



**Environmental  
Planning  
Commission**

**Agenda Number: 13  
Project Number: 1005541  
Case Number: 07EPC 00566  
May 15, 2008**

**Supplemental Staff Report**

<b>Agent</b>	COA Planning Department
<b>Applicant</b>	City of Albuquerque
<b>Request</b>	<b>Amendment to the North I-25 Sector Development Plan</b>
<b>Legal Description</b>	See attached map
<b>Location</b>	Area bounded by Paseo del Norte and San Bernardino Avenue on the south, Louisiana Boulevard on the east, the North Diversion Channel and Edith Boulevard on the west and the sovereign line of Sandia Pueblo on the north
<b>Size</b>	Approximately 2,800 acres
<b>Existing Zoning</b>	Various Zoning
<b>Proposed Zoning</b>	No Changes Proposed

**Staff Recommendation**

**Recommendation of Approval of 07EPC 00566, based on the findings on page 10, and subject to the conditions of approval on page 17.**

**Staff Planner**

**Christopher Hyer, Senior Planner**

**Summary of Analysis**

The North I-25 Sector Plan Update was heard by the EPC in June, 2007 and in again March 13, 2008. At the last hearing, the commission asked for an additional meeting with the neighborhoods to take place. A facilitated meeting occurred April 2, 2008 and issues regarding height, traffic and schools were addressed. The facilitator helped to discuss many issues, but there is still some disagreement about the building height overlay. This will likely be a topic of discussion at the EPC hearing.

The planning department has also sent out letters of notification to all property owners of record in the Plan area and within a 100-foot buffer bordering the Plan area. The letter (sent out April 15, 2008) let property owners know of this hearing, the Plan's boundaries, the addition of the SU-2 prefix to all properties within this area (if the zoning is without this prefix) and that additional uses are allowed in the Plan's area because of the Land Use District overlays. That is, the updated Plan expands the allowable land uses for property owners by giving them the option of developing their land as regulated by their underlying zoning (i.e., the underlying zoning does not change) or following the expanded allowable uses offered for each of the newly created Land Use Districts (specific to the Plan) and be subject to the Building Height Overlay. [The Plans Design Standards of the Plan need to be followed in either case.] In essence, this Plan creates a 'hybrid' of form-based code. The goal of the Land Use Districts is to create appropriate and consistent environments within each district while giving landowners new options for uses.

Staff recommends a recommendation of approval be forwarded to the City Council.

**This supplemental staff report should be read in conjunction with the original staff report.**

City Departments and other interested agencies reviewed this application from 2/11/2008 to 2/27/2008. Agency comments were used in the preparation of this report and begin on page 21.

The Update to the North I-25 Sector Development Plan was last heard before the EPC on March 13, 2008. The Commission viewed a presentation from the City's consultant and heard 10 members of the public. It was decided to continue the case to the April 10, 2008 special hearing/study session day. The Commission asked staff to have another meeting with the stakeholders/residents in the Plan area before the April 10 hearing.

A facilitated meeting was held April 2, 2008 with approximately 35 people in attendance. The facilitator asked the people who spoke at the March EPC hearing what their issues were - this was intended to give the meeting direction. The meeting started with the 3 most prominently identified topics: the height overlay issue (zoning questions), traffic concerns and school/residential concerns. Although no formal consensus on any items that were discussed was arrived at, there seemed to be a general understanding of the issues and the attendees seemed to become comfortable after each item was discussed. These items are presented below.

### **1. Height Overlay Issue**

The regulation of building heights seemed to be misunderstood at first and with clarification, is no longer an issue. Properties are only subject to the regulations in the *Zoning Code* for their underlying zoning as long as the uses specified as allowable for the zone category are utilized. In other words, if the property owner follows the uses allowed in the underlying zoning, regulations specific to that zoning apply. This is important when considering the allowable height for buildings because in many cases, the underlying zoning allows a much taller building to be built while the height overlay regulates the buildings' height to be much lower.

When a property owner decides to utilize the allowable uses afforded by the Land Use District overlay, the Building Height Overlay will regulate the over height. There is an exception to this, however; what height is to be appropriate for a special use (SU-1) property. This shall be at the discretion of the EPC when a development project comes in for EPC review/approval just as any other SU-1 property.

Further, acknowledgement needs to be made for the agreement between the Albuquerque International Balloon Fiesta, Inc, Cam-Valle Norte, LLC and Westlake Horizon Boulevard, LLC and the agreement needs to be made a part of this sector plan. This agreement is for the privately owned properties directly south of the balloon launch field, north of Alameda Boulevard on the east side of the North Diversion Channel (see attached map). This map specifies that Tract 1 and Tract 4 shall have a 72-foot maximum building height, Tract 2 and Tract 3A shall have a maximum 52-foot building height and Tract 3B and the lot between Tract 3B and Tract 3A will have a maximum building height of 39-feet. No other property is included in this agreement.

Also, adjustment to the Building Height Overlay map needs to be made to the Regional Commercial Land Use District along Paseo del Norte, east of I-25. Building heights in this Land Use District need to be consistent at 65-feet. The neighborhoods are in agreement with the south side of Paseo del Norte, but want the 39-foot height limitation to remain on the north side. Staff agrees that the neighborhood should be protected by not allowing taller buildings adjacent to residential property. However, staff would like to point out that the underlying zoning of the undeveloped portion of the north side of Paseo del Norte between San Pedro Drive and Louisiana Boulevard is SU-2/IP. As long as the solar access angles are maintained, buildings have a 120-foot height maximum.

Another area that the neighborhoods thought to be a problem as far as building heights was west of I-25 and north of San Diego Avenue and east of San Mateo Boulevard. The underlying zoning for this entire area is IP which again allows a maximum building height of 120-feet. The Building Height Overlay is 52-feet. The residents thought 52-feet would be too high. In addition, they also expressed concern of the vertical articulation along I-25 with building heights allowed a 65-foot maximum at intersecting roads with I-25. This articulation was done as for the reason of having greater intensity at nodes countered by less intensity at other areas.

## **2. Traffic Issues**

There was discussion of traffic and current problems revolving around traffic issues. The land use plan cannot address and correct for these issues as they are either an enforcement issue or a matter that has to be given to the traffic engineering portion of the City. However, the Plan can make the recommendations for roadway designation, traffic signal placement and vehicle direction of use along roadways. [Note that none of these can be changed with the adoption of this Plan because others are responsible for these areas.]

The Plan is recommending that Paseo del Norte be designated as an additional truck route west of I-25 (along with Alameda Boulevard) to Coors Boulevard. This is a suggestion from the Wildflower Neighborhood in an attempt to lessen the intensity of use along Alameda Boulevard. The Plan shall also recommend that no left-turn shall be permitted from west-bound San Diego Avenue to south bound Jefferson Street. Again, this is an attempt to lessen the intensity along Alameda and around the Wildflower neighborhood.

A question that was brought up at the facilitated meeting was about the progress of the 2 traffic signals along San Pedro Drive: one at Holly Avenue on the north side of Paseo del Norte and one at Palomas Avenue on the south side of Paseo del Norte. Staff has met with the Traffic Engineer and learned that both of these signals are developer driven and are waiting for enough funding to amassed for the signals to be installed. Further, the signal at Holly Avenue needs traffic warrants before it can be installed and this issue is in the pipeline for approval.

## **3. School Issues**

There was concern expressed by the West La Cueva Neighborhood representative that allowance of more residential use in the Plan area would alter the school district boundaries and the West La Cueva residents would no longer be able to send their children to the La Cueva area schools. An Albuquerque Public Schools representative was present at this meeting and stated that "At this time there no reason to change La Cueva boundaries because it is growing at a stable rate and there is no immediate need, however, we cannot commit to never changing those boundaries." However, this again is an issue outside of the purview of this land plan.

