



**Environmental
Planning
Commission**

*Agenda Number: 01
Project Number: 1010582
Case #: 15EPC-40051, 40052
November 5, 2015*

Staff Report

*(*Originally scheduled for October 8, 2015. No hearing due to lack of a quorum.)*

Agent	Wilson + Company Inc.
Applicant	COA Dept. of Municipal Development
Request	Zone Map Amendment (Zone Change), Site Development Plan for Building Permit
Legal Description	All or a portion of a northerly portion of Tract 107B1A1, Tract 107B1A1 excluding portion to right-of-way & excluding a northerly portion, Tract 107B1A2 excluding portion to right-of-way, Tract in the SW corner-Tract 107B1B, Tract 108A3A1A, Tract 108A3A1B, and Tract 108A3B, Tracts 108A1A2B1B & 108A1A2B2, Tract 108A1A2B1A, Tract 107B2A2 excluding portion to the right-of-way, Tract 107B2A1 excluding portion to the right-of-way, MRGCD MAP #33
Location	On Edith Blvd. and Comanche Rd.
Size	Approximately 22 Acres
Existing Zoning	M-1
Proposed Zoning	SU-1 for M-1, Solid Waste Transfer Station and Convenience Center

Staff Recommendation

APPROVAL of Case #15EPC-40051 based on the Findings beginning on Page # 30, and subject to the Conditions of Approval beginning on Page # 43.

APPROVAL of Case #15EPC-40052 based on the Findings beginning on Page # 43, and subject to the Conditions of Approval beginning on Page # 49.

**Staff Planner
Vicente M. Quevedo**

Summary of Analysis

This is a two part request for a Zone Map Amendment and a Site Development Plan for Building Permit on an approximately 22 acre site located on Edith Blvd. and Comanche Rd. to develop a solid waste transfer station and convenience center on City owned parcels.

The subject site is located within the Central and Established Urban Area of Comprehensive Plan and within the boundaries of the North Valley Area Plan.

The requested Zone Map Amendment is generally consistent with the requirements of R270-1980, the Comprehensive Plan and all other applicable plans. The Site Development Plan for Building permit is generally consistent with requirements of the Zoning Code. There is known neighborhood opposition to this request.



Agenda Item #1- Solid Waste Transfer Station

*Originally scheduled for October 8, 2015. No hearing due to lack of a quorum.
These Findings and Conditions replace those in the October Staff report, starting on p. 30.*

FINDINGS - 15EPC-40051 – November 5, 2015 - Zone Map Amendment (Zone Change)

1. This is a request for a Zone Map Amendment (Zone Change) from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center for all or a portion of a northerly portion of Tract 107B1A1, Tract 107B1A1 excluding portion to right-of-way & excluding a northerly portion, Tract 107B1A2 excluding portion to right-of-way, Tract in the SW corner- Tract 107B1B, Tract 108A3A1A, Tract 108A3A1B, and Tract 108A3B, Tracts 108A1A2B1B & 108A1A2B2, Tract 108A1A2B1A, Tract 107B2A2 excluding portion to the right-of-way, Tract 107B2A1 excluding portion to the right-of-way, MRGCD MAP #33, located on Edith Blvd. and Comanche Rd. NE and containing approximately 22 acres. This is a quasi-judicial matter.
2. The M-1 zoning designation for the subject site had been established at least as far back as 1972 (see attached, October 1972 Bernalillo County Zone Atlas, Vol. 1) per Bernalillo County M-1 designation requirements.
3. The subject site was not officially annexed into the City limits until 2002 at which time the subject site's M-1 zoning was established (Council Bill C/S O-02-27, Enactment # 22-2002) per the City of Albuquerque designation requirements.
4. An Integrated Waste Management Plan was presented and accepted by the Albuquerque City Council in September of 2010 (EC-10-183) which recommended the development of a solid waste transfer station although no site was specified.
5. City Council subsequently approved a priority objective for the Solid Waste Management Department to conduct an analysis of potential sites for a transfer and resource recovery park and submit a report to the Mayor and City Council. This was completed and submitted to City Council in 2011.
6. A Zone Map Amendment is not required for this use because the current zoning allows for the propose use. The requested zone map amendment is an exercise in transparency and public notice/involvement for the proposed use at this location.
7. According to City standards the requests do not warrant a traffic study.
8. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, Bikeways & Trails Facility Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

