

1010582

Gould, Maggie S.

From: Denise Wheeler <deniserw@unm.edu>
Sent: Tuesday, January 10, 2017 7:20 AM
To: Gould, Maggie S.
Subject: EPC Hearing Jan. 12 Reference # 1010582 Please send receipt of delivery.

Ms. Karen Hudson, Chair

Environmental Planning Commission

c/o City of Albuquerque Planning Department

600 2nd Street NW, 3rd Floor

Albuquerque, NM 87102

Re: Project # 1010582

I am writing to voice my opposition to the Proposed Edith Waste Transfer Station at 4600 Edith NE. I ask that my letter be part of the public record.

A zoning change from M-1 Light Manufacturing to SU-1 for M-1 Uses should be denied. This project makes major changes to the existing site and will create substantial changes to the immediate area. The City proposes to dump all the garbage for the City of Albuquerque at this site. It further proposed to dump the garbage for Bernalillo County New Mexico and surrounding areas. It proposes to add parking for employees, the public and visitors with more than 300 parking spaces. The City proposes that the public will drop off its waste at this proposed location. It also proposes to be a drop off location for household hazardous waste which could be stored up to 90 days. Further the City proposes to recycle major and minor recyclable materials at the proposed location. These changes are among the many changes that would have a negative impact on traffic at the intersection of Edith and Comanche, arterial roads, I-25, I-40 and the Big-I, cause tons of air pollution, create and add to toxic emissions, and increase noise from the trucks and traffic at the proposed site.

The project conflicts with Enactment 270-1980 specifically

Section D: "The applicant must demonstrate that the existing zoning is inappropriate because (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply."

Section E: "A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community."

This project will be a deterrent to the adjacent property, the North Valley, the larger community and the city as a whole. The project will increase noise, traffic, air pollution, toxic emissions, contaminate the water table and ditch system and increase health risks by bringing all of Albuquerque's garbage, as well as the garbage of Bernalillo County New Mexico and surrounding areas into the north valley where it will be dumped, left for at least parts of the day, scooped up, loaded into bigger transfer trucks to be driven to another site. The resulting traffic, noise, potential water contamination, and housing of household hazardous waste, will result in the North Valley becoming the garbage bin for the City, County and surrounding areas. The character of the area will be significantly impacted in a negative manner. As the city and county grow the need for more garbage collection will increase and more and more garbage would need to be dumped into the center of the city. Pollution from toxic and cancer causing diesel fuel will be increased hundreds fold. Pollution from the increase in public vehicles including employees and visitors to the site will affect those working at the site, those on adjacent property, those traveling through the area by vehicle, bike or walking as well as the city as a whole. People walking and biking through this area will be adversely affected by the increase in traffic and noise from the increase in the number of garbage trucks and other vehicles.

The reason given for this project is that it will save money. The savings are projected for 20 years. With regard to Policy II.D.d. Public Service expansion costs, benefits, and effects should be evaluated and balanced between new service recipients, existing users and the community at large. There does not appear to be a fiscal analysis of the potential savings and or cost to the citizens. There is no guarantee that a rate increase will be forestalled. There is no guarantee that this proposed project will not need significant improvements and expansion over time as it becomes obsolete. In fact, most things need significant improvements over time.

The City will have to purchase new 18 wheeled garbage transfer trucks (GTTs) to haul the additional garbage proposed for the site. The city states that it will purchase 10 new 18 wheel garbage transfer trucks. It further states that there will be 17 GTTs to haul the 1100 tons of daily garbage. The payment for and acquisition of as well as the fuel, insurance and maintenance costs for these additional trucks is uncertain. Seventeen GTTs are needed if the tonnage is only 1100, the initial municipal solid waste anticipated. An additional 14 GTTs would be needed if the site is to handle the average daily capacity. An additional twentythree 18 wheeled GTTs would be needed for surge capacity. The budget for these trucks including the fuel, insurance and maintenance costs for these additional GTTs is missing from the costs.

Policy II. B.5i "Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution and traffic on residential environments." The City says that "the transfer station is enclosed and the operations occur within the building. Use of quick-close doors, air curtains, misting systems, and ducted air filtration systems will also mitigate noise, odors, and particulates from leaving the building."

With regard to traffic, the City treats the addition of garbage collection trucks (GCTs) as if they were regular vehicles, the same size and weight, with the same amount of exhaust and carrying the same sorts of loads. GCTs are about three times longer than a regular car, they are significantly wider and taller. This makes them more difficult to see around and to pass on surface streets and Interstates. The diesel exhaust is toxic and found to cause cancer. These GCTs and GTTs will also be carrying between 5 and 24 tons, per vehicle, of rotting garbage numerous times throughout the day.

The City provides data on traffic based on the proposed site containing only City garbage of 1100 tons. If a change of Zoning is approved the City could up that tonnage. It says that the average daily capacity is 2000 tons and a surge capacity of 2600 tons. It later states that garbage will be coming from Bernalillo County and surrounding areas. At a minimum, increased tonnage of garbage requires more collection trucks to and from the site and more transfer trucks to and from the site.

	<u>1100 Tons</u>	<u>2000 Tons</u>	<u>2600 Tons</u>
GCTs	198	360	467
TTs trips	65	118	153

The City leaves out of their traffic study the number of trucks needed for the following:

- They do not account for GCTs taking the garbage dropped off by the public. They estimate 225 vehicles per weekday projected to contain roughly 112 tons of garbage per weekday and 350 public vehicles per weekend at approximately 175 tons of garbage.
- They do not include trucks needed for the transportation of
 - a. Recycling
 - b. Household Hazardous Waste
 - c. Scrap Metal
 - d. Green Waste
 - e. Electronic Waste or
 - f. Bulky Waste

They assume that traffic conditions will allow safe and fluid movement of the garbage trucks throughout the day – No traffic slowdowns or crashes on surface streets, I-25, I-40 or the Big-I, no hazardous driving conditions such as ice or snow. Each workday there are traffic slowdowns on both I-25 and I-40. The addition of GCTs and GTTs will add to the existing problems.

With regard to “Use of quick-close doors, air curtains, misting systems, and ducted air filtration systems will also mitigate noise, odors, and particulates from leaving the building.”

Given the initial phase of 1100 tons of garbage per day each GCT will bring a load of trash to the building at least twice a day during the workweek. The GTTs will be going coming and going at least three to four times a day during the workweek. Additionally, public vehicles are expected to account for 225 trips per day. On the weekends there are expected to be 8 GCTs and 8 GTTs and 350 public vehicles. Taking into consideration an increase to average daily capacity of 2000 tons and surge of 2600 tons, there will be an increase of GTTs and GCTs. They will go in the building – door opens- they will leave the building – door opens.

	<u>Weekdays</u>		
<u>Garbage</u>	<u>doors open per day</u>	<u>open per hour</u>	<u>open per min.</u>
1100	976	108	1.8
2000	1775	197	>3

00	2304	256	>4
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Weekend

<u>tonnage</u>	<u>doors open per day</u>	<u>open per hour</u>	<u>open per min.</u>
00	732	81	>1
00	1332	148	>2
00	1728	192	>3

Due to the number of GCTs coming and going at least twice a day, between 495 and 792 tons of garbage will be dumped in the morning and 495-792 tons in the afternoon. With only 17 GTTs able to carry 255-408 tons off site between 240-384 tons of garbage will be left on the floor at least twice. Those numbers go up with additional tonnage.

	<u>1100 Tons</u>	<u>2000 Tons</u>	<u>2600 Tons</u>
tons on Floor	240-384	437-699	566-906
between pickup			
by GTTs			

There will be people working in the building, there will be drivers in the trucks within the building, and the public will be in the building. What they breathe will be adversely affected by the garbage on the floor, the diesel fuel and other vehicle exhaust.

Section II.C.4 Noise: The Goal is to protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts. Noise of more than 600 garbage collection trucks per day, plus transfer trucks, employees, visitors and the public will not be mitigated by a few trees and landscaping. Diesel trucks are loud; 600 diesel garbage truck trips a day is very loud. Trucks will be going in and out of the site. They will be idling on the site on Comanche and on Edith. They will be idling at the freeway entrances and exits. They will be driving on the freeway and other roadways. Any garbage compacting and sorting will be additional increased noise. This is a centralization of noise rather than a reduction in it. There is no noise study available to the public.

According to the Albuquerque/Bernalillo County Comprehensive Plan II.C.3.a and b: “The Goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste. Policy a Planning and implementation of more efficient and economical methods of solid waste collection shall be continued. Technique 2) Encourage designs utilizing advanced waste collection technology (e.g. hydraulic or collection tube systems).” There is no comprehensive recycling or green waste system within the project. There is no comprehensive system to recover or reduce waste. I have taken loads of green waste to Eagle Rock a number of times over the last two years. Each time I was directed to toss it onto the lower floor where it was bulldozed along with all the other garbage, mattresses, broken furniture, glass, old lumber. All of it was combined into one truck. There was no attempt to separate it into green waste, recyclable materials or bulk items.

This project is using the same old school method of collecting garbage and dumping it somewhere. It does not have advanced methods of reducing its volume, its reclamation, or its use to the city. II.c.3.b.5) There is no feasibility study for recovery to reutilize valuable materials from municipal solid waste and to generate energy for local use or sale.

With regard to II.C.3.d: “The potential for water and air pollution from regional landfills shall be minimized.” Water and air pollution will not be minimized but rather increased. Water will be used throughout the day to wash down the concrete. Concrete fails and cracks. Liners below the concrete will fail at some point allowing the water to seep into the water table. There will be increased hard surfaces for the parking lots that will allow accumulation of standing water. The water from the parking surfaces and the floors where the garbage is dumped will be contaminated by the contents of the trucks leaking, spilling and being dumped, fluids from the trucks, fluids from the repair bays, public and employee vehicles. The existing maximum allowable discharge of 47.6cfs is not changed to accommodate the increase in needed capacity for drainage creating further potential problems. In the event of heavy rains the streets, ditches and water table will be contaminated.

II.C.9.c Policy c: “The identity and cohesiveness of each community shall be strengthened through identification and enhancement of community Activity Centers that have a scale, mix of uses, design character, and location appropriate to the unique character of the community. (See also policies under “Activity Centers”)”

This project will not fit into the community. It will change the identity to one of garbage heap rather than preserving or enhancing the natural and built characteristics. Each day will see hundreds of GCTs and GTTs and other vehicles dumping garbage. That is what will be seen as you drive the freeway and as you drive, bike or walk the roadways in this area.

II.D.3.b.3. Policy b Efficient and economic use of alternative and renewable energy sources such as solar, wind, solid and liquid waste, and geothermal supplies shall be encouraged. This is not met. There is no plan for alternative or renewable energy sources.

Traffic problems will increase and intensify if this project is allowed. There are already traffic problems getting off and on the freeway at Comanche and I-25. The freeway is congested during peak hours and shut down almost weekly with traffic accidents during the daytime. It is not safe to walk or ride a bike on Comanche especially near the existing waste site. No safety accommodations have been made for pedestrians, bikers or people traveling through the area on their daily commutes. I have watched as garbage trucks wait for the light, backing up traffic on Edith and on Comanche. This will be increased to an intolerable degree with the proposed traffic to and from the proposed site. People will then seek alternative means to get off and on the freeway and to avoid Edith. Businesses using Comanche and Edith will be affected as traffic congestion will be increased. The project will negatively impact traffic on both I-25 and I-40. The goals of mitigating traffic cannot be met.

This proposal is a solution to the wrong problem. The problem is not how do we get the garbage from here to there. It is how do we as a community reduce our use, reduce our garbage, reduce our waste. Garbage

collection trucks driving a few less miles a day will not affect the needed reduction and redistribution of our waste. We need systems to effectively and efficiently recycle, to compost our green waste. Just doing those two things would reduce the amount of waste being trucked through our city by at least 25%. We need to cut the need for garbage collection rather than dump it from the house to the garbage bin, from the garbage bin to the garbage collection truck, from the garbage collection truck to the floor of a building in the center of town, from there to be shoved into a bigger garbage truck to be dumped and buried on the outskirts of town. We need a project that looks to the future, that looks to protecting our citizens, our environment, our water, air, our fragile resources and irreplaceable environment.

This project is in conflict with the North Valley Area Plan, the Albuquerque/Bernalillo County Comprehensive Plan and Enactment 270-1980. For these reasons it should be denied.

Denise Wheeler

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Albuquerque, NM 87107



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LAGOM HEALTH

EMAIL brislen@lagomhealth.com

10 January, 2017

Albuquerque Environmental Planning Commission
RE: project 1010583 – proposed Edith transfer station

Dear Commissioners,

Thank you for hearing community members' testimony, now for the second time, on this important issue. I am an internal medicine primary care physician in private practice in Albuquerque and I hold a faculty appointment at UNM and at the VA. I hold leadership positions in the Greater Albuquerque Medical Association, the New Mexico Medical Society and the American College of Physicians. I was also born and raised in Albuquerque, and I now live close to the proposed Edith Transfer Station.

In my professional life, I spend most of my time managing the effects of chronic diseases. In our training, and even more in our experience, doctors in Albuquerque become intimately aware of what are called the "Social Determinants of Health". These are principles of high impact, social and environmental factors that explain why people of lower socioeconomic status tend to have more illness, to live sicker, die earlier, and suffer more from common diseases. Social Determinants represent the boundaries beyond which physicians and health care have little or no impact on actual health. In fact, it is estimated that social determinants of health account for far more than half, and up to 85 percent of preventable disease and death. The impact of Social Determinants of Health is impossible to overstate.

Development of the Edith Transfer Station represents an exacerbation of exactly these kinds of environmental factors – in a community that is disproportionately poor and underserved when compared to much of the rest of the city. I attended the Edith Transfer Station public outreach meetings, and was disappointed and outraged that questions about concentrated diesel exhaust in the area were dismissed out of hand. Even more disappointing is the apparent disregard for the city's own standards as outlined in the comprehensive plan:

Section IC; Policy g (II-47): Pollution from particulates shall be minimized

Section IC; Policy l (II-48): Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts

Section IC; Policy k (II-49): Citizens shall be protected from toxic air emissions

It is indisputable that air pollution from diesel would be increased and concentrated in the Edith Transfer Station area. This carries well-known and established adverse health effects for nearby communities. The Edith Transfer Station will impact the long-term health of this community, much of which is vulnerable and deserves better treatment from the city than this.

I implore you to recognize your role in protecting the health of these people and to vote against the Edith Transfer Station proposal. Thank you for your consideration,

Heather Brislen, MD, FACP



Scott Hale

505.301.9083 scott_hale@me.com 2321 Camino de los Artesanos NW Albuquerque, NM 87107

January 9, 2017

Environmental Planning Commission
% Maggie Gould, MCRP
City of Albuquerque, Planning Department
600 Second Street NW
Albuquerque, NM 87102

Subject: Project # 1010582–Edith Transfer Station–Planner Analysis/Recommendation

Dear Environmental Planning Commissioners:

The following comments are in response to the Planner analysis of Project # 1010582–Edith Transfer Station. Specifically, the impact on the designated bicycle facilities on Edith and Griegos and at I-25. Of primary concern is the application nor the planner analysis address existing deficiencies and do nothing more than state that application meets Goal 1 and Objective 3. Quite simply, in terms of bicycle safety and comfort, the introduction of significant additional heavy truck traffic on already deficient facilities on both Griegos and Edith and at the Griegos/Edith and Griegos/I-25 frontage intersections will not meet Goal 1: "Improve and enhance cycling and pedestrian opportunities. Objective 3 is also problematic, particularly on Griegos and at the two signalized intersections. Griegos is under dimension (in places <30" when AASHTO/DPM "guidance" is >4' at posted speed of 35mph); Edith is a bicycle route with 14' outer lane when BTFP guidance for 35 mph arterial with 16,298 AWDT when it really should be a Bicycle Lane per Figure 36 found in attached section of Bikeway and Trails Facility Plan; and the two intersections are currently discouraging to all but the most advanced cyclists. 600+ heavy vehicle trips through the problematic free right off NB Edith to EB Griegos, and additional heavy truck traffic accessing I-25 Frontage Road does not meet Objective 3: Bicycle and Pedestrian Friendly Standards and Procedures for On-Street Bicycle Facilities.

All of the issues that have negative impact on bicycle travel and do not meet minimum guidelines can be resolved but will probably have ROW issues and significant expense at the two intersections. With the addition of additional heavy truck traffic, it is an extreme stretch to state that this project meets the requirements of R0270, 1980, 1A & 1E, or many of the recommendations and the spirit of the Bikeways and Trails Facility Plan.

Attached are several highlighted/annotated excerpts from Bikeways and Trails Plan that provide concerns and CABQ guidance that relate to direct impacts the proposed Edith Transfer Station will have on adjacent bike facilities and bike travel.

In closing, the proposed facility will have significant impacts on bicycle travel and do not meet the intent of the Bikeways and Trails Facility Plan or R-270-1980. Thank you for your consideration.

Scott Hale

Former GABAC Member

2321 Camino de los Artesanos NW

Albuquerque, NM 87107

c) Bike Lane Without On-Street Parking

Design Summary

Bike Lane Width

- 4 feet minimum when no curb & gutter is present.
- 5 feet minimum when adjacent to curb and gutter.

Recommended Width

- 6 feet where right-of-way allows.

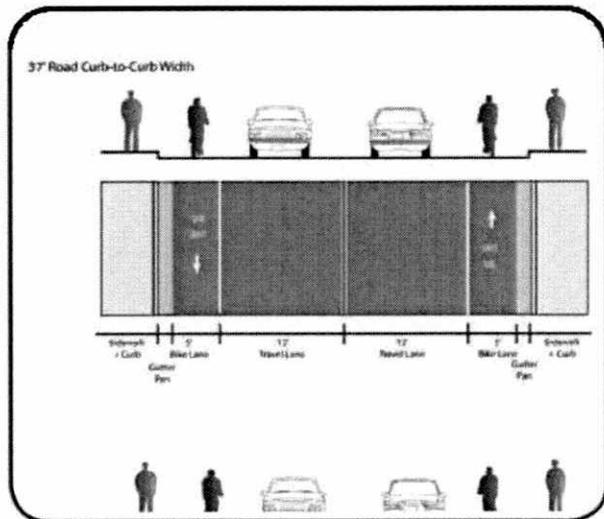
Maximum Width

- 8 feet adjacent to arterials with high travel speeds (45 mph or more).

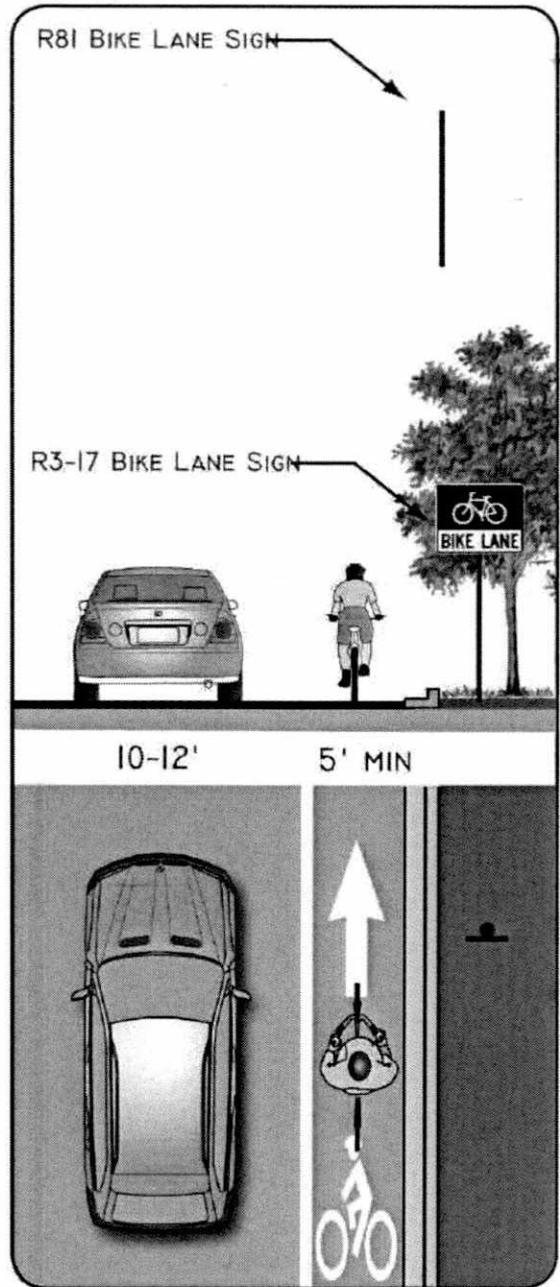
Discussion

Wider bike lanes are desirable in certain circumstances such as on higher speed arterials (45 mph or more) where a wider bike lane can increase separation between passing vehicles and cyclists. Wide bike lanes are also appropriate in areas with high bicycle use. A bike lane width of 6-8 feet makes it possible for bicyclists to ride side-by-side or pass each other without leaving the bike lane, increasing the capacity of the lane. Appropriate signing and stenciling is important with wide bike lanes to ensure motorists do not mistake the lane for a vehicle lane or parking lane.

Guidance



Two Lane Cross-Section with No Parking.
Bike lanes may be 4' in width under constrained circumstances.



Recommend bike lane without on-street parking design.

C. On-Street Facilities

1. Facility Selection

There are a wide variety of techniques for selecting the type of facility for a given context. Roadway characteristics that are often used include:

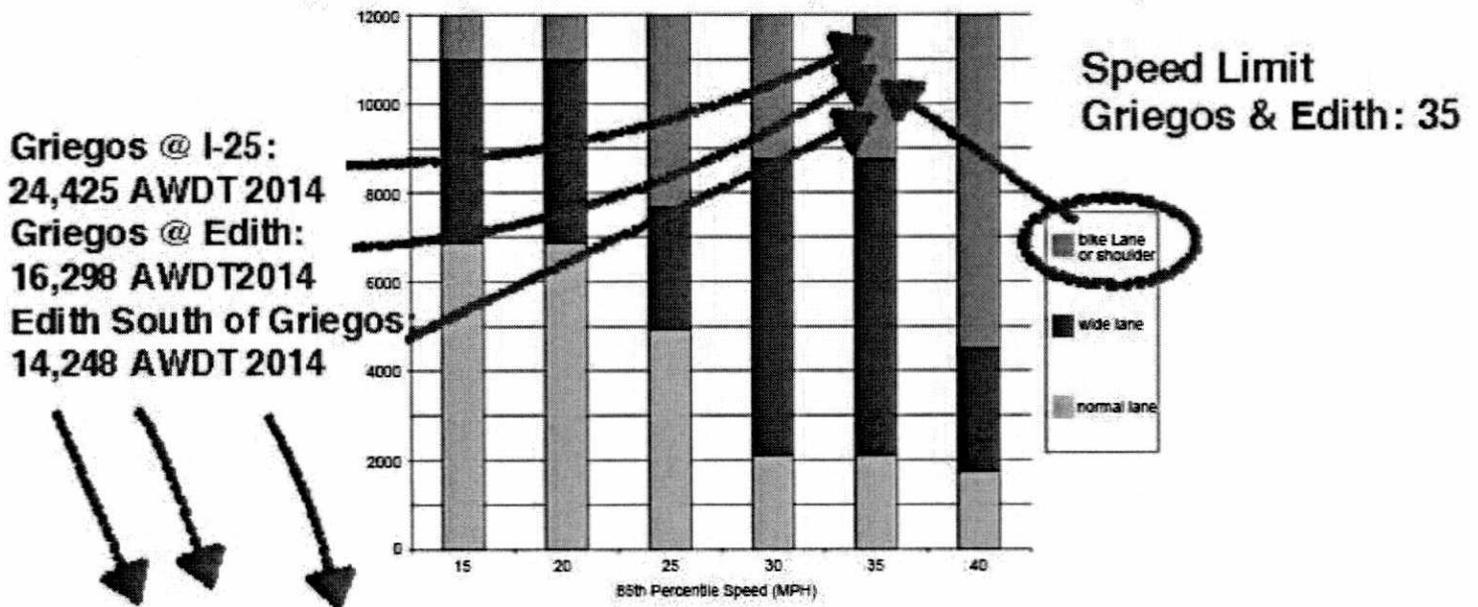
- Motor vehicle speed and volume
- Demand for bikeway facilities
- Presence of heavy vehicles/trucks
- User preference
- Roadway width
- Land use/urban or rural context

There are no specific rules for determining the most appropriate type of facility for a particular location; engineering judgment and planning skills are critical elements of this decision.

