



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: March 24, 2009

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

TITLE: CONSENT: Special Use Permit for a Special Use Permit for Specific Uses for Manufacturing, Compounding, and Assembling of Wood, Clay, and Ornamental Iron, Mobile Home for Watchman/Caretaker, and Multiple Single Family Dwellings (Two) (CSU-90005)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the February 4, 2009 public hearing, the County Planning Commission voted (4-1, Commissioner McMahan opposed) to recommend approval of the request for a Special Use Permit for Specific Uses for Manufacturing, Compounding, and Assembling of Wood, Clay, and Ornamental Iron, Mobile Home for Watchman/Caretaker, and Multiple Single Family Dwellings (Two) on Lot 36 and the southeasterly portion of Lot 37, Merritt Acres, located at 6345 2nd Street NW, zoned R-1, and containing approximately 1.25 acres. The decision was based on the following eight (8) Findings and subject to the following fifteen (15) Conditions.

Findings:

1. This request is for approval of a Special Use Permit for Specific Uses for Manufacturing, Compounding, and Assembling of Wood, Clay, and Ornamental Iron, Mobile Home for Watchman/Caretaker, and Multiple Single Family Dwellings (Two) on Lot 36 and the southeasterly portion of Lot 37, Merritt Acres, located at 6345 2nd Street NW, zoned R-1, and containing approximately 1.25 acres.
2. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. This property has a Special Use Permit for a Plumbing Business (CZ-70-88). The granting of this Special Use Permit (CSU-90005) supersedes the previous permit (CSU-CZ-70-88).
4. This request is not in significant conflict with the North Valley Area Plan policies and planning scenarios that both recognize the existence of businesses along Second St., particularly south of Osuna Rd.
5. This request is consistent with Resolution 116-86 in that there are changed neighborhood

conditions nearby the property along Second. St., including light industrial and commercial uses under C-1 zoning and Special Use Permits.

6. This request has substantial neighborhood support.
7. Unique conditions exist in that a portion of the property has had a Special Use Permit for the life of the use and residential and non-residential uses have existed on the site since before County Zoning was adopted.
8. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. The applicant shall submit a building plan for review for a change of occupancy for the non-residential uses on the property.
2. There shall be no retail activities on the site. Hours of operation shall be limited to 8 a.m. to 6 p.m. Monday through Saturday.
3. Business activities will take place within the existing structures. There shall be no outdoor storage of materials associated with the business.
4. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
5. There shall be a six-foot high solid wall or fence along the property lines abutting residential uses.
6. There shall be a 15 foot wide landscaped front yard along Willow Rd. and a 6 foot wide landscaped buffer between the existing business and the adjacent residential properties. New landscaping shall be established within six months of the final Board of County Commissioner's approval.
7. The applicant shall provide evidence of legal connection for water and sewer service and storm drain use for the business and residential uses on the site to the Bernalillo County Office of Environmental Health within three months of the final Board of County Commissioners' approval. A copy of the permits shall be provided to the Bernalillo County Department of Zoning, Building, Planning and Environmental Health as applicable to the Albuquerque Bernalillo County Water Utility Authority availability statement #90102.
8. Above-ground oil storage tanks must be removed. Evidence of proper removal of the tanks shall be provided to the Bernalillo County Office of Environmental Health within three months of the final Board of County Commissioner's approval. A copy of the documentation shall be provided to the Bernalillo County Department of Zoning, Building, Planning and Environmental Health.
9. A Fire Protection Plan shall be submitted for review and approval to the Fire Marshall's Office within three months of the final Board of County Commissioners' approval. A

copy of the approval shall be provided to the Bernalillo County Department of Zoning, Building, Planning and Environmental Health.

10. A grading and drainage plan shall be submitted for review and approval to the Public Works Division within six months of the final Board of County Commissioners' approval. A copy of the approval shall be provided to the Department of Zoning, Building, Planning and Environmental Health.
11. A driveway permit shall be obtained from the New Mexico Department of Transportation for access to and from Second. St. within six months of the final Board of County Commissioners' approval. A copy of the permit shall be provided to the Public Works Division and the Department of Zoning, Building, Planning and Environmental Health.
12. Free-standing signage on the site shall be limited to 32 square feet, as specified in C-1 zoning.
13. The Special Use Permit shall be issued for the life of the use.
14. 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 Board of County Commissioners' approval. The revised site plan will reflect the removal of signage that has been located in the public right-of-way.
15. 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 (February 6, 2009)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff Recommends Approval