

Los Alamos County

Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date:	July 22, 2020
Subject:	Case No. SIT-2020-0048
Owners/Applicants:	Rick Brenner, Property Owner/Paul Mifsud, Applicant
Case Manager:	Ryan Foster, AICP, Principal Planner

Case No. SIT-2020-0048:

A request for Site Plan approval for changed use of an existing building, located at 557 Oppenheimer Drive, Subdivision Timber Ridge 2, tract A, lot 2. The proposed re-development will consist of remodeling 3,000 square feet from office to residential in an existing building, zoned Mixed-Use (MU).

Exhibit A



Case No. SIT-2020-0048, Motion Option 1:

I move to **approve** Case No. SIT-2020-0048 — request for Site Plan approval for remodeling 3,000 square feet from office to residential in an existing building, located at 557 Oppenheimer Drive. Approval is based on the reasons stated within the staff report and per testimony entered at the public hearing, subject to the following condition(s):

1. Sprinkler system needs to be operational and approved on the first floor by the FMO before construction begins.

I further move to authorize the Chair to sign Findings of Fact for this case and, based on this decision, to be prepared by County staff.

Case No. SIT-2020-0048, Motion Option 2:

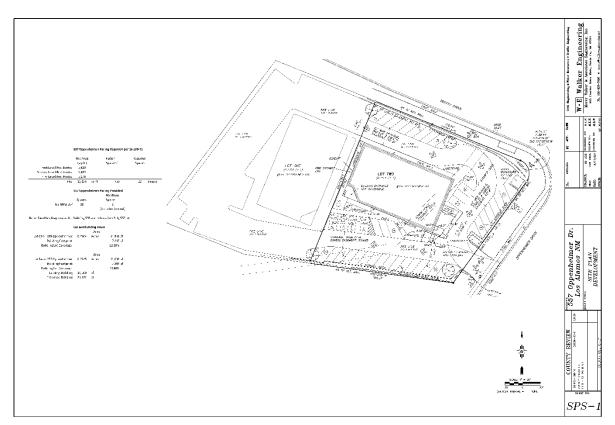
I move to **deny** Case No. SIT-2020-0048 — request for Site Plan approval remodeling 3,000 square feet from office to residential in an existing building, located at 557 Oppenheimer Drive. Denial is due to the proposal failing to meet the Los Alamos County Code of Ordinances, Chapter 16 — Development Code review criteria within §16-152A, for the following reasons:

1. ...

SUMMARY AND HISTORY

In 2018 a rezoning and subsequent site plan was approved from professional office (P-O) to mixed-use (MU). On May 12, 2020 a certificate of approval was issued for SIT-2020-0044, a request to amend the parking and landscaping approved on the 2018 Site Plan for 557 Oppenheimer Drive. The Exhibit B (below) illustrates the site plan showing the footprint of the existing building at 557 Oppenheimer Drive.

Exhibit B



Interdepartmental Review Committee (IDRC) REVIEW

On June 25, 2020, the IDRC reviewed the application and approved to move the Site Plan application forward to the Planning and Zoning Commission with two conditions that must be met before the July 22, 2020 hearing date.

IDRC Conditions

The following comments are regarding the interdepartmental review of the site plan application:

1. Per Public Works and Fire Department:

Indicate on the site plan whether the traffic circulation is one-way and provide evidence of an access agreement around 557 and 555 Oppenheimer. If two-way circulation is proposed, circulation and parking lot design standards must be met.

 <u>Per Fire Department:</u> Sprinkler system needs to be operational and approved on the first floor by the FMO before construction begins.

Additional IDRC Comments

- 1. <u>Per Planning Division</u>: Provide parking calculations for the proposed ground floor residential use (the site plan currently has the parking calculations for commercial on the ground floor) on the site plan sheet.
- 2. <u>Per Planning Division</u>: Provide a current signed parking and access agreement since 555 and 557 Oppenheimer are sharing parking and access.
- 3. <u>Per Building Division:</u> Request all floor plans with the residential units identified.
- 4. <u>Per Department of Public Utilities:</u> As part of the building permit review the applicant must provide a revised electric load and gas load that reflects the final configuration of the building after the modifications. We will need this to evaluate if the existing gas and electric metering and service are adequate or will need modification.

Planning Division, Community Development	Ryan Foster, Principal Planner	۷
Building Division, Community Development	Michael Arellano, Chief Building Official	X
Planning Division, Community Development	Margaret Ambrosino, Senior Planner	X
Traffic & Streets Division, Pubic Works	Juan Rael, Traffic and Streets Mgr.	۷
Department of Public Utilities	James Alarid, Deputy Utility Manager	۷
Fire Department	Wendy Servey, Fire Marshal	۷
Environmental Services, Public Works	Angelica Gurule, Environmental Services Manager	۷

VOTING MEMBERS IN ATTENDANCE

PUBLIC NOTICE

Notice of this public hearing has been given per the requirements of the Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-192 (a), and included: U.S. mail to owners of real property within 100 yards (300') of the subject property as shown in Exhibit 3; publication in the Los

<u>Alamos Daily Post</u> (published 7/2/20), the County's official newspaper of record; and posting at the Los Alamos County Municipal Building.