A 2002 study combined bikeway dimension standards for ten different communities in North America. The goal of the study was to survey the varying requirements available and provide a best practices approach for providing bikeway facilities. The study included a comparison with European standards and found that: "North Americans rely much more on wide lanes for bicycle accommodation than their counterparts overseas." The table below shows the results of this analysis, which recommends use of bike lanes or shoulders, wide lanes, or normal lanes.

Figure 36: North American Bicycle Facility Selection Chart (King, Michael. (2002).

Bicycle Facility Selection: A Comparison of Approaches. Pedestrian and Bicycle Information Center and Highway Safety Research Center, University of North Carolina – Chapel Hill.)



The City adopts this table, **Figure 36**, as its guidance for determining the appropriate facility type. In the future, traffic volume and road speeds may be different from the conditions when this plan was adopted. When new bikeways and trails facilities are being planned, designers should consult this table to ensure that the proposed facility type is appropriate.

2. Shared Roadways

Design Summary

- Any street without specific bikeway facilities where bicycling is permitted.
- Can be signed connections, often to trails or other major destinations.
- Sign R4-11 BICYCLES MAY USE FULL LANE may be used on roadways where no bicycle lanes or adjacent shoulders usable by bicyclists are present and where travel lanes are too narrow for bicyclists and motor vehicles to operate side by side (MUTCD Section 9B.06).

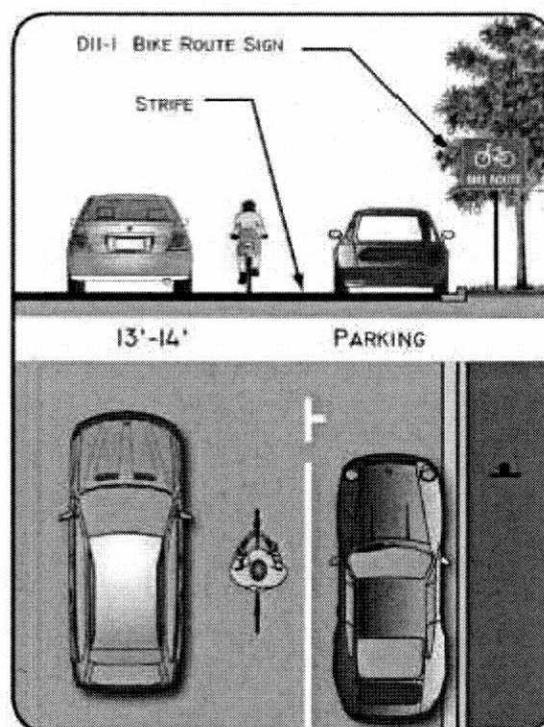
Discussion

A treatment appropriate for commuter riders and those accessing a trail, shared roadways can provide a key connection. Shared roadways are indicated exclusively by signage, which provide key connections to destinations and trails where providing additional separation is not possible.

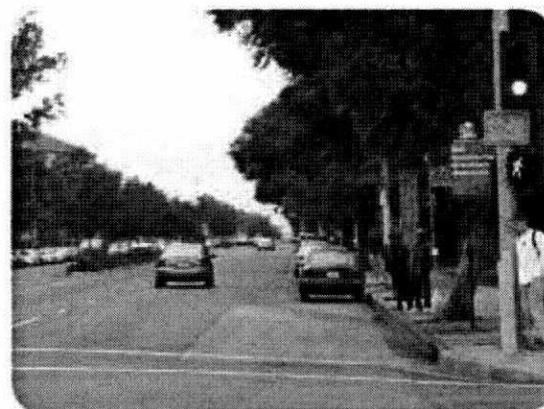
Roadways appropriate for shared roadways often have a centerline stripe only and no designated shoulders. Bicyclists are forced to share a travel lane with automobiles. This type of facility can be developed on a rural roadway without curbs and gutters. It can also be used on an urban road where traffic speeds and volumes are low, although shared lane markings in addition to signage may be more appropriate in these locations.

Guidance

- The City of Albuquerque Development Process Manual (DPM) defines shared roadways as: “any roadway that may be legally used by both motor vehicles and bicycles and is not specifically designated as a bikeway.”
- The DPM states that, “where trails intersect with the street network, safe connections to the on-street bikeway system should be designed.” Shared routes may be an appropriate treatment for such connections.
- See also: MUTCD Section 9B. 20 Bicycle Guide Signs.



Shared roadway recommended configuration.



This bike route in Los Angeles provides a wide outside lane adjacent to on-street parking.

3. Shoulder Bikeways

Design Summary

DPM recommended widths (measured from painted edge-line to edge of pavement):

- 6 feet on roadways with posted speed limits of 40 mph or greater.
- 5 feet on roadways with posted speed limits of 35 mph or below.
- 4 feet may be considered on low-speed, low-volume streets where right-of-way constraints exist.
- Can include pavement markings and Share the Road signage.
- See the Facility Selection Chart (page 173) and the Bike Lane section (Page 178) for additional guidance for determining if bike lanes are required.

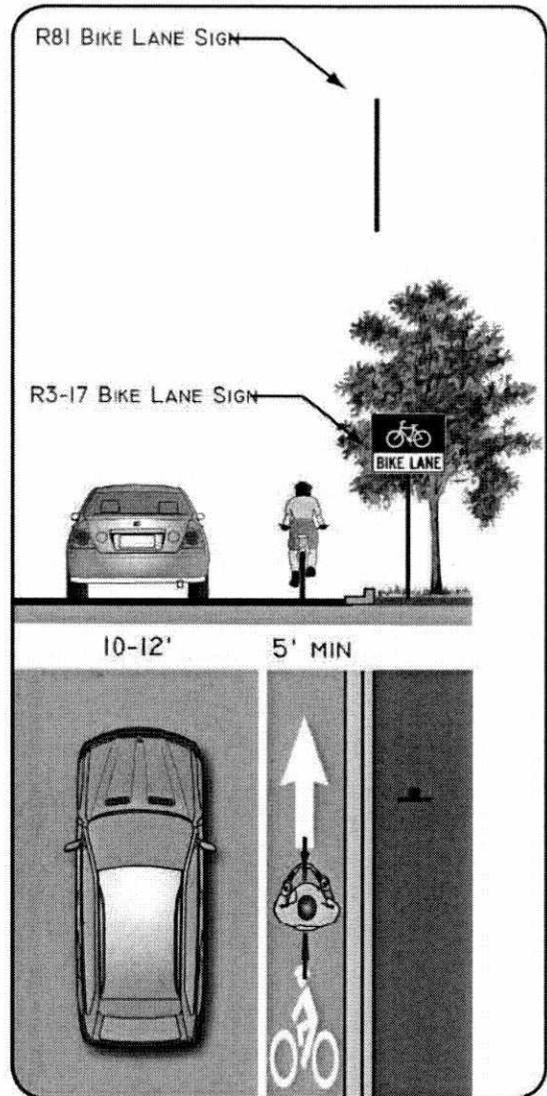
Discussion

On streets without adequate space for bike lanes or on rural roads with a large shoulder, shoulder bikeways can accommodate bicycle travel. Shoulder bikeways are generally used by commuter and long-distance recreational riders, rather than families with children or more inexperienced riders.

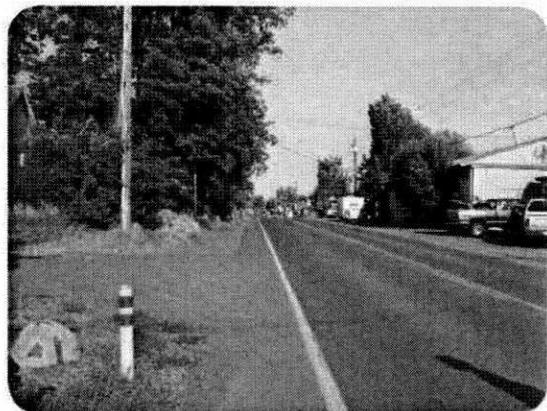
In many cases, the opportunity to develop a full standard bike lane on a street where it is desirable may be many years. It is possible to stripe the shoulder in lieu of bike lanes if the area is 50 percent of the desirable bike lane width and the outside lane width can be reduced to the American Association of State Highway and Transportation Officials (AASHTO) minimum. If the available bike lane width is two-thirds of the desirable bike lane width, the full bike lane treatment of signs, legends and an 8-foot bike lane line would be provided. Where feasible, extra width should be provided with pavement resurfacing jobs, but not exceeding desirable bike lane widths.

Guidance

The DPM states that, "paved shoulder bikeways are



Recommended shoulder bikeway configuration.

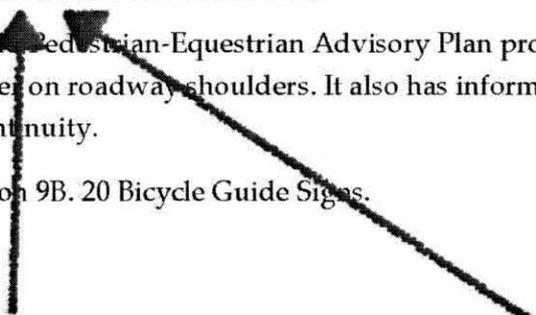


Shoulder bikeways are appropriate along wide rural roads where vehicles can avoid passing close to bicyclists.

located on uncurbed arterials and collectors and consist of a smooth paved surface that covers all or part of the roadway shoulder.” The DPM also specifies that bike lanes and paved shoulders are the standard treatments for use on arterial or collector streets.

The New Mexico Bicycle-Pedestrian-Equestrian Advisory Plan provides guidance on the use of rumble strips to provide a buffer on roadway shoulders. It also has information about guard rails, pavement edges and shoulder continuity.

See also: MUTCD Section 9B. 20 Bicycle Guide Signs.



Griegos and Edith Both Classified Minor Arterial

4. Wide Curb Lane ← Edith Existing

Design Summary

Outside lane widths of 14-16 feet (DPM) or 14-15 feet (NM BPE Plan).

- The width of the door zone is generally assumed to be 2.5 feet from the edge of the parking lane.
- Place in a linear pattern along a corridor (typically every 100-200 feet).

Recommended Placement:

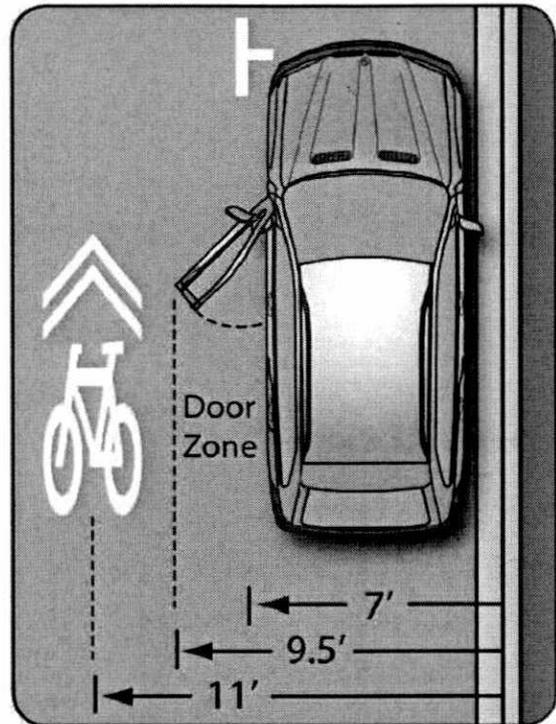
- At least 11 feet from face of curb (or shoulder edge) on streets with on-street parking.
- At least 4 feet from face of curb (or shoulder edge) on streets without on-street parking.

Discussion

On wide curb lane bikeways, high-visibility pavement markings, called shared lane markings (also known as sharrows), are used to position bicyclists within the travel lane. These markings are often used on streets where dedicated bike lanes are desirable but are not possible due to physical or other constraints. Shared lane markings are placed strategically in the travel lane to alert motorists of bicycle traffic, while also encouraging cyclists to ride at an appropriate distance from the “door zone” of adjacent parked cars. Shared lane markings also encourage cyclists to ride in a straight line so their movements are predictable to motorists. Shared lane markings made of thermoplastic tend to last longer than painted ones.

Guidance

The 2009 MUTCD notes that shared lane markings should not be placed on roadways with a speed limit over 35 mph, and that when used the marking should be placed immediately after an intersection and spaced at intervals no greater than 250 feet thereafter. Placing shared lane markings between vehicle tire tracks (if possible) will increase the life of the markings. (See MUTCD Section 9C.07).



Shared lane marking placement guidance for streets with on-street parking.



Shared lane markings are currently used in Albuquerque.

Existing Griegos (deficient)

5. Bike Lanes

Design Summary

Designated exclusively for bicycle travel, bike lanes are separated from vehicle travel lanes with striping and also include pavement stencils. Bike lanes are most appropriate on arterial and collector streets where higher traffic volumes and speeds warrant greater separation.

The DPM recommends minimum bike lane widths of:

- 5 feet, measured from painted edgeline to edge of gutter, on roadways with posted speed limits of 40 mph or greater.
- 4 feet, measured from painted edgeline to edge of gutter, on roadways with posted speed limits of 35 mph or less.

However, AASHTO and other guidance authorities recommend a 5-foot minimum for bike lanes, with 4 feet only in restricted corridors. This text should be considered for revision to specify that a 5-foot bike lane is recommended on streets with posted speed limits of 35 mph or less. In addition, the DPM should specify that bike lanes are measured to the inside edge of the gutter pan, ensuring smooth pavement rather than a gutter edge in the bike lane.

Discussion

Many bicyclists, particularly less experienced riders, are more comfortable riding on a busy street if it has a striped and signed bike lane than if they are expected to share a wide lane. Providing marked facilities such as bike lanes is one way of helping to persuade more tentative riders to try bicycling.

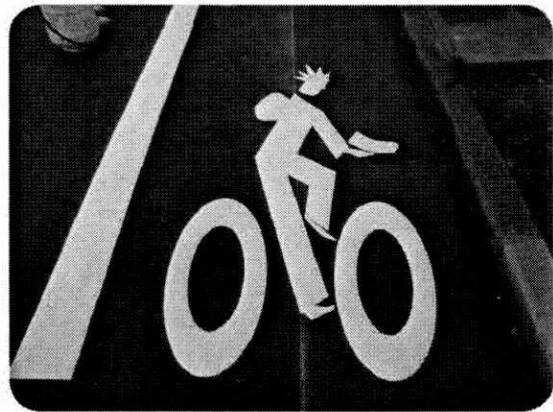
Bike lanes can increase safety and promote proper riding by:

- Defining road space for bicyclists and motorists, reducing the possibility that motorists will stray into the cyclists' path
- Discouraging bicyclists from riding on the sidewalk
- Reminding motorists that cyclists have a right to the road.

In an urban setting, it is crucial to ensure that bike lanes and adjacent parking lanes have sufficient width, so that cyclists have enough room to avoid opened vehicle doors.



Bike lanes are a popular accommodation for commuter and recreational cyclists.



Bike lane pavement markings in Portland, Oregon provide character to the roadway.

Additional Guidance

The DPM defines a bike lane as, “a lane on the roadway that has been designated by striping, signing and pavement markings for preferential or exclusive use by bicyclists.” The DPM recommends the provision of bike lanes on all new or reconstructed arterial and collector roadways.

The DPM also specifies that high-speed traffic (posted speed of 40 mph or greater) and the presence of large vehicles (truck, bus or recreational vehicle) are significant factors affecting the acceptability of potential bikeway locations. In locations where these conditions exist, bike lane widths of 5-feet or greater are recommended.

The AASHTO *Guide for the Development of Bicycle Facilities* guideline states that, “If used, the bicycle lane symbol marking shall be placed immediately after an intersection and other locations as needed... If the word or symbol pavement markings are used, Bicycle Lane signs shall also be used, but the signs need not be adjacent to every symbol to avoid overuse of the signs.”

The New Mexico Bicycle and Pedestrian Plan specifies that, “A vertical edge of pavement should not be left in the useable shoulder area or bicycle lane after construction or maintenance,” stating that 4 feet (minimum) of clear space should be provided and noting that partial overlays create undue hazards for cyclists.

See also MUTCD Section 9C.04 Markings for Bicycle Lanes.

1) Bike Lane Adjacent to On-Street Parallel Parking

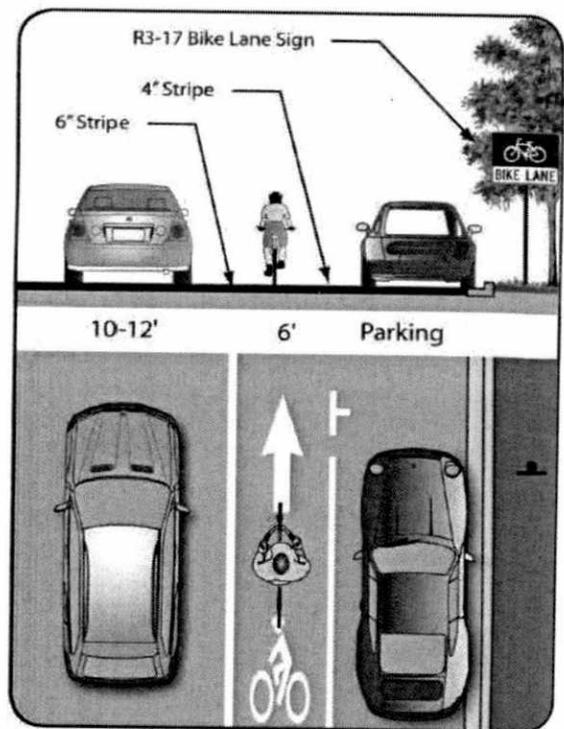
Design Summary

Bike Lane Width

- 6 feet recommended when parking stalls are marked.
- 4 feet minimum in constrained locations.
- 5 feet acceptable if parking not marked (drivers tend to park closer to the curb where parking is unmarked).
- 7 feet maximum (greater widths may encourage vehicle loading in bike lane).

Travel Lane Width

- 12 feet for a shared lane adjacent to a curb face.
- 11 feet minimum for a shared bike/parking lane where parking is permitted but not marked on streets without curbs.



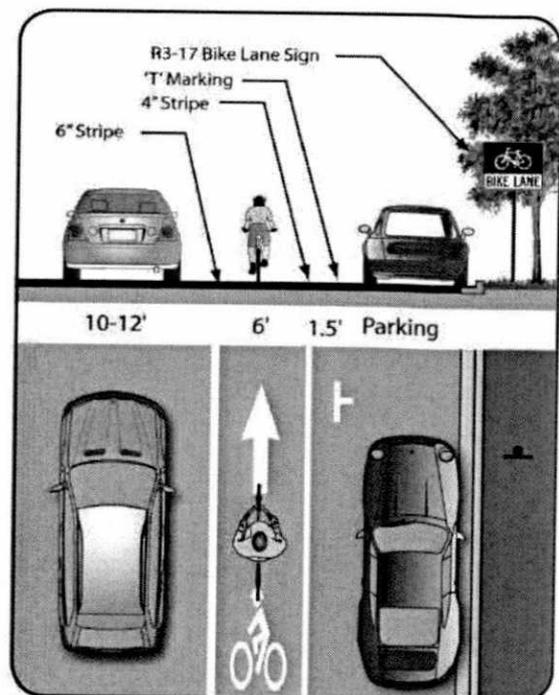
Parking "T" bike lane design.

Discussion

Bike lanes adjacent to on-street parallel parking are common in the U.S. and can be dangerous for bicyclists if not designed properly. Crashes caused by a suddenly opened vehicle door are a common hazard for bicyclists using this type of facility. On the other hand, wide bike lanes may encourage the cyclist to ride farther to the right (door zone) to maximize distance from passing traffic. Wide bike lanes may also cause confusion with unloading vehicles in busy areas where parking is typically full.

Some treatments to encourage bicyclists to ride away from the door zone include:

- Installing parking "T"s" and smaller bike lane stencils placed to the left (see graphic at top).
- Provide a buffer zone (preferred design; shown bottom). Bicyclists traveling in the center of the bike lane will be less likely to encounter open car doors. Motorists have space to stand outside the bike lane when loading and unloading.



Parking buffer bike lane design.

Guidance

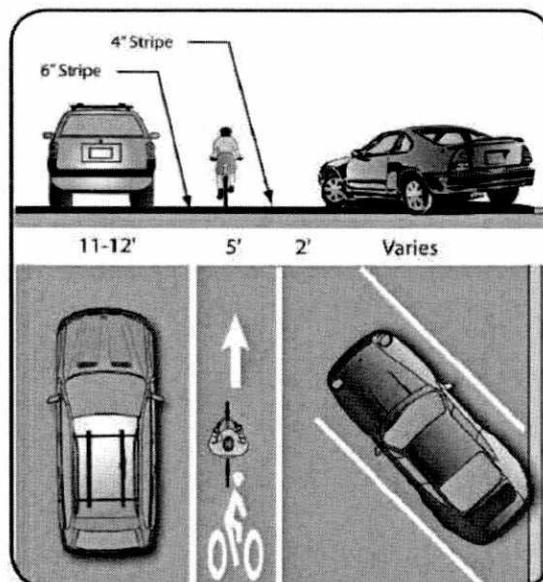
From AASHTO *Guide for the Development of Bicycle Facilities*: "If parking is permitted, the bike lane should be placed between the parking area and the travel lane and have a minimum width of 5 feet. Where parking is permitted but a parking stripe or stalls are not utilized, the shared area should be a minimum of 11 feet without a curb face and adjacent to a curb face. If the parking volume is substantial or turnover is high, an additional 1-2 feet of width is desirable."

b) Bike Lane Adjacent to On-Street Diagonal Parking

Design Summary

Bike Lane Width

- 5 feet minimum.
- White 4 inch stripe separates bike lane from parking bays.
- White 6 inch stripes separate bike lane from motor vehicle travel lanes.
- Parking bays are sufficiently long to accommodate most vehicles (vehicles do not block bike lane).

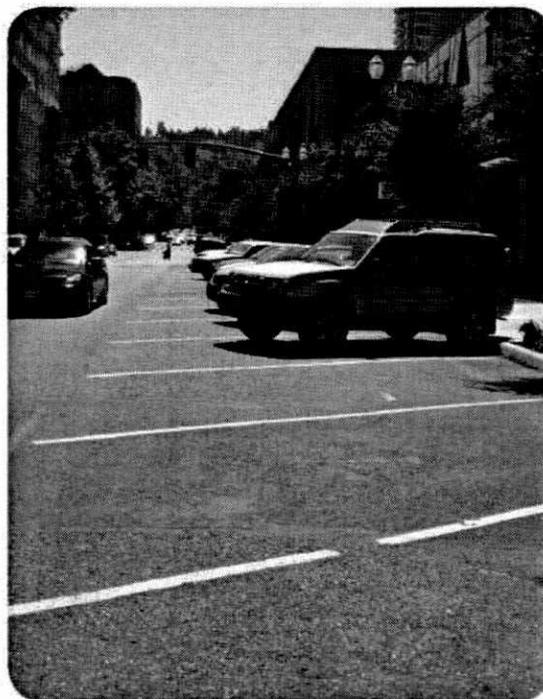


Recommended bike lane adjacent to on-street diagonal parking design.

Discussion

In areas with high parking demand such as urban commercial areas, diagonal parking can be used to increase parking supply. Conventional "head-in" diagonal parking is not recommended in conjunction with high levels of bicycle traffic or with the provision of bike lanes as drivers backing out of conventional diagonal parking spaces have poor visibility of approaching bicyclists.

The use of back-in diagonal parking or reverse angled parking is recommended over head-in diagonal parking. This design addresses issues with diagonal parking and bicycle travel by improving sight distance between drivers and bicyclists and has other benefits to vehicles including: loading and unloading of the trunk occurs at the curb rather than in the street, passengers (including children) are directed by open doors towards the curb and no door conflict with bicyclists. While there may be a learning curve for some drivers, using back-in diagonal parking is typically an easier maneuver than conventional parallel parking.



"Back-in" diagonal parking is safer for cyclists than "head-in" diagonal parking due to drivers' visibility as they exit the parking spot.



