



**Environmental
Planning
Commission**

**Agenda Number: 07
Project Number: 1010582
Case #: 15EPC-40051, 40052
October 8, 2015**

Staff Report

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.

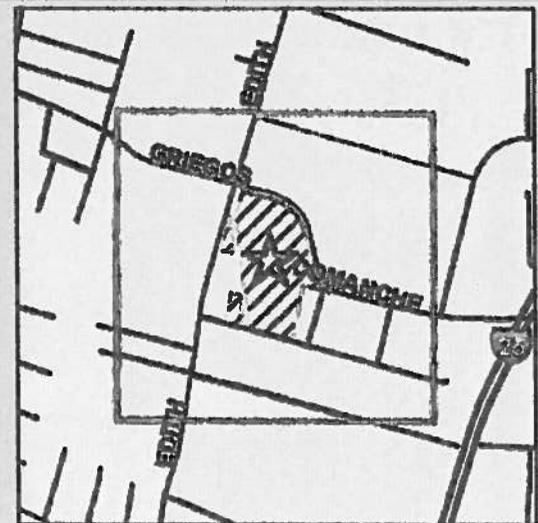
**Staff Planner
Vicente M. Quevedo**

Summary of Analysis

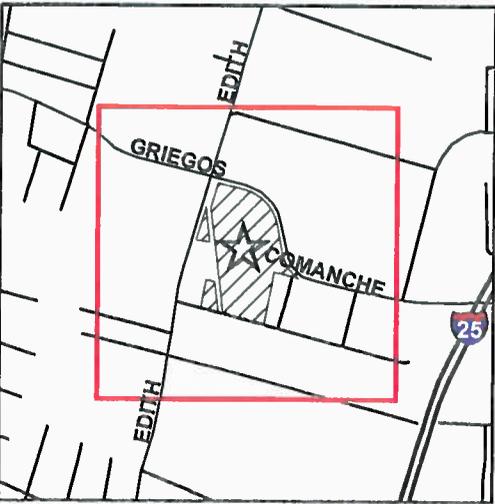
This is a two part request for a Zone Map Amendment and a Site Development Plan for Building Permit on an approximately 22 acre site located on Edith Blvd. and Comanche Rd. to develop a solid waste transfer station and convenience center on City owned parcels.

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.



City Departments and other interested agencies reviewed this application from 08/31/2015 to 09/11/2015
Agency comments used in the preparation of this report begin on Page # 54.



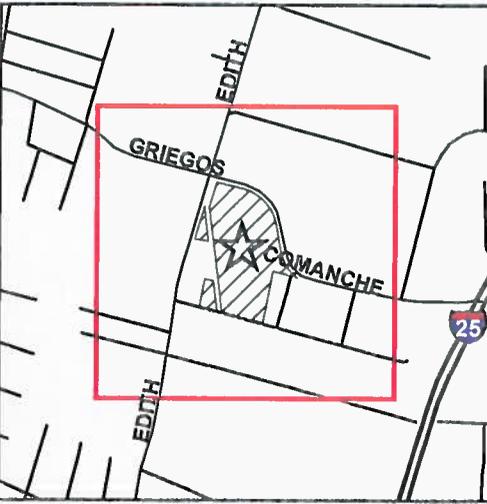
ZONING MAP

Note: Grey shading indicates County.



1 inch = 400 feet

Project Number:
1010582
Hearing Date:
10-8-2015
Zone Map Page: G-15
Additional Case Numbers:
15EPC40051 & 40052



LAND USE MAP

Note: Gray shading indicates County.

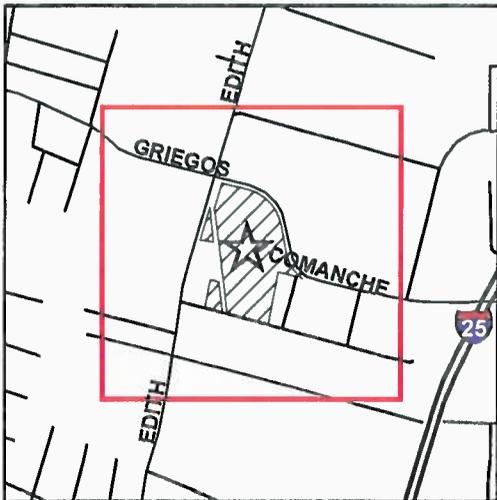
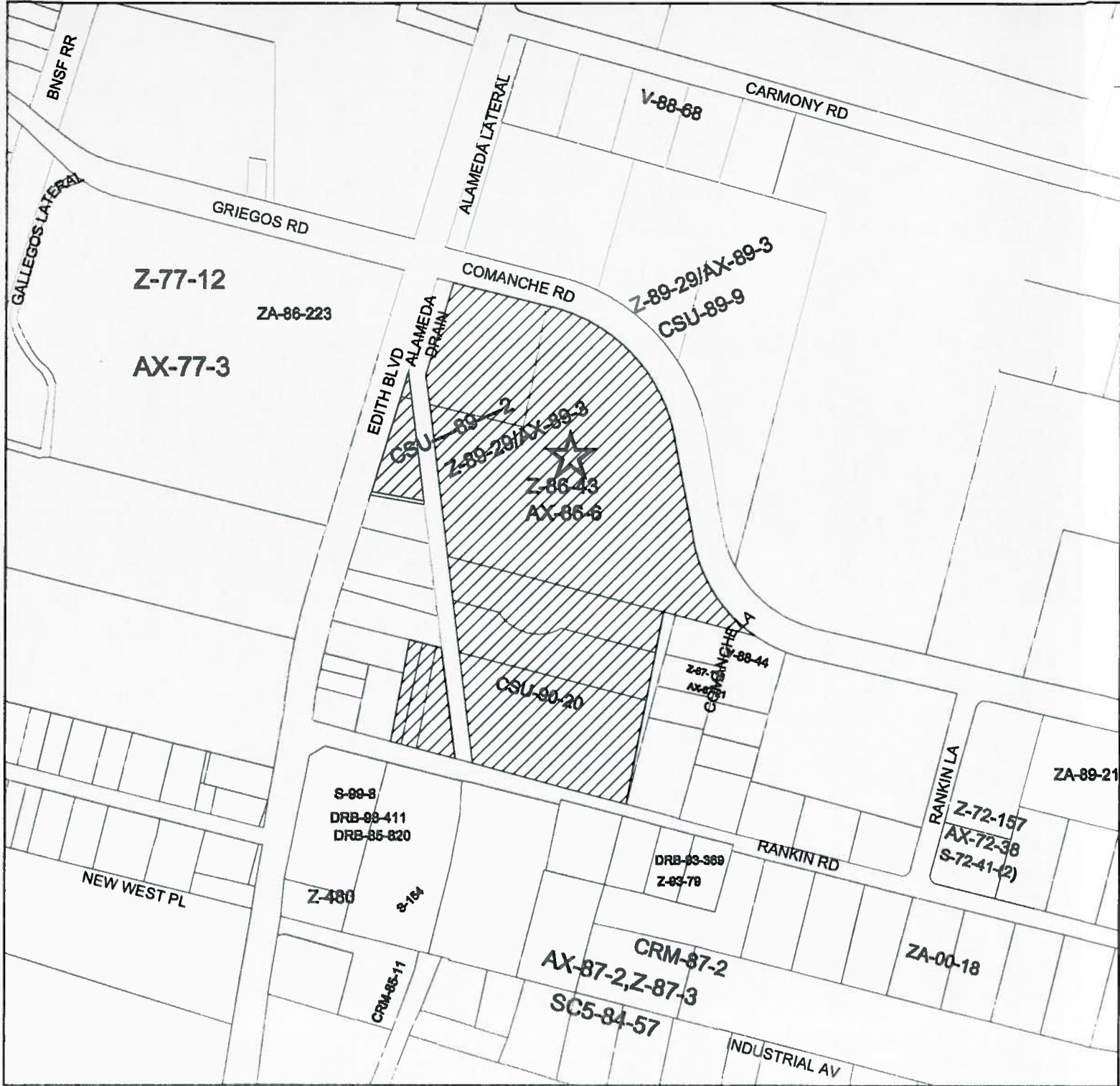
KEY to Land Use Abbreviations

- AGRI Agriculture
- COMM Commercial - Retail
- CMSV Commercial - Service
- DRNG Drainage
- MFG Manufacturing
- MULT Multi-Family or Group Home
- PARK Park, Recreation, or Open Space
- PRKG Parking
- PUBF Public Facility
- SF Single Family
- TRAN Transportation Facility
- VAC Vacant Land or Abandoned Buildings
- WH Warehousing & Storage



1 inch = 400 feet

Project Number:
1010582
Hearing Date:
10-8-2015
Zone Map Page: G-15
Additional Case Numbers:
15EPC40051 & 40052



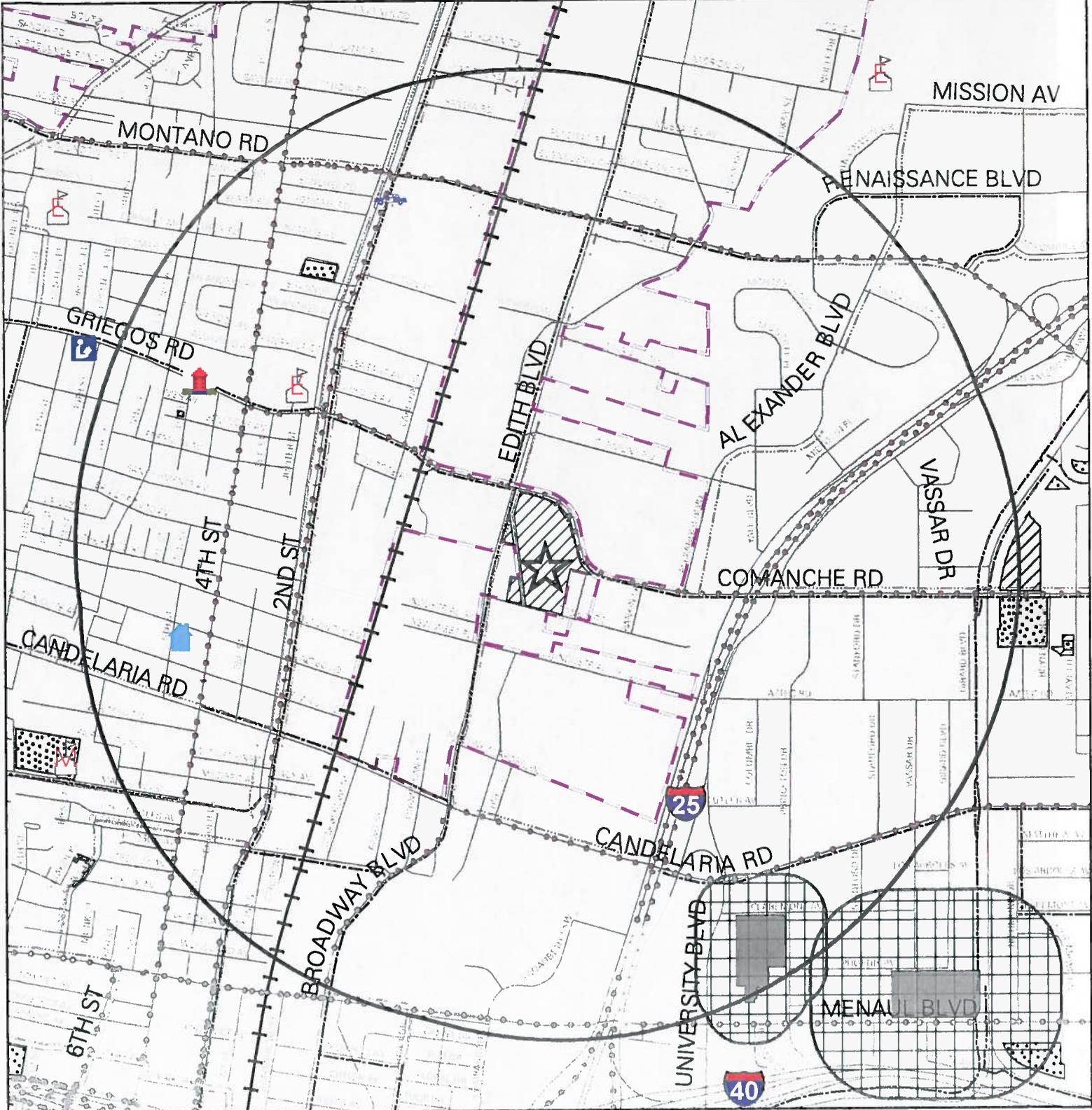
HISTORY MAP

Note: Grey shading indicates County.