SITE PLAN REVIEW CRITERIA

Section 16-152A of the Los Alamos County Development Code states that during the course of the review of any Site Plan, the Planning and Zoning Commission shall utilize the following criteria in making its determination of approval, conditional approval or denial:

(a) The site plan shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.

<u>Applicant Response:</u> The building site has existed for many years. The plan was recently updated and approved by Los Alamos County. There will be no changes or additions to the exterior of the building.

<u>Staff Response</u>: The proposed site plan substantially conforms to the Comprehensive Plan in the following ways:

- Housing Goals (p.62):
 - Provide a variety of housing types, sizes, and densities.
 - Promote development of housing stock that would accommodate downsizing households.
- Housing Policy Economic Vitality (p.62):
 - Promote expanding the housing supply to meet the demand from employment growth and support economic diversification.
- Housing Policy Land Use (p.63):
 - Encourage new housing developments in proximity to workplaces.

(b) Ingress, egress, traffic circulation and parking on the site shall be accomplished with safety for motorists, bicyclists and pedestrians. Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.

<u>Applicant Response</u>: The building parking, ingress, egress, traffic circulation has existed for many years including the access to Oppenheimer Drive. There will not be any changes to the items of concern noted above. However, the change to residential will result in a reduced traffic count and reduced parking needs. This is especially true during the normal working hours when, in fact, there will be fewer cars in the 557 Oppenheimer parking lot.

<u>Staff Response</u>: Off-street parking has been provided in accordance with Section 16-579. According to those specifications, the total amount of parking spaces required is 22, of

Location	Net Usable Area	ADA Required	Total Spaces Required		
557 Oppenheimer Dr	16,156 SF approximately	1	22		
	Total Required Parking Spaces:	1	22		
	Total Provided Parking Spaces:	4	38		

which one (1) is required to be an ADA space. The site plan exceeds the parking requirements by providing a total of 38 parking spaces; 34 standard spaces and 4 ADA spaces.

Ingress and egress to the property remains unchanged, with one-way traffic circulation around 557 and 555 Oppenheimer Dr as indicated on the site plan.

There are three conditions and comments by the Interdepartmental Review Committee (IDRC) related to these criteria:

- <u>Condition #1 Per Public Works and Fire Department:</u> Indicate on the site plan whether the traffic circulation is one-way and provide evidence of an access agreement around 557 and 555 Oppenheimer. If two-way circulation is proposed, circulation and parking lot design standards must be met.
- <u>Comment #1 Per Planning Division</u>: Provide parking calculations for the proposed ground floor residential use (the site plan currently has the parking calculations for commercial on the ground floor) on the site plan sheet.
- <u>Comment #2 Per Planning Division:</u> Provide a current signed parking and access agreement since 555 and 557 Oppenheimer are sharing parking and access.

A current signed parking agreement is no longer required, the applicant indicated that parking spaces will not be shared.

(c) The necessary provisions shall be made for controlling stormwater drainage on-site and offsite as required by the county engineer in accordance with the county's storm drainage construction standards or such other ordinances or storm water management plans as may exist.

<u>Applicant Response</u>: The building including stormwater drainage has existed for many years. No additional impervious surface shall be installed as a part of this proposed work, which is changing the first floor to a residential use. No additional utilities will be required as a result of the residential use on the first floor.

<u>Staff Response:</u> There are no proposed changes for these criteria.

(d) The necessary easements shall be provided for both existing and proposed utilities, on-site and off-site. No existing easement shall be terminated without provision of alternate service, and all new services shall be provided.

<u>Applicant Response</u>: All utilities exist and are within easements as depicted in the plat for the property.

<u>Staff Response:</u> There are no proposed easement changes.

(e) The site plan shall include a conceptual landscape plan that will enhance the site and immediate vicinity and provide adequate screening and buffering, if appropriate, between properties. The final landscape plan shall conform to the requirements set forth in sections 16-574 and 16-575.

<u>Applicant Response</u>: The existing landscape has recently been upgraded and approved by Los Alamos County. The landscaping is connected to an irrigation system and is being well maintained.

<u>Staff Response</u>: The applicant has an approved landscape plan and no changes are associated with this site plan application.

(f) Parking lots, outside storage areas, outside mechanical equipment and outdoor lighting shall be designed to serve the intended use of the development while minimizing adverse impacts adjacent properties or public right-of-way.

<u>Applicant Response:</u> All of the noted issues have been addressed and comply with applicable ordinances. No changes will be required. New condensing units will be placed at grade and screened.

<u>Staff Response</u>: No changes for outdoor lighting are proposed in this site plan application. Parking lot lighting standards and additional outdoor lighting shall be in accordance with Sec. 16-276.

(g) The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall conform with, or if improvements are required, shall be made to conform with the requirements of the county's construction standards.

<u>Applicant Response</u>: All services and facilities conform requirements of the Los Alamos County standards and were upgraded recently to accommodate the remodel of the building, and this work was reviewed and approved. No changes are planned.

