

PLANNING DEPARTMENT  
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## OFFICIAL NOTIFICATION OF DECISION

December 21, 2023

City of Albuquerque  
Open Space Division  
PO BOX 1293  
Albuquerque, NM 87103

**Project # PR-2023-009476**  
SI-2023-01764 - Site Plan - EPC

### **LEGAL DESCRIPTION:**

Tetra Tech Inc., c/o Ondrea Hummel, agent for the City of Albuquerque Open Space Division, requests a Site Plan- EPC, for all or a portion of Tract 3C-1-A, MRGCD Map 48, Excluding the Portion Out to AMAFCA Right of Way & Tract C-1-B (Aka Tract C-1), Federal Realty Corp, Excluding the Portion Out To the Right of Way For Rio Bravo Blvd., located on Coors Blvd. SW, between Dennis Chaves Blvd. and Gun Club Rd. SW, approximately 91 acres (P-10-Z)

Staff Planner: Dustin Kiska

On December 21, 2023 the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-009476, SI-2023-01764- Site Plan- EPC, based on the following Findings and subject to the following Conditions of Approval:

1. (Legal Description) The request is for a Site Plan-EPC for an Extraordinary Facility for the Hubbell Oxbow Farm. The site is legally described as all or a portion of Tract 3C-1-A, MRGCD Map 48, Excluding the Portion Out to AMAFCA Right of Way & Tract C-1-B (Aka Tract C-1) Federal Realty Corp, Excluding the Portion Out to the Right of Way For Rio Bravo Blvd, located on Coors Blvd, SW and Rio Bravo/Dennis Chavez Blvd. SW, located south of the western City limits, containing approximately 19.29 developed acres of a 91-acre site.
2. The subject site is located in Unincorporated Bernalillo County and is zoned County A-1 (Agricultural/Residential). It is located in a Rural Development Area and in the Southwest Mesa County CPA as designated in the ABC Comp Plan.
3. The subject site is owned by the City of Albuquerque and is managed by the City Open Space Division. Pursuant to IDO 14-16-1-4(C) all City Owned or leased properties are subject to IDO regulations.
4. The EPC is hearing the request because the IDO states that any Extraordinary Facility shall be reviewed and decided upon pursuant to subsection 14-16-6-6(I). Additionally, the request requires

Site Plan-EPC approval because the subject site is over 5 acres and adjacent to Major Public Open Space (MPOS).

5. The request would facilitate development located on the northernmost 19.29 acres, which includes the berm that runs along the eastern edge of the 91- acre subject site. The proposed site plan for the Hubbell Oxbow Farm includes improvements to the existing trail system, educational features, parking lot, picnic tables, benches.
6. To provide citizen oversight to the MPOS Program, the City established the Open Space Advisory Board (OSAB) in 1983. The OSAB makes recommendations regarding extraordinary facilities to the City's Environmental Planning Commission (EPC). On August 10, 2023 the project was discussed and approved at the OSAB meeting.
7. Pursuant to IDO Section 5-2(C)(1) both the subdivision and site design process shall begin with an analysis of the constrains related to sensitive lands. The applicant has provided a sensitive lands analysis demonstrating that site design would avoid locating development, except for open spaces and areas that would not be disturbed during the development process, in sensitive lands.
8. The subject site is designated MPOS (zoned A-1 in Bernalillo County), therefore site standards, uses and regulations shall be specified by the implementing Department, or standards specified in an approved Site Plan. Staff reviewed the Site Plan drawings pursuant to IDO regulations for MPOS properties. IDO development standards do not apply to this site. No other City divisions have reviewed the drawings as part of the EPC-Site Plan. Future DFT reviewers shall check the Site Plan for compliance with the DPM and all development standards for the proposed use. Staff has placed conditions of approval on the site plan.
9. Resource Management Plan is a Rank II Facility Plan. The intention of the Facility Plan required the city to develop a master plan for a Hubbell Oxbow Farm and Dam expansion that described methods of water conservation, preservation, management, and restoration. A resource management plan (RMP) for the Hubbell Oxbow Farm was recommended in the Major Public Open Space Facility Plan (RMP pg. 54).
10. Uses and development standards specified in a Resource Management Plan or Master Plan approved or amended by the Open Space Division of the City Parks and Recreation Department for each facility or in the Facility Plan for Major Public Open Space prevail over IDO standards and may be reflected in Site Plans approved pursuant to this IDO.
11. The Albuquerque/Bernalillo County Comprehensive Plan, the Major Public Open Space Facility Plan, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
12. The request is consistent with Chapter 4: Community Identity pertaining to character:
  - A. Goal 4.1 – Character: Enhance, protect, and preserve distinct communities. The Hubbell Oxbow Farm is located in a Rural Development Area in Unincorporated Bernalillo County that has been designated as MPOS. The request enhances the distinct community by providing outdoor recreation and education amenities on a site that the Comp Plan MPOS facility plan designates

as a site to be preserved for MPOS. Additionally, the request adds the network of existing Open Space recreation areas and enhance public access to agricultural farmland. The development made possible by the request will help protect and preserve the natural watershed, landscape and riparian vegetation suitable for animal habitats, as well as provide 100-year flood protection to communities within the South Valley.

