

July 17, 2024

Mr. Jay Rodenbeck / City of Albuquerque Planning Department
Plaza del Sol Building
600 Second Street NW
Albuquerque, NM 87102

**Re: Justifications - Project # PR-2018-001579
Application # SD-2024-00112
Application # SD-2021-0026 / Application # SD-2021-00073 Preliminary/Final Plat for Winrock
Center Addition Parcel E-1-A-1**

Dear Mr. Rodenbeck:

The purpose of this letter is to justify the application per IDO requirements. The amended plat requires compliance with IDO section 6-4(Y)(2) and the Vacation of Private easement requires compliance with IDO section 6-6(M)(3).

IDO Section 6-4(Y)(2) Minor Amendments

6-4(Y)(2)(a) A minor amendment must meet all of the following criteria.

1. The amendment is necessary because of site conditions or user requirements that were not known, and could not reasonably have been known, at the time the City approved the approval that is proposed to be amended, and that were not created by the actions of the owner of the property.

Response

The Minor Amendment is to relabel Parcel E-1-A to E-1-A-1 per planning comment.

2. The amendment does not increase or decrease the dimension of any standard beyond the thresholds allowed as minor amendments pursuant to Table 6-4-4 (cumulative of any earlier deviations or amendments).

Response

The minor plat amendment does not change any dimension of any standard.

3. The amendment does not decrease the total amount of open space in the development and does not reduce the size of any open space abutting a lot containing a residential use.

Response

The minor plat amendment does not change anything on the site plan.

4. The amendment does not reduce any building setback adjacent to development containing residential uses by any amount.

Response

This minor plat amendment does not alter any setback requirement.

5. The amendment does not increase the maximum number of residential dwelling units in the development from that shown in the existing permit, approval, or plan. If the property is located in a DT-UC-MS-PT area, the amendment does not decrease the required number of residential dwelling units in the development from that shown in the existing permit, approval, or plan.

Response

This minor plat amendment does not alter the maximum number of residential dwelling units on the site plan.

6. The amendment does not adjust a building design standard unless doing so improves the perception of building quality, variety, durability, and articulation when viewed from adjacent streets and abutting properties.

Response

This minor plat amendment does not alter any building design standard.

7. The amendment does not reduce the amount of total landscaping installed on the subject property or the amount of screening or buffering required on portions of the site abutting any property containing residential dwelling units and does not waive or weaken any other landscaping or buffering requirement unless the ZEO determines that alternative building design elements included in the amendment improve the visual quality and screening and buffering effect of landscaping as viewed from adjacent streets and public areas.

Response

This minor plat amendment does not alter landscape requirements of the site plan.

8. The amendment does not increase the traffic accessing the subject property from local streets and does not increase or decrease the number of through streets, sidewalks, trails, or trail connections passing through the property or connecting to or designed to connect to abutting properties.

Response

This minor plat amendment does not alter traffic patterns of the Site, adjacent property or adjacent public roadways.

9. The amendment does not require major public infrastructure, significant changes to access to the subject property, or a traffic impact study, which would warrant additional review by the original decision-making body.

Response

This minor amendment does not require major public infrastructure, significant changes to access to the subject property, or a traffic impact study.

10. The amendment does not change a specific condition attached by a decision-making body listed in Table 6-1-1 to a prior development permit, approval, or plan for or including the subject property. For example, a specific condition attached to a prior approval requiring additional buffering to mitigate development impacts shall not be removed through a minor amendment process.

Response

This minor plat amendment does not change a specific condition attached by the decision making body listed in Table 6-1-1 to a prior development permit, approval or plan.

11. The amendment does not affect a property in an Overlay zone as regulated pursuant to Part 14-16-3, in which case amendments may be granted per the original approval process for the Site Plan governing the site.

Response

This minor plat amendment does not affect a property in an Overlay zone as regulated pursuant to Part 14-16-3.

12. The amendment does not approve any land use that was not authorized by the permit or approval or that is not allowed by right on the subject property.

Response

This minor plat amendment does not approve any land use that was not authorized by the permit or approval or that is not allowed by right on the subject property.

13. The amendment does not expand a nonconformity as regulated per Section 14-16-6-8 (Nonconformities).

Response

This minor plat amendment does not expand any nonconformity.

IDO Section 6-6(M)(3) Review and Decision Criteria

An application for a Vacation of Easement, Private Way, or Public Right-of-way shall be approved if it meets any of the following criteria.

6-6(M)(3)(a) The public welfare does not require that the easement, private way, or public right-of-way be retained.

Response

There are numerous access points around Winrock Town Center which include direct access to Louisiana Blvd, Uptown Loop, Indian School Road and Pennsylvania Avenue. Public welfare is not impacted thru the eliminate of one of the access points from Winrock Town Center onto Pennsylvania Avenue.

6-6(M)(3)(b) There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

Response

The vacation of the easement will allow the multi-family project to move forward at this site which has remained vacant for many many years.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me at 505-235-7211 or via email at seddings@huitt-zollars.com.

Sincerely,
Huitt-Zollars, Inc.



Scott Eddings, P.E.
Project Manager

Attachment: None

cc: Darin Sand, Goodman Realty