## **Public Concerns Expressed at March 13 Hearing**

The public's comments and letters presented at this hearing brought up the following issues as points of concern:

1. Traffic:

- Circulation, connections; specifically, no left turn south-bound from San Diego Boulevard to Jefferson street
- Sidewalks – lack of consistent sidewalks along San Mateo Boulevard
- Landscaping along Alameda (including the median)
- Remove truck restrictions along Paseo del Norte
- Designate San Mateo Boulevard as a minor arterial

2. Building Heights:

- The height overlay map on page 37 of the Plan shows the various allowable vertical limitations for various areas of the Plan area. **NOTE: This height overlay is invoked only when the property owner does not follow the underlying zoning and wishes to follow the expanded allowable uses for the various land use districts.** (The uses that are allowed within each overlay zone facilitate the realization of the *Comprehensive Plan* by benefiting the area.) The intention is that nodes of intensity and density are in the general area of I-25. A reduction of the building heights occurs around the single-family neighborhoods and west of San Mateo Boulevard as requested by the Balloon Fiesta.
- A signed agreement for specific heights for properties north of Alameda Boulevard and south of the Balloon Fiesta launch field was presented. This agreement is shown in the attached map and allows for a graduated increment of building heights as one moves south of the launch field. Those parties that are in agreement are the Albuquerque International Balloon Fiesta, CAM-Valle Norte, LLC and Westlake Horizon Boulevard, LLC. This agreement is presented by Paul Cauwels of Cauwels-Stuve.
- A letter requesting an increase in the building height overlay east of I-25 along Paseo del Norte was presented. Currently, the Building Height Overlay in the Plan limits the height to 39-feet along Paseo del Norte east of San Pedro Drive. The property owners feel this is limiting as hotel, office and additional school uses were mentioned to require taller buildings. This letter is signed by Joshua Skarsgard whom represents Charlie Gates (Octopus Carwash), James Achen (Bandelier Equities, LLC), Jim Schumacher (Pacific Paseo Development, LLC) and Thomas Crow (Hope Christian School).
- The National Association of Industrial and Office Properties (NAIOP) states that the Building Height Overlay is an effective zone change. Staff has met with City Legal and has been advised that this is not the case. The underlying zoning is not being changed and the property owner can develop to the standards found in the *Zoning Code* just as before. The Building Height Overlay pertains to the expanded allowable uses as defined by each Land Use District. If the property owner develops a use acceptable under the Land Use District Overlay, the Building Height Overlay will be in effect. This is not seen as being a change in zoning.

3. Public Utility:

- Electric and gas facilities should allowed in every zone; currently, they are not allowed in the Commerce zone.

- There should be approximately 10-foot clearance surrounding all ground-mounted electric facilities.
  - Public Utility Easements should be kept clear of buildings, walls, fences, etc. Further, PUE's should be clearly marked on all site plans
4. Open Space and Trails:
- The Plan is not consistent in designating which of the La Cueva Arroyos a trail shall be placed: The trail should be in the North La Cueva Arroyo, not South La Cueva Arroyo
  - A trail connection already exists in the Wildflower Park. Mention of another trail connection should be deleted.
  - Open space requirements may be met on site by incorporating pedestrian corridors, plazas or other similar features throughout the site.
5. Signage:
- Buildings along I-25 frontage should be allowed building-mounted signs on the back
6. Schools:
- "Sites should be located through the sector plan." This is outside of the purview of a land use sector plan. Albuquerque Public Schools is the entity to determine this.

### **Notification to Property Owners**

Staff has consulted with City legal on the issue of the possible change of zoning and how notification shall be made. City legal felt that this is not a change in zoning; the *Zone Map* is not changing. Rather, parcels within the sector plan area have an SU-2 designation and, therefore, the property owner is notified that the parcel is under control of a sector plan; it is the corresponding land use map in the sector plan that will have changes in the allowable uses. In other words, once examination of the sector plan is made, the property owner realizes that not only can they develop their property under the existing zoning, they may also be allowed additional permissive and conditional uses. Whatever uses property owners wish to utilize, the sector plan has design regulations that must be followed.

Although the Land Use Districts do not pose a zone change, in many cases it does expand the allowable uses for various parcels. Since the expanded uses are different than the permissive and conditional uses of the underlying zoning, staff feels that notification to all property owners in and bordering the Plan area shall be made. The *Zoning Code* offers guidance of how notification should be made for zone map changes of less than one acre; this is the most stringent and was followed. The language is in **§14-16-4-1 (C) (4) (b)** and reads as follows:

*The Planning Director shall mail written notice not less than 15 days prior to the date of the hearing to all owners of property within the area proposed to be changed and to all owners of property within 100 feet of the exterior boundaries of the area proposed to be changed, using for this purpose the last known name and address of*

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*the owners shown in the records of the County Assessor. Notice shall include the date, time and place of the hearing.*

Being as the *Zoning Code* mentions the procedure of notification shall be made 15 days prior to hearing, staff requested a 30-day deferral to the May 15, 2008 hearing. The letters the planning department sent out informed the property owners of record (both within the Plan area and within a 100-foot buffer bordering the Plan area) of several issues. They were notified of this hearing, the Plan's boundaries, the addition of the SU-2 prefix to all properties within this area (if the zoning is without this prefix) and that additional uses are allowed in the Plan's area because of the Land Use District overlays. That is, the updated Plan expands the allowable land uses for property owners by giving them the option of developing their land as regulated by their underlying zoning (i.e., the underlying zoning does not change) or following the expanded allowable uses offered for each of the newly created Land Use Districts (specific to the Plan) and be subject to the Building Height Overlay.

#### **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.

Although the update to the North I-25 sector plan is not proposing to change any underlying zoning of parcels within the Plan's boundary (other than adding the SU-2 designation to properties that do not already have that designation), it does create Land Use Districts which are overlay zones for the entire area. These overlay zones provide flexibility by allowing additional uses that are more characteristic to the promotion of the vitality of the Plan area. This is listed as criteria D. (3) in Resolution 270-1980:

D. (3) *a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.*

Resolution 270-1980 lists several other policies for deciding zone map changes and the following discussion/analysis will address each policy and why/how this Plan meets it.

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

*The expansion of possible land uses within each Land Use District provided by the updated Plan is found to be consistent with the health, safety, morals and general welfare of the City by allowing property owners the flexibility to develop/use their property in a manner that is current with the market place.*

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.

*This policy is recognized by the updated Plan through the creation of Land Use Districts. The Plan area is still looked upon as an employment center, but has new elements added since the last version of the sector plan. The biggest*

*change is the addition of residential neighborhoods which need to be buffered from non-residential uses. Also, the area is developing into a more business park development rather than strictly industrial uses. Therefore, the flexibility afforded by the Land Use Districts provides for better utilization of land use.*

- 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 updated sector Plan is not in conflict with the Comprehensive Plan and promotes the idea of a better served community through the expansion of allowable uses in the Land Use Districts.*
- 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 1) and 2) above do not apply.  
*As mentioned previously, part 3) of this policy is the significant portion where a “different use category is more advantageous to the community”.*
- 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.  
*The various Land Use Districts have certain expanded allowable uses available to them and these uses were thought through to make sure that adjacent properties, neighborhoods and the community would not be harmed.*
- 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 updated sector Plan does include a capital improvements list for projects to be completed that will enhance the area. These projects are public investments to be made to increase the functionality/attractiveness of the area and to make private investment in the area more desirable by private property owners.*
- 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 City is interested in guiding the area’s development and keeping the area a healthy economically viable part of the community. The City is not interested in private economic interests.*
- H. Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning.

