



County of Los Alamos

1000 Central Avenue
Los Alamos, NM 87544

BCC Agenda - Final

Planning and Zoning Commission

Karen Easton, Chair; David Hampton, Vice; Jennifer Best; Robert Chrien; Marlon Brown; Katherine Bruell; Rachel Grimm; Ronald Nelson; Rebecca White; and Jennifer Best, Commissioners

Wednesday, July 22, 2026

5:30 PM

Council Chambers
1000 Central Avenue

1. CALL TO ORDER/ROLL CALL

2. PUBLIC COMMENT

3. APPROVAL OF AGENDA

4. PLANNING AND ZONING COMMISSION BUSINESS

- A. [21924-26](#) Minutes from the Planning And Zoning Commission Meeting on June 24, 2026.

Attachments: [Draft Minutes for June 24, 2026](#)

5. PUBLIC HEARING(S)

- A. [21929-26](#) Case No. SIT-2026-0080. Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for Site Plan Adoption for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) district.

Presenters: Desirae Lujan

Attachments: [A - Application Submittal Packet](#)
[B - Public Notices](#)
[C - Staff Report.pdf](#)

- B. [21956-26](#) Case No. SIT-2026-0081. McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a site plan adoption for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico, zoned General Commercial (GC). The Site Plan Adoption will

establish a commercial parking lot on two adjoining vacant parcels totaling approximately ±1.70 acres. The commercial parking lot will provide parking for Los Alamos High School and an area for a mobile food vending court.

Presenters: Danyelle Valdez

Attachments: [A - Staff Report.pdf](#)
[B - Legal Notice.pdf](#)
[C - Application.pdf](#)

- C.** [21957-26](#) Case No. VAR-2026-0019: Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). This request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

Presenters: Danyelle Valdez

Attachments: [A - Staff Report .pdf](#)
[B - Legal Notice.pdf](#)
[C - Application.pdf](#)

6. COMMISSION/DIRECTOR COMMUNICATIONS

A. Department Report

B. Chair's Report

C. Council Liaison's Report

D. Commissioners' Comments

7. ADJOURNMENT

PLEASE NOTE: Any action by the Planning and Zoning Commission in granting approval, conditional approval or disapproval of an application may be appealed by the applicant or by persons who have a personal or pecuniary interest adversely affected by the decision as defined by Section 16-454 of the County Code. Such appeals must be filed with the Community Development Department within 15 days of the action in accordance with Section 16-492.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the County Human Resources Division at 505-662-8040 at least one week prior to the meeting or as soon as possible.

Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the personnel in the Community Development Department Office at 505-662-8006 if a summary or other type of accessible format is needed.



County of Los Alamos

Staff Report

July 22, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters:

Legislative File: 21924-26

Title

Minutes from the Planning And Zoning Commission Meeting on June 24, 2026.

Recommended Action

I move that the Commission approve the Minutes for June 24, 2026.

Attachments

A - Draft Minutes for June 24, 2026



LOS ALAMOS

Planning & Zoning Commission Meeting Minutes - Draft

Virtual participation for the meeting was made available via Zoom.
The proceedings can be viewed at: <https://losalamos.legistar.com/Calendar.aspx>

**June 24, 2026
5:30pm**

1. CALL TO ORDER / ROLL CALL

The meeting was called to order by Chair Easton at 5:35pm. Roll call was taken. A quorum was present.

Members Present:

Karen Easton, Chair
David Hampton, Vice Chair
Jennifer Best, Commissioner*
Katherine Bruell, Commissioner
Robert Chrien, Commissioner
Rachel Grimm, Commissioner

Members Absent:

Marlon Brown, Commissioner
Ronald Nelson, Commissioner
Rebecca White, Commissioner

Staff Present:

Katie Thwaites, Deputy County Attorney
Danyelle Valdez, Planning Manager
Desirae J Lujan, Senior Planner
Kristen Klem, Associate Planner

Council Liaison:

Suzie Havemann, Councilor

** Attended virtually via Zoom*

2. PUBLIC COMMENT

No Comment

3. APPROVAL OF AGENDA

Motion by Commissioner Chrien to approve the agenda. Seconded by Commissioner Hampton.

Motion Passed, 6 For, 0 Against, 3 Absent

4. PLANNING AND ZONING COMMISSION BUSINESS

A. Approval of May 13, 2026, Planning and Zoning Commission Meeting Minutes

Motion by Commissioner Bruell to approve the Minutes, seconded by Commissioner Easton.

Motion Passed, 6 For, 0 Against, 3 Absent

5. PUBLIC HEARING(S)

A. OR1129-26

Case No. ZCA-2026-0019. The Los Alamos County Community Development Department requests the Planning and Zoning Commission make recommendation to County Council to adopt Incorporated County of Los Alamos Code Ordinance No. 02-371, amending Chapter 16, Development Code, Article V (Administration and Enforcement), including updates to Sections 16-68 through 16-75, 16-79, 16-81, 16-83, 16-84, 16-91 through 16-93, and 16-98, to update neighborhood meeting and public notice procedures, clarify review and decision-making authority, and make technical corrections to improve clarity, consistency, and compliance within the Development Code.

Chair Easton opened the case and explained the meeting procedures.

Danyelle Valdez, Planning Manager, described the application request and presented the significant changes proposed to the Development Code through Ordinance No. 02-371.

Commissioners Easton, Bruell, and Grimm asked questions about proposed language changes throughout the ordinance, specifically, Section 16-72 (f)(5)(b)(10), Section 16-72 (g)(5)(e)(5), Section 16-93 (i), and Section 16-98 (a). Valdez responded and clarified the purpose and intent for each; changes were recommended.

Phil Gursky, 2025 E Jemez Rd, provided public comment regarding eliminating impact reports as an appealable action to the Planning and Zoning Commission. Additionally, he noted the proposed changes to the quasi-judicial procedures as they relate to testimony and cross-examination. Valdez responded.

The Commission discussed the decision criteria.

Commissioner Easton motioned to recommend that the County Council approve Case No. ZCA-2026-0019, a request by the Los Alamos County Community Development on behalf of the Incorporated County of Los Alamos, to amend the Los Alamos County Development Code through Ordinance No. 02-371 with the following changes:

1. Section 16-72 (f)(5)(b)(10): Change the timeframe for a written recommendation or final decision from days from 10-days to 60-days.
2. Section 16-72 (g)(5)(e)(5): Change the timeframe to provide a final decision or an appeal from 14-days to 60-days.
3. Section 16-93 (i): Clarify the alternate form of dust control.
4. Section 16-98 (a): Change the language within Penalty for Violation of code to be consistent with, and directly reference Section 1-8, of the Municipal Code: General Penalty.

Second by Commissioner Chrien.

Motion Passed, 6 For, 0 Against, 3 Absent

Roll Call Vote:

For:

Karen Easton, Chair
David Hampton, Vice Chair
Jennifer Best, Commissioner*
Katherine Bruell, Commissioner
Robert Chrien, Commissioner
Rachel Grimm, Commissioner

6. COMMISSION/DIRECTOR COMMUNICATIONS

A. *Department Report*

Valdez informed the Planning and Zoning Commission that the Comprehensive Plan has released their second public survey, which will conclude in two weeks. She asked that they complete it and share with others.

B. *Chair's Report*

Chair Easton welcomed Commissioner Best to the Planning and Zoning Commission. She shared that she recently presented the Planning and Zoning Commission's annual report to County Council.

C. *Council Liaison's Report*

Councilor Havemann gave a brief overview of the Work Session on June 23, 2026. This included reports from the Arts in Public Places, Traffic regarding the new all-way stop on North and Urban, the Housing and Development plan for increasing housing in Los Alamos, a LEDA petition for CB Fox, and a LEDA petition for The Rock. The Drone Show contract was updated for the 4th of July show. The Council is co-sponsoring a nuclear energy initiative.

D. *Commissioners' Comments*

Commissioner Hampton clarified that the Planning and Zoning Commission meeting scheduled for July 8, 2026, is canceled because there are no applications for consideration. The next meeting is July 22, 2026.

7. PUBLIC COMMENT

No Comment

8. ADJOURNMENT

6:48pm



County of Los Alamos

Staff Report

July 22, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: A.

Index (Council Goals):

Presenters: Desirae Lujan

Legislative File: 21929-26

Title

Case No. SIT-2026-0080. Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for Site Plan Adoption for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) district.

Property Owners

Tigard Pacific RE, LLC.

Applicant

Philip Gursky, Representative for 1735 Central Investment, LLC.

Case Manager

Desirae J. Lujan, Senior Planner

Body

Los Alamos County Code of Ordinances, Chapter 16, Development Code ("Development Code"), Section 16-74(i)(3), establishes the procedures for Site Plan Adoptions and Major Site Plan Amendments. The applicant attended the required pre-application meeting on May 19, 2026. On May 28, 2026, staff received an application (Attachment A) from Philip Gursky, representative for 1735 Central Investment, LLC., on behalf of Tigard Pacific RE, LLC., requesting a Major Site Plan Amendment. During staff review, it was determined that the subject property has never received an approved site plan under the County's development review process. Accordingly, because there is no previously approved site plan to amend, the application is processed as a Site Plan Adoption. This procedural determination does not affect the review because Site Plan Adoptions and Major Site Plan Amendments use the same application, procedures, and decision criteria under Section 16-74(i).

The application was assigned Case No. SIT-2026-0080, routed it to the Interdepartmental Review Committee ("IDRC") for review, and, in accordance with Section 16-72(c), provided the required public notice (Attachment B) for the July 22, 2026, public hearing.

Section 16-69 grants the Planning and Zoning Commission ("Commission") the authority and responsibility to make final decisions on Site Plan Adoption applications. The Commission shall approve the application as presented, approve the application with conditions that are

reasonably necessary to meet the decision criteria, or deny based on conformance with section 16-74(i)(4) decision criteria.

According to section 16-72-(f)(5)b.9., approval by the Commission shall require a motion and affirmative vote of a majority of the members present, and no less than four (4) to approve the application. Failure to issue a final decision prior to the close of the hearing shall constitute denial of the application.

..Section 16-74(i) Site Plan Adoption or Major Amendment Decision Criteria

- a. The Site Plan substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans.
- 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.
- 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.
- d. The Site Plan is in conformance with all applicable provisions of this Code and other adopted County regulations.
- 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.
- f. The Site Plan mitigates any significant adverse impacts to properties within the vicinity to the maximum extent practicable.
- 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.

..Motion Options

Recommended Motion:

I move to **conditionally approve** Case No. **SIT-2026-0080**, a request by Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific RE, LLC., property owner, for Site Plan Adoption to redevelop and renovate the property at 1735 Central Avenue, Los Alamos, New Mexico, into a mixed-use commercial development featuring a boutique hotel, restaurant and food court, bar, retail sales, and meeting, banquet, and event spaces, subject to the following condition:

- 1. The locations of all Fire Department Connections (FDCs) and Post Indicator Valves (PIVs) for a fire sprinkler system shall be shown on the site plan and located in proximity to a fire hydrant for building permit review.*

Approval is based on the findings established during the public hearing and the determination that the application meets the decision criteria for Site Plan Adoption under Section 16-74(i)(4)

of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Final Order approving the application, together with the Findings of Fact and Conclusions of Law reflecting the Commission's decision. These documents shall be prepared by County staff consistent with the Commission's action.

Alternative Motion:

I move to **deny** Case No. **SIT-2026-0080**, a request by Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific RE, LLC., property owner, for Site Plan Adoption to redevelop and renovate the property at 1735 Central Avenue, Los Alamos, New Mexico, into a mixed-use commercial development featuring a boutique hotel, restaurant and food court, bar, retail sales, and meeting, banquet, and event spaces.

Denial is based on the findings at the hearing and the conclusion that the Applicant does not meet the decision criteria for a Site Plan Adoption under Section 16-74(i)(4) of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Final Order approving the application, together with the Findings of Fact and Conclusions of Law reflecting the Commission's decision. These documents shall be prepared by County staff consistent with the Commission's action.

Attachments

- A - Application Submittal Packet
- B - Public Notices
- C - Staff Report



DEVELOPMENT APPLICATION

PROJECT INFORMATION

Title: 1735 Central Ave Redevelopment Project

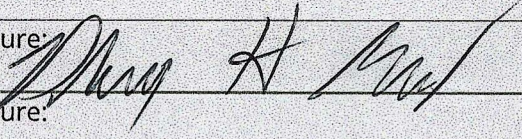
Project Address: 1735 Central Ave, Los Alamos, NM

Description:
Redevelopment and adaptive reuse of the former CB Fox Department Store into a multi-use downtown facility

Check all application types, if applicable:

- | | |
|--|---|
| ☐ Administrative Deviation ... \$25 | ☐ Site Plan* ... \$500 plus
\$75 per/Million \$ estimated construction cost |
| ☐ Administrative Wireless Telecom ... \$250 | Estimated Construction Cost: _____ |
| ☐ Encroachment Permit ... \$25 | ☒ Major Site Plan Amendment* ... \$500 |
| ☐ Temporary Use Permit ... \$25 | ☐ Minor Site Plan Amendment ... \$250 |
| ☐ Comprehensive Plan Adoption &
Amendment*... \$250 | ☐ Major Zone Map Amendment* ... \$500 (+\$25/acre)
No fee if initiated by County Council
or County Manager |
| ☐ Conditional Use Permit* ... \$300 | ☐ Minor Zone Map Amendment* ... \$500 (+\$25/acre)
No fee if initiated by County Council
or County Manager |
| ☐ County Landmark or Historic District
Adoption/Amendment* ... \$250 | ☐ Master Plans* (Major, Minor) ...\$250 |
| ☐ Development Plan* ... \$500 | ☐ Text Amendment* ... \$150
No fee if initiated by County Council
or County Manager |
| ☐ Major Development Plan Amendment* ... \$500 | ☐ Variance ... \$250
No fee if application is a part of a Site Plan review |
| ☐ Minor Development Plan Amendment ... \$250 | ☐ Administrative Wireless Telecommunication
Facility ... \$250 |
| ☐ Summary Plat... \$100 plus \$25 lot; \$10 / acre for
non-residential | ☐ Discretionary Wireless Telecommunication
Facility* ... \$500 |
| ☐ Sketch Plat, Subdivision*... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Small Wireless Facility ...\$250 |
| ☐ Preliminary Plat, Subdivision* ... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Major Historic Demolition* ... \$250 |
| ☐ Final Plat, Subdivision* ... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Major Historic Property Alteration
Certification* ... \$250 |
| ☐ Landscaping Plan ...\$500 | ☐ Minor Historic Property Alteration Certificate ... \$250 |
| ☐ Lighting Plan ...\$500 | |

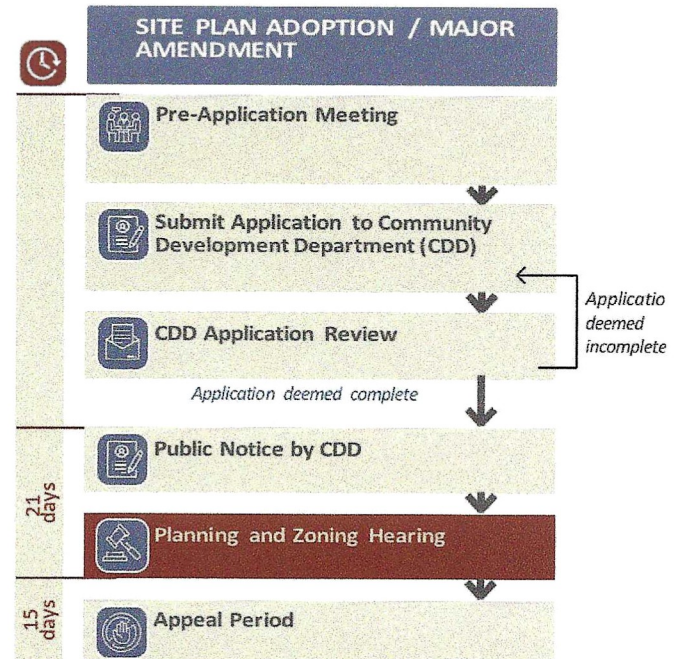
* Application reviews require a pre-application meeting.

PROPERTY & OWNER INFORMATION				
Property Address:	1735 Central Ave Address	Los Alamos City	NM State	87544 ZIP
Zoning District: DTLA		Overlay Zone: ☒ N/A		
Existing Structure(s) Sq. Ft.: 23,485.00		Proposed Structure(s) Sq. Ft.: 27,556.00		
Lot Area (sq.ft.): 15,696.00				
Property Owner(s) Name: Tigard Pacific RE, LLC				
Owner(s) Email: allan@leadershipcirclellc.com				
Owner(s) Phone(s)#: 970 275-9890				
☐ Owner's Address same as Property Address				
Owner(s) Address:	P.O Box 239 Address	Montrose City	Co State	81402 ZIP
APPLICANT / OWNER'S AGENT INFORMATION				
☐ Applicant is same as Owner				
Applicant Name: 1735 Central Investment, LLC (Philip Gursky, Representative)				
Applicant Address:	1555 Sherman Ave St 305 Address	Evanston City	IL State	60201 ZIP
Applicant Email: sm1.ctas@gmail.com & philipgursky2@gmail.com				
Applicant Phone(s)#: 267 816-0299				
ASSOCIATED APPLICATIONS				
Application Type: N/A				
Case Number:				
<i>I hereby certify and affirm, under penalty of perjury, that the information I have provide in this application is true and accurate to the best of my knowledge, information, and belief. [NMSA 1978, §30-25-1]</i>				
Signature: 		Date: May 28, 2026		
Signature:		Date:		
STAFF USE ONLY				
Date Received:		Staff:		
Case No.#:		Meeting Date:		
SUBMITTALS				
☒ Proof of Ownership or Letter of Authorization from Owner		☒ Complete Application - Date: _____		
☒ Items from associated Application Checklist		☒ Payment - Accepted upon verification of a complete application - Date: _____		

SITE PLAN ADOPTION/ MAJOR AMENDMENT

Applicants for all development application reviews must complete this checklist and submit it with the Development Application. Refer to the referenced code sections for additional information. Contact the Planning Division with questions regarding these requirements: planning@lacnm.us.

PRE-APPLICATION MEETING	
Date Held:	
APPLICATION TYPE	
☐ Site Plan Adoption	
☒ Major Amendment to an approved Site Plan	
PLANS	
Scaled plans at a minimum of 1" = 100' that illustrates the following:	
☒ <u>Site Plan</u>	☒ Graphic Scale and North Arrow ☒ Property Lines according to recorded survey ☒ Existing and proposed structures ☒ Existing and proposed easements ☒ Existing and proposed setbacks ☐ Existing and proposed utility lines ☐ Existing and proposed fencing ☐ Existing and proposed signage
☒ <u>Parking Plan</u>	☐ Access and parking related to site ☒ Parking analysis based on proposed use ☐ Width of aisle(s) ☐ Parking stall dimensions
☐ <u>Lighting Plan</u>	☐ Proposed lighting that notes the Correlated Color Temperature, Color Rendering Index, Lumens and all other attributes related to lighting to show compliance with Ch. 16, Division 6: Outdoor Lighting.
☐ <u>Landscaping Plan</u>	☐ Existing plant material, amount and species & size ☐ Proposed plant material, amount and species & size
ELEVATIONS	
Elevations drawing(s) at a minimum scale of 1/8" = 1' that indicate:	
☒ Height (above existing grade) of all four sides	
☒ Materials and colors	



See Reverse.

LOT COVERAGE

Existing (%): 82.35%

Proposed (%): 86.66%

IMPACT REPORTS 16-72 (e)

May be required per Table 50 of Development Code:

- ☐ Grading and Erosion Control Plans
- ☐ Stormwater Drainage Report
- ☐ Traffic Generation Report
- ☐ Utility Capacity Analysis Report
- ☐ Soils Report

ADDITIONAL SUBMITTALS

Based on staff's review and Interdepartmental Review Committee's recommendation – additional submittals may be required and will be communicated to the applicant by the assigned Case Manager.

DECISION CRITERIA 16-74-(i)(4)

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

See Attached Written Response to Decision Criteria

- ☐ Staff finds that this criterion has been met
- ☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

See Attached Written Response to Decision Criteria

- ☐ Staff finds that this criterion has been met
- ☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

See Attached Written Response to Decision Criteria

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

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

See Attached Written Responses to the Decision Criteria

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- e. The County's existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trail 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. Explain.

See Attached Written Response to Decision Criteria

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

DECISION CRITERIA 16-74-(i)(4)

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

See Attached Written Response to Decision Criteria

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

See Attached Written Response to Decision Criteria

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

Attach additional sheets, if needed.

**Written Responses to Decision Criteria for
Major Amendment to the Site Plan for
The 1735 Central Ave Redevelopment Project**

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

The project to redevelop and renovate the former CB Fox Department Store at 1735 Central Avenue is designed and committed to the process of creating a project that will:

1. a. Substantially increase daytime food options with the creation of large first-floor food court, serving a wide range of food choices in a convenient, efficient and community-oriented venue, with the additional ability to host daytime meetings and group lunches without compromising the general food court patron experience;
 - b. Create pickup, delivery and catering options for individuals and groups seven days a week. This will include grab and go options from a Central Avenue entrance with a parking loading zone, immediately adjacent to the entrance;
 - c. Create a bakery café on the first floor facing Central Ave with fresh baked goods, traditional café fare and specialty sandwich throughout the day and evening. Serving the hotel and local resident clientele, the Café will be open seven days a week.
 - d. Create a rooftop restaurant and bar designed to become the destination of choice for high quality food and beverages, featuring breathtaking views from inside the glass enclosed seating pavilion and outdoor patio area.
2. Create retail sales options including kiosk booth spaces inside the food court and small to medium individual store units fronting on Central Ave to an anticipated opportunity for local and regional craftspeople, small retailers to showcase their crafts and products in a local and NM products store that attracts high foot traffic. We expect to have up to a dozen spaces for small retailers, in addition to retailers displaying and selling in the NM products store.
3. In the evenings, convert the food court into a public performance, meeting and party venue allowing multiple events, all with food and beverage availability.
4. A second-floor boutique hotel with luxury accommodations for short-term visitors, longer-term working and corporate stays and stays for family and event visitors.

Two of the fundamental goals of the Comp Plan are addressed in the Downtown Area goals, stated as follows:

1. Create a vibrant, pedestrian-friendly downtown that includes a central gathering place, nighttime entertainment, and more retail stores and restaurants

2. Focus development priorities downtown

3. Enhance the vibrant, historic, small-town character of the County by focusing commercial density increases in the downtown areas

(See Comprehensive Plan Goals 3.2 Downtown, Page 84)

4. Redevelop vacant blighted areas and underutilized properties

(See Comprehensive Plan Goals 3.2 Redevelopment, Page 80)

The Comprehensive Plan goals for the LA townsite downtown are to increase residential density and increase economic vitality. The project redevelopment does not lend itself to increased downtown housing density, but, as outlined above, it squarely and materially increases vitality by creating a new central location gathering place for (a) daytime food court and meeting space, (b) multiple evening public performance, party and gathering opportunities, including food and beverage service, (c) rooftop development that will become *the* after work and evening gathering spot all year, and (d) more than a dozen retail locations within the project, many designed to meet, local small business needs and budgets, including an local an anticipated NM Products retail store where scores of local and regional more product creators will be able sell their goods and products.

We are a part of the community and have listened to the needs and desires of the community in creating a project that embodies the heart and vision of downtown vitality and revitalization envisioned in the Comprehensive Plan.

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. Explain.

The property is within the Los Alamos Downtown Master Plan area and is clearly in conformance with the standards and ideals of the Master Plan.

This property is identified, along with Mari-Mac Village Shopping Center and Central Park Square as the catalytic redevelopment of as mixed-use developments Necessary to drive downtown economic revitalization. (See Page 40 and Exhibit 17 of the Master Plan).

This development project is squarely consistent with the Economic Vitality goals outlined in the Master Plan. See for example:

Strategy 1.2: Update the Development Code to incentivize desired commercial uses on ground floors through mechanisms like expedited review/approval processes and waiving permitting fees

*Strategy 1.3: Incentivize the development or renovation of first floor space to be configured for **retail-type uses***

*Strategy 1.4: Update the Development Code to support small business start ups including co-working spaces, food trucks, **multi-tenant food halls, and greater use of outdoor spaces with restaurants***

*Strategy 1.5: Update the Development Code to allow mobile vending, particularly for **'grab-n-go' food options for youth and families***

*Strategy 2.1: **Implement the economic development and redevelopment tools and incentives needed to assist private developers with financing gaps and other redevelopment obstacles.***

*Strategy 2.2: Provide an incentive to a developer/property owner willing to build **an entertainment venue***

The Site Plan Amendment application conforms to the standards of the Master Plan.

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. Explain.

The Property is not located within a PD zone district, and, as such, this provision is inapplicable.

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

The Site Plan is in accordance with all applicable provisions of the Development Code (Chapter 16) in that, to the extent this application could be subject to Development Code specific design standards for projects in the Downtown Los Alamos Zoning District (Sections 16-6-(c) through 16-6-(c)(3) h.7, inclusive), as well as the more general and County Development Standards (Development Code Design Standards, Sections 16-20 through 16-67, inclusive) the written response to this criterium application, addresses both DTLA specific design standards and the more general design standard in Division V of the Code.

The project involves complete interior renovation of the old CB Fox Building at 1735 Central. In the existing building is approximately 24,000 sq ft and our plans will call for additional new space of approx. 4,000 sq feet.

The building was built in 1952 by the Corp of Engineers. It was initially built as a movie theater with office space in the front portion of the building facing Central Ave. It was modified in 1953 or 1954 to include a second floor in the back theater portion of the building and was used as a department store. Over time any remaining independent office or retail in the front section was also converted to department store use.

In consultation with County Planning Staff, it was agreed to file a Major Site Plan amendment to avoid potential ambiguities or confusions in the Development Code. However, with substantial site development already existing and limited exterior and additions proposed to the building, our project does not meet or trigger a significant number of the design standards set forth in Code as our project do not meet the minimum applicability thresholds. With respect to design standards for both DTLA and General Design Standards we address then below by Section.

DTLA Standards

Sections 16-6-(c) through 16-6-(c)3.h. contain a comprehensive set of design standards for use in development within the DTLA Zone District Areas and to conform it to the Downtown Los Alamos Master Plan. Section 16-6-(c)(1) provides design standards for property zoned DTLA only apply to a redevelopment or modification of existing structure where there is an increase of building floor area of more than twenty-five percent (25%) of the floor area of the building area. As displayed on the Site Plan with this Application, the increase is 17.11%, so the replacement standards in these Sections will not apply to our application.

ARTICLE IV. Development Standards

Division 1. Dimensional Standards. Building Setbacks are 0 feet on all sides of the Property (See 16-6-(c) Table 16). So there are no setback requirements nor are there any yard requirements for this Property under this Section.

2. Division 2. Access and Connectivity. Initially, building coverage on the Site is 78.8%, increasing to 82.65% coverage after redevelopment. Notwithstanding that the this Major Site Plan Amendment is not triggered by our application, the DTLA standards, designed to meet Downtown Master Plan visions for streetscape, cross-access connectivity and effective vehicular,

bike and pedestrian are already largely in place. Streetscape design of the site itself and the entire block area from 15th Street to 20th Street and Central Ave to Deacon Street with its access to Central Avenue and Trinity Drive have previously been approved and are maintained by the County and have been in place and periodically improved for more than 60 years. Existing traffic access through this site area is consistent with the Comprehensive Plan and the LA Downtown Master Plan , as well as consistent with county design standards. With the exception of Deacon Street, for which Capital Improvement Project funding has already been appropriated by the County Council, all streets surrounding the entire block from 15th St to 20th St and Central Ave to Deacon St. meet access standards (Sections 16-23 to 16-25).

Division 3. Off-street Parking, Loading and Queing. Subsection 16-27(b) This applies to changes of use or occupancy, including additions that require more parking. The Parking Analysis provided as part of the Application demonstrates the minimum parking requirement for the entire block (including our proposed uses). The analysis shows that the existing joint parking facilities contain more than 100 spaces more than minimum parking standards Chapter 16. Subsection 16-27(b) makes this Section applicable with a change of use only when more parking than available is required. Subsection 16-27(c) makes this Section applicable to expansions of gross floor area that exceed 25% of the existing building floor area floor area. As detailed on the on the Site Plan, the proposed increases to gross floor area total 17.11%, not triggering applicability. Accordingly, this proposed redevelopment project does not trigger Division 3.

Division 4. Landscaping and Screening.(16-16-36 to 16-40) For a mixed-use structure or non-residential structure an expansion of 25% or more is required to trigger the requirements of this Section. As shown on the Site Plan, expansion will be 17.11%.

Division 5. Neighborhood Protection Standards (16-41 to 16-43) This property is not adjacent to protected lots as defined in the Code (Section 16-42). Accordingly this Section is inapplicable.

Division 6. Outdoor Lighting. (16-44 to 16-55) is Section is applicable and an outdoor lighting plan consistent with the ordinance will be submitted and approved as a part of issuance of the Building Permit for this project.

Division 7. Walls and Fences. (16-56 to 16-59) There are no current walls, fences or retaining walls on the site and none are planned.

Division 8. Signage (16-60 to 16-65) The current sign code has been rendered largely unenforceable by US Supreme Court Decision and a new Code is in the process of adoption. Only signage on the building is contemplated and we will comply with applicable sign standards in the new Code when adopted.

Return to First American Title Insurance Company
File No. NCS-1011354-PHX1 tpa

GENERAL WARRANTY DEED

C.B. & Fox Inc., a New Mexico corporation, for consideration paid, grants to **Tigard Pacific RE, LLC, a Colorado limited liability company** whose address is 1521 Oxbow, Suite 210, Montrose, CO 81401, the following described real estate in Los Alamos County, New Mexico:

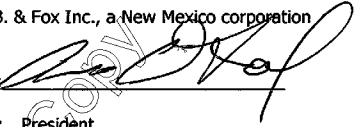
TRACT EE, EASTERN AREA NO. 3, AS SHOWN ON SUBDIVISION PLAT RECORDED ON FEBRUARY 21, 1966, IN PLAT BOOK 1, PAGE 74, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.

Subject to reservations, severances, restrictions, and easements of record and taxes for the year 2020 and subsequent years.

with warranty covenants.

WITNESS my hand and seal this June 18, 2020.

C.B. & Fox Inc., a New Mexico corporation

By: 

Its: President

243720 06/26/2020 03:51 PM
Book: 189 Page: 605 Naomi D Maestas County Clerk
Los Alamos County, NM Anna Sanchez - Deputy
DEED Page(s): 1



Representative Capacity

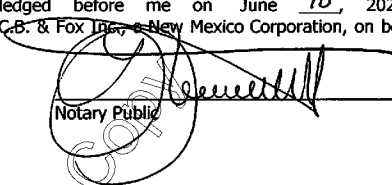
State of New Mexico)

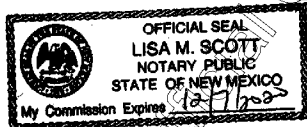
County of Los Alamos)

This instrument was acknowledged before me on June 18, 2020, by Anna Sanchez as President of C.B. & Fox Inc., a New Mexico Corporation, on behalf of said Corporation.

My commission expires: 12/1/2025

(Seal)


Notary Public



ATTACHMENT A

(Authorizing an agent to act on behalf of a property owner when making land development application)

STATE OF NEW MEXICO)
) ss.
COUNTY OF LOS ALAMOS)

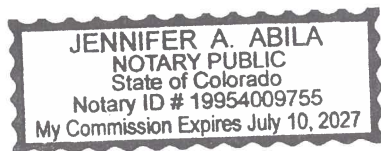
I, Matthew J. Miles, Managing Member of Tigard Pacific RE, LLC being duly sworn, deposes and says that Tigard Pacific RE, LLC is the Owner of property located at 1735 Central Ave, Los Alamos, NM, legally described as Tract EE of Eastern Community Unit No.3, which constitutes property for which the owner's agent seeks approval of a Major Site Plan Amendment through the County of Los Alamos, New Mexico.

Furthermore, I designate 1735 Central Investment, LLC as our agent, with Philip Gursky as representative of the agent herein, to act on our behalf in all matters pertaining to this application.