1 inch = 400 feet

Project Number:
1010582
Hearing Date:
10-8-2015
Zone Map Page: G-15
Additional Case Numbers:
15EPC40051 & 40052

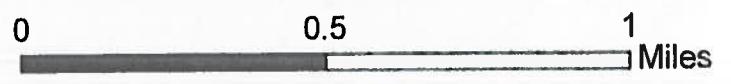


Public Facilities Map with One-Mile Buffer



- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER | FIRE | APS Schools | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE | ABQ Ride Routes | Landfills designated by EHD |
| SENIOR CENTER | SHERIFF | ABQ Bike Facilities | Developed County Park |
| LIBRARY | SOLID WASTE | Proposed Bike Facilities | Undeveloped County Park |
| MUSEUM | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |

Project Number: 1010582



I. AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	COA M-1	Central / Established Urban Area; North Valley Area Plan	Public / Institutional / Commercial Service / Drainage / Flood Control
North	COA M-1, C-1, Bernalillo County M-1	Central / Established Urban Area; North Valley Area Plan	Industrial / Manufacturing / Wholesaling / Warehousing
South	COA M-1, Bernalillo County M-1	Central / Established Urban Area; North Valley Area Plan	Industrial / Manufacturing
East	COA M-1, Bernalillo County M-1	Central / Established Urban Area; North Valley Area Plan	Industrial / Manufacturing / Commercial Service / Wholesaling / Warehousing
West	COA M-1, Bernalillo County M-1	Central / Established Urban Area; North Valley Area Plan	Commercial Service / Wholesale / Warehousing / Non-conforming Residential

II. INTRODUCTION

Proposal

This is a two part request for a Zone Map Amendment (Zone Change) to rezone the subject site from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center and a Site Development Plan for Building Permit to construct four structures to include a transfer station / convenience center building, an administrative building, vehicle maintenance building, and a household hazardous waste building. A parking structure, bin repair area and recycling drop-off area are also proposed. The subject site is approximately 22 acres and is located at the southeast corner of Edith and Comanche.

EPC Role

The EPC is hearing this case because the EPC has the authority to hear all zone map amendment requests (zone change), regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

History/Background

The oldest zone atlas for Bernalillo County within the Planning Department's archives show that 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. The applicant has stated that the Solid Waste Department has been operating M-1 related uses from the subject site since 1980.

Planning Department archives also show that in 1986, a request for annexation and establishment of M-1 zoning was submitted for EPC review (AX-86-6/Z-86-43). This requested action was later withdrawn by the applicant on June 25, 1986. 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). 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).

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. 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 (see attached Council Bill R-09-225, Enactment # R-2009-077, pg. 10). This was completed and submitted to City Council in 2011. A total of 6 potential sites were assessed and the Edith site was ultimately recommended.

Context

The subject site is located within an industrial area of the North Valley on the southeast corner of Comanche Rd. and Edith Blvd. An existing Solid Waste Management Department Facility is located on the subject site. There is a mix of City and County land parcels surrounding the subject site, with the majority of the adjacent and nearby parcels zoned M-1. The Bernalillo County Code of Ordinances states that the purpose of the Bernalillo County M-1 Light Industrial Zone is primarily for light manufacturing, light fabricating, warehousing and wholesale distribution with off-street loading and off-street parking for employees, and with access to arterial highways or railroads.

Land uses for the parcels adjacent to and nearby the subject site include: industrial, manufacturing, commercial service, wholesaling and warehousing. However, staff notes that three County parcels, approximately 700 ft to the southwest of the center of the subject site, contain existing, non-conforming single-family residential land uses. The nearest residential zone is approximately 1300 ft west of the subject site.

Transportation System

The Interim Long Range Roadway System (ILRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of surrounding roadways as:

- The ILRRS designates Interstate 25 as an Existing Urban Interstate.
- The ILRRS designates Comanche Rd. and Edith Blvd. as Minor Arterials.

- The ILRRS designates Rankin Rd. as a Local Street.

Comprehensive Plan Corridor Designation

Interstate 25 is designated as an existing Express Transit Corridors with the intent to create a network of roadways that would be dedicated to developing higher speeds with fewer interruptions to travel for the car and public transit vehicles.

Trails/Bikeways

There is an existing bicycle lane along Comanche Rd. and an existing bicycle route along Edith Blvd.

Transit

Comanche Commuter Route #13 runs east to west along and passes the site along Comanche Rd. The closest bus stops are near just east of the subject site near Comanche Rd. and Comanche Ln., and just west of the subject site on Griegos Rd. just west of Edith Blvd.

Public Facilities/Community Services

The following public facilities are located within a mile buffer of the subject site: A developed city park, the Menaul/University Landfill (No longer in operation), senior center, fire station, police station, and La Luz Elementary School. Please also refer to the Public Facilities Map (see attachment). The Environmental Health Department has noted that the proposed transfer station is not located within a landfill buffer and will not require a landfill gas assessment or mitigation report.

Environmental Protection Agency Information/Publications

"Waste Transfer Stations: Involved Citizens Make the Difference"

According to this Environmental Protection Agency (EPA) publication(January 2001, see attached), a Transfer Station is a light industrial-type facility where trash collection trucks discharge their loads so trash can be compacted and then reloaded into larger vehicles for shipment to a final disposal site such as a landfill or waste-to-energy facility. Transfer Stations are needed to move residential waste efficiently from the point of collection to distant, regional landfills. Transfer Stations also reduce overall traffic by consolidating smaller loads into larger vehicles but should be located in industrial areas that have ready access to major roadways. Some important design and operating features that should be used include:

- Selecting sites that have direct access to truck routes, highways and rail or barge terminals;
- Designating haul routes to and from the transfer station that avoid congested areas, residential areas, business districts, schools, hospitals and other sensitive areas.

Noise issues can be addressed through the use of design and operating practices that:

- Confine noise producing activities within buildings or other enclosures;

- Using landscaping, sound barriers, and earth berms to absorb exterior noise;
- Providing setback distances, called buffer zones to separate noisy activities from adjacent land uses.

Odor and vermin issues can be addressed through the following operating procedures:

- Waste handling practices that keep waste on site only for short periods of time;
- Carefully positioning doorways with respect to neighboring properties;
- Use of exhaust fans with air filters and rooftop exhaust vents can further reduce off-site odor impacts.
- The presence of vermin can be minimized by removing all waste deliveries by the end of each day, cleaning the receiving floor daily and receiving waste only within an enclosed structure.

EPA Manual – “Waste Transfer Stations: A Manual for Decision-Making”

The intent of this EPA manual is to promote the use of best practices in transfer station siting, design, and operation to maximize facilities’ effectiveness and efficiency, while minimizing their impact on the community (May, 2001, see attached). This is an advisory document that serves to assist industry, local governmental and public stakeholders in siting, designing and operating transfer stations. The manual states that continuous public participation is integral to developing a transfer station, and recommends convening public advisory committees to integrate community needs and encourage civic engagement throughout the decision-making process.

The manual recommends that decision-makers weigh the planning, siting, designing, and operating costs against the savings the transfer station might generate from reduced hauling costs. Additionally, the manual suggests the following technical siting criteria be considered when selecting an adequate transfer station site:

- Central location to collection routes;
- Access to major transportation routes;
- Site size requirements;
- Sufficient space for onsite roadways, queuing and parking;
- Truck and traffic compatibility;
- Ability for expansion;
- Space for recycling, composting and public education;
- Buffer space;
- Gently sloping topography;
- Access to utilities;

- Zoning designations and Requirements.

New Mexico Environment Department Permitting Requirements

In addition to City of Albuquerque Environmental Planning Commission, Design Review Board, and Building and Safety approval and permitting requirements, the applicant will also be required to apply for approval of operating permits through the New Mexico Environment Department (NMED), who is responsible for monitoring and controlling the generation, storage, transportation, and disposal of wastes in New Mexico. The Solid Waste Facility Application requirements are contained within Section 20.9.3.8. of the State of New Mexico Administrative Code (see attached) and generally include site maps, facility drawings, operating plans, contingency plans, waste screening plans, traffic and parking management, litter control, record keeping and reporting, and other necessary documents. The NMED permitting process also includes an independent set of public notices and hearings for new facilities.

Additionally, the applicant will also be required to apply for a Transfer Station Permit. These requirements are contained within Section 20.9.3.15 of the State of New Mexico Administrative Code (see attached) and generally include plans and elevations, drawn to scale, of all structures proposed to be used for handling and storage of solid waste and diversion of recyclables, locations of structures within 100 feet of the facility boundary, methods of collection, treatment, or disposal of waste water from the facility, the frequency of solid waste and recyclables deposit and pick-up from the facility, method of transport, and destination. A permit shall be issued only after a public hearing is held as required by NMSA 1978 Section 74-9-24(A) of the Solid Waste Act.

III. ANALYSIS

APPLICABLE ORDINANCES, PLANS AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned M-1 (Light Manufacturing Zone). The M-1 zone provides suitable sites for heavy commercial and light manufacturing uses. Permissive uses include those permissive in the C-3 (Heavy Commercial Zone) and IP (Industrial Park Zone) including but not limited to public utility use or structure, manufacturing, commercial agricultural activity and automobile dismantling.

Following staff discussions with the Code Enforcement Department, the proposed use falls within the existing M-1 entitlement listed under Section §14-16-2-19(A)(19) – Public utility use or structure and fire stations, provided their location is in accordance with an adopted facility plan and site development plan for building permit purposes has been approved by the Planning Commission. Additionally, the Code Enforcement Department stated that an adopted facility plan would not be required for the use as this requirement would only apply to PNM substations where facility plans are already required.

The proposed zoning for the subject site is SU-1 for M-1, Solid Waste Transfer Station and Convenience Center. The SU-1 zone is more restrictive than the existing zoning designation due to the site development plan review requirements. The SU-1 zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard or other reason. Development within the SU-1 zone may only occur in conformance with an approved Site Development Plan. This applicant has included M-1 as opposed to M-1 Uses in the requested zoning designation to indicate that only permissive uses under the M-1 zoning designation are being requested for the subject site.

Based on the existing straight M-1 zoning designation, the applicant is not required to request a change of zone for the proposed use, however EPC approval of a Site Development Plan for Building Permit would still be required because it would be deemed a shopping center site as defined by the Zoning Code (14-16-1-5, Definitions) which requires a Site Development Plan.

The requested zone map amendment appears to be an exercise in transparency and public notice/involvement for the proposed use at this location.

Definitions

Section §14-16-2-20: M-1 LIGHT MANUFACTURING ZONE. This zone provides suitable sites for heavy commercial and light manufacturing uses.

Section §14-16-1-5: SU-1 SPECIAL USE ZONE. This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard or other reason, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

Section §14-16-1-5: ZONE, RESIDENTIAL. The RO-1, RO-20, R-1, MH, R-T, R-LT, RG, R-2, R-3, RA-1, RA-2, RC, and RD zones; and the segments of the SU-1, SU-2, and SU-3 zones where the predominant use allowed in a subarea is residential.

Section §14-16-1-5: NONCONFORMING USE. A use of a structure or land which does not conform to uses allowed under the regulations of this Article or to uses allowed under an applicable sector development plan and which was an allowed use at the time the use was first undertaken.

Albuquerque / Bernalillo County Comprehensive Plan (Rank I)

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Central Urban. 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*”. However, 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”. Applicable policies include:

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.

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

North Valley Area Plan (Rank II)

The North Valley Area Plan (NVAP) was adopted in 1993 (Enactment 60-1993). The Plan generally encompasses the 28.5 square mile area south of the Bernalillo/Sandoval County line, north of Interstate 40, west of Interstate 25 and east of the Rio Grande. Of the total area, 4.01 square miles are within the corporate limits of the Village of Los Ranchos de Albuquerque and are not subject to the NVAP. Of the remaining area, 14.38 square miles are in the City of Albuquerque and 10.15 square miles are in unincorporated Bernalillo County. Specific boundaries (as of 1993) are shown on page 24 of the Plan.

The NVAP establishes twelve overarching Goals (p. 5-6) and sets forth policies regarding land use and zoning for the area. Other policies provide guidance on air quality, wastewater, drainage, transportation, housing, village centers, community design, agriculture and rural character and implementation. The following Goal and policies apply to the request:

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.

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.

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

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.

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.

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.

5. 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.

6. 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.

11. 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:

Transportation:

1. 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.

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.

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.

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.

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.

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.

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.

