



Los Alamos County

Community Development Department

## **PLANNING & ZONING COMMISSION STAFF REPORT**

**Public Hearing Date:** January 10, 2017

**Subject:** Case No. CPA-2017-0005: A request for Comprehensive Plan Future Land Use Map amendment for two (2) lots from Commercial/Office designation to Mixed Use designation, located at 555 and 557 Oppenheimer Drive, also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat

Case No. REZ-2017-0009: A request to rezone two (2) lots from P-O (Professional Office) District, to MU (Mixed Use) District, located at 555 and 557 Oppenheimer Drive, also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat

Case No. SIT-2017-0023: A request for Site Plan approval for redevelopment activities for one (1) lot at 557 Oppenheimer Drive, also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat

**Applicant:** Ryan Markey

**Case Manager:** Andrew Harnden, Housing and Special Projects Manager

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**Case No. CPA-2017-0005:** A request for Comprehensive Plan Future Land Use Map amendment for two (2) parcels containing 1.44± acres, from Commercial/Office designation, to Mixed Use designation, for land located at 555 and 557 Oppenheimer Drive, also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat.

**Case No. REZ-2017-0009:** A request to rezone two (2) parcels from P-O (Professional Office) to MU (Mixed Use), containing 1.44± acres, located at 555 and 557 Oppenheimer Drive, also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat.

**Case No. SIT-2017-0023:** A request for site plan approval for redevelopment activities for one (1) parcel located at 557 Oppenheimer Drive, containing 0.71± acres, also known as Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat.

### **Motion Option 1:**

I move the Planning and Zoning Commission recommend that the Los Alamos County Council approve Case No. CPA-2017-0005 for a Comprehensive Plan Future Land Use Map amendment, for two (2) parcels, from Commercial/Office designation, to Mixed Use designation, located at 555 and 557 Oppenheimer Drive (also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat); Case No. REZ-2017-0009 to rezone two (2) parcels from P-O (Professional Office) district, to MU (Mixed Use) district, located at 555 and 557 Oppenheimer Drive (also known as Lot 1 and Lot 2 on the Trinity/Oppenheimer

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Subdivision Final Plat); and Case No. SIT-2017-0023 site plan for redevelopment activities for one (1) parcel, located at 557 Oppenheimer Drive (also known as Lot 2 on the Trinity/Oppenheimer Subdivision Final Plat).

## **SUMMARY**

The applicant is requesting approval for Comprehensive Plan Future Land Use Map amendment for two (2) lots from Commercial/Office designation to Mixed Use designation, for property located at 555 and 557 Oppenheimer Drive; rezoning of two (2) lots from P-O (Professional Office) district, to MU (Mixed Use) district, located at 555 and 557 Oppenheimer Drive; and Site Plan approval for redevelopment activities for one (1) parcel at 557 Oppenheimer Drive. Site Plan approval is conditional to the successful action to amend the Future Land use Map of the 2016 Comprehensive Plan and the accompanying rezoning petition. The application for Site Plan Approval for 557 Oppenheimer Drive includes the addition of a third floor to the existing two-story building and addition of one small mechanical room to extend from the first floor east side. The ground floor existing office space will be remodeled and remain office space; existing second floor office space will be renovated to create eight (8) residential units; and the added third floor is proposed to contain eight (8) residential units.

The current zoning designation of 555 and 557 Oppenheimer Drive is P-O (Professional Office) District, which allows office uses, but does not allow residential offices or uses. Rezoning to the MU (Mixed Use) District designation will allow a wide range of commercial and residential uses including the applicant's proposed uses of office and residential apartments. However, because the subject properties Comprehensive Plan Future Land Use designation of Commercial/Office is not intended for residential uses. For the properties to be rezoned to Mixed Use, the Comprehensive Plan Future Land Use Map (FLUM) designation must first be amended to the Mixed Use Future Land Use Map designation.

Currently there is a building occupying each lot and each building is used for office space. 555 Oppenheimer Drive is owned by 555 Oppenheimer Condominium Association, Inc. which is comprised of various entities and individuals; and 557 Oppenheimer is owned by Los Alamos Professional Housing Partnership, which is also a partner of the owner of the structure addressed as 555 Oppenheimer Drive. The surrounding neighborhood is characterized by a mix of commercial and high density residential uses. Properties in the vicinity are completely developed. The subject lots are bordered by a 2-story townhome community to the west and the Ridge Park complex of 3-story apartment buildings to the south. Directly opposite the subject lots on the north side of Trinity Drive is an office building occupied by Mary Deal Realty, and opposite 557 Oppenheimer on the east side of Oppenheimer Drive is a Shell fuel station.

The two properties are located close to downtown, the Hospital, County government offices, Ashley Pond and the Canyon Rim Trail, which offers an attractive opportunity for businesses and housing. Amending the Comprehensive Plan Future Land Use Map to Mixed Use, and re-zoning to Mixed Use District provides the most flexibility for development, including a variety of commercial and residential uses.

Approval of a Mixed Use Comprehensive Plan and Future Land Use Map and Zoning designation for the subject properties would create a transition in intensity of uses from the properties on the north side of Trinity Drive and directly opposite the subject properties which are zoned C-2 (Civic center business and professional district), and which have a Comprehensive Plan Future Land Use Designation of Commercial/Office, and the properties directly south of the subject property, which are zoned R-3-H (Multiple-family Residential (High Density)), and which are designated for High Density Residential land uses in the Comprehensive Plan Future Land Use Map.

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Each of the above three applications are a separate action and are to be voted on separately.

### **COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION**

The two (2) lots current designation is Commercial/Office on the Comprehensive Plan Future Land Use Map which is not intended for residential uses. As a prerequisite to allow the properties to be rezoned to Mixed Use, the Comprehensive Plan Future Land Use Map designation must first be amended to Mixed Use designation.

Lots in the immediate vicinity are designated on the Comprehensive Plan Future Land Use Map as follows:

North (north-side Trinity Drive): Commercial/Office

Northeast (north-east corner of Trinity Drive & Oppenheimer Drive): Institutional

East (east-side Oppenheimer Drive): Mixed Use

South: High Density Residential 15+ DU/A

West: High Density Residential 15+ DU/A

Approval of a Mixed Use Comprehensive Plan and Future Land Use Map amendment for the subject properties would allow for a transition in intensity of uses from the commercial uses on the north side of Trinity Drive and the residential uses on the south side of the subject property.

### **ZONING**

The current zoning of the two (2) parcels is P-O (Professional Office) which does not allow residential uses. Rezoning to MU (Mixed Use) Zoning designation will allow the applicant's proposed uses of office and residential apartments. Properties in the immediate vicinity are fully developed.

Lots in the immediate vicinity are zoned as follows:

North (north-side Trinity Drive): C-2 (Commercial)

Northeast (north-east corner of Trinity Drive & Oppenheimer Drive): DT-CPO (Downtown – Civic Public Space Overlay)

East (east-side Oppenheimer Drive): DT-NCO (Downtown – Neighborhood Commercial Overlay)

South: R-3-H (High Density Multiple Family Residential District)

West: R-3-H (High Density Multiple Family Residential District)

Approval of a Mixed Use Zoning designation for the subject properties would allow for a transition in intensity of uses from the commercial uses on the north side of Trinity Drive and the residential uses on the south side of the subject property.

## **SITE PLAN**

The Site Plan application includes two additions to the existing two-story 14,509 Ft<sup>2</sup> office building on the 557 Oppenheimer property, to include a third floor of approximately 7,060 Ft<sup>2</sup> and a mechanical room of approximately 8'x10' to extend from the first floor east side. Upon completion, the building footprint will be 7,309 Ft<sup>2</sup> and cover 23.6% of the 0.71 acre lot. The ground floor existing office space will be remodeled and remain office space, and a utility room of approximately 8'x10' will be added to the building east side for a fire suppression mechanical system. Existing second floor office space will be renovated to create eight (8) residential units; and a third floor will be constructed for an additional eight (8) residential units. The building exterior will include stucco as one of the predominant building materials, a 3-colored wall that will avoid bright colors, massing on publicly visible sides, and windows and awnings. The building will retain much of its current characteristics and the new design will be intended to reflect or interpret the themes of existing key downtown Los Alamos buildings. The lot is mostly flat and slopes gradually to the south west corner.

The building will be brought up to code requirements including an ADA bathroom to be installed on the ground floor, interior sprinklers for fire prevention, and the building owner will be required to install a new 4" fire projection line to connect to the County water main. The added mechanical room will hold the fire suppression system. A new pedestrian entrance will be installed on the building east side and the existing ADA entrance at the southwest corner of the building will remain. The existing elevator shaft and system will be extended to serve the 3rd floor. The current utility service connections have not been verified as being adequate for the proposed additional residential occupancy, and the developer may need to install new or upgrade gas, water, sewer and electric services. Developer shall perform fire code analysis and coordinate with the Fire Department and Utility Departments to determine if a fire suppression system and additional fire hydrant is necessary. Prior to building permit application, the developer shall provide a utility plan prepared by a NM Registered Engineer for construction of utility service upgrades and fire protection improvements.

The existing vehicle entrance to the site from Oppenheimer Drive will remain. The parking area around the building will be reconfigured to provide 30 standard parking spaces and 2 handicapped spaces. The 14 standard spaces along the property south boundary are shown as 19'9" length which is 1' shorter than the County code requirement of 20'9". A waiver of one (1) foot from the County Code required standard parking space length may be approved by the Community Development Director, and therefore is not a part of Site Plan approval by the Planning & Zoning Commission. In order to meet Fire Department requirements, the existing drive lane around the building will be widened to 20' from current 18' width and the lane turning radius at the building northeast corner will be increased to 42'. The building owner will repair the break in the pedestrian railing along the Trinity Drive sidewalk and will remove the pedestrian railing along the Oppenheimer Drive sidewalk. Landscaping will be enhanced with new plantings and placement of additional landscaping materials. The existing dumpster in the northeast corner of the subject property will remain and it is currently screened. Stormwater currently flows to the south west corner of the lot and exists from the lot's south side. The developer will be required to ensure that storm water management remains adequate.

## **PUBLIC NOTICE**

Notice of the proposed rezoning was properly and sufficiently given per the requirements of the Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Article V., Sec. 16-192. As of the

date of publication of this report, no public comment in any form had been received by the Community Development Department.

## **COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT CRITERIA FOR APPROVAL**

Section 16-161 establishes the following review criteria for Comprehensive Plan amendments.

*During the course of the review of any application for approval of a comprehensive plan amendment, the IDRC shall utilize the following criteria in formulating a recommendation to the planning and zoning commission. The planning and zoning commission shall make findings to reflect the following criteria in making its recommendation of approval, conditional approval or denial to the county council, and the county council shall make findings to reflect the following criteria in its approval, conditional approval or denial:*

**(1) The amendment shall conform to the vision statement and policy plan of the comprehensive plan and to the Strategic Leadership Plan of the county council;**

**Applicant Response:** The amendment conforms to the vision statement, policy plan, and strategic leadership plan, specifically addressing housing diversity, downtown revitalization, and infill housing. Environmental protection is also addressed through redevelopment and repurposing of an existing building.

**Staff Response:** Staff concurs with and supports the above response. The proposed Future Land Use Map amendment conforms to the goals and policies outlined in the Comprehensive Plan and the goals of the Strategic Leadership Plan.

