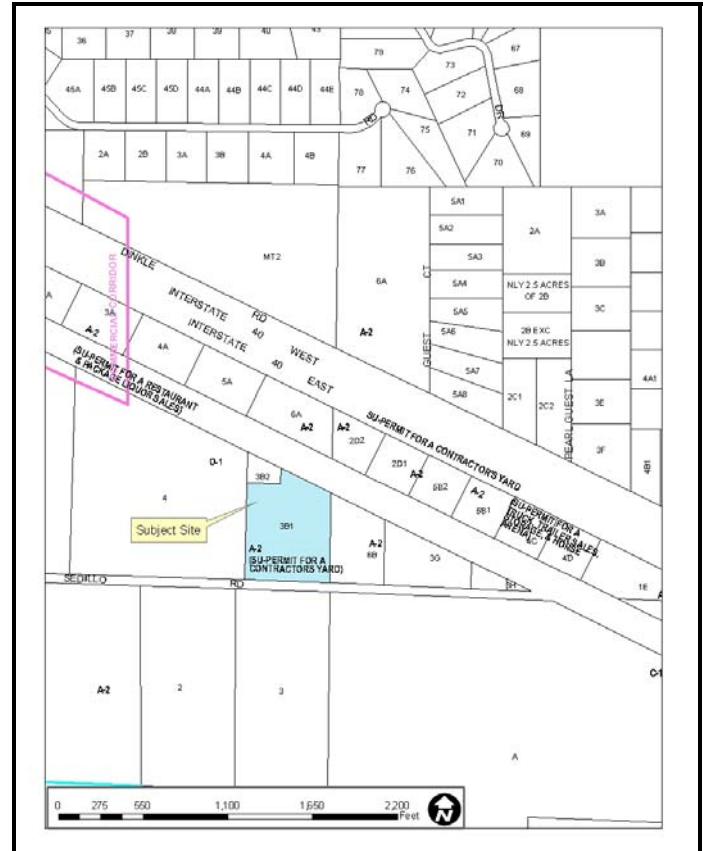


Applicant:	U Brothers Realty New Mexico, LLC
Agent:	Oden and Associates
Location:	1410 Old US 66 East
Property Size:	Approximately 8.14 acres
Existing Zone:	A-2/SUP for a Contractor's Yard
Proposed Request:	Special Use Permit for Specific Uses for Self-Storage, Trailer (RV) Storage and Contractor's Equipment Rental, Repair, & Sale
Recommendation:	Denial



Summary:	<p>The applicant is requesting a Special Use Permit in order to operate a Self-Storage and RV Storage business as well as for the storage, rental, sale, and repair of contractor's equipment.</p> <p>This case was deferred from the February 2008 hearing on request of the applicant in order to make adjustments to the application. To date, no new materials have been submitted to staff.</p>
Staff Planner:	Mari Simbaña, Program Planner

- Attachments:**
1. Application
 2. Land Use and Zoning Map
 3. Letters of Opposition from Neighbors
 4. Applicant Response to Neighborhood Opposition
 5. Agent Request for Deferral
 6. Site Plan (Commissioners Only)

Bernalillo County Departments and other interested agencies reviewed this application from December 11, 2007 to January 11, 2008. Agency comments were used verbatim in preparation of this report, and begin on page 13.

AGENDA ITEM NO.: 6
County Planning Commission
June 4, 2008

CSU-80003 Oden & Associates, agent for U Brothers Realty New Mexico LLC, requests approval of a Special Use Permit for Specific Uses for Self-Storage, Trailer (RV) Storage and Contractor's Equipment Rental & Sale on Tract 3B1, Walker Subdivision, located at 1410 Old US 66 East, Walker Subdivision, zoned A-2 with a Special Use Permit for a Contractor's Yard, and containing approximately 8.14 acres. (J-36) (DEFERRED FROM THE FEBRUARY 6, 2008 HEARING)

AREA CHARACTERISTICS AND ZONING HISTORY
Surrounding Zoning & Land Uses

Site	Zoning	Land Use
North	A-2/ SUP for a Contractor's Yard Right-of-Way O-1	Contractor's Equipment Storage Interstate 40 Masonic Lodge Fraternal Org.
South	Right-of-Way A-2	Sedillo Road Residential
East	A-2	Vacant
West	A-2	Vacant

BACKGROUND:

The Request

The subject site of approximately 8.141 acres, is located between Old US 66 and Sedillo Rd., west of the County line. The site accesses directly off of Old Route 66.

