORMATION MAY RESULT IN THE SUBSEQUENT REJECTION OF THE APPLICATION OR IN A DELAY OF ONE MONTH OR MORE IN THE DATE THE APPLICATION IS SCHEDULED FOR PUBLIC HEARING.***



\_\_\_\_\_  
Applicant or Agent Signature / Date

Site plan packets shall be composed of the following plan sheets (unless otherwise approved in writing prior to submittal by the Planning Department):

1. Site Plan (including utilities and easements)
2. Landscaping Plan
3. Grading and Drainage Plan
4. Utility Plan
5. Building and Structure Elevations
6. Previously approved Development Plan (if applicable)

**The electronic format must be organized in the above manner.**

The following checklist describes the minimum information necessary for each plan element. **The Applicant must include all checklist items on their site plan drawings and confirm inclusion by checking off the items below. Non-applicable items must be labeled "N/A."** Each non-applicable designation must be explained by notation on the Checklist.

**NOTE: There may be addition information required if site is located with a CPO, VPO or HPO and/or any other special areas as defined by the IDO.**

**NOTE: If there requests for deviations (Section 14-16-6-4(O), they must be clearly labelled on the site plan (Sheet 1) as well as addressed in the application letter made with the submittal.**

## SHEET #1 - SITE PLAN

### A. General Information

- ✓ 1. Date of drawing and/or last revision
- ✓ 2. Scale: 1.0 acre or less 1" = 10'  
1.0 - 5.0 acres 1" = 20'  
Over 5 acres 1" = 50'  
Over 20 acres 1" = 100'

# SITE PLAN CHECKLIST

- ✓3. Bar scale
- ✓4. North arrow
- ✓5. Legend
- ✓6. Scaled vicinity map
- ✓7. Property lines (clearly identify)
- ✓8. Existing and proposed easements (identify each)
- ✓9. Phases of development, if applicable

## B. Proposed Development

### 1. Structural

- ✓A. Location of existing and proposed structures (distinguish between existing & proposed) and include any accessory structures
- ✓B. Square footage of each structure
- ✓C. Proposed use of each structure
- ✓D. Signs (freestanding) and other improvements
- ✓E. Walls, fences, and screening: indicate height, length, color and materials
- ✓F. Dimensions of all principal site elements or typical dimensions
- n/a G. Loading facilities
- ✓H. Site lighting (indicate height & fixture type)
- ✓I. Indicate structures within 20 feet of site
- n/a J. Elevation drawing of refuse container and enclosure, if applicable.
- ✓K. Existing zoning/land use of all abutting properties

### 2. Parking, Loading and Internal Circulation

- n/a A. Parking layout with spaces numbered per aisle and totaled.
  - n/a 1. Location and typical dimensions, including motorcycle spaces, bicycle spaces, ADA accessible spaces, and compact spaces
  - n/a 2. Calculations: spaces required and proposed (include any reduction calculations) for motorcycle, bicycle, compact and ADA spaces
  - n/a 3. On street parking spaces
- n/a B. Bicycle parking & facilities
  - n/a 1. Bicycle racks – location and detail
  - n/a 2. Other bicycle facilities, if applicable
- ✓C. Vehicular Circulation (Refer to DPM and IDO)
  - ✓1. Ingress and egress locations, including width and curve radii dimensions
  - ✓2. Drive aisle locations, including width and curve radii dimensions
  - ✓3. End aisle locations, including width and curve radii dimensions
  - n/a 4. Location & orientation of refuse enclosure, with dimensions
  - n/a 5. Loading, service area, and refuse service locations and dimensions
- ✓D. Pedestrian Circulation
  - ✓1. Location and dimensions of all sidewalks and pedestrian paths (including ADA connection from ROW to building and from ADA parking to building)

# SITE PLAN CHECKLIST

- 2. Location and dimension of drive aisle crossings, including paving treatment
- 3. Location and description of amenities, including patios, benches, tables, etc.

## E. Off-Street Loading

- 1. Location and dimensions of all off-street loading areas

## F. Vehicle Stacking and Drive-Through or Drive-Up Facilities

- 1. Location and dimensions of vehicle stacking spaces and queuing lanes
- 2. Landscaped buffer area if drive-through lanes are adjacent to public R/W
- 3. Striping and Sign details for one-way drive through facilities

### 3. Streets and Circulation

#### A. Locate and identify adjacent public and private streets and alleys.

- 1. Existing and proposed pavement widths, right-of-way widths and curve radii
- 2. Identify existing and proposed turn lanes, deceleration lanes and similar features related to the functioning of the proposal, with dimensions
- 3. Location of traffic signs and signals related to the functioning of the proposal
- 4. Identify existing and proposed medians and median cuts
- 5. Sidewalk widths and locations, existing and proposed
- 6. Location of street lights
- 7. Show and dimension clear sight triangle at each site access point
- 8. Show location of all existing driveways fronting and near the subject site.

#### B. Identify Alternate transportation facilities within site or adjacent to site

- 1. Bikeways and bike-related facilities
- 2. Pedestrian trails and linkages
- 3. Transit facilities, including routes, bus bays and shelters existing or required

### 4. Phasing

- A. Proposed phasing of improvements and provision for interim facilities. Indicate phasing plan, including location and square footage of structures and associated improvements including circulation, parking and landscaping.

### SHEET #2 - LANDSCAPING PLAN

- 1. Scale - must be same as scale on sheet #1 - Site plan
- 2. Bar Scale
- 3. North Arrow
- 4. Property Lines
- 5. Existing and proposed easements
- 6. Identify nature of ground cover materials
  - A. Impervious areas (pavement, sidewalks, slope pavings, curb and gutters, etc.)
  - B. Pervious areas (planting beds, gravel areas, grass, ground cover vegetation, etc.)
  - C. Ponding areas either for drainage or landscaping/recreational use

## SITE PLAN CHECKLIST

- ✓ 7. Identify type, location and size of plantings (common and/or botanical names).
  - ~~n/a~~ A. Existing, indicating whether it is to be preserved or removed.
  - ✓ B. Proposed, to be established for general landscaping.
  - ✓ C. Proposed, to be established for screening/buffering.
- ✓ 8. Describe irrigation system – Phase I & II . . .
- ✓ 9. Planting Beds, indicating square footage of each bed
- ✓ 10. Turf Area - only 20% of landscaped area can be high water turf; provide square footage and percentage.
- ✓ 11. Responsibility for Maintenance (statement)
- ~~n/a~~ 12. Landscaped area requirement; square footage and percent (specify clearly on plan)
- ✓ 13. Landscaped buffer areas provided; dimensions, label clearly that it is a landscape buffer, square footage and percent (specify clearly on plan)
- ✓ 14. Planting or tree well detail
- ✓ 15. Street Trees (only trees from the Official Albuquerque Plant Palette and Sizing list or 8 inch caliper or larger will be counted)
- ~~n/a~~ 16. Parking lot edges and interior – calculations, dimensions and locations including tree requirements
- ~~n/a~~ 17. Show Edge Buffer Landscaping (14-16-5-6(D)) – location, dimensions and plant material

### SHEET #3 –GRADING AND DRAINAGE PLAN

A separate grading and drainage plan (and drainage report) must be submitted to the DRS Hydrology Section prior to the DRB submittal for a site plan (See DRWS Form).

#### A. General Information

- ✓ 1. Scale - must be same as Sheet #1 - Site Plan
- ✓ 2. Bar Scale
- ✓ 3. North Arrow
- ✓ 4. Property Lines
- ✓ 5. Existing and proposed easements
- ✓ 6. Building footprints
- ✓ 7. Location of Retaining walls

#### B. Grading Information

- ✓ 1. On the plan sheet, provide a narrative description of existing site topography, proposed grading improvements and topography within 100 feet of the site.
- ✓ 2. Indicate finished floor elevation and provide spot elevations for all corners of the site (existing and proposed) and points of maximum cut or fill exceeding 1 foot.
- ✓ 3. Identify ponding areas, erosion and sediment control facilities.
- ~~n/a~~ 4. Cross Sections  
Provide cross section for all perimeter property lines where the grade change is greater than 4 feet at the point of the greatest grade change. Provide one additional cross section in each direction within no more than 100 feet of the reference point.

# SITE PLAN CHECKLIST

## SHEET #4- UTILITY PLAN

- A. Fire hydrant locations, existing and proposed. (or submit signed off Fire One Plan)
- B. Distribution lines
- C. Right-of-Way and easements, existing and proposed, on the property and adjacent to the boundaries, with identification of types and dimensions.
- D. Existing water, sewer, storm drainage facilities (public and/or private).
- E. Proposed water, sewer, storm drainage facilities (public and/or private)

## SHEET #5 - BUILDING AND STRUCTURE ELEVATIONS

### A. General Information

- ~~n/a~~ A. Scale
- ~~n/a~~ B. Bar Scale
- ~~n/a~~ C. Detailed Building Elevations for each facade
  - 1. Identify facade orientation
  - 2. Dimensions of facade elements, including overall height and width
  - 3. Location, material and colors of windows, doors and framing
  - 4. Materials and colors of all building elements and structures
  - 5. Location and dimensions of mechanical equipment (roof and/or ground mounted)

### B. Building Mounted Signage

- ~~n/a~~ 1. Site location(s)
- ~~n/a~~ 2. Sign elevations to scale
- ~~n/a~~ 3. Dimensions, including height and width
- ~~n/a~~ 4. Sign face area - dimensions and square footage clearly indicated
- ~~n/a~~ 5. Lighting
- ~~n/a~~ 6. Materials and colors for sign face and structural elements.
- ~~n/a~~ 7. List the sign restrictions per the IDO

# CITY OF ALBUQUERQUE

## TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: Gamma Development LLC DATE OF REQUEST: 09/18/18 ZONE ATLAS PAGE(S): F-11 and F-12

**CURRENT:**

ZONING R-A  
PARCEL SIZE (AC/SQ. FT.) 22.75 acres

**LEGAL DESCRIPTION:**

LOT OR TRACT # See attached BLOCK # \_\_\_\_\_  
SUBDIVISION NAME \_\_\_\_\_

**REQUESTED CITY ACTION(S):**

ANNEXATION [ ]  
ZONE CHANGE [ ]: From \_\_\_\_\_ To \_\_\_\_\_  
SECTOR, AREA, FAC, COMP PLAN [ ]  
AMENDMENT (Map/Text) [ ]

**SITE DEVELOPMENT PLAN:**

SUBDIVISION\* [✓] AMENDMENT [ ]  
BUILDING PERMIT [ ] ACCESS PERMIT [ ]  
BUILDING PURPOSES [ ] OTHER [ ]

\*includes platting actions

**PROPOSED DEVELOPMENT:**

NO CONSTRUCTION/DEVELOPMENT [ ]  
NEW CONSTRUCTION [✓]  
EXPANSION OF EXISTING DEVELOPMENT [ ]

**GENERAL DESCRIPTION OF ACTION:**

# OF UNITS: 73 single family dwellings  
BUILDING SIZE: \_\_\_\_\_(sq. ft.)

**Note:** changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE *Jaime Jaramillo* DATE 9/18/18

(To be signed upon completion of processing by the Traffic Engineer)

**Planning Department, Development & Building Services Division, Transportation Development Section -**  
2<sup>ND</sup> Floor West, 600 2<sup>nd</sup> St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES [ ] NO [✓] BORDERLINE [ ]

THRESHOLDS MET? YES [ ] NO [✓] MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: [ ]  
Notes:

**If a TIS is required:** a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

*Juan P. [Signature]*  
TRAFFIC ENGINEER

09-18-18  
DATE

Required TIS **must be completed prior to applying to the EPC and/or the DRB.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED    /   /    \_\_\_\_\_ DATE  
-FINALIZED    /   /    TRAFFIC ENGINEER

Revised January 20, 2011

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# 18-209 Date: July 23, 2018 Time: 2 PM

Address: 5000 Namaste NW

AGENCY REPRESENTATIVES AT MEETING:

Planning: Maggie Gould

Code Enforcement: \_\_\_\_\_

Fire Marshall: \_\_\_\_\_

Transportation: Mojgan Mandanar

Other: \_\_\_\_\_

PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY!

THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL..

Additional research may be necessary to determine the exact type of application and/or process needed. Factors unknown at this time and/or thought of as minor could become significant as the case progresses.

REQUEST: Cluster Development under RA or Zone change

SITE INFORMATION:

Zone: RA Size: 23 acres

Use: cluster development / other residential Overlay Zone: CPO-2 COATS UPO-1 COATS

Comp Plan Area Of: consistent Comp Plan Corridor: COATS, Major Transit

Comp Plan Center: NO MPOS or Sensitive Lands: yes

Parking: Table 5-5-1 MR Area: NO

Landscaping: \_\_\_\_\_ Street Trees: \_\_\_\_\_

Use Specific Standards: will depend on use - 4-3(B)(2) Cluster Dev

Dimensional Standards: Section 5-1

\*Neighborhood Organization/s: \_\_\_\_\_

\*This is preliminary information only. Neighborhood Organization information is only accurate when obtained from the Office of Neighborhood Coordination (ONC) at [www.cabq.gov/neighborhoods/resources](http://www.cabq.gov/neighborhoods/resources).

PROCESS: replat  
Type of Action: Site Plan EPC or zone change  
Review and Approval Body: EPC Is this PRT a requirement? ✓  
DRB for replat following EPC

PRE-APPLICATION REVIEW TEAM (PRT) MEETING NOTES

PA# \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Address: \_\_\_\_\_

NOTES: The RA Zone allows cluster development of up to 50 units, the site could contain more than ~~one~~ 1 cluster. a site plan EAC is required because of the proximity to open space. See 4-3-B-2

- San Antonio is not a Major Arroyo
- applicant must coordinate with Parks/open space regarding access and buffers.  
See Pages 204-207 for open space Edges 5-2(H)

Can seek different approaches for each lot

check with fire marshal

staff will follow up on questions regarding, ~~the~~ property, OS dedication, contextual standards, ~~access~~ cul-de-sac, platting 40 centerline for private streets  
Extending Nacoste

# CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM PROJECT MEETING REPORT Pre-Application—Oxbow Pointe

## APPENDIX: Conceptual Site Plan:



## OXBOW POINTE

### CONCEPTUAL SITE PLAN

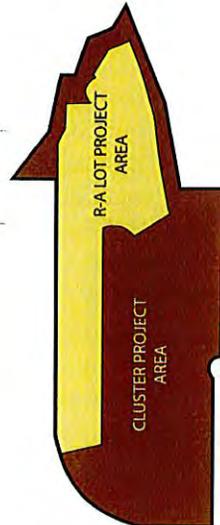
Prepared for:  
Abaco Homes  
www.abacohomes.com

Prepared by:  
Consensus Planning, Inc.  
302 Eighth Street NW  
Albuquerque, NM 87102

Shirley Hedges, Inc.  
7500 Jefferson NE  
Albuquerque, NM 87109  
August 30, 2018



SITE PLAN NOTES	
Site Area:	22.75 ac.
Cluster Area:	14.42 ac.
Required Open Space:	4.33 ac.
Provided Open Space:	4.33 ac.
50' x 110' Lots	35
60' x 110' Lots	15
Non-Cluster Area:	23
80' x 125' Lots	73
Total Lots	





September 27, 2018

Derek Bohannon, Chair  
Environmental Planning Commission  
City of Albuquerque  
600 Second Street NW  
Albuquerque, New Mexico 87102

Landscape Architecture  
Urban Design  
Planning Services

RE: 5001 Namaste Road Site Plan - EPC

Dear Mr. Chairman:

302 Eighth St. NW  
Albuquerque, NM 87102

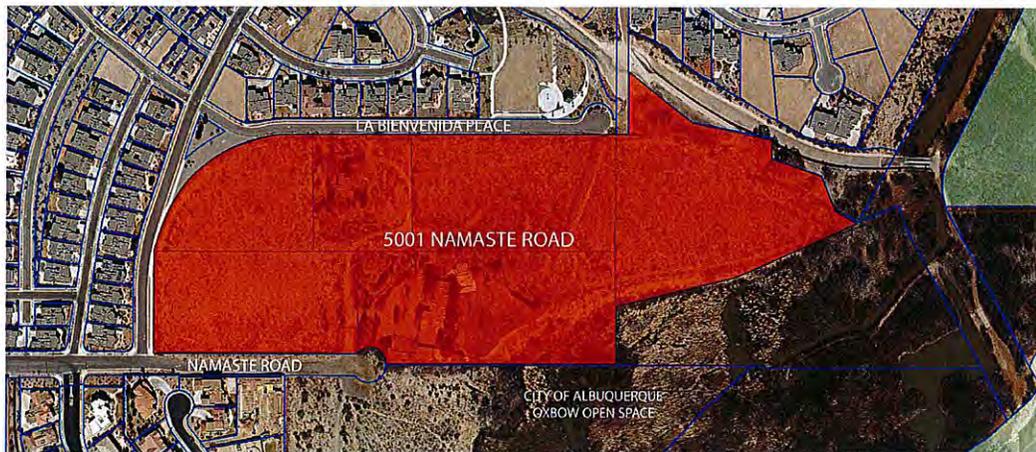
(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

The purpose of this letter is to request approval of a Site Plan – EPC and a Variance – EPC on behalf of Gamma Development LLC. The subject site is located at the eastern end of Namaste Road (5001 Namaste) see figure below. The property is comprised of three legally platted parcels (later subdivided into six City parcels), which total 22.75 acres, and is zoned R-A. The legal description is as follows:

- Lots 1 through 3 Block 1 Plat of West Bank Estates Together with Tract A1 Lands of Suzanne H Poole Containing 14.1326 Acres;
- Tract C-1 Plat of Tracts C-1, C2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West;
- Lot 4-A Plat of Tracts C-1, C-2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West

#### REQUEST SUMMARY

The request is for approval of a Site Plan – EPC and a Variance – EPC to allow for the development of approximately 73 single-family homes under the existing R-A zone with a cul-de-sac and stub street. As detailed below, this request is consistent with the Site Plan criteria in section 14-16-6-6(H)(3) of the Integrated Development Ordinance (IDO) and is justified for a Variance-EPC pursuant to IDO section 14.16-6-6(M)(3).



*Subject Site*

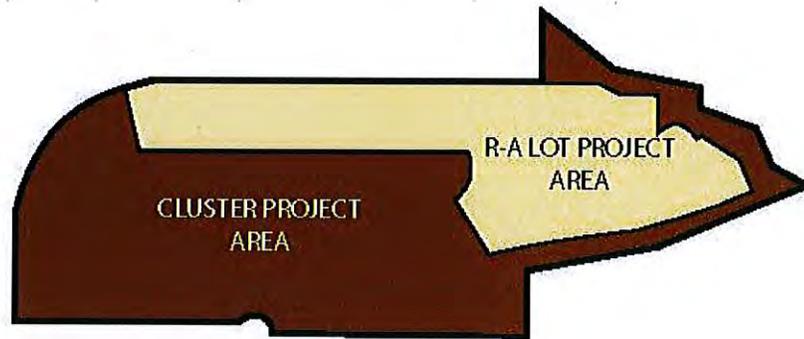
#### PRINCIPALS

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

**PROJECT DESCRIPTION**

The subject site is located at the eastern end of Namaste Road north of and adjacent to the City of Albuquerque Oxbow Open Space. The site is adjacent to existing single-family development, open space, and a park. The 22.75-acre site currently

The proposed development is allowed under the R-A zoning as two abutting projects with a total of 73 single family lots. One project is a 14.36-acre cluster subdivision with 50 single family lots and 4.37 acres of open space. The second project is an 8.39-acre subdivision with 23 lots with a minimum square footage of 10,890 in each lot. The two projects are illustrated together below.



**EXISTING LAND USE AND ZONING**

The subject site is surrounded by a wide range of residential and open space/recreation uses. The site contains two single-family dwellings, which are proposed to be razed. To the immediate north, west, and south of the site are existing single-family neighborhoods ranging in zoning and including R-1A, R-1B, R-1C, and R-1D. To the east and south is the City of Albuquerque’s Oxbow Open Space and Rio Grande Bosque, which is zoned NR-PO-B. Also, to the north is private open space zoned BR-PO-C and the public Andalusia Park, which is zoned BR-PO-A. As stated above, the existing R-A zoning allows the proposed development.



Existing Zoning



## REQUEST JUSTIFICATION

### Site Plan – EPC

The submitted Site Plan complies with the criteria for Site Plan – EPC approval as outlined in section 14-16-6-6(H)(3) of the Integrated Development Ordinance (IDO):

6-6(H)(3)(a) The Site Plan is consistent with the ABC Comp Plan, as amended as follows:

#### Goal 4.1 Character

Enhance, protect, and preserve distinct communities.

##### POLICY 4.1.1

Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

##### 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.

##### POLICY 4.1.5

Natural Resources: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.

Applicant Response: The site plan is consistent with Goal 4.1, Policy 4.1.1, Policy 4.1.2 and Policy 4.1.5. The cluster development allows for a higher density residential development in exchange for enhancing, protecting and preserving this distinct west side community that encompasses the Bosque and wetland environment. The proposed development is consistent with the distinct character and densities of the surrounding communities and more specifically, adjacent neighborhoods with contextual lot standards to surrounding zones. Further, the development responds to the natural setting by preserving the sensitive ecosystem and its functions in the Bosque through the preservation of open space buffers.

#### 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.

##### 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.



#### POLICY 5.3.4

Conservation Development: Encourage conservation development to promote private open space and preserve natural landscape, agricultural lands, and other features of the natural environment to encourage development that is sensitive to the open, natural character of the area and the geological and cultural conditions.

#### 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.

Applicant Response: The site plan is consistent with Goal 5.3, Policy 5.3.1, Policy 5.3.3, Policy 5.3.4, and Policy 5.6.3. The site is an infill site, surrounded by existing streets and utilities. The use of the cluster design also maximizes the efficiency of the new infrastructure to serve the project. The cluster development also provides a variety of open spaces throughout the project and provides a significant buffer to the adjacent open space areas. The site plan illustrates sensitive connections such as the overlook. In addition to the sensitivity measures provided by this project, the proposed site plan enhances the character of existing single-family neighborhoods that surround the project through the provision of a variety of similar contextual lot sizes.

#### POLICY 7.3.1

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

#### 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.

Applicant Response: The site plan is consistent with Policy 7.3.1 and 7.3.4. The natural features and views from the site were treated with care in the design of the site plan, the landscape plan, and connections to the open space. This infill project enhances and the surrounding built environment as single family neighborhoods and enforces the streetscape of the block by keeping as much of the existing perimeter wall as possible.

#### 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.

#### POLICY 9.2.3

Cluster Housing: Encourage housing developments that cluster residential units in order to provide community gathering spaces and/ or open space.

Applicant Response: The site plan is consistent with Policy 9.1.1 and 9.2.3. Two separate yet integrated projects are proposed with this site plan application. One

project supports smaller lot single family homes in a cluster subdivision, while the other promotes large lot single family homes. This variation provides for a range of income levels and types of residents within one gated community. It just so happens that all residents will benefit from the open space areas and gathering spaces provided by the cluster development provisions in the IDO.

6-6(H)(3)(b) The Site Plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.

Applicant Response: The subject site is not located in a previously approved NR-SU or PD zoning district. This criterion is not applicable.

6-6(H)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

Applicant Response: The site plan complies with all provisions of the IDO applicable to the site and the site plan. As detailed in this justification letter the site plan complies with or justifies a variance to the following IDO regulations:

- Coors Boulevard CPO;
- Coors Boulevard VPO;
- Major Public Open Space Edges;
- Cluster Development use-specific standards; and
- R-A zone standards.

6-6(H)(3)(d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, drainage, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

Applicant Response: The project developer will provide any necessary and additional infrastructure to include street, trail, drainage, and sidewalk systems to serve the proposed development.

6-6(H)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.

Applicant Response: The applicant has committed to only single-story homes on the western edge of the site (lots backing up to Tres Gracias Drive) to mitigate any adverse impact on the views for neighbors to the west. The applicant has also included several open space and recreation amenities to the site plan to mitigate impacts to the adjacent open space.

Further, the applicant requests a Variance – EPC to Section 5-3(E)(1)(d) Stub Streets and Cul-de-Sacs in order to avoid the sensitive lands on the eastern edge of the subject site.

**Variance – EPC**

The second request as part of this application is for a Variance – EPC to Section 5-3(E)(1)(d) Stub Streets and Cul-de-Sacs to avoid the sensitive lands on the eastern edge of the subject site including arroyos, floodplains, and steep slopes. The request is justified pursuant to IDO section 14-16-6-6(M)(3) as follows:

1. There are special circumstances applicable to the subject property that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity, including but not limited to size, shape, topography, location, surroundings, and physical characteristics, and such special circumstances were created either by natural forces or by government eminent domain actions for which no compensation was paid. Such special circumstances of the property either create an extraordinary hardship in the form of a substantial and unjustified limitation on the reasonable use or return on the property, or practical difficulties result from strict compliance with the minimum standards.

