

PLANNING DEPARTMENT
URBAN DESIGN & DEVELOPMENT DIVISION
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OFFICIAL NOTIFICATION OF DECISION

April 12, 2024

City of Albuquerque
Parks & Recreation Dept.
PO Box 1293
Albuquerque, NM 87103

Project # PR-2023-009363
SI-2023-01635 – Master Development Plan Text Amendments
& Major Amendments to Site Plan for Subdivision
SI-2023-01638 - Site Plan- EPC

LEGAL DESCRIPTION:

Consensus Planning, agent for the City of Albuquerque and New Mexico United Soccer, received a remand back to the EPC for a request of a Major Amendment to the Balloon Fiesta Park Master Development Plan text and Site Development Plan for Subdivision, and a new Site Plan – EPC for all or a portion of Tracts, A-1 through G-1, Plat of Tracts of A-1 through H-1, I-1-A & I-2-A; and Tract I-A-A, Plat of Tracts A-1 through H-1, I-1-A & I-2-A, and a fraction of Lot 2, located in NE ¼ NE ¼ Section 11, T11N, R3E, a/k/a Tracts F & G Heirs of Filiberto Gurule Tract, located at Balloon Fiesta Park, between Paseo del Norte Blvd. NE and Roy Ave. NE, approximately 370 acres (B-17-Z, C-16-Z, & C-17-Z).

Staff Planner: Silvia Bolivar

On April 11, 2024, the Environmental Planning Commission (EPC) voted to APPROVE Project # PR-2023-009363/SI-2023-01635 Master Development Plan, Major Amendments SI-2023-01638 Site Plan - EPC, based on the following Findings and subject to the following Conditions of Approval:

FINDINGS – SI-2023-01635, Master Development Plan – Text Amendments

1. The request is for text amendments to the Balloon Fiesta Park (BFP) Master Development Plan (MDP) enabling the addition of a Multi-Use Stadium and a Site Plan for Subdivision. The 2012 MDP originally included a Site Plan for Subdivision, which was approved by the EPC. This Site Plan for Subdivision necessitates separate approval from the MDP, and both the MDP and Site Plan for Subdivision are interdependent for approval. The site is legally described as all or a portion of Tracts A-1 through G-1, Plat of Tracts A-1 through H-1, I-1-A & I-2-A, Tract I-A-A, Plat of Tracts A-1 through H-1, I-1A & I-2-A, and a fraction of Lot 2, located in NE ¼ NE ¼ Sec 11, T11N, R3E, a/k/a Tracts F & G, Heirs of Filiberto Gurule Tract, between Paseo del Norte NE and Roy Avenue NE (the “subject site”).

2. The subject site is zoned NR-PO-A (Non-Residential Park and Open Space, city owned or managed Park Zone District), a zoning designation received upon adoption of the IDO. The subject site was formerly zoned SU-2 for Balloon Park Museum & Related Uses.
3. The EPC is hearing the request because, as per the Integrated Development Ordinance (IDO), all pre-IDO MDS on City-owned properties must follow the amendment process identified in IDO 14-16-6-4(Z)(3).
4. The request was heard and approved during the November 16, 2023 EPC hearing. Aggrieved parties appealed the decision citing improper mailed notice, errors in the decision-making process, and insufficient consideration of neighborhood concerns.
5. On February 16, 2024, the Land Use Hearing Officer (LUHO) remanded the case back to the EPC for a new hearing due to improper notification. The remand instructions state: The remand must be de novo, reheard anew.

“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”.

The new hearing must also satisfy *State ex rel. Battershell v. City of Albuquerque*, 1989-NMCA-045, including the provision which allows for the opportunity for testimony and cross-examination.

6. The City’s Parks and Recreation Department holds the responsibility of overseeing the development as well as the management and operations at Balloon Fiesta Park, as defined by the Master Development Plan (MDP). The MDP, originally approved by City Council in 1998, serves as the primary governing document for Balloon Fiesta Park.
7. The applicant wishes amend the Balloon Fiesta MDP: to 1) eliminate the language that currently prohibits the use of an Outdoor Multi-Use Stadium; 2) Modifying the MDP and the associated Site Plan for Subdivision to include the Outdoor Multi-Use Stadium in the area where a 5-6 multi-story parking structure was initially permitted under the approved MDP; 3) Modifying the light standards as outlined in Section 6: Design Performance Standards to allow for stadium lighting; 4) Replacing the Northeast Outdoor recreation Area with surface parking; 5) introducing an additional adjacent tract for Balloon Fiesta’s parking needs, facilitating the creation of 750 more parking spaces and expanding the park’s total acreage from 358 acres to 367.5 acres
8. Upon receiving approval of this request, the applicant would be required to update the Master Plan layout with all previous administrative amendments to create consistency and reflect the current and future BFP MDP programming
9. The subject site is located in an Area of Consistency and is in the North I-25 Community Planning Area (CPA).
10. The Albuquerque/Bernalillo County Comprehensive Plan, the Balloon Fiesta Park Master Development Plan, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
11. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Character from Chapter 4: Community Identity.

A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities

The subject site is located in an Area of Consistency, and the proposed request is consistent with the goal of enhancing, protecting, and preserving the distinct character of the community. This consistency is achieved by establishing the Multi-Use Stadium within the existing Balloon Fiesta Park, in line with the objectives outlined in the Master Development Plan. Balloon Fiesta Park is a vital part of the North I-25 community, and the introduction of a new stadium, along with associated infrastructure improvements, aims to enhance, protect, and preserve this distinct community by offering an additional use/amenity that caters to the preferences of both local and statewide residents.

B. Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

The request would facilitate quality development that is consistent with the distinct character of the community because the proposed site plan is required to follow MDP design standards. The stadium's design, as depicted in the Site Plan, exemplifies high-quality development that matches the unique character of the North I-25 community. The layout adheres to the Balloon Fiesta Park Master Development Plan initially created in 1998 and updated in 2012. The amendments to the MDP will outline the desired development quality for this regional park facility that hosts the state's signature event while providing a range of indoor and outdoor recreational and cultural activities for residents, statewide residents, and visitors.

C. Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request would generally protect the identity and cohesiveness of neighborhoods nearby by ensuring the appropriate scale and location of development, mix of uses, and character of building design within the existing Balloon Fiesta Park. The scale and intensity of use shown on the Site Plan, Landscape Plan, and building elevations have been designed to reflect and improve existing site conditions while implementing the vision of the MDP. The stadium's height is less than the maximum height of 26 feet above the east property line/escarpment allowed by the MDP, which will further protect the identity and cohesiveness of nearby neighborhoods. While the Balloon Museum reaches a height of 75 feet, the proposed stadium, like the Golf Training Center and Sid Cutter Pilot's Pavilion, was designed to harmonize with the area's character.

D. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

The request is consistent with this policy because Balloon Fiesta Park's unique status within the built environment contributes to the distinct identity and sense of place in the North I-25 area. The proposed amendments will allow for the development of the stadium, that has been designed to preserve the natural and man-made features of the park while enhancing the east escarpment and the northern side of Gondola Gulch. The area will further be protected and enhanced because the stadium's development will help address concerns related to the Nazareth Landfill by implementing measures to mitigate landfill gasses in coordination with Environmental Health.

12. The request is consistent with the following Comprehensive Plan Goals and Policies regarding land use and Areas of Consistency from Chapter 5: Land Use.

- A. Goal 5.2 Complete Communities: Foster communities where residents can live, work, earn, shop, and play together. r and needs.

The request is consistent with this Goal because the Site Plan and Major Amendment are designed to foster a community where residents can live, work, learn, shop, and socialize together. The introduction of the stadium to Balloon Fiesta Park will amplify opportunities for social engagement and leisure, all while generating new employment possibilities for residents. The stadium's construction and ongoing functions will provide job openings for community members, encompassing roles for construction workers, stadium personnel, and event-related services such as hospitality and concessions.

- B. Policy 5.2.1 – Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to a healthy, sustainable, and distinct community in the North I-25 CPA and its' neighborhoods because the Site Plan and Major Amendment would allow for additional use at BFP, making it easily accessible to nearby neighborhoods. The park is well connected to the City's trail network including the North Diversion Channel. In addition, the subject site is accessible to pedestrians, bicyclists, and transit users nearby via internal trails, sidewalks and a bike route along Alameda Boulevard.

- C. Policy 5.6.3 – Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request would generally enhance the existing park and protect the character of neighborhoods located in an Area of Consistency by thoughtfully siting the stadium within the park and avoiding the placement of incompatible uses.

13. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Development Quality and Context from Chapter 7: Urban Design.

- A. Goal 7.3 – Sense of Place: Reinforce sense of place through context-sensitive design of development and streetscapes.

The proposed Site Plan, Landscape Plan, and building elevations, as outlined by the Site Plan – EPC, are guided by the MDP and are consistent with this Goal. The placement of the stadium has been carefully considered and is designed to seamlessly integrate within the escarpment while remaining below the high-voltage power lines. The MDP recognizes the advantages and challenges posed by the escarpment at Balloon Fiesta Park, including erosion issues affecting the park's functionality. Balloon Fiesta Park is an integral part of the North I-25 community, and the introduction of the new stadium, along with associated infrastructure improvements, is focused on the development and streetscape design that harmonizes with the local context.

- B. Policy 7.3.5 – Development Quality: Encourage innovative and high-quality design in all development.

The Site Plan, building elevations, and stadium placement are consistent with this policy because the design is innovative and has high-quality features consistent with the proposed major amendment of the

MDP. The stadium's location has been carefully chosen and is nestled within the escarpment and positioned beneath the high-voltage lines, effectively incorporating the escarpment as a prominent architectural element. The design includes sloped walkways, grassy berm seating, and picnic areas.

- C. Goal 7.5 – Context Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

The building and landscape plans are consistent with this policy because they are specifically tailored to address the challenges of the high desert climate by incorporating shade features, canopies, and shade trees.

- D. Policy 7.5.1 – Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

The Landscape Plan, a fundamental element of the Site Plan-EPC and in compliance with the MDP's recommendations, is consistent with this policy because the designed landscape and plant selection are specifically tailored to thrive in Albuquerque's high desert climate. The plant palette consists of trees, shrubs, groundcovers, and ornamental plants suited for this environment, contributing to the distinctive ambiance of Balloon Fiesta Park.

14. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Facilities, Access & Universal Design from Chapter 10: Parks & Open Space.

- A. Policy 10.1 – Facilities & Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

The Site Plan and Major Amendment to the MDP are consistent with this Goal because they facilitate the development of a new section within Balloon Fiesta Park to cater to the needs of all residents while responsibly utilizing natural resources. The stadium and its associated improvements are designed for use by people of all ages and occupy an underutilized portion of the Park initially designated for a multi-story parking structure. The Major Amendment will allow for an increase in parking capacity compared to the original MDP as land was acquired to the north for parking purposes, with the Site Plan showcasing a more efficient parking layout in this area.

- B. Policy 10.1.2 – Universal Design: Plan, design, program and maintain parks, Open Space, and recreation facilities for use by people of all age groups and physical abilities.

The Site Plan and Major Amendment to the MDP are consistent with this policy because the stadium and its surrounding improvements have been designed to accommodate to residents of all ages and physical abilities. The Site Plan also features improvements to the Gondola Gulch and the slope, improving accessibility for both pedestrians and vehicles within the Park. The project includes permanent restrooms that comply with the Americans with Disabilities Act (ADA) standards, ensuring accessibility for all visitors. Furthermore, the parking area to the north has been thoughtfully designed to include ADA, electric vehicle (EV), and motorcycle parking spaces, thereby increasing access and usability for people of all ages and physical abilities.

