

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

December 9, 2016

Parks & Recreation Dept. COA  
Attn: Christina Sandoval  
P.O. Box 1293  
Albuquerque, NM 87103

**Project# 1011049**  
16EPC-40067 Extraordinary Facility In Open Space (Site  
Development Plan for Building Permit)

### LEGAL DESCRIPTION:

The above action for a portion of the Atrisco Siphon Outfall located within the Rio Grande Valley State Park, zoned R-1, located between Interstate-40 and Central Ave., containing approximately 1 acre (J-12)

Staff Planner: Maggie Gould

PO Box 1293

On December 8, 2016 the Environmental Planning Commission (EPC) voted to APPROVE Project Albuquerque 1011049/16EPC-40067 Extraordinary Facility In Open Space (Site Development Plan for Building Permit), based on the following findings:

### NM 87103 FINDINGS:

www.cabq.gov

1. This is a request for a pedestrian bridge over the Atrisco Siphon outfall for a portion of the Atrisco Siphon Outfall located within the Rio Grande Valley State Park, zoned R-1, located between Interstate-40 and Central Ave., containing approximately 1 acre.
2. The proposed bridge will link two existing ADA accessible trails in the Rio Grande Valley State Park.
3. The EPC has jurisdiction in this matter because of the provision in 14-3-2-(A) 5, which designates EPC as the approval body for Extraordinary Facilities in City Parks and Open Space. § 14-13-3-2, Duties, Responsibilities, and Powers( of the EPC) clarifies that Extraordinary Facilities in Open Space are those that fall outside of trails, parking areas, fencing and signage. The Open Space Advisory Board met in January of 2016 and determined that the bridge does constitute an extra ordinary facility in Open Space as required above.
4. The subject site is within the boundaries of the Rio Grande Valley State Park; the park is jointly managed by the City of Albuquerque Open Space Division, the Middle Rio Grande Conservancy District and State and Federal agencies.

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5. The Albuquerque/Bernalillo County Comprehensive Plan, Bosque Action Plan, Major Public Open Space Facility Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
6. There are no zoning code requirements for the bridge. The bridge will comply with the requirements of the current ADA standards as noted in the condition from Transportation Development.
7. The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to "create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment." Applicable policies include:

Open Space

- A. The Goal is to provide visual relief from urbanization and to offer opportunities for education, recreation, cultural activities, and conservation of natural resources by setting aside Major Public Open Space, parks, trail corridors, and open areas throughout the Comprehensive Plan area.

Policy II.B.1b: Access to the Rio Grande, bosque, and surrounding river lands should be carefully designed to provide entry to those portions suitable for recreational, scientific and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions. The proposed foot bridge further the Open Space Goal and Policy II.B.1b because the footbridge will add to recreational options for residents by adding a bridge that provides an ADA accessible connection to the existing crusher fine trail along the bosque. The bridge is located as far from the river as possible, while still allowing for maintenance of the outfall. The trail keeps recreational users in appropriate areas and discourages access into other areas.

Land Use

- A. Policy II.B.5d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

The proposed foot bridge further policy II.B5d because the foot bridge will improve access into the bosque for all community members, but has been designed with materials that will appear natural (composite lumber) and with the smallest span available while still meeting ADA requirements.

- B. Policy II.B.5g: Development shall be carefully designed to conform to topographical features and include trail corridors in the development where appropriate.

The request further Policy II.B.5g because the foot bridge allows the continuation of the crusher fine trail through the bosque trail corridor. The bridge will slope slightly to the grade of the trail and will conform to the topography of the area.

8. The subject site is within boundaries of the Bosque Action Plan and is located in Corridor C, I-40 to the Barelas Bridge (Bridge Street). Relevant goals/policies include the following:

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- A. Policy 6: All Submittals for development located on the Rio Grande Valley State Park shall include an extraordinary facilities form to be submitted to the Open Space Advisory Board for their action.