Bikeways & Trails Facilities Plan

Albuquerque, NM

May 2015

Acknowledgements

City of Albuquerque

Richard J. Berry, Mayor
Robert J. Perry, Chief
Administrative Officer

City Council

Rey Garduño, District 6,
President
Brad Winter, District 4, Vice-
President
Ken Sanchez, District 1
Isaac Benton, District 2
Klarissa Peña, District 3
Dan Lewis, District 5
Diane G. Gibson, District 7
Trudy E. Jones, District 8
Don Harris, District 9

Environmental Planning Commission

Peter Nicholls, District 4,
Chair
Karen Hudson, District 8,
Vice-Chair
Patrick Griebel, District 1
Moises Gonzalez, District 2
Victor Beserra, District 3
Derek Bohannon, District 5
Maia Mullen, District 6
James Peck, District 7
Bill McCoy III, District 9

Consultants

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Gannett Fleming West, 2010
Consensus Builder, 2010
Harwick Transportation
Group, 2010

Background Research

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GABAC

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Larry Gilbert, 2015
Ronald Nelson, 2015
Douglas Stiebler, 2015
Ed Hillsman, 2015
Moises Gonzalez, 2015
Dan Majewski, 2015
Mark Aasmundstad, 2015
Scott Key, 2015
Diane Albert, 2014
Bruce Farmer, 2014
Debbie Bauman, GABAC
Staff 2015
Don Simonson, Chair 2010
Stephen Mathias, 2010
Michael Trujillo, 2010
Jeff Norenberg, 2010
Diane Albert, 2010
James Plagens, 2010
Doug Peterson, 2010
Jim Arrowsmith, Staff, 2010

GARTC

John Thomas, Chair, 2015
Ian Maddieson, Chair, 2014
Warren Wild, 2015
William Schimberg, 2015
Valerie Cole, 2015
Tyler Ashton, 2015
Gary Kelly, 2014
Guy Miller, 2014
James Lewis, Staff, 2014
Christina Sandoval, Staff, 2015
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Lisa Brunacini, 2010
Eileen Arellano, 2010
Jackie Bouker, 2010
Theresa M. Baca, Staff, 2010

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Planning Department, 2010
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Department, 2015
Carrie Barkhurst, Planning
Department, 2015
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Department, 2015
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Josef Jansen, DMM, 2015
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Theresa Baca, DMD, 2010
John Hartmann, DMD, 2010
Chuck Thompson, DMD, 2010

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Parks & Recreation, 2015
Barbara Baca, Director, Parks
& Recreation, 2014
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Carol Dumont, P&R, 2015
James Lewis, P&R, 2015
Chuck Malagodi, P&R, 2010

Jon Zaman, Director, City
Council, 2015
Andrew Webb, City Council,
2015

**CITY of ALBUQUERQUE
TWENTY-FIRST COUNCIL**

COUNCIL BILL NO. F/S R-14-142 ENACTMENT NO. R-2015-045

SPONSORED BY: Isaac Benton, by request

RESOLUTION

1
2 **ADOPTING THE BIKEWAYS & TRAILS FACILITY PLAN (BTFF) AS A RANK II**
3 **FACILITY PLAN. THE SCOPE OF THE BIKEWAYS AND TRAILS FACILITY**
4 **PLAN IS CITY-WIDE.**

5 **WHEREAS, the City Council, the governing body of the City of**
6 **Albuquerque, has the authority to adopt facility plans to promote the health,**
7 **safety, and general welfare of the residents of Albuquerque, Section 3-19-1 et**
8 **Seq., NMSA 1978, and by its home rule powers; and**

9 **WHEREAS, people use both bikeways and trails for a variety of activities,**
10 **including recreation, commuting, exercise, and utilitarian travel; and**

11 **WHEREAS, funding for both facilities comes from the same sources; and**

12 **WHEREAS, the City has determined that consolidating these plans into one**
13 **document will help the City better manage the growth of the bikeways and**
14 **multi-use trails system; and**

15 **WHEREAS, the primary goal of the *Bikeways & Trails Facility Plan* is to**
16 **ensure a well-connected, enjoyable, and comfortable non-motorized**
17 **transportation and recreation system throughout the metropolitan area; and**

18 **WHEREAS, the *Bikeways & Trails Facility Plan* intends to guide future**
19 **investment in the bikeways & trails system, including facility improvements,**
20 **new facilities, maintenance, and education/outreach programs; and**

21 **WHEREAS, the *Bikeways & Trails Facility Plan* is consistent with the**
22 **applicable goals and policies of the *Albuquerque/Bernalillo County***
23 ***Comprehensive Plan*, the *Major Open Space Facility Plan*, and the *Facility Plan***
24 **for Arroyos; and**

25 **WHEREAS, on October 9, 2014, the Environmental Planning Commission**
26 **(EPC), in its advisory role, voted that a Recommendation of Approval be**

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1 forwarded to City Council for Project 1008887, 14EPC-40054, a request for an
2 Adoption of a Rank II *Bikeways & Trails Facility Plan*, as recommended in the
3 findings within the staff report (see Record).

4 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
5 ALBUQUERQUE:

6 Section 1. The City Council adopts the Following Findings:

7 1. The Rank II *Bikeways & Trails Facility Plan* updates, consolidates,
8 and replaces the *Trails and Bikeways Facility Plan* (1993) and the
9 *Comprehensive On-Street Bicycle Plan* (2000). Rank II facility plans describe
10 the existing facilities, policies, recommendations, and proposed projects.

11 2. The scope of the *Bikeways and Trails Facility Plan* is City-wide. It
12 also shows trails within Bernalillo County's jurisdiction to demonstrate
13 regional connectivity, but which are not included as City proposed projects.

14 3. The purpose of the plan is to ensure a well-connected, enjoyable,
15 and safe non-motorized transportation and recreation system throughout the
16 metropolitan area. Updating the Plan is a reasonable exercise in local self-
17 government consistent with the City Charter.

18 4. The *Albuquerque/Bernalillo County Comprehensive Plan*, the City of
19 Albuquerque Zoning Code, the *Major Open Space Facility Plan*, the *Facility*
20 *Plan for Arroyos*, the *Trails and Bikeways Facility Plan*, and the
21 *Comprehensive On-Street Bicycle Plan* are incorporated herein by reference
22 and made part of the record for all purposes.

23 5. The proposed plan supports the following applicable Goals and
24 Policies of the Rank I *Albuquerque/Bernalillo County Comprehensive Plan*:

25 a. The Plan furthers the Open Space Network Goal and Policy II.B.1f by
26 updating trail-related policy, design guidelines, and proposed trails projects.
27 Part of the overarching vision of the plan is to provide recreation
28 opportunities; the plan also recommends trails along arroyos and appropriate
29 ditches as connections between natural areas and open spaces.

30 b. The Plan furthers the Semi-Urban Area Policy II.B.4b through
31 designation of trails and trail corridor development policies for semi-urban
32 areas.

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- 1 c. **The Plan furthers the Developing and Established Urban Areas Goal**
2 **and Policy II.B.5g because the plan will help guide development of a system**
3 **that contributes to creating a quality urban environment and that will increase**
4 **choices in transportation and life styles. The plan will guide development of**
5 **trail corridors in appropriate locations.**

- 6 d. **The Plan furthers the Environmental Protection Policy II.C.1d and the**
7 **Transportation and Transit Goal by setting direction for investments in multi-**
8 **modal transportation infrastructure, which will help protect air quality through**
9 **a balanced circulation system that supports and encourages alternative**
10 **means of transportation.**

- 11 e. **The Plan is generally consistent with Policy II.D.4h. A metropolitan**
12 **area-wide recreational and commuter bicycle and trail network which**
13 **emphasizes connections among Activity Centers shall be constructed and**
14 **promoted. The proposed alignments have been evaluated to provide**
15 **connection to and within most designated activity centers.**

- 16 f. **The Plan is generally consistent with Policy II.D.4i. Street and**
17 **highway projects shall include paralleling paths and safe crossings for**
18 **bicycles, pedestrians, and equestrians where appropriate. The Plan includes a**
19 **Complete Streets Policy for bikeways and trails projects to be considered on**
20 **all streets, as appropriate, throughout the street network. One of the critiques**
21 **of the Plan is that it does not recommend access along major arterial streets,**
22 **which have been demonstrated to have the highest bicycle and pedestrian**
23 **crash rates.**

- 24 g. **The Plan is generally consistent with Policy II.D.4h. Efficient, safe**
25 **access and transfer capability shall be provided between all modes of**
26 **transportation. The City currently has excellent transfer capabilities between**
27 **bicycle, train, and bus. Both the train and all City busses have capacity to hold**
28 **multiple bicycles each. The Plan does not specifically address how to provide**
29 **safe and convenient access to each bus stop, which is typically located on a**
30 **major arterial street.**

- 31 h. **The Plan is generally consistent with Policy II.D.4q. Transportation**
32 **investments should emphasize overall mobility needs and choice among**
33 **modes in the regional and intra-city movement of people and goods. The Plan**

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1 sets direction for investments in multi-modal transportation infrastructure and
2 programs to enhance bicycling and walking options.

3 6. The proposed Plan is generally consistent with the key themes of the
4 2035 Metropolitan Transportation Plan (MTP) through its multi-modal vision,
5 policies, and proposed facilities for pedestrians and cyclists throughout the
6 City. The proposed facility map is consistent with the current LRBS map and
7 will provide updates to the LRBS map when it is amended for the 2040 MTP.

8 7. Key City departments, including Municipal Development, Parks &
9 Recreation, and Planning, coordinated as part of this facility planning effort.

10 8. There is general support among the reviewing agencies and
11 members of the public that the City should adopt the proposed *Bikeways &*
12 *Trails Facility Plan*.

13 9. The City's Advisory Groups for trail and bicycle facilities, The
14 Greater Albuquerque Bicycle Advisory Committee and the Greater
15 Albuquerque Recreational Trails Committee, should meet biannually to review
16 implementation of the BTFP and consider any updates or changes that may
17 be necessary.

18 Section 2. In order to implement the policies of the *Albuquerque/Bernalillo*
19 *County Comprehensive Plan*, applicable Rank II and Rank III Plans, and the
20 *Metropolitan Transportation Plan*, the *Bikeways & Trails Facility Plan*, with
21 Appendices, attached hereto as Exhibit A, is hereby adopted and the *Trails &*
22 *Bikeways Facility Plan (1993)* and the *Comprehensive On-Street Bicycle Plan*
23 *(2000)* are repealed.

24 Section 3. EFFECTIVE DATE. This resolution shall take effect five days
25 after publication by title and general summary.

26 Section 4. SEVERABILITY CLAUSE. If any section paragraph, sentence,
27 clause, word, or phrase of this resolution is for any reason held to be invalid
28 or unenforceable by any court of competent jurisdiction, such decision shall
29 not affect the validity of the remaining provisions of this resolution. The
30 Council hereby declares that it would have passed this resolution and each
31 section, paragraph, sentence, clause, word or phrase thereof irrespective of
32 any provisions being declared unconstitutional or otherwise invalid.

33 X:\CITY COUNCIL\SHARE\CL-Staff_Legislative Staff\Legislation\21 Council\R-142FSfinal.docx

1 PASSED AND ADOPTED THIS 18th DAY OF May, 2015
2 BY A VOTE OF: 8 FOR 0 AGAINST.

3
4 Excused: Peña

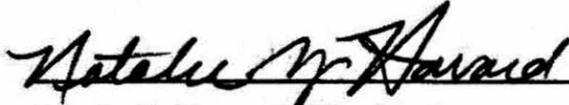
5
6
7
8 
9 _____
10 Rey Garduño, President
11 City Council

12
13
14 APPROVED THIS _____ DAY OF _____, 2015

15
16
17
18 Bill No. F/S R-14-142

19
20
21 _____
22 Richard J. Berry, Mayor
23 City of Albuquerque

24
25
26 ATTEST:

27
28 
29 _____
30 Natalie Y. Howard, City Clerk

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City of Albuquerque

Office of the City Clerk

Richard J. Berry, Mayor

Trina Gurule, Interim City Clerk

Interoffice Memorandum

June 3, 2015

To: CITY COUNCIL

From: NATALIE Y. HOWARD, CITY CLERK

Subject: BILL NO. C/S R-14-142; ENACTMENT NO. R-2015-045

I hereby certify that on June 2, 2015, the Office of the City Clerk received Bill No. C/S R-14-142 as signed by the president of the City Council, Rey Garduño. Enactment No. R-2015-045 was passed at the May 18, 2015 City Council meeting. Mayor Berry did not sign the approved Resolution within the 10 days allowed for his signature and did not exercise his veto power. Pursuant to the Albuquerque City Charter Article XI, Section 3, this Resolution is in full effect without Mayor's approval or signature. This memorandum shall be placed in the permanent file for Bill No. C/S R-14-142.

Sincerely,


Natalie Y. Howard
City Clerk

5. Give increased priority to achieving connectivity of the bikeway network when planning and programming all roadway and bikeway improvements as appropriate.
6. Plan, program, and implement special provisions for crossings of high-volume, multi-lane streets. Review successful treatments utilized within other communities for difficult crossings.
7. Concentrate bicycle improvements for a five-mile radius ("hub and spoke") around major employment centers, schools, parks, and other activity centers.
8. Coordinate and develop interconnected bikeway improvements and standards between the City and adjacent jurisdictions, including Bernalillo County, Sandoval County, Los Ranchos, Rio Rancho, Corrales, and KAFB.
9. Monitor the implementation of elements within the *Bikeways & Trails Facility Plan* and update the Plan at four year intervals.

Objective 3: Use Bicycle and Pedestrian Friendly Standards and Procedures for On-Street Bicycle Facilities and Multi-Use Trails

1. Restripe collector and arterial roadways (where designated on the Bikeways Map and per NACTO and AASHTO guidelines) to provide bike lanes, or minimum outside lane width of 14 feet. **Note: Edith does not meet BTFP Guidance (ex: Figure 36)**
2. Provide a striped bicycle lane or shoulder as described in chapter 23, section 5, subsection N of the City's Development Process Manual, in conjunction with NACTO and AASHTO bicycle facility design guidelines, on all new, rehabilitated or reconstructed roadways, as indicated in the *Facility Plan*.
3. Provide striped lanes/shoulders of at least five feet wide, from face of curb where curb and gutter exist, on all new or reconstructed bridges, underpasses, and overpasses, where not otherwise constrained or to the extent feasible.
4. Selectively plan and design for bicycle travel with all intersection improvements - **include 5-foot bike lanes or minimum curb lane widths of 15 feet through intersections.**
5. **Include a through phase for all traffic signal timing plans at signalized intersections on roadways having designated bicycle networks.**
6. Modify existing or install new traffic signal detection equipment (i.e., inductive loop, video detection, or pushbutton) to make all traffic signals bicyclist-responsive within need-based areas and as resources permit.
7. **Implement other design considerations, per the current versions of the NACTO Urban Bikeway Design Guide, the AASHTO Guide for the Development of Bicycle Facilities, the "Design Guidelines" section of this plan and other appropriate design reference guidelines.**
8. Evaluate and adjust traffic signal timing of the vehicle phase change and clearance interval to provide adequate time for bicycles at signalized intersections on designated bicycle networks.
9. On all trails, develop strategies and **use design techniques on available right-of-way to minimize conflict of use.**

Objective 4: Provide an Elevated Emphasis on Maintenance along Roadways & Trails

1. With On-Street Bikeway and Multi-Use Trails, improve and fully fund the street maintenance and sweeping program. Establish the highest priority for allocation of street sweeping resources to

Gould, Maggie S.

From: Theresa Cardenas <tc@theresacardenas.com>
Sent: Monday, January 09, 2017 9:38 PM
To: Gould, Maggie S.
Subject: Project Reference #1010582

Project Reference #1010582
RE: Opposing zone change from M-1 to SU-1

Attention Environmental Planning Commission

We are taking strong opposition to this proposed waste transfer station zone change to SU-1 from M-1. This project cannot substantiate key findings that it will not bring harm to the public's health and welfare of the community.

Theresa Cardenas

New Mexico Outreach Consultant, Climate & Energy Program

6237 Cactus Canyon Trl NE, Abq. NM 87111

Union of Concerned Scientists | 1825 K Street NW, Suite 800 | Washington, DC 20006

Office: 505-991-4487 | Email: tc@theresacardenas.com

The Union of Concerned Scientists puts rigorous, independent science to work to solve our planet's most pressing problems. Joining with citizens across the country, we combine technical analysis and effective advocacy to create innovative, practical solutions for a healthy, safe, and sustainable future.

TIMOTHY V. FLYNN-O'BRIEN
Attorney at Law
817 Gold Avenue SW
Albuquerque, New Mexico 87102-3014
Phone: 505-242-4088 / Fax: 866-428-7568

January 9, 2017

DELIVERED BY EMAIL

Environmental Planning Commission
Karen Hudson, Chair
C/O Maggie Gould, Planner
1 Civic Plaza
Albuquerque, New Mexico 87102

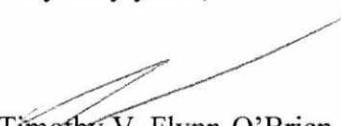
RE: Project No. 1010582, 16EPC-40077;
16EPC-40078; 4600 Edith Blvd. NE,

Dear Chairman Hudson and Members of the EPC:

This letter and attached documents are submitted pursuant to EPC Rule B.12 on behalf of the Greater Gardner Neighborhood Association (GGNA). Included is a response to the Staff Report.

A copy of this letter and the documents is being served on the applicant by email.

Very truly yours,


Timothy V. Flynn-O'Brien

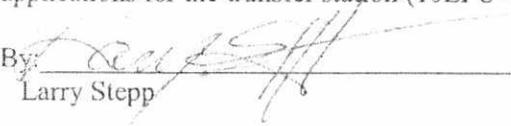
TVFOB
cc: Savina Garcia by email to savina.garcia@wilsonco.com
David Wood
Peggy Norton
Jenica Jacoby jjacobi@cabq.go
Charles Price cprice@cpricelaw.com

Greater Gardner Neighborhood Association (GGNA) authorizes Tim Flynn-O'Brien to represent GGNA concerning Project # 1010582 and the City's zone change and site plan approval applications for the transfer station (16EPC-40077 and 16EPC-4007).

By: David Wood, President
Greater Gardner neighborhood Association

Date: 1-4-2017

Larry Stepp dba *American Marine* authorizes Tim Flynn-O'Brien to represent Larry Stepp concerning Project # 1010582 and the City's zone change and site plan approval applications for the transfer station (16EPC-40077 and 16EPC-4007).

By: 
Larry Stepp

Date: 1-14-17

GGNA/Stepp Response To Staff Report

p. 2 EPC Role

GGNA disagrees with staff's statement that the EPC is the final decision-making body. Opponents have submitted written opposition to the zone change from more than 20% of the property owners within 100 feet of the land proposed for the zone change. Although the City's 20% rule applies to appeals of zone changes (§14-16-4-4(E)(5)) the state statute (NMSA 1978 §3-21-6 (C)) is not limited to appeals and since more than 20% of the landowners within 100' have filed written objections the EPC role is only to advise.¹

p.2 History

Zoning History. The fact that the property was annexed into the City in 2002 *at which time* the existing M-1 zoning was established is noted but staff ignores this critical fact in its analysis. The fact that the zoning was established in 2002 is relevant to the change in conditions claim.

Under bullet #3 the Staff asserts that a study of potential sites was completed and submitted to the Council in 2011. The Staff states that a total of six potential sites were assessed and Edith was ultimately recommended. There is no authority cited for the assertion that six sites were studied and Edith was recommended. GGNA made an IPRA request for this information and the City produced a 2011 study of four sites, which ranked Edith as the #2 site.

LUHO/City Council reversal of EPC's 2015 zone change. Staff does not discuss the LUHO February 2016 recommendation (AC-15-6 and AC-16-7) in any detail. This is critical as the LUHO recommendation was accepted by the City Council and is binding on the EPC and the applicant. Errors or omissions made in the consideration of the City's prior rezoning request should not be repeated. In particular the LUHO/City Council 2016 decision held:

- Conclusory statements, such as, that the proposed uses are similar to the proposed uses is not sufficient. Findings must be supported by evidence (lines 106-119).
- The EPC is required to make appropriate findings. With regard to similarity of uses the LUHO/City Council decision suggested that the fact that a transfer station involves the accumulation and processing of solid waste may make it dissimilar to the existing uses because the existing use does not include any accumulation of solid waste at the site. Decision lines 112-119. The LUHO City Council decision held that such an analysis "would be helpful to all involved in the threshold Res. 270-1980 analysis. *Id.*, lines 118-119.

¹ 3-21-6 (C) provides:

- C. If the owners of twenty percent or more of the area of the lots and [of] land included in the area proposed to be changed by a zoning regulation or within one hundred feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation, protest in writing the proposed change in the zoning regulation, the proposed change in zoning shall not become effective unless the change is approved by a majority vote of all the members of the governing body of the municipality or by a two-thirds vote of all the members of the board of county commissioners.

- Res. 270-1980 demands that the applicant [and EPC] focus on the inappropriateness of the existing zone not on the appropriateness of the proposed zone." *Id.*, lines 173-175.
- Consideration of whether the proposed zone is more appropriate or more advantageous "put(s) the proverbial cart before the horse because these contentions do not address the threshold question of whether or not the existing zone is inappropriate...." *Id.*, lines 181--185.
- The EPC decision must address harm to six residential dwellings within 100-200 feet of the proposed transfer station. *Id.*, lines 225-238. ("The EPC must reexamine the residential neighborhood under enactment 270-1980, Section 1.E, and under Policy II.B.5.e of the Comp. Plan.") The current Staff report fails to do this analysis required by the LUHO/City Council decision in AC-15-6 and AC-15-7. "The fact that these are nonconforming residential uses [in a manufacturing zone] is irrelevant." Lines, 232-238.
- The EPC must address how the residences are impacted as it relates to potential harm. The fact that the residences are in an industrial zone (as found in the EPC's Finding 14D in NOD dated November 5, 2013) is insufficient to address Res. 270-1980 (E). Lines 240-249.
- The EPC must address the total amount of additional traffic the use will generate. Lines 252-266.
- Traffic. Even if new trips occur primarily outside peak times a TIS is required if the development's peak hour generates 100 or more additional trips. Lines 282-287. The EPC must also answer how trips that do occur within peak periods impact those periods, how the new trips are dispersed throughout peak periods. Lines 288-295. There must be an evaluation of the assertion by applicant as to how or when trips are distributed. Lines 297-305. Factual issues presented by opponents as to traffic must be decided. *Id.* The EPC must have the overlapping and distribution numbers for traffic and analysis of those numbers. *Id.* at 312-340.
- To the extent the EPC's findings depend on applicant's assertions as to traffic distribution [number of trips and distribution] the EPC erred in not adopting conditions. *Id.* at 340-344.
- The EPC should resolve the traffic issues raised by the parties. *Id.* at 346-352.

p. 3. Context. In the context section staff omits discussion of the residences 100-200 feet from the subject site and the adjacent businesses. The analysis is, therefore, deficient.

p. 4-5. Site Selection. Staff refers to a 2011 consideration of six sites but does not inform the EPC that four sites were actually ranked as to their suitability vis-à-vis the criteria and that the Edith site was ranked as the second best site. The ABCWUA site at the northwest corner of I-12 and I-40 was ranked #1. Staff makes a conclusory claim that the Edith site was selected because it met all the criteria and other SWMD facilities were located there. A conclusory statement by staff is not sufficient as held by the LUHO/City Council in AC-16-6 and AC-16-7. Findings must be supported by evidence. (Lines 106-119). Staff repeats applicant's claim that the feasibility analysis was presented to the City Council in EC-14-11. As explained in GGNA's response to applicant's statement EC-14-11 dealt with the City's selection of Wilson for on-call engineering, not with the transfer station. Staff does not acknowledge GGNA's position on this or the evidence submitted with GGNA's response. As with the prior zone change request staff fails to rigorously analyze the issues and evidence.

p.6 Solid Waste Permitting.

Staff fails to critically analyze the solid waste regulations, which prohibit a solid waste facility within 250 feet of a residence. Per the application and the LUHO/City Council decision there are residences within this distance. The County has not granted a waiver of this limit so no permit can be granted.

Pp. 8-14. Analysis of Zone Change vis-à-vis Comprehensive Plan. Staff's analysis is inconsistent with the Council's holding in AC-11-4 which directs the EPC and Staff to analyze policies that are not consistent with the rezoning, not ones that are allegedly "furthered." See AC-11-4, GGNA Ex. N Finding 5b.

Central Urban Area. The goal of the Central Urban Area is "to promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities *while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City*". The Central Urban Area is identified by the Comprehensive Plan as a "portion of the Established Urban Area and as such is subject to policies of section II.B.5. as well as those listed [in the Central Urban Area]". The goal of the Established Urban Area is "*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*".