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; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

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

The proposed zone change is consistent with the health, safety, morals and general welfare of the City as it furthers applicable goals and policies outlined in Section C below.

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. 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.

The proposed zone change will promote stability of land use and zoning by providing site plan control for the subject site.

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. 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.

The proposed change meets and furthers numerous applicable City goals and policies. It complies with the Comprehensive Plan and the North Valley Area Plan.

See full policy analysis section above.

- 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.

The proposed use will be located in an established industrial area and is more advantageous to the community as articulated in the analysis of the Comprehensive Plan and North Valley Area Plan and meets a public need for more efficient, economical and environmentally sound method of solid waste disposal.

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. 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.

M-1 permissive uses include automotive sales, rentals, service, repair and storage; manufacturing, assembling, treating, repairing, or rebuilding articles; parking lot; storage structure or yard for equipment, material. The site is surrounded by industrially zoned properties and there are no residential neighborhoods adjacent to the subject site (the nearest residential neighborhood is approximately 1300 ft away). Therefore, the permissive uses in the zone will not be harmful to adjacent property, the neighborhood, or the community.

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. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
 2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

The proposed change of zone will not require any un-programmed capital expenditures on the part of the City as the redevelopment and infrastructure improvements will be funded by revenue bonds.

Staff agrees that the proposed zone change will not require any major and un-programmed capital expenditures by the City.

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

The subject site is already owned by the City and the cost of land or other economic considerations are not the determining factor. The proposed zone change will serve to assist in meeting the service needs of the community as a whole.

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. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The location on a major street is not the sole determining factor for the zone change request. The criteria used to select the subject site for the proposed use included: a central location within the City, convenient and efficient access to the interstates, and be on property large enough to house the proposed building and all of its site circulation and access needs.

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. 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.

The proposed zone change is not a spot zone.

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 (see full policy analysis section above).

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
 1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

This requirement does not apply to this request.

Staff notes that the proposed zone change request does not constitute strip zoning.

SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

Request

This is a request for Site Development Plan for Building Permit to construct a solid waste transfer station and convenience center on an existing City owned 22 acre parcel of land. Solid Waste Management Department services are currently accomplished from the existing facilities on the subject site including: commercial and residential truck storage, administrative services, service vehicles, vehicle maintenance facilities, recycling drop-off customers, and other customer service related activities.

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.

Site Plan Layout / Configuration

The proposed site development plan includes a 62,000 sf transfer station/convenience center building; 11,600 sf administration building; 40,100 sf vehicle maintenance building; 3,900 sf

household hazardous waste building; 33,400 sf parking structure; 555 sf "scale house"; parking for employees and collection vehicles; bin repair area; and recycling drop-off area. The configuration of the proposed buildings will be similar to the existing layout.

The administration building will be located to face Comanche Road. The transfer station is proposed to be located south of the administration building. The entrance into the transfer station building for convenience center traffic will face east, while the entrance into the building for collection trucks will face south, and the exits out of the building for both will face south. The load-out for transfer trucks will open to the north and south and is located on the west side of the transfer station. The maintenance building will be located at the south end of the site and the truck bay doors will open to the east and west. The parking structure will be located at the southeast corner of the property with its entrance/exit from Rankin Road.

Public Outdoor Space

An entry courtyard is proposed leading into the administrative building that includes a concrete entry plaza, benches, sufficient tree canopy for shading and a concrete pad for a gorilla sculpture that will be relocated to the entry courtyard.

Vehicular Access, Circulation and Parking

Separate access and circulation patterns are proposed according to the following site users (see Site Circulation Plan, Sheet SC-1):

Transfer Trucks: Will access a western transfer station facility entrance from I-25 & Edith Blvd at an ingress/egress point at a central point along the western edge of the site.

Collection Trucks: Will access a southern transfer station facility entrance from I-25 & Edith Blvd. at an ingress/egress point at a central point along the western edge of the site.

Employees / Visitors: Will access the main parking lot at an ingress/egress point along Comanche Rd. just north of the administrative building that is proposed to contain 109 spaces. A second access point is located off of Rankin Rd. at the southeastern corner of the subject site leading to a proposed two story employee parking structure that is proposed to contain 210 spaces.

Public Self-Haul: Will access an eastern transfer station facility entrance at an ingress/egress point along Comanche Rd. just north of the administrative building.

Hazardous Household Waste / Recycle Drop-off: Will access either the hazardous household waste or recycling drop off area along the eastern edge of the site at an ingress/egress point along Comanche Rd. just north of the administrative building.

Per the Zoning Code, the applicant is required to provide a minimum of 290 regular parking spaces. This comprises 31 for the transfer station building (1 space per 2,000 sf of net leasable area), 58 for the administrative building (1 per 200 sf of net leasable area) and 201 for the vehicle maintenance building (1 space per 200 sf of net leasable area). The applicant will provide a total of 319 spaces which exceeds the minimum. Additionally, the applicant must

provide a minimum of 8 accessible spaces (8 provided), 5 motorcycle (5 provided) and 15 bicycle spaces (15 provided). In order to accommodate the parking spaces that will be provided, the applicant has proposed a two story parking structure at the southeast corner of the proposed site development plan. The overall height (top of upper deck guardrail wall) of the parking structure is proposed to be approximately 15 ft. from the lower grade. Floor to floor height of the structure is proposed to be 11 ft. 6 in. in high.

Pedestrian and Bicycle Access and Circulation, Transit Access

Comanche Commuter Route #13 runs east to west along and passes the site along Comanche Rd. Pedestrians and bicyclists can access the subject site along Comanche Rd. A concrete sidewalk leads west from Comanche Rd. to an entry courtyard that is proposed that leads directly to an administrative building. However, no dimensions for the sidewalks are included on the site development plan, so the plan will need to be revised to indicate the sidewalk dimensions. A note on the parking calculations section of the site development plan indicates that a bicycle rack that can accommodate up to 6 bicycles will be located outside of the administrative building, but no symbol indicating this has been included. The site development plan will need to be revised to indicate where the bicycle rack will be located.

Walls/Fences

Two retaining walls are proposed west of the transfer station building and at the southeast corner of the subject site near the employee parking structure. Keyed note 6 on Sheet SP-2 indicates that walls, fencing and screens are proposed around the perimeter of the subject site however it is unclear to staff where each of these proposed items will be located. The site development plan will need to be revised to include numbers/symbols for each item as well as indicate where each specific item will be located.

Lighting and Security

The building elevation sheets show a series of building mounted LED light fixtures on each building façade. A note on Sheet SP-2 states that all site lighting shall comply with the Area Lighting Requirements of the Zoning Code and that parking lot lighting shall not exceed 30 ft. While the applicant has included what appear to be site lighting around the perimeter of the site and some parking lot lighting, no specific note has been included to indicate this. Therefore, the site development plan will need to be revised to indicate where all proposed site lighting will be located.

Landscaping

The landscaping plan contains low to medium water usage tree and plant species; all species are appropriate for the area and a plant schedule is provided. All required notations regarding maintenance responsibilities, water conservation and irrigation system to be used are included on the landscape plan. Per Section 6-6-2-5 (Street Tree Policies) of the Code of Ordinances the applicant is required to provide a street tree plan for any building of over 200 sf and where the lot is adjacent to a major street. For most typical street trees, the spacing should be about 30 ft.

The street frontage dimension along Comanche Rd. and Edith Blvd. is 1,464 lineal feet meaning that the minimum number of required street trees is 49 which the applicant has noted on the landscape plan. Additionally, 29 parking lot trees are required per the Zoning Code and the applicant is providing 101 which substantially exceeds the minimum requirement.

The total required landscape net lot area coverage for the site is 111,724 sf and the applicant is proposing 238,355 sf which exceeds the requirement. In addition, 75% of the net lot area must include live plant coverage which equates to 83,793 sf and the applicant is proposing 84,660 sf of live plant coverage which also exceeds the requirements.

Grading, Drainage, Utility Plans

The existing site topography generally slopes from east to west. The existing drainage infrastructure diverts all the site flows through a series of water/oil separators and inlets into two ponds located on the north and south of the site. The larger detention pond to the north has an outlet structure that discharges through a 30 inch. corrugated metal pipe (cmp) into a drainage system in Comanche Road. The pond has a maximum allowable discharge of 47.6 cubic feet per second (cfs). The northern three quarters of the site drains into this pond. The remainder of the site drains into the smaller retention pond to the southwest corner of the site.

The proposed site will maintain the general flow direction of east to west. The existing drainage system will be replaced and new water/oil separators and inlets will be installed. The retention pond located on the southwest corner will be removed. This pond will be replaced with a detention pond located to the northeast of its existing location. The new pond will be connected to the reconfigured north pond and will maintain the maximum allowable discharge of 47.6 cfs.

Architecture

The administration building design will be contemporary in style defined by the use of simple architectural elements that will be repeated with the other structures on site for overall design continuity. This 2-story office building will be the signature architectural component of the facility facing the main public entry and oriented to the intersection of Comanche and Edith. The architecture will be defined by use of light-green-tinted glass, exterior insulation finish systems (EIFS), metal shading canopies and metal accent panels. The design plan is L-shaped with the second floor offset from the first floor with column accents. Balconies and stair tower features complete the architectural composition.

In addition to light-green-tinted glass and light bronze anodized metal, the proposed color palette of the structures will include a thematic khaki tan with accents of white and gray. Larger walls will be precast concrete with an integral dark tan color and finished with a light sandblast to provide architectural texture and character. These walls will alternate with smooth painted walls that may have off-white accents. In addition, these high mass walls will help with buffering sound from interior activities as well as offer long term durability. As it is used on the administration building, EIFS will also be used on the transfer station for architectural continuity.

Per the SU-1 zoning designation, structure height is at the discretion of the EPC. However, the underlying M-1 zoning designation states that a structure height up to 36 feet is permitted at any legal location, and the height and width of a structure over 36 feet high shall fall within a 45° plane drawn from the horizontal at the mean grade along each boundary of the premises, but a structure shall not exceed a height of 120 feet. The applicant has provided appropriate setbacks to meet the angle plane requirements and is proposing a maximum building height of 41 ft. as measured from the finished floor pad elevation to the top of the building parapet.

Signage

Signage is regulated by the underlying M-1 zoning designation which refers back to the C-2 signage regulations which allows on premise signage at a rate of one sign per street frontage in the Central and Established Urban Areas of the Comprehensive Plan up to 250 sf along streets designated an arterial. The applicant is proposing a free standing monument sign at the Comanche St. entry with a total sign area of 109 sf and a second free standing monument sign at the Edith entry with a total sign area of 75 sf (Note: the Edith entry free standing monument sign has a northbound and southbound sign face that still only constitutes a single free standing sign according to the Code Enforcement Department). The applicant has identified the free standing monument signs on the landscaping plan on Sheet L-1 as general note 10, however no note has been included on the site development plan for building permit. Therefore, the site development plan for building permit will need to be revised to include a symbol and note indicating the approximate location of each free standing monument sign.

IV. AGENCY & NEIGHBORHOOD CONCERNS

A document entitled "North Valley Health Impact Assessment (NVHIA) of the Proposed Edith Transfer Station" was submitted to Planning Staff on September 14, 2015 by Peggy Norton, President of the North Valley Coalition (NVC). The NVHIA was completed at the request of the NVC by health professionals contracted by Bernalillo County and was funded by County Commissioner Debbie O'Malley. To date, staff has not received any information as to whether the NVC board of directors voted to approve the submission of the NVHIA to the Planning Department for EPC review or if the NVC delegated that authority to the HIA Committee. The NVHIA has been reviewed by the City of Albuquerque Environmental Health Department and their comments have been included as part of this section of the staff report.

Minimum Elements & Practice Standards for Health Impact Assessment

According to the North American HIA Practice Standards Working Group (Version 3, September 2014, see attached) a Health Impact Assessment (HIA) is a practice that aims to protect and promote health and to reduce inequities in health during a decision-making process. The working group recommends that the following standards be adhered to in order to advance effective HIA practice:

- HIA is a forward-looking activity intended to inform a proposed program, policy, project, or plan under consideration by decision-makers; however, an HIA may evaluate an existing program, policy, project, or plan in order to inform a prospective decision or discussion.
- An HIA should include the steps of screening, scoping, assessment, recommendations, reporting, and evaluation.
- Each HIA process should begin with explicit written goals that can be used to evaluate the success and impacts of an HIA process.
- The HIA should be responsive to the needs and timing of the decision-making process.
- HIA requires integration of knowledge from many disciplines as well as from affected communities. The practitioner or practitioner team must take reasonable steps to identify, solicit, and utilize this expertise to both identify and answer questions about potentially significant health impacts.
- Meaningful and inclusive stakeholder (e.g., affected community, public agency, decision-maker) participation in each step of the HIA supports HIA quality and effectiveness. Each HIA should have a specific engagement and participation approach that utilizes participatory or deliberative methods suitable to the needs of stakeholders and context.
- Monitoring is an important follow-up activity in the HIA process. The HIA should propose a monitoring plan to track the health-related outcomes of a decision and its implementation.
- HIA integrated within another impact assessment process should adhere to these practice standards to the greatest extent possible.

