

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 30, 2014

TO: Board of County Commissioners

FROM: John M. Salazar, Development Review Specialist Sr. *JMS*

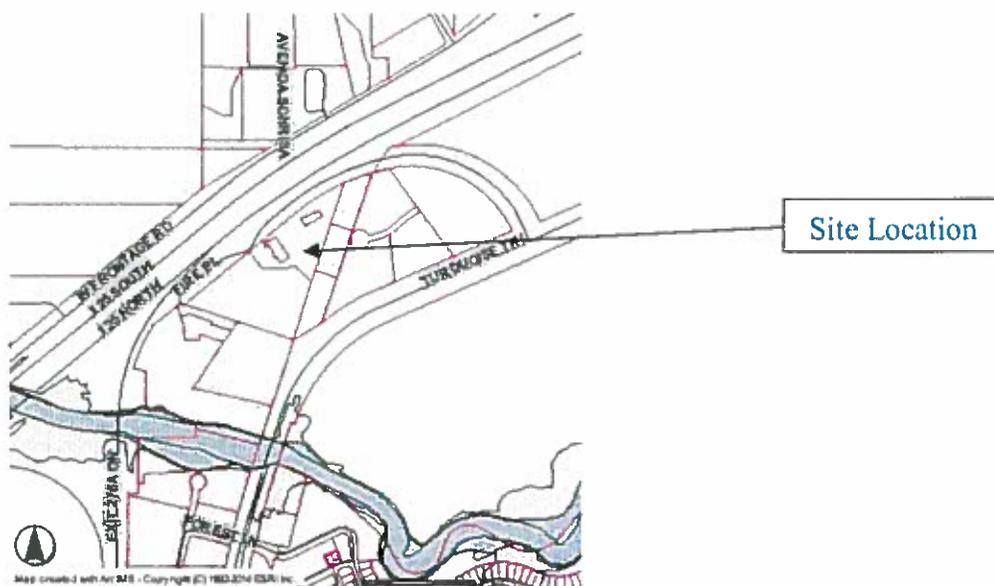
VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director *PEG*
Vicki Lucero, Building and Development Services Manager *VL*
Wayne Dalton, Building and Development Services Supervisor *WD*

FILE REF.: CDRC CASE # Z/DP/V 14-5430 Santa Fe Brewing Co. Expansion

ISSUE:

Lock Builders, LLC, Applicant, JenkinsGavin, Agents, request a Master Plan Amendment, Preliminary and Final Development Plan approval to allow an expansion to an existing brewing facility on 4.97-acres. This request also includes a variance of Ordinance No. 2000-12, Article XV, Section 6.H Open Space Standards to allow 37% open space rather than the required 50% open space. The property is located at 35 Fire Place within the Community College District, within Section 24, Township 16 North, Range 8 East (Commission District 5).

Vicinity Map:



SUMMARY:

On December 18, 2014, the County Development Review Committee met and acted on this case. After conducting a public hearing and taking testimony from the Applicant and his agent, the decision of the CDRC was to recommend approval for a Master Plan Amendment, Preliminary and Final Development Plan to allow an expansion to an existing brewing facility on 4.97-acres. The CDRC also recommended approval to allow a variance of Ordinance No.2000-12, Article XV, Section 6.H (Open Space Standards) to allow 37% open space rather than the required 50% open space.

On November 9, 2004, the Board of County Commissioners approved CCDRC CASE # MP 04-5440 Santa Fe Brewing Master Plan. The approval incorporated Master Plan Zoning and Preliminary Development Plan within a designated Employment Center Zone to allow a brewing facility and restaurant, and an 11,200 square foot warehouse on 4.97-acres. The Master Plan was subsequently amended in 2011, to permit outdoor entertainment at the restaurant.

The Applicant requests a Master Plan Amendment to the existing 1.7-acre brewing facility site in order to rezone 3.27-acres on Lot 1-A (4.976 acres ±) which was recently added via a lot consolidation. The additional acreage was originally part of the Los Cabos Master Plan which was approved in August of 2008. The Master Plan created three lots for the purpose of constructing 18,750 square feet of commercial and industrial uses however, the project was never constructed and the approval has since expired.

The Applicant is also requesting Preliminary and Final Development Plan Approval for the expansion. The proposed brewery expansion will be developed in one phase and will include a 2,400 square foot addition to the north side of the existing brewing facility; a new 6,300 square foot entrance, lobby and tasting room on the east side of the existing building; additional bottling and brewing facilities totaling 47,000 square feet to be added to the proposed lobby and tasting room; and a 3,500 square foot landscaped outdoor area with seating and a performance platform.

With the planned expansion, production capacity at the Brewery will ramp up from 17,000 barrels of beer (2013) to 80,000 barrels of beer (2020). Sales are projected to ramp up from \$4.2 million (2013) to \$17 million (2020). The Brewery plans to have 105 employees on its payroll by January 1, 2020, an increase of approximately 64 new direct jobs. The expansion and additional jobs would create the following in tax revenue which will be expended for the benefit of the community:

| SFBC Taxes Paid in NM | 2009 | 2013 | 2017 | 2020 |
|------------------------------|-----------------|------------------|------------------|------------------|
| NM Excise Tax | \$8,125 | \$77,000 | \$80,000 | \$100,000 |
| State Gross Receipts Tax | \$7,500 | \$25,700 | \$90,875 | \$115,000 |
| State Payroll Tax | \$42,000 | \$80,000 | \$170,000 | \$300,000 |
| Property Tax | \$9,000 | \$9,000 | \$19,000 | \$19,000 |
| Total | \$66,625 | \$191,700 | \$359,875 | \$534,000 |

Santa Fe Brewing Company has applied to Santa Fe County for economic assistance pursuant to the Local Economic Development Act (LEDA), NMSA 1978, Chapter 5, Article 10 and Santa Fe County Economic Development Ordinance, Ordinance No. 2014-7.

The Economic Development Manager has evaluated the project and determined that SF Brewing Company is qualified for economic assistance pursuant to LEDA. The New Mexico Economic Development Department ("NM EDD") has similarly determined that the Brewery is qualified for LEDA funds. The LEDA funds will be used to design, construct, and implement a state of the art wastewater treatment system to treat all of the Brewery's effluent.

The Applicant is also requesting a variance of Ordinance No. 2000-12, Article XV, Section 6.H Open Space Standards (Exhibit 5). The Community College District Ordinance requires 50% open space for new development which would consist of about 149,693.94 square feet of open space. The Applicant is proposing 37% open space or 110,344 square feet.

The Applicant states the following reasons for the variance: The necessity for this (open space) reduction stems from the fact that the Project is a manufacturing facility in an Employment Center Zone. Therefore, although the lot coverage is only 26%, significant paved areas are essential for loading and deliveries, which reduces the amount of available open space. Full compliance would limit the functionality of the manufacturing facility and its role as an important employer in Santa Fe County.

Staff Response: The 50% open space requirement in the CCDO does not contemplate flexibility based on use. Planning Division staff has reviewed this application and has stated that the Applicant may utilize proposed trail connections allowing public access to district trail systems for the purpose of meeting the 50% requirement and has recommended the following conditions of approval should the variance be granted:

1. Provide a trail connection to the proposed district trail and trailhead/bicycle and pedestrian access point on the property which can be counted as open space.
2. Staff supports the inclusion of a district trail connection and trailhead/bicycle and pedestrian access point in the open space requirement.

The Applicant has agreed to accept the conditions as they believe it is a bigger benefit to the community rather than dedicating unusable property such as arroyos or floodplain as open space.

Article II, § 3 (Variances) states: "Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking of property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified". (The Variance Criteria does not consider financial or medical reasons as extraordinary hardships.)

This Application was submitted on October 10, 2014.

Building and Development Services staff has reviewed the Applicants request for a variance of Ordinance No. 2000-12 Article XV, Section 6.H, of the Community College Ordinance, to allow 37% open space, for compliance with pertinent Code requirements and has found that the facts presented do not support the request: no Application shall be approved unless it is determined that the density requirements of the Code will be met; there are no features of the land which create a non-self-inflicted hardship which could be addressed through a variance; a variation or modification of this section of the Code may be considered more than a minimum easing of the requirements.

Building and Development Services staff has reviewed this project for compliance with pertinent Code requirements and has found the following facts presented support the request for a Master Plan Amendment, Preliminary and Final Development Plan approval: the Application is comprehensive in establishing the scope of the project; the proposed uses are in compliance with the uses associated with an Employment Center Zone of Ordinance No. 2000-12; the Application satisfies the submittal requirements set forth in the Land Development Code and Ordinance No. 2000-12, with the exception of the open space variance element of the request.

The review comments from State Agencies and County staff have established that this Application, for Master Plan Amendment, Preliminary and Final Development Plan to allow an expansion to an existing brewing facility, is in compliance with: State requirements; Article V, § 5 (Master Plan Procedures) of the Code; Article V, § 7 (Development Plan Requirements) of the Code.

APPROVAL SOUGHT: Master Plan Amendment, Preliminary and Final Development Plan approval in conformance with the Community College District Ordinance to rezone 3.27-acres on Lot 1-A which were recently added via a lot consolidation and to allow an expansion to the existing brewing facility consisting of 59,200 square feet.

VARIANCE: A variance of Ordinance No. 2000-12 Article XV, Section 6.H Open Space Standards to allow 37% open space.

GROWTH MANAGEMENT AREA: SDA 1, Planned Development District

HYDROLOGIC ZONE: Basin Hydrologic Zone

ACCESS AND TRAFFIC: The Santa Fe Brewing Company is accessed via an existing driveway off of Highway 14. The Applicant is proposing a new driveway off of Fire Place to include supplementary emergency access via Rumble Road. A traffic impact analysis was conducted by Walker Engineering recommending a northbound left turn lane and a southbound right turn deceleration lane be constructed on Highway 14.

Santa Fe County Public Works Department conditionally supports the development with conditions that include upgrading to diamond grade Type IX material to meet MUTCD standards, signage to meet MUTCD standards and to provide a copy of an approved access permit from NMDOT.

