



**Environmental
Planning
Commission**

**Agenda Number: 5
Project Number: 1008633
Case #: 10EPC 40075
February 10, 2011**

Staff Report

Agent	Bohannon-Houston, Inc.
Applicant	City of Albuquerque/ABCWUA
Request	Site Development Plan for Building Permit
Legal Description	A 1.3 acre portion of the N½ and a portion of the S½, S2S, T10N, R4S Sandia Mountain Wilderness Area
Location	NM State Road 333 (Old Route 66) between Carnuel Exit on I-40 and Echo Canyon Estates
Size	Approximately 1.3-acres
Existing Zoning	County A-1
Proposed Zoning	same

Staff Recommendation

APPROVAL of 10EPC 40075, based on the findings beginning on page 11, and subject to the Conditions beginning on page 13.

Staff Planner

Christopher Hyer, Senior Planner

Summary of Analysis

This proposal is for a site development plan for building permit for an Extraordinary Facility on Major Public Open Space land. The facility is a water tank and related facilities (and its associated access road) that will serve residents of the Carnuel area. Although this site is outside of the City limits, it is part of a larger tract owned by the City of Albuquerque. This larger tract of land (327-acres) is protected, undeveloped Open Space in the southern foothills of the Sandia Mountains.

The Open Space Advisory Board has reviewed this request and is recommending approval.

The site is in the Rural Area and the applicant has adequately justified the request based on applicable policies found in the *Comprehensive Plan* as well as the *City of Albuquerque Major Public Open Space Facility Plan*.

There is no known opposition and staff is recommending approval.

I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	County A-1	Rural Area	Undeveloped
North	County A-1	Rural Area	Undeveloped MPOS then national forest
South	County A-1	Rural Area	Undeveloped MPOS, I-40
East	County A-1	Rural Area	Undeveloped MPOS, then Single-Family homes – Village of Carnuel
West	County A-1	Rural Area	Undeveloped MPOS

II. INTRODUCTION

Proposal/ Context/Background

This is a request for approval of a site development plan for building permit to construct an Extraordinary Facility on City of Albuquerque Major Public Open Space (MPOS). The extraordinary facility is a 390,000-gallon water tank and related facilities, and will be accessed with a dedicated service road, that will be built in Echo Canyon north of the State Road 333 exit off of I-40 in the east-mountains. The 1.3-acre lot for this extraordinary facility will be carved out of a 327-acre tract of land that is part of MPOS network. This tract is protected and unimproved open space. The access road to the water tank facility is to remain unimproved and crosses the Open Space land as well from an unimproved County road.

The primary purpose for the water tank is to provide water storage capacity and gravity service as well as fire protection to the Zone 8E water distribution network for the Carnuel community. The area is in critical need of domestic water service due to the water quality in the area and the increasing levels of nitrates detected in area well samples. This water tank will provide safe and clean drinking water as well as a stored source of water for fire protection.

The subject site is in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and resides on the City owned tract that remains under Bernalillo County jurisdiction. This tract was acquired by the City for the purposes of protecting the southern foothills of the Sandia Mountains and is protected, undeveloped open space. The lot for the extraordinary facility will remain in City ownership with an easement granted to the Albuquerque/Bernalillo County Water Utility Authority (ABCWUA) for the water tank and its related improvements and the site's associated access road.

Even though the land for the extraordinary facility will remain in the City's ownership, the ABCWUA has an agreement with the Open Space Division to compensate for the lost open space land. The ABCWUA will also provide upkeep and maintenance to this facility and road.

EPC Review

Under the Code of Ordinances that created the Environmental Planning Commission, specifically, §14-13-3-2 (A) (5), the EPC is required to hear all requests for Extraordinary Facilities in City Parks and Open Space (enactment number 79-1989). The EPC must review the Site Development Plan before installation or construction can begin. Before this can happen, the EPC is required to seek the recommendation of the Open Space Advisory Board (OSAB). Thus, this request received a recommendation of approval from the OSAB when they met on January 25, 2011. The language stating these requirements is as follows:

(5) Approval of Extraordinary Facilities in City Parks and Open Space. If extraordinary facilities are proposed for city-controlled parks or open space, EPC approval of a site development plan is required before installation or construction. Before considering approval of such facilities, the EPC shall seek the recommendation of the Metropolitan Parks Advisory Board and/or the Open Space Advisory Board, according to their jurisdiction over the area. The decision of the EPC may be appealed to the City Council if appeal is filed with the Planning Director within 15 days of the decision. For the purpose of this division (5):

*(b) **EXTRAORDINARY FACILITIES IN OPEN SPACE** are those other than trails, fencing, signs, incidental parking lots, and access roads.*

The OSAB decision is to approve the requested extraordinary facility, but emphasized that every possible effort must be made in trying to reduce the visual impact of the facility. Specifically, their statement for approval reads as follows:

The Open Space Advisory Board supports the application of the Water Utility District to construct the water tank on this parcel with strong adherence to mitigate the visual effects of the tank and the construction of the road and the future maintenance of the road in perpetuity.

