

From: [Jane Baechle](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Renz-Whitmore, Mikaela J.](#); [Vos, Michael J.](#); [Morris, Petra](#)
Subject: Comments on the VHUC
Date: Wednesday, February 7, 2024 9:58:24 AM
Attachments: [VHUC 2152024.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Please append the following written comments on the proposed small area amendment to the VHUC to the Staff Report to the EPC for the meeting of 2/15/2024.

I appreciate your assistance and your confirmation that these will be included.

Thank you for your time and assistance.

Jane Baechle
SfVNA



Santa Fe Village Neighborhood Association

5601 Bogart St. NW Albuquerque, NM 87120
SFVNA2014@gmail.com

Date: February 7, 2024

To: Jonathan Hollinger
Chair, EPC

From: Jane Baechle
Representative, SFVNA

Re: Volcano Heights Urban Center
Small Area Amendment, IDO 14-16-4-3(F)(5)(f)10

Dear Mr. Hollinger and Commissioners,

I am writing again on behalf of the Santa Fe Village Neighborhood Association (SFVNA) to reaffirm our strong *opposition* to the proposed small area amendment to the Volcano Heights Urban Center (VHUC) which would remove the prohibition on drive throughs in the VHUC. There has been no change in our position as outlined in our original written comments in our letter of 11/26/2023 and in every subsequent document from the SFVNA providing written comments regarding proposed changes as part of the 2023 IDO Annual Review. Those letters are now a matter of public record, included in every previous staff report on this matter. In our view, this proposal conflicts with ABC Comp Plan Goals and Policies that outline both the intent of an urban center to be designed as a walkable neighborhood and those that call for context sensitive development on the NW mesa escarpment and in the VHUC.

This change is inconsistent with the intended design of an urban center which is to create and support a walkable neighborhood. Nothing could conflict more profoundly with a walkable neighborhood than drive throughs. They exist solely to accommodate motor vehicles and the occupants unwilling to leave their vehicles. The ABC Comp Plan calls for Centers to have or strive for a high degree of walkability.

Specifically, this is what the Comp Plan states about the VHUC in sub- policy “d” of Policy 11.3.6, “Protect the area’s natural and archaeological resources, including the Monument and significant rock outcroppings, while encouraging urban development in the Volcano Heights Urban Center to create a vibrant, *walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.*” (Italics mine) The VHUC is currently undeveloped, a clear and optimal opportunity to ensure that the Center is developed with a high

degree of walkability. There is no adequate justification for removing from the IDO the protections against the development of drive throughs in the VHUC.

It is also important to note that the VHUC sits on the NW Mesa Escarpment and lies within the NW Mesa Escarpment VPO-2 which mandates design standards to ensure that structures reflect the natural colors of the natural landscape. This area begins on the east as one crests the escarpment on Paseo del Norte and its northern and eastern edges are approximately the boundary of the Petroglyph National Monument. Many of the mixed use properties are a short walk from the escarpment and the Petroglyph National Monument boundary. Not only would drive throughs, almost always franchise, fast food restaurants, conflict with the intended walkability of an urban center, they would conflict with provisions of the VPO which call for development to respect the character of the area.

We respectfully request that the EPC support the ABC Comp Plan Goals and Policies outlined here and assure that the IDO continues to serve its purpose to “Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended.” The IDO Annual Review should not be used as a mechanism to rewrite and undermine the Comp Plan as this proposal is clearly intended to do and at the expense of the character and sense of place of this area. The Planning Department staff report recommends *denial* and we ask the EPC to make the same recommendation.

Sincerely,

Jane Baechle
SFVNA



Santa Fe Village Neighborhood Association

5601 Bogart St. NW Albuquerque, NM 87120
SFVNA2014@gmail.com

Date: February 12, 2024

To: Jonathan Hollinger
Chair, EPC

From: Jane Baechle
Representative, SFVNA

Re: Proposed Small Area Amendment VHUC
IDO 14-16-4-3(F)(5)(f)10

Given the salience of comments submitted to the Commission under the 48 hour rule, I am writing to reaffirm the Santa Fe Village Neighborhood Association (SFVNA) *opposition* to the proposed change to the IDO which would remove from the Volcano Heights Urban Center (VHUC) the prohibition on drive throughs, thus allowing drive through businesses in the urban center. The basis of our opposition, outlined in all prior written comments, includes all of the following points:

- ❖ The ABC Comp Plan establishes the purpose of the VHUC in sub- policy “d” of Policy 11.3.6, “Protect the area’s natural and archaeological resources, including the Monument and significant rock outcroppings, while encouraging urban development in the Volcano Heights Urban Center to create a vibrant, *walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.*” (Italics mine) Nothing is more damaging to a walkable district or context sensitive development than drive throughs.
- ❖ In establishing standards for Urban Design, Comp Plan Goal 7.2 states “Increase walkability in all environments, *promote pedestrian-oriented development in urban contexts*, and increase pedestrian safety in auto-oriented contexts.” Drive throughs do not represent pedestrian-oriented development and, in a pedestrian-oriented development, would jeopardize pedestrian safety.
- ❖ “By ordinance, other adopted City and County plans are subordinate to and must be consistent with this Comp Plan.” (Pg 1-8)
- ❖ “The purpose of this IDO is to: 1-3(A) Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended”. This proposal attempts to use the IDO Annual Review to rewrite the ABC Comp Plan and to respond to the specific interests of some property owners over those of the surrounding area, the goals and policies

of the Comp Plan and the current and future residents of the entire City. It is entirely inconsistent with this statement from the Comp Plan (pg 3-2), “As stewards of this place, we must work together to plan our streets and trails, water and energy resources, economy, parks, cultural attractions, neighborhoods, and all other elements that make up the fabric of our community.”

