

48-HOUR MATERIALS

Somerfeldt, Cheryl

From: Jim Strozier <cp@consensusplanning.com>
Sent: Tuesday, February 12, 2019 8:27 AM
To: Somerfeldt, Cheryl
Cc: Brito, Russell D.; brian@abrazohomes.com; ck@abrazohomes.com; Mackenzie Bishop; Chris Green; Michael Balaskovits; Bill Chappell; 'Santiago Aceves'
Subject: Overlook at Oxbow Deferral Request

Cheryl,

On behalf of the applicant for this project, we would like to express our agreement with staff's recommendation for a deferral to the March 14th hearing of the EPC.

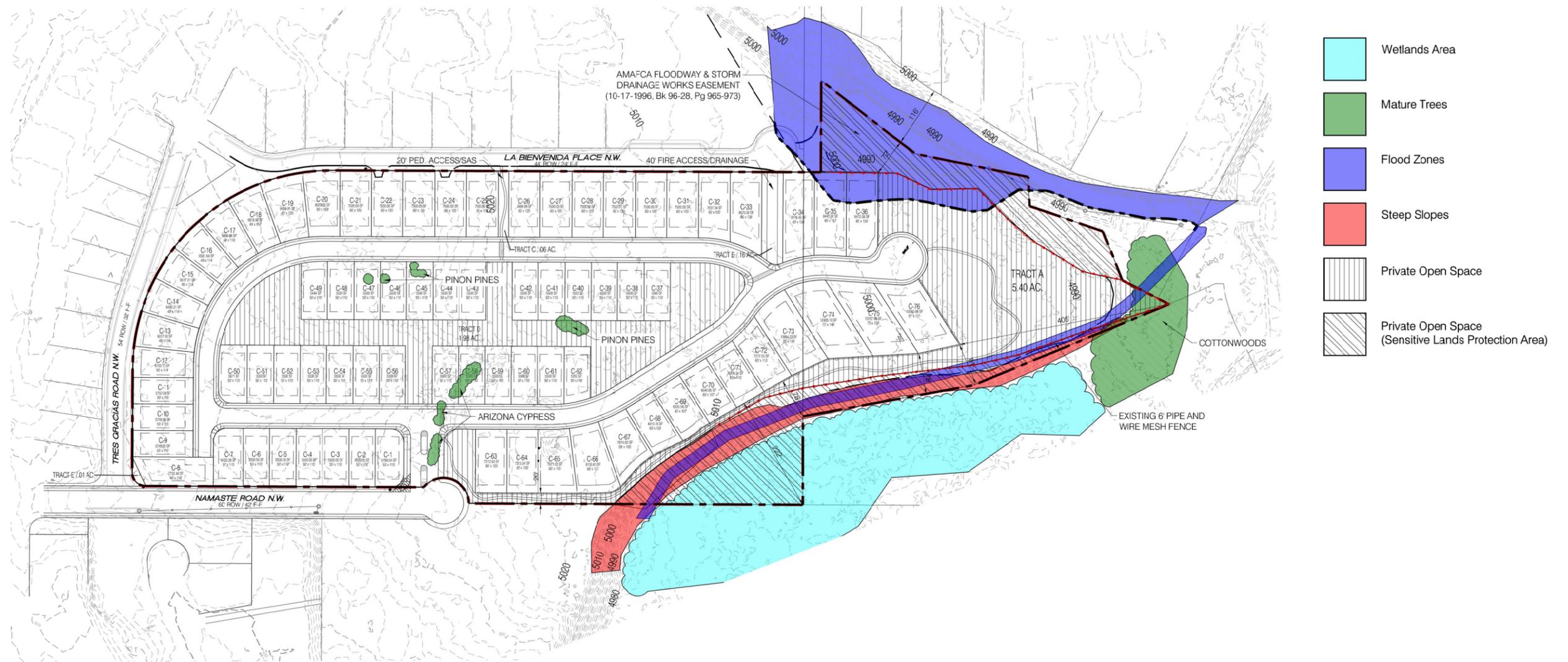
We will use this time to work with City staff to review in detail the amendments to the site plan, updated policy justification, responses to agency comments, and our detailed changes in response to the originally recommended conditions of approval from the December EPC staff report.

We would like to note that both the attorney for the project opponents and the Taylor Ranch Neighborhood Association also requested consideration of a deferral as well.

We look forward to reviewing the proposed site plan in detail at the March 14th EPC hearing. Please let me know if you have any questions regarding this request.

[Jim Strozier, FAICP](#)
Consensus Planning, Inc.
302 8th Street NW
(505) 764-9801

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This message has been analyzed by Deep Discovery Email Inspector.



SENSITIVE LANDS ANALYSIS

PURSUANT TO SECTION T-E 100 SECTION 5-2 SITE DESIGN AND SENSITIVE LANDS, THE FOLLOWING ANALYSIS PROVIDED GUIDANCE TO THE SITE PLAN FOR THE OVERLOOK AT OXBOW. THE ANALYSIS WAS CONDUCTED USING UPDATED TOPOGRAPHIC SURVEY DATA, SITE ANALYSIS, REVIEW OF EXISTING EASEMENT DOCUMENTS, AERIAL PHOTOGRAPHY, AND THE CITY'S AGIS SYSTEM.

WETLANDS:

- THE EXISTING OXBOW WETLAND AREA IMPACTS THE SOUTHEAST CORNER OF THE PROPERTY. THE WETLANDS ARE INCLUDED IN THE SENSITIVE LAND PROTECTION AREA.

MATURE TREE CANOPY:

- THERE IS A LARGE STAND OF MATURE COTTONWOOD TREES EXISTING AT THE EASTERN EDGE IMMEDIATELY OFF-SITE AND ADJACENT TO THE RIO GRANDE BOSQUE. THE TREE CANOPY AND A SIGNIFICANT BUFFER IS INCLUDED IN THE PRIVATE OPEN SPACE.
- THERE ARE 6-7 PINON NORTH OF THE MAIN BUILDING AND 3-4 ADJACENT TO THE SECONDARY BUILDING, AND A STAND OF ARIZONA CYPRESS TREES NEAR THE ENTRY THAT ARE RELATIVELY HEALTHY (AS REVIEWED WITH THE CITY FORESTER). BASED UPON THE PRELIMINARY GRADING PLANS, SEVERAL OF THE EXISTING HEALTHY PINONS NORTH OF THE MAIN BUILDING, AND SEVERAL OF THE ARIZONA CYPRESS AT THE ENTRY MAY BE PRESERVED. THE PINONS ADJACENT TO THE SECONDARY BUILDING ARE WITHIN AN AREA OF SIGNIFICANT GRADE CHANGE AND NOT LIKELY TO BE SALVAGED. THE APPLICANT WILL CONTINUE TO WORK WITH CITY HYDROLOGY TO FINALIZE THE GRADING AND DRAINAGE PLANS PRIOR TO APPROVAL OF THE FINAL PLAN. BASED ON THE FINAL GRADING, EXISTING HEALTHY TREES WILL BE PRESERVED TO THE EXTENT PRACTICAL. IT SHOULD BE NOTED THAT THE ARIZONA CYPRESS ARE ON THE CITY'S PROHIBITED PLANTING LIST FOR POLLEN.

