

15 June 2022

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

MINOR AMENDMENT TO SITE PLAN – ADMIN, EPC, or DRB Letter of Justification
Maggie's Farm, 3711 Ellison Road NW, Albuquerque, NM 87114

To Whom it May Concern-

Please accept this letter as justification for the proposed minor amendment to the existing site plan at 3711 Ellison Road NW. All justification notes below are in response to IDO Section 14-16-6-4(Y)(2).

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.

The amendment is necessary as the current use includes brand-specific design elements from the previous restaurant use that are only applicable and appropriate to that specific restaurant.

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).

No dimensional standards will be increased or decreased.

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.

No open space will be modified.

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

No setbacks will be altered; the subject property is not adjacent to a residential use.

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.

Not applicable, there are no residential dwelling units on the site.

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.

The new/proposed use will include modifications to the existing building exterior design. The current building includes brand-specific design elements from the previous restaurant use. The new/proposed use will include exterior design quality, variety, and articulation upgrades consistent with the new/proposed use branding.

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.

No landscaping or screening/buffering modifications are proposed with the new/proposed use.

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.

The new/proposed use expects to maintain current traffic counts and will not decrease the number of through streets, sidewalks, trails, or trail connections on or around the subject property.

9. The amendment does not require major public infrastructure or significant changes to access or circulation patterns on the subject property.

No public infrastructure or modifications to access and circulation patterns are proposed.

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.

Not applicable, there are no specific conditions attached to the prior approval for the subject property.

11. The amendment does not affect a property in an Overlay zone as regulated pursuant to 0, in which case amendments may be granted per the original approval process for the Site Plan governing the site.

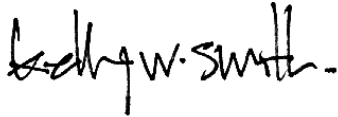
Not applicable, subject property is not within an Overlay Zone.

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

The new/proposed land use of retail is consistent with the previous restaurant use.

In addition, please note that an Official Notice of Decision for previous approvals has not been received from Staff.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kelly W. Smith". The signature is written in a cursive, flowing style.

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