The specific request is for operation of a Self-Storage and RV Storage business as well as for the storage, rental, and sale of contractor's equipment.

The subject site has a Special Use Permit for a Contractor's Yard (CSU 30002) for the life of the use. The application states that the proposed Special Use, "will be similar to the former Contractor's yard in volume of vehicles on the site and will not increase the noise levels in the area nor have a significant impact on traffic along US Hwy 66." Further statements therein also make it clear that the applicant believes that, "This type of land use has become the existing development pattern in the area."

Request Justification

The applicant believes that the proposed uses constitute a small-scale local business that meets the needs of a growing population and provides employment opportunities.

The application asserts that changed neighborhood conditions, including growth of the Town of Edgewood, give reason for more commercial establishments.

Surrounding Land Use and Zoning

The site is surrounded predominantly by residential properties zoned A-1. It is not in a commercial corridor as designated by the East Mountain Area Plan (2006) but it is in proximity to properties that have special use permits for a variety of non-residential uses. The commercial corridor is over 900 feet northwest of the site.

To the northeast corner of the subject site, is a small O-1 zoned property. About 1/3 of a mile southeast of the subject site is a 130.28-acre property that has 1.29 acres zoned as C-1. Across Old Us 66 from that is a 1.58-acre property zoned C-1.

Across Old US 66 and northeast of the subject site is Lot 2D2 with a Special Use Permit for a Contractor's Yard and Equipment Storage (CSU-01-4). East of that, the owner of Lot 2D1, is currently requesting a Special Use Permit for Contractor's Equipment Storage and Sales (CSU-80003). East of that is Tara's Dance Studio (ZA-94-132) and a property (lots 5B1, 4C, 4D) with a Special Use Permit for Truck, Trailer Sales, Storage and Horse Arena (CZ-99-5). Less than 1/3 of a mile northwest of the subject site, and cross Old US 66, is a property with a Special Use Permit for a Restaurant and Package Liquor Sales (CZ-96-7).

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

Policy 3 The stated Goal of the Rural Area is “to maintain the separate identity of Rural Areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns.” The following includes applicable policies:

Policy 3.a. of the Rural Area Goal states that “higher density development may occur at appropriate locations. Rural Area density patterns shall be more specifically defined through lower rank planning. Each higher density area is to be controlled by site development plan and is to be located well away from other such higher density areas.”

Policy 3.b states that “Development in Rural Areas shall be compatible with natural resource capacities, including water availability and capacity, community and regional goals and shall include trail corridors where appropriate.”

Policy 3.f states that “Development shall be carefully controlled in the East Mountain Area to prevent environmental deterioration, and to be compatible with the resource base and natural recreational and scenic assets.”

Policy 3.g states that “the following shall guide industrial and commercial development in the Rural Areas.”

- Small-scale, local industries, which employ few people and may sell products on the same premises, are the most desirable industrial use.
- Neighborhood and/or community-scale rather than regional scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within designated mountain and valley villages.”

Policy 6 Economic Development goal is, “to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.”

Policy 6.a states that, “New Employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to the areas of most need.”

Policy 6.b states that, “Development of local business enterprises as well as the recruitment of the outside firms shall be emphasized.”

Policy 6.g states that, “Concentrations of employment and Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel.”

East Mountain Area Plan Goals and Objectives

General Land Use – 1

Goal

- Protect the property rights of property owners while ensuring the health, safety, and welfare of all inhabitants.

Visual Resources – 4

Goal

- Maintain and improve the existing visual quality of the East Mountain Area.

Objective

- Recognize the natural and visual environment, particularly features unique to the East Mountain Area as a significant determination in development decisions.

Economic And Commercial Development – 9

Goal

- Achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Objectives

- Promote sound economic development that includes small-scale, local businesses.
- Provide new employment opportunities for area residents which will accommodate a wide range of occupational skills and salary levels.
- Promote tourism with careful attention to the potential for impacts of tourism on the East Mountain Area residents, rural character, and environment.

