



Los Alamos County

Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date: April 10, 2024
Subject: Case No. SIT-2022-0059
Owners/Applicants: Anne Kain, Owner/Applicant
Case Manager: Sobia Sayeda, Planning Manager

Case No. SIT-2022-0059:

Anne Kain, applicant, on behalf of Century Bank, is requesting review and approval of a Site Plan application for 43,100 Sq. Ft. Gross Floor Area (28,600 Sq. Ft. Net Floor Area), four-story mixed-use building including a financial institution, a restaurant, and leased office space at 2201 Trinity Drive, Los Alamos, NM. The property, LAI 01, is within the Eastern Area 3 Subdivision, and is within Downtown Los Alamos (DTLA) Zone District.

See Attachment A: Application Packet



Figure A: Area Map



Figure B: Vicinity Map

BACKGROUND

The Property, 2201 Trinity Drive, currently a vacant lot, is located within Downtown Los Alamos (DTLA) Zone District, consists of 171,955 Sq. Ft. (3.95 acres) and has twenty-four (24) foot wide public utilities easements and ingress and egress easements to the lots on the east and the west of the subject property. **See Attachment B: Plat.** The subject lot is adjacent to existing lodging and retail businesses to the East and professional services offices to the West.

The staff has been working with the applicant since 2022. At the beginning, the site plan proposal utilized the Los Alamos County Development Code in effect in 2022, which restricted the building height to a maximum of forty-five (45) feet in the underlying base zone. As the Development Code update became effective in January 2023, the applicant chose to use the newly adopted code and propose a higher building. Therefore, the subject application and associated design is submitted and reviewed utilizing the current Code. In the past year, the staff has facilitated numerous coordination meetings between the applicant and the Public Works Department in ensuring that Grading & Drainage and Traffic Improvement studies have been completed. The complete application packet includes these documents.

SUMMARY

The applicant requests review and approval of a Site Plan application for 43,100 Sq. Ft. Gross Floor Area (28,600 Sq. Ft. Net Floor Area), four-story mixed-use building including a financial institution, a restaurant, and leased office space at 2201 Trinity Drive, Los Alamos, NM, within Downtown Los Alamos (DTLA) Zone District. Drive-through aisles to access the teller services at the bank building are proposed to be located on the east side of the building. On-site surface parking is proposed along the south side of the new structure. A refuse enclosure is proposed along the south-west side of the proposed surface parking lot.

See Attachment A: Application Packet



Century Bank - Los Alamos
Design Development

28 February 2024
Scale: As Indicated

AndersonMasonDale
Architects



Century Bank - Los Alamos
Design Development

28 February 2024
Scale: As Indicated

AndersonMasonDale
Architects



Figure D: Proposed Elevations

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

The IDRC met and reviewed the initial application on Thursday, August 18, 2022. Department of Public Utilities (DPU) relayed that the submittal was not sufficient for a Site Plan application. The Public Works (PW) Department relayed that Traffic Analysis, Grading & Drainage report and plans were required to move forward the application to Planning & Zoning Commission. Comments from DPU and PW were relayed to the applicant.

IDRC met on August 17, 2023, and reviewed a revised application utilizing the updated Development Code. DPU requested a Utility Plan indicating access to public utilities. The PW Department relayed that Traffic Analysis, Grading & Drainage report and plans that were required to move the application forward to Planning & Zoning Commission were not included in the re-submission. Comments from DPU and PW were relayed to the applicant.

IDRC met on March 14, 2024, and reviewed the final revised application for a four-story mixed-use building. Upon review of these documents by DPU and PW Department it was determined that the Site Plan application met all the criteria and the application along with supporting documents would move forward to Planning and Zoning Commission as presented.

See Attachment C: IDRC Meeting Minutes & Memo

PUBLIC NOTICE

The public hearing was noticed to be located at 1000 Central Ave, Los Alamos, NM, with an option for the public to provide comment virtually, via Zoom. The Public Notice requirements were completed in accordance with the Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Sec. 16-72-(c), which includes:

Published and Posted Notice [16-72-(c)(4)]:

- Notice published in a newspaper of general circulation within the County at least 14-calendar days before the public meeting or public hearing. **Published March 21, 2024**
- The posting of at least one sign on a street abutting the subject property – visible from the street – for at least 14-calendar days before the public meeting or public hearing. **Posted March 21, 2024**

Mailed Notice [16-72-(c)(5)]:

- Mailed notice 14-days prior to the public hearing to all owners of record as identified in the records of the County Tax Assessor or occupants of properties within 300 ft., excluding public rights-of-way, of exterior lot lines of the subject property. **Mailed March 20, 2024**

See Attachment D: Public Notices

SITE PLAN ADOPTION DECISION CRITERIA

Section 16-74(i)(4) of the Los Alamos County Development Code states that a Site Plan shall be approved if it meets all of the following criteria:

- a. ***The Site Plan substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans.***

Applicant Response:

Century Bank is pleased to develop the presently vacant lot to include an all-service bank, office space and appropriate off-street parking. The development aligns with the Comprehensive Plan's core themes to redevelop vacant and blighted areas and focus development priorities downtown. Understanding Los Alamos County's long-term goal to redevelop Trinity Drive and create a vibrant, pedestrian-friendly downtown that encourages the retention of existing businesses, the Century Bank development will provide a connection to the Canyon Rim pedestrian trail, community service space and business enhancements.