FLOOD ZONE/ARROYO:

- THERE IS A FEMA DESIGNATED FLOOD PLAIN THAT IMPACTS THE NORTHEASTERN EDGE OF THE PROPERTY. THE PORTION OF THAT FLOOD PLAIN THAT IS OUTSIDE OF THE EXISTING FENCE IS INCLUDED IN THE SENSITIVE LAND PROTECTION AREA. BASED UPON PREVIOUS ENGINEERING ASSOCIATED WITH THE IMPROVEMENTS TO THE SAN ANTONIO ARROYO THE PORTION OUTSIDE OF THE FENCE IS ELIGIBLE FOR A LETTER OF MAP REVISION (LOMR). A LOMR SHALL BE REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE THREE LOTS IMPACTED BY THE FLOOD PLAIN. THE EXISTING SEDIMENTATION POND IS INCLUDED IN THE SENSITIVE LAND PROTECTION AREA AND ALL DEVELOPED STORMWATER FLOWS WILL BE DIVERTED TO THIS POND, THEREBY LIMITING STORMWATER IMPACT TO THE OPEN SPACE AREAS.

STEEP SLOPES

- THE EXISTING STEEP SLOPE AREA (ALONG THE SOUTHEASTERN EDGE OF THE PROPERTY) IS OUTSIDE OF THE EXISTING FENCE AND IS INCLUDED IN THE SENSITIVE LAND PROTECTION AREA.

PRIVATE OPEN SPACE:

- THE SENSITIVE LAND PROTECTION AREA (OUTSIDE THE EXISTING FENCE) IS DESIGNATED ON THE LANDSCAPE PLAN.
- THE SENSITIVE LAND PROTECTION AREA SHALL BE OWNED AND MAINTAINED BY THE OVERLOOK AT OXBOW HOMEOWNERS ASSOCIATION.
- NO ACCESS SHALL BE PERMITTED TO THE SENSITIVE LAND PROTECTION AREA.

OVERLOOK at OXBOW

SENSITIVE AREAS

Prepared For:

Gamma Development, LLC

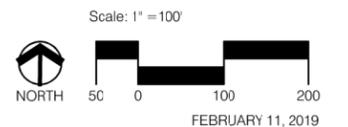
Prepared By:

Consensus Planning, Inc.
Bohannon Huston, Inc.



CONSENSUS PLANNING, INC.
Planning / Landscape Architecture
302 Eighth Street NW
Albuquerque, NM 87102
(505) 764-9801 Fax 842-5495
e-mail: cp@consensusplanning.com

Bohannon Huston
www.bhinc.com 800.877.5332



48-HOUR MATERIALS

Public Comments

Somerfeldt, Cheryl

Subject: FW: Project No: PR-2018-001402 attachment
Attachments: EPCpic2.jpg

From: Ken Churchill [<mailto:ken@abq45.com>]
Sent: Sunday, February 10, 2019 10:13 AM
To: Somerfeldt, Cheryl
Subject: Project No: PR-2018-001402 attachment

Cheryl,

This attachment was inadvertently omitted from my February 4th email submission (duplicated below).

Please include this graphic as part of the public comments as it will be presented during my address to the commissioners at the February 14th hearing.

Thank you.

Ken Churchill
Florence E. Pedersen
4612 Almeria DR NW
Albuquerque, NM 87120
(505) 990-3337
ken@abq45.com

PR-2018-001402 Site Plan

Dwelling Definitions

Dwelling, Cluster Development

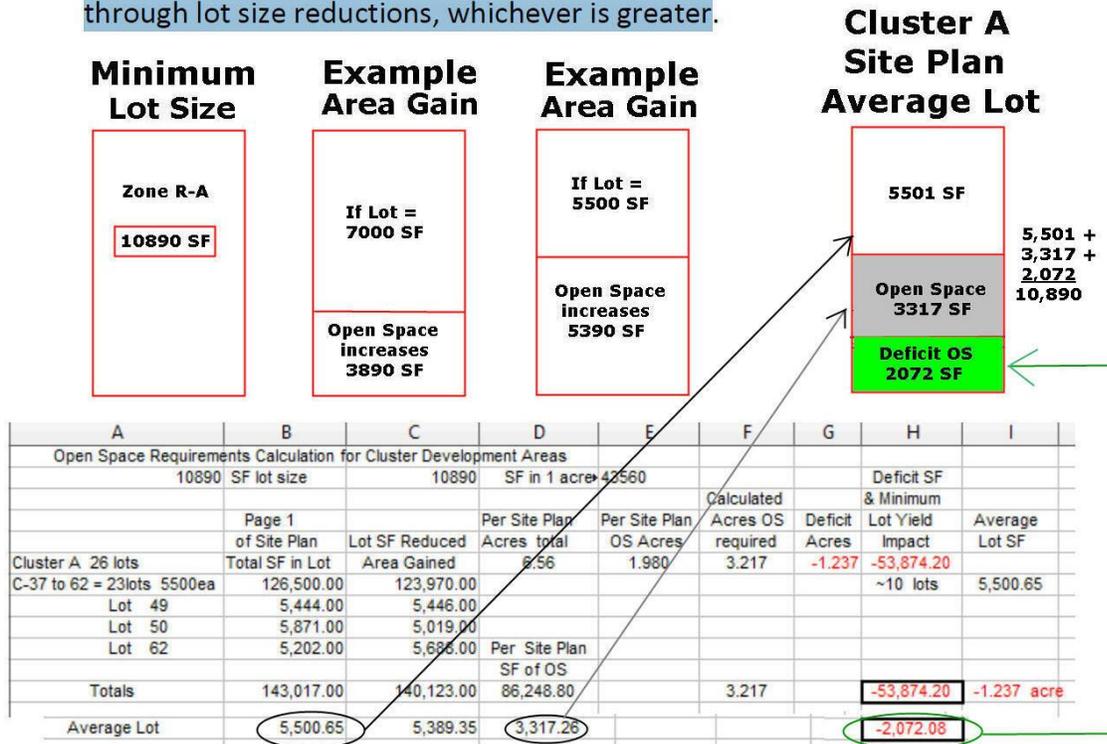
A development type that concentrates single-family or two-family dwellings on smaller lots than would otherwise be allowed in the zone district

in return for the preservation of common open space within the same site, on a separate lot, or in an easement.

IDO

4-3(B)(2)(d)

The common open space area shall be 30 percent of the gross area of the project site or 100 percent of the area gained through lot size reductions, whichever is greater.



The Cluster A open space is deficient and does not meet IDO requirements. Cluster B open space may also be deficient and requires justification.

Somerfeldt, Cheryl

Subject: FW: Comment on the Future of the Poole Property

From: Gail and Mike Stephens [<mailto:gmsteph2512@outlook.com>]

Sent: Sunday, February 10, 2019 10:15 AM

To: Somerfeldt, Cheryl

Subject: Comment on the Future of the Poole Property

Derek Bohannon, Chair
Environmental Planning Commission
City of Albuquerque

Chairman Bohannon and Members,

Aldo Leopold, the great conservationist and first secretary of the Albuquerque Chamber of Commerce believed that parks and open spaces not only enhanced the beauty of a city but quality of life for citizens. Thus, he fought for the establishment of the Rio Grande Valley State Park, which is a magnet for residents and tourists who wish to enjoy the unique habitat along the Rio Grande. Today's Albuquerque continues that tradition. One of our city's official goals is to protect the natural environment, including the Rio Grande and the bosque "for the health of our families and future generations," thereby recognizing that quality of life in Albuquerque is enhanced by the availability of parks and the close proximity of nature.