Policies

- 9.1 Commercial development shall occur in commercial corridors and nodes identified through an economic development study, sector plan, or master plan approved by Bernalillo County.
- 9.2 Prohibit new Special Use Permits for commercial and manufacturing that would be equivalent to M-2 zoning.
- 9.3 New commercial development shall be of an appropriate scale to meet the needs of the area residents and not degrade the environment.
- 9.4 Encourage small-scale business to develop with the potential for providing local employment.

Possible Techniques

- Establish commercial corridors and nodes to allow for the location of neighborhood-scale businesses that generate jobs and provide needed goods and services to EM residents while maintaining rural character.
- Focus light industrial and commercial development in selected areas with adequate utilities and transportation access and set apart from any existing or future residential neighborhoods or other incompatible land uses.
- Reserved portions of the community strictly for commercial activity to accommodate a variety of wholesale, retail, service and offices uses where the highest traffic volumes and greatest utility demands can be served and more extensive signage and outdoor display of materials will be expected and permitted.

p. 119

Rural Character

The most important issue identified by respondents on the 2003 questionnaire was the retention of rural character, confirmed by responses to other Survey questions. The vision of the East Mountain Area residents is to maintain this rural character. This is the focus of discussion in the Community Vision section which can be found in Appendix G. Rural character is defined by natural landscape, open spaces, undisturbed ecosystems, quietness, views of the landscape and the sky, limited traffic, large lots, privacy, and small-scale local businesses.

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted Bernalillo County Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the Board of County Commissioners.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:

1. An error in the original zone map.
 2. Changed neighborhood conditions, which justifies a change in land use or
 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the Board of County Commissioners.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Section 18. Special Use Permit Regulations.

- A. By Special Use Permit after receipt of a recommendation from the Bernalillo County Planning Commission, the Board of County Commissioners may authorize the location of uses in any zone in which they are not permitted by other sections of this ordinance; the Bernalillo County Commission may likewise authorize the increase in height of buildings beyond the limits set by previous sections of this ordinance. With such permits, the Bernalillo County Commission may impose such conditions and limitations as it deems necessary:

1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located;
2. To ensure that the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones; and
4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.

B.32.a

(Office/Commercial) In certain situations based on unique conditions the owner may apply for any of the specific uses set forth in Sections 12, 13, 14, or 15 of this Ordinance. The special use for a specific use (office/commercial) may be granted if the owner/applicant proves by clear and convincing evidence that: (1) unique conditions exist that justify the request and (2) there is substantial support from neighborhood residents (or owners of property) within 200 feet of the site for the proposed special use.

Section 19: Landscaping and Buffer Landscaping Regulations:

Where a nonresidential zone which is hereafter developed for a business purpose abuts a residentially zoned property, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.

1. Sites of one acre or less:
 - a. There shall be a landscaped setback along all streets of no less than ten feet.
 - b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
 - c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback shall contribute toward this requirement.

2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of no less than 15 feet. All other requirements same as 1.b. and 1.c. above.
- B. In a nonresidential zone, a solid wall or a solid fence at least six feet high shall be erected on sides abutting a single family residential use, except for those sides abutting public right-of-way.
- 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. If the 30-day period falls at a time of the year when planting of landscaping is inadvisable, a waiver may be granted by the Zoning Administrator to allow planting at the earliest possible time. The waiver and date of the planting deadline shall be recorded by the County Zoning Office.
- G. Parking spaces within a parking lot shall be no more than 50 feet from a tree.
- H. Nonconforming Landscaping. Premises which, when they were developed, were not required to be developed in accordance with the Landscaping and Buffer Landscaping Regulations Section of this ordinance, shall be made to conform with this regulation within two years due to the amendment of the map or text of this ordinance.