Staff Response: It is the staff's expert opinion that the development substantially conforms to the intent and policies of the Comprehensive Plan and other County policies and plans because the proposed development is a mixed-use building including a financial institution, a food establishment, and a variety of office spaces including a surface parking lot. As a result, this provides a diverse economic base in DTLA, which is an established goal within the County Comprehensive Plan to promote economic vitality. The County Council's adopted *2024 Strategic Leadership Plan* lists strategic goals and priorities – the Plan states that economic vitality encompasses the ability of the community to diversify, develop, grow, and sustain the many elements necessary for a local economy to flourish. Providing a full-service financial institution, a food establishment, and a variety of office spaces within the building encourages economic vitality and assists in opportunities for growth in DTLA.

- b. ***If the subject property is within an approved Master Plan, the Site Plan is in conformance with any relevant standards in the Master Plan.***

Applicant Response:

The subject property does fall within an approved Master Plan. Per the Los Alamos Downtown Master Plan executive summary, the subject property is highlighted as a redevelopment opportunity and targeted for mixed-use development.

Per the Master Plan Table 9 Downtown Los Alamos Development Standards Recommendations the proposed site plan provides a sidewalk along the rights-of-way, all off-street parking is placed to the south of the building to avoid the placement of parking between building and sidewalk edge. Parking counts have been reduced by the downtown district reductions.

The building design is compliant with the urban design standards to activate the ground level elevations; providing 30% glazing, a north public entrance that faces Trinity, and less than 100' of building façade without a change in elevation plane. Landscaping has been provided to 4 trees per parking stall, and a maximum of 25' on center along the Trinity drive sidewalk.

Staff Response: It is the staff's expert opinion that this criterion has been met because the subject property is located within Downtown Los Alamos Master Plan that was

approved in October 2022. The proposed development complies with all requirements of DTLA design standards per Chapter 16, Los Alamos County Code.

- c. ***If the subject property is within an approved PD zone district, the Site Plan is consistent with any applicable terms and conditions in any previously approved PD zoning covering the subject property and any related development agreements and/or regulations.***

Applicant Response:

Per the Los Alamos Development Code 2-5(B)(II) Designated PD-O Districts, Los Alamos Townsite map, the subject property is not within an approved PD zone district.

Staff Response: Staff confirms that the subject property is not within an approved PD zone district.

- d. ***The Site Plan is in conformance with all applicable provisions of this Code and other adopted County regulations.***

Applicant Response:

Building setbacks and primary building height are noted on the site plan and exterior elevations and are in conformance with the Los Alamos Development Code, Table 16: DTLA Dimensional Standards. Off-street parking is provided on the subject property in compliance with Section 16-6 (c)(3)(d) Off-street Parking. The surface parking lot is located behind the primary building, with access to the lot from secondary drives. Shared parking, proximity to transit and DTLA zone parking reductions per Section 16-30, Table 29 and Table 30, have been accounted for in our parking calculations. Accessible parking spaces per Section 16-29, Table 28, have been provided in the surface parking lot.

Landscaping along the portion of the lot that abuts the public street has been designed in accordance with Section 16-39 (e). Landscaping has been designed in compliance with Section 16-39 (a) and Table 365 Minimum Plant Material and Standards.

The lighting plan and photometrics illustrate conformance with property line light trespass illuminance limits, total allowable site lumens & individual luminaire limits.

Grading and drainage plans have been completed and pre-application meetings have been held with the design team and Los Alamos County. Feedback has been gathered and reflected in the grading & drainage drawings. Full site grading and drainage report and drawings will be completed and submitted prior to commencement of Phase 2 construction.