The New Mexico Department of Transportation has reviewed the submittal and recommends that the left turn deceleration lane on NM 14 and Fire Place be lengthened to meet the requirements in the NMDOT State Access Management Manual, a 4' minimum bike lane in each direction be maintained between Fire Place and the west driveway, and the Applicant shall submit an access permit application for any access to NM 14 and Fire Place.

FIRE PROTECTION:

La Cienega Fire District. There are two existing fire hydrants. One is located near the restaurant and the second one is located near the proposed biergarten. The Applicant is proposing to install a third hydrant south of the restaurant in the proposed parking lot which will be accessed from Highway 14.

The Santa Fe County Fire Prevention Division conditionally supports the development. (Memo Exhibit 3)

WATER SUPPLY:

The proposed water budget for this development is 11.9 afy. 1.90 afy is proposed for total domestic use while brewing activities is budgeted at 10 afy. An existing well on Lot 2-A will continue to be utilized solely for brewing activities. Santa Fe Brewing Co. is also an existing customer of the Santa Fe County water system. The facility expansion will continue to use County water for all domestic purposes.

LIQUID WASTE:

Santa Fe Brewing Company is served by an existing onsite wastewater treatment system. SFBC has received \$250,000 from NMEDD to upgrade the treatment system. Both Santa Fe County and SFBC have jointly applied for a wastewater connection to the City of Santa Fe's sewer line located along Highway 14. Upon City approval, a new sewer connection will be constructed to serve the property and the onsite treatment system will be used to treat the wastewater before it is injected into the sewer line in order to reduce the BOD's (Biochemical Oxygen Demand) produced from the brewing process. The City sewer treatment plant is capable of treating wastewater with a certain amount of BOD's which SFBC would exceed without treating their wastewater onsite before injecting it into the City sewer system.

Since the existing septic system comprises of plastic tanks and plastic disposal chambers, NMED is requiring that SFBC remove all components of the septic system from the ground and dispose of properly to preclude the possibility of any unsafe conditions following any connection to a sewer system.

SOLID WASTE:

Solid waste will be placed into two dumpsters at the northwest corner of the existing brewing facility and another one will be located at the southwest corner of the facility addition. Dumpsters will be screened with a six foot wall or fence.

TERRAIN MGMT:

The Development indicates that all improved areas including impervious areas will drain to proposed centralized ponding. A conceptual plan for ponding has been provided with a total site runoff of 86,783 cubic feet. The total ponding provided for site run off is 87,120 cubic feet. The request meets Ordinance 2008-10 (Flood Damage Prevention and Stormwater Management) for Preliminary and Final Development Plan.

The property contains slopes of 0-15 %, and the project is not located within a designated FEMA Special Flood Hazard Area. After review, the request for Master Plan Zoning for Santa Fe Brewing Company is in conformance with Article VII, § 3 (Terrain Management), of the Santa Fe County Land Development Code.

SIGNAGE AND LIGHTING:

The Applicant proposes to utilize a building mounted sign on the proposed south facing building. In addition the Applicant proposes to include a freestanding "Employee Parking" sign in the proposed parking area and a fence mounted "Shipping & Receiving" sign on the north end of the property behind the existing building and proposed warehouse. The Applicant has provided signage details which comply with Article VIII (Sign Regulations).

The Applicant proposes to utilize 7 pole mounted lights in the parking areas, 21 exterior wall mounted lights at building entrances and within the biergarten along with the 6 existing wall mounted lights on the brewery. 36 walkway garden lights are proposed to illuminate pedestrian walkways within the biergarten. The walkway garden lights are shielded and the Applicant has provided cut sheets. The proposed lighting plan complies with Article III, Section 4.4.4.h (Outdoor Lighting).

ADJACENT PROPERTY:

The site is bordered to the northeast by Fire Place and Interstate 25, to the south by Rumble Road and Highway 14,

to the east by Sandia Vista Center owned by Sonny Otero and to the west by vacant property owned by Thornburg Enterprises Ltd.

PARKING:

The Applicant is proposing 57 parking spaces. 40 spaces are proposed for the maximum amount of employees who will be onsite at any given time while 17 spaces will be provided for visitors to the tasting room. The Community College Ordinance requires one parking space per 250 square feet of building area. The total building will equal 66,900 square feet. With this square footage the Applicant would be required to provide 267.6 parking spaces for 72 employees, however, the CCDO in Section 6.C (Parking Requirements) states:

“To reduce the amount of land dedicated to parking lots, an applicant may propose a parking budget using shared parking, differential time use, one-stop multiple use and on-street parking... The Code Administrator shall have the authority to approve such a parking budget with different parking requirements than are set forth above, after determining that adequate parking is provided for the proposed uses.”

Staff has found that the Applicant’s proposed parking plan complies with Section 6.C as the project is for warehouse and manufacturing which requires less employees as compared to a retail or office use. In addition, parking for industrial/warehouse uses is typically one space per 500 square feet.

LANDSCAPING:

Landscape buffers are to be provided along Fire Place including low to moderate water using deciduous and evergreen trees and shrubs as well as a variety of ground covers and native grasses. Any disturbed areas will be re-seeded with a native grass and wildflower seed mix. This complies with Article III, Section 4.4.4.f (Landscaping Plan).

RAINWATER HARVESTING:

Ordinance 2008-4 (Water Harvesting) requires commercial development to collect all roof drainage into a cistern. Cisterns shall be sized to hold 1.5 gallons per sq. ft. of roofed area. The Applicant is proposing to utilize a 25,000 gallon for the 20,597 required gallons.

AGENCY REVIEW:

| <u>Agency</u> | <u>Recommendation</u> |
|---------------|-----------------------|
| NMOSE | No Opinion |
| NMDOT | Conditional Approval |
| NMED | Conditional Approval |
| County Fire | Conditional Approval |
| County PW | Conditional Approval |

County Utilities Conditional Approval
County Planning Conditional Approval

STAFF RECOMMENDATION: Staff recommends denial of the Applicants request for a variance of Ordinance No. 2000-12 Article XV, Section 6.H (Open Space Standards) to allow 37% open space.

If the decision of the CDRC is to approve the open space variance, and the Master Plan amendment, Preliminary and Final Development Plan to allow an expansion to the existing brewing facility, staff recommends the following conditions be imposed:

1. The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.
2. Master Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, § 5.2.5.
3. The Applicant shall provide a trail connection to the proposed district trail and trailhead/bicycle and pedestrian access point on the property which can be counted as open space behind the restaurant on Lot 2-A along with vehicular and bicycle parking.
4. Final design plans for the required improvements to Highway 14 shall be submitted for review and approval by NMDOT prior to Final Development recordation.

EXHIBITS:

1. Applicants Report
2. Proposed Plans
3. Agency Reviews and Comments
4. Aerial Photo of Property
5. Article V, § 5 (Master Plan Procedures)
6. Article V, § 7 (Development Plan Requirements)
7. Community College District Ordinance No. 2000-12 Article XV, Section 6.H (Open Space Standards)
8. Article II, § 3 (Variances)
9. December 18, 2014 CDRC Minutes



jenkinsgavin
DESIGN & DEVELOPMENT INC

October 10, 2014

José Larrañaga, Senior Development Review Specialist
Planning and Development Division
Santa Fe County
102 Grant Avenue
Santa Fe, NM 87501

**RE: Santa Fe Brewing Company
Preliminary and Final Development Plan**

Dear José:

This letter is respectfully submitted on behalf of Lock Builders, LLC in application for a Preliminary and Final Development Plan approval for the expansion of the Santa Fe Brewing Company facility for consideration by the County Development Review Committee at their meeting of November 20, 2014.

Project Summary

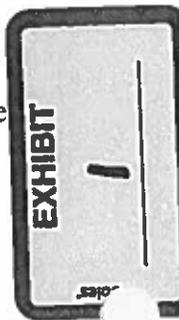
Preliminary and Final Development Plan approval is sought for a 55,700 s.f. addition to the existing brewing and bottling facility on Lot 1-A of the Santa Fe Brewing Company Master Plan ("the Project"). The expansion will include the following:

- Addition of 2,400 s.f. to the north side of the existing brewing facility.
- A new 6,300 s.f. entrance, lobby, and tasting room on the east side of the existing brewing facility.
- 47,000 s.f. of additional bottling and brewing facilities east of the new lobby and tasting room.
- A 3,500 s.f. outdoor landscaped "biergarten" with seating and a performance platform.

The brewing facility will continue to operate 24 hours a day and will employ a total of 72 onsite workers, as well as an additional 20 employees statewide in positions such as outside sales and distribution.

Access & Traffic

The Project will be accessed via an existing driveway off Highway 14, as well as by a new driveway off of Fire Place, with supplementary emergency access via Rumble Road. The existing parking area to the west of the brewery will be connected to a new parking area on the



south side of the addition. Loading docks/delivery areas will be located on the north and south sides of the addition. A Traffic Impact Analysis ("TIA") was conducted by Walker Engineering and is submitted herewith for your review. Per the recommendations of the TIA, a northbound left turn lane and a southbound right turn deceleration lane will be constructed on Highway 14. Please refer to the attached Turn Lane Plans for further information.

Parking

Per the Community College District Ordinance, required parking is calculated at one space per 250 square feet of building area, exclusive of storage. This would result in an excessive amount of parking and associated paving for a facility that is primarily occupied by machinery. Therefore, we have developed a parking plan consistent with the Project's actual parking demand. A total of 57 parking spaces will be provided, as follows:

- 40 employee spaces. This will accommodate the maximum number of employees who will be onsite at any given time.
- 17 spaces for visitors to the Tasting Room.

Terrain Management

The undeveloped terrain slopes gradually from north to south. The finished floor of the addition will step down ten feet to correspond to the existing terrain and minimize disturbance. Since the property already contains significant impervious area, it was determined that three new detention ponds will be sufficient, two on the west side of the new addition and one on the south side of the new parking area (please refer to the attached Grading and Drainage Site Plan). Swales will be incorporated into the landscaped areas to passively harvest water to serve the vegetation. Please refer to the attached Grading and Drainage Plan for further details.