<u>Staff Response</u>: There are no proposed changes to a utilities plan in this site plan application. There is a comment by the Interdepartmental Review Committee (IDRC) in order to meet these criteria:

- Comment #3 Per Department of Public Utilities: As part of the building permit review the applicant must provide a revised electric load and gas load that reflects the final configuration of the building after the modifications. We will need this to evaluate if the existing gas and electric metering and service are adequate or will need modification.
- (h) Structures, site grading, and all other aspects of the development shall meet all applicable design standards or guidelines, as may be adopted and made a part of this code, and shall preserve, to the extent practical, outstanding topographical features and natural amenities on the site.

<u>Applicant Response</u>: The structures, site grading, and all other related aspects of the development exist.

<u>Staff Response:</u> There are no proposed changes for these criteria.

(i) Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the adopted 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. <u>Applicant Response</u>: These concerns were address recently as a part of the recent remodel of the building.

<u>Staff Response</u>: The applicant has an approved landscape plan and no changes are associated with this site plan application.

STAFF RECOMMENDATION

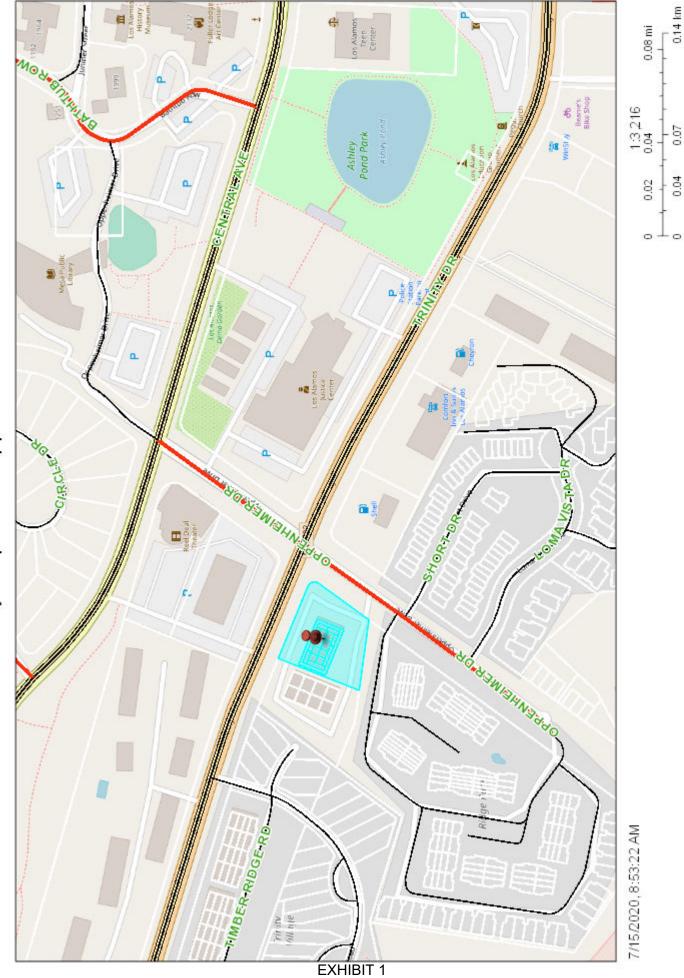
Staff has applied the applicable review criteria for a Site Plan and recommends approval for the change from office to residential in an existing building, located at 557 Oppenheimer Drive.

FINDINGS OF FACT

- The Site Plan application is a request for remodeling the ground floor from office to residential in an existing building located at 557 Oppenheimer Drive, zoned Mixed-Use (MU).
- The Site Plan review criteria, Section 16-152A, has been applied and was met.
- Notice of this public hearing, setting forth the nature of the request, the specific parcel of
 property affected, and the date, time and place of the public hearing, was announced and
 published in <u>The Los Alamos Daily Post</u>, the official newspaper of record; and property owners of
 real property located within 100 yards of the subject property were notified of this public hearing
 by U.S. mail, all in accordance with the requirements of §16-192 of the Los Alamos County
 Development Code.

EXHIBITS

- Exhibit 1: Vicinity Map
- Exhibit 2: Application Submittal- Site Plans
- Exhibit 3: Notification Map- 100 yards (300') from site location
- Exhibit 4: IDRC Conditions and Comments



Vicinity Map - 557 Oppenheimer Dr.

Web AppBuilder for ArcGIS Map data © OpenStreetMap contributors, CC-BY-SA

© OpenStreetMap (and) contributors, CC-BY-SA



SITE PLAN APPLICATION

Los Alamos County Community Development Department 1000 Central Ave, Suite 150, Los Alamos NM 87544

