

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM**  
**FACILITATED MEETING REPORT**

**Project #:** PR-2023-008674  
**Type:** Preliminary Platting Application for Major Subdivision  
**Property Address:** 5720 Miami Road NW  
**Date Submitted:** May 3, 2024  
**Submitted By:** Tyson R. Hummell  
**Meeting Date/Time:** April 30, 2024, 5:00 pm - 7:00 pm  
**Meeting Location:** Google Meet  
**Facilitator:** Philip Crump  
**Applicant:** Butterfly Holdings, LLC.  
**Agent:** Tierra West, LLC.  
**Community Stakeholders:** SRMNA, by and through WSCONA

**Background Summary:**

This post-application Facilitated Meeting was to address a Preliminary Platting Application for Major Subdivision. The land is presently vacant. Applicant proposes to develop and construct 55 single family homes. This matter is intended for the May 8, 2024 DHO Hearing docket. Please refer to the formal Application of record for more specific project information.

**Meeting Information:**

A Facilitated Land Use Meeting was held on April 30, 2024. The Agent presented a detailed overview of Applicant's proposed development. This included Agent's efforts to ensure compliance with the IDO and other applicable regulations. Please refer to Agent's PowerPoint presentation for more specific presentation details.

After Agent's initial presentation, we addressed specific Community concerns. Prior to the Meeting, Community Stakeholders submitted a collective Agenda, prior to the Meeting. Questions and answers were exchanged throughout this part of our discussion. The following will address each concern, including any relevant questions, answers exchanged and any potential solutions we discussed.

**Areas of concern / Community Agenda:**

1) Traffic effects during and after construction

- a) Will there be a traffic study – the Community would like to request one?
  - i) *No, a formal traffic study will not be required. A traffic circulation layout was already submitted and approved. Existing roadway infrastructure is sufficient to support the 57 units being proposed.*
- b) Where will access to ingress and egress be located?
  - i) *There will be two access points, both of which will be on Miami Road NW.*
- c) Will this access be sufficient to accommodate rush hour / peak traffic times?
  - i) *Yes.*

2) Damage to surrounding properties during construction and potentially after construction (drainage)

- a) What steps will be taken to protect Community from construction related damage?
  - i) *Applicant does not foresee potential damage to neighboring properties. Applicant is committed to comply with all regulatory requirements and industry standards. Heavy*

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM**  
**FACILITATED MEETING REPORT**

*equipment may be required during the site preparation and grading process. No heavy construction vehicles or heavy equipment will be required for onsite construction. In addition, Applicant will utilize vibration monitoring at the site perimeter. This will allow for detection and mitigation of vibrations affecting adjacent properties.*

b) Where will drainage be directed?

i) *Drainage will not be directed to neighboring properties. On-site drainage will be captured by drop inlets located in streets within the subdivision. Water will drain into the AMAFCA box culvert, located south of the site. Perimeter drainage will be captured by drop inlets located on Miami Road, north of the site. This will help prevent site erosion. Finally, lots along the western site boundary will utilize depressed runoff collection areas, located in the backyard landscapes.*

3) Loss of privacy and eastward view

a) How close will the proposed homes be located in relation to existing homes to the West?

i) *The lots that abut their neighbors, to the West, will be deeper than the other lots in the development. Homes on these lots will be positioned to provide an extended buffer to the West. Homes will be 30 to 45 feet from the rear lot line. This is intended to help mitigate crowding and privacy.*

b) Will the proposed homes sit above or below grade of existing homes?

i) *The proposed homes will be at approximately the same level. This may vary due to site preparation, earth compaction requirements and other factors.*

4) Notification failures

a) Why was SRMNA not notified, initially?

i) *The Agent relied on ONC (City) to identify and provide appropriate parties entitled to notice. SRMNA is not an independently recognized Neighborhood Association. Rather, SRMNA operates as an affiliate of WSCONA. Therefore there was a delay in identifying SRMNA as an appropriate Community stakeholder.*

b) Why did the site-posted notice offer an in-person Facilitated Meeting?

i) *The posted notice was not intended to contain this language. The posted notice was corrected, once the error was discovered.*

5) Perception of partiality toward agent/developer in scheduling facilitated meeting.

a) Why did the prior Facilitator select the April 30, 2024, Meeting date?

i) *The prior Facilitator attempted to accommodate two separate Facilitated Meetings in a limited timeframe. She chose this date because it was a plausible balance of competing stakeholder interests. She made her decision unilaterally. ADR was not consulted before she made her decision.*

6) Pollution, e. g., dust during construction

a) Will blowing dust be mitigated?