Landscaping & Water Harvesting

Significant landscaped buffers are provided along Fire Place, on the east side of the addition, and adjacent to Highway 14, including low to moderate water use deciduous and evergreen trees and shrubs, as well as a variety of ground covers and native grasses. The biergarten area will be densely landscaped, providing an attractive amenity for guests and employees. Any disturbed areas will be re-seeded with a native grass and wildflower seed mix. Please refer to attached Landscape Plan for details.

Active water harvesting will be provided in accordance with County Ordinance 2003-6. Per the attached Water Budget, the maximum monthly irrigation needs are 20,597 gallons. Accordingly, a 25,000-gallon catchment tank is provided on the west side of the addition, which will capture storm water from the roof. Furthermore, two additional 25,000-gallon tanks will be installed as part of the pre-treatment of the wastewater from the brewing activities, one of which will store 25,000 gallons of treated effluent for irrigation. Thus, 50,000 gallons of collected and recycled water will be available to irrigate landscaped areas.

Water Supply Plan

An existing well on Lot 2-A (RG-42703) will continue to be utilized solely for brewing activities. 10.8 acre feet per year of commercial consumptive water rights are appurtenant to the well (see attached well documentation). The existing brewing facility is a customer of the Santa Fe County water system, and the new expanded facility will continue to use County water for all domestic purposes. A Water Budget is attached hereto for your reference.

Liquid Waste

The Project is currently served by an existing onsite wastewater treatment system. Santa Fe County and the Santa Fe Brewing Company have jointly applied to the City of Santa Fe for a wastewater connection to an existing sewer line in Highway 14. Although the line is currently private, the County proposes to take ownership from the line. Upon approval of the application to the City, a new sewer connection will be constructed to serve the Project and the onsite treatment system will be abandoned and decommissioned. Per the water harvesting plan described above, the wastewater from the brewing activities will be pre-treated prior to release into the sewer system and used for irrigation.

Solid Waste

Solid waste will be disposed of via a private contract. Waste will be placed into two dumpsters at the northwest corner of the existing brewing facility and one at the southwest corner of the addition. Dumpsters will be screened with a six foot wall or fence.

Lighting & Signage

The Project will be served by seven new pole lights: two in the existing parking area south of the existing brewing facility, two in the new parking area, three adjacent to the north loading area off of Fire Place Road. The addition will include wall mounted lights, and the biergarten area will contain low garden lighting. All lights will be shielded and downlit in accordance with County requirements. The proposed lighting cut sheets are attached.

Signage will consist of the following:

- A 20" x 60" building mounted "Santa Fe Brewing Company" sign on the south side of the addition. The sign will be illuminated from above by a downlit and shaded spotlight.
- A 20" x 30" "Employee Parking" sign in the new south parking lot.
- A 12" x 30" "Shipping & Receiving" sign at the entrance to the loading dock off of Fire Place Road.

Archaeology

The Project is located in a High Potential Archaeological District, but the property is less than five acres, so no archaeological survey is required.

In support of this application, the following documentation is submitted herewith for your review and consideration:

- Development Permit Application
- Traffic Impact Analysis (3 copies)
- Water Budget
- Well Documentation
- Discharge Permit
- Letter of Owner Authorization
- Warranty Deeds
- Lighting Cut Sheets
- Fees totaling \$2,350.00, as follows:
- Lot of Record Plats
- Assigned Address Forms
- Proof of Property Taxes Paid
- Master Plan Amendment #2 & Preliminary/Final Development Plan Submittal Set: 10 full size and one reduced set

| | |
|------------------------------------|----------|
| Application Fee | \$100.00 |
| Initial Inspection | \$150.00 |
| Final Inspection | \$150.00 |
| Master Plan | \$750.00 |
| Preliminary/Final Development Plan | \$750.00 |
| Variance | \$150.00 |
| Public Notice Boards - 2@\$25.00 | \$50.00 |
| Fire MP Review | \$100.00 |
| Fire Dev Plan Review | \$100.00 |
| Fire Inspection | \$50.00 |

Please do not hesitate to contact us should you have any questions or require additional information.

Thank you for your consideration.

Sincerely,

JenkinsGavin Design & Development, Inc.



Jennifer Jenkins



Colleen Gavin, AIA



jenkinsgavin
DESIGN & DEVELOPMENT INC

October 10, 2014

José Larrañaga, Senior Development Review Specialist
Planning and Development Division
Santa Fe County
102 Grant Avenue
Santa Fe, NM 87501

**RE: Santa Fe Brewing Company
Master Plan Amendment #2 and Variance Request**

Dear José:

This letter is respectfully submitted on behalf of Lock Builders, LLC in application for Master Plan Amendment #2 and a Variance Request, for consideration by the County Development Review Committee at their meeting of November 20, 2014.

Master Plan Amendment #2

The subject property ("the Project") is located in the Community College District in an Employment Center Zone at 35 and 37 Fire Place, and comprises a ±4.976 acre parcel (Lot 1-A) and a ±1.897 acre parcel (Lot 2-A), for a total of ±6.873 acres. A Master Plan Amendment is requested for both lots, which includes the ±3.27 acres that were recently added to Lot 1-A via a Lot Consolidation. The purpose of the Master Plan Amendment is to permit the additional acreage and the expansion of the existing brewing facility on Lot 1-A. No further changes or improvements are proposed for Lot 2-A, which houses the existing restaurant building.

The original Santa Fe Brewing Company Master Plan was approved in April of 2010 for the existing restaurant and new brewery on a ±3.586 acre parcel (Lot 2 of the Three Thieves Subdivision). The Master Plan was subsequently amended in 2011 to permit outdoor entertainment at the restaurant. The adjacent property to the east, known as the Los Cabos Master Plan, was approved in August of 2008. The Master Plan created three lots for the purpose of constructing 18,750 s.f. of "non-residential commercial and industrial uses." The project was never constructed and the Master Plan has since expired.

Variance Request

A Variance is requested to Community College District Ordinance, Section H – Open Space Standards, Paragraph 2, which requires 50 percent open space for new development. Fifty

percent of the total land area for Lots 1-A and 2-A would equal 149,693.94 s.f. of open space. A Variance is requested to permit 110,344 s.f. of open space (37%). The necessity for this reduction stems from the fact that the Project is a manufacturing facility in an Employment Center Zone. Therefore, although the lot coverage is only 26 percent, significant paved areas are essential for loading and deliveries, which reduces the amount of available open space. Attractive landscaping will be provided in open space buffers along the Project's perimeter, and the proposed biergarten will be densely landscaped to provide a formal outdoor amenity for visitors and employees.

Granting of the Variance is essential in accommodating the expansion of the existing brewing facility, which currently employs 35 skilled workers, a number which will more than double upon the Project's completion. In order to accommodate the planned expansion and maintain the brewing facility's location in Santa Fe County, the Santa Fe Brewing Company acquired the adjacent Los Cabos lots, which were the only available adjacent real estate. The constraints of the Los Cabos land area and configuration limit the ability to meet the open space requirement. Full compliance would limit the functionality of the manufacturing facility and its role as an important employer in Santa Fe County. Thus, granting the Variance will not cause conditions injurious to health or safety, but rather will benefit the vitality and growth of Santa Fe's local work force and the community at large.

All requisite supporting documentation has been submitted with the accompanying Preliminary and Final Development Plan application. Please do not hesitate to contact us should you have any questions or require additional information.

Thank you for your consideration.

Sincerely,

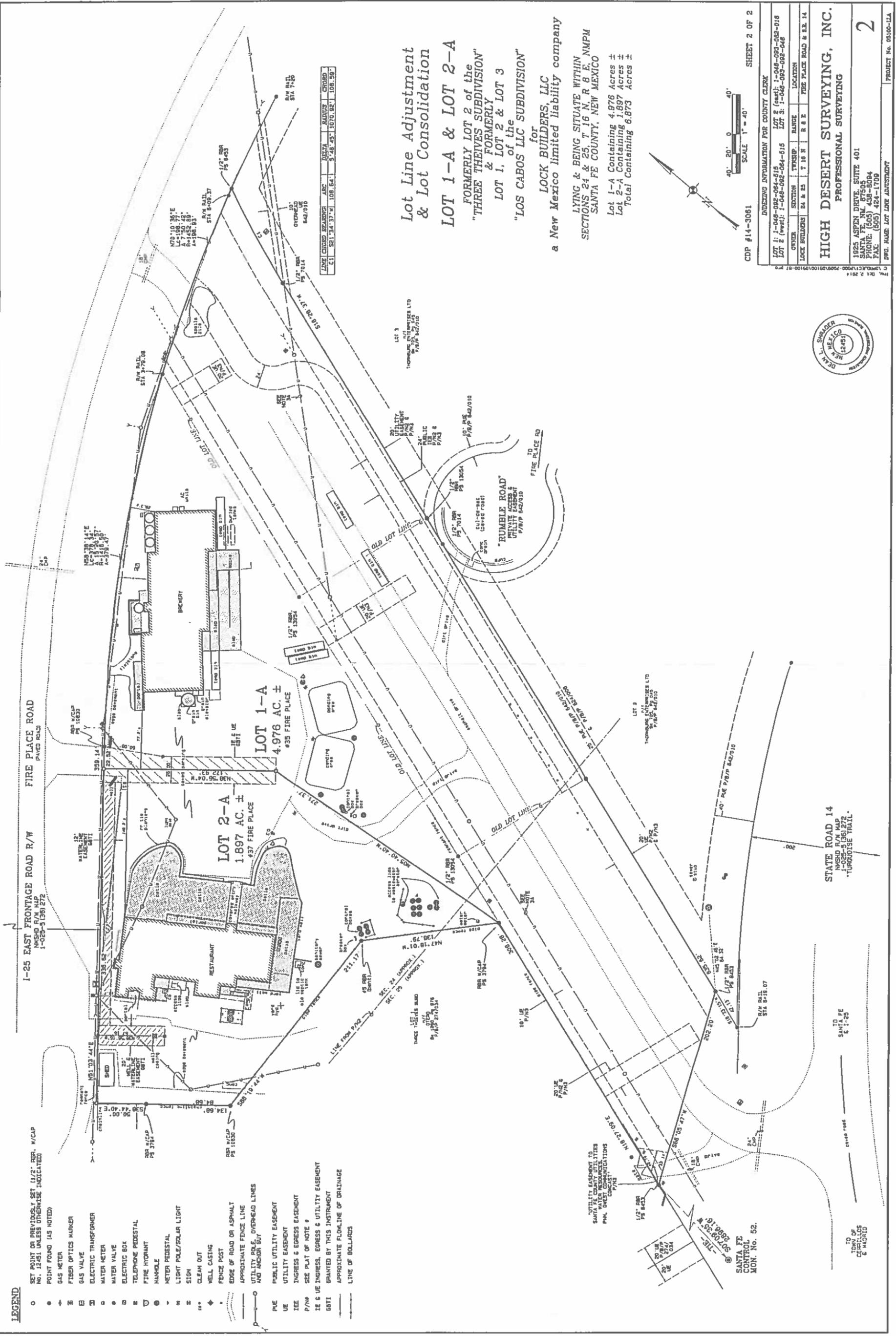
JenkinsGavin Design & Development, Inc.



