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OFFICIAL NOTICE OF DECISION

September 19, 2024

New Mexico Department of
Transportation (NMDOT)
1120 Cerrillos Road
Santa Fe, NM 87505

Project # PR-2024-010771

SI-2024-01142 – Site Plan – EPC for an Extraordinary Facility in
Major Public Open Space

LEGAL DESCRIPTION:

WSP/NMDOT requests a Site Plan – EPC for an Extraordinary Facility for the Rio Bravo Riverside Picnic Area, Fishing Pier, and Nature Trail, part of the Rio Grande Valley State Park, MRGCD Map 49, T9N R2E 12 & R3E 7 & 8 (Bernalillo County), between the Albuquerque Riverside Drain and Rio Bravo Blvd. SW, approximately 9.5 acres.

(N-13) (P-13)

Staff Planner: Silvia Bolivar

On September 19, 2024, the Environmental Planning Commission (EPC) voted to APPROVE PR-2024-10771/SI-2024-01142 – Site Plan – EPC for an Extraordinary Facility in Major Public Open Space, based on the following findings:

FINDINGS – SI-2024-01142 – Site Plan – EPC for an Extraordinary Facility in Major Public Open Space

1. The request is for a Site Plan – EPC for an Extraordinary Facility in Major Public Open Space for the 9.5-acre Rio Bravo Picnic Area, Fishing Pier, and Nature Trail. The site is legally described as MRGCD Map 49, T9N R2E 12 & R3E 7 & 8 (Bernalillo County) (the “subject site”).
2. The adjacent Rio Bravo Bridge (NM500), consisting of four structures over the Rio Grande, requires replacement due to structural deficiencies. The New Mexico Department of Transportation (NMDOT), in partnership with the Federal Highway Administration (FHWA), has proposed replacing the east- and west-bound bridges on Rio Bravo Boulevard. This project will add travel lanes and shift the bridge northward by approximately half its width into the area managed by the City Open Space Division of the Parks and Recreation Department. The project is federally funded, with FHWA as the lead agency.
3. The bridge replacement will affect the Rio Bravo Riverside Picnic Area, Fishing Pier, and Nature Trail located northeast of the bridge, as well as a smaller parking area and trailhead on the northwest side; however, the picnic area, pier, and trail are considered the extraordinary facilities that are the subject of this request.
4. The subject site is part of the Rio Grande Valley State Park (RGVSP), a 4,300-acre park extending approximately 22 miles from Sandia Pueblo to the north to Isleta Pueblo in the south, spanning both sides of the Rio Grande. While the Middle Rio Grande Conservancy District (MRGCD) owns the park, and the

subject site is within the unincorporated Bernalillo county, the 1983 Rio Grande Valley State Park Act designates the City's Open Space Division as the managing agency.

5. This project is a river crossing in the South Valley that serves many major residential, commercial, and industrial areas under County jurisdiction, including the International Sunport Station Area Sector Plan, Sunport Commerce Design Overlay Zone, the Isleta Boulevard and Village Centers Sector Development Plan, and the Las Estancias Planned Development Area.
6. The request was presented to the Open Space Advisory Board on October 24, 2023. The board unanimously recommended approval and moving forward with the EPC application process.
7. This request is under review by the EPC because any Extraordinary Facility must be evaluated and decided as a Site Plan – EPC pursuant to IDO §14-16-6-6(I).
8. The Albuquerque/Bernalillo County Comprehensive Plan, the City of Albuquerque Integrated Development Ordinance (IDO), the Major Public Open Space Facility Plan, the Bikeways & Trails Facility Plan, and the Bosque Action Plan are incorporated herein by reference and made part of the record for all purposes.
9. Pursuant to IDO §14-16-6-6(I)(3)(c), the attached site development plan has been evaluated for conformance with applicable goals and policies in the Comprehensive Plan and all applicable provisions of this IDO, the DPM, other adopted City regulations.
10. The request is consistent with the following Policies from the Comprehensive Plan Chapter 4: Community Identity:

A. GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

The request aims to enhance, protect, and preserve the distinct community by introducing new amenities that will improve the recreational experience and enhance pedestrian and vehicular access, making the area more welcoming and accessible. The proposed development will also maintain the community's character, known for its outdoor recreation and natural beauty. The request includes in-kind replacements of park infrastructure, such as benches, tables, and fencing, to maintain usability and aesthetics without altering the area's fundamental character, thereby safeguarding its rural and natural essence. Minor infrastructure improvements, like reshaping the parking lot, are intended to enhance functionality while preserving the park's landscape and recreational offerings, ensuring a balanced approach to development and conservation.