The recommendation of a "... strong adherence to mitigate the visual effects of the tank ..." should be considered by the EPC when making its determination of whether or not to approve this request. Once the EPC has made its decision, the request for the water tank and its related facilities will be forwarded to the County - but as a different type of request. The County Planning Commission will make a recommendation to the Bernalillo County Commission to approve a Special Use Permit for a Public Utility Structure. Thus, the EPC is the final approval authority for the aesthetics and the City; however, the County will be approving a request for a utility structure and may make changes to this facility in answer to possible concerns about its functionality as a utility structure.

III. ANALYSIS -CONFORMANCE TO ADOPTED PLANS AND POLICIES

A) Albuquerque/Bernalillo County Comprehensive Plan- Rank I

The subject site is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan with a goal “to maintain the separate identity of Rural Areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns.” Applicable policies include:

Note: References to city policies are stated in plan type; *the applicant’s justification is quoted or summarized in italicized text; staff’s analysis is in bold italics*

Policy II.B.3.b: Development in Rural Areas shall be compatible with natural resource capacities, including water availability and soil capacity, community and regional goals, and shall include trail corridors where appropriate.

Possible Technique 4: Encourage and support development of community water and waste systems consistent with protecting the resource base and the water quality.

This proposal furthers this policy in that it will provide safe, clean drinking water to the residents of the Carnuel communities while protecting the resource base and water quality through a more efficient means of service provision.

Staff agrees. The addition of the water tank and the fact that it will be the source of a potable water supply in a community that frequently experiences unsafe levels of nitrate contamination in its water supply is compatible with the natural resource of water availability to the community and the region that this policy addresses.

Policy II.B.3.f: Development shall be carefully controlled in the East Mountain Area to prevent environmental deterioration, and be compatible with the resource base and natural recreational and scenic assets.

Possible Technique 3: Consider extensions of public service/facilities to the East Mountain Area only where public health and safety are threatened.

This proposal complies with this policy in that the residents of the proposed service area currently do not have clean and safe drinking water or adequate fire protection.

Staff Agrees. Currently, many potable water wells are shallow and all homes use a septic system. Contamination from the septic system mixes with the well water rendering the domestic water supply unusable. The water tank will be filled from water originating in the City and is at City standards for potable water.

C. ENVIRONMENTAL PROTECTION AND HERITAGE CONSERVATION POLICIES

2. Water Quality

Goal: to maintain a dependable, quality supply of water for the urbanized area’s needs.

Policy II.C.2.a: Minimize the potential for contaminants to enter the community water supply.

This proposal furthers this goal and policy by providing a dependable, quality supply of water to the area and minimizing the potential for contaminants by replacing the more shallow water supply from individual and shared wells.

Staff agrees. The water tank will be connected to a distribution system that brings potable water directly to homes eliminating the need for individual wells.

Policy II.C.2.b: Water quality degradation resulting from onsite liquid waste disposal systems shall be minimized.

Possible Technique 1: Extend municipal (or community) water and sanitary sewer systems to outlying areas in accordance with other local government policies to minimize potential adverse effects upon shallow groundwater.

This proposal furthers this policy in that it is extending community water to the area in order to minimize potential adverse effects upon shallow groundwater.

Staff agrees. The water line will contain City of Albuquerque water. Since the nature of its transportation from the City to the water tank and then distribution to the end-users at their homes is from pipes, there will be no chance for the water to be degraded from onsite liquid waste from septic systems.

Policy II.C.2.e: Provide greater emphasis on a total systems approach to water as a valuable resource.

Possible Technique 2: Investigate a regional approach to water supply and treatment.

This proposal furthers this policy in that it is taking water service off of individual wells, and providing a more efficient and clean supply of water.

Staff agrees. The proposed water tank and its distribution network will replace the means of water service from individual wells.

D. COMMUNITY RESOURCE MANAGEMENT

1. Service Provision

Goal: to develop and manage use of public services/facilities in an efficient and equitable manner and in accordance with other land use planning policies.