Actions:

A. These submittals will be checked for compliance with this plan and other adopted plans, ordinances, and policies.

B. Review will not prohibit existing or future drainage or flood control projects approved by a count, municipality or flood control agency, but will cooperate to minimize adverse impacts caused by such projects.”

The request furthers BAP Policy 6 because the proposed foot bridge was reviewed by the Open Space Advisory Board and the applicant has addressed the concerns of the OSAB to the extent possible, while still meeting the requirements that make the bridge ADA accessible.

- B. BAP policy 8: Improvements shall be located in non-sensitive areas that are appropriate for such developments, considering ecological sensitivity as well as user satisfaction.

The proposed foot bridge furthers BAP policy 8 because the Open Space division coordinated with the Army Corps of Engineers to ensure that bridge is located above the high water mark of the river as required by Section 404 of the Federal Clean Water Act. The US Fish and Wildlife Service determined that the bridge would not likely impact threatened or endangered species. The City contracted with an environmental monitoring consultant to review the ecosystem conditions beginning in fall 2014; no adverse effects were detected in the area of the proposed bridge crossing. The bridge improves user satisfaction by connection two existing ADA compliant trail segments.

- C. BAP policy 9: Encourage developed recreation and other public uses between the area north of developed recreation and other public uses between the area north of Barelás Bridge and south from I-40.

Actions:

B. Provide trails to meet the Uniform Accessibility Standards (UFAS) as required by the Americans with Disabilities Act (ADA) of 1990 standards.

The request furthers BAP policy 9 because the footbridge will be located between the Barelás Bridge and I-40 and will link two existing ADA accessible trail segments.

- D. BAP policy 11: An ecologically compatible, multi-use trail system shall be developed.

Actions:

Develop stabilized trail surface and loop trails from access points into non-sensitive areas of the bosque as identified in this document and updated... reports. Wheelchair accessible areas must meet UFAS as required by ADA of 1990.

The request furthers BAP policy 11 because the foot bridge is located in an area that was analyzed to determine that it is non-sensitive. As stated previously, the foot bridge links two accessible ADA trails and helps to provide more ADA compliant facilities within the bosque.

- E. BAP policy 17: Educational opportunities and improvements shall be identified in appropriate areas.

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Actions:

C. Develop wheelchair accessible interpretive trails complying with the UFAS as required by ADA 1990 standards.

The request partially furthers BAP policy 17 by adding an ADA accessible connection between the two existing ADA compliant trail segments. No interpretive signage is shown with this project, but could be added at a later date.

F. BAP policy 20: Construction methods and materials used shall be compatible with preservation of the natural character of the Rio Grande Valley State Park.

Actions:

B. Minimize the removal of vegetation at all construction sites. Require revegetation where removal is unavoidable.

C. Wherever possible, use natural and recycled materials for facility improvements.

E. Proposed methods and materials used on projects must be reviewed and approved by the Open Space Division prior to application.

F. Completed improvements should comply with design requirements identified in this document.

G. Prior to construction, site boundaries must be identified and approved by the Open Space Division. Construction equipment is required to stay within the boundaries, unless otherwise approved by the Open Space Division.

The request furthers BAP policy 20 because the request was reviewed by the Open Advisory Board, the bridge construction will remove non-native trees species, the bridge surface will be made of a composite lumber that includes recycled plastic material and the Open Space Division played an active part in the review of methods and materials, including defining the boundaries and choosing the construction equipment requirements.

G. BAP project map 10 shows existing natural surface trails and proposed hard surface trails from Central Avenue north, almost to I-40, including the Atrisco Siphon area. Hard surface trails are identified as wheelchair accessible.