GGNA Comment. The Staff report cites these policies but does not reconcile increasing intensity, increasing local traffic, increasing local emissions and increasing noise with the goal of enhancing the character of the neighborhoods, and creating a quality urban environment for this area,

Policies cited in Staff report.

Central Urban Area

Policy II.B.6.a. New public, cultural, and arts facilities should be located in the Central Urban Area and existing facilities preserved.

Staff Analysis: Policy II.B.6.a. is furthered because the project replaces outdated and inefficient public buildings with new public buildings that are energy efficient, state of the art and aesthetically pleasing. The zone change will facilitate development of new educational programs.

GGNA comment: The zone change does not do any of these things. All these supposed good things such as new buildings, improving the appearance of the facility and providing public education could be achieved without a zone change. As set forth in prior Council decisions and as explained in the GGNA response to applicant's justification, a property owner cannot justify a zone change by stating that they will improve the property if they are granted a zone change. This is the antithesis of the stability of zoning and contrary to New Mexico law.

Established Urban Area

Policy II.B.5.d.: 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, recreational concern.

Staff Analysis: Policy II.B.5.d is furthered because the uses allowed by the proposed zoning will fit with surrounding manufacturing, industrial and commercial properties. There are no residential neighborhoods directly adjacent to the subject site (the closest neighborhood is approximately 1,300 feet west of the site. The non-conforming residential units at the northeast corner of Rankin Rd and Edith Blvd are approximately 100-ft from the City's property line, are buffered by existing buildings and a proposed block wall. The proposed Site Development Plan for Building Permit includes a new ponding area to protect the Alameda Lateral ditch from runoff and stabilize the slopes of the ditch. The new proposed buildings and landscaping will improve the visual quality of the area.

GGNA comment. Policy II.B.5.d requires that the location of new development respect existing neighborhood values, natural environmental conditions and carrying capacities. The neighborhood opposition is evidence that the location does not respect neighborhood values. The North Valley Area Plan ("NVAP") identifies plan goals as :

"[p]reserve and enhance the environmental quality of the North Valley Area by: a) maintaining the rural flavor of the North valley b) controlling growth and maintaining low density development c) providing a variety of housing opportunities and life styles including differing socioeconomic types d) reducing noise level impacts"²

The NVAP is the City's compilation of neighborhood values and expression of goals for the North Valley in terms of environmental conditions and resources. The proposed zone change to permit a combined transfer station, convenience center and household hazardous waste facility (with increased traffic, increased noise and local pollution) is inconsistent with the NVAP goal to maintain the rural flavor of the North Valley, control growth and reduce noise. The Council, in adopting the North Valley Area Plan, in Resolution, R-255 (Enactment No. 60-1993) provided in Section 7:

"Solid Waste Transfer Stations shall be allowed in the North Valley Plan area only on land zoned for manufacturing uses and only if, after thorough investigation of relative benefits and costs, such location is deemed appropriate and the potential impacts on adjacent residential land can be mitigated through proper site design."

This has not been done. There is no evidence supporting the conclusory statement that existing buildings and a wall will "buffer" existing residential dwellings. There is no noise study or environmental study that the increased local pollution and traffic will not effect these residences. See infra at p. 7 discussing Policy II.B.5k and the Comprehensive Plan's recommendation of noise studies. The City Council reversed, in part, in the first case on the basis of just such conclusory statements.

Policy II.B.5.e.: New growth shall be accommodated through development in areas where

² NVAP, Page 5.

vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Staff Analysis: Policy II.B.5.e. is furthered because the subject site has access to a full range of urban services and infrastructure. The subject site contains existing Solid Waste Management Services such as maintenance facilities, an administrative building, bin repair and parking for collection trucks and employees. There are no residential neighborhoods directly adjacent to the subject site (the closest neighborhood is approximately 1,300 feet west of the site. The non-conforming residential units at the northeast corner of Rankin Rd and Edith Blvd are approximately 100-ft from the City's property line, are buffered by existing buildings and a proposed block wall. The proposed new buildings are within the existing foot print of the subject and do not expand the use into existing residential neighborhoods.

GGNA Response: As with the previous policy staff makes conclusory statements concerning existing neighborhoods without any evidence. As set forth by the City Council in AC-11-4 the question is whether the policy is inconsistent with the transfer station. GGNA Ex. N at N1, Finding 5b. The key language of Policy II.B.5e is whether the integrity of the existing neighborhoods can be ensured with a new combined transfer station, convenience center and household hazardous waste facility. On this issue staff assumes distance protects the neighborhood 1.300 feet away. There is no evidence that they will not be affected by traffic or pollution. Staff ignores the business community entirely. See GGNA evidence of diminished value to local business property. Staff assumes existing buildings and wall will somehow "buffer" the 100' residences but there is no evidence. Does the conclusory statement ensure the integrity of that neighborhood is preserved? Mr. Stepp also has a residence. It is not our burden to prove this Policy II.B.5.e requires that the integrity of existing neighborhoods be ensured putting the burden on the applicant. A finding that this policy is furthered on the record before the EPC will result in reversal Applicant must prove the integrity of existing residences and residentially zoned neighborhoods will not be affected by the increased traffic, noise and pollution. The evidence is that existing residences, neighborhood and businesses will be damaged by the traffic, noise and pollution.

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

Staff Analysis. Policy II.B.5.g is furthered because the site's slope from east to west was taken into consideration. The ponding area is located in the northwest corner of the site.

GGNA Response: The zone change conflicts with the Policy. Staff claims that the grade differences from east to west will be advantageous but the grade exceeds the scoping criteria for the ideal site in the City's site selection survey. Staff ignores the effect of increased traffic on bike lanes. See comments of Greater Albuquerque Bicycle Advisory Committee. GGNA Ex. P, p. 430-432. The outer lanes of the Edith do not meet AASHTO and NACTO minimums. Id. The City is not dedicating additional right of way for adequate traffic and bicycle lanes. Bicycle lanes/trails on Comanche are deficient under both AASHTO and NACTO guidelines. Ex. P. p. 431. Under Policy II.B.5g the applicant should reduce the site (dedicate right of way) to increase the right-of-way on Comanche to accommodate bicycle lanes/trails. The City has chosen not to do so and that is inconsistent with Policy II.B.5e and the Bicycle Transportation Facilities Plan ("BTFP"), a Rank 2 plan. Ex. L at L24. [Note the City requires landowners to

dedicate right of way and to improve the roadway as a condition of site plan approval in the Paseo and Unser area. Why should the City not do the same?] See BTFP Goals and Principles 2b at L31 ("work toward addressing and improving challenging intersections and physical barriers, and consider pedestrian and bicycle movement in planning stages for new or reconstructed facilities.") The City has ignored BTFP principle 7b ("Foster ongoing coordination among critical departments within the City to communicate and coordinate activities related to design of bikeways and trails.") Principle 7h ("Bicycles and pedestrians should be considered ...by all departments when setting policy and programs.") Comanche and Edith should be widened per NACTO and AASHTO guidelines. Ex. L at L3, BTFP p. 126. nos. 1 and 3. Locating the new combined transfer station, convenience center and household hazardous waste facility is inconsistent with the Rank 2 plan.

Policy II.B.5.i.: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Staff analysis: Policy II.B.5.i. is furthered because the proposed transfer station location is in an existing industrial area, the site design uses quick close doors, misting and air filtration to mitigate the impacts of the use on the surrounding area. Traffic will occur primarily in the off peak hours, trucks will access the site from Comanche Road and I-25, away from the existing neighborhoods. The Site Development Plan process provides certainty regarding development

on the site. The applicant conducted a variety of outreach efforts and notified the closest neighborhoods.

GGNA Response: The zone change is not consistent with Policy II.B.5i. The Policy concerns siting, that is, should this facility be located here? It does not concern mitigation of a bad siting decision as Staff assumes. Staff claims that site design will mitigate effects of noise, lighting, and traffic. The Policy concerns site selection not design. The applicant assumes the site is appropriate. The question under this Policy is whether this site *complimented* residential areas. It does not as is indicated by the city's own analysis and applicable regulations. See Ex. M NMAC 20.9.4.1 prohibiting transfer stations within 250 feet of residences. Other sites would not conflict with any residential areas. Staff's claim as to when traffic will occur is an assumption. See LUHO/City Council decision rejecting the conclusory acceptance of such representations without thorough data (evidence). Trucks queuing to unload are outdoors creating noise and pollution. The "indoor" facility vents to the outdoors. The City as well as opponents' reports acknowledge that the new combined transfer station, convenience center and household hazardous waste facility will increase traffic, noise and pollution locally. This is inconsistent with Policy II.B.5g. Staff has proposed no conditions, for example, prohibiting any transfer station or convenience center access during peak hours and prohibiting increases in traffic beyond that assumed in the Wilson study.

Policy II.B.5.k.: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

Staff Analysis: Policy II.B.5.k is furthered because the truck traffic is routed along Comanche Road, not through the neighborhoods to the west, the Traffic Impact Analysis completed by the applicant shows that the new trips created by the expansion of the existing facility will occur primarily in the off peaks hours. Additionally the access point from Edith Blvd. will be shifted to the south; this may improve the function of the signalized intersection at Edith Blvd and Comanche road.

GGNA Response: The zone change does not further Policy II.B.5k. The first clause ("Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic....") is applicable to the project as the project is adjacent to arterial streets. The techniques listed under Policy II.B.5k recommend noise impact analysis. ("Use noise impact analysis for noise-sensitive uses proposed adjacent to arterial streets; analyze projected traffic and noise impacts of proposed street widening and similar projects upon adjacent neighborhoods and mitigate accordingly.") The City has not provided a noise impact analysis. The zone change allows more intense development that will add to the harmful effects of traffic. See HIA and Opponents' Traffic analysis. The second clause of the Policy pertains transportation planning and operation and is not applicable as this is not a transportation planning project. Staff's comments about traffic ignore the effects of increased traffic. Staff ignores the City Council decision requiring complete data on when vehicles will access intersections including the facility's peak hour. *The Comprehensive Plan recommends transfer stations throughout the area. Ex. I at 15.*

Policy II.B.5.l.: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

Staff Analysis: Policy II.B.5.l. is furthered because the proposed new facility will be energy efficient and use best practices for modern solid waste management. The facility will contain features such quick close doors and air filtration to mitigate the impacts of the facility. The Site Development Plan for Building Permit shows abundant landscaping that will improve the visual quality of the facility. The building will be constructed of high quality materials.

GGNA Response: The Policy is either not furthered by the zone change or the Policy is not applicable. The statement that the facility is state-of-the art is unsupported. The facility is not described as LEED certified. There are insufficient setbacks, sound barriers and enclosures . Vehicles queuing are adjacent to small businesses. There is insufficient distance between queuing trucks and neighboring property. No noise impact study for the project has been performed despite the site's location near I-25 and arterial streets in an industrial area. The Comprehensive Plan states: "Residential properties near...Interstates 25 and 40, arterial streets and industrial areas are affected by excessive noise levels. Ex. I at I6. Unsupported representations about "state of the art" are not enforceable. If approved specific design standards should be incorporated into the zone change as conditions based on independent study. Noise studies should be performed before approval to quantify the effect and/or mitigation that can be accomplished through design and incorporated in enforceable standards and conditions. The facility is not designed to avoid conflicts with, and negative effects on, residences and commercial neighbors.

Policy II.B.5.m: Urban and site design which maintains and enhances unique vistas and improves the quality of the visual environment shall be encouraged.

Staff Analysis: The subject site is located within an industrial M-1 zoned area of the City. The design of the proposed buildings and facilities along with landscape and streetscape improvements will improve the visual quality of the industrial area in which the subject site is located. The request furthers Policy II.B.5.m.

GGNA Response: The zone change neither furthers nor conflicts with the Policy. The site design does not maintain nor enhance unique vistas. Any site improvements, e.g., landscaping can be implemented without the zone change and are not a basis for a zone change. See AC-11-4 Finding 5c, Ex. N at N1. This is a public facility, which should require enhanced consideration of alternative sites and not be affected by the City's current ownership of the site.

Air Quality: The goal is to improve air quality to safeguard public health and enhance the quality of life.

Policy II.C.1.b.: Automobile travel's adverse effects on air quality shall be reduced through a

balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

Staff Response: The request furthers Policy II.C.1.b. because the central location of the transfer station will reduce the number miles traveled by the City collection trucks because they will not have to travel to the City landfill outside of the City. The public will have a 4th convenience center that may be closer than the City's existing location in the far Northwest, Southeast and Southwest quadrants of the City.

GGNA Response: The zone change does not further the Policy. The Policy refers to *automobile* travel. Staff's reference to reduced miles for the solid waste fleet, even if assumed to be true, does not further the policy. The "centroid" for all feasibility studies is the Big I. This site is miles from the Big I so the location is not ideal. This site was selected because it was owned by the City and therefore would save money compared to the purchase of another site. There are other more ideally located sites that would reduce truck/fleet travel more. The "one-location" model will increase automobile traffic to convenience centers. This has not been evaluated. It does not reduce miles driven to have collection vehicles collecting waste west of the river to travel to the Edith site to transfer waste vs. direct haul or use of a Westside transfer station. See Ex. K. The techniques enumerated under Policy II.C.1b(3) include development of performance standards using local air quality criteria and modeling, to minimize development's adverse effects upon air quality. See also II.C.1b(4), which requires consideration of air quality as a consideration in site plan review. The applicant has not submitted local air quality data or modeling. An air quality analysis should be required to determine the effect on the local area. The analysis should not only consider area wide potential benefits but local costs (localized increases in air pollution). See also II.C.1b(5)("Require traffic and air quality analysis for rank three and *large development site plans* to identify potential air quality problems and mitigation measures.") (Emphasis added.)

Policy II.C.1.c.: Traffic engineering techniques shall be improved to permit achievement and maintenance of smooth traffic flow at steady, moderate speeds.

Staff Response: The request furthers Policy II.C.1.c. because the applicant completed a Traffic Impact Analysis showing that news trips from the proposed project will not diminish the level of service for the surrounding intersections. Moving the access point from Edith further south may benefit the functioning of the intersection with Comanche.

GGNA Response. The Policy is not applicable to the zone change.

Policy II.C.1.e.: Motor vehicle emissions and their adverse effects shall be minimized.

Staff Response: The request furthers Policy II.C.1.e because the applicant states that the proposed transfer station and convenience center will reduce the number vehicle miles travelled by city collection trucks by approximately 2 million miles. The new location will also reduce the number of trucks that uses I-40 to cross the river on the way to the west side landfill. The central location also reduces the vehicle miles traveled for the public using the convenience center.

GGNA Response: Not relevant. The techniques listed under Policy II.C.1e (emission standards by vehicle year, enforcement of a vehicle idling ordinance, sampling of lead content in gasoline) demonstrate that this policy is not intended to promote specific land use decisions or to favor land use decisions based on potential area-wide improvements at the expense of individual areas.

Policy II.C.1.g.: Pollution from particulates shall be minimized.

Policy II.C.1.h.: During air stagnation episodes, activities which contribute to air pollution shall be reduced to the lowest level possible.

Policy II.C.1.k.: Citizens shall be protected from toxic air emissions.

Staff Response: Air quality impacts from the operations at the site will be minimized in five different ways. First, particulates and odors from the enclosed transfer station building will be minimized by the use of quick-close doors, misting systems, air curtains, and air filtration systems will keep odors and particulates from leaving the building. Second, the majority of the site will be paved and/or covered by buildings, which minimizes the emissions of particulates from the site. Third, the areas of the site that are not paved will have landscape and streetscape treatments that will enhance the site, minimize dust and particulates, and the plants and trees will absorb more carbon. Fourth, the transfer trucks and collection trucks all have covered tops or are enclosed preventing air pollution. Finally, the air quality for the entire Albuquerque area will be improved with the implementation of the transfer station in this central location by realizing a reduction of approximately 2 million miles travelled per year by the collection truck fleet along with its associated reduction in carbon emissions and particulates.

In addition to the proposed site development plan for building permit, the applicant will also be required to secure a Solid Waste Facility Permit through the State of New Mexico Environment Department prior to the commencement of operations which regulates items

such as climatology, meteorology air quality, odor and dust (NM Administrative Code 20.9.3.8). Therefore, the request furthers Policy II.C.1.g, Policy II.C.1.h. and Policy II.C.1.k.

GGNA Response: The request neither furthers nor hinders Policy II.C.1.g. While a transfer station has the potential of reducing area wide particulate pollution the single transfer station model proposed causes greater pollution than multiple sites. Local particulate pollution would increase. The Policy does not address the appropriateness of this site vis-à-vis other sites.

As noted above the Comprehensive Plan favored multiple transfer stations.

The request neither furthers nor hinders Policy II.C.1.h. This policy addresses cessation of activities during episodes and is not applicable to the application.

The request neither furthers nor hinders Policy II.C.1k. The policy does not address a project that may reduce emissions on an area wide basis but increase them locally as this project would. See comments to Policy II.C.1g, above. The single transfer station (excluding a Westside station) and/or closing convenience centers increases pollution compared to a multiple station plan.

Water Quality: The goal is 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.

Policy II.C.2.c.: Water quality contamination resulting from solid waste disposal shall be minimized.

Staff Response: The proposed grading and drainage plan will conform to the City's Drainage Ordinance and EPA MS-4 permit to comply with the first flush requirements and control water run-off. Water/oil separators will also be upgraded and located at each drainage outlet on the site. Landscaping, ponding areas and other methods will be employed to manage the site's storm water run-off. All of the solid waste deliveries and trash compaction will occur within an enclosed building limiting the opportunities for solid waste contaminants to enter the community water supply. The additional facilities will provide opportunities for trash disposal that may decrease illegal dumping and keep contaminants out of the water supply. Therefore, the request furthers Policy II.C.2.a and Policy II.C.2.c.

GGNA Response: The request does not further the Policies and may hinder the Policies. While the City may try to contain seepage into the soils the area is sensitive and the City is not proposing to remediate the site prior to construction to remove preexisting pollutants. See Maloy letter to NMEID dated April 12, 2016. Ex. D, at D8. Without study and determination that there are no existing matters requiring remediation the proposal hinders the Policies. A study needs to be performed. There are insufficient protections for the site. If a study determines there are no existing environmental issues and conditions protects the site the request neither further nor hinders the Policy.

Solid Waste: The goal is an economical and environmentally sound method of solid waste disposal which utilizes the energy content and material value of municipal solid waste.

Staff Analysis: The request furthers the goal because the proposed design incorporates best practices for solid waste collection and disposal and increases the options for recycling for members of the public.

GGNA Response: The request neither furthers nor hinders the Policy. The project concerns transfer of waste to the landfill not collection of waste, which is what is addressed in the Policy. The project and studies submitted do not address multiple transfer stations. The Policy does not address other sites.

Policy II.C.3.a.: Planning and implementation of more efficient and economical methods of solid waste collection shall be continued.

Staff Analysis: The proposed facility is part of the City's long term plan to provide more efficient and economical methods of solid waste collection through the construction of a state of the art facility and a reduction in vehicle miles traveled for the Solid Waste Collection fleet. The request furthers Policy II.C.3.a.

The request neither furthers nor hinders the Policy. The project concerns transfer of waste to the landfill not collection of waste, which is what is addressed in the Policy. The project and studies submitted do not address multiple transfer stations. The Policy does not address other sites.

Policy II.C.3.b.: Encourage solid waste recycling systems which reduce the volume of waste while converting portions of the waste stream to useful products and/or energy.

Staff Analysis: The transfer station and convenience center will improve diversion and recycling efforts by keeping recyclable material out of the landfill and providing a safe disposal for household hazardous waste. The materials that will be diverted from the municipal solid waste stream and will be accepted, processed, handled, transported by the convenience center, HHW, or recycle area include mixed recyclables (paper, plastic, aluminum, glass and steel cans); household hazardous waste; scrap metal/white goods; green waste; electronic waste (E-waste); and bulky waste. Therefore, the request furthers Policy II.C.3.b.

GGNA Response: The request neither furthers nor hinders the Policy. Staff conflates the transfer station --which transfers waste from collection vehicles for transport to the landfill on larger trucks --with recycling. This policy is not applicable to the transfer station. As to materials that will be accepted by the convenience center the application identifies mixed recyclables (paper, aluminum, glass, and steel cans), household hazardous waste, scrap metal/white goods, green waste, electronic waste and bulky waste. There is no evidence these materials will be converted to useful products or energy as envisioned by Policy II.C.3b. The Policy is not applicable. Albuquerque's diversion rate is approximately 5% compared to a national average of 32% and a New Mexico average of 9%. Ex. G, IWMP Exec. Summary §2.2. The Policy encourages *strategies to increase the rate of diversion and conversion to useful products or energy*. There is nothing in the zone change or proposal which actually addresses increasing the rate of diversion and conversion. Even were the proposal to address increasing recycling of green waste the IWMP states that there is a "limited compost market availability." Ex. G. IWMP §3.2

Policy II.C.3.c.: Illegal dumping shall be minimized.

Staff Response: The centralized location of a new convenience center will provide a low-cost disposal location for Albuquerque residents and reduce the likelihood of illegal dumping activities. The request furthers Policy II.C.3.c.

GGNA Response: Not relevant. Staff makes a conclusory assertion that the convenience center will help prevent illegal dumping. The record contains no data or evidence concerning illegal dumping in the North Valley and/or near convenience centers or that addition of a convenience center would reduce illegal dumping. To the extent the premise is proximity to convenience centers reduces illegal dumping the plan to close other existing centers will increase illegal dumping.

Policy II.C.3.f.: Continue development of a program for managing hazardous waste generated by households and conditionally exempt small quantity generators.

Staff Response: The convenience center will be accessible by the public and will allow households to drop off potentially hazardous waste. However, the applicant has not provided any information regarding a condition to exempt small quantity generators. Therefore, the request partially furthers Policy II.C.3.f.

GGNA Response: No data is presented that current HHW facilities are insufficient or that HHW, convenience center and transfer stations must be combined to manage HHW.

Noise: The goal is to protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts.

Policy II.C.4.a.: Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

Staff Analysis: Noise considerations were integrated into the design of the project. Activity will occur in an enclosed transfer station building that will utilize high speed doors to contain interior noise. The buildings walls will utilize absorptive insulation materials to reduce any potential noise/land use conflicts. The site development plan for building permit also includes perimeter walls, landscape buffers and roof canopies to further mitigate noise generated by the proposed use. The request furthers the goal and Policy II.C.4.a.

Policy II.C.4.b.: Construction of noise sensitive land uses near existing noise sources shall include strategies to minimize adverse noise effects.

The subject site is located in an industrial M-1 zoned area of the City. The site development plan includes strategies to reduce any noise generated by the site, including landscaping, buffer walls and setbacks. The request furthers Policy II.C.4.b.

GGNA Response to Policy II.C.4a and II.C.4b: The request conflicts with the policy. The combined transfer station, convenience center and HHW facility (in addition to existing uses) will increase noise locally. The Policy is not limited to conflict with residences as Staff infers but includes any new land use/noise conflicts. This includes conflicts with adjacent businesses. The LUHO recommendation adopted by the Council requires that the EPC consider the residences within 100 feet. Residences are defined as a Category B land use (the second most sensitive land use to noise) by the FWHA noise Abatement Criteria. 23 CFR Part 772, Table 1.³Not adding new uses and increasing the intensity of the current uses would prevent conflicts. The techniques identified by the Comp Plan include integrating consideration of noise in the planning process to prevent future conflicts. There is no noise study identifying noise from the transfer facility and from idling collection or transport vehicles. The Comp Plan techniques include requiring noise impact analysis for all new development with noise-sensitive land uses. (II.C.4.a.7). This has not been done. The request conflicts with the Goal. The techniques identified in the Comprehensive Plan to achieve the Goal include

³ While this is not a highway project using federal funds the classification of residences as category B is consistent with the Comp Plan.

consideration of noise mitigation measures. While the city asserts that these are incorporated into the building and design there is no study evaluating those measures, particularly noise from idling vehicles. Past projects much smaller than this (Hinkle Family Fun Center) submitted formal noise studies to prove no noise conflict with specific mitigation measures, which were incorporated into conditions. Applicant has submitted no such study. The Applicant's conclusory assertions are based on a false premise (no residences) are not evidence that the project furthers the goal. It is necessary to evaluate the impact of noise on existing commercial/industrial businesses. The City has ignored the Comp Plan recommendation that projects employ open space buffers, berms and barriers and that new construction should be oriented to minimize effects from noise producing sources. II.C.4.b.3 and 4

Developed Landscape: The Goal is to maintain and improve the natural and the developed landscape's quality.

