



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 Planned Development Area (single family, townhomes & commercial) (CSU-70051)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the November 5, 2008 public hearing, the County Planning Commission voted (7-0) to recommend approval of a Special Use Permit for a Planned Development Area (single family, townhomes & commercial) located on Tracts 21-25, Row 3, Unit B, Atrisco Grant and an unplatted tract in the SW¹/₄, Section 29, T10N, R2E, located south of Eucariz Avenue between 114th Street and power line easement, zoned A-1, and containing approximately 51 acres. The decision was based on the following Findings and subject to the following six (6) findings and nineteen (19) Conditions.

Findings:

1. This is request for a Special Use Permit for a Planned Development Area (single family, townhomes & commercial) located on Tracts 21-25, Row 3, Unit B, Atrisco Grant and an unplatted tract in the SW¹/₄, Section 29, T10N, R2E, located south of Eucariz Avenue between 114th Street and power line easement, zoned A-1, and containing approximately 51 acres
2. The property is within Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86 in that the request is consistent with Southwest Area Plan Policy 30 which permits up to nine dwelling units per net acre in residential area five.
4. This request is consistent with Resolution 116-86 in that the applicant has demonstrated that the existing zoning is appropriate since there are changed neighborhood conditions. The area located south of the site was recently approved for a Special Use Permit for a Planned Development Area. On August 28, 2007, the Board of County Commissioners approved a Special Use Permit for a Planned Development Area that included residential and commercial development on approximately 241 acres (CSU-60033).
5. None of the proposed parks or open spaces will be publicly owned or maintained. The park will be owned and maintained by the Esencia Homeowners Association, not by Bernalillo County.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. Future subdivision of the site may not proceed until after the right-of-way location for 118th Street is determined and adopted. If the alignment differs from that shown on the approved site plan, the applicant will be solely responsible for any resubmittals or amendments to the site plan in addition to dedication and construction during the subdivision process.
2. The commercial portion of this request shall permit uses consistent with the C-N Neighborhood Commercial Zone.
3. The applicant shall obtain a Surface Disturbance Permit from the City of Albuquerque Environmental Health Department prior to any earthmoving activities involving a parcel of $\frac{3}{4}$ of an acre or more. A copy of the permit shall be submitted to the Zoning, Building, Planning & Environmental Health Department.
4. All public multi-use trail improvements shall be built to County standards. The multi-use trail, as proposed, shall be accessible to the public. When possible the trail shall connect to the regional trail network. All proposed pedestrian access easements shall be ADA compliant.
5. The proposed multi-use trail shall connect to and match up with the 12' multi-use path constructed by the Talavera Subdivision, to the south.
6. The applicant shall construct a 5' bike lane and 5' buffer in 118th to match the improvements completed by Talavera subdivision.
7. The applicant shall provide an additional 4' of public right-of-way to be dedicated for Eucariz, with the subsequent platting action. The 68' must be shown on the revised site plan.
8. The applicant shall provide to the Public Works Division, additional cross sectional drawings of the proposed internal roads with setbacks, sidewalks, landscaping and the proposed bike trail/sidewalk shown within the 50' right-of-way.
9. Prior to subdivision, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Public Works Division for review and approval.
10. The applicant shall submit a Traffic Impact Analysis (TIA) to the Bernalillo County Public Works Division for review and approval prior to preliminary plat. The TIA shall address the impacts of the project on the road system, as well as determine appropriate mitigation measures. The applicant shall provide a copy of final approval to the Zoning Administrator for inclusion with the corresponding file.
11. The applicant will be required to construct and dedicate all streets to County standards. 118th Street will be a Principal Arterial and the appropriate right-of-way width shall be granted and the roadway constructed as part of the subdivision process.
12. The required right-of-way width of 118th Street shall be 156'. If the final alignment of 118th Street is along the power line corridor and an encroachment agreement is entered into with the power line easement beneficiaries for construction of trails within this easement the right-of-way for 118th Street may be reduced accordingly.
13. A grading and drainage plan is required to be submitted to Bernalillo County Public Works Division for review and approval prior to preliminary plat approval.
14. The applicant shall include notes on how proposed street trees and landscaping will be installed and maintained. If roads are proposed for dedication to the County, landscaping in the public right-of-way may require an encroachment agreement. The 8-foot bicycle path within the subdivision shall be changed to 4'-foot wide sidewalks on both sides of the internal streets.
15. The project shall include a pedestrian path adjacent to the curb in front of the homes for the residents to use in the early phases of development prior to completion of the concrete sidewalks.
16. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
17. The Special Use Permit shall be issued for the life of the use.
18. Three copies of the 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 Board of County Commission approval.

19. The foregoing Conditions shall become effective 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 (November 7, 2008).
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Approval