



# County of Los Alamos

## Council Meeting Staff Report

May 4, 2021

<b>Agenda No.:</b>	D.
<b>Indexes (Council Goals):</b>	* 2021 Council Goal - Enhancing Support and Opportunities for the Local Business Environment
<b>Presenters:</b>	Paul Andrus; Bryce Ternet
<b>Legislative File:</b>	OR0890-21

### Title

Incorporated County of Los Alamos Ordinance No. 02-314; Revision No. 2021-01 In Textual Form To The Official Zoning Map Of Los Alamos County By Rezoning Two (2) County Owned Parcels Consisting Of Approximately 0.52 Acres Of Land Combined: 1) Lot Ea3 006 From Public-Land (P-L) To Mixed-Use (M-U); And 2) Lot Ea3 007 From Multi-Family Residential, Low Density (R-3-L) To Mixed-Use (M-U).

### Recommended Action

**I introduce, without prejudice, Incorporated County of Los Alamos Ordinance No. 02-314; Revision No. 2021-01 In Textual Form To The Official Zoning Map Of Los Alamos County By Rezoning Two (2) County Owned Parcels Consisting Of Approximately 0.52 Acres Of Land Combined: 1) Lot EA3 006 From Public-Land (P-L) To Mixed-Use (M-U); and 2) Lot EA3 007 From Multi-Family Residential, Low Density (R-3-L) To Mixed-Use (M-U).,and ask staff to assure that it is published as provided in the County Charter.**

### County Manager's Recommendation

The County Manager recommends that Council introduce this Ordinance.

### Board, Commission or Committee Recommendation

The Planning and Zoning Commission recommended that the Los Alamos County Council approve Case No. REZ-2021-0014, a rezone of Lots EA3 006 and EA3 007 to Mixed-Use (M-U).

### Body

The Eastern Area 3 subdivision was platted and recorded in the 1960s by the U.S. Atomic Energy Commission. Lots EA3, 006 and 007 both contained single-family dwellings and were privately owned until Los Alamos County purchased them in 2002 and 2003, respectively. The dwelling units were demolished and the lots have remained vacant.

The subject parcels are located near the intersection of Trinity Drive and 35th Street - north of the 2019 approved "The Hill" apartment development and east of the Alpine Laser Dental office building. Lot EA3006 is zoned Public Land (P-L) "The P-L public land district is intended to accommodate local government and school district uses and structures, designed to support community needs and the public health, safety and welfare." Lot EA3007 is zoned Multiple-Family Residential, low density (R-3-L). "The R-3-L district is intended to accommodate single-family, two-family and multiple-family dwellings and accessory structures and uses, and is further intended to maintain and protect a residential character of development."

In October 2020, the county opened solicitation for the purchase of the parcels, commonly referred to as 3661 and 3689 Trinity Drive. The intent of the sale was to provide an opportunity for interested parties to develop the lots in support of the county's established community goals. In February 2020, Los Alamos County and Cyndi Wells, dba Pet Pangaea, LLC. entered a Purchase, Sale and Development Agreement.

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To achieve the intended development, the parcels need to be appropriately zoned Mixed-Use (M-U). The request to rezone is the first step in the development process. If rezoning of the two parcels is approved by Council, they can then be consolidated through an administrative Summary Plat process in early July 2021. Pet Pangaea, LLC., can move forward, thereafter, with a Site Plan Application to the Planning and Zoning Commission.

The existing zones are inappropriate for various reasons. The lots were zoned R-3-L before the County purchased the parcels. After investigating into county records, a date for the rezoning of Lot 006 to PL(Public-Land) could not be located. The existing PL zoning for Lot 006 is inappropriate because it does not allow for private development. PL is intended for local government, school district uses, and structures that support community needs. Lot EA3007, next to lot EA3006, is zoned Multiple-Family Residential, low density (R-3-L) which is inappropriate for development because the uses that are allowed are residential only with single, two family and multi-family dwellings.

The Los Alamos County Council, via Ordinance 705, approved a Purchase, Sale and Development Agreement to the private developer, for a mixed-use residential and retail development that can only be achieved with a M-U designation. The passage of this ordinance warrants the proposed zoning designation change.

As noted above, the sale of the land is based on the proposal for a mixed-use residential and retail development. The rezone allows for infill, expanded housing supply with a varied option, and encourages business growth. All of these elements are found within the 2016 Los Alamos County Comprehensive Plan: Core Themes and Economic Development.

The property to the south of Trinity Drive is zoned M-U; also known as "The Hill" development. Rezoning Lots EA3 006 and 007 will expand the zone to Trinity Drive. The zoning will be separated by county-owned right-of-way (35TH Street) and Lot EA3 DEA A-13-1 (Finch Street), which is currently zoned Federal-Land (F-L). That lot is owned by the county and a proposal to change the zone to Public-Land (P-L) will be coming in the near future. The PL designation will allow the parcel to continue the Use as public right-of-way.

Planning Staff has applied the appropriate review criteria and supports a recommendation to County Council for the rezoning of Lots EA3 006 and EA3 007 to Mixed-Use (M-U).

#### **Alternatives**

Council Alternatively may deny the recommendation to rezone.

#### **Attachments**

A - Incorporated County of Los Alamos Ordinance No. 02-314

B - Planning and Zoning Commission StaffReport\_REZ-2021-0014, April 14, 2021

C - Final Order