Jennifer Jenkins



Colleen Gavin, AIA

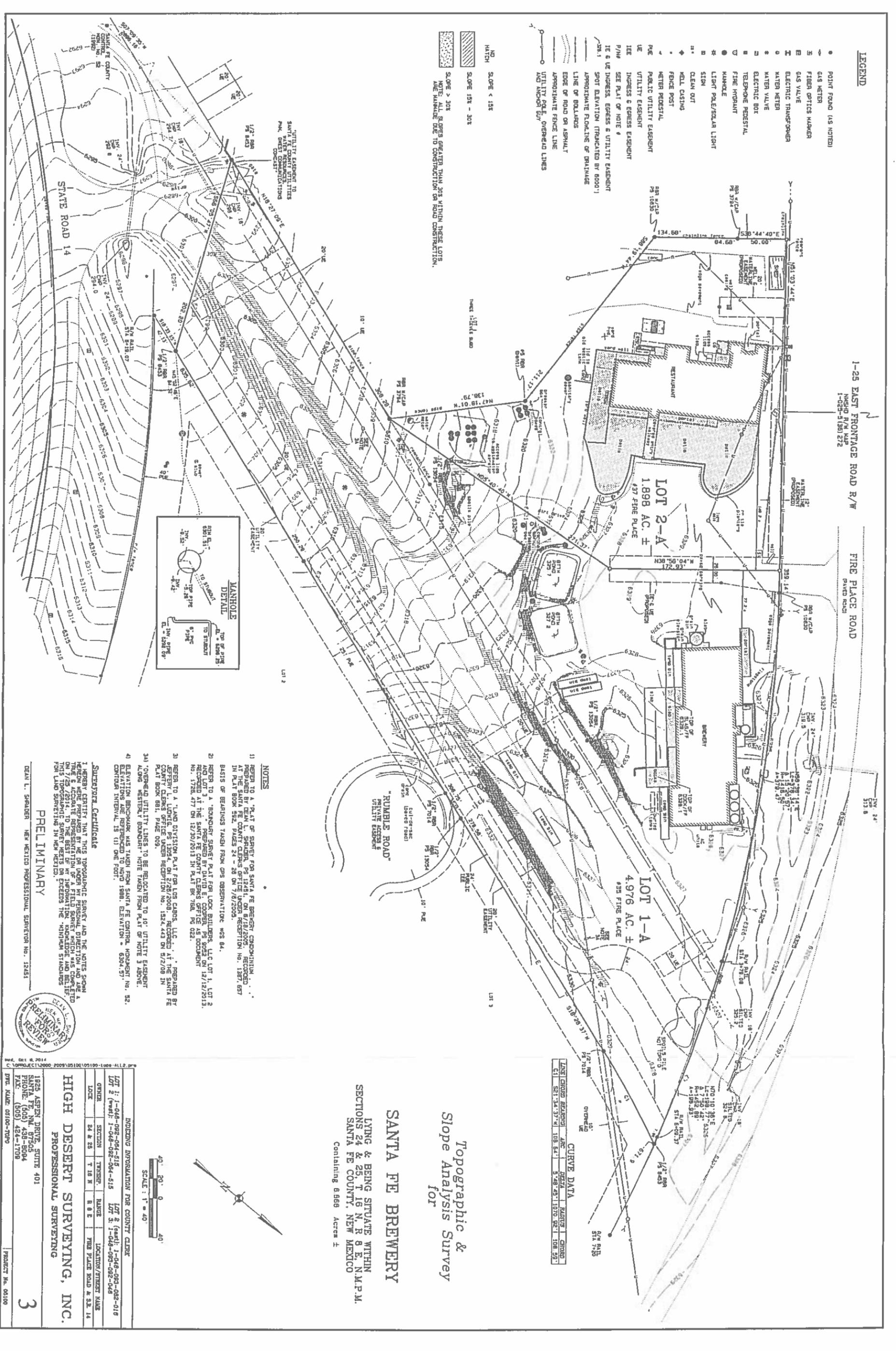


LEGEND

- POINT FROM (AS NOTED)
- GAS METER
- FIBER OPTICS MARKER
- GAS VALVE
- ELECTRIC TRANSFORMER
- WATER METER
- ELECTRIC BOX
- TELEPHONE PEDestal
- FIRE HYDRANT
- MANHOLE
- LIGHT POLE/STANDARD LIGHT
- CLEAN OUT
- WELL CASING
- FENCE POST
- METER PEDestal
- PUBLIC UTILITY EASEMENT
- UTILITY EASEMENT
- IMPRESS & EGRESS EASEMENT
- SEE PLAT OF NOTE #
- SEE PLAT OF NOTE #
- SEE PLAT OF NOTE #
- APPROXIMATE FLOW-LINE OF DRAINAGE
- LINE OF BOLLARDS
- EDGE OF ROAD OR ASPHALT
- UTILITY POLE OVERHEAD LINES
- AND ANCHOR GUY

NO HATCH
 SLOPE > 30%
 SLOPE 15% - 30%
 SLOPE < 15%
 NOTE: ALL SLOPES GREATER THAN 30% WITHIN THESE LOTS ARE SHOWN DUE TO CONSTRUCTION OR ROAD CONSTRUCTION.

1-25 EAST FRONTAGE ROAD R/W
 1-025-51351-272
 FIRE PLACE ROAD
 PLANNED ROAD



CURVE DATA

| LINE | CHORD BEARING | ARC | DELTA | RADIUS | CHORD |
|------|---------------|---------|------------|----------|---------|
| C1 | S21.34.37" W | 108.64' | 5° 48' 45" | 1070.02' | 108.59' |

Topographic & Slope Analysis Survey for

SANTA FE BREWERY
 LYING & BEING SITUATE WITHIN
 SECTIONS 24 & 25, T 16 N, R 8 E, N.M.P.M.
 SANTA FE COUNTY, NEW MEXICO
 Containing 6.866 Acres ±



INDEXING INFORMATION FOR COUNTY CLERK

| LOT # | APPROXIMATE AREA | SECTION | T | R | PLAT | DATE |
|-------|-------------------|---------|----|---|-------------------|------------|
| LOT 1 | 1.048-092-064-515 | 24 | 16 | 8 | 1-048-092-064-515 | 08/15/2008 |
| LOT 2 | 1.048-092-064-515 | 25 | 16 | 8 | 1-048-092-064-515 | 08/15/2008 |

HIGH DESERT SURVEYING, INC.
 PROFESSIONAL SURVEYING

1925 ASPEN DRIVE, SUITE 401
 SANTA FE, NM 87505
 PHONE: (505) 438-8004
 FAX: (505) 438-1709
 DIR. NAME: 02100-7050
 PRODUCT No. 00100



- NOTES**
- REFER TO A "PLAT OF SURVEY FOR SANTA FE BREWERY CONDOMINIUM . . ." PREPARED BY DEAN L. SPRADER, P.S. 12451, ON 8/18/2005, RECORDED AT THE SANTA FE COUNTY CLERK'S OFFICE UNDER RECEIPTION NO. 1387, 637 IN PLAT BOOK 512, PAGES 24 - 28 ON 7/8/2005.
 - REFER TO A "BRANDY SURVEY PLAT FOR LUCK BUILDERS, L.L.C. LOT 1, LOT 2 AND LOT 3 AT THE SANTA FE COUNTY CLERK'S OFFICE AS DOCUMENT NO. 1728, 477 ON 12/30/2013 IN PLAT BK 768, PG 022.
 - REFER TO A "LAND DIVISION PLAT FOR LOS CABOS, LLC LOT 1, LOT 2 AND LOT 3 AT THE SANTA FE COUNTY CLERK'S OFFICE AS DOCUMENT NO. 1324, 443 ON 5/2/08 IN PLAT BOOK 091, PAGE 039.
 - "OVERHEAD UTILITY LINES TO BE RELOCATED TO 10' UTILITY EASEMENT ALONG WESTERLY BOUNDARY" NOTE TAKEN FROM PLAT OF NOTE 3 ABOVE. ELEVATION BENCHMARK WAS TAKEN FROM SANTA FE CONTROL MONUMENT NO. 52. ELEVATIONS ARE REFERENCED TO NAVD 1988. ELEVATION = 6304.57'. CONTROL INTERVAL IS (1) ONE FOOT.

Surveyor's Certificate
 I HEREBY CERTIFY THAT THIS TOPOGRAPHIC SURVEY AND THE NOTES SHOWN ARE TRUE & ACCURATE REPRESENTATION OF A FIELD PERSONAL OBSERVATION AND ARE MADE ON 7/25/2014, TO THE BEST OF MY INFORMATION, KNOWLEDGE AND BELIEF. THIS TOPOGRAPHIC SURVEY MEETS OR EXCEEDS THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO.

