

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

June 15, 2023

ABCWUA
PO BOX 568
Albuquerque, NM 87103

Project # PR-2023-008617
SI-2023-00866 - Site Plan - EPC, Major Amendment

LEGAL DESCRIPTION:

Consensus Planning, agent for the Albuquerque-Bernalillo County Water Utility Authority (ABCWUA), requests the above action for an approximately 4.8 acre portion of the following: All of Section 28, Township 11 North, Range 2 East, zoned NR-PO-B, located at 6641 81st St. NW, west of Unser Blvd. NW and comprising the southwestern corner of the intersection of Molten Rock Rd. NW and 81st St. NW, approximately 640 acres (D-09-Z)
Staff Planner: Silvia Bolivar

On June 15, 2023 the Environmental Planning Commission (EPC) voted to Approve Project # PR-2023-008617, SI-2023-00866 - Site Plan – EPC, Major Amendment) based on the following Findings and subject to the following Conditions of Approval:

1. The request is for a Major Amendment to a Prior Approved Site Development Plan for a water treatment facility located within a Major Public Open Space. The subject site is legally described as Section 28, Township 11 North, Range 2 East, and located at 6641 81st Street NW between Molten Rock Road and 81st Street NW (“the subject site”).
2. The subject site is part of a larger, approximately 640-acre site located within a Major Public Open Space. In February 2003, the EPC approved a Site Development Plan for Building Permit (Project 1002197; 02 EPC 1955) for the water pump station and above-ground storage reservoir to serve the Double-Eagle II Airport and adjacent facilities.
3. The applicant proposes to amend the controlling site development plan to develop 4.8 acres at the northeast corner of a 640-acre site as the new, on-site Volcano Cliffs Arsenic Treatment Facility (VCATF).
4. The VCATF will treat groundwater from the ABCWUA Volcano Cliffs and Zamora Wells with a total production capacity of 16.8 Million Gallons per Day (MGD) and an average arsenic concentration of 14 parts per billion (ppb). The wells provide water to the Volcano Cliffs and Corrales Trunk Systems.
5. The EPC is hearing the case pursuant to the Integrated Development Ordinance (IDO) Section 14-16-6-4(Z), Amendments of Pre-IDO Approvals. IDO Section 14-16-6-5(Z)(1)(b)1, states that Major Amendments shall be reviewed and decided by the decision-making body that issued the permit or approval

being amendment. In this case, the EPC approved the Site Development Plan in February 2003, prior to the effective date of the IDO. In addition, the request is being heard because any Extraordinary Facility must be reviewed and decided pursuant to Subsection 14-16-6-6(J) - Site Plan – EPC.

6. The subject site is zoned NR-PO-B [Park and Open Space Zone District-Sub-zone B: Major Public Open Space], IDO 14-16-2-5(F)(3)(b).
7. The subject site is located in an Area of Consistency as designated by the Comprehensive Plan and is within the boundaries of the West Mesa Community Planning Area (CPA).
8. The subject site is within the boundaries of the Northwest Escarpment View Protection Overlay Zone, VPO-2 (14-16-3-6(E)).
9. The City of Albuquerque granted the ABCWUA permanent exclusive easement (recorded in August 2018) for a public water and sanitary sewer system facility including underground pipelines, wells, pump stations, reservoirs and all improvements, facilities, equipment, and appurtenances necessary for the operation of the water and sanitary sewer system. Permanent Easement – Water Facilities – Volcano Cliffs 81st Street and Vista Vieja Well #1 (Document #2018069239).
10. 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.
11. The request is consistent with the following Comprehensive Plan Goals and Policies from Chapter 5: Land Use pertaining to Areas of Consistency.
 - A. Goal 5.6 – City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of surrounding areas.

The request will encourage and direct growth to an Area of Change so the development made possible by the request will ensure that the development reinforces the character and intensity of the surrounding areas that are most single-family neighborhoods.

- B. 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 subject site is located in an Area of Consistency, and the development made possible by the request will protect and enhance the character of existing single-family neighborhoods because it will allow the applicant to comply with regulatory requirements while meeting community needs. In addition, the major amendment will help maximize the existing water treatment facility while confining development to the northeast quadrant of the site. Furthermore, the grading at this location is between 0-5%, and water treatment facilities should be relatively flat with a change in elevation of no more than 2-8% slope, further protecting the existing neighborhoods.

- C. Subpolicy 5.6.3(b): Ensure the development reinforces the scale, intensity, and setbacks of the immediately surrounding area. .

The request is consistent with this subpolicy because the development made possible by the request will reinforce the scale, intensity, and setbacks of the immediately surrounding area by allowing for the existing facility to be expanded within the area covered by the Permanent Easement and by providing buffer spaces of several hundred feet between the site and the neighborhoods nearby. The scale of the proposed buildings will be similar to buildings on site, new facilities will be located to the site's interior, and setbacks will be unaltered.