9. The subject site is within the Established / Central Urban Area of the Comprehensive Plan.
10. The request furthers the following applicable goals and policies of the Comprehensive Plan:

Central Urban Area

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

The Comprehensive Plan characterizes the Central Urban Area as the largest concentration of older (pre 1940) housing and a significant concentration of larger public and private buildings, cultural amenities, historic districts, and parks (Pg. I-32). The cited Central Urban goal includes a specific focus on arts, cultural, and public facilities/activities while recognizing and enhancing residential neighborhoods and the historic center of the City. The Comprehensive Plan defines public services/facilities as “City services and facilities funded through the Capital Improvement Program” (Glossary of Terms Pg. C-5). No CIP funding will be used for the construction of this proposed project. While the proposed use is technically located within the Central Urban Area of the Comprehensive Plan, the intent of the cited policy is more focused on public/cultural activities than the proposed use. However, a note on page II-33 states that “Development densities in the Central Urban Area should generally be higher than in other portions of [the] Established Urban [Area]”. Therefore, the request furthers the applicable portions of Policy II.B.6.a.

Established Urban Area

- B. 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.

The subject site is located in an industrial M-1 zoned area of the City. The proposed site development plan includes screening elements such as walls and trees. The Alameda Drain is located near the western edge of the subject site and redevelopment efforts will be coordinated with MRGCD to ensure that all pertinent requirements are met. Comanche Rd. and Edith Blvd. are designated Minor Arterials by the Interim Long Range Roadway System and have been designed to withstand the carrying capacities associated with the existing and proposed uses. Therefore, the request furthers Policy II.B.5.d.

- C. Policy II.B.5.e.: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The subject site is not vacant and is located within a industrial, M-1 zoned area of the City and programmed urban facilities already exist. The proposed project is

approximately 1300 ft. from the nearest residential zone/neighborhood. Therefore, the request furthers Policy II.B.5.e.

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

The subject site currently slopes east to west and drains into two designated retention ponds. The proposed development project will maintain the east to west slope on the site and continue to drain into designated retention ponds. Trail corridors within the development are not appropriate for the proposed industrial project. The request furthers Policy II.B.5.g.

- E. 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.

The proposed use will be located in an industrially zoned area and not located near a residential area. However, the proposed convenience center does compliment residential uses located further away from the subject site. Finally, the site development plan has been designed to minimize adverse effects of noise, lighting, pollution, and traffic on surrounding properties. Therefore, the request furthers Policy II.B.5.i.

- F. 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.

Comanche Rd. and Edith Blvd. are both designated Minor Arterials and run adjacent to the subject site. The nearest residential neighborhood is located approximately 1300 ft. west of the subject site. 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. Existing residential trash pick-up routes throughout the city will not change with the proposed use. Therefore, the request furthers Policy II.B.5.k.

- G. 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.

The site is proposed to be built of high quality construction materials such as concrete masonry, dual pane insulated tinted glass, steel doors and pre-cast concrete walls and employ a modern waste management facility design that is appropriate to the industrially zoned area in which the subject site is located. The design reflects best practices for this type of use. Therefore, the request furthers Policy II.B.5.l.

- H. 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.

The subject site is located within an industrial M-1 zoned area of the City. While there are no unique vistas to enhance, staff agrees with the applicant that the urban and site design of the proposed buildings and facilities along with landscape and streetscape improvements will greatly improve the visual quality of the industrial area in which the subject site is located. The request furthers Policy II.B.5.m.

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

- I. 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 agrees with the applicant that the adverse effects of automobile travel will be reduced through the efficient placement of the proposed use in an industrial area near the interstate, and a reduction of truck traffic trips on Interstate 40 that crosses the North Valley. Additionally, the centralized convenience center location will also reduce the vehicle miles travelled for the public. The request furthers Policy II.C.1.b.

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

Comanche Rd. and Edith Blvd. are designated Minor Arterials by the Interim Long Range Roadway System produced by the MRCOG. Minor Arterials generally prioritize slower moving traffic on the roadway. Additionally, the Traffic Impact Assessment, not required, but provided by the applicant, shows that the current level of service for the surrounding intersections currently meet a level of service D designation. New trips associated with the proposed use will still maintain a level of service D designation meaning that the new trips associated with the use will occur primarily outside of the AM and PM peak hour time frames. Therefore, the request furthers Policy II.C.1.c.