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*The Land Use Districts help to create different types of places. The Land Use Districts surrounding some of the major and minor arterials have specific standards to be developed in a manner that is conducive to creating a corridor that includes different land uses.*

- 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 make the site unsuitable for the uses allowed in any adjacent zone.
- This is an addition to the underlying zoning. It is a series of overlays that are Plan area wide - there will be no spot zoning.*
- 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.
- As mentioned in I. above, this is an addition to the underlying zoning. It is a series of overlays that are Plan area wide - there will be no strip zoning.*

## **Comprehensive Plan**

The expansion of allowable uses will further the *Comprehensive Plan's* policies in allowing property owners to better utilize their land, which in turn, be more advantageous to the community. Specifically, **the Goal of Developing and Established Urban Areas is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing environment.”**

The overlays meet the policies that are listed under this Goal in the *Comprehensive Plan*. These Policies for the Developing and Established Urban Areas Goal were presented in the original staff



report for the June 2007 EPC hearing. They are again presented in this supplemental staff report for convenience to the reader.

Applicable policies include:

Policy a: The Developing Urban and Established Urban Areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy 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, and recreational concern.

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

Policy h: Higher density housing is most appropriate in the following situations:

- In designated Activity Centers.
- In areas with excellent access to the major street network.
- In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

Policy 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.

Policy 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.

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

Discussion of the other elements of the *Comprehensive Plan* that pertain to this sector Plan update can be found in the original staff report. These include policies and discussion of Activity Centers, Community Identity and Urban Design, Transportation and Transit, Housing and Economic Development.

## **CONCERNS OF REVIEWING AGENCIES**

There are no additional comments from reviewing agencies.

### **CONCLUSIONS**

This sector plan update was initially heard by the EPC June 2007 and again March 13, 2008. The EPC continued this case to the April 10, 2008 hearing after listening to public comment. The Commission also asked that an additional meeting be arranged with concerned residents and stakeholders before the April hearing. Staff asked for a 30-day deferral to the May 15, 2008 hearing in order to notify all property owners in the Plan area and within a 100-foot buffer of several issues. These issues are: notification of this hearing, the Plan's boundaries, the addition of the SU-2 prefix to all properties within this area (if the zoning is without this prefix) and that additional uses are allowed in the Plan's area because of the Land Use District overlays (and then be subject to the Building Height Overlay).

The facilitated meeting was held on April 2, 2008 and the facilitator's report is attached to this staff report. Items that were discussed at this meeting were the Building Height Overlay, issues regarding traffic issues and residential concerns of schools. Although no formal consensus on any items was arrived at, attendees seemed to become comfortable after each item was discussed.

This Plan does not change any of the entitlements of the underlying zoning, adds and SU-2 prefix to property zoned without the prefix, uses the Land Use Districts as a mechanism for achieving desired land uses and presents a comprehensive list of design standards to help developers understand what the intention for improvements to the area are. Legal opinion has been obtained and review of Resolution 270-1980 was performed.

Staff determined that the overlay zones provide flexibility by allowing additional uses that are more characteristic to the promotion of the vitality of the Plan area and this is more advantageous to the community, as articulated in the Comprehensive Plan.

Staff is recommending that a recommendation of approval be forwarded to the City Council.

***FINDINGS – 07EPC 00566 – May 15, 2008***

1. This is a request for a recommendation of deferral for an amendment to the North I-25 Sector Development Plan. The March 2008 draft North I-25 Sector Development Plan is proposed to replace the existing North I-25 Plan once a recommendation of approval is forwarded to the City Council. Upon Council adoption of the North I-25 Sector Development Plan, the existing North I-25 Plan, is to be rescinded.
2. The floor substitute to R-06-20 established the One-Year Objectives for the City of Albuquerque and listed under the Sustainable Community Development Goal, Objective 13, the directive to “complete and introduce to the City Council the North I-25 Gateway Plan”.
3. The boundaries of the North I-25 Sector Development Plan are Paseo del Norte and San Bernardino Avenue to the south, Louisiana Boulevard to the east, the North Diversion Channel and Edith Boulevard to the west and Sandia Indian Reservation’s sovereign line on the north.
4. The boundary of the updated North I-25 Sector Development Plan follows the same boundary as the existing North I-25 Sector Development Plan with one exception on the north half of the western boundary. The existing Plan area is bounded by Edith Boulevard for the entire length on the western side. The updated North I-25 Sector Development Plan will follow the western right-of-way boundary of the North Diversion Channel (beginning at the intersection of Edith Boulevard) north to the sovereign line of Sandia Pueblo. The parcels that were included between the North Diversion Channel and Edith Boulevard (north of their intersection) are no longer within the new Plan’s area. This is because these parcels are within the unincorporated County and not the City.
5. The City of Albuquerque contracted with the professional planning firm HDR, Inc. to produce the updated North I-25 Sector Development Plan. The public involvement process began in March 2006 with a 3-day charette that included over 20 one-on-one individual stakeholder interviews and was attended by over 30 members of the public. A series of public meetings began in August 2006 to present the direction the consultant team was working. After many comments from the public and additional public comments were received, submittal to the EPC was made in April 2007 for a June 2007 hearing.
6. The EPC recommended deferral at its June 2007 hearing and asked many changes to the Plan occur. The consultant changed its personnel and started a new document in place of the first updated Plan. The Plan that is currently in front of the EPC is the March 2008 version.
7. Two more public meetings were held after the first EPC hearing in June 2007. These meetings were November 14, 2007 and January 9, 2008. These meetings were necessary to garner more public input into the creation of the new document – the document that is presented currently.

The November 2007 meeting was strictly to gather input. The January 2008 public meeting was to present a document and discuss what else was needed to go into the EPC version of the document.

8. There are no proposed changes to land uses or entitlements for individual properties with this update to the North I-25 Sector Development Plan. However, all parcels shall have an SU-2 prefix added to it and all parcels within the Plan area will be subject to the design standards.
9. The update of Plan is organized into 9 chapters. It consists of goals and strategies to guide development and site design. The introduction is chapter 1 and gives the users of this Plan a procedure to follow in order to develop their property in accordance to the Plan. Chapter 2, the “Community Context” gives an existing conditions assessment as well as describing existing plans that also have some control over the Plan area. Chapter 3 is the “Land Use Plan” and describes the Land Use Districts. Chapter 4 is the substantial portion of the Plan and provides the “Community Design Plan”; this includes the building height overlay. Chapter 5 is the “Transportation Plan” and discusses policies that will make traffic circulation with the Plan area function better. Chapter 6 presents the “Open Space Plan”. Chapter 7, The “Environmental & Public Safety Plan” discusses drainage and landfill issues. Chapter 8 is the “Plan Implementation” portion of the document and essentially is the CIP projects list. Chapter 9 is the “City Zoning Districts Applicable to the Plan”. This was put in to make sure that the intended uses of the Plan are captured when the Plan is adopted. The appendices contain the “Interim Guidelines for Development within City Designated Landfill Buffer Zones” and “Traffic Calming Techniques”.
10. Land Use Districts are introduced with the updated Plan. These districts cover the entire Plan area and provide flexibility by allowing additional uses that are more characteristic to the promotion of the vitality of the Plan area and offer a different use category is more advantageous to the community, as articulated in the Comprehensive Plan.
11. Land Use Districts are used as a method to guide development and impose consistency of form. These Land Use Districts are overlay zones and are used to form the types of developments that can occur within certain areas. In general, the Land Use Districts expand the allowable uses for each parcel while imposing tailored design regulations that depend on the location of each particular parcel. The Land Use Districts are:
  - Low-Medium Residential (LMDR)
  - High Density Residential (HDR)
  - Neighborhood Commercial (NC)
  - Regional Commercial (RC)
  - Commerce (C)
  - Manufacturing (M)
  - Recreation and Open Space (ROS)

12. Since the expanded uses are different than the permissive and conditional uses of the underlying zoning, staff feels that notification to all property owners in and bordering the Plan area shall be made. Although this notification is not required, staff feels that it will provide an additional opportunity for property owners to be notified.
  