B. POLICY 4.1.3 PLACEMAKING: Protect and enhance special places in the built environment that contribute to the distinct identity and sense of place.

The Rio Bravo Riverside Picnic Area, Fishing Pier & Nature Trail is a unique place that contributes to the distinct identity and sense of place within the area's built environment since its construction in 2001. The proposed development will minimize intrusion into the natural environment by the relocation of the Rio Bravo Bridge northward along with repositioning the boat launch ramp and the redesign of the parking area for greater efficiency. The approach to the proposed development respects and integrates the existing natural ecosystem, while striving to harmonize essential structural improvements with the protection of the environmental integrity. The proposed approach will achieve a development that fulfills infrastructural requirements while maintaining the ecological health of the area.

C. POLICY 4.1.5 NATURAL RESOURCES: Encourage high-quality development and redevelopment that responds appropriately to the natural setting and ecosystem functions.

The request is consistent with this policy because the proposed development emphasizes efforts to minimize the environmental impact during the development of the Rio Bravo Bridge. By shifting the bridge's location and redesigning the adjacent boat launch ramp and parking lot, the development will conserve the existing natural environment and optimize land use while still accommodating necessary structural adjustments. These measures reflect a conscientious approach to balancing development needs with environmental preservation, demonstrating compliance with the policy's emphasis on high-quality development that respects natural resources.

11. The request is consistent with the following Goals and Policies regarding Activity Centers in the Comprehensive Plan Chapter 5: Land Use:

- A. **GOAL 5.1 CENTERS & CORRIDORS:** Grow as a community of strong Centers connected by a multi-modal network of Corridors.

POLICY 5.1.6 ACTIVITY CENTERS: Foster mixed-use centers of activity with a range of services and amenities that support healthy lifestyles and meet the needs of nearby residents and businesses.

POLICY 5.1.6(d): Ensure that Activity Centers are pedestrian-friendly and provide convenient pedestrian connections to nearby residential areas.

The request is consistent with this policy because the proposed development will improve walking paths between the site, the Rio Bravo Activity Center, and nearby neighborhoods. By filling in missing sections of the current pedestrian paths and creating new, safe routes, residents will have easier and safer access to the Activity Center, whether they are walking or biking.

- B. **Policy 5.1.6(e):** Provide good connectivity via bicycle between Activity Centers and nearby Residential areas and multi-use trails.

The proposed development will address the existing discontinuous multi-modal facilities. The development made possible by the request will allow for safe access to trails on either side of the bridge. The request will also allow for new trails to be added thereby improving the safety of pedestrians and cyclists. The improvement in access and safety for pedestrians and cyclists will encourage more multi-modal use of Rio Bravo Boulevard and nearby multi-use trails.

12. The request is consistent with the following Policies from Goals and Policies from Chapter 7: Urban Design.

- A. **GOAL 7.3 SENSE OF PLACE:** Reinforce sense of place through context-sensitive design of development and streetscapes.

The request is consistent with this Goal because the replacement of the Rio Bravo Bridge and the addition of multi-use trails will incorporate design elements that will reinforce the unique character of the surrounding area. The new bridge, trails, and improved parking lot will be designed with careful consideration of the local environment, ensuring that they blend seamlessly with the existing landscape and community identity. The development made possible by the request will not only improve functionality, but will also create a more aesthetically pleasing and cohesive streetscape that reinforces the area's sense of place. By integrating local materials and natural features into the design, the project will contribute to a stronger connection between the community and its surroundings, fostering a distinct and recognizable sense of place.

- B. **POLICY 7.3.5 DEVELOPMENT QUALITY:** Encourage innovative and high-quality design in all development.

The request is consistent with this policy because the replacement of the Rio Bravo Bridge, along with the addition of multi-use trails, improved pedestrian access, and enhanced parking facilities, exemplifies innovative and high-quality design. The improvements integrate sustainable infrastructure, prioritize community accessibility and safety, and enhance the aesthetic appeal of the area. By fostering a well-connected and visually cohesive environment, the proposed development will ensure long-term value and resilience that will elevate the quality of the built environment.

