

48-HOUR MATERIAL

Bolivar, Silvia A.

From: anvanews@aol.com
Sent: Sunday, April 7, 2024 10:34 PM
To: Bolivar, Silvia A.
Cc: peggynorton@yahoo.com; anvanews@aol.com; boyznbari@msn.com; brookemjordy@gmail.com; grumpyeh46@comcast.net; gypsy.rose46@gmail.com; haederle@yahoo.com; hdhauser@comcast.net; sarahshortle@comcast.net; staylor@taylortowers.com; szuschlag58@gmail.com; t-marie-v@hotmail.com
Subject: ANVA ltr not included in city planning staff report - Letter for the EPC re: remand of Balloon Fiesta Park / NM United Soccer Request Project# PR-2023-009363
Attachments: ANVA BFP S Stadium EPC Ltr 3-17-24.pdf; Soccer Stadium lease D4.pdf

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

Re: Agenda Item Number: 1 Project #: PR-2023-009363 Case #: SI-2023-01635/ SI-2023-01638 Hearing Date: April 11, 2024 Supplemental Staff Report - Remand (to be read in conjunction with the 11/16/23 Staff Report)

Ms Bolivar,

I was checking the staff report referenced above and I saw that the letters I sent in on March 17, 2024 were not included in your staff report. I had assumed the letters would be included in the staff report since you sent me a confirmation receipt of the email - copied below.

Please include the letters attached to this email and please make sure they are included in the packet of information that is made available for the EPC and the hearing date: 4-11-2024. Please confirm receipt of this email and please affirm the letters will be provided to the EPC.

I know from experience that the exclusion of the letters from the EPC will lessen the chance the Commissioners will have the time to read them. If there is a way to remedy this issue, please do so.

Please contact me if you have any questions.

Steve Wentworth
President, Alameda North Valley Association
505-897-3052

In a message dated 3/18/2024 8:43:15 AM Mountain Daylight Time, sabolivar@cabq.gov writes:

Good morning,

Received your letter and the attachment.

Silvia



SILVIA BOLIVAR, PLA ASLA

Senior Planner

Landmarks Commission

(505) 924-3844

Email: sabolivar@cabq.gov

cabq.gov/planning

From: anvanews@aol.com <anvanews@aol.com>

Sent: Sunday, March 17, 2024 10:18 PM

To: Bolivar, Silvia A. <sabolivar@cabq.gov>

Subject: Letter for the EPC re: remand of Balloon Fiesta Park / NM United Soccer Request Project# PR-2023-009363

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Ms. Bolivar,

I missed attaching a letter from the District 4 Coalition of Neighborhood Associations to the previous email I sent you. **I request that this letter be included with the letter from the Alameda North Valley Association sent to you 3-17-2024 for the hearing referenced below.**

I am including the letter for informational purposes.

Please feel free to contact me with any questions and please confirm receipt of the letter.

Thanks,
Steve Wentworth

In a message dated 3/17/2024 10:06:12 PM Mountain Daylight Time, anvanews@aol.com writes:

Ms. Bolivar,

Please find an attached letter for the EPC remand of Balloon Fiesta Park / NM United Soccer Request Project# PR-2023-009363, SI-2023-01635 - Master Development Plan - Major Amendments SI2023-01638 site plan. EPC agenda item 1 for the March 21, 2024, hearing.

The letter is from the Alameda North Valley Association.

The letter is attached in a pdf format.

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ALAMEDA NORTH VALLEY ASSOCIATION

8919 Boe Lane NE
 Albuquerque, NM 87113
anvanews@aol.com

Alameda North Valley Association
 Steve Wentworth, President

March 17, 2024

To: City of Albuquerque Environmental Planning Commission
 Jonathan R. Hollinger, Chairman

Re: Amendment to the Balloon Fiesta Park Master Development Plan 2012 Update, Site Plan and Variance to IDO

Address: 9201 Balloon Museum Fr. NE, 4900 Balloon Fiesta PKWY NE, and 5601 Alameda NE

Suggested action by the EPC: **The Alameda North Valley Association suggests denial of the proposed zoning actions and site plan amendments.**

Comments from the Alameda North Valley Association (ANVA):

The Balloon Fiesta Park master plans of 1998 and the updated 2012 Master Plan never included an Outdoor Sports Stadium and stated that would not be allowed. – Page 17, 2012, Balloon Fiesta Park Master Plan.

The Park was created for Hot Air Balloons and the Balloon Fiesta was the namesake and primary purpose for the park. Many other activities were envisioned for the Park and over the many years 100s of thousands of youth have used the park for various activities. Youth soccer is one of the largest uses of the park and has been encouraged and supported since the park was developed. **Professional commercial use tenants of the park were never encouraged or sought for the park.** The consideration of professional / commercial uses was the topic of many discussions and the Balloon Fiesta Park Commission agreed while working on the 1998 and 2012 Balloon Fiesta Park Master Plan that these types of uses would create more problems than benefits and should not be allowed at the Balloon Fiesta Park.

An “Inter-Office Memorandum”, dated January 19, 2024 to the City Council from the City Planning Director about the case stated on page 6, under Appellant Response: “Consensus Planning and the Parks and Rec. Dept. conducted a thorough review of the historical context and reasons behind the initial prohibition. The EPC considered the factors that led to the prohibition of an outdoor multi-use stadium at the park initially and determined that needs for parks change over time, that the multi-use outdoor stadium would help meet community needs while helping to build Balloon Fiesta Park as a premier destination for sports-related activities, and that new uses could be accommodated at Balloon Fiesta Park, including the multi-use stadium.”

The statements in the Memorandum are opinions only and are not credible. A “thorough review of the historical context and reasons behind the initial prohibition made by the proponents for the

change of use – the Parks and Recreation Department and the city paid agent directed by the City Administration to advocate for the proposed use should not be considered credible.

It is not clear what the proposed Soccer Stadium for a private, for profit sports group will do to meet community needs; it appears that it will only benefit the owners of the facility.

The Balloon Fiesta Park is well used by tens of thousands of youth for various activities and the greater Albuquerque community uses the Park well for all types of other events. The Park is the premier destination for Ballooning and the world famous International Balloon Fiesta.

The City Administration / Mayor's Office with the Parks and Recreation Department has marginalized input from the surrounding residential communities, neighborhood associations and business communities in this Administration's plans for the park. This marginalization extends to the Balloon Fiesta Park Commission empowered by Albuquerque City Ordinance 0-216-015. Previous Mayors and their Parks and Recreation Departments worked with and collaborated with the surrounding neighbors – not this one.

When the Mayor had the first news conference about the stadium plans the community was not informed or invited nor was the City Councilor for the area and the Albuquerque International Balloon Fiesta Inc. (AIBF) was not informed about the news conference. The City has recently included AIBF – telling them about the plans – we note that AIBF is a tenant at the park and it is always wise for AIBF to go along with city administration projects so they don't incur negative actions by administrations as has happened in the past. Mayors – past and present have always used the Fiesta for their purposes - personal or political.

The planning for the stadium and the proposed zone change that will go before the City Council was done without any community input, AIBF input and Balloon Fiesta Park Commission input. Information was only provided after the plans and the zone change application were complete – notification was required by city ordinance – this notification was not by the Mayor's office wanting to be inclusive. The remand to the EPC by the LUHO indicated a lack of proper notification to the surrounding community by the agents and applicants for the proposed use.

It should be remembered that the surrounding community – business and residential worked with AIBF to purchase the property for the Park, they lobbied the State Legislature for funding and support. The process was very collaborative and a massive gravel pit became a wonderful park for ballooning and youth activities. Neighborhood associations not “recognized by the City” were always included in communication. This is not the case with this proposed project – interested parties and neighborhood groups were left out of the communication processes. We assume that if this case had not been required to follow notification processes dictated by the IDO – the community would not have been notified at all.

I don't think the community is against the United Soccer group at all – the location of the stadium should be in an appropriate location and the city should work with residents to make that happen.

The Mayor has a so called “public process that leaves out the people. All large projects like this one should go before the voters and should not be done by the Mayor's dictatorial processes.

The agent for the City stated in an email to the area neighborhood associations that they were working on a “noise study, lighting study and an updated traffic study”. The agent stated these items would be made available to the neighborhood associations when ready – we have not received any of that information. Items about sound issues and lighting are described in another letter to the EPC by a person who worked on these issues for years.

Very recently - this month, United Soccer invited the media to show new plans and proposals they said would address some of the adjacent community’s concerns – they said this was one of two public meetings to be held at their offices at Nob Hill. ANVA and other neighbors were not notified about the meetings. If United Soccer wanted to involve the community – notification would be needed for a meeting at a public location near that community like the Balloon Fiesta Park. ANVA and neighbors have not been provided information about the proposed changes to the proposed stadium via letters or emails.

United Soccer says over and over they are listening to the concerns of the community – it is hard to determine if they are, due to their lack of communication and collaboration with the community. There is no public way to determine who, if anyone, who they are actually speaking with.

One of the area neighborhood groups (North Edith Corridor Assoc.) adjacent to the park noted the following items of concern:

1. *Lighting – Nighttime lighting at Balloon Fiesta Park is already an issue for people residing in the neighborhoods along North Edith Boulevard immediately to the west of the park. Evening events – including those associated with the Balloon Fiesta itself, create an annoying glare in the upper story windows of many homes. Most of the homes in the neighborhood predate the park by many decades, so excessive nighttime lighting is perceived as an unjust and annoying intrusion. The location of many of the neighbor’s homes are at a lower elevation than the Park and even with shielded down lighting – the lights may create problems with residents as they look east and up to the views of the park and Sandia Mountains.*
2. *Sound – The homes lying along Edith Boulevard directly west of the proposed stadium site are just over 2,000 feet away – closer than any other residences. Experience with the city’s Freedom Fourth celebration, Balloon Fiestas and miscellaneous music events at the park shows that highly amplified sound bounces off the escarpment and existing buildings at the eastern edge of the park and travels out across the far North Valley, rattling windows and walls. City Balloon Fiesta Park administrators have shown little interest in requiring event promoters to modify sound levels. This is a severe nuisance for people living in these neighborhoods. They have right to enjoy their homes without intrusive sound. Crowd noise and noise makers used by those attending games will make the problems worse. Crowd noise and noise makers are not controlled by an amplifier.*
3. *Uses of the Stadium – The city’s proposed lease with New Mexico United is silent as to what other uses the stadium might be used for apart from soccer games. There is nothing preventing the stadium’s owner from renting it out to loud rock or rap concerts, for example. There are no stipulations regarding sound levels and no restrictions as to how often events could be hosted at the stadium.*
4. *Consultation – New Mexico United’s owners have conspicuously neglected to engage with residents living in neighborhoods to the west of Balloon Fiesta Park. It may be because this area lies outside the city limits in unincorporated Bernalillo County and is “invisible” to those promoting the project. Nevertheless, residents pay county taxes that supported the creation of*

the park and state taxes that would subsidize infrastructure upgrades at the site. Their voices should be heard.

5. *At the recent United Soccer meeting; KOB TV news quoted the Manager of United Soccer stating: “You know, ultimately, if there are 50 or 100 that are opposed to it, there are many, many more that are for it.” This shows United Soccer does not have a clue about communities and the manger is arrogant with his poorly founded assumptions. If 50 or a 100 people signed up opposed to the proposed stadium they represent their families and many others that did not sign or voice they opposition to the proposal. Those in active opposition are trying to protect their community and want to protect the quiet and safe enjoyment of their homes.*
 6. *We suggest the City Council should review the very simplistic and vague lease for the proposal. The lease was a give away to United Soccer and it set out no protections for the Balloon Fiesta Park, the surrounding communities and other Park users. A simple business plan for United Soccer was not made public or was not included in the lease information as it should have been.*
-

We do not have any confidence that the City will address sound and lighting issues in a proactive manner. The current city management of the Park has been indifferent about monitoring problem items and taking actions to mitigate the problems – a problem for the past decade. Most residents who live around the park area will state that AIBF is a good neighbor that works with the community for the Balloon Fiesta event. One of the worst neighbors for the surrounding community is the City of Albuquerque Parks and Recreation Department, who manage the Park.

As stated, the proposed use amendment is very vague about uses that could be allowed at the Park in the Stadium. The responsibilities of the City are not clear for the use and only vague assumptions have been made. Many of these items should have been included in the proposed lease for the use in a comprehensive manner – they were not. A copy of a letter from the District Four Coalition of Neighborhood Associations describes some of the problems – that letter is attached.

A “Land Use Facilitation Meeting” was held via Google Meet on September 9, 2023. The meeting did not reach any type of consensus for the proposed project – positive or negative. The meeting was more of a sales pitch for the proposed use – not an unbiased meeting presenting information. More questions were generated than were answered at the meeting. The City, the agent and applicants have not contacted community members with information or answers to the many questions asked at the meeting. The Facilitated Meeting held March 5, 2024, brought up many more concerns by community members that were not adequately addressed. Again, no communication from the agents and applicants for the proposed use addressing the questions and issues brought up by the community members who attended. Representatives from United Soccer repeated over and over they were listening - it is hard to determine if they are listening or making changes due to their continued lack of communication and collaboration with the community.

Assurances and vague promises about sound pollution, light pollution, parking, traffic and uses that could cause serious problems at the Park have been glossed over by the City and the applicants.

It is important to know that the City has a Balloon Fiesta Park Commission that was set by City Ordinance 0-2016-015.

The Balloon Fiesta Park Commission (BFPC) referenced above was only notified about the proposed zone changes and site plan amendments just before the agents for the zone change had to notify the different “recognized neighborhood associations” per IDO requirements. This was the first scheduled meeting for the Commission since July, 2020. We understand that a quorum was not reached and no action was taken on the proposed zone change amendments and site plan amendments.

According to the City website, all of the members’ terms on the Balloon Fiesta Park Commission have expired and it appears that meeting minutes have not been posted since 2019. We note that the City Boards and Commission Ordinance states members of some groups will serve until replaced; this is not the case for some members of the Balloon Fiesta Park Commission.

It was my experience serving on the Commission from the beginning until my term expired – the City and the Parks and Recreation Department tried to marginalize the Commission by all means possible. The City’s marginalization process worked – the City Ordinance mandating the Commission is still viable and would be if the City made any real attempts to follow and abide by the ordinance.

The City Ordinance 0-2016-015 states in part:

10-5 DUTIES AND POWERS OF THE COMMISSION

The Commission is hereby created to advise and make recommendations on the operation, management, and development of the park with the following duties and powers:

- (A) Recommend to the Parks and Recreation Department, the Mayor and City Council guidelines and procedures governing the operation, management, and development of the park, including event review and appropriate fee schedules.
 - (B) Review and recommend with respect to the approval or denial of agreements with short term park tenants. Short term park tenants shall be approved by the Parks and Recreation Department under guidelines and procedures adopted by City Council resolution.
 - (C) Review and recommend with respect to the approval or denial of agreements with long term part tenants. Long term park tenancies shall not be in effect until approved by the City Council.
 - (D) Review all existing licensure agreements, lease agreements, and similar agreements and make recommendations to the Parks and Recreation Department, Mayor and City Council with respire to the status and continuation of those agreements.
 - (E) Review and recommend to the Parks and Recreation Department, the Mayor and City Council regarding the yearly operating budget and city's general obligation bond program.
 - (F) Receive actual timely notice of all proposed planning and development actions within the park, including but not limited to: any permanent changes to the physical layout of the park; any construction within the park, any changes to the Site Development Plan and any application for any such changes. The Commission has the right to participate in, review and have its position given full consideration with respect to any planning and development actions related to the park. The Commission shall have standing in front of all city boards or commissions authorized to consider or review such actions, and in front of the City Council for any appeal or other consideration of such actions.....
-

Various Balloon Fiesta Park Commissions thru the years set up the controlling operations, procedures and policies for the Park to be managed in a manner that worked for the largest municipal park in the state. Fee schedules were set and appropriate uses were defined. Sound, lighting, hours of operation, traffic issues and so forth were all items the Commission worked on to make the Park a safe place for public use. The Park operations and management relies on these items to function in a safe manner for the public. Early in the Park's history it was apparent that partnerships with the City, AIBF and the greater community were important for the Park to function well and to be improved to allow it to host the AIBF Balloon Fiesta each year.

The Balloon Fiesta Park Commission should not have been rendered powerless by the City Administration and the Parks and Recreation Department.

The Commission, if it still was functioning, should have been included in all planning for any proposed project that would impact the Park. The City has ignored Ordinance 0-2016-015 and by a lack of support has rendered the Commission into an almost nothing group. This is a shame; the City has made no attempts to maintain the Commission or communicate with interested parties. The Commission started with representatives from the surrounding community in and outside the City limits, the Pueblo of Sandia, AIBF, representatives from the surrounding business community, members representing east and west sides of Albuquerque, the Convention and Visitors Bureau, and some ex-officio members representing various City Departments. The Commission was a well rounded group that worked to make the Balloon Fiesta Park better for all. Please see the Ordinance for a complete list of members.

The Park exists because citizens and groups outside the City limits worked with Bernalillo County to secure Bernco funding and the State Legislature to secure funding for the property. These community groups and residents should be notified about all items from their next door neighbor the Balloon Fiesta Park that may impact them.

- The proposed actions do not comply with the Balloon Fiesta Park Master Plans.
- Public involvement has not been inclusive or collaborative and only minimal after the fact done only for the EPC and City Council hearings. The remand of the case by the LUHO back to the EPC is an attempt to cure the poor notification by Consensus Planning and the City of Albuquerque.
- Light pollution, noise and traffic issues will create problems for the surrounding communities.
- Site drainage issues at the site have not been addressed in a proper manner.
- Landfill areas in the proposed location should be addressed for methane pollution issues that plague adjacent areas of the Park. Environmental concerns from the community have not been addressed in a comprehensive manner. The Park has 3 landfill areas within the Park and all have pollution issues. Los Angeles Landfill is closed off to the public except during Balloon Fiesta due to methane and aquifer pollution. Methane pollution has been monitored at dangerous levels adjacent levels to the proposed site for the stadium. Conditions impacting pollution issues will change due to moisture – rain and snow and the moisture percolation rate and decay rate of the material in the land fill areas. A reading about gas levels can change week to week.
- City responsibilities listed in the proposed lease for the Park are only addressed in a very vague manner.

- The applicants have not addressed how they will deal with the many other events that happen at the Park; these include youth soccer, non-profit sporting events, charity events, temporary events like Wine-Fest, Celtic Fest and many others. How will traffic and parking be handled for other events at the Park at the same time as soccer events? Will these become competing uses for limited facilities?
- How will safety and security be addressed? Will alcohol sales be allowed at the proposed stadium for games or other events like concerts? How will our youth using the main park be protected from intoxicated fans?
- How the soccer league would handle events at the proposed stadium has not been addressed or described. Would all events at the proposed stadium comply with the existing Park policies and procedures? What revenue would the City be paid for other events at the proposed stadium?

We request denial of the proposed zoning actions and site plan amendments.

Respectfully yours,



Steve Wentworth
President, Alameda North Valley Association

Attached: District Four Coalition letter to the City Council about lease issues.

Note: My statements are based on my many years of experience with the Balloon Fiesta Park. I (Steve Wentworth) worked on the Master Plan for the Park in 1998 and again in 2012 as a member and Vice Chair for the different Balloon Fiesta Park Commissions and Advisory Boards. I am named in both the 1998 and 2012 Master Plans. I was also a member of the Bernalillo Planning Commission (1995-2003) and the Albuquerque / Bernalillo County Extraterritorial Land Use Commission (1998-2003) which was sunset by the NM Legislature in 2003.



District Four Coalition of Neighborhood Associations

www.D4cabq.org (website)

ContactUs@D4Cabq.org (email)

October 22, 2023

Albuquerque Mayor Tim Keller

Albuquerque City Council
Pat Davis, President

The District 4 Coalition, at its October 18, 2023 meeting, voted unanimously to send this letter to the City Council and the CABQ Administration. It is our consensus that the proposed NM United stadium at Balloon Fiesta Park should not be approved in its currently proposed state.

While NM United has been and is a positive force for fans and up-and-coming soccer players, that popularity and energy cannot replace a systematic, careful, and fully-vetted process. Our concern is that sports fervor is leading to a lease that commits the City to a minimum of 30 years and a maximum of 60 years on a project that will impact our Balloon Fiesta. Enthusiasm is not a suitable, legal or responsible replacement for completeness and competency.

We also cite the following specific concerns:

1. The proposed lease cannot be signed prior to the Albuquerque International Balloon Fiesta (AIBF) choosing to change its own lease agreement with the City.
2. Before the proposed lease can be signed, the Environmental Planning Commission (EPC) has to render its decision on a Major Amendment to the Balloon Fiesta Park Master Development Plan. But this Major Amendment will not be heard by the EPC until November 16, 2023 and the EPC has a 90 day window to render its recommendation to the City Council.
3. At the City Council meeting on October 16, 2023, no CABQ administrator or lawyer could clearly define a number of significant items specified in and/or required by the lease that must be provided by the City. Without such clear definitions, the City could be committed to providing much more in the way of infrastructure than was originally envisioned for this project at a significantly higher cost. Misunderstandings, finger-pointing and cost over-runs are sure to occur. Better to avoid these problems by spelling everything out ahead of time before the lease is approved and signed.
4. A poorly constructed 14 page lease which commits the City to a 30 year lease (possibly a 60 year lease eventually) which could negatively impact the Balloon Fiesta (which provided the City with \$203 million dollars in revenues in 2022) is not ready for anyone's approval or signatures at this time.

We fear the administration and council are hastily pushing forward with this project before allowing sufficient public input or obtaining independent analysis of legal issues or potential complications, negative ramifications, and additional costs. There is a history (from the ART project, to the Gateway shelter, the Rail Trail & ABQ Housing Forward) of the City getting way ahead of itself because due diligence did not happen!

Thank you for your consideration.

Sincerely yours,

Mark Reynolds

President,

District Four Coalition of Neighborhood Association

- The District 4 Coalition of Neighborhoods approved the action of sending this letter by unanimous vote at the Coalition meeting on October 18, 2023. The following are member groups of the Albuquerque City Council District 4 Coalition of Neighborhoods:

Alameda North Valley Association
Albuquerque Meadows Resident's Association
Arroyo del Oso
Bear Canyon Neighborhood Association
Cherry Hills Civic Association
Knapp Heights Neighborhood Association
Highland North Neighborhood Association
Nor Este Neighborhood Association
North Domingo Baca Neighborhood Association
Quail Springs Neighborhood Association
Quintessence Neighborhood Association
Vineyard Estates Neighborhood Association
Vista Del Norte Alliance
Wildflower



ALAMEDA NORTH VALLEY ASSOCIATION

8919 Boe Lane NE
 Albuquerque, NM 87113
anvanews@aol.com

Alameda North Valley Association
 Steve Wentworth, President

March 17, 2024

To: City of Albuquerque Environmental Planning Commission
 Jonathan R. Hollinger, Chairman

Re: Amendment to the Balloon Fiesta Park Master Development Plan 2012 Update, Site Plan and Variance to IDO

Address: 9201 Balloon Museum Fr. NE, 4900 Balloon Fiesta PKWY NE, and 5601 Alameda NE

Suggested action by the EPC: **The Alameda North Valley Association suggests denial of the proposed zoning actions and site plan amendments.**

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It is not clear what the proposed Soccer Stadium for a private, for profit sports group will do to meet community needs; it appears that it will only benefit the owners of the facility.

The Balloon Fiesta Park is well used by tens of thousands of youth for various activities and the greater Albuquerque community uses the Park well for all types of other events. The Park is the premier destination for Ballooning and the world famous International Balloon Fiesta.

The City Administration / Mayor's Office with the Parks and Recreation Department has marginalized input from the surrounding residential communities, neighborhood associations and business communities in this Administration's plans for the park. This marginalization extends to the Balloon Fiesta Park Commission empowered by Albuquerque City Ordinance 0-216-015. Previous Mayors and their Parks and Recreation Departments worked with and collaborated with the surrounding neighbors – not this one.

When the Mayor had the first news conference about the stadium plans the community was not informed or invited nor was the City Councilor for the area and the Albuquerque International Balloon Fiesta Inc. (AIBF) was not informed about the news conference. The City has recently included AIBF – telling them about the plans – we note that AIBF is a tenant at the park and it is always wise for AIBF to go along with city administration projects so they don't incur negative actions by administrations as has happened in the past. Mayors – past and present have always used the Fiesta for their purposes - personal or political.

The planning for the stadium and the proposed zone change that will go before the City Council was done without any community input, AIBF input and Balloon Fiesta Park Commission input. Information was only provided after the plans and the zone change application were complete – notification was required by city ordinance – this notification was not by the Mayor's office wanting to be inclusive. The remand to the EPC by the LUHO indicated a lack of proper notification to the surrounding community by the agents and applicants for the proposed use.

It should be remembered that the surrounding community – business and residential worked with AIBF to purchase the property for the Park, they lobbied the State Legislature for funding and support. The process was very collaborative and a massive gravel pit became a wonderful park for ballooning and youth activities. Neighborhood associations not “recognized by the City” were always included in communication. This is not the case with this proposed project – interested parties and neighborhood groups were left out of the communication processes. We assume that if this case had not been required to follow notification processes dictated by the IDO – the community would not have been notified at all.

I don't think the community is against the United Soccer group at all – the location of the stadium should be in an appropriate location and the city should work with residents to make that happen.

The Mayor has a so called “public process that leaves out the people. All large projects like this one should go before the voters and should not be done by the Mayor's dictatorial processes.

The agent for the City stated in an email to the area neighborhood associations that they were working on a “noise study, lighting study and an updated traffic study”. The agent stated these items would be made available to the neighborhood associations when ready – we have not received any of that information. Items about sound issues and lighting are described in another letter to the EPC by a person who worked on these issues for years.

Very recently - this month, United Soccer invited the media to show new plans and proposals they said would address some of the adjacent community’s concerns – they said this was one of two public meetings to be held at their offices at Nob Hill. ANVA and other neighbors were not notified about the meetings. If United Soccer wanted to involve the community – notification would be needed for a meeting at a public location near that community like the Balloon Fiesta Park. ANVA and neighbors have not been provided information about the proposed changes to the proposed stadium via letters or emails.

United Soccer says over and over they are listening to the concerns of the community – it is hard to determine if they are, due to their lack of communication and collaboration with the community. There is no public way to determine who, if anyone, who they are actually speaking with.