13. Design standards are presented in the updated North I-25 Sector Development Plan to create an image for the northern gateway into the City and along the I-25 corridor. Along the lines on creating an image for this area, design standards are also to be used for the screening of manufacturing properties and storage yards from the view-shed along roadways within this area. This will help to create a sense of 'place', especially along the entrance to the Balloon Fiesta Park.
  
14. The North I-25 Sector Development Plan is generally in compliance with the Open Space goal and policies of the Land Use component of the Comprehensive Plan. These are met as follows:
  - a. The City's acquisition of the reclaimed Los Angeles Landfill and using it as part of the Balloon Fiesta Park (policy a).
  - b. The natural area adjacent to Wildflower Park and the interconnecting and traversing trails within the arroyos (policy c, f, j)
  - c. The establishment of a more connected trail network linking open spaces together and incorporating designated parks as part of a network (policy g, h, i).
  
15. The North I-25 Sector Development Plan is generally in compliance with the Developing Urban and Established Urban goal and policies of the Land Use component of the Comprehensive Plan. These are met as follows:
  - a. The Plan area contains a variety of zones that allow for both residential and commercial uses. These zone categories support densities of 5 du/acre on average (policy a).
  - b. Building height restrictions help to shape the type and mixture of uses each parcel's development can have. This helps govern the density and intensity as well as the design of new developments within the area (Policy d).
  - c. Development of the Plan area is regulated by the Zoning for each parcel as well as the location of public easements for major roads and natural drainage ways (Policy g).
  - d. The high-density residential area is adjacent to Balloon Fiesta Park and accesses Alameda Boulevard to the south (Policy h).
  - e. The Land Use Districts Neighborhood Commercial, Regional Commercial and Commerce allow for a mix of multi-family and non-residential uses (Policy i).
  - f. The more intense commercial uses are intended for nodes of development and are designated as Regional Commercial. Proposed design standards for these land use districts are intended to promote a quality environment for these areas by the

incorporation of design elements for buildings and sites and the encouragement of a pedestrian environment (Policy k, l).

16. The North I-25 Sector Development Plan is generally in compliance with the goal and policies of the Activity Centers section of the Land Use component of the Comprehensive Plan. These are met as follows:

- There are two designated Centers within the North I-25 Sector Development Plan area: a Specialty Activity Center (Balloon Fiesta Park) and a Major Activity Center that straddles Alameda Boulevard with the intersection of Jefferson Street at the eastern edge (Policy a).
- These Activity Center locations, therefore, shall develop in accordance with more area-specific sub-area planning efforts, and guide more intense development away from existing residential areas (Policies f, g).
- The Land Use Districts Neighborhood Commercial, Regional Commercial and Commerce Park allow for mixed-use developments. Multi-family structures of a density of at least 12-du/acre but no greater than 20-du/acre are allowed in Neighborhood Commercial and residential uses are allowed second story and above in the Neighborhood Commercial, Regional Commercial and Commerce land use districts with non-residential uses on the ground floor. These land use districts are a large portion of the Plan area including the lands abutting the Balloon Fiesta Park and the lands within the Major Activity Center that overlays Alameda Boulevard (Policy i, j).

17. The North I-25 Sector Development Plan is generally in compliance with the goal and policies of the environmental portion of the Environmental Protection and Heritage Conservation section of the Comprehensive Plan. The Goal for Solid Waste is achieved through Policy e that utilizes the Los Angeles Landfill as a portion of the Balloon Fiesta Park. The landfills area is used to park RVs during the Balloon Fiesta and as a balloon landing site.

18. The North I-25 Sector Development Plan is generally in compliance with the goal and policies of the Transportation and Transit section of the Community Resource Management component of the Comprehensive Plan. These are met as follows:

- Alameda Boulevard is designated as an Enhanced Transit Corridor east of I-25 and an Express Corridor west of I-25 through the Plan area in the Centers and Corridors policies of the Albuquerque/Bernalillo County Comprehensive Plan (policy a).
- Non-motorized connections should be incorporated into the interstate crossings linking pedestrian and bicycle trails together from the east and west sides of I-25 (policy g) The Plan will achieve this along Alameda Boulevard and the NMDOT is proposing this connection in their reconstruction of the Paseo del Norte/I-25 interchange.

- The North I-25 Sector Development Plan's chapter 5, Transportation Plan, addresses the need to have much more connectivity throughout the Plan area by showing existing and proposed alignments for pedestrian and bike trails (policy h).
- Non-motorized trail connectivity should also provide access through the trail network to the Balloon Fiesta Park and the Major Activity Center along Alameda Boulevard (policy h).
- The Plan suggests providing connectivity utilizing trails within the arroyos, building a continuous bike path along the North Diversion Channel, providing bike-lanes along collector streets and constructing the I-25 flyover on San Diego Avenue (Policy q).
- Infrastructure projects are addressed in the Plan's Implementation chapter, chapter 8. These elements, collectively, address the promotion and integration of pedestrian opportunities, including at-grade crossings, urban walkways, multi-purpose paved trails and overall Plan improvements to mobility (Policies g, h, q).

19. The North I-25 Sector Development Plan is generally in compliance with the goal and policies of the Economic Development portion of the Resource Management component of the Comprehensive Plan. These are met as follows:

- Today's trend appears to be focused on light industrial and office type developments. The demand for this land use will allow the development of more and smaller buildings to occur. These new buildings will require more labor and thus an increased amount of jobs (Policy a, b).
- The Balloon Fiesta Park is located on the western boundary of the Plan area and will bring visitors from all over – regionally, nationally and internationally. The area already has some national and multi-national companies located within it, and the Balloon Fiesta Parks' draw of a large crowd certainly adds to the exposure of the Plan area as well as the City (Policy d).

20. The North I-25 Sector Development Plan is generally in compliance with the goal and policies of Community Identity and Urban Design of the Environmental Protection and Heritage Conservation component of the Comprehensive Plan. These are met as follows:

- The Plan area is unique for several reasons. First, it is the gateway to north of the City. Second, Balloon Fiesta Park is located within the Plan area. Third, the Plan area is also the location of many commercial establishments and, therefore, this helps to establish the area's identity as an employment center (policy c).
- Since the Balloon Fiesta draws visitors regionally, nationally and internationally, attention needs to be paid to this area looking especially aesthetically pleasing. The Plan encourages the aesthetic enhancement of roadways that lead into the Park and around the Plan area. Screening of parking lots and storage yards, implementation of special signage

type and attractively built interchanges and infrastructure are examples of ways to achieve this goal (Policy e).

21. The North I-25 Sector Development Plan is generally in compliance with the goals and issues of the North Valley Area Plan (NVAP). While the NVAP identifies the North Valley as a rural, low-density area, it also recognizes the Plan area as an industrial/commercial area of high employment. The Plan recognizes the North I-25 area to develop as an employment center.
  
