



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: April 22, 2008

Department: Zoning, Building, Planning Staff Contact: Catherine VerEecke, Program Planner

TITLE: CONSENT: Special Use Permit for a Contractor's Yard and a Single Family Dwelling (CSU-70049)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the March 5, 2008 public hearing, the County Planning Commission voted (4-1; Commissioner Sanchez opposed, Commissioners Holcomb, Pascias excused) to recommend approval of the request for a Special Use Permit for a Contractor's Yard and a Single Family Dwelling on the westerly ½ of Lot 32, Vineyard Addition #3, located at 519 Niagara Road NE, zoned M-H, and containing approximately .50 acres. The decision was based on the following six (6) Findings and subject to the following sixteen (16) Conditions.

Findings:

1. This request is for approval of a Special Use Permit for a Contractor's Yard and a Single Family Dwelling on the westerly ½ of Lot 32, Vineyard Addition #3, located at 519 Niagara Road NE, zoned M-H, containing approximately .50 acres.
2. This property previously had Special Use Permits which expired (CSU-93-9; CSU-87-65). This Special Use Permit supersedes the previous Special Use Permits.
3. The property is located in the Semi-Urban Area of the Albuquerque/ Bernalillo County Comprehensive Plan and the North Valley Area Plan.
4. This request is not in significant conflict with the North Valley Area Plan land use and housing policies that call for limiting the encroachment of non-residential uses in residential areas in that the property has retained its residential use.
5. This request is consistent with Resolution 116-86 in that changed neighborhood conditions in the vicinity of the site, including the development of several heavy commercial and light industrial businesses, justify this land use change.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The applicant shall provide to the Bernalillo County Office of Environmental Health proof of septic tank abandonment prior to the approval of the final site plan.
2. The applicant shall schedule a field status inspection through the Building Official to verify life safety conditions on the contractor yard structures prior to the approval of the final site plan.
3. No fabrication or manufacturing will be allowed on the site.
4. A maximum of three vehicles associated with the business may be parked on the site within the existing truck garage.
5. The applicant shall comply with Bernalillo County Zoning Ordinance requirements for paving (for parking areas).
6. The RV shall be removed or permanently disconnected from sewer and water connections.
7. Lighting shall be site specific. Shielded or cutoff features shall be provided so that no fugitive light crosses into adjacent lots. On-site lighting shall be shown on the revised site plan.
8. No parking will be allowed along Niagara Rd.
9. There shall be no open storage of materials associated with the contractor's yard on the site.
10. Hours of operation shall be Monday to Friday, 7 a.m. to 6 p.m., and Saturday 8 a.m. to noon.
11. There shall be a six-foot high solid fence along the north and west property line and a 6 foot high solid wall along the east property line, which shall be constructed within six months of the final Board of County Commissioners' approval.
12. Landscape buffer shall be provided as described on the site plan dated January 28, 2008.
13. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
14. The Special Use Permit shall be issued for five (5) years.
15. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the final approval of the Board of County Commissioners.
16. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (March 7, 2008)
2. County Planning Commission Information Packet.
3. Site Plan, dated January 28, 2008 (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff Recommends Approval