One of the area neighborhood groups (North Edith Corridor Assoc.) adjacent to the park noted the following items of concern:

1. *Lighting – Nighttime lighting at Balloon Fiesta Park is already an issue for people residing in the neighborhoods along North Edith Boulevard immediately to the west of the park. Evening events – including those associated with the Balloon Fiesta itself, create an annoying glare in the upper story windows of many homes. Most of the homes in the neighborhood predate the park by many decades, so excessive nighttime lighting is perceived as an unjust and annoying intrusion. The location of many of the neighbor’s homes are at a lower elevation than the Park and even with shielded down lighting – the lights may create problems with residents as they look east and up to the views of the park and Sandia Mountains.*
2. *Sound – The homes lying along Edith Boulevard directly west of the proposed stadium site are just over 2,000 feet away – closer than any other residences. Experience with the city’s Freedom Fourth celebration, Balloon Fiestas and miscellaneous music events at the park shows that highly amplified sound bounces off the escarpment and existing buildings at the eastern edge of the park and travels out across the far North Valley, rattling windows and walls. City Balloon Fiesta Park administrators have shown little interest in requiring event promoters to modify sound levels. This is a severe nuisance for people living in these neighborhoods. They have right to enjoy their homes without intrusive sound. Crowd noise and noise makers used by those attending games will make the problems worse. Crowd noise and noise makers are not controlled by an amplifier.*
3. *Uses of the Stadium – The city’s proposed lease with New Mexico United is silent as to what other uses the stadium might be used for apart from soccer games. There is nothing preventing the stadium’s owner from renting it out to loud rock or rap concerts, for example. There are no stipulations regarding sound levels and no restrictions as to how often events could be hosted at the stadium.*
4. *Consultation – New Mexico United’s owners have conspicuously neglected to engage with residents living in neighborhoods to the west of Balloon Fiesta Park. It may be because this area lies outside the city limits in unincorporated Bernalillo County and is “invisible” to those promoting the project. Nevertheless, residents pay county taxes that supported the creation of*

the park and state taxes that would subsidize infrastructure upgrades at the site. Their voices should be heard.

5. *At the recent United Soccer meeting; KOB TV news quoted the Manager of United Soccer stating: “You know, ultimately, if there are 50 or 100 that are opposed to it, there are many, many more that are for it.” This shows United Soccer does not have a clue about communities and the manger is arrogant with his poorly founded assumptions. If 50 or a 100 people signed up opposed to the proposed stadium they represent their families and many others that did not sign or voice they opposition to the proposal. Those in active opposition are trying to protect their community and want to protect the quiet and safe enjoyment of their homes.*
 6. *We suggest the City Council should review the very simplistic and vague lease for the proposal. The lease was a give away to United Soccer and it set out no protections for the Balloon Fiesta Park, the surrounding communities and other Park users. A simple business plan for United Soccer was not made public or was not included in the lease information as it should have been.*
-

We do not have any confidence that the City will address sound and lighting issues in a proactive manner. The current city management of the Park has been indifferent about monitoring problem items and taking actions to mitigate the problems – a problem for the past decade. Most residents who live around the park area will state that AIBF is a good neighbor that works with the community for the Balloon Fiesta event. One of the worst neighbors for the surrounding community is the City of Albuquerque Parks and Recreation Department, who manage the Park.

As stated, the proposed use amendment is very vague about uses that could be allowed at the Park in the Stadium. The responsibilities of the City are not clear for the use and only vague assumptions have been made. Many of these items should have been included in the proposed lease for the use in a comprehensive manner – they were not. A copy of a letter from the District Four Coalition of Neighborhood Associations describes some of the problems – that letter is attached.

A “Land Use Facilitation Meeting” was held via Google Meet on September 9, 2023. The meeting did not reach any type of consensus for the proposed project – positive or negative. The meeting was more of a sales pitch for the proposed use – not an unbiased meeting presenting information. More questions were generated than were answered at the meeting. The City, the agent and applicants have not contacted community members with information or answers to the many questions asked at the meeting. The Facilitated Meeting held March 5, 2024, brought up many more concerns by community members that were not adequately addressed. Again, no communication from the agents and applicants for the proposed use addressing the questions and issues brought up by the community members who attended. Representatives from United Soccer repeated over and over they were listening - it is hard to determine if they are listening or making changes due to their continued lack of communication and collaboration with the community.

Assurances and vague promises about sound pollution, light pollution, parking, traffic and uses that could cause serious problems at the Park have been glossed over by the City and the applicants.

It is important to know that the City has a Balloon Fiesta Park Commission that was set by City Ordinance 0-2016-015.

The Balloon Fiesta Park Commission (BFPC) referenced above was only notified about the proposed zone changes and site plan amendments just before the agents for the zone change had to notify the different “recognized neighborhood associations” per IDO requirements. This was the first scheduled meeting for the Commission since July, 2020. We understand that a quorum was not reached and no action was taken on the proposed zone change amendments and site plan amendments.

According to the City website, all of the members’ terms on the Balloon Fiesta Park Commission have expired and it appears that meeting minutes have not been posted since 2019. We note that the City Boards and Commission Ordinance states members of some groups will serve until replaced; this is not the case for some members of the Balloon Fiesta Park Commission.

It was my experience serving on the Commission from the beginning until my term expired – the City and the Parks and Recreation Department tried to marginalize the Commission by all means possible. The City’s marginalization process worked – the City Ordinance mandating the Commission is still viable and would be if the City made any real attempts to follow and abide by the ordinance.

The City Ordinance 0-2016-015 states in part:

10-5 DUTIES AND POWERS OF THE COMMISSION

The Commission is hereby created to advise and make recommendations on the operation, management, and development of the park with the following duties and powers:

- (A) Recommend to the Parks and Recreation Department, the Mayor and City Council guidelines and procedures governing the operation, management, and development of the park, including event review and appropriate fee schedules.
 - (B) Review and recommend with respect to the approval or denial of agreements with short term park tenants. Short term park tenants shall be approved by the Parks and Recreation Department under guidelines and procedures adopted by City Council resolution.
 - (C) Review and recommend with respect to the approval or denial of agreements with long term part tenants. Long term park tenancies shall not be in effect until approved by the City Council.
 - (D) Review all existing licensure agreements, lease agreements, and similar agreements and make recommendations to the Parks and Recreation Department, Mayor and City Council with respire to the status and continuation of those agreements.
 - (E) Review and recommend to the Parks and Recreation Department, the Mayor and City Council regarding the yearly operating budget and city's general obligation bond program.
 - (F) Receive actual timely notice of all proposed planning and development actions within the park, including but not limited to: any permanent changes to the physical layout of the park; any construction within the park, any changes to the Site Development Plan and any application for any such changes. The Commission has the right to participate in, review and have its position given full consideration with respect to any planning and development actions related to the park. The Commission shall have standing in front of all city boards or commissions authorized to consider or review such actions, and in front of the City Council for any appeal or other consideration of such actions.....
-

Various Balloon Fiesta Park Commissions thru the years set up the controlling operations, procedures and policies for the Park to be managed in a manner that worked for the largest municipal park in the state. Fee schedules were set and appropriate uses were defined. Sound, lighting, hours of operation, traffic issues and so forth were all items the Commission worked on to make the Park a safe place for public use. The Park operations and management relies on these items to function in a safe manner for the public. Early in the Park's history it was apparent that partnerships with the City, AIBF and the greater community were important for the Park to function well and to be improved to allow it to host the AIBF Balloon Fiesta each year.

The Balloon Fiesta Park Commission should not have been rendered powerless by the City Administration and the Parks and Recreation Department.

The Commission, if it still was functioning, should have been included in all planning for any proposed project that would impact the Park. The City has ignored Ordinance 0-2016-015 and by a lack of support has rendered the Commission into an almost nothing group. This is a shame; the City has made no attempts to maintain the Commission or communicate with interested parties. The Commission started with representatives from the surrounding community in and outside the City limits, the Pueblo of Sandia, AIBF, representatives from the surrounding business community, members representing east and west sides of Albuquerque, the Convention and Visitors Bureau, and some ex-officio members representing various City Departments. The Commission was a well rounded group that worked to make the Balloon Fiesta Park better for all. Please see the Ordinance for a complete list of members.

The Park exists because citizens and groups outside the City limits worked with Bernalillo County to secure Bernco funding and the State Legislature to secure funding for the property. These community groups and residents should be notified about all items from their next door neighbor the Balloon Fiesta Park that may impact them.

- The proposed actions do not comply with the Balloon Fiesta Park Master Plans.
- Public involvement has not been inclusive or collaborative and only minimal after the fact done only for the EPC and City Council hearings. The remand of the case by the LUHO back to the EPC is an attempt to cure the poor notification by Consensus Planning and the City of Albuquerque.
- Light pollution, noise and traffic issues will create problems for the surrounding communities.
- Site drainage issues at the site have not been addressed in a proper manner.
- Landfill areas in the proposed location should be addressed for methane pollution issues that plague adjacent areas of the Park. Environmental concerns from the community have not been addressed in a comprehensive manner. The Park has 3 landfill areas within the Park and all have pollution issues. Los Angeles Landfill is closed off to the public except during Balloon Fiesta due to methane and aquifer pollution. Methane pollution has been monitored at dangerous levels adjacent levels to the proposed site for the stadium. Conditions impacting pollution issues will change due to moisture – rain and snow and the moisture percolation rate and decay rate of the material in the land fill areas. A reading about gas levels can change week to week.
- City responsibilities listed in the proposed lease for the Park are only addressed in a very vague manner.

- The applicants have not addressed how they will deal with the many other events that happen at the Park; these include youth soccer, non-profit sporting events, charity events, temporary events like Wine-Fest, Celtic Fest and many others. How will traffic and parking be handled for other events at the Park at the same time as soccer events? Will these become competing uses for limited facilities?
- How will safety and security be addressed? Will alcohol sales be allowed at the proposed stadium for games or other events like concerts? How will our youth using the main park be protected from intoxicated fans?
- How the soccer league would handle events at the proposed stadium has not been addressed or described. Would all events at the proposed stadium comply with the existing Park policies and procedures? What revenue would the City be paid for other events at the proposed stadium?

We request denial of the proposed zoning actions and site plan amendments.

Respectfully yours,



Steve Wentworth
President, Alameda North Valley Association

Attached: District Four Coalition letter to the City Council about lease issues.

Note: My statements are based on my many years of experience with the Balloon Fiesta Park. I (Steve Wentworth) worked on the Master Plan for the Park in 1998 and again in 2012 as a member and Vice Chair for the different Balloon Fiesta Park Commissions and Advisory Boards. I am named in both the 1998 and 2012 Master Plans. I was also a member of the Bernalillo Planning Commission (1995-2003) and the Albuquerque / Bernalillo County Extraterritorial Land Use Commission (1998-2003) which was sunset by the NM Legislature in 2003.



District Four Coalition of Neighborhood Associations

www.D4cabq.org (website)

ContactUs@D4Cabq.org (email)

October 22, 2023

Albuquerque Mayor Tim Keller

Albuquerque City Council
Pat Davis, President

The District 4 Coalition, at its October 18, 2023 meeting, voted unanimously to send this letter to the City Council and the CABQ Administration. It is our consensus that the proposed NM United stadium at Balloon Fiesta Park should not be approved in its currently proposed state.

While NM United has been and is a positive force for fans and up-and-coming soccer players, that popularity and energy cannot replace a systematic, careful, and fully-vetted process. Our concern is that sports fervor is leading to a lease that commits the City to a minimum of 30 years and a maximum of 60 years on a project that will impact our Balloon Fiesta. Enthusiasm is not a suitable, legal or responsible replacement for completeness and competency.

We also cite the following specific concerns:

1. The proposed lease cannot be signed prior to the Albuquerque International Balloon Fiesta (AIBF) choosing to change its own lease agreement with the City.
2. Before the proposed lease can be signed, the Environmental Planning Commission (EPC) has to render its decision on a Major Amendment to the Balloon Fiesta Park Master Development Plan. But this Major Amendment will not be heard by the EPC until November 16, 2023 and the EPC has a 90 day window to render its recommendation to the City Council.
3. At the City Council meeting on October 16, 2023, no CABQ administrator or lawyer could clearly define a number of significant items specified in and/or required by the lease that must be provided by the City. Without such clear definitions, the City could be committed to providing much more in the way of infrastructure than was originally envisioned for this project at a significantly higher cost. Misunderstandings, finger-pointing and cost over-runs are sure to occur. Better to avoid these problems by spelling everything out ahead of time before the lease is approved and signed.
4. A poorly constructed 14 page lease which commits the City to a 30 year lease (possibly a 60 year lease eventually) which could negatively impact the Balloon Fiesta (which provided the City with \$203 million dollars in revenues in 2022) is not ready for anyone's approval or signatures at this time.

We fear the administration and council are hastily pushing forward with this project before allowing sufficient public input or obtaining independent analysis of legal issues or potential complications, negative ramifications, and additional costs. There is a history (from the ART project, to the Gateway shelter, the Rail Trail & ABQ Housing Forward) of the City getting way ahead of itself because due diligence did not happen!

Thank you for your consideration.

Sincerely yours,

Mark Reynolds

President,

District Four Coalition of Neighborhood Association

- The District 4 Coalition of Neighborhoods approved the action of sending this letter by unanimous vote at the Coalition meeting on October 18, 2023. The following are member groups of the Albuquerque City Council District 4 Coalition of Neighborhoods:

Alameda North Valley Association
Albuquerque Meadows Resident's Association
Arroyo del Oso
Bear Canyon Neighborhood Association
Cherry Hills Civic Association
Knapp Heights Neighborhood Association
Highland North Neighborhood Association
Nor Este Neighborhood Association
North Domingo Baca Neighborhood Association
Quail Springs Neighborhood Association
Quintessence Neighborhood Association
Vineyard Estates Neighborhood Association
Vista Del Norte Alliance
Wildflower

April 8, 2024

Environmental Planning Commission City of Albuquerque

C/O Silvia Bolivar sabolivar@cabq.gov PlanningEPC@cabq.gov

VIA ELECTRONIC MAIL

Dear Ms. Bolivar:

I am writing to declare my opposition to the proposed Soccer Stadium at Balloon Fiesta Park. I live just West of the Park in Alameda. Residents in this area normally enjoy the quiet, rural nature of the valley. Low density housing allows us to farm, raise livestock, and ride the acequias. My own property features a small orchard which allows me to share the bounty of cherries, peaches, nectarines, plums, and apples. During the winter I witness geese and cranes regularly flying overhead as they use the Balloon Park as a major source of food.

There are a few times during the year when that tranquility is upset. The most obvious is the Balloon Fiesta. Yes, it turns our lives upside down. Automobile and pedestrian traffic is intense. Many people park in our neighborhood and walk to the park. Several nights of the Fiesta include fireworks. I'd say that this is the worst part of the celebration. The 4th of July is celebrated at the Park, featuring music and fireworks. There are other events, such as the Wine Festival. While we still hear music and the public address system, the fact of the daytime scheduling minimizes the impact.

The reason I am concerned about fireworks has to do with pets, livestock, and wildlife. My dogs are terrified from the first explosion to the last. The Grand Finale is what I imagine from a war zone. Neighbors with livestock such as horses, sheep, goats, etc., struggle with the immediate and after effect of the bombardments. Wildlife was here long before humans. Besides geese and cranes, we share this habitat with hawks, porcupines, raccoons, skunks, and squirrels. We often see photographers with their giant lenses and tripods seeking to capture that one of a kind shot of a rare species. Fireworks and light pollution negatively affect the animals such that their nesting practices (and health) are interrupted.

If you question why I specifically oppose the Soccer stadium, it's because I've read the lease. There is nothing holding United or any subsequent lessee to protect us from the negative impact. They pay lip service to our concerns. Unless specific restrictions are written into the lease, to include penalties for non-compliance, I have no choice but to voice opposition. There should be a limit to the number and nature of events, to the time of day (night verses day events), guarantee no light pollution, no fireworks, and, sound controls.

Finally, I've grown to resent being lied to. We have been told that this is an owner funded project. It is "owner funded" in that it remains City property and the City and State (taxpayers) are spending millions of dollars to benefit United. The amount of rent is a joke, far below market rates for such a property, United promises to pay a measly 10% of the parking revenue to the City, yet, again, the City owns the parking lot, pays for the upkeep of the parking and likely (though not addressed in the lease), bears the liability for injuries and damages in the parking area. This is a great deal for United, not for New Mexico.

James Welty

126 Maria Cir, NW

April 11, 2024

Environmental Planning Commission City of Albuquerque

C/O Silvia Bolivar sabolivar@cabq.gov PlanningEPC@cabq.gov

VIA ELECTRONIC MAIL

RE: Project #: PR-2023-009363

Dear Ms. Bolivar:

Please register my full opposition to the planned soccer stadium at the Balloon Fiesta Park. Having lived in Alameda and close to the Balloon field for over 20 years, I am speaking from experience. Many events that take place at the site have extremely negative impacts on this area. The worst experiences we have are fireworks and noise from bands. In addition, events that take place in the evening have an increased impact on our lives.

I welcome anyone to come to my house during Freedom 4th and sit with me and my trembling pets while bombs are exploding overhead. The trauma stays with them for hours, terrified to step out of the house. However, I have it easy. Those with farm animals (horses, goats, etc.) have it worse. The fireworks are so explosive that they rattle our homes and windows. They actually cause cracks in our homes.

As for the music, imagine a weekend dining out on the patio, and being assaulted with music that is not of your taste. The music as it reverberates into our neighborhood comes as pounding noise, with little to enjoy even if it is in your genre.

So far, we have been able to cope with these intrusions for a few reasons. The Balloon Fiesta is a 9 day event. We can plan for the event. United has explained that they will have 11 games per year, plus they want to open it to multiuse events. Having read the lease, there are no prohibitions as to quantity of events, nor limitations as to time of day, fireworks, alcohol sales, tail gating, etc.

Other concerns we have are light pollution and the facility obscuring our view. Recently someone built in bleachers that have had an impact on some people along Edith. A physical obstruction is bad, but, imagine what light pollution will do to our night sky.

The stadium will not be in harmony with the neighborhood which is rural, with small farms and livestock. Alameda is an old historic community. I wonder if the fact that most of the neighbors are in the County and not in the City is a factor in pushing this site. City voters already nixed the previous proposals.

Why not look to other areas? There is Mesa del Sol as well as areas off of the Rio Puerco. Mesa del Sol has already proven it can handle the traffic since there are concerts out there frequently. Rio Rancho is another ideal site which would probably welcome such a venue. It is consistently lauded as a crime free and growing community

In as much as I am against the stadium as proposed, I can see that some changes would lessen the impact to this area and would make it more acceptable to me:

1. Add a roof to eliminate noise and fireworks.
2. Any lighting outside of a roof should be directed away from the neighborhoods of concern.
3. Eliminate alcohol sales and tail gating.
4. Renegotiate the lease to specifically address our concerns.

Thank you for your time and consideration of my comments,

Sarah Shortle

126 Maria Cir NW, Albuquerque, NM 87114

Bolivar, Silvia A.

From: Leslie Linthicum <leslielinthicum@gmail.com>
Sent: Monday, April 8, 2024 12:17 PM
To: Bolivar, Silvia A.; Jones, Megan D.; Santistevan, Melissa R.; Keefe, Lauren
Subject: Due process concerns in advance of special EPC hearing on United stadium

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

Dear Ms. Bolivar:

We are writing to share our concerns regarding the April 11 EPC special hearing on the proposed amendment to the Balloon Fiesta Park Master Plan. The Land Use Hearing Officer who remanded this matter back to the EPC for a de novo hearing made special note of two due process requirements.

First, he found that the City and its agent, Consensus Planning, failed to adequately notify some affected parties. We and other neighbors were notified by letter of the March 21 re-hearing. No one, to our knowledge, received notification by mail of the April 11 meeting. In order to avoid another remand for another rehearing based on lack of notification, we request that you ask the EPC on Thursday to delay this hearing once again until Consensus Planning has properly met the requirements for notification.

Secondly, the Land Use Hearing Officer in his remand made special notice of the legal right of cross-examination, owing to the fact that this hearing has a quasi-judicial function. Cross-examination, as you know, is the process of questioning a witness to challenge or clarify something that witness has testified to.

In this case, the EPC rules provided regarding cross-examination state that only cross-examination questions submitted on a form will be entertained and that the form with questions must be submitted prior to the hearing. These rules quite obviously do not provide for effective cross-examination. It is clearly impossible to predict who will speak at a meeting that hasn't yet occurred, know what they will say and form a question to challenge a statement that has not been uttered.

The rules also state that forms must be submitted in advance and then also can be submitted during the hearing. How do you propose people email a signed form to you and how do you propose people do that in real time as questions arise during the hearing? Is it your intent to have someone monitoring PlanningEPC@cabq.gov in real time during the hearing? Will you require people who wish to cross examine to fill out the form, print it, sign it, scan it, and email it to you as the hearing is underway?

The rules also limit who is allowed to cross exam to people who live within 300 feet of the site, representatives of approved neighborhood associations and "any person who demonstrates a personal or pecuniary interest or property right that may be adversely affected by the EPC's decision, which right or interest must be more than merely nominal or remote." Will representatives of the Marie Diers and North Edith neighborhood associations, which represent most of the people who will be adversely affected by this stadium, be allowed cross examination? And is it your contention that each of the appellants to the prior EPC decision (even though we are no longer appellants because this hearing is de novo) meet the "adversely affected" class?

The procedures as you've outlined them are confusing, onerous, practically impossible to use and deprive us of substantive due process.

We believe that everyone involved would like this matter to be heard fairly and not remanded once again on issues of notification and due process. The rules as you have relayed them would provide substantial grounds for appeal.

We urge you to ask the EPC to once again delay this hearing so that you can properly comply with the notification requirements and craft a usable and fair cross-examination procedure that affords everyone a fair hearing and complies with legal requirements.

MICHAEL HAEDERLE

LESLIE LINTHICUM

leslielinthicum@gmail.com

505.306-6488

April 8, 2024

To: Environmental Planning Commission
Cc: Ms. Silvia A. Bolivar

I am writing in opposition to the proposed amendment of the Master Development Plan at Balloon Fiesta Park to allow construction of a multi-use stadium at the park.

I am a life-long resident of Albuquerque. I currently reside in the Amara Vista Neighborhood, which is an 8-home gated subdivision along Edith, north of Alameda. My back yard backs up to the North Diversion Channel, making us backdoor neighbors with the Balloon Fiesta Park. We chose to build a home in this area for its semi-rural character, not for its proximity to the Balloon Fiesta Park and the events held on the premises.

For ten days a year, the Albuquerque skies are filled with balloons. My children enjoy watching the balloons from our home as well as attending the Balloon Fiesta events in person. For ten days a year, we also hear amplified sounds from the speakers, which sometimes sound like we are standing in the middle of the field, when in fact, we are inside our home. During Balloon Fiesta fireworks shows and concerts, the walls and windows of my home shake. While the noise and shaking can be cumbersome, we are thankful that the folks at the Albuquerque International Balloon Fiesta (AIBF) are committed to being good neighbors.

Before and after each Fiesta, the higher-ups from AIBF meet with neighboring neighborhood associations to discuss concerns brought about by such a large event. A consultant, hired by AIBF, also attends the meetings and even visits individual residences to discuss concerns about sound and lighting. In the past, the parking lot lighting to the south and north of my home has lit up the house so much so that my children thought it was morning. Amplified sound from the PA system and/or concerts is often heard inside. When we have had issues with lighting and sound, we call the consultants and they are at our house within minutes to measure sound and are on the phone with people on the field who can modify lighting direction or sound levels.

My biggest concern with the proposed soccer stadium being built at Balloon Fiesta Park is will United Soccer and the City follow suit with AIBF and be good neighbors? Will they adhere to noise/sound ordinances that are in place? I can attest that when other events that are of a smaller scale compared to the Balloon Fiesta are held at Balloon Fiesta Park (such as the wine festival), noise/sound ordinances are not enforced as we can hear what is happening from our home just as we would if we were there in person—and our walls and windows are rattling. No one is coming around to ask if we have concerns about events held at Balloon Fiesta Park. There isn't a number we can call to

have sound levels measured and managed in a timely manner—if at all. Simply put, because we reside outside the city limits, we are out of sight out of mind.

During meetings about the proposed soccer stadium with representatives from United Soccer and Consensus Planning, we have been assured that amplified noise will not be a problem. Actual sound testing has not been completed, just simulations. We have also been told that the stadium is designed to funnel noise toward the north. I live northwest of the proposed soccer location. I know from experience that when the breeze is blowing to the north or if there is some cloud cover, any amplified sound coming from the Balloon Fiesta Park will affect my household.

I feel that the City of Albuquerque's Integrated Development Ordinance (IDO) is, among other things, in place to "Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health". When my children cannot play outside because noise levels coming from the Balloon Fiesta Park are so loud that their ears hurt, the lack of monitoring and managing sound levels coming from non-Balloon Fiesta events is to blame. If the amplified sound is too loud for my children to play outside—and we live a little more than 2000 feet from the proposed location—how loud will the sound be inside the stadium? Modifying the Master Development Plan at the Balloon Fiesta Park to allow the construction of a stadium will only increase the number of instances when my children—and others in this area—are negatively impacted. It would violate the provisions of the IDO and allow the lack of monitoring and management of sound to continue to go unchecked.

Thank you for your consideration.

Regards,

LuElena Gonzales

Amara Vista Neighborhood

To Whom It May Concern:

We live at 10229 Edith Blvd NE, directly west of the proposed soccer stadium. I have lived there since 1977. For the first 10 years, I rented a mobile home space while I saved my money. After 10 years, my fiancée (now my wife) and I put a down payment on 3.25 acres of vacant land. Ten years after that, we built our forever home where we plan to stay. Aside from our house and garage, there are no permanent structures. The property remains as we bought it.

On this property, we grow and harvest grass hay which goes to feed horses mostly in the North Valley and Corrales. I work and maintain this property mostly by myself even at age 78.

We love this area because it is quiet and serene with a dark night sky in which you can see the heavens without any light pollution. It attracts a variety of birds and critters. On days when I irrigate my field, we can see maybe two dozen ducks floating around in the water on the field. I see flocks of geese in the morning flying from west to east right over the balloon field and back west again in the evening over that same balloon field. Their route takes them right over our property. I see many cranes in my field feeding on the abundant grass. My wife and I enjoy putting out food for small birds, doves and squirrels. We have five hummingbird feeders which at times attract over 20 hummingbirds at once. There is a hawk's nest in one of our trees in which a mating pair raises one or two babies every year. Much of all that is going to be severely disrupted with the addition of a multi-use stadium next door.

We oppose this project because of:

- 1) The different loud noises coming from the games...crowd noises, announcer chatter, background music, etc.
- 2) Fireworks (large scale) which scare the hell out of our pets and livestock. One of our dogs was so frightened during one display at the Balloon Fiesta, she jumped the fence, and we found her the next day. Our neighbor's dog freaked out, ran into the road and was hit by a car.
- 3) The stadium lighting, which I fear will shine right into our upstairs windows.
- 4) The exhaust pollution from all the attendees' cars, and all the traffic clogging the surrounding streets.

Also,

- 5) With a multi-use stadium, the owners are going to lease all or part of it out as often as possible to maximize profits. They won't care what the neighbors think, because by then, we won't have any leverage.

6) The notification system the City of Albuquerque uses is laughable. It is just a way to notify as few people as possible and still cover their butts. And they know it. Considering where our house is located relative to the Balloon Park, there is no way we should not have been notified early on. What's wrong with using the stadium as ground zero and notifying every residence within at least a two-mile radius plus every neighborhood association? Seems fair in this case.