13. The request is consistent with the following Goals and Policies from Chapter 10: Parks & Open Space:

- A. **POLICY 10.1 FACILITIES AND ACCESS:** Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

The request is consistent with this Goal because the Rio Bravo Bridge replacement, along with the creation of new trails and improved parking facilities will enhance the recreational areas and open spaces, ensuring they are accessible to all residents. The development supports the responsible use of natural resources by integrating sustainable design elements, such as environmentally friendly materials as outlined in the City of Albuquerque's Trail and Trailhead Design Standards for Open Space. These improvements will create a more inclusive, connected, and environmentally conscious space that will cater to the diverse recreational needs of the community while preserving the surrounding natural environment.

- B. **POLICY 10.2.1 Park Types:** Plan and implement a system of parks to meet a range of needs at different scales, including small neighborhood parks, community parks, active parks, regional parks, and linear parks.

The request is consistent with this Goal and policy because proposed development will contribute to the development of linear parks that enhance community connectivity and recreational opportunities. Multi-use trails serve as essential components of linear parks by promoting active transportation and outdoor activities, while the new parking lot facilitates access to these amenities. The infrastructure improvements will support the broader goal of implementing a park system that meets diverse community needs, linking neighborhoods to regional parks, and fostering a more accessible, active public space network in the area.

- C. **POLICY 10.2.3 MULTI-USE TRAILS:** Connect parks by designing, building, and maintaining trails to accepted standards.

The request is consistent with this policy because the design will incorporate multi-use trails that connect surrounding parks and open spaces while adhering to the City of Albuquerque Trail and Trailhead Design Standards for Open Space. These standards ensure that the trails are designed and built to facilitate safe and accessible use for a variety of non-motorized activities, such as walking, biking, and running. By following these guidelines, the request promotes connectivity between recreational spaces, enhances the overall trail network, and supports the Comprehensive Plan vision of providing a high-quality, accessible, and well-maintained system that links community and regional parks.

- D. **GOAL 10.3 OPEN SPACE** Protect the integrity and quality of the region's natural features and environmental assets and provide opportunities for outdoor recreation and education.

The request is consistent with this goal because the proposed development, despite its impact on riparian vegetation and mature cottonwood trees, addresses this goal by implementing significant mitigation efforts to protect the region's natural features and environmental assets. By limiting the removal of trees to the minimum necessary and scheduling work within the river channel to minimize disruption, the request demonstrates a commitment to preserving the integrity of the ecosystem. Post-construction, the revegetation of 2.9 acres with native species and the partnership with agencies for offsite riparian habitat restoration will ensure that the natural environment is restored and enhanced. Additionally, the purchase of water for the conservation of the Rio Grande Silvery Minnow reflects a proactive approach to protecting critical habitats and supporting species recovery, ultimately contributing to the long-term health and educational value of the region's open spaces.

- E. **POLICY 10.3.2 Preservation:** Identify and manage sensitive lands within the Open Space network to protect their ecological function.

The request is consistent with this policy because the proposed development incorporates careful consideration of sensitive lands within the Open Space network, particularly focusing on the Rio Grande's ecological corridor. The biological evaluations conducted for the project help identify critical habitats and species within the area, ensuring that construction activities do not negatively impact these ecological systems. By maintaining proper environmental stewardship, the project will minimize disruptions to native flora and fauna while preserving the integrity of the Rio Grande ecosystem. Furthermore, mitigation measures, such as habitat restoration and erosion control, are incorporated to protect the long-term ecological function of the sensitive lands within the project boundaries.

- F. **POLICY 10.3.4 Bosque and Rio Grande:** Carefully design access to the Rio Grande, the Bosque, and surrounding river lands to provide entry to those portions suitable for recreational, scientific, and educational purposes, while controlling access in other more sensitive areas to preserve the natural wildlife habitat and maintain essential watershed management and drainage functions.

The request is consistent with this policy because the proposed development is designed to balance access to the Rio Grande and Bosque areas with the need to preserve sensitive wildlife habitats and protect essential watershed functions. The project includes strategically planned access points to ensure that areas suitable for recreational, scientific, and educational purposes are accessible to the public, while carefully controlling entry to more sensitive regions of the Bosque. This approach minimizes disturbance to the natural wildlife habitat and maintains critical drainage and watershed management functions along the river.

