Attachment - A

LOS ALAMOS
Community Development

SPECIAL USE PERMIT APPLICATION

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

Special Use (describe):

Proposed use of 58,000 sf existing building for self-storage, in part, to provide a critical self-storage facility to Los Alamos National Laboratory and other commercial businesses in Los Alamos for a period not to exceed five years. Also includes the addition of 3,798 SF new commercial / Office construction to be located at the front of the existing building

Address to which this application applies:
535 Central Avenue (Former Smiths Grocer)
610 Trinity Drive (former Bealls)

Zoning District: DT-NCO

Related Applications (if any):

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

Name: Greg Gonzales DBA Columbus Capital Phone: Cell #: 505-670-2812
Please Print

Address: P.O Box 2328 Santa Fe Nm 87504 Email: g.gonzales@columbuscapitalsw.com

Greg Gonzales 8.26.22

SIGNATURE **DATE**

PROPERTY OWNER (If different from Applicant) ☐ **Check here if same as above**

Name: Seth Brennock Phone: 513 562 5271 Cell #:
Please Print

Address: c / o of the Kroger Co 1014 Vine St Cinc OHIO 45202 Email: seth.brennoch@Kroger.com

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

See attached affidavit

SIGNATURE **DATE**

Revised: 07/01/2022

SPECIAL USE PERMIT CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-156 establishes five (5) criteria for the Planning and Zoning Commission to use when reviewing an application for Special Use Permit approval. Please review each of the criteria listed and provide brief responses as to how your application meets the criteria. Use the space provided or attach separate sheets if needed. You will also be asked to discuss the criteria at your public hearing.

(1) The request substantially conforms to the comprehensive plan, and the establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the vicinity of such proposed use or be detrimental or injurious to property or to the value of property in the vicinity, or to the general welfare of the county.

The proposed Special Use Permit (SUP) is to provide large-unit self-storage in the existing vacant building of 58,000 square feet for a period of five (5) years. The Code allows "self-storage" in this district under SUP. The SUP will allow for the adaptive re-use of the long-vacant grocery store and the long vacant department store building now creating a blight on the downtown area, as part a complete revitalization of the this and the immediately adjoining properties into badly needed housing, retail businesses, and service businesses. There is currently a need in Los Alamos for existing businesses and the Los Alamos National Laboratory (the "Lab") for large-unit self-storage. The self-storage allows for the adaptive re-use of the building while the first phase of the redevelopment of this and the adjoining properties is undertaken.
The Proposed Special use permit will also include the addition of approximately 3,798 square feet of commercial space in the front of the self- storage units which will meet a current need in the community and upgrade the appearance of the front façade of the building.

The proposal conforms to the comprehensive plan:

The comprehensive plan provides that, "ECONOMIC VITALITY AND FINANCIAL SUSTAINABILITY ARE STRATEGIC FOCUS AREAS IDENTIFIED BY THE COUNTY COUNCIL TO BE OF PARAMOUNT IMPORTANCE IN DETERMINING THE NATURE AND QUALITY OF THE FUTURE OF LOS ALAMOS." (See Comp. Plan Section 2.5). The comprehensive plan more specifically states: "The Council has established the following goals to promote financial sustainability: ***Revitalize and eliminate blight in the downtown areas of Los Alamos and White Rock.***" (See Comp. Plan, p. 34). Further, the plan acknowledges that, despite the efforts at economic development and revitalization, "few investors and developers have completed a purchase or investment in Los Alamos." (See Comp. Plan, p. 36). The proposed temporary self-storage, as part of the overall redevelopment of the properties, conforms to these aspirations of the comprehensive plan.

The provision of the self-storage will assist the National Lab, as well as other businesses in Los Alamos, in meeting the need to temporarily store personal property while their work is undertaken.

The comprehensive plan expressly supports the importance of the Lab to Los Alamos and its long-term success

a. The Plan observes – first and foremost – that Los Alamos is known for its world-changing science and technology.
b. The Plan "recognizes and celebrates . . . the role that history has played in the establishment of the community's strength in science, technology and intellectual capital". (*See* Comprehensive Plan, Executive Summary, p. vii).
c. One of the "core themes" of the Comprehensive Plan is the redevelopment of the downtown through "redeveloping vacant and blighted areas".
d. The Plan's Vision Statement expressly provides that the Plan "[t]he community will eliminate blight".

e. One of the key goals of the Plan is to provide for economic development The Council has established as one of its primary goals to promote economic vitality by "[collaborating] with Los Alamos National Laboratory as the area's #1 employer".

As described below, the Special Use Permit (the "SUP") proposed is in keeping and aligns completely with these aspects of the Comprehensive Plan.