Signed 
Matthew J. Miles, Managing Member
Tigard Pacific RE, LLC
PO Box 239
Montrose, CO. 81402

Subscribed and sworn to before me this 26 day of May, 2026

Notary Public



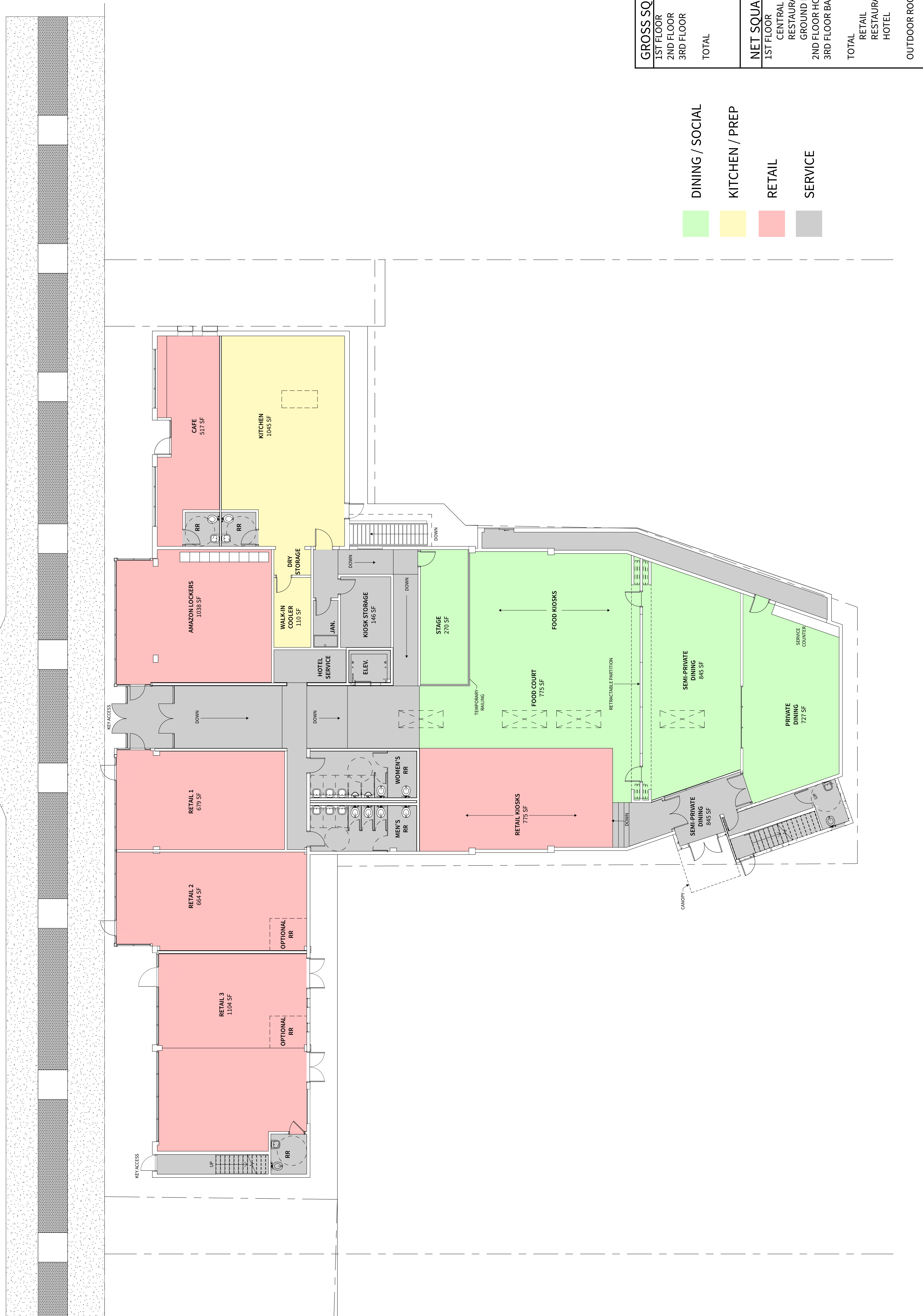
My Commission Expires: July 10, 2027

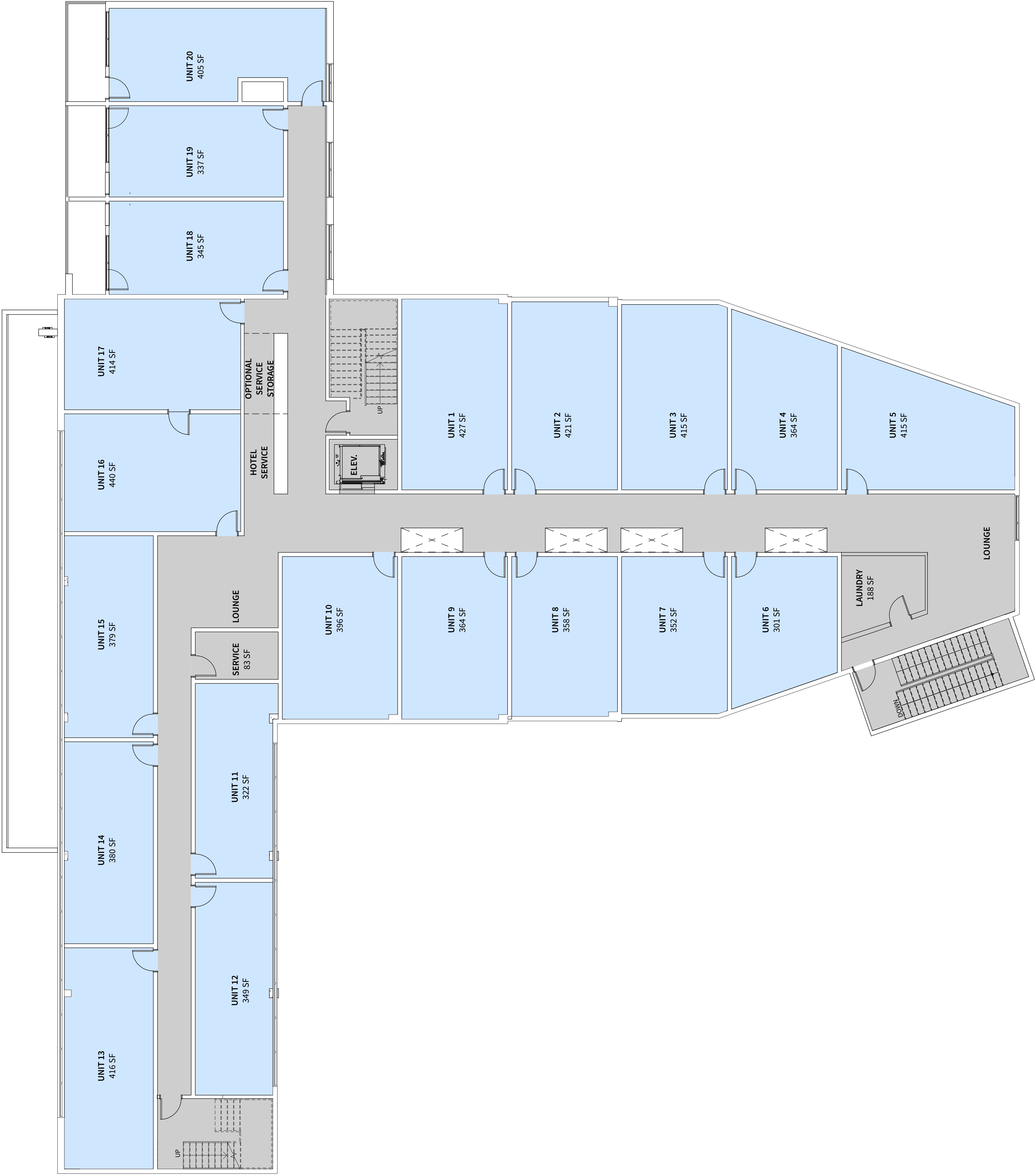
FIRST FLOOR PLAN

 $1/8" = 1'-0"$

CB FOX

PROJECT NUMBER: 2516





UNITS
SERVICE

GROSS SQUARE FOOTAGE:	
1ST FLOOR	13,000 GSF
2ND FLOOR	11,730 GSF
3RD FLOOR	3,420 GSF
TOTAL	28,150 GSF

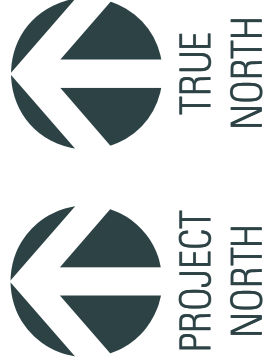
NET SQUARE FOOTAGE:	
1ST FLOOR	
CENTRAL AVENUE RETAIL	3,490 NSF
RESTAURANT / CAFE	1,782 NSF
GROUND FLOOR HOTEL	6,183 NSF
2ND FLOOR HOTEL	10,446 NSF
3RD FLOOR BAR	1,332 NSF
TOTAL	
RETAIL	3,490 NSF
RESTAURANT / CAFE / BAR	3,114 NSF
HOTEL	16,629 NSF
OUTDOOR ROOFTOP DECK AREA	1,230 NSF

SECOND FLOOR PLAN

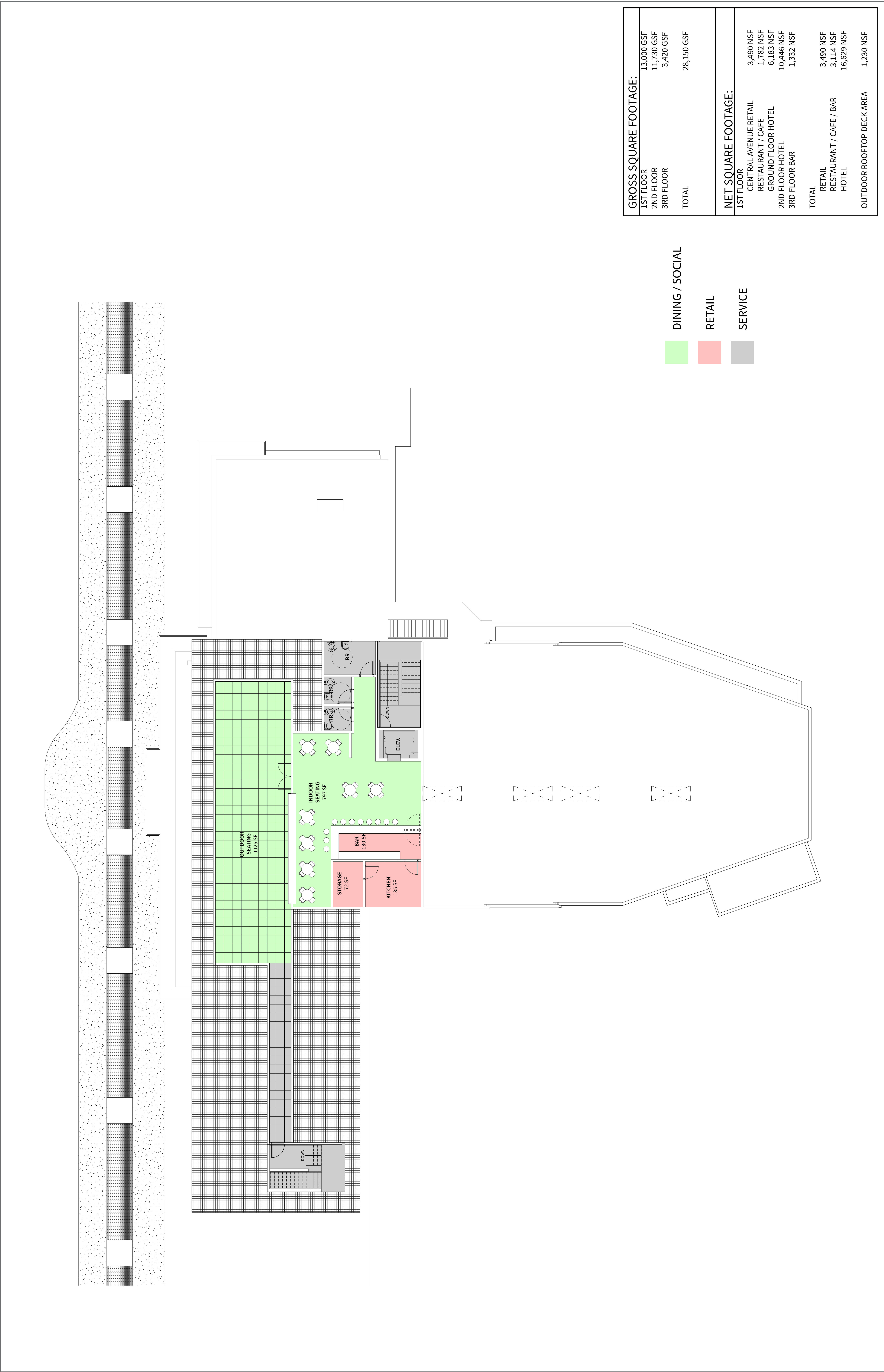
1/8" = 1'-0"

CB FOX

PROJECT NUMBER: 2516



STUDIO SOUTHWEST
ARCHITECTS



THIRD FLOOR PLAN

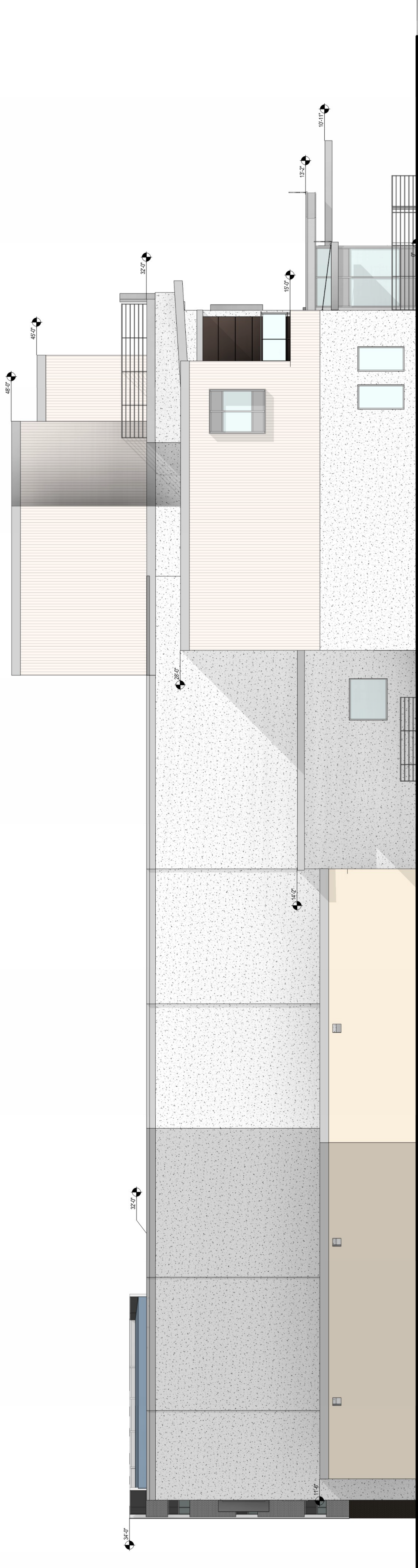
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CB FOX

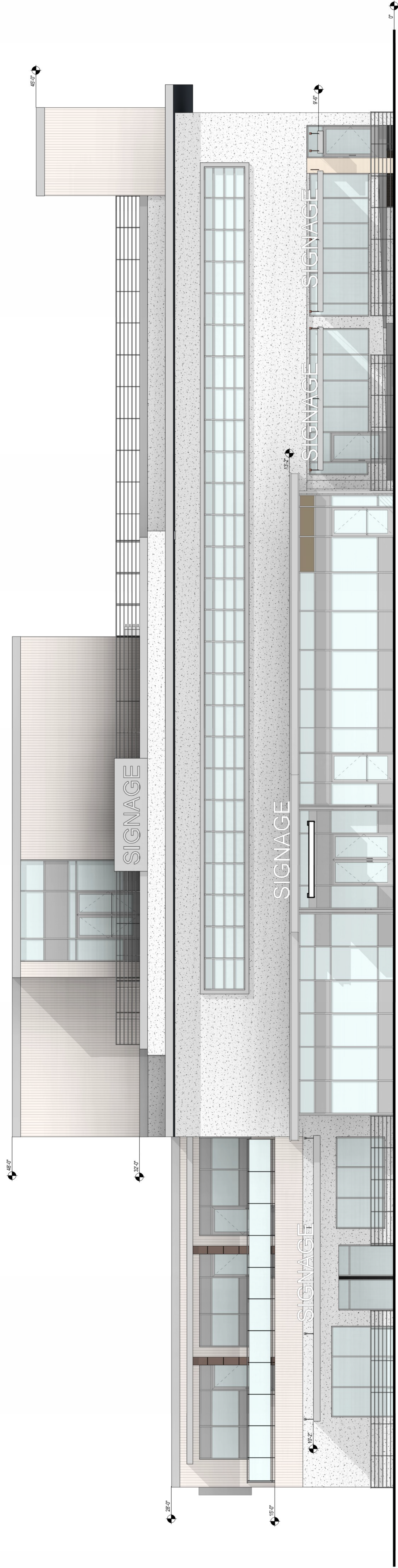
PROJECT NUMBER: 2516



STUDIO SOUTHWEST
ARCHITECTS

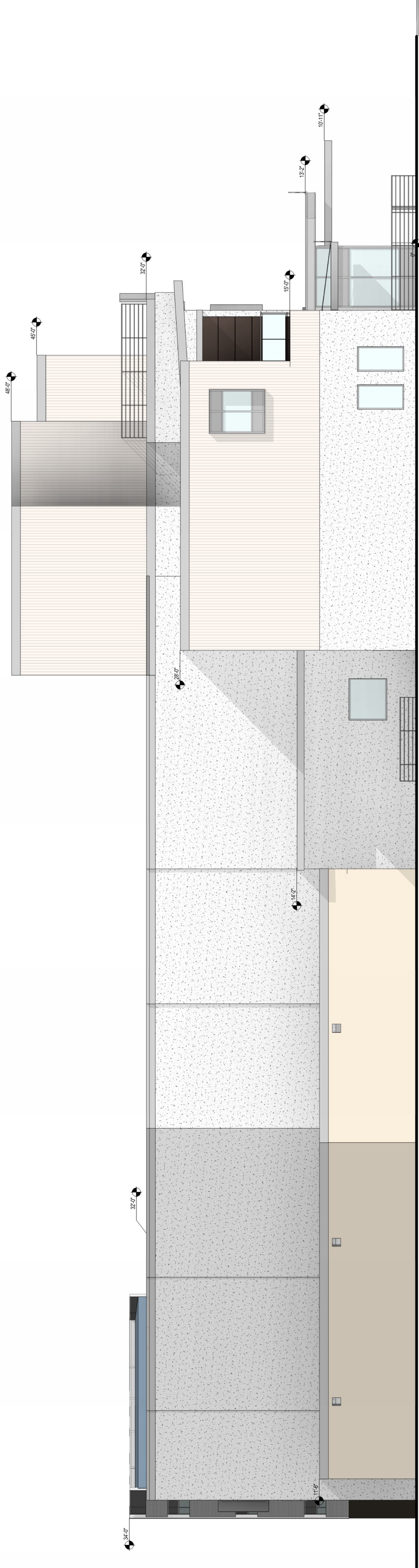


EAST EXTERIOR BUILDING ELEVATION



NORTH EXTERIOR BUILDING ELEVATION

EXTERIOR BUILDING ELEVATIONS

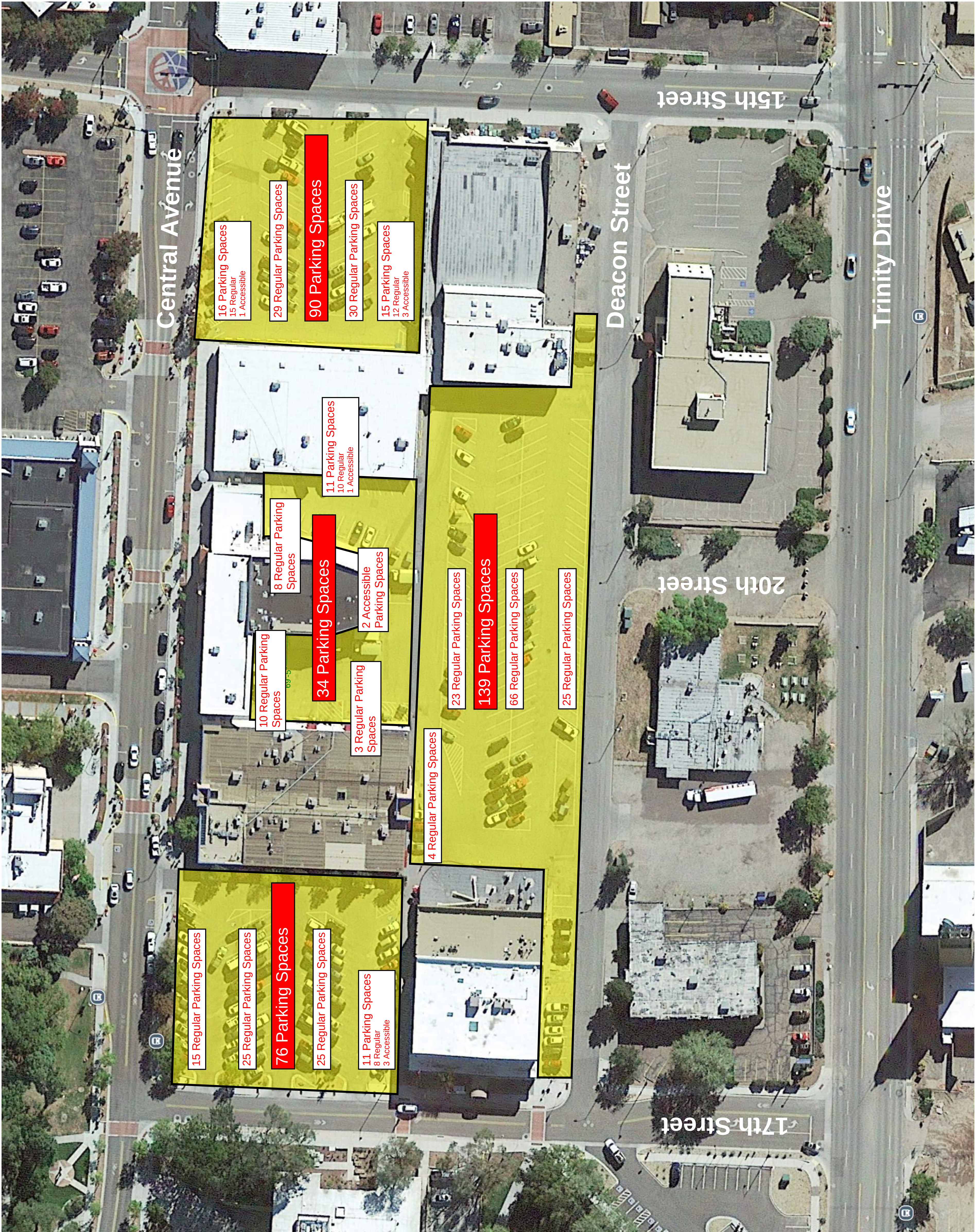


WEST EXTERIOR BUILDING ELEVATION

Site Parking Information

Table of Contents

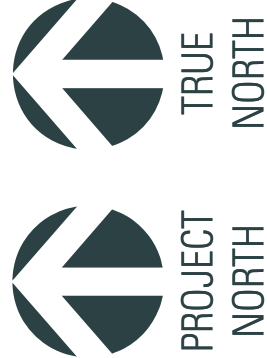
Page 1:	Existing Parking Count
Page 2:	Site Parking Count
Page 3:	1615
Page 4:	1619-1631
Page 5:	1731-1743
Page 6:	1789
Page 7:	1789 cont.
Page 8:	1789 cont.
Page 9:	1907
Page 10:	1911



**PARKING ASSOCIATION
SITE PARKING COUNT**

CB FOX LOS ALAMITOS
PROJECT NUMBER: 2516
SCALE: 1:40
DATE: 10/20/2025

PARKING COUNT
~10 ACCESSIBLE ~304 REGULAR
~314 TOTAL PARKING



STUDIO SOUTHWEST
ARCHITECTS

LEGEND

- Restaurant / Bar Lounge
- Retail
- Retail 1st Floor Warehouse 2nd Floor
- Office, Business or Professional 1st Floor Retail 2nd Floor
- Office, Business or Professional
- Hotel and Mixed Use
- Deacon Street ROW 25 Spaces Available

Approximate Site Boundary

Parking Calculation

- Restaurant / Bar Lounge Spaces 198
- Retail 84
- Office, Business or Professional 196
- Hotel 21
- Warehouse 4
- Storage 1

Total Parking Spaces Required by Use: 504 Spaces

Parking Required:

Minimum Off-Street Parking Requirements Per Table 27

DTLA minimum off-street parking per 16-6-(c)(3)(d) is 50% of amount in table 27

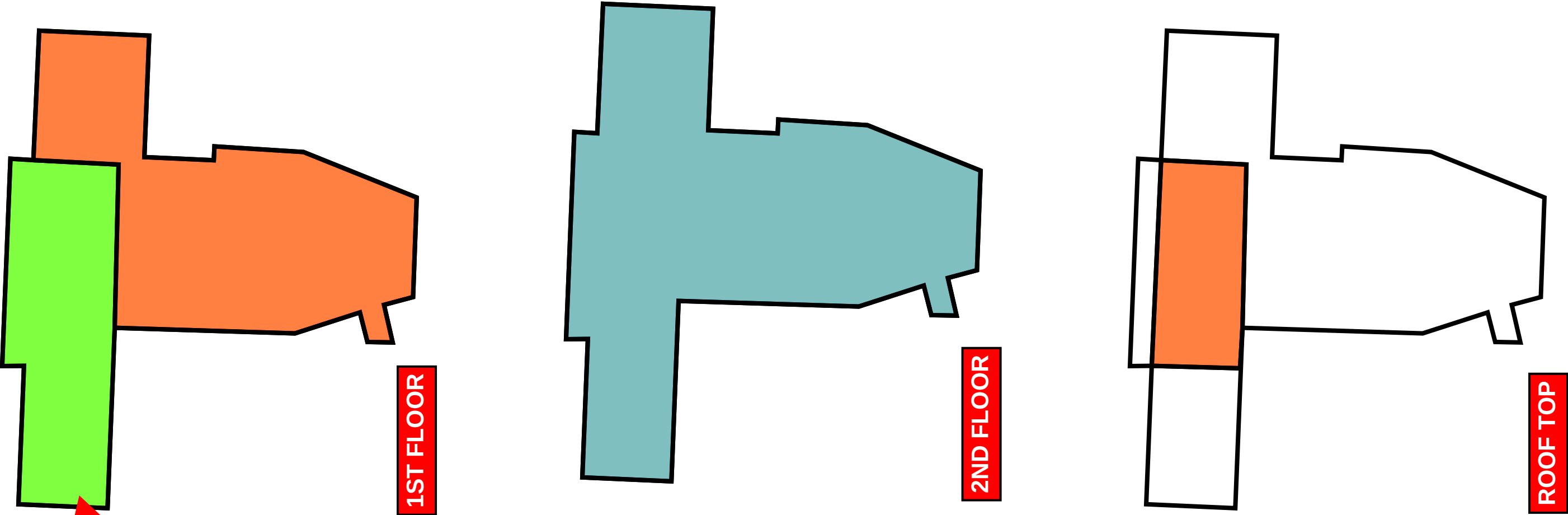
504 Spaces = 252 Spaces

Transportation Proximity Reduction Credit

20% reduction of 252 Spaces = 202 Spaces

Total Site Parking Required = 202 Spaces

Existing parking count = 289 Plus 25 Additional Deacon Street Right Of Way Parking Spaces



1911 Central: 10,214 sf 44 Total Parking Spaces	1907 Central: 4,467 sf 24 Total Parking Spaces	1903 Central: 3,433 sf 24 Total Parking Spaces	1789 Central: 20,281 sf 112 Total Parking Spaces	1619-1631: 14,717 sf 60 Total Parking Spaces	1615 Central: 28,642 sf 108 Total Occupants
Office, Business, and Professional 10,214 sf (4 spaces per 1,000 sf) 44 Total Parking Spaces	Office, Business, and Professional 2,234 sf (4 spaces per 1,000 sf) 12 Parking Spaces	Restaurant 3,433 sf (6 spaces per 1,000 sf) 24 Total Parking Spaces	Retail 13,521 sf (6 spaces for 1,000 sf) 84 Parking Spaces	Retail 2,125 sf (4 spaces for 1,000 sf) 12 Parking Spaces	Retail 14,114 sf (4 spaces for 1,000 sf) 60 Parking Spaces
	Retail 2,234 sf (4 spaces per 1,000 sf) 12 Parking Spaces		Office, Business, and Professional 6,760 sf (4 spaces per 1,000 sf) 28 Parking Spaces	Office, Business, and Professional 11,705 sf (4 spaces per 1,000 sf) 48 Parking Spaces	Office, Business, and Professional 11,000 sf (4 spaces per 1,000 sf) 44 Parking Spaces
			112 Total Parking Spaces	60 Total Parking Spaces	Warehouse 3,528 sf (1 spaces for 1,000 sf) 4 Parking Spaces
					108 Total Occupant

1731-1743: 26,065 sf 132 Total Occupants
Basement Storage 600 sf (1 space per 1,000 sf) 1 Parking Space
Restaurant / Bar Lounge 14,100 sf (6 spaces per 1,000 sf) 90 Parking Spaces
Office, Business, and Professional 4,165 sf (4 spaces per 1,000 sf) 20 Parking Spaces
Hotel or Motel 7,200 sf (1 space per room) 21 Parking Spaces
132 Total Parking Spaces

PARKING ASSOCIATION SITE
PARKING COUNT

CB FOX LOS ALAMOS
PROJECT NUMBER: 2516
SCALE: 1:40
DATE: 10/20/2025

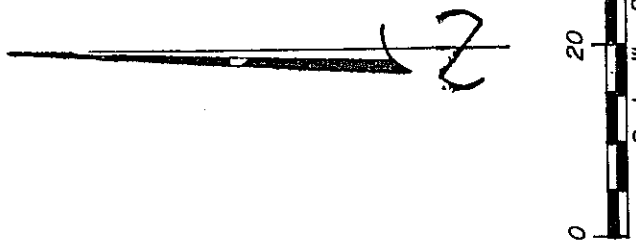


STUDIO SOUTHWEST
ARCHITECTS

SURVEY FOR
G & S ENTERPRISES, INC.

Condominium Portion of Tract EH - Eastern Area No. 3
Situate in Section 15, T. 19 N., R. 6 E., N.M.P.M.

City & County of Los Alamos, New Mexico



- LEGEND
- Found monument, as noted
 - Building wall
 - Record information

SURVEYOR'S NOTES

1. Basis of bearing - N. 02° 09' 15.3" E. (From a 1" stainless steel cap marked "T-Post" found at the southeast corner of Tract EH to a 1" stainless steel marked "Property Corner" found at the northeast corner of Tract EH)
2. Reference materials used -
 - a. Deeds - Book 10, page 31 - USA to G & S. Enterprises, Inc.; Book 9, page 215 - USA to Los Alamos National Bank
 - b. Plat of Eastern Area No. 3 by Limbaugh Engineering as filed in Plat Book No. 1, page 74
3. This survey is subject to any facts that may be disclosed by a full and accurate title search.
4. Elevations shown on this plat are relative to the T-Post (Point No. 10) found on the westerly right-of-way of 15th Street.

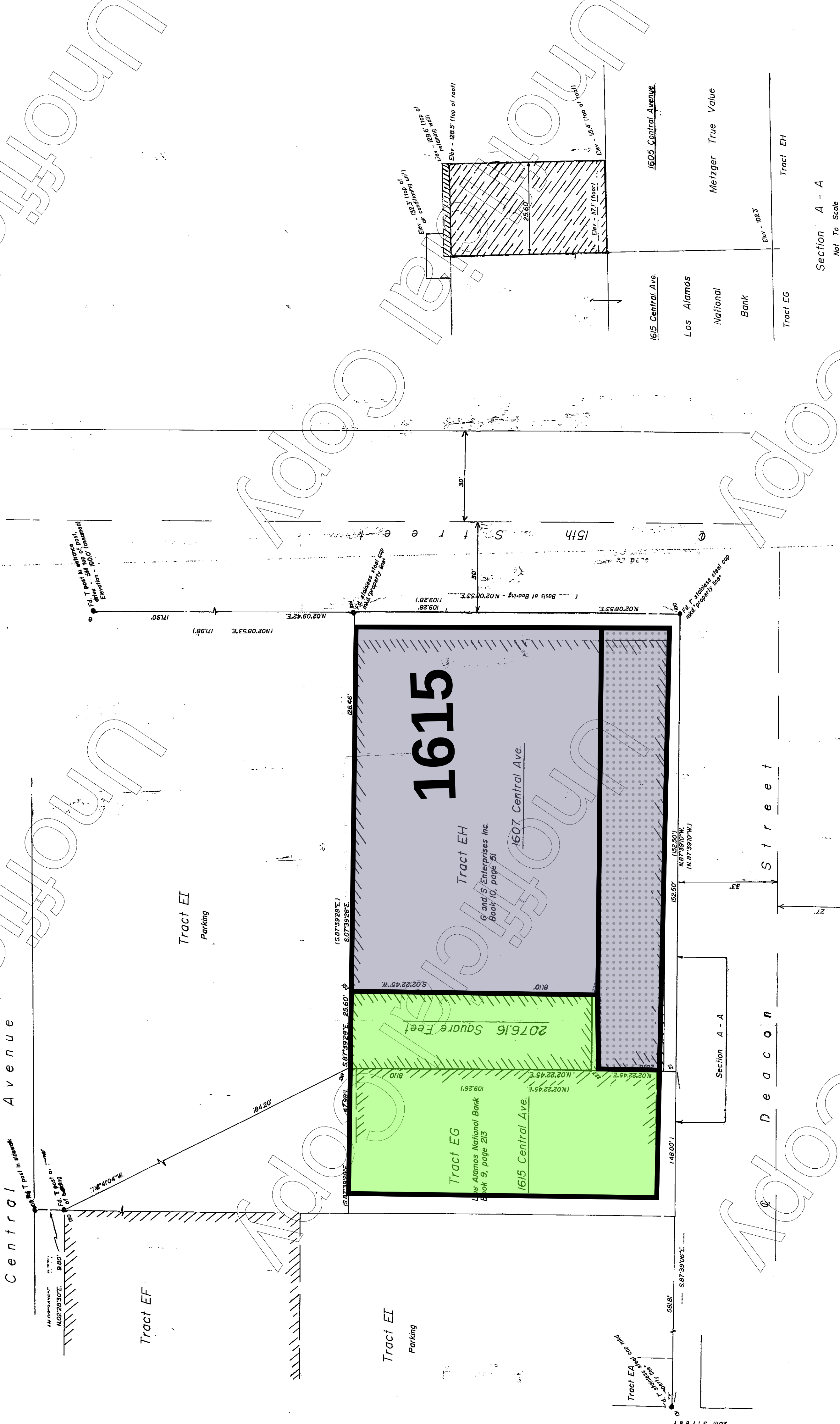
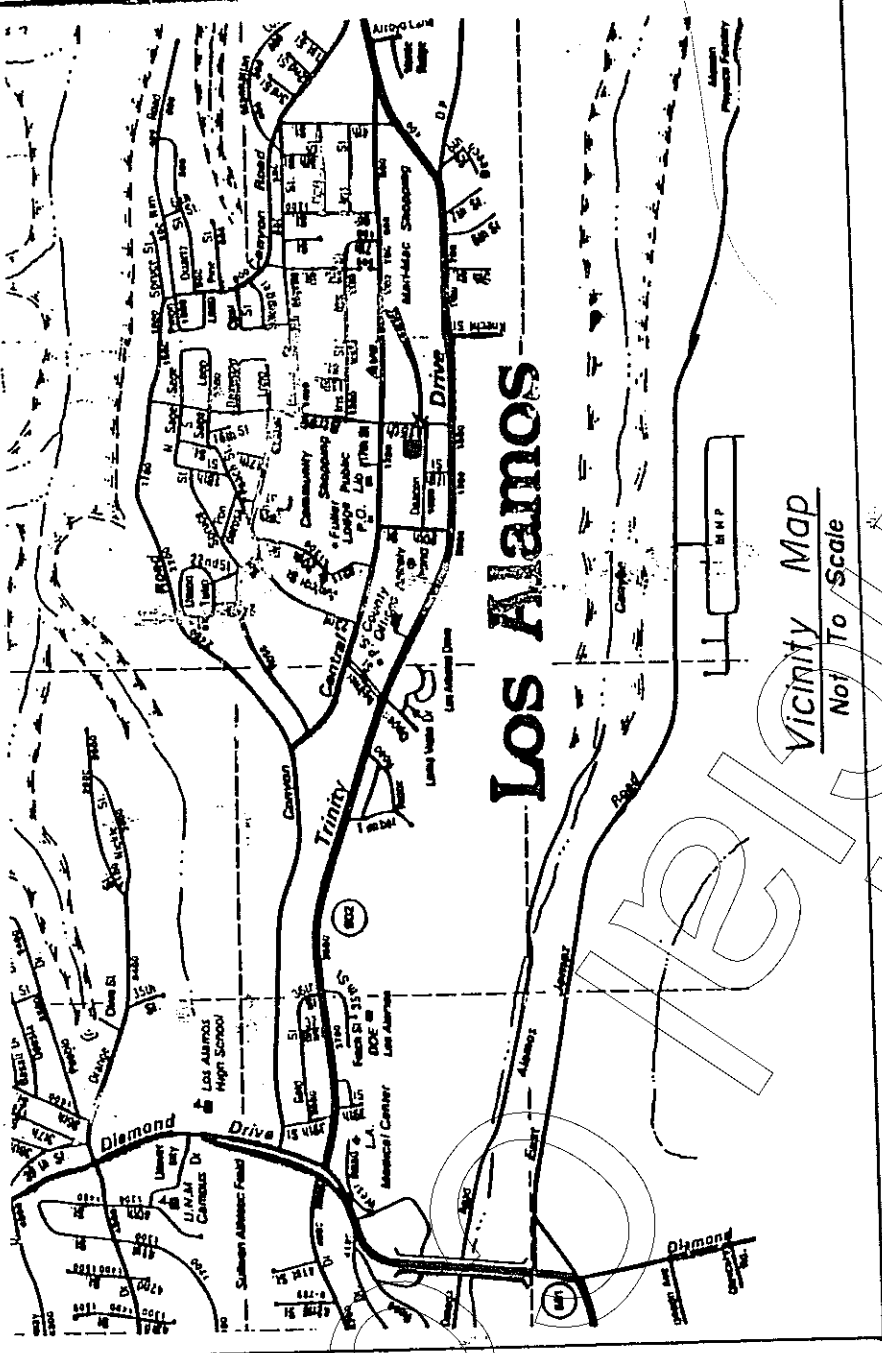
STATE OF NEW MEXICO	
COUNTY OF LOS ALAMOS	
DOC	112182
Filed for record	June 17, 1994
At	5:05 PM
BOOK	413
PAGE	349
COUNTY CLERK	Debbie S. Shaw
DEPUTY	Debbie S. Shaw



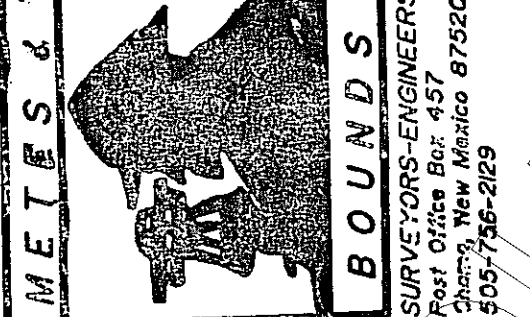
CERTIFICATE OF SURVEY

I do hereby certify that this plat is an accurate delineation of field surveys completed under my direction in May of 1994, and that it meets the minimum standards for surveys in New Mexico as adopted by the New Mexico Board of Registration for Professional Engineers and Surveyors on 2 February 1994.

