



**Environmental
Planning
Commission**

**Agenda Number: 03
Project #: 2018-001402
SI-2018-00171
Hearing Date: November 08, 2018**

Staff Report

Agent Applicant	Consensus Planning, inc. Gamma Development LLC
Request	Site Plan - EPC
Legal Description	Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and 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 and 36, T11N R2E, Lot 4, Block 1 West
Location	Addressed 5001 Namaste Road NW and between La Bienvenida Place NW and the Oxbow Open Space
Size	23 acres
Existing Zoning	R-A
Proposed Zoning	N/A

Staff Recommendation

APPROVAL of Project # 2018-001402 RZ-2018-00171 based on the Findings and subject to the Conditions of Approval within this report

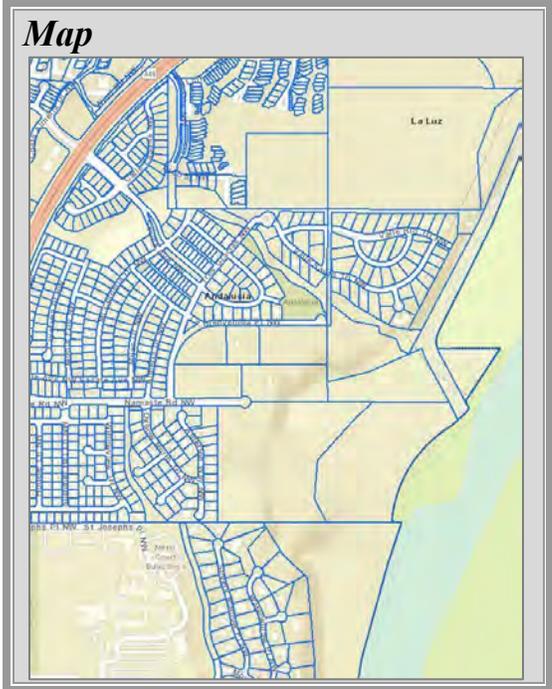
**Staff Planner
Cheryl Somerfeldt**

Summary of Analysis

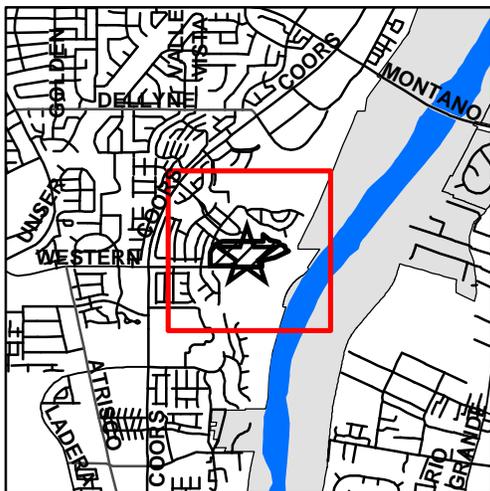
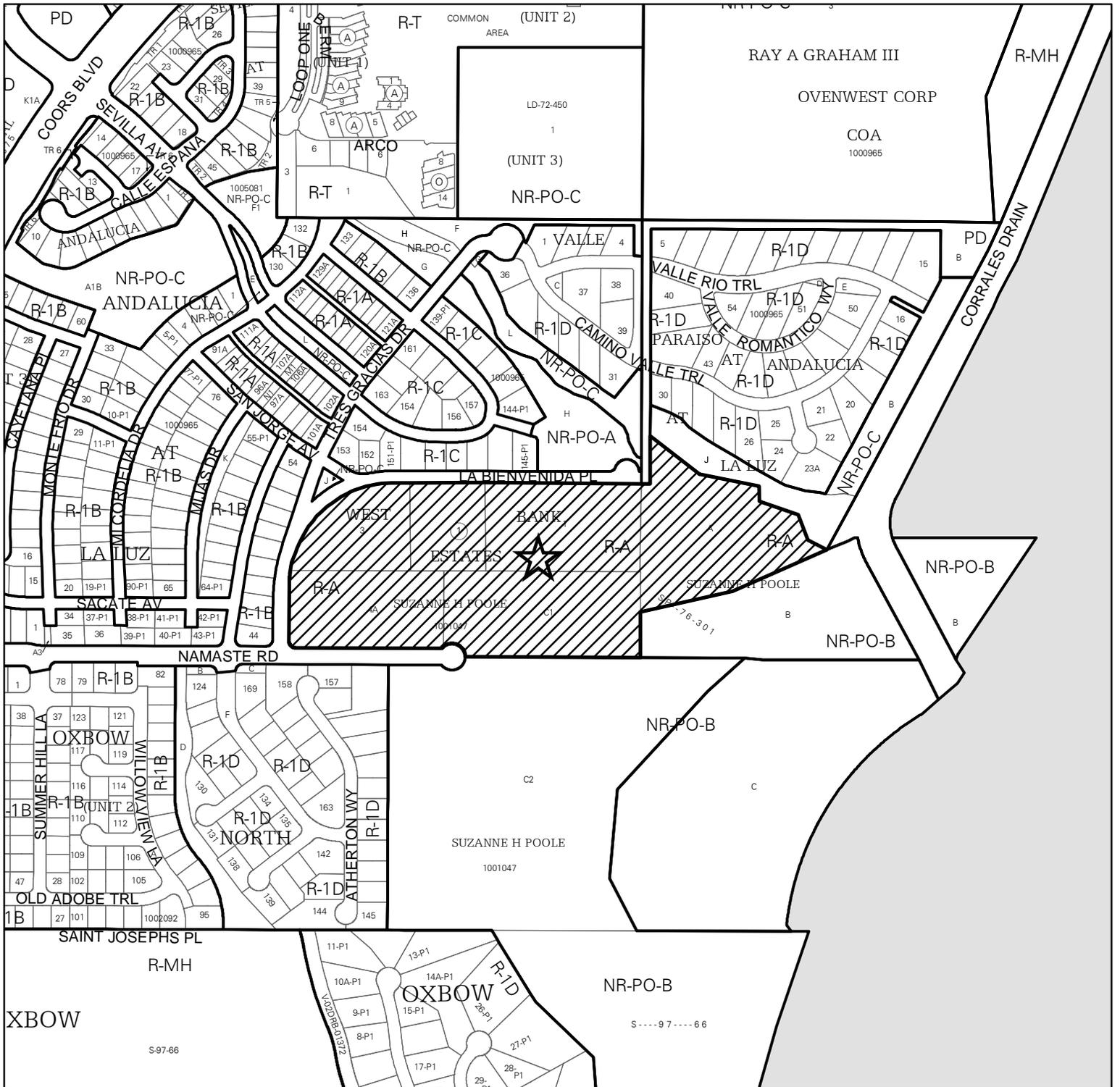
This is a request is for a Site Plan - EPC. The applicant proposes four cluster developments (A-D) and four lots that meet the lot standards for the existing R-A zone, totaling 74 single-family lots. Three of the six subject City parcels (east and southern edges of the subject site) are adjacent to Major Public Open Space (MPOS) and subject to applicable regulations.

The applicant notified neighborhood associations and property owners as required. Staff received multiple letters, comments, reviews, reports, and petitions in opposition to the development. Staff did not receive any comments in support.

Staff recommends approval subject to the Conditions of Approval outlined in this staff report.







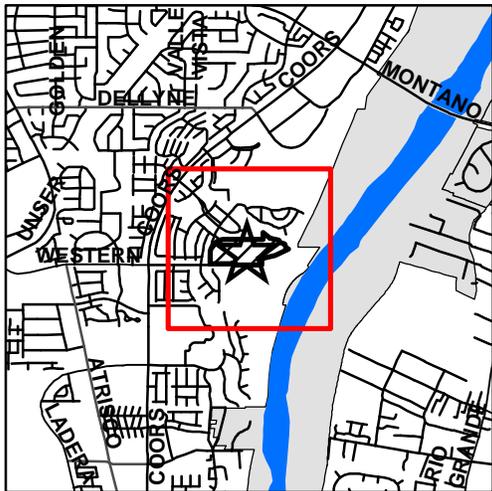
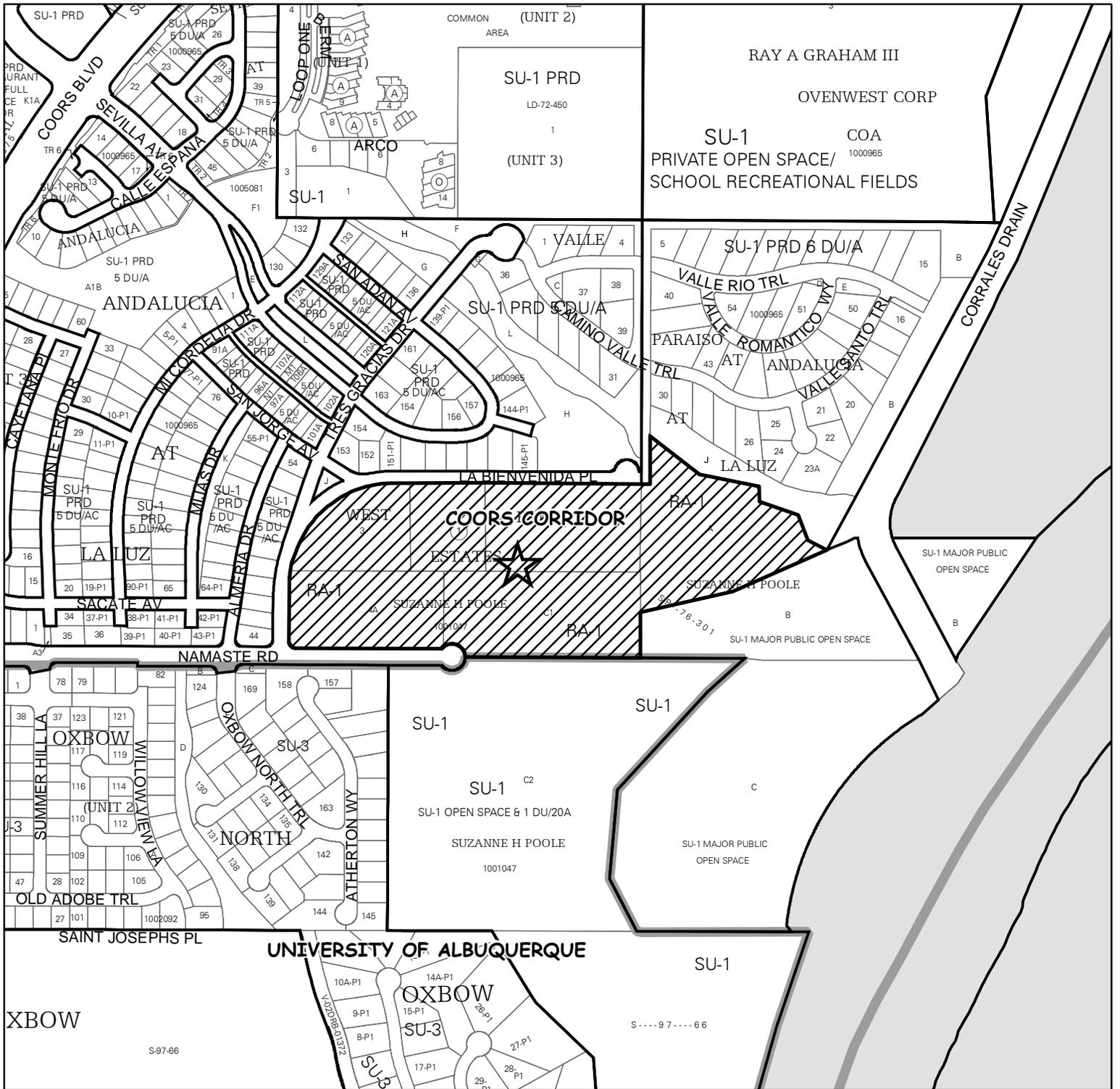
IDO ZONING MAP

Note: Gray shading indicates County.



1 inch = 500 feet

Hearing Date:
11/8/2018
Project Number:
PR-2018-001402
Case Numbers:
SI-2018-00171
Zone Map Page:
F-11 & F-12



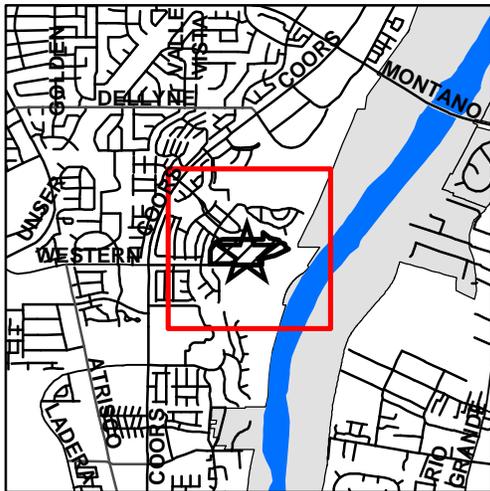
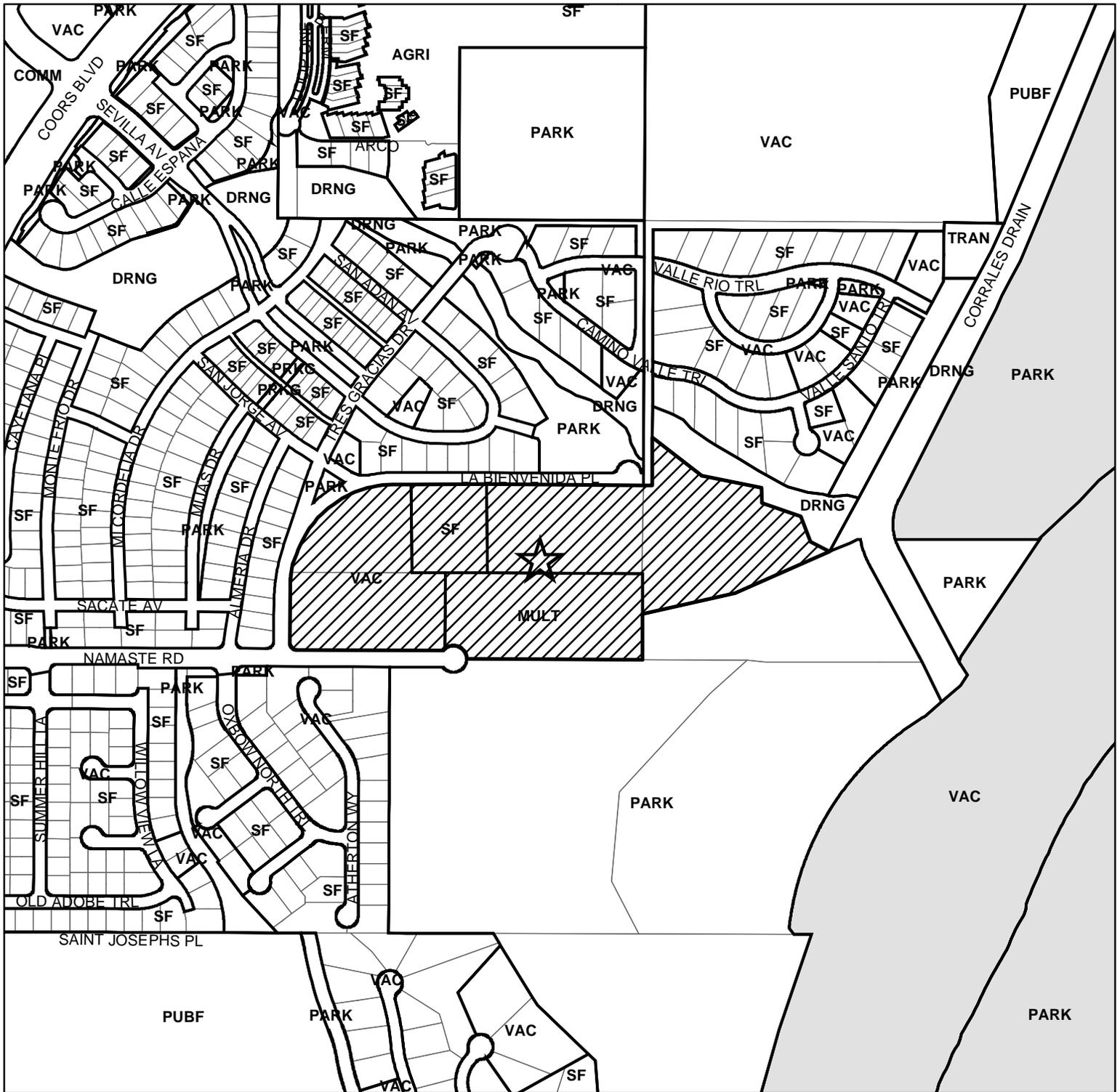
OLD ZONING MAP

Note: Gray shading indicates County.