The Comprehensive Plan Amendment petition and accompanying Rezoning petition supports several goals and policies of the 2016 Comprehensive Plan that address increased density and affordable housing, including the following goals and policies:

### **3.1 Housing, Neighborhoods & Growth**

#### **3.1.1 HOUSING GOALS**

- HG.1. Protect the character of existing residential neighborhoods
- HG2. Provide a variety of housing types, sizes and densities
- HG4. Promote maintenance and enhancement of housing stock quality.

#### **HOUSING – ECONOMIC VITALITY POLICIES (HEV).**

- HEV.1. Promote expanding the housing supply to meet the demand from employment growth and support economic diversification
- HEV.2. Promote housing for seniors, students, and the workforce to support retention of spending and tax generation in the community
- HEV.3. Promote the development of affordable and workforce housing

#### **HOUSING - LAND USE POLICIES**

- HLU.1. Encourage the creation and retention of a variety of housing options for all segments of the Los Alamos community, including but not limited to housing for

residents who are low income, students/post-docs, workforce, high-end income and seniors

- HLU.2. Promote workforce and market rate housing at a variety of price ranges, for both rental and ownership markets
- HLU.5. Develop and adopt new and mixed-use zoning districts
- HLU.6. Encourage new housing developments in proximity to workplaces
- HLU.7. Explore ways to reduce housing development costs

### **3.1.2 NEIGHBORHOODS – ECONOMIC VITALITY POLICIES**

- NG.2. Promote the creation of a variety of housing options for all segments of the Los Alamos community

### **3.1.3 - GROWTH GOALS**

- GG.1. Plan for modest growth of an additional 2,000 residents in the next 5 to 10 years
- GG.10. Promote growth in the downtown
- GG.11. Strive to make housing available to those who work in the County and want to live in the County

### **GROWTH - LAND USE POLICIES**

- GLU.3. Support infill development over expansion of current developed areas

## **3.2 – DEVELOPMENT, REDEVELOPMENT & DOWNTOWN**

### **3.2.1 - DEVELOPMENT GOALS**

- DG.1. Keep the focus of development primarily within current development boundaries
- DG.3. Enhance and maintain a vibrant downtown while keeping a small town character and feel
- DG.5. Focus increased residential densities on new development in and near downtown

### **DEVELOPMENT - LAND USE POLICIES**

- DLU.2. Generally keep development contained within current development boundaries (prevent sprawl)
- DLU.4. Increase residential density in the downtown area

### **3.2.2 - REDEVELOPMENT GOALS**

- RG.1. Redevelop vacant blighted areas and underutilized properties
- RG.2. Encourage infill development on underused or blighted sites

### **REDEVELOPMENT – ECONOMIC VITALITY POLICIES**

- REV.1. Provide flexibility for uses in redevelopment areas

### **3.2.3 - DOWNTOWN GOALS**

- DTG.2. Focus development priorities downtown

- DTG.3. Focus increased residential densities in new development in and near downtown

#### **DOWNTOWN - LAND USE POLICIES**

- DTLU.2. Focus residential density increases in new developments in or near downtown

***(2) The amendment replaces outdated information in the comprehensive plan, responds to changed conditions or provides new information which is not included in the comprehensive plan;***

**Applicant Response:** The amendment responds to changed conditions. The properties in question are positioned on the periphery of the downtown area and accordingly should have been designated as mixed-use upon adoption of the comprehensive plan. The market's condition calls for housing diversity and housing units; this amendment will address both.

**Staff Response:** Staff concurs with the above response. The County supports a variety of commercial and high density residential uses in the area, and it would have been appropriate to re-designate the properties as Mixed Use upon adoption of the Comprehensive Plan.

***(3) The amendment does not conflict with other parts of the comprehensive plan.***

**Applicant Response:** The amendment does not conflict with other parts of the comprehensive plan. The amendment will not affect the character of existing neighborhoods nor does the plan call for preservation of commercial/office only uses. The amendment will serve to progress the goals of the comprehensive plan, in focusing on redevelopment and increasing housing options.

**Staff Response:** Staff concurs that the amendment proposed does not conflict with other parts of the Comprehensive Plan.

#### **REZONING CRITERIA FOR APPROVAL**

Section 16-155 establishes the following review criteria for rezoning of the official zoning map.

***During the course of the review of any request for an amendment to the official zoning map, the IDRC shall utilize the following criteria in formulating a recommendation to the planning and zoning commission. The planning and zoning commission shall make findings to reflect the following criteria in making its recommendation of approval, conditional approval or denial to the county council, and the county council shall make findings to reflect the following criteria in its approval, conditional approval or denial:***

***(1) The request substantially conforms to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county. A request for amendment to the comprehensive plan shall, if necessary, be submitted, processed, heard and decided upon concurrently with the request for amendment to the official zoning map;***

**Applicant Response:** The proposed rezoning will better position the property to meet the goals of the 2016 LA County Comprehensive Plan. The rezoning specifically addresses the plan's high level goals of:

- encourage the retention of existing businesses and assist in their opportunities for growth
- focusing development priorities downtown

While no change of use is proposed in the immediate term, the rezoning improves the economic flexibility of the property in the future.

**Staff Response:** The Future Land Use Map (FLUM) shows both lots as Mixed Use. Staff concurs with the Applicant's response that the request conforms to the Comprehensive Plan, and is not detrimental to the health, safety and general welfare of the county.

**(2) Consideration shall be given to the existing and programmed capacity of on-site and off-site public services and facilities including, but not limited to, water, sanitary sewer, electricity, gas, storm sewer, streets, sidewalks, traffic control, parks, fire and police to adequately serve the property should a rezoning result in any increase of the intensity of use of the property;**

**Applicant Response:** No alterations to the existing building are currently proposed and hence, no changes to the utility infrastructure are projected. No additional intensity of use is projected for the property.

**Staff Response:** Staff concurs that due consideration has been given to off-site public services/utilities. According to the Utilities Department, the existing utility service to the lots is adequate. Any additional on-site improvements necessary to service the proposed redevelopment activities will be the responsibility of the developer.

**(3) The establishment, maintenance or operation of uses applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working adjacent to or within the proximity of the subject property;**

**Applicant Response:** The rezoning will allow greater economic mobility for both property owners and potential business tenants. Greater economic mobility adds to the general welfare of the community.

**Staff Response:** The changes proposed from the current land uses will not make the use of the subject properties incompatible with any of the neighboring properties. Nor would the rezoning make any current use non-conforming since both lots are substantially developed. Some redevelopment activities of the site is anticipated and will be reviewed in detail with the accompanying application for Site Plan approval.

**(4) The existing zoning must be shown to be inappropriate for one or more of the following reasons:**

**a. It was established in error;**

Not applicable.

**b. Changed conditions warrant the rezoning;**

**Applicant Response:** The local real estate market dictates an increase in the flexibility of spaces. Rezoning allows the property to be better positioned for the changing needs of local businesses.

**Staff Response:** Since 2007 and continuing to the present time, the need for additional housing has been identified by the County. The proposed MU zoning allows flexibility for a future developer to submit plans for a variety of commercial and/or residential uses.

**c. A different zone is more likely to meet goals contained in the comprehensive plan.**

**Applicant Response:** The mixed use zone is more likely to meet the goals contained within the 2016 Comprehensive Plan.



**Staff Response:** Staff concurs that the Mixed Use Zone will provide flexibility of future uses that will address both County Council and Comprehensive Plan goals.

**(5) *The proposed zoning will not result in spot zoning or strip zoning as defined in article I of this chapter unless one or more of the following criteria are met:***

**a. *Granting such zoning accomplishes the policy and intent of the comprehensive plan;***

**Applicant Response:** Mixed use zoning at the property accomplishes the policy and intent of the comprehensive plan, for the various reasons stated previously.

**Staff Response:** The rezoning to Mixed-Use designation promotes the goals of the Comprehensive Plan including: development of new housing; redevelopment of lots; focusing development within current county boundaries and in particular, adjacent to downtown; and maximizing the use of land located in close proximity to the downtown area.

**b. *Unique characteristics specific to the site exist; or***

Not applicable.

**c. *The zoning serves as an appropriate transition between land uses of higher and lower intensity.***

**Staff Response:** The rezoning application is not spot zoning. Most importantly, the rezoning accomplishes several goals of the Comprehensive Plan, especially in terms of supporting economic development, promoting the creation of additional housing, and maximizing the use of land located in close proximity to the downtown area.

**(6) *If the proposed zoning map amendment is for the designation of a special plan (SP) district where a development plan or a site plan is a requirement for district approval, the map amendment shall also be judged by the special plan (SP) district review criteria stated in section 16-159.***

Not applicable.

## **SITE PLAN CRITERIA FOR APPROVAL**

Section 16-152A establishes the following review criteria for site plan approval.

***During the course of their review of any site plan, the IDRC shall utilize the following criteria in formulating a recommendation to the community development director or the planning and zoning commission; and the community development director or the planning and zoning commission shall utilize the following criteria in making its determination of approval, conditional approval or denial:***

**(1) *The site plan shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.***

**Applicant Response:** The site plan substantially conforms to the mixed use goals of the 2016 Comprehensive Plan. The addition of housing options with conservation of the existing building footprint are beneficial outcomes of the redevelopment. The proposed addition of walkable, bike-able and public transit oriented housing will increase the general welfare of the county.

**Staff Response:** The site plan substantially conforms to the comprehensive plan and is not detrimental to the health, safety and general welfare of the county. The project and site plan specifically support the comp plan goal to focus increased residential densities on new development in and near downtown.

**(2) *Ingress, egress, traffic circulation and parking on the site shall be accomplished with say for motorists, bicyclists and pedestrians. Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.***

**Applicant Response:** The site as is provides an abundance of parking and ingress and egress are not located on the adjacent thoroughfare (Trinity.) We intend to include bicycle storage options and improve pedestrian access to the site in order to promote the walkability, hike-ability, and public transit usability of the community.

**Staff Response:** Ingress, egress and circulation for car, bicycle, and pedestrians on the site plan was considered and determined sufficient by staff. The site plan includes a drive lane of 20' width around the building and a turning radius at the property northeast corner widened to 42' to meet Fire Department requirements. The proposed 30 standard parking spaces and 2 handicapped parking spaces meets the Code requirement. Bicycle parking will also be provided.

**(3) *The necessary provisions shall be made for controlling stormwater drainage on-site and off-site as required by the county engineer in accordance with the county's storm drainage construction standards or such other ordinances or storm water management plans as may exist.***

**Applicant Response:** The site was previously engineered and constructed with adequate stormwater control and drainage. At the time of building permit application we will address any issues that may be raised by the county engineer in accordance with the county's storm drainage construction Standards. Additionally, consideration will be given to the efficacy of storm water retention for irrigation purposes.

**Staff Response:** Stormwater currently flows to the south west corner of the lot and exists from the lot south side. Staff have visited the site and determined current stormwater management to be adequate. The developer is proposing minimal changes to parking and landscaping, however the developer must ensure that stormwater management remains adequate. Final grading and drainage review will occur at the time of Building Permit.

**(4) *The necessary easements shall be provided for both existing and proposed utilities, on-site and off-site. No existing easement shall be terminated without provision of alternate service, and all new services shall be provided.***

**Applicant Response:** Necessary easements for existing utilities are already in place. No existing easements will be terminated.

**Staff Response:** Existing easements for ingress, egress, surface drainage, storm sewer and utilities are shown on the Applicant's submitted plans. Any additional needed easements for the development will be the responsibility of the applicant to establish.