Staff Response: It is the staff's expert opinion that this criterion has been met because:

- **USE** – The Proposed mixed-use building including financial institution, a restaurant, and leased office space meets all provisions of DTLA design standards. The proposed site plan meets the dimensional standards of the district including setbacks, lot coverage, and building height.
- **LIGHTING** – Section 16-33(g)(1) states that the lighting provided for off-street parking facilities shall meet the standards of Division 6. Outdoor Lighting. The proposed lighting plan is in conformance with all applicable lighting standards of Chapter 16, Los Alamos County Development Code.
- **LANDSCAPING** – Division 4. Landscaping and Screening requirements ensure visually attractive and sustainable landscapes that enhance the county's overall appearance and applies to new construction of multi-family, mixed use, or non-

residential structures. The proposed Landscape Plan conforms to all requirements of Division 4 of Chapter 16, Los Alamos County Development Code.

- The proposed development meets the requirements of Sec. 16-6-(c)(3) DTLA Zone District Standards. Streetscape Design has been reviewed by the County Engineer and Public Works Department and is consistent with the existing adjacent street frontage zone treatment. This ensures a cohesive streetscape treatment for vehicles and pedestrians, including accessible routes along Trinity Drive.
 - The proposed landscape plan as submitted meets the requirements of Sec. 16-6-(c)(3) DTLA Zone District Standards and provides wide sidewalks at entrances to buildings and extending to the boundaries of the development for ease of pedestrian movement.
 - Landscaping per Section 16-39(a) is required to be a minimum of 10% of the net site area, or 53,600 square feet. This requirement has been exceeded: 19% (10,617 Sq. Ft.) of the net site area will be landscaped. The perimeter of the development will be given to landscaping, streetscape, and screening. Landscaping and screening are required in the front setback area. On-site street trees and landscape areas are provided on the Trinity Drive entrance to the site.
 - The proposed landscape narrative describes sustainable landscape methods for waterwise drip irrigation, stormwater management, native plant materials, and maintenance.
- **PARKING STANDARDS:** Division 3. Off-Street Parking, Loading, and Queuing provides adequate, convenient, and safe off-street parking and loading areas. The proposed development is designed to meet parking requirements for DTLA. Furthermore, the dimensions for 60-degree and 90-degree stalls, and aisle width, comply with parking standards as listed in Table 32 of Chapter 16, Los Alamos County Development Code.

- e. ***The County's existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trails and sidewalks have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated in compliance with the County's construction standards to the maximum extent practicable.***

Applicant Response:

Utilities are available adjacent to the site and have adequate capacity to serve the project. Existing utilities within the new building footprint will be relocated to maintain the integrity of the County Public Utilities. There are existing public sidewalks along Central Ave and Trinity. The site design will include connections to the public sidewalks and the larger county trail network.

Staff Response: It is the staff's expert opinion that this criterion has been met because the development meets all requirements of the Department of Public Utilities as discussed during IDRC review. Sidewalks are proposed within the development to connect with existing sidewalks along Central Avenue and Trinity Drive.

- f. ***The Site Plan mitigates any significant adverse impacts to properties within the vicinity to the maximum extent practicable.***

Applicant Response:

Primary access to the site will be from a signalized intersection at Trinity. Two secondary access driveways are provided from Central. The western Central driveway aligns with 9th St and provides access to the second level of the parking structure. The eastern Central driveway provides access to surface parking east of the retail portion of the project. Existing vehicle circulation along the south side of the development will be maintained.

Vehicle circulation provides adequate turning radii for passenger, emergency and refuse vehicles. A traffic study being prepared by the applicant is currently in process. We understand approval of the traffic study is a condition of approval.

Staff Response: It is the staff's expert opinion that this criterion has been met because the proposed development of a mixed-use building including multi-family residential units and a parking garage will not have adverse effects on properties within the vicinity as this development provides a variety of uses that are compatible with the surrounding area. The Fire Department has reviewed the layout for required widths of proposed ingress, egress, and access. The County Engineer has reviewed grading and drainage plans and Traffic Improvement Analysis for the proposed development, and it was determined that the proposed design meets all the County Code requirements.

- g. Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the Comprehensive Plan. A fee may be paid as approved by County Council to accomplish the purpose of the Comprehensive Plan in lieu of the development of tot lots or neighborhood parks.***

Applicant Response:

The site plan complies with landscape and open space requirements in the Los Alamos Development Code and provides neighborhood spaces in the following ways:

1. A safe and secure "tot lot" is to be provided at the podium level of the residential building to be used by the residential community. Refer to "Phase 1 Site Plan" for proposed location.
2. The proposed "Main St." connecting Central and Trinity can be easily closed to vehicular traffic allowing community events such as farmers markets and outdoor functions.

The street along with the landscaped sidewalk and café space to also function as an outdoor urban space for the neighborhood.

Staff Response: It is the staff's expert opinion that this criterion has been met because the proposed development includes a tot lot and other community gathering spaces within the development.