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

The applicant has stated that the proposed use would result in a reduction of 2 million vehicle miles traveled per year by the collection truck fleet and has stated that the Solid Waste Management fleet meets all tailpipe emissions standards. Agency comments submitted by the Environmental Health Department show that this reduction in vehicle miles traveled equates to an annual greenhouse gas emissions reduction of taking 936 cars off the road annually (see full text of attached agency comments for further details). Therefore, the request furthers Policy II.C.1.e.

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

The applicant has stated that the Solid Waste Management fleet meets all tailpipe emissions standards which are regulated by the EPA. 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 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.

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

The proposed transfer station building is enclosed and the transfer operations occur entirely within the building. Use of quick-close doors, air curtains and air filtration systems will help keep any potential noxious emissions from leaving the building. Therefore the request furthers Policy II.C.1.h.

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

The proposed transfer station is enclosed and the operations occur within the building. Use of quick-close doors, air curtains and air filtration systems will help keep any potential toxic air emissions from leaving the building. 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 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.k.

Water Quality: The goal is to maintain a dependable, quality supply of water for the urbanized area's needs.

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

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. Therefore, the request furthers Policy II.C.2.a.

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

Solid waste deliveries and trash compaction will occur within an enclosed building that has been designed to manage the site's storm water run-off that will serve to help mitigate potential water quality contamination. The request furthers Policy II.C.2.c.

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.

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

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.

- R. 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.

The proposed site plan includes upgraded recycling options for the citizens of Albuquerque thereby reducing the volume of waste and converting portions of the waste stream to useful products and/or energy. Therefore, the request furthers Policy II.C.3.b.

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

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

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.

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

Noise will be controlled at the site by an enclosed transfer station building that will utilize high speed doors to contain interior noise. Additionally, 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 assist in mitigating noise generated by the proposed use. The request furthers Policy II.C.4.a.

- U. 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. While the site development plan includes development strategies to reduce any noise generated by the site, there does not appear to be any noise sensitive land uses near the subject site. Therefore, the request furthers Policy II.C.4.b.

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

- V. 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.

The proposed public facility will be designed to include sufficient landscaping to 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.

- W. **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.

The proposed use for the subject site represents an efficient and equitable manner of managing the use of public services/facilities that is in accordance with other land use planning policies as demonstrated by the additional Comprehensive Plan policies cited as part of this report. The provision of a new convenience center for use by private residents improves the equitable distribution of this type of public service facility. The request furthers the Community Resource Management goal.

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

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

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.

Education: The goal is to provide a wide variety of educational and recreational opportunities available to citizens from all cultural, age and educational groups.

- Y. Policy II.D.7.e.: Variety and flexibility in educational and recreational resources shall be encouraged through joint use of facilities.

The proposed use will be integrated with the existing Keep Albuquerque Beautiful program for youth, residents and businesses to help encourage sustainability through waste reduction, recycling and other diversion methods. Therefore, the request furthers Policy II.D.7.e.

11. The request partially furthers the following applicable goals and policies of the North Valley Area Plan:

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

The programming for the convenience center that will be accessible by the public includes an option for 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.

12. The request furthers the following applicable goals and policies of the North Valley Area Plan:

Goals and Issues:

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

The transfer station and convenience center will discourage illegal dumping by providing a convenient location for North Valley citizens to haul their garbage, recyclables and household hazardous waste. It will also further 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.

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

1. maintaining the rural flavor of the North Valley
2. controlling growth and maintaining low density development
3. providing a variety of housing opportunities and life styles including differing socioeconomic types
4. reducing noise level impacts

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. Growth will be controlled through the use of a site development plan. The proposal does not include any proposed residential development. 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.

- C. 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.

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 and will retain this designation with the requested zone change;*
- *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;*
- *Agency comments submitted by the Environmental Health Department show that this reduction in vehicle miles traveled equates to an annual greenhouse gas emissions reduction of taking 936 cars off the road annually (see full text of attached agency comments for further details).*

Therefore, the request furthers NVAP Goal and Issue 3.

- D. To reduce or eliminate flooding and improve ponding and drainage capacities in the plan area.

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. Therefore, the request furthers NVAP Goal and Issue 5.

- E. 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 zone commercial/industrial.