We are now faced with a proposed development which would squeeze 76 houses on the 22 acres of the Poole property, one of the last and best open space properties on the west side. The Poole property abuts the San Antonio Oxbow wetland, a preserved space which serves as a sanctuary for birds, including our prized sandhill cranes, and small animals. It was Rufus Poole, the first owner of the property, who successfully worked with the city to permanently protect the sensitive and valuable Oxbow wetland.

As city planners it is now your turn to decide the future of the Poole property. As you know, city planning involves not only making decisions about what is best in the moment but also for the future and broadly for your city. Who will this development serve? Clearly, the developers and the people who live there. But what about the people of Albuquerque and the future of this city? This will in no way serve them. In fact, it will likely damage the precious Oxbow wetland with concomitant effects on the Rio Grande and the bosque, thereby diminishing the quality of life for the citizens of Albuquerque. In addition, by allowing development of this site, you close off an area that could be enjoyed by all the people of Albuquerque. This site could be another gem in the Albuquerque park system and someday provide some citizen access to the Oxbow wetland.

The amount of critical citizen comment you have received about this issue demonstrates how important it is to the current citizens of Albuquerque. We have an abiding interest in the future of this city and the future of this property.

The choice is clear. Save this land for the enjoyment of current and future citizens of Albuquerque. Send a message that quality of life counts.

Thank you,
Gail M. Stephens
4709 Mijas Drive NW
Albuquerque 87120

Somerfeldt, Cheryl

Subject: FW: Poole Estate

From: P. Davis Willson [<mailto:info@willsonstudio.com>]

Sent: Sunday, February 10, 2019 11:30 AM

To: Somerfeldt, Cheryl

Cc: preservepoole.oxbowwetland@gmail.com

Subject: Poole Estate

Ms. Somerfeldt,

I would like to express my opposition to the development of the 22 acre Poole Estate adjacent to the Oxbow Wetland—this is not an appropriate location for housing. Any opportunity to expand the riparian zone of the Rio Grande should be looked at as an important addition to Albuquerque’s open space.

From the NM Forest and Watershed Restoration Institute (NMFWRI) at NM Highlands in Las Vegas: <https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fallaboutwatersheds.org%2flibrary%2fkyw%2dposter%2dfiles%2dand%2dlinks%2driparian%2dzone&umid=49D1463B-818E-8205-8C7F-FBE2E60A36B6&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-376755df1f37aa12e9c88fb3065ab6a616e7a7dd>

"Riparian zones are the areas bordering rivers and other bodies of surface water. They include the [floodplain](#) as well as the [riparian buffers](#) adjacent to the floodplain. Riparian zones provide many environmental and recreational benefits to streams, groundwater and downstream land areas. Groundwater is usually found at shallower depths in riparian zones than in the surrounding landscape. Riparian zones are visually defined by a greenbelt with a characteristic suite of plants that are adapted to and depend on the shallow water table..."

"...Riparian areas and wetlands are especially valuable in or downstream of urban areas. Their natural functions can counteract the effects of concentrated runoff from pavement and buildings, protecting water quality and the river channel itself."

As an architect, I recognize the value of this site to the developer. However, I also recognize that sometimes the highest and best use of a piece of property is not the one that makes the most money for the owner. Once this land is built on, it can never return to Open Space; and Open Space provides something much more important than money to the wildlife and citizens of Albuquerque!

Sincerely,
Patricia Willson, AIA

Willson + Willson Architects

505 Dartmouth Drive SE

Albuquerque, NM 87106

V: (505) 266-8944

F: (505) 266-2746

email: info@willsonstudio.com

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[ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fwww.willsonstudio.com&umid=49D1463B-818E-8205-8C7F-FBE2E60A36B6&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-94952a5fc66bb76f9a072ddd3f397f3cada7d17e](https://ddei3-0-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fwww.willsonstudio.com&umid=49D1463B-818E-8205-8C7F-FBE2E60A36B6&auth=f0ebcd052f61e7a39dc93191e8a01d02608499af-94952a5fc66bb76f9a072ddd3f397f3cada7d17e)



Central New Mexico Audubon Society
Post Office Box 30002
Albuquerque, New Mexico 87190-0002

February 11, 2019

Environmental Planning Commission
Mr. Dan Serrano, Chair
City of Albuquerque Planning Department
600 Second Street NW
Albuquerque, NM 87120

Re: EPC Proceedings for PR-2018-001402; SI-2018-00171 Cf: DRB Appeal AC-18-20: Poole Property
5001 Namaste Rd.

Dear Chairman Serrano and members of the Environmental Planning Commission:

Central New Mexico Audubon Society (CNMAS) is a chapter of the National Audubon Society with nearly two thousand local members. Audubon's mission is to "protect birds and the places they need, today and tomorrow."

The application to develop the property of the former Poole Estate at 5001 Namaste Road is a matter of concern. We, the CNMAS Board of Directors, met to develop a position on this issue on February 7. The Board has two principal concerns:

1. The proposed development is adjacent to the San Antonio Oxbow wetland. The Río Grande Environment Management Program (RGEMP) for the Río Grande Basin regards the Oxbow as one of the most important wetlands along the middle Río Grande. Paul Tashjian, Associate Director of Freshwater Conservation at New Mexico Audubon states it is a wetland of "exceptional importance" that "provides habitat for a large diversity of species," including neotropical migrants, many of which are species of conservation concern. At least two species that are known to have nested there are listed under the Endangered Species Act. Development of the Poole Estate property will remove a critical grassland buffer to the Oxbow wetland, degrading it over time. In the professional opinion of Mr. Tashjian—a biologist and hydrologist—"the Oxbow Wetland has reached its maximum capacity for development around its perimeter." We respect the expert opinion of Mr. Tashjian, as well as RGEMP, on this matter.
2. The cities of San Francisco, San José, Portland, Toronto, the state of Minnesota, and other jurisdictions have adopted bird-friendly building guidelines based on the American Bird Conservancy's Bird-Friendly Building Standard. Such guidelines recognize that an enhanced risk exists for bird collisions on windows when buildings are constructed adjacent to natural features such as forest, meadows, grassland, water, or wetlands. The Poole Estate property clearly meets this criterion. In such cases, guidelines recommend that collision mitigation measures be

employed in architectural design and glazing choices. Albuquerque has not implemented bird-friendly design standards, and therefore a developer may have little incentive to reduce the enhanced collision risk that exists at this site.

Based on the two concerns described above, the CNMAS Board of Directors, by unanimous vote, opposes the application to develop the property of the former Poole Estate at 5001 Namaste Road. Accordingly, we respectfully urge the Environmental Planning Commission to deny the application.

A related matter that has come to our attention is the pending appeal of the variance granted by the EPC on December 5, 2018. It is our understanding that the appeal concerns matters of public safety and security created by the approval of a sole access road in the site plan. Until this matter is resolved by the Development Review Board it would be premature for the EPC to proceed. We have been advised as well that failure to stay proceedings may be a violation of state law [NMSA 1978, Section 3-21-8(B)]. Therefore, we urge EPC to postpone consideration of the application until the DRB has completed its review.

Sincerely,

Central New Mexico Audubon Society Directors:

Sara Jayne Cole, President
Perrienne Houghton, Vice President
Amber West
Lynn Schuler
Marj Longenbaugh
Kathy Carson
Bruce Dale

Somerfeldt, Cheryl

From: Susan Hunter <shunter62@comcast.net>
Sent: Monday, February 11, 2019 12:31 PM
To: Somerfeldt, Cheryl
Cc: Dr. Susan Chaudoir
Subject: Appendix to my comments about the Overlook at Oxbow

Dear Ms. Somerfeldt

I have a few additional observations regarding my opposition to the proposed development of the Overlook at Oxbow as presented on the most recent plan set that I have available. I sent my original comments to you on February 5, 2019 (Comment on proposed development of "the Overlook at Oxbow").