Lastly, I'm still trying to calculate how much money we are going to lose in property value. \$100,000, \$200,000 or more? Who wants to buy a house next to a nuisance like that?

Sincerely,

Steve and Angela Horschheimer

10229 Edith Blvd NE

Albuquerque, NM 87113

(505) 239-0876

My name is Maggie Rose and I'm President of the Maria Diers Neighborhood Association, we suggest a 90 day deferral of the proposed zoning change to accommodate the Soccer for Profit Stadium on the Balloon Field. Here are some of the reasons why: 1) Inaccuracy of staff reporting for example: pgs. 17 & 18 states a meeting took place with 3 Project Team members in attendance. That was a very hastily put together meeting by me to get acquainted with other neighbors that were at the City Council meeting. People handed me torn pieces of paper giving me their phone numbers. That was the first time we had ever met each other and put a face to names. We met at the end of Diers Rd. everyone brought their chairs and it was not a formal meeting. The Soccer folks were not invited. 2) Unknown changes to the designs of the field and stadium. 3) Incomplete sound study. 4) The traffic plan now states it will go through the Balloon Field; there has never been traffic on the field. 5) We have never been invited to an informational meeting with Soccer United. If we continue to build on the Balloon Field we will lose the Albuquerque International Balloon Fiesta. That is the state's number one money maker besides oil and gas.

When people talk about developing the area I don't believe they understand that the area has been developed until, there are not many places for balloons to land and very little space for animals to live. It is ludicrous to think you can develop every spot of dirt in the area. Where do you think our food comes from? Walmart?

I'm concerned about the effect of a busy, noisy multi-purpose stadium on animals in and around the bosque. We have encroached upon all the animals' habitat until they have nowhere to go except this little patch of bosque and the river. When I first moved here there were beaver on the river. The kids and I would go catch frogs in gunny sacks and bring them back and release them in our yard to catch frogs. There are no more beaver or frogs, but there are still porcupine, foxes, raccoons, and more. My concern is mainly for the BIRDS. There is an eagle's nest very close to the river and a screech owl that comes back every year to nest in a hollowed-out cottonwood tree. A pair of osprey nest near my back yard. We also have domesticated animals our here, horses, goats, cow, donkeys, and more. They go crazy when the fireworks go off during Balloon Fiesta. What will happen to all of the wild animals if we have that kind of noise year round?

The EPC'S job should be to look out for the environment and weigh the benefits of development against its cost to the natural world. The proposed stadium will have an ENORMOUS impact on the last piece of wildlife we have in the ABQ Metro area. Please leave the Balloon Park alone. Let United Soccer find another home.

Most humans aren't as smart and all-knowing as we think we are. Every good human intention alters the balance of nature and results in disasters of unintended consequences. The entire world is being destroyed by man.

Maggie Rose



Total Management Systems, Inc.
4239 Balloon Park Rd. NE
Suite A
Albuquerque, NM 87109

April 8, 2024

To Whom it May Concern:

I am an owner of two properties near the proposed stadium for New Mexico United, 4239 Balloon Park Road, and 5910 Holly Ave. NE.

We are in favor of the proposed development of the New Mexico United Stadium, and we feel it will be a net positive affect on our community. We are hopeful that the development will help improve the infrastructure to the area and create a nicer environment for the community as well as the tourists that visit our community during Balloon Fiesta.

Please feel free to give me a call should you have further questions.

Regards,



Prakash Sundaram
President/CEO



April 11, 2024

Jonathan R. Hollinger
Chair, Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

RE: SUPPORT FOR THE UNITED STADIUM - EPC Project and Case Numbers: PR-2023-009363, SI-2023-01635, SI-2023-01638

Hello EPC Commissioners:

I am a member of Generation Elevate New Mexico (“GENM”). GENM is a New Mexico based, pro-growth organization focused on supporting highly impactful projects and policies. I am writing to voice my **support** for the New Mexico United Stadium and the requests being brought forward to the Environmental Planning Commission on April 11th.

GENM is supporting the United Stadium for the following reasons:

1. New Mexico United staff have actively engaged with the surrounding community
2. The project is infill and will revitalize and improve a currently underutilized parking lot
3. The Stadium represents a strong investment into the community
4. Public funding will be used to enhance Balloon Fiesta Park infrastructure
5. Energy-efficient, sustainable, and environmentally conscious components are required per the ground lease agreement

For the reasons outlined, we ask that you vote to **support** the New Mexico United Stadium.

Thank you,

Sal Perdomo

Sal Perdomo
GENM Member
www.letselevatenm.org

April 8, 2024

VIA ELECTRONIC MAIL

Environmental Planning Commission
City of Albuquerque
c/o Silvia Bolivar
sabolivar@cabq.gov

Subject: 48-hour Written Materials for the April 11, 2024, EPC Hearing – Proposed Stadium at Balloon Fiesta Park PR-2023-00963

Dear Ms. Bolivar:

Please include the following information in the 48-hour written materials for the EPC Hearing scheduled for April 11, 2024.

The Environmental Planning Commission Supplemental Staff Report - Remand (to be read in conjunction with the 11/16/23 Staff Report) (Report) indicates that the proposed stadium at Balloon Fiesta Park will occupy an underutilized portion of the Park initially designated for a multi-story parking structure (See pages 14, 16, 24, and 26). However, the area that is indicated as an underutilized portion of the park is currently being used as a parking area during the International Balloon Fiesta.

Balloon Fiesta Park itself is utilized frequently for events allowed by the Site Plan for Subdivision section of the Master Development Plan (Plan) such as youth soccer practice, youth archery events, youth soccer tryouts, Doggie Dash & Dawdle, The Big Bounce America, Pride Festivals, Beer and Wine Festivals, the NM Asian Expo & Market Place, the Mac-n-Cheese Fest, the Food Truck Festival, Freedom Fourth Festival and of course the biggest event held in October for 9-days, the Albuquerque International Balloon Fiesta.

Additionally, six of the eighteen letters of support noted in the Report indicate that Balloon Fiesta Park is underutilized, and this is simply not true. The Balloon Fiesta Park Calendar on the City of Albuquerque's Parks and Recreation website indicates events are scheduled almost every week from April 13, 2024, until August 10, 2024. This is not indicative of a park that is underutilized. These are just some of the events scheduled for Balloon Fiesta Park:

Name of Event	Date(s)
Ellen Reavis Walk for Autism with Kitefest	April 13, 2024
Great American Food Truck Expo	April 20, 2024
Earth Day Celebration	April 21-22, 2024
Brewers vs Distillers Cup	April 27, 2024
Fiesta Del Cinco	April 28, 2024
RGV Celtic Festival	May 4-5, 2024
USA Cycling collegiate nationals	May 5, 2024
Boots In The Park	May 18-19, 2024
2024 Bhakta Cricket Tournament	May 22-26, 2024
NM Wine Festival	May 25-27, 2024
Duke City Soccer Tryouts (youth soccer league)	May 28-30, 2024
Duke City Soccer Tryouts (youth soccer league)	June 3-5, 2024
Ice Cream Festival	June 22-23, 2024
Freedom 4th Set up and event	June 26-July 5, 2024
AAAA Balloon Launch	July 14, 2024
USA Youth Archery Nationals	July 16-21, 2024
NM Games Flag football	July 27-28, 2024
Latin Explosion Festival	August 10, 2024

In an email from Ms. Susan Rice, Recreation Facility and Event Operations Manager, dated April 6, 2024 (See Attachment 1), Ms. Rice indicates that, “Balloon Fiesta Park is the largest, Regional Park in Albuquerque – possibly New Mexico.

1. It was built to support the Albuquerque International Balloon Fiesta.
2. Because it is a large, controlled access facility with ample parking and restrooms, it is a prime location for large special events who pay the City to reserve and use the park.
3. The controlled access feature of the park PRD can allow sports to play/practice at Balloon Fiesta Park that cannot use any other park in the City.
 - a. Lacrosse, RC airplanes, RC drones, Kiting, Hang gliders, Archery, Bicycle racing and Cricket
4. And last, the Parks & Recreation Department allows all sports to use the park when it is not rented or reserved for the above activities.”

The City of Albuquerque is actively inventing new uses for the park that were never intended by asserting, without evidence, that it is “underutilized,” and it is doing it in the absence of input from the Park Commission, which has been defunct for several years. If a “multi-use stadium,” is added to Balloon Fiesta Park, there could potentially be multiple sound-generating activities at the Park every week, effectively creating multiple

issues for the neighborhoods west and east of the Park. These uses were never planned for Balloon Fiesta Park due to the disruption these events would cause to the nearby neighborhoods.

The City wants to change the Plan to allow for an outdoor multi-use stadium which was never allowed by the Plan for a reason. The Plan states it is the role of the Parks and Recreation Department and Environmental Health Department to work with Bernalillo County in a cooperative effort to protect the residents from any negative noise impacts. The Plan also mentions that any future designs should protect residential neighborhoods and the environment from adverse impacts. Allowing an outdoor multi-use stadium at Balloon Fiesta Park goes against the Plan's original concept and for this reason an outdoor multi-use stadium should not be allowed to be constructed at the Park. NM United should choose another location for its soccer stadium.

The EPC is responsible for protecting the residents and property owners from issues such as this and I respectfully request the Environmental Planning Commission to vote no to amend the Plan at Balloon Fiesta Park.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Tina M. Villegas". The signature is written in a cursive, flowing style.

Tina M. Villegas

10212 Edith Blvd NE

Albuquerque, NM 87113

(505) 269-4652

FW: Weekly Events for April 8 - 14, 2024

From: Rice, Susan (asrice@cabq.gov)
To: asrice@cabq.gov
Cc: sarahgonzales@cabq.gov
Date: Saturday, April 6, 2024 at 01:29 PM MDT

Hello,

The deadline for applying to reserve practice fields for the summer months is April 19, 2024. You will find the form needed attached.

Please return them to bquinlan@cabq.gov AND sarahgonzales@cabq.gov.

Criterion Bicycle Racing has begun.

- Because the bicyclist ride on the pavement, coaches cannot park on the roads around Grass Panels D2 and D5 after 5:00pm on Tuesdays.
- We close Grass Panels D2 and D5 on Tuesdays after 5:00pm to athletic play because we are concerned about players crossing the race course.
- Teams that are displaced on Tuesdays after 5:00pm may move to the open playing fields on Grass Panel D3 – **Fields 14 & 18** – through the month of **April**.

We know many of you are new to Balloon Fiesta Park and may not know the history of the Balloon Fiesta Park: The Balloon Fiesta Park is the largest, Regional Park in Albuquerque – possibly New Mexico.

1. It was built to support the [Albuquerque International Balloon Fiesta](#).
2. Because it is a large, controlled access facility with ample parking and restrooms, it is a prime location for [large special events](#) who pay the City to reserve and use the park.
3. The controlled access feature of the park PRD can allow sports to play/practice at Balloon Fiesta Park that cannot use any other park in the City.
 - a. Lacrosse, RC airplanes, RC drones, Kiting, Hang gliders, Archery, Bicycle racing and Cricket
4. And last, the Parks & Recreation Department allows all sports to use the park when it is not rented or reserved for the above activities.

Thanks,



SUSAN RICE

recreation facility and event operations manager

o 505.768.6050

m 505.228.3144

cabq.gov/parksandrecreation



BFP map weekley users 2024.pdf
488.8kB



2024 Daily Users SUMMER - Field Rental App.pdf
282.8kB



BFP Daily User 4-14-24.pdf
210.9kB

From: [Steve](#)
To: [Bolivar, Silvia A.](#)
Subject: Fwd: Soccer Opposition Letter
Date: Monday, April 8, 2024 12:13:29 PM
Attachments: [Soccer Stadium Response.docx](#)

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

Greetings Ms.Bolivar

This is the letter I sent you on 3/10/2024. I want to make sure it gets included on the official record.

Steve Horchheimer

From: stemax1@aol.com
To: sabolivar@cabq.gov
Sent: 3/10/2024 11:30:31 PM Mountain Daylight Time
Subject:

Greetings:

Here are our comments for the EPC hearing on 3/21/2024. Please forward this to Staff at EPC.

Sincerely,
Steve and Angela Horchheimer
10229 Edith Blvd NE
Albuquerque, NM 87113
(505) 239-0876

Bolivar, Silvia A.

From: Steve <stemax1@aol.com>
Sent: Monday, April 8, 2024 9:14 PM
To: Bolivar, Silvia A.
Subject: Request To Speak At April 11 Hearing

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

Greetings Ms Bolivar,

I left 2 messages on the EPC's phone line today asking to be on the list to speak in opposition to the soccer location. There was no return call. So now I am requesting it through this email.

Thank you,
Steve Horchheimer
505 239 0876

Bolivar, Silvia A.

From: Peggy Norton <peggynorton@yahoo.com>
Sent: Tuesday, April 9, 2024 8:41 AM
To: Bolivar, Silvia A.
Cc: Pat Hauser; Michael Haederle; Steve Wentworth
Subject: EPC soccer stadium hearing
Attachments: soccer stadim - epc personal comments.pdf; soccer stadium - epc comments2.pdf

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

Good morning Ms. Bolivar - I am not clear on the hearing this Thursday, April 11, as to whether earlier letters are included in the file. I am therefore resubmitting two letters I sent - one is personal and one is on behalf of the coalition requesting a deferral. I'm a little confused with so many cases going on this week.

Peggy Norton, President
North Valley Coalition

I would like to express opposition to the current plan for NM United Soccer Stadium. The facilitated meeting on March 4, 2024 was my first experience in hearing plans. I respected the comments of the neighbors and feel they have some very valid concerns that are not being addressed. A Management Plan is a guiding document, written after much collaboration and compromise with representation from a diversity of interested parties. I assume the banning of an outdoor stadium was an important item and should be honored as such. Due to the conditions in the lease, the impacts of the proposed stadium to nearby citizens will be huge. This is not an urban area - it is agricultural, rural.

I have always loved the Balloon Fiesta and appreciated and admired the civic responsibility accepted by nearby citizens to allow this wonderful, international event to take place. I can see the efforts put forth to minimize impacts of traffic and noise - some successful and some not. These efforts will not happen at the many events being possible at the stadium. Most people I talk to think that 17 soccer games is not a big deal, what are people complaining about. They don't understand the possibilities of the lease, and the impacts. Mitigation efforts have been suggested and some completed in the design. The owner agreed to being willing to discuss others, but these should be agreed to in writing before any approval is completed. One suggestion was banning fireworks - I have dogs and would not want them fearful during many possible fireworks displays. The citizens suggested a roof as a mitigation possibility but I did not hear any serious consideration of that - just mention of a possible \$100,000,000 cost. No thought was given to a variety of options to accomplish that.

This stadium started with a feasibility study by FBT Architects as a venue for 5,000; it is now for 20,000. The team had a turnout of almost 11,500 for the March 9 game and a fan base that continues to grow. That is exciting. Surely, there are other sites that would be more appropriate - there is no reason to rush this. It would seem that the stadium area around south University Blvd. which seems to accommodate the games now or even further south would be a better option. Negotiation with politically powerful people can accomplish a lot. Please be respectful of the citizen input and consider other locations.

Peggy Norton
3810 11th Street NW
Albuquerque, NM 87107

March 10, 2024

I am submitting comments regarding the EPC case for the United NM Soccer Stadium. The North Valley Coalition requests that this hearing be deferred until all remand guidelines are followed.

1. As President of the North Valley Coalition (NVC), I researched the remand notice from the Land Use Hearing Officer. We weren't notified on the first round. Since proper notification was the only reason for the remand, I looked into the issue. North Edith Corridor Association (NECA) is a member of the Coalition, and any notification they receive for projects within their boundaries, we should receive, per the Neighborhood Association Recognition Ordinance (NARO). Both the County boundary maps and NECA bylaws from 2001 indicate the Balloon Park is within the boundaries of NECA and within the boundaries of the Coalition. I asked Jackie Fishman from Consensus Planning about notification and was advised that the Office of Neighborhood Coordination (ONC) had not included us on the notification list.

I contacted Vanessa Baca at ONC and was advised that they have consistently used other boundaries for the North Edith Corridor Association. Rather than making a notification correction to comply with this important remand, I was advised that NECA will need to amend their current on-file boundaries. However, it would seem that their current on-file boundaries should be determined from their bylaws; an important part of bylaws is stating boundaries to be used by ONC. This lack of notification to the North Valley Coalition constitutes non-compliance with the remand. Why am I concerned about this error? After all, I was able to send notice to our email list on Sunday, the day before the facilitated meeting. However, due to lack of required notification on a different case, we now have an asphalt plan at Carmony and Alexander. This error was not discovered until the asphalt plant equipment was installed. Thus, there are consequences for lack of notification and sometimes they are not known until a project happens.

2. The remand notice states: Notice shall be fully accomplished as required under the IDO; in areas in which the edge of that 100-foot buffer falls within any public right-of-way, adjacent properties will be included in the notice. A semi-colon separates two independent parts of a sentence. I would interpret this to mean that the IDO requirements for notification of an EPC meeting need to be met. The second part clarifies what was an issue in the appeal to assure that it is included in the notification process. The remand also indicates that there could be possibly more than 9 property owners affected. The IDO requires a letter or email notification of the meeting be sent and a sign to be posted on the property. However, it also allows neighborhood associations a defined time to request a facilitated meeting. The IDO allows them 15 days from notification to do this and then a meeting scheduled between 15 and 30 days after that. Planning determined that this requirement did not need to be met. A facilitated meeting was hastily scheduled by the agent and gave people 5 days notice at the most. A justification for the time allowed is for associations to notify members. The Planning Department erred in interpreting the

remand request to be only a return to the EPC and not requiring all the IDO rules for EPC hearings, including timelines, be met.

Peggy Norton, President
North Valley Coalition

April 8, 2024

Environmental Planning Commission
City of Albuquerque
c/o Silvia Bolivar
sabolivar@cabq.gov
Megan D. Jones
mdjones@cabq.gov

Via Electronic mail

Subject: 90-day deferral request regarding PR-2023-009363; SI2023-01635/SI-2023-01638

Ms. Bolivar on behalf of Mr. Jonathan Hollinger, Chair:

The purpose of this letter is to request a 90-day deferral of the above referenced request to the Environmental Planning Commission hearing on or about June 13, 2024. We understand this would be a special hearing for the remanded decision issued by the Land Use Hearing Officer February 17, 2024 regarding an amendment to the Balloon Fiesta Master Development Plan and the site Plan-EPC for a multi-use stadium. (Attached)

My name is Mr. Pat Hauser. I live a 134 Maria Circle NW, Albuquerque, NM 87114. Due West of Balloon Fiesta Park. We have lived in this once quiet Far North Valley Neighborhood for 57 years. As such we have endured the tolerated and impact of Balloon Fiesta 9 days a year with the fireworks, traffic along with the other continually growing events over the years such as the Freedom 4th fireworks, Wine Festival, concerts, rock bands and daily activities such as youth soccer, RC aircraft, along with other untold sound invasion that has gone on unaddressed with the City Parks and Recreation Department.

We have received reports that there have been information releases by the applicant regarding changes to the original stadium plans. As of today, we have not been contacted by the applicant regarding such changes.

There have been no on-site real time sound studies to properly understand the immediate and long-term impacts on the surrounding homes and neighborhoods with an untold usage of such a facility by the applicants. It is documented that such facilities will operate in excess of hundreds of scheduled events per year. When a single community, and especially one of smaller homes with middle to lower income strata residents have imposed upon them the highly negative and regular impacts of such a venue as a multi-use stadium the tenants of Environmental Justice are clearly at play. Our nearby neighborhoods should not have to shoulder that burden and the Federal Environmental Laws and Federal impact funds and credits/detriments for such impacts must be imposed.

The traffic study submitted by Lee Engineering shows proposed vehicle ingress and egress routing through Balloon Fiesta Park. Figure 3 page 50. This was and is not part of the Balloon Fiesta Park Master Plan in any way shape or form. This proposed vehicle route will potentially cause problematic issues with the other multiple scheduled activities within the park. Such changes along with others outlined in this request require substantial review and possible complete modifications to the Balloon Fiesta Master Plan. Another attempt at a rushed action not thoroughly researched or thought out for the long-term safety of all Park Utilization. This is but one of many issues in this remand request. We the people ask for this 90-day deferral consideration thus allowing the needed time to properly prepare to deliver to the EPC why we vehemently oppose the proposed amendment of the Master Development Plan at Balloon Fiesta Park to permit construction of a multi-use stadium and subsequent impact of Environmental Justice on our community and forever homes.

Regards:

Pat Hauser

Mr. Pat Hauser
134 Maria Circle N.W.
Albuquerque, New Mexico 87114
Cell: 505-228-7106

Attachment:

Copy:
Maggie Rose
Tina Villegas
Michael Haederle
Brook Jordy

April 8, 2024

Mr. Jonathan R. Hollinger, Chair,
Environmental Planning Commission
City of Albuquerque
600 Second Street N.W.
Albuquerque, New Mexico 87102
c/o Silvia Bolivar
sabolivar@cabq.com

Mr. Hollinger:

I am writing to again express my well found “OBJECTIONS” to the multi-use New Mexico United soccer stadium at Balloon Fiesta Park. **PR-2023-009363** I have attended multiple in person meetings in addition to virtually attending and spoke on behalf as to why this project is wrong for the proposed Balloon Park location. To reiterate many of the previous critical points and thus ensure you and your commission understands the facts that the voting public denounced the stadium in an open election 2:1. That is a proof source that the vast majority of the citizens of Albuquerque are not in favor of such a stadium in Albuquerque.

As noted in an earlier letter, this project should be located at a different site due to the fact-based negative effects of amplified sound, uncontrolled fan noise that has been measured at a deafening 136 dB, fireworks, lights, traffic and such that can not be mitigated the way this current proposed stadium is planned. (Put a roof on it) Our area is already impacted by the Balloon Fiesta, Criterium Bicycle Racing, Big Bounce America Jumpin Jumpin, Wine Festival, Doogie Dash, Lacrosse, RC Airplanes, RC Drones, Kiting, Hang Gliding, Cricket, Youth Soccer only to mention a few. There have been unfretted remarks that the park is underutilized. To my knowledge this is the only park within Albuquerque that has an on-site operations manager Ms. Susan Rice that publishes a weekly events message via e mail. In her most recent release, she states “We know many of you are new to Balloon Fiesta Park and may not know that the history of Balloon Fiesta Park: The Balloon Fiesta Park is the largest, Regional Park in Albuquerque-possibly New Mexico.

- It was built to support the Albuquerque International Balloon Fiesta”.

Balloon Fiesta Park is a controlled access facility unlike other parks within the city. We endure these other multiple big events occurring at the park as well as people and various sports teams using the numerous open spaces. Even the test track on the North Boundary. We the residents seldom object to the users out of control noise. When we do we call Ms. Rice. What we are objecting to is adding an entirely uncontrolled multi-use stadium in the park with NON-SPECIFIC uses and frequency of use with a total disregard for it being placed in our BACKYARDS. This violates Goal 5.3.7 of the Comprehensive Plan:
GOAL 5.3.7 Locally unwanted land uses: Ensure that land uses that are objectionable to immediate neighbors may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are born fairly across the Albuquerque area. The principle that in addition to pursuing profit generation, United should strive to act in a way that does not affect our Neighborhoods.

Based on this rushed stadium initiative the Balloon Fiesta Park Master Development Plan updated November 8, 2012 is being systematically violated by totally disregarding the published City Ordinance requiring the Balloon Fiesta Commission to be involved and approve lease arrangements at Balloon Fiesta Park the Master plan states on page 17: “An outdoor sports stadium is not allowed in the Balloon Fiesta Park”. Statements in the staff report page 40 item C is totally untrue. The plan for the stadium does not protect the community and the three adjacent impacted Neighborhoods to uncontrolled and unmeasured sounds from such a venue as a Amusement Park as such.

In closing: If you choose to not recognize these multitude of horrific impacts on the adjacent communities you will be heard loud and clear by the impacted communities that Public Ordinances; and Goals mean nothing to we the property owners that have a personal and pecuniary interest and property right will be adversely affected by this decision.

I urge you to make the right decision and reject this request as submitted by Consensus Planning on behalf of the City of Albuquerque and United New Mexico. To approve this request would violate the intent of the Balloon Fiesta Master Plan and the Goal 5.3.7 of the comprehensive plan which would be unthinkable and shameful for the Environmental Planning Commission.

I will be speaking during the April 11th remanded hearing.

Regards:

Pat Hauser

Mr. Pat Hauser

Attachment:

Megan D. Jones
mdjones@cabq.com

Remembering Alameda

WHAT'S IN A
NAME?



Elaine Briseño

Community near the Rio Grande shares the roots of its name with the famous Alamo Mission

Editor's note: The Journal continues "What's in a Name?," a twice a month column in which staff writer Elaine Briseño will give a short history of how places in New Mexico got their names.

The Rio Grande didn't always trickle.

It used to gush with enough power to destroy.

And destroy it did, all up and down the valley, gobbling crops, homes and whole communities.

A combination of drought, increased demand and management have depleted

the waters of the river, making it more benign, but many Albuquerque area settlements along its bank are still thriving.

One of those is the unincorporated community of Alameda, which has a major east to west road of the same name running through it. The street was only two lanes not that long ago, making travel along it impossible and useless during rush hour.

It was eventually widened to four lanes and expanded further east, turning

See ALAMEDA >> C3



COURTESY OF NATIVITY OF THE BLESSED VIRGIN MARY CATHOLIC CHURCH ARCHIVES

A shot of the Nativity of the Blessed Virgin Mary Catholic Church being built, circa 1907. The stones seen in the photo were taken from a quarry in the Sandia Mountains and brought to the church's location by wagon.

A woman rides her bike along the Alameda pedestrian bridge.

Alameda derived from word álamo

From PAGE C1

it into a viable road for traveling between the city's east and west sides.

In 1903, the flooded river destroyed the village of Alameda, including its plaza, Catholic church and many homes. Both the plaza and church were located near the current intersection of Alameda and Rio Grande boulevards. Bernalillo County uncovered the church's old cemetery in the early 2000s while doing work for a utility project. The village was abandoned after the flood and rebuilt east of original location along with a new church, the Nativity of the Blessed Virgin Mary, which is still standing.

The first thing that probably comes to mind for most Americans when they hear the word álamo, is the famous battle cry "Remember the Alamo!" The rallying shout became popular in honor of a small number of Texans who faced off against thousands of Mexican troops, while barricaded inside the Alamo Mission in San Antonio, Texas.

Despite its Texas fame, the word also has historical significance for the Alameda community.

Alameda is the Spanish term for a public promenade bordered with trees according to Merriam-Webster. It's derived from the Spanish word álamo, which refers to a cottonwood or poplar tree.

Current day Alameda was once part of the San Carlos de Alameda, or Town of Alameda, land grant. The grant went



JIM THOMPSON/JOURNAL

Traffic crosses the river on the Alameda Boulevard bridge.

through several legal challenges and its exact boundaries are not known because the Rio Grande has changed course numerous times. Before the Spaniards settled there, the area was home to a Tiwa pueblo people.