**(5) *The site plan shall include a conceptual landscape plan that will enhance the site and immediate vicinity and provide adequate screening and buffering, if appropriate, between properties. The final landscape plan shall conform to the requirements set forth in sections 16-574 and 16-575.***

**Applicant Response:** The site's existing mature landscaping will be preserved and enhanced with additional native plants. The existing landscaping provides adequate screening and buffering between adjacent properties. Additional planting will take place in the areas indicated on the attached site plan drawing.

**Staff Response:** The Mixed Use zoning designation has no landscaping requirements. The Applicant's proposed site plan will improve the existing landscaping. Final landscaping details, including a plant list, will be provided with the Building Permit.

**(6) *Parking lots, outside storage areas, outside mechanical equipment and outdoor lighting shall be designed to serve the intended use of the development while minimizing adverse impacts on adjacent properties or public rights-of-way.***

**Applicant Response:** The existing external features of the site as listed above were designed to serve the original use of the property. The parking lot will be resurfaced and restriped to comply with the requirements of mixed use zoning. Any other changes to these features will be designed to minimize the adverse impacts on adjacent properties.

**Staff Response:** As proposed, there should be no adverse impacts on adjacent properties as related to parking, mechanical equipment, or lighting. No outdoor storage is proposed.

**(7) *The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall conform with, or if improvements are required, shall be made to conform with the requirements of the county's construction standards.***

**Applicant Response:** Existing public services will continue to be used, while any additional capacity needs will be addressed with conforming improvements prior to building permit application.

**Staff Response:** As proposed, existing public services will continue to be used, and any additional service capacity needs will be addressed prior to application for building permit.

**(8) *Structures, site grading, and all other aspects of the development shall meet all applicable design standards or guidelines, as may be adopted and made a part of this code, and shall preserve, to the extent practical, outstanding topographical features and natural amenities on the site.***

**Applicant Response:** The existing grading and structural footprint will remain substantially unchanged. Prior to building permit application, any changes will be addressed to meet applicable standards and codes.

**Staff Response:** The proposed changes to grading and other development aspects are considered minimal by the County Subdivision Engineer. The applicant will be required to address all development aspects at the time of building permit.

**(9) *Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the adopted comprehensive plan. A fee may be paid as approved by county council to accomplish the purpose of a comprehensive plan in lieu of the development of tot lots or neighborhood parks.***

**Applicant Response:** The development is one block from Ashley Pond. The will be designed to increase walkability and bike-ability and is already situated adjacent to a public transit stop. These features will promote the use of nearby public recreation areas.

**Staff Response:** Neither the current property nor the proposed development has sufficient space for a tot lot or park. Ashley Pond and other area parks will be easily accessible from the site by walking, bicycle and public transit.

## **STAFF AND INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) RECOMMENDATION**

Staff determined that the application for Comprehensive Plan Future Land Use Map Amendment, Rezoning, and Site Plan meet the criteria for these three types of applications. IDRC review of the REZ and SIT applications took place at a regularly scheduled IDRC meeting on November 17, 2017. IDRC review of the Future Land Use Map Amendment (CPA) was conducted after the Nov 17, 2017 meeting. After determining that the applications do not present any negative aspects or impacts that would preclude it from being forwarded to the Planning & Zoning Commission for a public hearing, the IDRC membership conducted a vote and forwarded a favorable recommendation to the Planning & Zoning Commission.

## **FINDINGS OF FACT**

1. The public hearing was announced by publication in the in The Los Alamos Daily Post, the Newspaper of Record for Los Alamos County, on Thursday November 23, 2017, and property owner notices were mailed via first class mail to all owners of real property located within 100 yards of the subject property, per the requirements contained in Article V, §16-192 of the Los Alamos County Development Code.
2. The petitioner owns the subject properties.
3. The subject properties are located at 555 and 557 Oppenheimer Drive, Los Alamos, New Mexico. The properties contain 0.73± acres (555 Oppenheimer Drive), and 0.71± acres (557 Oppenheimer Drive).
4. The properties are designated Commercial/Office in the Comprehensive Plan Future Land Use Map, which is described in Article IV, §16-161 of the Los Alamos County Development Code ("Development Code"), and which is currently zoned P-O, Professional Office (which is described in Article XIII, §16-533 of the Development Code).
5. The Future Land Use Map Designation of the 2016 Los Alamos Comprehensive Plan for the properties shall be amended to Mixed Use, also as described in Article IV §16-161 of the Development Code; the properties will be rezoned to Mixed Use (MU), also as described in Article XIII, §16-533 of the Development Code; and the Site Plan for 557 Oppenheimer meets the requirements of §16-152A of the Development Code.
6. The future land use designation, rezoning and site plan approval requested support several goals and policies of the 2016 Comprehensive Plan, and are in conformance with the land uses illustrated on the Future Land Use Map.

7. This petition was discussed at the Interdepartmental Review Committee meeting, on Friday November 17, 2017. At this meeting, the IDRC voted unanimously on a motion to recommend approval to the Planning & Zoning Commission.
8. The Community Development Department has not received any correspondence, either in support of or opposed to, this request, as of Thursday, December 7, 2017.
9. The petitioner has provided sufficient evidence to satisfy the requirements contained within §16-160, §16-161, §16-155, and §16-152A of the Los Alamos County Development Code to warrant approval of the actions requested.

#### **EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Applications and Site Plan   |
| Exhibit 2 | Vicinity Maps for Future Land Use Designation and Rezoning                       |
| Exhibit 3 | List of property owners of record within 100 yards of subject property, and map. |
| Exhibit 4 | Interdepartmental Review Committee (IDRC) Report                                 |
| Exhibit 5 | Photographs of Subject Property, Staff (11)                                      |

# COMPREHENSIVE PLAN AMENDMENT APPLICATION

Los Alamos County Community Development Department  
1000 Central Ave, Suite 150, Los Alamos NM 87544  
(505) 662-8120

This Comprehensive Plan Amendment Application is for:

☐ Text Amendment    ☒ Future Land Use Map Amendment    ☐ Both

**APPLICANT:** *[Applications for amendment to the comprehensive plan may be made by the county council, the planning and zoning commission, the county manager or the community development director.]*

Name: Ryan Markey Title: Agent Organization: Los Alamos Professional Investment Partnership  
Please Print

SIGNATURE

DATE

If this Application is for or includes a Future Land Use Map Amendment, indicate:

Commercial /Office

Mixed-Use

FROM (Current Land Use per FLUM)

TO (Proposed Land Use on FLUM)

*Cite the sections of the comprehensive plan to be amended and explain why the amendment is necessary:*

We are requesting that "Exhibit 40 - County Future Land Use Map" and "Exhibit 41 - Townsite Future Land Use Map" of the 2016 be amended as follows; change the use of 555 Oppenheimer Dr. to Mixed-Use. Change the use of 557 Oppenheimer Dr. to Mixed-Use.

Describe Related Applications, if any: 555 and 557 Oppenheimer Rezoning and 557 Site Plan

**REQUIRED SUBMITTALS for FUTURE LAND USE MAP AMENDMENTS only:**

☒ Provide a copy of the Plat or a Legal Description of the affected property

☐ Other

**FOR COMMUNITY DEVELOPMENT DEPARTMENT USE:**

**CDD Application Number:** \_\_\_\_\_

### COMPREHENSIVE PLAN AMENDMENT REVIEW CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-161 establishes three (3) criteria to be considered when reviewing an application for Comprehensive Plan Amendment approval. Please review each of the criteria listed and provide short comments on how the application meets the criteria. (Attach additional sheets if needed.)

*(1) The amendment shall conform to the vision statement and policy plan of the comprehensive plan and to the Strategic Leadership Plan of the county council;*

The amendment conforms to the vision statement, policy plan, and strategic leadership plan, specifically addressing housing diversity, downtown revitalization, and infill housing. Environmental protection is also addressed through redevelopment and repurposing of an existing building.

*(2) The amendment replaces outdated information in the comprehensive plan, responds to changed conditions or provides new information which is not included in the comprehensive plan;*

The amendment responds to changed conditions. The properties in question are positioned on the periphery of the downtown area and accordingly should have been designated as mixed-use upon adoption of the comprehensive plan. The market's condition calls for housing diversity and housing units; this amendment will address both.

*(3) The amendment does not conflict with other parts of the comprehensive plan.*

The amendment does not conflict with other parts of the comprehensive plan. The amendment will not affect the character of existing neighborhoods nor does the plan call for preservation of commercial/office only uses. The amendment will serve to progress the goals of the comprehensive plan, in focusing on redevelopment and increasing housing options.

## REZONING APPLICATION

Los Alamos County Community Development Department  
1000 Central Ave, Suite 150, Los Alamos NM 87544  
(505) 662-8120

**Property to be Rezoned:** 555 Oppenheimer Drive  
Los Alamos, NM 87544  
Address

From: P-O Professional Office District To: MU - Mixed Use 0.73  
**Current Zoning District** **Proposed Zoning District** **Area (Acres)**

Professional Office Mixed Use  
**Current Use** **Proposed Use/Reason for Rezoning**


### Related Applications:

557 Oppenheimer Rezoning Application, 557 Oppenheimer Site Plan Application

### APPLICANT (Unless otherwise specified, all communication regarding this application shall be to Applicant):

Name: Ryan Markey Phone: 505-216-1618 Cell #: 505-331-7467  
Please Print

Address: PO Box 42, Santa Fe, NM 87504 Email: ryansmarkey@gmail.com

 11/13/2017  
**SIGNATURE** **DATE**

### PROPERTY OWNER (If different from Applicant)

☐ Check here if same as above

Name: 555 Oppenheimer Condominium Association, Inc. Phone: \_\_\_\_\_ Cell #: \_\_\_\_\_  
Please Print

Address: \_\_\_\_\_ Email: \_\_\_\_\_

*My signature below indicates that I authorize the Applicant to make this rezoning application on my behalf.*

\_\_\_\_\_  
**SIGNATURE** **DATE**



#### REZONING CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-155 establishes six (6) criteria for the Planning and Zoning Commission to use when reviewing an application for rezoning approval. Please review each of the criteria listed and provide short comments on how your application meets the criteria in the space provided. You will also be asked to discuss the criteria at your public hearings.

- (1) *The request substantially conforms to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county. A request for amendment to the comprehensive plan shall, if necessary, be submitted, processed, heard and decided upon concurrently with the request for amendment to the official zoning map.*

The proposed rezoning will better position the property to meet the goals of the 2016 LA County Comprehensive Plan. The rezoning specifically addresses the plan's high level goals of:

- encourage the retention of existing businesses and assist in their opportunities for growth
- focusing development priorities downtown

While no change of use is proposed in the immediate term, the rezoning improves the economic flexibility of the property in the future.

- (2) *Consideration shall be given to the existing and programmed capacity of on-site and off-site public services and facilities including, but not limited to, water, sanitary sewer, electricity, gas, storm sewer, streets, sidewalks, traffic control, parks, fire and police to adequately serve the property should a rezoning result in any increase of the intensity of use of the property.*

No alterations to the existing building are currently proposed and hence, no changes to the utility infrastructure are projected. No additional intensity of use is projected for the property.

- (3) *The establishment, maintenance or operation of uses applied for will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working adjacent to or within the proximity of the subject property.*

The rezoning will allow greater economic mobility for both property owners and potential business tenants. Greater economic mobility adds to the general welfare of the community.

- (4) *The existing zoning must be shown to be inappropriate for one or more of the following reasons:*

- a. *It was established in error;*

Not applicable

- b. *Changed conditions warrant the rezoning; or*

The local real estate market dictates an increase in the flexibility of spaces. Rezoning allows the property to be better positioned for the changing needs of local businesses.