Applicant Response: There are special circumstances applicable to the subject site that are not self-imposed and that do not apply generally to other property in the same zone district and vicinity. The property is unique in that it narrows to a point at the eastern end of the property, includes steep slopes and lowland Bosque areas within the oxbow, and the property is also adjacent to an arroyo. These conditions restrict any vehicular access to the east and the narrowness of the property limits opportunities for a single-loaded street adjacent to the open space. The proposed site plan is sensitive to the open space on-site and off-site and proposes a cul-de-sac and stub street to provide access to the open space and still achieve efficient resident circulation. A buffer to the adjacent open space provides a better design and mitigates potential negative impacts better than a single-loaded street in this unique situation.

2. The Variance will not be materially contrary to the public safety, health, or welfare.

Applicant Response: The variance will not be materially contrary to the public safety, health, or welfare as it provides only for the internal circulation of the two-project subdivision. The cul-de-sac and stub street, as shown on the site plan, do not create impacts on surrounding neighbors nor do they provide for inefficient circulation for future residents of the development.

3. The Variance does not cause significant material adverse impacts on surrounding properties or infrastructure improvements in the vicinity.

Applicant Response: The subject site is surrounded by similar single family residential development to the south, west, and north. The site is an infill site and the variance will not have adverse impacts on surrounding properties or infrastructure. The variance will provide the subject site with an opportunity to be more efficient in lot layout, build less street (impervious area), and be more sensitive to the adjacent open space areas.

4. The Variance will not materially undermine the intent and purpose of this IDO or the applicable zone district.

Applicant Response: The R-A zone district and the IDO are not materially undermined by the variance since the request supports providing additional buffering to the adjacent open space. The City of Albuquerque Oxbow and Rio Grande Bosque will be better protected through the design that includes the cul-de-sac and additional open space buffer.

5. The Variance approved is the minimum necessary to avoid extraordinary hardship or practical difficulties.

Applicant Response: The variance requested is as minimal as possible to avoid impact to the adjacent sensitive lands. The irregular shape and open space adjacency make development more difficult in this area. The adjacent open space will be better protected with the approval of this variance.

**Coors Boulevard CPO-2**

Applicant Response: The submitted site plan complies with standards in the Coors Boulevard CPO-2 as outlined in section 14-16-3-4(C) of the Integrated Development Ordinance (IDO) as follows:

- **Site Standards** Lot size, width, and Common Open Space are provided on the site plan in accordance with the Cluster Development and the R-A zone standards.
- **Bosque Buffer Strip** The site plan complies with the 100-foot Bosque Buffer Strip as indicated on the site plan at the northeastern corner of the subject site.
- **Building Height and Bulk** Buildings are significantly below the grade of Coors Boulevard and shall follow Section 14-16-3-6 (D). Buildings shall not exceed the height limitation in the R-A zone.
- **Floodplain** All development shall comply with all adopted City drainage policies, including restrictions on development within the 100-year floodplain. Cluster development design is used to avoid the floodplain to the maximum extent practicable and a majority of the floodplain is designated as open space.
- **Grading** The proposed grading plan utilizes the natural grade change from west to east to reduce impacts to neighbor’s views and provide view opportunities for the new residents of the community. The steep slope areas, greater than 10 percent, are preserved as part of the open space buffer. The Site Plan includes a conceptual grading and drainage plan for the property.
- **Outdoor Lighting** Outdoor lighting shall be no higher than 20 feet from finished grade.
- **Architectural Design** Accent colors on dwelling units will not contrast the predominant color of the building more than 10 percent of each façade, and Mechanical equipment will be screened from public view from streets.
- **Signs** The only sign proposed for the project is a freestanding sign at the northeast corner of the intersection of Namaste and Tres Gracias Drive in conformance with the CPO sign regulations.

**Coors Boulevard VPO-1**

Applicant Response: The submitted site plan complies with standards in the Coors Boulevard VPO-1 as outlined in section 14-16-3-6(D) of the IDO. Because the subject site is more than ¼ mile east of Coors Boulevard with a significant drop in grade eastward, many of the standards regarding view planes and setbacks do not apply to the subject site. Applicable standards include the following:

Sub-Section 3-6(D)(6) Colors: The exterior surfaces of structures, including but not limited to mechanical devices, roof vents, and screening materials, shall be colors with light reflective value (LRV) ranging from 20 percent to 50 percent. This middle range of reflectance is intended to avoid very light and very dark colors. Allowable colors include the browns and greens existing within the Bosque. Trim materials on façades constituting less than 10 percent of the façade's opaque surface may be any color.

Exterior surfaces of structures within the project will be a color that is within 20 to 50 percent light reflective value and will be a range of browns and greens.

**Major Public Open Space Edges**

Applicant Response: The subject site is adjacent to Major Public Open Space and is greater than five acres. Therefore, the submitted site plan complies with standards in the Major Public Open Space Edges section as outlined in section 14-16-5-2(H) of the IDO.

**5-2-(H)(1) Properties within 330 feet of Major Public Open Space**

The site plan is designed to ensure compliance with the following:

- Exterior surfaces of structures within the project will be a color that is within 20 to 50 percent light reflective value and will be a range of browns and greens. Naturalized vegetation will be used for landscaping materials. Mechanical equipment will be screened;
- The proposed sign is located and sized appropriately to minimize visibility from the Major Public Open Space; and
- Pedestrian and bicycle access to the Major Public Open Space will be coordinated with City Open Space provided to neighborhood residents consistent with the City's adopted Bikeways and Trails Facility Plan (no direct access from individual lot rear yards shall be permitted as stated on the Site Plan and will be included in the subdivision's covenants).

**5-2(H)(2)(a) Properties Adjacent to Major Public Open Space of any size**

Because the subject side is adjacent to Major Public Open Space, the site plan complies with these standards and will include the following per this IDO section:

- A landscape buffer with a minimum width of 20 feet between the Major Public Open Space and development as approved by the Open Space Division of the City Parks and Recreation Department;
- On-site open space is contiguous with the Major Public Open Space;
- Site lighting limited to 20 feet;
- Crime Prevention through Environmental Design principals;
- Stormwater and grading management per IDO requirements;
- Access, circulation, and parking per IDO requirements;
- Walls, fences, and retaining walls per IDO requirements; and



- Construction mitigation per the DPM.
- 5-2(H)(2)(b) Properties Adjacent to Major Public Open Space - 5 acres or greater
- Because the subject site is adjacent to Major Public Open Space and is greater than 5 acres, the site plan complies with these standards and will include the following per this IDO section:
- Development will not create any negative impacts on the visual, recreational, or habitat values of the Major Public Open Space by the creation of a buffer;
  - Vehicle access, circulation, and parking is designed to minimize impact to Major Public Open Space by locating it outside of and significantly setback from the on-site and off-site open space (see cul-de-sac variance justification);
  - Grading and stormwater management is designed to minimize impact to Major Public Open Space through ponding and stormwater management;
  - Site lighting is limited to 20 feet;
  - Walls will blend with the natural environment with the protection of and reconstruction of the existing perimeter wall, which is appropriate for safety and visual screening;
  - Signage is located at the southwest corner of the project and designed to minimize the impact to the MPOS and other neighbors in accordance with the free-standing sign IDO requirements; and
  - The site plan being submitted for review by the EPC.

Please note that the entire property was not required to be reviewed by the EPC. It was the applicant's desire to request that the entire site plan be reviewed and approved through the EPC process due to the site's history, location, and environmental significance. The Planning Director approved the request for the site plan – EPC in a letter dated September 17, 2018 (see attached).

#### **Cluster Development**

**Applicant Response:** The proposed development is made up of two projects, both of which are permissive uses under the R-A zoning. One project is made up of an 8.39-acre portion that will be developed with typical ¼-acre R-A single family dwellings. The remaining 14.36-acre portion of the subject site will be developed as a cluster development, which is also permissive in the R-A zone.

The IDO defines cluster development as the following, "A development type that concentrates single-family or two-family dwellings on smaller lots than would otherwise be allowed in the zone district in return for the preservation of common open space within the same site, on a separate lot, or in an easement. See also Open Space, Common."

The definition of Common Open Space is as follows, "The area of undeveloped land within a cluster development that is set aside for the use and enjoyment by the owners and occupants of the dwellings in the development and includes agriculture, landscaping, on-site ponding, or outdoor recreation uses. The common open space is a separate lot or easement on the subdivision plat of the cluster development."



As demonstrated on the site plan, the cluster lots are designed in two sizes: 50 feet wide by 110 feet deep and 60 feet wide by 110 feet deep. There are 50 cluster lots on 14.36 acres with 4.37 acres of open space. The remaining 8.39-acre portion of the site is designed with typical R-A lots that are all a minimum of 10,890 square feet in size and meet all R-A setbacks. The open space includes parks, landscaped areas, an overlook, and natural open space area. The comparable base residential zone that would allow this size lot is the R-1B, which standards include a minimum 5,000 square foot lot requirement. The proposed cluster development with lots of this size is contextual in this area because surrounding lots range from R-1A, R-1B, R-1C, to R-1D.

The cluster development project complies with IDO section 14-16-4-3(B)(2) for cluster development as follows:

- The cluster development project is designed on 14.36 acres.
- Contextual lot and setback requirements are used and are similar to R-1B standards.
- The number of dwelling units was determined by dividing the site area (14.36 acres) by the minimum lot size allowed in the zone (10,890 square feet or 0.25 acre). The total of that calculation (rounded down to the nearest whole number) is 57 lots. The use specific standard only allows 50 lots per subdivision. Therefore, the cluster development project only has 50 lots with over 4 acres of Common Open Space.
- The Common Open space is set aside for landscaping, on-site ponding, and outdoor recreation. It is also more than 30 percent of the gross area of the project site (4.31 acres required), which is greater than 100 percent of the area gained through lot size reductions. The common open space has a minimum length and width of 35 feet. Where the site plan shows landscaped area that do not meet that standard, those areas are not included in the Common Open Space calculation. All Common Open Space is either visible from a public right-of-way, is landscaped with trees that are visible above walls and fences, or is adjacent to public open space.
- No structure is allowed in the common open space except if necessary for its operation and maintenance. We have requested a clarification to this requirement since it conflicts with other sections of the IDO that allows recreational uses in the common open space.
- Common open space may be dedicated to the City as Major Public Open Space if accepted by the Open Space Division of the City Parks and Recreation Department.
- All lots are designated on the site plan and will be platted separately from each other and separately from the Common Open Space.
- Maintenance of areas not dedicated to the City will be maintained by the Homeowner's Association and is noted on the site plan.

#### CONCLUSION

The proposed project, which is made up of a traditional R-A component, combined with a cluster development project achieves both the IDO and Comprehensive Plan's goals to be contextual (there is a variety of lot sizes surrounding the subject property ranging from R1-



PLANNING

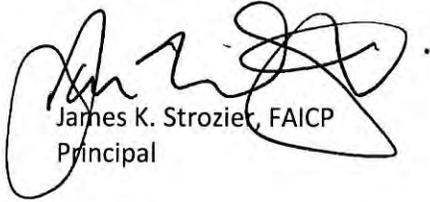
CONSENSUS

A to R1-D) and the preservation of open space as provided for in the cluster development regulations. The project includes three distinct lot sizes, on-site open space for parks, and an open space buffer adjacent to Major Public Open Space and the private open space for the arroyo.

On behalf of Gamma Development LLC, we respectfully request that the Environmental Planning Commission approve the request for this Site Plan – EPC and Variance - EPC for the subject site.

Thank you for your consideration of this request.

Sincerely,



James K. Stroziet, FAICP  
Principal

# CITY OF ALBUQUERQUE



**Planning Department**  
**David S. Campbell, Director**  
**(505) 924-3352**

September 17, 2018

Jim Strozier, FAICP  
Consensus Planning  
302 8<sup>th</sup> Street, NW  
Albuquerque, NM 87102

Mr. Strozier,

I approve your request for the 23-acre site plan for the Poole property to be submitted to the Environmental Planning Commission per IDO Section 14-16-6-6(H)(1)(b)4, based on the following findings:

PO Box 1293

Albuquerque

NM 87103

1. This RA-zoned property is located adjacent to Major Public Open Space (MPOS), which is zoned NR-PO-B.
2. The proposed site plan for the property is designed as one neighborhood made up of two integrated and interconnected projects, one a cluster development and the other with typical ¼-acre RA lots.
3. EPC review of the entire 23-acre property will benefit the City and the Comprehensive Plan's vision for growth and development, especially adjacent to existing MPOS.

Please coordinate submittal of the Site Plan - EPC with the appropriate Planning Department staff.

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

Sincerely,

David S. Campbell  
Planning Director  
City of Albuquerque

NEIGHBORHOOD NOTIFICATION

**From:** Quevedo, Vicente M.  
**To:** James Foty  
**Subject:** Public Notice Inquiry\_5001 Namaste Rd NW\_EPC  
**Date:** Tuesday, September 18, 2018 3:55:14 PM  
**Attachments:** image001.png  
 image002.png  
 image003.png  
 Zone Atlas Pages.pdf  
 Public Notice Inquiry\_5001\_Namaste Rd NW\_EPC.xlsx  
 Public Notice Inquiry\_5001\_Namaste Rd NW\_EPC.xlsx

Jaime,

Good afternoon. See list of affected associations below and attached related to your EPC submittal. Please also review the attached instruction sheet. Thank you.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Phone
La Luz Landowners Association	Jonathan	Abdalla	sliceness@gmail.com	6 Tumbleweed NW	Albuquerque	NM	87120	5053217795
La Luz Landowners Association	Kathy	Adams	kegypt06@gmail.com	5 Arco NW	Albuquerque	NM	87120	5053639253
Taylor Ranch NA	Jolene	Wolfley	sagehome@live.com	7216 Carson Trail NW	Albuquerque	NM	87120	5058909414
Taylor Ranch NA	Rene	Horvath	aboard10@juno.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5058982114
Westside Coalition of Neighborhood Associations	Harry	Hendriksen	hlhen@comcast.net	10592 Rio del Sol NW	Albuquerque	NM	87114	5052214003
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard10@juno.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5058982114

Respectfully,

**Vicente M. Quevedo, MCRP**  
 Neighborhood Liaison  
 Office of Neighborhood Coordination  
 City of Albuquerque – City Council  
 (505) 768-3332

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



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**From:** webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** ISD WebMaster  
**Sent:** Tuesday, September 18, 2018 7:21 AM  
**To:** Office of Neighborhood Coordination <onc@cabq.gov>  
**Subject:** Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:  
 Environmental Planning Commission  
 If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Contact Name  
 Jaime Jaramillo  
 Telephone Number  
 505-764-9801  
 Email Address  
[fofy@cconsensusplanning.com](mailto:fofy@cconsensusplanning.com)  
 Company Name  
 Consensus Planning, Inc.  
 Company Address  
 302 Eighth Street NW  
 City  
 Albuquerque  
 State  
 NM  
 ZIP  
 87102

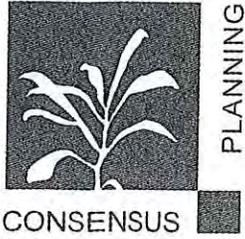
Legal description of the subject site for this project:  
 • Lots 1 through 3 Block 1 Plat of West Bank Estates Together with Tract A1 Lands of Suzanne H Poole Containing 14.1326 Acres;  
 • Tract C-1 Plat of Tracts C-1, C2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West;  
 • Lot 4-A Plat of Tracts C-1, C-2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West

Physical address of subject site:  
 5001 NAMASTE RD NW ALBUQUERQUE NM 87120

Subject site cross streets:  
 The site is located between Namaste Road, La Bienvenia Place, and the Rio Grande bosque

Other subject site identifiers:  
 This site is located on the following zone atlas page:  
 F-11 and F-12

=====  
 This message has been analyzed by Deep Discovery Email Inspector.



September 27, 2018

Typical

Jolene Wolfley  
7216 Caron Trail NW  
Albuquerque, NM 87120

Rene Horvath  
5515 Palomino Drive NW  
Albuquerque, NM 87120

Dear Ms. Wolfley, Ms. Horvath, and the Taylor Ranch Neighborhood Association:

This letter is notification that Consensus Planning has submitted a request for approval of a Site Development Plan to the Environmental Planning Commission (EPC) on behalf of Gamma Development, LLC.

The site is located at 5001 Namaste Rd NW between La Bienvenida Place NW and the Rio Grande Bosque. The site is zoned R-A and the proposed development is permissive in the R-A zone. The applicant is proposing to develop the site as a gated single-family neighborhood, with specific land sensitivity measures and design standards pursuant to the IDO Major Public Open Space Edges provisions. Additional land will be set aside for open space pursuant to the IDO cluster housing provisions. The EPC hearing for this application will be held on **November 8, 2018** beginning at 8:30 a.m. at the Plaza del Sol Building, located at 600 2<sup>nd</sup> Street NW. This project was presented and discussed at a facilitated meeting held on August 20, 2018.

The applicant participated in a Facilitated Meeting, as requested by your association, on August 20, 2018. Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, your association may request, and the City may require, an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a second Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505.924.3955.

Per IDO Section 14-16-6-4(D)(2), "If a facilitated meeting is required by the City, the City shall assign a facilitator, who shall attempt to schedule the facilitated meeting within 15 consecutive days. The meeting shall occur within a period of 7 consecutive days prior to the next scheduled hearing or meeting of the decision-making body."

Sincerely,

James Strozier, FAICP  
Principal

302 Eighth Street NW  
Albuquerque, NM, 87102  
(505) 764-9801  
cp@consensusplanning.com

#### PRINCIPALS

James K. Strozier, AICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

Attached: Zone Atlas Map F-11 & F-12 and 11x17 Site Plan



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From: \_\_\_\_\_  
CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
**Harry Hendriksen**  
Westside Coalition of Neighborhood  
Associations  
10592 Rio del Sol NW  
Albuquerque, NM 87114

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: \_\_\_\_\_  
CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
**Rene Horvath**  
Westside Coalition of Neighborhood  
Associations  
5515 Palomino Drive NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: \_\_\_\_\_  
CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
**Jolene Wolfley**  
Taylor Ranch Neighborhood  
Association  
7216 Carson Trail NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: \_\_\_\_\_  
CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
**Jonathan Abdalla**  
La Luz Landowners Association  
6 Turnbleweed NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102



Postmark Here

To:

**Kathy Adams**  
La Luz Landowners Association  
5 Arco NW  
Albuquerque, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

## Jaime Jaramillo

---

**From:** Jaime Jaramillo  
**Sent:** Thursday, September 27, 2018 7:45 AM  
**To:** hlhen@comcast.net; aboard10@juno.com; sagehome@live.com; kegypt06@gmail.com; sliceness@gmail.com; lmiller@sunsetmediagroup.com; goferran@gmail.com; Amy Costen  
**Cc:** Jim Strozier (cp@consensusplanning.com); Chris Green (cgreen@consensusplanning.com); Jaime Jaramillo; Vos, Michael J.  
**Subject:** Overlook at Oxbow - Neighborhood Association Email Notice  
**Attachments:** Site Plan Package 092718\_reduced.pdf; DOC092718.pdf

Tracking:	Recipient	Delivery	Read
	hlhen@comcast.net		
	aboard10@juno.com		
	sagehome@live.com		
	kegypt06@gmail.com		
	sliceness@gmail.com		
	lmiller@sunsetmediagroup.com		
	goferran@gmail.com		
	Amy Costen		
	Jim Strozier (cp@consensusplanning.com)	Delivered: 9/27/2018 7:46 AM	
	Chris Green (cgreen@consensusplanning.com)	Delivered: 9/27/2018 7:46 AM	
	Jaime Jaramillo	Delivered: 9/27/2018 7:46 AM	Read: 9/27/2018 7:46 AM
	Vos, Michael J.		

Dear neighbor,

This email is notification that Consensus Planning has submitted a request for approval of a Site Development Plan to the Environmental Planning Commission (EPC) on behalf of Gamma Development, LLC.

The site is located at 5001 Namaste Rd NW between Tres Gracias Drive, La Bienvenida Place, and the Rio Grande Bosque. The site is zoned R-A and the proposed development is permissive in the R-A zone. The applicant is proposing to develop the site as a gated single-family neighborhood, with specific land sensitivity measures and design standards pursuant to the IDO Major Public Open Space Edges provisions. Additional land will be set aside for open space pursuant to the IDO cluster housing provisions. The EPC hearing for this application will be held on **November 8, 2018** beginning at 8:30 a.m. at the Plaza del Sol Building, located at 600 2<sup>nd</sup> Street NW. This project was presented and discussed at a facilitated meeting held on August 20, 2018, as requested by your association.

Please do not hesitate to contact me if you have any questions, would like to meet, or desire any additional information. Under the IDO, your association may request, and the City may require, an applicant to attend a City-sponsored facilitated meeting with Neighborhood Associations, based on the complexity and potential impacts of a proposed project (IDO Section 14-16-6-4(D)). Visit: <https://www.cabq.gov/planning/urban-design-development/facilitated-meetings-for-proposed-development/> to view and download the Facilitated Meetings Criteria. If you wish to request a

second Facilitated Meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Per IDO Section 14-16-6-4(D)(2), "If a facilitated meeting is required by the City, the City shall assign a facilitator, who shall attempt to schedule the facilitated meeting within 15 consecutive days. The meeting shall occur within a period of 7 consecutive days prior to the next scheduled hearing or meeting of the decision-making body."

Sincerely,

*Jaime Saramillo*

Planner

Consensus Planning, Inc.

302 Eighth St. NW

Albuquerque, NM 87102

505.764.9801



Attached: Zone Atlas Map F-11 & F-12 and Site Plan

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** hlhen@comcast.net  
**Sent:** Thursday, September 27, 2018 7:46 AM  
**Subject:** Relayed: Overlook at Oxbow - Neighborhood Association Email Notice

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[hlhen@comcast.net](mailto:hlhen@comcast.net) (hlhen@comcast.net)

Subject: Overlook at Oxbow - Neighborhood Association Email Notice



Overlook at  
Oxbow - Neighb...

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** aboard10@juno.com  
**Sent:** Thursday, September 27, 2018 7:48 AM  
**Subject:** Relayed: Overlook at Oxbow - Neighborhood Association Email Notice

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[aboard10@juno.com](mailto:aboard10@juno.com) ([aboard10@juno.com](mailto:aboard10@juno.com))

Subject: Overlook at Oxbow - Neighborhood Association Email Notice



Overlook at  
Oxbow - Neighb...

## Jaime Jaramillo

---

**From:** postmaster@outlook.com  
**To:** sagehome@live.com  
**Sent:** Thursday, September 27, 2018 7:47 AM  
**Subject:** Delivered: Overlook at Oxbow - Neighborhood Association Email Notice

### Your message has been delivered to the following recipients:

[sagehome@live.com](mailto:sagehome@live.com) (sagehome@live.com)

Subject: Overlook at Oxbow - Neighborhood Association Email Notice



Overlook at  
Oxbow - Neighb...

## Jaime Jaramillo

---

**From:** Microsoft Outlook  
**To:** kegypt06@gmail.com; sliceness@gmail.com; goferran@gmail.com  
**Sent:** Thursday, September 27, 2018 7:46 AM  
**Subject:** Relayed: Overlook at Oxbow - Neighborhood Association Email Notice

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[kegypt06@gmail.com](mailto:kegypt06@gmail.com) ([kegypt06@gmail.com](mailto:kegypt06@gmail.com))

[sliceness@gmail.com](mailto:sliceness@gmail.com) ([sliceness@gmail.com](mailto:sliceness@gmail.com))

[goferran@gmail.com](mailto:goferran@gmail.com) ([goferran@gmail.com](mailto:goferran@gmail.com))

Subject: Overlook at Oxbow - Neighborhood Association Email Notice



Overlook at  
Oxbow - Neighb...

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** Amy Costen  
**Sent:** Thursday, September 27, 2018 7:46 AM  
**Subject:** Relayed: Overlook at Oxbow - Neighborhood Association Email Notice

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[Amy Costen \(ACosten@hoamco.com\)](mailto:ACosten@hoamco.com)

Subject: Overlook at Oxbow - Neighborhood Association Email Notice



Overlook at  
Oxbow - Neighb...