- B. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place. The request helps to protect and enhance special places in the built environment that contribute to the distinct identity and sense of place because it will create a way for people to access the open space and learn about the natural environment.
- C. Policy 4.1.5 – Natural Resources: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions. The request encourages high quality development by adding controlled vehicle access and parking, and ADA pedestrian guided pathways through a portion of the site. The request responds appropriately to the natural setting and ecosystem by creating farmland and water catchments suitable for waterfowl. The adjacent riparian areas allow for the natural resources and wildlife to thrive on this site.
- D. GOAL 4.2 – Process: Engage communities to identify and plan for their distinct character and needs. Public engagement efforts were held at two outreach events where public could be formerly informed of the future development and had the opportunity to respond with questions, comments and concerns. Data was collected from surveys and comments at each event. The response was generally positive.
- E. Policy 4.2.2 – Community Engagement: Facilitate meaningful engagement opportunities and respectful interactions in order to identify and address the needs of all residents. The request is consistent with this policy as the applicant held engagement opportunities with neighborhood associations within the required radius of contact and any other interested parties. The applicant received general support from those that attended the public meetings. Comments received from public engagement were applied to the site plan drawings.

13. The request is consistent with Goals and Policies regarding County Development Areas from Chapter 5: Land Use.

- A. Goal 5.3 Efficient Development Patterns: Promote development patterns to maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good. The proposed project maintains and maximizes the ability to retain additional water resources returning flood waters back to the aquifer. This request accommodates the need set established by AMAFCA, for additional storm water collection, while allowing public to access the facility to experience nature and recreate.
- B. Goal 5.5 County Development Areas: Use Development Areas to foster the distinctiveness of communities in the unincorporated County by guiding their form, character, and density. The proposed project maintains the character of the County Rural Development Area through the preservation of the open space and natural resources. Low-density development, meaning a short drive path provides controlled vehicle access to the site to a small parking lot and low-density pedestrian pathways provide accessibility guiding the user to experience the natural landscape with minimal intrusion to the site. The development provides

experiential education of the natural landscape and history of the site, and will be enhanced through the creation of the request.

- C. Policy 5.5.1 Community Green Space: Provide visual relief from urbanization and offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside publicly owned Open Space, parks, trail corridors, and open areas throughout the Comp Plan area. The development made possible by the request seeks to provide visual relief from urbanization by creating a community amenity that does not disturb the natural ecosystem on site and enhances the existing trail system. The development will provide access to the established Major Public Open Space through a network of recreation trails. The proposed development allows easy access to many locations that block a direct view of the city and urbanization due to the undulations and topography of the site. The proposed Open Space amenity provides, gathering spaces, and interpretive signage.

14. The request is consistent with the following Goals and Policies regarding Facilities and Access from Chapter 10: Parks & Open Space:

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

The proposed development provides access to recreational opportunities with the inclusion of a new parking lot, picnic area, interpretive signage, and short ADA trail with connections to an existing trail system. The request preserves a portion of traditional agricultural farming traditional to the South Valley, providing educational opportunities for that use. The development is a Rural Development Area in Unincorporated Bernalillo County and owned by City of Abq Open Space, therefore it is a perfect balance and fusion of City and County's Parks and Open Space systems within the built environment.

- B. Policy 10.1.2 – Universal Design: Plan, design program, and maintain parks, Open Space, and recreation facilities for use by people of all age groups and physical abilities.

The proposed request will feature a .25-mile ADA compatible asphalt loop trail which connects to existing unpaved trails that go along the perimeter of the property. The soft surface unpaved trail that can be used by equestrian, bikes or foot hill pedestrians. This ensures equitable access to the outdoor resources provided by the Open Space and AMAFCA channel.

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

The development made possible by the request will help employ low-water use and reclamation strategies that will help conserve water. The proposed parking lot, drainage flows into retention ponds seeded with pollinator friendly plant life. The landscape illustrates the addition of native grasses and shrubs that are drought tolerant and will receive irrigation from the existing irrigation ditch, therefore there is no irrigation plan. The proposal includes the creation of a large berm that would be an extension of the Hubble Lake, allowing for roughly 70 acres of water retention and reclamation on the site and act as flood protection to the surrounding communities.