- c. *A different zone is more likely to meet goals contained in the comprehensive plan.*

The mixed use zone is more likely to meet the goals contained within the 2016 comprehensive plan.

(5) *The proposed zoning will not result in spot zoning or strip zoning as defined in article I of this chapter unless one or more of the following criteria are met:*

a. *Granting such zoning accomplishes the policy and intent of the comprehensive plan;*  
Mixed use zoning at the property accomplishes the policy and intent of the comprehensive plan, for the various reasons stated previously.

b. *Unique characteristics specific to the site exist; or*  
Not applicable

c. *The zoning serves as an appropriate transition between land uses of higher and lower intensity.*  
Not applicable

(6) *If the proposed zoning map amendment is for the designation of a special plan (SP) district where a development plan or a site plan is a requirement for district approval, the map amendment shall also be judged by the special plan (SP) district review criteria stated in section 16-159.*

Not applicable

#### REQUIRED SUBMITTALS:

Check each of the boxes to indicate that you have attached two (2) paper copies of each of the following, and one complete copy of all materials on disk:

☒ **Proof of property ownership.**

☒ **A Vicinity map, 8 ½ by 11 inch or 8 ½ by 14 inch format, showing the boundaries of the property to be rezoned and all adjacent lots within 300 feet.**

☒ **A scaled Plat or survey including all the following information:** (Note: For smaller properties, a legal description with metes and bounds, may be acceptable. Check with CDD staff.)

☒ **Locate and label all existing utility lines on the site.** (Existing gas and electric service lines must be located by the Los Alamos County Utilities Department prior to submittal of this application.)

☒ **Show and label the footprint of all existing buildings and structure on the site.**

☒ **Show the footprint of all buildings and public rights-of-way within 20 feet of all boundary of the site.**

☒ **Show, dimension and label all existing and proposed easements.**

#### THIS SECTION TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

##### For County Use:

**Date of Submittal:** \_\_\_\_\_

**Staff Initial:** \_\_\_\_\_

**CDD Application Number:** \_\_\_\_\_

**Fees Paid:** \_\_\_\_\_

## SITE PLAN APPLICATION

Los Alamos County Community Development Department  
1000 Central Ave, Suite 150, Los Alamos NM 87544  
(505) 662-8120

**Address and Use of Property to which the application applies:**

557 Oppenheimer Drive, Los Alamos, NM 87544

**Current Use:** ☐ Vacant **Other:** Professional Office / Proposed Use: Mixed Use

**Zoning District:** P-O **Acreage:** 0.70 **Lot Coverage:** 23% **Related Applications (if any):**

557 Oppenheimer Rezoning Application, 555 Oppenheimer Rezoning Application

**APPLICANT** (Unless otherwise specified, all communication regarding this application shall be to Applicant):

**Name:** Ryan Markey **Phone:** 505-216-1618 **Cell #:** 505-331-7467  
Please Print

**Company Name:**

**Address:** PO Box 42, Santa Fe, NM 87504 **Email:** ryansmarkey@gmail.com

 11/13/2017  
**SIGNATURE** **DATE**

**PROPERTY OWNER** ☐ Check here if same as above

Los Alamos Professional Office Partnership  
**Name:** Managing Member: Rick Brenner **Phone:** 505-216-1618 **Cell #:** 505-231-2008  
Please Print

**Address:** PO Box 9146, Santa Fe, NM 87504 **Email:** richardhbrenner@gmail.com  
Owner's Address

*My signature below indicates that I authorize the Applicant to make this Amendment application on my behalf.*

 11/13/17  
**SIGNATURE** **DATE**

**Pre-Application Meeting Date(s):** **IDRC Date:**  
October 20, 2017

**THIS SECTION TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT**

**Date of Submittal:** **Staff Initial:**

**CDD Application Number:** **Fees Paid:**

## SITE PLAN REVIEW CRITERIA

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-152A establishes the following criteria for recommendation by IDRC, or for determination by the CDD Director or P&Z, of approval, conditional approval or denial of the application. Please review each of the criteria listed and provide short comments on how your application meets the criteria in the space provided. (Attach additional sheets if needed.)

- (a) *The site plan shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.*

The site plan substantially conforms to the mixed use goals of the 2016 comprehensive plan. The addition of housing options with conservation of the existing building footprint are beneficial outcomes of the redevelopment. The proposed addition of walkable, bike-able and public transit oriented housing will increase the general welfare of the county.

- (b) *Ingress, egress, traffic circulation and parking on the site shall be accomplished with safety for motorists, bicyclists and pedestrians. Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.*

The site as is provides an abundance of parking and ingress and egress are not located on the adjacent thoroughfare (Trinity.) We intend to include bicycle storage options and improve pedestrian access to the site in order to promote the walkability, bike-ability, and public transit usability of the community.

- (c) *The necessary provisions shall be made for controlling stormwater drainage on-site and off-site as required by the county engineer in accordance with the county's storm drainage construction standards or such other ordinances or storm water management plans as may exist.*

The site was previously engineered and constructed with adequate stormwater control and drainage. At the time of building permit application we will address any issues that may be raised by the county engineer in accordance with the county's storm drainage construction standards. Additionally, consideration will be given to the efficacy of storm water retention for irrigation purposes.

- (d) *The necessary easements shall be provided for both existing and proposed utilities, on-site and off-site. No existing easement shall be terminated without provision of alternate service, and all new services shall be provided.*

Necessary easements for existing utilities are already in place. No existing easements will be terminated.



- (e) *The site plan shall include a conceptual landscape plan that will enhance the site and immediate vicinity and provide adequate screening and buffering, if appropriate, between properties. The final landscape plan shall conform to the requirements set forth in sections [16-574](#) and [16-575](#).*

The site's existing mature landscaping will be preserved and enhanced with additional native plants. The existing landscaping provides adequate screening and buffering between adjacent properties. Additional planting will take place in the areas indicated on the attached site plan drawing.

- (f) *Parking lots, outside storage areas, outside mechanical equipment and outdoor lighting shall be designed to serve the intended use of the development while minimizing adverse impacts on adjacent properties or public rights-of-way.*

The existing external features of the site as listed above were designed to serve the original use of the property. The parking lot will be resurfaced and restriped to comply with the requirements of mixed use zoning. Any other changes to these features will be designed to minimize the adverse impacts on adjacent properties.

- (g) *The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall conform with, or if improvements are required, shall be made to conform with the requirements of the county's construction standards.*

Existing public services will continue to be used, while any additional capacity needs will be addressed with conforming improvements prior to building permit application.

- (h) *Structures, site grading, and all other aspects of the development shall meet all applicable design standards or guidelines, as may be adopted and made a part of this code, and shall preserve, to the extent practical, outstanding topographical features and natural amenities on the site.*

The existing grading and structural footprint will remain substantially unchanged. Prior to building permit application, any changes will be addressed to meet applicable standards and codes.

- (i) *Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the adopted comprehensive plan. A fee may be paid as approved by county council to accomplish the purpose of a comprehensive plan in lieu of the development of tot lots or neighborhood parks.*

The development is one block from Ashley Pond. The site will be designed to increase walkability and bike-ability and is already situated adjacent to a public transit stop. These features will promote the use of nearby public recreation areas.

**SUBMITTALS:**

Provide all information necessary for a complete review of the Site Plan request. Check each of the boxes to indicate which information you have provided. Provide two hard copies of all plans and also provide one complete copy of all materials on disk:

- ☒ Agent Authorization, if applicable.
- ☒ Proof of property ownership (Warranty deed, recorded Plat, etc.).
- ☒ Scaleable copies of Site Plan drawings including:
  - ☒ Footprint and square footage of all buildings and structures on the site.
  - ☒ Building/structure elevations.
  - ☒ Existing and proposed lot coverage.
  - ☒ All existing and proposed easements.
  - ☒ All existing and proposed setbacks.
  - ☒ Existing and proposed trails.
- ☐ Preliminary Landscape Plan.
- ☐ Preliminary Grading and Drainage Plan.
- ☒ Preliminary Utilities Plan.

**Note:** Final construction plan set will be required at Building Permit.

Additionally, per Sec. 16-571, at or before the first IDRC meeting, the County Engineer may require the following Impact Studies:

- ☐ Traffic impact analysis (TIA).
- ☐ Stormwater drainage report.
- ☐ Utility capacity analysis.
- ☐ Soils report.
- ☐ Other. Describe: \_\_\_\_\_

You are advised to meet with the County Engineer early in the planning process to determine which studies will be required.

**Please provide any other information that you believe is relevant to or supports this application.**

No preliminary grading and drainage plan has been submitted with this application due to the existing nature of the property improvements. In lieu of a preliminary landscape plan, the attached site plan exhibits the additional planting that is to take place.

STATE OF NEW MEXICO )  
 ) SS.  
COUNTY OF LOS ALAMOS )

Signed: [Signature]

Address: PO Box 9146, Santa Fe, NM 87504

Phone: 505 216 1618

Subscribed and sworn to before me this 13 day of November, 20 17.

*Jaime Gallardo*  
Notary Public

My Commission Expires: 10.1.2020



## OWNER'S AFFIDAVIT

**STATE OF NEW MEXICO                    )**  
**) SS.**  
**COUNTY OF LOS ALAMOS                )**

I, Richard Brenner, General Partner of Los Alamos Professional Investment Partnership, being duly sworn, depose and say that I am the owner of the property located at 557 Oppenheimer Drive, legally described as Lot 2 of Trinity / Oppenheimer Subdivision, for which I am requesting a Site Plan through the County of Los Alamos, New Mexico. Furthermore, I hereby appoint Ryan Markey as my agent to act on my behalf on all matters pertaining to this application.

Signed:

Address:

PO Box 9146, Santa Fe, NM 87504

Phone:

505 2161618

Subscribed and sworn to before me this 13 day of November, 20 17.