- G. **GOAL 10.4 COORDINATION:** Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.

The request is consistent with this goal because the NMDOT, in collaboration with WSP and the FHWA, is undertaking the replacement of the Rio Bravo Boulevard bridge (NM500). This effort promotes coordination across various disciplines, jurisdictions, and geographic areas. The proposed development requires the cooperation of federal, state, and local agencies, including the Open Space Division, and integrates data from the United States Fish and Wildlife Service (USFWS), the New

Mexico Department of Game and Fish (NMDGF), and the New Mexico Energy, Minerals, and Resources Department (EMNRD) to compile biological data and ensure compliance with environmental regulations. The resulting Biological Evaluation for the project demonstrates a collective effort to incorporate ecological factors into the infrastructure improvements. Through this collaboration, these groups have optimized resource use, while ensuring the public's needs for safe and environmentally responsible parks and recreation facilities is met.

- H. POLICY 10.4.2 SYSTEM PLANNING: Coordinate among departments and across jurisdictional boundaries to plan interconnected networks, manage natural resources, leverages public investment, eliminate gaps in service, and avoid duplication of efforts.

The proposed development is consistent with this policy because there has been coordination among various departments and agencies. This collaboration will ensure the planning of an interconnected network that will effectively manage natural resources while optimizing public investment. Working across jurisdictional boundaries has helped address potential gaps in service such as environmental impacts and recreational needs while avoiding duplication of efforts.

- I. POLICY 10.4.4 Arroyos and Drainage: Work with MRGCD and AMAFCA to protect arroyos, drains, and acequias as part of Community Green Space.

The proposed development is consistent with this policy because the applicant is working with the Middle Rio Grande Conservancy District (MRGCD) and the Albuquerque Metropolitan Arroyo Flood Control Authority (AMAFCA) to protect critical arroyos, drainage systems, and acequias. As listed in the Biological Evaluation, as part of the project, the development will incorporate measures that will safeguard the water management systems while maintaining the ecological integrity of the surrounding community green spaces.

14. The request is consistent with the following Policy from Chapter 11: Heritage Conservation.

- A. POLICY 11.3.3 BOSQUE: Regulate development on adjacent lands to preserve and enhance the Bosque as an important cultural landscape that contributes to the history and distinct identity of the region, as well as nearby neighborhoods

The request is consistent with this policy because the development made possible by the request adheres to the strict regulatory measures that will minimize environmental impacts on the Bosque. The development incorporates buffer zones, preserves native vegetation to the maximum extent practicable, and will limit the scale and footprint of construction to protect the area's natural and cultural significance. The project integrates sustainable practices to enhance the Bosque's role as a cultural landscape while improving the connectivity with nearby neighborhoods. The request ensures that the Bosque remains an integral part of the region's identity while accommodating necessary infrastructure improvements.

15. The request is consistent with the following Policies from Goals and Policies from Chapter 12: Infrastructure, Community Facilities & Services (ICFS):

- A. GOAL 12.1 INFRASTRUCTURE: Plan, coordinate, and provide for efficient, equitable, and environmentally sound infrastructure to support existing communities and the Comp Plan's vision for future growth.

Policy 12.1.1 INFRASTRUCTURE DESIGN: Encourage design of visible infrastructure (surface and overhead) that respects the character of neighborhoods and communities and protects

significant natural and cultural features.

The request is consistent with this Goal and policy because the proposed development will incorporate elements that minimize disruption to the area's natural and cultural features, such as limiting tree removal to the essential minimum and planning revegetation efforts with native species. Additionally, the design respects the cultural and environmental significance of the Rio Grande corridor by ensuring that the new infrastructure blends with the local landscape, thereby preserving the aesthetic and cultural integrity of the area while meeting modern infrastructure needs.

16. The request meets the City's 1999 Major Public Open Space Rank 2 Facility Plan requirements:

Policy D.4 – Native plant species shall be protected. Exotic plant materials shall be controlled and growth of native species shall be encouraged. Native plants that historically grew in the Bosque shall be reintroduced when feasible.