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM**  
**FACILITATED MEETING REPORT**

- i) *Yes, Applicant will obtain a dust-specific permit from the City. This permit will ensure compliance with fugitive dust restrictions. A combination of moisture, and temporary ground cover (stabilizer) will typically be used to control dust.*
- 7) Disruption of utility services during construction
- a) Will water, sewer, electricity or telecom services be disrupted during construction?
    - i) *No, Applicant does not anticipate any significant disruption. Electricity will be distributed from existing, on-site power lines. Similarly, telecom access will be supported by existing infrastructure. Sewer facilities are located at Miami Road, but are located down-line from surrounding neighbors. The Water Authority has issued a letter of availability for on-site water.*
- 8) Change in property values of surrounding homes
- a) Will this be low-income housing?
    - i) *No, this is intended to be offered as market rate housing.*
  - b) The shared renderings show black and white exterior colors. Could the color scheme be changed to better match Community neighbors?
    - i) *That may be possible. Applicant agreed to consult with his team. Please see Action Item, below.*
  - c) Will the proposed development reduce Community home values?
    - i) *No. The homes will be priced at or above the neighboring home values. In addition, the Applicant intends to build high quality homes, which are likely to hold their value, over time. Applicant invited the Community to visit their other local developments and become familiar with their end product.*
- 9) Effect on multi-use trail
- a) Will this proposed development encroach on the trail?
    - i) *No, the trail will not be disrupted, generally. Trail access may be temporarily interrupted during drainage installation.*
  - b) Will the proposed development provide access to the trail?
    - i) *Yes, there will be direct access from the trail into the proposed development.*
- 10) Incorrect property information submitted to DHO
- a) Did Applicant or Agent submit false or misleading information to the DHO, specifically with regard to historical site uses?
    - i) *No. If the original submission contained historical discrepancies, it was an unintentional error. Agent also presented the DHO with photographs and descriptions of the site as vacant, undeveloped land. Agent emphasized that the error is self-evident and not directly relevant to DHO decision criteria for this Application.*

**Action Items**

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM**  
**FACILITATED MEETING REPORT**

Action Items:

- 1) Sergio Lozoya to research and share the threshold number of “trips” that automatically trigger a TIS requirement for residential areas.
- 2) Jerrod Likar will consult with his construction team regarding alternate exterior color schemes.
- 3) Sergio Lozoya provided contact info for questions regarding Application progress; slozoya@tierrawestllc.com
- 4) Sergio Lozoya provided a link to construction fugitive dust control City requirements; <https://www.cabq.gov/airquality/air-quality-permits/fugitive-dust-program>
- 5) Jerrod Likar provided contact info for Community questions, comments and concerns that may arise during the construction process; jarrodl@aswinc.com
- 6) Jay Rodenbeck provided contact info for additional commentary to DHO; jrodenbeck@cabq.gov

**Conclusions**

This Meeting concluded at mutual impasse. The Community objects to the subject Application. Applicant intends to proceed. We did not achieve consensus or collaborative solution. This matter is now ripe for a decision on the merits.

**DHO Hearing Participation:**

Applicant intended to be heard by the DHO on the May 8, 2024 docket. All interested stakeholders are encouraged to participate. Jay Rodenbeck has provided instructions for submittal of additional materials, comments and concerns for DHO consideration.

**Participants and Interested Parties:**

Jon Niski	Tierra West	JNiski@tierrawestllc.com
Adam Johnstone	Tierra West	AJohnstone@tierrawestllc.com
Sergio Lozoya	Tierra West	SLozoya@tierrawestllc.com
Bryan Aragon	Butterfly Holdings	BryanA@aswinc.com
Jarrod Likar	Butterfly Holdings	jarrodl@aswinc.com
René Horvath	Westside Coalition of NAs	aboard111@gmail.com
Elizabeth Kay Haley	Westside Coalition of NAs	elizabethkayhaley@gmail.com
		president@trna.org
Em Ward	SRMNA	em@srmna.org
Dameon Bourland	SRMNA	dameon.bourland@gmail.com
Catherine Barragan	SRMNA	catherinebarragan1116@gmail.com
Gail Werde	SRMNA	gailwerde@gmail.com
Jayne Smith	SRMNA	Jaynesmith05@yahoo.com
Marta Ortega	SRMNA	mo672081@gmail.co
<i>Ted Trujillo</i>	<i>Los Volcanes NA</i>	<b>*missing</b>

**CITY OF ALBUQUERQUE**  
**LAND USE FACILITATION PROGRAM**  
FACILITATED MEETING REPORT

<i>Doug Cooper</i>	<i>Los Volcanes NA</i>	<i>douglascooper@hotmail.com</i>
<i>Jerry Gallegos</i>	<i>SW Alliance of N'hoods</i>	<i>jgallegoswccdg@gmail.com</i>
<i>Geraldine Ulibarri</i>	<i>SW Alliance of N'hoods</i>	<i>gerulibbarri1@gmail.com</i>
<i>Michael Quintana</i>	<i>West Mesa NA</i>	<i>westmesa63@gmail.com</i>
<i>Lorenzo Otero</i>	<i>West Mesa NA</i>	<i>housealbchrome@gmail.com</i>
Jay B. Rodenbeck	CABQ Planning	<a href="mailto:jrodenbeck@cabq.gov">jrodenbeck@cabq.gov</a>
Tyson Hummell	CABQ ADR	thummell@cabq.gov
Philip Crump	Facilitator	phcrumpsf@gmail.com