

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO**

Case No. REZ-2024-0019, a request for a Minor Zone Map Amendment to change the property, EA3 U, from its current Single Family Residential (SFR-4) Zone District to the Institutional (INS) Zone District, commonly known as the Civilian Women’s Dormitory and addressed as 1725 17th Street, Los Alamos, New Mexico

**RECOMMENDATION OF THE PLANNING AND ZONING TO THE
COUNTY COUNCIL ON APPLICATION REZ-2024-0019**

NOW COMES, the Planning and Zoning Commission (“Commission”) of the Incorporated County of Los Alamos (“County”) hereby makes the following recommendations to the County Council:

I FINDINGS OF THE COMMISSION

The Commission finds as follows:

1. On or about July 10, 2024, Linda Matteson, Deputy County Manager, Russell Naranjo and Anthony Strain, Project Managers, Los Alamos County Capital Projects and Maintenance Facilities, on behalf of property owner Los Alamos County (“Applicant”), submitted a development application (“Application”) for a Minor Zone Map Amendment for the property commonly known as the Civilian Women’s Dormitory addressed as 1725 17th Street (“Property”).

See Attachment A, Application, page 6.

2. The Application was assigned case number REZ-2024-0019. *See* Attachment D, PLANNING & ZONING COMMISSION STAFF REPORT by Desirae J. Lujan, Senior Planner (hereafter “CDD Staff Report”).

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3. A quorum of the Commission was present at the public hearing held on November 20, 2024¹. The public hearing was open to the receipt of evidence and testimony given under oath, of which was subject to cross-examination in accordance with Section 16-72(f)(5) of the County Development Code².

4. Present for the Applicant was Linda Matteson, Deputy County Manager, mechanical engineer with seventeen (17) years of local government experience and project manager for the Manhattan Project National Historical Park; Eric Martinez, Deputy Public Works Manager; Russell Naranjo, Project Manager, certified land use planner with a bachelor's degree in city and regional planning, with approximately twenty-seven (27) years of planning experience; Anthony Strain, Project Manager; and Michele Mullen, Mullen Heller Architecture.

5. Present for the Community Development Department ("CDD") was CDD Staff Desirae J. Lujan, Senior Planner, associate's degree in architectural and civil engineering, sixteen (16) years in planning and land use and local government with five (5) years in case management of development applications.

6. John Davey at 1720 17th Street, Los Alamos, New Mexico, resident within three hundred feet (300) of the Property was recognized as an affected party to this matter.

7. Don Close at 1910 Spruce Street, Los Alamos, New Mexico, resident within three hundred feet (300) the Property was recognized as an affected party to this matter

8. Evidence received by the Commission at the public hearing included: 1) Application; 2) IDRC Minutes 3) Public Notices; 4) CDD Staff Report with attachments; 5) sworn testimony and presentation presented on behalf of Applicant through Linda Matteson, Russel Naranjo, and

¹ The Video for this hearing is available at [November 20, 2024 Planning and Zoning Commission Meeting \(granicus.com\)](#). All citations to testimony are from this video and is in Hour:Minute:Second format.

² Available at [Municode Chapter 16](#).

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Anthony Strain; 6) sworn testimony and presentation from CDD Staff Lujan; and 7) sworn testimony and presentation from the affected parties.

9. The Property's legal description is EA3 U, and is located within the Eastern Area 3 Subdivision Single-Family Residential (SFR-4) Zoning District pursuant to the County's adopted Zoning Map. *See* Attachment D, CDD Staff Report, page 34.

10. As provided by evidence and testimony of CDD Staff Lujan, the Applicant proposes to rezone the Property from its current Single-Family Residential (SFR-4) Zone District to Institutional (INS) Zone District. The Los Alamos County Council ("County Council") approved the purchase of the Property on July 30, 2019. As one of the last Manhattan Project era properties in the area, the County Council purchased the Property for its interpretive value and to consider its use as part of the Manhattan Project National Historical Park. On July 12, 2022, the County Council approved a conceptual design to renovate the building into a visitor center, with museum and exhibits, and associated office space and caretaker's unit for the National Park Service. According to the County Development Code, the intended uses are not allowed in the current Single-Family Residential (SFR-4) zone district. As a result, the Property needs to be rezoned for the project to proceed to the next step, Major Site Plan Adoption. *See* Attachment D, CDD Staff Report, pages 35-36.