Notary Public

### My Commission Expires:

10.1.2020





Brenner Development Co.  
P.O. Box 42  
Santa Fe, NM 87504

Date: October 13<sup>th</sup>, 2017

To: Andrew Harnden, Housing & Special Projects Manager, Los Alamos County

Re:557 Oppenheimer Rehabilitation – Mixed Use Zone Change Application and Site Plan Application

To prepare the stakeholders for our pre-application meeting, here is a brief overview of the project:

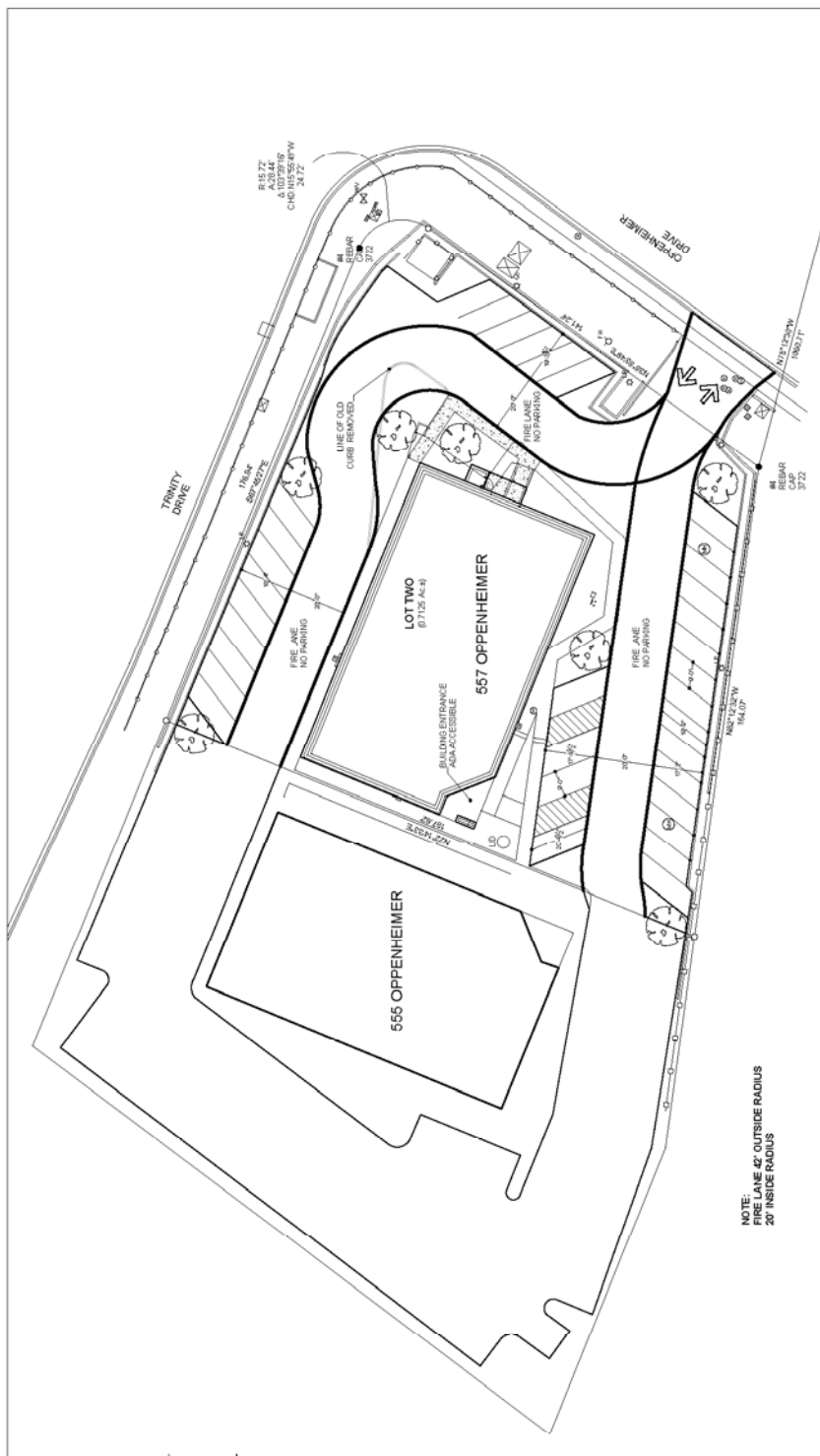
- The property currently exists as a 14,000 SF two-story office building on 0.7 acres. The current zone is P-O (Professional Office).
- The property will be rezoned MU (Mixed Use), to accommodate the addition of residential units.
- A third story will be constructed. The first story will remain office space. The second and third stories will be residential with 8 units on each floor (16 total).
- The building will be brought up to code requirements where applicable, including an ADA compliant unisex bathroom and fire protection system.
- Additional site-work will be completed to bring the parking up to current code requirements and to expand and beautify the landscape.

We hope to achieve the following outcomes from the pre-application meeting:

- Better understand what building codes apply to the renovations versus existing space.
- Have a rough timeline for submittal of an application and successive meetings and approvals.
- Understand the effects on public infrastructure caused by the project and the potential costs associated with use of said infrastructure.

Thank you for your assistance,

Ryan Markey



**557 Oppenheimer Parking Required per 16-579-11**

	Factor	Total
Second Level Residential	5,439	
Third Level Residential	5,278	
	10,717 nsf	750 14 spaces
Office Use Lease Area A	3,587	
Office Use Lease Area B	1,962	
	5,549 nsf	350 16 spaces
<b>Total</b>	<b>16,266 nsf</b>	<b>30 spaces</b>
Handicapped spaces included in total		2 hp spaces

**557 Oppenheimer Parking Provided**

557	32 spaces
<b>Total</b>	<b>32 spaces</b>
Handicapped spaces included in total	2 hp spaces
Note handicapped spaces for 555 are included in work-area	
All parking spaces are 9' by 17'	

**Lot and Building Areas**

Lot One - 555 Oppenheimer	0.7304 acres	31,813 sf
Building footprint		7,265 sf
Lot Coverage		22.8%
Building Area		
Lot Two - 557 Oppenheimer	0.7125 acres	31,035 sf
Building footprint		7,303 sf
Lot Coverage		23.6%
Existing Building Area		14,503 sf
Proposed Building Area		21,572 sf

SHEET TITLE  
**SITE PLAN**

DATE AND ISSUE  
DECEMBER 4, 2017

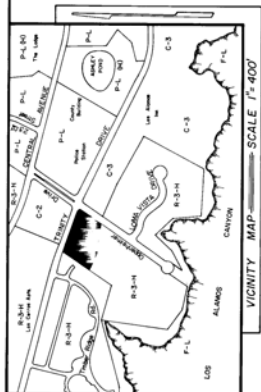
SHEET NUMBER  
**SPS-1**

SCALE  
1" = 20.0'

PROJECT  
**557 OPPENHEIMER DRIVE**  
LOS ALAMOS, NEW MEXICO

**BAER ARCHITECTURE**  
ARCHITECTURE  
NM LLC

ALLIANT BASE, AIA  
227 EAST PALACE AVENUE, SUITE C  
SANTA FE, NEW MEXICO 87501  
505-470-8836  
allanbaer@comcast.net  
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# **FINAL PLAT** **TRINITY / OPPENHEIMER SUBDIVISION** **BEING A SUBDIVISION OF TRACT "A",** **REPLAT OF TIMBER RIDGE SUBDIVISION, UNIT 2** **LOS ALAMOS, NEW MEXICO**

**JUNE, 1988**

## **GENERAL NOTES**

Total No. of Lots-2  
Total Area-1429.00 acres or 62,853.72 square feet  
Mormon Lar Area-Lot 1-0.7304 acres or 31,818.23 square feet  
Mormon Lar Area-Lot 2-0.7125 acres or 31,035.50 square feet  
Living Zoning-Professional Office (P-C-1)  
Structural setbacks, separation between structures, height of structures, and lot coverage to be determined by the Zoning Commission at the time they approve the Improvement Plan.

## **CHANGING EASEMENTS**

The area designated herein as drainage easements are granted to the Incorporated County of Los Alamos, its successors and assigns, for the purpose of collecting, conveying, and disposing of surface waters, including the effects of infiltration, percolation, and erosion resulting therefrom. The easement shall be subject to the provisions of the Uniform Easement Act, which may be amended or altered by the County of Los Alamos, its successors and assigns, which may modify or alter the time of surface waters within the easement way.

## **TEMPORARY DRAINAGE, INGRESS & EGRESS EASEMENT**

The owners of Lot Two hereby grant to the owners of Lot One a Temporary Drainage, Ingress & Egress Easement shown by hatched said easement is to remain in effect until such time as the owners of Lot Two submit and receive approval of Improvement Plans for the development of Lot Two.

**NOTE ON ACCESS.**  
There shall be no direct vehicular access from Lot One and/or Lot Two on to Trinity Drive. All vehicular access shall be from Oppenheimer Drive.

**LOS ALAMOS PROFESSIONAL INVESTMENT PARTNERS**  
**FORWARD PARTNERS - GENERAL PARTNER**  
**STEEL - GENERAL PARTNER**  
**STATE OF NEW MEXICO**  
COUNTY OF LOS ALAMOS  
The foregoing instrument was acknowledged before me this 10th day of June, 1988, by Richard Brenner, Daniel Steele, and Lynne Steele, General Partners on behalf of Los Alamos Professional Investment Partners, a limited liability partnership, and they acknowledged the same before me this 10th day of June, 1988, on the records of said County.

## **APPROVAL**

This plat is hereby approved this 21st day of July, 1988, in accordance with a resolution of the Planning Commission, County of Los Alamos, New Mexico.

**Chairman**  
*Barry Shaw*

**Secretary**  
*Barry Shaw*

**STATE OF NEW MEXICO**  
COUNTY OF LOS ALAMOS

I hereby certify that this instrument was filed for record on June 10, 1988 at 10:30:09 AM, and duly recorded in Book 53309 of the records of said County, Page 30 of the records of said County.

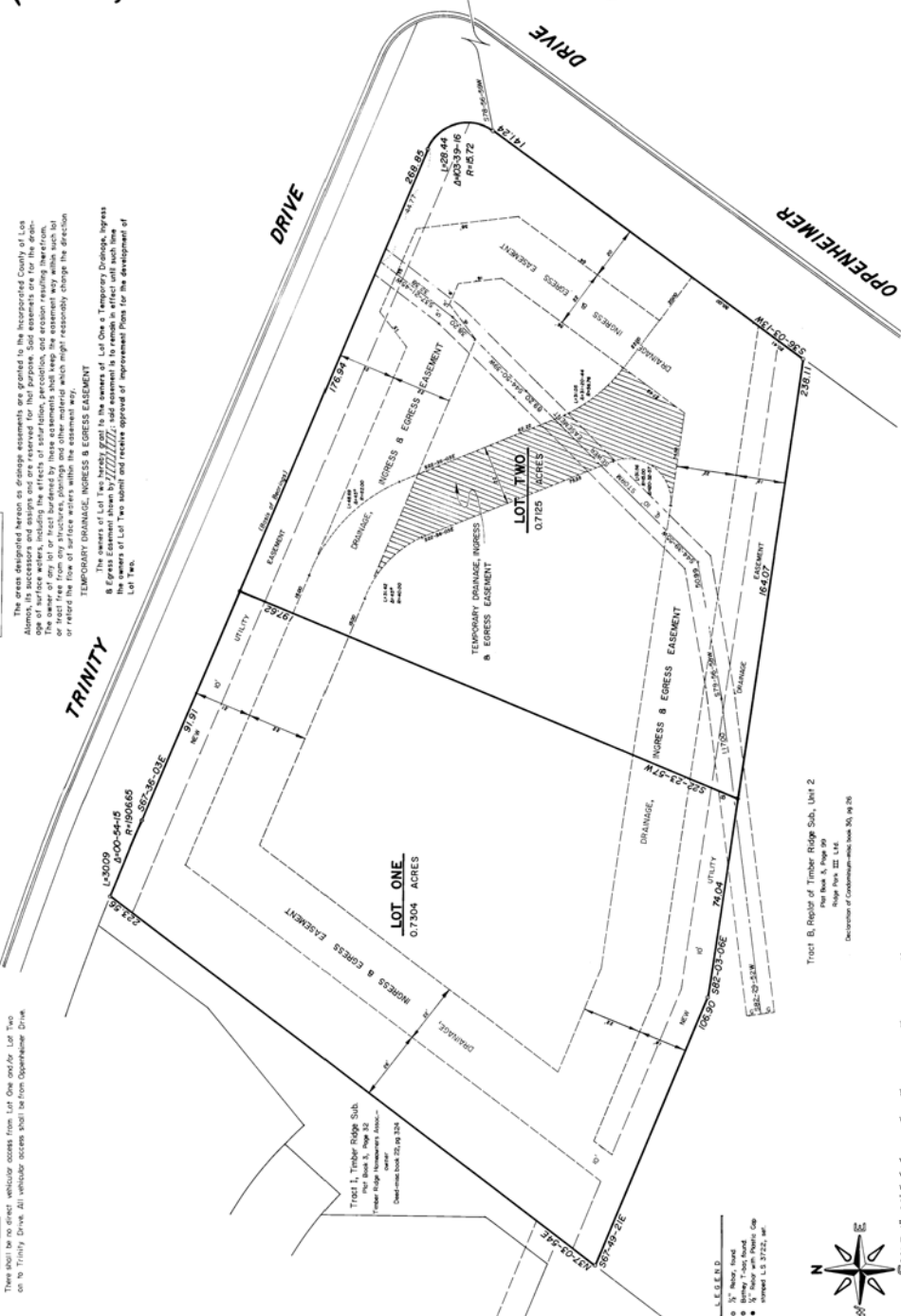


**COUNTY CLERK**  
*Therese C. Carrell*  
Deputy

## **CERTIFICATION**

I, John B. Madden, being duly sworn, do hereby certify that I am a registered Professional Surveyor under the laws of the State of New Mexico and that the plat and the notes hereon were prepared from the official map of the Timber Ridge Subdivision No. 2 as filed for record with the County Clerk of Los Alamos County, State of New Mexico, on June 10, 1988, and that the same conform to the minimum requirements of the Statutes of the State of New Mexico and the rules and regulations of the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors and is true and correct to the best of my knowledge and belief.