Policy II.D.1.c: The existing public service area should be highest priority for service, capacity, use, maintenance, and rehabilitation.

The proposed water tank furthers this policy and its goal in providing safe, potable water for existing residents of the Carnuel area in an efficient and equitable manner in accordance with other Comprehensive Plan land use policies.

9. Public Safety

Goal: to develop a safe and secure community in cooperation with the public and other governmental agencies.

Policy II.D.9.a: A strong fire prevention and suppression program to protect lives and property shall be maintained.

The development of the water tank for the residents of Carnuel is a collaborative effort between governmental agencies: City of Albuquerque Open Space Division, Albuquerque/Bernalillo County Water Utility Authority and the County of Bernalillo as well as the Carnuel Mutual Domestic Water and Wastewater Consumers Association. This collaborative effort furthers the Goal of providing for a safe community. The water tank will provide storage of a large quantity of water with a great enough pressure to achieve the policy of maintaining a strong fire prevention program.

B) City of Albuquerque Major Public Open Space Facility Plan – Rank II

The *City of Albuquerque Major Public Open Space Facility Plan* was approved in 1998 by the Albuquerque City Council, and in 1999 by the Bernalillo County Commission. The purpose of the plan was to establish guidelines for implementation of the MPOS network goals contained in the Albuquerque/Bernalillo County Comprehensive Plan. The facility Plan establishes specific planning, land use and management policies for each major open space area, including: Sandia Foothills; West Side Open Space; Rio Grande Bosque and adjacent Open Space; Arroyos: East Mountain Open Space; Easement areas; and, Out of County properties. The subject site lies in the East Mountain Open Space Area.

The proposed water tank was located and designed with input from the City's Open Space Division and County engineering staff. This request furthers applicable General Policies presented in the MPOS Facility Plan. These policies include:

Policy A.2.E: Site Plan and Vegetation Management Plan. Site specific plans for development and landscaping shall be prepared for any improvement constructed in Major Public Open Space. Any improvement, which is not permissive according to Table 2-3, shall be reviewed and approved by the Open Space Advisory Board prior to submittal to the Environmental Planning Commission, Bernalillo County Commission or other board having jurisdiction for approval. The site plan review shall include approval of measures to mitigate impacts of construction and facility use. The mitigation plan shall identify methods of minimizing the impacts of construction and human use, including restoration of natural resources and environmental features. The Plan shall also identify conditions to be noted during ongoing monitoring which could eventually need more intensive management, i.e., revegetation, closing areas to public use, species inventory, revegetation methods, etc.

A landscape plan has been prepared as part of this request. The landscape plan identifies vegetation management and construction mitigation efforts of the project, which includes the following:

- *Use of plant materials identified for the area by the Major Public Open Space Facility Plan for the purposes of screening the reservoir and reclamation of any site disturbance;*
- *Existing trees will be salvaged where possible;*
- *Excavated rock material will be used to stabilize steep slopes; and,*
- *A temporary irrigation system shall be in place to ensure plant establishment.*

Table 2-3 of the MPOS Facility Plan shows Permissive and Conditional Uses in MPOS. Under the heading Protected, Undeveloped Open Space, an unimproved service road is Permissive. However, a public utility structure and utility easements are Conditional uses and must be accompanied by a site development plan. The applicant has submitted such a plan, which includes a landscape plan.

The applicant has made a presentation to the Open Space Advisory Board and the board has recommended an approval for the Conditional Use for this facility with the direction that it blends in well with the surrounding open space. The site development plan also shows an increased amount of trees and shrubs that will be used to help screen the components of this extraordinary facility.

Policy B.1.C: Protected, Undeveloped Open Space. Protected, undeveloped open space areas comprise the largest portion of the MPOS Network. These areas provide resource protection, visual relief from urban development, shaping of the urban form, and backcountry recreational opportunities for residents and visitors. These areas provide a transition from urban development to wilderness areas and contain opportunities to experience isolation from urban development.

- Protected, Undeveloped open space should be fenced and posted with access points placed to control visitor use patterns.
- Protected, Undeveloped open space should be predominantly undeveloped with only those facilities needed for dispersed informal recreation. Facilities will be primarily unpaved trails, with associated signage.
- Protected, Undeveloped open space should be free of public roads, except for unimproved service roads, when possible, however, roads are allowed as a conditional use with approval of a site development plan. ... Replacement lands equivalent to the area committed to another use must be provided by the agency requesting the non-recreational use and approved and approved through the Federal process. [if the requested land is used for federal purposes]
- Protected, Undeveloped open space should be protected from concentrated public use through placement of MPOS facilities at areas of easy access and heavy use.
- Public utility structures are allowed in protected, undeveloped open space as a conditional use with site development plan approval. Collocation with MPOS facilities is preferred.
- Protected, Undeveloped open space may include trails at varying levels of accessibility including trails which range from usable to challenging for users with disabilities.