1 inch = 500 feet

Hearing Date:
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Zone Map Page:
F-11 & F-12



LAND USE MAP

Note: Gray shading indicates County.

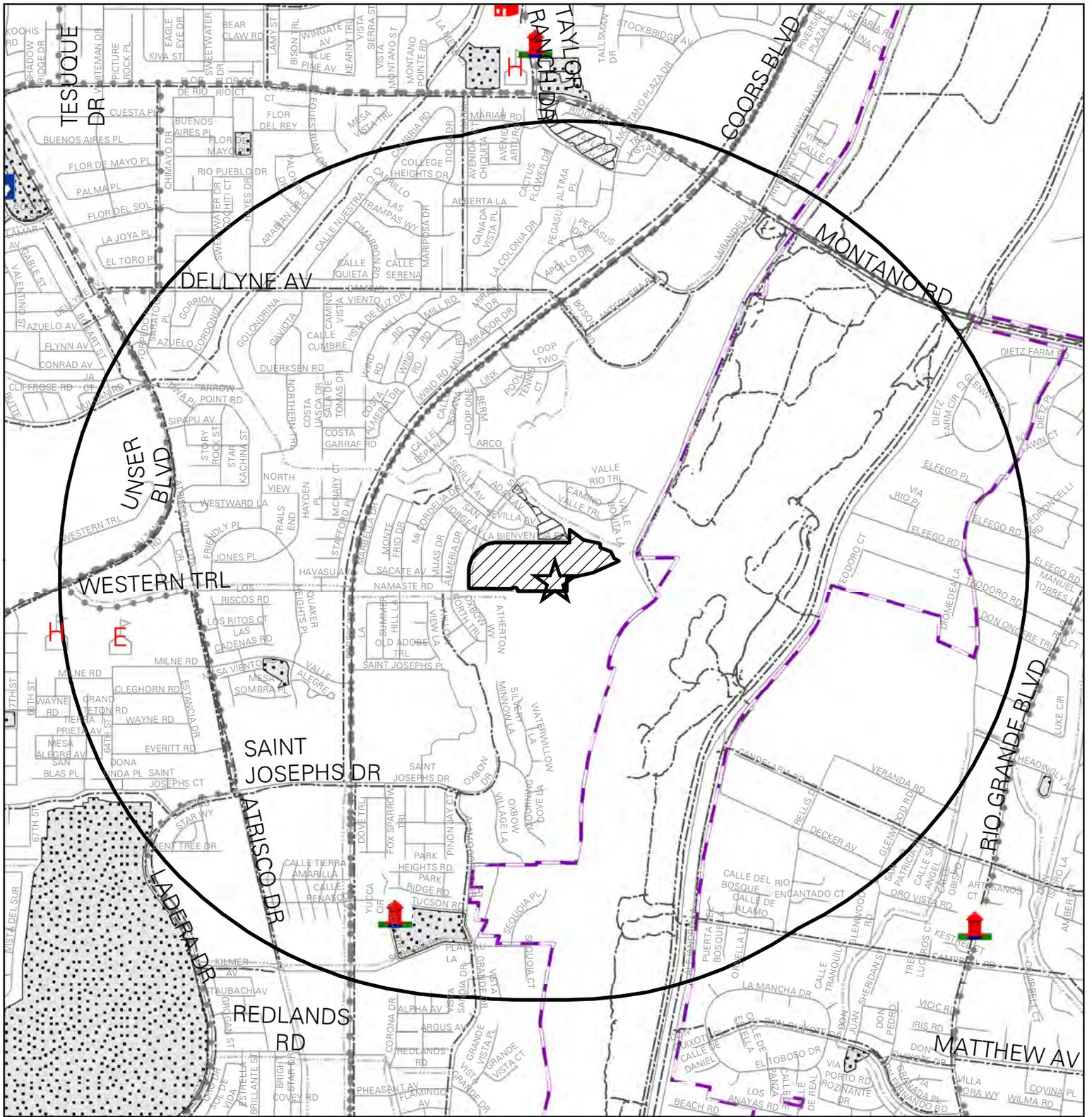
KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch = 500 feet

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Public Facilities Map with One-Mile Buffer



- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| Community Center | Fire | Public Schools | Landfill Buffer (1000-foot) |
| Multi-Service Center | Police | Proposed Bike Facilities | Landfill designated by EHD |
| Senior Center | Sheriff | ABQ Bike Facilities | Developed County Park |
| Library | Solid Waste | ABQ Ride Routes | Undeveloped County Park |
| Museum | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |

Project Number: PR-2018-001402

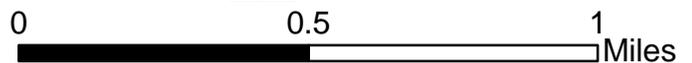


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I. Introduction

	<i>Pre-IDO Zoning</i>	<i>IDO Conversion Existing Zoning</i>	<i>Land Use</i>	<i>Comprehensive Plan Area</i>
<i>Site</i>	RA-1	R-A	Single Family / Vacant	Consistency
<i>North</i>	SU-1 for PRD 5 DU/acre	R-1C	Single Family / Parks / Recreation / Drainage / Flood Control	Consistency
<i>South</i>	SU-1 for OPEN SPACE & 1 DU/20acres	NR-PO-B	Parks / Recreation	Consistency
<i>East</i>	SU-1 for MAJOR PUBLIC OPEN SPACE	NR-PO-B	Parks / Recreation	Consistency
<i>West</i>	SU-1 for PRD 5 DU/acres	R-1B	Single Family	Consistency

Proposal

This is a request is for a Site Plan- EPC for a property addressed 5001 Namaste Road NW at the end of the cul-de-sac and between La Bienvenida Place NW and the City of Albuquerque Oxbow Open Space. The site is immediately adjacent to the Oxbow Major Public Open Space, existing single-family development, and a City park.

The subject site is comprised of three legally platted County parcels, later subdivided into six City parcels, totaling approximately 23 acres and zoned R-A. Three of the subject City parcels (east and southern edges of the subject site) are adjacent to Major Public Open Space (MPOS) and subject to applicable regulations. The applicant proposes four cluster developments (A-D) and four lots that meet the lot standards for the existing R-A zone, totaling 74 single-family lots. Single-family and cluster development are permitted uses in the R-A zone, and therefore the project is evaluated purely on meeting IDO site design regulations.

The applicant notified neighborhood associations and property owners as required. Staff received multiple letters, comments, reviews, reports, and petitions in opposition to the development. Staff did not receive any comments in support. Staff has provided the analysis of the application as submitted herein and recommends approval subject to the Conditions of Approval outlined in this staff report.

EPC Role

The EPC is hearing this case pursuant to the Integrated Development Ordinance (IDO), Site Plan – EPC, Section 6-6(H)(1)(b)3, which requires EPC Site Plan approval prior to any platting action for a site 5 acres or greater adjacent to Major Public Open Space (MPOS).

Although not all of the subject lots are adjacent to MPOS, the applicant has requested EPC review for the remaining lot under the same ownership pursuant to 6-6(H)(1)(b)4, which permits the Planning Director to approve a request for EPC Site

Plan review and approval (see appendix for Director's approval). Per IDO Section 6-4(P)(2), the EPC may impose conditions on the approval necessary to bring the application into compliance with the requirements of this IDO. This case is a quasi-judicial matter.

The applicant's most updated application was submitted to planning staff after close of business on December 3, 2018, 10 days prior to the December 13, 2018 hearing. Pursuant to EPC Rules of Conduct #12, "All written materials including petitions, legal analyses, and other documents should be submitted to the Planning Department at least 10 days prior to the EPC hearing, in time for full consideration by staff and presentation to the EPC prior to its regular scheduled meeting." It is within the EPC's purview to defer if the EPC determines that additional information is necessary or beneficial to render a decision (pursuant to EPC Rules of Conduct #7 e).

History/Background

The Pooles originally purchased 388 acres from the Joe Taylor Ranch family, making it one of the first modern homestead sites on the West Side of the Rio Grande. A portion of the original homestead acreage was sold to a local developer who worked with famed architect Antoine Predock to build the nearby La Luz residential complex.

The existing buildings constitute the Poole's home and a guest house, both originally constructed approximately 50 years ago in the mid-century architectural era in the southwest style attributed to the New Mexican architect George Clayton Pearl. The original portion of the larger house was constructed out of adobe but the remainder is stucco covered block. The Pooles were generous philanthropists who supported the arts and education. Mr. Poole led efforts with the Army Corps of Engineers to align the Rio Grande River naturally creating a bow-shaped wetland to protect eroding banks of the west bluff, which is evident on the property.

Upon Ms. Poole's death, the subject property was transferred to her estate and eventually sold to Gamma Development. The current buildings have been vacant for over 5 years, and recent theft of materials has caused further deterioration.

Context

The subject site contains two single-family dwellings, which are proposed to be demolished, and is surrounded by a wide range of residential and open space/recreation uses. To the north is private open space zoned NR-PO-C and the public Andalucia Park, which is zoned NR-PO-A. Also to the north, west, and south are existing R-A single-family properties ranging in lot sizes 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.

Roadway System

The Long Range Roadway System (2040 LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), includes existing roadways and future recommended roadways along with their regional role. The LRRS designates Coors

Boulevard NW as a Regional Principal Arterial. Otherwise, all of the roads surrounding the property do not have a designation and are therefore considered local.

Comprehensive Plan Corridor Designation

The Comprehensive Plan designates nearby Coors Boulevard a Major Transit Corridor.

Trails/Bikeways

The Long Range Bikeway System (LRBS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies existing and proposed trails.

The LRBS shows a Proposed Bicycle Route on Namaste Road NW and on Tres Gracias Drive NW. There is an Existing Multi-Use Trail, Paved that extends south from Namaste Road NW just west of Tres Gracias Drive NW. A Multi-Use Trail, Paved is Proposed just north of the subject site extending east and west from Tres Gracias NW.

Transit

Refer to Transit Agency comments.

Public Facilities/Community Services

Please refer to the Public Facilities Map in the packet for a complete listing of public facilities and community services located within one mile of the subject site.

II. Analysis of City Plans and Ordinances

Integrated Development Ordinance (IDO)

The application for this request was submitted after the Integrated Development Ordinance (IDO) effective date of May 17, 2018, which replaced the City's Zoning Code, and is therefore subject to its regulations.

Upon City Council adoption of the IDO, the zoning converted from RA-1 to the existing R-A. The purpose of the R-A zone district is to provide for low-density, single-family residences and limited agricultural uses, generally on lots of ¼ acre (10,890 square feet) or larger, as well as limited civic and institutional uses to serve the surrounding residential area.

The applicant proposes four Cluster Developments, which is a permitted use in the R-A zone and regulated by the Use Specific Regulations IDO Section 4-3(B)(2), further discussed under Section III of this report. A single-family lot area comprised of four non-clustered lots is located in the southeast of the development overlooking the MPOS, which is also a permitted use. The minimum lot size for single-family lots in the R-A zone is 10,890 sf. The minimum lot width is 75-feet. For single family lots, the front setback is 20-feet, the side setback is 10-feet, and the rear setback is 25-feet. Since both requested uses are permitted, the applicant does not need to request a zone change.

Coors Boulevard Character Protection Overlay (CPO-2)

The subject site is part of the Coors Boulevard CPO-2, IDO Section 3-4(C), and applicable regulations are as follows:

All development shall comply with all adopted drainage policies, including restrictions on development in the 100-year floodplain. Cluster development design on land above the flood level shall be used to the maximum extent practicable, and the floodplain shall be used as open space (3-4(C)(5)(a)).

The applicant indicates a Flood Zone area on the Sensitive Areas exhibit. It is assumed this is the 100-year floodplain line. If so, the Site Plan does not meet this regulation. Any area within the floodplain should be part of the open space created by the cluster development. The Grading and Drainage Plan shows an “Approximate Location of Existing FEMA Flood Zone”. After staff discussions with the City Hydrologist, staff requested that the applicant show evidence of contact with the US Army Corps of Engineers (USACE) regarding placement of the flood zone. As of this date, staff has not received evidence of communication with the USACE.

Changes to natural topography shall be kept to a minimum. On slopes of 10 percent or greater, no grading shall take place until a specific development plan has been approved for construction. Grading, drainage, or paving proposals; Master Development Plans; and Site Plans shall retain the sense of the natural features and vegetation. Reconstruction and revegetation to a natural setting shall be pursued to the maximum extent practicable (3-4(C)(5)(b)).

The only slopes that approximate 10 percent or greater are located in the private open space preserved along the southern edge of the site where grading is not intended. The Landscape Plan shows the private open spaces to be planted with high water-use turf and non-native trees and shrubs, which does not meet this regulation to retain the natural vegetation. Due to this regulation and policy analysis shown below, staff recommends making it a Condition of Approval to use only native vegetation in open space areas.

Coors Boulevard View Protection Overlay (VPO-1)

The subject site is part of the Coors Boulevard VPO-2, IDO Section 3-6(D). This section is designed to protect views from Coors Boulevard. Since the subject site is significantly lower in elevation than Coors Boulevard NW, the subject proposal is not affected by the regulations in this section.

Definitions:

Cluster Development Design: A design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, open space, or preservation of sensitive lands.

Dwelling, Cluster Development: 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.

Common Open Space: 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.

Structure: Anything constructed or erected above ground level that requires location on the ground or attached to something having a location on the ground but not including a tent, vehicle, vegetation, or public utility pole or line.

Albuquerque / Bernalillo County Comprehensive Plan (Rank 1)

Note: Applicant's responses are in italics.

The subject site is located in an Area of Consistency as designated by the Comprehensive Plan which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Applicable Policies include:

CHAPTER 4: COMMUNITY IDENTITY

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.

The site plan is consistent with 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.

The proposed Site Plan somewhat consistent with Policies 4.1.1, 4.1.2, and 4.1.5 because the scale is appropriate and the plan is unique to the area, but the proposed design does not propose a mix of uses nor respond fully to the natural setting and ecosystem. The character of the building design will be guided by IDO regulations.

CHAPTER 5: LAND USE

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.

The site plan is consistent with 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.

The proposed Site Plan is consistent with Policies 5.3.1, 5.3.3, and 5.6.3 because the proposed development is infill development which adds density within an established residential neighborhood instead of extending development further outside of the boundaries of the City. Generally, this is an efficient use of City infrastructure over an extension of the City.

The proposed Site Plan is generally consistent with Policy 5.3.4 because although open space is preserved, the natural environment and sensitivity to the character of the area could be further improved.

The proposed Site Plan is consistent with Policy 5.6.3 because it is in an Area of Consistency and it protects the character of the existing residential neighborhood.

CHAPTER 7: URBAN DESIGN

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.

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.

The proposed Site Plan is generally consistent with Policies 7.3.1 and 7.3.4 because while the project preserves the area at the east and south of the subject site for open space, the interior open spaces could also contribute to this open space to the east and south in order to leverage views. Cultural landscapes and sensitive areas such as the existing stand of trees could be preserved to a larger extent. An evaluation of the health of these trees by the City Forester would provide the applicant guidance on how to treat them. The project is infill that should blend in style with the surrounding residential developments.

CHAPTER 9: HOUSING

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.

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. 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.

The proposed project is consistent with Policy 9.1.1 and 9.2.3 because it supports options in housing for a variety of income levels by providing standard lot sizes and smaller, cluster lot sizes. The proposed project includes four cluster developments that cluster residential units in order to provide community gathering spaces and/or open space.

CHAPTER 10: PARKS & OPEN SPACE

POLICY 10.1.4 Water Conservation: Employ low-water use and reclamation strategies to conserve water.