**John B. Madden**  
J.B.M.  
New Mexico  
Los Alamos, N.M.  
87504



Tract B, Replat of Timber Ridge Sub, Unit 2  
Plat Book 5, Page 99  
Recorded in Book 53309, Page 30  
Declaratory of Conformance with N.M.S.B. 24

**LEGEND**  
• 1/4" = 100' scale  
• 1/4" = 100' scale  
• 1/4" = 100' scale  
• 1/4" = 100' scale



SCALE 1" = 20' horizontal

**557 Oppenheimer Parking Required per 16-579-41**

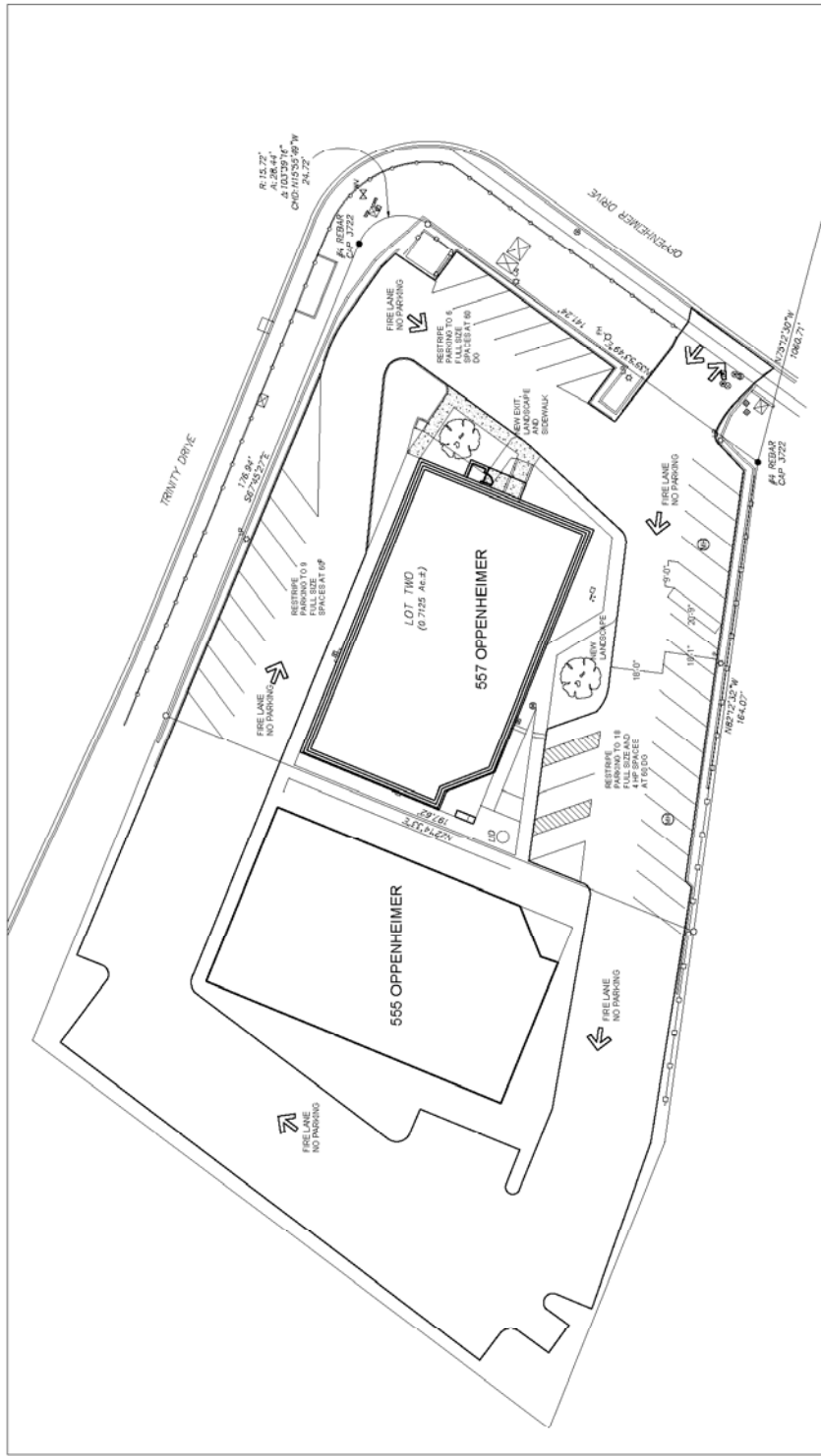
	Factor	Total
Second Level Residential	5,439	
Third Level Residential	5,278	
	10,717 nsf	750 14 spaces
Office Use Lease Area A	3,587	
Office Use Lease Area B	1,952	
	5,549 nsf	350 16 spaces
<b>Total</b>	<b>16,266 nsf</b>	<b>30 spaces</b>
Hand capped spaces included in total		2 hp spaces

**557 Oppenheimer Parking Provided**

557	32 spaces
Total	32 spaces
Hand capped spaces included in total	
2 hp spaces	
Note handicapped spaces for 555 are included in work area	

**Lot and Building Areas**

Lot One - 555 Oppenheimer	0.7304 acres	31,818 s'
Building footprint	7,265 s'	
Lot Coverage	22.8%	
Building Area		
Lot Two - 557 Oppenheimer	0.7125 acres	31,036 s'
Building footprint	7,309 s'	
Lot Coverage	23.6%	
Existing Building Area	14,509 s'	
Proposed Building Area	21,572 s'	



DATE AND ISSUE  
NOVEMBER 9, 2017

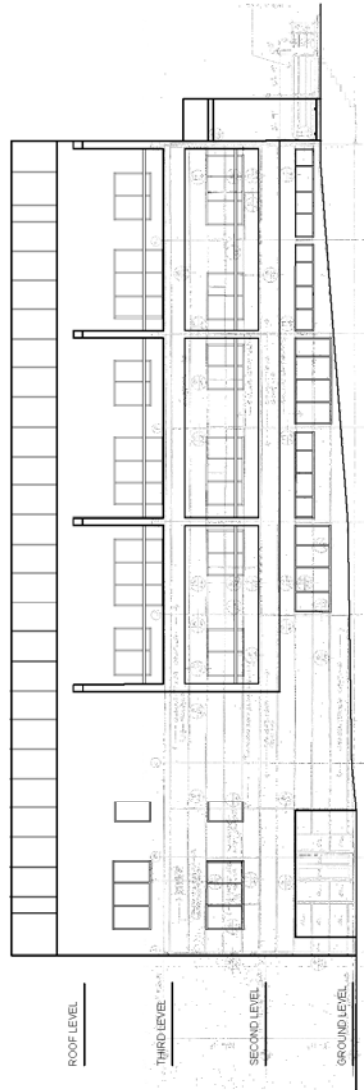
SHEET NUMBER  
**SPS-1**

SHEET TITLE  
**SITE PLAN**

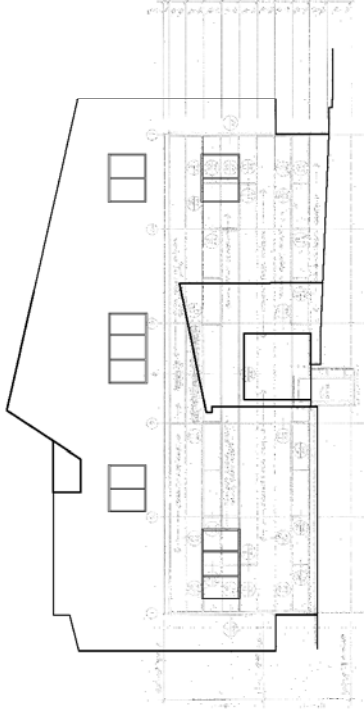
SCALE  
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PROJECT  
**557 OPPENHEIMER DRIVE**  
LOS ALAMOS, NEW MEXICO

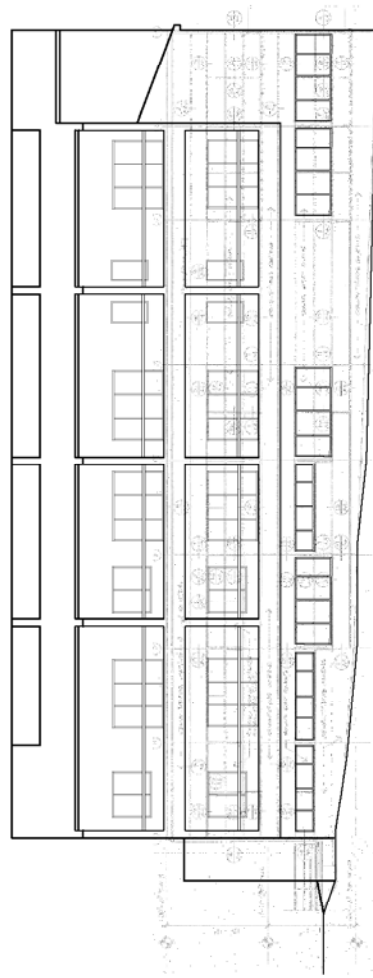
ARCHITECTURE  
**BAER ARCHITECTURE NM LLC**  
ALLIANT BASES, AIA  
227 EAST PALACE AVENUE, SUITE C  
SANTA FE, NEW MEXICO 87501  
505-470-8836  
allanbaer@comcast.net  
© 2017 BAER ARCHITECTURE NM LLC



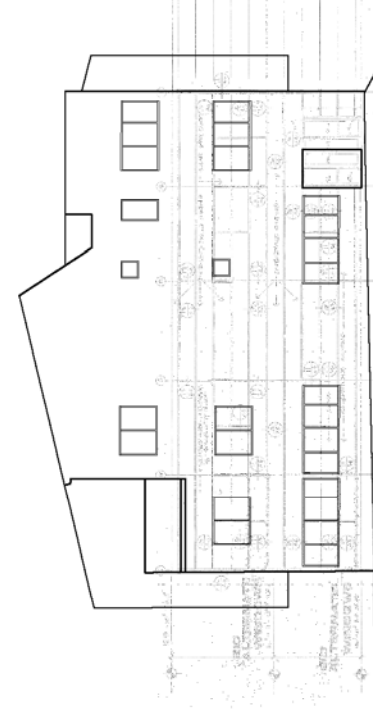
SOUTH



EAST



NORTH



WEST

**BAER ARCHITECTURE**  
**ARCHITECTURE**  
 NM LLC  
 ALLIANT BAER AIA  
 227 EAST PALACE AVENUE SUITE C  
 SANTA FE, NEW MEXICO 87501  
 505-470-8886  
 allanbaer@comcast.net  
 © 2017 BAER ARCHITECTURE NM LLC