William H. Albert, N.M.P.S. 7241
Date 6/10/94

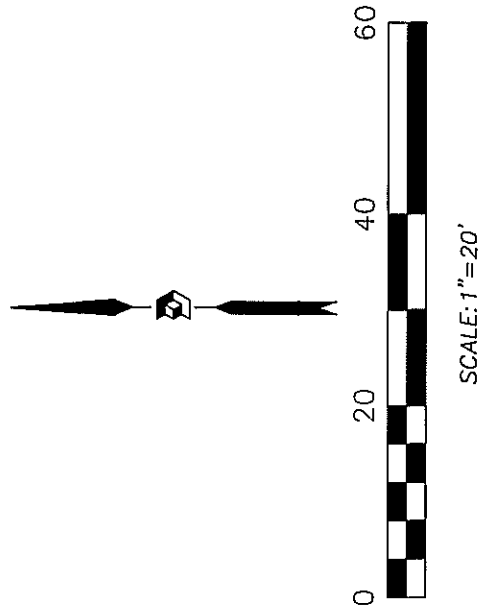


REVISIONS		DESCRIPTION	
Date	By		
13 May 1994	drh/RS		
computer no. 94-6506	file no. 94-59		
INDEXING INFORMATION FOR COUNTY CLERK			
owner: G&S ENTERPRISES, INC.			
subdivision: Eastern Area No. 3			
grant: N/A			
knowledge: 19N	page: 6E	section: 15	



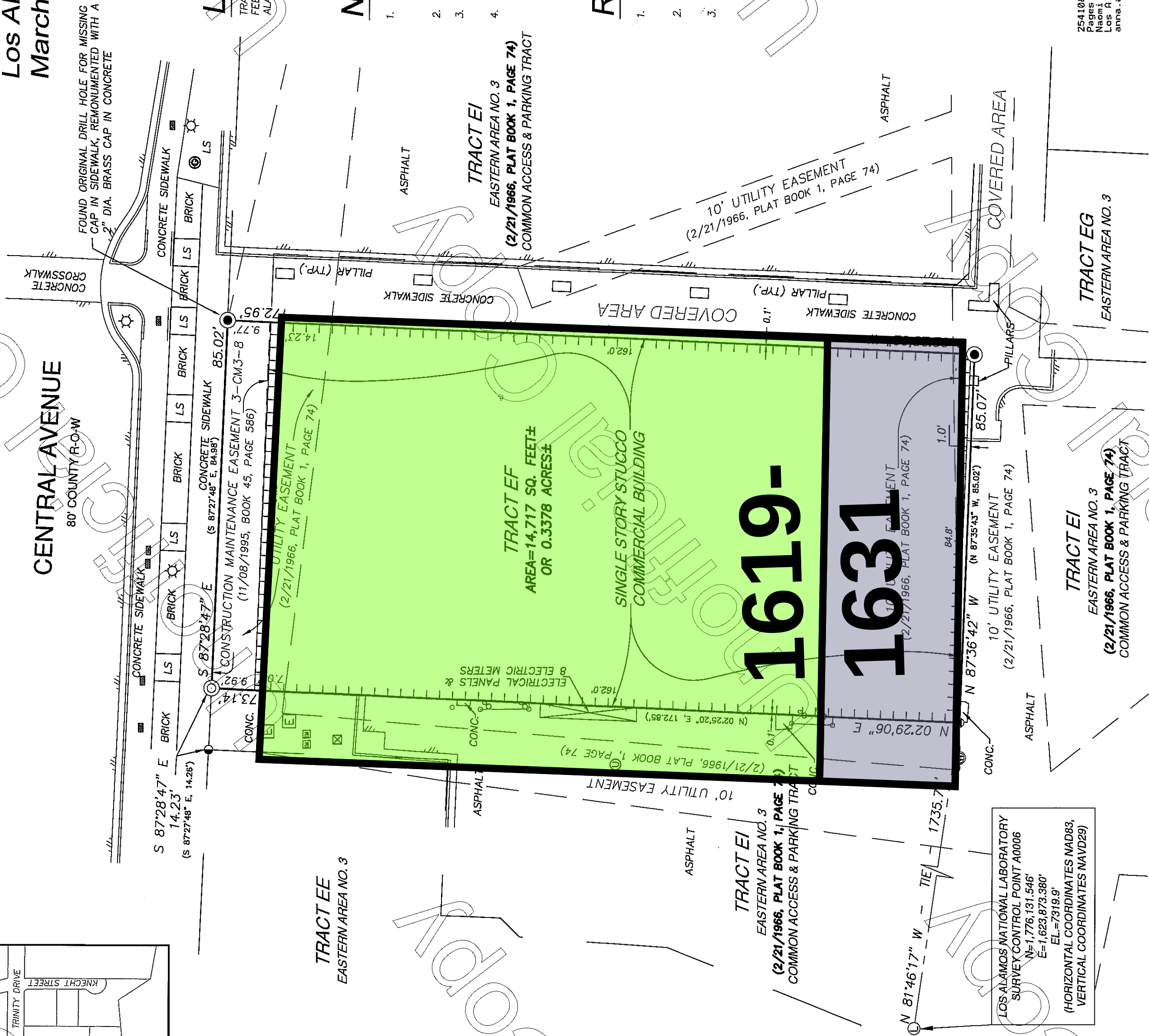
94-069

The map shows a grid of streets. Central Avenue runs vertically on the left. Trinity Drive runs vertically on the right. 15th Street and 20th Street run horizontally across the middle. Deacon Street runs vertically between Central Avenue and Trinity Drive. A lot on Central Avenue, between 15th and 20th Streets, is shaded with diagonal lines. A callout bubble with the word 'Site' points to this shaded lot. The text 'KNECHT STREET' is written vertically along Trinity Drive, oriented sideways.



Legend

LIMITS OF SURVEY, ALL INFORMATION SHOWN OUTSIDE OF BOUNDARY IS FOR INFORMATIONAL PURPOSES ONLY.	
(N 04°59'30" E)	RECORD BEARINGS AND DISTANCES SHOWN PER PLAT OF "EASTERN AREA-NO. 3"
N 04°59'30"	MEASURED BEARINGS AND DISTANCES.
LS	DEMOTES LANDSCAPING
⊙	2 1/2" DIAMETER BRASS CAP IN CONCRETE STAMPED "PS 11993", FOUND.
●	1/2" DIAMETER DRILL HOLE IN CONCRETE, FOUND.
⦿	2" DIAMETER BRASS CAP IN CONCRETE STAMPED "PS 11993" SET.
○	3" DIAMETER ALUMINUM CAP IN CONCRETE, FOUND.
⚓	BATHEY T-BAR WITH CAP, FOUND.
□	ELECTRIC BOX OR PULL BOX.
⏚	ELECTRIC METER ON PEDESTAL.
⊠	TRANSFORMER.
⌂	LIGHTING PULL BOX.
☼	STREET LIGHT.
⦿	GAS VALVE.
♂	GAS METER.
⚙	WATER METER.
⊕	UNKNOWN UTILITY MANHOLE.
○	METAL BOLLARD.
—	EDGE OF ASPHALT.
==	CONCRETE CURB & GUTTER.



TRACT EF AS SHOWN OF THE SUBDIVISION PLAT OF EASTERN AREA NO. 3, FILED ON FEBRUARY 21, 1966 AND RECORDED IN PLAT BOOK 1, PAGE 74, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.

ONLY ABOVE GROUND VISIBLE UTILITIES HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION OF ABOVE GROUND APPEARANCES. THE SURVEYOR HAS NOT PHYSICALLY LOCATED OR SHOWN THE UNDERGROUND UTILITIES.

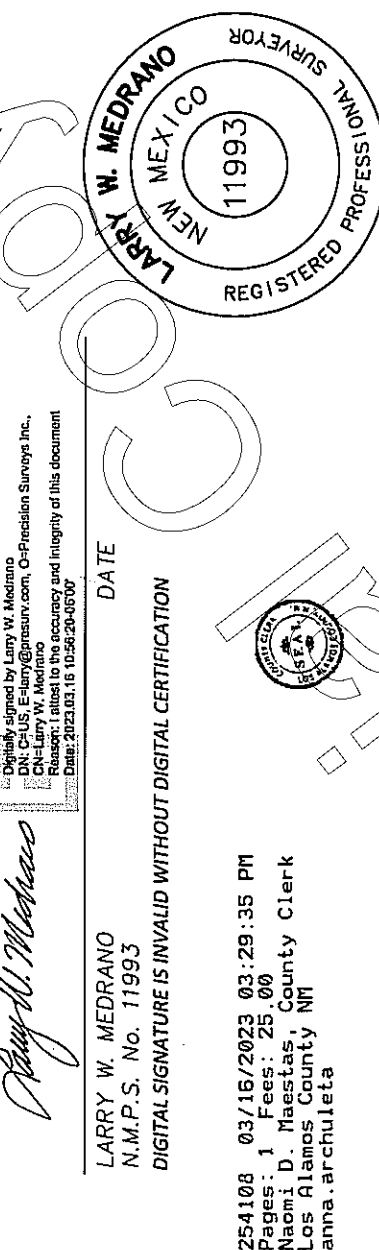
PLAT SHOWS ALL EASEMENTS OF RECORD.

EASEMENT BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD AND EASEMENTS HAVE BEEN ROTATED TO MATCH BASIS OF BEARINGS AND BOUNDARY UNLESS OTHERWISE INDICATED.

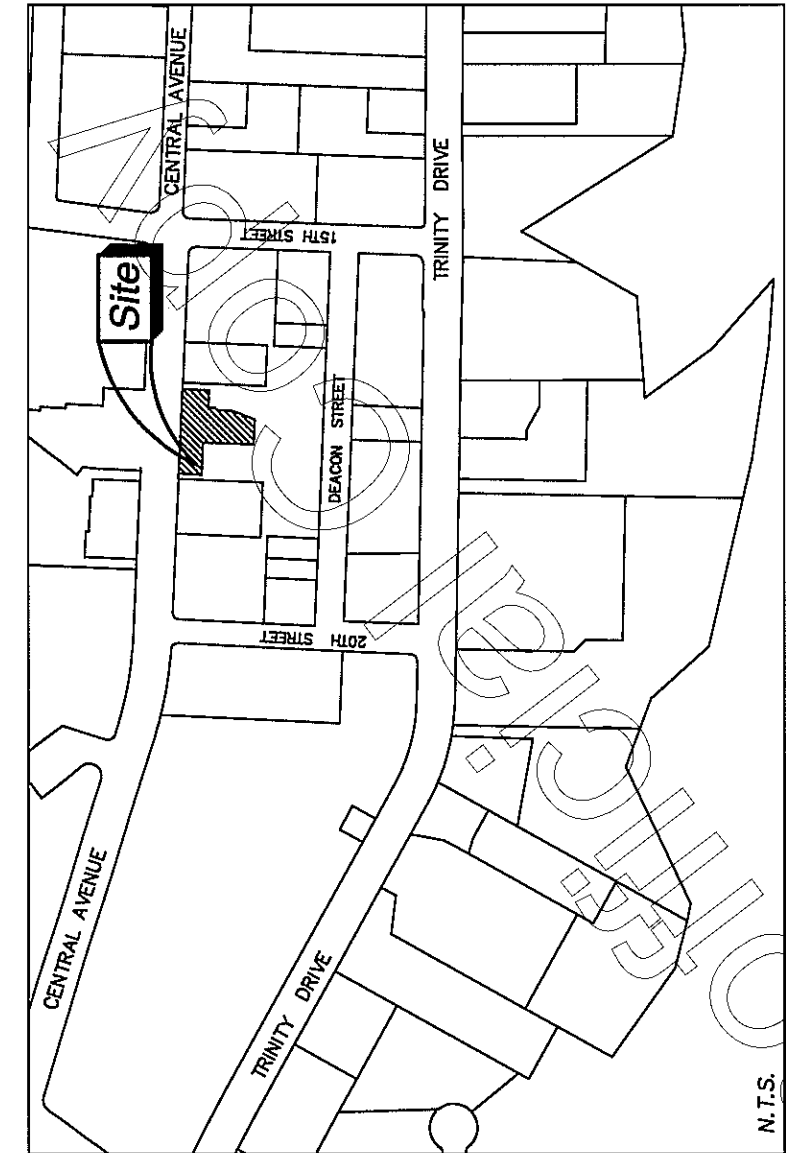
TRACT E1, THE ADJOINER OF THIS PROPERTY ON THE EAST, WEST AND SOUTH BOUNDARIES, IS COMMONLY OWNED BY AND MAINTAINED FOR THE USE OF THE TRACTS ABUTTING IT FOR THE PURPOSE OF ACCESS, PARKING, SIDEWALKS AND OTHER SHARED INFRASTRUCTURE.

1. PLAT OF EASTERN AREA NO. 3 FILED FOR RECORD ON FEBRUARY 21, 1966 IN PLAT BOOK 1, PAGE 74.
2. PLAT OF LOS ALAMOS COUNTY RIGHT OF WAY MAP, NEW MEXICO PROJECT NO. TPE-7728(1) FILED FOR RECORD ON NOVEMBER 8, 1995 IN MISC. BOOK 45, PAGE 571.
3. GRANT OF CONSTRUCTION MAINTENANCE EASEMENT AND AGREEMENT FILED ON NOVEMBER 8, 1995 IN MISC. BOOK 45, PAGE 586.

I, LARRY W. MEDRANO, NEW MEXICO PROFESSIONAL SURVEYOR NO. 11993, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.



NO.		DATE		BY DESCRIPTION		REVISIONS		COORDINATE AND DIMENSION INFORMATION				PLSS INFORMATION		PROPERTY INFORMATION				PROJECT INFORMATION			
						STATE PLANE ZONE:		GRID GROUND COORDINATES:		LAND GRANT		PROPERTY OWNER		CREW/TECH:		DATE OF SURVEY					
						NM-C		GRID		N/A		JOSE A. ARELLANO AND MARY M. ARELLANO		SP		03/06/2023					
						HORIZONTAL DATUM: NAD83		VERTICAL DATUM: NAVD88		SECTION 15		TOWNSHIP 19 NORTH		RANGE 06 EAST		MERIDIAN NMPM		SUBDIVISION NAME EASTERN AREA NO. 3		ADDRESS 1619-1631 CENTRAL AVENUE	
						CONTROL USED: LNL				CITY LOS ALAMOS				COUNTY LOS ALAMOS		STATE NIM		UPC 1034112074333		SECOND ADDRESS N/A	
						COMBINED SCALE FACTOR:		DISTANCE ANNOTATION: GROUND													
						GRID TO GROUND: 1.00044983182		BEARING ANNOTATION: GROUND TO GRID: 0.99955027053													
								GRID													



Location Map

Legal Description

TRACT EE, EASTERN AREA NO. 3, AS SHOWN ON EASTERN AREA NO. 3, FILED FOR RECORD ON FEBRUARY 21, 1966, IN PLAT BOOK 1, PAGE 74, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.

NOTES CORRESPONDING TO SCHEDULE B-II

- SEWER AND REFUSE ASSESSMENTS NOT YET DUE AND PAYABLE AND THEREAFTER.
- AFFECTS SUBJECT PROPERTY, NON-SURVEY MATTER.
- INTENTIONALLY OMITTED.
- TERMS AND CONDITIONS OF PERMIT FOR ENCROACHMENT ON EASEMENT OR RIGHT-OF-WAY, RECORDED IN BOOK 38, PAGE 519, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.
- DOES NOT AFFECT SUBJECT PROPERTY, NO AWINGS ENCROACH INTO RIGHT-OF-WAY.
- TERMS AND CONDITIONS OF GRANT OF CONSTRUCTION AND MAINTENANCE EASEMENT AND AGREEMENT, RECORDED IN BOOK 45, PAGE 588, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.
- AFFECTS SUBJECT PROPERTY, AS SHOWN.
- UTILITY EASEMENTS AND REFERENCED ON SUBDIVISION PLAT RECORDED IN PLAT BOOK 1, PAGE 74, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.
- AFFECTS SUBJECT PROPERTY, AS SHOWN.
- EASEMENT AS REFERENCED ON PLAT RECORDED IN PLAT BOOK 45, PAGE 571, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.
- AFFECTS SUBJECT PROPERTY, AS SHOWN.

Survey Notes

- FIELD SURVEY COMPLETED ON DECEMBER 4, 2019.
- ALL BEARINGS ARE GRID BEARINGS: N.M. STATE PLANE COORDINATES, CENTRAL ZONE-NAD 1983.
- ALL DISTANCES ARE GROUND DISTANCES: U.S. SURVEY FOOT.
- FIELD BEARINGS AND DISTANCES MATCH PLATTED BEARINGS AND DISTANCES.
- THIS PROPERTY LIES WITHIN SECTION 15, TOWNSHIP 19 NORTH, RANGE 6 EAST, NEW MEXICO PRINCIPAL MERIDIAN, LOS ALAMOS COUNTY, NEW MEXICO.
- ZONING: DT-TCO.
- SQUARE FOOTAGE DATA: 15,696 SQUARE FEET ± OR 0.3603 ACRES.
- TITLE COMMITMENT REFERENCE FILE LA19-0699 PREPARED BY TITLE GUARANTY, LLC ON OCTOBER 24, 2019.
- NOTE: ONLY ABOVE GROUND AND SURFACE EVIDENCE OF UTILITIES WERE LOCATED, UNDERGROUND UTILITIES SHOWN ARE BASED ON INFORMATION PROVIDED BY THE COUNTY OF LOS ALAMOS.
- FOR DOCUMENT AND PLAT REFERENCES SEE ITEMS LISTED UNDER THE HEADING "NOTES CORRESPONDING TO SCHEDULE B-II".
- ACCORDING TO SEC. 16-578 OF THE LOS ALAMOS COUNTY MUNICIPAL CODE THE DEVELOPMENT STANDARDS FOR ZONING DT-TCO, DOWNTOWN TOWN CENTER OVERLAY ARE AS FOLLOWS: FRONT SETBACK 0 FEET, 0 FEET REAR SETBACK 0 FEET, 0 FEET ON ONE SIDE, 0 FEET ON THE OTHER SIDE, NO MINIMUM FRONTAGE AND NO MAXIMUM LOT COVERAGE.

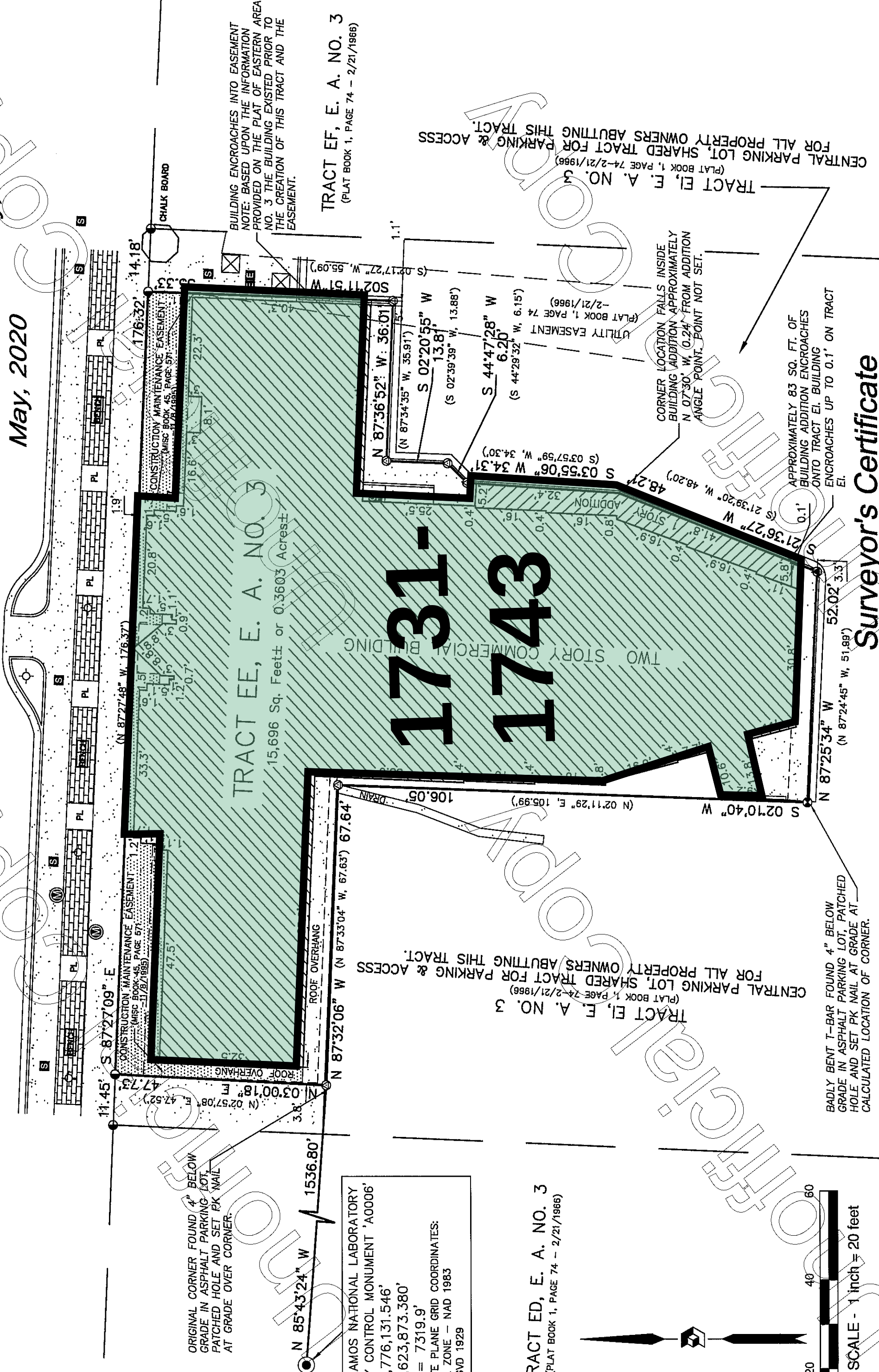
LOS ALAMOS COUNTY INDEXING BLOCK

243254 05/23/2020 04:33 PM
Book 189 Page 139 Naomi D Nuevas - County Clerk
Los Alamos County, NM Anna Sanchez - Deputy
PLAT Page(9):1

CENTRAL AVENUE

80' WIDE COUNTY RIGHT-OF-WAY

ALTANSPS LAND TITLE SURVEY
for Tigard Pacific RE, LLC
of Tract EE, Eastern Area No. 3,
Los Alamos County, New Mexico
May, 2020



Surveyor's Certificate

TRACT EI, E. A. NO. 3
(PLAT BOOK 1, PAGE 74-2/21/1966)
CENTRAL PARKING LOT, SHARED TRACT FOR PARKING & ACCESS
FOR ALL PROPERTY OWNERS ABUTTING THIS TRACT.

DENOTES BOUNDARY OF LAND DEALT WITH BY THIS PLAT.
INFORMATION OUTSIDE THIS BOUNDARY IS SHOW FOR INFORMATION
ONLY, NOT VERIFIED FOR ACCURACY AND IS NOT A PART OF THIS
PLAT.

- N 37°33'25" E MEASURED BEARINGS AND DISTANCES.
- (N 37°33'25" E)
- PLATTED BEARINGS AND DISTANCES.
 - PK NAIL STAMPED, LS "11993", SET THIS SURVEY.
 - ALUMINUM CAP IN CONCRETE, STAMPED AS NOTED, FOUND AND USED.
 - BRASS CAP IN CONCRETE, FOUND AND USED.
 - BATHY T-BAR, FOUND AND USED.
 - BATHY T-BAR WITH CAP, FOUND AND USED.
 - ELECTRIC METER.
 - SEWER MANHOLE.
 - PLANTER.
 - ELECTRIC TRANSFORMER.
 - STREET LIGHT PULL BOX.
 - 4 GAS METERS.
 - BRICK.
 - CONCRETE.

PRECISION
SURVEY, INC.

LARRY W. MEDRANO
N.M.P.S. No. 11993
DATE 5-22-2020
1362 Trinity Drive, Suite A-2
Los Alamos, NM 87544

INDEXING INFORMATION FOR COUNTY CLERK
OWNER: TIGARD PACIFIC RE, LLC
SECTIONS: 15, T. 19 NORTH, R. 06 EAST, NMPLM
SUBDIVISION: EASTERN AREA NO. 3

Sheet 1 of 1

PSI JOB NUMBER 19LA-2040

Tract ED
Condominium Plat and Plan
Eastern Area No. 3
#1789 Central Avenue
Los Alamos, New Mexico
September 2022

REFERENCE DOCUMENTS

1. Subdivision Plat for Eastern Area No. 3, recorded within the official records of Los Alamos County on February 21st, 1966, in Book 1, Page 74. Record bearings and distances from this plat are labeled inside parenthesis.
2. Warranty Deed from Central Park Square, LLC to TinMar, LLC recorded within the official records of Los Alamos County in Book 183, Page 349.
3. Grant of Construction and Maintenance Easement and Agreement recorded within the official records of Los Alamos County in Misc. Book 45, Page 572.
4. Vacation of Utility Easement recorded within the official records of Los Alamos County in Book 187, Page 715.
5. Boundary Survey Plat for Central Park Square LLC of Tract ED, Eastern Area No. 3, recorded within the official records of Los Alamos County in Book 173, Page 388.

SURVEY NOTES

1. Distances are expressed in US Survey Feet measured along the surface of the earth. To convert reported distances to grid multiply by the project combined scale factor of 0.99955295.
2. Bearings are related to Grid North of the New Mexico State Plane Coordinate System of 1983, Central Zone, 2010 Realization and are based on static post-processed global positioning system ties from Control Point #2 to Continuously Operating Reference Stations (CORS): P123, P036, NMSF, PIE1, and NMRO.
3. Elevations are based on static post-processed global position ties from Control Point #3 to CORS (see Note No. 2). A least squares adjustment of (2) 2-hour static observations on 9-6-22 & 9-15-22 and OPUS solutions resulted in an orthometric elevation of 7,324.44 feet ± 0.05 feet at the 95% confidence level as related to the North American Vertical Datum of 1988 (NAVD88), calculated using Geoid 18.

FLOOD ZONE NOTE

The subject property lies within Zone X (Areas determined to be outside the 0.2% annual chance floodplain) as delineated on F.I.R.M. Panel No. 35028C0045C, Effective Date July 18th, 2011.

OWNERS' APPROVAL

This Condominium Plat and Plan were made with the free consent and in accordance with the wishes and the desires of the undersigned owners and/or proprietors thereof.

Jose A. Arellano 10/5/2022
Jose A. Arellano for TinMar, LLC ddtc Tract EC

Acknowledgement

STATE OF NEW MEXICO }
COUNTY OF LOS ALAMOS } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE

THIS 5th DAY OF October, 2022.

Santanna Lopez 10/5/22
NOTARY DATE

MY COMMISSION EXPIRES ON: 10-13-2024

SURVEYOR'S CERTIFICATE

I Scott McCloy, New Mexico Professional Surveyor, hereby certify that this boundary survey plat was prepared from actual field surveys performed during September of 2022, by me or under my direct supervision, that I am responsible for this survey, that this survey is true and correct to the best of my knowledge, and that this boundary survey plat and the field survey upon which it is based meet the Minimum Standards for Surveying in the state of New Mexico. I further certify that this is a boundary survey plat of an existing tract or tracts and is not a land division or subdivision as defined by the New Mexico Subdivision Act.

Scott McCloy 10-5-22
SCOTT MCCLOY N.M.P.S. No. 27222 DATE

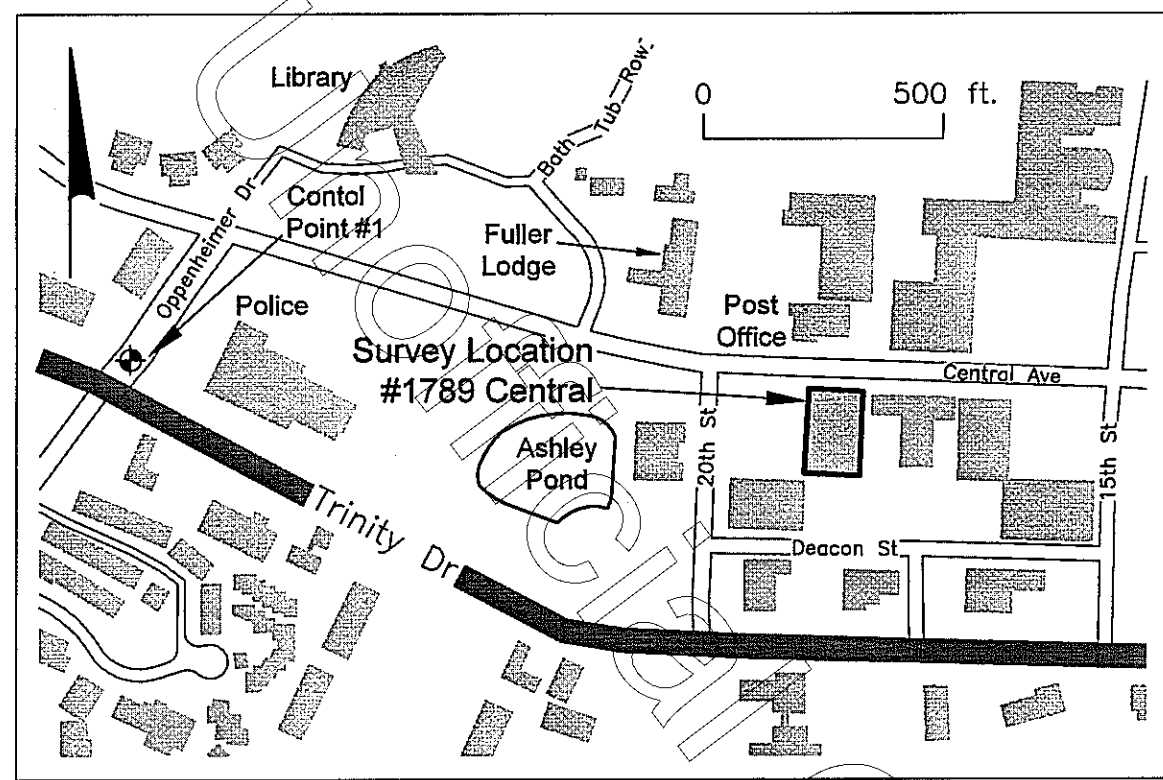
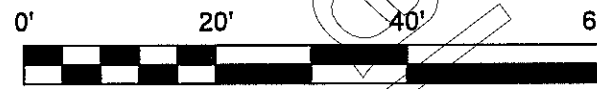
McCLOY LAND SURVEYING, LLC ■ 150 CENTRAL PARK SQUARE ■ LOS ALAMOS, NEW MEXICO 87544
(505) 321-7404 ■ mccloy.surveying@gmail.com



Grid North
NM Central
NAD83(2011)

Scale: 1 inch = 20 feet

All distances are ground U.S. Survey Feet
Central Zone of the New Mexico
State Plane Coordinate System of 1983
Grid = Ground x 0.99955295



LOCATION MAP

Central Avenue
80' Right-of-Way

SYMBOLS

- Boundary
- Easement
- Adjoiner
- Reference bearing & distance
- Block Wall
- Survey Marker found as noted
- Survey Marker set as noted
- Control Point as noted
- Water Meter
- Gas Meter
- Gas Riser
- Telephone Manhole
- Light Pole
- Electric Meter
- Electric Box
- Electric Transformer
- Electric Ground Box
- Street Sign
- Utility Vault
- Handicap Ramp
- Utility Easement
- Construction Maintenance Easement
- Sewer Manhole
- Building
- Concrete
- Brick Pavers

1789

Tract ED

#1789 Central Avenue.
One Story Commercial Building
20,281 square feet
0.466 acres

Tract EI
now or formerly
Central Parking Lot
Corporation

CONTROL POINT COORDINATES

State Plane Coordinate System of New Mexico, Central Zone, NAD83(2011)
NAVD88, Geoid18

Station	Northing	Easting	Elevation	Description
1	1776131.61	1623873.53	7323.64	LANL Survey Control Monument No. A00006
2	1776070.24	1625282.10	7328.80	2" Brass Cap #13236
3	1775421.35	1624965.87	7324.44	No.4 rebar & 1-1/2" alum. cap "Control" #27222

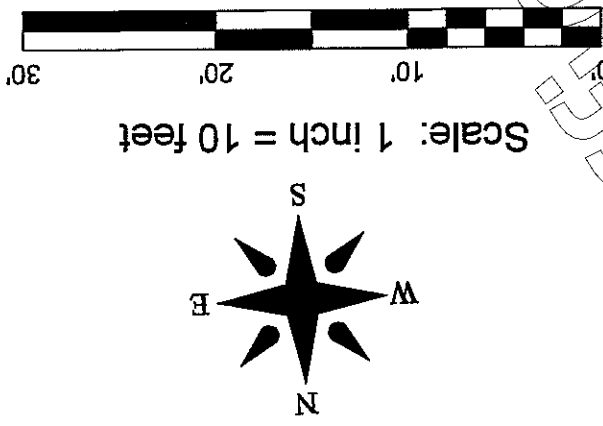
LOS ALAMOS COUNTY, NM
NAOMI D. MAESTAS COUNTY CLERK
253161 Pages: 3
10/05/2022 03:42:14 PM
Anna Archuleta

Tract ED boundary
Sheet 1 of 3

DRAWN BY S.D.M.
CHECKED BY S.D.M.