We again respectfully request that the Commission uphold the recommendation of *DENIAL* by the City Planning staff and send a further recommendation of *DENIAL* to the City Council. I look forward to addressing this issue further on behalf of the SFVNA Board in Thursday’s meeting.

Thank you for your time and attention.

Sincerely,

Jane Baechle
Representative, SFVNA

From: [BRENDA EDWARDS](#)
To: [City of Albuquerque Planning Department](#)
Subject: Small Area Volcano Heights Urban Center
Date: Tuesday, February 13, 2024 7:25:47 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To EPC Chair Staffer:

My name is Mark Edwards, and our family have been residents of Ventana Ranch for 25 years. As longtime residents in this Volcano Heights area, our family has desired more options than what we have in the area to eat, bank and pick up prescriptions. With the elimination of this drive-thru prohibition, it would increase the number of options to eat, bank, and pick up prescriptions, all of which would require drive-thru operations. This would create additional convenience for basic services and further enhance our underserved community and likely would bring other needed services such as a grocery store. This overlay restriction of drive-thrus affecting Volcano Heights Urban Center (VHUC) area looks to be outdated and somewhat out of touch with what is actually needed to serve the numerous residential communities abutting the VHUC.

The facts of the matter are that current areas within the VHUC (on or near the Unser & Paseo Del Norte interchange) where drive-thrus are allowed lack basic infrastructure (utilities, bikeways, walkways) that will likely take years for that infrastructure to get built, which will delay development of these specific areas to ultimately serve the growing residential population. I don't understand how this drive-thru restriction for portions of the VHUC coincides with how this general area continues to grow. The residential communities within and immediately surrounding the VHUC have long been underserved with basic services and deserve to have more options for basic services, including operations with drive-thrus, which will help spur economic development within the VHUC.

In summary, our family is in strongly in favor of eliminating the drive-thru prohibition for the following reasons:

1. Lack of restaurant and bank options within walking and short driving distance to serve our continually growing residential communities which have long been severely underserved
2. Reduce or eliminate vehicular trip times by having more options to eat closer to residential areas that have the necessary infrastructure in place to be developed
3. Creation of more employment opportunities closer to residential areas,

thereby creating a balanced job to residential ratio within and surrounding the VHUC area

4. Encouraging economic growth for these growing areas as a grocery store operation should be easier to attract with influx of more essential services to the area

It is my hope that EPC will consider these comments as sufficient justification to approve lifting this drive-thru prohibition within VHUC.

Mark Edwards

Ventana Ranch resident for 25 years

From: [Elizabeth Haley](#)
To: [Renz-Whitmore, Mikaela J.](#); [Salas, Alfredo E.](#); [Aaron Neito](#); [Aranda, James M.](#)
Subject: Proposed Small Area Amendment Volcano Heights Urban Center
Date: Tuesday, February 13, 2024 8:58:59 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Feb. 13, 2024

Jonathan Hollinger, Chair
City of Albuquerque
Environmental Planning Commission

Re: Proposed Small Area Amendment Volcano Heights Urban Center

Dear Chairman Hollinger,

I am a resident of Paradise Hills and an active member of the Executive Committee of the Paradise Hills Civic Association, a Neighborhood Association serving the City of Albuquerque and Bernalillo County residents.

I live in the vicinity of Paradise Blvd and Unser. I have been following the IDO since 2017 and the various proposals to change the IDO pertaining to the VPO-2, including the prohibition of drive-throughs in the Volcano Heights Urban Center area.

I speak for many neighbors who have waited for amenities, including walkable, upscale commercial development. This amendment contradicts our area's long-term development plans and amenities and attempts to spot zones by changing the VPO-2 protections. Many of our members participated in the long-term planning for this area. Many are volunteers with the National Park Service and the City of Albuquerque Open Space, and we understand the environmental sensitivity of the landscape. I have also taught field classes there as an Adjunct Professor at UNM.

The proposed Volcano Heights Urban Center is not just a fascinating geological landscape but also a cultural landscape with unique views, landscapes, and cultural assets valuable to the public, tribal nations, and property owners. I have a Master of Architecture and Planning, have been an adjunct professor in the Graduate School of Architecture at UNM, and served as a national consultant for the Department of Interior and BIA, serving at the request of the BIA on Federal Reserve Policy Boards. I have also co-authored Congressional Testimony on Land Review and Planning for the US House of Representative Resources Committee.

I am also the current President of WSCONA and have participated as a representative in the EPC IDO small area amendments. Three impressions struck me. Some are not original to me.

(1) Very few cities in the United States have the cultural and geological landscapes Albuquerque was blessed with. Urban communities offer many advantages that rural communities lack. But by their Nature, cities can be very stressful places. Those of us who live on the Westside confront challenges every day. One challenge is simply crossing the Rio Grande. We need walkable commercial amenities that become hubs to live, work, and play. Let's keep the landscape jewels we have intact. We should have done that some years ago

when we lost many historic buildings. For those of us who live adjacent to the lands in question, please minimize the impact of development and be sure to support Tribal Engagement on such issues as well

(2) City officials overseeing development are obligated to consider people first. In this case, the City should assess the impact of the proposed changes in the IDO on the people in the vicinity of the land in question. (Excerpted from a letter by Larry Larrichio)

(3) The testimony before the EPC often breaks down to changing VPO-2 protections from out-of-state landowners and lobbyists - opposition from residents. It is in the economic interests of the out-of-state property owners to refrain from making the changes they support. They need to be more informed. The only local support is from lobby groups whose financial interests may differ from theirs. Commercial real estate is in a death spiral in Albuquerque post-pandemic. Only commercial real estate with a destination value has been able to survive. The commercial real estate doing well in Albuquerque is in the walkable Uptown Urban Center, the Volcano Heights Urban Center companion. Please keep property owners and citizens from losing. Please vote to reject this Small Area Amendment.