The proposed Site Plan is not consistent with Policy 10.1.4 because it is proposing high-water-use turf for its common open space for Clusters A and B. Native, low-water use vegetation is most appropriate for open space areas.

POLICY 10.3.3 Use: Provide low-impact recreational and educational opportunities consistent with the carrying capacity of the Open Space resources.

It appears that the “no structures” requirement prohibits most outdoor recreation – even passive recreation such as sitting on a bench. Trails would be allowed, but that is the only recreation use permitted. I would say that the IDO is inconsistent with this policy as it is being interpreted. As stated previously, the eastern portion of the open space is located to protect those existing sensitive land features and provide a buffer to the adjacent MPOS and other habitat areas.

The proposed Site Plan is generally consistent with Policy 10.3.3 because it provides the low impact recreational opportunity of a passive trail, but consistency can be improved by not locating any structures with open space areas.

POLICY 10.3.4 Bosque and Rio Grande: Carefully design access to the Rio Grande, the *Bosque*, and surrounding river lands to provide entry to those portions suitable for recreational, scientific, and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions.

The City Open Space staff have indicated that they do not want any additional access from this property into the MPOS. The design accommodates no access to the MPOS and the site plan restricts access.

The proposed Site Plan is consistent with Policy 10.3.4 because it prohibits access to the more sensitive areas of the MPOS in order to preserve the natural wildlife habitat and maintain watershed and drainage functions.

CHAPTER 11: HERITAGE CONVERSATION

POLICY 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

The preservation of the natural features and sensitive lands has been discussed above. The on-site open space areas are also consistent with the Andalusia community, where the central focus is the village green. In large part the identity of the surrounding community and neighborhood is based on a wide variety of lot sizes, open space areas, buffers to the arroyo, open space areas, etc. These same features are imbedded in the proposed design.

The proposed Site Plan is generally consistent with Policy 11.3.1 because although a large amount of open space on the east side preserves the natural characteristics of the subject site, and the proposed project is similar to the bordering residential subdivisions. The project does not propose to preserve any of the area occupied by the existing mature trees. An evaluation of the health of these trees by the City Forester would provide the applicant guidance on how to treat them.

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

The only arroyo is off site to the north of the project. An open space buffer and view fencing is incorporated into the project design.

The proposed Site Plan is generally consistent with Policy 11.3.2 because it retains the view fencing and incorporates an open space buffer.

III. Site Plan – EPC

Request

Note: Applicant's responses are in italics.

This is a request for Site Plan – EPC pursuant to IDO Section 6-6(H), which applies to any development on a site 5 acres or greater adjacent to Major Public Open Space prior to any platting action. The subject site is adjacent to Major Public Open Space and is therefore subject to all of the regulations in IDO Section 5-2(H), Major Public Open Space Edges. The applicant proposes four Cluster developments (A-D) and four lots meeting the standard R-A zone regulations.

The applicable **Review and Decision Criteria** for an EPC Site Plan (IDO Section 6-6(H)(3)) are as follows (note: criteria b does not apply):

- a) The Site Plan is consistent with the ABC Comp Plan, as amended.

For subsection a, please refer to Comprehensive Plan policy analysis in Section II.

- 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.

For subsection c, please refer to the subtitles under Site Plan EPC in Section III of this report.

- 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.

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

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

“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)(l)(d) Stub Streets and Cui-de-Sacs in order to avoid the sensitive lands on the eastern edge of the subject site.”

For subsection e, the applicant has provided explanations on adverse impacts to the surrounding area and proposed mitigations (see italics).

Use Specific Standards for Dwelling, Cluster Development 4-3(B)(2)

Note: Applicant’s responses are in italics.

The subject site is comprised of three County ownership parcels and is proposed to be subdivided into four cluster developments with each of over 1 acre as required, and with each further subdivided into single-family lots and a common open space upon a DRB re-plat.

On November 16, 2018, the Zoning Enforcement Officer (ZEO) made a determination (see attached email) that several cluster developments may be presented in one Site Plan. However, each separate cluster is required to meet all applicable Use Specific Standards, 4-3(B)(2)a-g. Applicable regulations are described in this section.

The number of dwelling units is determined by dividing the site area by the minimum lot size allowed in the zone rounded down to the nearest whole number but shall not exceed 50. Each of the four clusters comply with this regulation (4-3(B)(2)(c)).

Setbacks at the perimeter of each cluster are per the underlying zone, and for the R-A zone, setbacks are Front=20-feet, Side=10-feet, and Rear=25-feet. It will be conditioned that the building footprints be revised to show these setbacks (4-3(B)(2)(b)).

“The proposed cluster development provides for passive recreation, open space, and preservation of sensitive lands. The proposed cluster layout creates smaller lots than would otherwise be allowed in the zone district. Three separate open space areas are also proposed as separate tracts, to be either maintained by the HOA or, in the case of the land adjacent to the MPOS, be owned and maintained by the City (if dedication is requested). City staff has previously stated that cluster projects can be separate and side by side. As stated above, the project proposes separate cluster projects with their own open space areas that provide for different aspects of the “Cluster Development Design” statement above.”

The common open space may be walled or fenced but shall be partially visible from a public right-of-way through openings in, and/or with trees visible above, the wall or fence. The Site Plan shows common open spaces for Cluster A and B that are not visible from the public right-of way, and therefore do not meet this regulation. Staff recommends a condition to comply with this regulation (4-3(B)(2)(d) 3).

No structure is allowed in the common open space except if necessary for its operation and maintenance (4-3(B)(2)(d) 4). The Landscape Plan shows a shade

structure. Since the definition of a structure is anything constructed or erected above ground level (see above), the Site Plan does not currently meet this regulation. Staff recommends a condition to comply with (4-3(B)(2)(d)4).

“...the use of the term “outdoor recreation” (see above for definition to Common Open Space) contradict this restriction. Anything that is attached to the ground and above the ground qualifies as a structure, this would include benches, picnic tables, lights, etc., not just shade structures. This contradiction should be addressed in the IDO clean up exercise. It is important to note that other MPOS properties include many different types of structures from information kiosks, benches, tables, shade and picnic structures, etc. The idea that open space is only to look at and walk across is not consistent with the purpose of the open space.”

At this time, only structures necessary for operation and maintenance are permitted by the IDO. The intent for cluster development is to provide the development of lots traditionally used for agriculture or to provide large open areas for residents. Moveable furniture would be permitted at this time as it would not be considered a structure.

The cluster development shall be designated on a Site Plan and plat with each dwelling on an individual subdivided lot and the common open space on a separate subdivided lot or easement (4-3(B)(2)(e)). Maintenance for common open space areas is the responsibility of the property owner (4-3(B)(2)(f)).

Staff recommends a condition that a note be added to the Site Plan requiring each private open space to have its own separate HOA or entity responsible for its private open space.

“The proposed cluster development provides for passive recreation, open space, and preservation of sensitive lands. The proposed cluster layout creates smaller lots than would otherwise be allowed in the zone district. Three separate open space areas are also proposed as separate tracts, to be either maintained by the HOA or, in the case of the land adjacent to the MPOS, be owned and maintained by the City (if dedication is requested). City staff has previously stated that cluster projects can be separate and side by side. As stated above, the project proposes separate cluster projects with their own open space areas that provide for different aspects of the “Cluster Development Design” statement above.”

Site Design and Sensitive Lands, 5-2

Note: Applicant’s responses are in italics.

The standards in Site Design and Sensitive Lands apply to all site development and new subdivisions.

Pursuant to IDO Section 5-2(C)(1), Avoidance of Sensitive Lands, Both the subdivision and site design processes shall begin with an analysis of site constraints related to sensitive lands. To the maximum extent practicable, new subdivisions of land and site design shall avoid locating development, except for open spaces and

areas that will not be disturbed during the development process, in the following types of sensitive lands:

5-2(C)(1)(a) Floodplains and flood hazard areas

5-2(C)(1)(b) Steep slopes

5-2(C)(1)(d) Wetlands

5-2(C)(1)(f) Irrigation facilities (acequias)

5-2(C)(1)(g) Escarpments

“The project has been designed to utilize the on-site open space being created as a part of two of the cluster development portions of the project to avoid the floodplain at the northeast corner of the property, the steep slopes that transition from the property to the Oxbow and Bosque and wetland areas are incorporated into the open space; the existing wetland area that is part of the Oxbow itself is part of the proposed on-site open space; ...

The sensitive land analysis resulted in the designation of the property outside of the existing pipe and wire mesh fence as a sensitive land preservation area. This area will not permit any grading or access.”

The City Hydrologist informed staff that only the USACE may determine the wetland location, and that was communicated to the applicant. To date, staff has not received confirmation of applicant consultation with the USACE.

5-2(C)(1)(c) Unstable soils

A geotechnical analysis and report will be prepared analyzing the soils prior to construction. It is not anticipated to be prohibitive to home construction and are likely similar to the soils in the adjacent subdivisions.

5-2(C)(1)(e) Arroyos

5-2(C)(1)(h) Rock outcroppings

5-2(C)(1)(j) Archaeological sites

“The property does not include arroyos, rock outcroppings, or archeological sites (see the attached certificate of no effect).”

5-2(C)(1)(i) Large stands of mature trees

“... most of the trees in this area are on MPOS land, are located right along the edge of the Oxbow Major Public Open Space (MPOS), and are incorporated into the open space and will be maintained.

The existing mature trees that are located right along the edge of the MPOS are incorporated into the on-site open space and will be maintained. The trees that are associated with the two existing residences have not been irrigated or maintained over the past 12 years and are proposed to be removed. New trees are proposed as part of the project development.”

Staff is not aware of an expert such as an arborist surveying the trees, therefore it is unclear as to whether the trees associated with the two existing residences (see aerial photo above) are in a deteriorating condition and/or if they are non-native or invasive species. Given that the Cottonwood stand, which requires a large amount of ground-water exists to the east of the site, it is possible that drought tolerant species such as Juniper would be healthy farther to the west. An evaluation of the health of these trees by the City Forester would provide the applicant guidance on how to treat them.

Pursuant Section 5-2(C)(4) If avoidance of sensitive lands... results in the subdivision containing fewer buildable parcels than it would have if sensitive lands were not avoided, the Planning Director may adjust the minimum lot size or lot width dimensions by up to 25 percent to allow for additional lots that would have otherwise been possible if sensitive lands had not been avoided.

“The subdivision has been redesigned to move the lots to the west and northwest away from the sensitive lands. The redesign expanded the eastern buffer area significantly to approximately 5 and a half acres. The two small pocket parks are associated with the smaller cluster portions of the project.

The use of the cluster provisions of the IDO allow for the avoidance of these sensitive lands and provides for the reduction of lot size. The overall density for the proposed subdivision is 3.2 du’s per gross acre overall. The average lot size proposed is almost 7,000 square feet. The resulting number of lots is consistent with the IDO cluster housing provisions. As demonstrated in the response to item 1 above, a portion of the open space required as part of two of the cluster portions of the project was designed to allow the development area to avoid those sensitive lands.”

Major Public Open Space Edges, 5-2(H)

Development adjacent to Major Public Open Space shall be platted and/or designed to incorporate a single-loaded street between the Major Public Open Space and development, with access generally not allowed unless approved by the Open Space Division (OSD) of the City Parks and Recreation Department (5-2(H)(2)(a)1).

Where a single-loaded street is not desired by the Open Space Division of the City Parks and Recreation Department, a landscape buffer with a minimum width of 20 feet may be substituted as approved by the Open Space Superintendent (5-2(H)(2)(a)1).

The Open Space Division provided a letter (attached) when exempts the project from a single-loaded street between the MPOS and the development in lieu of a wider landscape buffer that will better protect the MPOS. The OSD recommends that the developer ensure adequate setback from the steep slope area in order to prevent potential erosion caused by proximity to the sandy bluff. The OSD states that a buffer would be more advantageous than a single-loaded street, leaving native land contiguous with MPOS.

Locate on-site open space to be contiguous with the Major Public Open Space, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department (5-2(H)(2)(a)2).

“Only three of the existing lots being developed are adjacent to the MPOS. The above language does not prohibit open space that is not contiguous with the MPOS, but rather a significant portion of the open space is adjacent to the MPOS.

The definition of cluster design recognizes the need to meet separate purposes with the open space. Preserving sensitive lands is not the only purpose. Since this property has never been identified as a priority open space acquisition, it is illogical to assume that the only place for on-site open space is the eastern portion of the property. Our updated plan shows four separate cluster projects with their own associated open space tracts.”

Three of the six City lots has adjacency to the City’s MPOS and are therefore subject to this regulation. Staff recommends a condition that the on-site opens space of each cluster development be contiguous with the MPOS.

OSD states: “The Open Space Division requests that the development design consolidate all private open space into one cohesive unit. The Open Space Division requests that the developer widen any buffer adjacent to the MPOS by donating land and/or designing private open space on the eastern end of the property, closer to the bluff and edges of the San Antonio Oxbow MPOS.”

“The eastern portion of the Poole property, in particular, sits on the bluff adjacent to valuable and sensitive bosque habitat. Development in this area will negatively affect wildlife habitat, especially for birds, small, mammals and reptiles. Any public or private common open space should be consolidated into a single large area, with the priority being the eastern end of the Poole property adjacent to the MPOS, and should remain in a natural state with only native species to prevent any incursion of invasive and non-native species into the MPOS. Development, in the form of structures and buildings, should be located as far away as possible from the MPOS and any adjacent slopes to provide buffer to the wildlife habitat below the bluff and to prevent erosion and subsidence of the land above the MPOS.”

Therefore, unless it is determined that the on-site open space is not required to be contiguous with the Major Public Open Space with no general access (fenced), staff recommends that this be required to be revised on the Site Plan.

Development on properties 5 acres or greater adjacent to Major Public Open Space shall not create any material negative environmental impacts on the visual, recreational, or habitat values of the Major Public Open Space. (5-2(H)(2)(b))

“The subject property is adjacent to the MPOS but has not ever been identified as a priority for acquisition by the City. The City Parks and Recreation Department’s Open Space division currently manages the MPOS and we have met several times with them to discuss the project and the relationship to the

MPOS. As stated above in response to the sensitive lands, we have utilized a portion of the on-site open space to create buffers to and maintain the integrity of the visual, recreational, and habitat values the adjacent MPOS. The Open Space division has requested a note on the site plan prohibiting private access into the adjacent on-site open space from rear yards. Access to the MPOS is currently limited; it is not anticipated that additional public access will be allowed; and we are in agreement with that and have included that restriction on the site plan.”

Access and Connectivity, 5-3 & Subdivision of Land, 5-4

Note: Applicant’s responses are in italics.

Pursuant to Section 5-3(E)(1)(d) Stub Streets and Cul-de-Sacs Stub streets and cul-de-sacs that terminate the road are prohibited, with the following exceptions: Cul-de-sacs are allowed where necessary to avoid those types of sensitive lands listed in Section 5-2(C), or where vehicular safety factors make a connection impractical, including but not limited to size or shape or lots, topography, surrounding development patterns, and physical characteristics.

“Our letter to the EPC addressed these issues since our understanding at that time was that the EPC would be the body addressing the connectivity variances. As stated above, we have submitted a request to the DRB.”

A Variance EPC is not required because there is a “where necessary” exception in the regulation. However, the applicant must justify it by describing how the land is a sensitive land or what factors, beyond those that are self-imposed, make a connection impractical.

Pursuant to Section 5-3(E)(2) Connections to Adjacent Land, 5-3(E)(2)(a) Where adjacent land has been subdivided with stub streets ending adjacent to a new subdivision, or with a local street ending at a street dividing the new subdivision, the new subdivision streets shall be designed to align the streets in the adjacent subdivision to allow through circulation between the 2 adjacent subdivisions.

“We have submitted a variance request to the DRB to address the IDO connectivity requirement. It is currently scheduled to be heard on December 5, 2018.”

The DRB approved a variance to the connectivity standard of the IDO, allowing for a gated community.

Landscaping, Buffering, and Screening

Note: Applicant’s responses are in italics.

