

MINUTES

Planning and Zoning Commission



April 10, 2024 – 5:30 P.M.

*Virtual participation for this meeting was made available via Zoom.
The proceeding can be viewed at <http://losalamos.legistar.com/Calendar.aspx>*

1. CALL TO ORDER / ROLL CALL

Chair Adler called the meeting to order at 5:32 PM. Roll call was administered. A quorum was present.

Members Present:

Rachel Adler*, Chair
Stephanie Nakhleh, Vice Chair
Benjamin Hill, Commissioner
David Hampton, Commissioner
Karen Easton, Commissioner
Katherine Bruell, Commissioner
Rebecca White, Commissioner

Members Absent:

None.

Staff Present:

Paul Andrus*, Community Development Director
Sobia Sayeda, Planning Manager
Desirae J. Lujan, Associate Planner
Katie Thwaites, Deputy County Attorney
Larissa Breen, Assistant County Attorney
Ubaldo Barela, Management Analyst

Council Liaison:

David Reagor -Absent

** Attended virtually via Zoom*

2. PUBLIC COMMENT

None.

3. APPROVAL OF AGENDA

A motion was made by Commissioner Easton, to approve the agenda as presented. Commissioner Hill seconded. The motion passed unanimously.

4. PLANNING AND ZONING COMMISSION BUSINESS

A. Approval of the March 27, 2024, Planning and Zoning Commission Meeting Minutes

A motion was made by Commissioner Bruell to approve the March 27, 2024, Planning and Zoning Commission Meeting Minutes as presented. Seconded by Commissioner Nakhleh. The motion passed unanimously.

5. PUBLIC HEARING(S)

- A. CASE NO. SIT-2022-0059. Anne Kain, applicant, on behalf of Century Bank, is requesting site plan approval for the construction of a 4-story, 28,600 sq.ft. mixed-use building that would provide a financial institute, 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 within the Downtown Los Alamos (DTLA) zone district.**

Chair Adler opened the case and explained the meeting procedures. Commissioner Easton recused herself from the case. Parties were identified and those expected to give testimony were sworn in:

*Anne Cain, Century Bank Senior Vice President
John Graham, Anderson Mason Dale Architects Principal
Jason Deithloff, Walker Engineering EIT
Adra Carr, 44 Los Arboles Drive, Los Alamos, NM
Sobia Sayeda, Los Alamos County Planning Manager*

Chair Adler polled the Commission for potential Conflicts of Interest or ex-parte communication. Commissioner Easton recused herself from the case.

Anne Kain, applicant, on behalf of Century Bank, presented a request for site plan approval for the construction of a 4-story, 28,600 sq. ft. mixed-use building.

John Graham, Anderson Mason Dale Architects Principal, presented the proposed construction at 2201 Trinity Drive, Los Alamos, NM.

Commissioner Nakhleh questioned the coffee shop to be located at 2201 Trinity Drive, the future use of the remaining lot area, and the occupiable roof. Anne Cain highlighted the potential uses of the lot.

Commissioner Bruell asked about the trail easement for a 20-foot condition. Anne Cain and John Graham referenced the proposed site to find the trail easements. Sobia Sayeda, Planning Manager, stated that the easement is irrelevant to the current proposal and references an earlier proposal.

Commissioner Hill questioned the habitability of north-side roof seating. Anne Cain said they would consider Commissioner Hill's feedback in the future.

Commissioner White asked about the stormwater detainment chamber. Jason Deithloff, Walker Engineering EIT, stated that the water in the chamber percolates through the soil.

Adra Carr, 44 Los Arboles, asked if the back portion of the lot could be split. Anne Cain, Century Bank, stated that a lot split may be done.

Sobia Sayeda presented the staff's report regarding SIT-2022-0059.

Adra Carr, 44 Los Arboles, commented on the extension of the Canyon Rim Trail.

Chair Adler closed the public hearing to receipt of evidence, and the Commission discussed each decision criteria and agreed that they have been met.

Commissioner White moved 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.

Approval is based on the Findings of Facts established at the hearing and conclusion that the Applicant has met the decision criteria for Preliminary Plat adoption within Section 16-74(a)(3) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-72-(f)(2)(a) of the Development Code.

Commissioner White further moved to authorize the Chair to sign a Final Order approving the application and Findings of Fact and Conclusion of Law for Case SIT-2022-0059, based on this decision to be prepared by county staff.

Seconded by Commissioner Nakhleh. The motion carried a 6-0 vote.