INDEXING INFORMATION FOR COUNTY CLERK					
STATE	COUNTY	SECTION	TOWNSHIP	RANGE	SUBDIVISION
NEW MEXICO	LOS ALAMOS	15	19 NORTH	6 EAST	EASTERN AREA NO. 3
OWNER(S)		TinMar, LLC			
RECORDED DOCUMENTS		Bk. 183 / Pg. 349			

Tract ED
Condominium Plat and Plan
Eastern Area No. 3
#1789 Central Avenue
Los Alamos, New Mexico
September 2022



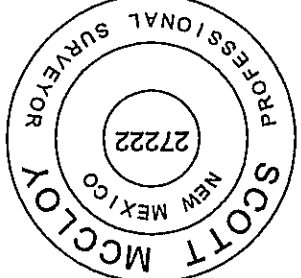
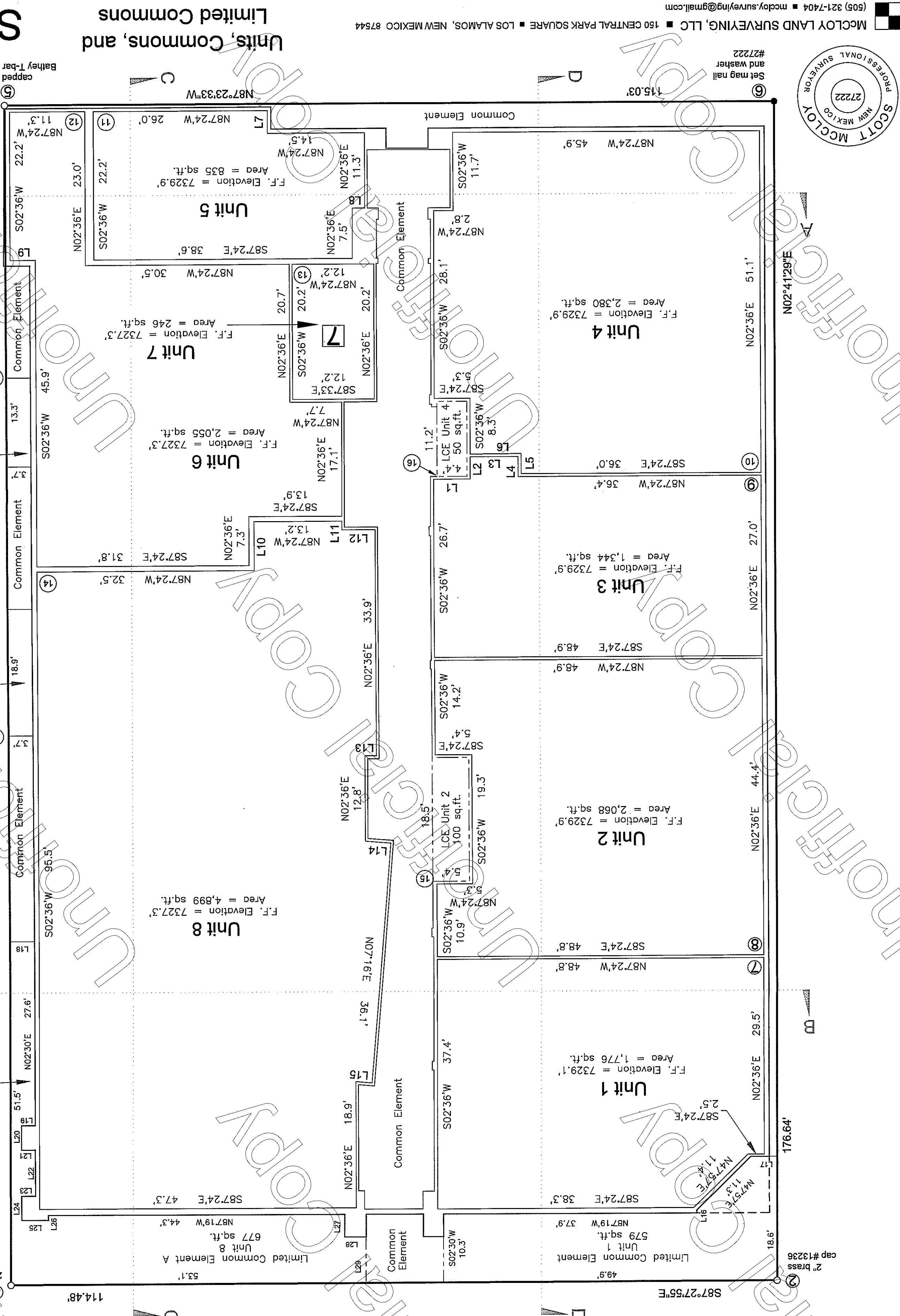
Area	From To	Direction	Distance
Unit 1	2	S 00°19'50" W	48.45'
Unit 2	2	S 00°21'00" W	48.87'
Unit 3	6	N 04°51'33" E	55.98'
Unit 4	6	N 04°52'35" E	55.56'
Unit 5	5	N 03°05'54" W	13.35'
Unit 6	5	N 82°39'01" W	12.10'
Unit 7	5	N 58°11'08" W	49.19'
Unit 8	4	S 04°54'12" W	106.99'
LCE 2	2	S 37°53'30" E	79.06'
LCE 3	2	S 37°53'30" E	79.06'
LCE 4	6	N 44°48'07" E	75.40'
LCE 5	5	N 02°30'48" W	82.39'
LCE 6	5	N 02°30'48" W	82.39'

1789

Unit 8
Limited Common Element A
70 sq.ft.

Unit 6
Limited Common Element
49 sq.ft.

LINE	BEARING	DISTANCE
L1	N87°24'W	5.4'
L2	S02°36'W	3.3'
L3	N87°24'W	7.2'
L4	S02°36'E	3.0'
L5	S02°36'W	3.0'
L6	S87°24'E	7.6'
L7	N02°36'E	3.4'
L8	S87°24'E	1.9'
L9	S87°24'E	3.8'
L10	S02°36'W	7.4'
L11	N02°36'E	1.3'
L12	N87°24'W	4.9'
L13	S87°24'E	1.7'
L14	N87°24'W	3.8'
L15	S82°44'E	2.4'
L16	S02°41'W	0.5'
L17	N87°24'W	4.0'
L18	N87°19'W	3.7'
L19	S87°19'E	2.0'
L20	N02°41'E	3.7'
L21	N87°30'W	2.1'
L22	N02°30'E	6.9'
L23	S87°30'E	2.1'
L24	N02°30'E	3.7'
L25	N87°30'W	4.0'
L26	S02°41'W	0.7'
L27	N02°59'E	3.4'
L28	N87°19'W	3.2'
L29	N02°41'E	6.9'



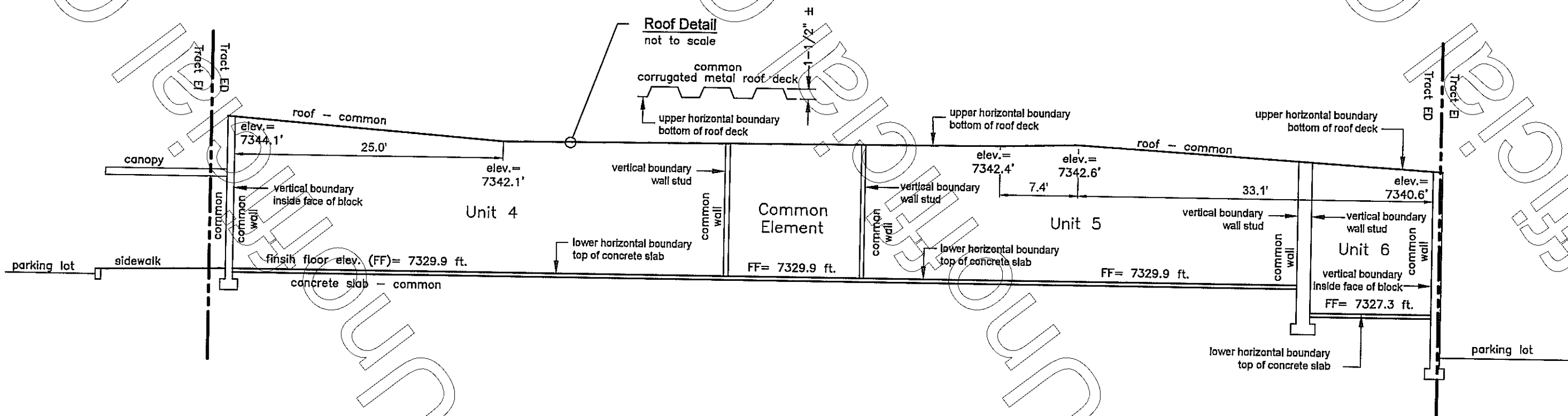
McCloy Land Surveying, LLC ■ 150 CENTRAL PARK SQUARE ■ LOS ALAMOS, NEW MEXICO 87544
(505) 321-7404 ■ mclroy.surveying@gmail.com

Units, Commons, and
Limited Commons
Sheet 2 of 3

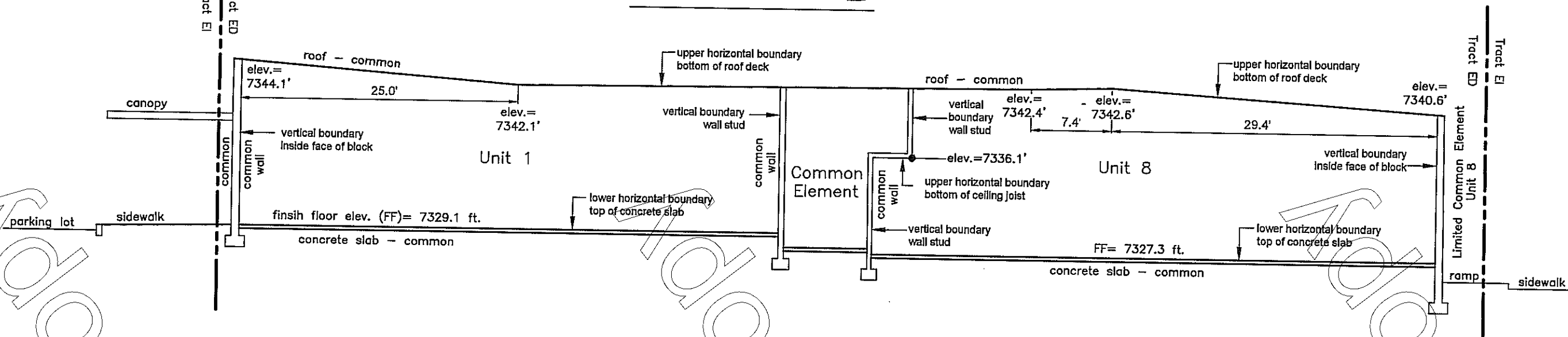
Tract ED
Condominium Plat and Plan
Eastern Area No. 3
#1789 Central Avenue
Los Alamos, New Mexico
September 2022

Not to Scale

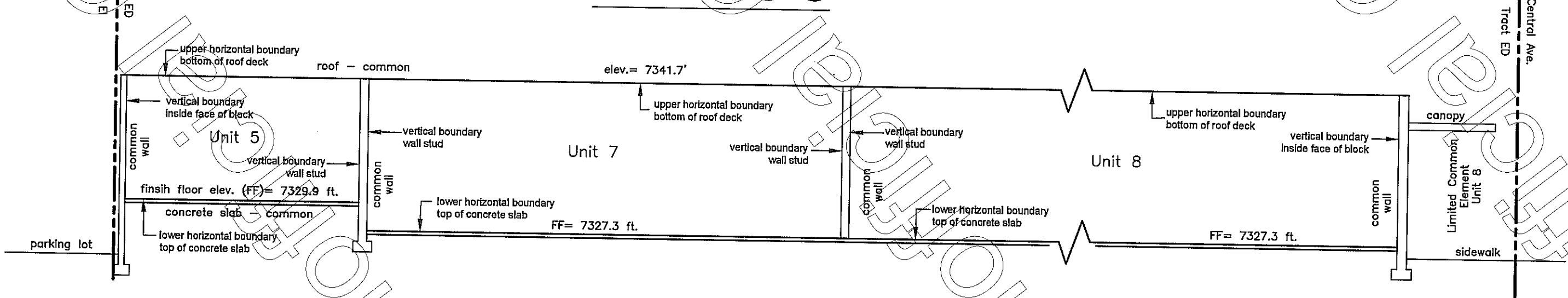
Section A-A



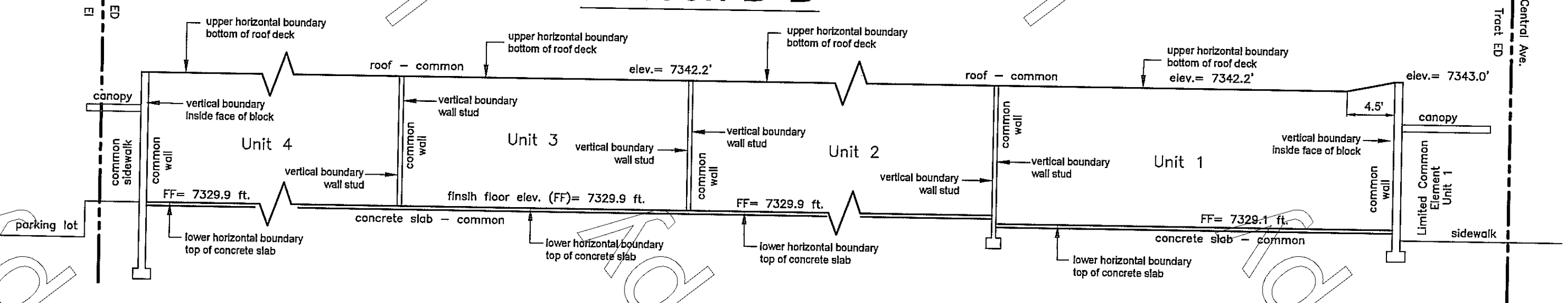
Section B-B



Section C-C



Section D-D



DEFINITIONS

Unit - a physical portion of the condominium designated for separate ownership or occupancy

Common Element - an area owned and used in common by all units of a condominium

Limited Common Element - a portion of the common elements allocated for the exclusive use of one or more but fewer than all of the units

Horizontal Boundaries - floors and/or ceilings

Vertical Boundaries - common walls

Common Wall - a wall that divides two adjoining separately owned properties

CONDOMINIUM NOTES

1. For all units, the upper horizontal boundaries are intended to lie at the bottom of the existing corrugate metal roof deck.
2. For all units, the lower horizontal boundaries are intended to lie at the top of the existing concrete slab.
3. For all units, the vertical boundaries are intended to lie at the structural elements of the common walls.



Boundary Survey
Tract EB

Eastern Area No. 3
#1907 Central Avenue
Los Alamos, New Mexico
December 2022

REFERENCE DOCUMENTS

- Title Commitment issued by Title Guaranty, LLC, underwritten by First American Title Insurance Company, File No.: L22-0576, Dated November 8, 2022.
- Subdivision Plat for Eastern Area No. 3, recorded within the official records of Los Alamos County on September 22nd, 2014, in Book 167, Page 401.
- Boundary Survey Plat of Tract EA, Eastern Area No. 3, recorded within the official records of Los Alamos County on September 22nd, 2014, in Book 167, Page 401.
- ALTA/NSPS, Land Title Survey of Tract EA, Eastern Area No. 3, recorded within the official records of Los Alamos County on October 23rd, 2016, in Book 174, Page 399.

SURVEY NOTES

- Distances are expressed in US Survey Feet and converted to grid distances by the project combined scale factor of 0.99955286.
- Bearings are related to Grid North of the New Mexico State Plane Coordinate System of 1983, Central Zone, 2010 Realization and are based on the survey control monument located at the intersection of Central Point #2 to Continuously Operating Reference Stations (CORS): P123, P036, NMSF, FIE1, and NMRD.

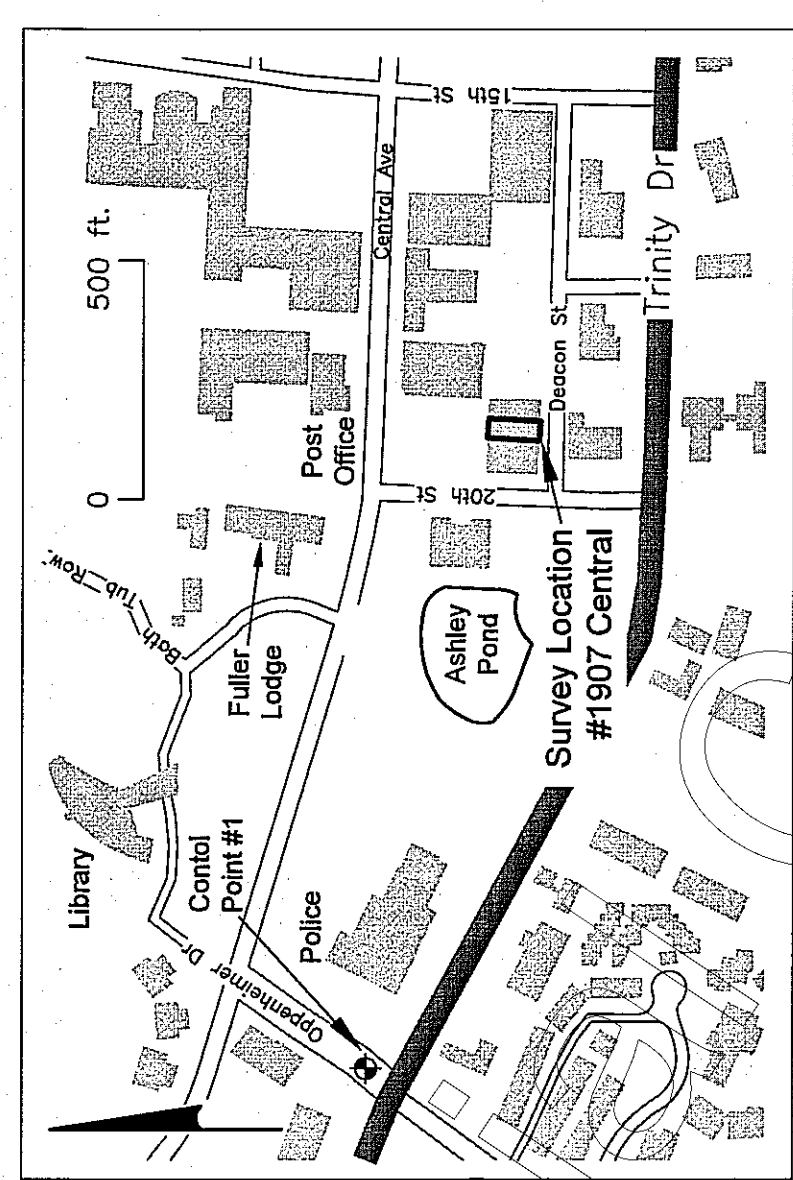
FLOOD ZONE NOTE

The subject property lies within Zone X (Areas determined to be outside the 0.2% annual chance floodplain) as delineated on FIRM Panel No. 35026C0045C, Effective Date July 18th, 2011.

SURVEYOR'S CERTIFICATE

I, Scott McCloy, New Mexico Professional Surveyor, hereby certify that this boundary survey plat was prepared from actual field surveys performed during December of 2022, by me or under my direct supervision, and that the survey was conducted in accordance with the laws and regulations of the State of New Mexico, and that this boundary survey plat and the field survey upon which it is based meet the Minimum Standards for Surveying in the State of New Mexico. I further certify that this is a boundary survey plat of an existing tract or tracts and is not a land division or subdivision as defined by the New Mexico Subdivision Act.

DATE 12-8-22
SCOTT MCCLOY N.M.P.S. No. 27222
McCLOY LAND SURVEYING, LLC 150 CENTRAL PARK SQUARE ■ LOS ALAMOS, NEW MEXICO 87544
(505) 321-7404 ■ mccloy.surveying@gmail.com



LOCATION MAP

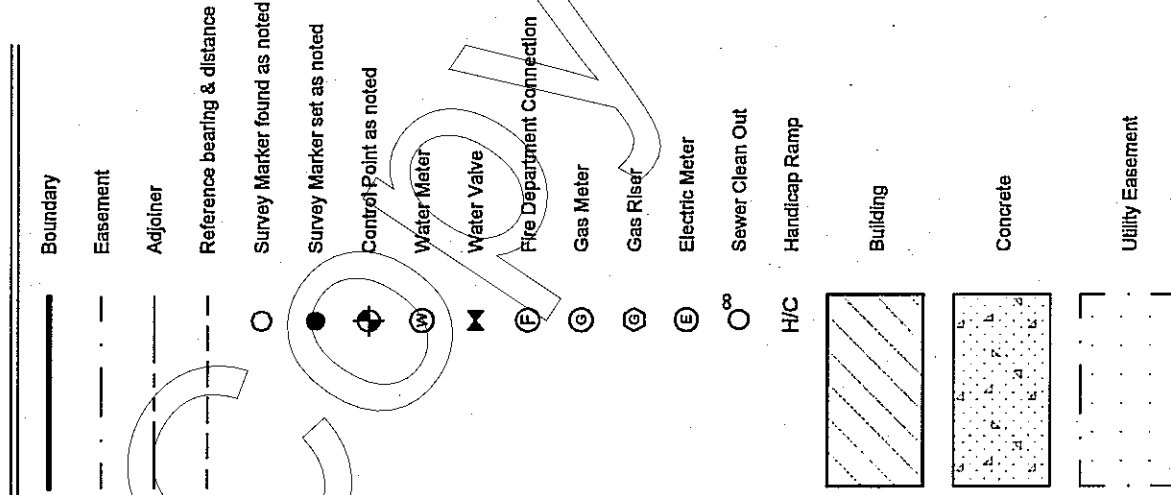
Grid North
NM Central
NAD83(2011)

Scale: 1 inch = 10 feet

All distances are ground U.S. Survey Feet
Central Zone of the New Mexico
State Plane Coordinate System of 1983
Grid = Ground x 0.99955286



SYMBOLS



LOS ALAMOS COUNTY, NM
NAOMI D. MAESTAS COUNTY CLERK
253644 Pages: 1
12/08/2022 04:33:57 PM
Anna Archuleta

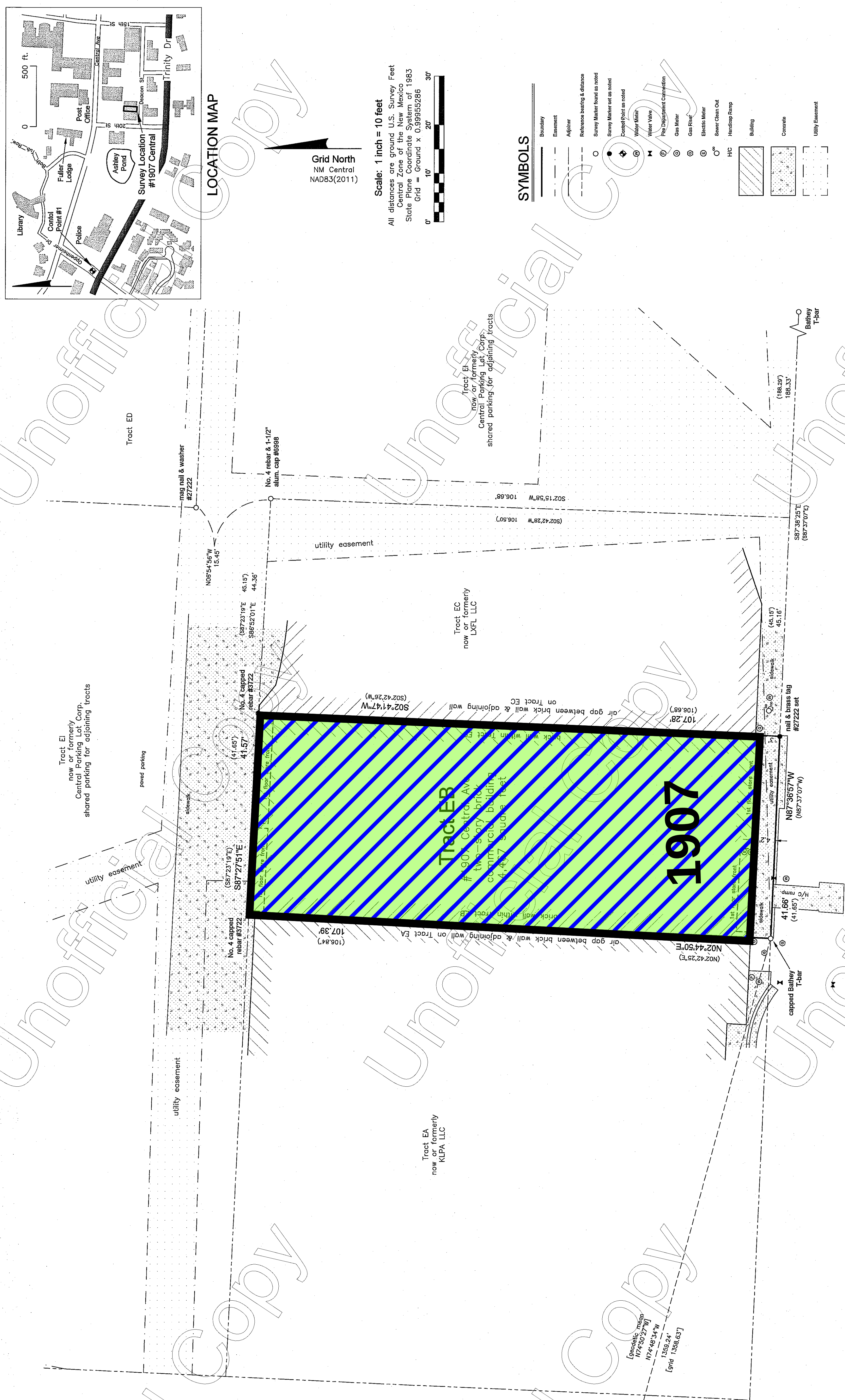


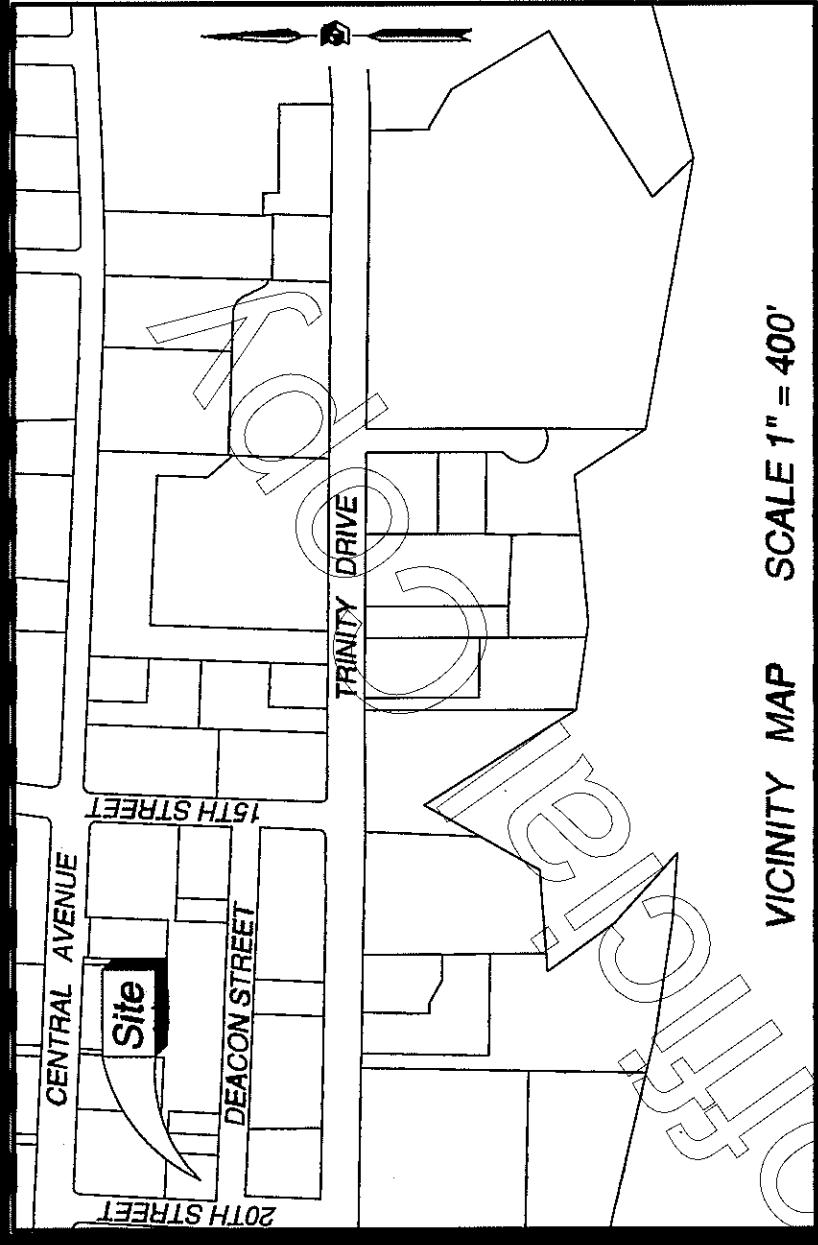
INDEXING INFORMATION FOR COUNTY CLERK			
STATE	COUNTY	SECTION	TOWNSHIP
NEW MEXICO	LOS ALAMOS	15	19 NORTH
OWNER(S)		Miguel A. Terrazas and Alondra	
TAX ID No.	1-034-112-031-318		

CONTROL POINT COORDINATES

State Plane Coordinate System of New Mexico, Central Zone, NAD83(2011)			
Station	Northing	Easting	Description
1	1776131.62	1623873.50	LANL Survey Control Monument No. A00005
2	1775421.36	1624965.84	No.4 rebar & 1-1/2" alum. cap "Control" #27222

Deacon Street
60-foot Right of Way





VICINITY MAP SCALE 1" = 400'

GENERAL NOTES

- 1.) FIELD SURVEY COMPLETED ON OCTOBER 18, 2016.
- 2.) ALL BEARINGS ARE GRID BEARINGS.
- 3.) ALL DISTANCES ARE GROUND DISTANCES: U.S. SURVEY FOOT.
- 4.) THIS PROPERTY IS ZONED DT-NCO. SETBACKS, AND OTHER DESIGN CRITERIA TO BE DETERMINED BY THE LOS ALAMOS COUNTY PLANNING DEPARTMENT AT THE TIME THEY REVIEW A PROPOSED SITE PLAN.
- 5.) THIS PROPERTY LIES WITHIN SECTION 16, TOWNSHIP 19 NORTH, RANGE 6 EAST, NEW MEXICO PRINCIPAL MERIDIAN, LOS ALAMOS COUNTY, NEW MEXICO.
- 6.) UNDERGROUND UTILITIES SHOWN ARE BASED ON SURFACE EVIDENCE. LOCATES DONE BY OTHERS AND INFORMATION PROVIDED BY THE UTILITY OWNERS, SAID LOCATIONS MAY NOT AGREE WITH WHAT SUB-SURFACE EXCAVATION WOULD REVEAL.
- 7.) THIS PROPERTY LIES WITHIN ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 350035 0045C HAVING AN EFFECTIVE DATE OF JULY 18, 2011.

Legend

Denotes boundary of lands dealt with by this plat, information outside this boundary is shown for information only, not verified for accuracy and is not part of this plat.

(S 77°26'44" E 664.72') RECORD BEARING AND DISTANCE SHOWN IN PARENTHESIS AS PER PLAT OF EASTERN AREA NO. 3.

N 14°49'19" W MEASURED BEARING AND DISTANCE.

- PK NAIL WITH FLASHER SET IN ASPHALT STAMPED, "LS 11993", SET.
- PK NAIL WITH FLASHER SET IN ASPHALT STAMPED, "LS 11993", FOUND.
- 1/2" REBAR WITH RED PLASTIC CAP STAMPED "LS 3722", FOUND.
- STORM DRAIN GRATE.
- GAS METER.
- UTILITY PANELS WITH ELECTRIC METERS.
- WATER METER.
- WATER VALVE.
- FIRE HYDRANT.
- LIGHT POLE.
- PULL BOX.
- SIGN.
- WATER LINES.
- GAS LINES.
- SEWER LINES.
- ELECTRIC LINES.

ALTA/NSPS Land Title Survey

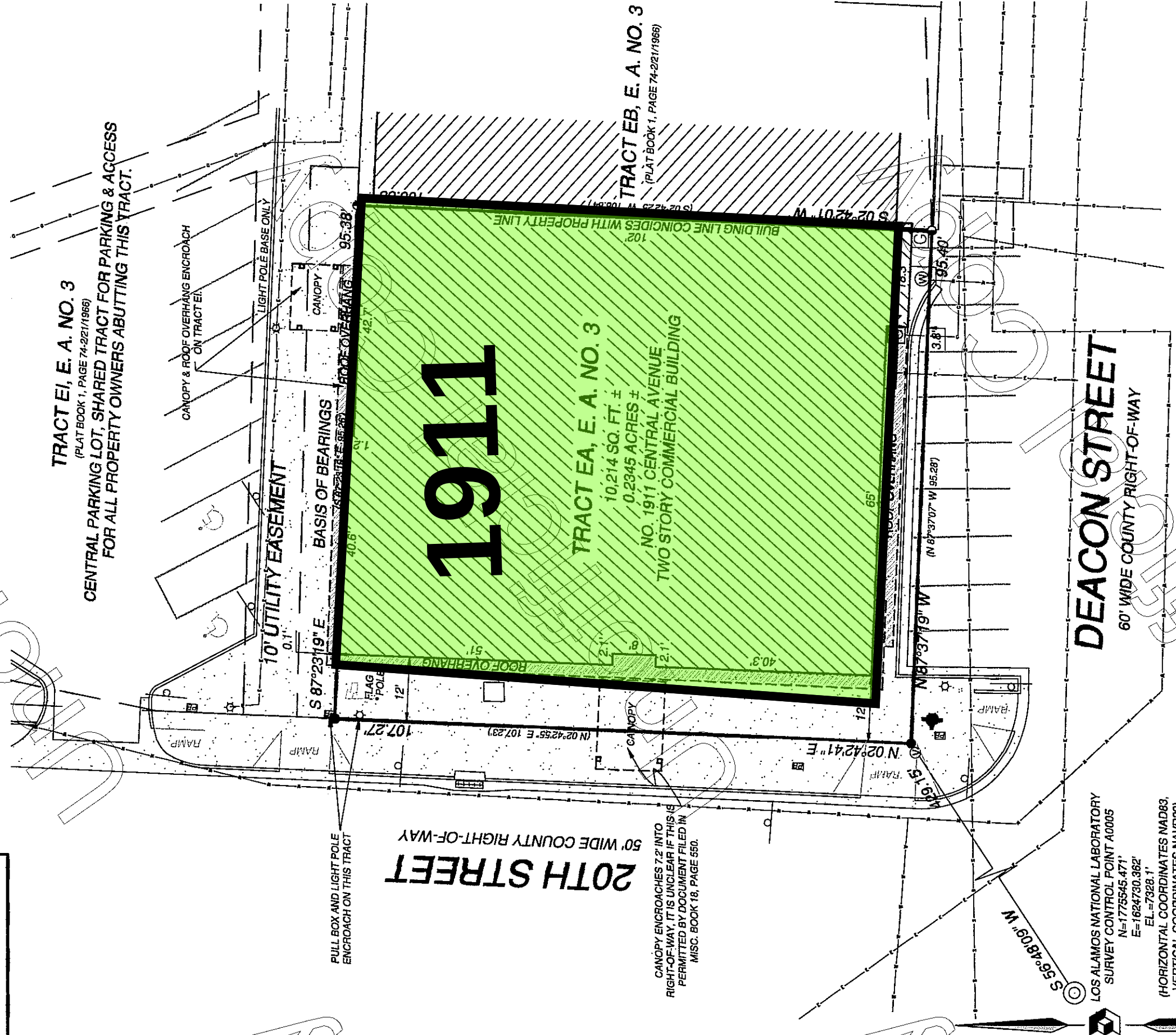
TRACT 'EA'

Eastern Area No. 3

Los Alamos County, New Mexico
October, 2016

Legal Description

TRACT "EA" OF EASTERN AREA NO. 3, LOS ALAMOS COUNTY, NEW MEXICO, AS SET FORTH ON THE PLAT OF EASTERN AREA NO. 3 FILED FEBRUARY 21, 1966 AND RECORDED IN PLAT BOOK 1, PAGE 74, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO. SAID TRACT IS ALSO SHOWN ON A BOUNDARY SURVEY PLAT FOR C1C2 INVESTMENTS, LLC AS SHOWN ON THE PLAT RECORDED ON SEPTEMBER 22, 2014, IN BOOK 167, PAGE 401, DOCUMENT NO. 221516, RECORDS OF LOS ALAMOS COUNTY, NEW MEXICO.