22. *Resolution 270-1980* was examined as was an opinion from City legal and staff determined that the overlay zones only expand the allowable uses of various parcels in the Plan area and does not constitute a change in zoning. However, the addition of the SU-2 designation to all existing zones in the Plan area will change the zone map, but not existing land use entitlements. The policies of *R-270-1980* are furthered as follows:
  - 1) The expansion of possible land uses within each Land Use District provided by the updated Plan is found to be consistent with the health, safety, morals and general welfare of the City by allowing property owners the flexibility to develop/use their property in a manner that is current with the market place.
  - 2) Stability of land use policy is recognized by the updated Plan through the creation of Land Use Districts. The Plan area is still looked upon as an employment center, but has new elements added since the last version of the sector plan. The biggest change is the addition of residential neighborhoods which need to be buffered from non-residential uses. Also, the area is developing into a more business park development rather than strictly industrial uses. Therefore, the flexibility afforded by the Land Use Districts provides for better utilization of land use.
  - 3) The updated sector Plan is not in conflict with the Comprehensive Plan and promotes the idea of a better served community through the expansion of allowable uses in the Land Use Districts.
  - 4) Land Use Districts present additional use categories that are more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan
  - 5) The various Land Use Districts have certain expanded allowable uses available to them and these uses were thought through to make sure that adjacent properties, neighborhoods and the community would not be harmed.
  - 6) The updated sector Plan does include a capital improvements list for projects to be completed that will enhance the area. These projects are public investments to be made to increase the attractiveness of the area and to make private investment in the area more desirable by private property owners.
  - 7) Land Use Districts are an addition to the underlying zoning. It is a series of overlays that are Plan area wide - there will be no spot zoning.
  - 8) Land Use Districts are an addition to the underlying zoning. It is a series of overlays that are Plan area wide - there will be no strip zoning.



23. Several of the commenting agencies have responded to the request to review this Plan. The comments from the City Engineer, Department of Municipal Development, The Water Authority and NMDOT have no comments on this Plan. The discussion with their spokesperson is that the Plan itself does not ask for anything to happen that they cannot handle at the individual site plan review level. Thus, they will address specific issues with the property owners' on a case-by-case basis. The agencies that did provide comments offer a more explanatory quality and make suggestions for the Plan to read better than they offer concerns.
24. The City Forester expands his observation of minimal design standards with pointing out that there are no specific requirements to buffer/screen landfills, Sandia Indian Reservation lands or the North Diversion Channel. These areas have a large impact within the Plan area and should be addressed.
25. Staff has received letters from residents and stakeholders in the Plan area. A lot of the concerns from residents are about traffic through the Plan area. Although these concerns are well noted, the sector Plan can only make recommendations of solutions, not correct them. The concerns of the stakeholders have been addressed in the Plan and their letters are attached to the staff report.

***RECOMMENDATION - 07EPC 00566 – May 15, 2008***

**That APPROVAL of 07EPC 00566 be recommended to the City Council for the amendment to the North I-25 Sector Development Plan based on the preceding Findings and subject to the following Conditions of Approval.**

**CONDITIONS OF APPROVAL - 07EPC 00566 – May 15, 2008**

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. This text shall be inserted on **page 4** of the March 2008 Plan as paragraph **7)** of **section 1.5 “How to Use This Plan”**, just in front of section **“1.6 Definitions”**

*“All developments shall conform to the City’s Development Process Manual, City Ordinances and applicable policies with respect to storm water management”.*
4. Modifications should be made to **Section 1.5 “How To Use This Plan”**. In **paragraph 4) a)** *“All site plans must be approved through a DRB process”*. The only question should be whether the site plan is heard on the public part of the agenda or the non-advertised part of the DRB agenda.
5. The DRB is the “Development Review Board”, not the “Design Review Board” and should be changed in **section 1.5**.
6. All properties within the Plan area shall have an SU-2 prefix in front of their land use zoning to signify that they are within the sector plan’s boundaries. All properties with an SU-2 prefix on their zoning shall be under control of the sector plan.
7. **Chapter 1** of the North I-25 Sector Plan shall state that all properties with an SU-2 prefix shall be in control by the sector plan and shall comply with the design standards of the sector plan.
8. Modifications should be made to **Section 3.2 “Land Use Districts”**. Under the heading of **Commerce (CP)** on **page 26, paragraph a)** shall read as follows:
  1. IP Zone Permissive and Conditional Uses,
  2. M-1 Zone Permissive Uses, EXCEPT A(1), A(5), A(6), A(12), A(15), A(16), A(17), and
  3. M-1 Zone Conditional Uses B(5), B(7).

9. Clarity needs to be made regarding section 4.3 “Height Overlay”, page 36. The height overlay pertains to those properties that utilize the expanded uses as presented in the Land Use Districts. Property owners that follow the underlying zoning will be subject to that zone’s height restrictions. Thus, The use of bolding the first sentence of the last paragraph on this page should be made. The sentence will read the same, but in bold letters: **“If following the underlying zoning, development proposals are subject to the height requirements set forth in the City of Albuquerque Zoning Code”**.
  
10. The EPC shall be given discretion of the building height when a development proposal is reviewed by them for SU-1 zoned properties.
  
11. The Environmental Health Department has asked that the following language be inserted into the Plan:

*There is a potential for development and infrastructure projects within this Plan area to be impacted by the presence of landfill gas generated by several former private and City owned/operated landfills (Los Angeles Landfill, Colorado Landfill, Nazareth Landfill, Sacramento Landfill and Holly Landfill). Development in select areas within the Plan area will be required to comply with the most current version of the City of Albuquerque Interim Guidelines for Development within City Designated Landfill Buffer Zones. A review and approval of the Site Plan(s), the proposed construction, design drawings and a certification of construction will be required by the Environmental Health Department (EHD), Environmental Services Division.*
  
12. All Public Utility Easements shall be clearly marked on site plans requesting approval. There shall be a 10-foot clearance around all ground mounted utility boxes. This language shall be incorporated in **chapter 4** on the Plan.
  
13. Agreement was obtained between the Albuquerque International Balloon Fiesta, Inc, Cam-Valle Norte, LLC and Westlake Horizon Boulevard, LLC about building height maximums south of the balloon launch field and this agreement shall be made a part of this sector plan. This agreement is for the privately owned properties directly south of the balloon launch field, north of Alameda Boulevard on the east side of the North Diversion Channel (see attached map). This map specifies that Tract 1 and Tract 4 shall have a 72-foot maximum building height, Tract 2 and Tract 3A shall have a maximum 52-foot building height and Tract 3B and the lot between Tract 3B and Tract 3A will have a maximum building height of 39-feet. No other property is included in this agreement.
  
14. Adjustment to the Building Height overlay map shall be made to the Regional Commercial Land Use District along the south side of Paseo del Norte, east of I-25. Building heights on the north

side of Paseo del Norte between San Pedro Drive and Louisiana Boulevard shall remain at 39-feet.

15. Designate San Mateo Boulevard as a minor arterial north of Paseo del Norte.
  16. Landscaping of the median of Alameda Boulevard west of I-25 within the Plan area shall be included in the Plan Implementation portion of the Plan (**Chapter 8**).
  17. The text in **Paragraph 4. of section 5.1.1 “Transportation Capital Improvements” on page 41** shall state that left turns from San Diego Avenue to Jefferson Street (south-bound) shall **not** be allowed at the San Diego Avenue/Balloon Museum Drive connection. The exception to this is during special events at the Balloon Park in order to alleviate traffic congestion. However, right turn traffic from Jefferson Drive to San Diego (north-bound) shall be allowed on a regular basis.
  18. Language regarding the North La Cueva Arroyo shall be made consistent. **Section 5.1.2 “Transportation Recommended Actions”, paragraph 9. on page 42** incorrectly states modifications to be made to the trail are in the South La Cueva Arroyo and should say the **North La Cueva Arroyo**.
  19. The word **North** should also be inserted in front of La Cueva Arroyo on **page 50 Transportation, 5.1.2 (12)** in the paragraph under **Action**.
  20. On **page 44, 6.2.1 “Open Space Capital Improvements”, paragraph 4.** should be deleted as it is redundant; a trail connection already exists at Jefferson Street and Balloon Museum Drive.
  21. The widening of Alameda Boulevard east of I-25 from two-lanes to four-lanes shall be included in **chapter 8, “Implementation”** of this Plan and included on the CIP project list.
  22. Landscaping along Alameda Boulevard as an entrance to Balloon Fiesta Park shall be listed on the CIP list as a **“Community Design”** element on **page 48**.
-