1. Page 4-49 of the *Designation of Critical Habitat of the Rio Grande Silvery Minnow* describes how AMAFCA would have to do further negotiations with the U.S. Army Corps of Engineers to engage in changes to the habitat or flows of the Rio Grande below Cochiti Dam. AMAFCA has not, to my knowledge, entered into any new contracts with the Corps in the reach of river that includes the Oxbow. I believe that the restoration of endangered and threatened species would be part of any future contracts. New discharge into AMAFCA controlled waters would require new contacts and expenses to AMAFCA and affected property owners.
2. The *Middle Rio Grande Sanctuary Environmental Assessment* prepared by HDR in 2005 for the U.S. Department of the Interior Bureau of Reclamation provides a list of threatened, endangered and special status species, including the Silvery Minnow (please see attachment). The Oxbow's location should automatically prevent any disturbance, whether it is deliberate or inadvertent, as in the case of runoff from construction and subsequent population of a 74 unit subdivision.
3. My job as a civil engineering designer often requires that I perform QA/QC analyses of construction plans for completeness and mistakes. There have been no flow calculations or slope labels on either the lots or on the streets and storm drains shown on the Grading Plan, nor have area, side slope, volume and infiltration calculations or profiles of streets and utilities been shown. Soil information also is missing. As a gardener at the Rio Grande Nature Center I can attest that the soils on the riverbanks are very soft and unstable; they are very permeable and percolate very quickly and the sides of holes collapse when attempting to place new plants. Will the proposed pond be able to hold its shape without any reinforcement or detain runoff from rapidly entering the river?
4. Please refer to the City of Albuquerque's published documents and public policies on the reclamation and relocation efforts to grow and perpetuate Silvery Minnow populations.

Any of these concerns and other issues raised by public comments regarding wastewater, congestion, views and aesthetics about this project should, I believe, be sufficient to deny the permit for this project. Thank you.

Susan B. Hunter

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This message has been analyzed by Deep Discovery Email Inspector.

Somerfeldt, Cheryl

From: Kenneth Funk <toyfoxthomas@hotmail.com>
Sent: Monday, February 11, 2019 10:22 AM
To: Somerfeldt, Cheryl
Cc: edu.chaudoir@gmail.com
Subject: EPC 2/14/19 Meeting - Project 2018-001402 Overlook at Oxbow
Attachments: El Bosque - Ltr to EPC - In Support of Gulley Memo.pdf

Please find attached a petition signed by 38 El Bosque (a sub-community of Andulucia) homeowners who concur with the points raised in opposition to the current site plan made in Mr. Tom Gulley's memo to the EPC dated February 4, 2019. We understand by filing this petition with the EPC today, that under the 48 hour Rule, it should be included the EPC review board materials for Thursday's meeting.

Please confirm receipt of this email and attachment. Also advise if you need to receive the original of the petition, which I will mail to you if requested.

Thank you kindly.

Kenneth Funk
El Bosque Homeowner
505-301-9132

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This message has been analyzed by Deep Discovery Email Inspector.

February 5, 2019

Environmental Planning Commission
c/o City of Albuquerque Planning Dept.
3rd Floor
600 2nd St. NW
Albuquerque, New Mexico 87102

Re: Project 2018-001402 Overlook at Oxbox

Dear Chairman Dan Serrano,

This letter serves to advise the Environmental Planning Commission (EPC) that we the El Bosque homeowners who have signed below, concur with the points raised in opposition to the current site plan made in Mr. Tom Gulley's memo to the EPC, dated February 4, 2019, a copy of which is attached to this petition.

Sincerely,

Concerned Homeowners of El Bosque

- | Printed Name & Signature | Address |
|--|--|
| 1. ERNESTO FRESQUEZ, Ernesto Fresquez | 4900 Camino Valle Tr NW 87120 |
| 2. JANE Gulky, Jane Gulley | 4701 Valle Bonita Dr, ABO 87120 |
| 3. Michael Miceli, Michael Miceli | 4812 Valle Santo Trl, ABO 87120 |
| 4. Sonya Thompson | 4800 Valle Santo Trl NW ABO 87120 |
| 5. Charla Durkin, Chada Durkin | 4916 Camino Valle Trl. NW ABO. 87120 |
| 6. Peter Durkin, Peter Durkin | " " " " |
| 7. Tom Richter, Tom Richter | 4909 Camino Valle Tr NW |
| 8. RON RICHTER, Ron Richter | 4909 Camino Valle Tr NW 87120 |
| 9. Don Lopez | 4700 Valle Bonita Lane NW ABO NM 87120 |
| 10. Carolyn Bregman, Carolyn Bregman | 4700 Valle Bonita Lane NW ABO NM 87120 |
| 11. John Chavez, John Chavez | 5012 Camino Valle Tr ABO NM 87120 |
| 12. Cara Chavez, Cara Chavez | 5012 Camino Valle Tr NW 87120 |
| 13. Greg Gutierrez, Greg Gutierrez | 5015 Valle Rio Trl. 87120 |
| 14. Winston Dorian, Winston Dorian | 4923 Valle Rio Trail NW, ABO NM 87120 |
| 15. Carol Alexander, Carol Alexander | 4906 Valle Romantico Way 87120 |
| 16. Katley Schreiber, Katley Schreiber | 4805 Valle Rio Trl. 87120 |
| 17. Sae Eun Ah, Sae Eun Ah | 4812 Valle Santo Trl, 87120 |
| 18. Amy Suman, Amy Suman | 4820 Valle Santo Trl 87120 |
| 19. Kellen Wilson, Kellen Wilson | 4800 VALLESANTO NW 87120 |
| 20. James Wesselkamper, James Wesselkamper | 4804 Valle Santo Trl 87120 |
| 21. Audrey Bergen, Audrey Bergen | 4808 Valle Santo Trl 87120 |
| 22. SEAN BERGEN, SEAN BERGEN | 4805 Valle Santo Trl 87120 |
| 23. Penny Jarrett, Penny Jarrett | 4915 Valle Rio Trl 87120 |

Printed Name & Signature

Address

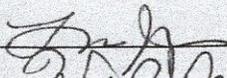
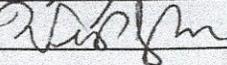
- 24. Susan Martinez *Susan Martinez* 4909 Valle Romantica Way NW
- 25. MARTEN PIERSALL *Marten Piersall* 3755 CADELARIAS LN NW
- 26. DAVID P MARTINEZ *David P. Martinez* 4800 VALLE BOSQUE WAY NW ABQ NM 87120
- 27. Kenneth Funk *Kenneth Funk* 4908 Camino Valle Tr NW. Abq, NM 87120
- 28. Robert Ersehus *ROBERT ERSEHUS* 4908 CAMINO VALLE TRL NW ABQ 87120
- 29. JEANETTE ACOSTA-FRESQUEZ *Jeanette Acosta-Fresquez* 4900 CAMINO VALLE TRLNW ABQ 87120
- 30. Shawn Avery *Shawn Avery* 5016 CAMINO VALLE TRAIL NW 87120
- 31. Michelle Avery *Michelle Avery* 5016 CAMINO VALLE TRAIL NW 87120
- 32. Tina Kauri *Tina Kauri* 4912 Camino Valle Trail ABQ NW 87120
- 33. PAULINE HANSEN *Pauline Hansen* 5020 CAMINO VALLE TRL-NW. 87120
- 34. RALPH HANSEN *Ralph Hansen* 5020 CAMINO VALLE TRL NW 87120
- 35. William R Long *William R Long* 4905 Valle Romantica Way NW 87120
- 36. JANE A LONG *Jane A. Long* 4905 Valle Romantica Way NW 87120
- 37. _____
- 38. _____
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- 43. _____
- 44. _____
- 45. _____
- 46. _____