INDEXING INFORMATION
OWNER C1C2 INVESTMENTS LLC
SECTION 15 TOWNSHIP 19 N RANGE 6 E
SUBDIVISION EASTERN AREA NO. 3

Notes Corresponding to Schedule B

- | SCH. B-2 ITEM NO. | DESCRIPTION |
|---|---|
| 10. | Reservations and restrictions contained in the Special Warranty Deed from the United States of America, recorded in Misc. Book 9, Page 217, records of Los Alamos County, New Mexico. |
| AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE. | |
| 11. | Quitclaim Deed from the United States of America, acting by and through the United States Department of Energy, to the "Owners of record", releasing all rights, title and interest to the "Special Easement Steam" originally reserved by the Government, said Quitclaim Deed recorded in Misc. Book 29, Page 720, records of Los Alamos County, New Mexico. (NOTE: THIS WAS A BLANKET VACATION WHICH APPLIES TO PROPERTIES WHICH HAD AN EASEMENT DESIGNATED "SPECIAL EASEMENT STEAM" WITHIN THE PROPERTY BOUNDARIES.) |
| DOES NOT AFFECT SUBJECT PROPERTY. | |
| 12. | Quitclaim Deed from the United States of America, acting by and through the United States Department of Energy, to the Incorporated County of Los Alamos, for conveyance of easement for Los Alamos Water Production System, recorded in Misc. Book 55, Page 547, records of Los Alamos County, New Mexico. (NOTE: THIS WAS A BLANKET TRANSFER WHICH ONLY APPLIES TO PROPERTIES WHICH HAD AN EASEMENT DESIGNATED "SPECIAL EASEMENT WATER" WITHIN THE PROPERTY BOUNDARY.) |
| DOES NOT AFFECT SUBJECT PROPERTY. | |
| 13. | Terms and conditions of Permit for Encroachment on Easement or Right-of-Way, recorded in Book 18, page 550, records of Los Alamos County, New Mexico. (NOTE: DOCUMENT IS ILLEGIBLE BUT MAY REFER TO THE CANOPY WHICH ENCLOSES ON 20TH STREET RIGHT-OF-WAY) |
| MAY AFFECT SUBJECT PROPERTY, AS NOTED. | |
| 14. | Terms and conditions of Covenants and Declarations for Central Parking Lot, recorded in Book 34, page 946, records of Los Alamos County, New Mexico. |
| AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE. | |
| 15. | Terms and conditions of Grant of Construction and Maintenance Easements and Agreement recorded in Misc. Book 45, page 587 and as shown on Right-of-Way Map recorded on November 8, 1995 in Misc. Book 45, page 571, records of Los Alamos County, New Mexico. (NOTE: THESE DOCUMENTS GRANT EASEMENTS ALONG CENTRAL AVENUE FOR IMPROVEMENTS, WHILE THESE AFFECT THE COMMON PARKING TRACT EI, THEY DO NOT DIRECTLY AFFECT THIS TRACT.) |
| DOES NOT AFFECT SUBJECT PROPERTY. | |
| 16. | Easements, reservations and all other matters as shown on the subdivision plat thereof filed for record in Plat Book 1, Page 74, records of Los Alamos County, New Mexico. |
| AFFECTS SUBJECT PROPERTY, AS SHOWN. | |
| 17. | Encroachment of canopy onto 20th Street right-of-way and rights incident thereto, as shown on Boundary Survey Plat for C1C2 Investments LLC of Tract EA, Eastern Area No. 3, recorded on September 22, 2014, in Book 167, page 401, Document No. 221516, records of Los Alamos County, New Mexico. |
| AFFECTS SUBJECT PROPERTY, AS SHOWN. | |
| 18. | Encroachment of roof overhang and canopy onto 10' utility easement and Tract EI as shown on Boundary Survey Plat for C1C2 Investments LLC of Tract EA, Eastern Area No. 3, September 22, 2014, in Book 167, page 401, Document No. 221516, records of Los Alamos County, New Mexico. |
| AFFECTS SUBJECT PROPERTY, AS SHOWN. | |

LOS ALAMOS COUNTY INDEXING BLOCK

228514
Book: 174 Page: 399
Sharon Stever - County Clerk
Victoria L. Martinez - Deputy
PLAT
Page(s): 1

10/26/2016 09:57 AM

Surveyor's Certificate

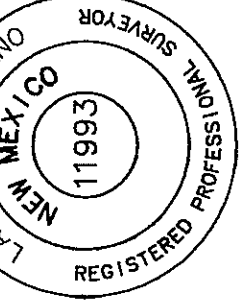
I, LARRY W. MEDRANO, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEW MEXICO, LICENSE NUMBER 11993, DO HEREBY CERTIFY TO CENTRAL PARK SQUARE LLC, A NEW MEXICO LIMITED LIABILITY COMPANY, TO THE LENDER, AND TO TITLE GUARANTY, LLC AS FOLLOWS:

THAT THE ALTA/NSPS LAND TITLE SURVEY ON WHICH THIS CERTIFICATE APPEARS (THE SURVEY) IS BASED UPON A FIELD SURVEY CONDUCTED BY ME OR UNDER MY SUPERVISION ON OCTOBER 6, 2016 AND THAT SUCH FIELD SURVEY AND THIS SURVEY WERE MADE IN ACCORDANCE WITH "THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS", JOINTLY ADOPTED BY ALTA AND NSPS IN 2016, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a)(1), 8, 9, 11, 13 OF TABLE A THEREOF. THE UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEW MEXICO, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

FOR PURPOSES OF IDENTIFYING EASEMENTS, RESERVATIONS, AND PRIVATE RESTRICTIONS OF RECORD, I HAVE REVIEWED AND RELIED ON TITLE GUARANTY, LLC COMMITMENT NUMBER LA16-0440 DATED SEPTEMBER 6, 2016.

I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM STANDARDS REQUIREMENTS FOR LAND SURVEYS AS ADOPTED BY THE NEW MEXICO BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS.

Digitally signed by Larry Medrano
Location: Albuquerque, NM
Date: 2016.10.25 10:54:44-0600



LARRY W. MEDRANO
N.M.P.S. No. 11993

1382 Trinity Drive, Suite A2
Los Alamos, NM 87544

505.661.4263 PHONE
505.661.4263 FAX







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Case No. SIT-2026-0080 Case No. SIT-2026-0081 Case No. VAR-2026-0019

July 2, 2026 by [Submitted by Kirsten Laskey \(ladp admin\)](#)

NOTICE OF PLANNING AND ZONING COMMISSION MEETING STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS

Notice is hereby given that the Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of their regular scheduled meeting to be held on Wednesday, July 22, 2026, 5:30 p.m., at the Los Alamos County Municipal Building: 1000 Central Ave, Los Alamos, NM 87544. Members of the public may, also, join to make public comment by pasting into their browser the following URL: <https://us06web.zoom.us/j/81885706651>

By phone: (US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782
Webinar ID: 818 8570 6651

CASES FOR PUBLIC HEARING:

1. Case No. SIT-2026-0080. Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for a Major Site Plan Amendment for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) district.

2. Case No. SIT-2026-0081. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a site plan for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, NM, within the General Commercial (GC) zone district. Approval would allow the parking and operation of nine (9) mobile food vending vehicles on a vacant lot.

3. Case No. VAR-2026-0019: Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

The Agenda Packet is available at least 72-hours prior for public inspection during business hours of 8 a.m. to 5 p.m., within the Community Development Department at 1000 Central Ave, Suite 150, or online at <https://losalamos.legistar.com/Calendar.aspx>.

By: /s/ Danyelle Valdez, Planning Manager

If you are an individual with a disability and need accommodation to attend or participate in the meeting, such as a reader, amplifier, sign language interpreter, or other aid, please contact Human Resources at (505) 662-8040 at least one week in advance or as soon as possible. For accessible formats of public documents, including the Agenda and Minutes, contact the County Administrator's Office at (505) 662-8080.

PUBLISHED IN THE LOS ALAMOS DAILY POST THURSDAY JULY 2, 2026

300-ft Notification List (1735 CENTRAL AVE, LOS ALAMOS, NM

Owner Name	Or Current Owner	Mailing Address	City/State/ZIP
BANQUEST/FIRST NATIONAL BANK OF SANTA FE	OR CURRENT OWNER/OCCUPANT	PO BOX 2420	SALINA, KS, 67402
CENTRAL PARK SQUARE LLC	OR CURRENT OWNER/OCCUPANT	130 CENTRAL PARK SQ	LOS ALAMOS, NM, 87544
CENTRAL PARK SQUARE LLC	OR CURRENT OWNER/OCCUPANT	130 CENTRAL PARK SQ	LOS ALAMOS, NM, 87544
CENTRAL PARKING LOT CORP	OR CURRENT OWNER/OCCUPANT	CENTRAL AVE	LOS ALAMOS, NM, 87544
CHAVEZ MOUNTAIN CORPORATION	OR CURRENT OWNER/OCCUPANT	PO BOX 2123	ANGEL FIRE, NM, 87710
EASTERN AREA 3 EG & EH CONDOMINIUM	OR CURRENT OWNER/OCCUPANT	1615 CENTRAL AVE	LOS ALAMOS, NM, 87544
EASTERN AREA 3 EG & EH CONDOMINIUM	OR CURRENT OWNER/OCCUPANT	7401 VOLUNTEER ST NE	ALBUQUERQUE, NM, 87109
EATON TRUST	OR CURRENT OWNER/OCCUPANT	410 MAPLE DR	LOS ALAMOS, NM, 87544
EATON TRUST	OR CURRENT OWNER/OCCUPANT	410 MAPLE DR	LOS ALAMOS, NM, 87544
EXCENTRAL LLC	OR CURRENT OWNER/OCCUPANT	410 MAPLE DR	LOS ALAMOS, NM, 87544
KLPA LLC	OR CURRENT OWNER/OCCUPANT	175 EL GANCHO	LOS ALAMOS, NM, 87544
KPLA LLC	OR CURRENT OWNER/OCCUPANT	175 EL GANCHO ST	LOS ALAMOS, NM, 87544
LXFL LLC	OR CURRENT OWNER/OCCUPANT	PO BOX 430	LOS ALAMOS, NM, 87544
METZGER NM PROPERTIES LLC	OR CURRENT OWNER/OCCUPANT	1607 CENTRAL AVE	LOS ALAMOS, NM, 87544
SHANNON CORPORATION INC	OR CURRENT OWNER/OCCUPANT	PO BOX 269	LOS ALAMOS, NM, 87544
TERRAZAS MIGUEL A & ALONDRA REVOC TRUST	OR CURRENT OWNER/OCCUPANT	PO BOX 1448	LOS ALAMOS, NM, 87544
TIGARD PACIFIC RE LLC	OR CURRENT OWNER/OCCUPANT	1521 OXBOW STE 210	MONTROSE, CO, 81401
TINMAR LLC	OR CURRENT OWNER/OCCUPANT	175 EL GANCHO	LOS ALAMOS, NM, 87544
US POST OFFICE DEPARTMENT	OR CURRENT OWNER/OCCUPANT	199 CENTRAL AVE	LOS ALAMOS, NM, 87544
VFW CLUB	OR CURRENT OWNER/OCCUPANT	PO BOX 388	LOS ALAMOS, NM, 87544
data extracted 6/15/2026, r=356			

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Los Alamos County
Community Development Department

PLANNING & ZONING COMMISSION STAFF REPORT

Public Hearing Date: July 22, 2026
Subject: Case No. SIT-2026-0080
Owners / Applicants: Philip Gursky, Representative for 1735 Central Investment, LLC.
Tigard Pacific RE, LLC., property owner
Case Manager: Desirae J. Lujan, Senior Planner

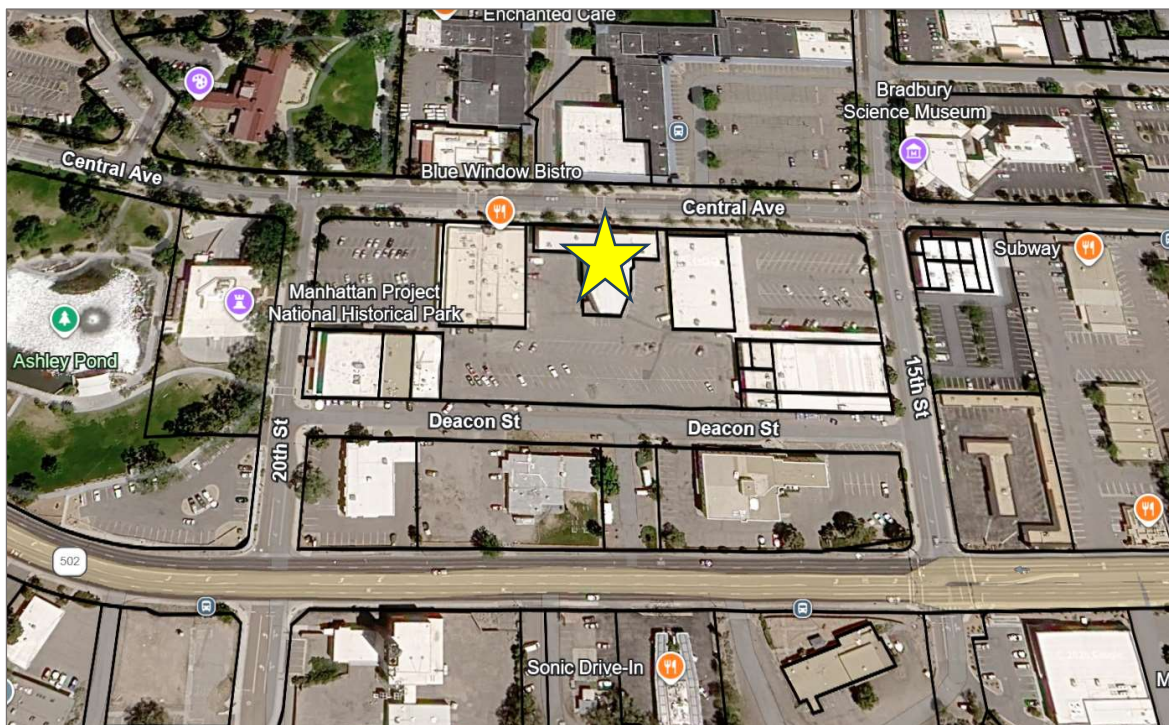
Professional Background:

Associates Architectural & Civil Drafting; 17 years in Planning and Land Use, Local Government, with six years in Case Management of Development Applications.

CASE NO. SIT-2026-0080

Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for Site Plan Adoption for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) zone district.

Figure 1: Vicinity Map, Google Airbus Imagery from 05/17/2026; Los Alamos, NM



EXECUTIVE SUMMARY

The applicant, 1735 Central Investment LLC., applied for a Major Site Plan Amendment, on behalf of property owner Tigard Pacific RE, LLC., to redevelop and renovate a vacant building to encourage and increase activity within the downtown area with a variety of dining, entertainment, retail and community-oriented uses. During staff review, it was determined that the request will be processed as a Site Plan Adoption pursuant to Section 16-74(i). The Development Code establishes the same application procedures, decision criteria, and review for both Site Plan Adoption and Major Site Plan Amendment; therefore, the application and analysis are the same and are not affected by the change.

The first floor will feature a food hall, bakery café with grab-and-go service, commercial kitchen, performance venue, public and private meeting rooms, private dining space, hotel check-in, and Amazon lockers. The building supports retail opportunities with three retail spaces (2,447 sq. ft. in total) fronting Central Avenue, and an additional 775 sq. ft. through retail kiosks.

Figure 2: First Floor Plan

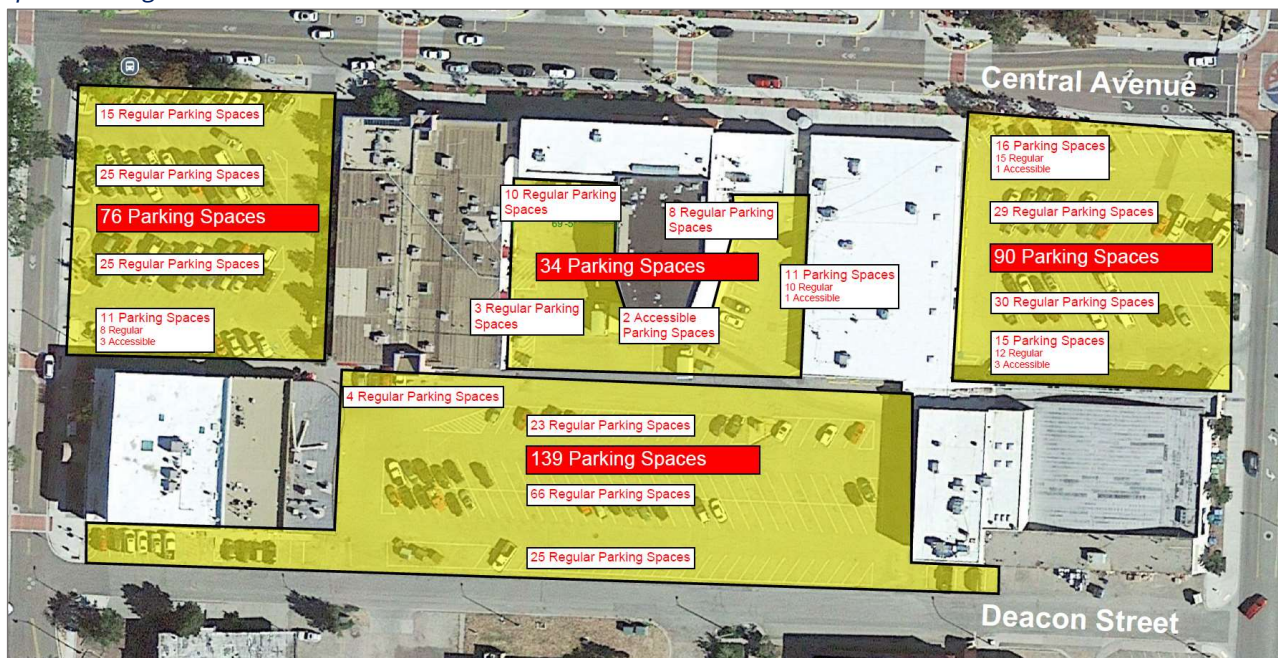


The project will expand the second floor to accommodate a 20-room boutique hotel. A new third floor will include a rooftop restaurant and bar with an outdoor terrace, creating additional dining and gathering space while enhancing Downtown amenities for residents and visitors. The expansion of the second floor and construction of a third floor will increase the building from approximately 24,000 sq. ft. to 28,000 sq. ft.; there are no proposed changes to the site.

SITE INFORMATION

The project is located within the Los Alamos Townsite in the center of the downtown area. The existing two-story building ($\pm 24,000$ sq. ft.) is situated on a 0.36-acre parcel ($\pm 15,682$ sq. ft.) within the Eastern Area 3 Subdivision, Lot EE. The property, primarily addressed as 1735 Central Avenue, is bounded by Central Avenue (an arterial roadway) to the north and Deacon Street (a local roadway) to the south. Parking for the project is provided by a separate 3.20-acre parcel located between Central Avenue and Deacon Street, extending from 15th Street to 20th Street. This parcel contains 289 parking spaces and serves multiple adjacent commercial buildings and uses, including the project site. The parking parcel is owned and managed by the Central Parking Lot Corporation—jointly owned by the surrounding property owners.

Figure 3: Snip of Application Packet, Parking Analysis, Page 1; Existing Parking (yellow) including 25 right-of-way spaces along Deacon Street.



BACKGROUND

The building was constructed in 1952 by the Atomic Energy Commission as a movie theater. At the time, the federal government owned and managed all land and buildings in Los Alamos; therefore, the site was developed without an approved site plan nor was it subject to zoning regulations. Los Alamos County was established in the late 1950s as a self-governing local government but did not fully assume responsibility for land use regulation until the mid-1960s when the County's Home Rule Charter was adopted.

Although the proposed improvements are mainly limited to the existing building, the property has never had an approved site plan under the County's development review process. Combined with the introduction of new uses (e.g. hotel, restaurant), and the property's downtown location, staff determined that the project cannot be reviewed administratively and instead requires public hearing before the Planning and Zoning Commission.

Since its original construction, the building has changed in appearance, including the addition of a second story, and has operated as office and retail. In 1956, it was converted from a movie theater into

SIT-2026-0080

a department store, a use that continued for more than six decades. The building was most recently occupied by CB Fox Department Store, which operated from late 1988 until closing in the spring of 2020. The building has been vacant since.

PRE-APPLICATION MEETING

The Los Alamos County Code of Ordinances, Chapter 16, Development Code ("Development Code"), Section 16-74(i)(3), establishes the procedures for submitting a site plan adoption or major amendment application. As the first step in the process, the applicant must schedule and attend a pre-application meeting in accordance with Section 16-72(b)(1) before submitting a site plan application. The required pre-application meeting was held on **May 19, 2026**.

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

The Interdepartmental Review Committee (IDRC) held a meeting on **June 25, 2026**, to review SIT-2026-0080. After review and discussion, they unanimously supported the project moving forward to Planning and Zoning Commission with the below comments.

Engineering Division	Upgrading sidewalks servicing the rear entrance is highly recommended to meet ADA standards and provide adequate pedestrian access and connectivity.
Fire Marshal's Office	Applicant reminder that a fire sprinkler system is required. Locations for Fire Department Connection (FDC), Post Indicator Valve (PIV) should be considered, and within proximity to a fire hydrant. Needs to be shown on site plan.
Environmental Services	Recommends the refuse enclosure be located at the southeast corner of the building, which is similar to historical use of the building and provides convenient access for truck collection. Locating it near the El Parasol dumpsters along Deacon Street is neither practical nor efficient for building operations.
Building Safety Division	The building will be a full change of use; therefore, everything will need to meet current code—including providing ADA ingress/egress.
Planning Division	Any future plans for dedicated use of parking spaces along Central Ave must be coordinated with public works, and/or county manager's office and processed accordingly.
Department of Public Utilities	Utility services are adequate. There are no potential burdens on the utility systems, and no public infrastructure expansions or improvements are required.

PUBLIC NOTICE

The Development Code, Section 16-71: Procedures Summary Table, sets forth the type of notification requirement based on application type. Section 16-72(c): Notifications, establishes the notice requirements for a public hearing:

- *Published and Posted Notice, Section 16-72(c)(4):*
 - Notice published in a newspaper of general circulation within the County at least 14-calendar days before the meeting or hearing. **Published on July 2, 2026.**

- The posting of at least one sign on a street abutting the property that is the subject of the application – visible from the street – for at least 14-calendar days before the public meeting or hearing. **Posted on July 2, 2026.**
- Mailed Notice, Section 16-72(c)(5)c:
 - 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 on June 30, 2026.**

SITE PLAN ADOPTION OR MAJOR AMENDMENT DECISION CRITERIA

Section 16-74(i) of the Development Code states that an application for a Site Plan Adoption or Major Amendment shall be approved if it meets all the decision criteria in Section 16-74(i)(4). The Planning and Zoning Commission shall approve, approve with condition, or deny based on the decision 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: The project to develop and renovate the former CB Fox Department Store at 1735 Central Avenue is designed and committed to the process of creating a project that will:

1. a. Substantially increase daytime food options with the creation of large first-floor food court, serving a wide range of food choices in a convenient, efficient and community-oriented venue, with the additional ability to host daytime meetings and group lunches without compromising the general food court patron experience;
- b. Create pickup, delivery and catering options for individuals and groups seven days a week. This will include grab and go options from a Central Avenue entrance with a parking loading zone, immediately adjacent to the entrance;
- c. Create a bakery café on the first floor facing Central Ave with fresh baked goods, traditional café fare and specialty sandwich throughout the day and evening. Serving the hotel and local resident clientele, the Café will be open seven days a week.
- d. Create a rooftop restaurant and bar designed to become the destination of choice for high quality food and beverages, featuring breathtaking views from inside the glass enclosed seating pavilion and outdoor patio area.
2. Create retail sales options including kiosk booth spaces inside the food court and small to medium individual store units fronting on Central Ave to an anticipated opportunity for local and regional craftspeople, small retailers to showcase their crafts and products in a local and NM products store that attracts high foot traffic. We expect to have up to a dozen spaces for small retailers, in addition to retailers displaying and selling in the NM products store.
3. In the evenings, convert the food court into a public performance, meeting and party venue allowing multiple events, all with food and beverage availability.
4. A second-floor boutique hotel with luxury accommodations for short-term visitors, longer-term working and corporate stays and stays for family and event visitors.

Two of the fundamental goals of the Comp Plan are addressed in the Downtown Area goals, stated as follows:

1. Create a vibrant, pedestrian-friendly downtown that includes a central gathering place, nighttime entertainment, and more retail stores and restaurants.
2. Focus development priorities downtown.
3. Enhance the vibrant, historic, small-town character of the County by focusing commercial density increases in the downtown areas.

(See Comprehensive Plan Goals 3.2 Downtown, Page 84)

4. Redevelop vacant blighted areas and underutilized properties.

(See Comprehensive Plan Goals 3.2 Redevelopment, Page 80)

The Comprehensive Plan goals for the LA townsite downtown are to increase residential density and increase economic vitality. The project redevelopment does not lend itself to increased downtown housing density, but, as outlined above, it squarely and materially increases vitality by creating a new central location gathering place for (a) daytime food court and meeting space, (b) multiple evening public performance, party and gathering opportunities, including food and beverage service, (c) rooftop development that will become the after work and evening gathering spot all year, and (d) more than a dozen retail locations within the project, many designed to meet, local small business needs and budgets, including an local anticipated NM Products retail store where scores of local and regional more product creators will be able to sell their goods and products.

We are a part of the community and have listened to the needs and desires of the community in creating a project that embodies the heart and vision of downtown vitality and revitalization envisioned in the Comprehensive Plan.

Staff Response: In the staff's expert opinion, this criterion has been met. The Comprehensive Plan ("Plan") reflects the community's priority to rehabilitate vacant and underutilized properties, with a focused emphasis on the Los Alamos Downtown and White Rock Town Center. *Development, Redevelopment, and Downtown* is a core theme within the Plan.

This project directly supports the top three *Development* goals (pg. 76) by:

1. Developing within current development boundaries.
2. Increasing the quantity of retail businesses.
3. Enhancing a vibrant downtown while keeping a small-town character and feel.

And *Redevelopment* goals (pg. 80) by:

1. Redeveloping a vacant, blighted, and underutilized property.
2. Supporting infill development with redevelopment and adaptive reuse of vacant commercial property.

The Plan identifies the Los Alamos Downtown and White Rock Town Center as key areas for growth, with targeted improvements intended to attract new retail businesses and restaurants. This project aligns with *Downtown* goals (p. 84) by:

1. Creating a central gathering place with more restaurant and retail options, and nighttime entertainment.

2. Focusing development within the Los Alamos Downtown.
4. Enhancing commercial density within the Downtown.

Additionally, the proposed private redevelopment advances the Los Alamos Economic Vitality Strategic Plan and the County's 2026 Strategic Leadership Plan by reinvesting in existing commercial property and creating opportunities for local businesses. The project expands hospitality, dining, retail, and entertainment options, diversifying Downtown's commercial offerings while strengthening the local economy and enhancing Los Alamos as a destination for residents and visitors. By revitalizing a key Downtown property, the proposal also supports the County's Economic Vitality priority by strengthening Downtown, enhancing amenities that support tourism and special events, and creating opportunities for new and expanding businesses.

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 property is within the Los Alamos Downtown Master Plan area and is clearly in conformance with the standards and ideals of the Master Plan.

This property is identified, along with Mari-Mac Village Shopping Center and Central Park Square as the catalytic redevelopment of as mixed-use developments Necessary to drive downtown economic revitalization. (See Page 40 and Exhibit 17 of the Master Plan).

This development project is squarely consistent with the Economic Vitality goals outlined in the Master Plan. See for example:

- *Strategy 1.2: Update the Development Code to incentivize desired commercial uses on ground floors through mechanisms like expedited review/approval processes and waiving permitting fees.*
- *Strategy 1.3: Incentivize the development or renovation of first floor space to be configured for **retail-type uses**.*
- *Strategy 1.4: Update the Development Code to support small business start-ups including co-working spaces, food trucks, **multi-tenant food halls, and greater use of outdoor spaces with restaurants**.*
- *Strategy 1.5: Update the Development Code to allow mobile vending, particularly for **'grab-n-go' food options for youth and families**.*
- *Strategy 2.1: **Implement the economic development and redevelopment tools** and incentives needed to assist private developers with financing gaps and other redevelopment obstacles.*
- *Strategy 2.2: Provide an incentive to a developer/property owner willing to build **an entertainment venue***

The Site Plan Amendment application conforms to the standards of the Master Plan.

Staff Response: In the staff's expert opinion, this criterion has been met because the project is consistent with the vision, development framework, and implementation strategies of the Los Alamos Downtown Master Plan ("Master Plan"). The Master Plan identifies downtown infill development, elimination of blight, downtown revitalization, and increasing the quantity and diversity of retail

businesses as key implementation goals (page 7). Its vision is to create a walkable downtown that serves as a thriving community center with a vibrant mix of residential, retail, office, lodging, entertainment, and public spaces that attract both residents and visitors. To achieve this vision, the Master Plan emphasizes mixed-use redevelopment, targeting infill development, and reinvestment in underutilized properties.

The project site is specifically recognized in the Master Plan as one of the Downtown's catalyst redevelopment sites (Exhibit 17, page 40). Redeveloping these identified sites is a primary strategy for revitalizing the downtown, promoting commercial activity, and advancing the Master Plan's long-term vision. The proposed commercial mixed-use supports the Master Plan's overall vision, especially as it relates to economic vitality. Adding uses like lodging and entertainment, as well as expanding retail and dining options, diversifies and balances downtown businesses and strengthen downtown vitality.

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

Applicant Response: The Property is not located within a PD zone district, and, as such, this provision is inapplicable.

Staff Response: Staff confirms this criterion is not applicable. 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: The Site Plan is in accordance with all applicable provisions of the Development Code (Chapter 16) in that , to the extent this application could be subject to Development Code specific design standards for projects in the Downtown Los Alamos Zoning District (Sections 16-6-(c) through 16-6—(c)(3)h.7, inclusive), as well as the more general and County Development Standards (Development Code Design Standards, Sections 16-20 through 16-67, inclusive) the written response to this criterium application, addresses both DTLA specific design standards and the more general design standards in Division V of the Code.

The project involves complete interior renovation of the old CB Fox Building at 1735 Central. In the existing building is approximately 24,000 sq. ft. and our plans will call for additional new space of approx. 4,000 sq. feet.

The building was built in 1952 by the Corp of Engineers. It was initially built as a movie theater with office space in the front portion of the building facing Central Ave. It was modified in 1953 or 1954 to include a second floor in the back theater portion of the building and was used as a department store. Over time any remaining independent office or retail in the front section was also converted to department store use.

In consultation with County Planning Staff, it was agreed to file a Major Site Plan amendment to avoid potential ambiguities or confusions in the Development Code. However, with substantial site development already existing and limited exterior and additions proposed to the building, our project does not meet or trigger a significant number of the design standards set forth in Code are our project do not meet the minimum applicability thresholds. With respect to design standards for both DTLA and General Design Standards we address them below by Section.

DTLA Standards

Sections 16-6-(c) through 16-6-(c)3.h. contain a comprehensive set of design standards for use in development within the DTLA Zone District Areas and to conform it to the Downtown Los Alamos Master Plan. Section 16-6-(c)(1) provides design standards for property zoned DTLA only apply to a redevelopment or modification of existing structure where there is an increase of building floor area of more than twenty-five percent (25%) of the floor area of the building area. As displayed on the Site Plan with this Application, the increase is 17.11%, so the replacement standards in these Sections will not apply to our application.

ARTICLE IV. Development Standards

Division 1. Dimensional Standards. Building Setbacks are 0 feet on all sides of the Property (See 16-6-(c) Table 16). So there are no setback requirements nor are there any yard requirements for this Property under this Section.

Division 2. Access and Connectivity. Initially, building coverage on the Site is 78.8%, increasing to 82.65% coverage after redevelopment. Notwithstanding that this Major Site Plan Amendment is not triggered by our application, the DTLA standards, designed to meet Downtown Master Plan visions for streetscape, cross-access connectivity and effective vehicular, bike and pedestrian are already largely in place. Streetscape design of the site itself and the entire block area from 15th Street to 20th Street and Central Ave to Deacon Street with its access to Central Avenue and Trinity Drive have previously been approved and are maintained by the County and have been in place and periodically improved for more than 60 years. Existing traffic access through this site area is consistent with the Comprehensive Plan and the LA Downtown Master Plan , as well as consistent with county design standards. With the exception of Deacon Street, for which Capital Improvement Project funding has already been appropriated by the County Council, all streets surrounding the entire block from 15th St to 20th St and Central Ave to Deacon St. meet access standards (Sections 16-23 to 16-25).

Division 3. Off-street Parking, Loading and Queuing. Subsection 16-27(b). This applies to changes of use or occupancy, including additions that require more parking. The Parking Analysis provided as part of the Application demonstrates the minimum parking requirement for the entire block (including our proposed uses). The analysis shows that the existing joint parking facilities contain more than 100 spaces more than minimum parking standards Chapter 16. Subsection 16-27(b) makes this Section applicable with a change of use only when more parking than available is required. Subsection 16-27(c) makes this Section applicable to expansions of gross floor area that exceed 25% of the existing building floor area floor area. As detailed on the on the Site Plan, the proposed increases to gross floor area total 17.11%, not triggering applicability. Accordingly, this proposed redevelopment project does not trigger Division 3.

Division 4. Landscaping and Screening.(16-16-36 to 16-40) For a mixed-use structure or non-residential structure an expansion of 25% or more is required to trigger the requirements of this Section. As shown on the Site Plan, expansion will be 17.11%.

Division 5. Neighborhood Protection Standards (16-41 to 16-43) This property is not adjacent to protected lots as defined in the Code (Section 16-42). Accordingly this Section is inapplicable.

Division 6. Outdoor Lighting. (16-44 to 16-55) This section is applicable and an outdoor lighting plan consistent with the ordinance will be submitted and approved as a part of issuance of the Building Permit for this project.

Division 7. Walls and Fences. (16-56 to 16-59) There are no current walls, fences or retaining walls on the site and none are planned.

Division 8. Signage (16-60 to 16-65) The current sign code has been rendered largely unenforceable by US Supreme Court Decision and a new Code is in the process of adoption. Only signage on the building is contemplated and we will comply with applicable sign standards in the new Code when adopted.

Division 9. Building Standards. (16-66 to 16-77). The building will not exceed the maximum building height of 86 feet in the DTLA, as it will be a three story building upon completion of renovations.

Sections 16-74(i)(3)(c) 2 and 3 are inapplicable as there is no proposed modification of utility infrastructure nor grading and drainage for the Site.

Except as otherwise detailed and covered under other written criteria in this application, the redevelopment Site Plan Amendment Application is in conformance with the Development Code. To the extent any portion of Development Standards hereunder require specific compliance (eg. A Night Sky ordinance compliant lighting plan) such provisions will be covered as a part of the Building Permit review and issuance process.

Staff Response: In the staff's expert opinion, this criterion has been met. The property is zoned Downtown Los Alamos (DTLA), and the proposed redevelopment conforms to the applicable use, dimensional, and development standards of the Development Code. The DTLA zone district is intended to accommodate a vertical or horizontal mix of medium- to high-density residential, office, and commercial uses within a walkable, active downtown environment (Section 16-6(c)). The proposed uses are permitted (e.g. hotel, restaurants, retail sales, bar, banquet/meeting areas) per section 16-14, Table 26: Permitted Use Table, and are consistent with the zone district's purpose. No specific use-standards apply to any proposed use.

DEVELOPMENT & DIMENSIONAL STANDARDS; Downtown Los Alamos (DTLA)

The DTLA development standards were adopted to implement the vision of the Downtown Los Alamos Master Plan by encouraging mixed-use development, higher-density development, engaging building facades, and pedestrian-oriented design. However, pursuant to Section 16-16(c)(1), those standards do not apply to this application because it is not a new building and the proposed addition does not increase the building's square footage by more than 25%

The project adds nearly 4,000 sq. ft. mainly through expansion of the second floor and construction of a third floor with outdoor terrace. The building footprint increases slightly from 12,527 sq. ft. to 12,974 sq. ft. and remains within the DTLA setbacks (zero) and lot coverage limitations (100%). The height of the building will increase to 48-ft, well below the maximum permitted height of 86-ft.