Finally, the working group states that the parties conducting the HIA should provide a publicly accessible final report that includes, at a minimum, the HIA's purpose, findings, and recommendations. The report should also document the process involved in arriving at finding and recommendations (e.g. assessment methodology and recommendation setting approach) or alternatively provide separate documentation of these processes.

North Valley Health Impact Assessment of the Proposed Edith Transfer Station

The stated purpose of the North Valley Health Impact Assessment (NVHIA) is to assess the impacts of a Waste Transfer Station on the health of the residents and others that are located near the subject site (closest neighborhood area is approximately 1300 ft from the subject site). Portions of census tracts 32.01, 32.02, and 29 are cited as the study area for the NVHIA. The NVHIA's findings in summary include the following:

- **Process:** Neighborhood residents were not adequately involved in developing the criteria for citing the proposed transfer station on the subject site;
- **Traffic:** Weekday truck traffic will increase 173% making the area unsafe for area bicyclists and pedestrians;

- **Air Quality:** More than 15% of facilities permitted to emit air pollutants are located within a 2-mile radius of the subject site;
- **Water Quality:** Storm water run-off from the subject site has resulted in flooding of businesses properties that are located down-gradient of the site;
- **Noise:** It is predicted that noise associated with heavy trucks will contribute to stress levels and deter work and school performance;
- **Odor, Litter, Rodents, Insects:** Waste transfer stations are associated with increased litter contributing to disease carrying rodents and insects and possible vector-borne disease;
- **Occupational Health:** Refuse and recyclable material collection is the fifth most dangerous industrial occupation in the U.S. and depending on the City's policies regarding employment of impacted residents is, the community's existing health burden could increase;
- **Cumulative Impacts & Environmental Justice:** HIA results indicate that the health of our most vulnerable populations will be disproportionately affected should the proposed transfer station proceed;
- **Economic Wellbeing:** Property values in the nearby community are expected to fall in proportion to their closeness to the proposed transfer station facility.

With regard to the EPC process, the NVHIA states that the applicant must seek a zone change because the M-1 zone prohibits a transfer station (Code Enforcement Department, however comments state that the proposed use is permissive per the M-1 zone).

With regard to the requirements contained within R270-1980 the NVHIA contends that sections A, B, C, D (1), (2) and (3), E and I (1) and (2) have not been met. The NVHIA also states that the cost of land or other economic considerations are the determining factor for the zone change. Next the NVHIA states that the requested zone change is in conflict with Goal 3 of the North Valley Area Plan (pg.5) "To preserve, air, water, and soil quality in the North Valley". Finally, the NVHIA argues that the proposed transfer station is in conflict with the recently adopted Complete Streets Ordinance (C/S O-14-32) due to bicyclist safety concerns along Comanche Rd., and that the proposed use is in significant conflict with the Established and Central Urban policies of the Comprehensive Plan (For a complete staff analysis regarding the requirements of R270-1980 related to the zone change request, see pages 16 – 19).

Reviewing Agencies

Traffic Engineering submitted agency comments with regard to a Traffic Impact Study (TIS): "Although according to City standards the site development does not warrant a traffic study the applicant chose to perform one due to concern from the neighborhoods and proximity to both NMDOT and Bernalillo County infrastructure. As to the content of the TIS, we believe that the applicant has shown that the site will not contribute to a large increase in traffic. The increase in

traffic due to the development will be distributed throughout the day and will not be concentrated in the peak hour”.

The Environmental Health Department (EHD) submitted agency comments in response to the “North Valley Health Impact Assessment of the Proposed Edith Transfer Station” (August 2015) that was submitted for review and analysis. While the EHD recognizes that disproportionate health impacts in overburdened communities made up largely of underrepresented communities is a legitimate concern in the siting and construction of regulated facilities, the EHD finds that the HIA makes the incorrect claim that all of the health disparities cited in the report are tied to the proposed facility, and the report does not account for the extensive design and operational elements that have been included to address any potential impacts from the proposed use.

The EHD finds that there is no compelling health-related reason to hold back the construction of the transfer station facility.

More specifically, EHD cites the following discrepancies with regard to the HIA:

- The City of Albuquerque was not included as a stakeholder group in the development of the HIA’s report and findings;
- Regulatory requirements that address many potential issues have not been included;
- The process for data selection is not transparent
 - A total of 16 census tracts are within the 2 mile radius of the subject site cited by the HIA but only census tracts 32.01, 32.02, 29 and a portion of 30.01 are utilized for the purposes of the report;
- Broad assumptions are made without supporting evidence, and relationships between risk factors and health outcomes are misrepresented (the cited health disparities are more associated with socio-economic factors than solely with environmental factors such as traffic, air pollution or noise);
- Large amounts of data regarding correlated health and risk factors are presented and then the conclusion that a cause and effect relationship exists based on the cited risk factors;

Related to the specific HIA findings, the EHD cites the following:

- Traffic: Based on the traffic impact assessment, any increases in traffic would be nominal given the major roadways involved;
- Air Quality: The HIA misrepresents how air quality is viewed because air pollution moves and disperses throughout the larger community. Albuquerque/Bernalillo County has consistently been in attainment with EPA National Ambient Air Quality Standards since the mid 1990’s and this will be furthered by reducing vehicle miles traveled by the Solid Waste fleet;

- **Climate Change, Water Quality & Flooding:** Climate change would not be impacted at the level of a single facility of this scale. The HIA ignores the legally required storm water improvements and drainage plan that are inherent to the site design;
- **Noise:** The subject site is already located in a primarily industrially zoned area, truck traffic noise are already present. Additionally, the transfer station will be in an enclosed building and facility hours of operation are unlikely to support any potential noise issues;
- **Odor, Litter, Rodents and Insects:** Insect and rodent borne disease information presented is not consistent with actual data collected by EHD. Mitigation efforts are required to be specifically outlined as part of any solid waste permit issued by the State of New Mexico;
- **Occupational Health:** OSHA requirements for training and protective equipment will be provided to address these concerns;
- **Cumulative Impacts and Environmental Justice:** The HIA argues that the impacted community meets EPA definitions of an environmental justice area, however there is no link demonstrated to show that this is on the basis of health disparities influenced by the proposed project.
- **Individual & Business Economic Development:** The HIA does not provide any meaningful support to demonstrate an economic impact or link to any related negative health impacts in the community with the construction of the proposed transfer station facility.

Neighborhood/Public

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 (see attached No Meeting Report & Corrected Amendment to Facilitator's Report – No Meeting Report, September 24, 2015).

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 (see attached 2014 – 2015 Summary of Stakeholder Input / Public Meetings Report for additional details).

All written comments received prior to the 48 hour rule have been included as part of the staff report packet. Staff notes the following comments with regard to all written materials submitted to the Planning Department within 10 days of the public hearing in accordance with the Rules of Conduct of Business by the EPC:

- Staff received written public comments from neighborhood association representatives, area residents, local business owners, and State Legislators expressing general opposition to the request with regard to the process by which the subject site was selected, traffic congestion, noise, air quality, bicycle / pedestrian safety, potential impacts to property values, and environmental justice;
- Staff also received written comments stating that the proposed project is not supported by certain Comprehensive Plan policies as well as not meeting all of the required tests of Resolution 270-1980.
- In reviewing the public comments received, staff notes that there seems to be some confusion with regard to the requested SU-1 - Special Use Zoning (see Zoning Code analysis on pg. 5 of this report) for the subject site and the Bernalillo County Special Use Permitting process. The Bernalillo County Special Use Permitting process does not apply in this case as it pertains to a separate municipality. The requested zone change would technically not grant any new entitlements for the subject site, as according to the Code Enforcement Department the use is already permissive. Approval of the requested zone change would impose a more restrictive zoning designation that would be site plan controlled.

V. CONCLUSION

This is a two part request for a Zone Map Amendment (Zone Change) to rezone the subject site from M-1 to SU-1 for M-1, Solid Waste Transfer Station and Convenience Center and a Site Development Plan for Building Permit to construct four structures to include a transfer station / convenience center building, an administrative building, vehicle maintenance building, and household hazardous waste building. A parking structure, bin repair area and recycling drop-off area are also proposed. The subject site is approximately 22 acres and is located on Edith and Comanche. This is a quasi-judicial matter.

The applicant has justified the zone change request pursuant to the requirements of R270-1980 and the proposed site development plan for building permit meets or exceeds the requirements of the Comprehensive Zoning Code.

In addition to City of Albuquerque Environmental Planning Commission, Design Review Board and Building and Safety approval and permitting requirements, the applicant will also be required to apply for approval of operating permits through the New Mexico Environment Department (NMED) who is responsible for monitoring and controlling the generation, storage, transportation, and disposal of wastes in New Mexico. The applicant will also be required to apply for a Transfer Station Permit. These requirements are contained within Section 20.9.3.15

of the State of New Mexico Administrative code and a permit shall be issued only after a public hearing as required by NMSA 1978 Section 74-9-24(A) of the Solid Waste Act.

A document entitled the North Valley Health Impact Assessment of the Proposed Edith Transfer Station was submitted by the North Valley Coalition on September 14, 2015 which outlines several concerns related to process, traffic, air quality, noise, order, litter, rodents, insects, occupational health, environmental justice and economic wellbeing. The NVHIA also states that the zone change request is not justified pursuant to the requirements of R270-1980.

The Environmental Health Department (EHD) has provided extensive agency comments in response to the NVHIA and finds that the HIA makes the incorrect claim that all of the health disparities cited in the report are tied to the proposed facility, and the report does not account for the extensive design and operational elements that have been included to address any potential impacts from the proposed use. The EHD finds that there is no compelling health-related reason to hold back the construction of the transfer station facility. Additionally, staff has analyzed the request against the requirements of R270-1980 and finds that the request is justified and not in significant conflict with any Comprehensive Plan policies.

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 (see attached Corrected Amendment to Facilitator's Report – No Meeting Report, September 24, 2015). Staff is recommending approval of the Zone Map Amendment and approval of the Site Development Plan for Building Permit with conditions.

FINDINGS - 15EPC-40051 – October 8, 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.5.1.: 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 further 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 further 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 – October 8, 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 – October 8, 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 – October 8, 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 further 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 further 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 – October 8, 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 – October 8, 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 or 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 or 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 contaminants 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:

David Wood, 158 Pleasant NW, Albuquerque, NM 87107
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 Silber, P.O. Box 70232, Albuquerque, NM 87197
Doyle Kimbrough, 2327 Campbell Rd. NW, Albuquerque, NM 87104

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

With regards to 15EPC40051, 15EPC40052 Project# 1010582, Code Enforcement has no adverse comments to the Zone change as the Use would currently be allowed under the M-1 Zoning that the property currently is Zoned. M-1 would refer back to IP Zoning and under 14-16-2-19(A)(19) the use would be allowed In accord with an approved site development plan, as we had discussed earlier an adopted facility plan would not be required for this Use as that would only be a requirement for something such as a PNM substation where facility plans are already a requirement.

Office of Neighborhood Coordination

Project# 1010582

The Greater Gardner NA (R), Near North Valley NA (R), Stronghurst Improvement Assoc., Inc. (R), North Edith Commercial Corridor Assoc., North Valley Coalition

9/2/15 – Recommended for Facilitation – siw

9/10/15 – Assigned to Diane Grover

Long Range Planning

No comments received.

Metropolitan Redevelopment Agency

No comments received.

CITY ENGINEER

Transportation Development

Additional project details including parking dimensions and ADA requirements will be required at D.R.B.

A traffic impact study is being completed for the above case. Although according to City standards the site development does not warrant a traffic study the applicant chose to perform one due to concern from the neighborhoods and proximity to both NMDOT and Bernalillo County infrastructure. The study has gone through one review and there were minor comments asking for small changes in format and clarity. We have also asked for additional queuing analysis at the Comanche and Edith intersection.

As to the content, we believe that the applicant has shown that the site will not contribute to a large increase in traffic. The increase in traffic due to the development will be distributed throughout the day and will not be concentrated in the peak hour. We have asked that the applicant seek comments from the NMDOT and Bernalillo County as well.