From: loretta.johnson2.lj@gmail.com
Subject: Petition
Date: Feb 10, 2019, 6:26:16 PM
To: toyfoxthomas@hotmail.com

Concerned Homeowners of El Bosque

Printed Name & Signature

Address

1. Loretta Johnson  4905 Camino Valle Trl, NW ABQ, NM 87120
2. William P. Johnson  4905 Camino Valle Trl, NW ABQ, NM 87120

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February 4, 2019

To: Cheryl Somerfeldt (csomerfeldt@cabq.gov) and EPC

From: Tom Gulley, J.D. (gulleyt@aol.com)

Subject: Project #2018-001402, Poole Property site plan opposition

I live in El Bosque at 4701 Valle Bonita Ln NW, just north of the Poole Property. I write only on behalf of myself, although I believe that others have expressed support for the points I make.

The January 16, 2019, site plan shows the applicant's scheme of using multiple cluster developments to cram 76 lots on the Poole Property. The site plan must not be approved because the IDO limits the Poole Property to no more than 50 lots. Moreover, approval of the scheme would set a precedent that could be relied on by others to cram more lots on their R-A zoned property than the IDO allows.

The applicable principles of ordinance interpretation which the EPC must follow were stated by our Supreme Court in High Ridge Hinkle Joint Venture v. City of Albuquerque, 1998 NMSC-050, para. 4. They are: 1) the plain language of an ordinance is the primary indicator of intent of the ordinance, 2) language will not be read into an ordinance which is not there, particularly if the language makes sense as written, and, most importantly, 3) zoning regulations cannot be construed to include by implication that which is not clearly within their express terms. Approval of the site plan would disregard the clear language of the IDO and require the EPC impermissibly by implication to read language into the IDO which is not there.

The IDO is clear that only one cluster development is allowed on the Poole Property. Although Regulation 4-2 allows for a cluster development in R-A zoned property, the allowance is for "a" cluster development, not multiple cluster developments. Regulation 4-3(B)(2)(c) states that "[T]he number of dwelling units is determined by dividing the **site area**" (Emphasis added). Regulation 4-3(B)(2)(d)

states that “[T]he cluster development **project site**” (Emphasis added). And, “project site’ is defined in Regulation 7-1 to be [A]...collection of lots shown on a **site plan**.” (Emphasis added). And, Regulation 4-3(B)(2)(e) states that [T]he cluster development shall be designated on a **Site Plan**....” (Emphasis added). Taken together, these regulations allow only one cluster development on the Poole Property. There is no regulation in the IDO that even hints that multiple cluster developments are allowed on one project site. Language to that effect would have to be read into the IDO, which the EPC may not do.

No more than 50 cluster development lots are allowed on the Poole Property. Regulation 4-3(B)(2)(c) states that the number of dwellings in a cluster development “shall not exceed 50....” The site plan is one 76 lot cluster development masquerading as two. Similar lots are placed artificially in separate clusters solely to evade the 50 lot limitation. There is no language in the IDO which allows use of multiple cluster developments to evade the 50 lot limitation. Language to that effect would have to be read into the IDO, which the EPC may not do.

The common open space must be 30 percent of the Poole Property on one separate lot. Regulation 4-3(B)(2)(d)(1) states that “[T]he common open space area shall be 30 percent of the gross area of the **project site**....” (Emphasis added). The definition of “Dwelling, Cluster Development” in Regulation 7-1 states that it is “[A] development type that concentrates...dwellings on smaller lots...in return for the preservation of common open space within the same site, **on a separate lot**....” (Emphasis added).

Likewise, Regulation 4-3(B)(2)(e) states that the common open space shall be designated “**on a separate subdivided lot**....” (Emphasis added). Cluster A has multiple open spaces scattered throughout that cluster, and there is another open space for Cluster B. These multiple open spaces conflict with the IDO regulations. Language allowing for

common open space on two or more separate lots would have to read into the IDO, which the EPC may not do.

The open space must be contiguous to the Major Public Open Space at the east end of the Poole Property. Regulation 5-2(H) addresses property adjacent to Major Public Open Space. Regulation 5-2(H)(2)(a)(2) requires that a site plan must “[L]ocate on-site open space to be contiguous with the Major Public Open Space....” This regulation is clear as written. It requires that the separate lot of 30 percent common open space of the entire project site, about 7 acres, must be contiguous to the Major Public Open Space at the east end of the Poole Property.

In conclusion, there is no language in the IDO permitting multiple cluster developments on one project site. The IDO cannot be construed to include by implication language allowing multiple cluster developments on the Poole Property when that language is not clearly within the IDO’s express terms. The IDO clearly limits the Poole Property to one cluster development of no more than 50 lots with 30 percent of common open space on a separate lot contiguous to the Major Public Open Space at the east end of the property. Approval of the site plan would be contrary to the IDO and would set a precedent to allow others to cram more lots on their R-A zoned property than the IDO allows. The site plan must not be approved.

Statement for Commissioners for EPC Hearing February 14, 2019. PR-2018-001402

Name: Becky C. Davis, Concerned citizen with interest in the value this property holds for the City of Albuquerque. Member, IDO Group of Westside Coalition of Neighborhood Associations.

Position: Deny this site plan

My Issues:

- Applicant applies cluster development definitions and standards (defined in IDO for Los Duranes area development (14-16-3-4(G)(5)). Applying these standards on sensitive riparian land is **irresponsible**.
- Applicant defines only one entrance/exit from gated “cookie cutter” development and one emergency entrance/exit on the north side. All emergency and safety commissions in the city should deny this site plan arrangement as irresponsible.
- Per the 12-5-2018 Staff Report, (Page 3): “The site is the last vacant tract in the area...”. City does not need another 74 homes in a private gated community. It does need riparian recreational space to uphold the City’s status as an urban center with high regard for open spaces and a high quality recreational lifestyle.

Ask you to: Deny this site plan

Becky C.Davis
500 Leeward Dr. NW
Albuquerque, N M 87121

To: Cheryl Somerfeldt, Case Planner
From: Shelley Bauer
Date: February 7, 2019
Re: Project #: 2018-001402, SI-2018-00171 – Site Plan EPC
Subject 48 hour rule

Dear Cheryl,

While the first part of my letter may not seem relevant, please hear me out.....

One of the most frightening experiences I've had was on September 23, 2004. My family and I were living in Houston, where the media was alerting us about the oncoming hurricane Rita. Huge rainfall totals, devastating winds and flooding were on it's way. Coastal areas had already evacuated and now it was inland areas time to go further inland. We sat in the largest evacuation of traffic ever in US history for 10 hours, never moving more than 10 miles.