Native vegetation would more closely meet the intent of Comprehensive Plan policies regarding preservation of the adjacent native open space as well as more closely adhere to the Open Space Division (OSD) recommendations for native species. Also, the Coors Boulevard Overlay CPO-2 regulations 3-4(C)(5)(b) state that “Site Plans shall retain the sense of the natural features and vegetation. Reconstruction and

revegetation to a natural setting shall be pursued to the maximum extent practicable.”

“To date, Open Space staff members have not indicated or requested any restrictions to plant materials allowed within the private residential lots. It is important to note that there are not currently restrictions on the plant materials in the City Park immediately adjacent to the subject site and is also close to both private and public open space. There are also no restrictions on the lots to the north, also as close, if not closer to the Bosque.”

The OSD comments (see attached) are clear that a planting palette of native species would better protect the adjacent MPOS. The OSD comments state:

“The Parks and Recreation Department (PRD) strongly recommends the use of native vegetation throughout the proposed development, especially near and adjacent to the MPOS. The San Antonio Arroyo drains directly into the Oxbow, which serves unique ecological and drainage purposes that require unique protections and treatments on adjacent properties that drain into it.

Both surface and groundwater on the Poole property contribute to the water quantity and water quality entering the San Antonio Oxbow MPOS. Percolating groundwater through the property that enters the river aquifer is released slowly and is cleaned during its migration. Any development on the property should emphasize protection of groundwater infiltration by mandated use of permeable surfaces.”

Staff recommends the plant palette to include only native species for common open space and that turf be prohibited.

IV. Agency & Neighborhood Concerns

Reviewing Agencies

Full Agency Comments are included at the end of this report.

The comments from the Hydrology Division are noteworthy because it is stated in bullet 8 that the slope is unstable and subject to lateral migration of the river. Hydrology states that *“The City has no plans to stabilize the slope and does not want to be burdened with the cost of such improvements. Bank Protection may be constructed to prevent lateral migration of the river, and erosion of the slope.”* In addition Hydrology states in in bullet 5 that US Army Corps of Engineers (USACE) will need to be consulted to determine if Waters of the US are located on the subject site, and if so, the Site Plan will need to show the location and that no construction fill will enter that area, and a Federal Permit will be required. Staff asked the applicant to submit correspondence with the USACE, however, this has not been submitted to date.

Neighborhood/Public

The applicant notified the La Luz Landowners Association, the Taylor Ranch Neighborhood Association, and the Westside Coalition of Neighborhood Associations as well as property owners within 100 feet as required. Several meetings were conducted regarding the proposal, notably an initial neighborhood

meeting, staff meetings with the neighbors, a facilitated meeting, and the Open Space Advisory Board meeting. Transcripts to the meetings are attached to this report under the Application heading. Staff received individual letter from approximately 55 individuals and organizations, one of which included a petition of approximately 32 names. In addition staff received a form letter from 131 individuals. All of the comments were in opposition to the request and are available as an attachment under the Public Comments heading. Staff did not receive any comments in support of the project.

V. Conclusion

This is a request is for a Site Plan- EPC a 23 acre property addressed 5001 Namaste Road NW at the end of the cul-de-sac and between La Bienvenida Place NW and the City of Albuquerque Oxbow Open Space. The applicant proposes the development of approximately 74 single-family lots under the existing R-A zone. Staff finds that the existing R-A zone permits single family residential development with minimum lot size of 10,890 square feet, as well as cluster development, meaning that the property has the correct zoning for the proposed use.

Because the subject site is adjacent to MPOS, additional IDO regulations requiring further analysis apply to the subject site than what is typically for Site Plan approval. Staff finds that the applicant has not addressed all relevant IDO regulations related to cluster development and adjacency to MPOS as well as Comprehensive Plan policies. Therefore, staff recommends Conditions of Approval to meet regulation and policy as outlined in this report.

Findings

Project #: 2018-001402, SI 2018-00171

1. This is a request for a Site Plan - EPC for Lots 1 through 3, Block 1, Plat of West Bank Estates together with Tract A1, Lands of Suzanne H Poole, and Tracts C-1 and Lot 4-A of Plat of Tracts C-1, C-2 and 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 and 36, T11N R2E, Lot 4, Block 1 West located at 5001 Namaste Road NW between La Bienvenida Place NW and the Oxbow Open Space, containing approximately 23 acres.
2. The applicant proposes four cluster developments (A-D) and four lots that meet the lot standards for the existing R-A zone, totaling 74 single-family lots. Single-family and cluster development are permitted uses in the R-A zone.
3. The subject site is comprised of three legally platted County parcels, later subdivided into six City parcels, totaling approximately 23 acres. Three of the subject City parcels (east and southern edges of the subject site) are adjacent to Major Public Open Space (MPOS) and subject to applicable regulations.
4. The subject site is part of the Coors Boulevard CPO-2, and the Coors Boulevard VPO-2, and subject to those regulations.
5. In addition to the requirements of the R-A Zone District, the Site Plan is subject to IDO site design regulations for Cluster Development, Sensitive Lands, Access and Connectivity, and Subdivision of Land.
6. The Albuquerque/Bernalillo County Comprehensive Plan and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan which has policies to protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space. Applicable Policies include:
 - The proposed Site Plan generally consistent with Policies 4.1.1, 4.1.2, and 4.1.5 because the scale is appropriate and the plan is unique to the area, but the proposed design does not propose a mix of uses nor respond fully to the natural setting and ecosystem. The character of the building design will be guided by IDO regulations.
 - The proposed Site Plan is consistent with Policies 5.3.1, 5.3.3, and 5.6.3 because the proposed development is infill development which adds density within an established residential neighborhood instead of extending development further outside of the boundaries of the City. Generally, this is an efficient use of City infrastructure over an extension of the City.
 - The proposed Site Plan is generally consistent with Policy 5.3.4 because although open space is preserved, the natural environment and sensitivity to the character of the area could be further improved.

- The proposed Site Plan is consistent with Policy 5.6.3 because it is in an Area of Consistency and it protects the character of the existing residential neighborhood.
 - The proposed Site Plan is generally consistent with Policies 7.3.1 and 7.3.4 because while the project preserves the area at the east and south of the subject site for open space, the interior open spaces could also contribute to this open space to the east and south in order to leverage views. Cultural landscapes and sensitive areas such as the existing stand of trees could be preserved to a larger extent. An evaluation of the health of these trees by the City Forester would provide the applicant guidance on how to treat them. The project is infill that should blend in style with the surrounding residential developments.
 - The proposed project is consistent with Policy 9.1.1 and 9.2.3 because it supports options in housing for a variety of income levels by providing standard lot sizes and smaller, cluster lot sizes. The proposed project includes four cluster developments that cluster residential units in order to provide community gathering spaces and/or open space.
 - The proposed Site Plan is not consistent with Policy 10.1.4 because it is proposing high-water-use turf for its common open space for Clusters A and B. Native, low-water use vegetation is most appropriate for open space areas.
 - The proposed Site Plan is generally consistent with Policy 10.3.3 because it provides the low impact recreational opportunity of a passive trail, but consistency can be improved by not locating any structures with open space areas.
 - The proposed Site Plan is consistent with Policy 10.3.4 because it prohibits access to the more sensitive areas of the MPOS in order to preserve the natural wildlife habitat and maintain watershed and drainage functions.
 - The proposed Site Plan is generally consistent with Policy 11.3.1 because although a large amount of open space on the east side preserves the natural characteristics of the subject site, and the proposed project is similar to the bordering residential subdivisions. The project does not propose to preserve any of the area occupied by the existing mature trees. An evaluation of the health of these trees by the City Forester would provide the applicant guidance on how to treat them.
 - The proposed Site Plan is generally consistent with Policy 11.3.2 because it retains the view fencing and incorporates an open space buffer.
8. The applicant notified neighborhood associations and property owners as required.
9. Staff received multiple letters, comments, reviews, and reports in opposition to the development. Staff did not receive any comments in support.

Recommendation

APPROVAL of Project #: 2018-001402, SI #: 2018-00171, a request for Site Plan-EPC, based on the preceding Findings and subject to the following Conditions of Approval.

Conditions of Approval

Project #: 2018-001402, Re-Zone #: 2018-00171, Major Amendment to the xx Master Development Plan

1. The applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met and then submit a vetted, final version to the staff planner for filing at the Planning Department.
2. The applicant shall obtain an evaluation by the City Forester of the health of the existing stand of trees located north of the Namaste cul-de-sac to provide guidance on how to treat them as part of the Cultural landscape and a sensitive area, including possible preservation and incorporation into the Site Plan (ABC Comp Plan Policies 7.3.1, 11.3.1). If the trees are healthy, then they shall be preserved as part of the site's on-site, common open space (IDO Section 14-16-5-2(C)(1)(i)).
3. The Site Plan shall eliminate turf in all on-site common open space and shall retain the sense of the natural features and vegetation, including reconstruction and revegetation to a natural setting to the maximum extent practicable (ABC Comp Plan Policy 10.1.4 and IDO Sections 14-16-5-2(H)(2)(a)1 and 14-16-3-4(C)(5)(b)).
4. The Site Plan shall note any Variance – DRB that has been granted/approved for IDO Section 14-16-5-3(E)(2)(a) on the Site Plan.
5. The Site Plan shall clearly note the setbacks and building envelopes for all cluster lots, including R-A zone district setbacks at the perimeter of each cluster per IDO Section 14-16-4-3(B)(2)(b)
6. The Site Plan shall ensure that all on-site, common open space areas are partially visible from a public right-of-way per IDO Section 14-16-4-3(B)(2)(d)3.
7. The Site Plan shall remove all references to structures from the on-site, common open space areas unless they can be shown necessary for operation and maintenance per IDO Section 14-16-4-3(B)(2)(d)4.
8. The Site Plan shall clearly note how the maintenance of each on-site, common open space(s) for each cluster will be the responsibility of each group of corresponding cluster lots per IDO Sections 14-16-4-3(B)(2)e and f.
9. The Site Plan shall locate all on-site open space to be contiguous with the Major Public Open Space, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department (IDO Section 14-16-5-2(H)(2)(a)2).
10. The applicant shall show evidence of contact and guidance from the USACE regarding the presence of flood waters and/or Waters of the US on the subject site.
11. This Site Plan shall be submitted to and approved by the DRB for the below technical issues/requirements:

A. Hydrology Section

- An approved Grading and Drainage Plan & Drainage Report is required prior to approval of Preliminary Plat or Site Plan. A separate submittal is required to hydrology to include sufficient engineering analysis and calculations to determine the feasibility and adequacy of the proposed improvements.
- All floodplains need to be shown on the plat and site plan.
- LOMR will be required to remove the floodplain from the lots that have the floodplain.
- AMAFCA approval will be required for connection to their Channel and grading adjacent to their right of way.
- USACE approval will be required for any fill proposed in Waters of the US.
- An infrastructure list will be needed for Preliminary Plat.
- A recorded IIA is required prior to Final Plat.
- A prudent setback from the Rio Grande is recommended because the slope on City Open Space is not stable and subject to lateral migration of the river. The City has no plans to stabilize the slope and does not want to be burdened with the cost of such improvements. Bank Protection may be constructed to prevent lateral migration of the river, and erosion of the slope.

B. Transportation Development Services

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB)
- Infrastructure and/or ROW dedications may be required at DRB.
- All work within the public ROW must be constructed under a COA Work Order.
- The following comments need to be addressed prior to DRB:
- Show the clear sight triangle and add the following note to the plan: “Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees, and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in the clear sight triangle.

C. MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

- Per the 2040 Long Range Bikeway System Map there is a bicycle route proposed along Namaste Road and at La Bienvenida Pl. adjacent the west side of subject property.

D. SOLID WASTE MANAGEMENT DEPARTMENT

- Need site plan to (1:40) scale, with dimensions, to verify safe refuse truck access/exit. The circumference of the cul-de-sac next to RA 16/17, will need to be redesigned to allow complete/continuous turnaround for refuse truck. Clarify “Public Lift Station” noted inside cul-de-sac, noted on Pg. #4.

E. ABC WATER UTILITY AUTHORITY (ABCWUA)

- From the information provided it is understood that a section of the site intends to utilize a public force main to provide sanitary sewer service to the east portion of the development.
- Every opportunity should be utilized to minimize the use of public force main.
- Once development is desired obtain an Availability Statement for the new developments. Requests can be made at the link below:
- http://www.abcwua.org/Availability_Statements.aspx
- Request shall include a zone map showing the site location, as well as a site plan indicating finish floor elevations.
- It should be noted that there is an existing ten inch collector line transecting the development.
- This line is not to be abandoned.
- If relocation of this line is required for the development to take place the capacity shall be maintained or improved.

F. Albuquerque Metropolitan Arroyo Flood Control (AMAFCA)

- Identify the AMAFCA Easement, filed for public record in Bernalillo County, NM on October 17, 1996 as Document No. 96114620, on the Site Plan for subdivision and Grading & Drainage Plan including the Storm Water Holding and Sediment Trapping Pond, Riprap bank stabilization, and grade control structure.

G. PUBLIC SERVICE COMPANY OF NEW MEXICO

- An existing underground distribution line is located on the subject property to the existing structure to be removed. It is the applicant's obligation to abide by any conditions or terms of these easements.
- It will be necessary for the developer to contact the PNM New Service Delivery Department to coordinate electric service regarding this project. Contact:

Andrew Gurule, PNM Service Center, 4201 Edith Boulevard NE, Albuquerque, NM 87107, Phone: (505) 241-0589

- Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

12. The Site Development Plan shall comply with the General Regulations of the IDO, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

***Cheryl Somerfeldt
Planner***

Notice of Decision cc list:

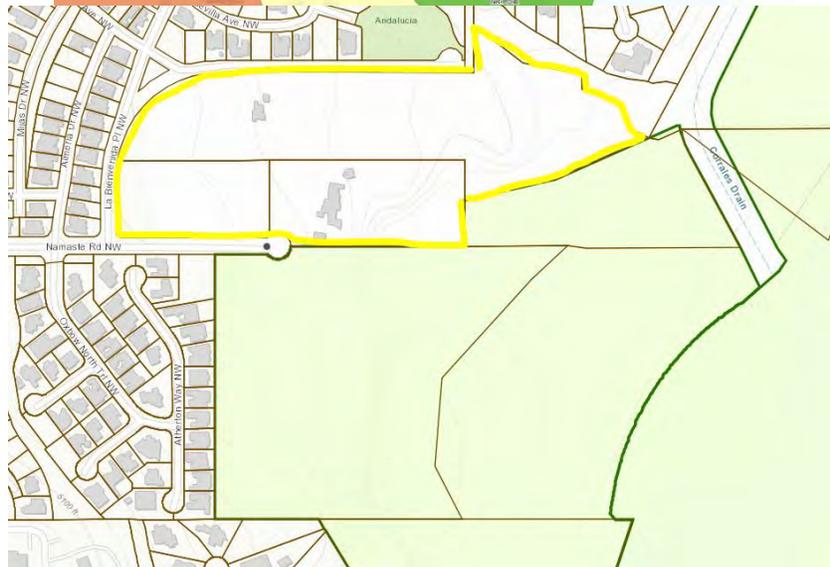
List will be finalized subsequent to the EPC hearing on xxx.