DEAN L. SPRADER NEW MEXICO PROFESSIONAL SURVEYOR NO. 12451
PRELIMINARY

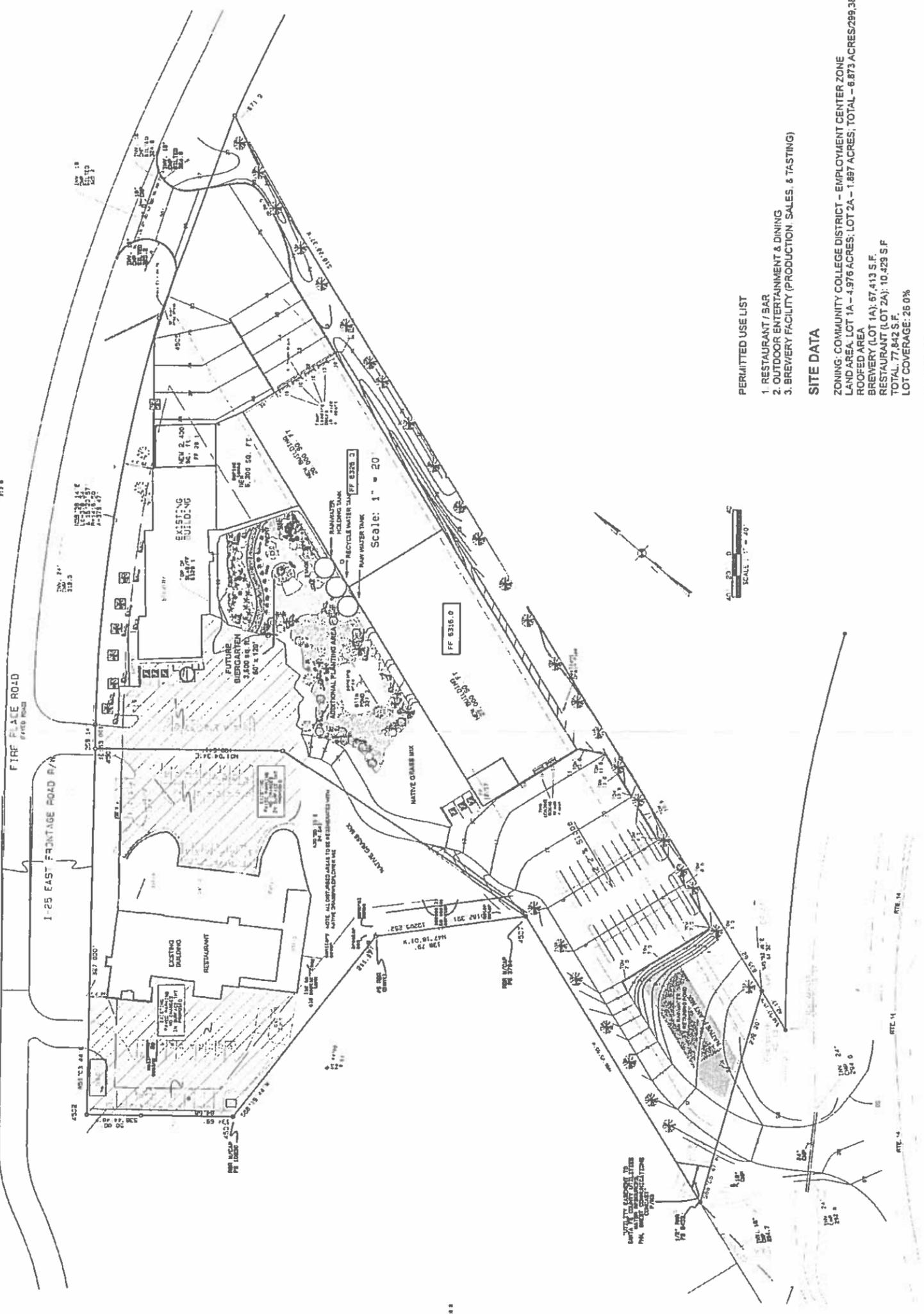


130 Grant Avenue, Suite 101
Santa Fe, New Mexico 87501

MASTER PLAN AMENDMENT #2
SANTA FE BREWING CO.
SANTA FE COUNTY, NEW MEXICO

4
10/3/14

NBC-18



- PERMITTED USE LIST**
1. RESTAURANT / BAR
 2. OUTDOOR ENTERTAINMENT & DINING
 3. BREWERY FACILITY (PRODUCTION SALES, & TASTING)

SITE DATA

ZONING: COMMUNITY COLLEGE DISTRICT - EMPLOYMENT CENTER ZONE
LAND AREA: LOT 1A - 4.976 ACRES; LOT 2A - 1.857 ACRES; TOTAL - 6.873 ACRES/299,387.88 S.F.
ROOFED AREA
BREWERY (LOT 1A): 67,413 S.F.
RESTAURANT (LOT 2A): 10,429 S.F.
TOTAL: 77,842 S.F.
LOT COVERAGE: 25.0%

OPEN SPACE
OPEN SPACE REQUIRED: 50% OF LAND AREA = 149,693.94 S.F.
OPEN SPACE PROVIDED: 110,344 S.F. (Variance granted by the BCC)

SANTA FE BREWING CO.
MASTER PLAN AMENDMENT #2

| SANTA FE BREWING CO. | |
|----------------------|---|
| PROJECT NO. | 11/17/14 |
| DATE | 10/3/14 |
| PROJECT NAME | MASTER PLAN AMENDMENT #2 |
| PROJECT LOCATION | SANTA FE COUNTY, NEW MEXICO |
| PROJECT TYPE | COMMUNITY COLLEGE DISTRICT - EMPLOYMENT CENTER ZONE |
| PROJECT AREA | LOT 1A & LOT 2A |
| PROJECT AREA | 6.873 ACRES/299,387.88 S.F. |
| PROJECT AREA | 77,842 S.F. |
| PROJECT AREA | 25.0% LOT COVERAGE |
| PROJECT AREA | 110,344 S.F. OPEN SPACE PROVIDED |
| PROJECT AREA | 149,693.94 S.F. OPEN SPACE REQUIRED |
| PROJECT AREA | 50% OPEN SPACE REQUIRED |
| PROJECT AREA | VARIANCE GRANTED BY BCC |

Purpose Statement: The purpose of this Master Plan Amendment #2 is to reflect an increase in lot size as a condition of the brewing facility.

Approved by the County Development Review Committee at their meeting of _____ Date _____

Approved by the Board of County Commissioners at their meeting of _____ Date _____

County Development Permit # _____ Date _____

Approved by _____ Date _____

County Land Use Administrator _____ Date _____

County Fire Marshal _____ Date _____

County Public Works Director _____ Date _____

Public Addressing _____ Date _____

County Treasurer _____ Date _____

Declarations Officer _____ Date _____

I hereby certify that the information was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

By _____ Date _____
The instrument was acknowledged before me on _____ by _____ on behalf of Santa Fe Brewing, LLC.
My commission expires _____ Notary Public

STATE OF NEW MEXICO
COUNTY OF SANTA FE

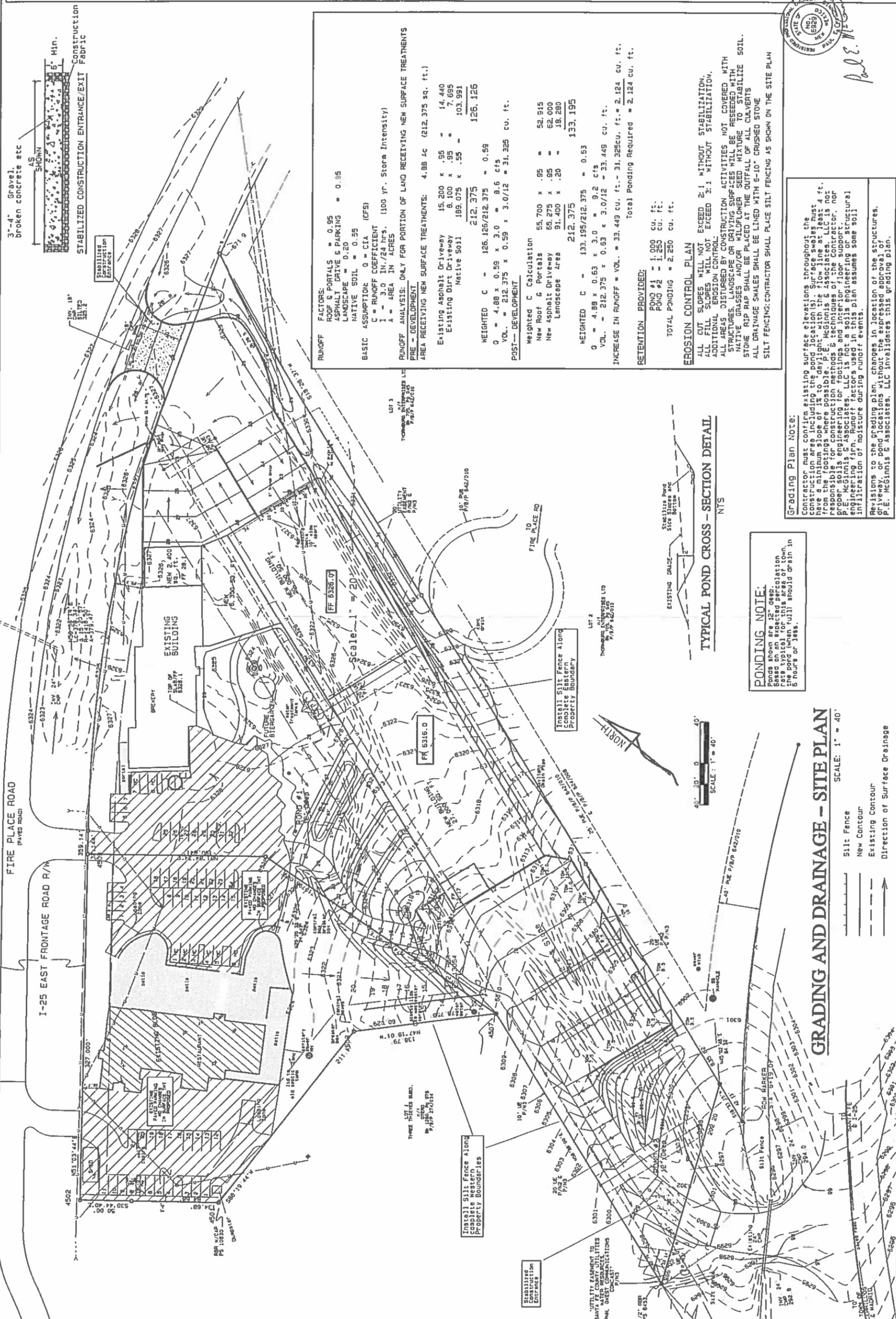
I hereby certify that the instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock and was duly returned to me, _____ Page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
GERALDINE SALAZAR
County Clerk, Santa Fe County, New Mexico