For:

Benjamin Hill
Rachel Adler
David Hampton
Rebecca White
Katherine Bruell

- B. Stephanie Nakhleh CASE NO. VAR-2024-0002. Eric Morrison and Casey Shoemaker, Applicants, Property Owners, are requesting a variance from the Residential-Mixed (RM-1) zone district dimensional standards to construct a 23'X25' (575 sq.ft.) attached carport at 1152 41st Street, Los Alamos, NM. Approval would allow the carport to project a maximum of 95% (19') into the required 20' front setback, and 33% into the required 5' (1'-8") interior side setback on the east. The property, WA1 300, is within the Western Area 1 Subdivision, and the Residential-Mixed (RM-1) zone district.

Chair Adler opened the case and explained the meeting procedures. Parties were identified and those expected to give testimony were sworn in:

Eric Morrison, 1152 41st Street
Desirae Lujan, Los Alamos County Associate Planner
Miguel Hoffman, 1170 41st Street

Chair Adler polled the Commission for potential Conflicts of Interest or ex-parte communication. None were disclosed.

Eric Morrison, the applicant, presented to the Commission the request for a variance from the Residential-Mixed (RM-1) zone district dimensional standards to construct a 23'X25' (575 sq.ft.) attached carport at 1152 41st Street, Los Alamos, NM.

Commissioner Hampton asked about the objection to using the 40%+15% recommendation for construction. He also asked about the construction time of the comparable carport used as an example in Mr. Morrison's presentation. Mr. Morrison stated that the carport was constructed on 08/11/1993 through the Planning and Zoning Commission.

Commissioner Hampton asked if the sloped driveway would be considered an unusual sight condition.

Commissioner White asked Mr. Hoffman about his thoughts on the constraint being put on his property by the proposed carport construction at 1152 41st Street. Mr. Hoffman, 1170 41st Street, stated that he has no objections to the construction of the carport.

Commissioner Bruell questioned the length of the carport compared to the size of the applicant's vehicle.

Commissioner White referenced a diagram on Page 124 of Attachment A.

Desirae Lujan, Associate Planner, presented the staff's report regarding VAR-2024-0002.

Commissioner Hill commented on Criteria B stating that the proposed variance may undermine the code allowing more residents to obtain a variance in the neighborhood. Ms. Desirae Lujan responded stating that each case would be presented on a case-to-case basis.

Commissioner Hill questioned the ability to inform future property owners of the variance that is being proposed if approved by the Planning and Zoning Commissions. Larissa Breen responded with feedback on the question.

Commissioner Bruell asked about the possible constraint being put on the adjacent property.

Commissioner White asked about the suggestion to bring the east side of the carport in and how it affects drainage.

-- Meeting recessed and reconvened at 8:20 PM --

Commissioner Hampton moved to approve Case No. VAR-2024-0002, a variance request from the Development Code, Residential-Mixed (RM-1) zone district dimensional standards, for the construction of a 23'X25' (575 sq.ft.) attached carport at 1152 41st Street, Los Alamos, NM. Approval is conditioned to include a revised letter from the property owner of 1170 41 Street, as indicated in the IDRC Minutes. Approval allows the carport to project a maximum of 95% (19') into the required 20' front setback, and 33% into the required 5' (1'-8") interior side setback on the east. The property, WA1 300, is within the Western Area 1 Subdivision, and the Residential-Mixed (RM-1) zone district.

Approval is based on the Findings of Facts established at the hearing and the conclusion that the Applicant has met the decision criteria for Variance within Section 16-74(g)(3) of the Los Alamos County Development Code and that the Commission is acting under the authority granted by Section 16-69(b)(2)(j) of the Development Code; he further moved 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.

Seconded by Commissioner Nakhleh.

Chair Adler proposed a Friendly Amendment to the motion to ensure that the revised letter referred to be the same one mentioned in the IDRC meeting minutes (Attachment B). The Friendly Amendment was accepted.

Commissioner Bruell and Commissioner Hill questioned how the application met Criteria D.

The motion carried a vote of 6-1.

For:

Rachel Adler
David Hampton
Rebecca White
Katherine Bruell
Stephanie Nakhleh
Karen Easton

Against:

Benjamin Hill

6. COMMISSION/DIRECTOR COMMUNICATIONS

A. Department Report

Paul Andrus announced the promotion of Desirae Lujan to Senior Planner and the opening of a new planning position.

B. Chair's Report

Chair Adler congratulated Desirae Lujan on her promotion.

C. Council Liaison's Report

None.

D. Commissioners' Comments

Commissioner Hampton shared updates on the April 9, 2024, Council Meeting and asked about a future agenda item regarding Tony Jordan's presentation.

Commissioner White asked for an update on the presentation from Tony Jordan.

7. PUBLIC COMMENT

None.

8. ADJOURNMENT

8:58 pm