Staff Analysis: The request furthers the goal because the proposed SU-1 zone is site plan controlled and the proposed Site Development Plan for Building Permit shows extensive landscaping along the perimeter of the site and within the site. The proposed landscape will improve the quality of the developed landscape in the area. The site currently has very minimal landscaping.

GGNA Response: The request conflicts with the policy. The Staff asserts the zone change will further the goal by enabling the city to redevelop an unattractive site. On its website the city admits it has not been a good neighbor. That the City has withheld site improvements, including landscaping, is not a justification for the rezoning. This has been decided by the City Council. See Ex. N, AC-11-4, Finding 5c at N1.

Policy II.C.8.d.: Landscaping shall be encouraged within public and private rights-of-way to control water erosion and dust, and create a pleasing visual environment; native vegetation should be used where appropriate.

Staff Analysis: The proposed public facility will be designed to include landscaping beyond the requirements of the zoning code and will be visually pleasing, as well as serve as a screening element and assist in controlling potential water erosion and dust. The request furthers Policy II.C.8.d.

GGNA Response: Irrelevant. This is not a public right-of way project. The Policy is not applicable. See Ex. N, AC-11-4, Finding 5b at N1.

Community Resource Management, Service Provision: The goal is to develop and manage use of public services/facilities in an efficient and equitable manner and in accordance with other land use planning policies.

Staff Analysis: The proposed use for the subject site provides a new convenience center in a central location. The existing facilities are at the northeast and southeast edges of the city. The request more evenly distributes the public solid waste facilities and services in the city. The request furthers the Community Resource Management goal.

GGNA Response: The request conflicts with the policy. This is a zone change application for zone change to special use zoning to permit co-location of a transfer station, convenience center and HHW facility at a particular location. The City's contradictory positions concerning maintaining or closing existing convenience centers makes calculation of potential savings speculative. The zone change question concerns whether the request meets state and City standards and, relevant to II.C whether this site is equitable in accordance with other land use policies. These questions are site specific. The City has not explained (or submitted any study) demonstrating that one transfer station is more efficient than several stations. For example is it more efficient for a collection vehicle at 98th St and I-40 to travel 9.5 miles to Edith and Comanche via the Big I and then back to 98th street and I-40 then to direct haul to Cerro Colorado (10.7 miles)? Or would it be more efficient for Westside collection vehicles to have a transfer station on the Westside (Atrisco Vista and I-40? See Ex. K. The City site studies presume a single location near the Big I and did not do an efficiency analysis of several stations. In this regard the Comprehensive Plan recommends several transfer stations. Ex. I at 15. Even assuming a single transfer station this is not the best site and conflicts with policies and standards for transfer stations.

Economic Development: The goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Staff Analysis: Goal is furthered because the project will use resources more efficiently and this may help to avoid future rate increases. The project also benefits the city by providing an additional location for recycling and disposal of waste.

GGNA RESPONSE: Irrelevant or the request hinders the Policy. The City claims that the transfer station will forestall increases in solid waste fees. Savings do not depend on this site (vs. other sites) and are largely based on closing existing convenience centers. However, inconsistent with this "position" the city's traffic analysis assumes the City's existing centers remain open. The City is not consistent. Curbing rate increases is speculative and could better be achieved by increasing recycling/diversion. The Goal speaks not to possible savings by one entity but *balancing* economic development equitably with other social cultural and environmental goals. First, the proposed facility is not economic development--indeed it will reduce employment in the long run. [Savings are due to labor reductions and closing the other convenience centers.] The City does not balance whatever savings (even assuming savings equals economic development) with other important goals. The City has not addressed the economic impact on neighborhood businesses and residents. Ex., E, F. This is a "cost." The City

has not addressed or "balanced" the cost of increased local traffic, increased local pollution and increased local noise nor evaluated sites that would not have these associated costs. The zone change is inconsistent with:

1. Policy II.B.5.d which requires that the location of new development respect existing neighborhood values, natural environmental conditions and carrying capacities. The neighborhood opposition is evidence that the location does not respect neighborhood values.

2. The North Valley Area Plan ("NVAP") goal to:

"[p]reserve and enhance the environmental quality of the North Valley Area by: a) maintaining the rural flavor of the North valley b) controlling growth and maintaining low density development c) providing a variety of housing opportunities and life styles including differing socioeconomic types d) reducing noise level impacts"

3. Policy II.B.5e New growth shall be ... where the integrity of existing neighborhoods can be ensured. The integrity of the neighborhoods cannot be ensured.

4. Policy II.B.5g. The development does not include trail corridors nor does it increase the ROW of adjacent streets that do not meet ASHTO standards for bicycle lanes.

5. Policy II.B.5i. The service use does not compliment the residential areas and is not located to minimize adverse effects of noise, pollution and traffic on residential environments.

6. Policy II.B.5k. and Policy II.C1b. The land is adjacent to arterial streets. The policy requires minimizing harmful effects of traffic. The project increases local traffic, conflict with bicyclists and does not meet bicycle safety standards. The increased intensity is inappropriate for this location. There are other locations that better meet the needs of a transfer station.

7. Policy II.C.1e and Policy II.C.1g, II.C.1h, II.C.1k. The Policies address minimizing emissions, their adverse effects. Air quality and pollution must be analyzed for both localized impacts and regional impacts. "Localized effects are those that occur within the project area"⁴ It is uncontested that the localized impact is an increase in

⁴ Draft Environmental Impact Statement for I-25/Paseo del Norte Interchange, NMDOT, Section 3.9.2 (page 3-64)

URL: https://books.google.com/books?id=8ag1AQAAMAAJ&pg=SA3-PA64&lpg=SA3-PA64&dq=%22localized+effects+are+those+that+occur+within+the+project+area%22&source=bl&ots=klNP-Fknab&sig=NssIAE4jYALiTEMo3ryZcflxfUg&hl=en&sa=X&ved=0ahUKEwj_qLmWt5rRAhUmjlQKHcANC-IQ6AEIGjAA#v=onepage&q=%22localized%20effects%20are%20those%20that%20occur%20withi n%20the%20project%20area%22&f=false

emissions and pollution. There has been no study calculating the local impact or cost-benefit study.

8. Policy I.A.1C.4 and Goal Ii.C.4. The evidence is that the project will increase noise contrary to the Goal and Policy.

Policy II.D.6.e.: A sound fiscal position for local government shall be maintained.

Staff Analysis: The applicant states that through the reduction of approximately 2 million miles travelled annually, the City of Albuquerque will save \$75 million dollars over the next 20 years. Therefore, the request furthers Policy II.D.6.e.

GGNA Response: Savings result from closing other convenience centers. The traffic analysis assumes they stay open. The EPC should not accept “savings” based on closing convenience centers without a TIA analyzing that scenario.

North Valley Area Plan (Rank 2)

Goals. 1. To recognize the North Valley as a unique and fragile resource. Goal 2. To preserve and enhance the environmental quality of the North valley by maintaining the rural flavor, controlling growth, reducing noise impacts. 3. Preserve air, water and soil quality.

Goals and Issues:

1. To recognize the North Valley area as a unique and fragile resource and as an inestimable and irreplaceable part of the entire metropolitan community.

Staff Analysis: The request will discourage illegal dumping in the North Valley by providing a convenient location for disposal and recycling of household waste. The facility will reduce the number of trucks that cross the valley using I-40 to access the landfill on the west side of the city and will protect the Alameda Lateral by providing better access to the lateral for MRGCD maintenance, stabilizing slopes, and providing landscape buffer between the site and the lateral. The proposed use will also be located in an existing designated industrially zoned area of the North Valley/metropolitan community. Therefore, the request furthers NVAP Goal and Issue 1.

GGNA Response: Staff elevates the unsupported supposition that illegal dumping (of which there is no evidence) will be reduced over the effects of admitted increased traffic, noise and pollution on the North Valley. The “analysis” claims that the proposal reduces the number of trucks on I-40 but there is no evidence. [In any case trucks on I-40 are not relevant to the NVAP. In adopting a conclusory finding without analysis or evidence Staff repeats the errors that resulted in reversal.

2. To preserve and enhance the environmental quality of the North Valley by:

- a. maintaining the rural flavor of the North Valley
- b. controlling growth and maintaining low density development
- c. providing a variety of housing opportunities and life styles including differing socioeconomic types
- d. reducing noise level impacts

Staff Analysis: The rural flavor of the North Valley will be maintained because the subject site is located within a primarily industrial M-1 zoned area of the North Valley, outside of the areas current used for agriculture and large residential development. Growth will be controlled through the use of a site development plan. There are no residential uses proposed for the site. The site has been designed to reduce noise level impacts through the development of an enclosed building that will include noise absorptive insulation materials. Therefore, the request furthers NVAP Goal and Issue 2.

GGNA Response: Again staff resorts to conclusory statements and ignores the effects of increased traffic, noise and exhaust (pollution). The location in an M-1 area does not mean that increasing intensity and traffic will maintain low density development. Staff confuses mitigating increased noise with reducing noise. There are no studies or evidence supporting staff conclusions.

3. To preserve air, water and soil quality in the North Valley area. To prohibit hazardous waste disposal sites and transfer stations and solid waste disposal sites; and to address problems of individual waste disposal systems on lots of inadequate size.

Staff Analysis: The adopting legislation for the NVAP (Council Bill R-255, Enactment # 60-1993) states that Solid Waste Transfer Stations shall be allowed in the North Valley Plan area only on land zoned for manufacturing uses and only if, after thorough investigation of relative benefits

and costs, such location is deemed appropriate and the potential impacts on adjacent residential land can be mitigated through proper site design.

- The subject site is zoned M-1, Light Manufacturing Zone;*
- There are no residentially zoned land parcels adjacent to the subject site;*
- The applicant states that air quality will be preserved through a reduction of 2 million vehicle miles traveled for the Solid Waste Transfer fleet and that particulates and odors from the enclosed transfer station building will be minimized by the use of quick-close doors, misting systems, air curtains, and air filtration systems will keep odors and*

particulates from leaving the building. The transfer trucks and collection trucks all have covered tops or are enclosed preventing air pollution;

- *The proposed SU-1 zone is site plan controlled. The proposed plan shows setbacks, landscaping buffers, walls and separation of traffic that will mitigate the impacts of the development.*

Therefore, the request furthers NVAP Goal and Issue 3.

GGNA Response: The city has not obtained the required thorough investigation of relative benefits and costs. Staff has not explained how site plan control preserves air quality. the increased truck and convenience center traffic increases North Valley pollution. Staff's "analysis" is conclusory.

5. To encourage quality commercial/industrial development and redevelopment in response to area needs in already developed/established commercial industrial zones and areas. To discourage future commercial/industrial development on lots not already zoned commercial/industrial

Staff Analysis: The subject site is in an existing industrially zoned area. The request meets a city need for more efficient waste management as outlined in the 2011 and 2014 feasibility studies (included). The Site Development Plan for Building Permit shows extensive landscaping and well-designed buildings.

Therefore, the request furthers NVAP Goal and Issue 5.

GGNA Response: This is not in response to a North Valley need. Landscaping can be installed on the existing site.

Plan Policies, Zoning and Land Use:

Air Quality: The air quality plan policies in the NVAP direct the City and the County to inform the public about air quality, reduce unauthorized vehicle traffic on the ditches, stabilize roads and parking areas and limit vehicle use on no-burn days.

Staff Analysis: The applicant states the request will reduce vehicle miles traveled for city collection trucks and for valley residents using the convenience center.

GGNA Response: Not applicable

Transportation:

1. The City and County shall encourage the smooth flow of traffic on arterials.

Staff Analysis: A traffic impact analysis has been completed for the project and because the new trips associated with the proposed development occur primarily outside of the morning and afternoon peak hour times the Levels of Service (LOS) for the surrounding intersections remain as LOS D. With the routing for the collection trucks already established by the SWMD and the proposed routing for the transfer trucks, there will be no increase in truck traffic through any residential neighborhoods. In addition, the access point on Edith will be shifted south to allow for additional length between the signalized intersection of Comanche and Edith and the Edith driveway, which could help improve functionality of the signalized intersection. Therefore, the request furthers NVAP Zoning and Land Use Transportation Policy 1.

GGNA Response: The analysis does not resolve the defects identified by the City Council/LUHO.

2. The City and County shall actively promote sustainable transportation in and through the plan area by encouraging reduced automobile use and improving the safety of non-motorized travel.

Staff Analysis: The proposed reduction in vehicle miles traveled will promote more sustainability along the transportation network by decreasing the number of trucks on Interstate 40 crossing the North Valley and Rio Grande traveling to the landfill. Therefore, the request furthers NVAP Zoning and Land Use Transportation Policy 2.

GGNA Response: The truck traffic and convenience center traffic increases in the North Valley. Reference to I-40 is irrelevant.

3. The City and County shall limit industrial and heavy commercial traffic through residential areas in order to enhance residential stability and preserve area history and character.

Staff Analysis: The diagram submitted by the applicant shows new truck traffic associated with the proposed use occurring outside of the AM and PM peak hours, and shows the new truck traffic accessing the subject site from Interstate 25 and Comanche Rd. and exiting via the same route which does not pass through a residential area. Existing residential trash pick-up routes throughout the city will not change with the proposed use. Therefore, the request furthers NVAP Zoning and Land Use Transportation Policy 3.

GGNA Response. The policy is irrelevant. The conclusory statements with regard to new traffic and when it may occur is not supported by evidence or conditions and so suffers from the defects inherent in the first case. What is the peak period of traffic for the facility. How is this controlled for the future? How does the facility's peak traffic affect the local traffic patterns?

Bikeways and Trails Facility Plan (Rank II)

The *Bikeways & Trails Facility Plan* aims to help the City better manage the growth of the bikeway and multi-use trail system. The overarching purpose is to ensure a well-connected, enjoyable, and safe non-motorized transportation and recreation system throughout the metropolitan area.

The *Bikeways & Trails Facility Plan* describes the existing system, policies, recommendations, and proposed projects. The plan will guide future investment in the bikeways & trails system, including facility improvements, new facilities, maintenance, and education/outreach programs. The goals and policies section provides general guidance for the development of the bikeways & trails system. Applicable goals and policies include:

Goal 1: Improve and enhance cycling and pedestrian opportunities.

- c. Principle: Study, pilot, test, and implement best practices and designs that have been found successful in other communities to respond to the rapidly changing state of bicycle and pedestrian practices. Implementation of this plan should allow flexibility to include new projects and techniques that are highly consistent with the plan goals.

Objective 3: Use Bicycle and Pedestrian Friendly Standards and Procedures for On-Street Bicycle Facilities and Multi-Use Trails.

1. Restripe collector and arterial roadways (where designated on the Bikeways Map and per NACTO and AASHTO guidelines) to provide bike lanes, or minimum outside lane width of 14 feet.
Staff Comment: Comanche Rd. and Edith Blvd. are classified as Minor Arterials per the Interim Long Range Roadway System produced by MRCOG. There is an existing bicycle lane along Comanche Rd. and an existing bicycle route along Edith Blvd. These existing facilities currently meet required AASHTO guidelines. The request furthers Goal 1 and Objective 3 of the Bikeways & Trails Facility Plan.

GGNA Response: the assertion that the bike lanes meet standards is contrary to the evidence. Staff cites no evidence.

GGNA Response To Staff Report Part 2

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Analysis of Applicant's Justification

Note: Policy is in regular text; Staff's analysis is in *italics*; GGNA's analysis is in **bold**

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

Staff Analysis: The proposed zone will allow the consolidation of services, provide additional options for waste disposal and recycling that will help to address illegal dumping, reduce vehicle miles traveled by city trash collection trucks and the public and allow for the redevelopment of an out dated facility with new, more efficient facility. These things are consistent with the health, safety and general welfare of the city as a whole.

GGNA response. The NMEID regulations are adopted for the public welfare. They prohibit this proposed facility within 250 feet of a residence. See NMAC 20.9.4.1 GGNA Ex. M. This defines the presumptive public welfare relative to location vis-à-vis a residence. The NVAP requires a cost benefit analysis before locating a transfer station in the North valley. This has not been done. A finding that the general welfare is served by the zone change without these prerequisites is inappropriate. Staff's illegal dumping assertion is a conclusory statement

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

Staff Analysis: The SU-1 zone is site plan controlled, while the proposed zoning will allow some more intense uses, the site plan provides a design that will mitigate these uses. Future uses on the site could only be developed in accordance with the approved site plan. Any new development on the site would require EPC approval. These factors contribute to the stability of the area.

GGNA Comment: Staff confuses site plan control with the concept of stability of zoning which is a limitation on rezoning. Site plan control is an entirely different concept and does not lower the threshold for a zone change as staff assumes. Stability is achieved by denying a zone change unless the state law and 270-1980 requirements are met.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

Staff Analysis:

Refer to policy analysis for additional information

The request is consistent with the Comprehensive Plan regarding Land Use because it will fit with the surrounding industrial uses, be in an area with access to existing urban infrastructure, add services and be design to minimize the impact on residential areas, be planned to minimize the impacts of traffic by having the bulk of traffic occur at off peak hours and include a design that uses innovative technology to mitigate the impacts of the facility.

The request is consistent with the Comprehensive Plan regarding Air Quality because it will reduce vehicle miles traveled by city trucks and the public.

The request is consistent with the Comprehensive Plan regarding Water Quality because the facility will manage storm water, conform to existing environmental regulations and provide an option for waste disposal that may keep trash and contaminants out of the water supply.

The request is consistent with the Comprehensive Plan regarding Solid Waste because the proposed design incorporates best practices for solid waste collection and disposal and increases the options for recycling and disposal for members of the public, and use the city's resources efficiently.

The request is consistent with the Comprehensive Plan regarding Developed Landscape because the facility will contain extensive landscaping that will improve the visual quality of the streetscape and prevent erosion from wind and water.

The request is consistent with the Comprehensive Plan regarding Economic Development because the proposed facility will use resources more efficiently and this may help to avoid future rate increases. The project also benefits the city by providing an additional location for recycling and disposal of waste.

The request is consistent with the North Valley Area Plan because the facility is located in the industrial area near I-25, not in the lower valley and will reduce vehicle miles traveled for city trucks crossing the valley and for the public accessing the convenience center.

GGNA Response: Staff misapplies this section of 270-1980. The analysis should reflect those policies with which there is conflict. See AC-11-4 ("The EPC in approving this zone change erred in applying adopted city plans and policies by only considering those portions of the comprehensive plan that could be argued to justify the zone change while failing to consider those portions of the comprehensive plan that clearly conflicted with the proposed change.")

GGNA Ex N at N2 Finding 6. The EPC is required to consider whether portions of the Comprehensive Plan conflicted with the proposed change. Id. GGNA has asserted conflict as outlined in the Response to Applicant and in this response. Some critical conflicts are:

1. Policy II.B.5.d which requires that the location of new development respect existing neighborhood values, natural environmental conditions and carrying capacities. The neighborhood opposition is evidence that the location does not respect neighborhood values.

2. The North Valley Area Plan ("NVAP") goal to:

"[p]reserve and enhance the environmental quality of the North Valley Area by: a) maintaining the rural flavor of the North valley b) controlling growth and maintaining low density development c) providing a variety of housing opportunities and life styles including differing socioeconomic types d) reducing noise level impacts"

3. Policy II.B.5e New growth shall be ... where the integrity of existing neighborhoods can be ensured. The integrity of the neighborhoods cannot be ensured.

4. Policy II.B.5g. The development does not include trail corridors nor does it increase the ROW of adjacent streets that do not meet ASHTO standards for bicycle lanes.

5. Policy II.B.5i. The service use does not compliment the residential areas and in not located to minimize adverse effects of noise, pollution and traffic on residential environments.

6. Policy II.B.5k. and Policy II.C1b. The land is adjacent to arterial streets. The policy requires minimizing harmful effects of traffic. The project increases local traffic, conflict with bicyclists and does not meet bicycle safety standards. The increased intensity is inappropriate for this location. There are other locations that better meet the needs of a transfer station.

7. Policy II.C.1e and Policy II.C.1g, II.C.1h, II.C.1k. The Policies address minimizing emissions, their adverse effects. Air quality and pollution must be analyzed for both localized impacts and regional impacts. "Localized effects are those that occur within the project area"¹ It is uncontested that the localized impact is an increase in emissions and pollution. There has been no study calculating the local impact or cost-benefit study.

¹ Draft Environmental Impact Statement for I-25/Paseo del Norte Interchange, NMDOT, Section 3.9.2 (page 3-64)

URL: https://books.google.com/books?id=8ag1AQAAMAAJ&pg=SA3-PA64&lpg=SA3-PA64&dq=%22localized+effects+are+those+that+occur+within+the+project+area%22&source=bl&ots=klNP-Fknab&sig=NssIAE4jYALiTEMo3ryZcfIxfUg&hl=en&sa=X&ved=0ahUKEwj_qLmWt5rRAhUmjlQKHcANC-IQ6AEIGjAA#v=onepage&q=%22localized%20effects%20are%20those%20that%20occur%20withi n%20the%20project%20area%22&f=false

8. Policy I.A.1C.4 and Goal II.C.4. The evidence is that the project will increase noise contrary to the Goal and Policy.

9. The NVAP requirement for a cost-benefit study. (Council Bill R-255, Enactment #60-1993). Staff refers to the requirement but fails to analyze the failure to conduct such a study. This is particularly relevant since the City Council has authorized a study. R-17-153

D. The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

Staff Analysis

The applicant states that the existing zoning is inappropriate because changed neighborhood conditions justify the change, the new use category is more advantageous to the community as articulated by the City's master plan, and the existing zoning does not permit the proposed use. The current zoning has been in effect for approximately 30 years during which time the population in Albuquerque has increased approximately 67%. These changes make the industrial area along the I-25/ Edith corridor a central location for the use in an area with access to both interstates.

The applicant provided analysis of the applicable goals and policies of the applicable plans to show that the proposed change is more advantageous to the community as articulated in those plans.

The applicant cites the feasibility studies done in 2011 and 2014 to show the need for the change and also cites the feasibility studies to show that the subject site was compared to other sites in the city. The subject site was chosen through this process and is available for development.

The SU-1 zone is appropriate on the subject because the proposed use is special because of infrequent occurrence, effect on surrounding property and because the appropriateness of the use to a specific location is dependent on the character of the site design.

GGNA Response: What are the changed neighborhood conditions? The zoning was established in 2002. See Staff Report p.2. The year 2002 is the relevant date for a claim of changed conditions. See AC-15-5 GGNA Ex. N at N20 Finding 7. The assertion that the relevant date should be the date of original county zoning, not the date when the property was annexed and zoned by the city is wrong legally. There is no evidence of changes to the area since 2002 or analysis as to how this justifies the change. Under the more advantageous category there is no plan justification for the combined transfer station, convenience center and HHW facility. Staff's reference to applicant's claims is not an analysis as the LUHO has held. The plans actually articulate that there should not be increases in noise, emissions or intensity. Generic references to improving property do not justify a zone change. Applicant has not demonstrated that there are not other available properties today. Reference to an alleged phone call to someone at ABCWUA in 2011 does not justify a determination that that site

cannot be made available. The Comprehensive Plan recommends several transfer stations--not one single station. GGNA Ex. I at 15.

The New Mexico Supreme Court in Albuquerque Commons, 2008-NMSC-025, ¶ 30, held that at a minimum the more advantageous analysis requires proof of a public need for the change in question and proof that the public need will be best served by changing the classification for the particular piece of property as compared with other property. The record demonstrates that the applicant has not met this burden.

(E) A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

Staff Analysis: The subject site is within an existing industrial zoned area. The site plan control and mitigate measures such as an enclosed building with quick close doors, air filtration, landscape buffers and walls make the additional uses for the facility compatible with the existing development.

GGNA Analysis. Mitigation of harm does not equate with no harm. There is economic harm as evidenced by diminution on property values. See GGNA Ex. D and F. Applicant has the burden and has produced no evidence on this issue, in particular as it relates to property values, noise and emissions. The NMEID restriction on a transfer station within 250 feet of a residence is presumptive evidence of harm. Staff has never examined traffic as required by the prior decision or the effect of idling diesel trucks. There is no evidence these will not be harmful.

(F)

(G) The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Staff analysis: None or Conclusory

GGNA analysis: The City admits the basis for the transfer station (and particularly for this location) is cost of land and economic considerations. See evidence submitted and EC-14-44 in which the City admitted, "The primary goal of building a transfer station is to reduce the overall cost of transporting waste to the landfill." The selection of the Edith site, although lower rated, was considered advantageous because the City already owned it and could avoid additional expense.