The subject site is located within an established, industrial M-1 zoned area of the North Valley. The subject site was selected based on a feasibility study that was presented to and accepted by City Council (EC-14-11). This feasibility study was called for due to an increased demand for solid waste services. The proposed site development plan demonstrates that the proposed redevelopment of the subject site will be constructed of high quality materials such as concrete masonry, dual pane insulated tinted glass, steel doors and pre-cast concrete walls and employ a modern waste management facility design. Therefore, the request furthers NVAP Goal and Issue 6.

- F. To locate commercial and industrial development within the I-25 corridor, and selected areas along the I-40 corridor, especially as an alternative to extensive lower valley commercial/industrial development.

The North I-25 Corridor area is bounded on the east by the Interstate, on the west by the mesa edge and the North Diversion Channel, and by the plan area boundaries on the north and south. The subject site is near the southern border of the I-25 Corridor and is located within an established, industrial M-1 zoned area of the North Valley east of the lower valley area. Therefore, the request furthers NVAP Goal and Issue 11.

Plan Policies, Zoning and Land Use:

- G. Transportation: The City and County shall encourage the smooth flow of traffic on arterials.

Comanche Rd. and Edith Blvd. are both designated Minor Arterials. The traffic impact analysis completed for the project shows that the majority of the new trips associated with the proposed use occur primarily outside of the AM and PM peak hours and maintain the existing level of service D designation for the surrounding intersections. Therefore, the request furthers NVAP Zoning and Land Use Transportation Policy 1.

- H. 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.

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.

- I. 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.

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.

13. The request furthers the following applicable goals and policies of the Bikeways & Trails Facility Plan:

- A. Goal 1: Improve and enhance cycling and pedestrian opportunities.

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.

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

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.

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 applicant has stated that the project team will continue coordinating and discussing potential improvements with the bicycling community. The request furthers Goal 1 and Objective 3 of the Bikeways & Trails Facility Plan.

14. The applicant has justified the zone change request pursuant to R-270-1980 as follows:
- A. Staff agrees that the request is consistent with the health, safety, morals, and general welfare of the city per the cited Comprehensive Plan policies outlined in the Policy Analysis section above.
 - B. Staff agrees that site plan control for the proposed use on the subject site and the fact that the proposed use will be located within an existing, industrially zoned area will contribute to stability of land use and zoning.
 - C. See Findings 9 -12 above for full policy analysis of applicable plans, goals and policies.
 - D. Based on a priority objective by the Albuquerque City Council to conduct an analysis of potential sites for a transfer and resource recovery park in order to address the growing public need for a more efficient, economical and environmentally sound method of solid waste disposal (EC-10-183), staff agrees that this proposed use fulfills this public need and therefore is more advantageous to the community as articulated in the Comprehensive Plan and North Valley Area Plan.
 - E. Staff agrees that the subject site is located within an industrially zoned area and that there are no residential neighborhoods adjacent to the subject site (based on discussions with the Legal Department, the term community is interpreted to mean the City as a whole). Therefore, the permissive uses in the zone will not be harmful to adjacent property, the neighborhood, or the community.
 - F. Staff agrees that the proposed zone change will not require any major and un-programmed capital expenditures by the City.
 - G. Staff agrees that the cost of land or other economic considerations pertaining to the applicant are not the sole determining factor for the change of zone. The change of zone

- will assist the applicant in fulfilling the public need for a more efficient, economical and environmentally sound method of solid waste disposal.
- H. Staff agrees that the subject site's location on a major street is not the sole determining factor for the zone change request. Additionally, the applicant is not requesting a zone change to apartment, office, or commercial zoning.
 - I. Staff agrees that the subject site does not constitute a small area as it comprises approximately 22 acres. All SU-1 zones are spot zones by their nature as a "custom zone". The proposed SU-1 zoning is a justifiable spot zone as it clearly facilitates realization of the Comprehensive Plan and North Valley Area Plan.
 - J. Staff notes that the proposed zone change request does not constitute strip zoning.
15. The applicant conducted a public involvement program during the proposed transfer station planning and design process. Several public meetings with community members and area business owners were held, and a Design Advisory Task Force was convened made up of representatives from area neighborhood associations, project team members. A total of 3 public facilitated meetings, 1 area business owners meeting, and 6 Design Advisory Task Force well attended meetings took place over a seven month period from December 2014 – July 2015, and all were well attended. The public meetings included Spanish translation services provided by the City of Albuquerque and Planning Staff translated the Notice of Public Hearing for the October 8, 2015 EPC Hearing from English to Spanish.
16. The Greater Gardner NA, Near North Valley NA, North Edith Commercial Corridor Association, Stronghurst Improvement Association Inc., and the North Valley Coalition and property owners within 100 feet of the subject site were all notified regarding this request. The Office of Neighborhood Coordination recommended this case for a facilitated meeting. The applicant agreed to the facilitated meeting, however the recognized neighborhood organizations notified of the request for a facilitated meeting declined to participate.
17. Staff received written public comments from neighborhood association representatives, area residents, local business owners, and State Legislators opposing the requests.