Hydrology Development

EPC Comments;

Project number 1010582, no comments at this time; submit plans to hydrology (following the criteria listed below) for a comprehensive plan review. Staff Planner: Vicente Quevedo.

GENERAL HYDROLOGY CRITERIA:

- Beyond 10' of a structure, all landscape beds shall be depressed below grade. Within 10' runoff shall be directed away from the structure.
- All new development projects shall manage the runoff from precipitation which occurs during the 90th Percentile Storm Events, referred to as the "first flush." The Site Plan/Drainage Plan must indicate all areas and mechanisms intended to capture the first flush. For volume calculations, the 90th Percentile storm event is 0.44 inches. For Land Treatment D the initial abstraction is 0.1", therefore the first flush volume should be based on $0.44'' - 0.1'' = 0.34''$ and only consider the impervious areas.
 1. State how the first flush will be managed and supporting calculations
 2. State the area of Land Treatment D on the plan
- The applicant may request a pre-design meeting with the Hydrology Section. First submit a Conceptual Grading and Drainage plan, and indicate on the DTIS sheet **(in large bold letters at the top)** that a pre-design conference is requested (DTIS sheet is the information sheet required for all Hydrology and Transportation submittals). The reviewer will contact the applicant to set up a meeting.
 1. The engineer should research the Master Drainage Plan and/or adjacent sites essentially practice due diligence prior to meeting. Conceptual Grading and Drainage plans should reference the master drainage plan or other sources that indicate the intended drainage for that area. **The applicant should provide excerpts from the supporting documents and/or grading plans.**
 2. Final Drainage Reports should have an appendix with all supporting documentation
- When determining allowable discharge from a site
 1. If a Master Drainage Report planned an allowable discharge for a site, determine if the basis for that discharge is still valid or if conditions have since changed.
 2. If discharging to the street, determine if the street has capacity; also determine if the storm drain has capacity.

3. If discharging to the back of inlets, determine if doing so will still provide capacity for the discharge from the street
4. When determining inlet capacity using the orifice equation, the area for a single grate should be 3.84 sq. ft.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Per MRCOG's 2040 Long Range Roadway System Map, Edith Blvd. is a Regional Principal Arterial and Comanche is a Minor Arterial. According to MRCOG's 2040 Long Range Bikeways System Map, Edith is a designated bicycle route and Comanche is supposed to contain bicycle lanes, which currently exist across the site's entire frontage.

Traffic Engineering Operations

Reviewed. No adverse comments.

WATER UTILITY AUTHORITY

Utility Services

ABCWUA Comment:

- 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.

ENVIRONMENTAL HEALTH DEPARTMENT

The transfer station location is not located within a landfill buffer. Therefore it will not require landfill gas mitigations or a landfill gas assessment report. The closed landfill program in Environmental Health has no comments for this project.

Please refer to additional Environmental Health Department comments related to the document entitled North Valley Health Impact Assessment of the Proposed Edith Transfer Station (August 2015) that have been included as an attachment to the staff report.

PARKS AND RECREATION

Planning and Design

15EPC-40051 Amendment to Zone Map (Establish Zoning/Zone Change)

The Parks and Recreation Department has reviewed and has no adverse comments for this request.

15EPC40052 – Site Development Plan for Building Permit

The Parks and Recreation Department has reviewed these requests and asks that the Landscape wording on the Landscape Plan that states that the Solid Waste Department will maintain all landscaping and irrigation on their site 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.

Open Space Division

Reviewed, no adverse comments.

City Forester

No comments received.

POLICE DEPARTMENT/Planning

No comments received.

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

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

FIRE DEPARTMENT/Planning

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. All site development plans for subdivisions and site development plans for building permit shall be submitted to the Fire Marshal's Office Plans Checking Division for an official review and approval prior to submitting for building permit. This shall be a deferred submittal.

TRANSIT DEPARTMENT

Route #13, Comanche Commuter Route, pass the site on Comanche.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

Bernalillo County Planning Comments for City EPC Case – 1010582 - Request for SU-1 Zoning and Site Plan Approval for Solid Waste Transfer Station at 4600 Edith Blvd.

The subject property is located in the City of Albuquerque in a mainly industrial area in the North Valley on the southeast corner of Comanche Rd. and Edith Blvd. It is currently developed with a Solid Waste Management Facility under M-1 zoning. The request seeks to add a solid waste transfer station and convenience center on the 22 acre site.

A majority of the parcels adjacent to or nearby the site (i.e., within one-half mile) in unincorporated Bernalillo County have M-1 zoning, with two exceptions to the northwest of the property (A-1, C-1 zoning). A majority of the properties in the County have M-1 uses, but a few appear to have non-conforming, residential uses. In the County Zoning Ordinance, M-1 zoning allows a variety of commercial and industrial uses, such as manufacturing, assembling, and processing of various products, warehouse, building and material storage, truck terminal, concrete or cement plant, contractor's yard, auto dismantling, and junk yards. However, Bernalillo County requires a Special Use Permit for the operation of a landfill or a transfer station for trash and recycling, including a site plan review and public hearing for the land use through the Board of County Commission, and conditions of approval if such a request is approved.

Bernalillo County Planning staff therefore recommends that, if the City of Albuquerque approves the current request, it should require conditions of approval that minimize impacts on the adjacent and nearby properties, such as high quality design, no negative impacts to the natural environment, and traffic management.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

No comments received.

ALBUQUERQUE PUBLIC SCHOOLS

This will have no adverse impacts to the APS district.

MID-REGION COUNCIL OF GOVERNMENTS

Reviewed, no adverse comments

PUBLIC SERVICE COMPANY OF NEW MEXICO

Conditions for Approval for Project #1010582 Zone Change and Site Development Plan for Building Permit (Solid Waste Transfer Station at Edith and Comanche) 15EPC-40051 and 15EPC-40052

1. 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.

2. 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.

3. 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

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

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 or 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 contaminants 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.



City of Albuquerque Environmental Health Department



Richard J. Berry, Mayor

Mary Lou Leonard, Director

September 23, 2015

To: Vicente M. Quevedo, EPC Staff Planner, Planning Department

From:  Mark A. DiMenna, Deputy Director, Environmental Health Department

Subject: Response to Edith Transfer Station Health Impact Assessment

The accompanying document is a detailed response prepared by the Environmental Health Department (EHD) to the Edith Transfer Station (ETS) Health Impact Assessment (HIA) that has been submitted for review by the Planning Department. This response is intended to provide a rebuttal to various health impact arguments provided to the Environmental Planning Commission. A brief synopsis of the key points of discussion is presented here.

SUMMARY

The HIA presents a great deal of health data that does not apply to the impacted community under review, either due to the magnitude of impact or to incorrect interpretation. The HIA presents a one-sided view that all health disparities are somehow tied to the proposed facility, and does not account for the extensive design and operational elements that are included to address those issues. EHD finds that there is no compelling health-based reason to hold back the construction of the ETS facility.

GENERAL

The HIA does not include input from all stakeholders, notably the City of Albuquerque. Special interest influences are not disclosed.

The analysis does not present a complete picture of the project proposal. Design and operational elements that mitigate the majority of the potential health impacts are not discussed. Regulatory requirements that address many potential issues are similarly ignored.

The process for selection of data is not transparent, and the limitations of the data are not discussed. Broad assumptions are made without supporting evidence or alternate explanations, and many relationships between risk factors and health outcomes are misrepresented.

The HIA over-exaggerates the health risk factors of a transfer station and ignores the fact that the study area is already zoned industrial. It also fails to recognize that some solid waste operations in support of the collection fleet are already in place at this site.

Most importantly, the HIA presents a large amount of data regarding *correlated* health factors and potential risk factors, and then misleads the reviewer to suggest that adverse health impacts are *caused* by these risk factors. At the same time, confounding and contributing health risk factors are ignored.

Most of the health impacts discussed are more closely associated with poverty, lack of education, prevalence of violent crime and associated lifestyle choices such as smoking and substance abuse than with environmental factors such as traffic, air pollution and noise.

The HIA is based on only 4 of the census tracts represented within the 2 mile radius offered as a zone of impact. This leads to a false impression of a very high proportion of Hispanic people and families living in poverty, a pattern that is far less pronounced or out of the ordinary when all 17 census tracts within the 2 mile radius are included. This gives the impression of a directed conclusion, where the desired outcome was determined prior to the analysis.

SPECIFIC FINDINGS

Traffic

The HIA overstates the increase in traffic in a way that exaggerates the resulting health impacts. The traffic study demonstrates that the increase in traffic will be nominal given the major roadways involved, and any health and safety impacts argued on the basis of traffic would be proportionally minor.

The health disparities cited in the HIA are more closely linked to socio-economic factors than to traffic or other environmental factors, and even the data presented in the HIA demonstrate that non-Hispanic whites in the impacted community actually have a favorable health outlook when compared to the rest of Bernalillo County.

Air Quality

The disproportionate effect of increased air pollution from traffic and subsequent health impacts at the neighborhood level argued by the HIA are a misrepresentation of how air quality is viewed. Air pollution moves and disperses throughout the larger community, and the larger scale benefit of a 2 million mile annual reduction in collection vehicle traffic is an overall benefit. Albuquerque/Bernalillo County has consistently been in attainment with all EPA National Ambient Air Quality Standards since the mid-1990s and this will be furthered by reducing miles traveled by the Solid Waste fleet.

Most of the data presented in the HIA related to air quality are irrelevant or do not apply. In addition, the Solid Waste fleet will soon be entirely Tier 4 compliant in terms of diesel emissions, meaning concerns over particulate emissions are greatly exaggerated.

Climate Change, Water Quality and Flooding

Climate change would not be impacted at the level of a single facility of this scale.

Storm water issues would not have a direct impact on the health of the community in question. The HIA ignores the legally required storm water improvements and drainage plan that are inherent to the site design. These elements will effectively mitigate any flooding concerns.

Noise

The surrounding community is already an industrial zone, and truck traffic or other noise sources are already present. The ETS would not be associated with any meaningful impact in noise levels, especially since the facility itself will be fully enclosed. This fact is not addressed in the HIA. References to the Noise Ordinance are incorrect, and measurements of existing noise levels are incorrectly taken and interpreted. Facility hours of operation are unlikely to support a noise issue in any case.

Odor, Litter, Rodents and Insects

All of these issues are readily addressed by the required mitigation plans that will accompany an application for a solid waste permit. Design elements such as the fully enclosed facility, mister systems and air wall, as well as operational elements such as not leaving trash at the facility overnight and routine cleaning, can be expected, and are required, to address all of these nuisance concerns.

Insect and rodent borne disease information presented is not consistent with actual data collected by EHD and there is no increased health risk from these diseases to the community from the ETS facility.

Occupational Health

Since there is no expectation that individuals from the community would be a disproportionate component of the facility workforce, there is no basis for claiming a disproportionate health risk to them. In addition OSHA requirements for training, protective equipment, etc. will address these concerns.

Cumulative Impacts & Environmental Justice

While the HIA claims that the impacted community meets EPA definitions of an environmental justice area, there is no link demonstrated to show that this is on the basis of health disparities influenced by the proposed project. Environmental justice concerns do not mandate any additional regulatory requirements or special considerations for this project. EPA's only guidance in dealing with environmental justice is to engage the community in discussion prior to making a final decision on a project, which the City of Albuquerque has demonstrated.

Cumulative impact considerations are applicable only in terms of New Mexico Environment Department's review for the solid waste permitting process.

Individual & Business Economic Wellbeing

The HIA provides no meaningful support to demonstrate an economic impact or to link any related negative health impacts in the community with the construction of the transfer station. Arguments regarding the impact to property values, business prosperity or compatibility of land use are entirely subjective and without evidence.

CONCLUSION

EHD recognizes that disproportionate health impacts in overburdened communities made up largely of minorities and/or families living in poverty represent a legitimate concern in siting and construction of regulated facilities. While the demographics and health data presented in the HIA are suggestive of a substantial disparity in the communities selected, EHD's review of the HIA found no demonstrable link between the construction of the ETS and any meaningful impact in terms of those health effects on the impacted community. Health disparities present in the area studied are more closely linked to socio-economic factors, especially chronic poverty, than to environmental factors. The considerable efforts made by the design team to mitigate health risk factors will greatly diminish any impacts to the community, as will the operational plans and regulatory requirements. When these issues are factored in, any remaining concerns related to negative health impacts are removed.

cc: Michael J. Riordan, Chief Operations Officer
James Hamel, CIP Official

EDITH TRANSFER STATION HEALTH IMPACT ASSESSMENT
ENVIRONMENTAL HEALTH DEPARTMENT RESPONSE

The Environmental Health Department (EHD) staff has conducted a review and analysis of the document entitled "North Valley Health Impact Assessment of the Proposed Edith Transfer Station". EHD findings and responses are contained in this report.