I appreciate your consideration.

Sincerely,

Elizabeth Haley Tel: 505-908 5376 Email: elizabethkayhaley@gmail.com

From: [Hendricks, Nancy E](#)
To: [City of Albuquerque Planning Department](#); [Renz-Whitmore, Mikaela J.](#)
Cc: [Jane Baechle](#); [Rene" Horvath](#)
Subject: Petroglyph National Monument Comments: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10
Date: Monday, February 12, 2024 8:24:45 AM
Attachments: [20240212_PETR_Drive Thru Variance Comments.pdf](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

IN REPLY REFER TO:
I.A.1.

February 12, 2024

City of Albuquerque
Jonathan Hollinger, Chair
Environmental Planning Commission
Through: Albuquerque Planning Department
Via email at: abctoz@cabq.gov and mrenz-whitmore@cabq.gov

Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10

Dear Chairman Hollinger,

I am writing on behalf of the National Park Service (NPS) concerning the proposed change to the IDO which would remove from the Volcano Heights Urban Center (VHUC) the prohibition on drive throughs, allowing drive through businesses in the urban center.

This is a unique area in Albuquerque. Situated on the West Mesa, the VHUC is located adjacent to Petroglyph National Monument (Monument). It is a place of great importance to the residents of the West Mesa and the City of Albuquerque, and to visitors from the United States and around the world. Our data show that more than 60% of our visitors are from the neighborhoods adjacent to the Monument – residents of Albuquerque who appreciate the pedestrian linkages from their communities to our trailheads. We consistently work with the neighboring developers to link external trails to Monument trailheads. The allowance for drive throughs in the subject proposal would reduce the walkability of the neighborhood, affect access to the Monument, and degrade the cultural heritage of the West Mesa.

Retain the character of the VHUC in consideration of its proximity to the Monument, and in accordance with the standards developed in the ABC Comp Plan by denying the proposed small area amendment. The ABC Comp Plan established the purpose of the VHUC (11.3.6(d)) to “Protect the area’s natural and archaeological resources, including the [Petroglyph National] Monument and significant rock outcroppings, while encourage urban development in the Volcano Heights Urban Center to create a vibrant, walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.”

The preservation of the cultural landscape of Petroglyph National Monument is the primary concern of the NPS, and by law and policy, is an important concern of the City of Albuquerque (ABC Comp. Plan 10.3.5 and 11.1.2.3). On June 27, 1990, Congress passed the Petroglyph National Monument Establishment Act of 1990 creating the Monument as a unit of the NPS, co-managed by the City of Albuquerque, “in light of the national significance of the West Mesa Escarpment and the petroglyphs

and the urgent need to protect the cultural and natural resources of the area from urbanization and vandalism ..." Pub. Law 101-313, § 101 (1990). Petroglyph National Monument (Monument) is a cultural landscape, and in particular, the escarpment area, including Piedras Marcadas Canyon both north and south of Paseo del Norte Boulevard, is listed on the National Register of Historic Places (NRHP) as the Las Imagines Archeological District. The area contains significant and numerous cultural resources, including a large concentration of petroglyphs and numerous archaeological sites. The entire Monument area is considered sacred to all 19 Pueblos and 10 additional tribes across the Southwest.

Please uphold the recommendation of Denial by the City Planning staff and send a further recommendation of denial to the City Council.

Thank you for your consideration. Please contact me by email at nancy_hendricks@nps.gov if you have questions or would like to discuss further.

Sincerely,

Nancy Hendricks
Superintendent

Nancy Hendricks
Superintendent
Petroglyph National Monument
6001 Unser Blvd, NW
Albuquerque, NM 87120

505-899-0205

Check out [The NPS App - Digital \(U.S. National Park Service\)](#)



United States Department of the Interior

NATIONAL PARK SERVICE
Petroglyph National Monument
6001 Unser Blvd NW
Albuquerque, New Mexico 87120



IN REPLY REFER TO:
I.A.I.

February 12, 2024

City of Albuquerque
Jonathan Hollinger, Chair
Environmental Planning Commission
Through: Albuquerque Planning Department
Via email at: abctoq@cabq.gov and mrenz-whitmore@cabq.gov

Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10

Dear Chairman Hollinger,

I am writing on behalf of the National Park Service (NPS) concerning the proposed change to the IDO which would remove from the Volcano Heights Urban Center (VHUC) the prohibition on drive throughs, allowing drive through businesses in the urban center.

This is a unique area in Albuquerque. Situated on the West Mesa, the VHUC is located adjacent to Petroglyph National Monument (Monument). It is a place of great importance to the residents of the West Mesa and the City of Albuquerque, and to visitors from the United States and around the world. Our data show that more than 60% of our visitors are from the neighborhoods adjacent to the Monument – residents of Albuquerque who appreciate the pedestrian linkages from their communities to our trailheads. We consistently work with the neighboring developers to link external trails to Monument trailheads. The allowance for drive throughs in the subject proposal would reduce the walkability of the neighborhood, affect access to the Monument, and degrade the cultural heritage of the West Mesa.