The applicant, in collaboration with the Open Space Division, has taken steps to identify ways to reduce the number of mature trees that need to be removed to accommodate the new bridge and road alignment. While the removal of mature Cottonwood trees and other vegetation is necessary, and the mature Cottonwoods cannot be replaced in-kind, NMDOT will consult with the City Parks and Recreation's Open Space Division and Urban Forestry Division to determine appropriate mitigation strategies, including the planting of containerized trees and Cottonwood and Willow cuttings to help offset the loss of existing vegetation.

Policy D.5 – Regeneration of cottonwood trees shall be encouraged through pole plantings and temporary flooding. Genetic diversity of the cottonwoods must be maintained.

If approved, after construction is complete, all disturbed areas will be revegetated using a native seed mix in accordance with NMDOT Standard Specifications. Additionally, Willow cuttings will be planted along the Rio Grande, while Cottonwoods will be planted in the upland areas. NMDOT officials have agreed that the restoration and revegetation of the site will be planned and executed in consultation with the City's Open Space Division and Urban Forestry Division. Additional riverine and riparian mitigation measures are currently being developed to satisfy the Federal Section 7 Endangered Species Act. These measures may include the purchase of water releases into the Rio Grande for silvery minnow recovery and the performance of off-site Cottonwood and Willow planting. Final mitigation details will be worked out through the Federal Section 7 consultation process, which is currently underway.

Policy D.11 – Approved Disturbances shall be mitigated by the responsible agency or organization, including a revegetation plan that details species to be used and planting techniques.

After construction is complete, all disturbed areas will be revegetated using a native seed mix in accordance with NMDOT Standard Specifications. Additionally, Willow cuttings will be planted along the Rio Grande, while Cottonwoods will be planted in the upland areas. NMDOT officials have agreed that the restoration and revegetation of the site will be planned and executed in consultation with the City's Open Space Division. Additional riverine and riparian mitigation measures are currently being developed to satisfy the Federal Section 7 Endangered Species Act. These measures may include the purchase of water releases into the Rio Grande for silvery minnow recovery and the performance of off-site Cottonwood and Willow planting. Final mitigation details will be worked out through the Federal Section 7 consultation process.

Policy D.12 – Mitigation of damage or restoration will be equal to the replacement value calculated according to the appraisal method for tree and landscape appraisals outlined in the “Valuation of Landscape Trees, Shrubs, and Other Plants.” This method of appraisal recognizes that mature vegetation has a higher value than new vegetation and ensures that mitigation of damage to mature Bosque is commensurate with the loss of vegetation.

While the removal of mature Cottonwood trees and other vegetation is necessary, and the mature Cottonwoods cannot be replaced in-kind, NMDOT will consult with the Open Space Division and Urban Forestry Division to determine appropriate mitigation strategies, including the planting of containerized trees and Cottonwood and Willow cuttings to help offset the loss of existing vegetation

17. The request meets the City’s 2015 Bikeways & Trails Rank 2 Facility Plan requirements:

1. Improve cyclist and pedestrian safety.

1.a. Policy: Develop a legible and predictable trail and bikeway system through planning, design, and implementation of physical improvements.

The proposed development is consistent with this policy because the project will integrate clearly demarcated bike trails and pedestrian walkways that will be easily identifiable and follow consistent design standards, allowing users to navigate the area. The use of design elements such as chicanes and guardrail fencing will allow for the trails and walkways to be protected from potential hazards.

4. Increase use of the bikeway and trails network.

4.a. Policy: Support the development of an integrated bikeways and trails system that serves the interests and needs of transportation and recreation.

The improvements at the subject site such as upgraded paths and access points will make the area more appealing for recreational users while also supporting transportation goals by providing smooth and direct connections to nearby neighborhoods and facilities. This approach will cater to the diverse needs of users, encouraging increased usage of the bikeway and trail system for various activities, from commuting to outdoor recreation.

4.c. Policy: Accommodate all types, ages, and abilities of users in a comfortable manner throughout the system, while recognizing that all modes of travel and/or level of user ability may not necessarily be accommodated on every road or trail.

4.c.1. Improve and enhance cycling and pedestrian opportunities

The request is consistent with this policy as the proposed development is designed to accommodate individuals of all types, ages, and abilities by creating an inclusive and accessible bikeway and trail system that ensures comfort for a diverse range of users.