I know we don't concern ourselves with hurricanes here, but, what was learned from that awful day was that we need a reasonable escape route from viable catastrophes!! Fires in the Bosque area a real threat! (5 in 2018) From June 24-26 2003 there was the Montano bridge fire, where all 4 quadrants were ablaze. Fires jumped across the river, and flames were close to the Bosque School. The cottonwoods served as tinder wood and winds were blowing in all directions. It was reported that about 700 acres were burned. More than 100 homes were severely compromised and a few hundred people were ordered to evacuate. WE are talking about the same area today as indicated on the attached map.

My EXTREME concern is...HOW DO WE EVACUATE QUICKLY WITH THE GROWING NUMBERS THAT NOW EXIST???? Now with the addition of Oxbow, El Bosque, Andalucia, The Pulte homes, and all ready existing La Luz, and, now this 76 home site plan, we are talking about nearly 1000 cars, hundreds and hundreds of homes with an average of 2 cars each leaving on short notice, out the only 2 streets (very close to each other) (Namaste and Seville also show on map) exiting onto Coors Blvd, only to join the rest of evacuees. You can be sure these two roads will be gridlocked! I also want to point out that while these streets are at a standstill, how will emergency vehicles get in? The location of this development or Environment has a natural blockage for escape. The Rio Grande alienates this large group of homes from a viable way to escape. The North, South and East directions are blocked, We can only go West.....and.....all at the same time! This is a real concern! When we have sensitive areas such as the Poole Property, we have to realize that one entire side of this property offers no exit. The Rio Grande and the Oxbow are not escape routes in this kind of emergency. Neighborhoods should have more than one direction to offer in situations such as this. (Area flooding is also another risk) We need to address these limitations! Areas that do have natural boundaries that eliminate escape routes can not be viewed the same as other developments that may be exited from several directions.

We need safe solutions. They should be studied before tragedy not after!!! The addition of these 76 homes only adds to this dangerous problem that already exists. Namaste Rd and Sevilla will

not service an evacuation of this size. Fire Trucks and alternate safety vehicles will not be able to access this area using the same roads during an evacuation.

This site plan is adding to an already dangerous situation for all these neighborhoods. BTW, we have many older people in these neighborhoods. As well as a disabled Senior Citizens facility. It is unlikely that they would be able to leave their vehicle in a gridlock and take their walkers, and canes and climb up the hill Namaste Road.....I would like to know what department is it that is looking out for our safety?

Please deny this site plan!!!!

Thank you,
Shelley Bauer
4616 Almeria Dr NW
Albuquerque, NM 87120

The fire burned along the west side of the Rio Grande, then jumped the river. "You can see the flying embers, it's scary," said resident Liz Lardizabal. "The whole street in front of our house is solid with fire trucks."

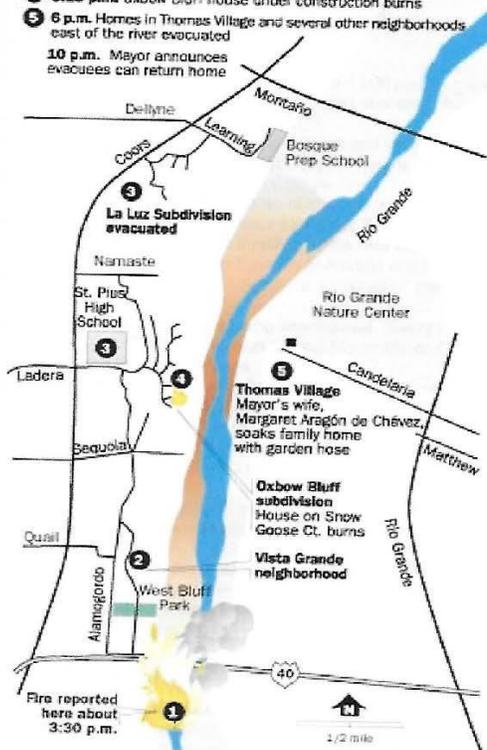
The [Albuquerque Tribune](#) reported that the fire was not as disastrous as it could have been. The only house that burned was a vacant one under construction. But Chief Ortega said they were just seconds away from disaster. "It's amazing that we didn't lose more structures than we did," he said. "If we didn't have that air support, I'd say we would still be fighting a large-flame fire right now."

Mayor Martin Chavez has already accelerated the city's \$350,000 annual bosque clearing efforts, pushing the city to finish clearing the 3,000-acre forest in five years instead of ten.

<http://wildfirenews.com/archive/062603.shtml>

BOSQUE FIRE

- 1 3:30 p.m. Fire reported south of I-40, races northward
- 2 4:30 p.m. Vista Grande neighborhood evacuated
- 3 4:45 - 5 p.m. La Luz Townhomes evacuated
Oxbow Bluff subdivision evacuated
St. Pius High School summer basketball campers evacuated
- 4 5:15 p.m. Oxbow Bluff house under construction burns
- 5 6 p.m. Homes in Thomas Village and several other neighborhoods east of the river evacuated
- 10 p.m. Mayor announces evacuees can return home



Rio Grande Silvery Minnow Sanctuary

Environmental Assessment

Final

Prepared for: U.S. Department of the Interior Bureau of Reclamation 555 Broadway NE, Suite 100
Albuquerque, NM 87102-2352

Prepared by: HDR Engineering, Inc. 2 N. Chamisa Drive, Suite J Santa Fe, NM 87508

October 6, 2005

3.2.10 Threatened, Endangered and Special Status Species The agencies that have primary responsibility for the conservation of plant and animal species in New Mexico are the USFWS, under authority of the ESA; the NMDGF, under authority of the New Mexico Wildlife Conservation Act of 1974; and the New Mexico Energy, Minerals and Natural Resources Department, under authority of the New Mexico Endangered Plant Species Act. These agencies maintain lists of plant and animal species that have been classified, or are potential candidates for classification, as Threatened or Endangered in Bernalillo County (Appendix B). Of those species known to occur in the County, 13 are likely to occur in the project area as shown in Table 3-3. Protection from harassment, harm, or destruction of habitat is granted to species protected under the ESA. The New Mexico Wildlife Conservation Act and New Mexico Endangered Plant Species Act protect state-listed species by prohibiting taking without proper permits.

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Table 3-3. Threatened (T), Endangered (E), State Sensitive or Federal Species of Concern (S), Candidate (C), and Proposed (P) Plant and Wildlife Species Known to Occur in Bernalillo County, New Mexico with Potential to Occur in the Project Area.