This policy requires Protected, Undeveloped open space to be free of public roads, except for unimproved service roads. Roads are allowed with approval of a site development plan.

This request includes a proposal for an unimproved service road, which has been located and designed in a manner intended to minimize the impact and disturbance to the site and adjacent land. The road will only provide access to the reservoir site. It is graded to balance cut and fill quantities, to the extent possible, and graded are proposed to meet the design criteria, as defined by the County Fire Chief and County engineering.

Staff agrees that the road to the water tank is only for the purpose of servicing the facility and it is not intended to be a public road. The ABCWUA will have a private easement with two entities. The road will connect to an existing County road at the boundary of private land. This private land must be crossed to access the City owned open space land. Therefore, the ABCWUA will have a private access easement with both land owners and there is no intention of this road becoming a public road.

Agreement between the Open Space Division and ABCWUA will provide a mechanism to replace the land used for this facility and access road to this site in the Protected, Undeveloped open space network.

The Protected, Undeveloped open space is not surrounded with a fence, but the water tank facility will be fenced and help to define the boundary between disturbed and undisturbed land. A fence will not surround the access road either, but have a gate (with large boulders placed on either side to discourage use) at its entry point where it adjoins the County Road. Further, there will be no trails from the extraordinary facility, or the road, inviting hikers to access the open space land.

Table 2-3 – Requirement for Conditional Uses

Table 2-3 of the MPOS Facility Plan has a requirement of Conditional Uses that require site development plan approval for MPOS in the Protected, Undeveloped Open Space areas. The requirement is found at the bottom of the table found on page 23 and reads as follows:

Conditional uses that are not related to an MPOS purpose are considered to remove land from the MPOS Network. To mitigate this loss, the requesting agency must replace the land lost to the MPOS Network with land equal in area to that removed from the network. ... All other lands must be approved by the OSAB and planning commissions as part of the site development plan approval.

The Open Space Division and ABCWUA are finalizing an Agreement to compensate for the fair market value of the land taken out of the Major Public Open Space network (approximately 1.8 acres). If the Open Space Division receives cash-in-lieu of land, those proceeds would be used toward purchasing property listed on the OSAB's acquisition priority list. The exact value of the land taken out of the MPOS network (that will determine the amount of cash-in-lieu to be paid to the Open Space Division) has yet to be finalized.

IV. ANALYSIS--SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Submittal

The proposed site development plan for building permit is for a 390,000-gallon potable water tank and its related facilities and the unimproved service road that accesses the facility. It will be built in Echo Canyon north of the State Road 333 exit off of I-40 in the east-mountains on a 327-acre tract of land that is protected, undeveloped major public open space. A 1.3-acre lot will be taken from this tract for the purpose of developing this extraordinary facility - the water tank and related facilities.

The applicant submitted a packet of 7 full-size sheets consisting of a proposed site development plan with site details, a landscape plan, a grading and drainage plan, a utility plan and the water tank and extraordinary facility's elevations. Additionally, there are two 11" X 17" pages: one with a color rendering of the water tank in-situ, and the other is an aerial showing the location of this extraordinary facility and access road in the open space land and its relationship to the village of Carnuel.

Site Plan Layout / Configuration

The site plan shows the created lot and the associated access road (in the middle of the MPOS) with locations of the proposed improvements. The water tank is in the northern half of the lot (slightly off-center) with the proposed disinfection building, location of a future pump station, detention pond and the gravel parking lot all to the south. A fence with a locked gate is shown to surround this lot on the perimeter. The access road enters the lot at the southeastern portion of the site and runs approximately 325' east across MPOS. The road continues across private land (about 90') to a gate (surrounded by boulders) that then connects to a County road.

The pipes used to fill the tank and to provide the feed for the distribution network (as well as all other utilities) will be buried within the access road.

Fences

There is an 8' high fence that will surround the site. This fence will be made of 6" X 6" timbers that are a maximum of 10' apart with a painted wire "field fence" stretched around them. The fence construction is approved by the Open Space Division and is seen to "blend in better with the natural environment" than a metal or chain link fence.