Deputy



RESISTANCE TO CORROSION
 STATE OF NEW MEXICO
 PROFESSIONAL SEAL
 P. E. MCGINNIS
 CIVIL ENGINEER



RUNOFF

FACTORS:
 ROOF & PORTALS = 0.95
 ASPHALT DRIVE & PARKING = 0.55
 LANDSCAPE = 0.20
 NATIVE SOIL = 0.55

BASIC ASSUMPTION: Q = CIA (CFS)
 C = RUNOFF COEFFICIENT
 I = 3.0 IN./24 Hrs. (100 yr. Storm Intensity)
 A = AREA IN ACRES

RUNOFF ANALYSIS: ONLY FOR PORTION OF LAND RECEIVING NEW SURFACE TREATMENTS

PRE-DEVELOPMENT

AREA RECEIVING NEW SURFACE TREATMENTS: 4.88 ac (212,375 sq. ft.)

| | | | |
|---------------------------|---------------|---|----------------|
| Existing Asphalt Driveway | 15,200 x .95 | = | 14,440 |
| Existing Dirt Driveway | 8,100 x .95 | = | 7,695 |
| Native Soil | 189,075 x .55 | = | 103,991 |
| | | | 212,375 |

WEIGHTED C = 126,126/212,375 = 0.59
 Q = 4.88 x 0.59 x 3.0 = 8.6 cfs
 VOL. = 212,375 x 0.59 x 3.0/12 = 31,325 cu. ft.

POST-DEVELOPMENT

| | | | |
|------------------------|--------------|---|----------------|
| Weighted C Calculation | 55,700 x .95 | = | 52,915 |
| New Roof & Portals | 55,275 x .95 | = | 52,000 |
| Landscaped Area | 91,400 x .20 | = | 18,280 |
| | | | 212,375 |

WEIGHTED C = 133,195/212,375 = 0.63
 Q = 4.88 x 0.63 x 3.0 = 9.2 cfs
 VOL. = 212,375 x 0.63 x 3.0/12 = 33,445 cu. ft.

INCREASE IN RUNOFF = VOL. = 33,445 cu. ft. - 31,325 cu. ft. = 2,124 cu. ft.

RETENTION PROVIDED:
 POND #1 = 1,000 cu. ft.
 POND #2 = 1,250 cu. ft.
 TOTAL PONDING = 2,250 cu. ft.

EROSION CONTROL PLAN
 ALL CUT SLOPES WILL NOT EXCEED 2:1 WITHOUT STABILIZATION.
 ALL FILL SLOPES WILL NOT EXCEED 3:1 WITHOUT STABILIZATION.
 ADDITIONAL EROSION CONTROL:
 ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES NOT COVERED WITH STRUCTURES, LANDSCAPE OR DRIVING SURFACES WILL BE RESEED WITH NATIVE GRASSES AND/OR WILDFLOWER SEED MIXTURE TO STABILIZE SOIL. STONE RIP RAP SHALL BE PLACED AT THE OUTFALL OF ALL CULVERTS. ALL DRAINAGE SWALES SHALL BE LINED WITH 6-10" CRUSHED STONE.
 SILT FENCING: CONTRACTOR SHALL PLACE SILT FENCING AS SHOWN ON THE SITE PLAN

TYPICAL POND CROSS - SECTION DETAIL
 NTS

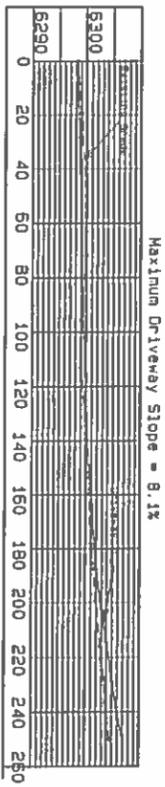
PONDING NOTE:
 Ponds shown are 12" deep.
 Cases on 60' expected percolation.
 The pond (when full) should drain in 6 hours or less.

Grading Plan Note:
 Contractor must confirm existing surface elevations throughout the construction area including the pond location(s). Surface swales must have a minimum slope of 1% to daylight with the flow line at least 4 ft. from the footings where possible. P.E. McGinnis & Associates, LLC is not responsible for construction methods & techniques of the contractor, nor P.E. McGinnis & Associates, LLC is not a soils engineering or structural engineering firm. Runoff factors used in this plan assumes some soil infiltration of moisture during runoff events.
 Revisions to the grading plan, changes in location of the structures, driveway or parking areas, or other items not expressed approval for P.E. McGinnis & Associates, LLC invalidates this grading plan.

GRADING AND DRAINAGE - SITE PLAN
 SCALE: 1" = 40'

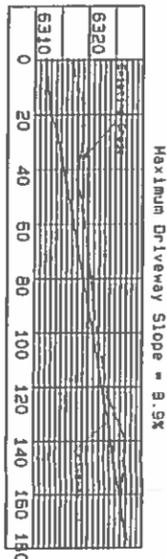
Legend:
 Silt Fence
 New Contour
 Existing Contour
 Direction of Surface Drainage

ELEVATION (FT)

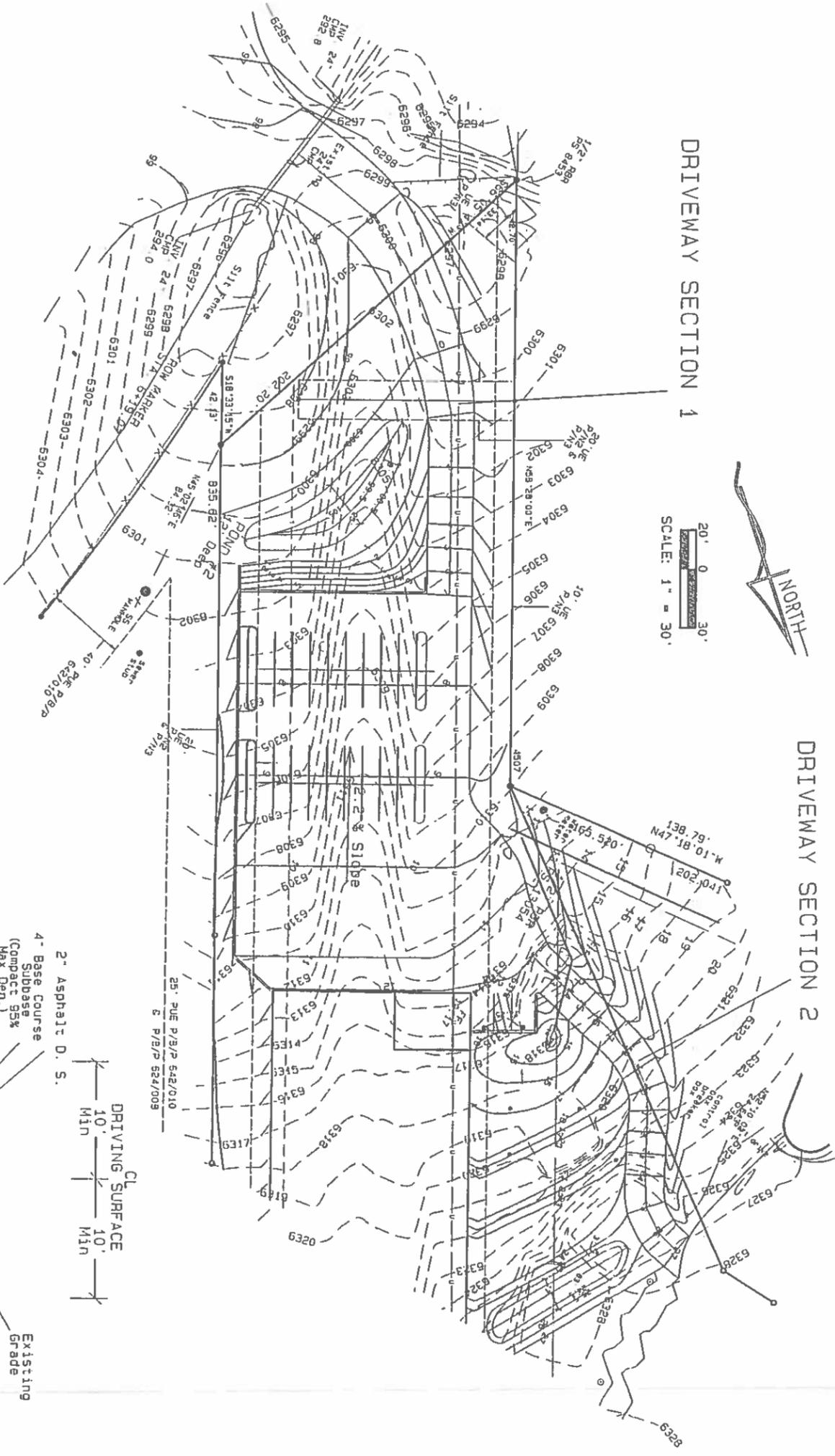


SECTION 1 - DRIVEWAY CL LENGTH (LINEAR FT.)
SECTION 1 DRIVEWAY CL PROFILE

ELEVATION (FT)



SECTION 2 - DRIVEWAY CL LENGTH (LINEAR FT.)
SECTION 2 DRIVEWAY CL PROFILE



DRIVEWAY SECTION 1

DRIVEWAY SECTION 2

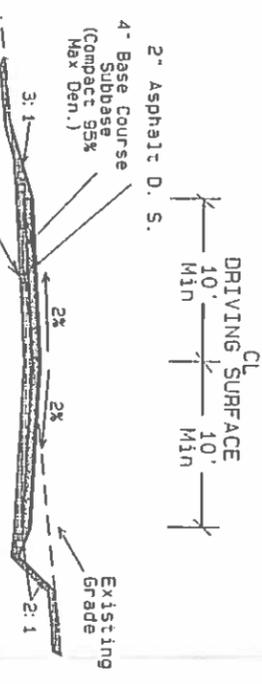


SCALE: 1" = 30'

DRIVEWAY PLAN

SCALE: 1" = 30'

--- New Contour
--- Existing Contour



NOTE:
See Plan view for actual width of Driveway Surface. The 2% Crown in the middle is only required where the road grade is less than 2%. Where the grade exceeds 2%, a 2% super-elevation is to be applied across the width of the D.S. around curves and sloped to the inside of the curve.