Agency Comments

PLANNING DEPARTMENT

Long Range Planning

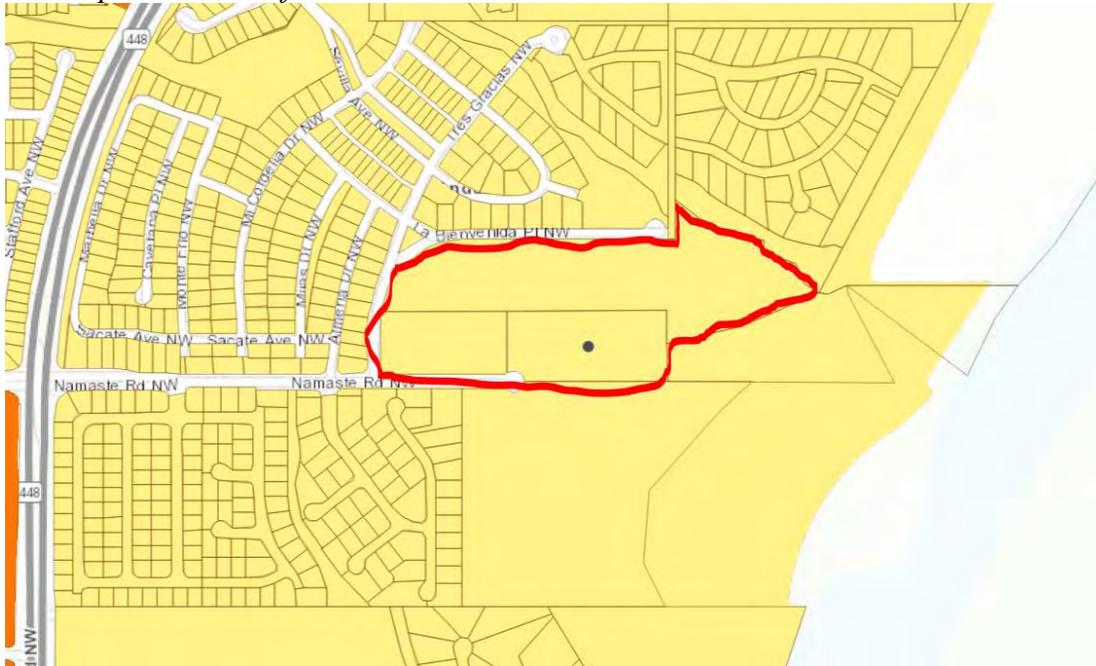
This subject site is approximately 25 acres of R-A surrounded by NR-PO-B (City-owned or City-managed Major Public Open Space) to the east and south and by R-1C and R-1D to the west and north. There are also two smaller properties zoned NR-PO-A and NR-PO-C abutting the northern edge of the site.



The site is located in an Area of Consistency. Single-family residential development is a permissive use in the R-A zone district and is consistent with the surrounding area. A portion of the development will include cluster development in order to preserve open space and provide access to adjacent Major Public Open Space.

ABC Comprehensive Plan 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.

ABC Comprehensive Plan Policy 5.3.4(c) Use cluster development to concentrate buildings on a portion of the site, in particular near floodplains or other natural features, to allow the remaining land to be used for recreation, open space, agriculture, or preservation of sensitive land areas.



The agent has also indicated that the property owner intends to offer portions of the Oxbow to the City as permanent open space.

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

The latest trends show that more people are choosing to live in rural areas, so housing options are needed that can accommodate more people while still respecting and enhancing the rural feel of the area. The developer expects a mix of housing types that will include homes at various price points from average to high. The cluster development portion will provide smaller lot sizes and therefore more affordable compared to the homes that will be built on typical R-A sized lots.

ABC Comprehensive Plan 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.

The Integrated Development Ordinance (IDO) provides several tools to ensure appropriate development near Major Public Open Space and to protect existing character of established neighborhoods and views of the Sandia Mountains.

First, sites 5 acres and greater adjacent to Major Public Open Space must get an

approved site plan from the Environmental Planning Commission (EPC) before any development can occur on the site, including grading. This process ensures that the applicant has met the required standards for site design to minimize negative impacts of development on adjacent Major Public Open Space.

Second, the site is located within the Coors Character Protection Overlay (CPO-2) and Coors View Protection Overlay (VPO-1). The proposed site plan indicates that several proposed residential buildings will be 1-story in order to preserve views. The entire development will need to meet all requirements of CPO-2 and VPO-1.

Third, the IDO establishes considerations for avoiding sensitive lands in site design in Subsection 5-2(c) and design requirements for development adjacent to and within 300 feet of Major Public Open Space in Subsection 5-2(H). The entire development will need to meet all requirements of these Subsections.

The IDO also establishes requirements for access and connectivity. The entire development will need to meet all requirements of Subsection 5-3.

Hydrology

- An approved Grading and Drainage Plan & Drainage Report is required prior to approval of Preliminary Plat or Site Plan. A separate submittal is required to hydrology to include sufficient engineering analysis and calculations to determine the feasibility and adequacy of the proposed improvements.
- All floodplains need to be shown on the plat and site plan.
- LOMR will be required to remove the floodplain from the lots that have the floodplain.
- AMAFCA approval will be required for connection to their Channel and grading adjacent to their right of way.
- USACE approval will be required for any fill proposed in Waters of the US.
- An infrastructure list will be needed for Preliminary Plat.
- A recorded IIA is required prior to Final Plat.
- A prudent setback from the Rio Grande is recommended because the slope on City Open Space is not stable and subject to lateral migration of the river. The City has no plans to stabilize the slope and does not want to be burdened with the cost of such improvements. Bank Protection may be constructed to prevent lateral migration of the river, and erosion of the slope.

Transportation Development Services

- Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB)
- Infrastructure and/or ROW dedications may be required at DRB.
- All work within the public ROW must be constructed under a COA Work Order.
- The following comments need to be addressed prior to DRB:
- Show the clear sight triangle and add the following note to the plan: "Landscaping and signage will not interfere with clear sight requirements. Therefore, signs, walls, trees,

and shrubbery between 3 and 8 feet tall (as measured from the gutter pan) will not be acceptable in the clear sight triangle.

MUNICIPAL DEVELOPMENT DEPARTMENT (DMD) TRANSPORTATION

Per the 2040 Long Range Bikeway System Map there is a bicycle route proposed along Namaste Road and at La Bienvenida Pl. adjacent the west side of subject property.

POLICE DEPARTMENT/PLANNING

Regarding the above referenced EPC case, I respectfully submit the following comments:

- Ensure adequate lighting throughout the project – exterior lighting on the house and any future building(s).
- Ensure natural surveillance and clear lines of sight throughout the project. Natural surveillance requires a space free from natural and physical barrier. Establish a clear line of sight from the house to the street and the street to the house. Also maintain natural surveillance between the house and any future building(s).
- Ensure that landscaping is installed so as not to obstruct windows, doors, or entryways.
- Ensure adequate locking devices on exterior doors (deadbolt lock with a 1” throw) and windows.
- Consider providing anti-lift protection on windows and sliding glass doors.
- Ensure that all exterior doors are of solid-core or metal construction.
- Ensure that addresses are posted and clearly visible.
- Create a clear transition from public to semi-public to semi-private to private space throughout the project.

If you have any questions regarding these CPTED recommendations, please call me at 768-2006. I am also available to do an on-site security survey after the project is complete.

SOLID WASTE MANAGEMENT DEPARTMENT

Need site plan to (1:40) scale, with dimensions, to verify safe refuse truck access/exit. The circumference of the cul-de-sac next to RA 16/17, will need to be redesigned to allow complete/continuous turnaround for refuse truck. Clarify “Public Lift Station” noted inside cul-de-sac, noted on Pg. #4.

TRANSIT DEPARTMENT

Case Number	Brief Description of Request	Transit Corridor?*	Transit Route?	Current Service/Stops	Comments/Support/Requests
Project #2018-001402 SI-2018-00171, a Site Plan	Site Development Plan for a residential cluster development on 22.75 acres at the eastern extremity of Namaste Road	Proximate to the Coors Boulevard Major Transit Corridor	Not on a route	Fixed Route 155 and Commuter Route 96 are served by a stop pair either side of the Namaste Road/ Coors Boulevard intersection, approximately 2500 feet west of the property centroid. This fact is noted on Sheet 1 of the proposed site plan.	No comment

PARKS & RECREATION DEPARTMENT

Parks and Recreation defers to the Open Space Division's comments.

ABC WATER UTILITY AUTHORITY (ABCWUA)

- From the information provided it is understood that a section of the site intends to utilize a public force main to provide sanitary sewer service to the east portion of the development.
 - Every opportunity should be utilized to minimize the use of public force main.
- Once development is desired obtain an Availability Statement for the new developments. Requests can be made at the link below:
 - http://www.abcwua.org/Availability_Statements.aspx
 - Request shall include a zone map showing the site location, as well as a site plan indicating finish floor elevations.
- It should be noted that there is an existing ten inch collector line transecting the development.
 - This line is not to be abandoned.
 - If relocation of this line is required for the development to take place the capacity shall be maintained or improved.

ALBUQUERQUE PUBLIC SCHOOLS

- APS Case Comments: The construction of a residential development, has the potential to directly impact the Albuquerque Public Schools. This residential development will have impacts on Susie Rayos Marmon Elementary School, John Adams Middle School, and West Mesa High School.

- Residential Units: 73
- Est. Elementary School Students: 19
- Est. Middle School Students: 8
- Est. High School Students: 8
- Est. Total # of Students from Project: 35

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

School Capacity

School	2017-2018 40th Day Enrollment	Facility Capacity	Space Available
Susie Rayos Marmon Elementary School	618	660	42
John Adams Middle School	517	650	133
West Mesa High School	1704	1800	96

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL (AMAFCA)

Identify the AMAFCA Easement, filed for public record in Bernalillo County, NM on October 17, 1996 as Document No. 96114620, on the Site Plan for subdivision and Grading & Drainage Plan including the Storm Water Holding and Sediment Trapping Pond, Riprap bank stabilization, and grade control structure.

PUBLIC SERVICE COMPANY OF NEW MEXICO

- An existing underground distribution line is located on the subject property to the existing structure to be removed. It is the applicant's obligation to abide by any conditions or terms of these easements.
- It will be necessary for the developer to contact the PNM New Service Delivery Department to coordinate electric service regarding this project. Contact:
 Andrew Gurule, PNM Service Center, 4201 Edith Boulevard NE, Albuquerque, NM 87107, Phone: (505) 241-0589
- Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.

CITY OF ALBUQUERQUE

Parks and Recreation Department



October 24, 2018

TO: Derek Bohannon, EPC Chairman

FROM: *BG* Brandon Gibson, Associate Director, Acting Open Space Superintendent, Parks and Recreation Dept.

RE: Comments on Proposed "Overlook at Oxbow" Subdivision

The Parks and Recreation Department (PRD) respectfully provides the following comments to the EPC regarding a proposed development adjacent to the San Antonio Oxbow Major Public Open Space (MPOS). The property proposed for development 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; and
- 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

PO Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

General Comments

The Open Space Division (OSD) of the PRD works to acquire and protect the natural character of land designated as Major Public Open Space (MPOS) in the 2017 ABC Comprehensive Plan. The subject property (known as the "Poole property") is adjacent to the San Antonio Oxbow MPOS. The San Antonio Oxbow is an important and sensitive element of the MPOS system that requires careful and thoughtful treatment from adjacent development.

Additional MPOS and/or private open space in the Oxbow area would be beneficial to the public. The Poole property has some high open space values, particularly on the eastern portion of the property. OSD prefers that the entire property remain undeveloped and welcomes a donation of the property, or a significant portion of it, that would enhance the protection of the existing open space and its natural and cultural values.

Development Buffer

Pursuant to Section 14-16-5-2(H)(2)(a), the Integrated Development Ordinance (IDO) requires a single-loaded street adjacent to MPOS; however the IDO also allows for an applicant to substitute an Open Space buffer (with a minimum depth of 20 feet) if approved by the Open Space Superintendent.

If development occurs on the eastern portion of the property, OSD recommends that the developer ensure adequate setback from the steep slope area to the proposed rear yard walls in order to prevent potential erosion caused by proximity to the sandy bluff. OSD also recommends that the City's Hydrology Division closely evaluate the grading and drainage plan and provide conditions which would lessen the potential for erosion issues near and on the San Antonio Oxbow MPOS. Significant erosion is currently an issue along the bluff and the problem will be exacerbated by "developed flows."

After review of the buffer proposal, the OSD staff agrees that if development in this area is to occur, a buffer of 20 feet or more of Open Space rather than a single-loaded street would be strategically and critically advantageous to the environmental health and conservation of the abutting sensitive San Antonio Oxbow MPOS. Leaving native land contiguous with the San Antonio Oxbow will do more to preserve the MPOS than an impervious street directly abutting it, which would add weight to its slopes and edges. An even larger buffer, or leaving as much land undeveloped as possible as a set-back from the bluff, is even more desirable, however.

Based on additional concerns expressed by OSD, the developer has agreed to:

- Coordinate with the OSD to make improvements to the small parking lot and trailhead access at the existing cul-de-sac terminus of Namaste Road, and donate appropriate lands associated with the parking lot/trailhead to OSD. The developer should also ensure that storm water and other drainage will not erode the San Antonio Oxbow MPOS embankments from this area of Namaste Road.
- Maintain a wall between the houses and Open Space, and include a note on the site plan and a restriction in the CC&R stating that direct any private access to the MPOS from rear or side yards is prohibited in perpetuity.

The developer has also offered a land dedication of approximately 2.8 acres (a narrow strip running along the southern, eastern, and northern edge of the Poole property) that is adjacent to the MPOS. This proposed donation, while adding to the MPOS, is of minimal value in terms of improving the habitat or recreational qualities of the existing open space reserve. OSD will consider accepting the proffered donation (and/or additional land) only if a satisfactory erosion mitigation plan is developed and the City and OSD are not held responsible for mitigating any future erosion issues that may result from development near the bluff. OSD believes that a much larger portion of the Poole property, however, should remain undeveloped as public and/or private open space.

The IDO requires that Site Plan – EPC applications be consistent with the ABC Comp Plan (14-16-6-6(H)(3)(a)). Applicable Goals and Policies that need to be addressed by this submittal and some initial PRD issues and comments include:

Goal 10.1 Facilities and Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

PRD wants the best buffer/transition possible from the proposed development to the San Antonio Oxbow MPOS to ensure responsible use and preservation of this natural resource. Landscape treatment within the development should be as naturalized as possible and use native species to prevent any incursion of invasive and non-native species into the MPOS.

Policy 10.1.1 Distribution: Improve the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems within the built environment.

If land is dedicated to MPOS, the Open Space Division would be interested in the Namaste cul-de-sac for further development of the San Antonio Oxbow trailhead, but would need further coordination with the developer, per acceptable design and conditions.

Policy 10.1.4 Water Conservation: Employ low-water use and reclamation strategies to conserve water.

PRD strongly recommends the use of native vegetation throughout the proposed development, especially near and adjacent to the MPOS. The San Antonio Arroyo drains directly into the Oxbow, which serves unique ecological and drainage purposes that require unique protections and treatments on adjacent properties that drain into it.

Both surface and groundwater on the Poole property contribute to the water quantity and water quality entering the San Antonio Oxbow MPOS. Percolating groundwater through the property that enters the river aquifer is released slowly and is cleaned during its migration. Any development on the property should emphasize protection of groundwater infiltration by mandated use of permeable surfaces.

Goal 10.3 Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

The Open Space Division works to acquire and protect the natural character of land designated as MPOS in the 2017 ABC Comprehensive Plan. The San Antonio Oxbow is an important element of the MPOS system that requires careful and thoughtful treatment from adjacent development. The IDO's new requirements and standards for development near sensitive lands (14-16-5-2) provide some basic measures to implement, but special care shall be applied to development next to the Oxbow because it serves as prime riparian habitat for waterfowl, aquatic mammals, amphibians and fish species.

The Open Space Division requests that the development design consolidate all private open space into one cohesive unit. The Open Space Division requests that the developer widen any buffer adjacent to the MPOS by donating land and/or designing private open space on the eastern end of the property, closer to the bluff and edges of the San Antonio Oxbow MPOS. OSD believes this will further the standards for development near

sensitive lands per 14-16-5-2 of the IDO. Therefore, any private open space and any donated land to the City as Major Public Open Space would be contiguous.

Policy 10.3.1 Open Space Acquisition: Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.

The San Antonio Oxbow was acquired by the City in 1999 in two separate real property transactions resulting in a total acquisition of 58.9 acres. In 2006 the trailhead, trail, and wooden fencing was developed by the OSD with the intention to allow the public to overlook this important part of the Rio Grande State Park (river bosque). Additional MPOS additional buffer land in the form of public (donated) or private common open space adjacent to the existing MPOS is desirable if it adds appreciably to the habitat and environmental qualities of the MPOS.

Policy 10.3.2 Preservation: Identity and manage sensitive lands within the Open Space network to protect their ecological function.