Vehicular Access, Circulation & Parking

Access to the site will only be for service vehicles – no public access. The access road leading to this extraordinary facility will be 20-foot wide and unimproved. The parking area is a 30' by 64' area and covered with gravel. There will be a guardrail along the eastern edge of the vehicle access areas that surround components of this site. The guardrail is for protection of vehicles that may veer too close to the steep, unimproved grades that fall away from this site.

Lighting & Security

As this facility is on MPOS and is not intended to have public access, there will be no site lighting or lighting along the access road. There are two building mounted lights above the access doors to the disinfection building and the future pump station building. These lights provide for safety for access to the doors and reside on the west side of the disinfection building and on the north side of the future pump station building.

The agency comments from police suggest video cameras to be installed for security purposes. The ABCWUA is not opposed to this recommendation.

Landscaping Plan

The Landscaping Plan shows an estimated 29 new trees and 55 shrubs to be installed around the facility to help screen the water tank and related facilities. Existing trees will be preserved where

possible. Any trees that need to be removed during construction will be salvaged for replanting. All new plantings are to be native plant materials that are indigenous to the foothills and comply with the City's MPOS Facility Plan, Appendix F.

The landscape plan does note that a temporary irrigation system will be provided for 2-3 years. All landscape and irrigation maintenance is the responsibility of ABCWUA.

Grading & Drainage Plan

The subject site naturally slopes downward from the northwest to the southeast with 10% to 20% of proposed slope across the site. There will be a detention pond on site that is required to detain runoff volumes at their maximum flow with a volume of 0.1 acre-feet. The result is that this extraordinary facility is capable of safely passing the 100-year storm and meets City requirements for drainage.

The access road will be graded evenly from side to side across the natural terrain. There will be culverts under the road to allow natural drainage of existing arroyos in three locations. The road will be constructed from salvaged rock material from site construction, utilize a minimum of 4' cobble for slope stabilization and be finished with gravel. As mentioned, the ABCWUA will maintain this road.

Utility Plan

As mentioned, the water lines that bring water to the tank and then feed the distribution system will be buried in the road. There will be a 12" inlet line and two outlet lines: one 12" diameter pipe to feed the distribution network and one 6" diameter pipe that is for fire protection.

Architecture & Design

The elevations for the pump station building and the disinfection building are typical utility facility design: small functional box-type structures with no aesthetics that are 11' 6" in height. Finish for the site elements (buildings, fence and water tank) is shown to be sage green, however, the comments from the Open Space Division suggest a color closer to the natural surrounding. The OSAB has asked that the Open Space Division have the ultimate decision on what color would be best for this extraordinary facility when building permit is issued.

The water tank is 46' in diameter and 40'6" in height. The water tank will partially be buried to a depth of 20' with 20'6" above the surface of the ground. The engineering consultants have mentioned that further "berming" around the tank is under study, so the visual impact above the surface of the ground may be reduced. The only other remarkable features are a service stairway and an overflow outlet (with drainage pipe) on the side of the tank and a vent cap at the top.

Signage

There will be no signage at this extraordinary facility.

Concerns of Reviewing Agencies/Pre-Hearing Discussion

There are only review comments from the Open Space Division and the Police Department. Staff will refer to the Open Space Division's comments first:

- The first comment is a reminder that the ABCWUA will need to mitigate the loss of MPOS with the Open Space Division. An agreement between the two agencies has been achieved and the cash-in-lieu will be paid to the Open Space Division – the exact dollar amount has not been finalized.
- Maintenance of the service road is ABCWUA's responsibility.
- The Open Space Division would like the water tank no higher than 12' above ground. After consulting with the project's engineers, staff understands that costs become prohibitive to go farther underground as any deeper would mean continual digging in solid granite. The ABCWUA also mentions that the height of the water level is of crucial consideration as this water tank is connected to their larger system.
- Color of site components within the extraordinary facility should blend with the surrounding area. The Open Space Division has requested to staff that the final color choice be left to their discretion.
- All landscaping should be guaranteed for 1-year to ensure that the site remains landscaped. Since the site development plan determines what is to be placed on the site, all shown plantings must be live vegetation.
- All disturbed area of Open Space shall be reclaimed and appropriately landscaped.
- There shall be no public access granted until the Open Space Division can provide sustainable pedestrian trails.

The Police Department would like the fence brought up to 10' high and made of metal. The Open Space Division has asked that the perimeter fence be 8' high, made of wood and field fence in order to be the least obtrusive to the surrounding MPOS.

