



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: May 26, 2009

Department: Zoning, Building, Planning Staff Contact: Adella Gallegos, Assoc. Program Planner

TITLE: PUBLIC HEARING: Special Use Permit for Specific Use for Tire Repair & Retail (CZ-70022)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

SUMMARY:

At the April 28, 2009 public hearing, the Board of County Commissioners deferred the request to allow for a public hearing. At the March 4, 2009 public hearing, the County Planning Commission voted 7-0 to recommend approval of a Special Use Permit for Specific Use for Tire Repair & Retail on Lot 18, Lucero Addition, located on the north side of Bridge Boulevard SW between Old Coors Road SW and Abo Street, approximately 70 feet west of Abo Street, and containing approximately .17 acres. The decision was based on the following six (6) Findings and subject to the following seventeen (17) Conditions.

Findings:

1. This is a request for a Special Use Permit for Specific Use for Tire Repair and Retail on Lot 18, Lucero Addition, located on the north side of Bridge Boulevard SW between Old Coors Road SW and Abo Street, approximately 70 feet west of Abo Street, containing approximately .17 acres.
2. The property is located in the Established Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and Residential Area Five (5) of the Southwest Area Plan.
3. The request is consistent with Resolution 116-86 in that changed neighborhood conditions have occurred in the immediate area of the site in favor of commercial uses.
4. This request is consistent with Resolution 116-86 in that this land use is more advantageous to the community since it provides a neighborhood community commercial scale service to this particular area of the South Valley as articulated in Policies 45, 46, and 49 of the Southwest Area Plan.
5. The request has substantial neighborhood support within 200 feet.
6. This request is consistent with the health, safety, and general welfare of the residents of the county.

Conditions:

1. The applicant must acquire a commercial driveway permit and may not back vehicles on the roadway. A copy of the driveway permit shall be submitted to the Zoning Administrator for inclusion with the corresponding file.
2. The applicant shall connect to municipal water and sewer and provide proof of connection to the Office of Environmental Health.
3. The applicant shall provide a plan for the disposal of tires in accordance with the New Mexico Environmental Health Department regulations.
4. There shall not be any outside display of tires.
5. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday thru Saturday and 10:00 a.m. to 5:00 p.m. on Sunday.
6. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided to prevent fugitive light from crossing onto adjacent lots or public rights-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.
7. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance, including:
 - a. There shall be a landscaped buffer of 6 feet along the north property line.
 - b. There shall be a landscaped buffer of 6 feet along the east and west property line if and when the adjacent lots are development residentially.
 - c. A solid wall or fence at least six (6) feet high shall be erected along the east property line if and when the adjacent lot is developed residentially.
 - d. All landscaping buffers shall incorporate both coniferous and deciduous trees, shrubs and vegetation to achieve a minimum of 75 percent coverage and a largely opaque screen with two years of initial planting.
 - e. At the time of planting, all trees shall be a minimum of 1 ½ inch caliper measured at two feet above ground, and shrubs shall be a minimum of five gallons in size. The landscaped buffers shall also provide gravel coverage at a minimum depth to two inches, and shall be watered by a designated irrigation system.
8. All off-street parking areas on the property shall be surfaced with a durable material consisting of concrete or bituminous surface. Spaces shall meet code size requirements and be appropriately marked to indicate the location of the spaces.
9. 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 of the final Board of County Commissioners approval. The site development plan shall include the following changes and additions:
 - a. Note location of trash receptacle.
 - b. Signage details
 - c. Note method of irrigation

10. The applicant shall comply with the O-1 Zoning Code requirements for signage.
11. The building shall be an earth tone color.
12. Only one wall mounted sign shall be allowed and oriented towards Bridge Boulevard. Painted signs are prohibited on the building.
13. The landscaped area shall be separated by an 8 inch curb.
14. Signs and displays are prohibited in the landscaped area.
15. The Special Use Permit shall be issued for five years.
16. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
17. The foregoing Conditions shall be 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. Board of County Commissioners Notice of Decision Letter (April 30, 2009)
2. County Planning Commission Notice of Decision Letter (March 10, 2009)
3. County Planning Commission Information Packet
4. Tire Shop Location Maps (Commissioners Only – colored maps)
5. Site Plan dated January 26, 2009 (Commissioners Only)

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING:

Staff Recommends Approval

VERSION 5.0