The Tiwa are a prominent part of New Mexico's modern day cultural map, calling the Isleta, Sandia, Picuris and Taos pueblos home.

According to Robert Julyan's book "The Place Names of New Mexico," Coronado found Tiwa people, where present day Alameda is now, when he arrived in 1540. The pueblo was destroyed during the 1680 Pueblo Revolt and its displaced tribal members relocated 25 miles south to what is now Isleta.

In 1710, the grant was awarded to Francisco Montes Vigil, who

migrated from Zacatecas, Mexico, for his faithful service to the throne of Spain. Vigil requested that specific piece of land, making sure to boast about all he had done for the crown, including his participation "in all of the efforts to pacify the Indians." He claimed his large family was in great need of the land for their cattle.

Turns out his need might not have been that great.

He sold it two years later for a profit to Captain Juan González who settled the area with his family and built a chapel there. The parish was called San Carlos. He constructed a large ranch home and the community sprung up around him.

Although the greater Albuquerque metropolitan area has swallowed up this

once distinct town, the community retains a unique identity. There are families still living there whose ancestors farmed the land, using acequias to draw water from the Rio Grande.

Today some of the city's most beautiful, unique homes sit along the bosque in Alameda and the Catholic church remains a center of the community. The Catholic cemetery along Alameda road is named San Carlos most likely in connection to the original church, community and land grant.

It's also a great community to enjoy the outdoors. The county's Bachechi Open space, with its small forest, provides bird watching opportunities as well as a chance to witness the state's ancient acequia system at work. In

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Bolivar, Silvia A.

From: Pat Hauser <hdhauser@comcast.net>
Sent: Monday, April 8, 2024 9:56 PM
To: Bolivar, Silvia A.; Jones, Megan D.
Cc: Pat Hauser
Subject: 48 Hour response PR-2023-00963
Attachments: April 11th Hearing Hollinger Rev 1 PDF.pdf; Attachemt Hollinger memo.pdf

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

Ms. Bolivar: Would you please submit the attached documents to Mr. Hollinger, Chair, as well as the Remand file for the above document?

Also would you please advise how I sign up to speak at the Thursday hearing.

Please respond with notification of such addition to the file.

Regards: Pat Hauser

Bolivar, Silvia A.

From: Pat Hauser <hdhauser@comcast.net>
Sent: Monday, April 8, 2024 11:14 PM
To: Bolivar, Silvia A.; Jones, Megan D.
Cc: Maggie Rose; Michael Haederle; t-marie-v@hotmail.com; Brooke Jordy; 'Sarah Shortle'; 'Steve Wentworth'; Annette Kitts; Evelyn Harris; 'Edie Myers'; 'Steve'; 'Lorraine Montoya'; Christine Benavidez; Steve Taylor
Subject: 90 Day Deferral Request Regarding PR-2023-009363
Attachments: Appeal 90 Day Deferral 4.8.2024 PDF.pdf; Alameda Article 4.8.2024.pdf; Master Plan Cover.pdf

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

Ms. Bolivar: Would you please enter the attached documents into the 48 hour submission process for the above referenced REMAND case scheduled to be heard on April 11, 2024.

Also would you please advise me how to sign up to speak at the hearing. I am not familiar with the appropriate process.

Thanks in advance for your help.

Please respond that the above documents have been entered into the record.

Regards: Pat Hauser
hdhauser@comcast.net



City of Albuquerque Balloon Fiesta Park



**Master Development Plan
December, 1998**

**2012 Update
Approved November 8, 2012**

Bolivar, Silvia A.

From: ANTHONY LOVATO <antonylovato@comcast.net>
Sent: Tuesday, April 9, 2024 8:00 AM
To: Bolivar, Silvia A.
Subject: EPC Hearing this Thursday, 4/11/2024 - Proposed Stadium

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

To whom it may concern,

Here are our concerns with the Multi-Use Stadium that that is being looked at to go into the Albuquerque Balloon Fiesta in the upcoming future. We are both totally **opposed** to this due to the reasons below, that we have experienced personally living in the Wildflower Neighborhood for over 30 years.

Traffic:

There has been no traffic study of the effects of this stadium on **surrounding** neighborhoods. Although United has a plan that it says will take pressure off the Wildflower neighborhood, there is nothing in any document that states what traffic measures the team will be required to carry out, what penalties the team will face for falling short of those requirements and what recourse neighbors will have if traffic spills over into their streets.

Another issue that has not been addressed is the phenomenon neighbors living around the park routinely experience during Balloon Fiesta, Freedom 4th and other festivals where parking fees are required: to avoid paying to park, people park on adjoining streets and **trespass through private property** to walk to the event. On Watercross, for example, this is ongoing even though the road is closed to outside traffic and access passes are supposed to help limit neighborhood access control anybody can get into the neighborhood. No policing or traffic control has occurred in the neighborhood and ingress and egress to it. Racing on surrounding streets on weekend nights and some weeknights is also an issue. This has been brought up yet have never been fully addressed since it is still occurring.

Noise and light:

We know that an open-air stadium will cause noise and light pollution. The team claims to have done a sound study. They haven't. There's literally no way for the team to accurately assess the impact the stadium will have on neighborhoods in terms of noise. The team's architect said at a meeting with neighbors in March that sound on the field could reach 90 decibels, not sure what amplified levels could reach. He also promised to do another sound study that will actually measure sound from the proposed stadium area to neighboring houses. That study will not happen until after the EPC has already decided this matter. We should be able to know the results *before* a decision is made. The team also claims to be designing the stadium with expensive lights that will not impact neighbors. This is another example of the team saying something but not putting it in writing with any specifics and there being no mechanism to hold the team to its promise.

The city's own Balloon Fiesta Park Master Plan states: "The concept of Balloon Fiesta Park being a 'family park' should be recognized when selecting special events and activities to occur in the Park with regard to noise. The concern for mitigating noise impacts has emerged as a powerful determinant for locating

activities in the Park, and precludes the use of the Park for carnivals, fair midways, and similar commercial events.

The city's own noise ordinance states: "B) A substantial body of scientific research has shown that **exposure to excessive sound and vibration is a serious hazard to the public health, welfare, safety and quality of life.** It is the express intent of the City Council to control the level of excessive sound as noise in a manner that promotes the use, value and enjoyment of property, conduct of business, sleep and repose and an environment free from unnecessary and excessive sound."

Even if curfews are identified for events, there will be some that go beyond the identified time limits and the designated people to call will not necessarily address that particular event or even future events that go beyond the curfew timing.

Neighborhood Parking

The tendency for folks to park in the neighborhood instead of at any designated event parking areas is very high, even if they are encouraged to use the designated areas. For the events that happen now at Balloon Fiesta Park, there are currently groups of people that attend that currently leave their cars in the neighborhood and walk over to BFP to avoid having to pay or deal with the designated parking for the event.

Safety and Security:

We currently experience 9 days of increased automobile and foot traffic, increased noise and lighting during balloon fiesta. The events to be held at the new stadium could possibly increase by **50 weeks** of activity. This has increased safety and security concerns for ourselves and our neighbors. With the increase in automobile and foot traffic comes an increase to crime (theft, speeding, etc.), accidents, trash discarding, especially during events that allow liquor sales at the stadium. The street we live on has become a short cut to get from Jefferson to San Mateo and vice-versa. We have an age-diverse neighborhood ranging from seniors, middle-aged, and younger residents, some having small children thru high school aged. We enjoy the **peace** and **tranquility** that living in this neighborhood has provided and would like to keep it that way.

Additional issues that could surface during the construction phases, if the project is approved (heavy equipment, road wear, utility work, noise, dust and other environmental issues that will need to be addressed in advance).

Best Regards
Anthony & Sandra Lovato
4910 Watercress Dr. NE

Bolivar, Silvia A.

From: BARI Harvey <boyznbari@msn.com>
Sent: Tuesday, April 9, 2024 12:02 AM
To: Bolivar, Silvia A.
Subject: OPPOSITION TO THE UNITED SOCCER STADIUM AT BALLOON FIESTA PARK
Importance: High

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

Ms. Bolivar and any others concerned in this matter:

We are not opposed to soccer, however, the way this is all being done and where the stadium is intended to be built is not a logical choice as many neighborhoods in the surrounding area will be affected in many ways. All of this has been done very **sneaky, underhanded and very FAST** and the surrounding areas have not been contacted in a very sufficient manner. This was voted **AGAINST** by a citywide vote, yet it is still underway. Numerous people in the city have thought this was not happening because of that vote, hence, done sneaky and now the governor is being underhanded with taxpayers monies!

We have lived in the Wildflower neighborhood since 1989 and was always off the beaten path and remained very nice to live in. As the years have gone on, the people that cut through this neighborhood has steadily gotten worse. We have had kids out playing and adults just walking through the neighborhood almost hit by cars that cut through from San Mateo to Jefferson via Baneberry Dr. to Watercress Dr. for one reason or another. They do not stop at the stop sign and just fly through. It also happens in other areas of this neighborhood. I saw it first hand during balloon fiesta where there are supposedly barricades to come into the neighborhood, when a balloon landed in my yard and there were many people around to watch the balloon that landed. All of the barricades were on the sidewalks and never put on the streets and the small barricades would not stop anyone anyway! The city doesn't feel the need for speed bumps or anything to prevent cutting through the Wildflower neighborhood because they have never been here when there are any events. It would probably not help anyway because they are only considering certain spots and not the whole neighborhood. The people from the Soccer group has spoke to the city to give themselves "brownie points" to show how they are working with the neighborhoods, finally!! The only way to fix this problem is to eliminate any additional events like concerts and The Soccer Stadium itself!!! That is another thing, The United Soccer is supposed to have 10 additional events as they told us at the first meeting they had with us after they were concerned about us shutting them down but nothing is being updated in the lease. We were told this at a meeting with the neighborhoods and this occurred because somehow they found out about a previous meeting the neighborhoods were having and they intruded in that instead of properly contacting to join! There are already events going on at the balloon fiesta park on a regular basis and now they are looking to add more if this stadium is built!

To the west of the Stadium you have farm animals and wildlife around the diversion channel that will be affected by the noise & lights, not to mention the homes impacted by this as well. The disruption of our International Balloon Fiesta that will bring more money to the city/state than the United Soccer Team will, especially the way the lease is written they are getting a heck of a deal. In the Wildflower area, the noise from traffic, screaming fans, horns and tailgating and the PA system, along with the lights will hinder our neighborhood. We were told there would be no tailgating, etc., well the nice little thing channel 7 had on the news for The United Soccer team had a fan saying how for 5-7 minutes they will be screaming, blowing horns & drumming non-stop! **The traffic is another thing, they said they will divert traffic to Tramway but when there is any kind of wreck on the**

freeway or Paseo del Norte, traffic is backed up for miles. There have been wrecks that cause backups from the Alameda exit to my house in the Wildflower neighborhood that can take me 25 minutes or more to get home, which normally takes 5, maybe 10 if the light is red and this is at 4:15pm, imagine at 5:30 or 6 when you have people coming for a game in this area. Alameda going to the west side barely moves as it is at this time of night. Also, in a meeting with The United & EPC they said they would do the traffic to go into the stadium from Tramway but on news stories and newspaper articles things have changed to San Diego, by the old Honeywell building via San Mateo. Now, we are hearing they are going to allow access from Alameda to Balloon Museum Dr., diverting it to Jefferson and then to San Diego.

It is a wonder how they can continuously get on the media, for example: radio, tv and newspapers but we, the neighborhoods can't get a voice at all because this would disrupt our politicians that all have their hands in this deal!

I keep getting frustrated with this as our neighborhood cannot get contacted properly as you ALL know our president of our association is in a nursing home and has eliminated his emails but we keep getting told he has been sent information. The person next in line should be the Vice President but apparently that is not followed either because it is a random person that was appointed by our incapacitated President and that person is not a biased person in this situation and does not have the best interest of the neighborhood, just his pockets are important like the people spearheading all of this. Should I mention who that is as well? Our Mayor, our representatives of the different districts and our Governor!

It appears that the money from this will just line some certain people's pockets! I can list them, but at this point it would be inappropriate to do. The United Soccer group & "fans" get a lot of positive media attention but anyone that might want to talk about it not being in this area gets cut off. I was at a City Council meeting after all of the fans for The United spoke about how this has "saved" their lives and used more than the allotted 2 minutes! I got cut off because I asked if there had been any impact studies on traffic through the neighborhood and I was told I had to only talk about what was on the docket and only had 2 minutes, well this was on the docket but not what they wanted to hear. What happened to freedom of speech for everyone??? Also, the City Councilors postponed it 90 days but surprisingly after we all left because they went on their "lunch break", they re-voted when we were not present and changed it to 30 days. More underhanded things to make it go the city's way because I am pretty sure our Mayor made sure his people were still going to be there to vote. I am not usually this person but I am really tired of the games that are being played with people's monies that are struggling to make it day to day because of the way our city runs things now! Also, how the families can't enjoy their quiet neighborhoods. There was Mr. Trevisani on talk radio, 96.3 and one of the people from the neighborhood called in because they asked for people to call in if they had anything on the soccer team stadium and she said she was from the neighborhood and was never able to get on the show.

Again, please consider not letting this go through as this will be a burden on all the neighborhoods involved, find somewhere else! This should not ever be compared to the balloon fiesta, that is a huge money maker for this state and we deal with the 10 days because of that and it is beautiful! The balloon fiesta is a couple hours in the morning and in the evenings, 6 major days of the fiesta.

We need to have this done correctly by having all studies completed and that means people being in the neighborhood and the lease properly updated and all notifications sent out in the correct timely manner. Wildflower is not being contacted properly as I mentioned before, it has been told numerous times that our president is in a care facility and the person he "appointed" does not notify anyone because he is for this happening because it will benefit his pockets due to an Airbnb he has!

I, Bari and Russell Harvey, my husband, have been in the loop because of the other neighborhood associations contacting us for area meetings and I contact our neighbors. My husband, Russ and I are very against having a huge stadium built in this area at the balloon fiesta park for reasons mentioned and many more that won't be considered because this is having to be done in a rush fashion.

Sincerely,

Bari & Russ Harvey
Wildflower Neighborhood

Bolivar, Silvia A.

From: Sandy Zuschlag <szuschlag58@gmail.com>
Sent: Tuesday, April 9, 2024 5:41 AM
To: Bolivar, Silvia A.; Jones, Megan D.
Subject: Proposed Stadium at BF Park - information to be included as part of 48-rule

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

April 9, 2024, 5:19 AM

Good morning,

Please include the attached information for EPC commissioners to consider as part of the 48-hour rule for EPC. Please let me know if you have any questions, and please acknowledge receipt of this email.

 1 EPC deferral request 4-8-24.pdf

 2 reprint March 4th Zoom Meeting 3-4-24.pdf

 3 Exhibit J revised 4-8-24.jpg

 4 Exhibit I - Eastern View.jpg

 5 Exhibit H - Area Map.jpg

 6 FINAL 4-8-24 Opposition Summary.pdf

 7 Exhibit d 2-13-24 summary of planning process.pdf

 8 exhibit B - Residential Neighborhoods Surrounding Balloon Fiesta Park.pdf

 9 exhibit e rice 10-22-22.pdf

 10 Exhibit K - View from Wildflower.jpg

 11 Exhibit L - Photo from Tina's.jpg

--

Thanks
Sandy Zuschlag

505-250-3798



Balloon Fiest Park - View to the West from the top of Gondola Gulch
 (the proposed stadium lights would be approx. 20 feet higher)

Notes:
 ↓ The red arrows indicate homes along Edith Blvd. These homes are visible from the top of Gondola Gulch, many of these homes may see the proposed stadium lights.

The lighting study from Musco does not address the proposed stadium lights being seen at a distance. The study focuses on the lighting of the field and the immediate area surrounding the stadium. The proposed lights will be installed about 20 feet higher than from where the picture was taken. Many homeowners in Amara Vista, North Valley, ABQ Westside, and Rio Rancho may see the stadium lights. The stadium lights will also be visible to the Wildflower neighbors.

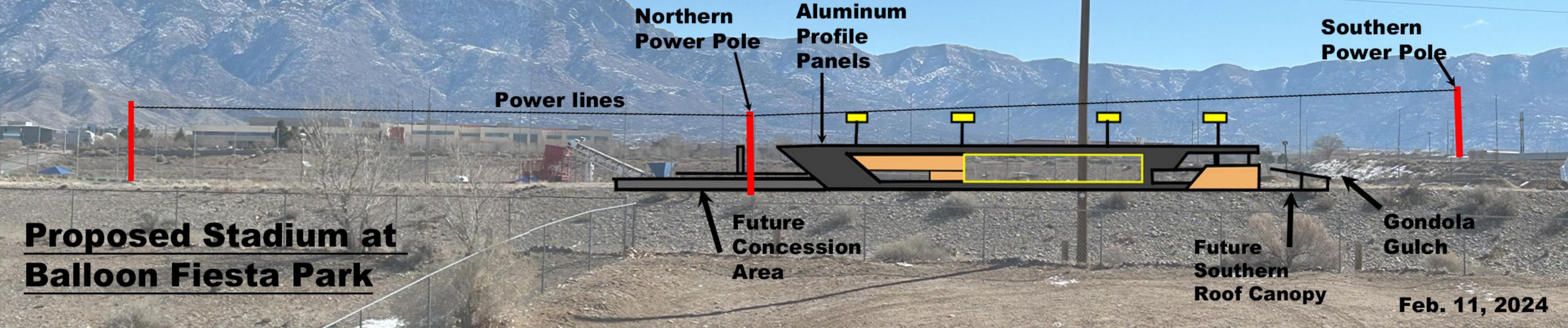


10212 Edith Blvd. Enlarged View: These homeowners were not notified for the EPC Hearing. The property is within the “100-foot notification buffer” for the proposed stadium project.

Note the number of homes that can be seen in the background.

Feb. 11, 2024
 revised April 8, 2024

View to the East from 10212 Edith Blvd.



**Proposed Stadium at
Balloon Fiesta Park**

Feb. 11, 2024





Route 313

Marlowe Lane, Pinto Lane & Colt St.

Flowers Road & Espalin Road

Neighborhoods North of North Diversion Channel

Sandia Tribal Land

North Diversion Channel Outfall

Marie Diers Neighborhood

Amara Vista Subdivision

134 Maria Circle

4th Street

Roy Road

2nd Street

Diers Road

Myers Road

Old Posse Trail

Village Park

Railroad Tracks

AIBF West Annex

photo location

10212 Edith Blvd.

Projected Sound Level: 52-59 dB

Balloon Fiesta Park

Balloon Fiesta Parkway

Sandbag equipment

Key Grab

Proposed Stadium

Gondola Gulch

photo location

San Diego Blvd.

Balloon Museum

Projected Sound Level: 50 - 58 dB

photo location

Wildflower Park

Wildflower Neighborhood

Balloon Museum Drive

Alameda Blvd.

In blue is the sound study boundary of sound impact from stadium

In blue is the sound study boundary of sound impact from stadium

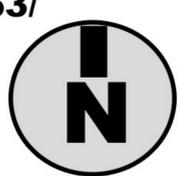
Calle del Fuego & Sombrero Loop Neighborhood

Note: The approximate boundaries of the North Edith Corridor and Marie Diers Neighborhoods are shaded in light tan

**NEIGHBORHOOD APPEAL:
Proposed Stadium at
Balloon Fiesta Park**

Project #PR-2023-009363-009363/
Case #SI-2023-01635/
SI-2023-01638

Feb. 2024



April 11, 2024, EPC Staff Report: Summary of Letters in Opposition to the Proposed Stadium at Balloon Fiesta			
Page Number	Name	Organization	Date

173	Angela Stall	NMDOG, business is located near El Pueblo & Edith Blvd.	3/9/24
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Comments: Her organization cares for the medical & behavioral rehabilitation to victims of some of the most severe cases of animal cruelty. She is concerned about fireworks and impacts on wildlife. She stated that they may need to move their business due to anticipated stadium noise.

175	Anthony Lovato	Wildflower neighbor	3/21/24
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Comments: He is concerned about noise impact on his neighborhood.

177	Bari Harvey	Wildflower neighbor	3/11/24
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Comments: She is concerned about the impact on wildlife, the rushed planning process that has eliminated adequate public involvement, and the lack of detail in the lease. She asked why the lease isn't being revised based on this current planning effort? **She is recommending a 90-day deferral of the EPC Hearing.**

"Soccer group has spoke to them to give themselves "brownie points" to show how they are working with the neighborhoods, finally!! The only way to fix this problem is to eliminate any additional events like concerts and The Soccer Stadium itself."

She also expressed concern about traffic during the Balloon Fiesta with cut through traffic. She has recommended adding speed bumps in the neighborhood.

179	Steve Wentworth	ANVA	2/29/24
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Comments: He recommended the facilitated meeting for March 4th be rescheduled. *"We were only able to access the sent emails this morning - 2-29-2024. ANVA was never asked about what times would work best for the meeting"*. He emphasized the need for improved notification and coordination for the planning project.

180	Tina Villegas	North Edith Neighbor	2/29/24
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Comments: She recommended the facilitated meeting for March 4th be rescheduled. *"since this is the only meeting that is scheduled if persons are unable to attend due to the short notice will another be scheduled prior to the EPC hearing on 3/21? I feel it is necessary to inform as many affected property owners so they have a chance to understand the full effect a new stadium will have on their neighborhood, be able to participate, and be able to give their feedback as allowed by this process."*

181	Pat Hauser	Marie Diers Neighbor	2/28/24
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Comments: He recommended the facilitated meeting for March 4th be rescheduled. He expressed concern about a 3-day notice for facilitated meeting. *"For the record this would seem as if there is another RUSH and PUSH to get this meeting completed due to the short notice and timeframes just to get a box checked."*

He also recommended that the entire Balloon Fiesta Master Development Plan should be updated.

April 11, 2024, EPC Staff Report: Summary of Letters in Opposition to the Proposed Stadium at Balloon Fiesta			
Page Number	Name	Organization	Date

183	Brooke Jordy	North Edith Neighbor	3/10/24
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Comments: *“We chose to buy our first home here to start our family because it is a quiet, rustic area with generational homes.” “On February 16, 2024, a land use hearing officer granted the neighbors’ appeal on due process violations made by Consensus Planning. Hearing Officer Chavez’s order stated the appeal is to be done de novo and the next EPC hearing shall follow State ex rel. Battershell v. City of Albuquerque, 1989-NMCA-045. It has yet to be understood by Consensus Planning that this is a de novo appeal; as such, many individuals have yet to receive notice of the March 21st EPC hearing.”* She acknowledged the impact on the neighborhood during the annual Balloon Fiesta.

She expressed concern about various forms of pollution (noise, light, water and traffic emissions), traffic congestion.

The violation of the IDO process, *“The IDO is intended to “Protect the abundant natural resources that characterize Albuquerque, including but not limited to Major Public Open Space, Sensitive Lands, the Rio Grande, and the waterways that lead to the river.” Section 1-3(L)”*. She asked questions about the use of public funds, the lease.

“A stadium will bring noise, light, water, and air pollution to a semi-rural area. It will negatively impact wildlife and livestock in the area, including migrating birds. There is no way to un-ring the bell once this is done. This area already bears the brunt of Balloon Fiesta and the Fourth of July, along with hundreds of other events at the Park each year. I encourage the EPC to take this opportunity to ensure that the environmental future of Albuquerque, the North Edith Corridor, and surrounding neighborhoods are all protected.”

187	Edie Myers	North Edith Neighbor	3/10/24
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Comments: *“I am writing this letter on behalf of my entire family, 5 separate households located just west of Balloon Fiesta Park. Consider this letter on behalf of 20 residents. We have owned our land and lived there for several generations, long before Balloon Fiesta Park was even a thought.”*

She expressed concerns about the negative impact the stadium will have on livestock and veterans due to fireworks. The fireworks make it seem like the neighborhood is in a wartime setting. She also indicated concerns about a loss in property values.

She asked why isn’t Mesa del Sol being used for the location of the stadium?

186	James Welty	Marie Diers Neighbor	3/10/24
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Comments: *Opposed to the stadium, “I live just West of the Park in Alameda. Residents in this area normally enjoy the quiet, rural nature of the valley. Low density housing allows us to farm, raise livestock, and ride the acequias.”*

He discussed impacts from the annual Balloon Fiesta and concerns about fireworks and the impact on pets.

189	Leslie Linthicum	North Edith Neighbor	3/10/24
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April 11, 2024, EPC Staff Report: Summary of Letters in Opposition to the Proposed Stadium at Balloon Fiesta			
Page Number	Name	Organization	Date

Comments: *“First, let me make clear that my opposition to the stadium at the park should not be interpreted as opposition to United, to soccer, to youth sports or to the growth and development of Albuquerque and Bernalillo County. Rather it is based on my extensive experience as one of the closest neighbors to Balloon Fiesta Park, a number of problems with the city and United’s plan and approach and some basic beliefs about community and fairness.”*

She expressed concern about noise, intensity of use, process, and fairness.

“My neighbors and I hear every word to every song from every band that entertains during the Fiesta and Freedom 4th. We also hear current soccer games (unamplified sound) and amplified events at the Golf Center. It is a lot of noise and is often at a volume that shakes the walls of my 130-year-old adobe house. The team’s architect, Jared Winchester, said at the March 4 facilitated meeting with neighbors that sound measured from the middle of the field could be 90 decibels. An open stadium, regardless of its design, will add to the already unbearable burden of noise in our neighborhood.”

“The North Edith corridor, once a rural enclave in the historic Alameda valley, is in danger of becoming an environmental sacrifice zone.”

Park should be "community recreation, not costly entertainment events". She expresses concern that the 2012 Master Plan did not allow for a stadium.

192	Tania Gonzalez	North Edith Neighbor	3/8/24
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Comments: She indicated she is opposed to the stadium. *“We are building our dream home here and plan to live here for the rest of our lives. This property has been in my family since the late 60’s.”*

She stated that she enjoys the annual Balloon Fiesta. That AIBF has minimized the nine-day event has had on the neighborhood by managing sound levels.

She is concerned the impact the stadium will have on wildlife (geese and cranes flying from the Bosque to park and neighborhood, owls, other animals), pets and livestock.

193	Maggie Rose	Marie Diers neighbor	3/8/24
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Comments: *“I am opposed to the Soccer Stadium for many reasons, but the biggest reason is it will have a DEVASTATING impact on my home, our neighborhood and our rural way of life.” “You don’t care if you ruin our way of life”.*

She is concerned the impact the stadium will have on wildlife, livestock, and pets. *“Studies have shown that animals under that kind of stress for more than a few days fail to reproduce, stop laying eggs, lower milk production, and loose hair, to name a few things. Larger birds fly away from the lights and noise and may not have the strength to return to the nest.”*

“When I’m outside working in my yard I hear kids playing Soccer on the Balloon field. They are cheering, whistles blowing; I think its sweet but not 10,000 screaming Soccer fans.”

Other concerns include the city and team have not shown an effort to work together.; Zoom meetings don't allow interaction, the impact on the night sky, limiting of noise makers at the stadium, fireworks, and traffic.

“Have you considered putting a roof on the stadium?”