# Property Owners Buffer Map



## Legend

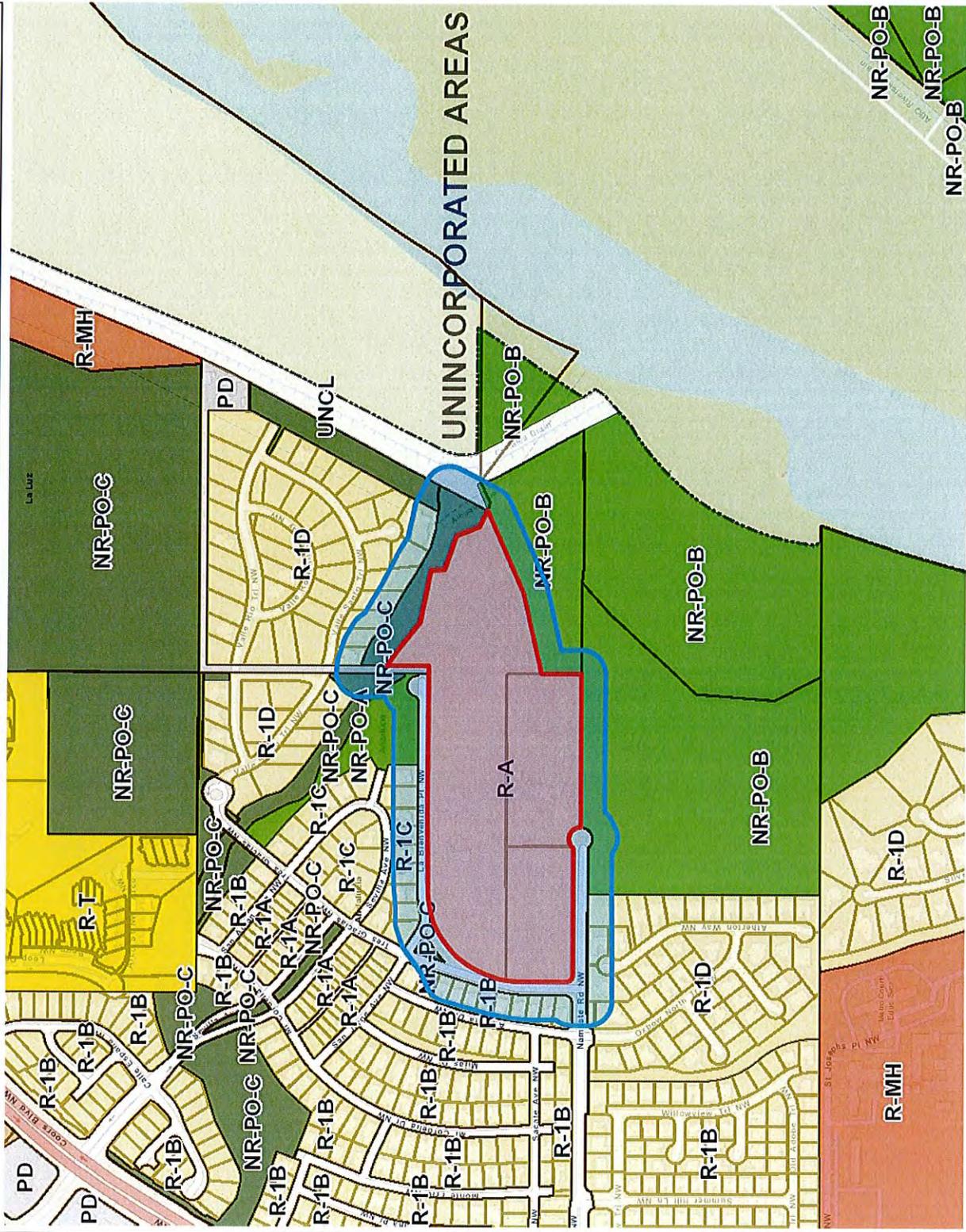
### IDO Zoning

- R-A
- R-1A
- R-1B
- R-1C
- R-1D
- R-T
- R-MC
- R-ML
- R-MH
- MX-T
- MX-L
- MX-M
- MX-H
- MX-FB-ID
- MX-FB-FX
- MX-FB-UD
- NR-C
- NR-BP
- NR-LM
- NR-GM
- NR-SU
- NR-PO-A
- NR-PO-B
- NR-PO-C
- NR-PO-D
- PD
- PC
- UNCL

- Bernalillo County Parcels
- Municipal Limits

## Notes

Created by Consensus Planning, August 14, 2018.



1,202 Feet

601

0

1,202



1:7,213

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
8/14/2018  
© City of Albuquerque

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Owner	Owner Address	Owner Address 2
GETTLER ROGER & DEBBIE TRUSTEES GETTLER LVT	5028 SEVILLA AVE NW	ALBUQUERQUE NM 87120-1832
ESQUIBEL ORLANDO J & AUDREY B CO- TRUSTEES ESQUIBEL TRUST	4624 ALMERIA DR NW	ALBUQUERQUE NM 87120-1840
CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103
VILLEGAS HOPE RENEE	4824 CAMINO VALLE TRL NW	ALBUQUERQUE NM 87120-4613
STANDLEY BARRY H & PATRICIA L	5012 SEVILLA AVE NW	ALBUQUERQUE NM 87120
RICHARDSON SAMUEL HEDGES & SARAH PEKLAY	4516 ATHERTON WAY NW	ALBUQUERQUE NM 87120-0000
ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY	PO BOX 1293	ALBUQUERQUE NM 87103-1293
MENDOZA KIMBERLY D	5020 SEVILLA AVE NW	ALBUQUERQUE NM 87120
ANDALUCIA COMMUNITY ASSOCIATION	8300 CARMEL AVE NE SUITE 401	ALBUQUERQUE NM 87122
YORK JANET L & NORMAN RUSTY	4604 ALMERIA DR NW	ALBUQUERQUE NM 87120
HERNANDEZ JORGE G & MARIA T	4201 RANCHO BONITO DR NW	ALBUQUERQUE NM 87120-5345
THIELEN DONALD E & THERESA E	4508 ATHERTON WAY NW	ALBUQUERQUE NM 87120-1267
SANCHEZ RONALD R & LYDIA M TR SANCHEZ RVT	4904 CAMINO VALLE TRL NW	ALBUQUERQUE NM 87120
DANIELS FAMILY PROPERTIES LLC	3550 SEQUOIA CT NW	ALBUQUERQUE NM 87120
NAVARRO LEONARD & NAVARRO ISIDRO & ISABEL U	5024 SEVILLA AVE NW	ALBUQUERQUE NM 87120-1832
MOYE SCOT W & LYNLEY N	4620 ALMERIA DR NW	ALBUQUERQUE NM 87120
WESTON KATHLEEN	5004 SEVILLA AVE NW	ALBUQUERQUE NM 87120
DERBY LEO P & LINDA J	4700 ALMERIA DR NW	ALBUQUERQUE NM 87120
ERSELIUS ROBERT E & FUNK KENNETH R	4908 CAMINO VALLE TRL NW	ALBUQUERQUE NM 87120
BOUCHER RICHARD E & SYLVIA K	4600 ALMERIA DR NW	ALBUQUERQUE NM 87120
OXBOW NORTH VENTURES	1650 UNIVERSITY BLVD NE SUITE 5-100	ALBUQUERQUE NM 87102-1726
SILVER CHARLES M & MILLER BRIAN N TRUSTEES SILVER & MILLER RVT	160 PASEO DE CORRALES	CORRALES NM 87048-9573
OLAH GLENN ALLEN & LORETTA ELAINE	5016 SEVILLA AVE NW	ALBUQUERQUE NM 87120
BREGEZ LLC	4700 VALLE BONITA LN NW	ALBUQUERQUE NM 87120-4683
SCOTT PATRICK INC	8300 CARMEL AVE NE SUITE 401	ALBUQUERQUE NM 87122-3147
CASTILLO LEO G & JOSIE G TRUSTEES CASTILLO RVT	5000 SEVILLA AVE NW	ALBUQUERQUE NM 87120-1832

BAUER JOSEPH E & SHELLEY J	4616 ALMERIA DR NW	ALBUQUERQUE NM 87120-1840
GULLEY THOMAS P & JANE ELLEN	4701 VALLE BONITA LN NW	ALBUQUERQUE NM 87120-4683
CHEUNG CHANG S	5008 SEVILLA AVE NW	ALBUQUERQUE NM 87120
ADAMS-WHITSELL SAMANTHA & CROW ARLYN G	6817 TIERRA DR NW	ALBUQUERQUE NM 87120-6026
POHL JENNIFER	4512 ATHERTON WAY NW	ALBUQUERQUE NM 87120-1267
CHAVEZ EDDIE & LENA A	4628 ALMERIA DR NW	ALBUQUERQUE NM 87120-1840
CHURCHILL KENNETH H & PEDERSON FLORENCE E	4612 ALMERIA DR NW	ALBUQUERQUE NM 87120-1840
DURKIN PETER S & CHARLA R	4916 CAMINO VALLE TRL NW	ALBUQUERQUE NM 87120
RACHEL MATTHEW HOMES INC	PO BOX 73	CORRALES NM 87048
KOURI TINA M	4912 CAMINO VALLE TRL NW	ALBUQUERQUE NM 87120
BACHECHI CARLA L & BACHECHI SUSAN M	4632 ALMERIA DR NW	ALBUQUERQUE NM 87120
AYOUB CHRISTINE L & AYOUB ANGELINA	4704 ALMERIA DR NW	ALBUQUERQUE NM 87120
HELMS CLYDE A & POHL JENNIFER	4504 ATHERTON WAY NW	ALBUQUERQUE NM 87120-1267



September 27, 2018

Typical

Dear Property Owner:

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a **Public Hearing on Thursday, November 8, 2018 at 8:30 a.m.**, in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following item.

**EPC RULES OF CONDUCT OF BUSINESS**

A copy of the Rules of Conduct is posted on the Planning Department's website at [www.cabq.gov/planning/boards-commissions/environmental-planning-commission](http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission) and printed copies are available in the Planning Department office on the third floor of the Plaza del Sol Building, 600 Second Street NW. For more information, please contact Russell Brito, Division Manager of the Urban Design and Development Division, at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

Staff reports and supplemental materials are posted on the City website, [www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports](http://www.cabq.gov/planning/boards-commissions/environmental-planning-commission/epc-staff-reports).

**REQUEST**

Consensus Planning, agent for Gamma Development, LLC, has submitted a request for approval of a Site Development Plan to the Environmental Planning Commission (EPC) for a property located at 5001 Namaste Rd NW between Tres Gracias Drive, La Bienvenida Place, and the Rio Grande Bosque. The site is legally described as:

- Lots 1 through 3 Block 1 Plat of West Bank Estates Together with Tract A1 Lands of Suzanne H Poole Containing 14.1326 Acres;
- Tract C-1 Plat of Tracts C-1, C2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West;
- Lot 4-A Plat of Tracts C-1, C-2 & Lot 4-A Lands of Suzanne H Poole Being a Replat of Tract C Lands of Suzanne H Poole Tract C Annexation Plat Land in Section 25 & 36 T11N R2E Lot 4 Block 1 West

The site is zoned R-A and the proposed development is permissive in the R-A zone. The applicant is proposing to develop the site as a single-family neighborhood, with specific land sensitivity measures and design standards applied; and additional land set aside for open space pursuant to the IDO cluster housing provisions.

If you have questions or need additional information regarding this request please contact Russell Brito, Division Manager of the Urban Design and Development Division, at (505) 924-3337 or at [rbrito@cabq.gov](mailto:rbrito@cabq.gov).

**PRINCIPALS**

James K. Strozier, FAICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP

Sincerely,

Consensus Planning, Inc.

Attached: Zone Atlas Map F-11 & F-12



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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: KOURI TINA M  
4912 CAMINO VALLE TRL NW  
ALBUQUERQUE, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: HELMS CLYDE A & POHL JENNIFER  
4504 ATHERTON WAY NW  
ALBUQUERQUE, NM 87120-1267

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From: CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: AYOUB CHRISTINE L & AYOUB ANGELINA  
4704 ALMERIA DR NW  
ALBUQUERQUE, NM 87120

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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: CHURCHILL KENNETH H & PEDERSON FLORENCE E  
4612 ALMERIA DR NW  
ALBUQUERQUE, NM 87120-1840

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From: \_\_\_\_\_  
\_\_\_\_\_

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
STANDLEY BARRY H & PATRICIA L  
5012 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065



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From: \_\_\_\_\_  
\_\_\_\_\_

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
RICHARDSON SAMUEL HEDGES &  
SARAH PEKLAY  
4516 ATHERTON WAY NW

ALBUQUERQUE, NM 87120-0000

PS Form 3817, April 2007 PSN 7530-02-000-9065



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From: \_\_\_\_\_  
\_\_\_\_\_

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
VILLEGAS HOPE RENEE  
4824 CAMINO VALLE TRL NW  
ALBUQUERQUE, NM 87120-4613

PS Form 3817, April 2007 PSN 7530-02-000-9065



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From: \_\_\_\_\_  
\_\_\_\_\_

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: \_\_\_\_\_  
GETTLER ROGER & DEBBIE TRUSTEES  
GETTLER LVT  
5028 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120-1832

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

YORK JANET L & NORMAN RUSTY  
4604 ALMERIA DR NW  
ALBUQUERQUE, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

ALBUQUERQUE BERNALILLO COUNTY  
WATER UTILITY AUTHORITY  
PO BOX 1293  
ALBUQUERQUE, NM 87103-1293

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

MOYE SCOT W & LYNLEY N  
4620 ALMERIA DR NW  
ALBUQUERQUE, NM 87120

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

SANCHEZ RONALD R & LYDIA M TR  
SANCHEZ RVT  
4904 CAMINO VALLE TRL NW  
ALBUQUERQUE, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: SILVER CHARLES M & MILLER BRIAN N  
TRUSTEES SILVER & MILLER RVT

160 PASEO DE CORRALES  
CORRALES, NM 87048-9573

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: ERSELIUS ROBERT E  
& FUNK KENNETH R

4908 CAMINO VALLE TRL NW  
ALBUQUERQUE, NM 87120

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From:

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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To: GULLEY THOMAS P & JANE ELLEN  
4701 VALLE BONITA LN NW  
ALBUQUERQUE, NM 87120-4683

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CONSENSUS PLANNING  
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ALBUQUERQUE, NM 87102

To: SCOTT PATRICK INC  
8300 CARMEL AVE NE SUITE 401  
ALBUQUERQUE, NM 87122-3147

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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

MENDOZA KIMBERLY D  
5020 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120

PS Form 3817, April 2007 PSN 7530-02-000-9065

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ALBUQUERQUE, NM 87102

ESQUIBEL ORLANDO J & AUDREY B CO-  
TRUSTEES ESQUIBEL TRUST  
4624 ALMERIA DR NW

ALBUQUERQUE, NM 87120-1840

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To:

DANIELS FAMILY PROPERTIES LLC  
3550 SEQUOIA CT NW  
ALBUQUERQUE, NM 87120

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302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

HERNANDEZ JORGE G & MARIA T  
4201 RANCHO BONITO DR NW  
ALBUQUERQUE, NM 87120-5345

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

THIELEN DONALD E & THERESA E  
4508 ATHERTON WAY NW  
ALBUQUERQUE, NM 87120-1267

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302 EIGHTH ST. NW  
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To:

ANDALUCIA COMMUNITY  
ASSOCIATION  
8300 CARMEL AVE NE SUITE 401  
ALBUQUERQUE, NM 87122

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To:

DERBY LEO P & LINDA J  
4700 ALMERIA DR NW  
ALBUQUERQUE, NM 87120

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From:

CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

NAVARRO LEONARD & NAVARRO  
ISIDRO & ISABEL U  
5024 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120-1832

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From:

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ALBUQUERQUE, NM 87102

To:

OLAH GLENN ALLEN & LORETTA ELAINE  
5016 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120

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ALBUQUERQUE, NM 87102

To:

CASTILLO LEO G & JOSIE G TRUSTEES  
CASTILLO RVT  
5000 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120-1832

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CONSENSUS PLANNING  
302 EIGHTH ST. NW  
ALBUQUERQUE, NM 87102

To:

BOUCHER RICHARD E & SYLVIA K  
4600 ALMERIA DR NW  
ALBUQUERQUE, NM 87120

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ALBUQUERQUE, NM 87102

To:

WESTON KATHLEEN  
5004 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120

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- 302 EIGHTH ST. NW  
- ALBUQUERQUE, NM 87102

To: - BREGEZ LLC  
- 4700 VALLE BONITA LN NW  
- ALBUQUERQUE, NM 87120-4683

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- ALBUQUERQUE, NM 87102

To: - OXBOW NORTH VENTURES  
- 1650 UNIVERSITY BLVD NE SUITE 5-100  
- ALBUQUERQUE, NM 87102-1726

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- ALBUQUERQUE, NM 87102

To: - ADAMS-WHITSELL SAMANTHA &  
- CROW ARLYN G  
- 6817 TIERRA DR NW  
- ALBUQUERQUE, NM 87120-6026

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- ALBUQUERQUE, NM 87102

To: - BAUER JOSEPH E & SHELLEY J  
- 4616 ALMERIA DR NW  
- ALBUQUERQUE, NM 87120-1840

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To:

DURKIN PETER S & CHARLA R

4916 CAMINO VALLE TRL NW

ALBUQUERQUE, NM 87120

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To:

POHL JENNIFER

4512 ATHERTON WAY NW

ALBUQUERQUE, NM 87120-1267

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To:

CHAVEZ EDDIE & LENA A

4628 ALMERIA DR NW

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BACHECHI CARLA L &

BACHECHI SUSAN M

4632 ALMERIA DR NW

ALBUQUERQUE, NM 87120

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BACHECHI CARLA L &

BACHECHI SUSAN M

4632 ALMERIA DR NW

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BACHECHI CARLA L &

BACHECHI SUSAN M

4632 ALMERIA DR NW

ALBUQUERQUE, NM 87120

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From:

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To:

CITY OF ALBUQUERQUE  
PO BOX 1293  
ALBUQUERQUE, NM 87103

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meter postage here.



To:

CHEUNG CHANG S  
5008 SEVILLA AVE NW  
ALBUQUERQUE, NM 87120

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From:

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To:

RACHEL MATTHEW HOMES INC  
PO BOX 73  
CORRALES, NM 87048

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## Jaime Jaramillo

---

**From:** Jaime Jaramillo  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**To:** aboard10@juno.com; sagehome@live.com  
**Cc:** Jim Strozier (cp@consensusplanning.com); Chris Green (cgreen@consensusplanning.com); Jackie Fishman (fishman@consensusplanning.com)  
**Subject:** Zone Map Amendment and Site Plan-EPC Request Notification - Taylor Ranch NA

Tracking:	Recipient	Read
	aboard10@juno.com	
	sagehome@live.com	
	Jim Strozier (cp@consensusplanning.com)	Read: 7/3/2018 5:06 PM
	Chris Green (cgreen@consensusplanning.com)	
	Jackie Fishman (fishman@consensusplanning.com)	Read: 7/3/2018 4:35 PM

Dear Ms. Rene Horvath, Ms. Jolene Wolfley, and the Taylor Ranch Neighborhood Association:

This email is notification that Gamma Development LLC is preparing an application for a Zone Map Amendment and Site Plan-EPC to be heard by the Environmental Planning Commission (EPC). The site is located between Namaste Road, La Bienvenida Place, and the Rio Grande bosque. The site contains approximately 23 acres and is currently zoned R-A. The applicant is proposing a single-family residential subdivision at a higher density than the existing R-A zoning and sensitivity measures considering its adjacency to Major Public Open Space.

As part of the IDO regulations, we are required to formally notify you of the application prior to submittal. Should you desire to request a meeting regarding this project, you may do so by replying to this email [jaramillo@consensusplanning.com](mailto:jaramillo@consensusplanning.com) or calling 505-764-9801. A meeting request must be received no later than July 18, 2018.

Sincerely,

*Jaime Jaramillo*

Planner

Consensus Planning, Inc.  
302 Eighth St. NW  
Albuquerque, NM 87102  
505.764.9801



Attached: Zone Atlas Map F-11-Z and F-12-Z

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** aboard10@juno.com  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**Subject:** Relayed: Zone Map Amendment and Site Plan-EPC Request Notification - Taylor Ranch NA

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[aboard10@juno.com](mailto:aboard10@juno.com) ([aboard10@juno.com](mailto:aboard10@juno.com))

Subject: Zone Map Amendment and Site Plan-EPC Request Notification - Taylor Ranch NA



Zone Map  
Amendment an...

**Jaime Jaramillo**

---

**From:** postmaster@outlook.com  
**To:** sagehome@live.com  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**Subject:** Delivered: Zone Map Amendment and Site Plan-EPC Request Notification - Taylor Ranch NA

**Your message has been delivered to the following recipients:**

[sagehome@live.com](mailto:sagehome@live.com) ([sagehome@live.com](mailto:sagehome@live.com))

Subject: Zone Map Amendment and Site Plan-EPC Request Notification - Taylor Ranch NA



Zone Map  
Amendment an...

## Jaime Jaramillo

---

**From:** Jaime Jaramillo  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**To:** 'kegypt06@gmail.com'; 'sliceness@gmail.com'  
**Cc:** Jim Strozier (cp@consensusplanning.com); Chris Green (cgreen@consensusplanning.com); Jackie Fishman (fishman@consensusplanning.com)  
**Subject:** Zone Map Amendment and Site Plan-EPC Request Notification - La Luz LA

Tracking:	Recipient	Delivery	Read
	'kegypt06@gmail.com'		
	'sliceness@gmail.com'		
	Jim Strozier (cp@consensusplanning.com)	Delivered: 7/3/2018 4:33 PM	Read: 7/3/2018 5:06 PM
	Chris Green (cgreen@consensusplanning.com)	Delivered: 7/3/2018 4:33 PM	
	Jackie Fishman (fishman@consensusplanning.com)	Delivered: 7/3/2018 4:33 PM	Read: 7/3/2018 4:35 PM

Dear Ms. Kathy Adams, Mr. Jonathan Abdalla, and the La Luz Landowners Association:

This email is notification that Gamma Development LLC is preparing an application for a Zone Map Amendment and Site Plan-EPC to be heard by the Environmental Planning Commission (EPC). The site is located between Namaste Road, La Bienvenida Place, and the Rio Grande bosque. The site contains approximately 23 acres and is currently zoned R-A. The applicant is proposing a single-family residential subdivision at a higher density than the existing R-A zoning and sensitivity measures considering its adjacency to Major Public Open Space.

As part of the IDO regulations, we are required to formally notify you of the application prior to submittal. Should you desire to request a meeting regarding this project, you may do so by replying to this email [jaramillo@consensusplanning.com](mailto:jaramillo@consensusplanning.com) or calling 505-764-9801. A meeting request must be received no later than July 18, 2018.

Sincerely,

*Jaime Jaramillo*  
Planner  
Consensus Planning, Inc.  
302 Eighth St. NW  
Albuquerque, NM 87102  
505.764.9801



Attached: Zone Atlas Map F-11-Z and F-12-Z

## Jaime Jaramillo

---

**From:** Microsoft Outlook  
**To:** kegypt06@gmail.com; sliceness@gmail.com  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**Subject:** Relayed: Zone Map Amendment and Site Plan-EPC Request Notification - La Luz LA

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[kegypt06@gmail.com](mailto:kegypt06@gmail.com) ([kegypt06@gmail.com](mailto:kegypt06@gmail.com))

[sliceness@gmail.com](mailto:sliceness@gmail.com) ([sliceness@gmail.com](mailto:sliceness@gmail.com))

Subject: Zone Map Amendment and Site Plan-EPC Request Notification - La Luz LA



Zone Map  
Amendment an...

## Jaime Jaramillo

---

**From:** Jaime Jaramillo  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**To:** aboard10@juno.com; hlhen@comcast.net  
**Cc:** Jim Strozier (cp@consensusplanning.com); Chris Green (cgreen@consensusplanning.com); Jackie Fishman (fishman@consensusplanning.com)  
**Subject:** Zone Map Amendment and Site Plan-EPC Request Notification - West Side Coalition

Tracking:	Recipient	Read
	aboard10@juno.com	
	hlhen@comcast.net	
	Jim Strozier (cp@consensusplanning.com)	Read: 7/3/2018 5:06 PM
	Chris Green (cgreen@consensusplanning.com)	
	Jackie Fishman (fishman@consensusplanning.com)	Read: 7/3/2018 4:35 PM

Dear Ms. Rene Horvath, Mr. Harry Hendriksen, and the West Side Coalition of Neighborhood Associations:

This email is notification that Gamma Development LLC is preparing an application for a Zone Map Amendment and Site Plan-EPC to be heard by the Environmental Planning Commission (EPC). The site is located between Namaste Road, La Bienvenida Place, and the Rio Grande bosque. The site contains approximately 23 acres and is currently zoned R-A. The applicant is proposing a single-family residential subdivision at a higher density than the existing R-A zoning and sensitivity measures considering its adjacency to Major Public Open Space.

As part of the IDO regulations, we are required to formally notify you of the application prior to submittal. Should you desire to request a meeting regarding this project, you may do so by replying to this email [jaramillo@consensusplanning.com](mailto:jaramillo@consensusplanning.com) or calling 505-764-9801. A meeting request must be received no later than July 18, 2018.

Sincerely,

*Jaime Jaramillo*  
Planner  
Consensus Planning, Inc.  
302 Eighth St. NW  
Albuquerque, NM 87102  
505.764.9801



Attached: Zone Atlas Map F-11-Z and F-12-Z

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** aboard10@juno.com  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**Subject:** Relayed: Zone Map Amendment and Site Plan-EPC Request Notification - West Side Coalition

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[aboard10@juno.com](mailto:aboard10@juno.com) ([aboard10@juno.com](mailto:aboard10@juno.com))

Subject: Zone Map Amendment and Site Plan-EPC Request Notification - West Side Coalition



Zone Map  
Amendment an...