ANALYSIS:

Surrounding Land Use and Zoning

The site is surrounded predominantly by residential properties zoned A-2. A designated commercial corridor is over 900 feet northwest of the site. To the northeast corner of the subject site, is a small O-1 zoned property. Southeast of the subject site is a 130.28-acre property, having 1.29 acres zoned as C-1. Across Old US 66 from the subject site is a 1.58-acre property zoned C-1. Across Old US 66 of the subject site is Lot 2D2 with a Special Use Permit for a Contractor's Yard and Equipment Storage (CSU-01-4), Tara's Dance Studio (ZA-94-132), a property with a Special Use Permit for Truck, Trailer Sales, Storage and Horse Arena (CZ-99-5), and a vacant lot with a Special Use Permit for a Restaurant and Package Liquor Sales (CZ-96-7). Currently, the owner of Lot 2D1 north of the subject site, is requesting a Special Use Permit for Contractor's Equipment Storage and Sales (CSU-80003).

Plans

The request appears to conflict with the *Albuquerque/Bernalillo County Comprehensive Plan's* recommendation of small scale, locally owned industries. The subject site is not in a commercial corridor as designated in the *East Mountain Area Plan*.

Zoning Ordinance

The main activities proposed to occur on the subject site are self-storage units, RV parking, and parking, rental, sales and repair of contractor's equipment. Self-Storage Units are permissive in the C-2 zone. These uses altogether, are permissive in the C-LI zone.

In relation to Resolution 116-86, the applicant cites the increased traffic from Mountain Valley Rd. (going east) due to new Edgewood business services as a rationale for granting the request. Increased traffic and the proximity to those businesses, are not unique conditions or sufficient justifications for granting the request especially considering that those business are within another County's jurisdiction. Further more, the type and number of proposed uses on the size of acreage (8.14) does not constitute a 'small scale' business.

Agency Comments

There were no adverse comments regarding the request. The Zoning Administrator describes landscaping, paving, setback, height, signage, and lighting requirements that are to be met by the applicant in order for uses to occur. Public Works staff has determined that a Traffic Impact Analysis is required and that the appropriate dimensions and location of State Rd. 333 should be shown. Also, prior to development, a formal grading and drainage plan and a Storm Water Pollution Prevention Plan must be submitted and approved. Among extensive comments, Public Works/Water Resources staff points out that the intended activity is subject to sections of the Water Conservation Ordinance and that Storm Water Quality issues must be addressed. In regards to landscaping, staff believes that the applicant should provide an estimated landscape water budget and provide calculations showing how much of the budget can be satisfied by rainwater harvesting based on proposed rainwater harvesting methods. NM Department of Transportation staff makes it clear that since the ownership and type of business has changed, application must be made for legal access onto NM 333.

Analysis Summary

Zoning	
Resolution 116-86	Proposed uses have the potential to generate noise and increase vehicular traffic on Sedillo Rd. which would not be advantageous to the community. The application includes letters of support. The subject site's location in relation to the commercial corridor and neighboring County's commercial zoning does not constitute unique conditions.
Plans	
Comprehensive Plan	The request does not qualify as the most desirable industrial use as it is not a small-scale, local industry, employing few people and selling products on the same premises (Rural Area Policy G).
East Mountain Area Plan	The request is not a neighborhood-scale commercial use meeting the needs of local residents. (Policies 9.1 & 9.2)
Other Requirements	
Environmental Health	Provide a Mosquito control plan for on-site ponding

Public Works	A Traffic Impact Analysis is required. Show the right-of-way width and location of State Rd 333. Provide a copy of the existing NMDOT permit for the driveway. Prior to development: - A formal grading and drainage plan - A Storm Water Pollution Prevention Plan
Water Resources	-This permit application is subject to Sections of the Water Conservation Ordinance -Landscaping Plan is inadequate and incomplete. -Applicant must address Stormwater Quality issues.

Conclusion

The request is significantly more intense than what was approved under CSU-30002. The combination of uses applied for are permissive in the C-LI zone, a zone that is not compatible with the adjacent residential neighborhood. Staff believes that the proposed uses, covering a significant portion of the entire acreage, conflict with the policies of the Albuquerque/Bernalillo County Comprehensive Plan (Rural Area Policy 3g; Economic Development Policy 6a, 6b, 6g) and the East Mountain Area Plan that call for a neighborhood-scale business.

Letters of opposition from neighbors express that the request, which is too intense, has not been justified, is incompatible with the predominantly residential surrounding neighborhood, and if approved could set a precedent for commercial activity. Furthermore, the East Mountain Coalition believes that additional conditions should be placed on the existing Special Use Permit (CSU-30002).