(505) 662-8120

Address and Use of Property to which the application applie	25:
557 Oppenheimer Drive, Los Alamos	
Current Use: Vacant Other: Existing Mixed Use Buildi	ng
Zoning District: MU Acreage: 7125 Lot Coverage	23.6% Related Applications (if any):
APPLICANT (Unless otherwise specified, all communication r	egarding this application shall be to Applicant):
Name: Paul Mifsud, Architect Phone: 505	982 8363Cell #:
Please Print	
Company Name: Mifsud Associates Architects	
Address: 1700 A Paseo de Peralta SANTA FE NM	Email: sfarchitect@comcast.net
PAN	
SIGNATURE	<u>6-18-20</u> DATE
Contraction of the second se	DATE
PROPERTY OWNER	Check here if same as above
Name: Los Alamos Prof. Investment Partnership, LLC Phone: 505	216 1618 Coll #
Name: Los Alamos Prof. Investment Partnership, LLC Phone: 505 Please Print	216 1618Cell #:
	216 1618Cell #: Email: info@lenastreetlofts.com
Please Print	
Please Print Address: <u>PO Box 9146, Santa Fe, NM 87504</u>	Email: info@lenastreetlofts.com
Please Print Address: <u>PO Box 9146, Santa Fe, NM 87504</u> Owner's Address	Email: info@lenastreetlofts.com
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SITE PLAN REVIEW CRITERIA

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-152A establishes the following criteria for recommendation by IDRC, or for determination by the CDD Director or P&Z. of approval, conditional approval or denial of the application. Please review each of the criteria listed and provide short comments on how your application meets the criteria in the space provided. (Attach additional sheets if needed.)

(a) The site plan shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.

The building site plan has existed for many years. The plan was recently updated and approved by Los County. There will be no changes or additions to the exterior of the building.

(b) Ingress, egress, traffic circulation and parking on the site shall be accomplished with safety for motorists, bicyclists and pedestrians. Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.

The building, parking, ingress, egress, traffic circulation has existed for many years including the access to Oppenheimer Drive.

There will not be any changes to the items of concern noted above. However, the change to residentail will result in a reduced traffic count and reduced parking needs. This is especially true during the normal working hours when, in fact, there will be fewer cars in the 557 Oppenheimer parking lot.

(c) The necessary provisions shall be made for controlling stormwater drainage on-site and off-site as required by the county engineer in accordance with the county's storm drainage construction standards or such other ordinances or storm water management plans as may exist.

The building including stormwater drainage has existed for many years. No additional impervious surface shall be installed as a part of this proposed work, which is changing the first floor to a residential use.

No additional utilities will be required as a result of the residential use on the first floor.

(d) The necessary easements shall be provided for both existing and proposed utilities, on-site and off-site. No existing easement shall be terminated without provision of alternate service, and all new services shall be provided.

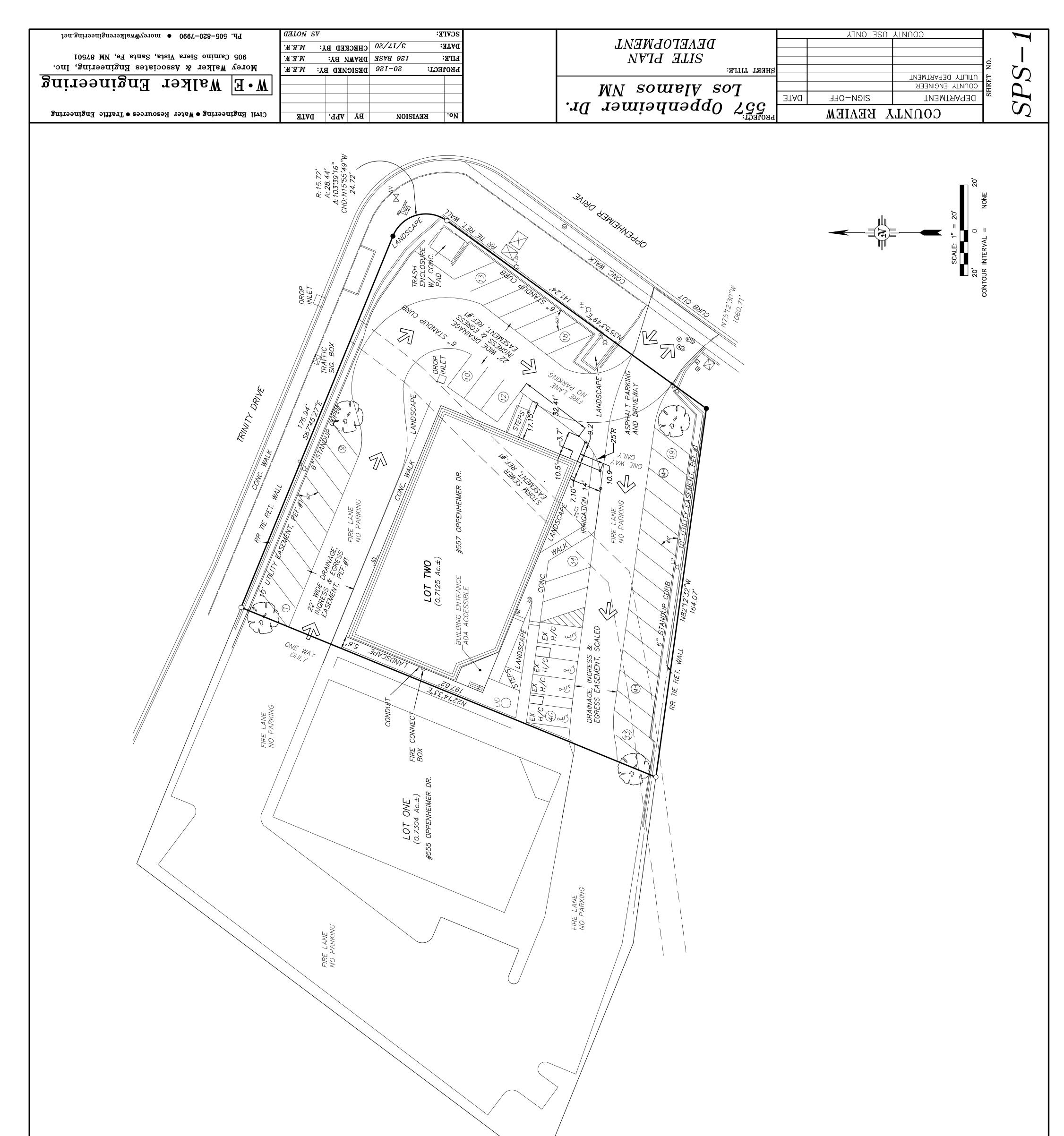
All utilities exist and are within easements as depicted in the plat for the property.