RECOMMENDATION - 15EPC-40051 – November 5, 2015

APPROVAL of 15EPC-40051, a request for Zone Map Amendment from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center for all or a portion of a northerly portion of Tract 107B1A1, Tract 107B1A1 excluding portion to right-of-way & excluding a northerly portion, Tract 107B1A2 excluding portion to right-of-way, Tract in the SW corner- Tract 107B1B, Tract 108A3A1A, Tract 108A3A1B, and Tract 108A3B, Tracts 108A1A2B1B & 108A1A2B2, Tract 108A1A2B1A, Tract 107B2A2 excluding portion to the right-of-way, Tract 107B2A1 excluding portion to the right-of-way, MRGCD MAP #33, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 15EPC-40051 – November 5, 2015 Zone Map Amendment (Zone Change)

1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code. If such requirement is not met within six months after the date of EPC approval, the zone map amendment is void. The Planning Director may extend this time limit up to an additional six months upon request by the applicant.

FINDINGS - 15EPC-40052 – November 5, 2015 - Site Development Plan for Building Permit

1. This is a request for a Site Development Plan for Building Permit for all or a portion of a northerly portion of Tract 107B1A1, Tract 107B1A1 excluding portion to right-of-way & excluding a northerly portion, Tract 107B1A2 excluding portion to right-of-way, Tract in the SW corner-Tract 107B1B, Tract 108A3A1A, Tract 108A3A1B, and Tract 108A3B, Tracts 108A1A2B1B & 108A1A2B2, Tract 108A1A2B1A, Tract 107B2A2 excluding portion to the right-of-way, Tract 107B2A1 excluding portion to the right-of-way, MRGCD MAP #33, located on Edith Blvd. and Comanche Rd. NE and containing approximately 22 acres. This is a quasi-judicial matter.
2. The Site Development Plan for Building Permit is being requested to develop a Solid Waste Transfer Station and Convenience Center.
3. The proposed use is permissive per the current M-1 zoning for the subject site, however the applicant is requesting a Zone Map Amendment to the more restrictive SU-1 zoning designation in conjunction with the Site Development Plan for Building Permit
4. The M-1 zoning designation for the subject site had been established at least as far back as 1972 (see attached, October 1972 Bernalillo County Zone Atlas, Vol. 1) per Bernalillo County M-1 designation requirements.
5. The subject site was not officially annexed into the City limits until 2002 at which time the subject site's M-1 zoning per the City of Albuquerque requirements was established (Council Bill C/S O-02-27, Enactment # 22-2002).
6. The Albuquerque/Bernalillo County Comprehensive Plan, North Valley Area Plan, Bikeways & Trails Facility Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

7. Section 14-16-3-11 of the Zoning Code states, "...Site Development Plans are expected to meet the requirements of adopted city policies and procedures." As such, staff has reviewed the attached site development plan for conformance with applicable goals and policies in the Comprehensive Plan and the Comprehensive Zoning Code requirements. The request furthers the following applicable goals and policies of the Comprehensive Plan:

Established Urban Area

- A. 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.

The subject site is located in an industrial M-1 zoned area of the City. The proposed site development plan includes screening elements such as walls and trees. The Alameda Drain is located near the western edge of the subject site and redevelopment efforts will be coordinated with MRGCD to ensure that all pertinent requirements are met. Comanche Rd. and Edith Blvd. are designated Minor Arterials by the Interim Long Range Roadway System and have been designed to withstand the carrying capacities associated with the existing and proposed uses. Therefore, the request furthers Policy II.B.5.d.

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

The subject site currently slopes east to west and drains into two designated retention ponds. The proposed development project will maintain the east to west slope on the site and continue to drain into designated retention ponds. Trail corridors within the development are not appropriate for the proposed industrial project. The request furthers Policy II.B.5.g.

