



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: September 23, 2008

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

TITLE: CONSENT: Special Use Permit for Specific Uses for a Triplex, Single Family Dwelling, Electrical Shop, Storage Shed, Commercial & Industrial Uses (CSU-80022)

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 Specific Uses for a Mobile Home, Triplex, Single Family Dwelling, Electrical Shop, Storage Shed, Commercial & Industrial Uses on Lot 74A1, Merritt Acres, located at 6204 2nd Street NW, located on the east side of 2nd Street approximately 300 feet south of Vineyard Road, zoned M-H & C-1, and containing approximately 2.70 acres. The decision was based on the following Findings and subject to the following Conditions.

Finding:

1. The request is for approval of a Special Use Permit for Specific Uses for a Triplex, Single Family Dwelling, Electrical Shop, Storage Shed, Commercial & Industrial Uses on Lot 74A1, Merritt Acres, located at 6204 2nd Street NW, located on the east side of 2nd Street approximately 300 feet south of Vineyard Road, zoned M-H & C-1, and containing approximately 2.70 acres.
2. The property had a Special Use Permit for a Mobile Home, Triplex, Single Family Dwelling, Electrical Shop, Storage Shed, Commercial & Industrial Uses, which expired in 2001 (CZ-90-32). This Special Use Permit (CSU-80022) supersedes the previous Special Use Permit (CZ-90-32).
3. The request is consistent with Section 18.b.32.b of the Zoning Ordinance which states that "the owner of any property that has or had a Special Use Permit may apply for a permit for the same use(s) regardless of the underlying zoning of the same property."
4. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
5. This request is consistent with Resolution 116-86 in that the proposed land use is more

advantageous to the community because 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.

6. This request is consistent with Resolution 116-86 in that changed neighborhood conditions in the vicinity of the site, including the development of heavy commercial and light industrial businesses nearby the site, justify this land use change.
7. This request has substantial neighborhood support.
8. The request is consistent with the health, safety, and general welfare of the residents Bernalillo County.

Conditions:

1. Residential uses will be permitted as shown on the approved site plan for a single family dwelling, a triplex, and an apartment. No residential activities will be allowed in the warehouses.
2. Non-residential uses within the warehouses are limited to the following:
 - a. Personal hobbies, such as painting and arts and crafts.
 - b. Office, as listed under O-1 zoning.
 - c. Delivery service, interior decorating, auto and small engine repair, as listed under C-1 zoning.
 - d. Auto storage, mini-storage, or shop in which products are manufactured, compounded, processed, assembled, or treated incidental to the retail operation, as listed under C-2 zoning.
 - e. Contractor's equipment storage, rental, or sale, warehouse, machine shop, as listed under C-LI zoning.
3. The applicants shall submit upon request from the Bernalillo County Zoning Administrator a current list of uses within the warehouses that complies with the approved uses for the site.
4. All businesses located on the site shall have business licenses with Bernalillo County.
5. There shall be no open storage of materials on the site, excluding the pipe rack, and no business activities taking place outside the warehouses.
6. RV, boat, and truck storage is permissive only for private tenants' use but not as a service or retail use.
7. There shall be no auto painting on the site.
8. There shall be a Hazardous Materials Handling and Disposal Plan provided to the Office of Environmental Health for review and approval for any auto body and repair work and machine service and repair. This plan shall be submitted within three months of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department

9. A Fire Protection Plan shall be submitted for review and approval to the Fire Marshall's Office prior to final site plan approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
10. 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.
11. Free-standing signage shall be limited to an area of 148 square feet and 16 feet in height.
12. Landscaping for the Special Use Permit shall meet the standards outlined in the Zoning Ordinance, including:
 - a. There shall be a landscaped buffer along all streets of no less than fifteen (15) feet.
 - 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. A solid wall or solid fence at least six (6) feet high shall be erected along the portions of the property adjacent to residential uses, except for those sides abutting public right-of-way.
 - d. 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.
 - e. At the time of planting, all trees shall be a minimum of 1½-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 of two inches, and shall be watered by a designated irrigation system.
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 final site plan shall include the approved list of uses.
16. 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