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. The property is commonly known as the Civilian Women's Dormitory addressed as 1725 17th Street, within the Eastern Area 3 Subdivision.

APPLICATION REZ-2024-0019

NOW COMES, the Planning and Zoning Commission ("Commission") of the Incorporated County of Los Alamos ("County"), that hereby submits the following to the County Council:

- 1. On July 10, 2024, Anthony Strain and Russell Naranjo submitted, on behalf of Los Alamos County Capital Improvements Projects and Facilities, ("Applicant"), an application ("Application") 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. The property is commonly known as the Civilian Women's Dormitory and is addressed as 1725 17th Street, within the Eastern Area 3 Subdivision. ("Property"). *See* PLANNING & ZONING COMMISSION STAFF REPORT by Desirae J. Lujan, Senior Planner (hereafter "CDD Staff Report"), Attachment D.
 - 2. The Application was assigned case number REZ-2024-0019. *Id*.
- 3. A quorum of the Commission was present at the public hearing held on August 28, 2024. 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)(b) of the County Development Code.

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- 4. Present for the Applicant was Russell Naranjo, County's Public Works Project Manager, Linda Matteson, County's Deputy County Manager, Eric Ulibarri, County Engineer, Danielle Duran, County's Intergovernmental Affairs Manager, Tom Smith, Site Manager for Manhattan Project National Historical Park, Sara Rhoton, County's Capital Projects and Facilities Manager, and Michelle Mullin, County's Architect Consultant, Mullen Heller Architecture.
- 5. Present for CDD was CDD Staff Desirae Lujan, Senior Planner for the Los Alamos County Community Development Department.
- 6. Residents within three hundred (300) feet of the property recognized as an affected party to this matter included, John Davey 1720 17th Street, Los Alamos, New Mexico; Donald Close, 1910 Spruce Street, Los Alamos, New Mexico; and Carolyn Conner, 1473 Oakwood Loop, Los Alamos, New Mexico, (collectively "Affected Parties").
- 7. Evidence received by the Commission at the public hearing included: 1) Application, including all exhibits; 2) CDD Staff Report, including all exhibits; and 3) public hearing presentation and testimony from Applicant and its witnesses, CDD Staff Lujan, and Affected Parties.
- 8. The Property's legal description is EA3 U and is located in a Single-Family Residential (SFR-4) zoning district pursuant to the County's adopted Zoning Map. *See* CDD Staff Report, Attachment D, Page 1.
- 9. As provided in the CDD Report and testimony of the Applicant, prior to the submission of the Application, in accordance with Section 16-72(b)(1) of the County Development Code, the Applicant attended a pre-application meeting with County Staff on April 1, 2024. Further, in accordance with Section 16-72(b)(2), property owners within three hundred (300) feet of the Property were mailed notice of a Neighborhood Meeting on April 28, 2024, and the Applicant held

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a Neighborhood Meeting on May 4, 2024. See CDD Staff Report, Attachment D, Page 4; see also

Testimony of Applicant at 01:09:00¹.

10. Based on the CDD Staff Report, the Application was presented to the Interdepartmental

Review Committee (IDRC") on August 1, 2024. Upon review of the Application, it was

determined by the IRDC that the rezoning application met all of the criteria and the rezone

Application along with supporting documents would move forward to the Planning and Zoning

Commission as presented. See CDD Report, Attachment D, Page 4.

11. As provided in the CDD Report and testimony of CDD Staff Lujan, notice of the public

hearing was published in accordance with Section 16-72(c)(4) of the County Development Code;

notice was published in the Los Alamos Daily Post on August 8, 2024, and notice was posted on a

street abutting the Property, visible from the street, on August 12, 2024. In accordance with Section

16-72(c)(5) of the County Development Code, notice of the proposed action and public hearing

was mailed via certified mail to the owners of real property within three hundred (300) feet of the

Property on August 8, 2024. See CDD Staff Report, Attachment D, Page 4; see also Testimony

of CDD Staff Lujan at 01:34:39.

12. The applicable review criteria in determining whether to approve, approve with conditions,

or to deny the Application (see generally §16-69(b)(2)) are found in Section 16-74(h)(3) of the

County Development Code.

13. The Commission, having received testimony and evidence of the Applicant, its witnesses,

CDD Staff Lujan, and Affected Parties, moved to approve the Application with the following

motion:

"I move to recommend that the County Council approve Case No. REZ-2024-0019, a request

from Los Alamos County Capital Projects and Facilities Division, on behalf of Los Alamos

¹ The Video for this hearing is available at <u>August 28, 2024 Planning and Zoning Commission Meeting (granicus.com)</u>.

All citations to testimony are from this video and is in Hour:Minute:Second format.

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County, property owner. Approval would amend the zone district of the Property, EA3 U, from its current Single-Family Residential (SFR-4) Zone District to the Institutional (INS) Zone District. The Property is commonly known as the Women's Dorm Building and is addressed

as 1725 17th Street, within the Eastern Area 3 Subdivision.

Approval is based on the Finding of Facts established at the hearing and conclusion that the Applicant has met the decision criteria for a Minor Zone Map Amendment pursuant to Section 16-74(h)(3) of the Los Alamos County Development Code and that the Commission is acting

under the authority granted by Section 16-69-(b)(1) of the Development Code.

I further move to authorize the Chair to sign a Final Order approving the application and

Findings of Fact and Conclusions of Law for this case, based on this decision to be prepared

by county staff."

14. The vote resulted in a three to two (3-2) vote in the affirmative for the Applicant. However,

pursuant to Section 16-72(f)(5)(b)(9), approval by the Commission requires an affirmative vote of

the majority of the members present, but no less than four, to approve the Application.

15. Pursuant to Section 16-72(f)(5)(c)(2)(iv) of the County Development Code, because the

Commission was unable to arrive at a recommendation, the Application shall be forwarded without

recommendation to the County Council for consideration.

16. Based upon the foregoing, the Commission was unable to make a recommendation to

County Council and it is being forwarded without recommendation to the County Council for

consideration.

10/16/2024

NACHEL AUIEL

Chair of the Planning & Zoning Commission for the

Incorporated County of Los Alamos