PROJECT  
**557 OPPENHEIMER DRIVE**  
 LOS ALAMOS, NEW MEXICO  
 LOS ALAMOS PROFESSIONAL INVESTMENT PARTNERSHIP  
 PO BOX 9146  
 SANTA FE, NEW MEXICO 87504

SHEET TITLE  
**ELEVATIONS**

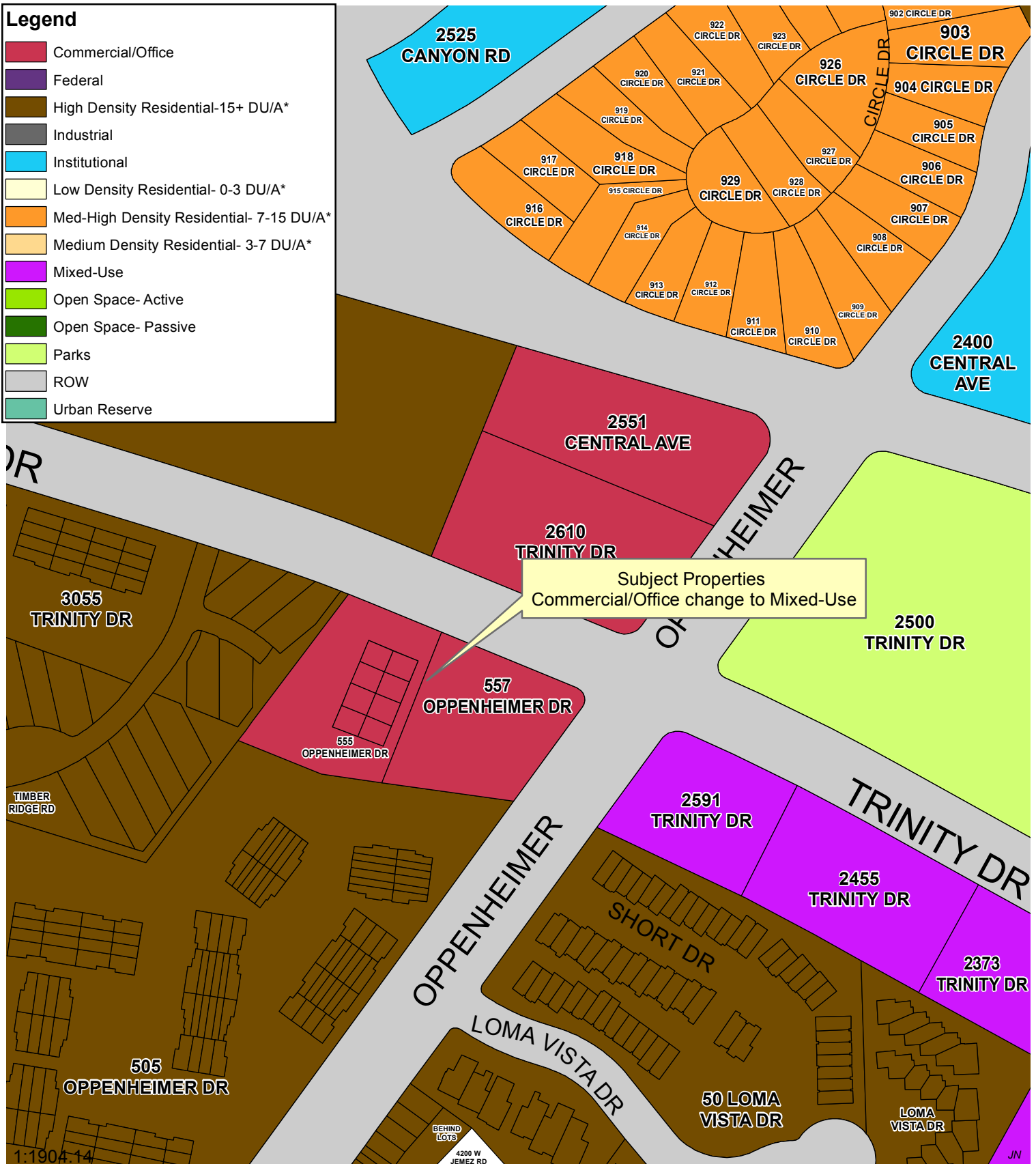
SCALE  
 1/8" = 1'-0"

DATE AND ISSUE  
 NOVEMBER 9, 2017

SHEET NUMBER  
**SPS-2**

**Legend**

- Commercial/Office
- Federal
- High Density Residential-15+ DU/A\*
- Industrial
- Institutional
- Low Density Residential- 0-3 DU/A\*
- Med-High Density Residential- 7-15 DU/A\*
- Medium Density Residential- 3-7 DU/A\*
- Mixed-Use
- Open Space- Active
- Open Space- Passive
- Parks
- ROW
- Urban Reserve

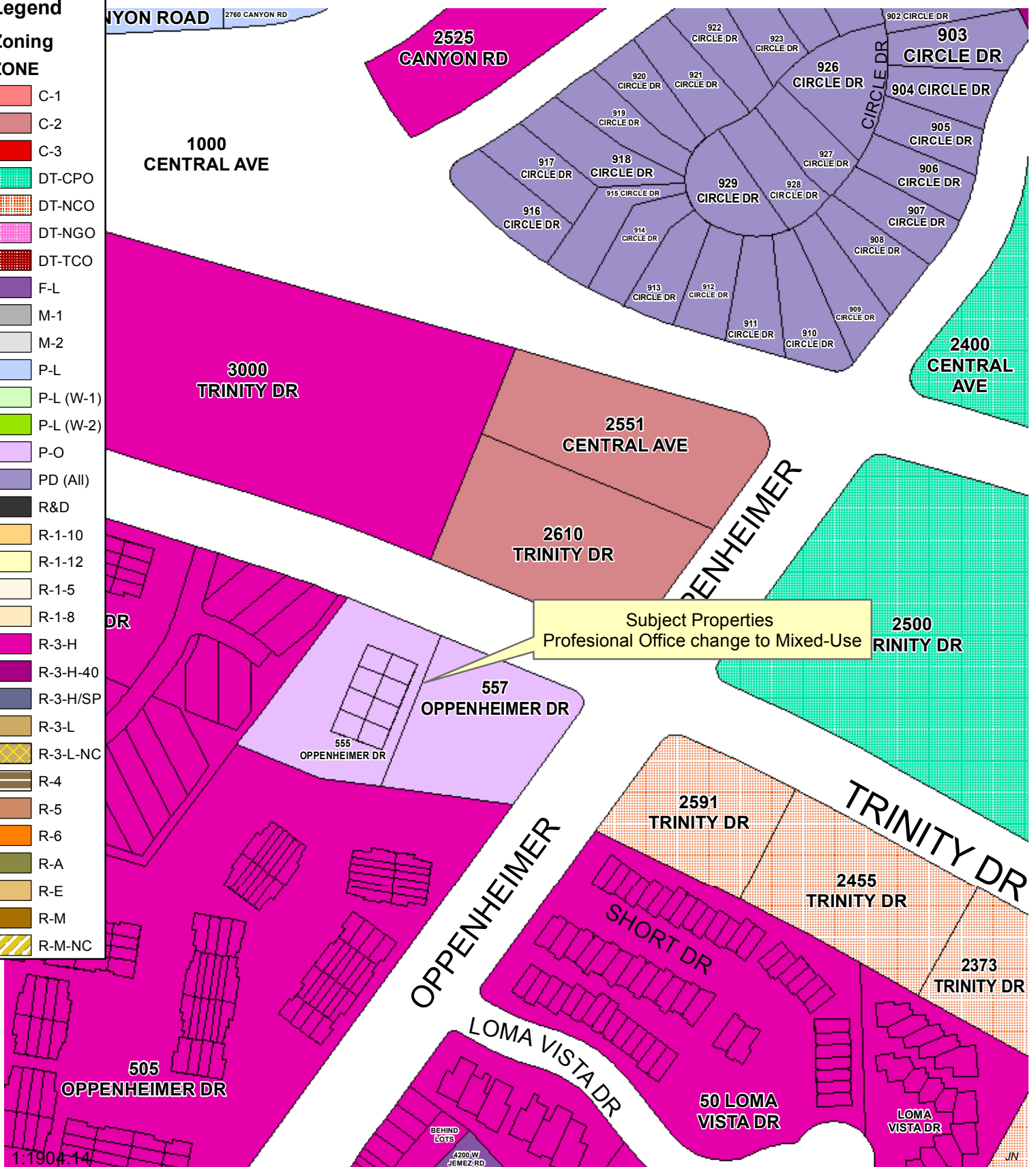


## 555 Oppenheimer & 557 Oppenheimer Future Land Use Map





- Legend**
- Zoning**
- ZONE**
- C-1
  - C-2
  - C-3
  - DT-CPO
  - DT-NCO
  - DT-NGO
  - DT-TCO
  - F-L
  - M-1
  - M-2
  - P-L
  - P-L (W-1)
  - P-L (W-2)
  - P-O
  - PD (All)
  - R&D
  - R-1-10
  - R-1-12
  - R-1-5
  - R-1-8
  - R-3-H
  - R-3-H-40
  - R-3-H/SP
  - R-3-L
  - R-3-L-NC
  - R-4
  - R-5
  - R-6
  - R-A
  - R-E
  - R-M
  - R-M-NC



All mapping information is for reference only.  
Users are solely responsible to confirm data accuracy.  
Los Alamos County assumes no liability for errors  
associated with these data.

Attachment B

VERTEX HOSPITALITY 1 LLC  
51 BROADWAY SUITE 111  
FARGO ND 58102

HAKONSON-HAYES AUDREY C  
47 TIMBER RIDGE  
LOS ALAMOS NM 87544

BRAND HOLMANN V REVOCABLE TRUST  
3948 TRINITY DR  
LOS ALAMOS NM 87544

CAP INVESTORS LIMITED PARTNERSHIP  
1926 A 24TH ST  
LOS ALAMOS NM 87544

LIER KARI  
45 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

NELSON TIMOTHY & LINDA REVOC TRUST  
242 GARVER LANE  
WHITE ROCK NM 87547

REAL DEAL THEATER LLC  
2610 TRINITY DR SUITE 4  
LOS ALAMOS NM 87544

WALTHERS LIVING TRUST  
44 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

RUTHERFORD STEVEN WILLIAM  
2356 FERGUSON AVE  
BOZEMAN, MT 59718

TIMBER RIDGE PROPERTY OWNERS  
P O BOX 30  
LOS ALAMOS NM 87544

SHERWOOD JANE C  
43 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

NERI FILIPPO  
505 OPPENHEIMER DR 206  
LOS ALAMOS NM 87544

DEAL FAMILY LLC  
2610 TRINITY DR SUITE 4  
LOS ALAMOS NM 87544

VAN LYSSEL R M INC  
2591 TRINITY DR  
LOS ALAMOS NM 87544

HAN CLIFF S & LANA L  
635 NAVAJO RD  
LOS ALAMOS NM 87544

LOS ALAMOS COUNTY  
P O BOX 30  
LOS ALAMOS NM 87544

DAUN KEITH B & PATRICIA C  
42 TIMBER RIDGE  
LOS ALAMOS NM 87544

WIGGINS MINH & LEE  
505 OPPENHEIMER DR #202  
LOS ALAMOS NM 87544

LIM LA SEI REVOC TRUST  
50 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

