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**City of Albuquerque**

Planning Department – Development Review Services  
600 Second Street NW, 3rd Floor  
Albuquerque, NM 87102

**Re: Justification for Vacation of John Street on Salvation Army Property;  
Union Depot Frontage Addition, Atlas Zone Page K-14-Z**

Dear Planning Department:

On behalf of The Salvation Army, we submit the following justification in support of the proposed vacation of the platted but unimproved public right-of-way known as John Street, together with the concurrent replat of the adjoining properties. This request satisfies the procedural and substantive standards in the Albuquerque Integrated Development Ordinance (IDO), including the criteria for Right-of-Way Vacation §14-16-6-6(K).

**1. Property Ownership and Consent**

The Salvation Army is the record owner of all parcels adjoining the platted John Street right-of-way on both its east and west sides. Specifically:

- West side: Lots 7–12, Huning Highlands Addition
- East side: Lots 8–13, Union Frontage Depot

This unified ownership satisfies the consent requirement in IDO §14-16-6-6(K)(3)(a), which mandates approval from all abutting property owners before a right-of-way may be vacated. As the sole abutting owner, The Salvation Army expressly consents to the vacation of the entire right-of-way and to its allocation and combination with the eastern parcels through subsequent replat.

Because no other owners are affected, the vacation will not impair legal access, utility service, or development rights of any third party, and it ensures that the vacated area will merge into a single tract under common ownership consistent with IDO §14-16-6-6(K)(3)(b). Any existing utility or private easements may be preserved or re-established through the replat consistent with §14-16-6-6(L)(3).

As owners of the western lots, The Salvation Army expressly consents to the vacation of the entire John Street right-of-way and to its conveyance and combination with the eastern lots (Lots 8–13 of Union Frontage Depot). There are no other abutting property owners whose access, use, or utility service will be affected. This consent ensures that the entire vacated right-of-way will merge into a single unified tract under common ownership.

## **2. Existing Conditions and Public Impact**

John Street is a platted but wholly unimproved right-of-way. It has never been constructed, opened, or used for vehicular or pedestrian circulation, nor does it contain public utilities or serve any function in the City's adopted transportation network.

Vacating this nonfunctional ROW will not interfere with traffic circulation, connectivity, emergency access, or public services, satisfying the criteria in IDO §14-16-6-6(K)(3)(c). No parcels will be left without legal access, and no new streets or rights-of-way are proposed.

Because the ROW serves no present or planned public purpose, its removal eliminates an unnecessary constraint on site planning and supports a more efficient and coherent land configuration. The proposed action is fully consistent with the IDO's overall intent in §14-16-1-3 to promote orderly development and remove regulatory encumbrances that do not advance public health, safety, or welfare.

## **3. Zoning and Land Use**

The affected properties are zoned MX-M (Mixed-Use – Medium Intensity). The proposed vacation and replat do not require or request any zoning change. The unified parcel will remain within the MX-M zoning district and fully conform to its permitted uses, dimensional standards, and development regulations.

## **4. Purpose and Consistency with City Policy**

The purpose of this plat is to:

1. Vacate John Street; and
2. Combine Lots 8–13 of Union Frontage Depot with the vacated John Street into one tract totaling approximately **0.9964 acres ±**.

The purpose of the vacation is to eliminate an obsolete, paper right-of-way that has no functional role in transportation, utilities, or public access. Removing this platted ROW will align legal boundaries with actual on-the-ground conditions and facilitate a more logical, developable parcel arrangement.

The effect of the vacation is to consolidate fragmented lots into a unified tract, simplify future development, and allow reinvestment consistent with IDO dimensional standards, access requirements, and site design regulations. The proposed vacation and replat correct

a historic platting pattern that no longer reflects contemporary urban form or operational needs and directly support the IDO's goals of efficient land use and coordinated redevelopment.

The project advances the City's Comprehensive Plan goals by promoting efficient infill development and eliminating an unnecessary right-of-way. We respectfully request approval of the requested vacation and replat. Please do not hesitate to contact us for any additional documentation or clarification.

Sincerely,

The Cash Law Firm, LLC

A handwritten signature in blue ink, appearing to read "Amber G. Cash".

Amber G. Cash  
Paul M. Cash  
Paul A. Havern