11. Pursuant to Section 16-74(h)(2)(a), Applicant attended a pre-application meeting with County staff on April 1, 2024. *See* Attachment D, CDD Staff Report, page 37; *see also* testimony of Applicant at 00:24:28, and testimony of CDD Staff Lujan at 00:59:05.

12. Pursuant to Section 16-74(h)(2)(a), Applicant conducted a Neighborhood Meeting on May 4, 2024. *See* Attachment D, CDD Staff Report, page 37; *see also* testimony of Applicant at 00:24:34, and testimony of CDD Staff Lujan at 00:59:14.

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13. On August 28, 2024, the Application was heard by the Planning and Zoning Commission who was unable to make a recommendation to County Council. *See* testimony of CDD Staff Lujan starting at 00:53:20.

14. On October 29, 2024, County Council heard the Application and remanded the Application back to the Planning and Zoning Commission for a recommendation to be made. *See* testimony of CDD Staff Lujan starting at 00:53:35.

15. As provided in the evidence and testimony of CDD Staff Lujan, notice of the public hearing was published in accordance with Section 16-72(c) of the County Development Code: notice was published in the *Los Alamos Daily Post* on October 31, 2024; notice of the proposed action and public hearing was mailed via U.S. Mail to the owners of real property within three hundred (300) feet of the Property on November 1, 2024; and the notice was posted at the subject Property on November 5, 2024. *See* Attachment D, CDD Staff Report, page 38; *see also* testimony of CDD Staff Lujan at 00:59:17.

16. The Application was presented to the Interdepartmental Review Committee (“IDRC”) on or about August 1, 2024. Upon review of the Application, it was determined that there were no concerns with a rezone and the rezoning application met all the criteria and the rezoning application along with supporting documents would move forward to the Planning and Zoning Commission as presented. *See* Attachment D, CDD Staff Report, page 37, *see also* testimony of Applicant at 00:24:41.

17. As required pursuant to Section 16-69(b)(1) of the County Development Code, the Commission has the review and recommendation authority for zone map amendments. The Commission shall recommend approval to County Council for application for a Minor Zone Map

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Amendment if it meets all of the decision criteria outlined in Section 16-74(h)(3) of the County Development Code.

18. Pursuant to Section 16-72(5)(c)(2) of the County Development Code, the Commission's decision shall take any one of the following actions pursuant to the applicable decision criteria: recommendation of approval of the application as presented if the request is in conformity with the criteria; recommendation of approval of the application with conditions; recommendation of denial of the application if the request is not in conformance with the decision criteria; or if the Commission is unable to arrive at a recommendation, the application shall be forwarded to without recommendation to the County Council for consideration.

19. After the Commission makes a recommendation to County Council and if the County Council approves this rezoning application, a Site Plan Application will be submitted for review and final action. The Site Plan Application will address landscaping, traffic circulation, design, pedestrian circulation, infrastructure and parking. *See* testimony of Applicant at 00:24:51.

20. The Commission, having received testimony and evidence of the Applicant, CDD Staff Lujan, and affected parties during the public hearing, finds that the Applicant has met its burden and has demonstrated that the request for a Minor Zone Map Amendment at 1725 17th Street has met the requirements of Section 16-74(h)(3). The Commission, in support of this finding, provides the following:

a. As to criterion (a) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by Applicant and CDD Staff Lujan that the proposed zone map amendment is consistent with the health, safety, and welfare of the County as shown by conformance with the goals and policies of the Comprehensive Plan ("Plan") and other adopted County plans or policies. The proposed zone