- C. Goal 10.2 – Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

The request is consistent with this goal because the Site Plan and MDP Amendment will facilitate the expansion of outdoor activities at Balloon Fiesta Park. While the Stadium's primary purpose will be to host the New Mexico United soccer games (anticipated 17 annual home games), it is also designed to accommodate a diverse array of activities, including music events, food festivals, and cultural gatherings, all promoting community involvement. The Stadium's design is adaptable and will cater to various functions at Balloon Fiesta Park.

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

The request is consistent with this policy because it will allow the City to improve its park system by adding more recreational amenities at Balloon Fiesta Park. The MDP Amendment will increase the park's size from 358 to 367.5 acres, solidifying its role as a primary regional park facility. The building and site will incorporate ADA design standards to serve the needs of persons of various ages and physical abilities.

- E. Goal 10.4 – Coordination: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.

The Site Plan and Major Amendment to the MDP are consistent with this Goal because they will efficiently utilize constrained resources to bolster the continued growth of Balloon Fiesta Park and meet the community's need for parks and recreational amenities. A state-funded capital outlay of \$13.5 million has been allocated to address much-needed improvements in infrastructure, encompassing electrical, water, sewer, and telecommunications systems and networks within Balloon Fiesta Park. Additionally, private investments are designated for the construction of the Stadium.

- F. Policy 10.4.3 – Co-located Facilities: Maximize opportunities for multi-functional, co-located, and joint use of compatible parks, Open Space, trails, and recreation facilities to best leverage public investment.

State funds have been allocated for capital outlay that will extend and improve the infrastructure at Balloon Fiesta Park to attract significant private investments to support the construction of the Stadium. The request is consistent with this policy because the Site Plan will maximize the opportunities for a multi-functional park that enhances both passive/active recreation and community events.

15. The request is consistent with the following Comprehensive Plan Goal and Policy from Chapter 12: Infrastructure, Community Facilities & Services

- A. Goal 12.2 – Community Facilities: Provide communities facilities that have convenient access and a wide range of programs for residents from all cultural, age, geographical, and educational groups to enhance quality of life and promote community involvement.

The Site Plan and Major Amendment to the MDP are consistent with this goal because Balloon Fiesta Park benefits from accessible entry via I-25 through Balloon Fiesta Parkway. The proposed stadium, if the Major Amendment to the MDP is approved, will expand the existing array of programs and amenities, catering to a diverse audience of local and statewide residents, encompassing individuals of all ages, cultures, and educational backgrounds.

- B. Policy 12.2.3 – New Facilities: Site new facilities in areas with excellent access to provide services to underserved and developing areas.

The request is consistent with this policy because introducing a new facility at Balloon Fiesta Park, will leverage its excellent accessibility via Interstate 25 and Balloon Fiesta Parkway. Balloon Fiesta Park is designed to cater to a substantial number of visitors, and its location offers access to an area that is comparatively underutilized and underserved.

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

- A. 14-16-6-6(I)(3)(a) As demonstrated by the policy analysis, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(I)(3)(b) Before the adoption of the IDO, the subject site was zoned SU-2 for Balloon Park Museum & Related Uses. The subject site was never zoned NR-SU or PD. The existing zoning is under the jurisdiction of the established Master Development Plan (MDP), which details the regulations and protocols for proposed development. The MDP encompasses the guidelines for the review and approval process by the EPC, specifically for structures exceeding 10,000 square feet.

The existing language within the MDP explicitly prohibits the establishment of an Outdoor Sports Stadium at Balloon Fiesta Park. The Applicants are seeking a modification to the MDP permit development of an Outdoor Multi-Use Stadium. If the revised master plan is approved, all its terms and conditions will be adhered to.

- C. 14-16-6-6(I)(3)(c) The subject site must comply with all applicable provisions of the IDO, the DPM, and other adopted City regulations, including the Balloon Fiesta Park Master Plan.
- D. 14-16-6-6(I)(3)(d) The City's existing infrastructure and public improvements have adequate capacity to support the Stadium project, with the exception of the electrical, water, and sewer systems. A state-funded capital outlay of \$13.5 million has been allocated to address much-needed improvements in infrastructure, encompassing electrical, water, sewer, and telecommunications systems and networks within Balloon Fiesta Park
- E. 14-16-6-6(I)(3)(e) The future, proposed development would be required to comply with the decisions made by the EPC. The EPC's conditions of approval would improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas.
- F. 14-16-6-6(I)(3)(f) The subject property is within the Balloon Fiesta Park Master Development Plan and the Site Plan meets relevant standards in the Balloon Fiesta Park Master Development plan and applicable standards in the NR-PO-A zone.
- G. 14-16-6-6(I)(3)(g) A portion of the subject site falls within the Railroad and Spur Area, the proposed Stadium is not within 1,320 feet of a Residential zone district or a lot containing a residential use in any Mixed-Use zone District. In addition, the Stadium is not within 660 feet of another use as described in Subsection 5-2(E)(1)(c).

17. Following the LUHO hearing, agents representing the applicants sent notifications to all property owners residing within the 100-foot buffer zone, utilizing both property owner addresses and, if different, the site address. Notifications were distributed to properties situated along the east side of Edith Boulevard that

fell outside the buffer, property owner addresses identified by the appellants as necessitating notification but located outside the buffer, and other neighboring property addresses.

On March 1st, the City Parks and Recreation Department carried out a canvassing operation, delivering notification letters to all property sites within the buffer along the east side of Edith Boulevard. Consensus Planning provided confirmation to the Planning Department on March 4th, attesting to the completion of all requisite notification.