(H)

(I) A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

(1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or

(2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Staff analysis: The SU-1 zone is considered a spot zone, but a justified spot zone, because it clearly facilitates the goals and policies of the applicable Rank I and Rank II plans.

GGNA Analysis: The Staff provides no analysis and proposes a finding on this issue in a conclusory fashion.

The spot zone standard is particularly rigorous. AC-14-7 GGNA Ex. N at N8-10 (requiring clear in-depth analysis) See also AC-16-1 at Ex. N at N 2728 (stating that the clearly facilitates language is more stringent than the other Res. 270-1980 standards. In AC-16-1 the LUHO/City Council emphasized the NVAP goal to control growth and maintain low-density development. The increase in intensity and combining three new functions with existing operations does not control growth or maintain low density.

7-12-16

POSTED: September 1, 2016

PUBLIC NOTICE OF FILING OF APPLICATION BY THE CITY OF ALBUQUERQUE SOLID WASTE MANAGEMENT DEPARTMENT, BERNALILLO COUNTY, NEW MEXICO FOR A SOLID WASTE (MUNICIPAL WASTE) TRANSFER STATION PERMIT FOR THE EDITH TRANSFER STATION AND CONVENIENCE CENTER, ALBUQUERQUE, NEW MEXICO

Pursuant to Section 22 of the New Mexico Solid Waste Act (NMSA 1978, Section 74-9-22), and Subsection G of 20.9.3.8 NMAC (the Rules), notice is hereby given to the public and other potentially affected individuals and entities that the City of Albuquerque Solid Waste Management Department (SWMD) has filed an application with the Solid Waste Bureau of the New Mexico Environment Department (NMED) for a solid waste facility permit (the Permit) for the Edith Transfer Station and Convenience Center (ETS). The Application documents will be available for review at the Applicant's address as listed in Section 1 and at the New Mexico Environment Department's address as listed in Section 4 of this Notice. Pertinent information required by the Act and the Rules is as follows:

1. Name, Address and Phone Number of Applicant and Contact Person.

Applicant/Owner of ETS:
City of Albuquerque
Solid Waste Management
Department 4600 Edith Blvd
Albuquerque, NM 87107
(505) 761-8100

Contact Person for ETS:
Jerry Francis Projeot
Manager
Department of Municipal Development
(505) 768-3083

2. Anticipated Start-Up Date of Facility and Hours of Operation

Start Up Date: ETS is anticipated to start operations in September, 2020.

Hours of Operation: Hours open to the public will be: Monday – Sunday 8 a.m. – 5 p.m.; Holiday closures: Thanksgiving Day, Christmas Day, New Year's Day and other holidays as determined by SWMD.

3. Description of the Facility

- a) **General Process and Waste Types:** The ETS will transfer residential and commercial solid waste, recyclables, green waste, household hazardous waste, white goods, E-waste, scrap metal, and bulky items. Solid waste will be transported to the ETS by City collection vehicles and by the public. At the ETS, waste will be consolidated in transfer trailers and transported to the City of Albuquerque Cerro Colorado Landfill for disposal. Recyclables will be transported to the City's third party recyclables processor. Green waste will be transported to the Cerro Colorado Landfill for mulching and composting. Household hazardous waste, E-waste, scrap metal, and white goods will be accepted at the ETS and transported off site for treatment, recycling, and/or disposal. Bulky items will be transported to the Cerro Colorado Landfill for disposal. *with approval of NMED*
NO Disposal
The majority of the waste will originate from Bernalillo County, New Mexico and surrounding areas.
- b) **Location:** The ETS will be located at 4600 Edith Blvd, Albuquerque, New Mexico. This location is in Township 10 North, Range 3 East, Section 4.
- c) **Size:** The size of the ETS solid waste facility is approximately 12 acres within the 22-acre property owned by SWMD.
- d) **Quantities and Rate of Solid Waste:** The ETS is anticipating transporting an average of 1,100 tons of solid waste per day, although the average daily design capacity of the ETS is 2,000 tons per day. The peak design capacity is 2,600 tons per day to accommodate peaks in waste delivery and future demand.

4. Comments:

Questions or comments regarding the Application should be directed to the Applicant at the address provided in Section 1 of this Notice and to:

George Schuman, Permit Section Manager
Solid Waste Bureau, New Mexico Environment Department
1190 St. Francis Drive
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
Telephone (505) 827- 2328

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11/16/16
NE*

Handwritten notes and stamps, including dates like 11-16-16 and 9-27-17.

Handwritten notes: "Transfer Station", "stop off point for parking trucks", "Applied to Zone 10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100", "LIVE AT THE PERMITS AND TRUCKS", "Returned to ETS".

APPLICATION FOR ZONE M AMENDMENT
AND/OR DEVELOPMENT PLAN

INSTRUCTIONS: PRINT OR TYPE IN BLACK INK ONLY. Use additional sheets, if necessary. Thirty (30) copies (Annexation, forty copies) of all attachments must be submitted with the application and, after folding, shall not exceed 8 1/2 by 14 inches.

Applicant's Name: Solid Waste Department Requests

Zone Map Amendment Development Plan Review Annexation
Type of Plan

For Lot(s): 4,5,6,7,26,27 Block(s): 28,29 in Subdivision/Addition Trans. & Main St., West

Presently Zoned SUB-1B and proposed to be zoned as SM located at:

Street Address (No. if any): Bagle Rock

Between Louisiana Street and 1st Street Street

Total Land Area Covered by Application: Acres 7.09 Square Feet

Number of DU's Proposed 0 DU's Per Gross Acre 0 DU's Per Net Acre

Uniform Property Code Number: _____
(18 digit property tax Number issued by County Assessor)

NOTE: Neighborhood Notification form must accompany application.

APPLICANT INFORMATION:

Applicant's Mailing Address: 4600 Edith Blvd, NE Phone: 761-6112
Albuquerque, NM Zip Code: 87107

Applicant's Proprietary Interest in Property Purchase Agreement

Agent if any: Tierra West Development Management Phone: 883-7592

Mailing Address: 4600 Montgomery Blvd, NE - Ste 9 Zip Code: 87109

APPLICANT SIGNATURE: [Signature] Date: 11/29/91
(Owner or Trustee, of Property)

List Reason For Request on reverse side or attach separate sheet.

FOR PLANNING STAFF USE ONLY

Application Received By: Dr Richard Date: 11-29-91

Fee: \$ waived Paid: \$ _____ Method of Payment: _____

Cross-Ref.: AX- _____ Z- _____ S- _____ Other: _____

No. of Signs Issued: 3 ZHE or EPC7

1 copy each to: Research Analyst Hearing Date: _____

Applicant Z-92-3

Graphics Map Number: C-18



Tierra West Development
Management Services

10/17/91

Mr. Barbara Rowland
Regional Planning Commissioner
City of Albuquerque
City Office - 1293
Albuquerque, New Mexico 87103

Re: Core Charge Request

Dear Mr. Rowland:

Tierra West Development Management Services, on behalf of the Solid Waste Department and Eagle Rock Limited, is requesting a change of zone from SU-2 IA to SU-2 for Convenience Centers. This submittal eliminates approximately eleven months effort to identify and negotiate an option agreement for a third Convenience Center site.

Process:

Beginning in January, 1991, a fifteen member Citizen's Task Force was assembled to identify impacts and to select a site for the third Convenience Center. Recognizing the difficulty in selecting a suitable site, the Citizens Advisory Committee (CAC) was established to represent each Council district and each County Commission district. The CAC members were to determine, from an unbiased view point, possible locations for the centers, using a broad spectrum from the community and each political district, an objective and unbiased approach could be established, and the sites were then evaluated fairly.

The CAC began discussing the major impacts, size, number, and suitable locations for three additional centers early in the process. They determined that three additional centers, to bring the total to five, were needed and would be located in the West, North, and East areas of the metropolitan areas. Concurrent with the CAC's evaluation of the potential impacts, a list of potential sites was obtained from a City initiated Request For Information (RFI), as well as from the private sector.

Fifty-four sites were offered from either public or private land owners, who were willing to sell property to the City. These fifty-four sites were short listed to three areas, based upon initial guidance by the CAC, the technical team assembled, and our firm. The sites were evaluated using a list of fourteen criteria, which has been listed in Appendix E. Each site was visited by the CAC and reviewed prior to making a selection of the final three sites.

...that the traffic impact...
...the general public informed...
...the site lies within an area...
...that does not have any registered Homeowner's Associations...
...we have kept a database of individuals, groups, and businesses that...
...have been contacted or expressed an interest in the site...
...selection and zoning process with this submittal...
...Special notices have been sent indicating that this zoning action has...
...been submitted.

...we feel that this site meets the criteria established by...
...both the Solid Waste Department and the Citizens Advisory...
...Committee for a Convenience Center, and recommend that you...
...approve the zone change. Should you have any questions...
...concerning this application or request, please do not hesitate to...
...contact me.

Sincerely:



Ronald R. Bohannon, P.E.

...
cc: Gene Borg
...
REP

OFFICIAL NOTICE

NOTIFICATION OF DECISION

DATE: APRIL 6, 1990

LOCATION: Tract 108-A-3-B, Tract 108-A-1-A-2-B-1, and Tract 108-A-1-A-2-B-2, Middle Rio Grande Conservancy District Map Number 33 zoned M-1, located on the north side of Rankin Road, NE, south of Griegos Road, NE, and east of Edith Boulevard, NE, containing 5 acres (C-15-Z).

T. Brown Constructors, Inc.
P. O. Box 26508
Albuquerque, NM 87125

FILE: CSU-90-20

DECISION AND CONDITIONS

At the April 4, 1990 public hearing the Bernalillo County Planning Commission Denied your request for a Special Use Permit for a Solid Waste Transfer station, based on the following Findings.

FINDINGS:

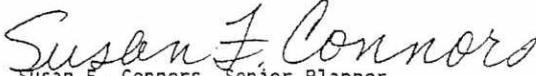
1. The requested use is incompatible with surrounding land uses.
2. This location is near to several food manufacturers and pests will be a problem.

If you wish to appeal this decision, you must so do by APRIL 19, 1990 in the manner described below. A filing fee of \$40.00 is required for properties consisting of one (1) acre or less, and \$60.00 is required for all others.

APPEALS: Appeal of any denial or approval of an application by the Bernalillo County Planning Commission may be submitted in writing to the office of the Zoning Director within 15 days after the date of determination by the Bernalillo County Planning Commission. The date the determination in question is issued shall not be included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day shall be considered as the deadline for filing the appeal.

A building permit or Certificate of Occupancy & Compliance shall not be issued until any appeal is decided, or the time for filing such appeal has expired. If a written protest is signed by the owners of 20% or more of either the area of the lots and lands included in such proposed change or of those immediately adjacent within 100 feet of the area proposed for change, disregarding public ways, such change to the Zone Map shall require the majority vote of the members of the Board of County Commissioners.

WRITTEN NOTICE OF APPEAL SHALL BE FILED WITH THE ZONING DIRECTOR ON THE PRESCRIBED FORM ALONG WITH PAYMENT OF THE REQUIRED FILING FEE.


Susan F. Connors, Senior Planner

SFC:mes:11239

cc: File

County Manager
County Zoning Director
Boleslo Romero, County Public Works Department
Ted F. Brown, PO Box 26508; 87125
W. J. Hall, 3424 Vasser, NE; 87106
Mike Kauffman, 601 Comanche Rd., NE; 87107
Guy Conway, 567-C Comanche, NE; 87107
Ed Tinsley, 800 Rankin Road, NE; 87107

Introduction

There have been three sites identified by the City to be considered for development of a new central transfer station facility. The site will house support operations for handling source separated recyclables dropped off by the general public. The City is also considering building a Household Hazardous Waste drop off facility.

This report represents a first review or preliminary screening of each site. A preliminary site plan has been prepared to demonstrate how the facilities can be located on the site. These layouts are to be used to gain some perspective on how the site may be developed and does represent the preferred layout for any of the sites since there are several options. This report is draft and was prepared for internal use by the Department.

Evaluation of Site #1 – Menaul Boulevard Site

Sites are rated on scale of between 1 and 5 with 5 being highest / most favorable score.

Site Description:

Site #1 is 15.6 acres and includes two parcels within the Martineztown/Santa Barbara redevelopment area. The site is located in the northwest corner of the Big I Interchange (I-25 and I-40). Thus, it is bounded on the north, east sides by highways, frontage roads and public right of way. On the west side it is bounded by Sunset Memorial Park Cemetery. The site is currently used for a batch plant operation to make asphalt and/or concrete products that was established to support the construction of the Big I Interchange.

The primary access to the site is off the Menaul Blvd which is an arterial road with four lanes, two in each direction. There is a left turn lane from the west bound lanes for access to the site.

Site Evaluation:

1. **Size and Shape of Parcel – Rating: 5**

The 15.6 acre site provides sufficient space to meet the minimum criteria for locating a new transfer station and support activities. The back portion of the site, which is a generally rectangular shaped piece of land bounded on the south and east by the freeway interchange and by the cemetery on the west and north. The property contains areas that have a length and width dimension of between 600 feet by 680 ft. This provides a large central area that would allow the main transfer station to be constructed. The site has segments that are not as wide but can be used for access/service roads to provide for on-site queue space for customers using the facilities. Because the site is larger than 12 acres it appears to provide sufficient space for adequate buffers and space for expansion. A preliminary site plan was prepared for the purposes of illustrating how facilities might be placed on the site. This is simply for the purposes of verifying the adequacy of the site to meet the criteria. (See attached site plan)

b. General Public Customers – 4

Similar to the collection vehicles, the general public customers will mostly access the site by taking the I-25 freeway to the Montgomery Blvd exit. The site is located on Desert Surf Circle, a local street but with limited destinations thus making fairly convenient and easy to find by customers. Signage may be used from the Freeway exits to provide a path of travel for public vehicles to follow to access the site.

c. Transfer Trailers – 4

Transfer trailers will have fairly easy access to I-25 south. However, the facility is not located on a major arterial street and is located a few miles north of the Big I interchange. Additionally, the transfer trucks will have to make turns on local streets and will travel through mixed use development. For these reasons, the site is acceptable for use by the transfer trucks but is slightly less favorable than other sites.

5. Site Development and Topographic Features – Rating: 4

The lower portion of the site is largely relatively flat. There appears to be some soil stockpile or possible grade differential of about 4% resulting from the previous use as a water park. This grade difference is about 12 to 14 feet, which would allow the facility to be built to accommodate top-loading of a transfer truck. The eastern portion of the site adjacent the I-25 on ramp has limited use without potentially building retaining structures. The shape of the site provides some limitations on the site layout and the main facility would need to be located just below the retail food establishments.

6. Availability of Utilities – Rating: 5

The site was previously used for a water park and therefore there appears to be adequate access to all necessary utilities.

TOTAL SCORE: 31 of 40

Results

Based on the preliminary site evaluation Site #1 Manual Blvd with 36 points out of 40 is rated the highest and the Edith Blvd site is second (34 of 40). The third site is Desert Surf has 31 out of 40 points. It is important to note that at this preliminary state all three sites are excellent candidates. The other factors that need to be considered are the cost of the land and ability to obtain land use permits. Each site is considered to have certain drawbacks related to these items. Further analysis of these factors will occur once the City has reviewed the preliminary results.

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Introduction

There have been three sites identified by the City to be considered for development of a new central transfer station facility. The site will house support operations for handling source separated recyclables dropped off by the general public. The City is also considering building a Household Hazardous Waste drop off facility.

This report represents a first review or preliminary screening of each site. A preliminary site plan has been prepared to demonstrate how the facilities can be located on the site. These layouts are to be used to gain some perspective on how the site may be developed and does represent the preferred layout for any of the sites since there are several options. This report is draft and was prepared for internal use by the Department.

Evaluation of Site #1 – Menaul Boulevard Site

Sites are rated on scale of between 1 and 5 with 5 being highest / most favorable score.

Site Description:

Site #1 is 15.6 acres and includes two parcels within the Martineztown/Santa Barbara redevelopment area. The site is located in the northwest corner of the Big I Interchange (I-25 and I-40). Thus, it is bounded on the north, east sides by highways, frontage roads and public right of way. On the west side it is bounded by Sunset Memorial Park Cemetery. The site is currently used for a batch plant operation to make asphalt and/or concrete products that was established to support the construction of the Big I Interchange.

The primary access to the site is off the Menaul Blvd which is an arterial road with four lanes, two in each direction. There is a left turn lane from the west bound lanes for access to the site.

Site Evaluation:

1. Size and Shape of Parcel – Rating: 5

The 15.6 acre site provides sufficient space to meet the minimum criteria for locating a new transfer station and support activities. The back portion of the site, which is a generally rectangular shaped piece of land bounded on the south and east by the freeway interchange and by the cemetery on the west and north. The property contains areas that have a length and width dimension of between 600 feet by 680 ft. This provides a large central area that would allow the main transfer station to be constructed. The site has segments that are not as wide but can be used for access/service roads to provide for on-site queue space for customers using the facilities. Because the site is larger than 12 acres it appears to provide sufficient space for adequate buffers and space for expansion. A preliminary site plan was prepared for the purposes of illustrating how facilities might be placed on the site. This is simply for the purposes of verifying the adequacy of the site to meet the criteria. (See attached site plan)

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2. Zoning and Adjacent Land Uses – Rating: 5 of 5
 Site #1 is zoned as type “SU-2 : Special Neighborhood Zone, Redeveloping Area.” Designated as SU-2 suggest the property can be developed for any of the uses as approved in the Sector Development Plan for the area. The Martineztown/Santa Barbara area dated March 5, 1990, designates the majority of the site as M-1: Light Manufacturing, while part of the site directly adjacent to Menaul Blvd is designated as type C-3: Heavy Commercial. The M-1 zone of the majority of the site corresponds to the M-1 in the Comprehensive City Planning Code, which allows the land to be used for “Public utility use or structure.” Most of the transfer station and support facilities could be built within this zone. The heavy commercial portion of the site representing 3.76 acres can be used for other purposes, including vehicle queuing, vehicle parking or administrative offices.

The immediate adjacent land uses are highways and a cemetery and represents limited activity. To the north of the site are a hotel and a shopping complex.

3. Centrality of Location – Rating: 5

Located in the northwest quadrant of the Big I interchange the site is centrally located with convenient access. This location is considered the centroid for the City of Albuquerque because of its proximity to the services area where a majority of customers that will use the transfer station. It is within 5 miles of an estimated 70% of residences and businesses. The site is a short distance from the City Solid Waste Department complex on Edith Blvd where collection trucks are maintained and parked each day after they complete their routes. The central location will translate into lower transportation cost and better service to larger number of customers.

4. Transportation / Access – Rating: 13 of 15

There are several factors to examine when considering the access to the new transfer station. The facility will be designed to accept waste from city collection trucks, the general public that might haul their own waste and those customers using the recycling drop off center and/or the HHW facility. Access for each of these activities and customers is considered.

a. City Collection Vehicles - 5

The City provides collection of both residences and commercial businesses throughout the entire city. The central location allows vehicles to unload and return to complete their afternoon routes conveniently and in less time. After completing collection routes the vehicles only need to travel one and a half miles to return to the Departments hauling yard on Edith Blvd. Collection vehicles traveling from each direction will need to use highway off ramps onto frontage/ service roadway system to access this site. Collection vehicles traveling south on I-25 would use the Comanche Road exit and must use Frontage Road for approximately 1.6 miles. If traveling north I-25 they will travel 1.6 miles on the frontage road to Menaul Blvd. Vehicles travelling along the I-40 west can use the 4th street exit and will travel approximately 1.3 miles on the surface streets. Vehicles travelling along the I-40 east can use the University Boulevard Exit and will only travel approximately 0.5 miles on surface streets. Drivers along the I-25 north bound will use the Las Lomas Blvd exit and will travel approximately 1.8 miles on the

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surface streets. In some cases collection vehicles will use local arterials. For collection trucks this site has excellent access from different parts of the City.

b. General Public Customers – 3

Similar to the access conditions for city collection vehicles the site is fairly accessible for most customers. For instance, customers located more than 3 miles might use the freeway and frontage road network to access the site as described above. Customers nearer the site will need to use local arterials. However, its location may provide some confusion for customers who may not use the facilities on a regular basis. The location requires familiarity with the local network of frontage roads that are encumbered by the Big I interchange. For a customer that may not use this roadway system often they could have difficulty locating the facility. More signage throughout the network of access roads can help alleviate this condition.

c. Transfer Trailers – 5

The larger transfer trucks will travel 20 miles west to the Cerro Colorado Landfill. Access to west bound I-40 on ramp from the site is very convenient for transfer trucks. The site may also provide a second access point on the southwest corner that is dedicated to the transfer trucks. This is beneficial for a few reasons. First, it allows total separation of the large trucks from customer traffic. Second, it helps distribute traffic using the facility onto different roads to reduce impacts on any one roadway.

5. Site Development and Topographic Features – Rating: 3

The southwestern portion of the site sloped in a general direction from northeast to southwest. The slope of the site in this area is 1%, and the total grade change is 8-10 feet. This grade variance across the site will allow a load-out tunnel for transfer trucks to be built at a lower cost than would be required on a flat site. However, the changes in the grades occurs in a small area therefore long access ramps and site grading although favorable are less than ideal. Also, the site is very long across the northeast-southwest axis. This results in purchasing a larger parcel than might be needed, with some of the property being used for longer service roads. This may impact the cost to develop this site.

6. Availability of Utilities – Rating: 5

The utility requirements for operating a transfer station are similar to any light industrial/ commercial use. Access to City sewer and water are sufficient. Fire flow for a typical urban industrial complex is necessary. These amenities appear to be located in the Menaul Blvd. The amount of land available for the transfer station will accommodate proper stormwater management.

TOTAL SCORE: 36 of 40

Evaluation of Site #2 – Edith Boulevard Site

Sites are rated on scale of between 1 and 5 with 5 being highest / most favorable score.

Site Description:

Site #2 is approximately 20 acres and is currently owned by the City of Albuquerque and is the main

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offices for the Solid Waste Department. It includes the dispatch center, collection vehicle parking and maintenance, fueling, bin repair and other support functions to the Department. The site is located east of the I-25 freeway, at the intersection of Comanche Rd and Edith Blvd. It is bounded on the north by Comanche Road NE, on the east by Comanche Lane and businesses, on the south by Ranking Rd, and on the west by Edith Boulevard and businesses. Of the 20 acres, approximately 9 acres would be necessary for the construction of the transfer station and its supporting features.

The area to be considered for use as a transfer station has several older and mostly obsolete structures. The Department does use certain buildings to house ancillary operations such as Graffiti Removal operations. Also, the area provides for supplemental parking for vehicles and container storage. Any operations in this area would need to be re-located and buildings would need to be removed.

The property is located adjacent to several properties, including the following:

On the west side:

- American Marine, a machinery and equipment repair shop
- Engine and Performance Warehouse, an automotive engine part supplier
- A former adult entertainment establishment that is currently unoccupied
- Royal Plumbing and Heating, a plumbing and heating contractor
- A residential complex located on county land that is currently zoned M-1 for manufacturing use

On the east side:

- Artistic Tile and Granite
- Conway Electric, an electrical contractor
- Power Equipment Company
- **A car wash**

Primary access to the site is off Edith Blvd or Comanche Rd. Both are considered major arterial streets with four lanes, two in each direction. Comanche Rd has direct access to the I25 freeway and has 4 lanes, two in each direction.

Site Evaluation:

1. **Size and Shape of Parcel – Rating: 5**

This area to be considered for the transfer station is approximately 9 acres and is generally rectangular in shape. Its dimensions are approximately 1,300 feet by 650 feet and these dimensions will allow a transfer station to be designed without significant impacts or limits due to space. The shape of the site could allow existing services and functions to remain on-site while still allowing the new facilities to be added. A preliminary site plan was prepared for the purposes of illustrating how facilities might be placed on the site with respect to the existing facilities on-site being relocated or kept in place. This site plan was prepared for the purposes of verifying the adequacy of the site to meet the criteria. (See attached site plan)

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2. Zoning and Land Use – Rating: 3

This site is located on land that is entirely zoned as type M-1: Light Manufacturing. The entire property is located in the City of Albuquerque; however, the adjacent properties on the southwest corner are in Bernalillo County. These adjacent properties are occupied by mixed uses for commercial business. The parcel on the corner of Edith Blvd. and Rankin is currently used as residences i.e. multi-family units. The zoning for all of these parcels including the residences is listed as M-1 INDUSTRIAL/WHOLESALE/MANUFACTURING." According to Title 20, Chapter 9.4.12 of the New Mexico Environmental Regulations state that no transfer station shall be located " *within 250 feet of a permanent residence, institution, school, place of worship, or hospital, that existed at the time the transfer station permit application was submitted, unless the applicant demonstrates that a shorter distance of no less than 50 feet has been affirmatively approved by the local government.*"

The current residences are located on property currently zoned as M-1 thus the residential uses are a presumed to be non conforming use. The parcel is more than 100 feet of the City's property line. These conditions suggest the site could possibly be allowed with approval from the County. The other adjacent properties include manufacturing, vehicle repair, and contractor operations.