Revised: 1/26/16

The site plan shall include a conceptual landscape plan that will enhance the site and immediate vicinity (e)and provide adequate screening and buffering, if appropriate, between properties. The final landscape plan shall conform to the requirements set forth in sections 16-574 and 16-575. The existing landscape has recently been upgraded and approved by Lee Alames County. The landscaping is connected to an irrigation system and is being well maintained. (f) Parking lots, outside storage areas, outside mechanical equipment and outdoor lighting shall be designed to serve the intended use of the development while minimizing adverse impacts on adjacent properties or public rights-of-way. 5 All of the noted issues have been addressed and comply with applicable ordinances No changes will be required. New condensing units will be placed at grade and screened. The capacity of those public services and facilities required to serve the proposed development (including (g)but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall conform with, or if • improvements are required, shall be made to conform with the requirements of the county's construction standards. All services and facilities conform requirements of the Los Alamos County standards and were upgraded recently to accommodate the remodel of the building, and this work was reviewed and approved. No changes are planned. (h) Structures, site grading, and all other aspects of the development shall meet all applicable design standards or guidelines, as may be adopted and made a part of this code, and shall preserve, to the extent practical, outstanding topographical features and natural amenities on the site. The structures, site grading, and all other related aspects of the development exist.

Revised: 1/26/16

(i) Provisions shall be made to serve the development with tot lots and/or neighborhood parks in accordance with the adopted comprehensive plan. A fee may be paid as approved by county council to accomplish the purpose of a comprehensive plan in lieu of the development of tot lots or neighborhood parks.
These concerns were address recently as a part of the recent remodel of the building.
SUBMITTALS:
Provide all information necessary for a complete review of the Site Plan request. Check each of the boxes to
indicate which information you have provided. Provide two hard copies of all plans and also provide one
complete copy of all materials on disk:
Agent Authorization, if applicable.
Proof of property ownership (Warranty deed, recorded Plat, etc.).
Scaleable copies of Site Plan drawings including: Footprint and square footage of all buildings and structures on the site.
Building/structure elevations.
Existing and proposed lot coverage.
All existing and proposed easements.
All existing and proposed setbacks.
Existing and proposed trails.
Preliminary Landscape Plan.
Preliminary Grading and Drainage Plan.
Preliminary Utilities Plan.
Note: Final construction plan set will be required at Building Permit. Additionally, per Sec. 16-571, at or before the first IDRC meeting, the County Engineer may require the following Impact Studies: Traffic impact analysis (TIA). Stormwater drainage report. Utility capacity analysis. Soils report. Other. Describe:
Please provide any other information that you believe is relevant to or supports this application.



557 Oppenheimer Parkng Provided Handicap Spaces Spaces	4 (included in total)	S	31,818 sf	7,265 sf	22.80%		31,036 sf	7,309 sf	23.60%		
heimer Pa	(in	Lot and Building Areas Area	Acres			Area	Acres			sf	sf
57 Oppen Spaces	40	ot and Bui	0.7304				0.7125			14,509	21,572
υ	Building 557	Ľ	Lot One - 555 Oppenheimer	Building Footprint	Building Lot Coverage		Lot Two - 557 Oppenheimer	Building Footprint	Building Lot Coverage	Existing Building	Proposed Building