***Christopher Hyer  
Senior Planner***

cc: COA/Planning Department, 600 2<sup>nd</sup> St. NW, Albuquerque, NM 87102  
Steve Wentworth, Alameda North Valley Assn., 8919 Boe Ln., NE, Albuquerque, NM 87113  
Leroy Gurule, Alameda North Valley Assn., 713 Alameda Blvd. NW, Albuquerque, NM 87114  
Bob Warrick, North Edith Commercial Corridor Assoc., 444 Niagara NE, Albuquerque, NM 87113  
Suzanne Hodges, North Edith Commercial Corridor Assoc., 305 Hernandez NE, Albuquerque, NM 87113  
Priscilla Martinez, Jade Park NA, 6704 San Bernardino NE, Albuquerque, NM 87109  
John Stutzman, Jade Park NA, 6800 Jade Park NE, Albuquerque, NM 87109  
Leilani McGranahan, Nor Este NA, 7600 Rio Guadalupe NE, Albuquerque, NM 87122  
Joe Yardumian, Nor Este NA, 7801 RC Gorman Ave. NE, Albuquerque, NM 87122  
Judie Pellegrino, North Domingo Baca NA, 8515 Murrelet NE, Albuquerque, NM 87113  
Haden M Bowling, North Domingo Baca NA, 8523 Murrelet NE, Albuquerque, NM 87113  
Bob Cook, North Hills HOA, 7205 Springfield Rd. NE, Albuquerque, NM 87109  
Marilyn Jacobson, North Hills HOA, 7109 North Hills Blvd. NE, Albuquerque, NM 87109  
Nanci Carriveau, North Wyoming NA, 8309 Krim Dr. NE, Albuquerque, NM 87109  
Bill Dell, North Wyoming NA, 8306 Dr. NE, Albuquerque, NM 87109  
Albert Gustafson, Pleasant View Mobile Home Assoc., 6222 Corona NE, Albuquerque, NM 87113  
Cheryl Gustafson, Pleasant View Mobile Home Assoc., 6213 Karlson Dr. NE, Albuquerque, NM 87113  
Dr. Betty Fisher, The Quail Springs NA, 7311 Quail Springs Pl. NE, Albuquerque, NM 87113  
Bill Eastham, The Quail Springs NA, 7212 Quail Springs Pl. NE, Albuquerque, NM 87113  
Sandra Mobly, Sonora HOA, 6620 Suerte Pl. NE, Albuquerque, NM 87113  
Karen Aspelin, Sonora HOA, 6801 Suerte Pl. NE, Albuquerque, NM 87113  
Roger Griffith, Sun North Estates NA, 8424 River St. NE, Albuquerque, NM 87113  
Mike Benavidez, Sun North Estates NA, 8421 River St. NE, Albuquerque, NM 87113  
Thomas Alfieri, West La Cueva NA, 8220 Ville Ct. NE, Albuquerque, NM 87113  
Stephanie O'Connell, West La Cueva NA, 8211 San Gavalon NE, Albuquerque, NM 87113  
Larry Caudill, Wildflower Area NA, 4915 Watercress NE, Albuquerque, NM 87113  
Rick Treadwell, Wildflower Area NA, 5004 Watercress NE, Albuquerque, NM 87113  
Rod Crawley, Vista del Norte Alliance, 7331 Sidewinder Dr. NE, Albuquerque, NM 87113  
Richard Hix, Vista del Norte Alliance, 905 Bosque NE, Albuquerque, NM 87113

**Attachments**

1. Letter to property owners – April 15, 2008
2. Addresses letter was sent to – April 15, 2008
3. Facilitator's Report of April 2, 2008 meeting – April 4, 2008
4. Addendum to facilitator's report – April 4, 2008
5. Sign In Sheets from April 2 meeting – April 2, 2008
6. Legal Ad from ABQ Journal – March 29, 2008
7. Paul Cauwels – March 13, 2008
8. Lynne Anderson, NAIOP – March 13, 2008
9. Joshua J. Skarsgard – March 12, 2008
10. Tierra West, LLC – March 12, 2008

11. Public Service Company of New Mexico – March 26, 2008
12. Wildflower NA comments letter – March 26, 2008
13. Janelle Santillanes email – March 13, 2008

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Code Services***

Reviewed: no comments

New Comments for 3/13/08

Regulatory language for development within City designated landfill buffer zones should not be in an Appendix. This language should be placed within the plan itself, under –“Chapter 10”. Appendix B: Traffic Calming Techniques would then become Appendix A.

Additional time is being requested to further review the revisions to the proposed North I-25 Sector Plan. Comments will be given upon completion of this review.

#### ***Office of Neighborhood Coordination***

**Alameda North Valley Assoc. (R), Jade Park NA (R), Nor Este NA (R), North Domingo Baca NA (R), North Edith Commercial Corridor Assoc., North Hills HOA, North Wyoming NA (R), Pleasant View Mobile Home Assoc., The Quail Springs NA (R), Sonora HOA, Sun North Estates NA (R), West La Cueva NA (R), Wildflower Area NA (R), Vista Del Norte Alliance (R)**

#### ***Advanced Planning***

### ***PUBLIC WORKS DEPARTMENT***

#### **Transportation Development (City Engineer/Planning Department):**

- Recommend 30 day deferral, to provide staff more time to review and comment.

#### **Hydrology Development (City Engineer/Planning Department):**

- The Hydrology Section has no adverse comments regarding the Sector Development Plan.

#### **Transportation Planning (Department of Municipal Development):**

- The two weeks allotted staff to review the proposed strategic action plan is not adequate.

#### ***Recommendation:***

- Deferral or continuation of this case, as appropriate, for a minimum of 30 days to allow adequate time for review and comment.

#### **Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

**Street Maintenance (Department of Municipal Development):**

- No comments received.

**Utility Development (Water Authority):**

- No comments received.

**Water Resources, Water Utilities and Wastewater Utilities (Water Authority):**

- No comments received.

**New Mexico Department of Transportation (NMDOT):**

- No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT,**

**WATER AUTHORITY and NMDOT:**

Conditions of approval for the proposed Sector Development Plan shall include:

- a. Deferral or continuation of this case, as appropriate, for a minimum of 30 days to allow adequate time for review and comment.

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

***Environmental Services Division***

**NEW COMMENTS FOR 3/13/08**

1. General Comment: Were Sections 6.1, 7.1, and 7.2 eliminated, or not incorporated for comment?
2. Pages 3, Section 1.4, Number 4: This may be a good place to include an introduction to the Interim Guidelines.
3. Page 19, Section 2.7:
  - a. There appears to be some confusion between the work at the Holly Avenue Landfill and the Sacramento Landfill. To our knowledge, there have been no remediation efforts of any kind taken at the Sacramento Landfill.
  - b. Last Paragraph of Section 2.7: the system referred to as installed in 2007 is probably the SVE/ground water treatment systems. It was installed in 2005. The landfill gas extraction system is not intended to protect ground water, but the SVE/ground water treatment system is designed for this purpose. The landfill gas extraction system likely does remove volatile organic compounds from the landfill, which would eliminate their migration path