Retain the character of the VHUC in consideration of its proximity to the Monument, and in accordance with the standards developed in the ABC Comp Plan by denying the proposed small area amendment. The ABC Comp Plan established the purpose of the VHUC (11.3.6(d)) to “Protect the area’s natural and archaeological resources, including the [Petroglyph National] Monument and significant rock outcroppings, while encourage urban development in the Volcano Heights Urban Center to create a vibrant, walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.”

The preservation of the cultural landscape of Petroglyph National Monument is the primary concern of the NPS, and by law and policy, is an important concern of the City of Albuquerque (ABC Comp. Plan 10.3.5 and 11.1.2.3). On June 27, 1990, Congress passed the Petroglyph National Monument Establishment Act of 1990 creating the Monument as a unit of the NPS, co-managed by the City of Albuquerque, “in light of the national significance of the West Mesa Escarpment and the petroglyphs and the urgent need to protect the cultural and natural resources of the area from urbanization and vandalism ...” Pub. Law 101-313, § 101 (1990). Petroglyph National Monument (Monument) is a cultural landscape, and in particular, the escarpment area, including Piedras Marcadas Canyon both north and south of Paseo del Norte Boulevard, is listed on the National Register of Historic Places (NRHP) as the Las Imagines

Archeological District. The area contains significant and numerous cultural resources, including a large concentration of petroglyphs and numerous archaeological sites. The entire Monument area is considered sacred to all 19 Pueblos and 10 additional tribes across the Southwest.

Please uphold the recommendation of Denial by the City Planning staff and send a further recommendation of denial to the City Council.

Thank you for your consideration. Please contact me by email at nancy_hendricks@nps.gov if you have questions or would like to discuss further.

Sincerely,

Nancy Hendricks
Superintendent

February 12, 2024

City of Albuquerque
Jonathan Hollinger, Chair
Environmental Planning Commission
Through: Albuquerque Planning Department
Via email at: abctoz@cabq.gov and mrenz-whitmore@cabq.gov

Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10

Dear Chairman Hollinger,

I represent the Westside Coalition as their Land Use Director. The Westside Coalition discussed the small area amendment to remove the Volcano Heights Urban Center prohibition on Drive-through facilities at their Feb. 7th Coalition meeting. The Coalition voted to oppose the small area amendment which would remove the prohibition on Drive-throughs. It was a 20 to 0 vote in opposition to this amendment.

The mesa top is a very sensitive geological and cultural landscape, adjacent to Petroglyph National Monument, making it a significant landmark of Albuquerque that deserves special consideration. It should not be treated like any area of the city with generalized IDO rules. It needs special customized treatment.

There are only 2 Urban Centers in Albuquerque; the Uptown Urban Center on Louisiana across from Coronado Shopping Mall, and the Volcano Heights Urban Center on the mesa top. The vision of the Urban Centers is to make these developments more walk-able. Uptown is designed as an open and walk-able shopping center customized for that area of town. There are no Drive-through establishments at the Uptown Urban Center.

The intent of the Volcano Heights Urban Center is to be walk-able as well. It also needs to be customized to incorporate the unique landscape features and fantastic views into a walk-able customized design for the mesa top. Therefore, the Drive-through prohibition needs to be maintained. The Vision and the Values for a walk-able Urban Center are consistent with the Comprehensive Plan goals and policies. This proposal violates those policies and undermines the vision and the values of the Comprehensive Plan.

A facilitated meeting was held on October 16th 2023, to explain the Drive-through proposal. It was explained that a property owner requested this amendment. Removal of this protective requirement, at the request of one property owner, undermines that vision. There was no community support in removing the Drive-through prohibition at that meeting.

Members of the Westside Coalition have also witnessed over the years that drive-through facilities have become troublesome with long lines of cars blocking access into shopping centers and business entrances. It should be noted that Paseo and Unser are both limited access roadways, which have restrictions on the number of driveways that are allowed onto these roadways. Traffic backed up onto roadways is a public safety issue that needs to be avoided.

We urge the EPC to deny this request.

Thank you,
Rene' Horvath
Land Use Director WSCONA

Feb. 12, 2024

Jonathan Hollinger, Chair
City of Albuquerque
Environmental Planning Commission

Re: Proposed Small Area Amendment Volcano Heights Urban Center

Dear Chairman Hollinger,

I am a resident of the Taylor Ranch community, and an active member of the Taylor Ranch Neighborhood Association. I live in the vicinity of Calle Norteña and Taylor Ranch Rd. I have been following the issue of the proposal to change the IDO, pertaining to the prohibition on drive throughs in the area of the Volcano Heights Urban Center. I speak on behalf of many of my neighbors who spend hours each week, hiking, birding, photographing, and jogging in this area. A number of us are volunteers with the National Park Service and City of Albuquerque Open Space. So we know the area well and we understand the environmental sensitivity of the landscape. I have also taught field classes there as an Adjunct Professor at UNM.

This is not just a fascinating geological landscape, but a cultural landscape as well. I have reviewed a number of archaeological studies that have been conducted in this area and have been aware of the fact that ceramic, lithic and petroglyph sites are not just found on the premises of the Petroglyph National Monument, but permeate the entire area, including City Open Space lands and adjacent areas as well. There is excellent access to the area via trailheads that contribute to the quality of life for local residents, just as the Bosque does for its adjacent neighborhoods, and the Sandia Foothills provide for residents in the Northeast Heights.