The San Antonio Oxbow MPOS is one of the most significant and fragile components of the City's open space network, and key protected habitat along the Rio Grande. Significant local and federal funds have been invested in the Oxbow project to protect and enhance the area's ecological values and functions.

The eastern portion of the Poole property, in particular, sits on the bluff adjacent to valuable and sensitive bosque habitat. Development in this area will negatively affect wildlife habitat, especially for birds, small, mammals and reptiles. Any public or private common open space should be consolidated into a single large area, with the priority being the eastern end of the Poole property adjacent to the MPOS, and should remain in a natural state with only native species to prevent any incursion of invasive and non-native species into the MPOS. Development, in the form of structures and buildings, should be located as far away as possible from the MPOS and any adjacent slopes to provide buffer to the wildlife habitat below the bluff and to prevent erosion and subsidence of the land above the MPOS.

Policy 10.3.3 Use: Provide low-impact recreational and educational opportunities consistent with the carrying capacity of the Open Space resources.

Due to the sensitivity of the San Antonio Oxbow and the habitat it creates for a variety of flora and fauna, the Oxbow is closed to the public. In order to provide opportunities to the public to see the Oxbow without disturbing it, the trailhead, trail, and wooden fencing was installed by OSD to allow a "bird's eye view" of the oxbow from the top of the bluff just south of the terminus of Namaste Road. In addition, an OSD trail runs below the bluff to the northern edge of the Oxbow, where it terminates. No additional access will be allowed due to the Oxbow's sensitivity and the development must accommodate this request.

Policy 10.3.4 Bosque and Rio Grande: Carefully design access to the Rio Grande, the Bosque, and surrounding river lands to provide entry to those portions suitable for recreational, scientific, and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions.

There shall be no access to the San Antonio Oxbow MPOS directly from the proposed development. Any private common open space in the proposed development should be consolidated into a single large area and remain in a natural state with only native species to prevent any incursion of invasive and non-native species into the MPOS. Development, in the form of structures and buildings, should be located as far away as possible from the MPOS and any adjacent slopes to provide buffer to the wildlife habitat below the bluff and to prevent erosion and subsidence of the land above the MPOS.

Goal 10.4 Coordination: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.

Policy 10.4.2 System Planning: Coordinate among departments and across jurisdictional boundaries to plan interconnected networks, manage natural resources, leverage public investment, eliminate gaps in service, and avoid duplication of effort.

Policy 10.4.4 Arroyos and Drainage: Work with MRGCD and AMAFCA to protect arroyos, drains, and acequias as part of Community Green Space.

The San Antonio Oxbow MPOS area serves as riparian habitat, drainage, and a passive recreation viewing area. This requires coordination between the City's Open Space Division (MPOS), the Bureau of Reclamation, New Mexico State Parks (Rio Grande State Park), Army Corps of Engineers, MRGCD and AMAFCA. Development on the site application above the Oxbow shall minimize any impacts on these coordinated functions shared by multiple jurisdictions.

Goal 11.3 Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.

Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

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

The San Antonio Oxbow and the San Antonio Arroyo represent and reflect the identity of the West Side, the Rio Grande Bosque, its residents, and the surrounding areas. Special care should be taken in the design of any adjacent development to protect this sensitive, cultural landscape (see public/private common open space area comments from above).

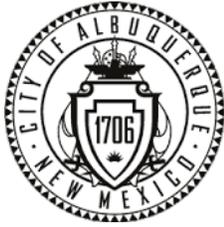
Policy 11.3.3 Bosque: Regulate development on adjacent lands to preserve and enhance the Bosque as an important cultural landscape that contributes to the history and distinct identity of the region, as well as nearby neighborhoods.

The Parks and Recreation Department, Open Space Division appreciates this opportunity to provide comments and suggestions to the EPC in the review and decision-making process for this proposed development adjacent to the sensitive lands of the San Antonio Oxbow MPOS. My staff and I are available to provide clarifications and to answer any questions you may have.



Brandon Gibson
Associate Director/Acting Open Space Superintendent
Parks and Recreation Department

cc: David Simon, Director, Parks and Recreation Department
David Campbell, Director, Planning Department
James Lewis, Assistant Superintendent, Open Space Division
Christina Sandoval, Principal Planner, Parks and Recreation Dept.
Russell Brito, Planner Manager, Planning Department



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: 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:

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

MEMORANDUM

DATE: November 1, 2018
TO: Mr. Russell Brito
FROM: Ethan Kalosky
SUBJECT: Poole Property at 5001 Namaste Northwest

Mr. Brito,

On May 15, 2013 SWCA Environmental Consultants conducted an intensive, 100-percent pedestrian archaeological survey of the 23-acre Poole property located at 5001 Namaste Road Northwest. The survey was conducted on behalf of Caldwell Banker Legacy, which was representing the private sale of the land. No archaeological remains were identified during this survey. Below, I have attached a copy of SWCA's negative finding survey report.

On September 13, 2018, I conducted a site visit to the property to assess its condition. Given that SWCA's survey was conducted only five years ago, and the land did not appear to have been altered since that time, it was not necessary to conduct a full re-survey of the property. Several structures are present on the land, the oldest of which was built in 1960. The City of Albuquerque Archaeological Ordinance states "No item shall be treated as an archaeological resource unless such item is at least seventy-five (75) years old" (Ref O-07-72 Section 2 – ARCHAEOLOGICAL RESOURCE). As a result, the structures do not qualify as archaeological resources under the City's Archaeological Ordinance. Based on SWCA's 2013 survey and my recent reassessment, it is unlikely that archaeological resources are present on the Poole property. However, it is recommended that the City adhere to SWCA's recommendation, which states that "if any subsurface deposits are encountered during construction, all construction activities are to cease until archaeological professionals clear the area for resumed work."

If you require additional information or clarification, please do not hesitate to contact me.

Sincerely,



Ethan Kalosky
Acting City Archaeologist
Parametrix 505.998.5575
ekalosky@parametrix.com

NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRIS Activity No.: 127571	2a. Lead (Sponsoring) Agency: City of Albuquerque	2b. Other Permitting Agency(ies): N/A	3. Lead Agency Report No.: N/A												
4. Title of Report: A Cultural Resources Investigation of 22.69 Acres For Proposed Land Development, Bernalillo County, New Mexico Author(s): Ryan Brucker		5. Type of Report <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Positive													
6. Investigation Type <input type="checkbox"/> Research Design <input checked="" type="checkbox"/> Survey/Inventory <input type="checkbox"/> Test Excavation <input type="checkbox"/> Excavation <input type="checkbox"/> Collections/Non-Field Study <input type="checkbox"/> Overview/Lit Review <input type="checkbox"/> Monitoring <input type="checkbox"/> Ethnographic study <input type="checkbox"/> Site specific visit <input type="checkbox"/> Other															
7. Description of Undertaking (what does the project entail?): Coldwell Banker Legacy is representing private entities negotiating the sale of private land in plans for future land development. The private land is located in west Albuquerque at the east extent of Namaste Road bordering the Rio Grande Bosque. In preparation for this project, SWCA Environmental Consultants was retained to complete a pedestrian survey of the area of potential effects (APE) for the proposed private land development of 17.69 acres with 5 acres occupied by an existing home, which will not be impacted, for a total of 22.69 acres (9.18 ha) surveyed.		8. Dates of Investigation: May 15, 2013 9. Report Date: May 20, 2013													
10. Performing Agency/Consultant: SWCA Environmental Consultants Principal Investigator: Thomas Barrett Project Manager: Thomas Barrett Field Supervisor: Ryan Brucker Field Personnel Names: Ryan Brucker		11. Performing Agency/Consultant Report No.: SWCA Report No. 2013-182 12. Applicable Cultural Resource Permit No(s): NM State Survey Permit: NM-13-055-S													
13. Client/Customer (project proponent): Coldwell Banker Legacy Contact: Peter Parnegg Address: 500 Unser Blvd. SE, Ste. 101, Rio Rancho, NM 87124 Phone: (505) 892.1000		14. Client/Customer Project No.: SWCA Project No. 26406													
15. Land Ownership Status (<i>Must be indicated on project map</i>): <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Landowner</th> <th style="text-align: center;">Acres in APE</th> <th style="text-align: center;">Acres in Buffer</th> <th style="text-align: center;">Total Acres Surveyed</th> </tr> </thead> <tbody> <tr> <td>Private</td> <td style="text-align: center;">17.69</td> <td style="text-align: center;">5</td> <td style="text-align: center;">22.69</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">17.69</td> <td style="text-align: center;">5</td> <td style="text-align: center;">22.69</td> </tr> </tbody> </table>				Landowner	Acres in APE	Acres in Buffer	Total Acres Surveyed	Private	17.69	5	22.69	Total	17.69	5	22.69
Landowner	Acres in APE	Acres in Buffer	Total Acres Surveyed												
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16. Records Search(es): <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 40%;">Date(s) of ARMS File Review: May 14, 2013</td> <td style="width: 30%;">Name of Reviewer(s): Ryan Brucker</td> <td style="width: 30%;"></td> </tr> <tr> <td>Date(s) of NR/SR File Review: May 14, 2013</td> <td>Name of Reviewer(s): Ryan Brucker</td> <td></td> </tr> <tr> <td>Date(s) of Other Agency File Review: N/A</td> <td>Name of Reviewer(s):</td> <td>Agency:</td> </tr> <tr> <td>Date(s) of Other Agency File Review: N/A</td> <td>Name of Reviewer(s):</td> <td>Agency:</td> </tr> </table>				Date(s) of ARMS File Review: May 14, 2013	Name of Reviewer(s): Ryan Brucker		Date(s) of NR/SR File Review: May 14, 2013	Name of Reviewer(s): Ryan Brucker		Date(s) of Other Agency File Review: N/A	Name of Reviewer(s):	Agency:	Date(s) of Other Agency File Review: N/A	Name of Reviewer(s):	Agency:
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Date(s) of Other Agency File Review: N/A	Name of Reviewer(s):	Agency:													
Date(s) of Other Agency File Review: N/A	Name of Reviewer(s):	Agency:													
17. Survey Data: a. Source Graphics <input type="checkbox"/> NAD 27 <input checked="" type="checkbox"/> NAD 83 <input checked="" type="checkbox"/> USGS 7.5' (1:24,000) topo map <input type="checkbox"/> Other topo map, Scale: <input checked="" type="checkbox"/> GPS Unit Accuracy <input checked="" type="checkbox"/> <1.0m <input type="checkbox"/> 1-10m <input type="checkbox"/> 10-100m <input type="checkbox"/> >100m <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">USGS 7.5' Topographic Map Name</td> <td style="width: 50%;">USGS Quad Code</td> </tr> <tr> <td style="border: 1px solid black;">Los Griegos</td> <td style="border: 1px solid black;">35106-B6</td> </tr> </table> c. County(ies): Bernalillo				USGS 7.5' Topographic Map Name	USGS Quad Code	Los Griegos	35106-B6								
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Los Griegos	35106-B6														

17. Survey Data (continued):**d. Nearest City or Town:** Albuquerque**e. Legal Description:** T11N, R02E, Section 35 – NE¼, NE¼, SE¼
NW¼, NE¼, SE¼
SW¼, NE¼, SE¼
SE¼, NE¼, SE¼
T11 N, R02E, Section 36 – NW¼, NW¼, SW¼
SW¼, NW¼, SW¼**Projected legal description?** Yes , No **Unplatted** **f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.):** A 22.69-acre survey was conducted of the privately owned parcel of land adjacent to the eastern extent of Namaste Road in West Albuquerque. Centroid for the survey area is given in the table below (NAD 83, Zone 13):

Location	Proposed Construction Activities	Easting	Northing
The City of Albuquerque	Proposed Private Land Development	345699 Zone 13	3889413 Zone 13

18. Survey Field Methods:**Intensity:** 100% coverage <100% coverage**Configuration:** block survey units linear survey units (l x w): other survey units (specify):**Scope:** non-selective (all sites recorded) selective/thematic (selected sites recorded)**Coverage Method:** systematic pedestrian coverage other method (describe)**Survey Interval (m):** 15 **Crew Size:** 1 **Fieldwork Dates:** May 15, 2013**Survey Person Hours:** 3 **Recording Person Hours:** 0 **Total Hours:** 3 (excludes travel)**Additional Narrative:** N/A**19. Environmental Setting (NRCS soil designation, vegetative community, elevation, etc.):**

The project area is located within the western city limit of Albuquerque and abuts the western Rio Grande River and bosque. The elevation of the project area is 1,522–1,539 m (4,993–5,049 feet). The climate for this area, based on the climatic records for Albuquerque WSFO Airport, New Mexico (290234), has an average annual maximum temperature of 21.06°C (69.9°F), with an average annual minimum temperature of 6.28°C (43.3°F). The average annual precipitation is 21.97 cm (8.65 inches) with the majority occurring between July and October, while the average annual total snowfall is 24.38 cm (9.6 inches) which occurs between October and April. The period of record is 01/01/1914 to 03/31/2013 (Western Regional Climate Center 2013).

The geology of the area is alluvium; This formation dates to the upper and middle Quaternary period of the Cenozoic era, within the Phanerozoic eon. The primary rock type found in this formation is alluvium (U.S. Geological Survey 2013). There are four groups of soil types within the project area: Glendale clay loam, Harkey loam, Anapra clay loam, and Glendale loam. All of these soils occur within river valleys with elevations between 1,250 and 1,524 m (4,100–5,000 feet) and have a frost-free period of 180 to 220 days. Glendale clay loam is a well-drained mixed alluvium with slopes ranging from 0 to 1 percent. The soil is found in the tal of floodplains and has a typical profile of clay loam to silty clay loam, 0 to 152 cm (0–60 inches). Harkey loam is a well-drained mixed alluvium with slopes ranging from 0 to 1 percent. The soil is found in the tal of floodplains and has a typical profile of loam to silt loam, 0 to 152 cm (0–60 inches). Anapra clay loam is a well-drained mixed alluvium with slopes ranging from 0 to 1 percent. The soil is found in the tal of floodplains with a typical profile of clay loam to stratified sand to loamy sand, 0 to 152 cm (0–60 inches). Glendale loam is a well-drained mixed alluvium with slopes ranging from 0 to 1 percent. The soil is found in the tal of floodplains with a typical profile of loam to silt loam, 0 to 152 cm (0–60 inches) (Natural Resources Conservation Service 2013).

Flora is somewhat typical for the Rio Grande Floodplain of the Arizona/New Mexico Plateau. It is a terraced scrubland located adjacent to the bosque with non-native species of Austrian pine and Bermudagrass mixed with fourwing saltbush, sage, cottonwood, mormon tea, snakeweed, and gramma grasses (Griffith et al. 2006). Observed fauna included such birds as gambel quail, morning dove, rock dove, crow, and house finch, and mammals such as grey squirrel with coyote, raccoon, and cottontail rabbit noted by scat and track evidence.

References:

Griffith, G.E., J.M. Omernik, M.M. McGraw, G.Z. Jacobi, C.M. Canavan, T.S. Schrader, D. Mercer, R. Hill, and B.C. Moran 2006. Ecoregions of New Mexico (color poster with map, descriptive text, summary tables, and photographs). U.S. Geological Survey, Reston, Virginia. Map scale 1:1,400,000.

Natural Resource Conservation Service 2013 Web Soil Survey. Available at: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed May 17, 2013. U.S. Geological Survey

2013 Mineral Resources On-Line Spatial Data. Available at: <http://tin.er.usgs.gov/geology/state/sgmc-unit.php?unit=NMQa;0>. Accessed May 17, 2013.

Western Regional Climate Center

2013 New Mexico Climate Summaries. Available at: <http://www.wrcc.dri.edu/cgi-bin/cliMAIN.pl?nm0234>. Accessed May 17, 2013.

a. Percent Ground Visibility: 75% b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Previous construction, dirt two-track road and vegetation clearing disturbances.

21. CULTURAL RESOURCE FINDINGS Yes, See Page 3 No, Discuss Why:

As the project area was small (22.69 acres [9.18 ha]), with 5 of the 22 acres containing an existing occupied property that will not be impacted by the proposed land development, this limited the probability of any findings. However, it is also located along the first terrace above the Rio Grande and its floodplain, making a higher likelihood of occupation. There are nearby large habitation sites, indicating that though this landform is an ideal settlement area other nearby locations were selected over this particular land plot. Previous construction, landform alteration, vegetation clearing, erosion and sedimentation have impacted the landform. As such, any cultural remains in these locations would likely have been destroyed or buried by these ongoing processes.