The Police Department also recommends motion lights and video surveillance cameras installed to prevent/detect possible tampering at the facility. The Open Space Division does not want lights and has no opinion about the video surveillance cameras. The ABCWUA supports the recommendation of video surveillance cameras and will install them.

Neighborhood Concerns

There are no City recognized neighborhood or homeowner associations or coalitions within this area and none were notified. Staff is aware that public meetings took place April 18, 2009 to introduce the project beginning and August 11, 2009 to explain the project in detail. Another public meeting was held on October 7, 2009, which explained the status of the project and solicited public comment. The comments have been used by the ABCWUA and the engineers of Bohannon-Houston to arrive at the project that is now in front of the EPC for review and consideration.

Staff met with one neighbor (from Carnuel) seeking information regarding this request. The neighbor is president of the Echo Canyon Neighborhood Association (ECNA). Concerns expressed by ECNA regard the aesthetics of the water tank. The engineering consultants have been working to address these concerns and ECNA is in support of this request.

There is no adverse comment from any other members of the public.

Conclusion

This is a request for a site development plan for building permit for an Extraordinary Facility on City of Albuquerque Major Public Open Space (MPOS). The extraordinary facility is a 390,000-gallon water tank and related facilities, and will have a corresponding service road, that will be built in Echo Canyon north of the State Road 333 exit off of I-40 in the east-mountains. The purpose for this extraordinary facility is to provide potable water to the residents of the Village of Carnuel. It is requested by the ABCWUA and will be built on a large tract of City Open Space. The Open Space land is protected, undeveloped MPOS that covers a large portion of the southern foothills of the Sandia Mountains. This tract of land resides outside of the City of Albuquerque and is under the jurisdiction of the County.

The EPC is the final decision making body for this request for the City of Albuquerque. However, the request for the water tank will enter the County's approval process, but will be for a special use permit for a utility structure.

This site is within the Rural Area of the Comprehensive Plan. This request is consistent with a preponderance of goals and policies found in both the Comprehensive Plan and the MPOS Facility Plan.

Staff has had communication with the nearby neighborhood association (in Carnuel) and they support this request.

Staff recommends Approval.

FINDINGS - 10EPC-40075 (February 10, 2011) - Site Development Plan for Building Permit

1. This is a request for approval of a site development plan for building permit for an Extraordinary Facility on City of Albuquerque Major Public Open Space (MPOS). The extraordinary facility is a 390,000-gallon water tank and related facilities, and will have a corresponding service road, that will be built in Echo Canyon north of the State Road 333 exit off of I-40 in the east-mountains.
2. The subject site is part of a larger 327-acre open space tract that covers land in the southern foothills of the Sandia Mountains. This land is protected, undeveloped open space.
3. The Open Space Advisory Board recommends approval of this request.
4. The subject site is outside the City limits and is zoned County A-1.

5. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Major Public Open Space (MPOS) Facility Plan are incorporated herein by reference and made part of the record for all purposes.
6. The subject site is in the Rural Area of the Comprehensive Plan and covered by the MPOS Facility Plan, a Rank 2 Plan.
7. The request for site plan for building permit furthers the following Comprehensive Plan policies:

RURAL AREA POLICIES

3. Rural Area: This request will provide safe, potable drinking water to the residents of the Carnuel area. The residents of this community have been using domestic wells that have tested as being contaminated with high nitrate levels. This extraordinary facility addresses the need that is critical in nature, to provide the natural resource of water availability to the area. The water tank will store water originating from City wells and is at City standards for potable water. (Comprehensive Plan Policies II.B.3.b & II.B.3.f)

ENVIRONMENTAL PROTECTION AND HERITAGE CONSERVATION POLICIES

2. Water Quality: This request will provide a dependable, safe supply of potable water to the residents of the Carnuel area. The supply of water will be from the City of Albuquerque, which will be piped to this water tank. This will eliminate the possibility of the potable water supply being contaminated from local septic systems and eliminate the need for individual wells. (Comprehensive Plan Policies II.C.2.a, II.C.2.b & II.C.2.e)

COMMUNITY RESOURCE MANAGEMENT

1. Service Provision: This request will provide safe, potable water for existing residents of the Carnuel area in an efficient and equitable manner in accordance with other Comprehensive Plan land use policies. (Comprehensive Plan Policy II.D.1.c)