Furthermore, Consensus Planning forwarded notification via email regarding the remanded March 21, 2024 EPC hearing. A facilitated meeting was held on March 4, 2024 with the participation of the two City-recognized neighborhood associations (Wildflower and District 4), as well as the Alameda North Valley, North Edith Corridor, and Maria Diers Neighborhood Associations.

18. The A facilitated meeting was held on September 9, 2023 with the affected Neighborhood Associations. The community raised various issues, including heightened traffic, noise and lighting, funding concerns, and reservations about the pre-application meeting notification. These concerns and questions were duly acknowledged and addressed. Although a number of speakers, expressed their enthusiasm for the stadium, there were no explicit opposing comments.
19. On October 22, 2023, a meeting took place with three Project Team members in attendance, namely Matt Proctor from the Improve Group, and Ron Patel and David Wiese-Carl from NM United. This meeting was organized by residents of the North Alameda neighborhood and included representatives from the Wildflower neighborhood and other nearby areas. Approximately 30 people attended the meeting.
20. On November 2, 2023, an additional meeting was held with the Wildflower Neighborhood Association to discuss the proposed major amendment to the proposed multi-use stadium. During the meeting, members of the project team presented information related to the proposed developments including how the stadium's design has considered mitigating noise and light issues and information was shared about noise, sound, and traffic studies. The meeting included a question-and-answer period where attendees had the opportunity to ask questions and seek clarification on the presented information.

Overall, the meeting served as a platform for the Wildflower Neighborhood Association to engage with the Project Team, understand the proposed development, and express their concerns and inquiries regarding the Balloon Fiesta Park Master Development Plan Amendment and multi-use stadium plans.

21. Additional meetings following the submission of the application took place on multiple occasions during the planning process, involving the Alameda North Valley NA, Wildflower NA, Maria Diers NA, and the North Edith Corridor Association. On November 13, 2023 a meeting was held with industry representatives to provide them an opportunity to discuss the proposed project.
22. On March 4, 2024 a second facilitated meeting was held regarding the application for the proposed multi-use outdoor stadium that requires changes in the language of the BFP Master Development Plan/Site Plan for Subdivision/Site Plan-EPC. Attendees included many residents of nearby neighborhoods who are overwhelmingly in opposition to the proposed stadium. They have cited issues regarding noise, lighting, traffic, community disruption, impact on the area's rural character, decreased property values, as well as the intensity of the proposed uses at the stadium.

Other issues were discussed including the lease agreement concerns and inquiries regarding the business plan which are not the purview of the Environmental Planning Commission. In addition, an email was

received from a member of the community containing questions meant to be addressed during the facilitated meeting, yet those questions were not discussed.

23. An email was received from a member of the community containing questions meant to be addressed during the facilitated meeting, yet those questions were not discussed.
24. On March 8, 2024, staff received an email from neighboring residents expressing their opposition to the stadium. They formally asked for the rescheduling of the EPC hearing from the March 2024 agenda to the April 2024 agenda, citing the need for sufficient preparation time and compliance with due process regulations by the applicants.
25. On March 21, 2024, Staff was contacted via email by members of the North Valley community and their neighborhood association, who requested a 90-day deferral. Additionally, concerns were raised regarding opposition members who attempted to comment during the discussion of the appeal at the March 21, 2024 hearing, despite the agenda item being closed for discussion, thus preventing any public comments.
26. Staff has received several emails in support and opposition at the time of this writing.

FINDINGS: MAJOR AMENDMENT SITE PLAN FOR SUBDIVISION

27. As noted in the Request on Page 8, the 2012 MDP initially contained a Site Plan for Subdivision, which received approval from the EPC. The Site Plan for Subdivision requires separate approval within the MDP framework, and both the MDP and the Site Plan for Subdivision are interdependent for their respective approvals.

Given that the MDP must encompass all components essential to a site plan for subdivision, encompassing design criteria for structures, landscaping, lighting, and signage, the procedure for this date will involve amending the Site Plan for Subdivision. The update includes all textual revisions, impacting solely two sections for the MDP: Section 4, which deals with the Site Plan for Subdivision, and Section 6, which focuses on Design Performance Standards.

In addition to the revised textual content, the update incorporates site plan for subdivision sheets that show the location of existing and proposed developments within Balloon Fiesta Park. The updated sheets include a Site Plan Illustrative, a Site Plan for Subdivision Amendment, a Landscape Master Plan Major Amendment, and a Fencing Plan.

The updates include:

- a. Modifying the Site Plan for Subdivision to include the Outdoor Multi-Use Stadium in the area where a 5-6 multi-story parking structure was initially permitted under the approved MDP.
- b. Modifying the light standards as outlined in Section 6: Design Performance Standards.
- c. Replacing the Northeast Outdoor Recreation Area with surface parking.
- d. Introducing an additional adjacent tract for Balloon Fiesta Park's parking needs, facilitating the creation of 750 more parking spaces and expanding the park's total acreage from 358 acres to 367.5 acres.

CONDITIONS OF APPROVAL – PR-2023-009363, SI-2023-01635

1. Upon approval by the EPC, the applicant shall coordinate with the Staff Planner to ensure that all conditions have been met within 6 months of the appeal period expiration date.
2. The applicant shall provide an updated Master Plan document to reflect this 2023 Major Amendment request and all previous administrative amendments to be posted on the City website within 6 months of the appeal period expiration date.