April 11, 2024, EPC Staff Report: Summary of Letters in Opposition to the Proposed Stadium at Balloon Fiesta			
Page Number	Name	Organization	Date

Comments: Pat Davis stated at the Council meeting "*Mayor Keller wants this, so let's get this done*". The lease is poorly written. The lease is for \$35,000/ year for 30 years with the possibility of another 30 years.

195	Michael Haederle	North Edith Neighbor	2/29/24
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Comments: He provided information about the boundaries of the North Edith Corridor Neighborhood Association. "*Ms. Baca's assertion about the NECA boundaries is based on incorrect information. We currently consider our eastern boundary to be the North Diversion Channel, which abuts Balloon Fiesta Park. It would be nonsensical to exclude all the homes in our neighborhood (including ours) that lie on the east side of Edith Boulevard. Whoever drew the map got it wrong.*"

196	Peggy Norton	North Valley Coalition	2/28/24 & 2/29/24
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Comments: Email to CABQ Office of Neighborhood Services, "*My interpretation of NARO requires us to be notified.*" She discusses concern with the City's description of the boundaries of the North Edith Corridor Neighborhood Association. "*As a coalition representative who never received notice on the first round, I would like to comment on this. I have not read the remand order from the Land Use Hearing Officer, but evidently, the legally required notification was lacking. I am hoping we will be included in this round, but I am not sure of that. Giving less than 5 days notice for a public facilitated meeting about the soccer stadium hardly seems to comply with appropriate notice. Generally, notification for an EPC meeting allows interested parties 15 days to request a meeting. Perhaps this remand order negated that requirement. I am a little behind in this case and will look for the remand order, but I wanted to get these comments in. Additionally, Monday is a City Council meeting.*"

202	Pat Hauser	Marie Diers Neighbor	2/28/24
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Comments: He sent an email to Jackie Fishman, Consensus Planning discussing problems with receiving her phone call and concerns about when the meeting would be scheduled.

204	Michael Haederle	North Edith Neighbor	3/10/24
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Comments: *This area's unique character is recognized in the Albuquerque/Bernalillo County Comprehensive Plan: "There are several communities in the unincorporated area that have historic properties worthy of protection. In the North Valley, a number of historic buildings and properties are located along North Edith Boulevard between Osuna Rd. and the Sandia Indian Reservation part of the original El Camino Real route and the road from Albuquerque to Bernalillo." (p. 11-13).*

The Comprehensive Plan further states: "In order for rural and agrarian areas to remain viable and sustainable, efforts to increase density and intensity need to be concentrated in existing urban areas, drawing the gravity of development away from the outlying areas. Additionally, future growth should be respectful of and compatible with the surrounding context, whether urban or rural, to ensure the full range of lifestyle options." (p. 11-5)

The IDO is also meant to "Protect all communities, especially those that have been historically underserved." 1-3(D) and "Protect the quality and character of residential neighborhoods." 1-3(E)

The fact is, construction of a stadium at Balloon Fiesta Park would financially benefit a few business people – the team's owners – at the expense of hundreds of predominantly Hispanic working-class residents living in neighborhoods adjacent to the park, whose property values would be irreparably damaged.

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The IDO is further intended to “Protect the abundant natural resources that characterize Albuquerque, including but not limited to Major Public Open Space, Sensitive Lands, the Rio Grande, and the waterways that lead to the river.” 1-3(L) Locating a multi-use stadium at Balloon Fiesta Park, with its parking and noise impacts, would severely curtail the ability of others to use the park. Loud activities at the stadium – particularly in the evening – would also pose negative impacts to adjacent “sensitive lands,” due to the park’s proximity to the Rio Grande and the North Diversion Channel, which drains into the river. Finally, the IDO is meant to “Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health.” [italics added] 1-3(N) The architect for the New Mexico United Soccer team has stated on multiple occasions that the team intends to permit sustained levels of amplified sound at 90 decibels on the playing field. Guidelines published by the [Centers for Disease Control and Prevention](#) and the [American Speech-Language-Hearing Association](#) state that exposure to sound volumes in that range are likely to cause hearing damage. In the interests of protecting public health, the Environmental Planning Commission (EPC) has an obligation to set reasonable limits on sound levels that would be permitted at the stadium.”

He also expressed concerns about noise, lights, type of events allowed at stadium and public/ private funding of the proposed stadium.

“Given the city’s abysmal record of sound ordinance enforcement at the park, and because New Mexico United is likely unable and/or unwilling to agree to that, the better course would be to deny the Master Development Plan amendment altogether.

The park’s existing Master Development Plan prohibits construction of a stadium for a good reason: it would violate provisions of the Comprehensive Plan and IDO, and it would demonstrably endanger public health, both for those attending events and residents in the surrounding neighborhoods.”

Page 208, a transcript from the March 4th Facilitated Meeting. The transcript provides additional more detailed information about the meeting in comparison to the meeting meetings from Mr. Crump, meeting facilitator.

242	Pat Hauser	Marie Diers Neighbor	3/10/24
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Comments: He indicated his long-term residence in the Marie Diers neighborhood; he has lived in the area for 57 years and is opposed to the effect the stadium will have on neighborhood. He expressed concern about the tax liability the stadium will cause taxpayers. The proposed stadium will have a negative impact on his rural neighborhood.

“The Balloon Fiesta Park master plan of 1998 and the updated 2012 master plan never included an outdoor sports stadium and stated that “One would not be allowed-Page 17, 2012”. “The city ordinance regarding the Balloon Fiesta Park Commission, has since the published agenda of August 29, 2023, has been ignored in this rushed process being orchestrated and pushed by this administration.”

He expressed concerns about sound from horns used at a soccer game, light pollution, traffic, the type of events to be held at the proposed stadium, specifically outdoor concerts. He indicated that the sound study for the project is flawed.

“The Improved Group utilized the Weidner Field in Colorado Springs wherein the stadium sits in a downtown depression and where the former Zimmerman Steel Company existed for their arial depiction of light. This stadium will set elevated over the West residents of North Edith and Maria Diers neighborhoods.

He suggested alternative locations for the stadium.

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246, on page 255 – 264 is a duplicated email string (10 pages)	Pat Hauser	Marie Diers Neighbor	2/28/24
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Comment: *“It would seem problematic to me and others that this process may leave many concerned and interested people and property owners inappropriate time to plan for such a meeting. I believe that giving less than 3 business days’ notice regarding a public facilitated meeting about the City of Albuquerque Land Use APPEAL NO.AC-23-22 is problematic and may not comply with appropriate notice for such a complex and long-lasting impact on the future of multiple property owners. Indicated rushed neighborhood involvement project. Only 3-day notice for the facilitated meeting.”*

Other concerns that he mentioned include the location of the meeting, two-minute comments at the EPC Hearing, that the proposed stadium is in their backyard, the problem with noise at soccer games (possible use of “noise makers” or vuvuzelas).

He also recommended that the Master Development Plan should be update vs. selective editing.

265, on page 273 – 283 is a duplicated email string (11 pages)	Peggy Norton	North Valley Coalition	3/10/24
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Comment: She requested that the March 21st EPC Hearing should be delayed. *“As President of the North Valley Coalition (NVC), I researched the remand notice from the Land Use Hearing Officer. We weren’t notified on the first round. Since proper notification was the only reason for the remand, I looked into the issue. North Edith Corridor Association (NECA) is a member of the Coalition, and any notification they receive for projects within their boundaries, we should receive, per the Neighborhood Association Recognition Ordinance (NARO). Both the County boundary maps and NECA bylaws from 2001 indicate the Balloon Park is within the boundaries of NECA and within the boundaries of the Coalition. I asked Jackie Fishman from Consensus Planning about notification and was advised that the Office of Neighborhood Coordination (ONC) had not included us on the notification list. be deferred.”*

“It would seem that their current on-file boundaries should be determined from their bylaws; an important part of bylaws is stating boundaries to be used by ONC. This lack of notification to the North Valley Coalition constitutes non-compliance with the remand. Why am I concerned about this error? After all, I was able to send notice to our email list on Sunday, the day before the facilitated meeting.”

“It would seem that their current on-file boundaries should be determined from their bylaws; an important part of bylaws is stating boundaries to be used by ONC. This lack of notification to the North Valley Coalition constitutes non-compliance with the remand. Why am I concerned about this error? After all, I was able to send notice to our email list on Sunday, the day before the facilitated meeting.”

On page 267, she provided a copy of the North Edith Corridor Association By-laws (Boundaries of North: Sandia Reservation, South: Candelaria, East: I25, west Railroad tracks). She requested that the March 21st EPC Hearing should be delayed. *“As President of the North Valley Coalition (NVC), I researched the remand notice from the Land Use Hearing Officer. We weren’t notified on the first round. Since proper notification was the only reason for the remand, I looked into the issue. North Edith Corridor Association (NECA) is a member of the Coalition, and any notification they receive for projects within their boundaries, we should receive, per the Neighborhood Association Recognition Ordinance (NARO). Both the County boundary maps and NECA bylaws from 2001 indicate the Balloon Park is within the boundaries of NECA and within the boundaries of the*

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Coalition. I asked Jackie Fishman from Consensus Planning about notification and was advised that the Office of Neighborhood Coordination (ONC) had not included us on the notification list. be deferred.”

“It would seem that their current on-file boundaries should be determined from their bylaws; an important part of bylaws is stating boundaries to be used by ONC. This lack of notification to the North Valley Coalition constitutes non-compliance with the remand. Why am I concerned about this error? After all, I was able to send notice to our email list on Sunday, the day before the facilitated meeting.”

“It would seem that their current on-file boundaries should be determined from their bylaws; an important part of bylaws is stating boundaries to be used by ONC. This lack of notification to the North Valley Coalition constitutes non-compliance with the remand. Why am I concerned about this error? After all, I was able to send notice to our email list on Sunday, the day before the facilitated meeting.”

On page 267, she provided a copy of the North Edith Corridor Association By-laws (Boundaries of North: Sandia Reservation, South: Candelaria, East: I25, west Railroad tracks).

“The facilitated meeting on March 4, 2024 was my first experience in hearing plans. I respected the comments of the neighbors and feel they have some very valid concerns that are not being addressed. A Management Plan is a guiding document, written after much collaboration and compromise with representation from a diversity of interested parties. I assume the banning of an outdoor stadium was an important item and should be honored as such. Due to the conditions in the lease, the impacts of the proposed stadium to nearby citizens will be huge. This is not an urban area – it is agricultural, rural.

Other areas of concern she mentioned included, fireworks, any agreement with owners should occur prior to approval by EPC, other sites should be considered for a stadium location, and consider adding a roof to the stadium.

From the Albuquerque/ Bernalillo Comprehensive Plan: *“Goal 5.3.7 Locally Unwanted Land Uses: Ensure that land uses that are objectionable to immediate neighbors but may be useful to society are located carefully and equitably to ensure that social assets are distributed evenly and social responsibilities are borne fairly across the Albuquerque area.”*

284	Regina Jolley	Wildflower Neighbor	3/6/24
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Comment: She expressed concerns about traffic/ vehicle emission impacts, negative impact on sleeping due to noise, negative impacts on domestic animals and wildlife fowls, possible negative impacts on property values, trash from events and the possibility of increased crime in the neighborhood.

“The Wildflower Park will be affected by individuals that would want to stop and have a small picnic/ drinks before and/ or after the game, leaving trash and debris at the park. At present there are no facilities at the park, so where would people be able to urinate and/ or defecate should the need arise.

The possibility of people stopping at local breweries/ eateries that presently do not have enough parking to accommodate their guests would overflow to the Wildflower community causing disruptions to our way of life and the ability to enter and exit our home.”

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286 - 292 is a duplicated email string (7 pages)	Peggy Norton	North Valley Coalition	2/29/24
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Comment: She indicated that she has lived in the Wildflower neighborhood since 1985. She said they could live with the 9-day Balloon Fiesta event.

“Because of limited parking at Fiesta, cars park along many of our streets and use our streets as thoroughfares. In our neighborhood, we can see lights, hear microphones, bands, and any noise.

Another concern is property values. It's a known fact that a soccer field brings down the selling points and value of homes in the area.”

293	Rosalie Johnson	Wildflower Neighbor	3/10/24
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Comment: She indicated that she has lived in the Wildflower neighborhood since 1985. She said they could live with the 9-day Balloon Fiesta event.

“Because of limited parking at Fiesta, cars park along many of our streets and use our streets as thoroughfares. In our neighborhood, we can see lights, hear microphones, bands, and any noise.

Another concern is property values. It's a known fact that a soccer field brings down the selling points and value of homes in the area.”

293	Brooke Jordy	North Edith Neighbor	3/8/24
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Comment: *“We are formally requesting that the EPC hearing be rescheduled from the March 2024 docket to the April 2024 docket to allow for proper preparation and to comport with due process requirements.”*

300, on pages 297-298 is a duplicated email string	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	3/1/24
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Comment: *It appears from Jackie's comments that the approach to this remand is viewed as a technical step, not a real effort to listen and work together. I am not sure how the record gets corrected but there were several deficiencies that would have been addressed at the Remand Hearing. I understood that Mr. Chavez was recommending a de novo, or to start over. This current “planning” approach again misses the point that the neighbors living around Balloon Fiesta Park have multiple concerns. This is not “a do over” as currently planned.”*

“To now indicate that the lack of notification was a technical problem and that a meeting was not required per the remand is setting the stage for another round of poor attempts to communicate. Many individuals have provided multiple written comments that have not been addressed by the City, Consensus Planning or United New Mexico. That again shows a true lack of interest to address the concerns about the proposed stadium project. Why hasn't this happened, because it is not required? I would recommend that those comments be reread and addressed in writing to ensure good communication.”

“Inexplicably” not notifying the neighbors west of the park is incorrect. In October and November, prior to the EPC hearing on multiple occasions I reached out to Jackie via phone calls and emails about not all of the neighbors within the 100 foot buffer being notified. My comments were not taken seriously; just like comments and questions are not being taken seriously now.”

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She requested a deferral of the EPC hearing until April due to the lack on responses to questions about the project. She again asked:

1. *Are the comments made in the original hearing process part of the record of this “do over”? How are inaccuracies in the reporting from the original case addressed?*
2. *When are the written comments due for the planned EPC Hearing on March 21st?*
3. *What will be the format for the EPC hearing? Allowing two minutes doesn’t allow adequate time for the concerns to be addressed.*
4. *Are these email communications part of the official record?”*

299, the email string has been reduced in size, so it is now almost not readable.	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	3/6/24
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Comments: Expressed concern about how 100-foot notification process error. She indicated that she had notified the CABQ staff and Consensus Planning about the problem in October and November 2023. No action was taken until the LUHO Officer remanded the case back to EPC.

She sent an email to Phillip Crump on the morning of March 4th to ask for her email to be included in the March 4th facilitate meeting report since she was out of the country and did not have access to the internet for the meeting.

Jackie Fishman, Consensus Planning, advised her to send the email to Silvia Bolivar, City Planning, so the email can be included as part of the staff report record.

Ms. Fishman also added, “I also wanted to respond to what I think is a misunderstanding regarding what I said in a previous email about notification. I certainly acknowledge that you called me to express your concern regarding notification of property owners along Edith Boulevard. If you recall, I sent you the notification list. You should understand that I don’t personally create the buffer map – my staff does. At the time, I asked my staff to check the buffer map and was assured that it was drawn correctly. The addresses are automatically created by AGIS, as I tried to explain to you previously. There is no explanation as to why the system didn’t work correctly - the Planning Department also had no explanation. Our case planner also believed that notification was done properly, as noted in the staff report. And as you know, once the mistake was made abundantly clear, the Applicants requested the remand. I can assure you that there was no ill intent to leave anyone out of this process. The case has been remanded and everyone who has a desire to participate will have the opportunity to do so.”

303, Page 305-311 (6 pages)	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	3/5/24
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Comments: Described problems with submitting March 4th comments.

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313, Pages 316 & 318 are duplicated letters from the Taylors	Steve and Bridget Taylor	Albuquerque Residents & Balloon Pilot	3/9/24
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Comments: *“Has your committee thought about the “impact” of the fireworks on the animals and the environment?”* He shared his concerns about fireworks:

- *Casings and heavy metals that are littered by fireworks are even mistakenly consumed by wildlife or even fed to their young. Many of these materials are either indigestible and therefore choking hazards, or toxic to the animal, and pollutants from fireworks can be washed into waterways and contaminate drinking water for the animals that rely on it.”*
- The heavy metal impact of birds as of prey.
- The use of nitrogen and sulfur are used in the fireworks; they can combine and create noxious fumes. Case study found within one hour of firework shows, strontium levels increase 120 times, magnesium 22 times, barium 12 times, potassium 11 times, copper 6 times than before the event.

He expressed concerns about artificial light and the general effects on wildlife. Artificial light has a negative effect on:

- Migrating birds, negative effect on individuals with sleep disorder, obesity, depression, metabolic disorder, and even breast cancer.
- Circadian rhythm of being awake during the day and asleep at night. Children need quiet, good night sleep to grow.

312	Sarah Shortle	Marie Diers Neighbor	3/10/24
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Comment: She indicated that she was opposed to the proposed stadium and that she had lived in the area for 20 years. In her opinion, the biggest problem from uses in the park are fireworks, bands, and evening events.

“As for the music, imagine having guests for a weekend dining out on the patio, and being assaulted with music that is not of your taste. The music as it reverberates into our neighborhood comes as pounding noise, with little to enjoy even if it is in your genre.”

Additional concerns included light pollution, fireworks during Freedom Fourth, concerns about dogs and livestock, the City voters had previously rejected a stadium proposal, and the impact on their rural neighborhood

While she is opposed to the proposed stadium project at Balloon Fiesta Park, her suggestions for the project are:

1. *Put a lid on it. A roof would eliminate noise and fireworks. I’ve been told that a roof is too expensive. If United can’t afford the project, maybe they should reconsider.*
2. *Any lighting outside of a roof should be directed away from the neighborhoods of concern.*
3. *Eliminate alcohol sales and tailgating.*
4. *Renegotiate the lease to specifically address our concerns.”*

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318, pages 320 & 321 are duplicated email strings	Steve Wentworth	ANVA	2/29/24
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Comment: He requested a deferral of the March 4th facilitated meeting. The consultants did not coordinate with ANVA. They only received notice on 2/29/24. The lack of coordination by Consensus Planning was arrogant and further demonstrates people being left out of notification process.

322	Tom Kennedy	Wildflower Neighbor	3/10/24
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Comments: He stated that he has lived in the Wildflower neighborhood for 32 years. His concerns are:

- He feels that more time is needed for the EPC process.
- During Balloon Fiesta the neighbors deal with traffic problems (speeding, barricades being moved. How can APD babysit the neighborhood)?
- What is the effect on the annual Balloon Fiesta?
- Improper notification for the project
- The area west of the park is rural in nature, the stadium will negatively impact animals.
- He requested a deferral of the EPC hearing until April.
- He questioned the tax liability for taxpayers.

Pages 323 - 325, duplicated email string and corrupted documents	Tina Villegas	North Edith Neighbor	2/29/24
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326	Tina Villegas	North Edith Neighbor	3/11/24
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Comments: She requested a deferral of the EPC hearing until April. She stated that she is opposed to amending the Master Development Plan and the construction of the stadium at Balloon Fiesta Park. She has lived in the areas for 19 years; her home is 2,059 feet from the proposed stadium.

“I am most concerned about the noise pollution from the new stadium since New Mexico United (United) is unable to tell us what other events besides soccer will be held at the stadium. Although United has indicated they have improved the stadium design to mitigate noise traveling down to the neighborhoods located to the west, I do not believe they will be able to contain any of the noise unless they put a roof on the stadium.

All noise travels down to the lower neighborhoods because I hear most of the events that happen at Balloon Fiesta Park, from the kids practicing soccer, the drones and model airplanes flying around the park, to the larger events such as the Wine Festival, and Freedom 4th, to the long 9-days of the Albuquerque International Balloon Fiesta.

The sound from the music events and the fireworks often vibrates the windows of my house during events like the Calvary Church Freedom Celebration and the Los Alamos Concert. I have tried contacting the City regarding issues with noise at BFP; however, most times nothing is done.”

She stated that she has contacted the City staff regarding noise at the park, but most times nothing is done.

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Other concerns she mentioned:

- Concerned that United keeps stating they want to work with the neighborhoods, but she was only invited to one meeting in November and a facilitated meeting on March 4, 2024. At the meeting United could not provide much information regarding how they will contain the noise from the stadium.
- Concerns about fireworks and impact on her dogs.
- Concerned about tailgating for events and noise.
- United has stated soccer events end at 9 pm, her elderly mother-in-law goes to bed at an earlier hour.
- Stadium is not compatible with the rural neighborhood considering wildlife and livestock.
- Stadium architect stated sound levels in the stadium might be at 90 dB. The City isn't currently addressing sound issues, why would we expect them now to control the noise?
- Impact from lights. The consultants have not adequately demonstrated that lights will not impact her home directly opposite the proposed stadium.
- Community Benefit Program, what is it?
- What recourse with the neighbors have after the stadium is built?

330	Annette Kitts	Marie Diers Neighbor	3/11/24
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Comments: She stated she is opposed to the proposed stadium, the negative impact on rural lifestyle and additional event at park. She is concerned with increased pollution, the Balloon Fiesta impacts we have been living with, and United, the City staff and consultants have not been clear how the stadium would be used.

331	LuElena Gonzales	Amara Vista neighbor	3/19/24
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Comments: She stated she is opposed to the proposed stadium; she lives in Amara Vista subdivision which is located next to the North Diversion Channel. They built their house in the subdivision due to the semi-rural nature of the area. She is concerned that Edith Blvd. is the historic Camino Rael.

“For ten days a year, the Albuquerque skies are filled with balloons. My family enjoys watching the balloons from our home as well as attending the Balloon Fiesta events in person. For ten days a year, we also hear amplified sounds from the speakers, which sometimes sound like we are standing in the middle of the field, when in fact, we are inside our home.

During Balloon Fiesta fireworks shows, the walls and windows of my home shake. There have been times when debris from the City’s Freedom Fourth fireworks show land in my yard on my roof.

My house is less than 8 years old, and we have many cracks on our stucco, likely from the walls shaking. While the noise and shaking can be cumbersome, we are thankful that the folks at the Albuquerque International Balloon Fiesta (AIBF) are committed to being good neighbors. Before and after each Fiesta, the higher-ups from AIBF meet with neighboring neighborhood associations to discuss concerns brought about by such a large event.”

Will United be good neighbors? Will they adhere to Noise Ordinance? *“Will they adhere to noise/sound ordinances that are in place? I can attest that when other events that are of a smaller scale compared to the Balloon Fiesta are held at Balloon Fiesta Park (such as the wine festival), noise/sound ordinances are not enforced as we can hear what is happening from our home just as we would if we were there in person—and our walls and windows are rattling.*

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No one is coming around to ask if we have concerns about events held at Balloon Fiesta Park. There isn't a number we can call to have sound levels measured and managed. Simply put, we are out of sight out of mind."

"I feel that the City of Albuquerque's Integrated Development Ordinance (IDO) is, among other things, in place to "Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health". When my children cannot play outside because noise levels coming from the Balloon Fiesta Park are so loud that their ears hurt, the lack of monitoring and managing sound levels coming from non-Balloon Fiesta events is to blame. If the amplified sound is too loud for my children to play outside—and we live a little more than 2000 feet from the proposed location—how loud will the sound be inside the stadium?"

"Modifying the Master Development Plan at the Balloon Fiesta Park to allow the construction of a stadium will only increase the number of instances when my children—and others in this area—are negatively impacted. It would violate provisions of the IDO and allow the lack of monitoring and management of sound to continue to go unchecked."

333	Brooke Jordy	North Edith Neighbor	4/3/24
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Comments:

- "1. Neighbors have yet to be informed how they will be permitted to cross examine opponents at the EPC hearing.*
- 2. Neighbors have yet to be informed of the format of the hearing (how much time, whether speakers can yield their time to others, etc.). We have requested this information many, many times.*
- 3. Neighbors are requesting a 90-day deferral of the April 11th hearing."*

"On February 16, 2024, a land use hearing officer granted the neighbors' appeal on due process violations made by Consensus Planning. Hearing Officer Chavez's order stated the appeal is to be done de novo and the next EPC hearing shall follow State ex rel. Battershell v. City of Albuquerque, 1989-NMCA-045. It has yet to be understood by Consensus Planning that this is a de novo appeal; as such, many individuals have yet to receive notice of the March 21st EPC hearing.

The neighbors/ appellants request a 90-day deferral of this hearing. Somehow, Consensus Planning and the City were able to coordinate a reset from March 21, 2024 to April 11, 2024.

Neighbors were not asked for their position on rescheduling to this date. Many key speakers for the neighbors—myself included—are unavailable on April 11th. We have also heard through the grapevine that New Mexico United has allegedly made changes to their stadium plans. We have yet to see those changes, and need additional time to review the updated plans for any EPC hearing."

She said she understands the impacts on the neighborhood during the annual Balloon Fiesta. She expressed concern about fireworks and the impact on her dogs. "The City sets off Fourth of July fireworks from the end of Edith. Many of my neighbors experience literal fallout from those fireworks—fireworks cartridges, gunpowder, and other detritus litter their properties. The air is full of smoke and remains hazy for hours. Veterans and others with PTSD suffer, as well. Fireworks pollute."

"Building a stadium in this otherwise quiet, semi-rural area will introduce noise, light, water, and air pollution to our environment.

New Mexico United sets off fireworks regularly. Their fans tailgate; they play drums, set off smoke bombs, yell, and blow vuvuzelas throughout soccer matches. During each game, the team's fan club has a "noisy minute" where the stadium attendees make as much noise as possible."

"The Albuquerque Box, the unique weather pattern in our city that makes the Balloon Fiesta an international phenomenon, creates drainage winds that travel in an abnormal pattern. Like the balloons that are carried from the

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Park to the west over our neighborhood, noise is also carried from the Park to the north and the west. Individuals in the Maria Diers neighborhood, for example, can hear non-amplified sound from the Park.

Erecting a stadium in the Park will bring amplified and non-amplified noise to our quiet area. United has stated there will be numerous events at the stadium—concerts, private parties, women’s soccer and men’s soccer games, etc. However, there are no restrictions in the team’s lease to limit events, noise levels, or noise monitoring requirements.”

A stadium, no matter how careful its architects are, necessarily brings light pollution. Headlights, parking lights, and stadium and field lights will pollute the relatively dark skies in this section of Albuquerque. Since the Park is situated at a higher elevation than neighborhoods west of the park, lights from the field and the Park shine down on hundreds, potentially thousands, of homes to the west. Even people in Rio Rancho and the Westside of Albuquerque report being able to see the lights from the Park. Migratory birds from the Bosque will be negatively impacted by increased light pollution in the area.”

“Amending the Park’s Master Development Plan to allow a multi-use stadium to be built would violate core provisions of the City of Albuquerque’s Integrated Development Ordinance (IDO). The IDO is intended to “protect the abundant natural resources that characterize Albuquerque, including but not limited to Major Public Open Space, Sensitive Lands, the Rio Grande, and the waterways that lead to the river.” Section 1-3(L).