Additional Comments, June 4, 2008:

A business license for the intended activity was denied on September 7, 2007 because it was not compatible with the existing Special Use Permit for a Contractor’s Yard (CSU-30002). This prompted the applicant to seek a Special Use Permit that would encompass the intended activities.

To date, the applicant has not submitted any new materials regarding the Special Use Permit application and case deferral. However, during the time since the application process began, growing activity on the subject site has resulted in a violation of the existing Special Use Permit (CSU-30002). Additionally, the applicant has been operating the business for which a denial was issued in September 2007. Bernalillo County Zoning staff filed a Criminal Complaint against William P. Downey, the business representative, in May 2008 due to the operation of the business without a license, operating sales and rental of heavy equipment on an A-2 zone, and non-compliance with the Site Plan of the existing Special Use Permit (CSU-30002).

Staff maintains that the request for Contractor’s Yard and related uses should be denied.

RECOMMENDATION:

Staff recommends Denial of the request based on the following Findings.

Mari Simbaña
Program Planner

FINDINGS:

1. This is a request for a Special Use Permit for Specific Uses for Self-Storage, Trailer (RV) Storage and Contractor's Equipment Rental & Sale on Tract 3B1, Walker Subdivision, located at 1410 Old US 66 East, Walker Subdivision, zoned A-2 with a Special Use Permit for a Contractor's Yard, and containing approximately 8.14 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is not consistent with Resolution 116-86, as this land use is not more advantageous to the community due to the potential noise and light pollution and vehicular hazards generated from the proposed activities.
4. This request is not consistent with Resolution 116-86 in that the applicant has failed to justify the request.
5. This request is not consistent with the East Mountain Area Plan as the proposed activity is not a community scale commercial use that meets the needs of the area.
6. Bernalillo County Zoning staff filed a Criminal Complaint against the business representative in May 2008 due to the operation of the business without a license, operating sales and rental of heavy equipment on an A-2 zone, and non-compliance with the Site Plan of the existing Special Use Permit (CSU-30002).

BERNALILLO COUNTY DEPARTMENT COMMENTS

Zoning Administrator:

1/11/08

Applicable Zoning Standards

Landscaping/Screening

- overall size of property requires 20-foot wide landscaping buffers along the north and south sides of the site (Old US 66 East & Sedillo Road), as well as a 6-foot wide buffer along the west side of the property
- these areas are required to meet the applicable sections of the Zoning Ordinance regarding vegetative cover, tree placement, and perpetual maintenance; however, CPC policy has allowed existing "natural" vegetation in the East Mountain area to be used in conjunction with the county's landscaping requirements. If the CPC authorizes this landscaping substitution for this request, a note should be added to the revised site plan indicating that existing vegetation will be used, but must provide adequate screening and coverage to meet the intent of the county's landscaping standards.
- if not approved as such by the CPC, a detailed landscaping plan outlining these areas is necessary to confirm compliance with applicable provisions, OR a alternate landscaping plan can be submitted to the Zoning Administrator for review as described in Section 19.C. of the ordinance
- because of the adjacent A-2 lot to the west, a six-foot high wall or fence is required along this property line if there are residential uses on these lots; if not, a statement on the site plan acknowledging erection of this screen upon residential development will suffice

Off-Street Parking

- 15 off-street parking parking spaces have been noted on the submitted plan (13 standard, 2 HC) and appears to meet the applicable provisions for space size (8½' x 20')
- the coverage of the off-street parking areas is required to be hard surfaced(concrete or bituminous material) to allow for a continued level and serviceable area; however, in specific situations CPC policy has allowed for gravel surfacing of standard off-street parking areas/spaces. If approved by CPC for gravel coverage to the east of the proposed business office and west of the retention pond, a specific condition should be noted in the approval, and the provision of a layer of gravel of at least 2-inches in depth shall be provided at all times
- similarly, some sort of clarification should be made concerning the surfacing and off-street parking for the self-storage area

Building Height

- underlying zoning designation allows for building height up to 26' or 2½ stories

Setbacks/Separation

- all structures appear to meet applicable setback requirements (25'/25'/10') and separation distances

Signage

- has not been addressed with this proposal; specific reference to this use is necessary in order for signage (future of existing) to be allowed. O-1 signage requirements could be considered acceptable

Related requirements

- provided site- and building-lighting must meet applicable standards (shielded or cut-off fixtures)
- self-storage units often incorporate a watchman/caretaker; no reference to this activity has been noted. Changes to the plan are necessary in order for this use to occur from the property.