FINDINGS – SI-2023-01638, Site Plan-EPC, April 11, 2024

1. The request is a Site Plan – EPC Major Amendment for an approximately 7-acre portion of a 367.5 acre site legally described as all or a portion of Tracts A-1 through G-1, Plat of Tracts A-1 through H-1, I-1-A & I-2-A, Tract I-A-A, Plat of Tracts A-1 through H-1, I-1A & I-2-A, and a fraction of Lot 2, located in NE ¼ NE ¼ Sec 11, T11N, R3E, a/k/a Tracts F & G, Heirs of Filiberto Gurule Tract, between Paseo del Norte NE and Roy Avenue NE (the “subject site”).
2. The subject site is zoned NR-PO-A (Non-Residential Park and Open Space, city owned or managed Park Zone District), a zoning designation received upon adoption of the IDO. The subject site was formerly zoned SU-2 for Balloon Park Museum & Related Uses.
3. The EPC is hearing the request because, as per the Integrated Development Ordinance (IDO), a Site Plan – EPC because Site Plan approval is required on the 7-acre portion of BFP located north of the balloon launch field.
4. The request was heard and approved during the November 16, 2023 EPC hearing. Aggrieved parties appealed the decision citing improper mailed notice, errors in the decision-making process, and insufficient consideration of neighborhood concerns.
5. On February 16, 2024, the Land Use Hearing Officer (LUHO) remanded the case back to the EPC for a new hearing due to improper notification. The remand instructions state: The remand must be de novo, reheard anew.

“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”.

The new hearing must also satisfy State ex. Rel. Battershell v. City of Albuquerque, 1989-NMCA-045, including the provision which allows for the opportunity for testimony and cross-examination.

6. The City’s Parks and Recreation Department holds the responsibility of overseeing the development as well as the management and operations at Balloon Fiesta Park, as defined by the Master Development Plan (MDP). The MDP, originally approved by City Council in 1998, serves as the primary governing document for Balloon Fiesta Park.
7. The applicant wishes amend the Balloon Fiesta MDP: to 1) eliminate the language that currently prohibits the use of an Outdoor Multi-Use Stadium; 2) Modifying the MDP and the associated Site Plan for Subdivision to include the Outdoor Multi-Use Stadium in the area where a 5-6 multi-story parking structure was initially permitted under the approved MDP; 3) Modifying the light standards as outlined in Section 6: Design Performance Standards to allow for stadium lighting; 4) Replacing the Northeast Outdoor recreation Area with surface parking; 5) introducing an additional adjacent tract for Balloon Fiesta’s parking needs, facilitating the creation of 750 more parking spaces and expanding the park’s total acreage from 358 acres to 367.5 acres
8. The subject site is located in an Area of Consistency and is in the North I-25 Community Planning Area (CPA). Alameda Boulevard is a designated Commuter Corridor as designated in the Comprehensive Plan. The Little League section of BFP and the parking area at the Old Balloon Launch Field are within the

boundaries of the Alameda Boulevard Design Overlay. Character Zones 1, 2, and 3 are under Bernalillo County's jurisdiction, while the majority of Character Zone 4 is situated within the City of Albuquerque.

9. The Albuquerque/Bernalillo County Comprehensive Plan, the Balloon Fiesta Park Master Development Plan, and the Integrated Development Ordinance (IDO) are incorporated herein by reference and made part of the record for all purposes.
10. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Character from Chapter 4: Community Identity.

A. Goal 4.1 Character: Enhance, protect, and preserve distinct communities

The subject site is located in an Area of Consistency, and the proposed request is consistent with the goal of enhancing, protecting, and preserving the distinct character of the community. This consistency is achieved by establishing the Multi-Use Stadium within the existing Balloon Fiesta Park, in line with the objectives outlined in the Master Development Plan. Balloon Fiesta Park is a vital part of the North I-25 community, and the introduction of a new stadium, along with associated infrastructure improvements, aims to enhance, protect, and preserve this distinct community by offering an additional use/amenity that caters to the preferences of both local and statewide residents.

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The request would facilitate quality development that is consistent with the distinct character of the community because the proposed site plan is required to follow MDP design standards. The stadium's design, as depicted in the Site Plan, exemplifies high-quality development that matches the unique character of the North I-25 community. The layout adheres to the Balloon Fiesta Park Master Development Plan initially created in 1998 and updated in 2012. The amendments to the MDP will outline the desired development quality for this regional park facility that hosts the state's signature event while providing a range of indoor and outdoor recreational and cultural activities for residents, statewide residents, and visitors.

C. Policy 4.1.2 Identity and Design: Protect the identity and cohesiveness of neighborhoods by ensuring the appropriate scale and location of development, mix of uses, and character of building design.

The request would generally protect the identity and cohesiveness of neighborhoods nearby by ensuring the appropriate scale and location of development, mix of uses, and character of building design within the existing Balloon Fiesta Park. The scale and intensity of use shown on the Site Plan, Landscape Plan, and building elevations have been designed to reflect and improve existing site conditions while implementing the vision of the MDP. The stadium's height is less than the maximum height of 26 feet above the east property line/escarpment allowed by the MDP, which will further protect the identity and cohesiveness of nearby neighborhoods. While the Balloon Museum reaches a height of 75 feet, the proposed stadium, like the Golf Training Center and Sid Cutter Pilot's Pavilion, was designed to harmonize with the area's character.

D. Policy 4.1.3 Placemaking: Protect and enhance special places in the built environment that contribute to distinct identity and sense of place.

The request is consistent with this policy because Balloon Fiesta Park's unique status within the built environment contributes to the distinct identity and sense of place in the North I-25 area. The proposed amendments will allow for the development of the stadium, that has been designed to preserve the natural and man-made features of the park while enhancing the east escarpment and the northern side of Gondola Gulch. The area will further be protected and enhanced because the stadium's development will help address concerns related to the Nazareth Landfill by implementing measures to mitigate landfill gasses in coordination with Environmental Health.

11. The request is consistent with the following Comprehensive Plan Goals and Policies regarding land use and Areas of Consistency from Chapter 5: Land Use.

A. Goal 5.2 Complete Communities: Foster communities where residents can live, work, earn, shop, and play together. r and needs.