Very few cities in the United States have the cultural and geological landscapes that Albuquerque has been blessed with. Urban communities offer many advantages that rural communities lack. But by their nature, cities can be very stressful places as we know all too well in Albuquerque. Those of us who live on the Westside know that we face challenges everyday, one of which is simply crossing the Rio Grande. We also know that we live in a great part of town. This evening, just before dark, I took a short walk up to the Mesa to take a peak from one of my favorite spots. Five minutes from my front door, I can see the Jemez Mountains, the Truchas Peaks, Santa Fe Baldy, the Manzanos, the mountains above Socorro, and the majestic Sandias. Why mess with Nature? Let's keep the landscape jewels we have intact. We failed to do that some years ago when we lost many of our historic buildings, such as the Alvarado Hotel, among others. For those of us who live adjacent to the lands in question, please minimize the impact of development, and be sure to support Tribal Engagement on such issues as well

Years ago a book, entitled *Putting People First: Sociological Variables in Development*, was published that spoke to this very issue. In my opinion, city officials who oversee development have an obligation to consider people first. In this particular case, the City should consider the impact that the proposed changes in the IDO would have on the people in the vicinity of the land in question.

Thank you for your consideration.

Sincerely,

Larry Larrichio Tel: 505-730-6847 Email: lvlarrichio@gmail.com

From: [mb422](#)
To: [City of Albuquerque Planning Department](#); [Renz-Whitmore, Mikaela J.](#)
Subject: Deny--Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10
Date: Monday, February 12, 2024 4:29:24 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

EPC and city planners,

I urge you to deny this change that would allow drive thru activities. The concept for the area was to have a more livable and walkable area for commerce. This concept has proven beneficial and profitable for many cities throughout the world and in the USA. I for one, and I'm sure many trusted the city to keep this community vision as we invested our time and funds into the area.

Do not let the desires of one property developer and one city counselor destroy this vision for whatever short term benefit they see.

Thank you for your consideration on this matter,
Baxter Sosebee
Petroglyphs Estates property owner=

ATTN: EPC Chair Jonathan Hollinger

Date: February 12, 2024

Re: Project #: 2018-001843 Case #: RZ—2023-00044 IDO Small Area Amendment; Volcano Heights Urban Center (VHUC)

Going forward, after 450 amendments to our zone code in less than 4 years, please take a turn now to consider the objectives of the neighbors a higher priority than commercial developers and franchise owners. I stand opposed to the proposed change that would remove the prohibition on drive-throughs in the Volcano Heights Urban Center. I stand opposed to making drive thru's permissive across the city and will stand up with anyone who is in an accident based on this ill-considered, poorly enforced and quite likely illegal, IDO amendment made in 2019.

I will not repeat the numerous, specific points outlined by Ms. Baechle and Ms. Willson. Instead, I will focus on another detail of the big picture.; where are resident's rights of notification? How can you agree to this when you are aware that notifications to all who will be affected has not occurred?

Notifications are the primary most important part of the development process. The city, placing the responsibility on a third party, Neighborhood Associations, will suffer the risk associated with this maneuver, this manipulation of good order, this the ends justifies the means mentality, this expediting of process.

Who are the residents of this city who don't qualify for notifications – way more than those who do. Why are they marginalized by not being in an NA? I think it is a shame that you all allowed for the creating this inequity, for agreeing to this process, for not reading and seeing the detail in the NARO that destroyed proper notification processes. Removing notification is equivalent to denying civic engagement.

In regard to Civic Engagement, in Dr. S. Mark Pancer's blog: The Participation Phenomenon: Getting Involved in Your Community Might Just Save Your Life, he says, "...civic engagement does other things that promote health and well-being. It gives us a sense of identity and purpose. It helps us learn skills, such as how to organize our time, work with others, and resolve conflicts. It makes us more knowledgeable about the communities in which we live, and the institutions and organizations that help those communities become safer and healthier. In all these ways, participation in community not only prolongs our lives; it makes them worth living."

I believe notification about changes to residential rights is directly aligned with Public Health. The IDO calls for you to disapprove of an amendment that affects Public Health. Extrapolated, Yes, I am calling on you to disapprove of the entire IDO amendment process until the public notification process is fixed.

Although I serve on my neighborhood association and District Coalition boards, and am active on the Inter-Coalition Council, these comments are my own.

I respectfully request that the Environmental Planning Commission uphold the Planning Staff Report's recommendation of DENIAL and send a further recommendation of DENIAL to the City Council.

Thank you, Peggy Neff, Albuquerque resident



United States Department of the Interior

NATIONAL PARK SERVICE
Petroglyph National Monument
6001 Unser Blvd NW
Albuquerque, New Mexico 87120



IN REPLY REFER TO:
I.A.I.

February 12, 2024

City of Albuquerque
Jonathan Hollinger, Chair
Environmental Planning Commission
Through: Albuquerque Planning Department
Via email at: abctoq@cabq.gov and mrenz-whitmore@cabq.gov

Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10

Dear Chairman Hollinger,

I am writing on behalf of the National Park Service (NPS) concerning the proposed change to the IDO which would remove from the Volcano Heights Urban Center (VHUC) the prohibition on drive throughs, allowing drive through businesses in the urban center.

This is a unique area in Albuquerque. Situated on the West Mesa, the VHUC is located adjacent to Petroglyph National Monument (Monument). It is a place of great importance to the residents of the West Mesa and the City of Albuquerque, and to visitors from the United States and around the world. Our data show that more than 60% of our visitors are from the neighborhoods adjacent to the Monument – residents of Albuquerque who appreciate the pedestrian linkages from their communities to our trailheads. We consistently work with the neighboring developers to link external trails to Monument trailheads. The allowance for drive throughs in the subject proposal would reduce the walkability of the neighborhood, affect access to the Monument, and degrade the cultural heritage of the West Mesa.