9. Public Safety: The development of the water tank for the residents of Carnuel is a collaborative effort between governmental agencies: City of Albuquerque Open Space Division, Albuquerque/Bernalillo County Water Utility Authority and the County of Bernalillo as well as the Carnuel Mutual Domestic Water and Wastewater Consumers Association. This collaborative effort between governmental agencies furthers the Goal of providing for a safe and secure community in cooperation with the public and other governmental agencies by directly addressing the need for safety and fire protection. The water tank will provide storage of a large quantity of water with a great enough pressure to achieve this policy of maintaining a strong fire prevention program. (Comprehensive Plan Policy II.D.9.a)

8. The request generally complies with the Issues and General Policies of the MPOS Facility Plan:
- The landscape plan prepared for this request identifies vegetation management and construction mitigation efforts of the project, which includes the following:
1. Use of plant materials identified for the area by the MPOS Facility Plan for the purposes of screening the water tank and reclamation of any site disturbance;
 2. Existing trees will be salvaged where possible;
 3. Excavated rock material will be used to stabilize steep slopes; and,
 4. A temporary irrigation system shall be in place to ensure plant establishment.
- Further, the applicant has made a presentation to the Open Space Advisory Board and they have recommended approval for the Conditional Use for this facility. (MPOS Facility Plan Policy A.2.E)
- This policy requires protected, undeveloped open space to be free of public roads, except for unimproved service roads. Roads are allowed with approval of a site development plan.
- This request includes a proposal for an unimproved service road, which has been located and designed in a manner intended to minimize the impact and disturbance to the site and adjacent land. The road will only provide access to the extraordinary facility. It is graded to balance cut and fill quantities, to the extent possible, and grading is proposed to meet the design criteria, as defined by the County Fire Chief and County engineering staff. (MPOS Facility Plan Policy B.1.C)
9. An agreement has been worked out with the Open Space Division and the ABCWUA on keeping the protected, undeveloped MPOS network whole. Value of the required acreage for this extraordinary facility has been determined at current market rates. An agreement between the Open Space Division and the ABCWUA has been achieved and payment of cash-in-lieu will be accepted by the Open Space Division. The revenue received will be used by the OSAB to purchase additional MPOS that has been identified on their acquisition priority list.
10. Staff has been in contact with the president of the Echo Canyon Neighborhood Association (ECNA). Concerns expressed by ECNA regards the aesthetics of the water tank. The engineering consultants have been working to address these concerns and ECNA is in support of this request. There is no known opposition to this request.

RECOMMENDATION - 10EPC 40075 (February 10, 2011)

APPROVAL of 10EPC-40075, a Site Development Plan for Building Permit for an extraordinary facility located on a 1.3-acre lot within a 327-acre tract of protected, undeveloped Major Public Open Space that is north of the State Road 333 exit off I-40, zoned County A-1, based on the preceding Findings and subject to the following Conditions.

CONDITIONS OF APPROVAL - 10EPC-40075 (February 10, 2011) -- Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. 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 DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. The applicant shall mitigate the loss of MPOS with an agreement for compensating the Open Space Division for the acreage taken out of the MPOS network.
4. The applicant shall be responsible for the maintenance of the facility service road.
5. The applicant shall let the Open Space Division be the final decision maker regarding the color used for site components.
6. The applicant is responsible for all vegetation shown on the site development plan and its living health.
7. All disturbed area of Open Space shall be reclaimed and appropriately landscaped.
8. There shall be no public access granted until the Open Space Division can provide sustainable pedestrian trails.
9. The applicant shall defer to the Open Space Division for height and type of fence to be at least 8' tall.

10. Video surveillance cameras shall be installed by the ABCWUA to detect tampering and any possible terrorist activity.
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***Christopher Hyer
Senior Planner***

cc: Bohannon-Houston, Inc., 7500 Jefferson Street, Courtyard 1, Albuquerque, NM, 87109
ABCWUA, P.O. Box 1293, Albuquerque, NM, 87103
Strata Design, 600 Central Avenue SE, Suite 227, Albuquerque, NM, 87102
Marron And Associates, 7511 Fourth Street NW, Albuquerque, NM, 87107
Open Space Division, P.O. Box 1293, Albuquerque, NM, 87103
Jerry Widdison, Open Space Advisory Board, Open Space Division, P.O. Box 1293,
Albuquerque, NM, 87103
Mari Sabana, County of Bernalillo, 111 Union Square SE, Suite 100, Albuquerque, NM 87102
Kirk Minnick, 49 Camino El Alto, Albuquerque, NM, 87123
Becky Guterrez, P.O. Box 1161, Tijeras, NM 87059
Richard Nieto, 617 Mountain View NE, Albuquerque, NM, 87123

Attachments:

1. Letter of Approval from the Open Space Advisory Board – January 26, 2011

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Reviewed, No comment

Office of Neighborhood Coordination

No Neighborhood and/or Homeowner Association(s)

No Coalition(s) to notify

Long Range Planning

The site is located outside the City limits. It is in the Rural Area of the Comprehensive Plan and is governed by the Major Public Open Space Facility Plan.