The request is consistent with this Goal because the Site Plan and Major Amendment are designed to foster a community where residents can live, work, learn, shop, and socialize together. The introduction of the stadium to Balloon Fiesta Park will amplify opportunities for social engagement and leisure, all while generating new employment possibilities for residents. The stadium's construction and ongoing functions will provide job openings for community members, encompassing roles for construction workers, stadium personnel, and event-related services such as hospitality and concessions.

B. Policy 5.2.1 – Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods.

The request would contribute to a healthy, sustainable, and distinct community in the North I-25 CPA and its' neighborhoods because the Site Plan and Major Amendment would allow for additional use at BFP, making it easily accessible to nearby neighborhoods. The park is well connected to the City's trail network including the North Diversion Channel. In addition, the subject site is accessible to pedestrians, bicyclists, and transit users nearby via internal trails, sidewalks and a bike route along Alameda Boulevard.

C. Policy 5.6.3 – Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The request would generally enhance the existing park and protect the character of neighborhoods located in an Area of Consistency by thoughtfully siting the stadium within the park and avoiding the placement of incompatible uses.

12. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Development Quality and Context from Chapter 7: Urban Design.

A. Goal 7.3 – Sense of Place: Reinforce sense of lace through context-sensitive design of development and streetscapes.

The proposed Site Plan, Landscape Plan, and building elevations, as outlined by the Site Plan – EPC, are guided by the MDP and are consistent with this Goal. The placement of the stadium has been carefully considered and is designed to seamlessly integrate within the escarpment while remaining below the high-voltage power lines. The MDP recognizes the advantages and challenges posed by the escarpment at Balloon Fiesta Park, including erosion issues affecting the park's functionality. Balloon Fiesta Park is an

integral part of the North I-25 community, and the introduction of the new stadium, along with associated infrastructure improvements, is focused on the development and streetscape design that harmonizes with the local context.

B. Policy 7.3.5 – Development Quality: Encourage innovative and high-quality design in all development.

The Site Plan, building elevations, and stadium placement are consistent with this policy because the design is innovative and has high-quality features consistent with the proposed major amendment of the MDP. The stadium’s location has been carefully chosen and is nestled within the escarpment and positioned beneath the high-voltage lines, effectively incorporating the escarpment as a prominent architectural element. The design includes sloped walkways, grassy berm seating, and picnic areas.

C. Goal 7.5 – Context Sensitive Site Design: Design sites, buildings, and landscape elements to respond to the high desert environment.

The building and landscape plans are consistent with this policy because they are specifically tailored to address the challenges of the high desert climate by incorporating shade features, canopies, and shade trees.

D. Policy 7.5.1 – Landscape Design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place.

The Landscape Plan, a fundamental element of the Site Plan-EPC and in compliance with the MDP’s recommendations, is consistent with this policy because the designed landscape and plant selection are specifically tailored to thrive in Albuquerque’s high desert climate. The plant palette consists of trees, shrubs, groundcovers, and ornamental plants suited for this environment, contributing to the distinctive ambiance of Balloon Fiesta Park.

13. The request is consistent with the following Comprehensive Plan Goal and Policies regarding Facilities, Access & Universal Design from Chapter 10: Parks & Open Space.

A. Policy 10.1 – Facilities & Access: Provide parks, Open Space, and recreation facilities that meet the needs of all residents and use natural resources responsibly.

The Site Plan and Major Amendment to the MDP are consistent with this Goal because they facilitate the development of a new section within Balloon Fiesta Park to cater to the needs of all residents while responsibly utilizing natural resources. The stadium and its associated improvements are designed for use by people of all ages and occupy an underutilized portion of the Park initially designated for a multi-story parking structure. The Major Amendment will allow for an increase in parking capacity compared to the original MDP as land was acquired to the north for parking purposes, with the Site Plan showcasing a more efficient parking layout in this area.

B. Policy 10.1.2 – Universal Design: Plan, design, program and maintain parks, Open Space, and recreation facilities for use by people of all age groups and physical abilities.

The Site Plan and Major Amendment to the MDP are consistent with this policy because the stadium and its surrounding improvements have been designed to accommodate to residents of all ages and physical abilities. The Site Plan also features improvements to the Gondola Gulch and the slope, improving accessibility for both pedestrians and vehicles within the Park. The project includes

permanent restrooms that comply with the Americans with Disabilities Act (ADA) standards, ensuring accessibility for all visitors. Furthermore, the parking area to the north has been thoughtfully designed to include ADA, electric vehicle (EV), and motorcycle parking spaces, thereby increasing access and usability for people of all ages and physical abilities.

- C. Goal 10.2 – Parks: Provide opportunities for outdoor education, recreation, and cultural activities that meet community needs, enhance quality of life, and promote community involvement for all residents.

The request is consistent with this goal because the Site Plan and MDP Amendment will facilitate the expansion of outdoor activities at Balloon Fiesta Park. While the Stadium's primary purpose will be to host the New Mexico United soccer games (anticipated 17 annual home games), it is also designed to accommodate a diverse array of activities, including music events, food festivals, and cultural gatherings, all promoting community involvement. The Stadium's design is adaptable and will cater to various functions at Balloon Fiesta Park.

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

The request is consistent with this policy because it will allow the City to improve its park system by adding more recreational amenities at Balloon Fiesta Park. The MDP Amendment will increase the park's size from 358 to 367.5 acres, solidifying its role as a primary regional park facility. The building and site will incorporate ADA design standards to serve the needs of persons of various ages and physical abilities.

- E. Goal 10.4 – Coordination: Coordinate across disciplines, jurisdictions, and geographies to leverage limited resources, maximize efficiencies, and best serve the public's need for parks and recreation facilities.

The Site Plan and Major Amendment to the MDP are consistent with this Goal because they will efficiently utilize constrained resources to bolster the continued growth of Balloon Fiesta Park and meet the community's need for parks and recreational amenities. A state-funded capital outlay of \$13.5 million has been allocated to address much-needed improvements in infrastructure, encompassing electrical, water, sewer, and telecommunications systems and networks within Balloon Fiesta Park. Additionally, private investments are designated for the construction of the Stadium.