557 Oppenheimer Parkng Required per 16-579-T1

Required Spaces Net Area (sq.ft.) 5,439 5,439 5,278 16,156

Factor Space/sf Sq.ft

First Level Residential Second Level Residential Third Level Residential Total

Spaces

22

750

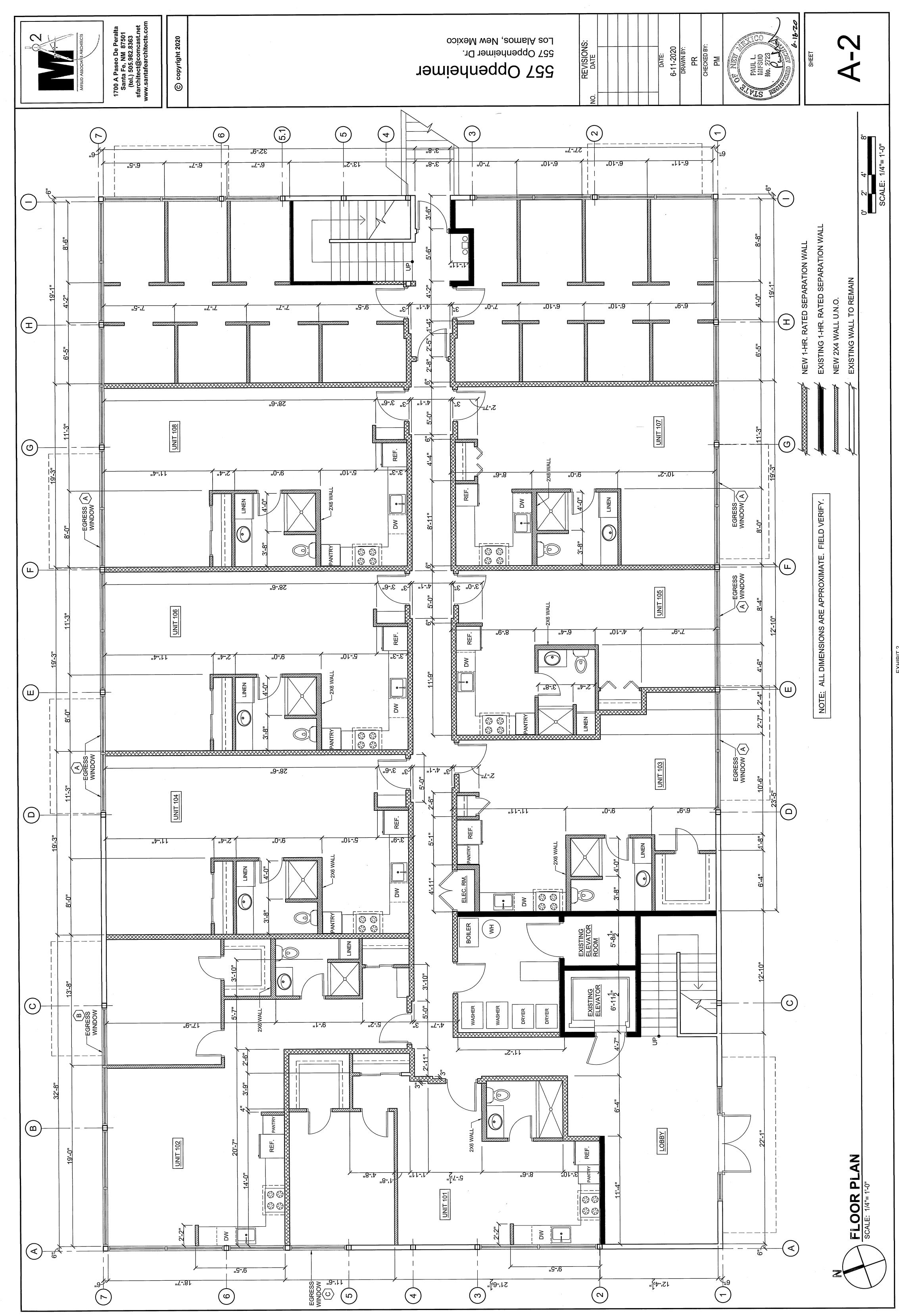


EXHIBIT 2

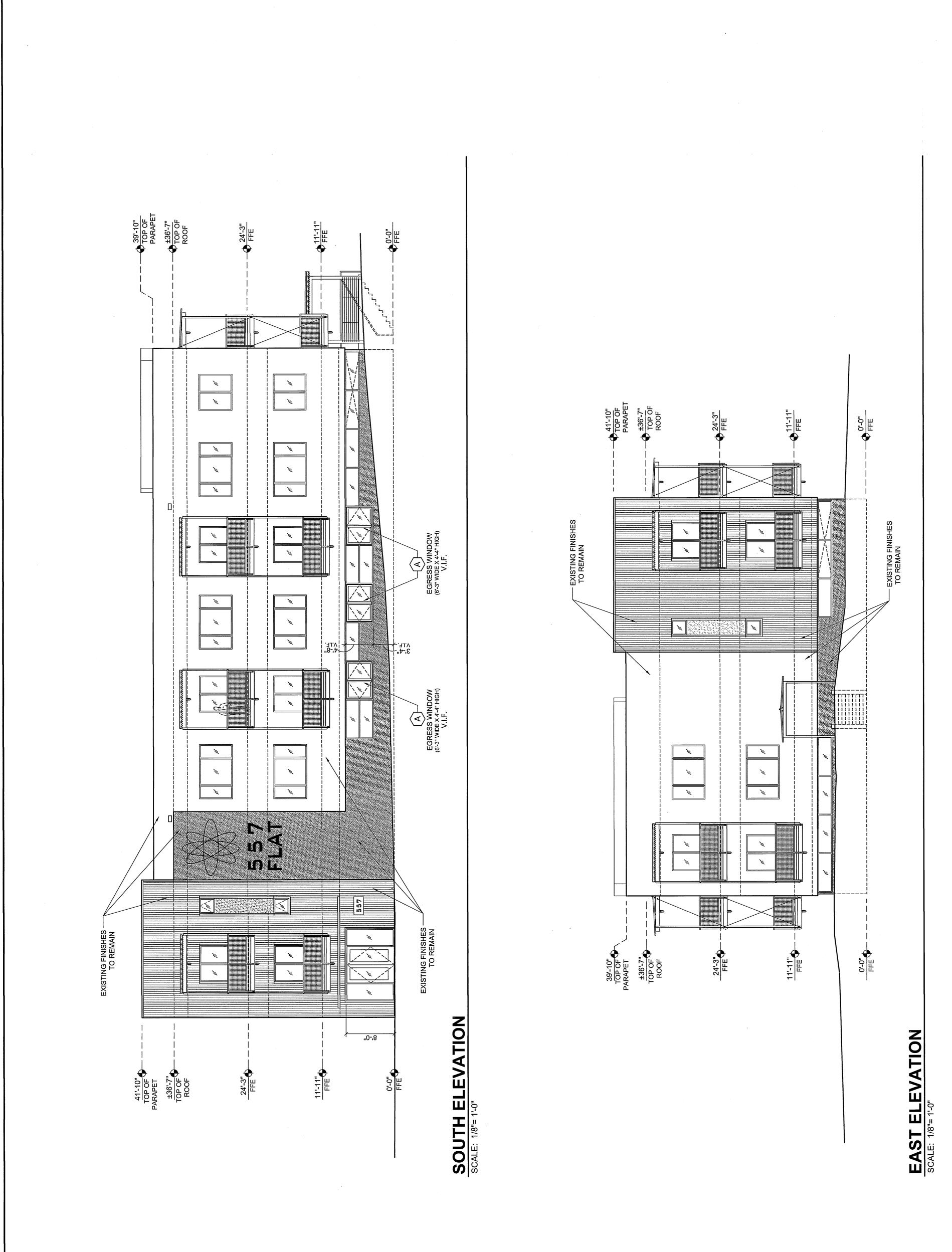




EXHIBIT 2

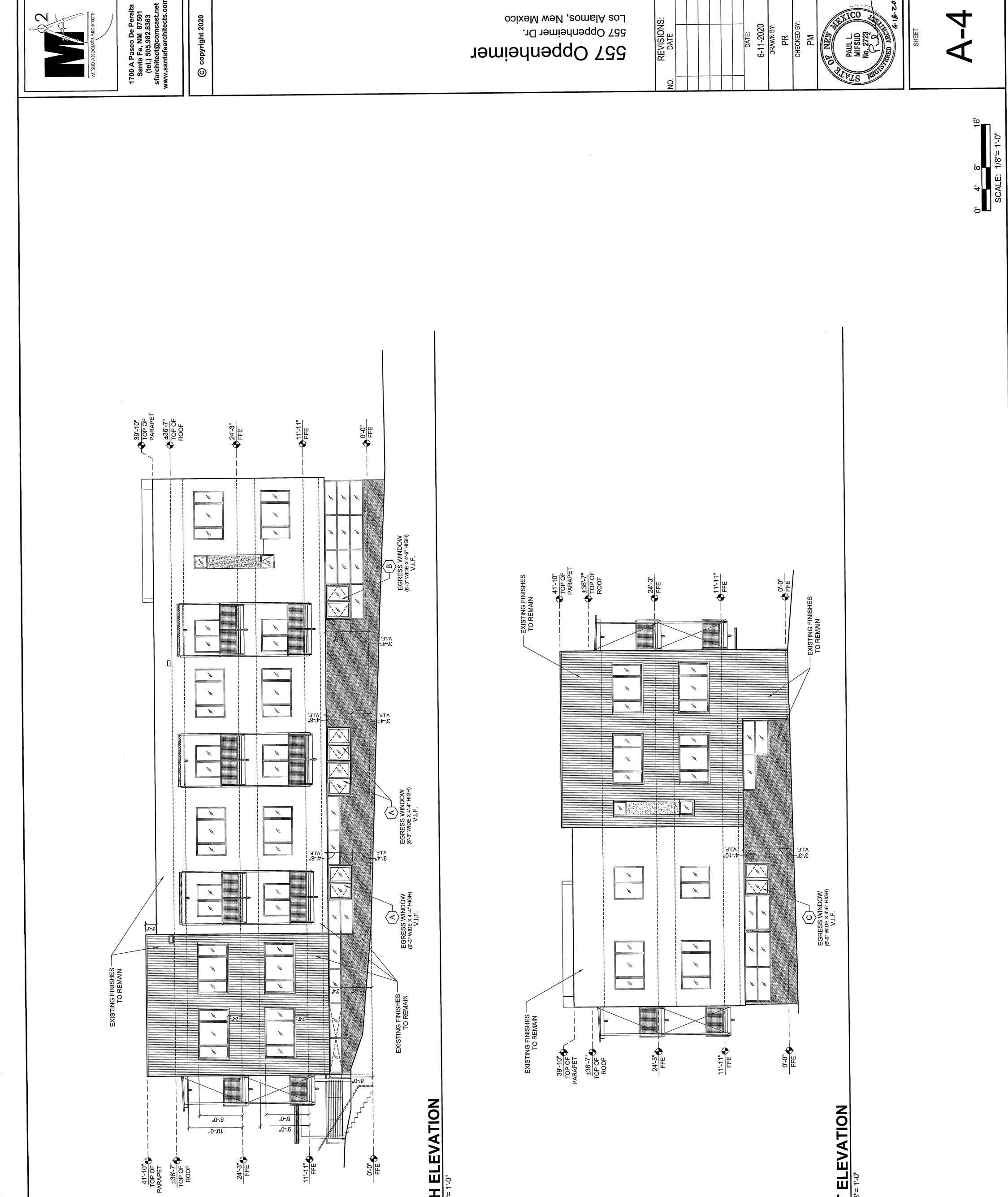
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1/8"= 1'-0'