The applicant states that since the adoption the BAP in 1993, ADA standards and construction methods have changed. The BAP uses the term hard surface to apply to asphalt, concrete or similar materials. Stabilized crusher fines meet the ADA standards, but are made from natural materials and placed on existing ground surfaces, therefore the crusher fine trail is still a natural surface trail, and is wheel

9. The subject site is subject to the requirements of the Major Public Open Space Facilities Plan. The following policies are relevant to this request:

A. Facility Location and Design, policy B.2.F: Recycled and salvaged materials should be used when possible. However, the cost savings must be balanced against aesthetics and long term maintenance in overall site design.

The request furthers Facility Location and Design, policy B.2. because the foot bridge surface will be made from Trex, a composite lumber containing recycled plastic; this material was

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chosen because it will look like wood, but will be easier to maintain and have a lower maintenance cost than treated wood.

- B. Trails, policy B.2.J: The Open Space trail system shall accommodate a variety of users on single and multi-purpose trails. Trails should be designed, as much as possible to meet the requirements and intents of the Americans with Disabilities Act and should accommodate a range of ability level.

The request furthers Trails, policy B.2.J because the bridge will link the two existing ADA accessible trails and accommodate a wider variety of users than without the bridge.

- C. Trails, policy B.2.L: Trails shall be designed and managed to minimize environmental damage and to conform to the greatest degree possible to the materials and topography of the area.

The request furthers Trails, policy B.2.L because, as previously discussed, the design and materials of the bridge have been selected to minimize the environmental impact on the area and have taken the topography into account.

10. The Alamosa Neighborhood Association, Crestview Bluff Neighbors Association, Gardens of the Rio Grande Homeowners Association, Huning Castle, Los Duranes, Los Volcanes, Pat Hurley, Riverview Heights and Vecinos del Bosque Neighborhood Associations, Vista Magnifica Association, West Bluff, West Mesa, and West Park Neighborhood Associations, North Valley Coalition, South Valley Coalition of Neighborhood Associations, the South West Alliance of Neighbors and the Westside Coalition of Neighborhoods were all notified of the request by the applicant via certified mail.
11. The City notified property owners in within 100 feet of the site, approximately 180 people were notified. Staff received three inquiries regarding the project, one expressed concern. Staff has not received any additional comments as of this writing.

**CONDITIONS:**

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. Transportation Development Conditions:
  - A. Developer is responsible for permanent improvements to the transportation facilities adjacent to the proposed development site plan, as required by the Development Review Board (DRB).
  - B. Site plan shall comply and be in accordance with all applicable City of Albuquerque requirements, including the Development Process Manual and current ADA criteria.

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4. The following comments need to be addressed prior to DRB:
  - A. Ensure all grades, slopes and ADA elements adhere to current ADA standards.
5. The bridge location shall be as shown on the contextual site plan shown at the hearing.

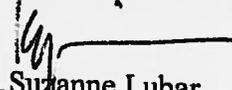
**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **December 27, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. 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 EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's 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 City Zoning Code must be complied with, even after approval of the referenced application(s).

**DEFERRAL FEES:** Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee per case.

Sincerely,

  
For Suzanne Lubar  
Planning Director

SL/CLL

cc: Parks & Recreation Dept. COA, Attn: Christina Sandoval, P.O. Box 1293, ABQ, NM 87103  
Alamosa N.A. (ALM) "R", Jeanette Baca, 901 Field SW, Albuquerque, NM 87121  
Alamosa N.A. (ALM) "R", Jerry Gallegos, 6013 Sunset Gardens SW, Albuquerque, NM 87121  
Crestview Bluff Neighbors Assoc. (CVB) "R", Doug Richardson, 412 Crestview Dr. SW, ABQ, NM 87105  
Crestview Bluff Neighbors Assoc. (CVB) "R", Kell Morrow, 5204 White Reserve St. SW, ABQ, NM 87105  
Gardens on the Rio Grande H.O.A. (GAR), Julia Clarke, 2630 Aloysia Ln. NW, Albuquerque, NM 87104  
Gardens on the Rio Grande H.O.A. (GAR), Shirley Hosler, 2647 Aloysia LN NW, Albuquerque, NM 87104