- to ground water; however, the extraction system is designed to protect the public from direct risks associated with landfill gas.
- c. Developers have been removing Coronado Landfill over the past several years, but Albuquerque Environmental Health Dept.(AEHD) has not been provided closure reports, which would allow for removal or redrawing of the landfill boundaries/buffer zones.
  4. Page 21, Section 2.8, *Environmental Issues*: The AEHD should be provided all public comments that relate to citizen concerns regarding the landfills.
  5. Page 27, Section 3.2, ROS, Paragraph a: AEHD would like to review the *Balloon Fiesta Master Development Plan*, to see if the landfill is included.
  6. Page 29, Section 5.1.1, Number 2: The proposed alignments of the extension of Balloon Museum Drive NE to Paseo del Norte NE should be thoroughly considered with regards to impacts to existing COA infrastructure. In review of the proposed alignment and from observations made while visiting the landfill, it is unclear if portions of the landfill property would have to be used to accommodate the proposed alignment. The following should be part of any decision making discussions:
    - a. The flare station at the south end of the landfill appears to be outside of the proposed alignment, and there may not be any conflicts with the landfill gas extraction system between the AMAFCA channel (North Domingo Baca Arroyo) to the south and Clifford Channel. North of Clifford Channel, the header system, isolation valves, and condensate sumps may fall within the proposed right-of-way. Moving these portions of the extraction system would be costly and result in their construction within trash. This would complicate maintenance and operation requirements.
    - b. The PNM transformer at Gate 8 and the wiring that connects to the Albuquerque International Balloon Fiesta RV parking power distribution would likely have to be removed and replaced. It would be difficult to relocate the transformer farther west of its current location without constructing over landfill material.
    - c. The construction of a roadway may require either the removal of trash or dynamic compaction. Trash removed from the landfill would likely need to be taken to a modern landfill rather than reapplied to the Los Angeles Landfill.
    - d. The alignment would need to include storm water diversion away from the landfill surface.
    - e. It is recommended that the alignment include access points to the landfill that can be used for RV/service entrances, or at a minimum, emergency egress points for evacuation of the landfill during special events.
  7. Pages 39 and 40, Section 5.1.1: It is unclear what the proposed improvements are between the south side of the landfill and PNM Reeve's Station. The following items may be impacted:
    - a. LALF-6 (GW monitoring well)
    - b. LALF-16 (GW monitoring well)
    - c. LALF-3 (GW monitoring well)
    - d. LALF-18 (GW monitoring well)
    - e. LALF-19 (GW monitoring well)
    - f. LALF-12 (GW monitoring well)
    - g. M-14 (LFG probe)
    - h. M-15 (LFG probe)
    - i. GWEX-1 (GW extraction well)

- j. GWEX-2 (GW extraction well)
  - k. GWEX-4 (GW extraction well)
  - l. Ground Water Treatment System Piping
8. Page 41, Section 5.1.1, No. 4: The map on Page 43 shows the proposed connection of Balloon Museum Drive NE to San Diego Avenue NE potentially extending into the southern edge of the Nazareth Landfill. This proposed construction should be tracked by AEHD as it proceeds through development and construction.
  9. Page 41, Section 5.1.2, Nos. 3 and 5: AEHD supports both of these proposals. If the pedestrian crossing is over Alameda, then encroachment of the landfill by structural elements should be tracked by AEHD.
  10. Page 44, Section 6 – General: Since the landfill is designated Open Space, the general discussion of intent of use and policies should be considered by AEHD and the COA. Is there another designation that the landfill could be provided other than Open Space that would restrict use?
  11. Page 44, Section 6.2.1, No. 2: Extension of a trail along the south end of the landfill may increase security concerns at the landfill. It is recommended that lighting and improvements to the fencing be incorporated for the southern boundary of the landfill. Perhaps a block wall would be appropriate around the flare station. The extension of the trail may result in conflicts with monitoring wells LALF-6 and LALF-16.
  12. Page 47, Section 7.3.2, No. 8: AEHD recommends that the text be amended to say “Continue to *monitor for and* remediate...” (italics added to show new wording).
  13. Page 49, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Extend San Diego Avenue across I-25 to San Pedro Drive”, Action (5.1.1 [3]).
  14. Page 49, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Conect [sic] San Diego Avenue to Balloon Museum Drive”, Action (5.1.1 [4]).
  15. Page 49, Section 8: The action “Extend Alameda Drive to Balloon Fiesta Park” does not coordinate with Section 5.1.1, No. 5; which is the installation of a traffic light at Alameda Boulevard and Balloon Museum Drive.
  16. Page 49, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Provide bike lanes along Alameda Boulevard, San Pedro Drive, Louisiana Boulevard and Jefferson Street”, Action (5.1.1 [9, 10]).
  17. Page 49, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Amend the Trails and Bicycle Facility Plan to include bike lanes along Alameda Boulevard, San Pedro Drive, Louisiana Boulevard and Jefferson Street and trails along the La Cueva Arroyo and Domingo Baca Arroyo”, Action (5.1.2 [12]).
  18. Page 50, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Construct Sidewalks along Jefferson Street and San Mateo Boulevards”, Action (5.1.2 [13]).
  19. Page 50, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Construct a multi-use trail along the North La Cueva Arroyo”, Action (6.1.1 [1]).
  20. Page 50, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Construct a multi-use trail along the Domingo Baca Arroyo”, Action (6.1.1 [2]).
  21. Page 50, Section 8: The AEHD should be added to the “Coordination Required” list for the action “Construct a multi-use trail along the San Mateo Boulevard from the North Camino Arroyo, south to the Domingo Baca Arroyo”, Action (6.1.1 [3]).

22. Page 50, Section 8: If the proposed route traverses any landfill buffer zones, the AEHD should be added to the “Coordination Required” list for the action “Study a north-south trail connection between I-25 and the North Diversion Channel in the redesign of the Paseo del Norte / Jefferson Street interchange”, Action (6.1.2 [4]).
23. General Comment: The AEHD maintains landfill gas monitoring wells and ground water monitoring wells at landfills other than the Los Angeles Landfill. It may be appropriate to call this out in Section 2.7 with a caution to protect the infrastructure during future development.
24. General Comment: Past development in buffer zones of landfills in the Sector have included the construction of landfill gas mitigation measures. Some of these measures have been constructed on City infrastructure (i.e. utilities) and have included components that daylight at the surface in City right-of-ways (i.e. landfill gas vents). Trail, street, and/or sidewalk improvement plans should include maintaining these structures or moving them. The infrastructure design and construction has been approved by the AEHD at much expense to both the City and the developers. Their removal or destruction could result in potential risks to the public.

#### **City Forester**

- Appendix D – Please remove One Seed juniper from ‘Rainwater Harvest Garden’ rebate program list or identify it as restricted in the city.
- Under the heading ‘Restricted Trees’ ... remove the first sentence
- Under heading ‘What trees have exceptions?’
  - Spelled CEDAR
  - There are exceptions to the cottonwood and elm restriction as well that should be listed here
- Under heading ‘OK to grow and sell’ – last bullet point remove the word ‘dioecious’
- Are there no other design / landscape standards except for usual city required?
  - Buffering / screening of landfills, Sandia Reservation, and/or the diversion channel

#### **PARKS AND RECREATION**

##### **Planning and Design**

Reviewed, no objection. Request does not affect our facilities.

##### **Open Space Division**

#### **NEW COMMENTS FOR 3/13/08**

1. Although the plan area incorporates Balloon Fiesta Park and other “open space” areas, it should be clear throughout the plan and especially in section six that the reference to “open space” is different from Major Public Open Space managed by the City. It would be more understandable to change the wording in section six and refer to the “open space” area as recreation or park area instead. Balloon Fiesta Park is owned by the City of Albuquerque but it is not Major Public Open Space. Rather, this

park is managed by the Parks and Recreation Department and its Park Management Division. This reference to “open space” is confusing to the reader of the Plan since this land does not meet the criteria for Major Public Open Space, nor would it be managed by the City’s Open Space Division, yet the land is referred to as “open space” throughout the Plan, especially in Section Six.