Common Name Scientific Name Federal State General Habitat

Fish

Rio Grande Silvery
Minnow

Hybognathus amarus E1 E Silt and sand substrates in slow
backwaters; Chihuahuan desert scrub,
plains-mesa grassland

Birds

Neotropic
Cormorant

Phalacrocorax
brasilianus

T Rivers, lakes and reservoirs with adjacent
wooded sites; desert grassland, Rocky
Mountain upper and lower montane
coniferous forest

Bald Eagle *Haliaeetus*
leucocephalus

T T Winters along shores of rivers and lakes;
Chihuahuan desert scrub, Rocky Mountain
upper and lower montane coniferous forest
Common BlackHawk

Buteogallus anthracinus
anthracinus

T Woodlands along lowland streams
American Peregrine
Falcon

Falco peregrinus
anatum

S T Chihuahuan desert scrub, Rocky Mountain
upper and lower montane coniferous
forest; Montane species, prefers to perch in
open areas often near water

Yellow-billed
Cuckoo

Coccyzus americanus
occidentalis

C S Forest canopy desert grassland, Rocky
Mountain upper and lower montane
coniferous forest; dense riparian shrub
Southwestern

Willow Flycatcher
Empidonax traillii
extimus

E₁ E Rocky Mountain upper and lower montane
coniferous forest; dense riparian groves of
willow or saltcedar

Loggerhead Shrike *Lanius ludovicianus* S Chihuahuan desert scrub, plains-mesa
grassland; riparian areas and woodlands of
pinion-juniper

Bell's Vireo *Vireo bellii* T Chihuahuan desert scrub, piñon juniper
woodland; riparian

Mammals

Yuma Myotis Bat *Myotis yumanensis*
yumanensis

S Scrub shrub, desert grassland, Rocky
Mountain upper and lower montane
coniferous forest; riparian and aquatic
habitats for feeding

Occult Little Brown
Myotis Bat

Myotis lucifugus
occultus

S Chihuahuan desert scrub, subalpine

coniferous forest; riparian and aquatic

habitats for feeding

Red Fox *Vulpes vulpes* S Piñon juniper woodland, alpine tundra

Western Spotted

Skunk

Spilogale gracilis S Mixed woodlands and open areas, scrub,
and farmland

Plants – None in project area

E = Endangered, T = Threatened, P = Proposed, C = Candidate; S = Sensitive or Species of Concern

¹

Federal critical habitat has been designated or proposed for this species; ²Non-essential experimental population;

Sources: Information received via email from L. Pierce, BISON-M Coordinator, NMDGF, 4/15/05; NMDGF

2004a; Plant data: New Mexico Rare Plant Technical Council (2005)

<http://nmrareplants.unm.edu/nmrptc/county.htm#Section1>

Susan Chadoir, PhD

edu.chadoir@gmail.com ♦ 4040 St. Josephs Pl NW Albuquerque NM 87120 ♦ 985-302-2878

February 11, 2019

Dan Serrano, Chairman
Environmental Planning Commission
City of Albuquerque Planning Department
600 Second Street NW
Albuquerque, NM 87102

Re: PR-2018-001402, SI-2018-00171

Dear Chairman Serrano and EPC Members:

As the lead organizer for the groups who have opposed this site plan, we support the staff recommendation to defer 30 days.

As noted in the supplemental staff report, staff received several significant materials from the applicant well after the deadline of February 4th. We echo staff's recommendation to defer because we, too, would also like the opportunity to fully analyze the new site plan and accompanying materials, to receive missing information, and to provide the planning commission, the public, and the applicant with an opportunity for more informed, cogent and comprehensive review and analysis of any and all materials for the project.

Sincerely,

Susan Chadoir, PhD

Sent via email to Csoomerfeldt@cabq.gov

Dan Serrano, Chairman
Environmental Planning Commission
City of Albuquerque Planning Department
600 Second Street NW
Albuquerque, NM 87102

Re: PR-2018-001402, SI-2018-00171

Dear Chairman Serrano and EPC Members

Thank you to Staff for the work on this challenging application.

I respect Joran Vier's comments about the trees; he gained my respect when he was with the Bernalillo County Extension office. It is unfortunate that the previous property owner (Daniels) turned off the water to the trees when he bought the property. If there is any development on the property, all efforts should be made to preserve/retain the trees.

I respectfully request that the application be denied for a number of reasons. The project does not comply with various sections of the IDO; this property satisfies 7 of 9 types of sensitive lands listed in the IDO.

The City has recently spent time and resources backfilling the bluff in the Major Public Open Space.

The City has made attempts to seal lateral cracks in the pavement indicating instability in the soil; the attempts to patch them have been short-lived. Slopes in the area are not stable.

The latest site plan shows lots adjacent to private open space and steep slopes; any construction in these areas will severely damage the extraordinarily sensitive property

This is a typical subdivision that could be built anywhere in ABQ; it is NOT innovative. While the property is unique and limited by the topography, the planned development of the property only provides an economic return which will NOT benefit the greater good.

This property is adjacent to six (6) different types of protected lands: Oxbow wetland, Rio Grande River, Bosque, Rio Grande Valley State Park; Major Public Open Space, and across the river from the Rio Grande Nature Center.

The Poole Property is a jewel on the west side of ABQ, a historic homestead. If the property is developed with a typical subdivision, ABQ will lose irreplaceable Open Space and sensitive land that would better serve the public than a gated community with limited open areas for passive recreation.

I respectfully request that the application be denied.

Ann Prinz
4611 Mijas Dr. NW
Albuquerque, NM 87120

A N T O I N E P R E D O C K
3 2 0 0 G R A N D E V I S T A P L A C E N W
A L B U Q U E R Q U E N M 8 7 1 2 0
5 0 5 8 4 3 7 3 9 0

February 11, 2019

Dan Serrano, Chair
Albuquerque Environmental Planning Commission

RE: Historic Poole Property/Overlook at Oxbow

Dear Dan,

My firm and I have been working along the Rio Grande for more than fifty years with projects including La Luz; one of the first pieces of truly “green” architecture in the United States. Planning La Luz we tucked the homes close to Coors and left the area along the river to be preserved in perpetuity for habitat and view. I also designed the Rio Grande Nature Center and spent many years studying riparian habitat along the Rio Grande and near the Oxbow. In addition my wife and I have lived on the bluff above the bosque for 25 years and we own several houses in the neighborhood between Coors and the Rio Grande.

Living and working on the bluff we experience the Rio Grande Flyway with the diurnal migration of “little birds” or the “river of birds” that runs to and from the Oxbow at dawn and dusk as well as the migrations of ducks, herons, cranes and other species including the soaring hawks, owls and occasional Bald Eagles. The bluff edge and oxbow also offer habitat to deer, quail, coyotes, bobcats and bees.

The open space along the river provides a critical mass of habitat for wildlife and the Oxbow is an integral part of the riparian habitat established by the Nature Center and the wetland at the oxbow expands the Nature Center’s preserved wetlands. When we began working on the Nature Center the bosque was considered by many to be a trash dump but thanks to in part the educational opportunities afforded by the Center the bosque has become one of Albuquerque’s most used and easily accessed recreational assets.

Given the adjacency of the proposed Overlook development to the critical riparian habitat of the Oxbow and the potential value of the property to the Albuquerque Community one has to question whether the proposed high density development is the highest and best use for the Poole property. The development’s design has very dense housing right up to the edge of the bluff above the Oxbow and a development of this density will inevitably lead to encroachments into and possible contamination of the Oxbow. The city needs to establish a buffer to reduce density as development moves from the dense edge of Coors to the habitat along the river to protect Albuquerque’s natural asset.

The City of Albuquerque and the Environmental Planning Commission need to seriously consider the natural and historic value of the Poole property before allowing the Overlook development to move forward. Is there an opportunity that has been missed here? For example a west side extension of the Rio Grande Nature Center? Or a partnership with the Audubon Society focusing on the flyway and the riparian habitat around the oxbow? At the very least the critical edge between development and the Oxbow should be considered a community asset, should be set aside to protect the Oxbow and the density of the proposed development should be reduced to a more reasonable level given the sensitivity of the site.

Very Best Regards,



Antoine Predock, FAIA

Somerfeldt, Cheryl

From: gulleyt@aol.com
Sent: Monday, February 11, 2019 8:30 PM
To: Somerfeldt, Cheryl
Subject: Opposition to Project 2018-001402 Poole Property. ZEO's verbal determination regarding multiple cluster developments

Follow Up Flag: Follow up
Flag Status: Flagged

Cheryl, it's Tom Gulley, 4701 Valle Bonita Ln NW, again. As you know I have submitted a memorandum dated February 4, 2019, in opposition to the site plan in part on the grounds that multiple cluster developments are not allowed on the Poole property. This email supplements my memorandum. Please place this email in the 48 hour material for the record of the referenced project.