Environmental Health Department Expertise

EHD staff is comprised of scientists and engineers who are experts in various disciplines of environmental science and public health. As regulators, these individuals are charged with impartially weighing the objectives of developers and other entities against the impact to human health and the environment on a daily basis. In reviewing the provided HIA, a cross-section of staff members were consulted in order to ensure that appropriate knowledge and experience were brought to bear. EHD's response contained in this report is limited specifically to the areas in which reviewers have expertise, and is not intended to analyze or draw conclusions as to the validity of the HIA's interpretation of such issues as traffic patterns or economic impacts, except insofar as those arguments are applied to health outcomes.

GENERAL FINDINGS

As a public health agency, EHD acknowledges the importance of considering health impacts when making decisions that affect the community, and recognizes the value of a carefully executed HIA. The HIA submitted in response to the proposed Edith Transfer Station systematically incorporates a number of significant flaws, ranging from the foundation of the assessment itself, through to the various interpretations and conclusions made in response to the data used.

Health Impact Assessment Process

As the HIA authors point out, there are professional guidelines that apply to developing this form of analysis. These guidelines ensure that the HIA is carried out in a manner that is thorough, impartial and credible, so that the most appropriate conclusions can be drawn and the most meaningful guidance can be provided. While the general format of the HIA is consistent with these guidelines, there are fundamental elements that have deviated from professional guidelines. Most notably:

- a) The HIA does not clearly identify the individuals or interests represented on the HIA Committee. The only information provided is that an open invitation was sent out to the community. Membership is not listed, and the involvement of any special interest groups is not disclosed. Importantly, HIA guidelines recommend inclusion of decision-makers and the entity proposing the project in order to ensure that all factual information is included

- b) Complete stakeholder involvement opportunities were not provided. The City of Albuquerque, as the decision-maker and proponent of the project, was not asked to provide input to the HIA. As a result, important factual data are not included that may have influenced the outcome.
- c) Limitations and constraints of data presented are not acknowledged or addressed. Throughout the document there are substantial assumptions made based on limited or inconclusive data, or in many cases, data that do not apply at the scale or locale in question. Several conclusions are also drawn from subjective opinion or methods that cannot be replicated. Despite important conclusions being derived from these assumptions, there is a complete absence of discussion regarding the limits of the data and the assertions that can be made.
- d) The criteria for selection of the impacted community boundaries and the data discussed, and the analysis and interpretation of the data, are not transparent. As a result, they cannot be reproduced. This is in conflict with the guideline document referenced by the HIA authors.
- e) Based on the background analysis, the nature of the arguments presented, and the overall tone of the document, it appears that the conclusions and sole recommendation were pre-ordained prior to conducting the HIA. The same guideline document referenced by the HIA authors, as well as widely accepted HIA practice, dictates that the HIA should be a neutral analysis aimed at determining the extent, if any, of disparate health impacts and guiding policy. The HIA is expected to identify mitigation strategies, project alternatives and make recommendations, rather than stipulate complete rejection of the proposal. The entire basis of the assessment, the interpretation of the various arguments and the conclusions that are drawn, should be disregarded in the light of this inherent bias.

Misrepresentation of the Project

The HIA fails to take into account a number of important considerations that apply to the proposed project. These considerations are highly relevant to the interpretation of the health impacts being analyzed, and their omission imparts a strong bias on the conclusions presented. Among the most important facts:

- a) Although the HIA acknowledges that there is currently a solid waste operation in place at the proposed location, it consistently fails to put the expansion of the operations for the new facility into appropriate context. Arguments related to traffic, property values, noise, vectors, flooding, etc. must be considered in light of the fact that the conditions that are presented as contributing to them are already present.
- b) The HIA describes a perceived lack of transparency and communication with the community on the part of the City of Albuquerque. These portrayals are based on a lack of public input in early planning stages, implying an effort to exclude this input. Little to no clarification is provided that addresses the fact that these steps do not carry an obligation for public input, and that there have been several public meetings prior to design selection to help ensure that concerns are heard.
- c) The HIA portrays the operation of the Waste Transfer Station as a hazardous facility, with a variety of significant environmental impacts; however, the U.S. Environmental Protection Agency (EPA), while recognizing the unique characteristics of waste transfer stations, does not

regulate their design or siting. EPA considers waste transfer station operations to fall under Light Industrial Operations, with no special considerations.

- d) The HIA assumes that all potential health impacts have gone unaddressed by the project design team, providing no discussion or acknowledgement related to mitigation elements that have been (and in some cases are required to be) incorporated.
- e) The HIA fails to acknowledge the permitting requirements of the New Mexico Environment Department (NMED), and the substantial level of oversight and regulation attendant to that process. Most of the risk factors that are set forth as having an impact to the community will be addressed in that process.

Conclusions Based on Incorrect Interpretation

The most concerning aspect of the Edith Transfer Station HIA is the systematic presentation of incorrect inference from data with resulting conclusions based on erroneous logic and interpretation. While it is not clear whether this is simply persistent inaccurate reasoning or a deliberate effort to portray the most significant negative health impacts, it is a recurrent pattern throughout the HIA document. In each section, a similar approach is followed in the presentation of data and subsequent argument:

- a) A presentation of empirically proven, generalized arguments related to the factor in question is presented. These statements are factual and well-researched, and generally reflect the potential health impacts associated with the issue being discussed. This introductory section provides a stark perspective on the dangers of the various factors.
- b) The reader is bombarded with a deluge of supporting numerical data that demonstrates the authors' knowledge of published health data and underscores the quantifiable impacts of the issue under discussion. In most cases, these data are not local, and they are frequently mischaracterized or misinterpreted.
- c) Next, the authors attempt to draw down known health data to the local level. In this process, the reader is led to believe that empirical research has been demonstrated by the authors to be relevant at the local "impacted community" scale. The reader is presented with the *non-sequitur* that the dramatically negative health impacts described at other locations or scales will come to pass if the project moves forward locally.
- d) Although the link between the approval of the project and any health impacts experienced by, or predicted for, the community has not been supported by any factual data, the authors make conclusive statements based on inferential arguments and generalized interpretations of studies that occurred in other locales or at other scales, that the already over-burdened community will suffer greatly.

The HIA applies an arbitrary 2 mile radius as the zone of influence for the health impacts presented as outcomes of the proposed transfer station. Within this 2 mile radius, however, the HIA authors have chosen only 4 census tracts to represent the 'impacted community', rather than including all 17 census tracts that fall within this radius. The result is that the impacted community as defined in the HIA appears to have a much higher than average Hispanic population element, and a much higher than average poverty rate. This effect is substantially diminished when all 17 census tracts

are included, showing only a slightly higher than average Hispanic proportion and poverty level. This deceptive manipulation of data is never addressed or justified in the HIA, although the demographic disparity it creates forms the basis of the entire central argument of the analysis.

The most important recurrent fallacy in the HIA report is the failure to properly maintain a distinction between “correlation” and “causation”. This is a common shortcoming in public health assessments, especially where complex, multi-factorial health relationships are under discussion. Many of the factually-supported health disparities referenced in the HIA are commonly *correlated* with such environmental factors as air quality, industrial operations, traffic, etc. *Correlation* describes a relationship where there is a known association between the risk factor in question and the health outcome being evaluated. This is important to distinguish from *causation*, which describes a relationship where one factor clearly causes or influences a particular outcome. Throughout the entire HIA, the authors only occasionally differentiate between correlation and causation, while repeatedly making statements that imply a causal relationship. Phraseology such as ‘attributed to’ implies causation as strongly as ‘caused by’.

None of the risk factor associations with health outcomes described in this document are demonstrated to be causal, although they may be contributive; in fact, many of the health outcomes that are correlated with environmental factors are more strongly correlated with socio-economic factors such as poverty, violent crime rates, access to healthcare, educational attainment and lifestyle choices such as smoking, criminal involvement and substance abuse. None of these subjects are addressed in this study, despite their relevance to the impacted community.

Throughout the HIA document, methods for obtaining or analyzing data are inadequately described, or questionable. While the lack of availability of pertinent data can lead to circumstantial analysis in the preparation of an HIA, there are many liberties taken in this assessment that are not justifiable and are misleading. These shortcomings will be described in further detail in the specific analyses below.

SPECIFIC FINDINGS

In the following sections, EHD’s response to each of the key areas of concern is detailed. EHD recognizes that each of the considerations presented by the HIA can contribute to important health impacts; however, much of the interpretation of available data is not appropriate to the proposed project or to the scale in question. Additionally, mitigation factors that are either part of the operations plans or the facility design must be taken into consideration.

Traffic

While the analysis of traffic patterns and related mitigations to address any issues that may develop is beyond the expertise of EHD staff and was not considered in our review, there are numerous health impact issues presented in the HIA that necessitate a response nonetheless. Discussions with the design team related to the detailed traffic impact study just completed reveal that the impact to traffic volume is not as drastic as the HIA suggests. The authors of the HIA cite an increase of 173% for trips made by the collection fleet. While this estimate is not disputed in terms of the waste

collection trucks entering and exiting the transfer station, it should be considered in the larger scale of overall traffic, which is predicted to be approximately a 4% increase on weekdays when considering Solid Waste Department vehicles and additional public traffic. This volume of traffic is considered minor and appropriate for arterial roadways. It is also important to consider that the number of collection vehicles actually entering the residential neighborhoods will not change. All additional traffic is only on the arterial roads surrounded by industrial-zoned properties. The traffic volume increases will not be significant, and the listed health impacts associated with traffic are unlikely to change in light of the actual scale proposed.

Another important issue identified by the design team is the internal loop road that has been added to the site design. This feature will absorb any queuing and prevent vehicles from lining up on the roadway, thus addressing concerns associated with congestion at the site entrance.

A variety of health impacts, notably heart disease, hypertension, stress and depression, are listed as being associated with heavy traffic volumes. While this relationship may be true in situations where high traffic volumes are an everyday fact of life, they are not meaningful here in the context of the minimal traffic increases under discussion, and should be weighted accordingly. In addition, while there are documented and lamentable disparities between Hispanics in the impacted neighborhoods and the rest of Bernalillo County, the health conditions listed as associated with traffic are not necessarily caused by traffic, and are also closely associated in any community with socio-economic factors such as poverty, malnutrition, substance abuse, educational attainment, etc. Traffic changes at the nominal level anticipated as a result of the transfer station should not be expected to have a meaningful impact on these communities.

The issue of stress is identified repeatedly throughout the HIA, particularly as a catch-all means of linking various factors to health impacts when no other relationship can be demonstrated. While the links between stress and various important health outcomes is clear (notably heart disease, hypertension and depression), the studies that demonstrate these relationships typically reflect chronic, long-term stress exposures, such as might be expected among those living in constant poverty or in areas where violent crime is prevalent. Typically passing moments of stress associated with a congested intersection or traffic noise are not considered to be meaningfully influential in terms of major health determinants.

The argument is made that increased truck traffic will lead to a decrease in pedestrian and bicycle traffic, with a resulting increase in obesity and related health impacts, as well as reduced usage of public transportation. A deluge of numerical data that are not specific to the impacted community are provided. These data are irrelevant and serve only to distract the reader from the central argument, creating the illusion that a relationship has been established. No meaningful evidence is provided to support these claims other than anecdotal statements and supposition. Even if the stated patterns prove to be true, the causal relationship from one step to the next does not necessarily readily follow. This is especially true given the minor increase in traffic predicted, and the fact that the increases will not be felt in the residential neighborhoods.

The argument that 'community cohesion' will be impacted, with a subsequent decrease in life expectancy, is irrelevant and should be disregarded. As the HIA authors point out, community cohesion is already minimal in communities that are largely industrial and contain major arterial roadways; furthermore, the argument that this diminished cohesion would be felt strongly enough to affect life expectancy is highly specious and entirely unsupported.

A substantial amount of information related to national and statewide traffic safety statistics is presented in the HIA. This information is irrelevant, and appears to be aimed at impressing upon the reader that road deterioration and traffic collisions are a dangerous factor to consider, especially when bicyclists and heavy trucks are involved. While the statistical analysis of the impacted intersections identified by the HIA is outside the expertise of EHD, discussions with the design team indicate that a variety of traffic safety improvements are planned. These include added signage and striping on existing roadways, a new proposed multi-use trail and addition of side-skirts to collection vehicles to protect bicyclists and pedestrians. While these mitigation measures may not entirely eliminate all safety concerns, they are an important project element, and should be recognized in the HIA.