Locating a multi-use stadium at Balloon Fiesta Park poses significant negative impacts to adjacent “sensitive lands” due to the Park’s proximity to the Rio Grande and the North Diversion Channel.

Violations of IDO: *“Increasing light and noise pollution in close proximity to migrating birds and other protected species that inhabit the Bosque will negatively impact those species. Further, the IDO is intended to “provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health.” Section 1-3(N). The architect for the United stadium has stated on multiple occasions that the team intends to permit sustained levels of amplified sound at 90 decibels on the playing field.”*

Use of Public Funds: *“The State and City have pledged approximately \$25,000,000 in capital outlay funds to this project. While United and the City both claim taxpayer money is not being spent on the stadium build, Lawrence Rael made the reality clear at the November 16, 2023 City Council meeting. At that meeting, he was asked what the capital outlay funds would be used on if not this project. Mr. Rael responded that if a stadium is not built, the funds would not be spent to improve Balloon Fiesta Park.”*

Lease Agreement: *“On November 16, 2023, the Albuquerque City Council approved an insufficient lease agreement with New Mexico United for their use of the stadium. This short, vague lease is nothing short of ridiculous. To permit a for-profit company to pay only \$35,000 per year for 7 acres of property is unheard of. The City’s lack of concern for specific terms in the lease is problematic and will likely result in United taking advantage of the terms. I urge the EPC to consider the long-term impacts of approving a stadium build, including but not limited to the problems posed by such a vague lease benefitting a for-profit company.”*

Conclusion: *“There is no way to un-ring the bell once this is done. This area already bears the brunt of Balloon Fiesta and the Fourth of July, along with hundreds of other events at the Park each year. I encourage the EPC to take this opportunity to ensure that the environmental future of Albuquerque, the North Edith Corridor, and surrounding neighborhoods are all protected.”*

Included on pages 338- 363 (25 pages) are signatures of dozens of neighbors and citizens opposed to the proposed stadium being located at Balloon Fiesta Park.

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Page Number	Name	Organization	Date

364	Maggie Rose	Marie Diers Neighbor	4/4/24
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Comments: *“The purpose of my letter is to request a deferral of the EPC’S hearing on April 11, 2024.”*
“My phone rings constantly. People are asking if we are ever going to be able to ask questions about this project.”

“The wildlife in the Bosque will definitely be affected by the noise, traffic, fireworks, and artificial lights. Isn't that what the EPC is for to protect the environment? We have not heard one word about the animals both wild and domestic. The effect of the proposed stadium being so close to the river.”

“Some people have asked me if we are going to lose the International Balloon Fiesta? Now wouldn't that be a crying shame, New Mexico 's number one money maker.

For once think of the impact on the last piece of wildlife we have in the ABQ. metro area. Stop thinking about how much money you can make for a few people. Leave the Balloon Field alone and let Soccer United build elsewhere.”

365	Michael Haederle	North Edith Neighbor	4/3/24
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Comments: *“The planned operation of the stadium – home games for men’s and women’s soccer teams with up to 10,000 fans, plus its unfettered use for other noise-and-light-generating events like concerts, festivals, parties, weddings and the like – amounts to putting an amusement park in our backyards.”*

“The City of Albuquerque’s Integrated Development Ordinance (IDO). The first of the IDO’s General Provisions – 1-3(A) – states that the IDO’s purpose is to “Implement the adopted Albuquerque/Bernalillo County Comprehensive Plan (ABC Comp Plan), as amended.”

“The area along North Edith Boulevard adjacent to the park – the historic Camino Real –retains a quiet, semi-rural character, with predominantly A-1 zoning.”

“This area’s unique character is recognized in the Albuquerque/Bernalillo County Comprehensive Plan: “[T]here are several communities in the unincorporated area that have historic properties worthy of protection. In the North Valley, a number of historic buildings and properties are located along North Edith Boulevard between Osuna Rd. and the Sandia Indian Reservation part of the original El Camino Real route and the road from Albuquerque to Bernalillo.” (p. 11-13)

The Comprehensive Plan further states: “In order for rural and agrarian areas to remain viable and sustainable, efforts to increase density and intensity need to be concentrated in existing urban areas, drawing the gravity of development away from the outlying areas. Additionally, future growth should be respectful of and compatible with the surrounding context, whether urban or rural, to ensure the full range of lifestyle options.” (p. 11-5)

The IDO is also meant to “Protect all communities, especially those that have been historically underserved.” 1-3(D) and “Protect the quality and character of residential neighborhoods.” 1-3(E)

The fact is, construction of a stadium at Balloon Fiesta Park would financially benefit a few business people – the team’s owners – at the expense of hundreds of predominantly Hispanic working-class residents living in neighborhoods adjacent to the park, whose property values would be irreparably damaged.”

“The IDO is further intended to “Protect the abundant natural resources that characterize Albuquerque, including but not limited to Major Public Open Space, Sensitive Lands, the Rio Grande, and the waterways that lead to the river.” 1-3(L) Locating a multi-use stadium at Balloon Fiesta Park, with its parking and noise impacts, would severely curtail the ability of others to use the park. Loud activities at the stadium – particularly in the evening – would also

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pose negative impacts to adjacent “sensitive lands,” due to the park’s proximity to the Rio Grande and the North Diversion Channel, which drains into the river.

Finally, the IDO is mean to “Provide reasonable protection from possible nuisances and hazards and to otherwise protect and improve public health.” [italics added] 1-3(N) The architect for the New Mexico United Soccer team has stated on multiple occasions that the team intends to permit sustained levels of amplified sound at 90 decibels on the playing Field.

Guidelines published by the Centers for Disease Control and Prevention and the American Speech-Language-Hearing Association state that exposure to sound volumes in that range are likely to cause hearing damage. In the interests of protecting public health, the Environmental Planning Commission (EPC) has an obligation to set reasonable limits on sound levels that would be permitted at the stadium.”

“Some EPC commissioners at the November 2023 hearing were dismissive of neighbors’ concerns about sound, suggesting that they could simply be addressed by the city’s existing sound ordinance. However, many North Edith residents can attest to many years of frustration in trying to get Balloon Fiesta Park administrators to enforce that ordinance.

In fact, David Simon, the city’s Parks and Recreation director, has admitted that they have historically done a poor job of doing so.”

“Newly published study in the Journal of Exposure Science and Environmental Epidemiology states, “Noise is one of the most ubiquitous environmental pollutants, as suggested by reports from the World Health Organization and the European Environment Agency that noise exposure is a major public health threat affecting both physical and mental health.”

“No one, including residents living near the Balloon Park, should be exposed to these hazards. The EPC’s fundamental mission – to consider the potential environmental impacts of new development in the city – compels it to seriously weigh these concerns as they pertain to the proposed stadium. At a minimum, the EPC should require significant and demonstrable mitigation of any sound impacts on the surrounding neighborhoods, both by attenuating volumes and limiting the frequency with which noise is produced.

But, given the city’s abysmal record of sound ordinance enforcement at the park, and because New Mexico United is likely unable and/or unwilling to agree to that, the better course would be to deny the Master Development Plan amendment altogether.

The park’s existing Master Development Plan prohibits construction of a stadium for a good reason: it would violate provisions of the Comprehensive Plan and IDO, and it would demonstrably endanger public health, both for those attending events and residents in the surrounding neighborhoods.”

369	Tina Villegas	North Edith Neighbor	4/4/24
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Comments: *“I also request that the matter be deferred for 90 days due to the fact that the neighborhoods have not been instructed how the cross-examination process will work, how the hearing will be structured and who will be allowed to speak and for how much time, and if any of the previous exhibits and/or comments from the prior hearings will be used or allowed for the new remand hearing.”*

“Although United has indicated they have improved the stadium design to mitigate noise traveling down to the neighborhoods located to the west, I do not believe they will be able to contain any of the noise unless they put a roof on the stadium. All noise travels down to the lower neighborhoods because I hear most of the events that happen at

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Balloon Fiesta Park, from the kids practicing soccer, the drones and model airplanes flying around the park, to the larger events such as the Wine Festival, and Freedom 4th, to the long 9-days of the Albuquerque International Balloon Fiesta.

The sound from the music events and the fireworks often vibrates the windows of my house during events like the Calvary Church Freedom Celebration and the Los Alamos Concert. I have tried contacting the City regarding issues with noise at BFP; however, most times nothing is done.”

“This is concerning because United keeps telling us that they want to work with the neighborhoods; however, I have only been invited to one meeting held by Consensus Planning and United back in November 2023. A second meeting was held with a mediator on 3/4/2024. United scheduled two additional meetings at their team shop in Nob Hill; however, since I am an appellant in this hearing process, I did not feel comfortable attending without a mediator present. Also, United could not provide the neighborhoods with much information regarding how they would contain the noise.”

“United’s own commercials on television indicate they want attendees to “Get Loud”.

“Also, it would violate provisions of the City of Albuquerque’s Integrated Development Ordinance (IDO). The ordinance is meant to “Protect all communities, especially those that have been historically underserved.” 1-3(D) and “Protect the quality and character of residential neighborhoods.” 1-3(E)

United cannot accurately assess the impact the stadium will have on our neighborhoods in terms of noise. The team’s architect said at a meeting with neighbors in March that sound on the field could reach ninety decibels which is more than the sound ordinance allows. Although United indicated they would do another sound study that will measure sound from the proposed stadium area to neighboring houses, that study will not be done until after the EPC has already decided this matter.

Without written assurances from United, how can the neighborhoods understand what types of events will be held at the stadium and how issues with sound will be resolved. United keeps saying they will work with the communities, but we already get that answer from the City which does not help us now, so how can we trust issues will even be investigated once the stadium is built.”

“United also cannot be sure that light from the stadium will not impact the houses located to the west and northwest. Although United indicates the main lights of the stadium will be positioned as such to project the light downward this may not be enough to keep the light from shining into my upstairs windows at night. What about other lighting outside of the stadium to light walkways and the parking areas?

Because my house sits directly across from the proposed stadium, which is lower than BFP, light pollution could be a factor and once the stadium is built what would be my recourse?

United makes brief mention of a “Community Benefits Program” in the Lease but could not give specifics to the neighborhoods regarding the program when asked at the March 4, 2024, meeting.

A stadium at BFP only benefits the owners of United and would not benefit the surrounding neighborhoods. Instead, it would irreparably affect the property values and causes many more issues for the neighborhoods which the residents do not want or need. Simply put, the neighborhoods do not want a stadium at BFP.”

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374	Brooke Jordy	North Edith Neighbor	3/8/24
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Comments: *“We write to you as the neighbors of the areas surrounding Balloon Fiesta Park and as appellants who filed Appeal No. AC-23-22. We were informed of the March 21, 2024 EPC hearing only after our independent inquiries to Consensus Planning. We are formally requesting that the EPC hearing on this matter be set on the April 2024 EPC docket.”*

“To ensure the EPC hearing conforms to the Remand Order and with State ex rel. Battershell v. City of Albuquerque, 1989-NMCA-045, we also formally request that we are notified of the format of the EPC hearing in advance of the hearing.

In order for appellants to be fully prepared, we request information on the amount of time we will be permitted to speak and how cross examination of opposing witnesses will be organized. See Remand Order at 2 (“Notice of hearings, the right to be heard, and the right to cross examine witnesses are corner stones of due process.”).

Furthermore, holding the EPC hearing in April will allow the City planning staff time to modify their report to the EPC to properly reflect objections from neighbors.

Finally, there are a few outstanding questions neighbors/appellants have posed to the City and Consensus Planning that remain unanswered. Since the Remand Order states the hearing is to be done de novo, we request clarification on whether exhibits, comments, or other testimony and evidence from the initial EPC hearing will be included in the new hearing’s record. If it will be included, how will the incorrect information be corrected?”

“Due to the volume of Appellants in this matter, we do not list all names and contact information for each on every communication from the group. On March 6, 2024, Appellants held a meeting to discuss the status of our appeal. The following individuals requested to be specifically listed on this letter requesting the EPC hearing be held in April 2024.

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|------------------|-------------------|----------------|------------------|
| Brooke Jordy | Russ Harvey | Edie Myers | Steve Wentworth |
| Pat Hauser | Steve Horchheimer | Maggie Rose | Charles Bates |
| Amanda Barclay | Rosie Johnson | Sarah Shortle | Sandra Lovato |
| Karen Boothe | Courtney Johnson | Steve Taylor | Dorothy Lovato |
| Michael Haederle | Regina Jolley | Michelle Tirey | Jacqueline Lance |
| Leslie Linthicum | Annette Kitts | Tina Villegas | Tania Gonzales |
| Bari Harvey | Claudia Myers | Ted Waterman | Alicia Acosta” |

377	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	3/11/24
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Comments: To Silvia Bolivar, City Planning Department: *“The neighbors have officially requested a deferral for the proposed stadium at Balloon Fiesta Park for the March 21st EPC hearing. Since it is past the 9 am deadline today for comments could you respond and let us know whether the deferral will be granted? Also, could you address the current planning I asked in my email this weekend?”*

“Silvia thank you for your response. I am still not clear whether the exhibits from the remand hearing and my comments from the previous EPC hearing are included in this review.

I understand you responded to my Friday email but I did not see the answer about these points and the other questions I asked.”

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379	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	3/9/24
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Comments: To Silvia Bolivar, City Planning Department: *“I am not sure if my original comments or exhibits from the LUHO Remand Hearing are part of the record. I have not included those documents in this email due to the difficulty of responding at a distance. Please let me know if those comments and information are part of the record for EPC.”*

380	Maggie Rose	Marie Diers Neighbor	3/21/24
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Comments: To Silvia Bolivar, City Planning Department: *“I raised my hand during the discussion this morning but was ignored. All of us in the North valley understand plans have been changed but our communities haven't received anything.”*

I was going to get one FACT on record: Mr. Ron Patel was on television and said he was working with a handful of neighbors. They were listening to them and their concerns. They held a meeting for us but no one showed up. I called someone from 5 different neighborhood associations. No one knew anything about a meeting”

She also expressed concerns about the potential loss in property values, impact on wildlife, and *“How will we be informed of Soccer United Changes?”*.

383	Pat Hauser	Marie Diers Neighbor	4/3/24
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Comments: *“90-day deferral request regarding PR-2023-009363; SI2023-01635/SI-2023-01638”*
He stated that he has lived in the neighborhood for 57 years. *“We have endured the tolerated and impact of Balloon Fiesta 9 days a year with the fireworks, traffic along with the other continually growing events over the years such as the Freedom 4th fireworks, Wine Festival, concerts, rock bands and daily activities such as youth soccer, RC aircraft, along with other untold sound invasion that has gone on unaddressed with the City Parks and Recreation Department.”*

“We have received reports that there have been information releases by the applicant regarding changes to the original stadium plans. As of today, we have not been contacted by the applicant regarding such changes.”

“There have been no on-site real time sound studies to properly understand the immediate and long-term impacts on the surrounding homes and neighborhoods with an untold usage of such a facility by the applicants. It is documented that such facilities will operate in excess of hundreds of scheduled events per year.”

383, repeated letter	Pat Hauser	Marie Diers Neighbor	4/3/24
386, repeated letter	Brooke Jordy	North Edith Neighbor	4/3/24
391, repeated letter	Michael Haederle	North Edith Neighbor	4/3/24
395, repeated letter	Maggie Rose	Marie Diers Neighbor	4/4/24

396	Sandy Zuschlag	Interested Albuquerque Resident and District 4 Resident	4/3/24
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Comment: *“This letter requests a minimum 90-day deferral of PR-2023-009363; SI-2023-01635/SI-2023-01638 to the June 13, 2024, Environmental Planning Commission's meeting, or longer.”*

1. *Adding a multi-use stadium in Balloon Fiesta Park will significantly change the Master Development Plan, and the environmental impact on the neighborhoods will be severe. The Master Development Plan was updated and*

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approved in 2012. Twelve years have passed, and the existing conditions considering current ecological effects on the neighborhoods and community should be considered. My November 5, 2023, letter to EPC outlined areas of the Master Development that should be updated. Allowing the stadium to be built in the park without understanding the impacts on the neighborhoods is wrong.

2. Amplified sounds and lights from events and the park activities impact the neighborhoods.
3. The Balloon Fiesta Master Development Plan required the review and recommendation from the Balloon Fiesta Park Commission. City Council adopted an Ordinance creating the Commission. The city administration has arbitrarily decided to no longer hold meetings or involve the Commission in the development and operations of the park. It appears this step has again been skipped. The Commission was developed to encourage public involvement. Specifically, the Commission should have reviewed and made recommendations about the proposed lease for the stadium and the update of the Master Development Plan and these planning actions.
4. Mr. Steven Chavez, the LUHO officer, remanded the case back to the EPC, "The remand must be de nova, reheard anew." While the neighbors and I have repeatedly asked questions about the process, city staff has not answered basic questions. Without answers, it has not been possible to prepare for the April 11 meeting. Receiving a response in the April 4th staff report does not provide adequate to prepare.

Questions:

- a. Are the comments made in the original hearing process part of the record of this "do-over"? How are inaccuracies in the reporting from the original case addressed?
- b. Are the exhibits part of the Remand Hearing included in the new case?
- c. What will be the format for the EPC hearing? Allowing two minutes for people to talk doesn't allow adequate time. I have provided about 60 pages of comments since October 2023. When are questions and comments addressed?
- d. Are the comments made in the original hearing process part of the record of this "do-over"? How are inaccuracies in the reporting from the original case addressed?
- e. Are the exhibits part of the Remand Hearing included in the new case?"

"I understand that the team representatives discussed changes to the stadium's design. No one from United New Mexico, city staff, or the consultants have discussed the changes with the neighbors.

The consultants for the project indicated that new sound studies would be done for the project. Has that occurred? If so, why weren't the results shared with the affected neighborhoods?

I understand that a justification should be provided when a deferral is requested regarding an EPC hearing. Hopefully, my letter will be sufficient for a deferral so that these issues and other issues can be addressed. In the March 14, 2024, letter from Jackie Fishman, Consensus Planning, she requested a deferral until April 11th with no justification provided. While I am glad the deferral occurred, it makes me question the difference in the process for the neighbors and the public vs a city-sponsored project."

403	Steve Wentworth	ANVA	4/4/24
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Comments: "Requesting a 90 day deferral of Balloon Fiesta Park / NM United Soccer Request Project# PR-2023-009363, SI-2023-01635 - Master Development Plan - Major Amendments SI2023-01638 site plan."
"The EPC Hearing for the above referenced item was due to a remand from the LUHO back to the EPC for notification problems created by the agents and applicants for the use. Once again proper notification did not go out to residents of the area who have been involved with the case and the North Valley Coalition.

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A copy of a letter sent by Consensus Planning, dated March 14, 2024, lists those who were provided notification about the deferral to April 11, 2024 (attached – pdf). This notification did not go to the many residents who are on the public record as being a party to the case. Not all residents who are a party to the case are members of the listed neighborhood associations and were not notified in a proper manner.”

“It should be remembered that the surrounding community – business and residential worked with AIBF to purchase the property for the Park, they lobbied the State Legislature for funding and support. The process was very collaborative and a massive gravel pit became a wonderful park for ballooning and youth activities.

Neighborhood associations not “recognized by the City” were always included in communication. This is not the case with this proposed project – interested parties and neighborhood groups were left out of the communication processes. We assume that if this case had not been required to follow notification processes dictated by the IDO – the community would not have been notified at all.”

Very recently - this past month, United Soccer invited the media to show new plans and proposals they said would address some of the adjacent community’s concerns – they said this was one of two public meetings to be held at their offices at Nob Hill.

ANVA and other neighbors were not notified about the meetings. If United Soccer wanted to involve the community – notification would be needed for a meeting at a public location near that community like the Balloon Fiesta Park. ANVA and neighbors have not been provided information about the meetings or the proposed changes to the proposed stadium via letters or emails.

United Soccer says over and over they are listening to the concerns of the community – it is hard to determine if they are, due to their lack of communication and collaboration with the community. There is no public way to determine who, if anyone, who they are actually speaking with.

We request a 90 day deferral of the EPC hearing for the proposed zoning actions and site plan amendments.”

“It should be noted that phone calls to City of Albuquerque Planning staff with inquiries about processes and deadlines were not returned.”

RESIDENTIAL NEIGHBORHOODS SURROUNDING BALLOON FIESTA PARK

Reference: Lawrence Wells letter to Jessica Enriquez, Deputy Clerk of the Council, Feb. 12, 2024, Page 3, Footnote #4:

The Applicant's characterization of a multi-use stadium built in a "quiet, residential area" is misleading. While the western boundary of the 358-acre Balloon Fiesta Park is adjacent to a **residential neighborhood**, the location of the proposed Outdoor Multi-use Stadium (adjacent to the eastern boundary of Balloon Fiesta Park) is **approximately one-half mile from the nearest residential neighborhoods**, which are to the south and west of Balloon Fiesta Park. The northern and eastern boundaries of the Balloon Fiesta Park are adjacent to IDO zone district-NR-LM (Non-Residential, Light Manufacturing). IDO Section 2-5).

Response: The Appellants hereby provide additional information to address Applicants' misunderstanding about the neighborhoods surrounding the Park.

1. There are several residential neighborhoods surrounding Balloon Fiesta Park. The Applicants are trying to minimize the proposed stadium's impact on the neighborhoods regarding various impacts, including noise, sound, traffic, and other environmental issues. The homes along Edith Blvd. that are directly west of the stadium are approximately 2,100 feet from the stadium, not 1/2 mile.
2. Emphasizing the distance from the Balloon Fiesta Park for event management is not always relevant. For the last ten years, during the annual Balloon Fiesta, some of the highest sustained amplified sound readings have been recorded at 134 Maria Circle NW, the home of Pat Hauser (during the day (7 am – 10 pm) more than 56 dB, and in the evening (10 pm to 7 am) more than 51 dB). This Balloon Fiesta sound monitoring location is about a mile from the proposed stadium and is one of the lowest elevations in the surrounding neighborhoods. Sounds from events at the park travel down the North Diversion Channel, and then the sound spreads to this and other locations in the North Valley. During the Balloon Fiesta, if the amplified sound heard from the park is elevated, the sound board personnel are contacted to reduce the sound levels.

During year-round events at Balloon Fiesta Park, Pat Hauser, on multiple occasions, has also reported high amplified sound levels to Susan Rice, Parks and Recreation Department. The Parks and Recreation Department has been uneven in their response.

3. Residential Neighborhoods Around Balloon Fiesta Park:

West: The neighborhood along Edith Boulevard is directly west of the proposed stadium. That distance is approximately 2,100 feet.

During the annual Balloon Fiesta, this residential neighborhood has five sound monitoring locations. West of the homes on Edith Blvd. and local streets, are neighborhoods along Second Street and Alameda Road.

South: The **Wildflower neighborhood** is directly south of the proposed stadium. That distance is approximately 2,550 feet.

Southwest: The **Calle del Fuego & Sombrero Loop** neighborhood is southwest of the proposed stadium. That distance is approximately 4,000 feet.

During the annual Balloon Fiesta, this residential neighborhood has one sound monitoring location.

The **Gondola Way** neighborhood is southwest of the proposed stadium. That distance is approximately 2,750 feet.

North: Along Edith Blvd., north of the North Diversion Channel are residential neighborhoods, which is north of the proposed stadium. That distance is approximately 3,600 to 7,200 feet.

During the annual Balloon Fiesta, this residential neighborhood has two sound monitoring locations.

Northwest:

The **Marie Diers** neighborhood is northwest of the proposed stadium. That distance is approximately 4,200 to 7,250 feet.

During the annual Balloon Fiesta, this residential neighborhood has three sound monitoring locations.

The **Amara Vista** neighborhood is northwest of the proposed stadium. That distance is approximately 3,000 feet.



View from the NW Corner of Wildflower Park

The northern power pole is shown in red.

The stadium and lights will be visible to Wildflower neighbors.

Feb. 11, 2024

10212 Edith Blvd. - Recently, the City installed bleachers at Balloon Fiesta Park. No coordination occurred with the adjacent property owners.



April 8, 2024

Ms. Silvia Bolivar, on behalf of
Mr. Jonathan Hollinger, Chair
Environmental Planning Commission
City of Albuquerque
600 Second Street NW
Albuquerque, NM 87102

Re: **PR-2023-009363; SI-2023-01635/SI-2023-01638**
Proposed Stadium at Balloon Fiesta Park
Submittal of Information Based on the EPC 48 Hour Rule

Dear Mr. Chairman:

On April 3rd, I sent you a letter requesting a deferral of the above-captioned case. Today, I am repeating my request based on the following information. Please include this letter as part of the EPC record. Please note the page numbers are about the April 11th EPC Staff Report.

Unanswered Questions: Since last fall, I have submitted over 60 pages of comments about the proposed stadium at Balloon Fiesta Park. I have provided justifications, and I have asked questions. For the most part, my questions have not been answered, and it seems my comments have not been considered. Finding answers to questions on the city web pages has been challenging.

On March 1st, page 294, I emailed Jackie Fishman asking questions about the procedures, and unfortunately, my questions were not answered.

Before the March 4th Facilitated Meeting, I submitted written comments on page 299 and requested that my comments be included in the Facilitated Meeting minutes. At that time, I was out of the country and had no internet access for the Zoom meeting. As part of my comments, I asked some basic procedural questions. I asked for my comments to be considered as part of the record for the meeting. I am unsure who denied my request, but my comments were not included in that report. I was told that submitting comments was not how the process worked and my comments would be included in the EPC Staff Report. Unfortunately, my procedural questions were never answered.

On April 3rd, page 396, I repeated the procedural questions from my previous correspondence and asked that the EPC hearing be deferred. On April 5th, at 7:20 AM, I checked the city website for the April 11th Staff Report. At that time, the April 11th EPC Staff Report was not attached, only the agenda. Since the Staff Report had not been included, I emailed the City Planning Department staff. Megan Jones responded, "*There had been a mistake in the materials that were posted yesterday.*" Ms. Jones provided me with an update link. When I clicked on the link for the agenda, it brought up the April 11th EPC Staff; the meeting agenda was no longer available on the website. I assumed the agenda was to be reworked based on the April 4th EPC meeting, which was confusing. Ms. Jones indicated that she would respond later in the day. Unfortunately, I never received a response that day.

At 9:06 AM today, April 8th (three days before the hearing), Ms. Jones responded to most of my questions. It should be noted that some of the links in the email did not work, and the description of how to find the EPC

Rules on the City website was somewhat vague. The link connected you to the EPC web page without explaining where the EPC rules were located. Eventually, we found the information under Resources. Considering the short time frame we are operating under; it was very frustrating that this basic information was hard to find. While Ms. Jones indicated the LUHO/ remand Information (and exhibits?) were included in the EPC reports, I could not see them. I have attached some of the Exhibits to this letter.

In my opinion, the process to approve the proposed stadium at Balloon Fiesta Park has been rushed, and these types of communication and technological problems are a symptom of this type of "pushed" project and a cumbersome review process. Since Friday, I have spent at least 35 hours trying to review the April 11th Staff Report. I know the Planning Department staff has worked diligently to process this project. but at this point, I need to point out the inadequacies. It shouldn't be this difficult.