You have explained to me that the determination of the ZEO that multiple cluster developments are allowed on the Poole property was verbal. I write this email to state my opposition to the planning department and the EPC relying on that verbal determination.

Apparently there is no written record supporting that verbal determination. If there are written records, for example, emails, notes, internal communications, regarding that verbal determination, I request that you provide them to me.

Without a written explanation from the ZEO of the basis for his verbal determination, the EPC and the public do not know whether the ZEO took into consideration the Supreme Court decision in High Ridge Hinkle v. City of Albuquerque, cited in my memorandum, that states that zoning regulations "**cannot be construed to include by implication that which is not clearly within their express terms.**" Given that there is no language in the IDO allowing multiple cluster developments on one project site, the EPC and opponents of the site plan simply do not know whether the ZEO impermissibly read language allowing multiple cluster developments into the IDO, contrary to the Supreme Court's instruction in High Ridge Hinkle,

In fact, the EPC and the public do not know on what the ZEO based his determination. For example, did the ZEO take into consideration that the language in the IDO allowing a cluster development is exclusively in the singular, i.e., one cluster development per project site, as discussed in my memorandum? What is the ZEO's explanation for disregarding that language? Did the ZEO adopt ex parte oral or written communications from the developer supporting multiple cluster developments without requesting input from opponents of the site plan or independently analyzing the IDO?

There is no doubt that opponents of the site plan are prejudiced in the absence of a written explanation of the basis for the ZEO's determination. How could anyone challenge or, for that matter, support a verbal determination as effectively as one could with a written determination? In the interest of fairness and transparency, a written explanation is necessary.

Moreover, the issue of whether multiple cluster developments are allowed on one project site, perhaps for the IDO an issue of first impression, is an issue that not only greatly affects the Poole property, but will also affect future cluster development projects. Indeed, developers of future cluster development projects will undoubtedly rely on the ZEO's verbal determination as precedent for their projects. Shouldn't such a significant precedent have a written explanation for it?

Neither the planning department nor the EPC should proceed with this project without a written explanation from the ZEO stating the basis for his determination. I urge you to recommend to Mr. Campbell, Mr. Brito and the EPC that the planning department and the EPC require the ZEO to provide a written explanation of the basis for his determination.

Tom G.

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

The Poole Property is gifted with spectacular views and natural features: Views of the Oxbow, with the City and Manzano Mountains in the background.



Views of the Oxbow & Sandia mountains. Views are a very important asset of Albuquerque. The development needs to be consistent with the intent of preserving views in the area by keeping all building heights to one story.



Pictures of Poole Property perimeter: Perimeter walls on the Southeast portion of property overlooking the Oxbow.



The perimeter and retainer walls extend down the slope to the wetland. Much work went into holding up the slopes in this location.





The **Steep Slopes** along the eastern edge of the Poole property, outside of the fence line are included in the **sensitive land protection area**. The Site Plan notes: The sensitive land area shall be owned and maintained by the HOA.

Slopes adjacent to the wetlands on the southern end of the property, exceed 20 ft. in height. How will the HOA maintain the steep slopes, and not impact the Oxbow wetland? What Government Agency has oversight on stabilization and Maintenance Activities?

Engineering noted that the slopes are not stable and the City has no plans to stabilize the slopes and does not want to be burdened with the cost of such improvements. Engineering **recommends a prudent setback**.

AMAFCA San Antonio Arroyo: Runs from the escarpment in Taylor Ranch to the River.



Photos of the AMAFCA San Antonio drainage facility, sediment pond: north side of Poole Property outside the fence line. The plan is to drain the subdivision into this pond and then deed it to AMAFCA for upkeep. It appears the site plan is designating the sediment pond as private Open Space/Sensitive Lands and is included in the calculation for their proposed cluster housing density. Since the drainage pond will not be designated as private Open Space in the future, should it be included in the density calculation for cluster housing?



Views of wetland from the fence line: There is not much distance from the fence line to the wetland.



Should homes be built so close to the wetland? This area is not as high compared to other areas along the bluff. How will an HOA be able to control soil erosion, deal with wildlife conflicts, or protect homes from Bosque Fires?



Bosque Trees: There is a lot of vegetation around the perimeter of the Poole property, which is subject to burn if there is another Bosque Fire. In 2003, Bosque fires burned several structures and prompted the evacuation of many residents. The Poole property has only 2 homes & a pool- house, which are set far back from the bluff. They also have 4 entrances on the 22acre site. The proposal is to build 76 homes, with only one entrance and one emergency exit. How will an HOA with 76 homes and less access handle an emergency evacuation?



A home under construction, was destroyed in the fire and a gazebo at the Vista Grande complex was also destroyed. A resident, who lives a mile to the south, had their home severely damaged during the 2003 fire. Here is his testimony

I am a Westside Resident since 1961. I have lived on property that borders the Rio Grande on its West side just north of I-40 for many years. In 2003 a fire in the Bosque reached my house and caused considerable damage. This experience has led me to believe that building more homes adjacent to the Bosque creates a considerable fire hazard for the home owners and their neighbors. Therefore, I believe that permitting the construction of homes between the existing “Poole Homes” and the river should not be permitted. It is my understanding that other neighbors share this view. I am available to discuss this matter at your convenience.

R.W. Kirschner

The Oxbow has the highest concentrations of wildlife in a single area. The bird life is especially abundant, along with coyotes, racoons, skunks, bobcats, & mosquitoes. How compatible will a subdivision be, so close to the wetlands?



The Poole estate has maintained its rural character, with excellent views of the Oxbow, City & Mountains. It has provided more protection to the Oxbow due to its minimal use and low impact. The property has served as a good buffer between the more intense surrounding development and the Oxbow open space. The proposed site plan is not the right fit for this property.

Here is a summary of issues raised by Albuquerque citizens, with a few solutions:

- 1) This proposal is not a cluster development. It does not provide the needed protection for the wetland or Bosque. La Luz is the best example of cluster development, that preserves appropriate amount of open space, and protection.
- 2) The Oxbow wetland has a high concentration of wildlife. The site plan design will impact the wildlife.
- 3) There is too much density and not enough buffer. The density needs to be reduced. The eastern third of the property needs to be left in its natural state to buffer the Bosque, wetland, and protect wildlife.
- 4) Homes need to be buffered from soil erosion, wild life conflicts & fire danger.
- 5) A single loaded street would provide better protection for homes & easy access for Firetrucks to fight Bosque fires.
- 6) The Site Plan should be following IDO regulations. The IDO prohibits cul-de-sacs & requires single loaded streets.
Therefore, eliminate the cul-de-sac; it brings houses too close to the Bosque. Build a single loaded street, it provides better protection for the residents.
- 7) Eliminate the Force Main sewage system. It is an expensive and unreliable system, pumping raw sewage up hill to the main sewage line. Eliminating development on the eastern portion of the property, eliminates the need for a Force Main.
- 8) More needs to be done to preserve the Poole property as well as the views and the existing homes.
- 9) The proposed site plan is the wrong plan for this site, it should be denied.

Thank you,
Rene' Horvath
TRNA& WSCONA