Hazardous waste concerns discussed in the HIA can largely be disregarded. This is primarily due to the fact that most of the hazardous waste that would be brought to the transfer station is already likely to be brought to the ACT (formerly RINCHEM) facility, as identified in the HIA. In addition, the hazardous waste is household waste, despite the intimidating name it carries, including materials such as used motor oil, consumer-grade pesticides, paint and solvents, all in very small amounts. Commercial hazardous waste will not be accepted. As a result, any risk of spill or exposure is trivial at best.

Perhaps the most significant argument made in the traffic section is related to chronic disease rates and life expectancy disparities among Hispanics and non-Hispanic white, both in the impacted community and in Bernalillo County overall. These data are summarized in Figure 12 and Figure 13, on page 39 of the HIA. The authors evaluate age-adjusted chronic disease death rates per 100,000 persons in Figure 12. The data demonstrate that Hispanic populations in the impacted community have a substantially higher death rate due to chronic disease, more than double that of both Hispanics and non-Hispanics in Bernalillo County. This is an extremely disturbing statistic and highlights a very real and unfortunate health disparity. This relationship appears to form much of the basis for the HIA authors' assertions that the impacted community is suffering from disproportionate health outcomes. While EHD agrees with that assertion, there is another extremely important trend illuminated by the same data. In the impacted community, non-Hispanics actually have a drastically lower chronic disease death rate: roughly half that of the rest of Bernalillo County for Hispanics and non-Hispanics alike, and less than a quarter of Hispanics in the impacted community. This is a critical piece of information in the overall analysis of the HIA, because it clearly illustrates that *the health disparity associated with chronic disease suffered by Hispanics in the impacted community are not a result of environmental factors*. Non-Hispanics in the impacted community use the same roads, breathe the same air, and are subject to essentially all of the same environmental factors as Hispanics, and yet they have substantially better health outcomes than their Hispanic neighbors as well as Hispanics and non-Hispanics in the rest of the

County. This is highly suggestive of lifestyle and socio-economic factors, not environmental conditions. The HIA authors may suggest that this still indicates a disproportionately disadvantaged population; however, the data strongly demonstrate that the addition of minor environmental factors will not have a meaningful impact on the overwhelming influence of socio-economic and lifestyle disparities.

A companion argument, based on the life expectancy data presented in Figure 13, demonstrates that while Hispanics in the impacted community have a marginally shorter life expectancy than Hispanics and non-Hispanics both in the impacted community and in Bernalillo County, non-Hispanics in the impacted community have significantly longer life expectancies than Hispanics and non-Hispanics in either the impacted community or Bernalillo County overall. This is again demonstrative that the disparities are not caused by environmental factors in the impacted community.

Air Quality

The HIA again presents a preponderance of evidence from a variety of sources and at various geographic scales to demonstrate that, in general, air pollution has a significant impact on human health, and that areas with greater air pollution have more pronounced effects. The HIA places an unsettling focus on the disproportionate impact of reduced air quality on the health of children. While EHD certainly acknowledges the importance of air quality to human health and the environment, there are significant flaws in the application of air quality arguments through this section of the HIA.

The most fundamental flaw in the HIA air quality arguments is the scale at which air quality is evaluated. The majority of the issues brought up by the HIA assume that increased truck traffic in the immediate area, as well as transfer station operations, would lead to decreased air quality at a highly localized (neighborhood) scale. This is inconsistent with how air quality is monitored and evaluated and demonstrates a lack of understanding of the basis for air quality interpretation.

The EPA protects public health by requiring every air quality jurisdiction to monitor and measure air pollution against the established National Ambient Air Quality Standards (NAAQS). Air pollution levels are monitored regionally. In the case of the local system this includes the entire Bernalillo County area, where we enjoy consistently good air quality, which is the EPA's highest tier Air Quality Index. Regional scale monitoring reflects the fact that pollution is subject to transport and dispersion, subject to a number of factors, especially weather patterns. The HIA incorrectly asserts that there will be additional truck traffic moving through the residential neighborhoods (there will be the same number of collection vehicles in neighborhoods, the additional traffic will be on major arterial streets); however, although EPA recognizes that proximity of 500-600 ft. from a major roadway is associated with higher exposure to pollution, it is incorrect to argue that the pollution from these trucks would only be a localized issue. The correct interpretation that is consistent with air quality science and practice, is to view the pollution as a function of its regional impact.

Reducing overall vehicle emissions by the equivalent of 2 million miles annually is substantial (equal to an annual greenhouse gas emissions reduction of taking 936 cars off the road each year). This impact is of regional benefit, while the additional emissions in the immediate area of the transfer station (as discussed in the Traffic section above) is vanishingly small. It is also critical to bear in mind that the arterial roadways in question already exist, and the collection vehicle traffic is only a small element of the substantial traffic volume already passing through the vicinity. One of the primary pollutants associated with diesel truck emissions is PM_{2.5}, or fine particulates. This category of pollution also includes a component of dust, as well as smoke particulates from wildfires and other constituents. In order to provide a sense of the actual magnitude of PM_{2.5} pollution in question, it is valuable to understand that by far the greatest component of this pollution comes from blowing dust. In fact, dust is nearly 9x greater in contribution to PM_{2.5} levels than emissions from diesel and other mobile sources combined. Mobile sources (traffic), including diesel trucks, make up only 8% of PM_{2.5} levels in the Albuquerque-Bernalillo.

Various health data related to chronic lower respiratory disease, cardiovascular disease death rates and stroke death rates are presented in Figures 17, 18 and 19. They demonstrate a similar pattern as seen in Figures 12 and 13, discussed above. To summarize, these data all demonstrate that while there is a substantial negative health impact for Hispanics in the impacted area, non-Hispanics in the impacted community actually have better health outcomes than both Hispanics and non-Hispanics in either the impacted community or Bernalillo County overall. Again, this clearly demonstrates that environmental factors, including air quality, are not contributing meaningfully to the disparity. Non-Hispanics breathe the same air in the impacted community, but do not suffer from health consequences. EHD acknowledges that these health conditions can be caused or aggravated by poor air quality; however, this does not appear to be the case in this situation, and the causal relationship implied by the HIA authors is not, and cannot, be demonstrated with factual evidence.

The HIA presents data in Table 10 (page 54) that demonstrate near-exceedance of the NAAQS for PM₁₀ levels at monitoring station No. 35-001-0026 (3700 Singer Blvd. NE). The HIA implies that these data pertain to high levels of industrial pollution for the area, despite having made no effort to obtain an explanation of the data from EHD's Air Quality Program (AQP), which maintains the monitoring network. The high values on 2/19/2014 and 5/7/2014 were caused by high wind events resulting in elevated levels of dust in the air – an entirely weather-driven phenomenon. On both dates, AQP issued dust alerts to contractors and health alerts to the public. The third date, 10/7/2014, was not associated with a high wind event; however, the high level reading was isolated to the early morning and did not exceed the NAAQS. Importantly, none of the data reflect high pollution levels. The Albuquerque/Bernalillo County area has been in attainment with all NAAQS, meeting EPA's health-based standards continuously, since the mid-1990's, and has never once been designated as non-attainment for any NAAQS ever during that time.

According to the HIA, residents in the impacted community have expressed concerns over adverse health impacts linked to air inversions. The HIA authors cite a study linking inversions, which are admittedly common in Albuquerque, with increased asthma attacks and emergency room visits. This study was conducted in Utah in an area known for being in non-attainment with NAAQS and also known for substantial, long-lasting air inversions that can go on for days or weeks, trapping

pollutants at the surface level for extended times. Inversions experienced in Albuquerque occur overnight, when diesel emissions from transfer station use or other traffic is not an issue, and they typically disappear early the next day, lasting until noon or so on only rare occasions. As a result, inversions are a non-issue in terms of health effects at the impacted community level and the data presented are irrelevant.

The HIA states that the impacted community contains only 2.7% of Bernalillo County's population, but carries 15% of the stationary source facilities permitted to emit air pollutants. It appears that the HIA authors were making an argument that a small population is carrying a disproportionate burden of air quality permits. EHD submits that an alternative interpretation is that a substantial portion of the permitted facilities are in an area that is predominantly industrial-zoned, hence the low population and higher number of permits. In either case, the HIA makes no effort to distinguish the types of permits in the area, and does not account for some permits being extremely low to nearly non-existent emission sources or having less hazardous emissions. For example, emergency generators that are rarely, if ever, in operation, would comprise part of these permit counts. The HIA focuses primarily on PM_{2.5} and PM₁₀ particulate matter as the key NAAQS of interest in terms of diesel emissions and the health impacts identified. Stationary sources in the impacted area represent approximately 9% of PM_{2.5} and 8.4% of PM₁₀ of total permitted emissions for Bernalillo County. Permitted emissions are the maximum allowable emissions levels, and most permitted sources do not approach the allowable levels provided for in their permits. The Albuquerque-Bernalillo County area is at approximately 54% of the NAAQS threshold for PM_{2.5}, meaning that the measured levels for fine particulates are on average only just over half of the allowable level at which a health impact would be anticipated.

Perhaps the most important discussion in the air quality section revolves around the actual emissions of the Solid Waste fleet. The HIA argues that over 41% of the trash collection fleet is over a decade old (nationally) and over 90% operate on diesel fuel. While this may be true at the national level, it is critical to the discussion to include the fact that much of the local collection fleet is much newer (with dozens of new vehicles just ordered), meaning that they are required to conform to the much more stringent diesel emissions standards adopted by the EPA in recent years. Moreover, the City of Albuquerque Solid Waste Department has committed, and is already well on its way to achieving a completely Tier 4 compliant diesel fleet. This will be fully realized by 2019. Tier 4 requires a substantial further reduction in NOx and particulate emissions. In addition, the new transfer station will also allow for fueling and maintenance of natural gas vehicles, which is not currently possible at the existing facility.

Climate Change, Water Quality and Flooding

While the HIA presents alarming data with regard to climate change, and makes an effort to indicate that these data, and global climate patterns, are relevant to the construction of the Edith Transfer Station, the arguments are so highly specious and outrageous that they can be disregarded in this context. Any global trends in climate change will have an impact on the entire human population, with no detectable difference being felt at the impacted community level. Even if a meaningful

argument could be created that would link the construction of the Edith Transfer Station to an impact on climate, either locally or globally, the contributing factors are irrelevant. The site plan will actually call for a significant increase in vegetation. Although the HIA authors discuss albedo differences of various surfaces and imply that small-scale heat absorption at this facility could impact climate, the argument is moot. The current site is already covered almost entirely with asphalt and/or asphalt millings. These materials have a comparable albedo to bare soil. In any case, the site is not large enough to have any impact on local temperatures.

Storm water concerns as outlined in the HIA are minimal. EHD acknowledges that surface water runoff is an important health concern. The HIA authors list a number of water-borne pathogens that could impact human health or the water quality of the Rio Grande; however, these are not a disproportionate risk to the impacted community, especially since the Rio Grande is not designated for primary contact in this area – meaning people should not be in the water regardless of runoff or the proposed construction. The various infectious disease arguments appear to be presented either as a means of creating fear or of raising doubts to attempt to show a link to the impacted community. In any case, EHD has full confidence that the concerted efforts made by the City of Albuquerque to improve storm water compliance under EPA scrutiny, and the regulatory requirements of the New Mexico Environment Department, will ensure that runoff issues are minimal. In addition, the current site is almost entirely impervious; the drainage plan for the new site will include improved drainage to better accommodate runoff. The improvements to drainage and flood control will presumably also greatly reduce flooding and stagnant water in the area, although this is beyond the scope of EHD's review.

Noise

The HIA authors present meaningful data that reflect the health impacts associated with exposure to excessive noise over prolonged periods of time. In addition to stress and attendant health effects such as increased likelihood of cardiovascular disease and diabetes, chronic noise exposure can result in poor performance in school for young people. While all of these relationships are known to exist, the HIA fails to place their relevance to the impacted community into proper context.

It is critical to bear in mind that the impacted community is largely industrial zoning. The land use throughout the area is heavily industrial, and noise levels are accordingly higher than in other areas; however, this is true whether or not the transfer station is approved. There is already truck traffic throughout this area. The additional truck traffic predicted to result from the construction of the transfer station would not be substantial enough to have any impact on the overall nature of sound levels in the surrounding areas, especially since the added traffic would be limited to arterial roads where residences are largely absent.