2. The Open Space Division believes that Section Six of the North I-25 Sector Plan should be titled Recreation Plan. 6.2 should be titled Recreation Policies (instead of open space policies) 6.2.1 should be titled Recreation Capital Improvements. 6.2.2 should be called Recreation Recommended Actions; so on and so forth throughout the chapter.

3. Page 45 should discuss what City Department and Division will manage the “open space” (recreational) lands in the boundaries of this Sector Plan. Most likely this will be the Parks and Recreation Department and its Park Management Division, who is managing most of these areas as of today.

4. The Department of Municipal Development (DMD) is currently working on finalizing a draft “trail guidelines and standards plan” that would be considered City-wide if and when it is finalized. Any references to trails and planned trail areas in this Sector Plan should refer to these “trail guidelines” from the DMD before the Sector Plan is finished to mitigate any future amendments to the Sector Plan if trail standards were to become permanent and mandated City-wide.

***POLICE DEPARTMENT/Planning***

No crime prevention or CPTED concerning the sector plan amendment at this time.

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

No adverse comments.

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

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## **COMMENTS FROM OTHER AGENCIES**

### **BERNALILLO COUNTY**

#### **ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY**

Reviewed, no adverse comment. Comments for information:

1. Trails in AMAFCA right-of-way, or connections to existing trails, will require a license agreement with AMAFCA.
2. AMAFCA's consultant recently completed a drainage study for the area around Paseo del Norte and Jefferson Street entitled, "Drainage Report and Conceptual Design for Proposed Storm Drainage Improvements Near El Pueblo Road and Paseo del Norte at the North Diversion Channel" (Smith Engineering Company, January 2007).

#### **NEW COMMENTS FOR 3/13/08**

1. The name of the mobile home park at the northwest corner of I-25 and Paseo del Norte is "Coronado Village Mobile Home Country Club". A "trailer park" has a more temporary connotation.
2. In Chapter 8, on the Plan Implementation table, Coordination Required column:
  - a. Add AMAFCA on Element ID 5.1.1 (2).
  - b. Add AMAFCA on Element ID 6.1.1 (1).

#### **ALBUQUERQUE PUBLIC SCHOOLS**

The **North I-25 Sector Plan** falls within the following school attendance areas: EG Ross Elementary School, Desert Ridge Middle School, and La Cueva High School. Further residential development within the sector plan will impact these schools. EG Ross has excess capacity. Desert Ridge Middle School and La Cueva High School will be nearing capacity as development in the northeastern area gradually fills in.

<b>Loc No</b>	<b>School</b>	<b>2006-07 40th Day</b>	<b>2006-07 Capacity</b>	<b>Space Available</b>
219	E.G. Ross	553	781	228
430	Desert Ridge	1,146	1,218	72
525	La Cueva	2,187	2,300	113

#### **NEW COMMENTS FOR 3/13/08**

The City of Albuquerque requests approval of the **North I-25 Sector Plan**. This request will have no adverse impacts to the APS district, however, the residential developments surrounding this area will impact the nearby schools; E.G. Ross Elementary School, Desert Ridge Middle School, and La Cueva High School. E.G. Ross Elementary School and Desert Ridge Middle have excess capacity, La Cueva High School is nearing capacity.

<b>Loc No</b>	<b>School</b>	<b>2007-08 40th Day</b>	<b>2007-08 Capacity</b>	<b>Space Available</b>
219	E.G. Ross	526	750	224
430	Desert Ridge	1,068	1,217	149
525	La Cueva	2,141	2,200	59

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
    - Combination of above strategies

**All planned additions to existing educational facilities are contingent upon taxpayer approval**

**MID-REGION COUNCIL OF GOVERNMENTS**

General comments:

1. The Draft Plan may want to consider or address projects in the Metropolitan Transportation Plan or the Transportation Improvement Program for the Albuquerque Metropolitan Planning Area. Coordination with the MPO would reveal several projects already scheduled for implementation within the study area.
2. Recommendations may include documentation of how projects would be incorporated into the MPO planning and programming process.
3. Supporting analysis for projects suggested in the Draft Plan might help “make the case” for suggested projects. Coordination with MPO could result in base year and forecast data for roadways.
4. The Draft Plan may more thoroughly document
  - a. internal (ie intra-City) coordination, e.g. with ABQRide, bicycle trails planners, etc.
  - b. external coordination, e.g. with Sandia Pueblo, NMDOT, or the MPO.

Evidence of such coordination would tend to support or inform the Draft Plan’s recommendations.

5. The I-25 / Paseo del Norte Interchange Study is mentioned as a potential “amendment” to the Draft Plan, but a more detailed analysis of the available data from the Study might be considered.

Specific comments:

1. Page 43: All streets have a designation. While the Functional Classification Map (the MPO’s, not the City of Albuquerque’s) does not show a classification for local roads, they are nonetheless classified, probably as urban local facilities.
2. Page 45: Draft Plan may refer to NMDOT’s Paseo del Norte / I-25 Study.
3. Page 45: “Event management” at the Park might include coordination of APD, DMD, and should be consistent with ITS Regional Architecture.
4. Page 47: NMDOT is presently considering a dedicated transitway in the Paseo del Norte / I-25 Study.
5. Page 48: See comment 5.
6. Page 48: All alternatives from the Paseo del Norte / I-25 Study include bicycle paths.
7. Page 49: Recommended changes to the Long Range Bikeway System Map may want to refer to the MPO’s role in approving such.
8. Page 49: An explanation of how the suggested bicycle trail would work with the Paseo del Norte / I-25 Study’s recommendation of a freeway-type facility in that same area might eliminate some confusion.
9. Page 76: Rigid formulations of public accommodations for trash barrels, public art, etc may preclude “context-sensitive” solutions that may make better sense and cost less.
10. Analysis may want to consider a new roadway programmed to be built in the vicinity of the North Diversion Channel alongside Chappell Dr. between Osuna Bd. and Alameda Bd. This project will provide additional east-west connections and will improve accessibility and is anticipated to affect the distribution of land use in the project area. Reference may be made to the locally-approved Draft 2030 Metropolitan Transportation Plan.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

**PNM has major concerns with the I-25 North Sector Plan as it is presented.**

The cornerstone of public health and safety and sound economic development is the ability to provide safe and reliable electric service. This is evidenced in the City of Albuquerque adopted Chapter 14-Section 16 Zone Code. This draft sector plan proposes to eliminate the ability to place public utility structures in any zone; that action runs contrary to the basic philosophy of any sound zone code and sector plan. The North I-25 area contains major public utility infrastructure and as the area and Albuquerque grows will necessitate the need for more public utility infrastructure, in all zones.

The required screening of utility facilities is in direct conflict with national, state and local safety codes and shall not be permissible. Some modification may be permissible but national law requires the primary safety of the work crews and public.

Landscape regulations and standards for the PUE and/or the setback may be in conflict with the safety of the utilities located in the PUE and/or the set back.

PNM has four 115kv line routes and two substations within the plan boundary. The proposed Reeves-La Cueva 115kv line (not yet routed) will likely pass through this area. PNM has undertaken a substation study to determine where new substations are needed.

It appears in this Sector Plan that the minimum set-backs may be adequate. The requirement for appropriate and safe installation, both for the public and PNM's crews, for electric and natural gas facilities will required a 10 foot PUE for PNM's above and below ground distribution facilities. PNM serves its customers from the front lots of residential subdivision developments. Occasionally dependent on the development, PNM will also need a 10 foot PUE to install its distribution facilities within side lots of these same subdivisions.

***NEW COMMENTS FOR 3/13/08***

No comment based on the information provided to date. It is the applicant's obligation to determine if utility easements cross the property and to abide by any conditions or terms of those easements.