**Jaime Jaramillo**

---

**From:** Microsoft Outlook  
**To:** hlhen@comcast.net  
**Sent:** Tuesday, July 03, 2018 4:33 PM  
**Subject:** Relayed: Zone Map Amendment and Site Plan-EPC Request Notification - West Side Coalition

**Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:**

[hlhen@comcast.net](mailto:hlhen@comcast.net) (hlhen@comcast.net)

Subject: Zone Map Amendment and Site Plan-EPC Request Notification - West Side Coalition



Zone Map  
Amendment an...

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from \_\_\_\_\_ To \_\_\_\_\_

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

  
\_\_\_\_\_  
(Applicant or Agent)

9/27/2018

\_\_\_\_\_  
(Date)

I issued \_\_\_\_\_ signs for this application, \_\_\_\_\_, \_\_\_\_\_  
(Date) (Staff Member)

PROJECT NUMBER: \_\_\_\_\_

**CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM  
PROJECT MEETING REPORT Pre-Application—Oxbow Pointe**

**Project #:** Pre-app – “Poole Property” currently titled Oxbow Pointe

**Property Description/Address:** 23 acres between Namaste NW and La Bienvenida NW

**Date Submitted:** 22 August 2018

**Submitted By:** Philip Crump

**Meeting Date/Time:** Monday 20 August 2018, 6-8 pm

**Meeting Location:** Don Newton Taylor Ranch Community Center

**Facilitator:** Philip Crump

**Co-facilitator:** Kathleen Oweegon

**Applicant/Agent:** Applicant—Gamma Development LLC; Agent—Consensus Planning

**Neighborhood Associations/Interested Parties:** Andalucia HOA, La Luz Landowners Association, Oxbow Village HOA, Rancho Sereno NA, SR Marmon NA, Taylor Ranch NA, West Side Coalition of NAs

**Background/Meeting Summary:**

From the agent:

Consensus Planning (CP) is representing Gamma Development LLC as the applicant. CP originally notified the neighborhood contacts that they were requesting a zone map amendment and a Site Plan – EPC. CP is no longer requesting a zone map amendment. CP is, however, preparing an application for a Site Plan-EPC to be heard by the Environmental Planning Commission (EPC) on October 11th. The application is due August 30<sup>th</sup>.

The site is located between Namaste Road, La Bienvenida Pl., and the Rio Grande Bosque. The site contains approximately 23 acres and is currently zoned R-A. The applicant is proposing a single-family residential subdivision under the existing R-A zoning and sensitivity measures considering its adjacency to Major Public Open Space. CP will also be requesting an exception to IDO Section 14-16-5-3(E)(1)(d), which prohibits stub streets and cul-de-sacs. CP is requesting a cul-de-sac to avoid the sensitive lands including steep slopes, floodplains, an arroyo, and the oxbow escarpment.

The meeting was attended by about 30 citizens from adjacent and nearby neighborhoods, along with several members of the development team. The team made an initial presentation of the proposed site plan (attached to this report), emphasizing that the plan is currently still conceptual. The agent responded to a series of questions that had been previously circulated via email. A lively discussion followed. Some of the major items included the density and building heights of the proposed development, the interaction of private and public open space, access to the area, and honoring the history of the site and its previous residents--the Pooles.

**Outcome:**

While emphasizing the conceptual nature of the plan being presented, the development team was able to describe the proposal in detail. In response to querying from the neighbors, they said that the current plan reflects a considerable degree of thought and examination of many alternatives. A neighborhood association representative pointed out that one purpose of a pre-application meeting is to elicit ideas from the audience. While not specifically endorsing any particular idea, the team acknowledged that several ideas brought forward would be considered prior to the formal application due no later than 30 August. The audience seemed generally pleased by the presentation, signaled by scattered applause at the conclusion of the meeting.

**Meeting Specifics:**

5-

**CITY OF ALBUQUERQUE LAND USE FACILITATION PROGRAM  
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**1. Development Team Members:**

- a. Brian McCarthy and McKenzie Bishop, 2 owners of Abrazo Homes.
- b. Jim Strozier, Consensus Planning, agent/consultant designer of subdivision,
- c. CK Scott, land development efforts leader
- d. Scott Steffen, partner and engineer with Bohannon Houston who is doing engineering for site

**2. Agent's Presentation:**

- a. This is a Pre application; there has been no application yet; the application is due no later than August 30<sup>th</sup>, but they wanted to meet with neighbors first.
  - i. They will notify everyone again when the application is submitted.
  - ii. Because the site abuts an Open Space, the site plan goes to the EPC for review.
    1. Although only a portion of the property is required to be shown, the team believes the EPC should see the whole site.
- b. The team has done a lot of research, including reviewing new IDO and rules and regulations, and have had a number of meetings with City staff.
- c. The site is limited by eastern boundary being Oxbow Open Space – this is where we are today in terms of process
- d. The site is zoned R-A in the IDO, which means minimum ¼ acre lots, and an area of cluster development.
  - i. Cluster development requires designating 30 % of the subdivision as open space, with a maximum of 50 lots.
    1. In terms of math, the gross area of cluster divided by ¼ acre equals the housing density in exchange for open space.
    2. The cluster development is in the west and south portion of property and R-A lots in the north and east.
    3. 73 lots are planned—50 quarter-acre lots in the cluster area and 23 R-A lots of varying size.
      - a. All residences will be single-family detached homes.
        - i. The existing structures are proposed to be demolished.
- e. The eastern edge of the site abuts the City's Oxbow Open Space.
  - i. The site plan shows a buffer zone between development and the Open Space.
    1. The buffer zone will be offered to the City to be annexed to the Open Space, if the City wants it.
- f. Access is proposed with a single gated access off Namaste Road, located in the middle of the South boundary.
  - i. The site would also have an emergency and pedestrian exit to the north onto La Bienvenida, near the cul-de-sac.

**3. Neighbors' Previously-submitted Questions:**

- a. Q: Density and Number of homes platted: Is there a plat from past development proposals?
  - i. A: No – no previous proposals' plats have been included.
- b. Q: What are the entry and exit points to existing streets?
  - i. A: The only car access would be near the eastern terminus of Namaste, and gated.
  - ii. It is proposed to have fire and emergency access at the north side, onto La Bienvenida

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- c. Q: What are the projected home sales prices and square footage?
  - i. A: The plan is not there yet. The development will have really nice lots, likely with no inexpensive homes. The developers want to hear from neighbors.
- d. Q: Will the homes be single story?
  - i. A: The developers are looking at different options, and are not sure if Abrazo homes will be the only builder – there may be others.
- e. Q: What are the construction start and completion dates? Will the development be in in stages or will all lots be developed in one stage?
  - i. A: It will all be developed in one phase, not multi prices developed over time.
  - ii. The subdivision and lots will be in one phase.
    - 1. There is no start date yet; it depends partly on getting thru the approval process.
    - 2. Once the application goes to EPC, if approved, it then goes to DRB for sign off, then Scott designs the infrastructure, plats and easements
    - 3. Then construction of infrastructure and site grading can start; when that's done, building plans can be submitted.
- f. Q: Who will build the homes?
  - i. A: Abrazo Homes has been designated, but another builder may be considered to build some, but the developers want someone Abrazo's quality.
- g. Q: How will storm water runoff be mitigated to protect wetlands?
  - i. A: A conceptual drainage and grading plan will be submitted to EPC.
    - 1. The development must manage and control of all water runoff, and won't be dumping into Oxbow.
      - a. The developer is sensitive to the protected characteristic of wetlands, which is why a buffer is proposed.
- h. Q: This property is currently a sensitive wildlife corridor... air and land. Is the developer sensitive to this issue?
  - i. A: Yes.
- i. Q: Will construction equipment used in developing the lots meet current EPA noise and emission standards?
  - i. A: The team doesn't know what they are, but will follow all rules and coordinate with environmental folks and will have construction mitigation to eliminate blowing soil.

**4. Lot and House Size, and Site Character:**

- a. Q: Does the R-A zoning describe minimum lot size?
  - i. A: Yes, but not for cluster housing; the cluster is a combination of 50' and 60' size lots; the others are ¼ acre.
- b. Q: Is the 30% tradeoff held in perpetuity?
  - i. A: Yes, in several ways
    - 1. The developer talked to City about dedicating the buffer adjacent to Open Space to the City and they have to decide.
    - 2. The interior open space will be designated as such on the site plan and plat.
- c. Q: Is the ¼ acre as standard size in effect only after May, that before the IDO, it was larger?
  - i. A: Yes, it was larger before IDO

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- d. Q: On cluster lots, what is the average square footage?
  - i. A: 6000 sq. ft.
    - 1. Q: But due to setbacks, your maximum is 5,500 sq. ft.
  - ii. A: The lot is everything inside the setbacks; all lots will be bigger than the minimum.
  - iii. A: Agent: The larger [R-A] lots are ¼ acre minimum; some are larger than that.
- e. Q: Is there a custom home or standard design, and if standard, what size?
  - i. A: Abrazo builds in several areas all over and around the City, with an average price in the \$200k in mid-range and \$600K in higher.
  - ii. Quarter-acre lots are well suited for larger 1 story homes with 3-car garage, on 2,500 to 2700 sq. ft.
  - iii. Cluster lots will be 2100 to 2300 sq. ft.
    - 1. Across all areas of the city, Abrazo is building mostly single story homes; the trend is in that direction.
    - 2. The average sales price as a company across all markets is \$300-\$400K. Abrazo wants to come in at market level, not below.
- f. Q: Are you putting in the clusters because of low-income incentives?
  - i. A: No, not at all.
- g. Q: Then why?
  - i. A: More flexibility and to get credit for the open space through the cluster , which is permissive through the R-A zone. After looking at all ¼ acre lots and a bunch of other iterations, this was really the best,
- h. The team knows there's an interest in having single story homes so views are not blocked.
  - i. To minimize the impact of this development, early on, it was decided to keep the western wall and landscaping that is there today, s it has a nice aesthetic.
  - ii. Maybe you scoot it to the right and put some green on the western edge of subdivision.
- i. Q: What about flat vs. peaked roofs?
  - i. A: The design of homes has not been locked in. The team understands that those neighbors on the edge want to preserve views.
    - 1. The developer wants to design to accentuate the new views to be created.
- j. Q: Is there any way to restrict to single story the houses on the perimeter before it gets started.
  - i. A: Yes. All the permutations of what can be done and what will happen will be investigated.
- k. Q: There's something kind of contradictory in this configuration. All the houses in the middle have no view; they are blocked by trees. You have high density up where views are.
  - i. A: We'll take a look at that.
- l. Q: If the cluster is in the middle you can't see Open Space. Can they have a deck built on to be able to see that?
  - i. Brian: The current zoning for site has maximum height of 26' and we're not changing zoning. If we offer a rooftop deck that is considered a 2<sup>nd</sup> story, and we don't have that in the plans. We'd have to warrant a flat roof, and we'd rather not do that.
- m. Q: Will there be a wall on eastern edge out to point?
  - i. A: No; the City has typical Open Space fence they use. Any backyard wall that banks up

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to that will have low wall, those views

- ii. Q: Are the criteria mandatory, given the buffer zone?
  - 1. A: Open Space rules for new fencing would still apply even if private.
- n. Q: Are there any Abrazo homes that are similar, that we can look at?
  - i. A: The most representative is a model home in the Holly Estate subdivision near Eubank and Paseo del Norte.
  - ii. Another is at 8008 Compass Rd. NW, near Unser and Rainbow--10 minutes from Taylor Ranch CC.
  - iii. There are no other sites like this one, so we can't show you similar site, just similar homes. We love the uniqueness of the site.
- o. Q: How wide will roads be in the cluster--narrower than main road? Will they allow for on-street parking?
  - i. A: They will have a 47' right of way; the width of the roadway is 28' feet—a standard dimension--and does allow for on-street parking.
  - ii. The Site plan will get reviewed by all departments and EPC and DRB.
    - 1. What we answer is what we're proposing, but can't say what the City will want us to do.

**5. Open Space and Buffer:**

- a. Q: In the SE corner, in the buffer zone, what is the width of the proposed buffer that wraps around the edge?
- b. A: Measured horizontally, it is 35 ft.
- c. Q: So what you're including in your Open Space is the slope to Oxbow, so you can't develop on it. The Oxbow is a very sensitive area. It seems like you shouldn't include that in your cluster development; there is usually much more Open Space than that.
  - i. A: A cluster requires 30%, so 4.33 acres is open space.
    - 1. Q: You'll donate the slope to Oxbow Open Space?
  - ii. A: There is nothing formal because no application has been submitted yet, but the team asked the City if they want it.
    - 1. If they do, the developer will donate it as Open Space.
      - a. The developer is hoping to pull the property line of houses back and have the City take it as Open Space
      - b. If they don't want it, it will be open space held in private and maintained by Oxbow Pointe.
  - iii. Q: Is donation to Open Space voluntary?
    - 1. A: Yes, there are a myriad of rules and regulations to follow.
      - a. The Planning Director must give permission to bring this to the EPC.
- d. Q: Bosque ends in a gravel cul-de-sac, with school on one side and entrance to Open Space on other. Will that be maintained or improved?
  - i. A: We will have to widen it and don't know what City wants for East side of Namaste. We expect some improvements though, but will work with City to learn those requirements.
  - ii. The public space and parking that exists at the south end of the Namaste cul-de-sac will remain the same, very likely; it is a City decision, not ours.

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- e. Q: Was it considered to make the development all cluster development to free up more Open Space?
  - i. A: That was considered; it would result in 92 lots on the property; more houses would be allowed, but approximately 6 acres of Open Space would be required to do that.
    - 1. What the team liked about this design is that now there are 50', 60, and ¼ acre wide lots. '
    - 2. Of 3 different cluster ratios and configurations and this is what seemed best.
- f. Q: Wouldn't it work better to build cluster on the east side get more Open Space?
  - i. A: The developer thought this idea is best.

**6. Background of the parcel:**

- a. Q: How did this transpire? Why was it not kept as is after Mrs. Poole died?
  - i. A: It is under contract to be sold; the current owner bought it shortly after Mrs. Poole died.
- b. Q: Did you consider keeping existing buildings?
  - i. A: The team looked at many possibilities, but need this scale to develop it as preferred.
    - 1. It is all private, even including a triangle of land that extends into the Oxbow waters.
- c. Q: Mrs. Poole sold to Mr. Daniels some years ago. Has he been trying to sell it for a while now?
  - i. A: The agent talked to him about developing the land himself. There have been several conversations with other developers.
- d. Q: On some beautiful east mountain properties, the families have stipulated how property is used. Did the Poole family have any wishes?
  - i. A: Not that is known.
- e. Q: The house there is one of the first on west side. The Pooles were very active and owned most of land; there is a lot of history associated with them and the house.
  - i. Could you make it more unique than a standard subdivision and preserve the house--be more sensitive to Open Space, with less density?
    - 1. It would allow people to come in and enjoy the grounds that overlook the Oxbow; with such a rich beautiful property, it seems like you could be more creative.
  - ii. A: That was considered, but Open Space rules say no to structures of any kind on Open Space--even shelters and including the house. So the plan couldn't save house and make it part of Open Space.
- f. Q: What about sell the house to someone to preserve it and build on other side with larger lots?
  - i. A: Abrazo: We absolutely did not get a good deal in this property. We're investing millions of dollars on Open Space, infrastructure, etc.
    - 1. Lots on the other side of Bosque are small lots for millions of dollars.
    - 2. This is a large financial commitment; with the greater the density, the more affordable we can make the lots and the more amenities we can offer.
    - 3. The Poole houses have been abandoned for 6 years, and are very deteriorated with animals living in them.
      - a. They would be \$1,000,000 fixer-uppers. It doesn't make sense to preserve them economically.
    - 4. We want to preserve the history and culture of site, and would like to find a way to do that; it is a great idea.

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5. We wanted to preserve the pool house (3<sup>rd</sup> structure – casita-like). We would have to relocate sewer lines and other major infrastructure changes and improvements. We have to look at economics.
- g. Q: This site has so much potential--you're near this beautiful Open Space near the Oxbow. Those ¼ lots are going to be more instrumental in getting single story.
  - i. More ¼ acre lots and all with view will give those lots more value, add Open Space at the east end, and more Open Space buffer next to east slope where all the wildlife comes alive in the evenings.
  - ii. Put something there to honor the Pooles and that can be your eastern amenity – please be more creative in your thinking.
    1. A: The team looked at 6 or 7 versions of plan and others have tried different ones too, but this site isn't as easy to develop as it looks.
    2. The team look at the suggestions you gave us tonight.

**7. Access to Site:**

- a. On Namaste there are 3 exits from Oxbow and 2 from Andalucía and now a proposed 3<sup>rd</sup> exit at Oxbow Pointe, the only other exit from Andalucía
  - i. Agent: Do you think we need to have northern access for more than just emergency and you think that makes more sense?
    1. A: Yes
  - ii. Agent: We thought having only one access would mitigate traffic.
- b. Q: What does the state require?
  - i. A: What is shown meets City transportation and Fire staff requirements.
  - ii. The team will take this idea of 2<sup>nd</sup> community access on the N into consideration. We thought on Namaste would be better.
- c. Q: Access on the north side--I like the way you have it. I have children and there are many in our neighborhood and they go to the park. It would make me more nervous if you have more entrances on that side, as dangerous for kids and bikes.
  - i. A: That was our thought process too.
- d. Q: The north end has been a problem for City to develop. A lot of people especially at night who go down there and party and all kinds of stuff goes on there. Open access there would probably not be a good idea.
  - i. A: Sometimes vacant property can exacerbate “attractive nuisance.”
  - ii. Neighbor: We have had to have City put in more lighting because of problem of that park
- e. Q: Would you put sidewalk in?
  - i. A: The team will work with City to assure that whatever's done there is workable and will have to widen the south side of Bienvenida, so expect a sidewalk there.
- f. Q: Could you put a pedestrian exit on that northern access?
  - i. A: Yes, that is what is planned.

**8. Zoning:**

- a. Abrazo: The new IDO went into effect on 5/17/18. This is the 5<sup>th</sup> or 6<sup>th</sup> project to occur under the new ordinance, so everyone--including the City--has a lot to figure out in terms of how it all works together.
- b. Q: You're asking for an exception to IDO Section 14-16-5-3(E)(1)(d) as an alternative to applying

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for rezoning. What inspired that decision? How do you benefit and how do we benefit from not rezoning?

- i. A: We did a number of development scenarios and looked at changing zoning from R-A to something else.
  - ii. Instead, based on our concept of combining cluster with R-A, we don't have to ask for zone change.
  - iii. Separate from that, because the property on the east end is surrounded by Open Space, IDO says no cul-de-sac.
    1. Since a cul-de-sac makes a lot of sense in this configuration, we have to ask for exception.
- c. Q: If you get full exception all the way through, you also get to throw out the 20' wide pedestrian utility easement that must be provided between cul-de-sac and the sidewalk system.
- i. A: Typically if a cul-de-sac backs up against a big street where you can't connect, they want you to put in a sidewalk to connect them, to make it easier for pedestrians to walk through from the cul-de-sac to the street.
    1. If City wants to do a trail over there, we'd love to make that connection. We're not trying to do or get anything covert.
    2. The only exception we are seeking related to that section is for the cul-de-sac.

**9. Other Considerations:**

- a. Q: Has City done an analysis for drainage control? Plans have to be approved by AMAFCA (Albuquerque Metropolitan Arroyo Flood Control Authority). Could we look at those engineering reports?
  - i. A: Yes, you can look at them as we go thru the process.
  - ii. Engineer: We have been trying to set meetings with AMAFCA, but have had no response yet.
    1. We haven't spoken with FEMA, since we have to go thru City process first.
    2. We know about area along San Antonio arroyo and will coordinate as needed.
  - iii. Q: FEMA requires guarantees and bonds. Will that affect you a great deal? Don't you want to meet those requirements before applying?
    1. A: All the financial requirements will be reviewed before moving forward. We know we have to coordinate with those people and we're trying to coordinate that.
- b. Q: How do we get to see those reports?
  - i. A: At the time of application we will provide email and send certified letter to the four Neighborhood Associations that we sent to—La Luz, Taylor Ranch, Andalucia and Westside coalition.
  - ii. We send a set of all drawings—electronically and by 11' x 17' drawings.
    1. After that, if we have to meet again – large, small or individual, we are happy to meet. We will be transparent in this process.
    2. There will be a separate hydrology plan.
    3. There are conceptual plans for utilities, grading, and drainage for the EPC; normally these are not sent out, but you can request them.
- c. Q: At Andalucia, we have terrible water pressure – very, very high because we're at the end of the line. What will happen when you build?
  - i. A: We'll have to put pressure valves at the meter. Our building will likely decrease your

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pressure somewhat, but not significantly.

- d. Q: If all goes smoothly, when do you expect to break ground?
  - i. A: 6-9 months if all went smoothly. Site preparation would take 4-6 months before commencing.
- e. Q: Would the cluster lots be built on first, or the larger lots?
  - i. A: Wherever people want to buy first.
- f. Q: Will there be model homes?
  - i. A: There probably would be 1 or 2, but we're not at that point in the process.
  - ii. Neighbors can sign up for updates at [www.abrazohomes.com](http://www.abrazohomes.com).
    - 1. Abrazo will send them in approximately 9 months, assuming we clear all the hurdles.

**10. Summary:**

- a. While there was considerable interest and questioning of the proposal, there were no major points of disagreement.
  - i. There was lingering concern about honoring the Pooles in some fashion, including retaining the Poole residence.
  - ii. The development team agreed to look into ways to honor the history of the property, as well as consideration of a pedestrian gate on the north side of the site.

**11. Next Steps:**

- a. Formal application for Site Plan approval is due no later than 30 August, with an EPC hearing set for 11 October 2018.

**12. Names and Affiliations of Attendees:**

Mackenzie Bishop	Abrazo Homes		
Brian McCarthy	Abrazo Homes	Shelley Bauer	Andalucia
C K Scott	Abrazo Homes	Sylvia Boucher	Andalucia
Scott Steffen	Bohannon Huston	Joyce Reszka	Andalucia
Jim Strozier	Consensus Planning	Larry Reszka	Andalucia
		Forrest Adams	La Luz
Ann Prinz	Andalucia	Colin Murphy	La Luz
Art Retberg	Andalucia	Jon Stein	Oxbow
Art Salgado	Andalucia	Nick Harrison	Oxbow
Barbara Hoffman	Andalucia	Annamarie Norsworthy	Resident
Flo Churchill	Andalucia	Barbara Tegtmeier	Resident
Joe Bauer	Andalucia	Marvin Gladstone	Resident
Kathy Salgado	Andalucia	Tom Law	Resident
Ken Churchill	Andalucia	Alan Schwartz	Rancho Sereno
Larry Miller	Andalucia	E Ward	SR Marmon
Lynley Moye	Andalucia	Jolene Wolfley	Taylor Ranch
Patrick Hoffman	Andalucia	René Horvath	Taylor Ranch
Rick Boucher	Andalucia	Steve Epstein	Taylor Ranch
Scot Moye	Andalucia	Susan Chodoir	Taylor Ranch/WS Coalition
		Una Medina Olmsted	Taylor Ranch/WS Coalition

**MEETING TRANSCRIPTS**

*(Submitted by Dr. Una Medina Olmsted)*

Plaza del Sol  
Planning Department Conference Room, 3rd Floor  
600 2nd Street  
Albuquerque NM 87102

FINAL COPY  
CHECKS AGAINST RECORDING

Wednesday October 10, 2018 4:07 p.m.

Participants:

Russell Brito, Planning Manager  
Cheryl Sommerfeldt, Planner  
Vicente Quevedo, Neighborhood Liaison, ONC  
Sara Mancini, ONC Manager  
Dr. Susan Chaudoir, Suzie Poole Project  
Peter Collins, La Luz HOA  
Dr. Una Medina Olmsted, Bosque Montano HOA

Una: I'm recording, so...

Cheryl: We can burn to CD, if that's...

Una: That will be fine. I know you...

Russell: Oh!

Una: ...charge \$8...

Cheryl: But I don't know how much that...

Una: You charge \$8

Cheryl: \$8, yeah...

Una: ...You charge \$8 for a CD. We can take a CD

Cheryl: I can do it *but can*.

Una: We can do it later...

Cheryl: I can to it in the morning, yeah.

Una: That will be fine.

Cheryl: Yeah

Una: Ok. So, Um, Russell maybe you can start. So the reason we would like to record this with your permission is because we are adherents to the the Attorney General's Guidelines of the

Open Meetings Act. And then we propose that we will give you a copy of this recording of this meeting.

Cheryl: Um Hmm.

Una: And also you can give a copy to the applicant if you choose.

Cheryl: Hmm.Hmm.

Una: And that way, if we can, we will submit it to part of the record.

Cheryl: Umm Hmm

Una: That way, we are all protected.

Russell: We're not subject to the Open Meetings Act, (smiles) so record away.

Una: OK. So Russell Brito, Director of the Planning Department, Cheryl Sommerfeldt, Planner in charge. I'm Dr. Una Medina Olmsted, Retired Citizen. Peter?