- F. Policy 10.4.3 – Co-located Facilities: Maximize opportunities for multi-functional, co-located, and joint use of compatible parks, Open Space, trails, and recreation facilities to best leverage public investment.

State funds have been allocated for capital outlay that will extend and improve the infrastructure at Balloon Fiesta Park to attract significant private investments to support the construction of the Stadium. The request is consistent with this policy because the Site Plan will maximize the opportunities for a multi-functional park that enhances both passive/active recreation and community events.

14. The request is consistent with the following Comprehensive Plan Goal and Policy from Chapter 12: Infrastructure, Community Facilities & Services

- A. Goal 12.2 – Community Facilities: Provide communities facilities that have convenient access and a wide range of programs for residents from all cultural, age, geographical, and educational groups to enhance quality of life and promote community involvement.

The Site Plan and Major Amendment to the MDP are consistent with this goal because Balloon Fiesta Park benefits from accessible entry via I-25 through Balloon Fiesta Parkway. The proposed stadium, if the Major Amendment to the MDP is approved, will expand the existing array of programs and amenities, catering to a diverse audience of local and statewide residents, encompassing individuals of all ages, cultures, and educational backgrounds.

- B. Policy 12.2.3 – New Facilities: Site new facilities in areas with excellent access to provide services to underserved and developing areas.

The request is consistent with this policy because introducing a new facility at Balloon Fiesta Park, will leverage its excellent accessibility via Interstate 25 and Balloon Fiesta Parkway. Balloon Fiesta Park is designed to cater to a substantial number of visitors, and its location offers access to an area that is comparatively underutilized and underserved.

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

- A. 14-16-6-6(I)(3)(a) As demonstrated by the policy analysis, the request is consistent with applicable Comprehensive Goals and Policies.
- B. 14-16-6-6(I)(3)(b) Before the adoption of the IDO, the subject site was zoned SU-2 for Balloon Park Museum & Related Uses. The subject site was never zoned NR-SU or PD. The existing zoning is under the jurisdiction of the established Master Development Plan (MDP), which details the regulations and protocols for proposed development. The MDP encompasses the guidelines for the review and approval process by the EPC, specifically for structures exceeding 10,000 square feet.

The existing language within the MDP explicitly prohibits the establishment of an Outdoor Sports Stadium at Balloon Fiesta Park. The Applicants are seeking a modification to the MDP permit development of an Outdoor Multi-Use Stadium. If the revised master plan is approved, all its terms and conditions will be adhered to.

- C. 14-16-6-6(I)(3)(c) The subject site must comply with all applicable provisions of the IDO, the DPM, and other adopted City regulations, including the Balloon Fiesta Park Master Plan.
- D. 14-16-6-6(I)(3)(d) The City's existing infrastructure and public improvements have adequate capacity to support the Stadium project, with the exception of the electrical, water, and sewer systems. A state-funded capital outlay of \$13.5 million has been allocated to address much-needed improvements in infrastructure, encompassing electrical, water, sewer, and telecommunications systems and networks within Balloon Fiesta Park
- E. 14-16-6-6(I)(3)(e) The future, proposed development would be required to comply with the decisions made by the EPC. The EPC's conditions of approval would improve compliance with the IDO, which contains regulations to mitigate site plan impacts to surrounding areas.
- F. 14-16-6-6(I)(3)(f) The subject property is within the Balloon Fiesta Park Master Development Plan and the Site Plan meets relevant standards in the Balloon Fiesta Park Master Development plan and applicable standards in the NR-PO-A zone.

- G. 14-16-6-6(I)(3)(g) A portion of the subject site falls within the Railroad and Spur Area, the proposed Stadium is not within 1,320 feet of a Residential zone district or a lot containing a residential use in any Mixed-Use zone District. In addition, the Stadium is not within 660 feet of another use as described in Subsection 5-2(E)(1)(c).
16. Following the LUHO hearing, agents representing the applicants sent notifications to all property owners residing within the 100-foot buffer zone, utilizing both property owner addresses and, if different, the site address. Notifications were distributed to properties situated along the east side of Edith Boulevard that fell outside the buffer, property owner addresses identified by the appellants as necessitating notification but located outside the buffer, and other neighboring property addresses.
- On March 1st, the City Parks and Recreation Department carried out a canvassing operation, delivering notification letters to all property sites within the buffer along the east side of Edith Boulevard. Consensus Planning provided confirmation to the Planning Department on March 4th, attesting to the completion of all requisite notification.
- Furthermore, Consensus Planning forwarded notification via email regarding the remanded March 21, 2024 EPC hearing. A facilitated meeting was held on March 4, 2024 with the participation of the two City-recognized neighborhood associations (Wildflower and District 4), as well as the Alameda North Valley, North Edith Corridor, and Maria Diers Neighborhood Associations.
17. A facilitated meeting was held on September 9, 2023 with the affected Neighborhood Associations. The community raised various issues, including heightened traffic, noise and lighting, funding concerns, and reservations about the pre-application meeting notification. These concerns and questions were duly acknowledged and addressed. Although a number of speakers, expressed their enthusiasm for the stadium, there were no explicit opposing comments.
18. On October 22, 2023, a meeting took place with three Project Team members in attendance, namely Matt Proctor from the Improve Group, and Ron Patel and David Wiese-Carl from NM United. This meeting was organized by residents of the North Alameda neighborhood and included representatives from the Wildflower neighborhood and other nearby areas. Approximately 30 people attended the meeting.
19. On November 2, 2023, an additional meeting was held with the Wildflower Neighborhood Association to discuss the proposed major amendment to the proposed multi-use stadium. During the meeting, members of the project team presented information related to the proposed developments including how the stadium's design has considered mitigating noise and light issues and information was shared about noise, sound, and traffic studies. The meeting included a question-and-answer period where attendees had the opportunity to ask questions and seek clarification on the presented information.
- Overall, the meeting served as a platform for the Wildflower Neighborhood Association to engage with the Project Team, understand the proposed development, and express their concerns and inquiries regarding the Balloon Fiesta Park Master Development Plan Amendment and multi-use stadium plans.
20. Additional meetings following the submission of the application took place on multiple occasions during the planning process, involving the Alameda North Valley NA, Wildflower NA, Maria Diers NA, and the North Edith Corridor Association. On November 13, 2023 a meeting was held with industry representatives to provide them an opportunity to discuss the proposed project.

