



Agenda Item Number: \_\_\_\_\_

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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Meeting Date: September 23, 2008

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

**TITLE:** CONSENT: Special Use Permit for a Contractor's Yard (CSU-80021)

### COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

### SUMMARY:

At the August 6, 2008 public hearing, the County Planning Commission voted (5-0; Commissioners Hall, Sanchez excused) to recommend approval of the request for a Special Use Permit for a Contractor's Yard on Lots 38, 39 & 40, El Encanto Subdivision, located at 5721 Edith Boulevard NE, located on the west side of Edith between Placitas Road and El Ensueno Road, zoned C-1, and containing approximately .42 acres. The decision was based on the following five (5) Findings and subject to the following nineteen (19) Conditions.

#### Findings:

1. This request is for approval of a Special Use Permit for a Contractor's Yard on Lots 38, 39 & 40, El Encanto Subdivision, located at 5721 Edith Boulevard NE, located on the west side of Edith between Placitas Road and El Ensueno Road, zoned C-1, and containing approximately .42 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 request is consistent with Resolution 116-86 in that the proposed land use is more advantageous to the community since the North Valley Area Plan Policy 2.3.c states that the City and County shall promote commercial development and redevelopment of existing commercially-zoned properties.
4. This request is consistent with Resolution 116-86 in that changed neighborhood conditions in the vicinity of the site, including the development of several heavy commercial and light industrial businesses, justify this land use change.
5. This request is consistent with the health, safety, and general welfare of the residents of the County.

Conditions:

1. Building permits shall be required for conversion of the existing residential structure to office uses and for the proposed structure on the site.
2. A Fire Protection Plan for the site shall be submitted to the Fire Marshall's Office for approval within six months of the final Board of County Commissioners' approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
3. There shall be no hazardous materials located on the site.
4. Lighting shall be site specific. Shielded or cutoff features shall be provided so that no fugitive light crosses into adjacent lots. On-site lighting shall be shown on the revised site plan.
5. No parking will be allowed along Edith Blvd. or Placitas Rd. Trucks shall not back out onto Edith Blvd.
6. Driveways accessing Edith Blvd. shall meet the standards of Bernalillo County Public Works. The final site plan shall be modified in accordance with the standards.
7. A revised grading and drainage plan shall be submitted to Bernalillo County Public Works for approval prior to any new development on the site. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
8. Freestanding signs on the site shall be limited to 32 square feet and 10 feet in height as specified in Section 15.5 (C-LI – Commercial Light Industrial Zone) of the Zoning Ordinance.
9. Any open storage of materials shall be shown on the site plan and must be screened by a six foot high solid wall.
10. Hours of operation shall be Monday to Friday, 7 a.m. to 6 p.m., and Saturday 8 a.m. to noon.
11. There shall be a six-foot high solid wall along the property line abutting residential zones, which shall be completed within six months of the final Board of County Commissioners' approval.
12. There shall be a 10 foot wide landscaped front yard along the property's frontages and a 6 foot landscape buffer along the along the side of the property abutting residential uses. Landscaping shall be installed within nine months of the final Board of County Commissioners' approval and shall be in compliance with the landscaping requirements in the County Zoning Ordinance.
13. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.

14. The Special Use Permit shall be issued for ten (10) years.
15. 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 approval of the Board of County Commissioners. The site plan shall specify the location of spaces for vehicle, truck, and equipment parking; the areas used for materials storage on the property; and correctly show the landscaping.
16. The applicant shall replat the property to one lot within six months of final Board of County Commission approval.
17. Future storage buildings shown on the site plan shall be constructed within two years of final Board of County Commission approval.
18. All parking areas shall be paved in accordance with the Bernalillo County Zoning Ordinance.
19. 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 (August 8, 2008)
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

## **STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING:**

Staff Recommends Approval