Retain the character of the VHUC in consideration of its proximity to the Monument, and in accordance with the standards developed in the ABC Comp Plan by denying the proposed small area amendment. The ABC Comp Plan established the purpose of the VHUC (11.3.6(d)) to “Protect the area’s natural and archaeological resources, including the [Petroglyph National] Monument and significant rock outcroppings, while encourage urban development in the Volcano Heights Urban Center to create a vibrant, walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.”

The preservation of the cultural landscape of Petroglyph National Monument is the primary concern of the NPS, and by law and policy, is an important concern of the City of Albuquerque (ABC Comp. Plan 10.3.5 and 11.1.2.3). On June 27, 1990, Congress passed the Petroglyph National Monument Establishment Act of 1990 creating the Monument as a unit of the NPS, co-managed by the City of Albuquerque, “in light of the national significance of the West Mesa Escarpment and the petroglyphs and the urgent need to protect the cultural and natural resources of the area from urbanization and vandalism ...” Pub. Law 101-313, § 101 (1990). Petroglyph National Monument (Monument) is a cultural landscape, and in particular, the escarpment area, including Piedras Marcadas Canyon both north and south of Paseo del Norte Boulevard, is listed on the National Register of Historic Places (NRHP) as the Las Imagines

Archeological District. The area contains significant and numerous cultural resources, including a large concentration of petroglyphs and numerous archaeological sites. The entire Monument area is considered sacred to all 19 Pueblos and 10 additional tribes across the Southwest.

Please uphold the recommendation of Denial by the City Planning staff and send a further recommendation of denial to the City Council.

Thank you for your consideration. Please contact me by email at nancy_hendricks@nps.gov if you have questions or would like to discuss further.

Sincerely,

Nancy Hendricks
Superintendent

Date: February 12, 2024

To: EPC Chair Jonathan Hollinger

CC: Mikaela Renz-Whitmore

From: Merideth Paxton

Re: Project #: 2018-001843

Case #: RZ—2023-00044 IDO Small Area Amendment; Volcano Heights Urban Center (VHUC)

I ask you to deny this Small Area Amendment, which would allow drive-through windows in the Volcano Heights Urban Center. As we all increasingly face the consequences of climate change, it is important to encourage walking and other modes of transportation that decrease reliance on automobiles. Please uphold the Staff Report finding that “The request would be harmful to the health and general welfare of the surrounding community; presents significant conflicts with several applicable goals and policies in the Comprehensive Plan; and is not more advantageous to the community.”

Thank you for your contributions toward making Albuquerque a better city.

Sincerely,

Merideth Paxton
Albuquerque resident

From: [Mary Worthen](#)
To: [Jill Yeagley](#)
Cc: [City of Albuquerque Planning Department](#); [mary Ann Wolf-Lyerla](#); [James Price](#); [Michael J. Vigil](#); [Thomas Reecer](#); [William Monthan](#)
Subject: Re: Letter from the Molten Rock NA Regarding the Proposal to Allow Drive Through Establishments in the VHUC
Date: Monday, February 12, 2024 4:35:05 PM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Looks great! You presented specifics that should have already been known. If we don't speak up, they hope developments like this will just go through. Just as the people on 4th and Osuna are learning.

Thank you
Mary Lou

On Mon, Feb 12, 2024 at 12:36 PM Jill Yeagley <jillyeagley@swcp.com> wrote:

Attached is the letter from the Molten Rock NA opposing the allowance of drive through establishments in the projected Volcano Heights Urban Center. We request that this letter be formally submitted to the EPC.

Thank you for your assistance.

Jill Anne Yeagley
MRNA Board President

From: [Evelyn J Rivera](#)
To: [City of Albuquerque Planning Department](#)
Subject: EPC Meeting 2/15/2024 Comments
Date: Monday, February 12, 2024 12:38:36 PM
Attachments: [EPC VHUC.docx](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Attached are 48 hour comments for submittal to the EPC for the meeting on February 15, 2024.

Date: February 12, 2024

To: Environmental Planning Commission: Chair Jonathan R Hollinger, Vice Chair Gary Eyster, and Committee members

From: Evelyn J Rivera

Re: Volcano Heights Urban Center, Project #2018-001843

Please vote no on the proposed text amendment to the IDO allowing drive-through facilities in the Volcano Heights Urban Center. Drive-through facilities include banks, fueling stations, car washes, restaurants, retail stores, and dry cleaners. These uses would result in traffic congestion/noise, loudspeaker noise, litter, light pollution, and odors that would be detrimental to the fragile ecosystem of the Petroglyph National Monument.

Respectfully submitted,

Evelyn Rivera

From: [Richard Schaefer](#)
To: [City of Albuquerque Planning Department](#); [Renz-Whitmore, Mikaela J.](#)
Cc: [Richard Schaefer](#)
Subject: Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10
Date: Tuesday, February 13, 2024 7:41:36 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Attn.: Jonathan Hollinger, Chair, and Environmental Planning Commissioners

Re: Proposed Small Area Amendment Volcano Heights Urban Center; IDO 14-16-4-3(F)(5)(f)10

I represent the Vista Grande Neighborhood Association (VGNA) to the Westside Coalition of Neighborhood Associations (WSCONA). In that capacity I have had access to considerable discussion regarding the proposed IDO “Small Area Amendment Volcano Heights Urban Center.” It seems to me that there are both procedural and substantive issues with this amendment to the IDO. For the reasons cited at recent WSCONA meetings, I ask the EPC and all CABQ entities to reject this amendment.