Peter: Peter Collins, 1710 Escarpment NW, and I'm a (...Namaste...).

Susan Chaudoir, Dr. Susan Chaudoir, 4040 St. Joseph's Place.

Una: OK it's October 10 at 4:07 p.m. We're going to be ending at 4:45 or 4:40. OK!

Cheryl: Hmm Hmm

Una: OK!

Russell: So questions? We're here to answer questions or discuss whatever you like.

Peter: Well, I would like to begin at 30,000 feet from my perspective only, and that is, ahm. (clears voice). There are many places where housing can go on the west side, within the City. But the open space that presently exists on the parcel that is proposed for development can't be relocated somewhere else. It can't be duplicated somewhere else. And so I think the City has a policy level of decision regardless of the fact that there is a site plan that conforms, etcetera etcetera. And that policy level of decision is: "How should the land be used?" It's on a major flyway, the Nature Center is on the other side. You can't make riparian resources elsewhere on the west side. It's elevation and hydrology dependent. So that's why I think...

(Vicente enters the room)

Russell: Come on in Vicente!

More people... That's why I think, and I served on a planning commission for eight years, I think everybody ought to back up and address the policy question at some level. And that's what I think the citizens on the west side are gonna try to drive.

Una: We were just joined by Vicente. Vicente, we're recording for public record and we will be submitting as part of public record. Um, and could you announce your name and your position with the City?

Vicente: Sure. Vicente Quevedo, Neighborhood Liaison with the Office of Neighborhood Coordination.

Una: Ah. So you're representing Sara Mancini today?

Vicente: Uh, she will be here shortly.

Una: Oh Good! Ok...

Susan: Ok, so Peter was asking the question, and did you respond?

Peter: I think I was making a statement.

Susan: Oh, just a statement?

Una: That it is a policy consideration from 30,000 feet...

Peter: Yeah, I think it's a good development in the wrong place. That the space ought to be some sort of open space conservancy, and I suspect the structure on the property has historical significance and cultural significance because of the Pooles' prominence in the City and their philanthropy, and the design and construction itself. So, just to put it in 25 words or less, it's a nice development but it should go elsewhere.

Russell: Well. Ah. I can only respond: (clears throat) Yes. It is definitely a larger policy decision that would have to be made by the City Council in terms of either putting some kind of moratorium on development. Ahm. But it would be difficult to do that on a site-specific basis for a specific reason because the site already has zoning entitlements. Specific property rights that the owner has. And they wish to use their property rights as allowed by law...

Peter: We understand.

Russell: ...which for the most part takes precedence over policy decisions. Ahm. The City could condemn the property and purchase it, ahm. Because I don't believe that the applicant will voluntarily give it up and donate it to the City. It's very valuable, ahhh, to all parties involved, I believe, not only the owners themselves but other stakeholders...

Peter: Sure.

Russell: ...the citizens of Albuquerque.

Susan: Umm Hmm.

Russell: ...and, ehh, in our society it's capitalistic, and if you want to preserve something, ya gotta buy it.

Peter: Exactly.

Russell: So. That's a question that's best posed to the holders of the purse strings, and that's the City Council. Ahhh, But what kind of legal mechanisms they have to stop someone from using their property as allowed by law, that would be something for the lawyers to discuss. And whether or not there is the political will or financial means to obtain this property, we don't know. Ahh, What we're doing here in the Planning Department is responding to an application for development of a property as allowed by the land use law, the zoning that governs the site.

Peter: I'm used to it.

Russell: Ahm. It is going to the Planning Commission for one reason, well actually two. The first reason is the eastern portion is adjacent to Major Public Open Space. The Integrated Development Ordinance, ehh, has a new requirement that any development that is adjacent to Major Public Space that is more than 5 acres in size goes into the Planning Commission. That was NOT a requirement in the old zoning code. If this were developed in the old zoning code before May 17, they could have gone straight to the Development Review Board and platted it. It would be done. There would have been no public notice. There would have been no requirement for a public hearing. They could have just done it.

Susan: Um Hmmm.

Russell: So that's one of the reasons is the Integrated Development Ordinance requires this to go before the Planning Commission. The *western* portion of this site is not adjacent to Major Public Open Space. It did not have to go to the Planning Commission, but the applicant requested that it do go before the EPC so that the entire subdivision and development could be looked at in one comprehensive manner by the EPC. Ahm. (clears throat) The Planning Commission in their review of this site plan is limited in their discretion. The IDO states: Yes, you have to go in front of the Planning Commission for a public hearing and they're gonna insure that any interface between the development and Major Public Open Space has required buffering, has required transition, has required input from the superintendent of the open space division, uhhm but the EPC is not looking at a zone change. They're not looking at someone wanting to *change* their entitlements. They're just making sure that the rules are followed. And **the Integrated Development Ordinance says, "Yes. If the Planning Commission determines that the rules are being followed, that they shall approve the site plan."**

Susan: Um Hmm.

Russell: So they're very limited. They can't just say, "No, because we don't like it." or "No, we want the City to have a chance to buy it." They're there to say, in a public forum, with public input, "Have the IDO regulatory requirements been met."

Susan: Yeah?

Una: This is a very important point that you bring up, Russell. Because ONC has the responsibility of helping us neighbors, us citizens, to understand how, how we should best interact with the City in order to have a smooth relationship. And I think in the past there's been a history of our citizens *not* reading the ordinances, *not* understanding the process, not reading the IDO and the hearing processes. And so that's why we are here today. Susan wants to lead off with a question of "How do we best interface with your process?" We want to give you useful information. We don't want to start being dramatic and saying, "Well, we just don't like that and

we think that's the reason why you shouldn't... because you have check boxes, the administrative process. You have checkboxes that you look at and you've gotta check them off. And if all the checkboxes are met, then administratively it must be approved. So we're here. She's gonna start off by asking, how, she'll ask... And then I'll come up with technical standards questions after that, Ok?

Susan: Well, actually Cheryl, I just wanted to become more familiar, so I thank you for sharing what you just shared because I'd like to know what's the public's role, uhm, in this process? So there's a hearing, it's my understanding that we have an opportunity to submit both letters in writing, for, and I don't know if that's just for a review or for some sort of adjudication? And we have an opportunity to speak for comment at the EPC hearing itself. So...

Cheryl: All of your letters and comments and your verbal comments at the hearing go on the record as part of the case. **But as Russell was stating, the EPC only has discretion over certain, certain items, you know, whether or not the site plan is meeting the IDO. Because it's a matter of law.**

Susan: Umm Hmm?

Cheryl: So, ahm. **Although they become a record, I'm not sure they can make the kind of change that you're looking for? I think that you know, you may have to research in a different way,** something to do with Council Services, or something as opposed to like an EPC hearing.

Susan: Right. So I'm trying to divide out some of what they are sharing. Because I think it is important that you reminded us that we've got to stay in certain parameters. And for me, the parameters are what (sounds of papers pounding on table) we have to say as filed. Right? And right now the applicant, I'm reading this application to say that they're making one request, and one request only?

Una: There's two. They're...

Susan: There's...

Cheryl: Site plan and variance.

Una: Site plan EPC and Variance EPC.

Cheryl: So the site plan, just to review the site plan that it meets the IDO standards as we discussed and then the variance is ahh, because there is something in the IDO that prevents or prohibits single-loaded streets versus cul-de-sac. Yeah. **And that's something that has not yet been fully fleshed out as far as researching whether... they, we would support that variance. Or even, you know, because we have to research the verbiage their justification for it.** So, all of that hasn't yet been determined? Ah...

Una: To be honest, the people we represent are of two minds. One group says, "Well, we've fought so hard for single-loaded streets next to MPOS, Major Public Open Space, so why *don't* we want single-loaded streets?" But then another expert says, "well, the cul-de-sac IS the best approach in this case." So...

Susan: Yeah, I would let them talk Una. I... *Don't* finish their sentences for them. Ok?

(long pause)

Peter: Actually the variance... maybe fairly significant, depending on the history within the City. of the management of variance requests. Like where I lived, variances were more frequently denied than approved by the Planning Commission where I sat. Because they didn't meet the standard of hardship. They just met a standard of convenience for greater yield.

Una: Greater economic return. Yeah.

Peter: Yeah. Yield of houses or of...lots.

Una: It's a matter of private interest versus public good. Where you weight public good.

Peter: (Unintelligible) ... a fair...

Cheryl: So the matter of variance is yet to be determined.

Susan: So, what I'm hoping, since time is limited. Like the priority for me is, "What are the conditions that any submitted letters have to meet in order to be considered?" Like is there a format? Is there content? Do we have to refer to a certain item that's in...umm, like do we make a reference to one of these?( indicates papers in the application file on the table). Do we make a reference to one of the respondent's, like this case here? You know, what? In other words, we don't want anything rejected or not qualifying for consideration.

Cheryl: Right. I mean, for just, for just for qualifying as being part of the record, it's, umm, just a matter of getting in by the date, by the required date.

Susan: And what will be that due date, please?

Cheryl: Ahhm, so our very last day to, ahhm, accept anything written is 48 hours prior to the hearing. So it's at 8 a.m. the Tuesday of the week of the hearing. So the hearing is on a Thursday November 8 and that would be November 6, so I usually ask that everybody have something in, end of business on Monday so that it gets, you know, properly forwarded.

Peter: And that's referring to the 48 hour...?

Cheryl: Yes. Or earlier. Because anything that's gonna be analysed by Staff, um, and put into the Staff Report, would have to be in... ahh... let's see... we post all Staff Reports to the EPC web page exactly one week prior to the hearing. So if the hearing is on November 8, then what? November 1 would be the Thursday and that gets posted at 2 o'clock on the hearing, so you know, we have to have everything that's gonna be posted on the web page... like, I would say, a few days prior to that. So that it is posted as part of the record. So those are all materials that are posted at the web page so that the public can review them. And, um, anything after November 1 to the 48 hour rule material is something that would be forwarded to the EPC, and we have been trying to get them on the web page but its not a requirement. So it's for everyone to view. But, um, if after the 48 hour rule, which is the 2 days prior to the hearing, you can still make verbal comment at the hearing. So if you are just asking the first question as to what we will accept? We would accept anything within those time periods that uhm, is an email, or a

letter, or even a telephone conversation. I would write down, you know, who called and what the date was and whether they opposed the project, or, ahm, supported the project. So we pretty much accept any type of comment to go on the record. But as far as what type of comments could actually influence the site plan, we really have to go per the regulation, you know, per what the IDO permits...

Susan: Yeah?

Cheryl: And so, that would be if it's permitted, then we would write that it is permitted per the IDO. I mean, the EPC can make comments on the design of the site plan, but um, I'm not sure how much discretion they have over *changing* it.

Russell: Very little.

Cheryl: Umm Hmm..

Russell: If it meets the minimum standards of the IDO.

Cheryl: Umm hmm.

Peter: So, uh... I just want to circle back as to what you said, Cheryl, uh, to be on the website and available to the public for viewing, November 1st.

Cheryl: Yes. That would be the date posted. But I would need them in the office probably the day before that, so is that the 31st of October?

Sara Mancini: Yes, October 31st.

Cheryl: At the latest, to get that part of the Staff Report to get posted on the website. And then it's preferable to have them even earlier, because then I could actually address that in the Staff Report. Like we've had *this many comments*, like if you were planning to say, you know, circulate a petition, then we could say, "A petition was circulated. It had this many signatures." And that would be part of the actual Staff Report.

Russell: And we will have to get you the EPC Rules of Conduct, Any of that substantial written information needs to be to the staff planner 10 days before the hearing.

Sara Mancini: And is that 10 consecutive days or 10 business days?

Russell: Consecutive days.

Sara Mancini: So 10 consecutive days.

Cheryl: That's when he's speaking about as far as *analysis*. If you turn in anything after that date, which is 10 days prior to the hearing, then it won't be part of the staff report, it would just be supplemental information that gets forwarded to the EPC directly.

Una: Once again, Russell, is that 10 days before the November 1st posting? Or 10 days before the hearing?

Russell: 10 days prior to the hearing.

Sara: So would that be Monday the 29th? Do you count the 8th as part of the 10 days?

Russell: Ehh. It's going to be 10 days, not workdays, it's going to be 10 consecutive days.

Sara: Right, but do you count.... What you are counting is the 8th, the hearing date as number 10?.....

Russell: No that's zero. I mean, you count backwards. The day before that is going to be ONE, ahm...

Sara: so the 28th? Sunday the 28th?

Russell: If it's on a Sunday, then...

Cheryl: Friday. What he's speaking of is, um, like I said, if we were going to analyze it as part of the Staff Report and actually include it, and like "this many people commented" and, and... things like that. That's what he's speaking of. **So that would be...Friday the**

**Sara: Friday the 26th?**

**Susan: Ok...**

**Cheryl: And that's in order to have it included in the Staff Report. But if you just want it posted on the web site then the 31st... And then if you want it just forwarded to the commissioners then the end of the day on the 5th.**

Susan: Yes.

Sara: Yeah. Ok. That's important.

Russell: That IS important.

Cheryl: Yes, and that's why I'm looking at numbers actually.

Susan: And you're also saying you want people to be up front in saying whether this letter is being submitted in support or in opposition to like, so you want to know if there is a *standing* of the (...?...?) comment?

Cheryl: I usually put that in the Staff Report, like, I've heard from, let's say, 20 citizens, 15 of them supported the project and 5 didn't. And of course there are occasions where people write a letter and it is *unclear* as to whether they support or oppose the project. So, I would actually probably say that too. You know, "there was one person who commented *this* and it was unclear whether they supported the project."

Susan: And do they want to be clear about what items they are supporting or opposing? So, you know, I mean, sometimes there's the whole, you could be a person who might be supporting the whole, or there might be elements...

Cheryl: Right. All of that

Susan: What you are looking for is....

Cheryl: ... All of that is eligible as a comment and like, we were talking about *dates*, if you want that to be analysed and included in the Staff Report that would have to be in by that date, but I mean, basically all of it is open. Ok?

Una: While it's often the case where people give their bleeding heart opinions, but have never read the IDO, never understanding what are the *criteria for decisions* that the EPC is held to, the criteria for analysis that the Planning Staff is held to, um, here is where we also want to know about content. Should, if, if people really want their *opinions to be weighed in terms of facts*, is it a good idea for them to understand how their opinions relate to specific texts in the IDO?

(Susan rustling papers on the table, organizing the file, straightening papers in the application file.)

Russell: **That's definitely advisable. Because the EPC is going to be doing a review against the regulations and the standards. So viable arguments are going to need to reference those regulations and standards, about...**

Susan: Ok.

Russell: **Whether they're being MET, whether they're being met ADEQUATELY, uhm... because for example, if the Planning Commission approved it and a party opponent appealed it, the appeal is going to have to state *how the planning commission erred in their decision*. Which means: did they not apply the standards correctly? Was their review incomplete? And so any kind of comments or arguments for or against a project should probably reference those regulations...**

Cheryl: That we may feel might be incomplete...

Russell: Or inadequately addressed.

Cheryl: Ok. Or inadequately addressed, so we can...

Russell: **BUT... with regulations, they're usually numerical. You know, "Is the buffer strip 20 feet wide like it's supposed to be?"** You know. Well, if the EPC approved it and there's a portion where its 18 feet wide. That's appealable. You'd say, "Oh yeah. Might be worth a remand." You know. The LUHO and the Council may say, "Well that has to go back." Or the Council may say, "You have to make it 20 feet." It's up to the Council. And they are the ultimate planning and zoning authority.

Una: OR, in the Notice of Decision, if the EPC says, "Yes, it says 20 feet, but there's 18 feet, and uh, we've taken that fact into consideration. And we're considering that it still meets that finding of fact. We've found that its still, we're gonna stil, la, la, la- la," and the people can appeal that. But at least they might address it. But if they fail to address it, then that's definitely grounds for appeal, because they have not met the rules. **So people point out the rules in their opinion letters and state exactly the quote from the IDO...**

Russell: Um hmmm

Una: **And the section number, so the planner can look it up.. And decide whether or not their arguments are supported.**

Russell: And that's why the Planning Commission has staff. (Clears his throat). So that we can do an analysis, we can make all the citations. And the Planning Commission is really for *checking their work*, and if they see something that's amiss, they'll bring it up at the public hearing. And you know, they'll regularly will ask questions of Staff, you know, "Why is it like this?"

"Where is your analysis, this way?" And duh-duh-duh-duh- duh. Uhhm. So.. They're not up there...

Susan: (to Cheryl) Will you be at the hearing? Will you be there?

Cheryl: Yes. So, the way that it typically goes, is we give a short presentation. We post the Staff Report that analyses the whole project. So, when you speak about, um, analysing the project against the IDO, that's one of my positions here. You know. So that is what I'll be doing, is looking at those things. And then at the hearing, we make a short presentation and the applicant makes a presentation. And then after that, the public is allowed to speak. And then, um, the EPC uh, discusses their um reasoning for making their decision, before making it. And then the final decision is usually made. I mean, there's lots of things that can happen, like deferrals and things like that, but that's the typical way.

Una: The actual number of minutes that each person is allowed to speak, is not specifically mentioned in the IDO. Sometimes the EPC will state, "I'll give you 2 minutes, I'll give you 5 minutes...."

Russell: Its further in the rules.

Una: It's in the Rules of Con...

Russell: It's in the Rules of Conduct (waves sheets of paper containing the Rules).

Una: Ok great. So thank you for that.

Russell: Yeah. The Planning Commission, ahh, is mentioned as a decision making body in the IDO. Ahhm. But the City's Board and Commissions Ordinance that created the Planning Commission, allows the Planning Commission to adopt their own rules of conduct. And in the Rules of Conduct, ehh, it's 5 minutes for staff, 10 minutes for the applicant, 2 minutes for each public speaker, ehh, but a neighborhood association rep, if speaking for the association, can have *5 minutes*. Applicant gets a 5-minute response. And then staff 5-minute response at the end.

Una: Does it say, "general public" like an individual? In the general public?

Russell: Yeah. 2 minutes for each public speaker, *except* a city-recognized neighborhood association will have 5 minutes.

Una: Got it.

Russell: Ummm. The chair, though, may grant additional time at the chair's discretion.

Una: They sometimes do.

Russell: Yeah.

Una: But we want to make sure that we get the most mileage out of it. Because we don't want to come in as citizens and just waste your time, giving you information that doesn't apply to the rules that need to be considered.

Susan: So Cheryl, when you're reviewing this, if they have certain, if they've applied for certain things that you're reading through, ummm, the application, and if you find that there's something that *should* be considered that isn't being considered, do you note that?

Cheryl: Definitely. Yes. Ahm...So there's kind of a couple ways that could go. If they can still fit it under their original request...

Susan: Ok.

Cheryl: ... then they just have to make some changes,

Susan: Seems ok

Cheryl: ... **they can make changes before, in the same way that I gave you dates for comments, um, they have a little more flexibility yet to re-submit a site plan.**

Susan: Ohhh. They do?

Cheryl: so if the original request was for site plan, **and if there were some changes that would meet the code, they can still submit a new site plan prior to ahhm. We distribute everything to the EPC the date one week prior to the hearing. So they can still submit another site plan.**

Susan: Ok.

Cheryl: **Or another way they could do it is we could make it a condition of approval sooo if it's something that they don't want to change on this one, we could make it a condition of approval and they then are *required* to do it before furthering the process and actually furthering all approvals for the plan, even subsequent to the EPC Hearing.** And then, if it's something like, for example, you know, the, **if there's an issue with it that's so significant that they needed a variance and didn't apply for a variance that needed to be notified if they can't make their dates to notify, they can ask for a deferral, the applicant can ask for a deferral.** Or if there's other considerations that they want to defer for, **they can ask for a deferral, then it's deferred for however long they ask, 30, 60 days, are examples.** And, umm, that's about it. I mean obviously, the other option is always "withdrawal" but I don't think that would be open. That's not really a consideration right now.

Una: in the interest of time, I was considering not asking these questions. But I know that some of our citizens who have experience in planning were adamant that we ask. So may I quickly ask questions to you?

Russell: (nods)

Una: Ok. "The RA zone classification does not allow for cluster housing. So you'll have to re-classify zoning and that's not an administrative decision that Staff can make. Before changing a site plan, **a zone reclassification that impacts adjacent properties is a process of an agenda item that requires notice** and we are seeing that there is a proposal that requires reclassification of a zone, because it's a unified, uhhh, they, they propose to unify three parcels and then later separate them again into 6 city parcels. So that is a zone reclassification that is by best practices in most planning departments, normally a zone is reclassified **before** it goes into the site plan hearing. So, uh, how is it...

Cheryl: Well, they're not requesting a zone change. They're not requesting...

Una: No, they're not. They're not. **But it IS a zone reclassification**, according to some people. I am not an expert. I am only the messenger, what do you call it?

Russell: Ahhh,

Cheryl: the messenger

Una: The messenger, yah.

Russell: Well the first statement, the cluster development is a permissive use in the RA zone.

Una: Ok. So that was an incorrect assumption by that person. Ok. And so... uh, what about unifying three parcels and then later creating 6 parcels, **is that a zone reclassification action?**

**Russell: Nooooo. (grins). That would be a platting action.**

**Una: a platting action.**

**Russell: Creating, uhh... new property lines for conveyance of a property from one party to another.**

Una: Thank you for that information. And we will leave that there. And, uh, I do have some other technical standards questions, but in the interest of time (looks up at the clock on the wall), uh, would you prefer to meet with us again? After perhaps a facilitated meeting? Because it may be that some of the documents that you're going to be putting on CD for us, will answer some of these technical standards questions. And then we wouldn't have to pose them to you.

Russell: Sure, but we still have time. You have additional...

Una: Do you want to know what they are at this point?

Cheryl: Sure.

Una: Ok. Uh... Ok... um... uh...(exhales). Russell Brito, what is your definition of a recharge area, so we can compare City Planning's definition of a recharge area for wetlands to that of federal statutes? What is the proportion of wetland recharge area necessary for recharging adjacent federally managed wetlands? And what is the square footage or square acreage of those wetlands? Surely you have already compiled these facts?

Russell: (Grinning) There is no definition for recharge area in the Integrated Development Ordinance.

Una: So that would be *incomplete information* at this time.

Russell: Uhm...m.

Una: In relation to other jurisdictions. Because that is one weak area of the IDO, that other people have noticed, that there is a uhm, lack of uh awareness, of federally implied standards, state statutes, joint powers agreements, regarding management of open space. So there are federal standards for any decisions that a municipality might make that would, as I understand it, that will impact federally managed lands. And, uh, I can't go there because I'm not an expert in that area. We have some people who are experts in that area who have asked me to ask these questions, so I'm just getting them on the tape so they can hear your response.

Russell: Yeah. Umm. The IDO does say.... (checking his iPad)... uh, in it's first section, "If any regulation in this IDO conflicts with other applicable laws or regulations of the City or conflicts with applicable state or federal law, the more restrictive provision shall prevail. Unless the provisions of state or federal law, as interpreted by the courts, prevent that result." That's uh, 1-8 (B).

Una: Yes.

Russell: **The Planning Commission routing of applications goes to other departments and outside agencies, ahh, including the Open Space Division. Ahh. Including Hydrology. Ahh. For the City. Ahh, they are probably more knowledgeable about federal regulations** having to do with open space with aquifers, with recharge, ahm, and if there were any *issues* that they see, *we hope that they would comment on that to make us aware.*

Susan: Ok...

Russell: But at this point, uhm. Their comments aren't due until Friday. Ahh, So we have...

Una: Friday...

Russell: THIS Friday.

Una: Oh.

Russell: Ahm. For inclusion in the Staff Report so that Cheryl can incorporate them in the analysis. Ahhh. They become public record once they're submitted to us. So, you can always check back with Cheryl and say, "Hey, got those comments yet?"

Susan: Ohh. Ok....Thanks

Russell: And she can forward them to you.

Cheryl: You know, we don't *always* get comments from every single agency that we distribute to? So in this case, I could specifically ask, in this case.

Russell: Yeah. You know, if there's something *glaring* that Hydrology or open space division see in this layout, they'll probably say, "**Whoa! Wait up! We need more study,**" or **something**. Uh if they....

Una: Question, is Open Space is aware of federally, uhh, implied statutes? That would apply to this particular situation of recharge of wetlands?

Russell: Uhm... **No. But Hydrology probably would.**

Una: Hydrology... would....

Russell: Ahhh. City of Albuquerque has a permit from the Environmental Protection Agency called an "MS4 Permit" ahh, because the State of New Mexico doesn't have its own specific rules, so the feds say "wup, so we're gonna tell you what the rules are." Ahhm. A lot of that has to do with on-site ponding for infiltration of stormwater, ahh, requiring that (clears throat) all new development handle the "*first flush*" I think that's the first 1/8th of an inch or first 1/4 of an inch or something has to be retained on site, allowing it to infiltrate down, before running into the Rio Grande, a waterway of the United States. Ahh. So, ahh. Not only does the EPA have interest in ahh, the Rio Grande, but also the Corps of Engineers, because that's a waterway of the United States. **But the hydrologist knows all about that stuff. If they don't see anything glaring, and they give comments now, they may have some technical requirements when it goes to the planning board, if and when it goes to the planning board, [i.e., the DRB] for actual subdivision and provision of infrastructure, including "How does the stormwater get addressed on this site."**

Una: It's impressive, your knowledge, and we're coming up against the deadline where you had to leave... but...