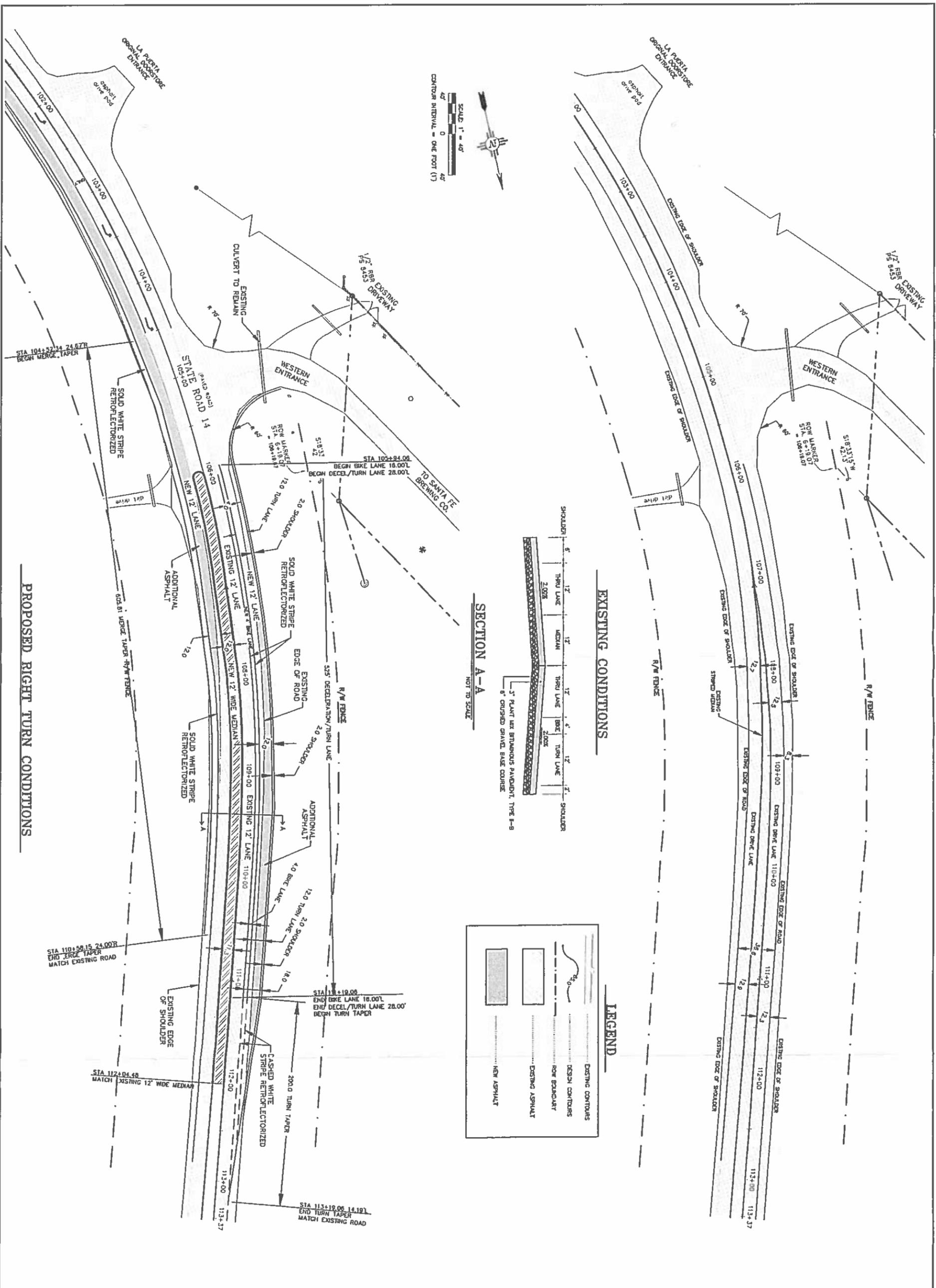
DRIVEWAY PLANS AND PROFILES
SANTA FE BREWING COMPANY
SANTA FE COUNTY, NEW MEXICO

P. E. McGINNIS & ASSOCIATES, LLC
GRADING AND DRAINAGE PLANS, FEMA FLOOD PLAIN CHALLENGES
WATER/WASTEWATER SYSTEMS, DRAINAGE ANALYSIS
OFFICE: 1114 HICKOX - SANTA FE, NEW MEXICO 87501
MAIL: P.O. BOX 2351 - SANTA FE, NEW MEXICO 87504
SANTA FE: PHONE (505) 983-1563 FAX (505) 986-0429 ALBUQUERQUE: PHONE/FAX (505) 823-6620

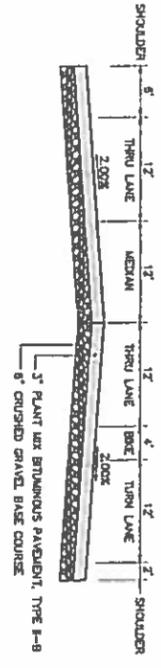
10/9/14

SHEET 7

NBC-21

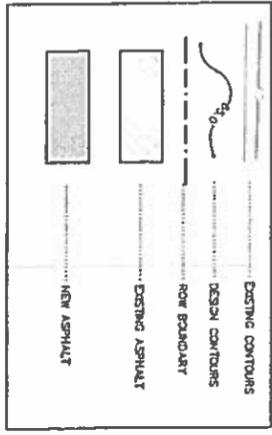


SECTION A-A
NOT TO SCALE



EXISTING CONDITIONS

LEGEND



PROPOSED RIGHT TURN CONDITIONS

| 8A | COUNTY REVIEW | | PROJECT: SANTA FE BREWING CO. SHEET TITLE: TURN LANES | <table border="1"> <thead> <tr> <th>No.</th> <th>REVISION</th> <th>BY</th> <th>APP.</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> | | | | No. | REVISION | BY | APP. | DATE | | | | | | | | | | |
|---|--------------------------------|-----------------|---|---|------|------|--|-----|----------|----|------|------|--|--|--|--|--|--|--|--|--|--|
| | No. | REVISION | | BY | APP. | DATE | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| DEPARTMENT: LAND USE PLANNER PUBLIC WORKS DIRECTOR S.F. WATER COMPANY | SIGN-OFF: _____ DATE: _____ | COUNTY USE ONLY | PROJECT: 14-157 DESIGNED BY: P.L.H. FILE: 157 ROAD DRAWN BY: P.L.H. DATE: 10/09/2014 CHECKED BY: M.E.W. SCALE: _____ AS NOTED | | | | | | | | | | | | | | | | | | | |
| Civil Engineering • Water Resources • Traffic Engineering W. E. Walker Engineering 906 Camino Sierra Vista, • Santa Fe, NM 87505 505-820-7990 FAX 505-820-3039 E-MAIL: civil@walkerengineering.net | | | | | | | | | | | | | | | | | | | | | | |