15. The request is consistent with the following Goals and Policies regarding Open Space from Chapter 10: Parks & Open Space:
  - A. 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 proposed development will help protect and preserve the integrity of the natural wildlife, landscape and vegetation
  - B. Policy 10.3.3 - Use: Provide low-impact recreational and educational opportunities consistent with the carrying capacity of the Open Space resources. The request proposes limited low-impact formalized accessible non-motorized trail improvements to the northern portion of the site. The request will add to the existing fabric of the Open Space resource that exists throughout the city. The proposed network of trails will connect gathering spaces and include interpretive and educational signage illustrating the history of the landscape, traditional farming culture, as well as the natural wildlife, landscape and vegetation.
16. The request is consistent with the following Goal 10.4 Coordination Chapter 10: Parks & Open Space: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities. The proposed development is part of a larger multijurisdictional project in partnership between AMAFCA the City of Albuquerque Open Space, and Bernalillo County, to help leverage public investment and limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.
17. The request is consistent with the following Goal 11.1 Traditional, Rural & Agricultural Heritage and Policies from Chapter 11: Heritage Conservation: Preserve and enhance farmland, the acequia system, and traditional communities The site plan will preserve traditional farmland and the South Valley's agricultural heritage. The existing acequia system still functions for the purpose of irrigating native grasses and shrubs. Access to the space along with educational signage will educate visitors of historical land use, culture and history of the past farming community. The dam expansion will inform and promote the knowledge of flood irrigated farm land
18. The request is consistent with the Policy 13.4.4 - Unique Landforms and Habitats from Chapter 13: Resilience & Sustainability: Protect areas with unique landforms, and crucial habitat for wildlife, through sensitive urban development or acquisition of Open Space. The development made possible by the request will protect conserve and enhance natural resources, habitat and ecosystems because the riparian wetlands and flood zones will remain unaffected by the proposed development. Unique wildlife and vegetation that exist in these locations will be able to survive in their natural habitat. The request protects traditional agriculture use. Water conservation provides drainage into retention ponds seeded with pollinator friendly plant life that compliments the bio diverse that exists in the Mid-Rio Grande ecosystem. Flood water collection at the dam and proposed berm will allow collected water to return to the aquifer.
19. The request is consistent with several Policies from the City's 1999 Major Public Open Space (MPOS) Rank II Facility Plan:

- A. Policy A.1.D: MPOS facilities are the primary locations of developed facilities such as parking lots, picnic shelters, restrooms and other structures. This Major Public Open Space type shall be protected and conserved while allowing for primary public use, but only where the consistent impacts of use on the environment can be mitigated. Facilities shall be designed for minimal impact on Major Public Open Space resources. Some low impact recreational facilities are allowable, but only where appropriate, and where urban and rural form is not affected. Unpaved or paved trails can be utilized as links to more sensitive trails and areas. The request would facilitate development of an Extraordinary Facility on dedicated MPOS land. The proposed Site Plan includes a vehicular parking lot, a shade structures over picnic tables, benches, and educational signs. The facility is proposed for light recreation and educational use at a MPOS Hubbell Farm. The trail is planned to be a natural base course. The facility is designed to retain floodwaters and preserve farmlands.
- B. Policy B.1.E. Existing trails shall be utilized whenever possible and new trails shall be developed and sited to meet the goals and requirements of this plan. The request is consistent with Policy B.1.E as the request will allow for better definition of the circulation paths of existing trails in addition to a short span accessible paved trail allowing for a more equitable range of user group. Existing soft trails will be revitalized for the use of pedestrian, mountain bicyclists and equestrian uses. Trails will be located along the perimeter of the dam site and along the existing AMAFCA channel where nature habitats and wildlife can be observed for educational value.
- C. Policy A.2.C: Resource Management Plans should be developed. The Hubbell Oxbow Farm Resource Management Plan was developed in 2004. This Site Plan is consistent with the recommendations in that plan.
- D. Policy B.2.I: Parking Lots shall be designed to fit the MPOS type, facility needs and landscape of where they are sites. They should provide access to MPOS to a full range of users, arriving to the site in multiple transportation modes. The proposed parking lot provides access to a broad range of vehicles as well as ADA spaces and one van accessible space. A bike rack is provided that will accommodate 4 bikes. The parking lot connects a short .25-mile paved accessible path which connects to existing unpaved trails and walking paths for visitors to access the full perimeter of the 90-acre site.
- E. Policy C.4: Recreational uses appropriate in Major Public Open space areas adjacent to the monument include scenic overlooks, parking, restrooms, picnic areas and trails. Class V facilities shall be designed to complement facilities within the monument and may serve as staging areas for trails within the monument and on Major Public Open space lands. The request is consistent with Policy C.4. as the request will provide a vehicular parking lot accompanied by picnic areas acts as a staging area to utilize a new .25-mile asphalt path which connects to an existing network of basecourse trails on the property and provides access to various educational and wildlife experiences for the user.
- F. Policy D.1: The City shall work with AMAFCA and public and private landowners on watershed management and erosion control to protect the northwest mesa escarpment face, the Rio Puerco escarpment, the Atrisco terrace and other MPOS lands. The proposal includes the creation of a large berm that would be an extension of the Hubble Lake, allowing for roughly 70 acres of water retention and reclamation of the natural watershed, landscape, and riparian vegetation