Susan: Let Peter ask a question...

Una: but..one, one more thing.

Susan: Ok...

Una: Would it be possible for you to provide to us a list of the agencies that you have notified? Because I think already understand that people who will be listening to the recording will say, "Oh! What agencies did they notify?" so we'll know whether or not they've notified all the....

Russell: They're right here. (pulls out two sheets, a photocopy of a memo).

Susan: (reaches for the agency list, snaps photos.)

Una: OK! I'm done! (pushes chair back from the table to give Peter a better view)

Peter: Ummm. I just need some help. I'd like to know the section of the IDO that addresses variances, both the process and the standards by which they are denied or granted.

Russell: Sure!

Peter: Requests, re...

Cheryl: I can send that to you, ahm...

Russell: Yeah.

Cheryl: (To Russell) Where does that share, whether this is the right avenue for them to pursue that variance? It may be that they go to DRB?

Russell: I checked it. It has to do with subdivision and connectivity. That's a DRB.

Cheryl: Ok.

Russell: **So they'll have to go separately to the Development Review Board, and ask for a variance, ahh, to connectivity, since they're proposing this to be a gated community that doesn't connect to any surrounding areas.**

Peter: Right.

Russell: We... administration and enforcement section of the IDO, 14-16-6 that's sequential...

Peter: (writing notes) Umm hmm?

Una: (Using the recording iPhone to snap photos of the agency list memo) "Click, whirrr, Click, whirr"

Russell: Ahh, includes right at the beginning, Table 6-1-1

Una: (Click - whirr, photographing page 2 of the agency notice memo)

Russell: That's a summary of the development review procedures, and if you go to the City's website, and go to planning, you can download the IDO as a pdf that's hyperlinked, and you can go down to (let's see,) the second page of the Table, ahh, there's Variance - DRB, Variance - EPC, Variance - ZHE, and the specific procedures are hyperlinked in 6-6-m, no, 6-6-L. 6-6-L. And, that's the variance - DRB process.

Peter: Ok. And then, um... um... I know I'm not in Michigan... um... you have the EPC addressing a relatively narrow question, with respect to this particular application.

Russell: Umm Hmm. (nods)

Peter: And then does it go to something called the DRB?

Russell: (hesitating) It... could... If the Planning Commission makes that a condition. That they, this site plan gets some *technical review* at the DRB.

Cheryl: But isn't it, wouldn't it be required if they do want to request that variance? That type of variance has to go to the DRB?

**Russell: There's going to be some discussion about that. The Planning Commission could make that a condition. It could say, "yeahhh. Unmm. We're approving this with the condition that you get that variance from DRB for the cul-de-sac, and not connecting to o t h e r streets."**

Peter: When they've connected all the dots at the DRB, it goes to City Council after that?

Russell: Nooo. Unless it goes there on appeal.

Peter: Ok.

Russell: In this case, the EPC is the final approval authority for the site plan. The DRB is the final approval authority for a variance that might be requested, uh. unless they're appealed to City Council, the ultimate planning and zoning authority.

Peter: So we're a little unclear as to whether they have actually applied for a variance for the narrowness, as we see it today.

**Cheryl: Well, that's what we're discussing. I believe they applied for one, but they, the, at that time I believe they thought they'd be going to EPC for the variance, but it appears in the IDO that, that you know, that type of variance, which is to access and connectivity?**

**Peter: Yes...**

**Cheryl: is one that the EPC cannot (...) weigh on its own, that it would need a technical review by the DRB. So they could, if they want to go forward, with that, they would, we would make that a condition of approval and then they would go to the DRB, Because the DRB is a technical group.**

Peter: Right.

Cheryl: Umm hmm.

Peter: Ummm. Sooo. In summary at this point, they don't have to submit anything in writing with respect to the layout as we have it today: with the single-loaded street.

Russell: Or the...

Peter: without connectivity.

Russell: **THAT, though, umm, is a requirement of the IDO, for a development adjacent to major public open space. Uhm. And I can give you that.... Uh (searches on iPad) section... as well... It's gonna be in the development standards, site design in sensitive lands, so that's gonna be in 14-16-5-2, and the specific subsection.... Is uh... 5-2(h)(2) "properties adjacent to Major Public Open Space"**

Peter: (writing) umm hmm...

Russell: And it states "It *shall* be platted or designed to incorporate a single-loaded street between the Major Public Open Space and the development." Uhhh... **where a single-loaded street is NOT desired by the Open Space Division of the City Parks and Recreation Department, then that's when they have to put in a 20' buffer. So my understanding is that they already went to the Open Space Superintendent and said, "You want to single-loaded street?" And... uhhh... the Open Space Superintendent looked at it and said, "Gated subdivision? No." Because the Open Space Division does not want access to public open space from a private development.**

Peter: And gated is private.

Russell: And gated... yeah... the general public can't use that to get to this public open space, so they said, I think they said, **"No. We don't want a single-loaded street here." Because it's not fair to people who don't live in the subdivision.**

Cheryl: The gated part is not a requirement. Though.

Russell: No. No. That's, it's not a requirement.

Peter: It's a proposal.

Russell: It's a proposal. It's not prohibited.

Cheryl: It's not prohibited but...

Russell: **But by gating it, it does restrict that connectivity. So that's why they might have to ask for that variance, to, at the DRB, to limit connectivity with the gated subdivision that ends in a cul-de-sac.**

Cheryl: If that's. Yeah. If that's what they want. But I think that, **that would be something that the EPC could, does have discretion over, whether or not they would allow a gated or in those certain items... (looks at Russell)**

Russell: Yeah. (nods). **Right. It's like (laughs) you want a gated? Sure. But it limits connectivity. That means you have to go to DRB and explain why your site is special, and doesn't need to connect to the other City streets.**

Una: Major Public Open Space is also discussed in section 2-5 (f)(3)(b), page 52 on the pdf of ... So there's several places the IDO, um... scatters things, mmm, and would benefit from an in depth... but I have a word searchable version of the IDO that you can use... You're past your time. Is it possible that we might, in the future, meet again?

Cheryl: Yes, definitely

Russell: Of course!

Susan: Umm hmm. Can you briefly tell me what these zones mean?

Russell: NR-PO is a new zone that didn't exist before the IDO, that's specifically for Parks and Open Space. NR is 'non-residential' PO is "Park and Open space" and then there are 4 flavors. NR-PO-A is the city-owned and operated park. NR-PO-B is "city-owned and operated major public open space" like the Bosque, the Foothills, Petroglyph National Monument, some of the arroyos are Major Public Open Space... ahh... NR-PO-C is a privately-owned and operated park. Parks and Rec wanted that very specific distinction because people go to private parks, they get hurt, they want to sue the City and Parks and Rec is like, "*Not ours. Not ours.*" So they wanted that clearly on the map that they are private parks with a "C." And then NR-PO-D is for the BioPark. That's a special zone just for the zoo, Tingley Beach, ahh, Aquarium, and Botanical Gardens.

Susan: And so this RM-H?

Russell: That's residential multi-family high-density, or high intensity

Susan: Right, ok.

Una: There is a chapter on all of these in the IDO.

Susan: OK.

Russell: Yes.

Cheryl: Yes. And you can continue to look at this file...

Susan: Yeah. We'll leave them with her.

Cheryl: Right, and just leave it up there.

Susan: Yeah.

Cheryl: and then would you want, I don't know how you'd want to get these copies, but...yeah.

Susan: Ok.

Una: Are you going to, uh, put them on a CD for us?

Cheryl: If you'd like.

Una: Yes we do, I'll pay for it... when would you like me to pick that up?

Cheryl: How about if I do it tomorrow? And then I'll let you know when it's done?

Una: Yeah. Email me when it's ready?

Russell: We also do thumb drives too.

Una: I understand that. We've done thumb drives before, and I buy a new one every time I come in, and .... I'm just,

Cheryl: (laughs) Ok.

Una: ... let me just pay you \$8 for the CD this time.

Susan: Ok. Thank you very much. Thank you Cheryl. Thank you (to Russell)

Cheryl: Yes, thank you.

Russell: Thank you all for coming in. We appreciate citizen input and concern, and...

Susan: Yeah? Hopefully we will abide. I mean, the problem is, I just don't want anything *rejected* from the file. And I don't know if you have a time, I mean, a *length* constraint, um...

And it *does it need to parallel* what will be shared during the 2-minute public comment...?

Cheryl: Well no, I'm open to working with you too. I mean, we work with the applicant and we work with the neighborhood that, um, we'll give all the information that we can to the EPC. So we will see. So if there's anything that I will see as an issue, I'll let you know.

Susan: Ok. Perfect.

Cheryl: Umm Hmm. Yeah.

Susan: Look forward to it. Thank you from both sides.

Russell: Have a good evening!

Una: Ok. The recording is off.

Cheryl: Just let me know if you need another meeting scheduled. If you want to come ....

Peter: Ok...

(Recording off)

Transcribed 10-18-2018 by Una E. Medina Olmsted, Ph.D.

78.7 MB recording available upon request, drop box via email: [uemedina@gmail.com](mailto:uemedina@gmail.com)

## OPEN SPACE CITIZEN ADVISORY BOARD

2018 October 23

Open Space Visitor Center  
6500 Coors Blvd. NW  
Albuquerque, NM 87120

Meeting start: 1:30 p.m. Meeting end (approximately): 4:30 p.m.

Prior to this recording and transcript, Jim Strozier of Consensus Planning, Agent for Gamma Development, LLC, presented "Overlook at Oxbow" site plan and answered questions from the Board and public; public comments were heard.

### Partial Transcript:

This transcript is typed and annotated by Dr. Una Medina Olmsted from a recording made on her iPhone during the final 45 minutes of meeting (from approximately 3:00 p.m. to 4:30 p.m.). The transcript has been reviewed against the recording 3x at 24-hour intervals, to optimize accuracy.

The recording begins at start of board deliberation on Poole Property aka "Overlook at Oxbow" and includes two votes to send a letter to the City Planning Department requesting a deferment of at least one month for both EPC and DRB hearings, to allow board members time to study complex issues including:

- Public and fire truck access to the MPOS (Major Public Open Space),
- Risk of contamination and electrification of wetland waters from electric sewage pumps proposed in a flood zone that feeds the wetlands and that occasionally floods,
- Redirection into the San Antonio arroyo of ground waters that recharge wetlands,
- Loss of infiltration (filtering soils) that were designed by Army Corps of Engineers to filter contaminants from storm water drainage before those waters enter the wetlands,
- Replacement of open lands with structures and pavements,
- Ground water contamination from unfiltered petrochemical residues washing into wetlands from proposed streets during and after construction,
- Soil contamination from fuels and oils spills during development upon wildlife habitats, including the spawning area in wetlands both on the property and adjacent to the property for three endangered species: the Rio Grande silvery minnow, the Yellow-Billed Cuckoo, and the Southwestern Fly Catcher.

This development shares a property line with MPOS (Major Public Open Space), the jurisdiction of the Open Space Advisory Board. The recording ends with meeting adjournment.

Board members in attendance:

Alan Reed (Vice Chair, presiding at Chairman Pro Tem)

Rene Horvath (member providing information from her work on the Comprehensive Plan for this area)

Michael Jensen (member providing information from Army Corps of Engineers assessment on this site)

Don Couchman (member providing historical information and parliamentary procedures)

Tasia Young (member providing information on the need for public education on OSAB issues)

Twyla McComb (member requesting the Board list the issues for study on this site, before next meeting)

Board member absent:

Chris Green (Chair, employee of Consensus Planning has recused himself and left the room)

Staff in attendance who speak on recording:

David J. Simon, Director, Parks and Recreation

Brandon Gibson, Superintendent, Open Space

Linda Shank, Staff, Open Space (recording minutes for Open Space Staff)

Representatives of the Applicant, Gamma Development, LLC who speak on recording:

Jim Strozier, Principal, Consensus Planning

Jaime Jaramillo, Planner, Consensus Planning

Neighborhood Association Representatives & Public who speak on recording:

Jolene Wolfley, Taylor Ranch Neighborhood Association

Anonymous audience member voices #1, #2, #3, #4

1

2 (Recording begins approximately 3:00 p.m.)

3

4 Reed: I have suggestions to make for the board. But go ahead. Rene. You were up, I think.

5 Horvath: Well, I guess I should, well, I should bring up that uh this issue about the single-loaded  
6 streets: now, ah, I just received a notice that, um, from Consensus planning that they're going  
7 to have a hearing next week. On October 31 to ask for a Variance at DRB.

8 Strozier: That's a set, so, if I, if I might, so there's, there's two parts to that question.

9 One is the Major Public Open Space requirement, which we have submitted a letter tooo  
10 Brandon, as the Open Space Superintendent, requesting approval of, and we're identified our  
11 reasons why we think that the, the cul-de-sac and the open space buffer are the preferred  
12 solution, and we've enumerated those, and, and that decision on single-loaded street versus  
13 buffer *rests* with the Open Space Superintendent in the IDO. He's, he's given the authority to  
14 make that determination.

15 There is another issue that is related to the *connectivity* requirements in the IDO that basically  
16 say: "you can't do cul-de-sacs *or* stub streets unless the DRB grants you approval to do that." So  
17 the second request is to the *DRB*, requesting a variance to *that*, because obviously, from a  
18 connectivity standpoint, especially on the *east* of the *pointe* of the, of the project, if you will,  
19 there's, there's *no opportunity* for that road to connect anywhere outside of, and a, and a  
20 number of the residents that *live* off of Tres Bien—e—

21 *(fumbles to remember the name of the street)*

22 Anonymous audience voice #1 prompts Strozier: Tres Gracias

23 Strozier: No, not Tres Gracias, the one on the *north* side of...

24 Jensen: La Bien-eh-venida

25 Strozier: That's the one. I always get that name wrong. Ahhm. They did not want direct  
26 vehicular access to that street. Ahhm. That's basically the walking corridor to get to the, a little  
27 neighborhood park that's there. So once again, we have a pedestrian and an emergency access  
28 on that edge, but no vehicular. So that's, those are two, there, there are two parts of the same  
29 question, but they are dealt with by two separate bodies.

30 Wolfley: Can... But... isn't in your EPC application, the single-loaded street issue is in that  
31 application as well?

32 Strozier: It is. After we *filed* that application, we were told that the EPC does not have the  
33 authority to grant that. We were told that the EPC, uhm, has the authority over the *site plan*,  
34 but not the variance to that neces... that, the connectivity requirements.

35 (Wolfley is murmuring in dissent, unintelligible)

36 That that is specifically given to the DRB, which is why...

37 Wolfley: The, the single-loaded streets.

38 Strozier: No. The single-loaded street is, rests,

39 (murmuring in background)

40 Completely, in the IDO, the authority is with the Open Space Superintendent.

41 Wolfley: Ok. And *part*...

42 Strozier: And the connectivity

43 (Wolfley tries to interrupt while Strozier raises his voice, speaking more

44 rapidly in an interchange with Wolfley, an interchange over which one of

45 them will control the floor)

46 Wolfley: I, I got...

47 Strozier: ... question...

48 Wolfley: I got that part...

49 Strozier: is at the DRB.

50 Wolfley: Ok.

51 Strozier: OK.

52 Wolfley: I think what's problematic is someone at a later point in developing the IDO, added a

53 provision to tie that decision to the Open Space Division. Ahm, that's something *some of us*

54 never really saw or gave comment on. But it did get approved that way. But there's no *process*

55 outlining how *this board*, or a citizen like myself, would have *any* understanding of *how that*

56 *decision is being made*. And I think it would *not serve* the community well if that decision is

57 made in someone's office, with the developer saying, "We wanna do *this*." And there's just a

58 dialogue between the two of *them* in making that decision. I think that *decision really should be*

59 made with oversight, at the very least from *this board*,

60 (murmuring comment from Young, unintelligible)

61 and hope..., and I think that *hopefully* the EPC. But I think that's, that's a, a really problematic

62 area of the IDO that needs further review.

63 Reed: We will, ah, we will be aware of that. And watching for it. Uhm. If you haven't been to

64 *many* of our meetings, uhm, I can assure you, the Board and the Staff work extremely well

65 together. Closely. And the fact that this copy is here today, that this particular plan, is here

66 today, ahh, I can assure you the superintendent of Open Space is *well aware* they we are

67 working on it. So, it will be included. And we have a, ahm a single, what do you call it? (looks at  
68 Horvath)..A...

69 Horvath: Single-loaded street

70 Reed: single-loaded street expert right there (nods to Horvath) So, Ha-ha-ha-ha! So, she'll keep  
71 us going on, on *that* topic. So, go ahead Rene.

72 Horvath: Well, since this is coming up next week, we should probably, ahh, address this, right  
73 now. Because, ahh. I think it seems a little premature to be asking for a variance for a cul-de-sac  
74 when we have all these *concerns* that were brought up, that we've just listened to, about how  
75 close, uh, those homes are going to be to the Bosque. And why they've designed the  
76 subdivision this way.

77 Reed: Ok. That then is segue to what I would suggest. Ahm. I think it's clear enough. I *hope* it's  
78 clear to everyone that we're certainly, even though there is a possibility of an action, I wanna  
79 admit, that we are not ready to make an action on this, at this point. Do I read that correctly?  
80 (Reed looks around the table at the other Board members).

81 Anonymous audience voice #2: (whispering, unintelligible)

82 There are half a dozen issues that we need to understand better and discuss among ourselves,  
83 if we're gonna make a, a recommendation to *anybody*, including the, the Planning Department  
84 and the Parks and Rec Department. Go ahead, Michael.

85 Jensen: Well. So, what's the timeline, though? (addresses Director Simon) Do you have a  
86 timeline for when you might approve *this*? That we need to weigh in on, before like our next  
87 meeting?

88 Director Simon: Uhhh. I think my understanding is that the proposals, you know, for the *plan* is  
89 uhh, going to go to the EPC in *November*.

90 McComb: November 8<sup>th</sup>.

91 Director Simon: Right.

92 Jensen: Yeah right. So... we... can't...

93 Young: We just.. (voice drops, unintelligible)

94 Reed: Well. We, we, we have to set a November meeting, which we haven't done yet. That was  
95 part of our issue today. Uhh. We might be able to do it earlier in the month than we normally  
96 would schedule it. But I think also if we make a recommendation regarding the progression of  
97 this plan for the administration and for the EPC, that we would be serving them well. And  
98 probably get their compliance. Uh. I know Consensus Planning and the owner wouldn't be  
99 *delighted*, but um. I think in retrospect, if we do that, and this plan moves more slowly, and we  
100 have a chance to do our *work*, and uhh, *Brandon* has a chance to make a decision about the

101 single-loaded streets and the various related matters that are in his authority, ahm. It will be  
102 *better*. All the way around. So, my recommendation is, at this point, mirroring all this, is that  
103 the Board, ah, *today*, um, propose to ask, uh, the Administration and the EPC, to give us time  
104 to consider the numerous serious questions that have arisen, and to re-examine the IDO's  
105 requirements, **so that we can give them a report which systematically covers what we're**  
106 **responsible for.** Ahm. Because we do, **in this case, ah, a development of such size and**  
107 **complexity, right on the boundary of one of our most admired pieces of open space, I think**  
108 **we are obligated to give this the type of consideration it needs.** And uhm. Uh. Director Simon,  
109 do you think that would be acceptable in terms of your process? We could ask the EPC to take a  
110 look at it? Or hear Consensus Planning's *report*, or, I'm sorry, *application*? Uh. **But, but wait**  
111 **until they get our report to go forward with it?**

112 Director Simon: So if I, if I understand you correctly, **Mr. Chairman, you'd kinda be**  
113 **recommending to the EPC that they defer any action on this uhh, submittal?**

114 **Reed: Yes.**

115 Director Simon: Is that what you are saying?

116 Reed: Yes.

117 Director Simon: Well I mean, you know. **The Board is, uh. I mean, I do agree there is, you**  
118 **know, implied complexity in this project. Uhm, in the design. Ahh. And the Board is certainly**  
119 **within its authority to make that recommendation to the EPC. I... It's a separate membership**  
120 **body that will decide themselves whether they want to**

121 **Reed: Yeah.**

122 **Director Simon: move forward with the applicant's proposal, or... uhm... you know, modify**  
123 **the, the path for this process,**

124 **Reed: Yeah**

125 **Director Simon: and all that kind of... you don't have any control or authority over that. (nods**  
126 **at Reed).**

127 **Reed: Right. (Reed nods).**

128 **Director Simon: But, uhm. So I mean, you're, you're free to do, you're free to do that. I just**  
129 **don't know...**

130 Reed: I just want to...

131 Director Simon: ...whether you want a deferral here, so whether they will take action on this  
132 proposal on November 8<sup>th</sup> or not? **I do think there is enough complexity that, ah, people may**  
133 **want to look**

134 Anonymous audience voice #2 comment: He's a keeper...

135 **harder at various aspects and various options with, with the applicant. But I don't know**  
136 **whether the EPC is going to take direct action on that.**

137 Jensen: No, but...(unintelligible)

138 Other Board members talking over each other: (Unintelligible, appearing  
139 to be general agreement with Director Simon's and Jensen's comments).

140 Reed: It's the relationship which....

141 Other Board members talking over each other: (Unintelligible, appearing  
142 to be general agreement with Director Simon's and Jensen's and Reed's  
143 comments).

144 Young: Yes

145 Jensen: Yes, that's, that's... (unintelligible)

146 Director Simon: ... Yes. So, I mean, if you, ah. I mean, that's the next *stop on the train*. So.

147 Other Board members talking over each other: (Unintelligible, Board  
148 members muttering comments between themselves).

149 Young: November 8<sup>th</sup>

150 Director Simon: Yes. So, it's not long.

151 Anonymous audience voice #3 comment: As I understand it, there are  
152 other agencies that are also recommending deferral.

153 Reed: It could be.

154 Anonymous audience voice #3 comment: So you wouldn't out of line.

155 Reed: (cautioning Anonymous audience voice #3) Sorry, but...

156 Wolfley: I just wanted to ask. Since we have the owner representative here, and the developer,  
157 or rather, the Consensus Planning here. **Given that *many things* have not been submitted, the**  
158 **neighborhood has not seen them, the Open Space Advisory Board have not seen them. All**  
159 **this analysis that is required when you have sensitive lands... Are you in the process of doing**  
160 **that? And submitting it? And would you be willing to *defer* because no-one's seen that? And**  
161 **your hearing is... about... 11 days away?**

162 **Strozier: Ahm. I'll take a shot and, and see if they can, certainly weigh in.** Ahm. I think we, we  
163 do need to. Uhm. I think obviously we've taken the comments that we've, that we've heard.  
164 Ahhh. To heart. And we're gonna take a look at those. Ahm. In, in *earnest*. Ahm. **I don't know**  
165 **that we're prepared at this time to say whether of not we would be willing to request, as the**  
166 **applicant, a deferral of this matter.** We have. I mean. You know.

167 (Volume of Strozier's voice begins to rise)

168 There are *purchase agreements* in place. There are *time lines*. There are responsibilities *that*  
169 *they have* to the current owner. As part of their *contractual*, ahh, obligations to the *seller*. Ahh.  
170 That they have to *meet*. And so, we need to make sure that those are, ahm. That we, *those* are  
171 taken into consideration. **I don't know the, ah, the intricacies of those, ahm, at this time.**

172 (Strozier lowers pitch and volume of his voice)

173 **I think it's something that we just keep looking to evaluate and respond to. I mean. Certainly,**  
174 **I would agree with Director Simon that if this Board is, wants to make that request. We will**  
175 **certainly take that under advisement as will the Environmental Planning Commission.**

176 (Pause of silence in the room)

177 Jensen: This is at least the *third* time since I've been on this Board, it's been about three years.  
178 That a development has come to us when it's essentially *too late* for us to make any kind of...

179 Anonymous audience voice #2 whispers: That's Michael.

180 ...recommendation on it. Because it wasn't brought to our attention, *early enough* in the  
181 process, when it *should have been*, as an advisory board, where we make those  
182 recommendations. And I find it *deeply disturbing* that this happens *over and over* again. People,  
183 I *think*, actually *know* that they're supposed to come here. Ahm. And I just fail to understand  
184 why it happens repeatedly that *they don't*.

185 McComb: My question to that would be, as a *neighborhood association* person, I get notice in  
186 the mail for *every* development that is happening in *my* immediate area. I don't know *why* the  
187 Open Space Board would not be on that mailing list for any property that was adjacent to Open  
188 Space.

189 Anonymous audience voice #3 comment: But you get 15 day notice!

190 Jensen: Or why the Planning people don't refer those to us, when they get them.

191 Anonymous audience voice #3 comment: 15 days.

192

193 Reed: I think. I think in response to that, our, our coordination with the Planning Department,  
194 which I *know* we've been working on, for at least the past year or so, *still*, uhm, is not what it  
195 really needs to be. So, perhaps with new directors in our department, and in the Planning  
196 Department, ahh, we could get a, an agreement, a mutual agreement,

197 (...sharp snapping noise of a binder slamming shut...)