22. Required Attachments (check all appropriate boxes):

- USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn
- Copy of NMCRIS Mapserver Map Check
- LA Site Forms - new sites (*with sketch map & topographic map*)
- LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*)
- Historic Cultural Property Inventory Forms
- List and Description of isolates, if applicable
- List and Description of Collections, if applicable

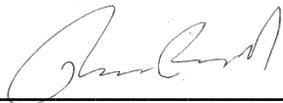
23. Other Attachments:

- Photographs and Log
- Other Attachments

(Describe): A
Representative photos of the project area and Isolated Occurrence photo.

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Thomas Barrett

Signature 

Date: May 16, 2013 Title (if not PI):

25. Reviewing Agency:

Reviewer's Name/Date:

Accepted () Rejected ()

Tribal Consultation (if applicable): Yes No

25. Reviewing Agency:

Reviewer's Name/Date:

Accepted () Rejected ()

Tribal Consultation (if applicable): Yes No

CULTURAL RESOURCE FINDINGS

[fill in appropriate section(s)]

1. NMCRIS Activity No.: 127571	2. Lead (Sponsoring) Agency: City of Albuquerque	3. Lead Agency Report No.: N/A
<p>SURVEY RESULTS:</p> <p>Sites discovered and registered: 0 Sites discovered and NOT registered: 0 Previously recorded sites revisited (<i>site update form required</i>): 0 Previously recorded sites not relocated (<i>site update form required</i>): 0 TOTAL SITES VISITED: 0 Total isolates recorded: 1 Non-selective isolate recording? <input checked="" type="checkbox"/> Total structures recorded (<i>new and previously recorded, including acequias</i>): 0</p> <p>MANAGEMENT SUMMARY:</p> <p>It is recommended that work on the proposed land development proceed—no further management of this project area is recommended. However, if any subsurface cultural deposits are encountered during construction all construction activities are to cease until archaeological professionals clear the area for resumed work.</p> <p style="text-align: center;"><u>IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.</u></p>		



Figure 1. Project vicinity map.

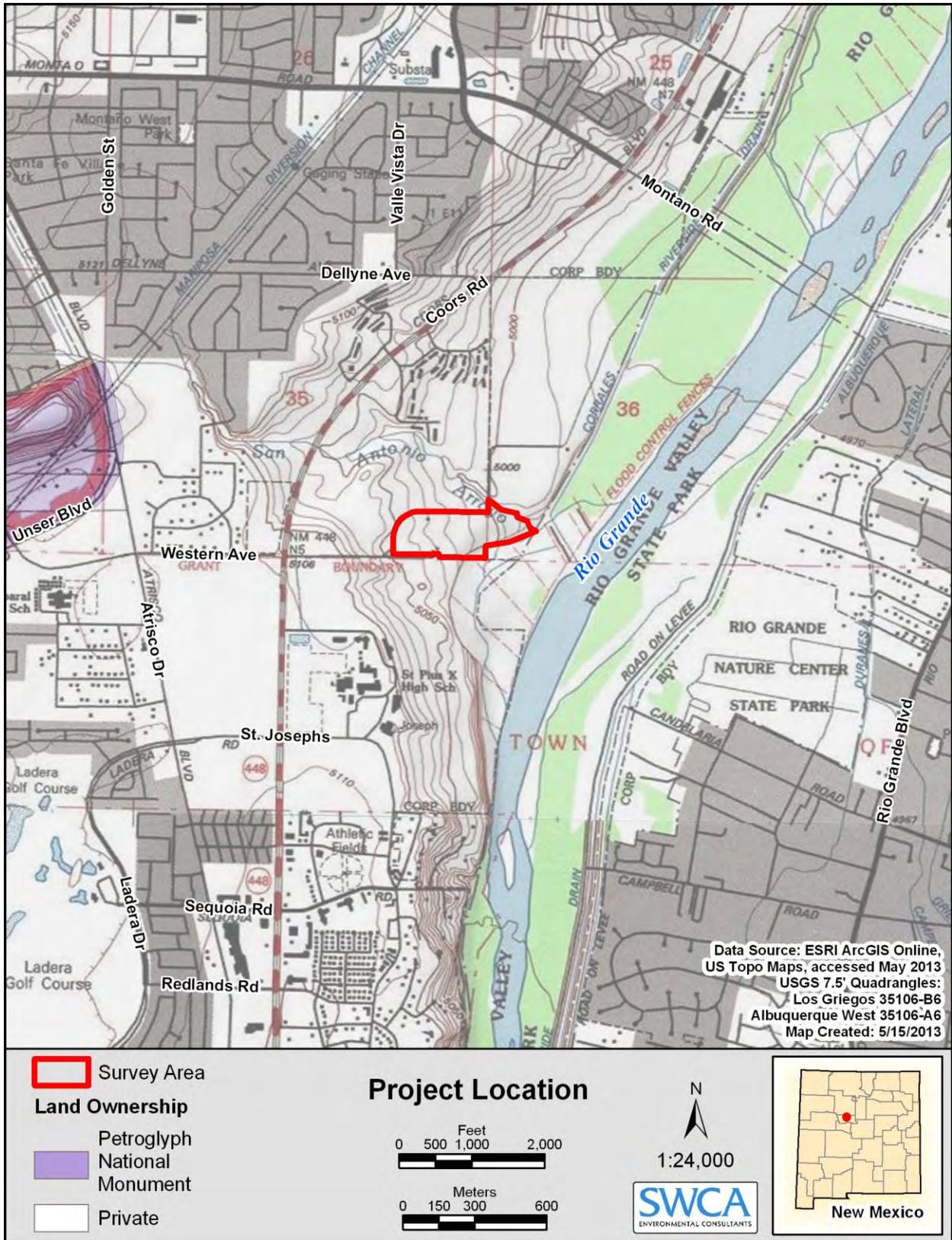


Figure 2. Project location map.

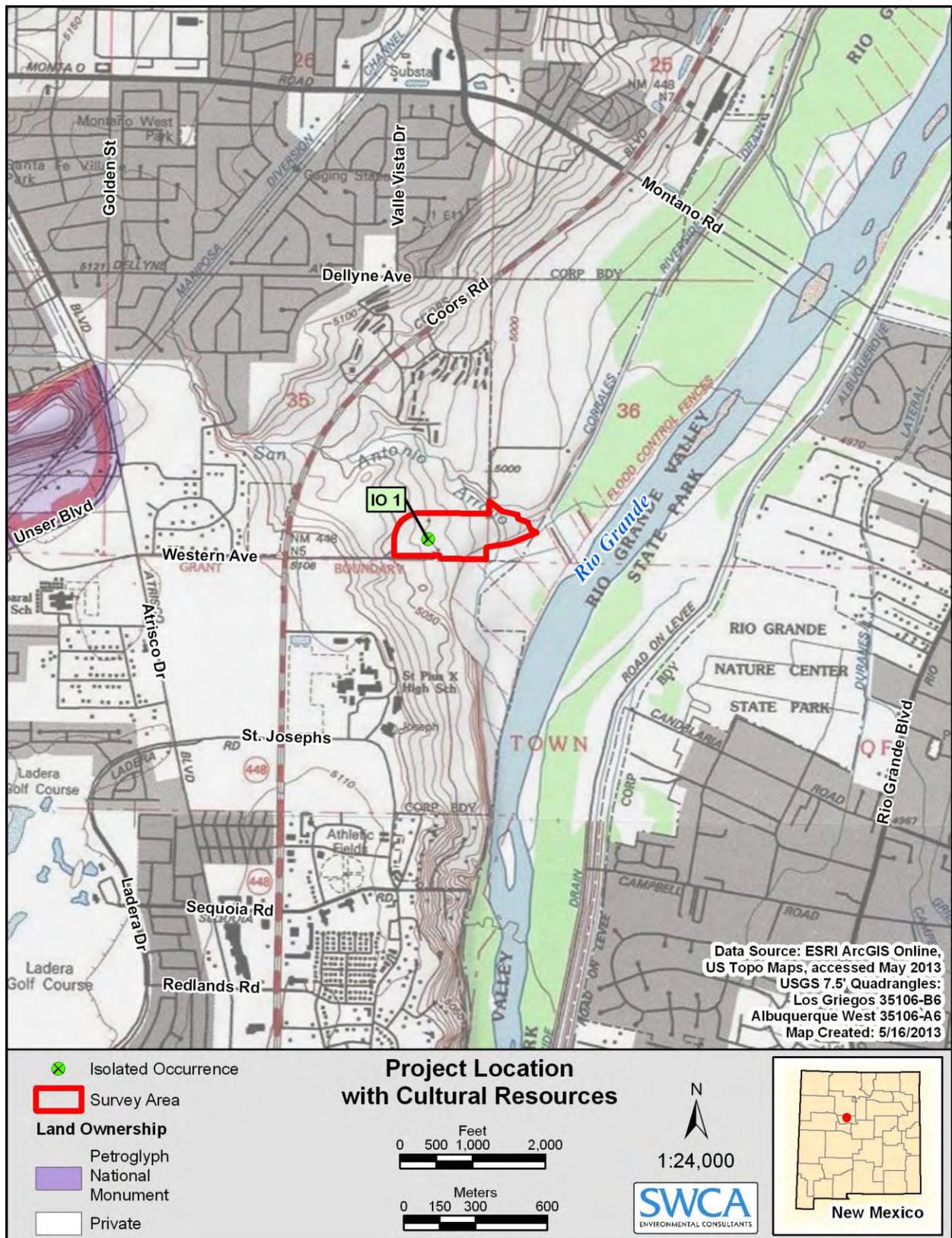


Figure 3. Project location map with cultural resources.

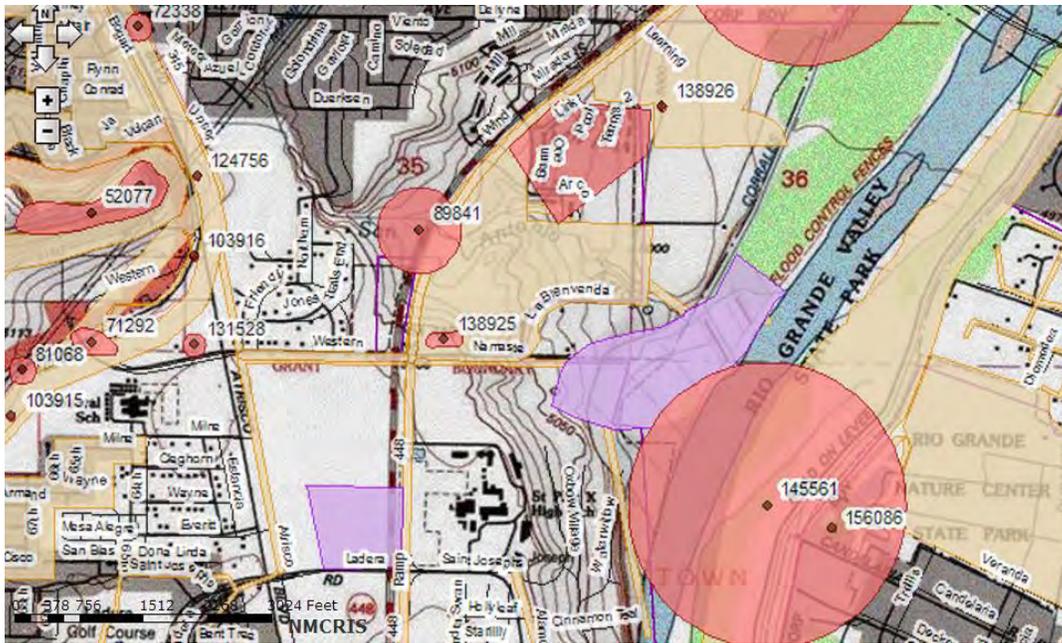


Figure 3. RMS screenshot of previous investigations and sites within 500 m (1,640 feet) of the project area.

Table 1. Surveys within 500 m (1,640 feet) of Project Area

NMCRIS Number	Performing Agency	End Date of Investigation	Acres Surveyed	Number of Sites Visited
40026	Archaeological Svcs. by Laura Michalik	11-Apr-1992	264.24	6
42556	U.S. Bureau of Reclamation, Albuquerque Area Office ALB-158	31-Aug-1985	Not Entered	1
57209	Quivira Research Center/Associates	30-Jun-1997	10.10	0
113563	Ecosystem Management Inc.	21-Apr-2009	7.37	0

Table 2. Archaeological Sites within 500 m (1,640 feet) of Project Area

LA No.	Structural / Non-structural	Occupation Type	Maximum Length (m)
LA 49001	Structural: Hearths	Prehistoric	1,800
LA 120610	Structural: Features	Prehistoric and Historic	1,110



Figure 4. Project area overview, facing northwest.



City of Albuquerque

Planning Department

Timothy M. Keller, Mayor

Interoffice Memorandum

October 24, 2018

To: Derek Bohannon, Chair, Environmental Planning Commission

From: David S. Campbell, Director, Planning Department 

Subject: POOLE PROPERTY (OXBOW POINTE) COMMENTS FROM PLANNING DIRECTOR

As Planning Director, I would like to offer the following comments to the EPC regarding a proposed development known as the Poole Property or Oxbow Pointe, on lands 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; and
- 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

If offered, the City would certainly accept a donation of the Poole Property to complement the City's open space holdings. The area proposed for development is uniquely situated adjacent to City-owned Major Public Open Space (MPOS). As such, the IDO requires special treatment, including review before the Environmental Planning Commission (EPC).

Please pay close attention to the comments from the Open Space Division of the Parks and Recreation Department. Because of the location of this proposed development and its adjacency to MPOS, there are special considerations that Parks & Recreation believes should be made with respect to public access, construction of internal roadways, buffering of land uses, and preservation of view corridors from the development and public open space. As Planning Department Director, I agree with the articulated concerns of Parks & Rec. These comments expound upon the brand new protections for MPOS contained in the Integrated Development Ordinance (IDO) under 5-2, Site Design and Sensitive Lands.

Because this Site Plan application could lead to subdivision of land, the development standards specific to Access and Connectivity (5-3) and Subdivision of Land (5-4), which are usually applied at the Development Review Board (DRB), will factor into your review of this Site Plan application.

Further, the IDO requires that Site Plan – EPC applications be “consistent with the ABC Comp Plan, as amended” per 6-6(H)(3), the review and decision criteria.

As such, I would respectfully request the EPC make special note of the unique aspects of this property and the importance of its adjacency to MPOS. In your review of the application, I would ask that you consider the proposed design and intensity of the development and its appropriateness when principles of proper land use planning and the City’s IDO call for buffering of land uses adjacent to major public open space. I would also ask that the EPC consider all other applicable Comprehensive Plan policies, without financial impact on the City, to include, but not be limited to, imposition of a conservation easement or other means of open space protection.

This EPC review of development adjacent to MPOS is especially significant because it the very first to apply the updated Comprehensive Plan’s Goals and policies and the IDO’s new requirements and protections. Your review and action will reflect the City’s policy and regulatory intents to protect these special places that are the result of years of planning and millions of dollars of taxpayer investments. Your attention to this matter is appreciated.



October 29, 2018

Cheryl Somerfeldt
Planner
City of Albuquerque
Albuquerque, NM 87102

Re: Poole Estate, Project # 2018-001402

Dear Ms. Somerfeldt:

As part of the archaeological certificate of appropriateness for development of the Poole Estate at 5001 Namaste Rd, documentation of the site's architecture was required. The site visit and subsequent drawings and photographs do not constitute HABS level drawings, which will require a more detailed documentation.

Should the USACE determine that a federal review or permit be required for the proposed development, that would trigger Section 106 of the NHPA resulting in additional review by the state Historic Preservation Office. Their review might require additional mitigation of the property.

This document presents an assessment of the architectural and historic significance of the fabric of the principle residence on the Poole Estate. The archaeological interest of the site and the cultural importance of persons associated with the building are discussed elsewhere in the wider review process.