ACCESS & CONNECTIVITY; Article IV, Division 2)

Pursuant to section 16-24, Access and Connectivity Development Standards apply to all developments to improve connectivity in existing and future development areas. The project does not change the existing site design, access, driveways, parking areas, or vehicular and pedestrian circulation. The building will continue to be accessed from Central Ave (north) and the rear parking lot (south). During building permit review, the Building Division will require upgrades to the rear sidewalk to meet ADA and Building Code requirements. The County Engineer determined these improvements satisfy the applicable access and connectivity standards.

OFF-STREET PARKING, LOADING, AND QUEUING; Article IV, Division 3)

Off-street parking, loading, and queuing standards are intended to provide adequate, convenient, and safe off-street parking and loading areas. Because the project changes the building from a single commercial use to a mixed-use commercial development, the standards apply (Section 16-27(b)). Table 27: Minimum Off-Street Parking Calculations informs the minimum number of spaces required by use.

Parking will continue to be provided in the separate lot owned by the Central Parking Lot Corporation; therefore, the applicant submitted a parking analysis for all uses served by the shared parking lot. The total parking demand was calculated to be 504 spaces, with 132 spaces attributed to this project. The DTLA zone district reduces minimum parking requirements by 50% and an additional 20% reduction is permitted because the site is within 1,320 feet of public transit (Section 16-30(b), Table 30). After reductions, the calculation results in 202 spaces required, which includes a total of 8 ADA spaces of which 2 must be van accessible.

Staff independently verified the parking calculations using the data provided in the parking analysis and Section 16-28, Off-Street Parking standards, and found a 12-space difference likely due to rounding methods used when applying parking ratios. Regardless, both calculations demonstrate the parking supply of 289 spaces exceeds the minimum number required.

Parking Calculation Comparison

Building	State Uses	Applicant	Staff
1911 Central Ave	Office, Business, & Professional	44	41
1907 Central Ave	Office, Business, & Professional and Retail	24	18
1903 Central Ave	Restaurant	24	21
1789 Central Ave	Office, Business, & Professional and Retail	112	110
1619-1631 Central Ave	Office, Business, & Professional and Retail	60	56
1615 Central Ave	Office, Business, & Professional, Retail, and Warehouse	108	105
1731-1743 Central Ave (project location)	Restaurant/Bar, Retail, Hotel, Office, Business, & Professional, and Storage	132	124
<i>*Fractional results: round required sum to the nearest whole number.</i>	Subtotal	504	475
	DTLA 50% required	252	237.5
	Additional 20% reduction	201.6*	190
	Total	202	190

LANDSCAPING AND SCREENING; Article IV, Division 4)

Pursuant to section 16-37, the Landscaping and Screening standards do not apply because the project renovates an existing building and does not expand the gross floor area by more than 25%.

NEIGHBORHOOD PROTECTION STANDARDS; Article IV, Division 5)

Pursuant to Section 16-42, the Neighborhood Protection Standards do not apply because the property is surrounded by DTLA zoned properties and is not adjacent to a protected residential zoning district (RA, RE, SFR, and RM).

Figure 3: Zoning Vicinity Map



OUTDOOR LIGHTING; Article IV, Division 6)

Pursuant to Section 16-45, any proposed outdoor lighting must comply with the Outdoor Lighting Standards. No new site lighting is proposed with this application, and exterior building lighting must demonstrate compliance through a lighting plan at building permit.

WALLS, FENCES, AND GATES; Article IV, Division 7)

The project does not propose any walls, fences, gates, or retaining walls. If these improvements are proposed in the future, they must comply with Sections 16-57 through 16-59 and obtain any required permits.

SIGNAGE; Article IV, Division 8)

No signage is proposed as part of this application. Any future permanent signage will require a permit, unless exempt under the Development Code, and must comply with the applicable signage standards.

-
- e. **The County’s existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trail 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: All County utilities currently serve the existing building and are adequate and will continue to serve the building following redevelopment of the property. Utility services in the downtown area have sufficient capacity to serve building and area needs. To the extent change of uses and modified utility supply needs, including anticipated electrification of some, and possibly all, of the current natural gas service, results in increase or change of electric service capacity at the building, Applicant will comply with County construction standards and such modifications will be contained in project plans and specifications submitted as a part of the Building Permit submission and approval for this redevelopment project.

Staff Response: In the staff’s expert opinion, this criterion has been met. The County Engineer reviewed the application and had no comments, concerns, or conditions for streets, or stormwater sewer. The sidewalk at the rear entry (south of building) is currently inadequate to meet ADA standards but will be required to be upgraded during the building permit process. The Department of Public Utilities has existing infrastructure and services available for this development, and the utility services are of adequate capacity. There are no potential burdens on the county utility systems, and no public infrastructure expansions or improvements are required.

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

Applicant Response: The proposed development will have a limited increase in overall space in the building. As a commercial building for 70 years, the physical changes will have minimal and non-material impact from the street. Access, drainage and utility connections will remain unchanged from a visibility perspective.

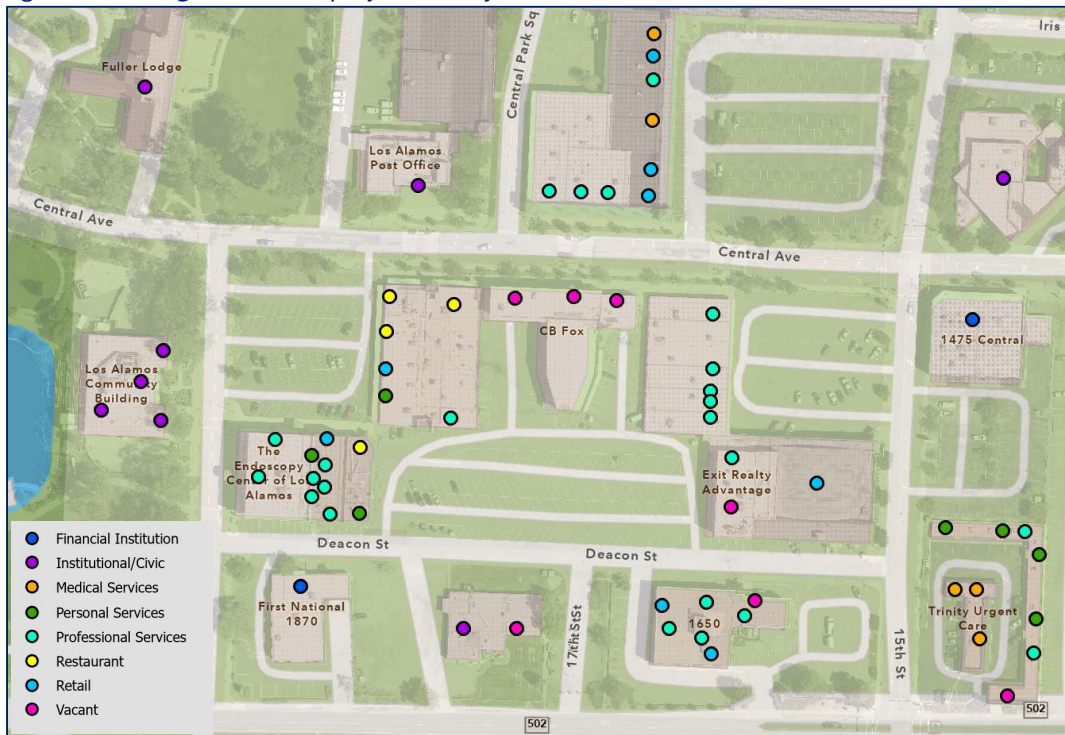
The uses in the entire multi-block area surrounding the site are entirely commercial, with no residential areas within sound or light from the project. The rooftop restaurant lounge will be lit in accordance with a Dark Sky Ordinance compliant lighting plan pursuant to Sections 16-44 through Section 16-55 of the Development Code, submitted as part of the Building Permit, including setting back rooftop outdoor patio areas from the edges of the building.

As there are virtually no residential units anywhere in the vicinity of the Site and performance venue events and Rooftop Bar and Restaurant uses will be occurring at night when surrounding businesses are closed (except other entertainment uses, such as summer concerts and outdoor uses at Central Park Square with similar and complimentary, as opposed to adverse, impacts). Accordingly, project evening and nighttime uses will be wholly consistent with downtown vibrancy and vitality goals and will enhance downtown.

Staff Response: In the staff's expert opinion, this criterion has been met. The site has historically operated as a commercial property and is consistent with the intent of the DTLA zone district. The proposed mixed-use redevelopment is compatible with the surrounding pattern of professional services, institutional and civic uses, restaurants, retail, and personal services (See Figure 4), minimizing the potential for land use conflicts.

The project redevelops a vacant, underutilized building, eliminating conditions commonly associated with vacancy and supports reinvestment in the downtown. The site layout, access, circulation, and pedestrian connections will substantially remain unchanged, and no significant adverse impacts to surrounding properties are anticipated.

Figure 4: Existing uses within project vicinity



- 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: There is virtually no land on the site not occupied by the building with which to create a tot-lot or park. However, the West side of downtown has multiple large recreational and park spaces, including, Ashley Pond Park, the Grounds of Fuller Lodge, the urban trail and green space from the North edge of Fuller Lodge grounds to the Oppenheimer House and the skate park and open space South of the library.

Accordingly, it is the Applicant's belief that any need for children's play area, public park or recreation space is fully developed in the adjacent area of the building, with no need for provision of tot-lot space.

Staff Response: In the staff's expert opinion, this criterion is not applicable to commercial developments. Although its purpose is to ensure the provisions of open space and recreational uses for new developments in accordance with the Comprehensive Plan, it does not identify the development of tot lots or neighborhood parks for such projects, nor does it reference the collection of a fee in lieu of park development. Regardless, the vicinity is equipped with public community opportunities for recreational use of the development's customers and short-term residents, such as Ashely Pond, Fuller Lodge Park, Los Alamos Aquatic Center, and the Los Alamos Nature Center.

Draft Motions

Recommended Motion:

I move to **conditionally approve** Case No. **SIT-2026-0080**, a request by Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific RE, LLC., property owner, for Site Plan Adoption to redevelop and renovate the property at 1735 Central Avenue, Los Alamos, New Mexico, into a mixed-use commercial development featuring a boutique hotel, restaurant and food court, bar, retail sales, and meeting, banquet, and event spaces, subject to the following condition:

1. *The locations of all Fire Department Connections (FDCs) and Post Indicator Valves (PIVs) for a fire sprinkler system shall be shown on the site plan and located in proximity to a fire hydrant for building permit review.*

Approval is based on the findings established during the public hearing and the determination that the application meets the decision criteria for Site Plan Adoption under Section 16-74(i)(4) of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Final Order approving the application, together with the Findings of Fact and Conclusions of Law reflecting the Commission's decision. These documents shall be prepared by County staff consistent with the Commission's action.

Alternative Motion:

I move to **deny** Case No. **SIT-2026-0080**, a request by Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific RE, LLC., property owner, a Site Plan Adoption to redevelop and renovate the property at 1735 Central Avenue, Los Alamos, New Mexico, into a mixed-use commercial development featuring a boutique hotel, restaurant and food court, bar, retail sales, and meeting, banquet, and event spaces.

Denial is based on the findings at the hearing and the conclusion that the Applicant does not meet the decision criteria for Site Plan Adoption under Section 16-74(i)(4) of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Final Order approving the application, together with the Findings of Fact and Conclusions of Law reflecting the Commission's decision. These documents shall be prepared by County staff consistent with the Commission's action.

References

- 1 – Los Alamos County, Chapter 16, Development Code: <https://lacnm.com/MunicipalCode>
- 2 – Comprehensive Plan: <https://lacnm.com/ComprehensivePlan2016>
- 3 – Los Alamos Downtown Master Plan: <https://lacnm.com/DowntownMasterPlan>
- 4 – Economic Vitality Strategic Plan: <https://lacnm.com/EcoDevoStrategicVitality>
- 5 - Los Alamos County, 2026 Strategic Leadership Plan: <https://lacnm.com/StrategicPlan>



County of Los Alamos

Staff Report

July 22, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: B.

Index (Council Goals):

Presenters: Danyelle Valdez

Legislative File: 21956-26

Title

Case No. SIT-2026-0081. McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a site plan adoption for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico, zoned General Commercial (GC). The Site Plan Adoption will establish a commercial parking lot on two adjoining vacant parcels totaling approximately ± 1.70 acres. The commercial parking lot will provide parking for Los Alamos High School and an area for a mobile food vending court.

Property Owners

Russ NM LLC.

Applicant

Scott McCloy, Agent, dba McCloy Land Surveying, LLC.

Case Manager

Danyelle Valdez, Planning Manager

Body

Los Alamos County Code of Ordinances, Chapter 16, Development Code ("Development Code"), section 16-74(i)(3), establishes the procedures for Site Plan Adoption or Major Amendments. In accordance with those procedures, the applicant attended the required pre-application meeting on February 11, 2026. On May 28, 2026, staff received an application for Site Plan Adoption from Scott McCloy, Agent, on behalf of Russ NM LLC. Staff assigned the application Case No. SIT-2026-0081, routed it to the Interdepartmental Review Committee ("IDRC") for review, and, pursuant to section 16-72(c) of the Development Code, provided proper public notice for the July 22, 2026, public hearing.

Section 16-69 grants the Planning and Zoning Commission ("Commission") the authority and responsibility to make final decisions on Major Site Plan Amendment applications. The Commission shall approve the application as presented, approve the application with conditions that are reasonably necessary to meet the decision criteria, or deny based on conformance with section 16-74(i) decision criteria.

According to section 16-72-(f)(5)b.9., approval by the Commission shall require a motion and affirmative vote of a majority of the members present, and no less than four (4) to approve the application. Failure to issue a final decision prior to the close of the hearing shall constitute denial of the application.

..Section 16-74(i) Site Plan Adoption or Major Amendment Decision Criteria

-
- a. The Site Plan substantially conforms to the intent and policies of the Comprehensive Plan and other adopted County policies and plans.
 - 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.
 - 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.
 - d. The Site Plan is in conformance with all applicable provisions of this Code and other adopted County regulations.
 - 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.
 - f. The Site Plan mitigates any significant adverse impacts to properties within the vicinity to the maximum extent practicable.
 - 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.

..Motion Options

Recommended Motion:

I move to **Conditionally Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC), subject to the following conditions:

1. Access to the overflow parking area shall be provided through the Sandia Drive entrance.
2. The northern Diamond Drive driveway proposed to access 1399 Diamond Drive shall be permanently closed. The applicant shall construct curb, gutter, and sidewalk improvements in accordance with Public Works engineering requirements and shall obtain all required permits from the Traffic and Streets Division before construction.
3. Prior to issuance of applicable permits or commencement of the mobile food vending use, the applicant shall submit a solid-waste service and access plan acceptable to Environmental Services.
4. Final utility plans shall be reviewed and approved by the Department of Public Utilities. The applicant shall coordinate with Public Works and the Department of Public Utilities regarding use of the existing capped water line and any required evaluation of future gas and sewer stub-outs if Diamond Drive is disturbed.
5. The final food-truck operating layout shall maintain a minimum separation of 10 feet between food trucks, vehicles, and structures, as applicable, and a minimum 15-foot clear area around all fire hydrants.
6. The proposed shade structure shall require review and approval by the Building Division and shall obtain all applicable building permits prior to installation or construction.

-
7. Prior to commencement of the mobile food vending use, the applicant shall submit a restroom and sanitation plan for review and approval by the Building Division and any other applicable regulatory agency. The plan shall identify the type, number, location, accessibility, servicing, and waste-disposal arrangements for restroom and hand-washing facilities serving vendors and patrons. If portable restroom facilities are provided, they shall include an accessible unit and accessible route as required by applicable accessibility standards; shall not obstruct required parking spaces, drive aisles, pedestrian routes, fire access, hydrant clearances, utility facilities, or required landscape-buffer areas; and shall be regularly serviced and maintained in a clean and sanitary condition.
 8. The mobile food vending court shall operate only between 7:00 a.m. and 9:00 p.m. daily. Vendor setup, customer service, generator operation, deliveries, waste collection, site cleanup, and other activities associated with the use shall occur within these hours. The approved operating hours shall be posted on-site and shall not be expanded without approval of an amendment to the Site Plan, as applicable.
 9. If the associated Variance is not approved, the applicant shall submit a landscape plan demonstrating compliance with the full Type B Buffer requirements along the western property boundary. The landscape plan shall be reviewed and approved by the Community Development Department prior to issuance of any applicable permits or commencement of the use.

Conditional Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission.

Alternative Motion 1 (Approve, No Conditions):

I move to **Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption to establish a commercial parking lot serving Los Alamos High School and a mobile food vending court on the ±1.70-acre property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 2 (Deny):

I move to **Deny** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Denial is based on the findings established at the hearing and the conclusion that the Applicant

has not met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

Attachments

A - Staff Report

B - Legal Notice

C - Application



Los Alamos County
Community Development Department

**PLANNING & ZONING COMMISSION
STAFF REPORT**

Public Hearing Date: July 22, 2026
Subject: Case No. SIT-2026-0081
Applicant/Agent: McCloy Land Surveying, LLC (Scott McCloy), agent
Owner: Russ NM LLC
Case Manager: Danyelle Valdez, Planning Manager

Professional Background:

Bachelor's degree in business administration; 12 years' experience in Real Estate Development, Project Management, Planning and Land Use.

CASE NO. SIT-2026-0081: McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a site plan adoption for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico, zoned General Commercial (GC). The Site Plan Adoption will establish a commercial parking lot on two adjoining vacant parcels totaling approximately ± 1.70 acres. The commercial parking lot will provide parking for Los Alamos High School and an area for a mobile food vending court.

EXECUTIVE SUMMARY

McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a Site Plan Adoption for the redevelopment of two adjoining vacant parcels at 1377 and 1399 Diamond Drive. The combined site totals approximately 73,921 square feet (± 1.70 acres) and is zoned General Commercial (GC). The parcels are legally described as Tract I, Western Area No. 1 (1399 Diamond Drive) and Lot 1 of Tract H, Western Area No. 1 (1377 Diamond Drive), and are currently vacant.

The proposal establishes two commercial uses with no enclosed structures. The northern parcel (Tract I, 1399 Diamond Drive) is proposed to be a paved parking lot serving Los Alamos High School, a use the applicant identifies as a permitted use in the GC district. The proposed use of the southern parcel (Lot 1, Tract H, 1377 Diamond Drive) is a mobile food vending court with nine designated food-truck spaces, an open-air shade structure with communal picnic seating, and associated patron parking. Proposed lot coverage is 0 percent, and no enclosed or heated floor area is proposed.

Site improvements include a new parking layout, traffic-flow striping, and utility connections for the vending court served from an existing water stub-out, including a proposed 1-inch PEX water line, a proposed water meter and hydrant, a proposed 100-amp electric meter, and eight 50-amp electric outlets for vendor connections. No site lighting is proposed. Access to the southern parcel is provided via a recorded 24-foot mutual access easement along the eastern boundary.

The site abuts residentially zoned property (Lots 342–348, Western Area No. 1, zoned Residential Mixed – RM) along its western boundary. Under the Neighborhood Protection Standards, a GC lot adjacent to an RM district requires a Type B Buffer. The applicant states that existing site topography provides a natural berm meeting the buffer height requirement and that some mature vegetation is present and is requesting a Variance from the additional planting requirements of the buffer. That Variance is filed as an associated application and is addressed under separate decision criteria.

SITE INFORMATION

The subject property consists of two adjoining parcels along the west side of Diamond Drive within the Western Area of the Los Alamos Townsite. Tract I, Western Area No. 1 (1399 Diamond Drive) forms the northern parcel and Lot 1 of Tract H, Western Area No. 1 (1377 Diamond Drive) forms the southern parcel. The combined lot area is 73,921 square feet (±1.70 acres). The site is formerly a commercial retail building and mechanic garage, both parcels are currently vacant, with no existing structures. The property is zoned General Commercial (GC) and is not within an overlay zone.

Per Section 16-7 of the Los Alamos County Development Code, the General Commercial (GC) zone district is intended to accommodate a variety of medium-scale retail, service, and professional uses serving both neighborhood and county-wide needs, and is located along arterials and collectors outside of the DTLA and WRTC zone districts. Diamond Drive functions as a principal arterial within the Townsite.

Properties abutting the site to the west (Lots 342 through 348, Western Area No. 1) are zoned Residential Mixed (RM). The interface between the GC site and the adjacent RM district triggers the Type B Buffer requirement under the Neighborhood Protection Standards, discussed below and in the associated Variance request.

PROJECT INFORMATION

A pre-application meeting was held on February 11, 2026, during which staff determined that the proposal requires a change of use and the approval of a Site Plan Adoption (Major). Site Plan Adoption applications are reviewed pursuant to Section 16-74(i) of the Los Alamos County Development Code. Staff's review evaluates whether the proposed development complies with applicable zoning and development standards, whether existing public infrastructure has adequate capacity, whether potential impacts to surrounding properties are mitigated, and whether the proposal is consistent with adopted County plans and policies.

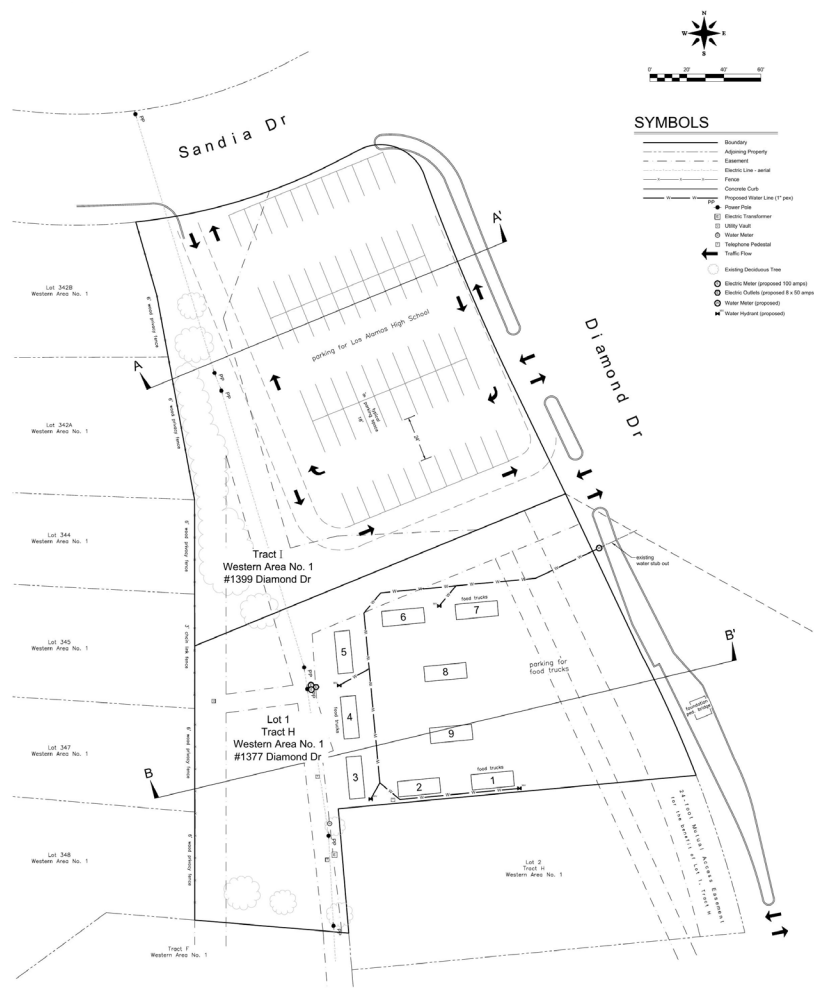


Figure 1: Site Plan

The application proposes two commercial uses on the two parcels as a combined site. On the northern parcel, 1399 Diamond Drive (Tract I), the applicant proposes a striped parking lot to provide off-street parking for Los Alamos High School, accessed from Sandia and Diamond Drive. On the southern parcel 1377 Diamond Drive (Lot 1, Tract H), the applicant proposes a mobile food vending court consisting of nine designated food-truck spaces, an open-air fabric shade structure sheltering communal picnic-table seating, and adjacent patron parking.

No enclosed structures are proposed; the only vertical improvement is an open-sided shade canopy. Planned commercial improvements total less than 5,000 square feet, and proposed lot coverage is 0 percent. The site plan notes indicate no proposed site lighting.

Utility service for the vending court will be provided from an existing water stub-out along the Diamond Drive frontage. Proposed improvements include a 1-inch PEX water line, a water meter, a hydrant, a 100-amp electric meter, and eight 50-amp electric outlets sized to serve individual food-truck connections.

Vehicular access to the southern parcel is provided through a recorded 24-foot mutual access easement along the eastern property boundary. On-site circulation and traffic-flow

direction are shown on the site plan. Cross-sections A–A and B–B, shown on Sheet 2 of 3, depict the existing grade and natural berm along the western boundary.

The applicant was not required to submit a Grading and Erosion Control Plan, Stormwater Drainage Report, Traffic Generation Report, Utility Capacity Analysis Report, or Soils Report.



Figure 2: aerial Applicant Rendering — Proposed Mobile Food Vending Court

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

An Interdepartmental Review Committee (IDRC) review was conducted from June 18 through June 25, 2026, with the formal IDRC meeting held on June 25, 2026. Participating departments included Public Works/Engineering, Environmental Services, the Department of Public Utilities, the Fire Marshal’s Office, the Building Division, and the Planning Division.

IDRC recommended that the application proceed to the Planning and Zoning Commission, subject to applicable departmental conditions.

Public Works requires permanent closure of the northern driveway access along Diamond Drive serving 1399 Diamond Drive. High-school overflow parking access shall instead be provided through the Sandia Drive entrance. The southern driveway along Diamond Drive, adjacent to the pedestrian bridge, may continue to serve the mobile food vending court.

Environmental Services requires coordination regarding solid-waste container placement and collection-truck access. Final utility design shall be coordinated with the Department of Public Utilities, including use of the existing capped water line where feasible and review of future gas and sewer stub-outs if Diamond Drive is disturbed.

The Fire Marshal's Office requires a minimum separation of 10 feet between food trucks, vehicles, and structures, as applicable, and a minimum 15-foot clear area around fire hydrants. The Building Division will review the proposed shade structure to determine applicable building-permit and accessibility requirements. Planning staff also requested that the applicant provide proposed hours of operation for the mobile food vending court.

PUBLIC NOTICE

The Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Section 16-71, Table 49 Procedures Summary Table and Section 16-72(c) Notifications, establish the notice requirements for a public hearing:

- Published notice in a newspaper of general circulation within the County at least 14 calendar days before the hearing [16-72(c)(4)]. **Published July 2, 2026.**
- Posted notice of at least one sign on a street abutting the subject property, visible from the street, at least 14 calendar days before the hearing [16-72(c)(4)]. **Posted July 2, 2026.**
- Mailed notice at least 14 days before the hearing to all owners of record or occupants of properties within 300 feet of the exterior lot lines of the subject property, excluding public rights-of-way [16-72(c)(5)c.]. **Mailed July 2, 2026.**

SITE PLAN ADOPTION — DECISION CRITERIA

Section 16-74(i) of the Los Alamos County Development Code states that an application for Site Plan Adoption shall be approved if it meets all the following criteria. The Planning and Zoning Commission shall approve or deny the application pursuant to the decision criteria in Section 16-74(i)(4):

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

Applicant Response: The proposed development of parking for the high school and mobile food vending in an area without any nearby dining options meets a community need. This is part of the redevelopment of a former vacant, blighted, and underutilized property.

Staff Response: It is the expert opinion of staff that this criterion has been met. The proposal places two commercial uses on a long-vacant, underutilized commercial parcel along an established arterial within the Townsite, consistent with the Comprehensive Plan's support for infill and the productive reuse of existing commercial land where infrastructure is already available. The high-school parking use addresses a documented parking demand adjacent to the site, and the mobile food vending court adds a small-scale commercial amenity in an area with limited dining options.

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 is not within an approved Master Plan.

Staff Response: This criterion is not applicable. The subject property is not within an approved Master Plan.

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: The subject property is not within an approved PD zone district.

Staff Response: This criterion is not applicable. 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: The site plan is in conformance with lot area, lot width, setbacks, building height, and lot coverage for Zone GC. The proposed use of parking is a permitted use for Zone GC. The proposed use of mobile food vending is accepted as a temporary use for Zone GC.

Staff Response: The site plan reflects the applicable GC Zone dimensional standards and proposes no enclosed structures. The proposed parking lot and mobile food vending court are subject to all applicable provisions of the Development Code, including temporary use permits for individual food trucks, fire-safety, utility, access, and parking.

The northern Diamond Drive driveway serving 1399 Diamond Drive must be permanently closed, and access to the high-school overflow parking area must be provided through the Sandia Drive entrance, consistent with Public Works and Engineering requirements. The southern Diamond Drive driveway shall serve the mobile food vending court.

A variance has been requested from the applicable Neighborhood Protection Standards. The proposed site remains subject to the required Type B Buffer along the western property boundary. If the associated variance is denied, the applicant shall comply with the full planting requirements of the Type B Buffer Zone through an approved landscape plan. Subject to the conditions of approval and final departmental review, staff finds that this criterion has been met.

e. The County's existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trail 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: Planned commercial improvements are less than 5,000 sq. ft. heated area. No permanent structures are planned.

Staff Response: The proposed development is a low-intensity commercial use with no enclosed buildings. Water service is proposed from the existing capped water line along Diamond Drive, subject to final approval by the Department of Public Utilities. Electrical service is proposed from the rear of the site. If roadway disturbance is required, the applicant shall coordinate with Public Works and the Department of Public Utilities to determine whether gas and sewer stub-outs or related utility improvements are necessary to accommodate future development.

Public Works requires permanent closure of the northern Diamond Drive driveway serving 1399 Diamond Drive through construction of curb, gutter, and sidewalk improvements. A permit from the Traffic and Streets Division will be required for this work. The applicant shall also coordinate with Environmental Services to demonstrate that solid-waste collection can be safely accommodated on the site.

Staff finds that existing public infrastructure and services have adequate capacity to serve the proposed development.

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

Applicant Response: The Neighborhood Protection Standards require a Type B Buffer Zone along the western side of the subject property. Existing topography meets the berm height requirements. Some mature trees exist within the buffer zone. The applicant is requesting a Variance for the planting requirements.

Staff Response: The site contains an existing grade change, berm, mature vegetation, and fencing that provide some separation from adjacent residential properties. However, the property remains subject to the Type B Buffer requirements of the Neighborhood Protection Standards.

The applicant must provide the required buffer planting unless the Commission grants the variance. A final landscape plan demonstrating compliance with the Type B Buffer requirements shall be submitted for staff review and approval before issuance of applicable permits or commencement of the mobile food vending use.

The proposed use does not include site lighting or enclosed buildings. Food-truck operations must maintain required separation from other vehicles, structures, and fire hydrants, thereby reducing operational and public-safety impacts. Subject to compliance with the required landscape buffer and all departmental conditions, staff finds that this criterion has been met.

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 development of tot lots and/or neighborhood parks is not applicable to the commercial site plan.

Staff Response: This criterion is not applicable. The proposal is a commercial development with no residential component.

ASSOCIATED VARIANCE

An associated variance application accompanies this Site Plan (VAR-2026-0019). The variance seeks relief from the landscape requirements of the Type B Buffer required under the Neighborhood Protection Standards along the western property boundary, where the GC-zoned site abuts the RM-zoned Lots 342–348, Western Area No. 1. The applicant's basis is that existing topography provides a natural berm meeting the buffer height standard and that mature vegetation is already present within the buffer area. Pursuant to the Development Code, no separate fee is required for a Variance filed as part of a Site Plan review. The Variance is subject to its own decision criteria and shall be evaluated and voted on separately.

DRAFT MOTION

Recommended Motion:

I move to **Conditionally Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC), subject to the following conditions:

1. Access to the overflow parking area shall be provided through the Sandia Drive entrance.
2. The northern Diamond Drive driveway proposed to access 1399 Diamond Drive shall be permanently closed. The applicant shall construct curb, gutter, and sidewalk improvements in accordance with Public Works engineering requirements and shall obtain all required permits from the Traffic and Streets Division before construction.

3. Prior to issuance of applicable permits or commencement of the mobile food vending use, the applicant shall submit a solid-waste service and access plan acceptable to Environmental Services.
4. Final utility plans shall be reviewed and approved by the Department of Public Utilities. The applicant shall coordinate with Public Works and the Department of Public Utilities regarding use of the existing capped water line and any required evaluation of future gas and sewer stub-outs if Diamond Drive is disturbed.
5. The final food-truck operating layout shall maintain a minimum separation of 10 feet between food trucks, vehicles, and structures, as applicable, and a minimum 15-foot clear area around all fire hydrants.
6. The proposed shade structure shall require review and approval by the Building Division and shall obtain all applicable building permits prior to installation or construction.
7. Prior to commencement of the mobile food vending use, the applicant shall submit a restroom and sanitation plan for review and approval by the Building Division and any other applicable regulatory agency. The plan shall identify the type, number, location, accessibility, servicing, and waste-disposal arrangements for restroom and hand-washing facilities serving vendors and patrons. If portable restroom facilities are provided, they shall include an accessible unit and accessible route as required by applicable accessibility standards; shall not obstruct required parking spaces, drive aisles, pedestrian routes, fire access, hydrant clearances, utility facilities, or required landscape-buffer areas; and shall be regularly serviced and maintained in a clean and sanitary condition.
8. The mobile food vending court shall operate only between 7:00 a.m. and 9:00 p.m. daily. Vendor setup, customer service, generator operation, deliveries, waste collection, site cleanup, and other activities associated with the use shall occur within these hours. The approved operating hours shall be posted on-site and shall not be expanded without approval of an amendment to the Site Plan, as applicable.
9. If the associated Variance is not approved, the applicant shall submit a landscape plan demonstrating compliance with the full Type B Buffer requirements along the western property boundary. The landscape plan shall be reviewed and approved by the Community Development Department prior to issuance of any applicable permits or commencement of the use.

Conditional Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission.

Alternative Motion 1 (Approve, No Conditions):

I move to **Approve** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for approval of a Site Plan Adoption to establish a commercial parking lot serving Los Alamos High School and a mobile food vending court on the ±1.70-acre property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Approval is based on the findings established at the hearing and the conclusion that the Applicant has met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 2 (Deny):

I move to **Deny** Case No. SIT-2026-0081, a request by McCloy Land Surveying, LLC, on behalf of Russ NM LLC, for a Site Plan Adoption for the property located at 1377 and 1399 Diamond Drive, zoned General Commercial (GC).

Denial is based on the findings established at the hearing and the conclusion that the Applicant has not met the decision criteria for a Site Plan Adoption per Section 16-74(i) of the Los Alamos County Development Code. The Commission acts under the decision authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case that reflects the decision of the Commission. This document will be prepared by County staff based on this decision.

REFERENCES

Los Alamos County, Chapter 16, Development Code: <https://lacnm.com/MunicipalCode>

Los Alamos County, 2016 Comprehensive Plan: <https://lacnm.com/ComprehensivePlan2016>

Los Alamos County, 2025 Strategic Leadership Plan: https://lacnm.com/Strategic_Plan

**NOTICE OF PLANNING AND ZONING COMMISSION MEETING
STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS**

Notice is hereby given that the Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of their regular scheduled meeting to be held on Wednesday, July 22, 2026, 5:30 p.m., at the Los Alamos County Municipal Building: 1000 Central Ave, Los Alamos, NM 87544. Members of the public may, also, join to make public comment by pasting into their browser the following URL:

<https://us06web.zoom.us/j/81885706651>

By phone: (US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782
Webinar ID: 818 8570 6651

CASES FOR PUBLIC HEARING:

1. Case No. SIT-2026-0080. Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for a Major Site Plan Amendment for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) district.
2. Case No. SIT-2026-0081. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a site plan for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, NM, within the General Commercial (GC) zone district. Approval would allow the parking and operation of nine (9) mobile food vending vehicles on a vacant lot.
3. Case No. VAR-2026-0019: Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

The Agenda Packet is available at least 72-hours prior for public inspection during business hours of 8 a.m. to 5 p.m., within the Community Development Department at 1000 Central Ave, Suite 150, or online at <https://losalamos.legistar.com/Calendar.aspx>.