- C. 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.

The proposed use will be located in an industrially zoned area and not located near a residential area. However, the proposed convenience center does compliment residential uses located further away from the subject site. Finally, the site development plan has been designed to minimize adverse effects of noise, lighting, pollution, and traffic on surrounding properties. Therefore, the request furthers Policy II.B.5.i.

- D. 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.

The site is proposed to be built of high quality construction materials such as concrete masonry, dual pane insulated tinted glass, steel doors and pre-cast concrete walls and employ a modern waste management facility design that is appropriate to the industrially zoned area in which the subject site is located. The design reflects best practices for this type of use. Therefore, the request furthers Policy II.B.5.l.

- E. 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.

The subject site is located within an industrial M-1 zoned area of the City. While there are no unique vistas to enhance, staff agrees with the applicant that the urban and site design of the proposed buildings and facilities along with landscape and streetscape improvements will greatly improve the visual quality of the industrial area in which the subject site is located. The request furthers Policy II.B.5.m.

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

The proposed transfer station building is enclosed and the transfer operations occur entirely within the building. Use of quick-close doors, air curtains and air filtration systems will help keep any potential noxious emissions from leaving the building. Therefore the request furthers Policy II.C.1.h.

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

The proposed transfer station is enclosed and the operations occur within the building. Use of quick-close doors, air curtains and air filtration systems will help keep any potential toxic air emissions from leaving the building. 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 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.k.

Water Quality: The goal is to maintain a dependable, quality supply of water for the urbanized area's needs.

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

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. Therefore, the request furthers Policy II.C.2.a.

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

Solid waste deliveries and trash compaction will occur within an enclosed building that has been designed to manage the site's storm water run-off that will serve to help mitigate potential water quality contamination. The request furthers Policy II.C.2.c.

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.

- J. 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.

The proposed site plan includes upgraded recycling options for the citizens of Albuquerque thereby reducing the volume of waste and converting portions of the waste stream to useful products and/or energy. Therefore, the request furthers Policy II.C.3.b.

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

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

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.

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

Noise will be controlled at the site by an enclosed transfer station building that will utilize high speed doors to contain interior noise. Additionally, 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 assist in mitigating noise generated by the proposed use. The request furthers Policy II.C.4.a.

- M. 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. While the site development plan includes development strategies to reduce any noise

generated by the site, there does not appear to be any noise sensitive land uses near the subject site. Therefore, the request furthers Policy II.C.4.b.

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

- N. 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.

The proposed public facility will be designed to include sufficient landscaping to 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.

8. The request furthers the following applicable goals and policies of the North Valley Area Plan:

Goals and Issues:

- A. To reduce or eliminate flooding and improve ponding and drainage capacities in the plan area.

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. Therefore, the request furthers NVAP Goal and Issue 5.

- B. 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 zone commercial/industrial.

The subject site is located within an established, industrial M-1 zoned area of the North Valley. The subject site was selected based on a feasibility study that was presented to and accepted by City Council (EC-14-11). This feasibility study was called for due to an increased demand for solid waste services. The proposed site development plan demonstrates that the proposed redevelopment of the subject site will be constructed of high quality materials such as concrete masonry, dual pane insulated tinted glass, steel doors and pre-cast concrete walls and employ a modern waste management facility design. Therefore, the request furthers NVAP Goal and Issue 6.

- C. To locate commercial and industrial development within the I-25 corridor, and selected areas along the I-40 corridor, especially as an alternative to extensive lower valley commercial/industrial development.

The North I-25 Corridor area is bounded on the east by the Interstate, on the west by the mesa edge and the North Diversion Channel, and by the plan area boundaries on the north and south. The subject site is near the southern border of the I-25 Corridor and is located within an established, industrial M-1 zoned area of the North Valley east of the lower valley area. Therefore, the request further NVAP Goal and Issue 11.