The application of the Noise Ordinance for the purposes of this HIA demonstrate a lack of understanding of the technical and legal standards that the ordinance is based on. The HIA authors cite Section 9-9-12 of the Noise Ordinance, providing Table 1. This table provides the allowable levels of sound for different land use categories, which the HIA authors have attempted to apply to

provide a standard against which their measurements are compared. These threshold values apply to stationary point sources of sound in terms of the limits set, and are explicitly exclusive of traffic noise. In addition, this table is not intended to reflect the presence of ambient sound already present. Ambient sound, as defined in the ordinance, is “the sound pressure of the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources and excluding the specific noise under investigation”. The value of data presented in the HIA is unclear, since the HIA authors do not provide reproducible criteria for how they were obtained (monitoring equipment used, last calibration, instrument response settings, training, distance from source, timeframe for average weighting, etc.); however, it is clear from what is presented that no effort was made to isolate individual noise sources from ambient background. The HIA authors have simply reported ambient levels at various locations. This is not the manner in which the ordinance is applied or enforced, since it only demonstrates how loud a given area is overall, rather than indicating the contribution any one source makes to the overall sound. There is also no comparison provided to give the reader any context for what a typical arterial roadway in an industrial area would measure in terms of sound pressure.

The HIA reports that sound levels at various educational institutions exceed allowable levels. Setting aside the incorrect assumption that ambient levels are what would reflect exceedances, the HIA authors make no distinction that their readings are taken from within classroom learning environments. It is insufficient and inconsistent with EHD enforcement of the ordinance to simply stand at the property line and measure sound levels. The sound levels from the schoolyard and in particular from within the classrooms is not presented; however, common sense dictates that the levels are drastically lower than what is reported here. In addition, the closest school is approximately 0.72 miles away from the facility or the primary intersection where traffic would be concentrated. Any noise issues at the school are a function of the land use and proximity to a major arterial roadway, and would not be exacerbated by the transfer station.

As mentioned above, vehicular traffic is explicitly regulated separately, and should not be considered as part of the allowable sound levels stated in Section 9-9-12. The appropriate language is found in Section 9-9-9, where moving vehicles over 10,000 lbs GVWR are limited to 88 dB. Alternatively, vehicles of at least 6,000 lbs GVWR are limited to a maximum threshold of 93 dB measured 25 ft. from the side of the vehicle. No data are presented that would demonstrate that any person from the impacted community would be subject to this noise level for any extended periods of time, since vehicles would either be in traffic or in queue at the facility itself.

Lastly, any suggestion that facility operations would contribute to overall noise levels fails to consider that the proposed facility is entirely enclosed. Earth berms and landscaping added to the site will further dampen vehicle noise or other sound sources on the premises. On-site operations will not be audible beyond the perimeter of the facility itself. Hours of operation run until 5:00 PM for incoming traffic, and any sound associated with the facility would be concluded by that time.

Odor, Litter, Rodents and Insects

The HIA identifies several concerns that the impacted community have proposed based on the nature of the Waste Transfer Station operation; namely, the handling of trash. These are known issues that are commonly associated with solid waste facilities. Fortunately, as a result of these issues being well-documented, there are robust and enforceable regulatory requirements, as well as highly effective design and operations elements, that can address these concerns.

A very important operational element, and regulatory requirement, of the proposed facility is that no trash will be stored on-site overnight. The operations plan calls for a “first in, first out” approach to transferring waste for transport to the landfill. This will eliminate putrescible materials being kept on-site for long periods, a strategy that is typical for the mitigation of odors. The facility is designed as a fully-enclosed operation. A negative airflow system, fast-closing doors, an air wall that engages when the doors are open, and a misting system to keep dust and odors down are all effective design elements that are being incorporated in order to address odor concerns. The airflow features will also help to control flies and other flying insects from moving in and out of the facility. Daily washing regimens are incorporated into the operations plans. All of these mitigation elements combined will limit odors experienced in the impacted community, especially given the distance to residential areas.

While stray litter and possible illegal dumping are considered to be typical expectations with solid waste operations, both of the issues are required to be addressed in plans submitted to NMED as part of the facility permitting process. Although EHD does not have sufficient knowledge of current conditions at the existing facility, the proposed development to a Waste Transfer Station will require a minimum of an annual inspection by NMED to ensure that plans are followed, and will also allow for regulatory inspections as a result of substantiated complaints. These regulatory requirements will actually provide the impacted community with a higher level of leverage to ensure that the Solid Waste Department is a good neighbor.

The HIA discusses rodent concerns if the proposed facility is built. In terms of relating this to a disproportionate health impact to the surrounding community, the HIA authors submit that hantavirus and plague are a risk associated with this project. The case data presented are statewide data, and do not reflect local conditions or risk. EHD monitors and investigates all rodent-borne and zoonotic diseases throughout Bernalillo County. There has never been a documented case of hantavirus originating in Bernalillo County (historical cases attributed to Bernalillo County were concluded to be linked to exposure while traveling) and there has not been plague endemic in any rodents west of Tramway for several decades. These health concerns are simply non-issues for the impacted community. Rodent and pigeon control are readily handled through simple pest control mitigation efforts in any case. EHD staff investigated reports of pigeon nuisance earlier in 2015, and found that the number of pigeons present at the existing facility is consistent with flat rooftops in similar land use areas, and did not represent a nuisance as defined in the local ordinance.

Mosquito-borne disease is listed in the HIA as a key concern of the impacted community. The HIA goes on to state that trash facilities or unintended litter attract or harbor mosquitoes. This is the

basis for connecting an increase in mosquito-borne disease risk with the approval of the Edith Transfer Station. There is no evidence to demonstrate a link between waste handling or litter and mosquitoes. Mosquitoes are attracted to sources of stagnant standing water in order to support their breeding. As described above, there is no expectation of standing water associated with this facility, and in fact the site drainage should be ideal as the new facility is constructed. Mosquitoes are also attracted to vertebrate hosts in order to obtain blood meals; however, there is no reason to anticipate any impact to mosquito attraction based on the proposed project.

The City of Albuquerque operates a comprehensive vector control program that receives and responds to mosquito complaints, and also tracks and investigates incidence of West Nile virus (WNV), St. Louis Encephalitis (SLE) and Western Equine Encephalitis (WEE). These are all mosquito-borne viral diseases. Detailed complaint records support that there are currently mosquito issues in the impacted community; however, these issues are not out of proportion with other areas in Bernalillo County, and in fact are less impactful than in many other areas. Upon careful review of the proposed transfer station plan, no anticipated increase in mosquitoes is expected. In any case, a Vector Control Plan is a required submission for NMED permitting, and any unexpected vector issues will be addressed by that plan.

No human case of WEE or SLE have occurred in New Mexico in at least 13 years, and these viruses are essentially never detected in local mosquitoes. While WNV is endemic throughout the United States, including in New Mexico, and there are occasional cases locally, the distribution of WNV cases in Bernalillo County over the past 13 years does not support the HIA authors' assertion that the impacted neighborhoods are at greater risk. The majority of WNV cases in Bernalillo County are not associated with the impacted community, and this area is not at any elevated risk. No recent WNV case data supports any assertion that the incidence of human cases is on the increase.

Occupational Health

The HIA cites concerns over the health and safety of employees at the proposed Edith Transfer Station as an issue that translates to a direct health concern for the impacted community. The HIA authors provide a comprehensive list of any and all workplace hazards that they feel waste transfer workers would be subjected to. While some of the listed hazards are of concern for employees in the potentially dangerous occupations associated with a waste transfer station, there is absolutely no link to demonstrate any danger to the impacted community.

The HIA states that residents in the nearby community have higher career aspirations than handling other people's trash. Regardless of this perspective, the City of Albuquerque is explicitly prohibited from selectively offering employment to people based on any factor other than qualifications and experience. There is neither a guarantee nor an expectation that anyone from the impacted community would necessarily be employed at the transfer station. For those members of the community that elected to work at the transfer station, their employment would be entirely voluntary, and no disproportionate impact to the health of the community would be felt; indeed,

these community members would have an equal opportunity to be employed, and injured as employees, regardless of the siting of the transfer station.

On an important related note, the operations and safety of the transfer station will be carefully evaluated and regulated by NMED, OSHA and the City of Albuquerque itself. Appropriate safety measures, personal protective equipment and training will be provided in order to protect the employees and to limit the City's liability. The arguments pertaining to occupational health should be entirely disregarded.

Cumulative Impacts and Environmental Justice

The topics of cumulative impacts and environmental justice are covered in the HIA in a somewhat indirect manner. The HIA provides general descriptions of what these terms refer to, without demonstrating that they apply to the impacted community. If the reader accepts arguments in previous sections as demonstrating a clear disproportionate health burden on the impacted community, *which would be influenced in a meaningful way by the construction of the transfer station*, then consideration of the cumulative impacts contribution of this facility and environmental justice issues could be considered. EHD contends that the HIA has not demonstrated any evidence that support the idea that the transfer station will affect the impacted community's health.

Insofar as cumulative impacts to health or environment are required to be considered in the proposed transfer station project, they will be evaluated and taken into account during the solid waste permitting review to be carried out by the New Mexico Environment Department.

Environmental justice is a complex issue, with a diverse range of meanings and application. The HIA states in several places that the impacted neighborhood meets the EPA definition of an environmental justice community. This is not a legally binding regulatory designation as it pertains to this project. Many factors contribute to the need for careful consideration associated with environmental justice issues; however, it is important to clarify that no regulatory requirements or additional restrictions apply to these areas, especially at the local level.

Individual and Business Economic Wellbeing

In general, the HIA discussion related to the economic wellbeing of the impacted community and to negative impact on property values lies outside of the scope of EHD review; however, there are some clarifications required.

The evidence that the HIA authors provide to support their assertion that the transfer station would have a negative effect on the impacted community is either highly subjective or irrelevant. The study cited that discusses property values in relation to waste transfer stations was conducted in Israel, where the culture and regulatory framework are vastly different and cannot be compared to the local community. The only available study conducted in the United States was based on proximity to landfills, not to transfer stations. Despite the repeated efforts by the HIA authors to

draw parallels the proposed transfer station and landfill operations, the two cannot be compared. Other statements regarding the impacted community's wellbeing, and the potential effects of the transfer station are subjective, based on personal opinion of a select group of people, and cannot be reproduced. An example is the personal phone interviews conducted with unspecified realtors related to property value predictions.

Even if the arguments discrediting the validity of the HIA's assertions and conclusions relating to economic wellbeing are set aside, there is no meaningful link to health outcomes in the impacted community that has been credibly established. The only health outcome cited is associated with 'stress-related' disease, a catch-all concept with no evidence or clear causal relationship to support it. The HIA authors repeatedly point out that the impacted community suffers from chronic poverty and other stressful factors, and the health impacts that may or may not result from this stress cannot be differentiated or attributed to any specific project or influence.

Many of the concerns in the impacted community regarding land use and the nature of the environs pertain to the fact that the surrounding area is largely industrial zoning. Property values and environmental conditions are already in line with what would be expected from this type of area.

The HIA claims that the land use for the transfer station is incompatible with food service facilities in the area (SYSCO and Rainbow Bakery). EHD is the regulatory agency that permits and oversees these facilities. There is nothing in the 2009 FDA Food Code or the Albuquerque Food Sanitation Ordinance that precludes these food facilities from operating at their current locations with the construction of the transfer station. The area is already an industrial zone, and no conflicts exist. These facilities meet all regulatory requirements in terms of food safety, and have excellent compliance records.

CONCLUSION

A comprehensive review of the health impact assessment for the proposed Edith Transfer Station was conducted by a team of highly qualified and experienced scientists and engineers in the City of Albuquerque Environmental Health Department, representing a cross-section of disciplines. The analysis concluded that while the HIA covered a wide variety of topics, and provided a large quantity of data, these data generally do not apply to the proposed project. The HIA fails to demonstrate any meaningful or disproportionate health disparities for the impacted community. The main reasons for this failure are that the data do not apply at the scale in question, are incorrectly interpreted or simply do not support the health outcome claims made in the HIA. Furthermore, the HIA systematically fails to discuss, suggest or allow for any mitigation of the purported harmful effects. The design team has included a wide range of highly effective mitigation measures to address the majority of the concerns identified by the surrounding community, and the regulatory process followed by the New Mexico Environment Department will ensure that many additional issues are proactively addressed and enforced. Our review finds no disproportionate health impacts to any group of people as a result of this project.