DRAFT MOTION¹

Motion Option 1:

I move to **approve** Case No. SIT-2022-0059, a request for site plan approval for 43,100 Sq. Ft. Gross Floor Area (28,600 Sq. Ft. Net Floor Area), four-story mixed-use building including a financial institution, a restaurant, and leased office space at 2201 Trinity Drive, Los Alamos, NM. The property, LAI 01, is within the Eastern Area 3 Subdivision, and is within Downtown Los Alamos (DTLA) Zone District. Approval is based on the Findings of Facts established at the hearing and conclusion that the Applicant has met the decision criteria for Site Plan adoption within Section 16-74(i)(4) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-69(b)(2) 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.

Motion Option 2:

I move to **deny** Case No. SIT-2022-0059, a request for site plan approval for 43,100 Sq. Ft. Gross Floor Area (28,600 Sq. Ft. Net Floor Area), four-story mixed-use building including a financial institution, a restaurant, and leased office space at 2201 Trinity Drive, Los Alamos, NM. The property, LAI 01, is within the Eastern Area 3 Subdivision, and is within Downtown Los Alamos (DTLA) Zone District. Denial is based on the Applicant failing to demonstrate that the application meets the Site Plan adoption decision criteria within Section 16-74(i)(4) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-69(b)(2) of the Development Code.

FINDINGS OF FACT²

1. *On February 28, 2024, Anne Kain, applicant, on behalf of Century Bank, is requesting review and approval of a Site Plan application for 43,100 Sq. Ft. Gross Floor Area (28,600 Sq. Ft. Net Floor Area), four-story mixed-use building including a financial institution, a restaurant, and leased office space at 2201 Trinity Drive, Los Alamos, New Mexico (“Property”).*
2. *Pursuant to Los Alamos County Development Code, 16-74-(i) and 6-72-(f), new development within the county requires site plan approval.*
3. *The Property’s legal description is LAI 01, is within the Eastern Area 3 Subdivision, and is within Downtown Los Alamos (DTLA) Zone District pursuant to the County’s adopted Zoning Map. According to the Code a mixed-use building is a permitted use.*
4. *Century Bank, is the legal owner of the subject property commonly referred to as 2201 Trinity Drive and Anne Kain, applicant, is the legal owner of the subject property.*
5. *The application was assigned as Case No. SIT-2022-0059.*
6. *As provided in the CDD Report and per testimony of CDD staff Sobia Sayeda, notice of the public hearing was published in accordance with Section 16-72-(c) of the County Code, as notice was published in the Los Alamos Daily Post on March 21, 2024, notice of the proposed action and public hearing was mailed via U.S. Mail to owners of real property within three-hundred (300) feet of the Property on March 20, 2024, notice as posted on the subject property on March 20, 2024.*

¹ The Commission may recommend conditional approval as determined during the hearing.

² The Findings and Conclusion of Law provided are draft and may be expanded on and amended after the public hearing to represent the facts presented, the Commission’s decision, and the basis for their action.

7. *Based on the CDD Staff Report and per testimony of CDD Staff Sayeda, the Application was presented to the Interdepartmental Review Committee (“IDRC”) on August 18, 2022; August 17, 2023; and March 14, 2024. Further documents required by IDRC members were reviewed and approved between August 18, 2022; and March 28, 2024.*
8. *The County Code identifies the adoption of a Site Plan as a Quasi-Judicial decision where the Planning and Zoning Commission shall conduct a public hearing pursuant to Section 16-72-(f)(5) and agrees that the decision criteria within Section 16-74-(i)(4) has been met by the Applicant:*
 - a. *The site plan presented substantially conforms to the intent and policies of the Comprehensive Plan and other adopted county policies and plans as demonstrated by the Applicant during their testimony and supported by CDD staff.*
 - b. *The Property was found to be located within an approved Master Plan.*
 - c. *The Property was found to not be within an approved PD zone district.*
 - d. *The site plan, through sworn testimony, presented that it is in conformance with all applicable provisions of the Development Code and other adopted county regulations.*
 - e. *The site plan was shown to have adequate infrastructure capacity to serve the proposed development.*
 - f. *The site plan demonstrated that it will not have significant adverse impacts to the properties within the vicinity.*
 - g. *A site plan provides a tot lot and/or neighborhood park.*
9. *The public hearing was held in-person on April 10, 2024, within the Los Alamos County Municipal Building, Council Chambers, with a virtual option for public participation.*
10. *The public meeting was opened to receipt and cross-examination of testimony taken under oath or affirmation.*

CONCLUSIONS OF LAW

After full hearing and consideration, the Planning and Zoning Commission finds that the Applicant has met each applicable decision criteria contained in Section 16-74-(c)(4) of the Los Alamos County Development Code and is acting under the authority granted it by Section 16-69(b)(2) of the Development Code.