

**Facilitated Meeting Report  
CABQ ADR Office**

**Project #:** tbd

**Property Description:** Volcano Heights Urban Center (VHUC)

**Date Submitted:** October 18, 2023

**Submitted By:** Tyson Hummell

**Meeting Date/Time:** October 17, 2023, 5:30-6:30 pm

**Meeting Location:** ZOOM (online)

**Facilitator:** Tyson Hummell

**Applicants / Agent:** Albuquerque City Council Planning Division

**Background/Meeting Summary:**

The Volcano Heights Urban Center (VHUC) is currently subject to drive-through business prohibition, pursuant to the IDO. The subject meeting was to address proposed removal of drive-through prohibitions within the VUHC.

This proposed change would first be heard by EPC. Therefore, the proposed change would be vetted by and subject to recommendations by CABQ Planning, DMD and others. If approved, it would again be vetted, this time by City Council. First, by sub-committee, then by full Council. Finally, proposed text amendments would be enacted through the Annual IDO Update process.

The purposes of this preliminary Facilitated Meeting were two-fold. First, was to provide Community Stakeholders with timely notice and education regarding the proposed removal of drive-through prohibition within VHUC. This specifically included discussion of ordinances and rules applicable to drive-through businesses; several of which mitigate community impact. Our second purpose was to harvest and report Community Stakeholder feedback, in order to spot issues and inform subsequent decision making processes.

This meeting report is primarily focused on EPC approval requirements, because EPC will serve as the first deciding body in this matter. Accordingly, Applicant devoted significant time to detail and explain said approval requirements. Community Stakeholder feedback not related to EPC requirements are addressed separately, below.

Please see attached, Applicant's PowerPoint Presentation for all specific information presented to Community Stakeholders.

Outcome: Community Stakeholder Participants objected to the proposed removal of drive-through prohibitions within the VHUC.

**1) Community Concerns Regarding Relevant and Applicable EPC Approval Criteria (Please See Applicant's PowerPoint Presentation, Slide 6.)**

- i) *[Approval if] The proposed zone change is within an Area of Change and the existing zoning regulations are inappropriate because of at least one of the following:*

- (a) *Significant change in Neighborhood or Community conditions have occurred to justify the request.*
  - (i) Community Stakeholders agree that significant changes have occurred in the neighborhood and community. However, they do not believe these changes justify removal of the drive-through prohibition. Rather, they believe removal of the subject prohibition will both create and exacerbate negative community impacts.
  - (ii) Applicant states that change, infill and growth is already occurring in this area. Thus, creating consumer demand and justifying an expansion of local businesses, goods and services; specifically including drive-through establishments.
- (b) *The proposal will not allow permissive uses that would be harmful to adjacent properties, the neighborhood or the community unless there are use-specific standards that will mitigate any harmful impacts.*
  - (i) Community Stakeholders voiced concern that the subject proposal will create unmitigated harmful impacts, if approved for permissive use. Community concern specifically includes but is not limited to:
    - 1. Drive-through business saturation, crowding and traffic problems, as seen near Starbucks, Bob's Burgers and other locations off of Golf Course Road.
    - 2. Environmental impacts on noise, light, air pollution, historical elements and aspirational Urban Center design characteristics.
    - 3. Community would prefer conditional use, not permissive use.
  - (ii) Applicant states that existing ordinances and rules will act to mitigate any harmful impacts, as demonstrated in numerous Albuquerque drive-through businesses, when operated in compliance with the IDO.
- (c) *The request is not based completely or predominately upon the cost of land or economic considerations.*
  - (i) Presented, but not specifically discussed
  - (ii) Applicant believes this proposal will meet said requirement

## **2) Other Community Concerns**

- (a) Questions regarding the origin and impetus for this proposal, including identity of primary beneficiary
- (b) Perceived non-compliance with Quasi-Judicial Process - laws, rules and other requirements
- (c) Community requested that Councilor Lewis recuse himself from any decision making, as related to this proposal
- (d) Walkability, pedestrian safety and accessibility may be compromised
- (e) The aggregate effect of pro-development rulemaking and decision making has eroded Community trust in this area
- (f) Negative impacts on historical and culturally significant elements, specifically those protected by the Petroglyph National Monument
- (g) Community Stakeholders would like to be included in collaborative planning to help create a better VHUC for all community members

**Names & Affiliations of Invited Attendees (and additional Interested Parties):**

Community Stakeholders	All required notice recipients pursuant to IDO / ONC registry All other known, interested Community Stakeholders
Nancy Hendricks	Superintendent, Petroglyph National Monument
Shanna Schultz	CABQ Council Planning Manager
Michael Vos	CABQ Regulatory Planning Team Lead
Tyson Hummell	CABQ ADR Office / Facilitator