9. The applicant conducted a public involvement program during the proposed transfer station planning and design process. Several public meetings with community members and area business owners were held, and a Design Advisory Task Force was convened made up of representatives from area neighborhood associations, project team members. A total of 3 public facilitated meetings, 1 area business owners meeting, and 6 Design Advisory Task Force well attended meetings took place over a seven month period from December 2014 – July 2015, and all were well attended. The public meetings included Spanish translation services provided by the City of Albuquerque and Planning Staff translated the Notice of Public Hearing for the October 8, 2015 EPC Hearing from English to Spanish.
10. The Greater Gardner NA, Near North Valley NA, North Edith Commercial Corridor Association, Stronghurst Improvement Association Inc., and the North Valley Coalition and property owners within 100 feet of the subject site were all notified regarding this request. The Office of Neighborhood Coordination recommended this case for a facilitated meeting. The applicant agreed to the facilitated meeting, however the recognized neighborhood organizations notified of the request for a facilitated meeting declined to participate.
11. Staff received written public comments from neighborhood association representatives, area residents, local business owners, and State Legislators opposing the requests.
12. Although the written public comments do not specifically reference the proposed Site Development Plan for Building Permit, the Site Development Plan is associated with the requested Zone Change to SU-1. The zone map amendment does not become effective until the accompanying site development plan is approved by the DRB, pursuant to §14-16-4-1(C)(16) of the Zoning Code.

RECOMMENDATION - 15EPC-40052 – November 5, 2015

APPROVAL of 15EPC-40052, a request for Site Development Plan for Building Permit, for all or a portion of a northerly portion of Tract 107B1A1, Tract 107B1A1 excluding portion to right-of-way & excluding a northerly portion, Tract 107B1A2 excluding portion to right-of-way, Tract in the SW corner-Tract 107B1B, Tract 108A3A1A, Tract 108A3A1B, and Tract 108A3B, Tracts 108A1A2B1B & 108A1A2B2, Tract 108A1A2B1A, Tract 107B2A2 excluding portion to the right-of-way, Tract 107B2A1 excluding portion to the right-of-way, MRGCD MAP #33, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL – 15EPC-40052 – November 5, 2015 Site Development Plan for Building Permit

1. The EPC delegates final sign-off authority of this site development plan to the Development Review Board (DRB). The DRB is responsible for ensuring that all EPC Conditions have been satisfied and that other applicable City requirements have been met. A letter shall accompany the submittal, specifying all modifications that have been made to the site plan since the EPC hearing, including how the site plan has been modified to meet each of the EPC conditions. Unauthorized changes to this site plan, including before or after DRB final sign-off, may result in forfeiture of approvals.
2. Prior to application submittal to the DRB, the applicant shall meet with the staff planner to ensure that all conditions of approval are met.
3. Sheet SP-1 of the site development plan shall be revised to indicate:
 - a. The correct proposed zoning designation of SU-1 for M-1, Solid Waste Transfer Station and Convenience Center;
 - b. Indicate where all proposed site lighting will be located;
 - c. All sidewalk dimensions;
 - d. The location of all proposed bicycle racks;
 - e. Symbols / general notes indicating where all walls, fencing and screening shall be located;
 - f. Include a symbol and note indicating the location of each free standing monument sign.
4. Water Utility Authority – Conditions of Approval:
 - Confirm if 48” sanitary sewer interceptor has associated public easement along entire corridor on the subject site. Conceptual Utility Plan indicates a 20’ Public Sanitary Sewer easement for this facility only for the southern portion. Development must grant public easement for entire length of the public sanitary sewer interceptor. No structure shall be located along the interceptor.
 - Conceptual Utility Plan indicates private sanitary sewer connection to the existing 48” interceptor. This is not acceptable.
 - Conceptual Utility Plan indicates a looped waterline. This is not acceptable. The onsite waterline shall be private and only connect to the existing public waterline system at one location.

5. Parks and Recreation – Conditions of Approval:

- The Landscape wording on the Landscape Plan that states that the Solid Waste Department will maintain all landscaping and irrigation on their site shall also be added to the Site Development Plan for Building Permit. Also, an informational comment is that a proposed unpaved trail along the Alameda Lateral is identified on the newly adopted Bikeways and Trails Plan. It may be possible to develop this as part of the landscaping improvements along the existing ditch w/agreement from MRGCD.

6. Solid Waste Management Department, Refuse Division – Conditions of Approval:

- Project #1010582 – Provide refuse locations for Administration building and vehicle maintenance building.

7. Fire Department / Planning – Conditions of Approval:

- This project was reviewed and more information is needed. Hydrant locations shall be provided and street dimensions shall be provided. Construction Type and Square Footage shall also be provided.