3. Centrality of Location – Rating: 5

The Edith Boulevard site is located approximately 1.4 miles from the I-25 and I-40 interchange. Access to the site is by the Comanche Rd Exit for the I-25 freeway. The site is approximately 0.6 miles from the Comanche Rd exit. It is within 5 miles of an estimated 70% of residences and businesses. The central location will translate into lower transportation cost and better service to larger number of customers.

4. Location and Access – Rating: 13 of 15

There are several factors to examine when considering the access to the new transfer station. The facility will be designed to accept waste from city collection trucks, the general public that might haul their own waste and those customers using the recycling drop off center and/or the HHW facility. Access for each of these activities and customers is considered.

a. City Collection Vehicles – Rating: 5

The City provides collection services for both residences and commercial businesses throughout the city. The Edith Blvd site is already used for collection vehicle parking, so commercial collection vehicles regularly use Edith Blvd and Comanche Rd to access the site. After completing the final drop-off, the collection vehicles will remain on-site for parking. Collection vehicles travelling from the east or south of the site will use the Comanche Road exit on the I-25. Vehicles travelling from the north or west may either use the Comanche Road exit on the I-25 or may use Edith Blvd or Comanche Rd to access the site. For collection trucks, this site has very good access.

b. General Public Customers – Rating: 4

The site is readily accessible to the public, as it is located near a freeway exit and is at the intersection of two major arterial streets. For new customers to the site, the site should be easy to find. The site should not require a significant amount of new signage for customers to access the site.

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c. Transfer Trailers – Rating: 4

Transfer trailers have relatively easy access to the site, as it is located near the Comanche Rd exit. Transfer trailers also have the option of using the 4th St exit from the I-40 and following local streets to the site. The site would require transfer trucks to travel only a mile and a half from the Big I interchange, so the site does have good transportation access for transfer trailers.

5. Site Development and Topographic Features – Rating: 3

The site slopes in a general direction from east to west, at an approximate slope of 2-3%. The northern end of the site is sloped less steeply than the southern end of the site. The approximate elevation drop across the site is 12 to 16 ft, which will provide adequate grade separation for top load of transfer trucks. This amount of grade separation is preferable because it will not require significant amounts of excavation or grading to construct a load-out tunnel for the transfer trucks. Based on a preliminary site plan (see attached), the transfer station can be constructed on a 9 acre area to the south side of the site. Some ancillary operations may need to be relocated and some buildings would need to be removed for this layout.

The site is bordered by the Alameda drainage corridor that consists of a ___ ft easement across the property. This may have some impact on the final site layout.

6. Availability of Utilities – Rating: 5

The site is already used by the Solid Waste Department as its primary operations and maintenance facilities. All of the needed utilities appear available. Currently, the site is largely impervious pavement, so a limited amount of stormwater detention or treatment should be required on-site before the water is discharged into the public storm drain. The site is also located between buildings that have electrical, sewer, natural gas, and water, so other utilities should be readily available.

TOTAL SCORE: 34 of 40

Evaluation of Site #3 – Desert Surf Circle

Sites are rated on scale of between 1 and 5 with 5 being highest / most favorable score.

Site Description:

Site #3 is 17.3 acres and is located on Desert Surf Circle. It is bounded on the east by the I-25 freeway and on the west by Desert Surf Circle. A majority of the parcel is located some 30 feet lower than the adjacent on I-25 on ramp and highway easement. The surrounding uses are mixed industrial, commercial and some retail. The Albuquerque Tortilla Company factory is located southwest of the site. To the North of and located above the site is mixed retail uses that includes a Keva Juice, a McDonalds, and a gas station. The site is currently undeveloped, and has a substantial grade break across part of the site.

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Site Evaluation:

1.

Size and Shape of Parcel – Rating: 4

This plot is approximately 17.3 acres, and is roughly rectangular. Approximately 10.4 acres of the site is generally level with Desert Surf Circle. Approximately 7 acres of the site is encumbered in a large sloped area that rises to intersect the highway easement. This portion of the site has limited use and would require significant grading to be used for the transfer station facilities. This should be reflected in the cost of the land. The larger portion of the site has dimensions that are less than 400 ft in the east-west direction. However, because of the length and arching shape of the property it can accommodate the transfer station and supporting facilities. A preliminary site plan was prepared for the purposes of illustrating how facilities might be placed on the site. This is simply for the purposes of verifying the adequacy of the site to meet the criteria. (See attached site plan)

2.

Zoning and Land Use – Rating: 3

This site is currently zoned as "SU-1: Special Use," and is intended to be used for an "IP & amusement facility of a permanent character (not adult establishment)." As the current zoning designation allows the site to be used as an industrial park, it appears the zoning will allow a transfer station to be built on this site without requiring a major change. The adjacent properties as stated previously are represented by mixed uses. Immediate neighbors include the I-25 freeway, a tortilla factory, two restaurants, a gas station, and a parking lot. There are no residential properties but because there are several retail establishments the mixed uses established adjacent to the site make it less favorable than if the site were totally surrounded by commercial and industrial uses.

3. **Centrality of Location – Rating: 3**

The Desert Surf Circle site is located approximately 2.6 miles from the Big I interchange. Access to the site is by the Montgomery Boulevard exit off of the I-25 freeway. To access the site using the current streets, the distance to the site is approximately 0.7 miles from the freeway exit. The site is also a short distance to the Solid Waste Department complex on Edith Blvd where collection vehicles park and are maintained.

4. **Transportation/Access – Rating: 12 Of 15**

There are several factors to examine when considering the access to the new transfer station. The facility will be designed to accept waste from city collection trucks, the general public that might haul their own waste and those customers using the recycling drop off center and/or the HHW facility. Access for each of these activities and customers is considered.

a. City Collection Vehicles - 4

The City provides collection services to both residences and commercial business throughout the City. The central location allows vehicles to unload and return to complete their afternoon routes conveniently and in less time. After completing collection routes the vehicles only need to travel one and a half miles to return to the Departments hauling yard on Edith Blvd. To access, most vehicles will use the Montgomery Blvd exit on the I-25 freeway.

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b. General Public Customers – 4

Similar to the collection vehicles, the general public customers will mostly access the site by taking the I-25 freeway to the Montgomery Blvd exit. The site is located on Desert Surf Circle, a local street but with limited destinations thus making fairly convenient and easy to find by customers. Signage may be used from the Freeway exits to provide a path of travel for public vehicles to follow to access the site.

c. Transfer Trailers – 4

Transfer trailers will have fairly easy access to I-25 south. However, the facility is not located on a major arterial street and is located a few miles north of the Big I interchange. Additionally, the transfer trucks will have to make turns on local streets and will travel through mixed use development. For these reasons, the site is acceptable for use by the transfer trucks but is slightly less favorable than other sites.

5. Site Development and Topographic Features – Rating: 4

The lower portion of the site is largely relatively flat. There appears to be some soil stockpile or possible grade differential of about 4% resulting from the previous use as a water park. This grade difference is about 12 to 14 feet, which would allow the facility to be built to accommodate top-loading of a transfer truck. The eastern portion of the site adjacent the I-25 on ramp has limited use without potentially building retaining structures. The shape of the site provides some limitations on the site layout and the main facility would need to be located just below the retail food establishments.

6. Availability of Utilities – Rating: 5

The site was previously used for a water park and therefore there appears to be adequate access to all necessary utilities.

TOTAL SCORE: 31 of 40

Results

Based on the preliminary site evaluation Site #1 Manual Blvd with 36 points out of 40 is rated the highest and the Edith Blvd site is second (34 of 40). The third site is Desert Surf has 31 out of 40 points. It is important to note that at this preliminary state all three sites are excellent candidates. The other factors that need to be considered are the cost of the land and ability to obtain land use permits. Each site is considered to have certain drawbacks related to these items. Further analysis of these factors will occur once the City has reviewed the preliminary results.

Henry, Dora L.

From: Susan Kelly <susankellyabq@gmail.com>
Sent: Wednesday, January 04, 2017 4:28 PM
To: Gould, Maggie S.
Cc: Henry, Dora L.
Subject: Re: EPC Jan 12th agenda
Attachments: Jan 4 2017 S Kelly comments to EPC.pdf

Dear Maggie,
Attached is a letter regarding Item #3 on the EPC agenda for January 12. (the Waste transfer station proposal.)
Please let me know if you have any questions.
Thanks, Susan Kelly
720-6651

January 4, 2017

Environmental Planning Commission
c/o Maggie Gould, Planning Department
City of Albuquerque

Re: EPC earing on Project #1010582, Solid Waste Transfer Station

Dear Chair and Members of the EPC:

Please accept my comments for the record pertaining to the above-referenced case. Although I agree with others that there will be negative impacts on nearby neighborhoods, property values, and bicycle and pedestrian safety, I believe these are being well-addressed by others. My focus of concern is the operation of the I-25 frontage roads/ Comanche intersections. In my opinion, there has been an insufficient analysis of the impact of the proposed waste transfer station on these intersections.

This is a critical location along the Interstate in the Albuquerque metro area. Comanche is the first exit north of the Big I. There is a lot of rapid merging that must occur on the interstate for northbound I-25 vehicles desiring to exit at Comanche/Griegos. After the exit, further merging with the northbound frontage road traffic is required in a very short distance to the stoplight. It's a very difficult area, especially if the goal is to head east on Comanche. The frontage road system through the Big I funnels most of the northbound traffic from Downtown and UNM that is trying to access I-25 northbound through this intersection because it is the first entrance to the freeway available north of the Big I.

I don't believe that the Traffic Impact Analysis dated September 2015 adequately represents the complexity of the various turning movements occurring at this intersection. For example, semi-trucks from the truck stop that is in the northeast quadrant of the Big I use the northbound I-25 frontage road and then double back, heading west under the Interstate so that they can, in effect, make a U-turn

and access the southbound on-ramp to head back through the Big I. These are tight left turns and the trucks take up both of the double-left lanes in order to accomplish these turns safely. The right turn lane to access I-25 southbound from eastbound Griegos/Comanche is frequently backed up due to the infrequent gaps in traffic of southbound vehicles accessing the on-ramp. The trash hauling trucks will have a big impact on this problem. Traffic is nearly always backed during the day on the northbound leg of the Comanche/frontage road intersection, even though it is five lanes wide with a double left and dedicated right turn lane. I worry that the addition of the transfer trucks, additional regular garbage truck trips, and convenience center trips could at times result in back-ups on the freeway.

The non-peak hours identified in the September 2015 report are very slim periods of time: 1.5 hours in the morning and 1.5 hours in the afternoon.

I find it hard to accept the conclusions in the report as I understand them, that:

1) All collection trips will be during non-peak hours adding *zero* additional trips during peak hours; 2) That the 130 trips per day by the transfer trucks (which are eighteen wheelers) will not affect the level of service at the Comanche/I-25 frontage road intersections; and 3) that the increased traffic from the convenience center trips will not affect the level of service at the Comanche/I-25 intersections.

I sincerely suggest that further traffic analysis be required. The proposed location of the transfer station and convenience center into what is essentially the middle of town could result in dangerous road and highway conditions.

Very truly yours,

Susan Kelly

Susan Kelly

713 Camino Español NW

Albuquerque, NM

87107

Gould, Maggie S.

From: =David Wood CPA= <wood_cpa@msn.com>
Sent: Saturday, January 07, 2017 8:56 AM
To: Gould, Maggie S.
Cc: Tim Flynn-O'Brien; Peggy Norton
Subject: EPC Report

Ms. Gould,

Page 2 of your EPC report

History/Background

"A letter from the agent of record dated June 4, 1986 states that the City of Albuquerque acquired the property through condemnation at that time (see attached)."

I cannot find the ("see attached") anywhere at the back of the document. I'm probably overlooking it, can you assist?

NOBEL-SYSCO CORP. NON-NOTIFICATION

I got with NOBEL SYSCO concerning their long standing assertion of never being notified of any of the required processes from Planning, going back to the first case, and this case.

I do see their name on the address labels submitted in your report.

However, that address is for customer remittances only. That would be akin to me sending evidence for the EPC to a City remittance address. Would you receive it? It is an egregious enough error that you should acknowledge the error in your remarks.

ANALYSIS OF BOTH TRAFFIC STUDIES AND ECONOMIC STUDIES.

I previously requested that you preform an analysis on the 2 traffic studies, as well as the Economic studies. Your EPC analysis on traffic is quite extensive, but entirely focus on the Wilson & Co. internal study.

How can the Commissioners use their prerogatives when staff has in no provided your analysis of additional studies?

If you place the burden on the author of the other study, you know a 2 minute presentation is in no way, enough time to refute assertions presented as fact. That is why a good faith analysis by you and staff is a basic requirement. So as not to seem repetitive, the same analysis should be preformed by staff on the Economic study.

If your explanation is "time did not allow such an analysis", then the appropriate action that you and staff should have taken is request a deferral so you and staff could competently and completely present a case that provides Commissioners with all fact based data.

I raise these issues so they may be preserved in the record.

If you believe that you are not required to preform any kind of impartial analysis on evidence submitted, then I would respectfully ask for your thoughtful response as to your understanding of what you and staffs mandate and responsibility is to the Commissioners and to the public.

Respectfully,

David Wood

Document referenced in the staff report, but not included in the history section

**Isaacson &
Arfman, P.A.**

MUNICIPAL
DEV. DEPT.
PLANNING DIV.

#19

Consulting Engineering
Associates

JUN 4 12 23 PM '86

June 4, 1986

Mr. Bob Wolfe, Chairman
Environmental Planning Commission
c/o Planning Department
City of Albuquerque
P.O. Box 1293
Albuquerque, N.M. 87103

Re: AZ-86-6, Z-86-43 (Ribble Business Park)

Dear Mr. Wolfe:

As agent for the applicant, Rayco West Investments, for the referenced case, we request withdrawal of the application for annexation and zoning. The City of Albuquerque has purchased this property for use as a City Yard. Consequently, the applicant has no current interest in the property.

We also request a refund of application fees which Rayco West submitted with the application. We feel this refund is justified since the property was acquired by condemnation.

Very truly yours,



Thomas O. Isaacson

TOI/aq

cc: Rayco West Investments

Gould, Maggie S.

From: Peggy Norton <peggynorton@yahoo.com>
Sent: Monday, January 09, 2017 4:30 PM
To: Gould, Maggie S.
Subject: waste transfer station project @1010582
Attachments: tsepc1.12.17deferral.pdf

Dear Ms. Gould:

Attached is a letter we would like presented to Chairwoman Hudson before the EPC meeting on January 12, 2017.

Thank you.

Peggy Norton, President
North Valley Coalition

January 9, 2017

Karen Hudson, Chairwoman
Environmental Planning Commission
c/o City of Albuquerque Planning Dept.
600 2nd Street, NW
Albuquerque, NM 87102

emailed to Maggie Gould, Planner

Re: Edith Transfer Station Project #1010582

Dear Ms. Hudson:

We understand attorney Tim Flynn-O'Brien has requested a deferral on the above project, requesting the hearing be postponed for 60 days due to the intent of the resolution passed by City Council on January 4, 2017. We agree that a deferral is appropriate for the reasons in his letter and we request the hearing be postponed until an economic impact study is done, as required in the North Valley Area Plan.

Thank you for your consideration.

Sincerely,

Peggy Norton, President
North Valley Coalition

January 9, 2017

Karen Hudson, Chairwoman
Environmental Planning Commission
c/o City of Albuquerque Planning Dept.
600 2nd Street, NW
Albuquerque, NM 87102

emailed to Maggie Gould, Planner

Re: Edith Transfer Station Project #1010582

Dear Ms. Hudson:

I was surprised to read the staff report which I received on Friday, January 6. I feel like we are on a merry-go-round – application, approved by Planning, approved by EPC, appeal upheld by LUHO and City Council, declaratory ruling requested, stated and approved by Planning, appeal upheld by LUHO and City Council, application, approved by Planning, what will happen at EPC on Thursday, January 12.

I have spent many hours since December 5 analyzing the data in the letter to the EPC, reviewing the LUHO recommendation, analyzing traffic information, discussing issues with people. I submitted questions and concerns I had to the EPC, and Planning should have had, as a result of my traffic analysis of the numbers presented in the letter. I also submitted a personal letter and a letter presenting concerns of the North Valley Coalition. I know you don't have that amount of time to spend on this project – you only received it last Thursday. And yet, if you rely on the staff report, we will continue on the merry-go-round.

I expected a new application would, at the very least, address all of the LUHO recommendations. I expected Planning to do critical analysis. Neither of these expectations were met. If a developer submitted an application, would planning accept all the applicant's statements or would they ask for documentation? Too many of the statements are accepted; justifications for meeting goals and policies begin "applicant stated".

Where is the documentation for 2 million miles saved? Where is the documentation for \$75 million saved? Yet, these numbers have been used to justify meeting goals and policies of the Comprehensive Plan and the North Valley Area Plan, both by the applicant and the Planning Department.

The convenience center traffic was counted one Tuesday and the applicant determined that would be the basis for determining the count for convenience center traffic. And only 16 vehicles are going to enter and leave between 3 and 5 (2 hours), and 177 will enter and leave from 9:30 -11 and 1:30-3 (3 hours). Documentation? As the LUHO stated, "The applicant's conclusion that the threshold is not met seems to rely on a careful, perhaps fragile, distribution of truck trips throughout the day to avoid exceeding the DPM threshold". Does an applicant get to determine that with

no questions asked by Traffic Engineering?

What about considering the development's peak hour (DPM) for requiring a TIS, as noted in the LUHO report? How is the statement "proposed transfer truck trip activity will generally occur between the hours of 8:30 am to 4 pm" true when it will require 8 hours minimum to transport all the garbage (no breaks or traffic tie-ups) to the landfill and no collection trucks return to the ETS site until after 9:30 am. The DPM suggests existing characteristics should be one year old and yet the data in the traffic impact analysis is 3 years old.

Where are the transfer trucks and trailers going to park? What is the basis for 24T load per transfer truck when the EPA suggests 15-25T? The maximum might be a reasonable number if the garbage is compacted, but it isn't going to be. A lower load weight would result in more trips. Why are we only buying 10 trucks in the feasibility study when at least 17 are needed? Do we have that many extra semi-trucks hanging around, unused?

These are all reasonable questions, as are many others, and I hope the Environmental Planning Commission will seek thorough answers before making a determination on the request for a zone map amendment and site plan approval.

Sincerely,

Peggy Norton
3810 11t Street, NW
Albuquerque, NM 87107

South Guadalupe Trail Neighborhood Association
Contact: Nancy Bourne, 505-259-1034

January 9, 2017

Ms. Maggie Gould, Planning Department
Environmental Planning Commission
600 2nd Street NW, 3rd Floor
Albuquerque, NM 87102

Re: Edith Transfer Station, Case No. 1010582

Dear Ms. Gould:

I am speaking on behalf of the South Guadalupe Trail Neighborhood Association. Our last meeting was in early December, 2016. At that meeting, the Edith Transfer Station (“ETS”) was discussed with the members present. All members expressed their opposition to the ETS. Many members of this neighborhood have opposed this project and has talked with multiple members of this neighborhood. We do not find anyone in favor of this project from our neighborhood. The main reasons are discussed below.

1. **Traffic.** This neighborhood has tolerated the garbage trucks entering and leaving the site since 2006. The residents complained about the trucks turning into the site right where there is a turn in the main arterial on Comanche. At times there are backups where the trucks cannot turn into the site because of the traffic coming from the other direction. We also note a bad backup when the train stops the traffic. Residents living in Los Ranchos de Albuquerque and along Rio Grande Blvd. use Comanche to access the freeway. It is the only way for some of the neighborhoods to get to the freeways. The congestion on Comanche is a major complaint. The impact is especially injurious for this area. All this additional traffic is contrary to **Resolution 270-1980(A)** and will adversely affect the “health, safety, and general welfare of the City.” The garbage trucks heading to North I-25 need to go under the freeway. There are two very short lanes to access this. One garbage truck takes both lanes because the lanes are not built for large trucks.
2. **Bicycle Riders.** We have lots of residents in our neighborhood that are bike riders. Some residents commute either for enjoyment or as a way to get to work. Griegos/Comanche is one of the few East/West corridors for bicyclists in the City. It goes from Rio Grande Blvd. to Tramway Blvd. in a straight line. It also has four Ghost bikes (where bicyclists have been killed) along this supposedly bike designated road. Bike riders have to use Comanche going by the ETS to get to the North Diversion channel bike trail. It is a very unsafe area for bicyclists, especially anywhere near the egress and ingress to the freeway. This will be made worse by the addition of the transfer trucks.
3. **Pollution.** Multiple neighbors complain about the ETS because it will further pollute the already overburdened North Valley. The Valley has inversions of air most days in the winter. The air settles in the lowest part of the City. That is right where our area is. We have no monitoring Station for the air pollution near us, even though we are one of the most polluted areas of the city. This is contrary to R270 1980E. This industrial area

must be considered as unusual, because it has people living just 100 feet from the ETS (the six apartments on the corner of Edith and Rankin Road). Dumps, transfer stations, and landfills are placed outside of populated areas because they are a nuisance. They attract bugs, mice, rats, and other disease carrying vermin.

4. **Water Quality.** There is not adequate depth to the groundwater to minimize percolation or leaching of pollution at this site. Wells in the North Valley supply some of the residents with their only source of water for their homes. The wells can be as little as 30 feet deep. See policy II-56-d.1 of the Comprehensive Plan. It states "sites will have geologic and soil characteristics and adequate depth to groundwater" The North Valley residents are downhill from the ETS. Any spillage through cracks in the concrete or asphalt will go right into the groundwater and right to the North Valley neighbors' wells. Spillage is a very good possibility and/or water will permeate through their multiple asphalt parking lots. Contrary to II-56 -3.d.1 ("Select any additional sites which will not contaminate groundwater. Sites will have geologic and soil characteristics and adequate depth to groundwater which will minimize development or percolation of leachate. Where existing landfill sites do not have adequate natural protection against groundwater contamination, use impermeable liners, leachate collection and treatment systems, and groundwater monitoring well networks."), the City cannot possibly clean up all the oil and gas that has already seeped into the dirt area from their trucks being parked on the dirt site since 2006 and then add impermeable liners. Hazardous waste will be stored there for at least 90 days (quoted from an open City meeting), the City have not mentioned any way of developing and implementing a program for preventing hazardous substances from entering the aquifer and the water supply system. This is contrary to II-52-C.2.c.9 ("prevent the disposal of hazardous waste in municipal or County solid waste landfills."); II-52-C.2.c.2 ("Use impermeable liners with leachate collection and treatment system in landfills which lack adequate natural groundwater protection.") and 8 ("Site future landfills away from drainage channels and natural water courses."). At a minimum, all overflow ponds, historic ditches, and aquifers should have in place monitoring systems. II-56-C.d.4 ("Establish a groundwater monitoring program at all landfills which includes the installation of monitoring wells.").

As you know, the jet fuel spill from Kirkland Air Force base is not reversible and will soon reach Albuquerque's water source. Do you want to further this irreversible problem in another part of Albuquerque, one that will be much closer to the groundwater and Rio Grande?

Thank you for your consideration.

Sincerely,

/s/ Nancy Bourne

Nancy Bourne

5029 Guadalupe Trl NW
Albuquerque, NM 87107
(505) 259-1034

January 9, 2017

Ms. Maggie Gould, Planning Department
Environmental Planning Commission
600 2nd Street NW, 3rd Floor
Albuquerque, NM 87102

Re: Edith Transfer Station, Case No 1010582

Dear Ms. Gould,

I am a concerned resident of the North Valley. I am opposed to the proposed Edith Transfer Station ("ETS") for many reasons. I cannot give them all adequate time and attention, so I only list the ones that are most important to me.