RIDGE PARK LUXURY CONDOMINIUMS  
505 OPPENHEIMER DR  
LOS ALAMOS NM 87544

FOISY JENEVRA M & TODD R  
505 OPPENHEIMER #204  
LOS ALAMOS NM 87544

CAO YOUFANG & WU XIAN  
49 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

GRIFFIN JOE A & SHARON E REVOC TRUST  
505 OPPENHEIMER #417  
LOS ALAMOS NM 87544

DEMANGE PAUL & ALMA I  
505 OPPENHEIMER #201  
LOS ALAMOS NM 87544

SEDLACEK CHERYL M & WILLIAM B  
48 TIMBER RIDGE RD  
LOS ALAMOS NM 87544

CIDDIO JACQUELINE S  
505 OPPENHEIMER DR 413  
LOS ALAMOS NM 87544

OPSAHL RICHARD B & JUDITH E  
501 PORTOLA RD 8100  
PORTOLA VALLEY CA 94028

HSU HSIAO HUA & FLORENCE M  
31 RIM ROAD  
LOS ALAMOS NM 87544

ZEYTUN AHMET  
2487A 45TH ST  
LOS ALAMOS NM 875441624

LITTLE DENNIS J  
505 OPPENHEIMER DR #211  
LOS ALAMOS NM 87544



KOGAN ALEKSANDR & BERMAN L  
505 OPPENHEIMER DR 212  
LOS ALAMOS NM 87544

PHILLIPS JOHN C TRUST  
PO BOX 221  
GALLINA NM 87017

WIBBERT ADRIANNE  
505 OPPENHEIMER DR #316  
LOS ALAMOS NM 87544

STEGER MARK J  
505 OPPENHEIMER DR # 207  
LOS ALAMOS NM 87544

VALDEZ SARAH A  
505 OPPENHEIMER DR 112  
LOS ALAMOS NM 87544

SHAO XUAN-MIN & YAN MEILIN REV TR  
1327 SAN ILDEFONSO RD  
LOS ALAMOS NM 87544

PETER WILLIAM K REV TRUST  
5710 KINGSWOOD ROAD  
BETHESDA MD 20814

ARVAI ANDREW S  
7111 DENNISON PLACE  
SAN DIEGO CA 92122

KIM CHANG YUB & HEUNGBOK  
1620 SOLANA  
LOS ALAMOS NM 87544

NAJERA LORENZO & CHERISE  
4934 DREAM DANCER DR NE  
RIO RANCHO NM 87144

KOOP MYRON L  
505 OPPENHEIMER DR 108  
LOS ALAMOS NM 87544

SHULL CHARLES A & BILLIE B REV TRUST  
400 OPPENHEIMER DR  
LOS ALAMOS NM 87544

ZHAO XINXIN & SHAOPING CHU  
191 PIEDRA LOOP  
WHITE ROCK NM 87547

TRAHAN ALEXIS & TRAVIS & KAPLAN FAMILY TRUST  
PO BOX 2342  
STATELINE NV 89449

FISCHER SAMUEL & KRAEMER CHRISTINA  
5250 QUEMAZON  
LOS ALAMOS NM 87544

BOROVINA DAN L & KAREN G  
3056 MONTE SORENO  
SANTA FE NM 87506

NASISE JOSEPH E & ROBERT S  
13930 PARK PLACE  
RED BLUFF CA 96080-7939

LITTLE DENNIS  
505 OPPENHEIMER DR 305  
LOS ALAMOS NM 87544

MODL DAVID G & RIEBE JOYCE J REVOC TRUST  
6800 NAGOYA RD NE  
RIO RANCHO NM 87144

SMELTZER MARLENE E  
505 OPPENHEIMER DR #109  
LOS ALAMOS NM 87544

QUINTANA AUDREY J L  
3003 CALLE QUIETA  
SANTA FE NM 87507

HAN SHUNSHENG & LENG NA  
505 OPPENHEIMER DR #101  
LOS ALAMOS NM 87544

OPPENHEIM ELIZABETH J  
505 OPPENHEIMER DR 318  
LOS ALAMOS NM 87544

GUTIERREZ REVOC TRUST  
9 PRIMROSE LANE  
LOS ALAMOS NM 87544

KATZ MAURICE & ELIZABETH  
PO BOX 290  
TESUQUE NM 87574

EPPLER CAROLYN  
150 WEST 58ST 11A  
NEW YORK NY 10019

COFFIN FAMILY TRUST  
3727 N KINGS PEAK CIRCLE  
MESA AZ 85215-7745

SANCHEZ MARK & TERRY  
423 RIVERSIDE DR  
ESPANOLA NM 87532

CARLTON PROPERTIES  
P.O. BOX 1073  
GOLDEN CO 80402

ORTIZ STEPHANIE BOONE  
275 EL VIENTO ST  
LOS ALAMOS NM 87544-2419

YOUNG JUDITH  
505 OPPENHEIMER DR #409  
LOS ALAMOS NM 87544

HGC LLC  
1625 SONRISA  
LOS ALAMOS NM 87544

ADKINS PROPERTIES LLC  
5514 AMIGO WAY NE  
ALBUQUERQUE NM 87111

MULLEN MARK F  
505 OPPENHEIMER DR #410  
LOS ALAMOS NM 87544

ROBERTS PATRICIA A REVOC TRUST & GARTZ  
6 DESERT RAIN  
SANTA FE NM 87506

TRUSSING SOLUTIONS LTD  
1720 Louisiana Blvd NE, Ste 402  
ALBUQUERQUE NM 87110

HALL MARICA  
P.O. BOX 1308  
LOS ALAMOS NM 87544

DINKEL JAMES A & ROBIN  
P O BOX 1414  
LOS ALAMOS NM 87544

SAENZ JASON  
46 SHORT DR  
LOS ALAMOS NM 87544

OWCZAREK ROBERT M & MAKARUK HANNA E  
505 OPPENHEIMER DR 320  
LOS ALAMOS NM 87544

DINKEL JAMES A & ROBIN A  
P.O. BOX 1414  
LOS ALAMOS NM 87544

MILLER JEFFREY L REVOC TRUST  
44 SHORT DR  
LOS ALAMOS NM 87544

MONTOYA THERESA V  
505 OPPENHEIMER DR #301  
LOS ALAMOS NM 87544

TREASTER BYRON L/GRAY JANE L  
P O BOX 659  
TESUQUE NM 87574

SANDIN JAN HENRIK  
50 SHORT DR  
LOS ALAMOS NM 87544

MOAZZAMI RHETA P  
505 OPPENHEIMER DR 302  
LOS ALAMOS NM 87544

LOS ALAMOS PROF INVEST PARTNER  
P.O. BOX 9146  
SANTA FE NM 87504

FRANK DAVID F  
54 SHORT DR  
LOS ALAMOS NM 87544

BECKMAN MARY  
P O BOX 2798  
SANTA FE NM 87504

LISA SHIN LLC  
637 47TH ST  
LOS ALAMOS NM 87544

CLANTON ROBERT C  
53 SHORT DR  
LOS ALAMOS NM 87544

HARRIS JANET M  
505 OPPENHEIMER DR #312  
LOS ALAMOS NM 87544

BOROVINA DAN & KAREN  
32 SHORT DR  
LOS ALAMOS NM 87544

DUQUE ISABEL C  
51 SHORT DR  
LOS ALAMOS NM 87544

GUTIERREZ BENJAMIN S & ALICE R REV TR  
9 TIMBER RIDGE RD  
LOS ALAMOS NM 87544-2317

ANGELO FAMILY TRUST  
221 TURKEY TRACK TRAIL  
CANYON TX 79015

MARIAM FESSEHA  
49 SHORT DR  
LOS ALAMOS NM 87544

LAMBERT LINDA K  
15 LOMA VISTA ST  
LOS ALAMOS NM 87544

CAFFREY MICHAEL  
PO BOX 1222  
LOS ALAMOS NM 87544

SMITH J ALLYN & ODERMANN JEANNE M  
1030 HAGGARD DR  
CLARKSVILLE TN 37043-5643

MILLER JASON C  
41 SHORT DR  
LOS ALAMOS NM 87544

XIE GARY GANG & HSU HUI-WEN REVOC TRUST  
2310 CANYON GLEN  
LOS ALAMOS NM 87544

JARAMILLO COX MARGARET 2011 IRREVOC TRUS  
301 GRIFFIN ST.  
SANTA FE NM 87501

SULLIVAN GRAHAM ENID JOAN REVOC TRUST  
5070 CARRIAGE HOUSE  
LOS ALAMOS NM 87544

LOMA VISTA LLP  
21 CAMINO A LAS ESTRELLAS  
PLACITAS NM 87043

GARNER BOROVINA PROPERTIES LLC  
3056 MONTE SERENO DR  
SANTA FE NM 87506









## IDRC REPORT

Cases: CPA-2017-0005, REZ- 2017- 0009, & SIT-2017-0023 557 OPPENHEIMER DRIVE

Date of Meeting: November 17, 2017

Member/ Alternate	Dept.	Attended	Recommended Conditions/Comments	Approved	Approved conditions	Abstained
M. Arellano / <del>J. Dudziak</del>	Building	X			X	
T. Baer /	Planning					
D. Erickson	Traffic					
J. Alarid / <del>C. Moseley</del>	Utilities	X			X	
A. Gurule / L. Martinez	Env. Serv.					
E. Martinez/ <del>B. Aragon</del>	PW	X			X	
A. Millmann / J. Naranjo	Planning	X			X	
<del>J. Wetteland</del> / S. Rinaldi	Fire	X			X	
<b>OTHERS ATTENDING:</b>						
A Barela	Planning	X			X	
Paul Andrus	CDD					
K Powers	PW					
M Smith	IM					
Joanie Ahlers	Econ Dev					
* Blue strikethrough indicates not present at meeting.						

**MOTION:** Steve Rinaldi moved and Eric Martinez seconded that Case SIT-2017-0023 be forwarded to the P&Z Commission with a recommendation for approval with the understanding that the stated concerns and conditions\* discussed by IDRC are addressed prior to submittal of the final plat.

Motion passed 7-0

Michael Arellano moved and Steve Rinaldi seconded that Case REZ- 2017- 0009 be forwarded to the P&Z Commission with a recommendation for approval with the understanding that the stated concerns and conditions\* discussed by IDRC are addressed prior to submittal of the final plat.

Motion passed 7-0

Subsequent to the Nov 17, 2017 meeting, Michael Arellano moved and James Alarid seconded that Case CPA-2017- 0005 be forwarded to the P&Z Commission with a recommendation for approval with the understanding that the stated concerns and conditions\* discussed by IDRC are addressed prior to submittal of the final plat.

Motion passed 7-0

\*All conditions as discussed are included as Recommended Conditions of Approval in the combined Staff Report for Comprehensive Plan Future Land Use Amendment, Rezoning, and Site Plan.



1 – From Oppenheimer Drive Looking West



2 – From Intersection of Oppenheimer Drive and Trinity Drive, Looking Southwest





3 – View from Trinity Drive of 555 Oppenheimer Drive



4 – Space between 555 & 557 Oppenheimer Drive, looking south from Trinity Drive





5 – View from Trinity Drive showing parking along north side of both structures



6 – West Property Line





7 – Parking along north side of property



8 – View from Southwest corner of property





9 – 557 Oppenheimer Drive



10 – Parking along south side of property





11 – Parking along south property boundary