198 ... on this, on how these things are handled. It seems to me Michael has a legitimate point that  
199 we've run into. Several times. So. Ahh. It could be just a standard procedure in the Planning

200 Department that they send us over a set, as soon as the application is received. Ahh. I don't  
201 know...

202 Director Simon: So, I'd just say, Mr. Chairman, and Michael, to your point about notice. Ahm. If  
203 I'm not mistaken, this application was filed September 27<sup>th</sup>. So. This is officially the first...

204 (murmuring in the room)

205 Director Simon: ...meeting of the Open Space Board, where we actually had a live application.

206 Jensen: Yeah.

207 Director Simon: There have been some *discussion* about the project. I won't, I don't, ahh, I  
208 would not, ahm, disagree with *that*. There has been some, a little bit of, *discussion* about that.  
209 Ahh. The actual process didn't really commence until that application... *But* this is the very next  
210 agenda so the OSAB. So....

211 Jensen: Yeah.

212 Director Simon: I do, I do think that we wanna keep improving, ah, the *process* of notification  
213 and comment. You know. The OSAB has the authority, and has the responsibility, the duties, to  
214 assist and comment on any projects that do affect Major Public Open Space. So that's pretty  
215 clear. Of course, when there's an actual *use* of the open space, in the form of, ahm,  
216 construction or modification of open space, it's like, that's automatic.

217 Jensen: Yes.

218 Director Simon: I don't think many people are skipping that step.

219 Reed: No.

220 Jensen: No. That's right.

221 Director Simon: If that's really in the...

222 Reed: (talking over Jensen, unintelligible) ...it's happened.

223 Director Simon: ... well, you know, if, that's a little more clear cut, it shouldn't happen. But.  
224 Uhm. We definitely hafta *improve* the connection when we have projects that *affect* where the  
225 Board *seems* to have input. You know, where, on adjacent development... so...

226 Jensen: So...

227 Director Simon: (raises voice louder) So, as *we get 'em*, I think we, the Staff... is trying to put  
228 them on your agenda as quickly as possible.

229 Reed: Yeah, I understand.

230 Jensen: No...

231 Reed: I think probably the greater issue is with the Planning Department. And they need to be  
232 made *really clear*, and *written* in their procedures, that they can't schedule out applications...  
233 like this...

234 Director Simon: Now...

235 Jensen: We are also saying...

236 Reed: Because it won't work

237 Director Simon: ...It may be, uhm, a little *aspirational* of me,  
238 (chuckles and murmuring in audience)

239 Director Simon: ...but any land owner or developer who knows they want to develop near open  
240 space...

241 Jensen: Yeah.

242 Director Simon: They, they have the right and opportunity to come and talk to you any time,

243 Jensen: They do...

244 Director Simon: ...and on the front end of the project. And it's just so. You know, a lot of people  
245 want to have their things tied up tightly before they submit to the City. And they, you know, I  
246 understand that. That's the start of the process for a landowner applicant. So.

247 Jensen: Yeah.

248 Director Simon: They're not obligated to do that. But some could take advantage of that  
249 opportunity, to come talk to you earlier, to get your input. To some people that may look like,  
250 well, "We'll start taking on arrows sooner in the process."

251 Strozier: That would be fine (laughs).

252 Director Simon: But sometimes you're gonna have a more uh, positive outcome as well. You'll  
253 get some of that. You'll get some of the issues on the table up front. Uhm. But that's a choice of  
254 landowners... whoever is (voice trails off)... developing next to open space.

255 Reed: Well, we'll encourage them that way. Don, take the floor.

256 Couchman: Ah, Mr. Chairman Pro Tem...

257 Reed: Yes.

258 Couchman: Recognizing the painful fact that I am probably less informed on the issues clear  
259 with this particular project, than a lot of the other people in this room. However, going back to  
260 what *we are tasked to do*. And that's to be *an advisory board*. **We cannot advise on something**  
261 **that we do not know the details of.** Ahm. It would seem *practical* to me that we could ask for  
262 a, uh, at least a 30-day deferment

263 Jensen: Umm-hmm

264 Couchman: ...on action of this item by the City Council, **until we've had a chance to see some**  
265 **answers to some of these questions. Ahm. Look at some of the alternatives, and *express a***  
266 **concerned opinion, which we are *supposed to do*.**

267 Jensen: Umm-hmm.

268 Couchman: Ah. Therefore. I would make the motion. That we ask the City Council to defer this  
269 action for *at least* 30 days.

270 Young: Second.

271 Reed: Ok. Hold on a minute. The first stage is gonna be the EPC. Ahh. I don't quite know how  
272 LUPZ<sup>1</sup> got involved. Can you guys tell us, ...a bit?

273 Couchman: EPC, the EPC.

274 Jensen: Yep.

275 Director Simon: Right. There's no Counsel, uh...

276 Wolfley: LUPZ is the...

277 (multiple Board member voices talking over each other)

278 Reed: LUPZ? LUPZ got it, or saw it?

279 Wolfley: No...

280 Reed: Or something?...

281 (multiple Board member voices talking over each other, unintelligible,  
282 one voice asks, "*That was the other one?*")

283 Reed: But that's, ...I'm glad I asked. Ok.

284 Director Simon: So. But. I think that your point is correct. That the *motion* might be, uh,  
285 directed to the EPC, rather than to the City Council...

286 Jensen: It would only go to Council if somebody appealed the EPC's decision.

287 (mumurs among the Board to the effect, "yeah...")

288 Jensen: One way or the other, then the Council's the final arbitrar.

289 Simon: Right.

290 Reed: So.

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<sup>1</sup> [i.e., Land Use, Planning & Zoning]

291 Couchman: I will accept the, ah, friendly amendment to the motion.

292 Reed: **Ok. The motion is that we ask the EPC for a deferral for 30 days.**

293 **Couchman: At least 30 days.**

294 **Young: At least.**

295 **Jenson: At LEAST!**

296 **Horvath: At least.**

297 **Reed: At least 30 days.** That will bring us back, in a minute, to *our* schedule. Which is... in  
298 question. So I'll put...

299 Young: (Makes a motion to Second)

300 Reed: Yes. Ok. So it's been seconded.

301 Young: I Second,

302 Reed: Alright. All in favor?

303 Young: I second the amendment.

304 Couchman: I thought there might be discussion.

305 Reed: Yeah. Sure. More discussion.

306 Young: Er. There's just one thing. I want to say that, that I heard a long time ago there are two,  
307 and really that is like what Mike said, there are two appropriate times to interact with your  
308 government. One is called "TOO EARLY" and one is called "TOO LATE."

309 (Board general mummering agreement and chuckling)

310 Reed: Yes. Good Point.

311 Young: And yet, I don't think it's ever *deliberate*. But, but I do think that there are things that  
312 we can do about that, and *should* do about that. Uhm. But you said, that's not a message we  
313 want to send and I'm not sure it could *ever* be too early, but it so frequently is too late.

314 Reed: Too late.

315 Young: Yeah.

316 Reed: And the thing (nodding to Young)...

317 Young: And it's completely unacceptable for us. (Returns Reed's nod). Yeah.

318 Director Simon: I think Michael made that point quite clearly.

319 Young: Yeah.

320 Reed: I think we're, we're all in agreement on that. Well let's just...go forward...

321 McComb: And I just. I just wanna be ah. The person who... maybe... I would just like some  
322 clarification about what is it that we are deferring for? Is it for the setbacks? The cul-de-sacs?  
323 The...

324 Reed: All. All of the above.

325 McComb: All of the above? All the issues...

326 (murmuring assent among Board)

327 Reed: **All the issues that we've only raised and haven't answered yet (speaks over the**  
328 **murmurs of assent among the board). We will have to have a complex report. We will have to**  
329 **make motions from half a dozen items in the plan, in order to give our advice to the EPC. And**  
330 they will have their own questions for...

331 Young: And we'll have to *capture* all of this. I mean, I was thinking...

332 (murmurs among the board)

333 Reed: Well, Oh yeah. It's gonna be difficult. **But the Planner needs that. I mean the Planner**  
334 **can't deal with this plan and try and be responsive to the public concerns that they oughta be**  
335 **able to, unless we give them specifics. And it's gonna take time for us to do that.** We probably  
336 are going to take... maybe a whole meeting to do it. But um. That's, that's what's evolved. Ok?

337 Strozier: Um...

338 Reed: Yes, (unintelligible). Go ahead, Jim.

339 Strozier: It's just, I wanna make sure that, that we have, that we're clear on some of the  
340 expectations to *us*. In terms of, and I think it would be *helpful*, if we had clear expectations of  
341 what you're expecting to get from us.

342 Reed: Yes.

343 Strozier: Ahm. And, and, in, in what time frame? And maybe this is dependent upon your  
344 discussion of when your November meeting is going to *be*, but, I, you know, I, I *think* it would  
345 be helpful for us, like, and

346 (raises his voice)

347 **I also like there's a sidebar that would say that if, on a separate note, that this body should**  
348 **request that you be formally added to the process and procedures that City Planning and the**  
349 **IDO enforces.** Because there is, I mean, *WE* obviously, as part of the *Planning Commission*  
350 *process*, we have a *pre-application notice*, and I love this idea that if the Office of  
351 **Neighborhood Coordination included the Open Space Advisory Board as a neighborhood**  
352 **association, once you're within "x" distance of Major Public Open Space, that would**

353 **probably go a long way**, ahh, to *do* that. Um, you know, **we started discussions with Staff,**  
354 **planning, and Open Space Staff back in July.** Um.... In terms of, of this project, and getting, you  
355 know, initial, uh, feedback. **We've been working on this... the Open Space Advisory Board is**  
356 **not in the process.** Uhm. And. And so Parks and Rec and Open Space, when we make  
357 application, that application is sent over and. And I think that what Director Simon said, is once  
358 that application is received we got put on your, your next agenda. But, **but I will say, we got**  
359 **put on your agenda without... I... I didn't know what to expect, in terms of the level of detail,**  
360 **in terms of we, we didn't have the civil engineer<sup>2</sup> with us,** um, we're, we're talking about  
361 **issues related to a property that is, yes, adjacent to Major Public Open Space. But it's not a**  
362 **priority, not on your priority acquisition list to be Open Space.**<sup>3</sup> Um. And.

363 (Voice slowing rising slightly higher in volume, becoming deliberate).

364 When we spent a great deal of *time* and *thought* on the layout and design of this project. And  
365 so. I think it's. I just want to make sure that *you all* understand that this is. You're. Right now,  
366 the way the process is set up. **The Department is a part of the process. You all are not.** (This is  
367 not a true statement, see Footnote 3) **And. And. And.**

368 (murmurs in response from the Board, unintelligible)

369 Strozier: ...(Conciliatory tone) You know. I mean. We're happy to go to *any meeting at any time,*  
370 and we were, we were

371 (murmuring among the Board)

372 Strozier: *more than happy* to come and present... eh, eh, today. And, and that's, and that's *fine.*  
373 I just wanta make sure that *we're* clear what *your* expectations are... for us to come back the  
374 next time... ahm...

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<sup>2</sup> Strozier, owner of Consensus Planning, refers to engineer Derek Bohannan, owner of "Bohannan Huston", who created the "conceptual grading and drainage" plans submitted to EPC. Strozier also refers to the same person, Derek Bohannan, who chairs the EPC, to whom Strozier addressed three items in his EPC application packet of September 27, 2018: (1) To Derek Bohannan. Chair EPC: Letter of agency from Daniels Family Trust, owner, appointing Consensus Planning as agent in the application, (2) To Derek Bohannan, Chair EPC: Letter of agency from Gamma Development LLC, developer, appointing Consensus Planning as agent in the application, (3) To Derek Bohannan: EPC Application Letter of Justification.

<sup>3</sup> Note nonsequitur: The misleading logic expressed here is that "since this property is not a priority on the Open Space staff acquisition list, therefore it is not a priority to consult with the Open Space Board." However, the logic is missing a second premise which is that the Open Space Board is commissioned by City Council Ordinance to evaluate proposed developments on lands adjacent to Open Space. Therefore, the argument posed by Strozier that the OSAB has no jurisdiction in this matter is an illogical argument based on an omitted premise. See Appendix for Bill No. O-15-63, Enactment No. O-2015-029, and note the following: "(B)(1)...study data, including ecological data, which should guide the adoption and amendment of open space plans and programs, maintain liaison and seek input from citizen interest groups... (2) Advise the EPC, the Mayor, and the City Council... which advice shall include: ...(d) Criteria for evaluating proposals for significant physical changes and installations on and adjacent to open space lands... ...(5) Periodically review open space plans in consultation with citizen interest groups... Advise the EPC, the Mayor, and the City Council on needed new plans and plan amendments."

375 Reed: *Ok...*

376 Strozier: ...and address. And what those. And, and what those expectations are? Are they  
377 specifically relative to... the edge? And the, and the... Our boundary with Open Space? Is it  
378 historic preservation? Is it archaeology? What are those *things* that are, *your* purview, that you  
379 want me to come back and specifically address? I, I mean. I'm happy to spend the *whole*  
380 *meeting*, with you...

381 Reed: ...**Well...**

382 Strozier: ...*talking about it*

383 (chuckles in audience, unintelligible... one voice: "*That's funny...*")

384 Strozier: ...*I will*. I think it's important to get the *purview*... (Strozier takes a breath)

385 Reed: (Cutting in abruptly) ...I think, ah. I, I, I'll listen to everybody who will... We'll go ahead and  
386 vote on this. And. And. Uhm. I can meet with Consensus Planning. And the owner, if necessary.  
387 Ahh. To *clarify* and keep things moving. But ah. **We are: in a position of responsibility relative**  
388 **to the impact of Open Space. And the relationship to Open Space.** We are not a second EPC.  
389 **So, there are aspects of the plan that are legitimate for us to deal with at our next meeting.**  
390 There are others which are beyond our purview. And we'll leave those to the EPC.

391 (Looks around the room, turns to Strozier)

392 **But you're right that you need to know what it is we expect. And what our responsibility**  
393 **includes.** And so, we'll try to clarify all that.

394 (Looks around the room, nodding at Board members.)

395 As you can see, this is a new stage of maturation for the Board, and for the planning  
396 community, shall I say? And we'll hope to mature quickly. And not have these problems. Next  
397 time.

398 Young: To that point. Uhm. And, and to Twila's point. If, if we could get some, so we got some  
399 things today in writing and we've got some things we'll (speaking rapidly, unintelligible) ...and  
400 all of them will be very good. **So. It will be very helpful to have in writing: a list of issues from**  
401 **the people and associations that are raising those issues.**

402 Reed: We can do that. I will work with our secretary. And list everything. And...

403 Young: Oh good.

404 Reed: **I'll try to fill in. And if neither of us is quite sure, we'll send out an email to you guys**  
405 **and you can fill in the gaps.**

406 Young: Ok. Thank you.

407 Reed: Linda.

408 Shank: Is... Is my understanding correct: that the archaeological ordinance that's in effect with  
409 the City...

410 Reed: Yeah.

411 Shank: ... Ah. That this plan has been formally submitted to Evan at Parametrix<sup>4</sup>. And he has  
412 approved it? Is that correct? Jim?

413 Strozier: We've gotten his, his comments back. Like I said. His comments specifically dealt with  
414 the house. And...

415 Shank: But not the property.

416 Strozier: But not the... WELL. He. He *looked* at the entire... I mean. We *submitted* the entire  
417 property. His comments were specific to the *house*.

418 Shank: And...

419 Strozer: And...(begins to speak on top of Shank's question)

420 Shank: And based upon satisfaction of those comments that you are approved under the  
421 ordinance?

422 Strozier: That would be *my* understanding.

423 Jaramillo: Yes. We have a "certificate of approval."<sup>5</sup> And his recommendation. His  
424 recommendation is that (reads) "the property is of historic *age* and associated with persons of  
425 *significance*, at local and state levels." He recommended that additional documentation by the  
426 City of Albuquerque Historic Preservation Staff, prior to demolition.<sup>6</sup> Which we plan to do  
427 tomorrow.

428 Shank: Ok. Thank you.

429 Strozier: We've already reached out to them. The owners. The developers have agreed to  
430 cooperate with the City. They have materials that they've, ah, that they've obtained *from the*  
431 *house* in terms of photographs, and, and two, I think, two large *notebooks* of photographs of

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<sup>4</sup> Ethan Kalosky, MA Cultural Resource Specialist Acting City Archaeologist Parametrix. Parametrix is an interstate environmental sciences engineering and planning firm that serves industry, public agencies, tribes, pueblos and rancherias. Albuquerque office: 9600 San Mateo Blvd. NE, 87113.

<sup>5</sup> Certificate of approval from Parametrix is located in Appendix.

<sup>6</sup> This statement and the review by Parmetrix is incomplete if it does not cite the relevant provisions from the National Historic Preservation Act, which by the way, was authored by the original owner of the house who developed the property in the 1950s and who was at that time an attorney who was the Assistant Secretary of the Interior. It would be prudent for the OSAB, the City Planning Department, and the developer to comply with every provision of the National Historic Preservation Act as applies to this property since it has been certified as a Historic Property by the City, documented by the NM State Archeologist, and since the historic and archaeological characteristics of properties requiring an EPA M4S permit review by the Army Corps of Engineers for changes to the ground water and storm drain plans for this property as affects U.S. Waterways will trigger a *Section 106 Review* which requires a federal review of all archaeological and historical characteristics of the property.

432 the property, that they're gonna share with City folk, Historic, ah Preservation Staff. And so. So  
433 YES. So, I mean, as part of the, that process, going back to our original application. We actually  
434 had made that request 30 days *before* our application. Uhm. I believe. To...

435 Shank: To give them enough time.

436 Strozier: the City. To get that. To get,

437 Shank: Ok.

438 Strozier: ...to get that review. Ok?

439 Shank: Thank you very much. Appreciate it.

440 Reed: Thank you. Ok. We have a motion before us. You know? Ahh. Is there any more  
441 discussion?

442 Horvath: 30 days deferral for the EPC hearing...

443 Reed: Yes.

444 Horvath: And what about the DRB hearing? Where's that. What was that? For, for single-

445 Reed: Single-

446 Horvath: 30 days,

447 Reed: Single-loaded streets?

448 Horvath: Yeah. That's next *week*. I *mean*...(shuffling through papers)...

449 Reed: (looking around at Board members). Well, let's do. Let's vote on them separately. So we  
450 can get them all *locked down*. You know... Yes. Don?

451 Couchman: Before we, um, take a vote. I'd like to make an observation. Unfortunately, with the  
452 recent, ah, laws in the IDO and other things that we've enacted, its *far different* to have a  
453 neighborhood pass judgement on a bar that's going to open next to a school, or to a housing  
454 area. **It is far different to limit something of this nature to only those neighborhoods**  
455 **surrounding it. The Oxbow, for example, with all the intricacies of the wildlife and everything,**  
456 **affects the entire City, and the entire metropolitan area.**

457 Jensen: Yes.

458 Couchman: So, that's one of the... I know. It has nothing to do with what we're discussing. To  
459 me, it's not relational on the inadequacy of what we've passed through the liquor laws.

460 Reed: Well. We. We have part of the responsibility for that larger community, as you know.  
461 We've spent time working on these issues.

462 Couchman: Yes.

463 Reed: All the way around, even outside the City and County and everywhere. And the EPC has  
464 an equal scope of responsibility. That's *right now*, that is the vehicle for taking care of the  
465 community interests that are beyond neighborhoods. Ah. That's the *best* we've been able to  
466 develop in the City and the County *so far*. But, ah, also the Albuquerque Journal has articles.  
467 And there was an article about this particular development. Ah what? (looks around at  
468 members) 10 days ago, or so? Ahh. You know. I'm not disputing anything you're saying. I'm just  
469 saying that *is* how it's set up. It isn't that people aren't concerned about the issues of the much  
470 larger community. In *our case*, in particular, we've got 29,000 acres, the largest open space  
471 holdings in the country, already. And we are responsible for *all* of that. And...

472 Couchman: But that makes it much more our responsibility...

473 Horvath: Umm-Hmm...

474 Reed: Yeah. I would agree...

475 Horvath: That's right.

476 Couchman: You know, if people in the Heights can't weigh in on this... then

477 Reed: No, No, I agree. I agree with you. And we'll...

478 Horvath: **And I think that should be part of our message. Which is why we are asking for this**  
479 **30-day deferral. That this is a much larger project that needs careful review, that...**

480 Reed: Well, I'll tell you what...

481 Horvath: For ecological reasons...

482 Reed: Yeah...

483 Horvath: **...and for historic and cultural reasons, and uhm that needs further analyses.**

484 Reed: What I will do. **Alright. Let's vote on this first...**

485 **Horvath: It's important.**

486 **Reed: And then I'll explain how ...I'm going to suggest carrying it out...** Alright? All in favor of  
487 Don's motion to ask EPC for a thirty day, at *least* a minimum 30 day deferral, in favor?

488 (Members: Ay, Ay, Ay, Ay... and 2 hands raised...)

489 Reed: OK. **What I will do then, to make sure the Board is, the Board's concerns and the other**  
490 **concerns here are properly considered: I will talk to the Planning Department, connect with**  
491 **the EPC, ahh. And if they wish, somebody from the Open Space Division can, can go with me.**

492 **Uhm. We'll find a convenient time in the next couple of weeks. I will talk to them and tell**  
493 **them what has transpired today.**<sup>7</sup>

494 Young: Umm hmm.

495 Reed: And, uhm. Brandon? Do you think we could get together to get the minutes, and try to  
496 list what these issue areas are? Innn... what? The next, week and a half, maybe? So?

497 Staff clerical to Reed's left: Yes.

498 Reed: So I'm thinking...

499 Couchman: Well certainly, Jim has at least a partial list when he said, "I need to find that out  
500 and get back with you."

501 Reed: Yeah. Yeah. We, we have asked... (Strozier talking over Reed.)

502 Strozier: (unintelligible) ... So we're... It's not like we didn't hear their concerns that...

503 Reed: No, I, I know...

504 (Strozier attempting to talk over Reed)

505 Strozier: So...

506 (Reed regaining the floor)

507 Reed: ...We'll get, I'll get together with Consensus Planning. Uhm. The chairman normally would  
508 do this. But ahm. Him being an *honest guy*, he has *recused himself* and I won't ask him to do it.  
509 I'll do it. So. **We'll make sure that EPC understands. If I have to twist arms, I will. It will be**  
510 **deferred. I can 90% assure you of that.**<sup>8</sup> And meanwhile, I'll work with Consensus, get the

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<sup>7</sup> According to OSAB Procedures and Conduct, "1.10 Subcommittees: from time-to-time, the OSAB will use subcommittees to research particular topics or issues with a subsequent report to the full Board for its action." Is Reed proposing here to be a research subcommittee of one person and was that proposal to contact the property owner and agent approved by the Board? According to OSAB Procedures and Conduct, "2.2 Contact with Interested Parties: Board members may not discuss with any property owner or agent any interest that property owner has in any discussion or decision regarding property acquisitions considered by the Board..." The owner has an interest in discussion and decisions being considered by the Board but is the proposal exempt from violation of conduct because the provision is limited to properties where the Board is considering acquisition? Is the OSAB aware that City Administration might be looking into the acquisition of this property? In such case, Board members are constrained from holding private discussions with the owner/agent.

<sup>8</sup> Ex-parte communications between interested parties and quasi-judicial body: "Ex-parte communications with EPC Commissioners are not permitted in relation to any matter of a quasi-judicial nature." Rules of Conduct, EPC, (B) (12). "If I have to twist arms, I will. It will be deferred. I can 90% assure you of that." Does this statement imply a planned coercion of EPC members or Planning Department Staff? If the deferral is necessary for the OSAB to perform its duty to the EPC, and if it is true that the application is incomplete, hypothetical (the grading and drainage report is "conceptual" and the site plan and process for vetting the site plan has been changing weekly through changes in process... all pointing to a rushed process with incomplete information. Is this not sufficient evidence to prompt an EPC deferral? It would not seem that any form of coercion is necessary or appropriate in

511 information in, and with the Open Space Staff, to see if, what it all looks like, and what we're  
512 sure we need to do. Ok?

513 Young: Thank you. We have *some* statements here, with their names on them (lifts up a sheaf  
514 of papers in her hands).

515 Reed: Yeah.

516 Young: [writing from] Some of these folks, but we need to get everybody.

517 Reed: Yeah. That will all be part of our record.

518 Young: (unintelligible) How about this? (Waves sheaf of papers in her hand toward Reed.)

519 Anonymous audience voice #3 comment: They're on *file*. They're on file  
520 with Planning. All these people have written letters.

521 Young: How about this?

522 Reed: Ok.

523 Anonymous audience voice #3 comment: ...Or, I don't know if everyone  
524 has done it, but a lot of...

525 Young: We have to see.

526 Reed: Well, we'll get uh, when we're with the Planning people. We'll, we'll look at all, all the  
527 files they have and make sure that anything that is in our providence, which relates to the  
528 effect on the Open Space, we'll, we'll deal with it.