Please forward this email to the appropriate deliberative entities.

Sincerely,

Richard J. Schaefer

From: [eltenor](#)
To: [City of Albuquerque Planning Department](#)
Subject: PR-2018-001843 / RZ-2023-00044– Small Area VHUC
Date: Tuesday, February 13, 2024 6:50:42 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

To EPC Chair Staffer:

My name is Eugene Tenorio and I live in the Montecito Estates subdivision near Volcano Heights. Our area lacks many options for basic services like eateries and banks and a grocer. In addition, there is only one drug store with a drive thru pharmacy to serve to serve the Ventana Ranch area and neighboring communities. Needless to say, this creates inconveniences for many of us and our families. Round trip travel times to access basic services beyond the limited options in the area are anywhere from 30 minutes to an hour. Having more accessible options would serve the community better and would like spur more interest from a grocery store operator.

Thank you,

Eugene

Sent from my Verizon, Samsung Galaxy smartphone

Date: February 12, 2024

To: EPC Chair Jonathan Hollinger

From: Michael T. Voorhees, Albuquerque resident

Re: Project #: 2018-001843

Case #: RZ—2023-00044

IDO Small Area Amendment; Volcano Heights Urban Center (VHUC)

Chair Hollinger,

This proposed IDO Small Area Amendment, which is being sponsored by Council President Dan Lewis, is highly improper. The IDO allows for individuals to submit applications to the City for proposed Small Area Amendments, provided they pay the requisite application fee to the City. However in this case, Mark Edwards, a real estate developer, approached Council President Dan Lewis individually to discuss such a proposal in one-on-one ex parte communication. This ex parte communication was confirmed by Shanna M. Shultz during her testimony in the facilitated meeting with neighborhoods and interested parties. According to this testimony, Councilor Lewis allegedly informed Mr. Edwards that he couldn't discuss it, due to ex parte rules, but he then instructed Mr. Edwards on how to skirt those provisions by submitting the request via Council Services, whereupon Councilor Lewis would sponsor the proposal.

In the Development Review Application, the Applicant is not listed as Mark Edwards, but instead is listed as "Shana Schultz, Council Planning Manager of behalf of City Councilor Dan Lewis". No fees were submitted as the City doesn't pay fees to itself. However, had the actual requestor, Mark Edwards, been required to submit the application under the IDO rules, he would have been required to pay fees totaling \$790, including the Published Notice Fee (\$75), the Pre-application Meeting Fee (\$50), the Facilitated Meeting Fee (\$100), and the Application Fee (\$565) (See: <https://documents.cabq.gov/planning/online-forms/Planning-General-FEE%20Schedule.pdf>.)

The waiver of such fees constitutes a violation of the State's Anti-Donation clause in the New Mexico Constitution under Article IX, § 14. Aid to private enterprise.

“Neither the state, nor any county, school district, or municipality shall directly or indirectly lend or pledge its credit, or make any donation to or in aid of any person, association, or public or private corporation...”

Moreover, by tasking Council Services to prepare the documents, briefings, and advocate for the passage of this Amendment of IDO text at meetings, including at the hearing before the EPC, Dan Lewis has in effect caused the donation of thousands of dollars worth of City personnel time to be donated in furtherance of Mr. Edward’s request.

Regardless of whether Council President Lewis is able to convince the other Councilors to approved such an amendment, the donation of required fees (through waiver) and staff time in aid of Mr. Edward’s request is simply not permitted, and this unlawful behavior must be investigated by the Albuquerque Office of Inspector General.

On the merits, I concur with the Planning Department’s recommendation for denial of the proposed Small Area Amendment to the Volcano Heights Urban Center. Such a change would be bad policy and contrary to the goals and vision expressed the Comprehensive Plan.

But the process itself that has brought this proposal before you is flawed, highly unethical, and unconstitutional. It also follows the same pattern of behavior exhibited by Councilor Lewis in his sponsored small area amendment for the VPO-2 View Protection Overlay, which was done on behalf of Consensus Planning. In that amendment, Councilor Lewis not only refused to recuse himself, he put forward the motions in LUPZ and before the Council to override the recommendation to deny by the EPC and voted for the amendment he sponsored, despite the requirement to be an impartial arbiter in a quasi-judicial proceeding. That action is being review in District Court in case D-202-CV-2023-03961.

Please recommend denial once again for this improperly introduced proposal.

Respectfully,



Michael T. Voorhees
6320 Camino Alto NW
Albuquerque, NM 87120

Date: February 12, 2024

To: EPC Chair Jonathan Hollinger

From: Patricia Willson, Albuquerque resident

Re: Project #: 2018-001843
Case #: RZ—2023-00044
IDO Small Area Amendment; Volcano Heights Urban Center (VHUC)

Chair Hollinger,

I am opposed to the proposed change that would remove the prohibition on drive-throughs in the Volcano Heights Urban Center. I will not repeat the numerous, specific points outlined so well by Ms. Baechle of the Santa Fe Village NA. Instead, I will focus on the big picture.; what is the Comprehensive Plan and what is its purpose? From the City's website:

"A comprehensive plan is a document that contains a shared community vision for where to grow and what to protect in the future. The ABC Comp Plan is primarily a land-use plan, providing policy guidance about where growth is appropriate and what form it should take."

"One purpose of a comprehensive plan is to inform the zoning code; the zoning code is the regulatory tool used to implement the goals and concepts from the comprehensive plan that apply to land use and development. In other words, a comprehensive plan contains the vision, goals and policies for growth and development, and the zoning code contains the regulations to implement that vision."