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amendment is consistent with the Plan and is not materially detrimental to the health, safety, and general welfare of the County by supporting the efforts to market and brand Los Alamos as a scenic destination featuring recreation, science, and history attract new tourism-related business, and revitalize areas of Los Alamos and White Rock to maximize the use of County owned land. Potential strategy mentioned in the Plan was to “[P]artner with the National Park Service and others to promote Los Alamos County as an outdoor recreation destination.” The Plan describes the Purpose of the Future Land Use Map and states that the Plan intends that rezoning applications for uses that conform to the Future Land Use Map would follow an expedited and less onerous application and review process than those proposals for use that do not conform to uses shown on the Future Land Use Map. Approval of the request to rezone the Property will maximize the County’s opportunity with respect to the development of the Manhattan Project National Historic Park, capitalize on Los Alamos County’s role as a gateway to three national parks, and enhance community pride. As stated in the Plan, redevelopment often involves updating or replacing old, substandard structures with new, healthier living environments that meet current building codes. The Manhattan Project National Historic Park has outgrown its current location in Los Alamos County to the point that staff and exhibits are divided into two (2) separate locations. This project will allow the Manhattan Project National Historical Park to expand their efforts and combine into a central location as a redevelopment project. Upgrading the site traffic circulation patterns and parking will improve safety for pedestrians, cyclists, drivers and the public alike. CDD Staff Lujan agreed that this criterion had been met because the Future Land Use Map, adopted by the Plan, expresses goals and policies that guide future growth and change. The Future Land Use Map uses broad categories to depict land use classifications, which illustrate preferred and anticipated uses rather than corresponding directly to zoning. The Women's Dorm Property, shown as

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"Institutional" on Figure 3: Vicinity FLUM, aligns with these classifications. Development goals include policies such as, "[E]nsure greater certainty in the development review process, especially if the application conforms to the Comprehensive Plan and the Future Land Use Map." The Plan sets goals and policies to guide and encourage growth within the community, aiming to ensure its success. Key land use policies under the Growth and Development Goals of the Plan include maximizing the use of County-owned lands. Maintaining the Property as Single-Family Residential Zone District limits the land use to residential purposes, with a density of one dwelling unit per lot. In contrast, the Institutional (INS) zone district is more valuable to the community by expanding the potential services that the lot can support, such as a visitor center, museum, and caretaker's unit. A redevelopment goal for the County focuses on revitalizing vacant, blighted areas and underutilized properties. The existing building on the Property has remained vacant since the County took ownership, a rezone of the Property would promote redevelopment of a unique building and site, creating opportunities to attract visitors and boost community pride. *See* testimony of Applicant at 00:26:33; and testimony of CDD Staff Lujan at 00:54:47, *see also* Attachment D, CDD Staff Report, pages 38-40.

b. As to review criterion (b) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the existing zone district designation is shown to be inappropriate for one or more of the following reasons: it was established in error; changed conditions warrant the rezoning; or a different zone is more advantageous to the community as articulated by conformance with each applicable goal and policy the Plan, including the Future Land Use Map. Los Alamos County purchased the former Christian Science Church which was originally constructed as a women's dormitory during the Manhattan Project era. The underlying

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zoning at the time of purchase is SFR-4 which does allow for a church of worship, but does not specifically allow for a visitor center, museum, or caretaker's suite. After careful consideration of multiple designs, and several public meetings to discuss the potential use of the Property, the County Council has given direction to pursue the use as a visitor center and museum under the direction of the National Park Service to house and operate the Manhattan Project National Historic Park. Based on the direction of County Council, a zoning amendment is necessary to pursue the requested use. The Future Land Use Map reflects the zoning as INS which is in keeping with the underlying zoning designation of most properties owned by the County. CDD Staff Lujan agreed that this criterion had been met and added that the change of ownership from private to public is a changed condition that warrants a rezone. The Intuitional (INS) zone district will be more advantageous to the community by redeveloping a vacant building into a visitor center and museum, with associated office space. For the County to maximize the use of the land and proceed with approved plans for the site, the zoning needs to be changed. *See* testimony of Applicant at 00:30:24, and testimony of CDD Staff Lujan at 00:57:17: *see also* Attachment D, CDD Staff Report, page 40-41.

c. As to criterion (c) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by Applicant and CDD Staff Lujan that the proposed zoning will not designate a zone district different from surrounding zone districts to one small area, i.e. create a spot zone, unless one or more of the following criteria are met: granting such zoning accomplishes the goals and policies of the comprehensive plan; unique characteristics specific to the site exist; the zoning serves as an appropriate transition between land uses of higher and lower intensity; or the County's existing and proposed infrastructure and public improvements including, but not limited to utilities, streets,