Environmental Health:

12/14/07

1. On-site wastewater system is a currently permitted septic tank and disposal field. Permit # EHWO-20070254.
2. Approved water source is Entranosa.
3. Provide a Mosquito control plan for on-site ponding.

Zoning Department Manager:

1/2/08

Based on the above comments there is no adverse comments at this time.
There are no current zoning violations on this property.

Building Department Manager:

12/17/07

Corrections listed below must be corrected for approval:

Building permits will be required for the proposed project.

Public Works:

DRAN:

1/11/08

1. This property is subject to Chapter 38 of the Bernalillo County Code for Flood Damage Prevention and Storm Drainage. The grading and drainage plan provided with this special use application has not been submitted to the Bernalillo County Public Works Division for a formal review. However, a conceptual review has been completed of the grading and drainage plan and the plan was found to be sufficient for this application. A formal grading and drainage plan prepared by an engineer licensed in the State of New Mexico and approved by Bernalillo County Public Works will be required prior to any development or additional development of this property.
2. This property is subject to the National Pollution Discharge Elimination System (NPDES) as required by the Bernalillo County Code Chapter 38 Section 147. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to any development.

DRE:

1/3/08

1. Please show the right-of-way width and location of State Rd 333.
2. Please provide a copy of the existing State DOT permit for the driveway.
3. A Traffic Impact Analysis is required. The TIA must be reviewed by NMDOT and Bernalillo County.

Water Resources

12/14/07

Comment #1

1. Applicant must provide a water availability statement from the indicated water utility provider and/or proof of existing water account.
2. Conceptual utility plan indicates that the proposed office building will be located over the existing septic and leach field. Grading and drainage plan indicates that the flowline elevations to promote drainage from the proposed office building encompasses most of the septic and leach field. Note on the utility plan that the field will be relocated as is noted on other sheets. Please resolve with BC Environmental Health and denote the new location on the utility plan.

Comment #2

1. Sheet S-1 Site Data indicates that the existing maintenance building and proposed office building combined are less than 9,550 feet and that the proposed storage building total some 36,740 square feet. It also indicates that the total landscaped area will be much greater than 20,000 square feet combined. Consequently, this permit application is subject to Sections Section 30-249 (2) and (5) of the Water Conservation Ordinance. Consequently, applicant must:

Install high efficiency toilets (1.3 gpf) in the proposed office building, and if toilets are provided, for the ministorage area. It is recommended that refits be performed for the existing maintenance facility.

Applicant must demonstrate use of either greywater system, rainwater harvesting and/or low impact development, to supply or supplement landscape irrigation.

Applicant must demonstrate evaluation of the potential for using harvested water, and when practical, incorporate such into the landscape design.

2. Existing landscape and grading and drainage plan clearly indicate that water harvesting evaluation and design considerations are absent. As currently designed, planned drainage for mini-storage is via paved surfaces to on-site retention ponds without flow being directed to required landscape areas. Furthermore, curbed landscape areas are raised respective to associated drainage and could easily be modified to accept drainage from the surrounding parking areas prior to draining to the retention pond. Similarly there is no indication of intent to use roof capture from the east and west storage buildings to drain to

the associated landscape margins. There is no indication of the construction of swells or other features to slow water flow and/or to redirect flow trees along the margin of the maintenance areas.

3. Landscape plan is inadequate. The type of plantings and water need should be identified. Please provide an estimated landscape water budget and provide calculations showing how much of the budget can be satisfied by rainwater harvesting based on proposed rainwater harvesting methods.
4. The landscape plan suggests the presence of multiple pine and juniper trees along the property margins. However, site photos do not indicate the existence of such trees. Please clarify whether these are existing or planned.
5. Can the storwater retention ponds be modified to construct recharge / groundwater infiltrator systems in the bottom of the retention ponds to promote recharge over evaporation?