8. Public Service Company of New Mexico – Conditions of Approval:

- Existing overhead distribution lines are located on the southwest portion of the subject property. It is applicant's obligation to abide by any conditions or terms of those easements.
- Coordination with PNM will be necessary for this project regarding proposed tree species, tree height at maturity, tree placement and lighting height in order to ensure sufficient safety clearances to avoid interference with the existing electric facilities at the southwestern portion of the property. The proposed tree species is not a compatible height with the existing overhead electric distribution utilities at this location. A shorter tree selection at mature height is recommended at this location. PNM's landscaping preference is for trees and shrubs to be planted outside the PNM easement; however, if within the easement, trees and shrubs should be located to minimize effects on electric facility maintenance and repair. New trees planted near PNM facilities should be no taller than 25 feet in height at maturity to avoid conflicts with existing electric infrastructure.
- It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project and electric facilities indicated on the Conceptual Utility Plan, Sheet UT-1. Contact:

Mike Moyer
PNM Service Center
4201 Edith Boulevard NE
Albuquerque, NM 87107
Phone: (505) 241-3697

9. Middle Rio Grande Conservancy District – Conditions of Approval:

Site Development Plan (Sheet No. SP-2)

- The existing site is accessed via an existing road culvert crossing across the Alameda Lateral Right-of-Way off Edith Boulevard. A new road crossing is being proposed. The existing road culvert crossing must be removed and the District recommends a bridge crossing or equivalent structure be installed with a weight capacity to withstand refuse truck traffic.
- Any damaged I removed shotcrete lining must be replaced in-kind to the satisfaction of the MRGCD.
- Provide more detail for the new road crossing across the Alameda Lateral Right-of-Way.
- The District's maintenance road must remain unobstructed on both sides of the Alameda Lateral.
- A portion of the Alameda Lateral is in pipe on the south end of project site and is proposed to be used as a driveway and parking lot. A license from the MRGCD will be required to use the surface area of the Alameda Lateral Right- of-Way.
- The site plan references walls, fencing & screens along the Alameda Lateral
- Right-of-Way. Provide more detail regarding this improvement, what kind of fence I wall and what is the height.
- MRGCD requires access from the Alameda Lateral Right-of-Way onto Rankin Road. What precautions are being proposed to keep trash from blowing into the Alameda Lateral?
- A 20' turn around must be maintained around the inlet end of the culvert pipe where the Alameda Lateral is in pipe.

Landscape Plan (Sheet No. L-1)

- At the south end of the site trees and shrubs are proposed within Alameda Lateral Right-of-Way. No trees and or shrubs are permitted within any section of the Alameda Lateral Right-of-Way.

Conceptual Grading & Drainage Plan (Sheet No. GR-1)

- Under no circumstance shall site drainage be allowed to discharge into the Alameda Lateral.
- Drainage from the site will be conveyed to two detention ponds located on the project site. The detention ponds must be designed with a water quality structure which will clean /remove contaminates from storm flows prior to being discharged from the detention ponds.

- The conceptual site grading and drainage plan references a maximum allowable discharge of 47.6cfs. How was the allowable discharge rate determined, is this identified in a master drainage report?
- What storm event are the detention ponds sized for?
- Conceptual Utility Plan (Sheet No. UT-I)
- Utilities within the Alameda Lateral Right-of-Way must be installed in compliance with the attached specifications and must also be licensed by the MRGCD.

10. The Site Development Plan shall comply with the General Regulations of the Zoning Code, the Subdivision Ordinance, and all other applicable design regulations, except as specifically approved by the EPC.

Vicente M. Quevedo
Planner

Notice of Decision cc list:

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Antoinette Vigil, 215 San Andres NW, Albuquerque, NM 87107

Joe Sabatini, 3514 6th Street NW, Albuquerque, NM 87107

Susan Lester, 435 Phoenix NW, Albuquerque, NM 87107

Bob Warrick, 444 Niagra NW, Albuquerque, NM 871113

Christine Benavidez, 10417 Edith NE, Albuquerque, NM 87113

Hope McIntosh, 3022 Arno NE, Albuquerque, NM 87107

Mark Lines, 3010 Arno NE, Albuquerque, NM 87107

Kyle Silfer, P.O. Box 70232, Albuquerque, NM 87197

Doyle Kimbrough, 2327 Campbell Rd. NW, Albuquerque, NM 87104