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sidewalks, or trails have adequate capacity to serve the development made possible by the zone map amendment. The granting of an INS zoning designation for the Property is in keeping with the Future Land Use Map and is necessary to pursue the County Council request to create a visitor center, museum, and caretaker's unit. The INS zone accomplishes the goals and policies of the Plan by supporting the efforts to market and brand Los Alamos as a scenic destination featuring recreation, science, and history, attract new tourism-related business, and revitalize and eliminate blight in the area. The requested zone amendment maximizes the County's opportunity with respect to the development of the Manhattan Project Historical Park. By completing this project of refurbishing the existing woman's dormitory building, this will allow the National Park Service to support the efforts to market and brand Los Alamos as a scenic destination, and to capitalize on Los Alamos County's role as a gateway to three national parks. Public services and facilities required to serve the proposed development have adequate capacity and would conform with the requirements of the County's construction standards. Utilities are both available and existing, and currently on-site. Improvements will be made to improve upon some of the existing infrastructure for fire suppression, water, sewer, and irrigation. The existing sidewalk system will involve the construction of new sidewalks and/or the improvement of the existing sidewalk, and all improvements will be made in accordance with Americans with Disabilities Act (ADA) standards. The tie into the Urban Trail will be looked at in depth to determine if the proper right of way is in existence to create a trail system incorporating this Property within its system. CDD Staff Lujan agreed that this criterion had been met and is not considered spot zoning because the change aligns with the Plan, and as established in Criterion A and B above, the Institutional (INS) Zone District accomplishes the goals and policies of the Plan providing a long-term, community-wide interest. Approving the Minor Zone Map Amendment is consistent with the Future Land Use Map which

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envisions institutional uses in this area. The change would not benefit a single property owner, but rather it is a broader strategy to provide a community amenity and preserve a building of historic significance. A small adjacent parcel southwest of the Property is zoned INS. This contiguous zoning, excluding the public right-of-way eliminates the creation of “spot zoning” and is supported by the Plan, and is aligned with the Future Land Use Map. If approved, the location area would show a transition, southbound, from Institutional uses to Multi-Family, Commercial and Open Space uses, and into the Downtown area. The IDRC has evaluated the existing and proposed infrastructure and improvements and has determined that they are adequate to serve an INS Zone District and the planned use of the site. *See* testimony of Applicant at 00:33:41, and testimony of CDD Staff Lujan at 00:57:51; *See also* Attachment D, CDD Staff Report, pages 41-42.

d. As to review criterion (d) of Section 16-74(h)(3) of the County Development Code, the Commission finds that it was demonstrated by the testimony and evidence provided by the Applicant and CDD Staff Lujan that the establishment, maintenance, or operation of uses made possible by the zone map amendment will not be detrimental to the health, safety, or welfare of persons residing or working adjacent to or within the proximity of the subject property. Leaving the building and zoning as-is could potentially affect the health safety, and welfare of that area. This is evident by the blighted conditions and vandalism to the building that has taken place. If the Property was sold to a private developer the existing structure would likely be torn down, and residential structures would be built in its place. Public services and facilities required to serve the proposed development have adequate capacity and would conform with the requirements of the County’s construction standards. Utilities are both available and existing, and currently on-site. Improvements will be made to improve upon some of the existing infrastructure for fire suppression, water, sewer, and irrigation. The existing sidewalk system will involve the


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construction of new sidewalks and/or the improvement of the existing sidewalks. CDD Staff Lujan agreed that this criterion had been met because current institutional uses operate nearby, setting a precedent for comparable activities on the Property. The INS Zone District aligns with the neighborhood make-up, which integrates Multi-Family and Institutional uses among Single-family properties. This combination of uses has demonstrated a safe and harmonious coexistence. While the INS Zone permits some commercial uses, any major alterations to the function, appearance, or use of the Property may require further standards, regulations, or public hearing process to protect the health, safety, and welfare of the neighborhood *See* testimony of Applicant at 00:36:02, and testimony of CDD Staff Lujan at 00:58:26; *see also* Attachment D, CDD Staff Report, page 42.

II. RECOMMENDATION

The Commission, pursuant to Section 16-72(f)(5)(c)(2), by unanimous vote, hereby finds that the Applicant has sufficiently demonstrated the request for a Minor Zone Map Amendment meets all requirements, and after full hearing and consideration, hereby recommends **APPROVAL** of Application REZ-2024-0019 to the County Council based upon the Commission's findings and conclusions above.

APPROVED on this date: 12/12/2024



Rachel Adler, Chair of the Planning & Zoning
Commission for the Incorporated County of Los
Alamos