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Huning Castle N.A. (HCS) "R", Harvey Buchalter, 1615 Kit Carson SW, Albuquerque, NM 87104  
Huning Castle N.A. (HCS) "R", Deborah Allen, 206 Laguna Blvd. SW, Albuquerque, NM 87104  
Los Duranes N.A. (LDU), Jose Viramontes, 1317 Gabaldon Dr. NW, Albuquerque, NM 87104  
Los Duranes N.A. (LDU), William C. Herring, 3104 Coca Rd. NW, Albuquerque, NM 87104  
Los Volcanes N.A. (LVC) "R", Ted Trujillo, 6601 Honeylocaust Ave. NW, Albuquerque, NM 87121  
Los Volcanes N.A. (LVC) "R", Doug Cooper, 6800 Silkwood NW, Albuquerque, NM 87121  
Pat Hurley N.A. (PHU) "R", George Holly, 5020 La Bajada NW, Albuquerque, NM 87105  
Pat Hurley N.A. (PHU) "R", James W. Jones, 309 Rincon Ct. NW, Albuquerque, NM 87105  
Riverview Heights N.A. (RVW) "R", Cyrus Toll, 1306 Riverview Dr. NW, Albuquerque, NM 87105  
Riverview Heights N.A. (RVW) "R", Jan Harrington, P.O. Box 12654, Albuquerque, NM 87195  
Vecinos Del Bosque N.A. (VDB) "R", Rod Mahoney, 1838 Sadora Rd. SW, Albuquerque, NM 87105  
Vecinos Del Bosque N.A. (VDB) "R", Harrison (Tai) Alley, 1316 Dennison SW, Albuquerque, NM 87105  
Vista Magnifica Assoc. (VMA) "R", Ruth Rivera, 1640 Corte Del Sol SW, Albuquerque, NM 87105  
Vista Magnifica Assoc. (VMA) "R", Michael Wilmesherr, 1709 Calle Del Vista NW, ABQ, NM 87105  
West Bluff N.A.(WBF) "R", Kimberlee Tolon McCandless, 3208 Vista Grande Dr. NW, ABQ, NM 87120  
West Bluff N.A.(WBF) "R", Patrisha Dyea, 5012 Bridges Ave. NW, Albuquerque, NM 87120  
West Mesa N.A. (WTM) "R", Steven Budenski, 5732 La Anita Ave. NW, Albuquerque, NM 87105  
West Park N.A. (WPR) "R", David Medina Jr., 2101 New York Ave. SW, Albuquerque, NM 87104  
West Park N.A. (WPR) "R", Nina Simbana, 2010 Alhambra SW, Albuquerque, NM 87104  
North Valley Coalition, Peggy Norton, P.O.Box 70232, Albuquerque, NM 87197  
North Valley Coalition, Doyle Kimbrough, 2327 Campbell Rd. NW, Albuquerque, NM 87104  
South Valley Coalition of Neighborhood Assoc., Rod Mahoney, 1838 Sadora Rd. SW, ABQ, NM 87105  
South Valley Coalition of Neighborhood Assoc., Marcia Fernandez, 2401 Violet SW, ABQ, NM 87105  
South West Alliance of Neighbors (SWAN), Johnny Pena, 6525 Sunset Gardens SW, ABQ, NM 87121  
South West Alliance of Neighbors (SWAN), Jerry Gallegos, 417 65<sup>th</sup> St. SW, Albuquerque, NM 87121  
Westside Coalition of N.A.'S, Harry Hendriksen, 10592 Rio Del Sole Ct. NW, Albuquerque, NM 87114  
Westside Coalition of N.A.'S, Rene Horvath, 5515 Palomino Dr. NW, Albuquerque, NM 87120  
Fred Houdek, 9671 DeVargas Loop NE, Albuquerque, NM 87109