



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 24, 2009

Department: Zoning, Building and Planning **Staff Contact:** Mari Simbaña, Program Planner

TITLE: CONSENT: Special Use Permit for a Specific Use for an Art Shop (CSU-90004)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the February 4, 2009 public hearing, the County Planning Commission voted (5-0) to recommend approval for a Special Use Permit for a Specific Use for an Art Shop on T11N R6E, Section 19, Port Claim 5061, Tract 1, located at 12504 North Highway 14, zoned M-H, and containing approximately .97 acres. The decision was based on the following seven (7) Findings and subject to the following fourteen (14) Conditions:

Findings:

1. This is a request for a Special Use Permit for a Specific Use for an Art Shop on T11N R6E, Section 19, Port Claim 5061, Tract 1, located at 12504 North Highway 14, zoned M-H, and containing approximately .97 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86, as this land use is more advantageous to the community by preserving and enhancing a social, cultural, and historical building and feature of the community as articulated in Policies 5 and 9 of the Albuquerque/Bernalillo County Comprehensive Plan.
4. This request is consistent with the East Mountain Area Plan as the proposed activity is a community scale commercial use that meets the needs of the area.
5. This request has substantial neighborhood support.
6. Unique conditions exist with regard to the use of the parcel in that the school house is a historical structure that was preserved and enhanced and is accessible to the public.
7. This request is consistent with the health, safety, and general welfare of the residents of Bernalillo County.

Conditions:

1. There shall be a minimum of fifteen (15) on-site parking spaces, including one handicapped space.
2. The exact location of signage shall be shown on a revised Site Plan.
3. The “trailer parking” shall not be used as a recreational vehicle for living quarters or a watchman/caretaker.
4. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
5. The applicant shall comply with the Bernalillo County Noise Ordinance. No outdoor speakers or amplified sound systems shall be permitted.
6. A minimum thirty (30) foot landscape buffer shall be maintained along the portion of the property, fronting Highway North 14 inclusive of a ten (10) foot landscape buffer.
7. Landscaping for the Special Use Permit shall meet standards outlined in the Zoning Ordinance, including the following:
 - a. There shall be a landscaped buffer along all streets of no less than 20 feet for a property of five or more acres.
 - b. There shall be a landscaped buffer of no less than six (6) feet along the portions of the property adjacent to residential uses.
 - c. All landscaped buffers shall incorporate both coniferous and deciduous trees, shrubs, and vegetation to achieve a minimum of 75 percent coverage and a largely opaque screen within two years of initial planting.
 - d. The landscaped buffers shall be watered by a designated irrigation system.
 - e. Landscaping which dies shall be replaced by the property owner who is obligated to provide it as expeditiously as possible, but in no case longer than 30 days after notification.
8. Outdoor storage shall not be permitted.
9. The applicant shall secure a current driveway access permit from the New Mexico Department of Transportation within six months of Board of County Commissioners approval. A copy of the permit shall be submitted to the Zoning Administrator for inclusion with the corresponding file.
10. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
11. The storage trailer shall be screened
12. Three copies of the revised site plan consistent with the conditions of approval shall be submitted for review and approval to the Zoning Administrator within 30 days from the date of final Board of County Commissioners approval.
13. The Special Use Permit shall be issued for life of the use.
14. 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, and shall be strictly complied with within one year.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (February 6, 2009)
2. County Planning Commission Information Packet
3. Site Plan (Commissioners Only)

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Approval.