By: /s/ Danyelle Valdez, Planning Manager

If you are an individual with a disability and need accommodation to attend or participate in the meeting, such as a reader, amplifier, sign language interpreter, or other aid, please contact Human Resources at (505) 662-8040 at least one week in advance or as soon as possible. For accessible formats of public documents, including the Agenda and Minutes, contact the County Administrator's Office at (505) 662-8080.

PUBLISHED IN THE LA DAILY POST ON: Thursday, July 2, 2026

Owner Name	C/O Name	Mailing Address	City, State, Zip
REDMOND JORDAN	OR CURRENT RESIDENT	PO BOX 1399	LOS ALAMOS, NM, 87544
RUSS NM LLC	OR CURRENT RESIDENT	4 HAZEL AVENUE	COLORADO SPRINGS, CO, 80906
KRAUSE MARK R & FLORA V	OR CURRENT RESIDENT	1624 37TH ST	LOS ALAMOS, NM, 87544
FLEMING PATRICK	OR CURRENT RESIDENT	1591 36TH ST	LOS ALAMOS, NM, 87544
CASADOS JEFF L & PATRICIA A REV TR	OR CURRENT RESIDENT	1611 36TH ST	LOS ALAMOS, NM, 87544
MORALES LUIS & ROBIN	OR CURRENT RESIDENT	1432 41ST ST	LOS ALAMOS, NM, 87544
HSU REVOCABLE TRUST	OR CURRENT RESIDENT	1476 41ST ST	LOS ALAMOS, NM, 87544
WALLER NANCY M REVOC LIVING TRUST	OR CURRENT RESIDENT	1373 A 40TH ST	LOS ALAMOS, NM, 87544
JONES NICHOLAS A & KAYLEA H.K.	OR CURRENT RESIDENT	1373 B 40TH ST	LOS ALAMOS, NM, 87544
DICKSON CARL A & CAMILLE L	OR CURRENT RESIDENT	1383 40TH ST	LOS ALAMOS, NM, 87544
CHRISTENSEN JOEL & KATHRYN	OR CURRENT RESIDENT	1393 B 40TH ST	LOS ALAMOS, NM, 87544
ALLBACH FENDER JAMIE E & RAMAKER RYAN A P	OR CURRENT RESIDENT	1393 A 40TH ST	LOS ALAMOS, NM, 87544
FRENCH SHANE T	OR CURRENT RESIDENT	1419 40TH ST	LOS ALAMOS, NM, 87544
DIX JAMES ARTHUR & PEROTTO MARIA	OR CURRENT RESIDENT	421 ARTHUR AVE	ENDICOTT, NY, 13760
MCPAHON SEANE & ANTIC OMALLEY GRACE	OR CURRENT RESIDENT	1463 40TH ST	LOS ALAMOS, NM, 87544
RUSS NM LLC	OR CURRENT RESIDENT	4 HAZEL AVE	COLORADO SPRINGS, CO, 80906
LOPEZ GENE E & EMILY R	OR CURRENT RESIDENT	1663 39TH ST	LOS ALAMOS, NM, 87544
REINHARD FRIEDEL & BIEL ILSE REVOCABLE TRUST	OR CURRENT RESIDENT	1629 39TH ST	LOS ALAMOS, NM, 87544
JOHNSTON MATTHEW P & TREVIZO LIZETH V	OR CURRENT RESIDENT	1599 A 39TH ST	LOS ALAMOS, NM, 87544
JOHNSTON MATTHEW P	OR CURRENT RESIDENT	1599 B 39TH ST	LOS ALAMOS, NM, 87544
HARELSON DONALD W & LESLEY A	OR CURRENT RESIDENT	1545 39TH ST	LOS ALAMOS, NM, 87544
RUSS NM LLC & SPEEDY SHINE LLC	OR CURRENT RESIDENT	4 HAZEL AVENUE	COLORADO SPRINGS, CO, 80906
WIEMANN SHELLY A REVOCABLE TRUST	OR CURRENT RESIDENT	1454 41ST ST	LOS ALAMOS, NM, 87544
SHIRK DONALD G & MELANIE V REVOC LIVING TRUST	OR CURRENT RESIDENT	1483 40TH ST	LOS ALAMOS, NM, 87544
KELLEY SEAN	OR CURRENT RESIDENT	1632 39TH ST	LOS ALAMOS, NM, 87544
SPALDING KENNETH J	OR CURRENT RESIDENT	1635 37TH ST	LOS ALAMOS, NM, 87544
SANCHEZ JOSEPH	OR CURRENT RESIDENT	1586 37TH ST	LOS ALAMOS, NM, 87544
ZIOMEK BERNADETTE G	OR CURRENT RESIDENT	1809 CAMINO REDONDO	LOS ALAMOS, NM, 87544
SCHMIDT DAN	OR CURRENT RESIDENT	1396 B 40TH ST	LOS ALAMOS, NM, 87544
SCHULTZ KEVIN D	OR CURRENT RESIDENT	1396 40TH ST	LOS ALAMOS, NM, 87544
WILLIAMS FRANK A & JANELL C	OR CURRENT RESIDENT	1424 A 40TH ST	LOS ALAMOS, NM, 87544
OTT LOGAN	OR CURRENT RESIDENT	1374 A 40TH ST	LOS ALAMOS, NM, 87544
JACOB ELIZABETH	OR CURRENT RESIDENT	1374 B 40TH ST	LOS ALAMOS, NM, 87544
BOWEN SCOTT M	OR CURRENT RESIDENT	1424 B 40TH ST	LOS ALAMOS, NM, 87544
HENSEN RACHEL	OR CURRENT RESIDENT	1366 40TH ST UNIT A	LOS ALAMOS, NM, 87544
BERGAUER DEVON	OR CURRENT RESIDENT	1049 CEDRO CT	LOS ALAMOS, NM, 87544
SNELSON-GERLICHER CATHERINE M REVOC LIVING TRUST	OR CURRENT RESIDENT	1444 40TH ST	LOS ALAMOS, NM, 87544
SEAY JEFFREY G & JACQUELINE R	OR CURRENT RESIDENT	1472 A 40TH ST	LOS ALAMOS, NM, 87544
SEAY JEFFREY G & JACQUELINE S	OR CURRENT RESIDENT	1472 B 40TH ST	LOS ALAMOS, NM, 87544
LEFFLER SEAN	OR CURRENT RESIDENT	1496 40TH ST	LOS ALAMOS, NM, 87544

July 1, 2026

RE: CASE NO. SIT-2026-0081. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a site plan for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, NM, within the General Commercial (GC) zone district. Approval would allow parking and operation of nine (9) mobile food vending vehicles on a vacant lot. The property is located within the General Commercial (GC) district.

RE: Case No. VAR-2026-0019. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

COUNTY COUNCIL

Randall T. Ryti
Council Chair
Ryn Herrmann
Council Vice Chair
Theresa Cull
Suzie Havemann
Melanee Hand
Beverly Neal-Clinton
David Reagor

COUNTY MANAGER

Anne W. Laurent

Dear Property Owner:

The Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, will be considering the above-mentioned application at a public hearing on July 22, 2026, 5:30 PM (MST), at the Municipal Building, located at 1000 Central Ave., Los Alamos, NM.

As a property owner within 300-ft of the subject site, you have been notified; therefore, fulfilling Los Alamos County Code of Ordinances, Chapter 16, Development Code, Section 16-72-(c)(5)(c) notification requirements. The meeting will be in-person and open to the public. However, for convenience, the following Zoom meeting link and/or telephone numbers may be used for public viewing and participation:
<https://us06web.zoom.us/j/81885706651>

Or, by phone: US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782
Webinar ID: 818 8570 6651

For more information contact Danyelle Valdez, Planning Manager, at (505) 662-8054 during normal business hours, or email at planning@lacnm.us.

The application and plans submitted can be requested or accessed through the Citizen Self-service Portal ("CSS") using the QR Code or URL below. "Search Public Records" by project address (1377 Diamond Dr.) or case number (SIT-2026-0081 or VAR-2026-0019). View files under "Attachments".



<https://losalamoscountynm-energypub.tylerhost.net/Apps/SelfService#>

1000 Central Avenue, Suite 150
Los Alamos, NM 87544
P 505.662.8120 F 505.662.8363
losalamosnm.us





DEVELOPMENT APPLICATION

PROJECT INFORMATION

Title: Site Plan

Project Address: #1377 & #1399 Diamond Dr

Description:
Site Plan for new commercial use.

Check all application types, if applicable:

- | | |
|---|---|
| ☐ Administrative Deviation ... \$25 | ☒ Site Plan* ... \$500 plus |
| ☐ Administrative Wireless Telecom ... \$250 | <i>\$75 per/Million \$ estimated construction cost</i> |
| ☐ Encroachment Permit ... \$25 | Estimated Construction Cost: _____ |
| ☐ Temporary Use Permit ... \$25 | ☐ Major Site Plan Amendment* ... \$500 |
| ☐ Comprehensive Plan Adoption & Amendment*... \$250 | ☐ Minor Site Plan Amendment ... \$250 |
| ☐ Conditional Use Permit* ... \$300 | ☐ Major Zone Map Amendment* ... \$500 (+\$25/acre) |
| ☐ County Landmark or Historic District Adoption/Amendment* ... \$250 | <i>No fee if initiated by County Council or County Manager</i> |
| ☐ Development Plan* ... \$500 | ☐ Minor Zone Map Amendment* ... \$500 (+\$25/acre) |
| ☐ Major Development Plan Amendment* ... \$500 | <i>No fee if initiated by County Council or County Manager</i> |
| ☐ Minor Development Plan Amendment ... \$250 | ☐ Master Plans* (Major, Minor) ...\$250 |
| ☐ Summary Plat... \$100 plus \$25 lot; \$10 / acre for non-residential | ☐ Text Amendment* ... \$150 |
| ☐ Sketch Plat, Subdivision* ... \$250 plus | <i>No fee if initiated by County Council or County Manager</i> |
| <i>\$175/lot (1-10 lots)</i> | ☐ Variance ... \$250 |
| <i>\$125/lot (11-30 lots)</i> | <i>No fee if application is a part of a Site Plan review</i> |
| <i>\$75/lot (30+ lots)</i> | ☐ Administrative Wireless Telecommunication Facility ... \$250 |
| ☐ Preliminary Plat, Subdivision* ... \$250 plus | ☐ Discretionary Wireless Telecommunication Facility* ... \$500 |
| <i>\$175/lot (1-10 lots)</i> | ☐ Small Wireless Facility ...\$250 |
| <i>\$125/lot (11-30 lots)</i> | ☐ Major Historic Demolition* ... \$250 |
| <i>\$75/lot (30+ lots)</i> | ☐ Major Historic Property Alteration Certification* ... \$250 |
| ☐ Final Plat, Subdivision* ... \$250 plus | ☐ Minor Historic Property Alteration Certificate ... \$250 |
| <i>\$175/lot (1-10 lots)</i> | |
| <i>\$125/lot (11-30 lots)</i> | |
| <i>\$75/lot (30+ lots)</i> | |
| ☐ Landscaping Plan ...\$500 | |
| ☐ Lighting Plan ...\$500 | |

*** Application reviews require a pre-application meeting.**

PROPERTY & OWNER INFORMATION

Property Address:	1377 & 1399 Diamond Address	Los Alamos City	NM State	87544 ZIP
Zoning District:	General Commercial - GC		Overlay Zone: ☒ N/A	
Existing Structure(s) Sq. Ft.:	0.00		Proposed Structure(s) Sq. Ft.: 0.00	
Lot Area (sq.ft.): 73921				
Property Owner(s) Name: RUSS NM LLC				
Owner(s) Email: russellsross@comcast.net				
Owner(s) Phone(s)#: 718-641-7858				
☐ Owner's Address same as Property Address				
Owner(s) Address:	4 Hazel Ave Address	Colorado Spring City	CO State	80906 ZIP

APPLICANT / OWNER'S AGENT INFORMATION

☐ Applicant is same as Owner				
Applicant Name: Scott McCloy				
Applicant Address:	168 Central Park Square Address	Los Alamos City	NM State	87544 ZIP
Applicant Email: mccloy.surveying@gmail.com				
Applicant Phone(s)#: 505-321-7404				

ASSOCIATED APPLICATIONS

Application Type: variance	
Case Number:	
<i>I hereby certify and affirm, under penalty of perjury, that the information I have provide in this application is true and accurate to the best of my knowledge, information, and belief. [NMSA 1978, §30-25-1]</i>	
Signature: <i>Scott McCloy</i>	Date: 05/28/2026
Signature:	Date:

STAFF USE ONLY

Date Received:	Staff:
Case No.#:	Meeting Date:

SUBMITTALS

☐ Proof of Ownership or Letter of Authorization from Owner	☐ Complete Application – Date: _____
☐ Items from associated Application Checklist	☐ Payment – Accepted upon verification of a complete application - Date: _____

SITE PLAN ADOPTION/ MAJOR AMENDMENT

Applicants for all development application reviews must complete this checklist and submit it with the Development Application. Refer to the referenced code sections for additional information. Contact the Planning Division with questions regarding these requirements: planning@lacnm.us.

PRE-APPLICATION MEETING

Date Held:

APPLICATION TYPE

- ☒ Site Plan Adoption
☐ Major Amendment to an approved Site Plan

PLANS

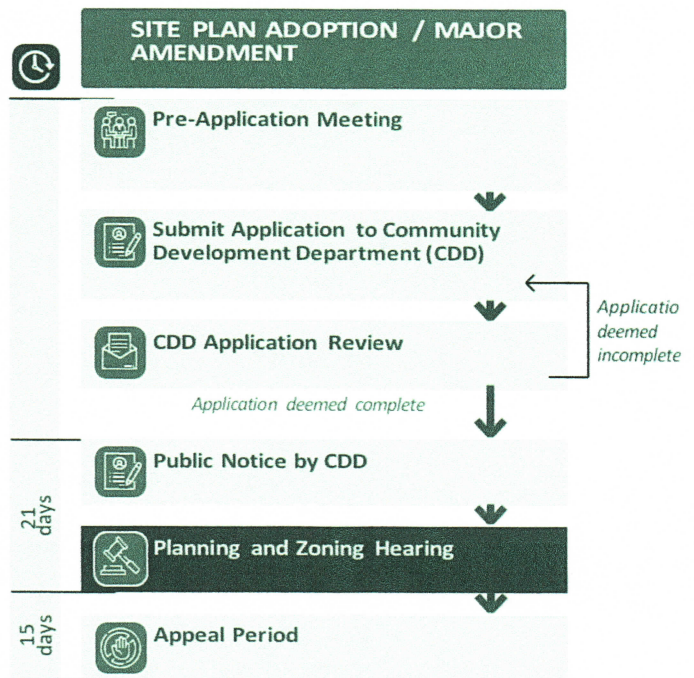
Scaled plans at a minimum of 1" = 100' that illustrates the following:

- ☒ Site Plan
- ☒ Graphic Scale and North Arrow
 - ☒ Property Lines according to recorded survey
 - ☒ Existing and proposed structures
 - ☒ Existing and proposed easements
 - ☒ Existing and proposed setbacks
 - ☐ Existing and proposed utility lines
 - ☒ Existing and proposed fencing
 - ☒ Existing and proposed signage
- ☒ Parking Plan
- ☒ Access and parking related to site
 - ☒ Parking analysis based on proposed use
 - ☒ Width of aisle(s)
 - ☒ Parking stall dimensions
- ☒ Lighting Plan
- ☒ Proposed lighting that notes the Correlated Color Temperature, Color Rendering Index, Lumens and all other attributes related to lighting to show compliance with Ch. 16, Division 6: Outdoor Lighting.
- ☒ Landscaping Plan
- ☒ Existing plant material, amount and species & size
 - ☒ Proposed plant material, amount and species & size

ELEVATIONS

Elevations drawing(s) at a minimum scale of 1/8" = 1' that indicate: **no planned structures**

- ☐ Height (above existing grade) of all four sides
☐ Materials and colors



See Reverse.

LOT COVERAGE

Existing (%): 0

Proposed (%): 0

IMPACT REPORTS 16-72 (e)

May be required per Table 50 of Development Code:

- ☐ Grading and Erosion Control Plans
- ☐ Stormwater Drainage Report
- ☐ Traffic Generation Report
- ☐ Utility Capacity Analysis Report
- ☐ Soils Report

ADDITIONAL SUBMITTALS

Based on staff's review and Interdepartmental Review Committee's recommendation – additional submittals may be required and will be communicated to the applicant by the assigned Case Manager.

DECISION CRITERIA 16-74-(i)(4)

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

The proposed development of parking for the high school and mobile food vending in an area without any nearby dining options meets a community need.

This is part of the redevelopment of a former vacant, blighted, and underutilized property.

- ☐ Staff finds that this criterion has been met
- ☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

The subject property is not within an approved Master Plan.

- ☐ Staff finds that this criterion has been met
- ☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

The subject property is not within an approved PD zone district.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

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

The site plan is in conformance with lot area, lot width, setbacks, building height, and lot coverage for Zone GC.

The proposed use of parking is a permitted use for Zone GC.

The proposed use of mobile food vending is accepted as a temporary use for Zone GC.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- e. The County's existing public infrastructure and services, including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, trail 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. Explain.

Planned commercial improvements are less than 5,000 sq.ft. heated area.

No permanent structures are planned.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

DECISION CRITERIA 16-74-(i)(4)

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

The Neighborhood Protection Standards require a Type B Buffer Zone along the Western side of the subject property. Existing topography meets the berm height requirements.

Some mature trees exist within the buffer zone.

The applicant is requesting a variance for the planting requirements.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- 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. Explain.

The development of tot lots and/or neighborhood parks is not applicable to the commercial site plan.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

Attach additional sheets, if needed.

Case No. _____

OWNER AFFIDAVIT

(Authorizing an agent to act on behalf of a property owner when making a land development application.)

Colorado CB
STATE OF ~~NEW MEXICO~~)
el paso CB) **SS.**
COUNTY OF ~~LOS ALAMOS~~)

I, (We) Russ NM LLC being duly sworn, depose and say that (I am) (we are) the owner(s) of property located at 1377 & 1399 Diamond Dr, legally described as Tract I & Lot 1 of Tract H, Western Area No. 1, for which (I am) (we are) requesting a site plan & variance (conditional use permits; sketch, preliminary and final plats; site plan; variance; zone change; subdivision; summary plat; temporary use permit; telecommunication facility; historic property; or development plans) through the County of Los Alamos, New Mexico. Furthermore, (I) (we) hereby appoint Scott McCloy of McCloy Land Surveying, LLC as our agent to act on our behalf in all matters pertaining to this application.

Signed: _____

Signed: _____

Address: _____

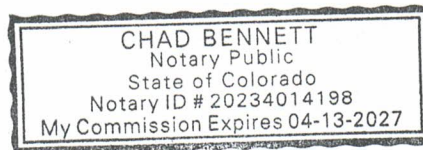
Address: _____

Telephone: _____

Telephone: _____

Subscribed and sworn to before me this

27 day of May, 2026.



Notary Public

My Commission Expires: 04-13-2027

WARRANTY DEED

Los Alamos Foot, LLC, a New Mexico limited liability company, for consideration paid, grants to Russ NM, LLC, a Colorado limited liability company, whose address is 4 Hazel Avenue, Colorado Springs, Colorado 80906, the following described real estate in Los Alamos County, New Mexico:

Tract I, Western Area No. 1, as shown on Boundary Survey Plat for ZRG Investments LLC, recorded on July 8, 2019, in Plat Book 185, page 738, as Document No. 239583, records of Los Alamos County, New Mexico.

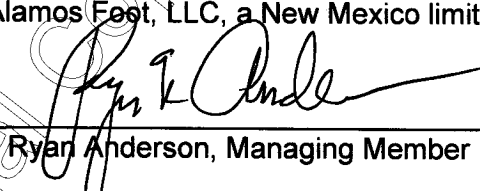
SUBJECT TO: Restrictions, reservations and easements of record.
ALSO SUBJECT TO: Ad valorem property taxes for the year 2022 and subsequent years.

with warranty covenants.

WITNESS my hand and seal this 10 day of November 2022.

Los Alamos Foot, LLC, a New Mexico limited liability company

By:


Ryan Anderson, Managing Member

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF DAVIS

This instrument was acknowledged before me on this 10 day of November 2022, by Ryan Anderson, Managing Member of Los Alamos Foot, LLC, a New Mexico limited liability company on behalf of said limited liability company.


Notary Public

My Commission Expires: 7/6/2024



LOS ALAMOS COUNTY, NM
NAOMI D. MAESTAS COUNTY CLERK
253479 Pages: 1
11/14/2022 01:03:57 PM
Anna Archuleta



NOTARY PUBLIC
ELSA ROSALES
725613
My Commission Expires
JULY 6, 2026
STATE OF UTAH

WARRANTY DEED

Draggon Drugs, Incorporated, a New Mexico corporation, for consideration paid, grants to Russ NM, LLC, a Colorado limited liability company, whose address is 4 Hazel Avenue, Colorado Springs, Colorado 80906, the following described real estate in Los Alamos County, New Mexico:

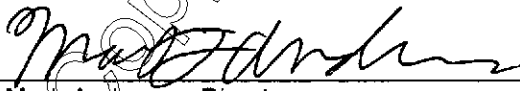
Tract H, Lot 1 of Western Area No. 1, as shown on plat entitled " Subdivision of Tract H Western Area No. 1..." recorded on May 4th, 1970, in Book 2, page 35, records of Los Alamos County, New Mexico.

SUBJECT TO: Restrictions, reservations and easements of record.
ALSO SUBJECT TO: Ad valorem property taxes for the year 2022 and subsequent years.

with warranty covenants.

WITNESS my hand and seal this 21st day of November 2022.

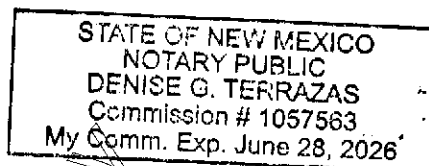
Draggon Drugs, Incorporated, a New Mexico corporation

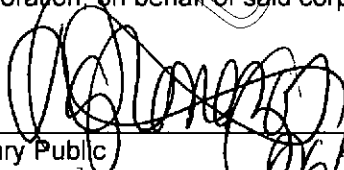
By: 
Mark Anderson, Director
Its Authorized Representative

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF LOS ALAMOS

This instrument was acknowledged before me on November 21, 2022, by Mark Anderson, Director, of Draggon Drugs, Incorporated, a New Mexico corporation, on behalf of said corporation.



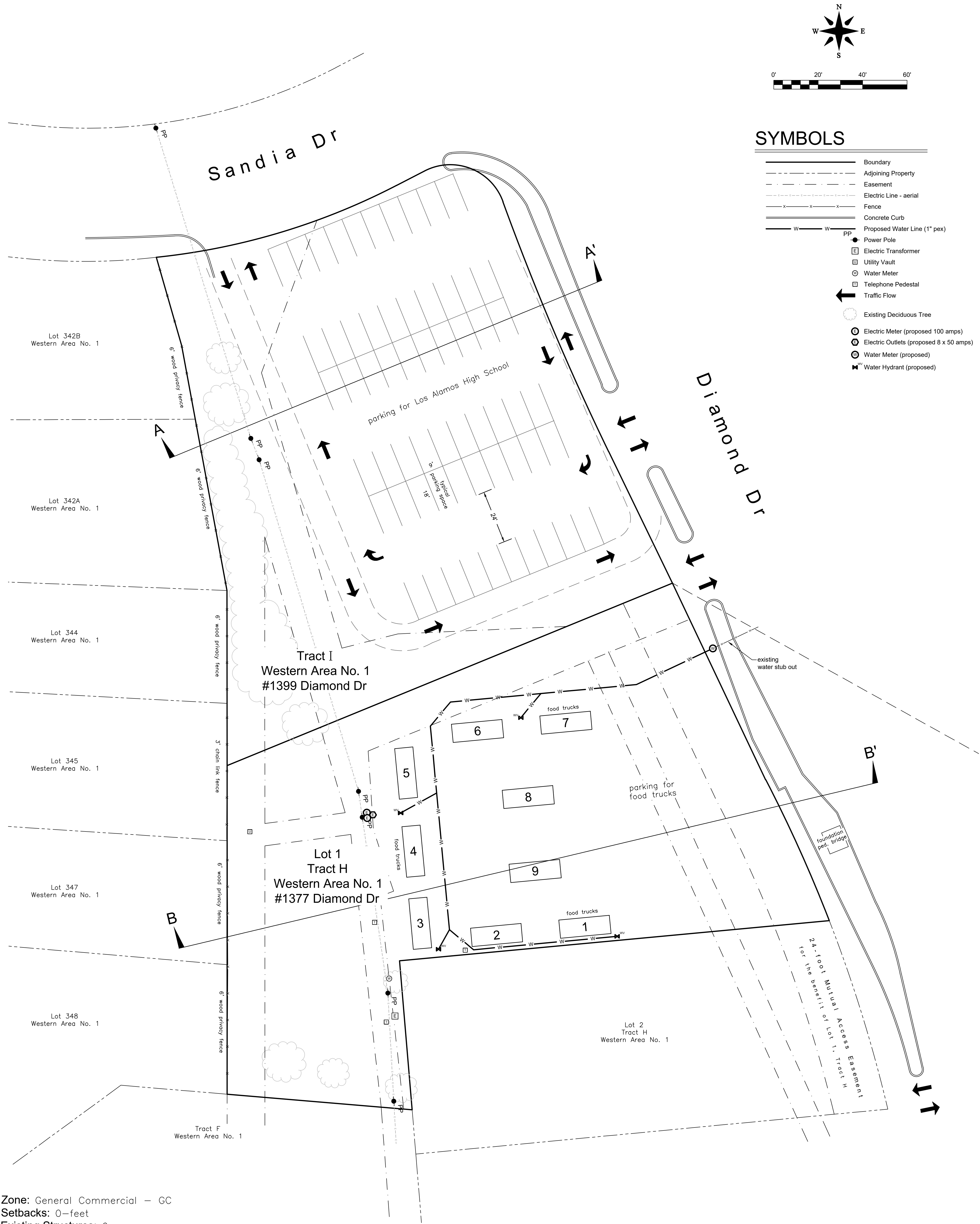

Notary Public
My commission expires: 06/28/26



LOS ALAMOS COUNTY, NM
NAOMI D. MAESTAS COUNTY CLERK
253535 Pages: 1
11/21/2022 03:24:24 PM
Ubaldo Barela

Site Plan

#1377 & #1399 Diamond Drive
Los Alamos, New Mexico



Zone: General Commercial – GC
Setbacks: 0–feet
Existing Structures: 0
Planned Structures: 0 permanent structures
Lighting: no proposed lights
Uses: Tract I – parking is a permitted use for Zone GC
Lot 1, Tract H – mobile food vending is allowed as a temporary use for Zone GC
Neighborhood Protection:

- adjacent properties, Lot 342 – Lot 348 of Western Area No. 1, are zoned RM
- GC adjacent to RM requires a Type B Buffer
- the existing site topography has a natural buffer meeting the height requirements (see cross sections, Sheet 2)
- some existing vegetation is present as shown
- applicant requests a variance for additional planting

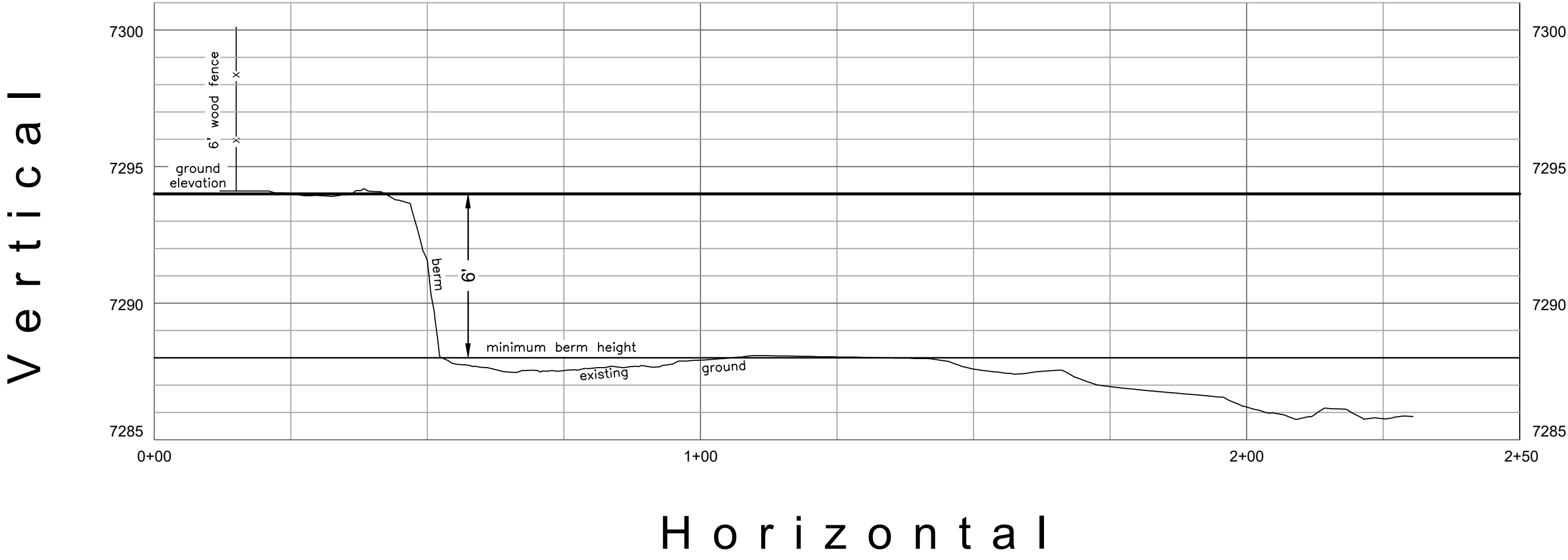
Notes:
1. Existing deciduous trees scaled from aerial imagery.
2. Existing utilities scaled from record surveys.

Cross Sections

#1377 & #1399 Diamond Drive
Los Alamos, New Mexico

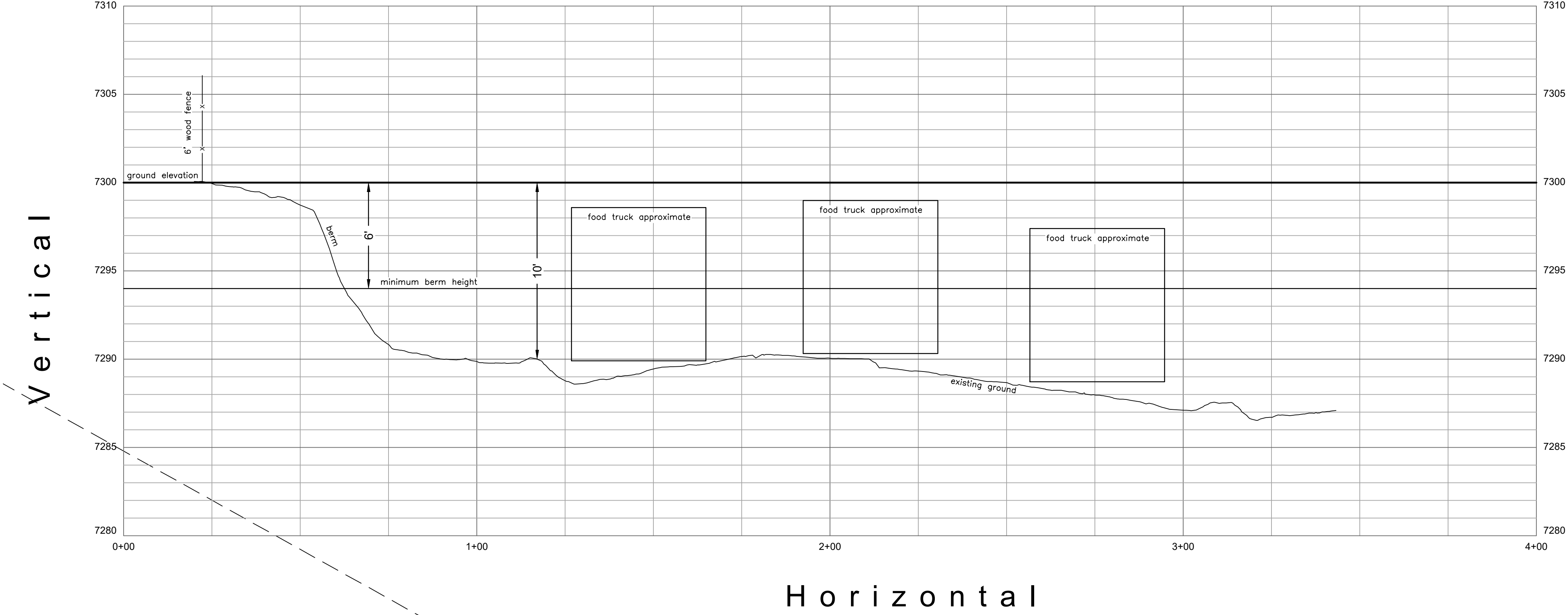
Cross Section A-A

Scale: Horizontal 1"=20' / Vertical 1"=4'
Vertical Exaggeration = 5X



Cross Section B-B

Scale: Horizontal 1"=20' / Vertical 1"=4'
Vertical Exaggeration = 5X



Lighting Plan

#1377 & #1399 Diamond Drive
Los Alamos, New Mexico

Luminaire Type	Allowed Lumens*	Proposed Lumens
Low Voltage Landscape	430	0
Shielded In-Grade Uplight	910	0
Partially Shielded Flood	1,260	0
Fully Shielded UO Down	1,260	0

*Maximum allowed lumens per Table 41, Section 16–52, Los Alamos Land Development Code

No permanent lighting proposed.

Sheet 3 of 3









County of Los Alamos

Staff Report

July 22, 2026

Los Alamos, NM 87544
www.losalamosnm.us

Agenda No.: C.

Index (Council Goals):

Presenters: Danyelle Valdez

Legislative File: 21957-26

Title

Case No. VAR-2026-0019. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). This request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

Property Owners

Russ NM LLC.

Applicant

Scott McCloy

Case Manager

Danyelle Valdez, Planning Manager

Body

In accordance with Los Alamos County Code of Ordinances, Chapter 16, Development Code ("Development Code"), section 16-74(g), establishes procedures for Variances. Staff received an application for Variance on May 28, 2026, in association with Case No. SIT-2026-0081, from Scott McCloy, Agent, on behalf of Russ NM LLC. The application was assigned Case No. VAR-2026-0019, reviewed by the Interdepartmental Review Committee ("IDRC"), and pursuant to section 16-72(c) of the Development Code, was properly noticed for a July 22, 2026, public hearing.

Section 16-69 grants the Planning and Zoning Commission ("Commission") the authority and responsibility to make final decisions on Variance applications. The Commission shall approve the application as presented, approve the application with conditions that are reasonably necessary to meet the decision criteria, or deny based on conformance with section 16-74(g)(3) decision criteria.

Pursuant to section 16-72-(f)(5)b.9., approval by the Commission shall require a motion and affirmative vote of a majority of the members present, and no less than four (4) to approve the application. Failure to issue a final decision prior to the close of the hearing shall constitute denial of the application.