As part of my original EPC comments in November 2023, I recommended the complete update of the 2012 Balloon Fiesta Park Master Plan. There are many issues with that document that should be addressed. Hopefully, you will take my suggestion seriously and require a complete update of the Master Development Plan and recommend that the Balloon Fiesta Park Commission be reestablished so adequate public involvement can occur.

The Balloon Fiesta Park Commission: The creation of the Balloon Fiesta Park Commission was a significant part of the 2012 Master Development Plan (MDP). The EPC approved the MDP, and an adopted city ordinance created the Balloon Fiesta Park Commission. Since the Commission was a part of the Plan approved by EPC and the City Council adopted the ordinance, why hasn't there been more concern that the Commission no longer exists or is active? The Balloon Fiesta Park Commission represented the public and should have provided input on this proposed update of the MDP along with leases proposed for the park.

April 11th Staff Report:

1. **Page 5, Sound, "More earthen berms":** How does installing earthen berms at "*the base of the elevation*" minimize sound? I understand that berms can help with sound control, but installing berms at the base of the building doesn't seem relevant. The design team should explain this item better.

Page 6 and 10, Lighting and Views: The Remand Exhibits J and I are attached. In February 2024, I visited the top of Gondola Gulch in the park, which is the stadium's proposed location. I understand that as part of this update, the lights and the stadium have been lowered ten feet. The top of Gondola Gulch is still lower in elevation than the top of the stadium lights. **I was impressed by how many citizens can see the stadium from the Edith area, the North Valley, Rio Rancho, and Corrales. Many citizens could see the lights.**

The design team stated, "*The cross-section shows that the stadium will not be seen from the houses on Edith Blvd.*" they also noted that residents in one-story homes would not be able to view the proposed stadium. The cross-section provided in this submittal does not address the different topography along the park's western edge. Also, I don't know if the design team considered homes on the west side of Edith Blvd. (or homes located further back in the neighborhood). One example (and there are more) is Tania Gonzales's home at 10435 Edith Blvd., which is located on the west side of Edith Blvd. You can see her windows in the exhibit from the top of Gondola Gulch. She will see the lights from her home.

The design team's cross-section does not answer how the proposed stadium lights will be seen from a lower elevation or at a distance; the message is "trust us" without providing any additional information that can be evaluated.

Considering the number of homes with a view of Balloon Fiesta Park and the proposed stadium location, shouldn't more work be done to address this lighting concern?

2. **Page 7, Letters of Opposition:** This summary is misleading at best. While the geese in the park are essential, they are not a critical issue when considering this land use planning review. Impacts on endangered species of animals, or the impact on migratory birds, is a potential concern, but I question why this was the first statement in the summary. I created a summary of the letters to understand all the comments received in opposition to the stadium. I encourage you to review the attached summary document, "*April 11, 2024, Staff Report: Summary of Letters in Opposition to the Proposed Stadium at Balloon Fiesta Park*". After reviewing the document, you can judge whether the current staff report accurately represents the concerns of the neighbors and other citizens.

The April 11th Staff Report has over 230 pages of opposition comments. There are about 40 pages that are duplicated letters and email strings. Also, some of the documents are not legible. As an example, see page 299 of my comments.

Several neighbors mentioned the idea of requiring a complete roof on the stadium. Why didn't this important idea get included in the Staff Report summary?

3. **Page 8, Letters of Support:** The summary is lopsided at best. The April 11th Staff Report identified "*supportive letters highlight favorable light and noise reports.*" What reports? Did this fan receive additional information not included in the April 11th Staff Report? No new sound or lighting studies were submitted in the April 11th EPC Staff Report. The sound study information was about a proposal to do additional sound studies.

It should be noted that throughout this process, various individuals have commented about the "good" job that AIBF does in managing amplified sound in the neighborhoods. Why has no one from the city staff, the design staff, or United New Mexico called me to discuss this effort? I have recorded more than 3,000 sound readings in the neighborhood since 2013.

In the Letters of Support Section in the Staff Report, three people claimed to live near the stadium. These individuals live 1.75 miles, 3.3 miles, and 3.7 miles from the park. Not really "*next to the park*".

Most support letters are from people who characterize themselves as United fans. Two have ties to the team – one does radio broadcasting, and another individual is a volunteer for the foundation. Two are from various chambers of commerce entities.

In the letters of support for the stadium, the most common theme is from their perspective: Balloon Fiesta Park is underutilized, and United is good for the city. While I acknowledge that United Soccer has positively impacted Albuquerque, building it at Balloon Fiesta Park is the wrong location. Also, the Parks and Recreation Department has not provided information about existing usage at the park. Why not?

The letters of support do not address the land use planning/ environmental impact issues associated with the stadium. At the November 16th Commission Meeting and in the email from City staff this morning, it was stated that neighbors opposed to the stadium are not allowed to discuss the lease. In

the April 11th Staff Report, why are “fan-based” comments highlighted “as the city could embark on an innovative and bold endeavor” when that has nothing to do with the land use planning case at hand?

4. **Page 11, Findings**, please review Remand Exhibit D, which outlined the Neighborhood Appeal Process and Communications summary, “*Neighborhood Appeal of Proposed Stadium: Review of Communications*.” While City Planning staff indicated that the LUHO/ remand information was included in the report, I could not find the exhibits submitted to the LUHO Officer from the neighbors. As currently written in the Staff Report, there may be errors in the description of the neighborhood involvement regarding the planning process. I recommend you review Exhibit D from the LUHO Hearing concerning errors in the representation of public participation.

Also, on November 15, 2023, a public meeting was held for the neighbors west of the park. That was the only public meeting for those neighbors. That meeting occurred the night before the November 16, 2024, EPC Hearing. While the consultants indicated that the minutes would be included in the EPC record, I have not located those minutes in the Appeal Package or the April 11th EPC Staff. Perhaps I am wrong, but I asked the question about including the minutes in the reports a while ago. And again, I have never received an answer.

5. **Albuquerque & Bernalillo County Comprehensive Plan Goals and IDO Compliance:** Just to cite two neighborhood letters, Michael Haederle’s March 10th letter, page 204, and Brooke Jordy’s letter, page 333, clearly address concerns with the proposed stadium concerning the IDO process and inconsistencies with some of the ABC Comprehensive Plan Goals. Why wasn’t that mentioned in the Findings or staff summary?
6. **Facilitated Meeting Transcript, page 208:** Please review the transcript Michael Haederle provided compared to Mr. Crump’s facilitated meeting minutes. The transcript provided by Mr. Haederle provides more detailed documentation about the facilitated meeting compared to Mr. Crump’s meeting minutes. Essential facts were omitted in the facilitated meeting minutes. A specific concern of mine was that at the March 4th meeting, a discussion occurred about my March 4th comments not being included in the facilitated meeting minutes. Why was that discussion, among others, omitted in the facilitated minutes?

Unfortunately, this is a rushed letter to address a rushed process by the city. Since Friday, I have spent at least 35 hours trying to review the 412-page April 11th Staff Report and then develop information to point out the deficiencies in the report. The lack of clear answers to procedural questions has compounded the rushed process. Why were basic procedural questions never answered back in March? Did anyone read the more than 230 pages of letters in opposition to the stadium?

Please defer this critical case and consider requiring a complete update of the 2012 Master Development Plan for Balloon Fiesta Park. The park and the public deserve better.

Sincerely,



Sandra Zuschlag
8105 Irwin ST. NE, ABQ, NM 87109
Szuschlag58@gmail.com
505-250-3798

March 4th Zoom Meeting

16 messages

Sandy Zuschlag <szuschlag58@gmail.com>

Mon, Mar 4, 2024 at 11:04 AM

To: Philip Crump <phcrumpsf@gmail.com>

Cc: Pat Hauser <hdhauser@comcast.net>, Tina Villegas <t-marie-v@hotmail.com>, Brooke Jordy <brookemjordy@gmail.com>, Michael Haederle <haederle@yahoo.com>, Maggie Rose <gypsy.rose46@gmail.com>, Kenneth & Evelyn Harris <grumpyeh46@comcast.net>, "Tania and Mike (Luis) Gonzalez (maiden Serafin)" <Tserafin30@gmail.com>

March 4, 2024

Hello, my name is Sandy Zuschlag. Unfortunately it is impossible for me to participate in the meeting tonight since I am outside of the country and I do not have access to the zoom meeting. Please include these comments as part of the record for the meeting tonight. I apologize for any formatting/ grammar problems since I am preparing this on my iPad and it has been challenging.

Also, I would like to receive a copy of the minutes when they are completed.

I am a retired licensed landscape architect. I worked for the City Parks and Recreation Department for almost 30 years. In 2012, I retired as the Assistant Director. I started working on Balloon Fiesta Park in the late 1980's through 2012. In 2013, AIBF asked me to help develop two programs in regard to event management for the North Edith and Marie Diers neighborhoods.

1. Neighborhood outreach, and

2. A sound monitoring and management program

Today, I am not representing AIBF in my comments, I am here to share my personal and professional observations. Over the last ten years during the Balloon Fiesta, we have recorded roughly 300 sound monitoring records yearly, or over 3,000 readings in ten years. Our sound reading locations are in the North Edith and Marie Diers neighborhoods. In exhibit B from the Remand Hearing those locations are documented.

I am opposed to the stadium being located at Balloon Fiesta Park due to the negative environmental impacts on the surrounding communities. From my experience of monitoring sound and other neighborhood impacts during the Balloon Fiesta the impact on the surrounding neighborhoods will be severe.

On March 1st I sent an email response to Jackie Fishman's Feb. 29th email about the proposed stadium project. I copied David Simon and David Flores, the director and deputy director of the COA Parks and Recreation Department on my email. While it hasn't been that many days for a response from the consultants and the City representatives, the aggressive planning schedule established by the City requires speedy and clear responses to questions.

Since I have not received a response, here are my questions again. Based on the poor communication that has occurred for this project it is difficult to know if any comments or suggestions have been considered.

March 1st email: It appears from Ms. Fishman's comments the approach to this remand is viewed as a technical step, not a real effort to listen and work together. I am not sure how the record gets corrected but there were several deficiencies that would have been addressed at the Remand Hearing. I understood that Mr. Chavez's ruling was a de novo, or the planning for the project had to start over. This current "planning" approach again misses the point that the neighbors living around Balloon Fiesta Park have multiple concerns. It isn't "just about noise" which in itself is a significant issue. How is one hastily scheduled meeting and setting the EPC Hearing date without listening to people demonstrate a willingness to work together?

For the consultant to now indicate that the lack of notification was a technical problem and that a meeting was not required per the remand is setting the stage for another round of poor attempts to communicate. Mr. Chavez's ruling was a do over from the beginning. Where are City staff reports?

Many individuals have provided multiple written comments that have not been addressed by the City, Consensus Planning or United New Mexico. This again shows a true lack of interest to address the concerns about the proposed stadium project. Why hasn't this happen, because it is "not required"? I would recommend that those comments be reread and addressed in writing to ensure good communication.

Ms. Fishman stated "the remand is based on the seven property owner addresses that were **inexplicably** not included in the original notice of hearing last October". This is an incorrect statement. In October and November, prior to the EPC hearing on several occasions I reached out to Ms. Fishman via phone calls and emails about not all of the neighbors within the 100 foot buffer not being notified. My comments were not taken seriously; just like comments are not being taken seriously now. The Hearing Officer said this was a de novo hearing, how is this a "do over" when the consultants are saying a meeting wasn't required?

Questions I have about this "process" are:

1. Are the comments made in the original hearing process part of the record of this "do over"? How are inaccuracies in the reporting from the original case addressed?
2. Are the exhibits which were part of the Remand Hearing included in the new case?
3. When are the written comments due for the planned EPC Hearing on March 21st?
4. What will be the format for the EPC hearing? Allowing two minutes for persons to speak doesn't allow adequate time.

Additional Comments:

A. Amplified sound during the Balloon Fiesta:

In 2015, we developed Standard Operating Procedures concerning event sound management for the Balloon Fiesta. These standards were developed in coordination with the following:

- COA Environmental Health and the Parks & Recreation Department
- AIBF staff
- AIBF's sound consultant, Noise Experts

The standards were based on the review of:

- 2012 Balloon Fiesta Park Master Plan
- 2017 COA - Noise Control Ordinance
- BERNCO - Noise Ordinance

On page 457 of the original EPC report are my 19 pages of comments. I also submitted multiple pages of comments concerning the lease. On page 469 of the EPC report is a copy of the Standard Operating Procedures and the analysis of the ordinances and plan.

The bottom line is during the Balloon Fiesta we were hired and authorized by AIBF to contacted the AIBF sound board staff to turn the amplified sound down when:

Daytime amplified sounds (7 AM – 10 PM) are above 56 dB and, Nighttime

amplified sounds (10 PM – 7 AM) are above 51 dB.

The United New Mexico sound study showed amplified sounds from the stadium above these requirements, it also did not address how sounds would be controlled before 10 PM. Impacts from non-amplified event sounds were also not addressed. What are the plans to manage sound from the stadium? Elevated amplified sounds from events at the park can be heard clearly along Second Street and beyond which is more than a mile away from the park.

B. Neighborhood Involvement with the North Edith Corridor NA, the closest NA to the park: See Exhibit D from the Remand Hearing – Chronology, on November 7th, page 10, was the first time Consensus Planning contacted the North Edith Corridor Neighborhood Association about meeting to discuss the proposed stadium. I approached Consensus Planning to let them know there was a scheduling conflict with the Marie Diers and North Edith Corridor NAs. Ms. Fishman indicated that the meeting was a follow-up meeting with the Wildflower NA. Michael Haederle, the vice president of the North Edith Corridor NA, commented in an email, *“Thanks, Sandy, that’s exactly when our neighborhood meeting is scheduled. It’s curious that Consensus Planning still hasn’t contacted our association directly.”*

Consensus Planning then scheduled a meeting for November 15th (the night before the EPC hearing) with the North Edith Corridor and Marie Diers NA. If meeting with the neighbors was necessary, it would have occurred sooner. Not the night before the hearing.

Also, the November 15th meeting minutes were never entered into the record as part of the original appeal. Page 003 of the appeal package stated, *“Appellants believe City staff neglected to refer to the strong and nearly unanimous opposition expressed by neighbors at the November 15, 2023 meeting.”* The meeting minutes do not accurately describe the many adverse comments stated. Specifically, no mention is made concerning the discussion about adding a roof to the stadium to control the sound, noise and light pollution.

In the original EPC package and minutes from the hearing, the attendees of the meetings are sometimes listed incorrectly and not all of the concerns from the neighbors were documented. At the EPC hearing, a speaker in support of the stadium stated they lived west of Balloon Fiesta. Their address was off Second Street south of Osuna Road. Clearly they do not live directly west of the park.

100-foot Buffer Notification: See Remand Exhibit C and Chronology, Exhibit D - page 3:

Concerning this issue, email communication starting October 10th between Ms. Fishman and me. Not setting the records straight on this important issue compromises the ability for future meaningful discussions.

D. Environmental Impacts of Building a Stadium at Balloon Fiesta Park and the “Arbitrary and Capricious” Manner of Planning for the Proposed Stadium:

1. Balloon Fiesta Park Commission: A critical component of Balloon Fiesta Park Master Development was public involvement. The public involvement was formalized through the creation of the Balloon Fiesta Park Commission. In the adopted plan, there are roughly 30 references concerning how the Commission should be involved in the park's planning, development, and operations. Since 2018, the Commission has not had a quorum. The arbitrary decision of the City precluded the required review of the update of the BF Park Master Development Plan.

Large Outdoor Performance Center and the Balloon Fiesta Park Commission: In the EPC Minutes, page 568, paraphrasing Ms. Fishman, she said, *“In my opinion, it's (the proposed Large Outdoor Performance Center) is not that dissimilar to the proposed multi- use stadium. And it included significant sound and lighting as key design elements. The park itself has always been envisioned as a very active facility.”* Quoting from the 2012 Master Plan, *“The Large Outdoor Performance Area shall require the typical site development plan approval process by the EPC, including notification to area neighborhood associations and adjacent landowners. In addition to the EPC approval process, the design of this facility, particularly regarding the stage height, shall require consultation with and approval by the FAA, AIBF, City Parks and Recreation, and the Balloon Fiesta Park Commission.”*

Yes, the two projects are similar; in this example, the consultant did not include the need for extensive involvement in reviewing significant proposed improvements at the park—another example of an arbitrary decision. The EPC process should not be viewed as a rubber stamp.

E. Design Process – existing conditions: As part of a design process, existing conditions are considered. The existing conditions were not adequately addressed when proposing a stadium at Balloon Fiesta Park. If they had, they would have realized the **current** impact Balloon Fiesta Park has had on the surrounding neighborhoods regarding sound and other environment impacts.

F. “Sound Study,” Anthony James Partners, New Mexico United Soccer Stadium:

1. Page 330, Methodology: the consultant stated that based on GPS Topographical information, the area is a “**relatively flat terrain**”. This is an incorrect statement since it does not address:

- North Diversion Channel (the paved channel which acts as a conduit conveying event sounds westward)
- An elevation change of 40 to 50 feet from the proposed stadium location to the residential areas west of the park
- The extension of the eastern escarpment northward which helps to direct amplified event sounds north and westward.
- The Sound Consultant indicated the location of the North Edith neighborhoods as 2,550 feet. From Google Maps, 10212 Edith Blvd. is about 2,059 feet.

2. **Test Process, page 326:** “Acoustical noise level standard published in the COA and BERNCO Noise Ordinances”:

FOR REFERENCE ONLY: Maximum noise levels at noise-sensitive property line shall not exceed 50 dBA between the hours of 10 pm and 7 am

FOR REFERENCE ONLY: Where local ambient noise levels exceed 50 dBA, the maximum noise level criteria shall be ambient plus 50 dBA.

Amplified sound is allowed between hours of 7 am – 10 pm

FOR REFERENCE ONLY: No person in the stadium shall be exposed to amplified sound over 90 dBA.

Page 569, EPC Minutes, Jackie Fishman: “So this is a graphic from the sound analysis. The city's noise ordinance and the master development plan restrict amplified sound from 7:00 a.m. to 10:00 p.m., so that's important to note. The stadium and the games played there will be 17 in their season; they are played on Saturdays from 7:00 p.m. to 9:00 p.m. So they will end before the restricted 10:00 p.m. deadline.”

COMMENT: These statements do not address the COA Noise Ordinance, Table 1: Receptor Property, Daytime – Residential as 55 dB. The sound study projects sound levels is 52 to 59 dB. **THESE PROJECTED SOUND LEVELS ARE ABOVE THE COA NOISE ORDINANCE.**

The consultants and the City have not addressed these issues—another arbitrary decision. I recommend a new Sound Study and the consultants should contact me to discuss the real world sound results we have documented.

G. Light Pollution: Refer to Exhibits provided in the Remand Hearing; look at the view from the top of Gondola Gulch. Many homes along Edith Blvd., the North Valley, Westside Albuquerque, and Rio Rancho have a view of Balloon Fiesta Park. While the Musco lighting study addresses the light quality on the field and the immediate area, it does not address the elevation change between the proposed stadium lights and the

neighborhoods to the south, north and west. The Stadium lights are between 80 and 100 feet tall. The neighborhoods to the west are 40 to 50 feet below the playing field for the stadium. **Will the lights shine into Tina's Villegas's bedroom window, 10212 Edith Blvd. and beyond? The Musco lighting study does not address this issue. Again, this is another arbitrary decision not to address the full impact the lights will have on the community. This design issue deserves additional discussion and attention. Once the lights are installed, it will be too late.**

When the golf center range lights were installed at the park, the Parks and Recreation Department received many complaints from residents in the city, Rio Rancho and Corrales. We had to adjust the lights downward. The proposed stadium lights are taller and will effect more community neighborhoods. The lighting study should address this issue.

In closing, please postpone the planned March 21, 2024, EPC Hearing Date concerning the proposed stadium. One zoom meeting does not provide the opportunity for a productive meeting and negotiations concerning this project. Additional meetings and discussions are needed to sufficiently address these and other important issues. The City has received many adverse comments for this project and to date has not addressed them.

Should my request for a delay not be granted, please refer to Mr. Chavez's ruling. This was a "do over" hearing, not a technical step in the process. How can all parties understand each other when the ground rules are so unclear?

Thank you,

Sandra Zuschlag,

8105 Irwin Street NE

505-250-3798

Sent from my iPad

Sandy Zuschlag <szuschlag58@gmail.com>

Mon, Mar 4, 2024 at 11:26 AM

To: Philip Crump <phcrumpsf@gmail.com>

Cc: Pat Hauser <hdhauser@comcast.net>, Tina Villegas <t-marie-v@hotmail.com>, Brooke Jordy <brookemjordy@gmail.com>, Michael Haederle <haederle@yahoo.com>, Maggie Rose <gypsy.rose46@gmail.com>, Kenneth & Evelyn Harris <grumpyeh46@comcast.net>, "Tania and Mike (Luis) Gonzalez (maiden Serafin)" <Tserafin30@gmail.com>

Phil, I think the following reference should state ambient plus 5 dBA not 50 dB:

FOR REFERENCE ONLY: Where local ambient noise levels exceed 50 dBA, the maximum noise level criteria shall be ambient plus 50 dBA

Sent from my iPhone

Sandy Zuschlag <szuschlag58@gmail.com>

Tue, Mar 5, 2024 at 7:42 AM

To: Philip Crump <phcrumpsf@gmail.com>, Jackie Fishman <fishman@consensusplanning.com>, David Flores <DFlores@cabq.gov>, David Simon <dsimon@cabq.gov>

Cc: Brooke Jordy <brookemjordy@gmail.com>, Michael Haederle <haederle@yahoo.com>, Steve Wentworth <swent999@aol.com>, Kenneth & Evelyn Harris <grumpyeh46@comcast.net>, Maggie Rose <gypsy.rose46@gmail.com>, Pat Hauser <hdhauser@comcast.net>

March 5, 2024

Good morning,

I have heard that the email I sent yesterday was not included in the record for the meeting last night. I sent it about 11:30 am ABQ time. Why was it not included?

To say I am disappointed is an understatement. I spent a couple of hours working on my comments and sending them from the iPad was difficult. I am outside the country and I still spent the time to comment and try and participate.

Wow...

Sent from my iPhone

Philip Crump <phcrumpsf@gmail.com>
To: Sandy Zuschlag <szuschlag58@gmail.com>

Tue, Mar 5, 2024 at 3:00 PM

Hi Sandy:

I did not include the letter in the meeting--that is not my role.

I suggest you send it directly to Silvia Bolivar and the EPC-- sabolivar@cabq.gov and to PlanningEPC@cabq.gov

The report from the meeting is attached here.

Best wishes,
Philip



PHILIP CRUMP, Mediator & Facilitator

1301 Luisa Street Santa Fe, New Mexico 87505
www.pcmediate.com Txt/VM: (505) 989-8558



Balloon Park Stadium Second Facilitated Meeting Report.docx
36K

Sandy Zuschlag <szuschlag58@gmail.com>
To: Philip Crump <phcrumpsf@gmail.com>

Tue, Mar 5, 2024 at 4:27 PM

Thank you for the information. I still need to say I am disappointed that my comments are not part of the record. Also my name is mentioned as an interested participant.

Concerning the deadline for comments. What is the actual date for comments? Is it business days or calendar days? Is it this Thursday the 7th or Monday the 11th?

In your minutes you stated in regard to the lack of notification for adjacent property owners“ i) The mistake was unintentional on the part of the planners.”. Did they say that at the meeting or were you told that? In September and October I advised Jackie multiple times via phone and email that there was a problem.

Why isn't that part of the record?

Sent from my iPhone

On Mar 5, 2024, at 4:00 PM, Philip Crump <phcrumpsf@gmail.com> wrote:

Hi Sandy:

I did not include the letter in the meeting--that is not my role.

I suggest you send it directly to Silvia Bolivar and the EPC-- sabolivar@cabq.gov and to PlanningEPC@cabq.gov

The report from the meeting is attached here. Best wishes,

Philip
PH

<GSlt9Rm00oOiZP0Q.png>

ILIP CRUMP. Mediator & Facilitator

1301 Luisa Street Santa Fe, New Mexico 87505
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<Balloon Park Stadium Second Facilitated Meeting Report.docx>

Philip Crump <phcrumpsf@gmail.com>
To: Sandy Zuschlag <szuschlag58@gmail.com>

Tue, Mar 5, 2024 at 4:32 PM

I think it's Monday the 11th.
Jackie said in the meeting that the mistake was unintentional; they failed to notify 7 households.



PHILIP CRUMP, Mediator & Facilitator
1301 Luisa Street Santa Fe, New Mexico 87505
www.pcmediate.com Txt/VM: (505) 989-8558

Jackie Fishman <fishman@consensusplanning.com>

Wed, Mar 6, 2024 at 8:17 AM

To: Sandy Zuschlag <szuschlag58@gmail.com>, "David Flores (DFlores@cabq.gov)" <DFlores@cabq.gov>, "Simon, David J." <dsimon@cabq.gov>

Sandy –

My understanding from Phillip Crump is that he advised you to send your letter to Silvia Bolivar (City case planner) so that it can be properly entered into the case record. All letters sent to Silvia will be part of the staff report that goes to the EPC.

I also wanted to respond to what I think is a misunderstanding regarding what I said in a previous email about notification. I certainly acknowledge that you called me to express your concern regarding notification of property owners along Edith Boulevard. If you recall, I sent you the notification list. You should understand that I don't personally create the buffer map – my staff does. At the time, I asked my staff to check the buffer map and was assured that it was drawn correctly. The addresses are automatically created by AGIS, as I tried to explain to you previously. There is no explanation as to why the system didn't work correctly - the Planning Department also had no explanation. Our case planner also believed that notification was done properly, as noted in the staff report. And as you know, once the mistake was made abundantly clear, the Applicants requested the remand. I can assure you that there was no ill intent to leave anyone out of this process. The case has been remanded and everyone who has a desire to participate will have the opportunity to do so.

Thanks and have a great vacation,

Jacqueline Fishman, AICP

Principal

Consensus Planning, Inc.

302 Eighth Street NW

Albuquerque, NM 87102

P: 505.764.9801

Sandy Zuschlag <szuschlag58@gmail.com>
To: Jackie Fishman <fishman@consensusplanning.com>

Wed, Mar 6, 2024 at 9:05 AM

Cc: "David Flores (DFlores@cabq.gov)" <DFlores@cabq.gov>, "Simon, David J." <dsimon@cabq.gov>, "Silvia A. Bolivar" <sabolivar@cabq.gov>

Bcc: gypsy.rose46@gmail.com, brookemjordy@gmail.com, haederle@yahoo.com, t-marie-v@hotmail.com, grumpyeh46@comcast.net, hdhauser@comcast.net

Jackie thank you for your response. I hope AGIS and Planning will correct their database so this doesn't happen again. Please provide me an update when this has been corrected. Is this the only area which this has occurred or city wide?