18. The request meets requirements of the Rank 3 Bosque Action Plan as follows:

Goal: The goal is to protect and enhance the natural resources of the Rio Grande Valley State Park.

The request is consistent with this goal because the proposed development will protect and enhance the natural resources of the Rio Grande Valley State Park by incorporating measures that minimize environmental impacts, such as limiting construction footprints, ensuring habitat preservation, and appropriate mitigation measures. All disturbed areas will be revegetated using a native seed mix in accordance with NMDOT Standard Specifications. Additionally, Willow cuttings will be planted along the Rio Grande, while Cottonwoods will be planted in the upland areas. NMDOT officials have agreed that the restoration and revegetation of the site will be planned and executed in consultation with the City's Open Space Division and Urban Forestry Division. Additional riverine and riparian mitigation measures are currently being developed to satisfy the Federal Section 7 Endangered Species Act. These measures may include the purchase of water releases into the Rio Grande for silvery minnow recovery and the performance of off-site Cottonwood and Willow planting. Final mitigation details will be worked out through the Federal Section 7 consultation process, which is currently underway

Policy 6: All submittals for development, both private and public property located on or adjacent to the boundaries of the Rio Grande Valley State Park shall include a complete extraordinary facility form to be submitted to the Open Space Advisory Board for their action.

The applicant has submitted all required documentation and appeared before the Open Space Advisory Board on October 24, 2023, demonstrating compliance with this policy and requirements outlined in Subsection 6-6(I)(2)(a) of the Integrated Development Ordinance.

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

The replacement of the bridge will require shifting of the bridge to the north, which will significantly impact the subject site; however, the applicant, in collaboration with the Open Space Division, has taken steps to identify ways to reduce the number of mature trees that need to be removed to accommodate the new bridge and road alignment. While the removal of mature Cottonwood trees and other vegetation is necessary, and the mature Cottonwoods cannot be replaced in-kind, NMDOT will consult with the Open Space Division and Urban Forestry Division to determine appropriate mitigation strategies, including the planting of containerized trees and Cottonwood and Willow cuttings to help offset the loss of existing vegetation.

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

The request is consistent with this policy because the design will incorporate multi-use trails that connect surrounding parks and open spaces while adhering to the City of Albuquerque Trail and Trailhead Design Standards for Open Space. These standards ensure that the trails are designed and built to facilitate safe and accessible use for a variety of non-motorized activities, such as walking, biking, and running. By following these guidelines, the request promotes connectivity between recreational spaces, enhances the overall trail network, and supports the Comprehensive Plan vision of providing a high-quality, accessible, and well-maintained system that links community and regional parks.

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

While the removal of mature Cottonwood trees and other vegetation is necessary, and the mature Cottonwoods cannot be replaced in-kind, NMDOT will consult with the Open Space Division and Urban Forestry Division to determine appropriate mitigation strategies, including the planting of containerized trees and Cottonwood and Willow cuttings to help offset the loss of existing vegetation.

After construction is complete, all disturbed areas will be revegetated using a native seed mix in accordance with NMDOT Standard Specifications. Additionally, Willow cuttings will be planted along the Rio Grande, while Cottonwoods will be planted in the upland areas. NMDOT officials have agreed that the restoration and revegetation of the site will be planned and executed in consultation with the City's Open Space Division and Urban Forestry Division.

- D. Continuously monitor construction projects for compliance with this plan and other relevant documents and policies.

NMDOT will implement an ongoing monitoring system through the duration of the project. In addition to pre-construction meetings with the contractor, City Open Space Division, and Urban Forestry Division staff to mitigate impacts like tree removal, NMDOT will establish regular on-site inspections and coordination meetings. These inspections will be conducted at key milestones of the project and will involve representatives from NMDOT, the City's Open Space Division, Urban Forestry Division, and other relevant agencies.

Any deviations from the agreed-upon plans and policies will be identified, and corrective actions will be promptly implemented. Additionally, NMDOT will collaborate with the City's Urban Forestry Division and the Open Space Division staff to ensure that any vegetation and habitat impacts are mitigated according to best practices.

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

The proposed methods and materials used for this project were reviewed and approved by the City Open Space Division prior to the application.

- F. Completed improvements should comply with the design requirements identified in the Bosque Action Plan.

The proposed improvements comply with the design requirements identified in the Bosque Action Plan.

