

**December 3, 2025**

Development Hearing Officer  
City of Albuquerque Planning Department  
Plaza del Sol Building  
600 Second NW  
Albuquerque, NM 87102

**RE: Applicant Response to Santa Clara Pueblo Letter Dated November 25, 2025**  
**Project #: PR-2025-020092 | Application #: MAJOR\_PLT-2025-00016 (Major Preliminary Plat)**  
**Subject Property: Southeast Corner of Paseo del Norte & Kimmick Dr. NW**  
**Applicant/Agent: Modulus Architects & Land Use Planning, Inc.**

Dear Development Hearing Officer:

On behalf of the property owners, Modulus Architects & Land Use Planning, Inc. respectfully submits this letter in response to the comments provided by Santa Clara Pueblo dated November 25, 2025. We value the perspective of tribal communities and acknowledge the cultural significance of the Petroglyph National Monument. However, the comments submitted pertain to **hypothetical future development** and do not relate to the actual scope, purpose, or approval criteria of this **Major Preliminary Plat**.

To ensure a clear and accurate record, this response outlines (1) the limited scope of the application, (2) the necessary and practical reasons for the subdivision, (3) compliance with the **2025 IDO** approval criteria under **§14-16-6-6(L)(3)(a) and (b)**, and (4) clarification regarding the View Protection Overlay (VPO-2), which **remains unchanged** and unaffected by this plat.

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**1. Scope of Application: A Preliminary Plat Only**

This application is **solely** for a **Major Preliminary Plat**.

It does **not**:

- Approve any buildings, structures, or density
- Modify building heights
- Approve grading, construction, or site development
- Amend zoning

A preliminary plat is limited to the **subdivision of land into lots**, configuring access, and establishing the groundwork for future site-specific applications.

Any future development will require separate **Site Plan – Admin** or **Site Plan – EPC** approval, each of which must independently comply with the IDO, including all VPO-2 regulations.

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**2. Purpose and Need for the Platting Action**

The platting action is necessary for several legitimate reasons directly tied to orderly planning, access requirements, ownership, and consistency with adjacent development:

**A. Alignment With the Approved Access Point on Kimmick Dr. NW**

The property adjacent contains an **already-approved access point** on Kimmick. The new lots must align appropriately with this access to meet IDO and DPM requirements for circulation, spacing, and safe ingress/egress.

**B. Establishing the Spine Road Alignment**

The east and west portions of the property require a unified internal circulation system. The plat establishes a consistent **spine road alignment**, ensuring proper utility routing, emergency access, and long-term infrastructure planning.

**D. Creating Marketable Pad Sites Consistent With Adjacent Development (The Glyphs at Volcano Mesa)**

The plat creates pad sites consistent with the established development pattern along Paseo and Kimmick, including **The Glyphs at Volcano Mesa**, directly across the street.

This ensures coordinated, predictable land-use outcomes in keeping with City planning objectives.

**Critically, no site development, buildings, or density are proposed at this time.**

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### **3. Compliance With IDO §14-16-6-6(L)(3)(a) and (b)**

Under the 2025 amended IDO, the DHO *must approve* a Preliminary Plat when the following two criteria are satisfied:

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#### **Criterion (a): Compliance With Applicable IDO Standards**

**IDO §14-16-6-6(L)(3)(a)** requires that:

*“The proposed subdivision complies with all applicable standards of the IDO, including but not limited to zoning district standards, overlay district standards, subdivision standards, and all applicable DPM standards.”*

This application satisfies this criterion:

- The subdivision complies fully with the underlying zoning.
- No building heights or development entitlements are being approved.
- The subdivision standards for lot size, access spacing, block configuration, and right-of-way dedication are met.
- All DPM requirements are satisfied or will be satisfied at final plat.

The Pueblo’s letter asserts that the plat “undermines the VPO” or introduces 48-foot buildings.

Respectfully, this is incorrect. A **plat cannot modify the VPO**, approve heights, or authorize any structure.

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#### **Criterion (b): Adequacy of Infrastructure to Serve the Subdivision**

**IDO §14-16-6-6(L)(3)(b)** requires that:

*“The infrastructure provided for the subdivision is adequate to serve the subdivision and meets applicable requirements of the IDO, the DPM, and reviewing agencies.”*

This criterion is also fully met:

- The plat aligns lot configuration with the previously approved Kimmick access point.
- The internal spine road is established to ensure coordinated circulation and utility routes.
- All reviewing agencies have provided comments, and no unresolved deficiencies exist.
- The plat does not increase density or traffic; it simply establishes legal lots.

Future development will be required to undergo separate review and demonstrate full compliance with all infrastructure, drainage, utility, and transportation requirements.

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### **4. Clarification Regarding VPO-2**

The Pueblo’s letter expresses concern about future building height and visual impacts.

While we understand the importance of the escarpment viewshed, **those issues are not part of this application.**

To clarify:

- No buildings or development are being approved.

Thus, the concerns raised—while culturally significant—do not relate to the decision criteria for a Preliminary Plat as defined by the IDO.

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### **5. Tribal Meeting Notice and Applicant’s Willingness to Engage**

A Tribal Meeting Notice was provided in accordance with IDO requirements.

We remain fully willing to meet with the Pueblo at any time they choose.

However, the IDO does not require completion of such a meeting for approval of a **Preliminary Plat**, nor does lack of a meeting preclude approval when the IDO criteria are satisfied.

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### **6. Conclusion and Request for Approval**

Based on the detailed evidence above, this application **meets both mandatory approval criteria** under IDO §14-16-6-6(L)(3)(a) and (b). The subdivision is necessary, appropriate, consistent with City standards, and does not grant or alter any development rights.

For these reasons, we respectfully request **approval of Application #MAJOR\_PLT-2025-00016**.

Thank you for your consideration.

Sincerely,

*Angela M. Piarowski*

**Angela Piarowski (Agent)**

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