Twenty-three years ago, the Comp Plan adopted the Vision of Centers and Corridors. The 2017 update confirmed widespread support for the Centers and Corridors vision and identified—in addition to Downtown—two Urban Centers: Uptown on the east side and Volcano Heights on the west side, planned to be the next most urban, walkable, and intense of the Centers.

Drive-throughs are the antithesis of walkability. As mentioned above, *"...the zoning code contains the regulations to implement that vision."* Using the IDO Annual Update process to respond to the specific interests of individual property owners to remove a ban that favors vehicular traffic and jeopardizes pedestrian safety is the exact opposite using zoning to implement the vision. The Staff Report sums it up brilliantly: ***"The request would be harmful to the health and general welfare of the surrounding community; presents significant conflicts with several applicable goals and policies in the Comprehensive Plan; and is not more advantageous to the community."***

The Comp Plan guides growth to 2040; it undergoes regular updates but is not expected to undergo a major rewrite for twenty years. I hope the Commissioners can take a moment to review Chapter 3, THE VISION. It's short (only 10 pages) but serves as an important touchstone reminding us of our shared responsibility to the fabric of this community that we all call home.

<https://documents.cabq.gov/planning/UDD/CompPlan2017/CompPlan-Chapter3.pdf>

Although I serve on my neighborhood association and District Coalition boards, and am a representative to the Inter-Coalition Council, these comments are my own. I respectfully request that the Environmental Planning Commission uphold the Planning Staff Report's recommendation of DENIAL and send a further recommendation of DENIAL to the City Council.

Thank you for your time and attention,

Patricia Willson, Albuquerque resident

From: [P. Davis Willson](#)
To: [Renz-Whitmore, Mikaela J.](#)
Subject: one more 48 hour comment
Date: Tuesday, February 13, 2024 7:59:43 AM

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Mikaela, please forward this one last comment to EPC Chair Hollinger. Thanks so much.

Patricia Willson

Victory Hills NA: President
District 6 Coalition: Treasurer
Inter-Coalition Council Representative

Date: February 13, 2024

To: EPC Chair Jonathan Hollinger

From: Patricia Willson, Albuquerque resident

Re: IDO Small Area Amendment; Volcano Heights Urban Center (VHUC)

Chair Hollinger,

Please note that of the three supporting comments noted in the Staff Report, **“two proponents were property owners who wanted more options to sell land to prospective developers.”**

Major land use policy should not be decided on financial advantage for two property owners—decisions should be made in accordance with the Comprehensive Plan that guides the Vision of Albuquerque for generations.

Thank you for your time and attention to this critical domino.

Respectfully,

Patricia Willson

From: [Jill Yeagley](#)
To: [City of Albuquerque Planning Department](#)
Cc: [Mary Ann Wolf-Lyerla](#); [James Price](#); [Mary Lou Worthen](#); [Michael J. Vigil](#); [Thomas Reecer](#); [William Monthan](#)
Subject: Letter from the Molten Rock NA Regarding the Proposal to Allow Drive Through Establishments in the VHUC
Date: Monday, February 12, 2024 12:36:34 PM
Attachments: [EPC Letter Opposing Drive Thru Establishments in the VHUC.docx](#)

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.
Attached is the letter from the Molten Rock NA opposing the allowance of drive through establishments in the projected Volcano Heights Urban Center. We request that this letter be formally submitted to the EPC.

Thank you for your assistance.

Jill Anne Yeagley
MRNA Board President

Molten Rock Neighborhood Association (MRNA)

7936 Victoria Dr. NW Albuquerque, NM 87120

moltenrockna@gmail.com

Date: February 12, 2024

To: Jonathan Hollinger
Chair, City of Albuquerque EPC

From: Jill Anne Yeagley
MRNA Board President

Re: Volcano Heights Urban Center
Small Area Amendment, IDO 14-16-4-3(F)(5)(f)10

Dear Mr. Hollinger and Commissioners:

On behalf of the Molten Rock Neighborhood Association (MRNA), this document expresses our strong opposition to the proposed small area amendment to the Volcano Heights Urban Center (VHUC) which would remove the prohibition on drive-through establishments. This proposal directly contradicts the intention of the Albuquerque/Bernalillo County (ABC) Comprehensive Plan Goals and Policies for this urban center to be developed as a walkable neighborhood. Further, this proposed change conflicts with the design standards mandated for the NW Mesa Escarpment, within which the VHUC will be located.

Policy 11.3.6 of the ABC Comprehensive Plan clearly states the overarching goal is to “Preserve open space, natural and cultural landscapes, and other features of the natural environment within Volcano Mesa.” Sub-policy “d” of this same section delineates the objective, “Protect the area’s natural and archaeological resources, including the Monument and significant rock outcroppings, while encouraging urban development in the Volcano Heights Urban Center to create a vibrant, walkable district with an identity, character, and sense of place inextricably linked to the volcanic landscape.” The VHUC, when developed as intended, will allow residents to access nearby services and entertainment in a manner that contributes to a greater sense of community, reduces the “carbon footprint,” and complements the natural landscape; the proposal to allow drive-throughs does exactly the opposite.

We respectfully implore the EPC to support the ABC Comprehensive Plan Goals and Policies discussed herein, and to take the necessary steps to ensure that the IDO meets its purpose and directive to implement the adopted ABC Comprehensive Plan as amended.

Sincerely,

Jill Anne Yeagley

Board President, MRNA