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

The site boundaries have been clearly defined and approved by the Open Space Division. All construction equipment and activities will stay within these designated boundaries; however, if there is a need to extend beyond the site limits, prior approval will be requested and obtained from the Open Space Division before encroaching further into the open space.

- 19. The request meets the Site Plan – EPC Review & Decision Criteria in IDO §14-16-6-6(I)(3) as follows:

- A. 6-6(I)(3)(a) The site plan is consistent with the ABC Comp Plan, as amended.

The Site Plan – EPC for an Extraordinary Facility is consistent with the ABC Comp Plan by promoting balanced development that supports the area’s environmental sustainability, community character, transportation, and parks and open space goals and policies. The plan also addresses infrastructure needs, encourages multimodal transportation options, and adheres to policies for environmental protection, such as managing open space edges.

- B. 6-6(I)(3)(b) The site plan is consistent with any applicable terms and conditions in any previously approved NR-SU or PD zoning covering the property and any related development agreements and/or regulations.

The subject site is not zoned NR-SU or PD; therefore, the above criterion does not apply.

- C. 6-6(I)(3)(c) The Site Plan complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any terms and conditions specifically applied to development of the property in a prior permit or approval affecting the property.

With the application of conditions of approval, the site plan will comply with all applicable provisions of the IDO, the DPM, and other adopted City regulations by adhering to zoning, design, and infrastructure requirements, including standards for environmental protection, and connectivity. The site plan will respect prior approvals by incorporation conditions specific to the property’s development.

- D. 6-6(I)(3)(d) The City’s existing infrastructure and public improvements, including but not limited to its street, trail, drainage and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the extent practicable.

The Site Plan – EPC addresses this criterion by improving the existing infrastructure’s capacity through the replacement of the structurally deficient bridge on Rio Bravo Blvd., adding travel lanes, and enhancing pedestrian and vehicular access to the subject site. These improvements will mitigate burdens on the current systems by preventing further deterioration, enhancing connectivity, and improving the visitor experience, ensuring that the City’s street, trail, drainage, and sidewalk systems can adequately serve the proposed development.

- E. 6-6(I)(3)(e) The application mitigates any significant adverse impacts on the surrounding area to the maximum extent practicable.

The proposal mitigates significant adverse impacts on the surrounding area by minimizing the number of mature trees that need to be removed and developing a restoration plan in collaboration with the Open Space Division and Urban Forestry Division. While the removal of mature Cottonwood trees and other vegetation is unavoidable due to the new bridge and road alignment, efforts have been made to reduce this impact. NMDOT will consult with the Open Space Division and Urban Forestry Division to determine appropriate mitigation strategies, including the planting of containerized trees and Cottonwood and Willow cuttings to help offset the loss of existing vegetation. This revegetation will help to offset the loss of mature vegetation, ensuring that the ecological balance and aesthetic value of the area are preserved as much as possible.

Furthermore, the commitment to revegetate all disturbed areas with native seed mix, along with specific restoration efforts such as planting Willow cuttings along the Rio Grande and Cottonwoods in upland areas, demonstrates a comprehensive approach to restoring the natural environment post-

construction. By involving the City's Open Space Division and Urban Forestry Division in planning and executing the restoration, the application ensures that the surrounding area will be rehabilitated to the maximum extent practicable, minimizing long-term environmental impacts.

- F. 6-6(I)(3)(f) If the subject property is within an approved Master Development Plan, the Site Plan meets any relevant standards in the Master Development Plan in addition to standards applicable in the zone district the subject property is in.

Although the subject property is not within an approved Master Development Plan, the Site Plan – EPC is consistent with the applicable design standards outlined in the Rank 3 Bosque Action Plan. The Bosque Action Plan emphasizes preserving the ecological integrity of the Rio Grande's riparian environment while enhancing public access and recreational amenities. The site plan adheres to these principles by carefully balancing the need for infrastructure improvements with the protection of natural resources.

- G. 6-6(I)(3)(g) If a cumulative impact analysis is required in the Railroad and Spur Area pursuant to Subsections 14-16-5-2(E) (Cumulative Impacts) and 14-16-6-4(H) (Cumulative Impacts Analysis Requirements), the Site Plan incorporates mitigation for all identified cumulative impacts. The proposed development would not create material adverse impacts on water quality or other land in the surrounding area through increases in traffic congestion, parking congestion, noise, vibration, light spillover, or other nuisances without sufficient mitigation or civic or environmental benefits that outweigh the expected impacts.