0' 4' SCALE:

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1'-0"

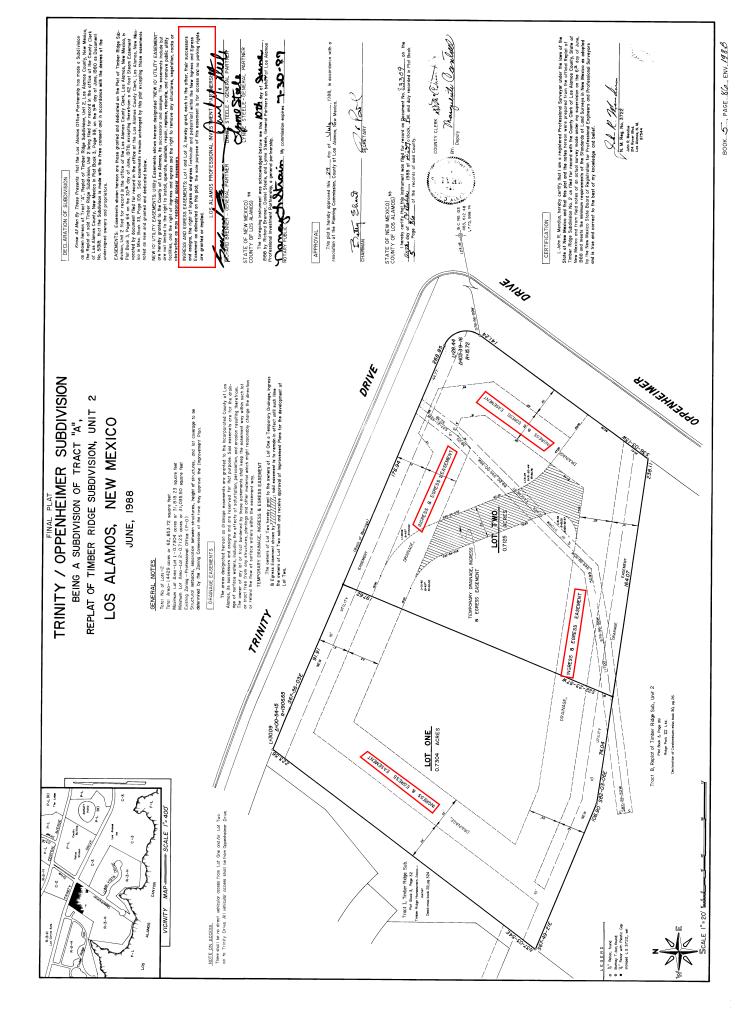


NORTH ELEVATION SCALE: 1/8"= 1'-0"

557 OPPENHEIMER BUILDING FLOOR PLAN







300 Foot Notification Map for 557 Oppenheimer



L S ALAM S where discoveries are made

IDRC CONDITIONS & COMMENTS: 557 Oppenheimer, June 25, 2020

CONDITIONS AND COMMENTS FOR SITE PLAN APPROVAL DUE BY JULY 13, 2020 FOR JULY 22, 2020 HEARING DATE

¹ <u>Per Public Works and Fire Department:</u>

Indicate on the site plan whether the traffic circulation is one-way and provide evidence of an access agreement around 557 and 555 Oppenheimer. If two-way circulation is proposed, circulation and parking lot design standards must be met.

Fire Department:

Sprinkler system needs to be operational and approved on the first floor by the FMO before construction begins.

ADDITIONAL COMMENTS

1

2

Per Planning Division:

Provide parking calculations for the proposed ground floor residential use (the site plan currently has the parking calculations for commercial on the ground floor) on the site plan sheet.

2

Per Planning Division:

Provide a current signed parking and access agreement since 555 and 557 Oppenheimer are sharing parking and access.

3

Per Building Division:

Request all floor plans with the residential units identified.

4 Per Utilities Department:

As part of the building permit review the applicant must provide a revised electric load and gas load that reflects the final configuration of the building after the modifications. We will need this to evaluate if the existing gas and electric metering and service are adequate or will need modification.