1. **Traffic** –The Edith/Comanche area will inconvenience each and every resident of the City of Albuquerque that uses either I-40 or I-25 at or near the interchange. Please be aware that the City has downplayed the ETS as a North Valley issue. According to Wilson & Company's Written Project Summary, page 15: ". . . decrease in the number of trucks on Interstate 40 that crosses the North Valley and the Rio Grande travelling to the landfill." The City states "the transfer trucks will only circulate between the site and Interstate 25 via Comanche Road" and "[Tr]ansfer trucks entering the site will utilize Interstate 25 northbound" and "[T]ransfer trucks leaving the site will take a right onto Edith northbound, Comanche Eastbound, and onto Interstate 25 southbound." In other words, all the huge transfer trucks are instructed by the Solid Waste Division to use only the interstates to get to and from all the neighborhoods to the ETS, thereby inconveniencing the ENTIRE City of Albuquerque's commuters, the travelers passing through our fine City, the neighbors close by, and all the other businesses nearby using this area to deliver to other parts of the City. Now picture all this traffic with an additional 350 trips of dump trucks and 18-wheelers getting on and off the Comanche/Griegos exits each and every weekday. One of the worst routes in this highly congested area is the two very small turning lanes under the freeway to go North from Comanche to the frontage road to access the freeway. One garbage truck uses both lanes and backs up all traffic going east on Comanche. There is not room under the freeway to expand these lanes and according to the traffic study submitted by the City, there is no "need" for an expansion in this area (including I-25 around Comanche) before 2025. At the public meetings, the City was asked and the public was told that the dump trucks and 18-wheelers are instructed to use these ramps and the freeways whenever possible. Please look closely at Wilson & Company's traffic study; as I believe it is not including the transfer trucks' trips to the landfill during peak hours. I do not understand how the transfer trucks can be transporting the trash that comes in from the garbage trucks between 7 am and 2:30 pm and then the transfer trucks are to transport the garbage to the landfill. Please remember the City has stated that no garbage is left on site overnight. The City

claims numerous times in its Written Project Summary (page 15, 20, 21, 22, 23, and 24) that “a reduction of approximately 2 million miles travelled per year by the collection truck fleet will be realized” Please check their figures regarding this, because I don’t believe the additions of the transfer trucks are included in this figure during peak hours. All this additional traffic is contrary to **Resolution 270-1980(A)** and will adversely affect the “health, safety, and general welfare of the City.” It is in direct conflict with the **North Valley Area Plan pp. 5-6** (all listed goals and issues relate to this issue), **93** (“to provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.”), **112** (“The City and County shall encourage the smooth flow of traffic on arterials.”) and **113** (“The City and County shall limit conflicts between rail travel, roadways, and land use.”). Please also see **Comprehensive Plan II-71.C.9.a** (“The City and County differentiate into thirteen sub-areas as shown on the Community Areas map; the unique character and constituent neighborhoods of each area identified on the Community Areas map shall be respected in all planning and development actions.”), **II-90.D.3.P** (“Efficient, safe access and transfer capability shall be provided between all modes of transportation.”). The residents living as far as Rio Grande Blvd. from Candelaria to Los Ranchos use Griegos to access the freeways. Please see **R270-1980E** (“A change of zone will not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.”)

As a side note, I would like to mention the railroad tracks west of Edith on Comanche. The traffic will back up east of Edith when a long train is going through. This causes a bottleneck of traffic that the Edith Transfer Station will have to contend with at both its proposed entrance on Comanche and its proposed exit on Edith. See **North Valley Area Plan, p. 14(4)** (“The City and County shall limit conflicts between rail travel, roadways, and land use.”).

2. This industrial area must be considered as unusual, because it has people living right next door. Please note Wilson & Company’s Written Project Summary mentions on pages 14 (two times), 15 (two times), 19, 22, 23, and 25: “while there are no residential neighborhoods adjacent to the site (closest residential neighborhood is approximately 1,300 feet to the west of the project site)”. I would like to point out that stating this numerous times in the hopes of you believing it needs to be pointed out. The City has changed this statement from their prior request for a zoning change, because they were reprimanded for stating inaccurate information. So they changed this from “neighbors” to “neighborhood.” I would like to point out that the people that will be most affected by this zoning change will be the six “neighbors” to the south of project and are **only 100 feet away**. This is contrary to **R270 1980E** (“A change of zone will not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.”) Please also see the Comprehensive Plan, **II-27-5.i** (“Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.”).

3. **Water Quality** - I have a well as my only source of water for my home. It is only 100 feet deep. There are people living closer to this site that have wells that are only 30 feet deep. There is not adequate depth to the groundwater to minimize percolation or leaching of pollution. See policy **II-56-d.1 of the Comprehensive Plan**. It states "sites will have geologic and soil characteristics and adequate depth to groundwater" The North Valley is downhill from the ETS. Any spillage, even through cracks in the concrete or asphalt, will go right into the groundwater and right to the North Valley neighbors' wells. Spillage is a very good possibility and/or water will permeate through their multiple asphalt parking lots. Contrary to **II-56-3.d.1** ("Select any additional sites which will not contaminate groundwater. Sites will have geologic and soil characteristics and adequate depth to groundwater which will minimize development or percolation of leachate. Where existing landfill sites do not have adequate natural protection against groundwater contamination, use impermeable liners, leachate collection and treatment systems, and groundwater monitoring well networks."), the City cannot possibly clean up all the oil and gas that has already seeped into the dirt areas from their trucks being parked on that site for the last 12 years (they have been using this site since 2006) and then add impermeable liners. There was business on this property prior to the City purchasing this property. The business owners around this area can testify that the dirt on this property is thoroughly saturated with oil, grease, and gasoline from the prior owner before the City brought the property. How can the City add a liner to protect further leakage onto the aquifer when they themselves are guilty of adding to the mess that already existed? This is contrary to **II-52-C.2.c.2** ("Use impermeable liners with leachate collection and treatment system in landfills which lack adequate natural groundwater protection.") **and 8** ("Site future landfills away from drainage channels and natural water courses."). At a minimum, all overflow ponds, historic ditches, and aquifers should have in place monitoring systems. There is no monitoring program for water or air. Both air and water monitoring have not been installed in this area. **II-56-C.d.4** ("Establish a groundwater monitoring program at all landfills which includes the installation of monitoring wells.") Please let's not forget the jet fuel spill polluting the City's aquifer and water for 20 plus years by Kirkland Air Force base and that there is no way to stop this terrible tragedy. Let us not add more to our already polluted problem.

4. **Overburdened Area – Contrary** to II-57.3.e.1 ("Improve coordination between landfill site selection and city-wide land use planning."), this area has multiple businesses that use 18 wheel trucks to move their products throughout the day to various places in the City.

Please reject this proposed change in zoning of the transfer station and request the City build less invasive transfer stations outside of City limits in each of the City's quadrants where growth is occurring and where it will be less harmful to all the residents of the City of Albuquerque and more in compliance with the Comprehensive Plan and city-wide land use planning.

Very truly yours,

/s/ Nancy Bourne
Nancy Bourne

TIMOTHY V. FLYNN-O'BRIEN
Attorney at Law
817 Gold Avenue SW
Albuquerque, New Mexico 87102-3014
Phone: 505-242-4088 / Fax: 866-428-7568

January 6, 2017

DELIVERED BY EMAIL

Environmental Planning Commission
Karen Hudson, Chair
C/O Maggie Gould, Planner
1 Civic Plaza
Albuquerque, New Mexico 87102

RE: Project No. 1010582, 16EPC-40077;
16EPC-40078; 4600 Edith Blvd. NE,

Dear Chairman Hudson and Members of the EPC:

This letter is submitted on behalf of my client, the Greater Gardner Neighborhood Association (GGNA).

The EPC should not proceed on January 12 and should defer the case for 60 days. On January 4, 2016 the City Council passed R-17-153 by a 7-1 vote.¹ A copy is attached. R-17-153 provides that Council Services will contract for an economic evaluation of the transfer station and convenience center project and that *the City should take no further action until the report is completed*. The Resolution specifically refers to no action being taken on the land use application before the Environmental Planning Commission:

2. The City shall take no further action toward completion of the Project, and shall defer any pending matters, including but not limited to its land use application before the Environmental Planning Commission, until such time as the Economic Impact Evaluation is completed.

Implicit in the passage of R-17-153 is that the City could reconsider the decision to proceed with this site and therefore with the rezoning. Given the passage of R-17-153 and the City Council's express direction to take no action we feel that a 60 day deferral is now appropriate and request deferral. See EPC Rule B.7 ("The EPC may continue or defer a matter

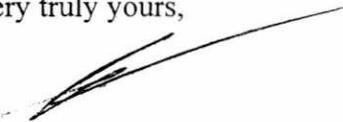
¹ A 7-1 vote is sufficient to override a veto.

to another hearing at the request of staff, an applicant or other interested party or when the EPC determines that additional information is necessary or beneficial to render a decision.").

Deferral is appropriate because the City Council's Economic Impact Evaluation is necessary or beneficial to render a decision. One, it is the applicant's burden under Resolution 270-1980(E) to prove that a zone change will not be harmful to adjacent property, the neighborhood or the community. The Economic Impact Evaluation may be necessary or beneficial to that determination. Two, the Economic Impact Evaluation may meet the City's obligation under Section 7 of the Council Resolution (R-255, Enactment 60-1993) adopting the North Valley Area Plan. Section 7 states that a solid waste transfer station may be allowed only after a thorough investigation of the relative benefits and costs of a transfer station.² It makes practical sense for the EPC to have the City Council's analysis before considering the case. Finally, deferral is appropriate because its been directed by the City Council, which has already heard appeals related to this case twice and may be required to consider any appeal resulting from this new application. The City Council is the zoning authority and the Council has, by R-17-153, made clear that the Economic Impact analysis should precede a hearing and, therefore, it is beneficial or necessary to defer the January 12 hearing.³ It should be noted that the Staff Report for this case was not posted on January 5 with the staff reports for all other cases to be heard on January 12 and was only posted mid-morning on January 6.

I am still reviewing the large number of documents submitted by the City to supplement the application which we did not receive until January 4 and I expect to provide additional documents for the record primarily in response to those supplemental City documents.

Very truly yours,



Timothy V. Flynn-O'Brien

TVFOB

cc: Savina Garcia by email to savina.garcia@wilsonco.com

Peggy Norton

Charles Price by email to cprice@cpricelaw.com

Jenica Jacoby by email to jjacobi@cabq.gov

² R-255 "Section 7. Solid Waste Transfer Stations shall be allowed in the North Valley Plan Area only on land zoned for manufacturing uses and **only if, after thorough investigation of relative benefits and costs,** such location is deemed appropriate and the potential impacts on adjacent residential land can be mitigated through proper site design." (Emphasis added).

³ Planning has informed me that R-17-153 may not yet be legally binding but that does not change the practical reasons discussed to defer until the analysis is received.

1 1. Twenty-five thousand dollars (\$25,000) is reserved in the City
2 Council Services General Fund Budget for the Current Fiscal Year for the
3 Economic Impact Evaluation.

4 2. The City shall take no further action toward completion of the
5 Project, and shall defer any pending matters, including but not limited to its
6 land use application before the Environmental Planning Commission, until
7 such time as the Economic Impact Evaluation is completed.

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January 6, 2017

mgould@cabq.gov
Environmental Planning Commission
Karen Hudson, chair
c/o Maggie Gould Planner
600 Second St NW
Albuquerque NM 87102

Dear Ms Gould, Ms Hudson and Members of the EPC:

RE: **PROJECT NO. 1010582, 4600 Edith Blvd NE**

Please accept the attached documents that I am submitting ahead of the 48 hour deadline.

Patricia Garcia Martinez

I/We, George & Elena Crosby
(list names of all owners of property)

are the owners of property whose address is **4208 Edith NE**
(if available) is also known as TRACT 108A1A2A1B MRGCD MAP 33 EXC PORTION TO
R/W CONT 5,212 SQ FT +- -and-
TRACT 108A1A2A1A2 MRGCD MAP 33 EXC PORTION OUT TO R/W CONT 4,483 SQ FT +-
(provide subdivision, block and lot number and UPC

UPC # **1 015 060 205 282 31742**
1 015 060 206 288 31743

(UPC number if available)

My/our property is located within 100 feet (excluding right of way) of the area proposed for change of zone to SU 1 zoning in the application of the City of Albuquerque from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center (identified as COA Project No. 7006.92) filed on or about December 1, 2016. I/we protest in writing the proposed change of zone pursuant to NMSA 1978, § 3-21-6(C) which provides that if owners of twenty percent or more of the area within one hundred feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation protest the proposed change in writing the proposed change shall not become effective unless the change is approved by a majority vote of all members of the governing body of the municipality. This written objection is also made pursuant to 14-16-4-1(C)(15)(g).

By: Elena S. Crosby
Date: 12-21-16

By: _____

Date: _____

By: _____

Date: _____

I/We, George & Elena Crosby
(list names of all owners of property)

are the owners of property whose address is **4208 Edith NE**
(if available) is also known as TRACT 108A1A2A1B MRGCD MAP 33 EXC PORTION TO
R/W CONT 5,212 SQ FT +- -and-
TRACT 108A1A2A1A2 MRGCD MAP 33 EXC PORTION OUT TO R/W CONT 4,483 SQ FT +-
(provide subdivision, block and lot number and UPC)

UPC # **1 015 060 205 282 31742**
1 015 060 206 288 31743

(UPCnumber if available)

My/our property is located within 100 feet (excluding right of way) of the area proposed for change of zone to SU 1 zoning in the application of the City of Albuquerque from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center (identified as COA Project No. 7006.92) filed on or about December 1, 2016. I/we protest in writing the proposed change of zone pursuant to NMSA 1978, § 3-21-6(C) which provides that if owners of twenty percent or more of the area within one hundred feet, excluding public right-of-way, of the area proposed to be changed by a zoning regulation protest the proposed change in writing the proposed change shall not become effective unless the change is approved by a majority vote of all members of the governing body of the municipality. This written objection is also made pursuant to 14-16-4-1(C)(15)(g).

By: George & Elena Crosby

Date: 12-21-2016

By: _____

Date: _____

By: _____

Date: _____

We, the undersigned: sign this Petition to the COA in **STRONG OPPOSITION** to the Proposed Zone Change, which would allow the COA to proceed with expansion of the Edith/Comanche Waste Transfer Station We, **OPPOSE THIS** because, permitting this zone change and "All City Garbage to be brought here" would be very harmful to adjacent properties, our neighborhood and the community.

Nosotros, los abajo firmantes: firme esta petición para el COA en fuerte oposición a la propuesta zona cambiar, que permitiría el COA continuar con la expansión de la Edith/Comanche residuos transferencia estación, se oponen a este debido a que permite este cambio de la zona y "Basura de la ciudad de todos de ser traído aquí" sería muy perjudicial para las propiedades adyacentes, nuestro barrio y la comunidad.

NAME	Address	Zip	Signature	Phone/Email
KATHRYN MARTINEZ	132 BRIERWOODS NW	87107	Kathryn Martinez	505 366-1431
Robert Bussell	213 Shannon	87107	Robert Bussell	
Frank Beal	205 Gans	87107	Frank Beal	867-5744
Gabriela Chacón	1266 Calle San Ysidro	87004	Gabby Chaca	gabriela.chacon@att.net
Jay Diana Rehbeik	701 Sueño Ln	87107	Jay Diana Rehbeik	344-9340
Stephen Hoffmann	603 Girard NE	87106	Stephen Hoffmann	
Maryanna New	427 arbutus DR NE	87107	Maryanna New	
Collins Raymond	823 Fitzgerald NW	87107	Collins Raymond	344-9686
Collins Ina	823 Fitzgerald NW	87107	Ina Collins	344-9686
Diane Harmond	1012 Morris St.	87123	Diane Harmond	604-0123
Jennifer Wells	89 Wyoming Avenue	87124	Jennifer Wells	409-7215
Christopher Butler	" " "	87124	Christopher Butler	903-3444
Mara Moore	370 Cherokee NW		Mara Moore	
Kate Baker	3533 Rio Grande Blvd	87107	Kate Baker	
Debra Shirley	6001 Maple PINE	87109	Debra Shirley	
Robbi Zubik	1724 PATRICK NW	87107	Robbi Zubik	
ADAM McCOMAS	3710 CHEROKEE RD.	87110	Adam McComas	
Nettie & Vigil	209 San Andres NW	87107	Nettie & Vigil	345-7595
Kathleen Kocou	113 Hilton Ave NW	87107	Kathleen Kocou	
Tenny McAllister	624 Salsr NW	87107	Tenny McAllister	
Fred von Borin	624 Salsr Rd NW	87107	Fred von Borin	503-3381
Heather Lewis	600 Bladen Rd NW	87107	Heather Lewis	804-2163
Alexander Wauwaka	5516 pr. access 3000 E	87112	Alexander Wauwaka	7287866
KIM PEREA	3809 Los Tomasos DR NW	87107	Kim Perea	Kap1156@yahoo.com
CYNTHY SAX	4448 3rd St NW	87107	Cynthia Sax	cynthysax@gmail.com

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NAME	Address	Zip	Signature	Phone/Email
Kimberly Stoppel	6024 Calle Nueva NW	87107	Kimberly Stoppel	505-379-7223
JEFF NEWLAND	3515 CAMPBELL FARM	87104	Jeff Newland	
Jadis Stepp	4404 ^{LADE NW} Edith	87107	Jadis Stepp	286-5000
Marcia Fernandez	2401 Violet SW	87105	Marcia Fernandez	811-9727
ANTIONETTE LUCERO	225 MILDRED AVE	87107	Antionette Lucero	344-5586
Martin Lucero	2509 Bixby ST NW	87120	Martin Lucero	697-1783
KATHY TALL	1856 Comanche St S	87123	Kathy Tall	298-3745
Marcia Fincal	141 Griegos Rd NW	87107	Marcia Fincal	550-4560
Gale Flack	7300 Kathleen NE	87110	Gale Flack	584-2043
Amberlyn Lopez	8010 Roma AVE NE	87108	Amberlyn Lopez	284-6428
Zachary Lopez	8010 Roma Ave NE	87108	Zachary Lopez	zlopez@nucenda.com
Edwin A KIRO	1004 Lynett Pl. NE	87104	Edwin Kiro	edwinn.kiro@YAHOO.COM
GRACE ALONZO	3116 Huecas SW	87105	Grace Alonso	
Gerard Monzo	1701 Corte de Resistencia NW	87104	Gerard Monzo	379-6517
Joe Sabatini	3514 6th ST NW	87107	Joe Sabatini	344-9212
Kristine Roy	3827 San Isidro St NW	87107	Kristine Roy	345-3909
Laurie Blackwood	3827 San Isidro St NW	87107	Laurie Blackwood	345-3909
OSCAR SAGIN	3770 12th ST NW	87107	Oscar Sagin	345-0117
Frank Peter	5126 Lomas de Arizaco NW	87105	Frank Peter	505-331-4466
Cornie Key	103 Tyrone N.W.	87107	Cornie Key	505-344-5515
PERRY KEI	113 TYRONE NW	87107	Perry Kei	505-344-5515
Kathleen Kocou	113 Hilton Ave NW	87107	Kathleen Kocou	505 715 7116
Denise Wheeler	3565 Rio Grand	87107	Joan Robins	505-341-2306
Joan Robins	"	87107	Denise Wheeler	"

EPC - # 1010582

Karen Hudson, Chair

I strongly object to a zone change by the city on many of the policies of R270-1980. These have been expressed in my first eleven letters which will be entered into the record at the hearing.

Pollution, noise and traffic are huge issues which are not being addressed by the Solid Waste Department. They seem to be more interested in their new offices and landscaping. I feel the site is too small for all they plan there.

One neighborhood association objected to the four lanes of traffic on San Pedro between the freeway and Lomas. That street is now two lanes and bike lanes. Mayor Berry and other city officials like bikes and buses but not their voters and the people who work hard to pay their salaries.

All (that is all of them) the North valley neighborhood associations have noted against the WTS in this location. The city does not hear us. We do not want a waste transfer station in the North valley.

I do not want a WTS. I use Policy 11D363. A waste transfer station is not efficient or economic use of garbage. Garbage is money when disposed of properly.

The city of vision our city officials talk about should not collect and transfer all to a land fill. There

is no mention of waste to energy, green waste use, separating and recycling more of the garbage. Much energy will be used in transporting everything to the land fill.

It is not efficient to haul garbage to one site and then truck all of it to the land fill.

The City and Solid Waste Department should not waste 38-48 million dollars on a WTS which will be obsolete by the time it is completed. The money should be spent on a privately owned recovery plant, a money maker, not a money waster. A recovery plant reuses garbage. Some even produce energy with the left over garbage that can not be reused.

I object to a second try at a zone change by the city.

Thank you, Marian Panione

Gould, Maggie S.

From: David Cudney <dbcudney@dbcudney.com>
Sent: Wednesday, January 04, 2017 6:35 PM
To: Gould, Maggie S.
Subject: Support for #1010582

To Whom it may concern , I am writing in strong support for project #1010582 The Edith Waste Transfer Station. I am a board member of the Wells Park Neighborhood Association although I am not speaking for the board. After close study of this project and attending several meetings and presentations at the North Valley Coalition I believe this project makes sense on so many levels. Economically, geographically and environmentally. It would be foolish to site this project anywhere else. It is frustrating to watch the opposition to this project because it seems to be a loud small minority of citizens effecting the forward progress of our great city. It has been my observation that each time a concern is raised and addressed the opposition go's back and thinks up a new one, they will never be satisfied.

I understand that change and new ways of doing things can be difficult but if this city is to flourish and move forward I believe we must support projects like the Edith Waste Transfer Station .

Thank You

David Cudney
1715 5th St. NW
87102
505-977-9643

January 4, 2017

Environmental Planning Commission
c/o Maggie Gould, Planning Department
City of Albuquerque

Re: EPC hearing on Project #1010582, Solid Waste Transfer Station

Dear Chair and Members of the EPC:

Please accept my comments for the record pertaining to the above-referenced case. Although I agree with others that there will be negative impacts on nearby neighborhoods, property values, and bicycle and pedestrian safety, I believe these are being well-addressed by others. My focus of concern is the operation of the I-25 frontage roads/ Comanche intersections. In my opinion, there has been an insufficient analysis of the impact of the proposed waste transfer station on these intersections.

This is a critical location along the Interstate in the Albuquerque metro area. Comanche is the first exit north of the Big I. There is a lot of rapid merging that must occur on the interstate for northbound I-25 vehicles desiring to exit at Comanche/Griegos. After the exit, further merging with the northbound frontage road traffic is required in a very short distance to the stoplight. It's a very difficult area, especially if the goal is to head east on Comanche. The frontage road system through the Big I funnels most of the northbound traffic from Downtown and UNM that is trying to access I-25 northbound through this intersection because it is the first entrance to the freeway available north of the Big I.

I don't believe that the Traffic Impact Analysis dated September 2015 adequately represents the complexity of the various turning movements occurring at this intersection. For example, semi-trucks from the truck stop that is in the northeast quadrant of the Big I use the northbound I-25 frontage road and then double back, heading west under the Interstate so that they can, in effect, make a U-turn

and access the southbound on-ramp to head back through the Big I. These are tight left turns and the trucks take up both of the double-left lanes in order to accomplish these turns safely. The right turn lane to access I-25 southbound from eastbound Griegos/Comanche is frequently backed up due to the infrequent gaps in traffic of southbound vehicles accessing the on-ramp. The trash hauling trucks will have a big impact on this problem. Traffic is nearly always backed during the day on the northbound leg of the Comanche/frontage road intersection, even though it is five lanes wide with a double left and dedicated right turn lane. I worry that the addition of the transfer trucks, additional regular garbage truck trips, and convenience center trips could at times result in back-ups on the freeway.

The non-peak hours identified in the September 2015 report are very slim periods of time: 1.5 hours in the morning and 1.5 hours in the afternoon.

I find it hard to accept the conclusions in the report as I understand them, that:

1) All collection trips will be during non-peak hours adding *zero* additional trips during peak hours; 2) That the 130 trips per day by the transfer trucks (which are eighteen wheelers) will not affect the level of service at the Comanche/I-25 frontage road intersections; and 3) that the increased traffic from the convenience center trips will not affect the level of service at the Comanche/I-25 intersections.

I sincerely suggest that further traffic analysis be required. The proposed location of the transfer station and convenience center into what is essentially the middle of town could result in dangerous road and highway conditions.

Very truly yours,

Susan Kelly

Susan Kelly

713 Camino Español NW

Albuquerque, NM

87107