suitable for animal habitats, as well as provide 100-year flood protection to communities within the South Valley.

20. The request meets the Site Plan-EPC Review & Decision Criteria in IDO Section 14-16-6-6(J)(3) as follows:
- A. 14-16-6-6(I)(3)(a): The Site Plan – EPC for an Extraordinary Facility is consistent with the ABC Comp Plan goals and policies because the project will protect and enhance the character of the surrounding area.
  - B. 14-16-6-6(I)(3)(b): The subject site is within the County and zoned A-1. The subject property is not within the boundary of the City of Albuquerque, and there are no previously approved NR-SU or PD zoning covering the subject property.
  - C. 14-16-6-6(I)(3)(c): With the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO, DPM, and other adopted City regulations. The site plan shall comply with the MPOS Facility Plan and will comply or exceed all applicable provisions required by Bernalillo County and other agencies specifically applicable to development and usage of the property as it relates to health, safety, and welfare.
  - D. 14-16-6-6(I)(3)(d): The proposed development will not utilize City utilities because lighting and sewer are not proposed. The City’s existing infrastructure has adequate capacity for the proposed development because the proposed drive access point, trails, and sidewalk system will connect to existing streets, trails and sidewalks. The proposed Site Plan includes adequate parking including ADA accessible parking and trail use.
  - E. 14-16-6-6(I)(3)(e): The site plan mitigates adverse impacts on the subject site and surrounding area. A sensitive lands analysis pursuant to IDO 5-2(E) was included with the request due to the presence of sensitive lands on site. The applicant provided evidence that the proposed extraordinary facility will not impact the sensitive lands. The intent of the improvements is to allow equitable parking and trail access to the Open Space property for experiential, recreational and cultural educational purposes.
  - F. 14-16-6-6(I)(3)(f): The subject property is not within an approved Master Development Plan and the Site Plan meets relevant standards in the MPOS Facility Plan and in the Hubbell Oxbow Farm Management Plan.
  - G. 14-16-6-6(I)(3)(g): The subject property is not within a Railroad and Spur Area therefore this criterion does not apply.
21. There are no known archaeological sites on the subject site. A “Certificate of No Effect” from the City of Albuquerque was issued on October 4, 2023.
22. The affected, registered neighborhood organizations are the South Valley Coalition of Neighborhood Associations, which were notified as required. Property owners within 100 feet of the subject site were also notified.

23. A The applicant held a facilitated meeting on April 26 and August 26, 2023. There was general support of the project by community members. Coalition representatives will be updated about the project moving forward and be including in the planning process prior to EPC submittal.
24. As of this writing, no letters of opposition have been received and general support has been received. NA's and Coalitions are in support of an open space amenity in the area.

### CONDITIONS OF APPROVAL

1. After approval by the Environmental Planning Commission (EPC), the applicant shall submit the proposed site plan to the Development Facilitation Team (DFT) for Final sign-off. The reviewer will be responsible for ensuring that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
2. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT to ensure that the EPC Conditions in the Official Notification of Decision have been met. The staff planner will provide a post-EPC memo to the DFT.
3. Detail Sheet: Structure elevations shall include materials and colors.
4. Condition From BCPWD: The applicant shall coordinate with the County to ensure that adequate right-of-way is provided to include space for a future trail along Coors Blvd. The site shall follow City of Albuquerque's DMD for 18' of ROW for trail improvements and a 28' of ROW from each side of Coors Blvd. shall be provided for the standard 156' Commuter Principal Arterial.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **January 5, 2023**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

*Megan Jones*

for Alan M. Varela,  
Planning Director

AV/DK/MJ

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