



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: January 27, 2009

Department: Zoning, Building and Planning Staff Contact: Enrico Gradi, Program Planner

TITLE: CONSENT: Special Use Permit for a Contractor's Yard and a Special Use Permit for Specific Use for R-2 Uses) (CSU-70045)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the December 3, 2008 public hearing, the County Planning Commission voted (5-0; Commissioner Pacias excused) to recommend approval of a Special Use Permit for a Contractor's Yard and a Special Use Permit for Specific Use for R-2 Uses on Lots 5 & 6, Garden View Addition, located at 1535 Airway Road SW, zoned R-1, and containing approximately .97 acres. The decision was based on the following six (6) Findings and subject to eleven (11) Conditions.

Findings:

1. This is a request for a Special Use Permit for a Contractor's Yard and a Special Use Permit for Specific Use for R-2 Uses on Lots 5 & 6, Garden View Addition, located at 1535 Airway Road SW, zoned R-1, and containing approximately .97 acres
2. This request has substantial neighborhood support.
3. This request is consistent with Resolution 116-86 in that this land use is more advantageous to the community since it encourages a small-scale, locally-owned and operated industry that complements residential areas and reduces the need to travel as articulated in Policies 3.g, 6.a, 6.b & 6.g of the Albuquerque/Bernalillo County Comprehensive Plan.
4. Unique conditions exist with regard to the use of the parcel in that this property contains a long established mixed use that predates zoning.
5. The Special Use Permit for R-2 Uses and a Special Use Permit for a Contractor's Yard (CZ-30004) is superseded by the amended Special Use Permit for a Contractor's Yard and a Special Use Permit for Specific Use for R-2 Uses (CSU-70045).
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. A six-foot wall or solid fence shall be installed adjacent to residential uses. A six (6) foot landscape buffer shall be located parallel to the inside face of the wall and shall have a mixture of shade trees and evergreen trees to provide buffering at a minimum of twenty-five (25) feet on center. This condition shall be completed within ninety (90) days of final BCC approval.

2. The applicant shall provide gravel or other appropriate surface material to cover the ground area proposed for vehicle storage in order to prevent dust and maintain air quality for the surrounding area.
3. Any lighting shall be site specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots or the public right of way. Outdoor light poles shall not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
4. Street trees shall be planted at thirty (30) feet on center along Airway Road. This condition shall be completed within ninety (90) days of final BCC approval.
5. Landscaping adjacent to residential properties shall consist of a combination of shade and evergreen trees, twenty-five (25) feet on center. This condition shall be completed within ninety (90) days of final BCC approval.
6. No outdoor speakers or amplified sound systems shall be permitted.
7. All outdoor storage shall be for contractor's equipment only and shall be screened from public view by a solid wall or fence.
8. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
9. The Special Use Permit shall be issued for five (5) years.
10. The applicant shall submit three revised site development plans consistent with the Conditions of approval, unless otherwise mentioned, shall be submitted for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners approval.
11. The applicant shall work diligently and expediently toward satisfying the Conditions of approval, unless a specific time is mandated, if Conditions of Approval are not met within one year, the Special use Permit shall be cancelled pursuant to the procedures in the Zoning Ordinance.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (December 8, 2008).
2. County Planning Commission Information Packet.

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Approval