Comment #3
Stormwater Quality Issues

1. Per Section 38-171(e) of Bernalillo County Code, application for all land use changes shall address drainage control... in terms of the interaction of these parameters with other requirements and needs produced by the proposed land use changes and shall comply with an adopted drainage management plan.
2. Per Section 38-141 (3)(g and h) Design storm drainage facilities, which provide effective storm drainage and flood control protection as well as promote quality of life and further other adopted county policies, including development of multiple use drainage facilities. Improve the quality of storm water runoff.
3. Per Section 38-147 (b) Post-construction stormwater quality protection. For all development and redevelopment projects with land disturbances equal to or greater than one acre, including sites which disturb less than one acre but are part of a larger common plan of development, that discharge into the county's drainage system, within the urbanized area of the county, post construction water quality BMPs are required.

Applicant has not identified drainage plans or elements which are necessary to promote rainwater harvesting and low impact development. Such features are required for the application in as much as they "further other adopted county policies" and also serve to "promote the quality of storm water runoff", particularly with regards to runoff from paved parking areas. Furthermore applicant has not identified or addressed any conceptual post construction water quality BMPs, which are required at this time per the provisions of Section 38-171 (e). Therefore, application is not ready for review.

Fire Department

1/4/08

Required access: Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction.

The required width of a apparatus access road shall not be obstructed in any manner, including parking of vehicles during construction and/or occupancy.

An exiting analysis will be required to evaluate existing and/or proposed exiting systems.

Occupancy pending compliance with the hazardous materials emergency response plan (HMER Plan)

Any structure large than 6000 sq. ft. will require commercial fire sprinklers N.I.C.E.T.3 OR GREATER.

UPON THE CONTSTRUCTION OF THE PROPOSED BUILDING ALL OTHER EXISTING STRUCTURE MUST COMPLY WITH CURRENT FIRE CODE REQUIREMENTS INCLUDING MONITORED SMOKE DETECTORS..DFM JAG

Approval and/or occupancy pending approved water supplies for fire protection.

Fire hydrants are generally installed according to spacing criteria that varies according to proposed land use. These hydrants may be required to be supplemented with additional hydrants when actual development takes place.

Parks & Recreation:

12/26/07

No adverse comment; please note that the EM Trail Plan proposes a bike route on Hwy 66.

Sheriff's:

No comment received

COMMENTS FROM OTHER AGENCIES

MRGCOG:

12/14/07

MPO staff have no comment on this particular proposal. For information, Old Rt 66 is functionally classified a rural major collector.

AMAFCA:

1/7/08

No comment

COUNTY PLANNING COMMISSION
JUNE 4, 2008
CSU-80003

City Planning Department:
No comment received

Transportation Division
12/27/07
No comment received

City Public Works:
Transp. Planning:
No comment received

Transp. Development: No comment received
12/12/07
No adverse comments.

Water Resources: No comment received

City Transit:
No comment received

ABCWUA Utility Development Section
1/3/08
No comment received

City Environmental Health:
No comment received

City Open Space:
1/2/08
Open Space has no adverse comments

NM Department of Transportation
12/18/07

Possible Impacted NMDOT roadway(s): NM 333 (old US 66)

Departments Comments: Due to the size of the development, it is not expected that it will have a significant impact on the state roadway system. However, if the nature of the business is changing ownership or type of business use, the owner will need to apply for a permit for legal access onto NM 333.

Albuquerque Public School:
12/12/07

Walker Subdivision, Tract 3-B-1, is located on 1410 Old US 66 East, Tijeras NM. The owner of the above property requests a special use permit for a self-storage and

contractor's equipment rental and sales. This will have no adverse impacts to the APS district.

Village of Tijeras

No comment received

Public Service Company of New Mexico

1/18/07

No comment based on the information provided to date. It is the applicant's obligation to determine and accommodate existing utility easements that cross the property, to dedicate utility easements, and to abide by any conditions or terms of such easements.

MRGCD

12/31/07

No adverse comments

NEIGHBORHOOD ASSOCIATIONS:

East Mountains District 5 Coalition