The subject site is not within a Railroad and Spur Area; therefore, this criterion does not apply.

- H. 6-6(I)(3)(h) If an outdoor or site light performance analysis is requested, the proposed lighting design must prove it will not adversely affect the lighting requirements of Section 14-16-5-2(E) without sufficient mitigation and benefits that outweigh the expected impacts.

No outdoor lighting is proposed that would trigger an evaluation under Section 14-16-5-2(E); therefore, this criterion does not apply.

20. The application package contains pre-application summary discussions, PowerPoint presentations, and meeting minutes from the last eighteen months. The applicant provided a Public Outreach & Comment Summary, met with the South Side Farms Community Association on April 28, 2022, and met with the Greater Albuquerque Active Transportation Committee on April 10, 2023.

Public feedback from the April 10, 2023 meeting highlighted key concerns, including the complete closure of the bridge, the volume of traffic on Rio Bravo Boulevard, access to pedestrian and multi-modal trails, and noise issues.

21. According to the Office of Neighborhood Coordination, there are no affected, registered neighborhood organizations that were required to be notified. Property owners within 160 feet of the subject site were notified. The official requirement is to notify property owners within 100 feet, but the applicant extended the notification area to 160 feet to ensure that no required property owners were overlooked. A total of 26 certified mail receipts were submitted.

22. As of this writing, Staff has not received any comments in support or opposition to the request.

CONDITIONS OF APPROVAL - SI-2024-01142 – Site Plan – EPC for an Extraordinary Facility in Major Public Open Space

1. Pursuant to IDO §14-16-6-6(I)(2)(m) Site Plans shall be reviewed administratively for compliance with conditions of approval, DPM, and zoning standards prior to the issuance of a building permit.
2. After approval by the Environmental Planning Commission (EPC), the applicant shall coordinate with the staff planner to ensure that all Conditions of Approval are met before submitting the approved site plan to the Development Facilitation Team (DFT) for final sign-off. The DFT reviewer will be responsible for ensuring that all EPC Conditions have been satisfied and that the IDO, DPM, and all other applicable City requirements have been met.
3. Pursuant to IDO §14-16-6-4(O)(4) Any conditions shall be met within 1 year of the approval, unless stated otherwise in the approval. If any conditions are not met within that time, the approval is void. The Planning Director may extend the time limit up to an additional 1 year.
4. The applicant shall provide plans for NMDOT's NM500 Bridge Replacement project to AMAFCA and coordinate as necessary to verify compliance with the Southeast Valley Drainage Master Plan and other drainage projects/needs in the area that may impact portions of the overall project.
5. The applicant shall coordinate with the City Open Space Division and the Urban Forestry Division throughout the construction process to ensure that tree mitigation and salvage efforts are maximized to the fullest extent possible. All feasible measures shall be taken to preserve existing trees, and any necessary removals must be accompanied by appropriate mitigation strategies as determined in consultation with the Open Space Division and Urban Forestry Division.
6. Pre-construction meeting shall be held with the contractor, City Open Space Division, and Urban Forestry staff to mitigate impacts such as tree removal. NMDOT shall establish regular on-site inspections and coordination of meetings.
7. The applicant shall coordinate with the City Open Space Division and the Urban Forestry Division to develop a landscape plan that is to include planting containerized trees, cottonwood and willow cuttings to mitigate the loss of vegetation.
8. NMDOT shall obtain a new license agreement from MRGCD to encroach upon the open space.
9. The Site Plan shall comply with the General Regulations of the IDO and all other applicable design regulations, except as specifically approved by the EPC.
10. Conditions from the Public Service Company of New Mexico (PNM) shall be addressed.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **October 4, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to IDO §14-16-6-4(U) (Appeals). A non-refundable filing fee will be charged and must be paid at the time the appeal is filed.

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You will receive notification if any person files an appeal. If there is no appeal, you can receive building permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the IDO must be complied with, even after approval of the referenced application(s).

Sincerely,

/ Mikaela Renz-Whitmore /

for Alan M. Varela,
Planning Director

AV/MRW/SB

CC:

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