529 Horvath: And also, ahm. We need to make a motion for this DRB hearing...

530 Reed: Yes.

531 Horvath: ...for the...

532 Reed: Yes. Ok? And now we're at that point, go ahead.

533 Horvath: Ok. I'd like to make a motion that we also request that, at *least* a 30-day deferral, if  
534 not more, to, ahh, on this, on the DRB hearing. Because on the single-loaded streets, ahm,  
535 variance to allow the cul-de-sac. Because, again, it's getting down into that...

536 (...unintelligible, multiple other people on Board and in audience, talking  
537 over Horvath)

538 Superintendent Gibson:

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this matter for the OSAB to make a reasonable request for deferral until the application is no longer hypothetical and the processes for its approval are made clear.

539 (beginning of Gibson's voice is unintelligible, due to murmuring across  
540 the room, Gibson turns to Strozier who is signaling him and raises his  
541 voice above background murmuring)

542 Superintendent Gibson: ...that's the EPC. The DRB is for the variance going up to, where is it?  
543 (voice drops, unintelligible, looks to Strozier for comment)

544 Strozier: Connectivity requirements. Yes.

545 Reed: Connectivity?

546 Horvath: To allow a cul-de-sac. Ahh. **But I don't think we are at that stage yet. Because I think**  
547 **there are a lot of concerns about the location of that cul-de-sac. Uh. Which is pretty much in**  
548 **the Bosque.**

549 Strozier: So, Mr. Chairman, if I might. I. The... The request to the DRB is, w-we've specifically  
550 made that request to be heard *prior to the EPC's consideration* of the site plan. Because a lot of  
551 times in these situations the EPC, would, if they were to *approve* the plan as laid out, it would  
552 be subject to, or conditioned upon that approval. **The specifics as it relates to the cul-de-sac in**  
553 **the stub street, are related to the connectivity requirements,** not, n-nothing to do with the  
554 Major Public Open Space issues that Brandon has, is charged with that responsibility, and  
555 ultimately the EPC is charged with the responsibility of approving the site plan. I would  
556 *respectfully* request that you allow the *DRB hearing* to proceed because it deals with that  
557 *technical* issue of connectivity that *we felt* was important to address separately and *ahead of*  
558 *time* so that it's *not* an issue related to the site plan that the EPC is going to consider. If the EPC  
559 says, **"You gotta have a single-loaded street or you can't have a cul-de-sac," that's the site**  
560 **plan. They've, their decision governs.** But if they were to accept the site plan as is, and then  
561 the DRB says, "On the, on the technical merits, it's not worthy of a variance," then we'd be back  
562 to square one. So, we're *trying* to make sure that we're dealing with...

563 Reed: Well...

564 Director Simon: ...the sequence is important.

565 (Board murmuring between themselves)

566 Couchman: You cannot...

567 Young: I don't know, I just...

568 Anonymous audience voice #3 comment: Well, its con-

569 (Board members murmuring to each other)

570 Wolfley: Could you do the DRB meeting a little bit later? After a few more shoes dropped? I  
571 hear what you're saying, but it's still, **you're kinda asking for something that's pretty**  
572 **speculative, at this point.**

573 Reed: Uhm. Well, hang on a second, everybody (holds up his hands to bring order to the room)

574 Wolfley: Sorry.

575 Reed: Um. There's, there's a motion. Let's try to restrict our discussion to...

576 (gestures his right hand, in a sweeping motion, around the table,  
577 indicating the other Board members).

578 Horvath: Yeah, I still think it's important that the Oxbow is a 30-day deferral, because I think  
579 it's, the design of the subdivision is uhm. It may have to be reviewed. I mean, and we're not... It  
580 needs to be re-thought, eh, because of some of the issues that are being...

581 Reed: (cuts off Horvath) Ok. **What we would say, in requesting the deferral from the DRB is**  
582 **that there *is currently*, in the plan, as submitted, a... *street pattern*... that is questionable? Or**  
583 **that we have questions about? And, I mean, we have to tell them *why*.**

584 Horvath: Well, that's

585 Reed: (Cutting Horvath off) It's the cul-de-sac, is what your mentioning, right?

586 Horvath: Yeah.

587 Reed: And that is...

588 Strozier: (Cuts off Reed) But the...

589 (Strozier raises his voice louder)

590 **And I would just point out, that, if I might disturb you, that, that the *cul-de-sac issue* is related**  
591 **to this idea that every, every subdivision should have multiple connection points out, from**  
592 **that eastern end of the subdivision. You know. There are no opportunities to *connect* that**  
593 **street to *anything*.**

594 (Strozier raising his volume higher to overcome murmuring in the room)

595 **It is adjacent to Major Public Open Space and private open space and the conservancy district**  
596 **land.**

597 Reed: (Raising his voice higher than Strozer) **And we don't want that!**

598 Strozier:

599 (following rapidly onto Reed's words, raising his voice even higher to  
600 overcome background murmuring among the Board between McComb,  
601 Young and Jensen)

602 **And I would assume you don't want a road...**

603 Reed: **We DON'T WANT IT!**

604 (Reed raises his voice volume higher than Strozier, cutting him off)

605 **We don't want it to go anywhere else...**

606 Strozier: ***That is,***

607 (Cutting off Reed, continuing in a loud voice against a background of

608 murmuring)

609 ***that is what that specific question is...***

610 Horvath: I think I just...

611 Strozier: (drowning Horvath out) **...to the Board. It does *not* have anything to do with the**

612 **question that is before the Open Space Superintendent.<sup>9</sup>**

613 Horvath: Yeah, but it...

614 Strozier: (drowning out Horvath)...**That relates to...**

615 Horvath: (calmly, deliberately, quietly) They shouldn't even *have this*.

616 (room becomes silent)

617 Reed: Well, but that's a...

618 Horvath: ... I ...eh, eh. Hey. **You should not be seeking a variance**

619 (Horvath calms the tone of the room down. The room quiets as people

620 strain to hear Horvath's quiet and deliberate words with pauses for

621 emphasis between some of her words and phrases)

622 ***at this point. Because you really should be: You're held to a single-loaded street. And***

623 ***you're asking to. Nobody's going to commit to this. You shouldn't even have this. You***

624 ***were supposed to design it with a single-loaded street. And you have not done that.***

625 Reed: (talking over Horvath) But. This is. Let me... let me...

626 Strozier: **You could probably spend an hour on**

627 (cutting in, raising his voice and talking over Reed)

---

<sup>9</sup> There are contradictory statements being made by Strozier regarding the street patterns. First he claims the cul-de-sac issue is related to the EPC hearing, then that it is unrelated to the EPC hearing. Next he claims that the Open Space Superintendent has full authority over the decision, but alternatively that EPC may made the decision for/against the cul-de-sac, and alternatively that DRB has the authority to make the final decision on the cul-de-sac issue. Strozier attempts to bifurcate the issue into separate issues with separate jurisdictions after earlier stating that elements of the street issue is inseverable and under authority of the EPC. Horvath points out that the IDO specifically prohibits cul-se-sacs and specifies single-loaded streets. Wolfley questions how it could be possible that the Open Space Superintendent could be allowed the authority to approve a variance to the IDO.

628 **“why I think this is a better design,” but I’m not going to now.**<sup>10</sup> So. But that’s, but I...

629 (raises his voice a notch)...

630 **It’s. It’s, there’s just two very separate questions.** (pauses to take a breath)

631 Reed: (making gestures for calming) Well, let me make...

632 Strozier: (talking over Reed) **And I would**

633 Reed: Let me make it... asked to be *clearer*, uh. Brandon? **What you would be requested to**

634 **provide variance for, is what?**

635 Superintendent Gibson: **Is the cul-de-sac. And the buffer on four of the houses that are backed**

636 **up directly into the San Antonio conserve.**<sup>11</sup>

637 Reed: OK. Are you likely to *do that* before this Board has finished its work?

638 Superintendent Gibson:

639 (A moment of silence. Gibson abruptly leans into the table, jutting his

640 lower jaw forward, pushing out his elbows, hands on hips, making his

641 upper body appear larger, glaring about the table in a challenging

642 posture...)

643 Director Simon: *Today?*

644 (Gibson turns toward Director Simon, softens his display, then looks left

645 and right, up and down the table, into the faces of Board members

646 staring expectantly back at him)

647 Superintendent Gibson: ...No.

648 (laughter escalates around the room).

649 Director Simon: No. I don’t think we’ll complete that today.

650 Reed: **No. We’re going to be not done with working on this until at least until at least next**

651 **month.**

652 Superintendent Gibson: The...The EPC had asked for our comments, ahh.

653 (Pauses. Glances again at Director Simon).

654 Last week. And we had held off until this meeting. **So I’ve not, on behalf of the Parks or Open**

655 **Space, submitted any letters to the EPC regarding the Poole property.**

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<sup>10</sup> Strozier redirects the logic to a question of design, asserting that the *design* of the site plan is his sole right that may not be questioned by the IDO, the OSAB, or any other party.

<sup>11</sup> Superintendent of Open Space states he is being asked to approve a variance to the IDO.

656 Couchman: Mr. Chairman...

657 Reed: (To Superintendent Gibson, overriding Couchman, speaking rapidly) What would you do?  
658 What would you do? **What would you do from your authority with the DRB in regards to this**  
659 **question?**

660 **Superintendent Gibson: (sullen) I don't have any authority to this DRB matter on the street**  
661 **connectivity. Um. The only authority (looks to Director Simon) we have on, as, at the Open**  
662 **Space Division, this arm, is variance on the EPC issues.<sup>12</sup>**

663 Reed: Ok.

664 Superintendent Gibson: (deliberate tone) **So I have no control or authority of approval on the**  
665 **DRB process.**

666 Couchman: Mr. Chairman?

667 Reed: Yes.

668 Couchman: Just a point of information. Ah. Per Robert's Rules of Order, since we did not have  
669 an official second, but we've had the inter-discussion, on the issue, it automatically has been  
670 seconded. Because people have agreed to discuss it.

671 Reed: Ok. I didn't think we'd have trouble getting a second. I just wanted to make sure of...

672 Couchman: But there's no...

673 Reed: if that's what Rene *wants*.

674 Horvath: Oh. Well. And. And I, I guess **my other concern about, that Dave Simon has**  
675 **brought up, is public safety. Because this point out here is extending into the Bosque area,**  
676 **near the trees. And we've had fires in the Bosque.** And uh. And two structures, I think you got  
677 'em three, *were* burned down. And I know the people involved. One was building a house, it  
678 burned down. And the other one was a gazebo at the edge. These are very close to the edge.  
679 They're very close to the trees. **It's a public safety issue. That's why it needs further review,**  
680 **too. So there's several concerns. Ecological, public safety, historical...**

681 Reed: **All related to the cul-de-sac.**

682 **Horvath: Yeah.** That's why I am thinking we *should*, ah, you know,

683 Jensen: (Exhales loudly, exasperated, shakes head)

684 Horvath: ...look at it. Examine it.

685 Reed: Well. Alright. We. We have a motion. Um. **I think there could be other questions.** But we  
686 have a motion. Is there a second?

---

<sup>12</sup> Again Superintendent of Open Space asserts he has authority on approving a variance in an EPC matter.

687 Young: Could you restate the motion?

688 Couchman: We. We don't need the second. As I explained...

689 Reed: I *know*, but I...

690 Young: (to Couchman) But he'd like one.

691 Couchman: Ok.

692 Reed: Well ok. But... (motions to Horvath to restate the motion)...

693 Horvath: Yeah. **We also request that the DRB hold off approving, uhm, the variance request**  
694 **for allowing the cul-de-sac...**

695 **Reed: Alright. A 30-day, minimum of 30 days.**

696 **Horvath: yeah...**

697 Reed: Maybe we can do something about it before that, if we're lucky. Alright. All in favor...

698 (Board: Ay, Ay, Ay. Ay... )

699 (Member of the public says "Ay" and someone says to her saying, "You  
700 can't vote" she apologizes, general chuckles)

701 Reed: Opposed?

702 Young: We don't need a second, but we do need a vote.

703 Reed: Ok. (starts over) How many in favor?

704 (members raise their hands this time)

705 Reed: I'll go along. Michael, you oppose?

706 Jensen: Yes.

707 Reed: No.

708 (Reed clarifies that Jensen's "yes" was "yes, I am in opposition, thus  
709 Jensen's vote is a "no")

710 There's one "no"? Two "no's"?

711 Young: Two "no's"

712 Reed: Ok. Well. We'll proceed with that. And maybe it won't be as painful to improvise as it  
713 looks like it will. I'll work on it some more. Alright. Now. We have to talk about when this is  
714 going to be scheduled. Because everybody is going to be concerned. We have on today's  
715 agenda that our next meeting is November 27<sup>th</sup>. It has been the practice, since I've been on the  
716 Board to, uh, deal with November-December meeting dates so that we have, for example, met

717 in early December and didn't have a November meeting. We've met, in the middle of  
718 November, because of Thanksgiving was in the way. And in this case, Thanksgiving comes the  
719 week *before* the 27<sup>th</sup>, right? So we don't interfere with Thanksgiving. Ahm. My suggestion  
720 would be that we make this the top agenda item for November the 27<sup>th</sup>. And, uh, that we hold  
721 off on deciding about having a December meeting? Because the last Tuesday in December is  
722 always in conflict with whatever holiday you celebrate, from that period of time, and New Year.  
723 So. Ah. Let's hold off in December. Let's keep our November 27<sup>th</sup> meeting. Let's put this at the  
724 top of the agenda. I'll have to preside again. Uh. And I'm sorry that we've probably permanently  
725 lost Chris. (laughter) He may have gone home by now.

726 (multiply voices, unintelligible, laughter).

727 Anonymous audience voice #4 question: So Alan, today is the 23<sup>rd</sup>, I don't  
728 know when the EPC meetings are scheduled, but if you're gonna hold this  
729 ...?

730 Reed: We're asking *them* to hold it for 30 days.

731 Anonymous audience voice #4 comment: Correct.

732 Reed: And they don't meet until... about...

733 Director Simon: The second Thursday of December?

734 Jensen: December 13<sup>th</sup>.

735 Reed: Did. Not November?

736 Jensen: Well, November 8<sup>th</sup>, but after... our November meeting is... ..December 13<sup>th</sup>...

737 (multiple Board voices, overlapping, unintelligible)

738 Reed: Oh, yeah.

739 Anonymous audience voice #4 comment: I just wanted to make sure, if  
740 you would be...

741 Reed: It's *30 days* from November 8<sup>th</sup>. So. We will be able to meet before the EPC is scheduled,  
742 and if we get 30 days, then I personally won't be (unintelligible, voices in the foreground as  
743 audience chatters and prepares to leave)... when this will be voted on, finally, in this group, but  
744 I'm hoping we will be work hard on it on the 27<sup>th</sup> and get through it. Ok? Everybody satisfied  
745 with that? Alright? Does anybody want to call Chris Green back? For us?

746 Jensen: I just have a request?

747 Reed: Sure.

748 Jensen: I'm gonna be on vacation for most of November. I will be back the day before the 27<sup>th</sup>.  
749 So, I'll *be here*, but the earlier stuff gets sent out, the more likely I'm gonna find some time to  
750 read it, before the meeting.

751 Reed: We'll do our best. And I'll, I'll talk to Chris about it. (Turns to Strozier) And you've heard,  
752 so...

753 Couchman: Ah. Mr. Chairman Pro Tem, prior to Chris' arrival, if possible?

754 Reed: Yes?

755 Couchman: Ah. Literally, inserting the, uh, issues that we've tabled, earlier today, is that going  
756 to be before the calendar, ah, issue for the...

757 Reed: Separate meeting?

758

759 (Recording ends approximately 4:30 p.m.)

APPENDIX



City of Albuquerque
P.O. Box 1293 Albuquerque, NM 87103
Planning Department
David S. Campbell, Director

Tim Keller, Mayor
Sarita Nair, CAO

DATE: October 8, 2018

SUBJECT: Albuquerque Archaeological Ordinance - Compliance Documentation

Case Number(s):

Agent: Consensus Planning
Applicant: Gamma Development, LLC
Legal Description: See below
Zoning: R-A
Acreage: 22.75
Zone Atlas Page(s): F-11 and F-12

CERTIFICATE OF NO EFFECT: [ ] Yes [ ] No
CERTIFICATE OF APPROVAL: [x] Yes [ ] No

Lots 1 through 3 Block 1 Plat of West Bank Estates with Tract A1 Lands of Suzanne H. Poole containing 14.1326 acres; Tract C-1 Plat of Tracts C-1, C-2, and Lot 4-A Lands of Suzanne H. Poole being a Repolat of Tract C Lands of Suzanne H. Poole Tract C Annexation Plat Land in Section 25 and 36 T11N, R2E Lot 4 Block 1 West

SUPPORTING DOCUMENTATION:

Brucker, Ryan (2013)
A Cultural Resources Investigation of 22.69 Acres For Proposed Land Development, Bernalillo County, New Mexico.
SWCA Environmental Consultants, Report No. 13-182, Albuquerque.

SITE VISIT: Site inspections conducted September 13 and September 14, 2018

RECOMMENDATIONS:

Property is of historic age and associated with persons of significance at the local and state levels; recommend additional documentation by City of Albuquerque historic preservation staff prior to demolition of buildings; Ref O-07-72 Section 4(C)(1)(c).

SUBMITTED BY:

[Signature]
Ethan Kalosky, MA
Cultural Resource Specialist
Acting City Archaeologist
Parametrix

October 8, 2018

Date

SUBMITTED TO:

Russell Brito, Planning Manager
City of Albuquerque Planning Department



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1 and seek input from citizen interest groups including especially the Open  
2 Space Task Force.

3 (2) Advise the EPC, the Mayor, and the City Council as to an  
4 appropriate city open space program, which advice shall include:

5 (a) Implementation of adopted open space plans;

6 (b) Priorities for the acquisition of "major public open  
7 space" or "public easement or rights" implementing the  
8 Albuquerque/Bernalillo County Comprehensive Plan;

9 (c) Basic policies on management of city-owned open  
10 space;

11 (d) Criteria for evaluating proposals for significant physical  
12 changes and installations on and adjacent to open space lands;

13 (e) Evaluation of proposals to install extraordinary facilities  
14 on city-owned open space; and

15 (f) Evaluation of proposals to sell, lease, exchange, or  
16 otherwise dispose of open space exchange lands or other lands acquired with  
17 open space funds.

18 (3) Review and provide comments to the Mayor and City Council  
19 on the annual report on the administration and management of the Open  
20 Space Trust Fund.

21 (4) Annually make recommendations to the EPC, the Mayor, and  
22 the City Council on updating the open space program, including land  
23 acquisition and other open space capital improvements. Twice per year, the  
24 chair or other designated member of the Open Space Advisory Board shall  
25 make an informal oral report to the City Council on any current activities,  
26 issues, or concerns of the Open Space Advisory Board.

27 (5) Periodically review open space plans in consultation with  
28 citizen interest groups, especially the Open Space Task Force. Advise the  
29 EPC, the Mayor, and the City Council on needed new plans and plan  
30 amendments, ranging from detailed project plans to the  
31 Albuquerque/Bernalillo County Comprehensive Plan. Make recommendations  
32 for the annual proposed city planning program.

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1 (6) Upon request, advise or assist the Mayor in negotiations for  
2 open space land acquisition.

3 (7) The Board's recommendations shall be consistent with the  
4 conditions imposed on expenditure of interest of the Permanent Fund for  
5 Open Space as specified in §§ 4-2-3-1 et seq. and the conditions imposed on  
6 the expenditure of monies from the Quality of Life Fund as specified in  
7 Resolution 89-1987; the Board's proposals shall also take into account all  
8 funding sources available for the Open Space program.

9 (8) Approve the sale or lease of certain interests in Open Space  
10 Exchange Lands, as provided in § 4-2-3-5."

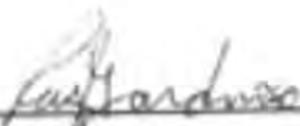
11 SECTION 2. SEVERABILITY CLAUSE. If any section, paragraph,  
12 sentence, clause, word or phrase of this ordinance is for any reason held to be  
13 invalid or unenforceable by any court of competent jurisdiction, such decision  
14 shall not affect the validity of the remaining provisions of this ordinance. The  
15 Council hereby declares that it would have passed this ordinance and each  
16 section, paragraph, sentence, clause, word or phrase thereof irrespective of  
17 any provisions being declared unconstitutional or otherwise invalid.

18 SECTION 3. COMPILATION. Section 1 of this ordinance shall amend, be  
19 incorporated in and made part of the Revised Ordinances of Albuquerque,  
20 New Mexico, 1994.

21 SECTION 4. EFFECTIVE DATE. This ordinance shall take effect five days  
22 after publication by title and general summary.  
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1 PASSED AND ADOPTED THIS 2nd DAY OF November, 2015  
2 BY A VOTE OF: 9 FOR 0 AGAINST.

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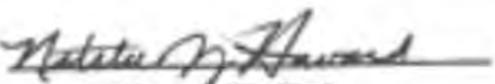
  
\_\_\_\_\_  
Ray Garduno, President  
City Council

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015

Bill No. Q-18-63

\_\_\_\_\_  
Richard J. Berry, Mayor  
City of Albuquerque

ATTEST:

  
\_\_\_\_\_  
Natalie Y. Howard, City Clerk

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## OSAB Procedures and Conduct

### Part 1: Procedures for Board Meetings

**1.1 Meeting:** The Board shall convene on the fourth Tuesday of each month. Unless otherwise noted, the meeting location will be the Open Space Visitors Center. The Board may meet and at other announced times in special meetings.

**1.2 Attendance by electronic means:** Under circumstances including travel or illness, a Board member may not be physically present but may participate in a meeting including voting, by such methods as skype or telephone.

**1.3 Agenda:** A board member may request a subject to be included on an agenda before the agenda is published by notice to the Secretary of the Board and the Chair of the OSAB or by motion during a Board meeting. Other government agencies such as City, County, State, Federal, MRGCD may request by notice to the Secretary of the Board that a subject be included on an agenda before the agenda is published.

**1.4 Request by a member of the public to make a presentation to the Board:** By notice to the Secretary of the Board and the Chair of the OSAB a member of the public may request to make a presentation at a Board meeting. Approval of that request shall be at the discretion of the chair.

**1.5 Designation of agenda items as action items:** Any item needing a Board action to approve, deny, or recommend shall be advertised on the agenda as an action item. No action shall be taken at the same meeting at which an item is presented. Rather, at the discretion of the chair, the item may be placed for action on the agenda of the next regular meeting.

**1.6 Public Comment:** There shall be a time during each meeting for members of the public to provide comment on either specific agenda items or comment on issues and concerns involving open space facilities or operations. The chair may call on members of the public to also comment while an agenda item is being discussed by the Board. The time limit shall be 2 (two) minutes or at the discretion of the chair.

**1.7 Continuing Agenda items:** Certain agenda items such as Board recommendations regarding "Extraordinary facility on open space requests" shall be kept on the agenda until disposition by the EPC.

**1.8 Closed Meeting:** If the Board desires to close an open meeting for any of the enumerated exceptions under the Open Meetings Act (NMSA 1978, § 810-15-1(H)(1)-(10)), then the Board shall only do so after a motion and majority vote of a quorum. The Board may discuss in a closed session any prospective transaction, purchase, acquisition or disposal of real property including land or property rights presented to the Board by the Real Property Division. The closed meeting is limited to discussion only. The Board shall not take minutes during the closed meeting, however, when the Board reconvenes the open meeting the Board shall note that only the matters in the motion to close the meeting were discussed during the closed session. If the Board decides to take a vote on the matters discussed in the closed session as it relates to § 14-13-3-7(B) of the City's Open Space Advisory Board Ordinance, such vote must occur in an open session.

**1.9 Special Meeting:** In accordance with the Boards and Commissions Ordinance, the Board may convene a special meeting with public notice at least 72 hours in advance. A special meeting must be requested by a majority of the Board's members.

**1.10 Subcommittees:** From time-to-time, the OSAB will use sub-committees to research particular topics or issues with a subsequent report to the full Board for its action.

**1.11** All issues not addressed by either City of Albuquerque Ordinance or Resolution or by these rules should be defaulted to the Roberts Rules of Order.

### Part 2 Conduct for Board Members

**2.1 Conflict of Interest:** A Board member must acknowledge a personal or business financial interest in an item on the agenda as a conflict of interest and shall notify the Board of that conflict and offer to recuse himself or herself from any discussion or vote concerning that item. After hearing the explanation, the Board shall decide if this conflict rises to the level where the member should be recused.

**2.2 Contact with Interested Parties:** Board members may not discuss with any property owner or agent, any interest that property owner has in any discussion or decision regarding property acquisitions considered by the Board. Property owners shall provide information for the Board's consideration only through the property acquisitions process managed by the Real Property Division of the City, pursuant to ordinances or resolutions or decisions taken by the City Council.

**2.3 Communication through the Chair:** To prevent duplicate requests going to various agency staff, the preferred process for a Board member to request information is through the Board chair who will then make the request to the Board secretary.