..Section 16-74(g)(3), Variance Decision Criteria

An application for a subdivision shall be approved if it meets all of the following criteria:

- a. The variance will not be contrary to the public safety, health, or welfare.
- b. The variance will not undermine the intent of this Code, the applicable zone district, other county adopted policies or plans, or violate the building code.
- c. Granting of the variance will not cause an intrusion into any utility or other easement unless approved by the owner of the easement.
- d. The variance request is caused by unusual physical characteristic or a hardship inherent in the lot or lot improvements and the peculiarity or hardship has not been self-imposed.
- e. The variance will not create any significant adverse impacts on properties within the vicinity.
- f. Granting of the approved variance is the minimum necessary easing of the Code requirements making possible the reasonable use of the land, structure, or building.

..Motion Options

Recommended Motion,

I move to **deny** Case No. VAR-2026-0019, a request by RUSS NM LLC, property owner, with Scott McCloy as applicant/agent, for a variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending use at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Denial is based on the Findings of Fact established at the hearing and the determination that the Applicant has not met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code, specifically criteria subsections (b), (d), (e), and (f). The Commission acts under the authority of Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 1 (Approve with Conditions):

I move to **conditionally approve** Case No. VAR-2026-0019, a request by Russ NM LLC, property owner, with Scott McCloy as applicant/agent, for a Variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending court at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code, subject to the following conditions:

1.

The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 2 (Approve):

I move to **approve** Case No. VAR-2026-0019, a request by Russ NM LLC, property owner, with

Scott McCloy as applicant/agent, for a Variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending court at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

Attachments

- A - Staff Report
- B - Legal Notice
- C - Application



Los Alamos County
Community Development Department

**PLANNING & ZONING COMMISSION
STAFF REPORT**

Public Hearing Date: July 22, 2026
Subject: Variance; Case No. VAR-2026-0019
Applicants/Owners: McCloy Land Surveying, LLC (Scott McCloy), Agent
Case Manager: Danyelle Valdez, Planning Manager

Professional Background:

Bachelor's degree in business administration; 12 years' experience in Real Estate Development, Project Management, Planning and Land Use.

Case No. VAR-2026-0019 Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, an application for adoption of a site plan that proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

EXECUTIVE SUMMARY

McCloy Land Surveying, LLC, on behalf of property owner Russ NM LLC, requests approval of a Variance from the Type B Buffer Zone planting requirements established in Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The Variance applies to the western boundary of the properties located at 1377 and 1399 Diamond Drive, where the General Commercial (GC)-zoned site abuts Residential Mixed (RM)-zoned properties.

The Variance is associated with Site Plan Adoption application SIT-2026-0081, which proposes redevelopment of two adjoining vacant parcels as a commercial parking area serving Los Alamos High School and a mobile food vending court. The combined site contains approximately 73,921 square feet (± 1.70 acres).

The interface between the GC-zoned site and the adjoining RM-zoned properties requires a Type B Buffer. The applicant asserts that the existing topography, including a natural berm and mature vegetation along portions of the western property boundary, provides adequate separation and screening from the adjacent residential properties. The applicant therefore requests relief from the additional planting requirements applicable to the Type B Buffer.

The request is limited to the planting requirements of the Type B Buffer. The associated Site Plan Adoption application and its compliance with the applicable site-development, access, utility, parking, fire-safety, and operational standards are evaluated separately under Case No. SIT-2026-0081. This report evaluates the Variance request under the decision criteria established in Section 16-74(g)(3) of the Development Code.

Cross Section B-B

Scale: Horizontal 1"=20' / Vertical 1"=4'
Vertical Exaggeration = 5X

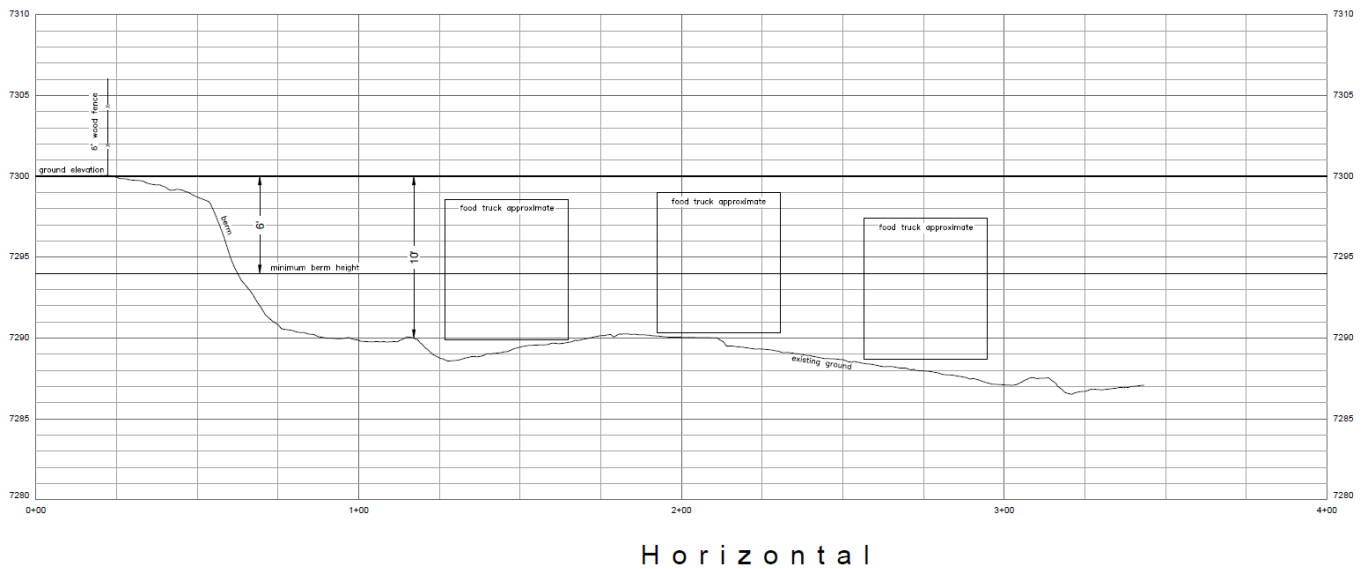


Figure 1: Cross Section B-B

SITE INFORMATION

The subject property consists of two adjoining parcels located along the west side of Diamond Drive within the Western Area of the Los Alamos Townsite:

- Tract I, Western Area No. 1, located at 1399 Diamond Drive; and
- Lot 1 of Tract H, Western Area No. 1, located at 1377 Diamond Drive.

The parcels have a combined area of approximately 73,921 square feet (± 1.70 acres), are zoned General Commercial (GC), and are not located within an overlay zone. The site was previously developed with a commercial retail building and automotive repair garage but is currently vacant.

Properties adjoining the site to the west, identified as Lots 342 through 348 of Western Area No. 1, are zoned Residential Mixed (RM). Because the GC-zoned subject property directly abuts the RM-zoned properties, the Neighborhood Protection Standards require a Type B Buffer along the shared western boundary.

PROJECT INFORMATION

A pre-application meeting was held on February 11, 2026. Staff determined that the proposed redevelopment requires approval of a Site Plan Adoption and that relief from the Type B Buffer planting requirements requires a variance. The associated Site Plan application, SIT-2026-0081, proposes an off-street parking area serving Los Alamos High School on the northern parcel at 1399 Diamond Drive and a mobile food vending court on the southern parcel at 1377 Diamond Drive. The vending court includes nine designated mobile food vending spaces, communal seating beneath an open-air shade structure, and associated customer parking. The applicant also identifies existing mature vegetation within portions of the required buffer area.

The site plan application identifies an existing grade change and natural berm along portions of the western property boundary. Cross-sections A–A and B–B on Sheet 2 of the site plan depict the existing topography between the proposed commercial uses and the adjoining residential properties.

Based on these existing conditions, the applicant requests relief from the additional planting requirements of the Type B Buffer. Approval of the Variance would not eliminate other applicable development standards or authorize the proposed uses independently of the associated Site Plan Adoption. All remaining applicable requirements would continue to apply.



Figure 2: Distance from Residential Area

INTERDEPARTMENTAL REVIEW COMMITTEE (IDRC) REVIEW

An Interdepartmental Review Committee (IDRC) review was conducted from June 18 through June 25, 2026, with the formal IDRC meeting held on June 25, 2026. Participating departments included Public Works/Engineering, Environmental Services, the Department of Public Utilities, the Fire Marshal's Office, the Building Division, and the Planning Division.

No technical comments or conditions were provided by the reviewing departments specific to the Variance request. The requested relief is limited to the Type B Buffer Zone planting

requirements and does not affect the applicable standards, facilities, services, or operational responsibilities of the participating departments.

IDRC recommended that the application proceed to the Planning and Zoning Commission for consideration.

PUBLIC NOTICE

The Los Alamos County Code of Ordinances, Chapter 16 – Development Code, Section 16-71, Table 49 Procedures Summary Table and Section 16-72(c) Notifications, establish the notice requirements for a public hearing:

- Published notice in a newspaper of general circulation within the County at least 14 calendar days before the hearing [16-72(c)(4)]. **Published July 2, 2026.**
- Posted notice of at least one sign on a street abutting the subject property, visible from the street, at least 14 calendar days before the hearing [16-72(c)(4)]. **Posted July 2, 2026.**
- Mailed notice at least 14 days before the hearing to all owners of record or occupants of properties within 300 feet of the exterior lot lines of the subject property, excluding public rights-of-way [16-72(c)(5)c.]. **Mailed July 2, 2026.**

VARIANCE DECISION CRITERIA

Section 16-74(g)(3) of the Los Alamos County Development Code states that an application for a Variance shall be approved if it meets all the following criteria:

a. The variance will not be contrary to the public safety, health, or welfare.

Applicant Response:

The variance is limited in scope to the requirements for planting new vegetation associated with the Type B Buffer Zone requirements under Sec. 16-43, Neighborhood Protection Standards. The requested variance does not affect public safety, health, or welfare.

Staff Response:

Staff finds that this criterion has been met. The requested relief is limited to the planting component of the required Type B Buffer Zone. No permanent structures, grading, or other site improvements are proposed as part of the variance request. The proposed mobile food vending use will remain subject to all applicable County requirements related to fire safety, sanitation, traffic circulation, waste disposal, and temporary use operations.

b. The variance will not undermine the intent of this Code, the applicable zone district, other County adopted policies or plans, or violate the Building Code.

Applicant Response:

The requested variance will not undermine the intent of the Development Code or applicable zoning district. The purpose of the Type B Buffer requirements is to provide separation

between commercial and residential uses. Existing site conditions already substantially achieve that intent through horizontal separation, elevation difference, and existing fencing.

Staff Response:

Staff finds that this criterion has not been met. The purpose of the Neighborhood Protection Standards is to provide an appropriate transition and separation between non-residential uses and nearby residential properties. The required Type B Buffer includes both physical separation and landscape components intended to provide screening, soften the visual effect of commercial development, and protect neighborhood character.

While the existing separation distance, grade change, and fencing provide some degree of visual buffering, they do not eliminate the purpose or function of the required planting standards. Approval of a variance removing the planting requirement would create a site-specific exception to an adopted neighborhood protection standard without sufficient evidence that the required landscaping is unnecessary to achieve the intent of the Code.

c. Granting of the variance will not cause an intrusion into any utility or other easement unless approved by the owner of the easement.

Applicant Response:

The proposed variance does not involve construction, grading, or intrusion into any utility or other easements.

Staff Response:

Staff finds that this criterion has been met. The variance request is limited to relief from planting requirements and does not authorize construction, grading, or placement of improvements within a utility or other easement.

d. The variance request is caused by unusual physical characteristic or a hardship inherent in the lot or lot improvements and the peculiarity or hardship has not been self-imposed.

Applicant Response:

The physical characteristics of the site already satisfy the functional intent of a Type B Buffer Zone due to the substantial existing separation distance and elevation change between the proposed use area and adjacent residential properties.

Staff Response:

Staff finds that this criterion has not been met. The applicant has identified existing separation distance, topographic variation, and fencing between the proposed mobile food vending area and nearby residential properties. However, these conditions do not establish a physical hardship that prevents compliance with the planting requirements of the Type B Buffer Zone.

The application does not identify a specific site condition, such as insufficient planting area, utility conflicts, drainage limitations, unstable slopes, soil constraints, access limitations, or other physical impediment that would make the required landscaping infeasible. Rather, the

request is based on the applicant's position that additional plantings are not needed and would impose disproportionate cost.

Cost, convenience, or a preference not to install required landscaping does not constitute an unusual physical characteristic or hardship inherent to the property. The request is therefore not justified by a hardship that is unique to the lot and not self-imposed.

e. The variance will not create any significant adverse impacts on properties within the vicinity.

Applicant Response:

The variance maintains the longstanding physical characteristics of the property and will not create significant adverse impacts on nearby properties because the proposed use area is separated from adjacent residential properties by distance, topography, and existing fencing.

Staff Response:

Staff finds that this criterion has not been met. The applicant has demonstrated that some physical separation exists between the proposed use area and nearby residential properties. However, the requested variance would eliminate the required planting component of the Type B Buffer Zone, which is intended to provide additional visual screening and compatibility between commercial and residential uses.

The application does not include a landscape alternative, screening analysis, or other evidence demonstrating that the complete removal of required plantings will not result in adverse visual or neighborhood compatibility impacts. Existing distance and topographic separation alone do not establish that the required landscape buffer is unnecessary.

f. Granting of the approved variance is the minimum necessary easing of the Code requirements making possible the reasonable use of the land, structure, or building.

Applicant Response:

Granting the requested variance will allow reasonable use of the property for mobile food vending while preserving the intent of the Neighborhood Protection Standards. Strict application of the planting requirements would impose disproportionate costs relative to the limited scope and intensity of the proposed use.

Staff Response:

Staff finds that this criterion has not been met. The request seeks relief from the required Type B Buffer Zone planting requirements rather than a limited modification tailored to a demonstrated physical constraint. The applicant has not shown that compliance with the required landscaping would prevent reasonable use of the property for mobile food vending or other permitted commercial uses.

The record does not demonstrate that less extensive alternatives have been evaluated, such as reduced or strategically located plantings, drought-tolerant landscaping, preservation of existing vegetation, phased installation, or another site-specific landscape design that would

meet the intent of the Code while reducing the burden of compliance. Because the application has not demonstrated that the requested relief is the minimum necessary to allow reasonable use of the property, this criterion has not been met.

DRAFT MOTIONS

Recommended Motion, Deny:

I move to **deny** Case No. VAR-2026-0019, a request by RUSS NM LLC, property owner, with Scott McCloy as applicant/agent, for a variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending use at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Denial is based on the Findings of Fact established at the hearing and the determination that the Applicant has not met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code, specifically criteria subsections (b), (d), (e), and (f). The Commission acts under the authority of Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 1, Approve with Conditions:

I move to **conditionally approve** Case No. VAR-2026-0019, a request by Russ NM LLC, property owner, with Scott McCloy as applicant/agent, for a Variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending court at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code, subject to the following conditions:

- 1.

The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

Alternative Motion 2, Approve:

I move to **approve** Case No. VAR-2026-0019, a request by Russ NM LLC, property owner, with Scott McCloy as applicant/agent, for a Variance from Section 16-43, Neighborhood Protection Standards, of the Los Alamos County Development Code. The request seeks relief from the Type B Buffer Zone planting requirements associated with the proposed mobile food vending court at 1377 and 1399 Diamond Drive, Los Alamos, New Mexico.

Approval is based on the Findings of Fact established at the hearing and the determination that the Applicant has met all required decision criteria for a Variance under Section 16-74(g)(3) of the Los Alamos County Development Code. The Commission acts under the authority granted in Section 16-69(b)(2) and (6) of the Development Code.

I further move to authorize the Chair to sign the Findings of Fact and Conclusions of Law for this case reflecting the decision of the Commission. This document will be prepared by County staff based on this decision.

REFERENCE

Los Alamos County, Chapter 16, Development Code: <https://lacnm.com/MunicipalCode>

**NOTICE OF PLANNING AND ZONING COMMISSION MEETING
STATE OF NEW MEXICO, COUNTY OF LOS ALAMOS**

Notice is hereby given that the Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, has directed publication of their regular scheduled meeting to be held on Wednesday, July 22, 2026, 5:30 p.m., at the Los Alamos County Municipal Building: 1000 Central Ave, Los Alamos, NM 87544. Members of the public may, also, join to make public comment by pasting into their browser the following URL:

<https://us06web.zoom.us/j/81885706651>

By phone: (US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782
Webinar ID: 818 8570 6651

CASES FOR PUBLIC HEARING:

1. Case No. SIT-2026-0080. Philip Gursky, representative of 1735 Central Investment LLC., on behalf of Tigard Pacific, RE, LLC., property owner, requests approval for a Major Site Plan Amendment for the property at 1735 Central Ave, Los Alamos, NM. The project redevelops the former CB Fox Department Store into a mixed-use facility featuring a boutique hotel, restaurant and food court, bar, retail sales, and meetings, banquets and event areas. The renovation includes an expansion of the second floor and the addition of a third floor, increasing the building area by approximately 4,000 sq. ft. The property is located within the Downtown Los Alamos (DTLA) district.
2. Case No. SIT-2026-0081. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a site plan for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, NM, within the General Commercial (GC) zone district. Approval would allow the parking and operation of nine (9) mobile food vending vehicles on a vacant lot.
3. Case No. VAR-2026-0019: Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

The Agenda Packet is available at least 72-hours prior for public inspection during business hours of 8 a.m. to 5 p.m., within the Community Development Department at 1000 Central Ave, Suite 150, or online at <https://losalamos.legistar.com/Calendar.aspx>.

By: /s/ Danyelle Valdez, Planning Manager

If you are an individual with a disability and need accommodation to attend or participate in the meeting, such as a reader, amplifier, sign language interpreter, or other aid, please contact Human Resources at (505) 662-8040 at least one week in advance or as soon as possible. For accessible formats of public documents, including the Agenda and Minutes, contact the County Administrator's Office at (505) 662-8080.

PUBLISHED IN THE LA DAILY POST ON: Thursday, July 2, 2026

Owner Name	C/O Name	Mailing Address	City, State, Zip
REDMOND JORDAN	OR CURRENT RESIDENT	PO BOX 1399	LOS ALAMOS, NM, 87544
RUSS NM LLC	OR CURRENT RESIDENT	4 HAZEL AVENUE	COLORADO SPRINGS, CO, 80906
KRAUSE MARK R & FLORA V	OR CURRENT RESIDENT	1624 37TH ST	LOS ALAMOS, NM, 87544
FLEMING PATRICK	OR CURRENT RESIDENT	1591 36TH ST	LOS ALAMOS, NM, 87544
CASADOS JEFF L & PATRICIA A REV TR	OR CURRENT RESIDENT	1611 36TH ST	LOS ALAMOS, NM, 87544
MORALES LUIS & ROBIN	OR CURRENT RESIDENT	1432 41ST ST	LOS ALAMOS, NM, 87544
HSU REVOCABLE TRUST	OR CURRENT RESIDENT	1476 41ST ST	LOS ALAMOS, NM, 87544
WALLER NANCY M REVOC LIVING TRUST	OR CURRENT RESIDENT	1373 A 40TH ST	LOS ALAMOS, NM, 87544
JONES NICHOLAS A & KAYLEA H.K.	OR CURRENT RESIDENT	1373 B 40TH ST	LOS ALAMOS, NM, 87544
DICKSON CARL A & CAMILLE L	OR CURRENT RESIDENT	1383 40TH ST	LOS ALAMOS, NM, 87544
CHRISTENSEN JOEL & KATHRYN	OR CURRENT RESIDENT	1393 B 40TH ST	LOS ALAMOS, NM, 87544
ALLBACH FENDER JAMIE E & RAMAKER RYAN A P	OR CURRENT RESIDENT	1393 A 40TH ST	LOS ALAMOS, NM, 87544
FRENCH SHANE T	OR CURRENT RESIDENT	1419 40TH ST	LOS ALAMOS, NM, 87544
DIX JAMES ARTHUR & PEROTTO MARIA	OR CURRENT RESIDENT	421 ARTHUR AVE	ENDICOTT, NY, 13760
MCPAHON SEANE & ANTIC OMALLEY GRACE	OR CURRENT RESIDENT	1463 40TH ST	LOS ALAMOS, NM, 87544
RUSS NM LLC	OR CURRENT RESIDENT	4 HAZEL AVE	COLORADO SPRINGS, CO, 80906
LOPEZ GENE E & EMILY R	OR CURRENT RESIDENT	1663 39TH ST	LOS ALAMOS, NM, 87544
REINHARD FRIEDEL & BIEL ILSE REVOCABLE TRUST	OR CURRENT RESIDENT	1629 39TH ST	LOS ALAMOS, NM, 87544
JOHNSTON MATTHEW P & TREVIZO LIZETH V	OR CURRENT RESIDENT	1599 A 39TH ST	LOS ALAMOS, NM, 87544
JOHNSTON MATTHEW P	OR CURRENT RESIDENT	1599 B 39TH ST	LOS ALAMOS, NM, 87544
HARELSON DONALD W & LESLEY A	OR CURRENT RESIDENT	1545 39TH ST	LOS ALAMOS, NM, 87544
RUSS NM LLC & SPEEDY SHINE LLC	OR CURRENT RESIDENT	4 HAZEL AVENUE	COLORADO SPRINGS, CO, 80906
WIEMANN SHELLY A REVOCABLE TRUST	OR CURRENT RESIDENT	1454 41ST ST	LOS ALAMOS, NM, 87544
SHIRK DONALD G & MELANIE V REVOC LIVING TRUST	OR CURRENT RESIDENT	1483 40TH ST	LOS ALAMOS, NM, 87544
KELLEY SEAN	OR CURRENT RESIDENT	1632 39TH ST	LOS ALAMOS, NM, 87544
SPALDING KENNETH J	OR CURRENT RESIDENT	1635 37TH ST	LOS ALAMOS, NM, 87544
SANCHEZ JOSEPH	OR CURRENT RESIDENT	1586 37TH ST	LOS ALAMOS, NM, 87544
ZIOMEK BERNADETTE G	OR CURRENT RESIDENT	1809 CAMINO REDONDO	LOS ALAMOS, NM, 87544
SCHMIDT DAN	OR CURRENT RESIDENT	1396 B 40TH ST	LOS ALAMOS, NM, 87544
SCHULTZ KEVIN D	OR CURRENT RESIDENT	1396 40TH ST	LOS ALAMOS, NM, 87544
WILLIAMS FRANK A & JANELL C	OR CURRENT RESIDENT	1424 A 40TH ST	LOS ALAMOS, NM, 87544
OTT LOGAN	OR CURRENT RESIDENT	1374 A 40TH ST	LOS ALAMOS, NM, 87544
JACOB ELIZABETH	OR CURRENT RESIDENT	1374 B 40TH ST	LOS ALAMOS, NM, 87544
BOWEN SCOTT M	OR CURRENT RESIDENT	1424 B 40TH ST	LOS ALAMOS, NM, 87544
HENSEN RACHEL	OR CURRENT RESIDENT	1366 40TH ST UNIT A	LOS ALAMOS, NM, 87544
BERGAUER DEVON	OR CURRENT RESIDENT	1049 CEDRO CT	LOS ALAMOS, NM, 87544
SNELSON-GERLICHER CATHERINE M REVOC LIVING TRUST	OR CURRENT RESIDENT	1444 40TH ST	LOS ALAMOS, NM, 87544
SEAY JEFFREY G & JACQUELINE R	OR CURRENT RESIDENT	1472 A 40TH ST	LOS ALAMOS, NM, 87544
SEAY JEFFREY G & JACQUELINE S	OR CURRENT RESIDENT	1472 B 40TH ST	LOS ALAMOS, NM, 87544
LEFFLER SEAN	OR CURRENT RESIDENT	1496 40TH ST	LOS ALAMOS, NM, 87544

July 1, 2026

RE: CASE NO. SIT-2026-0081. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a site plan for the properties located at 1377 and 1399 Diamond Drive, Los Alamos, NM, within the General Commercial (GC) zone district. Approval would allow parking and operation of nine (9) mobile food vending vehicles on a vacant lot. The property is located within the General Commercial (GC) district.

RE: Case No. VAR-2026-0019. Scott McCloy, applicant, on behalf of RUSS NM LLC, property owner, requests approval of a variance from the Type B Buffer Zone planting requirements of the Neighborhood Protection Standards (Chapter 16, Section 16-43, Los Alamos County Development Code). The request is associated with Case No. SIT-2026-0081, which proposes the parking and operation of nine (9) mobile food vending vehicles at 1377 and 1399 Diamond Drive, Los Alamos, NM. The properties are within the General Commercial (GC) zone district.

COUNTY COUNCIL

Randall T. Ryti
Council Chair
Ryn Herrmann
Council Vice Chair
Theresa Cull
Suzie Havemann
Melanee Hand
Beverly Neal-Clinton
David Reagor

COUNTY MANAGER

Anne W. Laurent

Dear Property Owner:

The Planning and Zoning Commission of the Incorporated County of Los Alamos, State of New Mexico, will be considering the above-mentioned application at a public hearing on July 22, 2026, 5:30 PM (MST), at the Municipal Building, located at 1000 Central Ave., Los Alamos, NM.

As a property owner within 300-ft of the subject site, you have been notified; therefore, fulfilling Los Alamos County Code of Ordinances, Chapter 16, Development Code, Section 16-72-(c)(5)(c) notification requirements. The meeting will be in-person and open to the public. However, for convenience, the following Zoom meeting link and/or telephone numbers may be used for public viewing and participation:
<https://us06web.zoom.us/j/81885706651>

Or, by phone: US) +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782
Webinar ID: 818 8570 6651

For more information contact Danyelle Valdez, Planning Manager, at (505) 662-8054 during normal business hours, or email at planning@lacnm.us.

The application and plans submitted can be requested or accessed through the Citizen Self-service Portal ("CSS") using the QR Code or URL below. "Search Public Records" by project address (1377 Diamond Dr.) or case number (SIT-2026-0081 or VAR-2026-0019). View files under "Attachments".



<https://losalamoscountynm-energypub.tylerhost.net/Apps/SelfService#>

1000 Central Avenue, Suite 150
Los Alamos, NM 87544
P 505.662.8120 F 505.662.8363
losalamosnm.us





DEVELOPMENT APPLICATION

PROJECT INFORMATION

Title: **Variance Request**Project Address: **#1377 & #1399 Diamond Dr**

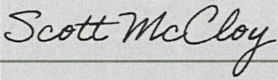
Description:

variance request from planting requirement for Type B Buffer Zone required under Neighborhood Protection Standards (Sec. 16-43)

Check all application types, if applicable:

- | | |
|--|---|
| ☐ Administrative Deviation ... \$25 | ☐ Site Plan* ... \$500 plus
\$75 per/Million \$ estimated construction cost |
| ☐ Administrative Wireless Telecom ... \$250 | Estimated Construction Cost: _____ |
| ☐ Encroachment Permit ... \$25 | ☐ Major Site Plan Amendment* ... \$500 |
| ☐ Temporary Use Permit ... \$25 | ☐ Minor Site Plan Amendment ... \$250 |
| ☐ Comprehensive Plan Adoption & Amendment* ... \$250 | ☐ Major Zone Map Amendment* ... \$500 (+\$25/acre)
No fee if initiated by County Council
or County Manager |
| ☐ Conditional Use Permit* ... \$300 | ☐ Minor Zone Map Amendment* ... \$500 (+\$25/acre)
No fee if initiated by County Council
or County Manager |
| ☐ County Landmark or Historic District Adoption/Amendment* ... \$250 | ☐ Master Plans* (Major, Minor) ... \$250 |
| ☐ Development Plan* ... \$500 | ☐ Text Amendment* ... \$150
No fee if initiated by County Council
or County Manager |
| ☐ Major Development Plan Amendment* ... \$500 | ☒ Variance ... \$250
No fee if application is a part of a Site Plan review |
| ☐ Minor Development Plan Amendment ... \$250 | ☐ Administrative Wireless Telecommunication Facility ... \$250 |
| ☐ Summary Plat... \$100 plus \$25 lot; \$10 / acre for non-residential | ☐ Discretionary Wireless Telecommunication Facility* ... \$500 |
| ☐ Sketch Plat, Subdivision* ... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Small Wireless Facility ... \$250 |
| ☐ Preliminary Plat, Subdivision* ... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Major Historic Demolition* ... \$250 |
| ☐ Final Plat, Subdivision* ... \$250 plus
\$175/lot (1-10 lots)
\$125/lot (11-30 lots)
\$75/lot (30+ lots) | ☐ Major Historic Property Alteration Certification* ... \$250 |
| ☐ Landscaping Plan ... \$500 | ☐ Minor Historic Property Alteration Certificate ... \$250 |
| ☐ Lighting Plan ... \$500 | |

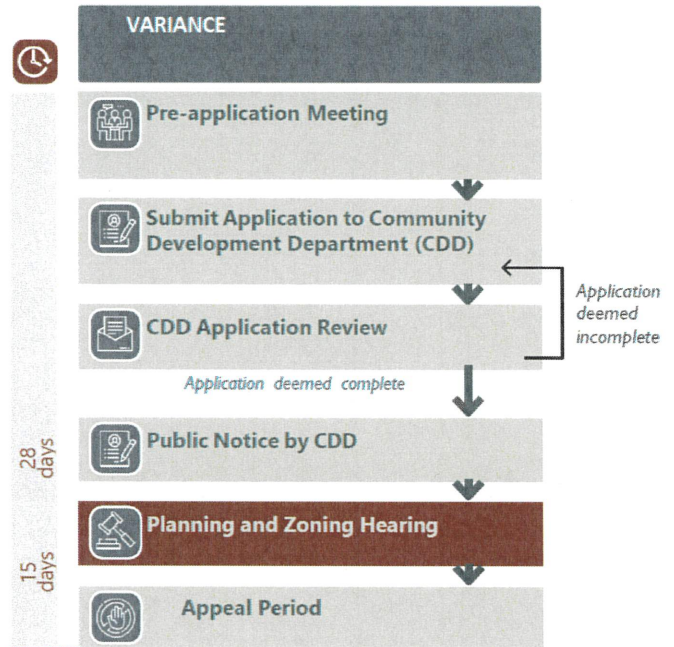
* Application reviews require a pre-application meeting.

PROPERTY & OWNER INFORMATION				
Property Address:	1377 & 1399 Diamond Address	Los Alamos City	NM State	87544 ZIP
Zoning District:	General Commercial - GC		Overlay Zone:	☒ N/A
Existing Structure(s) Sq. Ft.:	0.00	Proposed Structure(s) Sq. Ft.:	0.00	
Lot Area (sq.ft.): 73921				
Property Owner(s) Name: RUSS NM LLC				
Owner(s) Email: russellsross@comcast.net				
Owner(s) Phone(s)#: 718-641-7858				
☐ Owner's Address same as Property Address				
Owner(s) Address:	4 Hazel Ave Address	Colorado Spring City	CO State	80906 ZIP
APPLICANT / OWNER'S AGENT INFORMATION				
☐ Applicant is same as Owner				
Applicant Name: Scott McCloy				
Applicant Address:	168 Central Park Sq Address	Los Alamos City	NM State	87544 ZIP
Applicant Email: mccloy.surveying@gmail.com				
Applicant Phone(s)#: 505-321-7404				
ASSOCIATED APPLICATIONS				
Application Type: Site Plan				
Case Number:				
<i>I hereby certify and affirm, under penalty of perjury, that the information I have provide in this application is true and accurate to the best of my knowledge, information, and belief. [NMSA 1978, §30-25-1]</i>				
Signature:			Date:	05/28/2026
Signature:			Date:	
STAFF USE ONLY				
Date Received:			Staff:	
Case No.#:			Meeting Date:	
SUBMITTALS				
☐ Proof of Ownership or Letter of Authorization from Owner		☐ Complete Application – Date: _____		
☐ Items from associated Application Checklist		☐ Payment – Accepted upon verification of a complete application - Date: _____		

VARIANCE CHECKLIST

Applicants for all development application reviews must complete this checklist and submit it with the Development Application. Refer to the referenced code sections for additional information. Contact the Planning Division with questions regarding these requirements: planning@lacnm.us.

PRE-APPLICATION MEETING	
Date Held:	04/22/2026
SITE PLAN	
Scaled site plan at a minimum of 1" = 100' that illustrates the following:	
☒	Graphic Scale and North Arrow
☒	Property Lines according to recorded survey
☒	Existing and proposed structures
☒	Existing and proposed easements
☒	Existing and proposed setbacks
☒	Existing and proposed utility lines
ELEVATIONS	
Elevation drawing(s) at a minimum scale of 1/8" = 1' that indicates:	
☐	Height (above existing grade) of all four sides
☐	no planned structures
LOT COVERAGE	
Existing (%):	0.00
Proposed (%):	0.00
ADDITIONAL SUBMITTALS	
Based on staff's review and Interdepartmental Review Committee's recommendation – additional submittals may be required and will be communicated to the applicant by the assigned Case Manager.	



See Reverse.

DECISION CRITERIA 16-74-(g)(3)

a. The variance will not be contrary to the public safety, health, or welfare. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

b. The variance request will not undermine the intent of the Development Code, the applicable zone district, other County adopted policies or plans, or violate the Building Code. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

c. Granting of the variance will not cause an intrusion into any utility or other easements unless approved by the owner of the easement. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

DECISION CRITERIA 16-74-(g)(3)

- d. The variance request is caused by an unusual physical characteristic or hardship inherent in the lot or lot improvements and that the peculiarity or hardship is not self-imposed. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- e. The variance will not create any significant adverse impacts on properties within the vicinity. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

- f. Granting of the approved variance is the minimum necessary easing of the Code requirements making possible the reasonable use of the land, structure, or building. Explain.

See attached sheets.

☐ Staff finds that this criterion has been met

☐ Staff finds that this criterion has not been met – more information is needed

Attach additional sheets, if needed.

A.

The variance is limited in scope to the requirements for planting new vegetation associated with the Type B Buffer Zone requirements under Sec. 16-43 Neighborhood Protection Standards. The requested variance does not affect public safety, health, or welfare.

The proposed use change for 1377 Diamond Drive allows for parking and operation of mobile food vending vehicles. No permanent structures are proposed as part of this request. Existing site characteristics already substantially exceed the separation characteristics typically provided by a Type B Buffer. The nearest residential properties are located approximately 100 feet horizontally and approximately 11 feet higher in elevation than the proposed use area for 1377 Diamond Drive (see Attachment A).

B.

The requested variance will not undermine the intent of the Development Code or applicable zoning district. The purpose of the Type B Buffer requirements is to provide separation between commercial and residential uses. In this case, existing site conditions already substantially achieve that intent through approximately 100 to 165 feet of horizontal separation and approximately 11 feet of elevation difference between the proposed use area and adjacent residential properties (see Attachment A).

The proposed mobile food vending use is limited in scope, no permanent structures are proposed, and the variance request is limited solely to additional planting requirements associated with the Type B Buffer standards.

C.

The proposed variance does not involve construction, grading, or intrusion into any utility or other easements.

D.

The physical characteristics of the site already satisfy the functional intent of a Type B Buffer Zone due to the substantial existing separation distance and elevation change between the proposed use area and adjacent residential properties (see Attachment A).

**Type B Buffer
Requirement**

Required Existing Conditions

Minimum Width	20 feet	Approximately 100 feet
Berm/Fence Height	6 feet	Approximately 17 feet total (11-foot grade differential plus existing 6-foot residential fence)

E.

The variance maintains the longstanding physical characteristics of the property and will not create significant adverse impacts on nearby properties. The proposed use area is separated from adjacent residential properties by substantial distance and topographic variation, and no permanent structures are proposed.

F.

Granting the requested variance will allow reasonable use of the property for mobile food vending while preserving the intent of the Neighborhood Protection Standards. The request is narrowly limited to relief from additional planting requirements where existing site conditions already provide substantial buffering and separation between the proposed use and adjacent residential properties.

Strict application of the additional planting requirements would impose disproportionate costs relative to the limited scope and intensity of the proposed use and is not necessary to achieve the underlying neighborhood protection objectives of Sec. 16-43.