Concerning notification, I understand what you are saying but I find it incredibly frustrating that I brought the notification issue and other issues to the attention of you and COA staff and I have been blown off. From what I have observed that is happening with the neighbors too.

Concerning the March 4th letter, I still would like it to show up as part of the record. Why was this not allowed, where does it show up in IDO? I asked current process questions in my email to you last week and in the March 4th letter which should be addressed now.

While I will submit comments again to EPC that is not until March 11th? Right? What time? No where in the minutes does it state a day and time. Is it ten business or working days?

I look forward to your response.

Sent from my iPhone

On Mar 6, 2024, at 9:17 AM, Jackie Fishman <fishman@consensusplanning.com> wrote:

Jackie Fishman <fishman@consensusplanning.com>

Wed, Mar 6, 2024 at 7:57 PM

To: Sandy Zuschlag <szuschlag58@gmail.com>

Cc: "David Flores (DFlores@cabq.gov)" <DFlores@cabq.gov>, "Simon, David J." <dsimon@cabq.gov>, "Silvia A. Bolivar" <sabolivar@cabq.gov>

Sandy - I'm out until Monday, so just a quick email to say that if you submitted your letter to Silvia Bolivar, it is part of the record and is already going to be included in the staff report. Staff reports are posted the week before the hearing, March 14, so all letters received before then are included.

Lastly, the facilitators are hired strictly to facilitate the meeting and create a report of the discussion at the meeting to provide to the EPC. They don't make any determination or judgement on anything. The facilitators have never accepted a letter from anyone - its simply not part of facilitation process.

There is a lot of misunderstanding out there regarding the City's legal entitlements process. I would encourage you to contact the Planning Department.

Jackie Fishman, AICP Principal



NEIGHBORHOOD APPEAL OF PROPOSED STADIUM: REVIEW OF COMMUNICATIONS

February 13, 2024

Note: Bolding has been added for emphasis.

<u>Dates</u>	<u>Description</u>	<u>Comment</u>
2014 - 2016	"BERNCO - AIBF <i>Special Use Permit</i> " for AIBF property at 10424 Edith Blvd.	Sandy Zuschlag worked with Consensus Planning and the North Edith Corridor Neighborhood Association concerning the Special Use permit. She provided neighborhood contacts, maps and summarized neighborhood issues for AIBF and Consensus Planning.
August	Proposed Stadium at Balloon Fiesta Park (Project #PR-2023-009363-009363/ Case #SI-2023-01635/ SI-2023-01638) - Consensus Planning sent a pre-application meeting notices to District 4, Alameda North Valley NA (ANVA), and Wildflower NA	The Marie Diers and the North Edith Corridor Neighborhood Associations were not notified. Note, in the November 2 nd Meeting Minutes, District 6 is stated instead of District 4.
August 29, 2023	Balloon Fiesta Park Commission Meeting	The Commission meeting did not have a quorum and no action was taken. The COA Planning Dept. in the Appeal package sites this meeting as a meeting concerning "public notification." The North Edith Corridor Neighborhood Association was not invited or present at the meeting. On November 2, 2023, Sandy Zuschlag met with staff from the COA Parks & Recreation Department and Stadium Consultants. She alerted the COA staff that notices and minutes for the meeting had not being posted to the City WEB page. After the meeting the information was posted. An important component of the 1998 Balloon Fiesta Park Master Development Plan and the 2012 update was community involvement. Multiple advisory boards

		<p>helped with the planning, design, and development of the park over the years.</p> <p>In 2010, F/S O-09-90 was adopted by the City Council, adopting an ordinance created the Balloon Fiesta Park Commission. In 2016 it was amended. Unfortunately for several years the Commission remains inactive (violating the City Ordinance) and the Balloon Fiesta Park Master Development Plan.</p> <p>Steve Wentworth, president of ANVA reported that ANVA was not notified about the August 2023 commission meeting. Note, ANVA had a position on the Commission.</p> <p>Pat Hauser attended the meeting based on hearing about the meeting from the “unground”.</p>
September 8, 2023	Online Pre-application Facilitated Meeting	<p>Per Consensus Planning notes, invitations were sent to: District 4 Coalition, North Valley Coalition, Highlands North NA, Alameda North Valley Association (ANVA), Nor Este NA, Vineyard Estates NA, Wildflower Area NA, West Old Town NA.</p> <p>No one from North Edith Corridor NA or the neighborhood were invited or present at the meeting.</p> <p>Steve Wentworth, president ANVA participated.</p> <p>Pat Hauser participated based on hearing it in the “unground”.</p>
October 5, 2023	Consensus Planning submitted EPC package, and in the information it stated that neighbors within the 100-foot buffer area were notified.	<p>In the January 19, 2024, Planning Department Appeal letter to City Council, the department staff confirmed that nine properties were <u>not</u> notified.</p> <p>Notification to some neighbors within the 100-foot buffer area did not occur correctly.</p>
October 8, 2023	City Council Meeting - United lease review	

<p>October 9, 2023</p>	<p>Call from Sandy Zuschlag to Jackie Fishman, Consensus Planning</p>	<p>Sandy Zuschlag contacted Jackie Fishman to discuss her concerns about inadequate neighborhood notification, the lack of the Balloon Fiesta Park Commission and how the 1998 and 2012 Balloon Fiesta Park Master Development Plan was developed through extensive neighborhood coordination.</p> <p>Sandy explained that when she was walking the North Edith neighborhood for 2023 Balloon Fiesta she had heard from some neighbors that they had not been notified about the proposed stadium project.</p> <p>Jackie indicated that they were following the COA IDO planning process, and it wasn't required. The area west of Balloon Fiesta Park was in the unincorporated area of Bernalillo County. Sandy followed up with an email, "<i>Jackie, FYI some parts of the North Edith Corridor NA is inside city limits...</i>"</p>
<p>October 10th – 13th, 2023</p>	<p>Emails between Jackie Fishman to Sandy Zuschlag. Copied on the emails were David Flores, COA P&R Deputy Director, and David Simmons, COA, Parks & Rec. Director</p>	<p>Jackie Fishman email to Sandy Zuschlag, "<i>We get a list of affected/recognized NAs from ONC. They listed District 4, Alameda North Valley, and Wildflower. As you know, if they aren't "recognized", ONC doesn't provide those contacts and they don't provide County NA contacts.</i></p> <p><i>However, everyone who attended the facilitated meeting was sent a link to a big packet of information I put together last Thursday. My office also mailed notification to property owners within 100 feet, minus ROW. I believe there were 57 or so packets mailed out."</i></p> <p>Sandy Zuschlag responded, "<i>Thank you Jackie, does that mean information is being sent to addresses on Edith Blvd (across the arroyo)?</i>"</p> <p>Jackie Fishman responded, "<i>I can look at our buffer map and let you know."</i></p> <p>On 10/13/23, Sandy Zuschlag sent another email, "<i>Some of the neighbors along Edith Blvd are saying they haven't received any mail about the project."</i></p> <p>Jackie Fishman responded, "<i>Mailings to adjacent property owners were sent out on the same day as the EPC submittal, October 5th. The addresses that were mailed notice to had to be within 100 feet, minus ROW, per the IDO regulations...</i></p>

		<p><i>I've found many people who say they didn't receive notice only to turn out that they did in fact receive notice. As a courtesy, I've attached the property owner mailing label list and you can search it for Edith addresses. The public is also welcome to go to the City to further inspect the submittal made to EPC."</i></p>
<p>October 16, 2023</p>	<p>Jackie Fishman sent an email to Sandy Zuschlag, copied David Flores, COA P&R Deputy Director, and David Simmons, COA, Parks & Rec. Director</p>	<p>During the 2023 Balloon Fiesta, Sandy Zuschlag called Jackie Fishman and Jim Strozier, Consensus Planning.</p> <p>Jackie responded, <i>"Hi Sandy – Thanks for your continued interest in the BFP process. I understand you spoke with Jim Strozier over the weekend, but as I think you know, Jim isn't involved in this project. He did relay your conversation to me this morning. My understanding from Jim is that you continue to have concerns regarding the notification and amendment procedures.</i></p> <p><i>Prior to your conversation with Jim, and in response to this concern, I sent you the mailing list for the adjacent property owners last week and also let you know the three recognized NAs that were notified, per ONC requirements. You also relayed last week that Pat Hauser told you he didn't get the link that I provided to the plans – that wasn't correct and Phillip Crump, the meeting facilitator, confirmed that the link was sent to Pat on October 5th, the same day as the submittal to the EPC.</i></p> <p><i>Everyone that participated in the facilitated meeting, including any reps from North Edith and Maria Diers received Phillip's email containing the same link to the plans.</i></p> <p><i>Regarding the process for amending the MDP, the language is very clear in stating that all buildings over 10,000 and certain major site amenities must be reviewed and approved by the EPC and notification provided to area NA's and adjacent landowners, which is the process we followed. I am unclear which part of this you are referencing when you asked Jim why we weren't following the MDP amendment process?</i></p> <p><i>I understand that you may not be a supporter of the soccer stadium being at BFP. I would be happy to schedule a virtual or in-person meeting with you, David, Dave, and I to discuss any further concerns. Just let us know and I will get it scheduled."</i></p>

<p>October 16, 2023</p>	<p>Sandy Zuschlag sent an email to Jackie Fishman, copied David Flores, COA P&R Deputy Director, and David Simmons, COA, Parks & Rec. Director</p>	<p>Sandy's email to Jackie Fishman, "Thank you for your response. I tried calling you on Saturday afternoon to discuss what I had learned about the notifications to neighbors and observations. I did not know Jim was not involved in the Sports Stadium project.</p> <p>I called you to express my respect for you as a past work friend and to express my concerns about the Stadium project. My concerns should not be minimized to just process issues. It was a concerning notification to the neighbors and interested stakeholders. I told Pat Hauser about Phil's email. He had not noticed it.</p> <p>I reviewed the list of neighbors you notified, and it was interesting. I don't know how the list was generated, but neighbors living directly west of the Stadium (less than one-half of a mile away from the proposed Stadium) were not notified. Neighbors south of Alameda Road were notified. We spoke with Michael Haederle and Leslie Linthicum, 10313 Edith Blvd., and Tina Villegas, 10212 Edith Blvd. They said they did not receive the EPC submittal in the mail. I also verified that they are not a business address.</p> <p>I provided them with the link that Phil sent me. The 2012 Balloon Fiesta Master Plan and the Balloon Fiesta Park Commission outline the need for public involvement with park stakeholders. I believe the City is not complying with the existing Plan requirements and Balloon Fiesta Park Commission ordinance. I understand the Ordinance for the Commission was amended in 2016. Some of the membership and authority of the Commission changed, but it still exists. I know firsthand how difficult it could be to work with the Commission, but the city administration and the community should not give up.</p> <p>I understand the Mayor, Lawrence (Rael), and perhaps the Parks and Recreation administration think the neighbors have too much power. The bottom line for me is that the park was built with the stakeholders' input, negotiation, and cooperation. The NARO process is too narrow for this critical facility. If the Sports Stadium is such a great project, it should be able to weather public scrutiny and discussion.</p> <p>Have you reviewed the lease that is up for approval tonight? In my opinion, it is very weak. I lived through the fiasco of New Mexico Golf Academy. Why is the lease being rammed through this coming</p>
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		<p><i>week: Tuesday, October 31 - 4:00 City Council tonight? It isn't even going to a Committee meeting; why wasn't an RFP?</i></p> <p><i>Sure, I would like to meet. However, it should be noted that I have already heard about retribution for what I am doing. Very sad."</i></p>
10/27/23, 7:29 AM	Sandy Zuschlag sent an email to Jackie Fishman, Phillip Crump, facilitator, David Flores, COA P&R Deputy Director, and David Simmons, COA, Parks & Rec. Director	<p>Sandy Zuschlag sent an email, "Good morning Jackie, David & David, On October 16th I responded to your email about the proposed Sports Stadium. I indicated that I would be willing to meet.</p> <p><i>Since no one has responded to me I am assuming my comments and observations are not wanted or are inconvenient. As you know, I worked for the Parks and Recreation Department for almost 30 years. I have a significant amount of knowledge about the park. I was hoping to share some of my observations based on past and current experiences. Some of my observations I would have preferred to share in person. At this point, I will submit my written comments to City Council and EPC since no meeting has been scheduled."</i> Jackie Fishman responded and a meeting was scheduled for November 2, 2023.</p>
October 22, 2023	Neighborhood Meeting at the end of Diers Road	<p>In the EPC submittal and hearing, the stadium consultants and the staff from the COA Planning Department call it a public meeting.</p> <p>The meeting organized by the neighbors for the neighbors was described as "a get together meeting", so we could get to know each other.</p> <p>A neighbor who is a fan of United New Mexico contacted the representatives of the team. Representatives from United New Mexico and Improve Group showed up at the meeting.</p>
November 2, 2023	Sandy Zuschlag meeting with COA Parks & Recreation Department staff (David Flores, Deputy Director P&R and David Simmons Director listened in on the phone), and stadium consultants: Jackie Fishman, Consensus Planning Department, Jared Winchester, Improve Group	<p>Sandy Zuschlag note's/ personal agenda for the meeting: In general, the meeting participants listened but did not express how they would work with the neighbors west of Balloon Fiesta Park.</p> <p>They did state that they were surprised by some of the details I shared with them. Jared stated that United wanted to be good neighbors. I responded that if they wanted to be good neighbors, they should defer the approval of the update and draft lease.</p> <p>Jared asked for a copy of the sound information that I had discussed. After the meeting, Sandy Zuschlag</p>

		<p>sent the information to Jackie Fishman and Jared Winchester.</p> <p>The documents included a review of the various sound ordinances and requirements associated with Balloon Fiesta Park. (COA, Bernalillo County and BF Park Master Development Plan) and the AIBF Standard Operating Procedures for monitoring and managing sound during the Balloon Fiesta.</p> <p>At the meeting, some of the information I discussed included:</p> <ol style="list-style-type: none"> 1. My opinions are my personal opinions, not those of the AIBF organization. 2. Challenges with leasehold interests at Balloon Fiesta Park <ol style="list-style-type: none"> a. 1998 RFP for Golf Training Center b. 2001 – 2004: Challenges dealing with non-compliance issues with the lease with NMGA. No COA-approved building permit for the Golf Center <ul style="list-style-type: none"> ● We (city staff) spent a few years documenting the lack of lease payments and writing and photographing performance problems for the City administration (Martin Chavez, Lawrence Rael). Ultimately, the City Administration canceled the lease, and the leasehold interest was transferred to Tortilla Inc. ● I testified in the court hearing concerning NMGA about the non-performance lease issues. We had a few boxes of documentation. The judge threw out the information since <i>“the City should have taken action sooner.”</i> ● In about 2004, the lease was transferred to Tortilla Inc. Tortilla Inc. was required to pay a \$5,000/ monthly guarantee (\$60,000/ year) plus a percentage for liquor sales plus off-site revenues. The Sports Stadium is \$35,000/ year plus 10% parking revenues. ● The City and ACVB worked together for a few years, attracting the FMCA RV Event
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		<p>(Family Motor Coach Association) to Balloon Fiesta Park and the Fairgrounds. This event was viewed as a significant revenue generator for the City. In 2004, about 60 days before the FMCA event at Balloon Fiesta Park, Tortilla Inc. scheduled a Queensryche Concert at the Golf Center. FMCA is comprised of many seniors, and the use was not compatible.</p> <ul style="list-style-type: none"> ● NMGA declared bankruptcy. On a Friday, the leasehold interest was valued at about \$1.8 - \$1.9 million. On Monday, the City agreed to compensate NMGA \$2,381,500 for the leasehold interest, or a jump of about \$500,000. No reason was ever given. <p>3. In my opinion, how Balloon Fiesta Park is operated has directly impacted the neighbors' willingness to support a Multi-Use Stadium. For whatever reason, staff does not take action during the Balloon Fiesta City when elevated amplified sound readings occur in the Park.</p> <p>During our yearly walk of the neighborhoods and during the annual Balloon Fiesta, we hear regularly that the City is not a good neighbor. The neighbors do not trust the City.</p> <p>After ten years of working with the neighbors, the neighbors now describe AIBF as a good neighbor. For the most part, the neighbors understand the challenges AIBF faces with the popular event and their personal challenges they face living next to Balloon Fiesta Park.</p> <p>4. <i>"2023 Neighborhood Sound Monitoring & Management Standard Operating Procedures" and "Table 2: 2022 Balloon Fiesta Park Noise Control"</i>. The Standard Operating Procedures were drafted based on the review of applicable Plans and Ordinances and with the help of AIBF's 2013 sound consultant and staff from the COA Environmental Health Department and the Parks and Recreation Department.</p> <p>We drafted the Standard Operating Procedures to aid us in how to manage the amplified sound levels during the Balloon Fiesta. Trying to address the <i>"ambient noise levels exceed 50 dba, such as the Park's</i></p>
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		<p><i>southern edge at Alameda Boulevard, the sound level shall not exceed ambient plus 10 dba” is confusing and complicated to do in real-time.</i></p> <p>5. Lease and EPC Submittal are not ready for approval</p> <ul style="list-style-type: none"> a. The Balloon Fiesta Park Master Development Plan was developed with significant public involvement. Involvement from the stakeholders and the neighbors is lacking (no quorum with the Balloon Fiesta Commission since 2018). Will United be required to comply with the Plan? What are the approved multi-use activities for the Stadium? Performance criteria for the lease? Operational standards? b. City infrastructure improvements? In the Plan, it is not clear what the upgrades are. Shouldn't they be identified? <p>To build the northern parking lot, it will need to be addressed. Will that occur before the loss of parking spaces due to the construction of the Stadium?</p> <ul style="list-style-type: none"> c. The sound and lighting studies are inadequate. The sound study does not address sound management issues in the North Edith and Marie Diers neighborhoods. The Plan has criteria that are not currently being followed. d. The lighting analysis does not address the elevation change between the Stadium, elevation 5,058 feet, and the North Edith and Marie Diers area. The elevation at 10312 Edith Blvd. is approximately 5,025 feet, and at 134 Marie Circle, it is 5,010 feet. The lights at the proposed Stadium are 100/90 feet tall. The analysis does not consider this impact. e. Phasing plan? Update of Budget Section? f. Issues with PNM approval or Nazareth landfill? Parking on Sumitomo lot impact on Wildflower neighborhood?
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November 2, 2023	Meeting with Wildflower Neighborhood Association	<p>The consultants notified the Wildflower Neighborhood Association about the meeting.</p> <p>In the EPC Appeal package, this meeting is called a “public meeting”, this meeting was organized for the Wildflower Neighborhood Association. No one from North Edith Corridor Neighborhood Association or the neighborhood were invited or present at the meeting.</p> <p>Pat Hauser and Annette Kitts from the Marie Diers area attended the meeting. They heard about the meeting in the “underground”.</p>
November 6, 2023	Email from Jackie Fishman about a planned follow up meeting with the Wildflower Neighborhood Association	<p>On November 6th, Jackie Fishman sent an email to Wildflower neighbors (plus Pat Hauser) about a planned follow-up meeting with Wildflower neighbors on November 9th.</p> <p>On November 7th, Sandy Zuschlag sent Jackie Fishman an email indicating that there was a previously scheduled neighborhood meeting (with the neighbors North Edith and Marie Diers) to debrief about the 2023 Balloon Fiesta.</p> <p>Jackie responded that the meeting was a follow up meeting for the Wildflower neighbors and that “we are happy to schedule additional meetings with any group that requests a meeting, including with North Edith and Marie Diers NA”. She suggested 11/15/23 (the night before the EPC hearing).</p> <p>In the email, Sandy Zuschlag copied the email to some of the North Edith and Marie Diers neighborhoods.</p>
November 7, 2023	Michael Haederle sent a response email to Sandy Zuschlag and other neighbors.	<p>Michael Haederle, vice president of the North Edith Corridor NA, <i>“Thanks, Sandy. That's exactly when our NECA meeting is scheduled. It's curious that Consensus Planning still hasn't reached out directly to our associations. Jim Strozger & Co. spent plenty of time with us when AIBF was acquiring the land behind the older radio station. . .”</i></p>

November 7, 2023	Jackie Fishman sent an email to Sandy Zuschlag and the neighbors copied on the previous email.	Jackie Fishman's email: " <i>Sandy et al – The meeting on Thursday evening is in response to Wildflower's request last week for another meeting specific to their NA. However, as I've said at our previous meetings, we are happy to schedule additional meetings with any group that requests a meeting, including with North Edith and Marie Diers NA. We've checked our schedules and would like to have this meeting with the NA on Wednesday, November 15 at 6:00 pm.</i> "
November 9, 2023	Wildflower Neighborhood "follow up" meeting with the stadium consultants, COA P&R representatives and New Mexico United	<p>The Wildflower Neighborhood Association meeting was held.</p> <p>No one from the North Edith Corridor Neighborhood Association or the neighbors in that area attended this meeting because of the previously scheduled AIBF debrief meeting with the North Edith Corridor NA.</p> <p>Pat Hauser, Silvia Hauser, and Annette Kitts, from the Marie Diers area attended this meeting.</p> <p>In the Consensus Planning meeting minutes, it states "The purpose of this meeting was to provide the opportunity for the Wildflower NA, Marie Diers, and North Edith residents to discuss the proposed project". This statement is incorrect.</p> <p>At the Wildflower NA follow up meeting, and from Consensus Planning meeting minutes the neighbors requested a sound study for "concerts and other events with loudspeakers" and the "neighbors expressed concern that they were not properly notified of the stadium project and are now being railroaded into accepting the development. Jackie Fishman explained that the process followed the City's procedure for public notification of the EPC application."</p>
November 15, 2023	First Meeting with the North Valley Neighborhood Associations (Marie Diers and North Edith Corridor NAs)	<ol style="list-style-type: none"> 1. The Meeting Minutes by Consensus Planning do not correctly describe the neighborhoods who they are meeting with ("Maria Diers, North Alameda, North Edith, and North Edith Corridor Associations"). Note: No one from the Alameda North Valley NA attended the meeting. 2. The minutes incorrectly state who was notified ("District 6, Alameda North Valley NA, and Wildflower NA). 3. The date of the Wildflower Neighborhood Association meeting is shown incorrectly in the minutes as

		<p>November 3rd. The meetings with Wildflower neighborhood were held on the 2nd, and 9th.</p> <p>Note: The Meeting Minutes from the Nov. 15th Meeting with the neighbors west of Balloon Fiesta Park were not entered into EPC record.</p>
<p>November 16, 2023</p>	<p>EPC Hearing</p>	<p>Many neighbors did not participate in the meeting since the neighbors had met with the Stadium consultants and the City representatives the night before.</p> <p>Silvia Bolivar states in the January 19th Planning Department letter to City Council, "<i>EPC staff did not attend the November 15, 2023 meeting. People who attended both the meeting and the hearing had the opportunity to present this information during the hearing, but did not.</i>"</p>
<p>November 4, 2023</p>	<p>Tina Villegas (10212 Edith Blvd.) sent an email to Jackie Fishman</p>	<p><i>"Ms. Fishman, Would it also be possible to get the minutes and attendee list from the neighborhood meeting held the evening of November 15, 2023, at the Golf Center?"</i></p>

(no subject)

2 messages

Sandy Zuschlag <szuschlag58@gmail.com>
 To: Susan Rice <asrice@cabq.gov>
 Cc: Andres Martin Garcia <amgarcia0428@gmail.com>

Sat, Oct 22, 2022 at 7:25 AM

Oct. 22, 2022

Hi Susan!

Thank you for the COA P&R sound data. We have some questions about the data:

Music Fiesta, Oct. 8, 2022:

1. At 2:30 PM, multiple readings were reported above 90 dB (BF 13 Sound Booth Area, 94 dB, BF 15 Front East of Stage, 96 dB and BF 16 Front Stage, 98 dB). Did City staff advise the soundboard personnel that the sound readings were more than 90 dB? The 2012 Balloon Fiesta Park Master Development Plan indicates that no person at Balloon Fiesta Park shall be exposed to amplified sound over 90 dba.
2. Music Fiesta, 4 – 4:30 PM: City staff reported: "no concert at this time." Is that statement correct? Some of ^{our} your readings during that time:
 - a. **Eight a - 10312 Edith Blvd., Haederle:** 4:14 PM, ZcS Consulting recorded an average of 55 dB from amplified music from the park. The music was periodically spiking to 61.4 dB. The weather was 62 F, North 6 mph, cloudy, and 82% humidity.
 - b. **7 - 10201 Edith Blvd.:** 4:35 PM, ZcS Consulting recorded an average of 57 dB from amplified music from the park. We sent a text, "FYI, at Edith & Alameda Road. average 57 dB. A little over ordinance".
 - c. During the Music Fiesta at 3:25 PM, you reported "Averaging 65 dB at points outside the stage area". Do you remember your location? Did the AIBF soundboard staff respond?
3. COA Staff reported "background noise" for most readings. How should we describe that information in the report? Below is the occasion that the "amplified PA system" was noted. During these readings, was the amplified PA system the primary source of sounds?

Event	Date	Location	COA P&R Times	Average dB Reading	Comments Concerning Sound
Evening Glow	10/01/2022	BF2 - SW North Diversion Channel	6:30 - 7:00 PM	60	Background noise/ amplified PA system
Evening Glow	10/01/2022	BF4 - Golf Training Center	6:30 - 7:00 PM	62	Background noise/ amplified PA system
Evening Glow	10/01/2022	BF5 - Balloon Museum	6:30 - 7:00 PM	73	Background noise/ amplified PA system
Evening Glow	10/01/2022	BF10 - Gate 3 (NE Corner of Field)	6:30 - 7:00 PM	64	Background noise/ amplified PA system
Evening Glow	10/02/2022	BF5 - Balloon Museum	6:30 - 7:00 PM	66	Background noise/ amplified PA system
Morning Launch	10/05/2022	BF4 - Golf Training Center	6:00 - 6:30 AM	63	Background noise/ amplified PA system
Music Fiesta	10/08/2022	Need to ID location			Susan Rice reported amplified sound readings of 65 dB in the park. Not sure if the sound was

Exhibit E

					reduced.
Evening Glow	10/06/2022	BF4 - Golf Training Center	6:30 - 7:00 PM	72	background noise w/ PA
Evening Glow	10/07/2022	BF4 - Golf Training Center	6:30 - 7:00 pm	68	Background noise & PA

Thank you for your help in advance!

Sandy Zuschlag
Andres Garcia

ZcS Consulting
505-250-3798

Sandy Zuschlag <szuschlag58@gmail.com> Sat, Oct 22, 2022 at 7:29 AM
To: Sam Parks <sparks@balloonfiesta.com>, Paul Smith <prsmith@balloonfiesta.com>, Andres Martin Garcia <amgarcia0428@gmail.com>

Good morning Sam and Paul!

We are diligently working on reviewing and summarizing the sound data. We wanted to update you on the information we sent Susan Rice.

Typically we submit the final report middle to end of November. Are there any dates where you need preliminary information for your briefings?

Enjoy your day!

Sandy
Andres

[Faint signature or stamp]