21. On March 4, 2024 a second facilitated meeting was held regarding the application for the proposed multi-use outdoor stadium that requires changes in the language of the BFP Master Development Plan/Site Plan for Subdivision/Site Plan-EPC. Attendees included many residents of nearby neighborhoods who are overwhelmingly in opposition to the proposed stadium. They have cited issues regarding noise, lighting, traffic, community disruption, impact on the area's rural character, decreased property values, as well as the intensity of the proposed uses at the stadium.

Other issues were discussed including the lease agreement concerns and inquiries regarding the business plan which are not the purview of the Environmental Planning Commission. In addition, an email was received from a member of the community containing questions meant to be addressed during the facilitated meeting, yet those questions were not discussed.

22. An email was received from a member of the community containing questions meant to be addressed during the facilitated meeting, yet those questions were not discussed.

23. On March 8, 2024, staff received an email from neighboring residents expressing their opposition to the stadium. They formally asked for the rescheduling of the EPC hearing from the March 2024 agenda to the April 2024 agenda, citing the need for sufficient preparation time and compliance with due process regulations by the applicants.

24. On March 21, 2024, Staff was contacted via email by members of the North Valley community and their neighborhood association, who requested a 90-day deferral. Additionally, concerns were raised regarding opposition members who attempted to comment during the discussion of the appeal at the March 21, 2024 hearing, despite the agenda item being closed for discussion, thus preventing any public comments.

25. Staff has received several emails in support and opposition at the time of this writing.

26. New Mexico United has agreed to collaborate with City and County neighborhood associations to develop a "Good Neighbor Agreement", with the understanding that approval of the request is not dependent on the agreement.

CONDITIONS OF APPROVAL – PR-2023-009363, SI-2023-01638

1. Upon approval by the EPC, the proposed site plan shall go to the Development Facilitation Team (DFAT) for final sign-off. The reviewer is responsible for ensuring that the EPC Conditions have been satisfied and that other applicable City requirements are met.
2. Based on the site plan revision, the applicant will be required to revise and provide finalized versions of the following documents to accommodate the new building footprint and extra row of parking:
 - A. Overall Landscape Plan
 - B. Landscape Plan – North & South
 - C. Overall Conceptual Utility Plan
 - D. Overall Grading & Drainage Plan
 - E. Grading & Drainage – North & South

3. The applicant shall coordinate with the Staff Planner prior to submitting to the DFT to ensure that EPC conditions have been met.
4. Site Lighting:
 - A. Parking area light pole maximum height shall not exceed 20' as per the MDP.
 - B. Light fixtures shall be shielded using full cutoff light fixtures.
5. Vehicular Access, Circulation & Parking
 - A. Parking calculations shall be revised (Sheet 1)
 - B. Project data sheet for all parking shall be revised (Sheet 1).
6. Landscaping, Buffering & Screening
 - A. The Overall Landscape Plan shall be revised to correspond with the Site Plan parking calculations (Sheet 2).
7. Grading & Drainage Plan
 - A. Pursuant to IDO Section 14-16-5-4(J)(4), grading in a Special Flood Hazard Area without an approved drainage report and financial guarantees for the permanent improvement is prohibited. The applicant shall supply an approved drainage report/financial guarantee.
8. Conditions from Crime Prevention Through Environmental Design.
 - A. Applicant shall coordinate with the Albuquerque Police Department regarding comments provided for Crime Prevention Through Environmental Design.
9. Condition from AMAFCA:
 - A. A Letter of Map Revision (LOMR) shall be prepared and accepted by FEMA to revise the limits of the floodplain for development to occur.
10. Condition from Environmental Services Division:
 - A. The final design and installation of landfill gas mitigations will be performed. Conditional EPC approval as related to landfill gas mitigation concerns appear to be a reasonable approach for development at this site.
11. Conditions from the Public Service Company of New Mexico (PNM) shall be addressed:
 - A. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.
 - B. Any existing easements may have to be revised and/or new easements may need to be created for any electric facilities as determined by PNM. If existing electric lines or facilities need to be moved, then that is at the applicant's expense.

- C. Any existing and/or new PNM easements and facilities need to be reflected on the Site Plan and any resulting Plat.
 - D. Typical electric utility easements widths vary depending on the type of facility. On-site transformers should have a five-foot clear area on the sides and rear and ten-foot front to allow for access and maintenance.
 - E. Structures, especially those made of metal like storage buildings, canopies, and stadiums should not be within or near PNM easements without close coordination with and agreement from PNM.
 - F. Perimeter and interior landscape design should abide by any easement restrictions and not impact PNM facilities. Please adhere to the landscape standards contained in IDO Section 14-16-5-6(C)(10) as applicable.
12. The applicant will coordinate with the Wildflower Neighborhood Association to install speed humps and determine their location.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **April 26, 2024**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(V) of the Integrated Development Ordinance (IDO), Administration and Enforcement. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal an EPC Recommendation to the City Council since this is not a final decision.

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

Sincerely,



for Alan M. Varela,
Planning Director

AV/MJ/SB

CC:

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Alameda North Valley Association Steve Wentworth anvanews@aol.com
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