12. The request is consistent with the following Comprehensive Plan Policies from Chapter 7: Urban Design.

A. Policy 7.5.2 – Landscape Design: Incorporate local climate conditions into site design.

The request is consistent with this policy because the request will allow for the natural and existing vegetation to remain with planned extensive revegetation seeding along the eastern portion of the site. The soils in the area support various native plant communities that will be undisturbed by the development. Incorporating the local climatic conditions into the site sign design will require less maintenance while providing buffering and screening to adjacent neighborhoods.

B. Policy 7.6.3 – Utility Infrastructure: Encourage design of visible infrastructure (surface and overhead) that respects the character of neighborhoods and communities and protects significant natural and cultural features.

The request is consistent with this policy because the new treatment facility will match the exterior of buildings already on-site as much as possible. The new buildings will be of similar materials and architectural styles to the existing buildings, and the layout offsets and separates the buildings limiting their appearance as an industrial facility. As a result, the new facility will have minimal impact on its surroundings.

C. Subpolicy 7.6.3(a): Work with ABCWUA to design facilities that blend into the natural landscape and include native and naturalized vegetation. Encourage more productive use of vacant lots and underutilized lots, including surface parking.

The request is consistent with this policy because ABCWUA is collaborating with local design firms that are designing the facility so that it will blend into the natural landscape. Native and natural vegetation is proposed to protect the surrounding environment while allowing the underutilized water treatment facility to expand, encouraging more productive use of the site.

13. The request is consistent with the following Comprehensive Plan Goal and Policies from Chapter 10: Parks and 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 request is consistent with this policy because the facility has been designed to minimize its environmental and public impact. In addition, several hundred feet of buffer spaces between the facility and the nearest residences will help protect the area. Furthermore, the site development will occur within 4.8 acres of a 640-acre site, providing outdoor recreation and education outside the northeast quadrant.

B. Policy 10.3.5 – Petroglyph National Monument: Preserve the volcanoes, key portions of the basalt flow, and the Northwest Mesa Escarpment as part of the Open Space Network.

The request is consistent with this policy because the major amendment will help preserve the volcanoes, basalt flow, and the Northwest Mesa Escarpment because it will allow for the existing water treatment facility to be confined to the northeast quadrant of the major public open space within the

Open Space Network. Furthermore, the grading at this location is between 0-5%, and water treatment facilities should be relatively flat with a change in elevation of no more than 2-8% slope, further protecting the Northwest Mesa Escarpment.

- C. Subpolicy 10.3.5(e): Limit utilities and roads to areas that are least sensitive to disturbance, avoiding the following areas: Piedras Marcadas Canyon, the point where the mid-branch of the San Antonio crosses the Escarpment, the Marsh peninsula, Rinconada Canyon, and the escarpment immediately south of the Rinconada Canyon.

The request is consistent with this Subpolicy because the access road will be located in the northeast quadrant of the site and will occur on a 0-5% slope. The major amendment will avoid the Piedras Marcadas Canyon, the point where the mid-branch of the San Antonio crosses the Escarpment, the Marsh peninsula, Rinconada Canyon, and the escarpment immediately south of Rinconada Canyon.

14. The request is consistent with the following Comprehensive Plan Policy from Chapter 11: Heritage Conservation.

- A. 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 request is consistent with this policy because the development will be confined to the northeast quadrant of the site while preserving the major public open space that includes the Petroglyph National Monument. Native and naturalized vegetation will be used that will enhance the natural characteristics thereby contributing to the distinct identity of the community, neighborhood, and cultural landscape.

15. The request is consistent with the following Comprehensive Plan Goal and Policy from Chapter 12: Infrastructure, Community Facilities & Services.

- A. Goal 12.1 - Infrastructure: Plan, coordinate, and provide for efficient, equitable, and environmentally sound infrastructure to support existing communities and the Comp Plan's vision for future growth.

The request is consistent with this Goal because the major amendment will allow for the facility to be expanded in order to treat the groundwater from the Volcano Cliffs and Zamora Wells which furthers the Comp Plan's vision for future growth. The major amendment will also allow for ABCWUA to meet the EPAs guidelines while helping to ensure the environmental and social health of the community.

- B. Policy 12.1.2 – Water and Wastewater Utility: Ensure consistency between Comp Plan and ABCWUA policies by coordinating infrastructure planning and programming.

The request is consistent with this Goal because the major amendment helps meet regulatory requirements while addressing utility and community goals. Furthermore, the request helps align ABCWUA management policies and strategies with planning goals contained within the Comp Plan.