The principal residence on the Poole Estate property is an extensive, composite structure, the original parts of which were built in 1958 and attributed to New Mexico architect George Clayton Pearl (1923-2003).

In the present form, the building includes some elements of architectural and historic interest, and parts of it appear to be of traditional adobe construction. However the earlier components of the building have been largely overwhelmed by incremental, stud and block-work additions which have obscured much of the original architectural intention. Although much of the original floorplan is intact with original steel casement windows, the facades of the building have been largely transformed with additions, porch infills and wood repairs or replacements. In many instances, the later modern work mimics the historic built form and its misleading appearance distorts the building narrative.

The building in its present complex form retains a number of features of some architectural and historic interest. Such elements include metal framed, multi-pane windows, typical of the mid-20th century and complementary, metal framed, glazed sliding doors. The latter are an unusual feature and were

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possibly custom designed. However due to the accretion of later additions, the original architectural intention for many of these features has been lost. For example, the above mentioned sliding, multi-pane glazed doors were intended to be external, architectural features which provided access to an open patio. The paved, outdoor area has been fully enclosed and the doors now function rather incongruously as interior elements.

Additions connecting the main house with another original structure have created a conflicting entrance and made determination of the original footprint difficult.

Due to overwhelming modern alteration and additions, the architectural and historic integrity of the Poole residence is low and in consequence, the building is unlikely to be eligible for State Registration.

Among other preservation requirements, the Landmarks Commission through the IDO 14-16-3-5(A) seeks to:

'enhance the identity of the city by protecting the city's heritage and prohibiting the unnecessary destruction or defacement of its cultural assets'.

Although the Poole residence may include some elements of interest, the building in the present form has little architectural or historic integrity, due to overwhelming modern alteration and addition. In consequence, the building has limited significance as a heritage asset and it would not merit designation as a City Landmark, which would also require consent of the owner.

A smaller house on the property located just south of La Bienveda Pl. NW has undergone fewer changes. While it has some interesting architectural characteristics, its historic significance would be in its relation to the larger Poole residence.

While demolition signature from Historic Preservation planning staff is required for all buildings within the city, demolition review is only required and authorized for contributing buildings within an HPO and buildings over 50 years old in a few areas of the city. (IDO 6-6(B)1) These are limited to:

- Downtown Neighbourhood Area – CPO-3
- East Downtown – CPO-4
- Nob Hill/Highland Area

Should you need any further clarification, Please let me know.

Leslie Naji
Senior Historic Preservation Planner
Landmarks Commission

Somerfeldt, Cheryl

Subject: FW: Poole / Oxbow ZEO determination on cluster development

From: Somerfeldt, Cheryl

Sent: Friday, November 16, 2018 12:34 PM

To: 'Jim Strozier'; 'Jaime Jaramillo'

Cc: Brito, Russell D.; 'Mackenzie Bishop'; 'Abrazo Homes'; 'Christopher Scott'; 'Michael Balaskovits'; 'Chris Green'; 'Bill Chappell'; Martinez, Jacobo R.; Dicome, Kym; Gould, Maggie S.

Subject: Poole / Oxbow ZEO determination on cluster development

Hello,

The ZEO has made a determination regarding the project pursuant to IDO Use Specific Standards Section 4-3 (B)(2), Cluster Development: The Site Plan may be presented as one Site Plan with several Cluster Developments if each separate cluster is required to meet the Use Specific Standards 4-3(B)(2)a-g. Below are the items which would be conditioned.

4-3(B)(2)(b) Zone district lot and setback requirements, including contextual standards in Subsection 14-16-5-1(C)(2), shall apply to the project site as a whole, but not to individual dwellings.

Setbacks on the edges of each cluster shall be pursuant to the underlying zone.

3. The common open space may be walled or fenced but shall be partially visible from a public right-of-way through openings in, and/or with trees visible above, the wall or fence.

How does Cluster A and B comply?

4-3(B)(2)(f) Maintenance for common open space areas is the responsibility of the property owner, unless those areas are dedicated the City. See Section 14-16-5-13(B) (Maintenance Standards).

A note shall be added to the Site Plan requiring each private open space to have its own separate HOA or entity responsible for its private open space.

5-2(H)(2) Properties Adjacent to Major Public Open Space

2. Locate on-site open space to be contiguous with the Major Public Open Space, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department.

All Clusters except Cluster A are on lots with adjacency to MPOS. Therefore, Cluster B is also subject to this regulation and on-site open space should be contiguous with MPOS.

Thank you,



CHERYL SOMERFELDT

current planner

o 505.924.3357

e csomerfeldt@cabq.gov

Somerfeldt, Cheryl

Subject: FW: Poole / Oxbow meeting follow-up

From: Somerfeldt, Cheryl

Sent: Tuesday, November 13, 2018 12:53 PM

To: 'Jim Strozier'; Jaime Jaramillo

Cc: Brito, Russell D.; Mackenzie Bishop; Abrazo Homes; Christopher Scott; Michael Balaskovits; Chris Green; Bill Chappell

Subject: Poole / Oxbow meeting follow-up

Hello,

Thank you for meeting with us yesterday. It was helpful to see the new Site Plan and discuss some of the issues. The record is currently up to date with notification; however, the following will be discussed in the staff report and it is strongly suggested to submit justification to support the case as soon as possible. (Ideally digital copies would be sent via email tomorrow. If not, please give me a date).

(This email constitutes Project Memo 2.)

GENERAL QUESTIONS:

1. Can we use the diagrams presented yesterday as official documents part of the record or are they still being revised? Can you send digital copies of the diagrams and of the full plan set including the conceptual grading and drainage plan? Tomorrow would be ideal, but if not, please let me know when. Hard copies should follow but we can use digital copies for now.
2. Are the DRB issues still valid with the new Site Plan? Can you please update us on which IDO sections are relevant for the project's projected DRB Variance request?
3. Please send something in writing showing progress with the USACE.

JUSTIFICATION LETTER:

- a. Regulation:
 - a. *Section 4-3(B)(2)(d)3. The common open space may be walled or fenced but shall be partially visible from a public right-of-way through openings in, and/or with trees visible above, the wall or fence.*
Please explain how this is met.
 - b. *5-2(H)(2)(a) Development on properties of any size adjacent to Major Public Open Space shall: 2. Locate on-site open space to be **contiguous with the Major Public Open Space**, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department.*
Please explain how this is met.
 - c. *Section 5-2(C)(1) –*
Please list each subsection and explain how it was analyzed and the result in the justification letter.
 - d. *Section 5-2(H)(2)(b)*
Please explain how this is met.
 - e. *Section 5-3(E)(1)(d)*
Please explain how this is met.
- b. Policy (In addition to the policies in the current letter, OSD listed these policies which pertain. The most relevant policies are bolded):
 - a. Goal 10.1 Facilities and Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.
 - a. Policy 10.1.1 Distribution: Improve the community's access to recreational opportunities by balancing the City and County's parks and Open Space systems within the built environment.

- a. **Policy 10.1.4 Water Conservation: Employ low-water use and reclamation strategies to conserve water.**
- b. **Goal 10.3 Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.**
- a. Policy 10.3 .1 Open Space Acquisition: Acquire significant lands throughout the community to shape the urban form, conserve natural and cultural resources, and protect agricultural land.
- b. **Policy 1 0.3.2 Preservation: Identity and manage sensitive lands within the Open Space network to protect their ecological function.**
- a. Policy 1 0.3.3 Use: Provide low-impact recreational and educational opportunities consistent with the carrying capacity of the Open Space resources.
- a. Policy 10.3.4 Bosque and Rio Grande: Carefully design access to the Rio Grande, the *Bosque*, and surrounding river lands to provide entry to those portions suitable for recreational, scientific, and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions.
- b. Goal 10.4 Coordination: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.
- c. Policy 1 0.4.2 System Planning: Coordinate among departments and across jurisdictional boundaries to plan interconnected networks, manage natural resources, leverage public investment, eliminate gaps in service, and avoid duplication of effort.
- a. Policy 10.4.4 Arroyos and Drainage: Work with MRGCD and AMAFCA to protect arroyos, drains, and acequias as part of Community Green Space.
- b. Goal 11.3 Cultural Landscapes: Protect, reuse, and/or enhance significant cultural landscapes as important contributors to our heritage and rich and complex identities.
- c. **Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.**
- d. Policy 11.3.2 Arroyos: Preserve and enhance arroyos identified in the Rank 2 Facility Plan for Arroyos as important cultural landscapes.
- a. Policy 11.3 .3 Bosque: Regulate development on adjacent lands to preserve and enhance the *Bosque* as an important cultural landscape that contributes to the history and distinct identity of the region, as well as nearby neighborhoods.

Thank you,



CHERYL SOMERFELDT

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Current Planning Project Memo

10-23-2018

Site Design and Sensitive Lands, 5-2

1. Evidence should be included in the application regarding the following:

*Per IDO Section 5-2(C)(1) Both the subdivision and site design processes shall begin with an analysis of site constraints related to sensitive lands. To the **maximum** extent practicable, new subdivisions of land and site design shall avoid locating development, except for open spaces and areas that will not be disturbed during the development process, in the following types of sensitive lands:*

5-2(C)(1)(a) Floodplains and flood hazard areas

5-2(C)(1)(b) Steep slopes

5-2(C)(1)(c) Unstable soils

5-2(C)(1)(d) Wetlands

5-2(C)(1)(e) Arroyos

5-2(C)(1)(f) Irrigation facilities (acequias)

5-2(C)(1)(g) Escarpments

5-2(C)(1)(h) Rock outcroppings

5-2(C)(1)(i) Large stands of mature trees

5-2(C)(1)(j) Archaeological sites

2. Please comment or provide evidence on how each of the above criteria was analyzed.
3. Please provide survey of existing mature trees on the subject property.
4. Has IDO Section 5-2(C)(4) been considered in order to move lots toward the west?

Per IDO Section 5-2(C)(4) If avoidance of sensitive lands, other than floodways and flood fringe areas referenced in Article 14-5 of ROA 1994 (Flood Hazard and Drainage Control), results in the subdivision containing fewer buildable parcels than it would have if sensitive lands were not avoided, the Planning Director may adjust the minimum lot size or lot width dimensions by up to 25 percent to allow for additional lots that would have otherwise been possible if sensitive lands had not been avoided.

5. The private open space should be contiguous with the Major Public Open Space per:

5-2(H)(2)(a) Development on properties of any size adjacent to Major Public Open Space shall:

2. Locate on-site open space to be contiguous with the Major Public Open Space, with access generally not allowed unless approved by the Open Space Division of the City Parks and Recreation Department.

6. Please provide evidence on how the development will not create any material negative impacts on the visual, recreational, or **habitat** values of the MPOS:

Per IDO Section 5-2(H)(2)(b) Development on properties 5 acres or greater adjacent to Major Public Open Space shall:

2. Not create any material negative environmental impacts on the visual, recreational, or habitat values of the Major Public Open Space.

7. Planning suggests sensitive lands elements (floodplains and flood hazard areas, steep slopes, unstable soils, wetlands, arroyos, irrigation facilities (acequias), escarpments, rock outcroppings, large stands of mature trees, archaeological sites) be shown on a site plan in some manner; and that visual, recreational, and habitat values also be analyzed either on the plan or in the letter.

Access and Connectivity, 5-3

8. The DRB hears Variances to Access and Connectivity and Subdivision of Land, and these Variances should be completed prior to a recommendation for approval to the EPC; because the EPC needs the most accurate Site Plan possible subsequent to staff analysis.
9. A Variance EPC is not required for this section below because there is an exception “where necessary”; therefore it does not need to be justified per section 6-6(M). However, the applicant must justify in the letter by describing how the land is a sensitive land or what factors make a connection impractical:

Per IDO Section 5-3(E)(1)(d) Stub Streets and Cul-de-Sacs Stub streets and cul-de-sacs that terminate the road are prohibited, with the following exceptions: Cul-de-sacs are allowed where necessary to avoid those types of sensitive lands listed in Section 14-16-5-2(C), or where vehicular safety factors make a connection impractical, including but not limited to size or shape or lots, topography, surrounding development patterns, and physical characteristics.

10. How is Section 5-3(E)(2) below being met? If this cannot be met, a Variance DRB would be needed prior to the EPC hearing.

Per IDO Section 5-3(E)(2) Connections to Adjacent Land, 5-3(E)(2)(a) Where adjacent land has been subdivided with stub streets ending adjacent to a new subdivision, or with a local street ending at a street dividing the new subdivision, the new subdivision streets shall be designed to align the streets in the adjacent subdivision to allow through circulation between the 2 adjacent subdivisions.

Subdivision of Land, 5-4

11. Per Table 5-4-1 of the IDO, block length should be less than 600-ft. If this cannot be met, a Variance DRB would be needed prior to the EPC hearing.

Cluster Development under Residential Uses, 4-3(B)

Definitions:

Cluster Development Design:

A design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, open space, or preservation of sensitive lands.

Dwelling, Cluster Development:

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.

Common Open Space:

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.

13. The City's ZEO has determined that the above description of "a common open space" shall be interpreted to mean that the open space shall be contiguous or one common space not separated into small pieces. Given the other regulations and policies pertaining to this development, it will be conditioned that the common open space occupies the eastern portion of the project. Per section 5-2(C)(4) of the IDO, the Director may authorize smaller lot sizes (up to 25%) to accommodate sensitive lands, which would allow the larger lots to be moved to the west.

14. Structures are not permitted in the common open space – including shade structures.

*4-3(B)(2)(d) The cluster development project site shall include **a common open** space set aside for agriculture, landscaping, on-site ponding, outdoor recreation, or any combination thereof allowed in the zone district, and for the use and enjoyment of the residents.*

3. The common open space may be walled or fenced but shall be partially visible from a public right-of-way through openings in, and/or with trees visible above, the wall or fence.

4. No structure is allowed in the common open space except if necessary for its operation and maintenance.

4-3(B)(2)(e) The cluster development shall be designated on a Site Plan and plat with each dwelling on an individual subdivided lot and the common open space on a separate subdivided lot or easement.

Landscape

15. Per sections 6-6(H)(3)(a) 6-6(H)(3)(e) below, the Site Plan should be consistent with ABC Comp Plan Policies and should mitigate significant impacts on the surrounding area to the maximum extent practicable.

6-6(H)(3) Review and Decision Criteria

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

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

16. Below are some policies that apply to the project. In order to meet these policies and not mix with the adjacent native open space, eastern portion of the property should be protected during construction, and the landscape palette should be revised to be of exclusively native species. In addition, design standards should be included on the Site Plan that will limit residential lots to native plantings. Traditional turf mowing should be prohibited (similar to developments in the High Desert area.). These requirements should be monitored by the HOA.

Goal 10.3 Open Space: Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

Policy 10.3.4 Bosque and Rio Grande: Carefully design access to the Rio Grande, the Bosque, and surrounding river lands to provide entry to those portions suitable for recreational, scientific, and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions.

Policy 11.3.1 Natural and Cultural Features: Preserve and enhance the natural and cultural characteristics and features that contribute to the distinct identity of communities, neighborhoods, and cultural landscapes.

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

Policy 11.3.3 Bosque: Regulate development on adjacent lands to preserve and enhance the Bosque as an important cultural landscape that contributes to the history and distinct identity of the region, as well as nearby neighborhoods.

17. Given the pertaining policies, the cluster development open space requirements, and the sensitive lands requirements. Staff recommends and intends to condition that the common open space be contiguous and to the east of all proposed housing lots, and designed to avoid existing wetlands.



View of notice sign on Tres Gracias Drive NW



View of subject site from Tres Gracias Drive NW looking east.



View of the subject site from Tres Gracias Drive NW looking southeast.



View of the subject site from Tres Gracias Drive NW looking northeast.



View of the subject site from Namaste Road NW inside the front entrance gate looking north.



View of the subject site from Namaste Road NW inside the front entrance gate looking east.



View of the subject site from La Bienvenida Place NW looking south at the second house gate.



View of the subject site from the view fencing gate.



View of the Bosque from the eastern view fencing gate looking east.



View of the Bosque from inside the property at the eastern edge looking north.