CITY ENGINEER/DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comments. Defer additional comments to Bernalillo County Public Works and Albuquerque Bernalillo County Water Utility Authority (ABCWUA), concerning access and roadway improvements.

Hydrology Development (City Engineer/Planning Department):

- The Hydrology section has no objection to the Site Plan.

Transportation Planning (Department of Municipal Development):

- Reviewed, and no comments regarding on-street bikeways or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL

DEVELOPMENT and NMDOT:

- a. None.

WATER UTILITY AUTHORITY

Utility Services

No comments received.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

No comments received.

Environmental Services Division

No comments received.

PARKS AND RECREATION

Planning and Design

No comments received.

Open Space Division

The applicant has proposed to construct a water reservoir and associated access road on City-owned Major Public Open Space. Per City Council Resolution 79-1989, the applicant is required to present their proposal to the Open Space Advisory Board (OSAB) prior to the case being heard at the Environmental Planning Commission. This is required anytime an “extraordinary facility” is proposed to be constructed on Open Space land. The applicant will present their proposal to the OSAB on January 25, 2011. If the proposal is considered acceptable by the OSAB, the Open Space Division has the following conditions and comments regarding the project:

- It is understood that if this project is allowed to go forward, the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) and the Open Space Division shall enter into an agreement specifying how compensation to the Open Space Division will be completed based on language in the adopted Rank II Major Public Open Space Facility Plan (MPOSFP). Page 23 of the MPOSFP states, “***Conditional uses that are not related to an MPOS purpose are considered to remove land from the MPOS Network. To mitigate the loss, the requesting agency (in this case the ABCWUA) must replace the land lost to the MPOS Network with land equal in area to that removed from the Network. Replacement lands must be approved by the OSAB and planning commissions as part of the site development plan approval.***”
- The ABCWUA shall maintain the access road regularly and it must be kept in good condition. The outlying Open Space will become heavily eroded if the access road is not kept maintained and will create an enormous burden on Open Space staff and the environment.

- The application is not clear whether the tank will be 18 feet above ground level or 12 feet above ground. Open Space would like to see the tank no higher than 12 feet above ground.
- Design – The proposed green colors may not be suited to best “camouflage” the water tank. It is recommended that the colors used will blend the tank in to the surrounding Open Space environment as best as possible making it less visible. It is recommended that the ABCWUA look into creating an art project or mural that could help blend the water tank into the surrounding Tijeras Canyon landscape. A “boulder-scape” could be one example of such blending type art or mural.
- It is recommended that any landscaping be guaranteed for one year from date of installation and/or planting. Any vegetation planted that does not survive the first year shall be replaced at the expense of the applicant.
- All disturbed areas of Open Space due to construction shall be reclaimed with the appropriate native landscaping and grass seed.
- No public access or walkthroughs shall be granted or constructed until the Open Space Division has the ability to assess the area for future sustainable pedestrian trails.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

1. Recommend the fence surrounding the facility be reinforced based on the current design. The current design calls for an 8' tall fence with wooden timbers. Suggest a taller fence (possibly at least 10') and replace wooden timbers with a metal variety.
2. Motion lights should be installed to detect possible tampering at night.
3. Video surveillance cameras could be placed to detect tampering and any possible terrorist activity.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

No comments received.

FIRE DEPARTMENT/Planning

No Comments

TRANSIT DEPARTMENT

Adjacent and nearby routes	None
Adjacent bus stops	None

Site plan requirements	None.
Large site TDM suggestions	N/A
Other information	None.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

No comments received.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comments received.

ALBUQUERQUE PUBLIC SCHOOLS

1.3 Acre Portion of the N. ½ and Portion of the 5 ½, Section 25 T10N, R4E, is located on NM State Rd 333, between Carnuel Exit on I-40 and Echo Canyon Estates Development. The owner of the above property requests approval of a Site Development Plan for Building Permit for a 390,000-gallon reservoir in Echo Canyon. This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

MRCOG staff has no comment on the proposed application.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

No comments received.

PUBLIC SERVICE COMPANY OF NEW MEXICO

PNM has no comment based on information provided to date.