16. The request is consistent with the following Comprehensive Plan Goals from Chapter 13: Resiliency and Sustainability.

- A. Goal 13.2.3 – Water Quality: Coordinate with the ABCWUA, state, and other agencies to maintain the quality of our groundwater and surface waters.

Sustainable water infrastructure is critical to providing clean and safe water while helping to ensure the social and environmental sustainability of the communities that water utilities serve. ABCWUA has

worked in conjunction with state and other agencies to help ensure the long-term sustainability of water infrastructure.

- B. Subpolicy 13.2.3(b): Minimize the potential of contaminants to enter the community's water supply.

The request will facilitate the development of the new Volcano Cliffs Arsenic Treatment Facility (VCATF) and will allow for the arsenic treatment system to treat the total water production from the Volcano Cliffs and Zamora Wells. The new arsenic treatment system will utilize absorptive media, similar to several other arsenic removal systems at other arsenic treatment facilities on the West side.

- C. Goal 13.5.3 – Public Infrastructure Systems and Services: Coordinate with providers to ensure that systems and services do not compromise the health, safety, and welfare of the community.

The new Volcano Cliffs Arsenic Treatment Facility will help the applicant coordinate with providers thereby ensuring that systems and services do not compromise the health, safety, and welfare of the community.

17. The City's 1999 Major Public Open Space (MPOS) Rank II Facility Plan identifies the types of Major Public Open Space, including the West Side Open Space. Albuquerque's West Side MPOS defines the western edge of the urban area. Most of the developed facilities located in the West Side are considered special use areas and are managed by several departments including the City Open Space Division. Applicable land use policies from the MPOS Rank II Facility Plan include:

- A. Policy C.3.: Facility development adjacent to the escarpment shall be consistent with the requirements of the Northwest Mesa Escarpment or its successor.

The expansion of the VCATF is consistent with the requirements contained in the Integrated Development Ordinance as the Northwest Mesa Escarpment Sector Development Plan was rescinded upon the adoption of the IDO.

- B. Policy C.5: Existing special use facilities located within Major Public Open Space may accommodate uses which are not appropriate to conservation and resource protection.

The request will facilitate the development of the Volcano Cliffs Arsenic Treatment Facility (VCATF), a facility whose use, while not contributing to conservation and resource protection, will help meet regulatory requirements while addressing utility and community goals.

18. 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) As demonstrated by the policy analysis of the site plan, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(I)(3)(b) The subject site is zoned NR-PO-B therefore, this criterion does not apply.
- C. 14-16-6-6(I)(3)(c) With the application of conditions of approval, the site plan would comply with all applicable provisions of the IDO.
- D. 14-16-6-6(I)(3)(d) The City's existing infrastructure has adequate capacity for the proposed development.
- E. 14-16-6-6(I)(3)(e) The future, proposed development would be required to comply with the decisions made by the EPC. The EPCs' conditions of approval would improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas.

- F. 14-16-6-6(I)(3)(f) The subject property is not within an approved Master Development Plan; therefore, this criterion does not apply.
 - G. 14-16-6-6(I)(3)(g) The subject property is not within a Railroad and Spur Area and a cumulative impact analysis is not required, therefore this criterion does not apply.
19. The affected neighborhood organizations are the Molten Rock NA and the Westside Coalition of Neighborhoods, which were notified as required. In addition, property owners within 100 feet of the subject site were notified as required. A pre-application meeting was not requested.
20. As of this writing, Staff has not received any comments in support or opposition to the request.

CONDITIONS OF APPROVAL – SI-2023-00866

1. The EPC delegates final sign-off authority of this site development plan to the Development Facilitation Team (DFT) to ensure all technical issues are resolved. The DFT is responsible for ensuring that technical EPC Conditions have been satisfied and that other applicable City requirements have been met.
2. The applicant shall meet with the Staff planner prior to applying to the DFT to ensure that all conditions of approval are addressed and met. Upon receiving sign-off from the DFT, the applicant shall submit a finalized version of the site plan for filing at the Planning Department.
3. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DFT final sign-off, may result in forfeiture of approvals.
4. The applicant shall ensure that new shrubs are watered sufficiently as per the General Landscape Notes found in the Landscape Plan (LS 100).
5. Details shall be provided for the Evaporative Cooler, CO2 Tank and Surge Tank enclosure/screen walls.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC’s decision or by **June 30, 2023**. The date of the EPC’s decision is not included in the 15-day period for filing an appeal, and if the 15th 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).

OFFICIAL NOTICE OF DECISION

Project # PR-2023-008617

June 15, 2023

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Sincerely,

Catalina Lehner

for Alan M. Varela,
Planning Director

AV/CL/SB

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EPC File