1. The SUP will directly support the Lab to help accomplish its need to renovate, upgrade and remodel its current facilities by allowing it to temporarily store furniture and equipment (on a revolving basis) as it the renovations, upgrades and remodeling occurs. The facility will also be available for storage use by any other party. The SUP aligns and supports Los Alamos' core purpose – to continue to be recognized for its "world-changing science and technology" and at the same time provides for large-unit self-storage that cannot currently be found in Los Alamos.
2. The SUP will allow for the temporary repurposing of the Kroger building in the core downtown in accordance with one of the Plan's central themes -- the redevelopment of the downtown through "redeveloping vacant and blighted areas". The SUP will result in the temporary occupancy of a vacant building and the improvement of its exterior appearance, while the surrounding area of the block is replanned and redeveloped. The SUP is specifically conditioned upon the Lab being the tenant/user of the building for a very limited period of five years. If the Lab determines not to use the facility, the facility will be available to support the needs of other businesses in the community in need of large-unit self-storage. The SUP will ultimately allow for the Kroger block to be redeveloped and eliminate the growing blight that is now occurring.
3. The SUP will provide the County the perfect opportunity achieves one of its key goals: Economic development by collaborating with the Laboratory "as the area's #1 employer" and providing a facility to other businesses in the community this not currently available.

General Health and Welfare. The SUP "will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the vicinity of such proposed use or be detrimental or injurious to the property or to the value of property in the vicinity, or to the general welfare of the county". By allowing for the occupancy and improvement in the appearance of the currently vacant building, the SUP will improve the general welfare of the community by halting and eliminating a blighted spot in the downtown and promoting and supporting the Laboratory as the main employer in Los Alamos. The occupancy and improvement of the building, and its eventual redevelopment, will have a positive effect on property values generally in the downtown area.

(2) There are sufficient parking facilities that are adequately designed, shielded, landscaped and lighted to serve the use applied for based on the requirements of this chapter as found in article IX of this chapter.

The proposed use under the SUP will require minimal parking. Access will be on the east side of the existing building and will be screened from Central Avenue. The new Commercial suites will use existing parking on site The landscaping along Central Avenue will be upgraded to enhance the existing bus stop. 64 spaces within the existing parking lot will be reserved for the use under the special use permit plus the existing businesses currently located within the center.

(3) The provisions for on-site and off-site ingress/egress and traffic circulation are in conformance with the county's construction standards, that the public streets serving the use applied for are adequate to meet the traffic needs of the proposed use and that the proposed use will not adversely affect neighboring properties by virtue of the type of traffic generated by the use.

The proposed use under the SUP will make use of existing Ingress / Egress access on the northeast side of the building to Central Avenue. New Commercial Suites will be accessed from existing access points located on Central and the stop lights located on Trinity.

(4) The setbacks of buildings and parking facilities from the property lines, right-of-way, and adjacent land uses are in conformance with this chapter and provide protection to and a transition from residential development, existing and contemplated in the vicinity; and that the height and bulk of the proposed buildings and structures are compatible with the general character of development in the vicinity of the use applied for.

The existing building for the consideration of the SUP currently conforms with setbacks, allowed withing the DT-NCO zoning district. The heights and bulk of the existing building is compatible with the current zoning.

(5) The site plan including, but not limited to, landscaping, screen planting, and fencing of the proposed development demonstrates that the site development will be compatible with adjoining areas and will conform to the site development standards of the district regulations.

The Existing building that will contain the proposed use borders Central Avenue on the north and the landscaping will be upgraded to be compatible with adjoining area.

The existing building that will contain the proposed use is bordered on the east by an existing building that is currently in blighted condition. Appropriate fencing will be installed to ensure safety and security.

The existing building that will contain the proposed use is bordered on the west with an existing parking lot. Existing parking lot that will serve this use will be repaired and restriped to meet ADA compliance

The existing building that will contain the proposed use does not contain an exterior southern border as it is in line with another existing building

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:

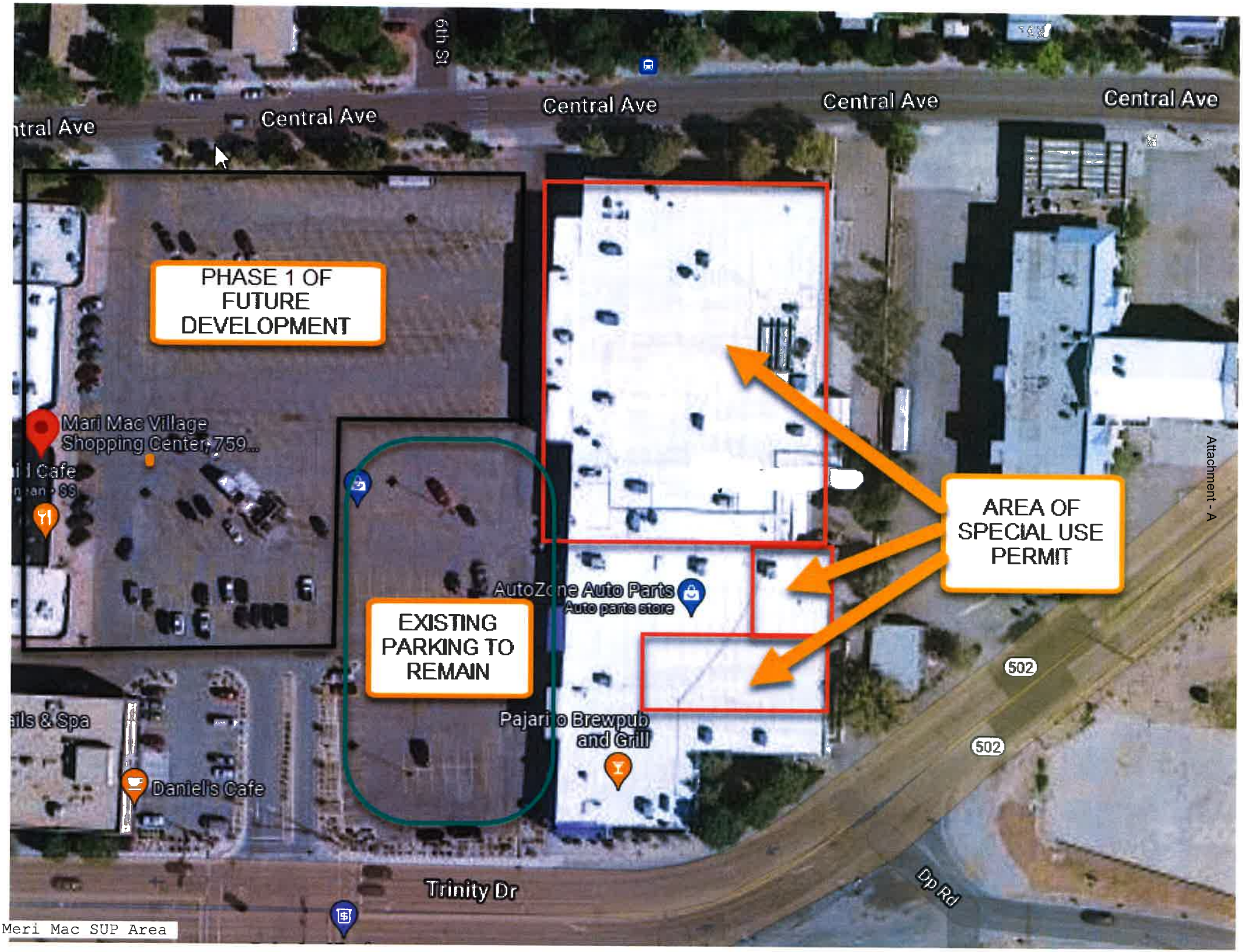
- [x] **Proof of property ownership.**
- [ ] **A Vicinity map, 8½ X 11-inch or 8½ X 14-inch format, showing the boundaries of the property and all adjacent lots within 300 feet. (County staff can provide the vicinity map if requested.)**
- [ ] **A scalable site plan including, at a minimum, the following information:**
  - [x] Show and dimension all access and parking related to the site, including existing and any proposed curb cuts.
  - [ ] 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.)
  - [x] Show and label the footprint of all existing buildings and structures on the site.
  - [x] Show the footprint of all buildings and public rights-of-way within 20 feet of all boundaries of the site.
  - [x] Show, dimension and label all existing and proposed easements.
  - [ ] Show existing and proposed landscaping, fencing, lighting, signage and any other proposed improvements. (EXISTING)
- [x] **$300 fee**

THIS SECTION TO BE COMPLETED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

For County Use:

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

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



Attachment - A

OWNER'S AFFIDAVIT

STATE OF OHIO)

)ss.

COUNTY OF HAMILTON)

I (~~We~~) Christine S. Wheatley, the Vice President of Smith's Food & Drug Centers, Inc., an Ohio corporation, being duly sworn, depose and say that (I am) (~~we are~~) the owner(s) of property located at 535 Central Avenue, Los Alamos New Mexico legally described as Lot 1 Meri-Mac Village subdivision, for which (I am) (~~we are~~) requesting a Master Plan approval (special use permit, site plan, variance, zone change, subdivision, summary plat, temporary use) through the County of Los Alamos, New Mexico. Furthermore, (I) (~~we~~) hereby appoint Jeffrey Branch and Greg Gonzales of Columbus Capital, LLC as our agent to act in our behalf on all matters pertaining to this application.

Signed: X

Address: c/o The Kroger Co., 1014 Vine Street
Cincinnati, Ohio 45202

Phone: seth.brennoch@kroger.com

Subscribed and sworn to before me this 15 day of August, 2022

APPROVED SKG 08.15.22 LAW DEPT.

Notary Public: Deborah Moore

My Commission Expires: 4/24/24

NOTARIAL SEAL STATE OF OHIO

Deborah Moore
Notary Public, State of Ohio
My Commission Expires:
April 24, 2024