NSC-2

SANTA FE BREWING COMPANY SITE UTILITY & FIRE PROTECTION PLAN



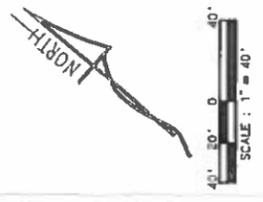
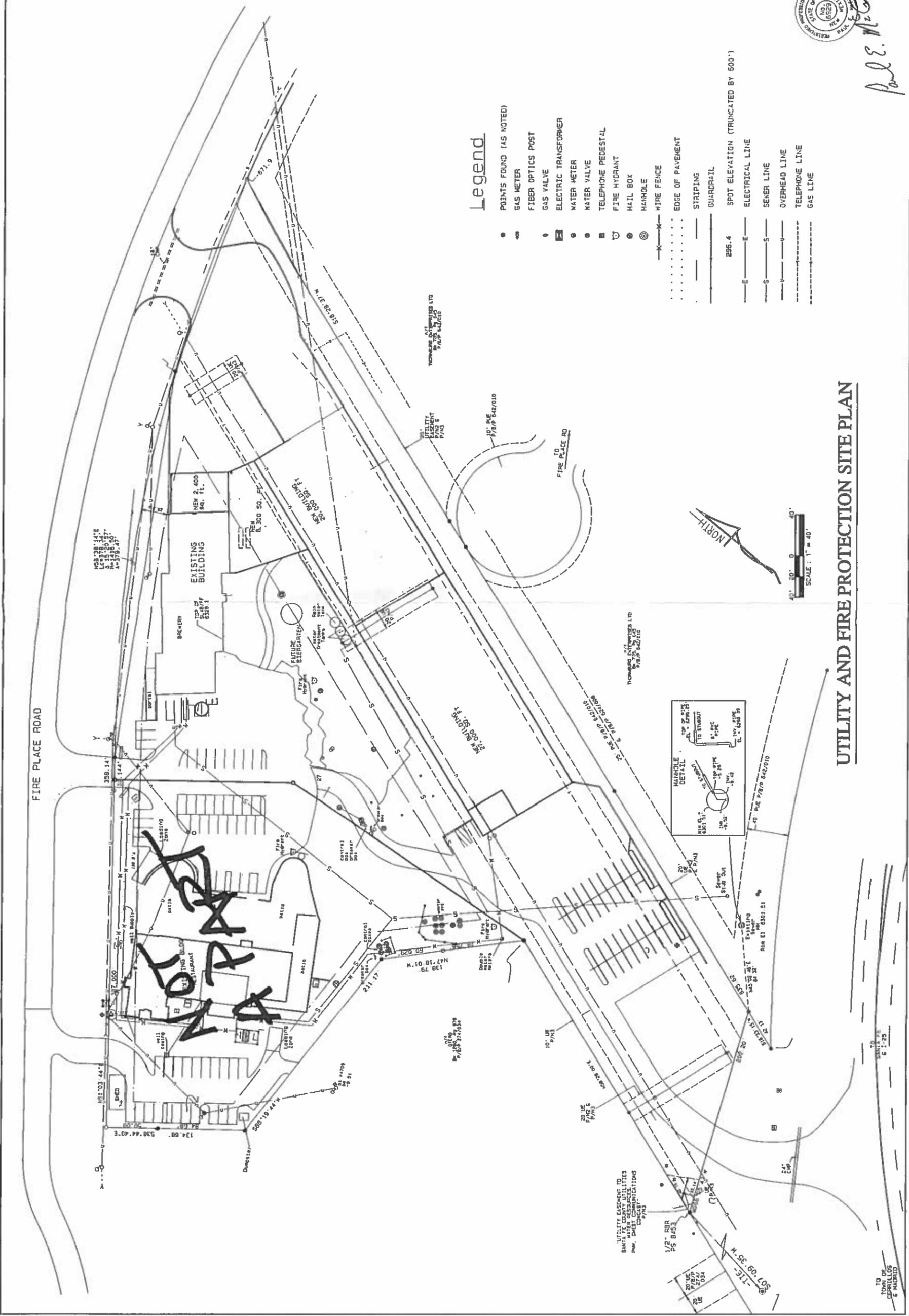
Paul E. McGinnis

P. E. MCGINNIS & ASSOCIATES, LLC
 GRADING AND DRAINAGE PLANS, FEMA FLOOD PLAN CHALLENGES
 WATER/WASTEWATER SYSTEMS, DRAINAGE ANALYSIS
 OFFICE: 1114 HICKOX - SANTA FE, NEW MEXICO 87501
 MAIL: P.O. BOX 2351 - SANTA FE, NEW MEXICO 87504
 SANTA FE PHONE (505) 963-1563 FAX (505) 966-0429 ALBUQUERQUE PHONE/FAX (505) 233-6630



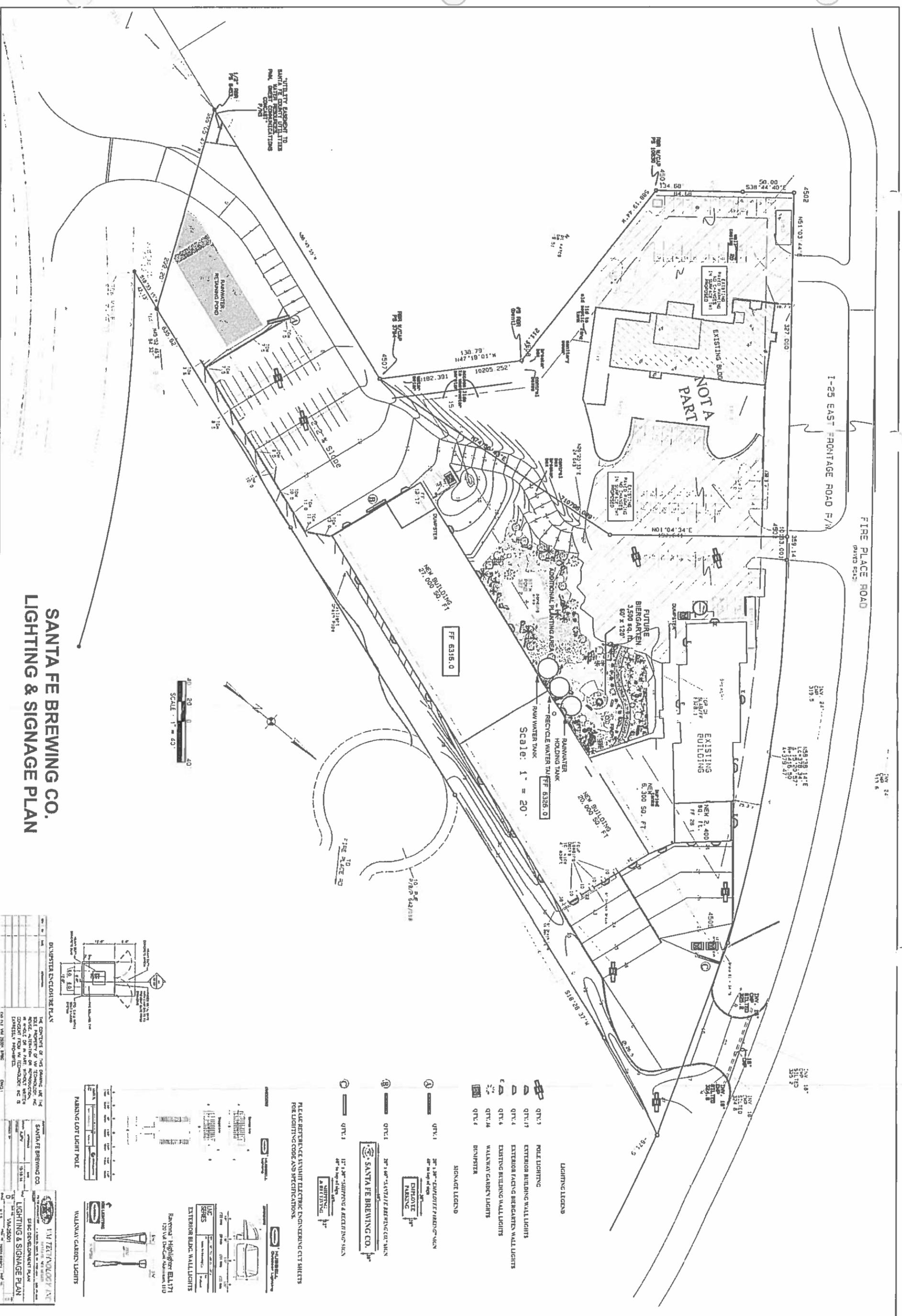
Legend

- POINTS FOUND (AS NOTED)
- GAS METER
- FIBER OPTICS POST
- GAS VALVE
- ELECTRIC TRANSFORMER
- WATER METER
- WATER VALVE
- TELEPHONE PEDESTAL
- FIRE HYDRANT
- MAIL BOX
- MANHOLE
- WIRE FENCE
- EDGE OF PAVEMENT
- STRIPING
- GUARDRAIL
- 256.4 SPOT ELEVATION (TRUNCATED BY 500')
- ELECTRICAL LINE
- SENER LINE
- OVERHEAD LINE
- TELEPHONE LINE
- GAS LINE



UTILITY AND FIRE PROTECTION SITE PLAN

TO
TOWN OF
SANTA FE
COUNTY
NEW MEXICO
87501

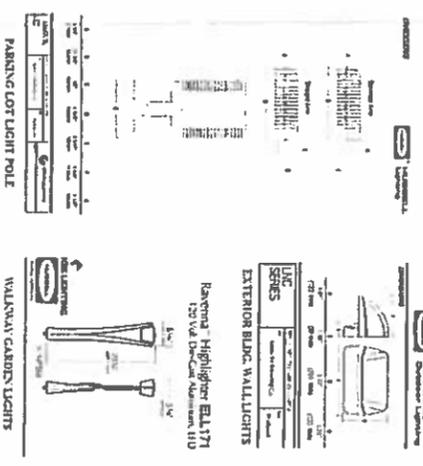


**SANTA FE BREWING CO.
LIGHTING & SIGNAGE PLAN**

SCALE: 1" = 20'

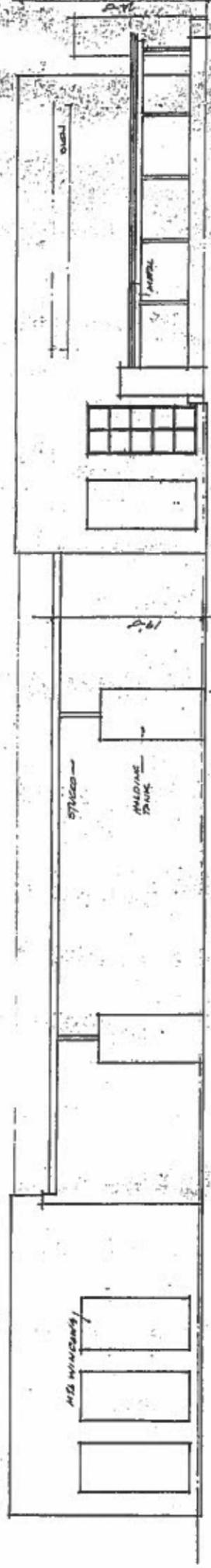
- LIGHTING LEGEND**
- QTY. 1 POLE LIGHTING
 - QTY. 17 EXTERIOR BUILDING WALL LIGHTS
 - QTY. 4 EXTERIOR FACING BIENEGARTEN WALL LIGHTS
 - QTY. 6 EXISTING BUILDING WALL LIGHTS
 - QTY. 16 WALKWAY CANDEY LIGHTS
 - QTY. 4 DINING AREA
- SIGNAGE LEGEND**
- QTY. 1 30" x 18" SIGNAGE FOR PARKING SIGN
 - QTY. 1 20" x 16" SIGNAGE FOR BIENEGARTEN SIGN
 - QTY. 1 12" x 18" SIGNAGE FOR RECEIVING SIGN

PLEASE REFERENCE SANTA FE ELECTRIC ENGINEERING CITY SHEETS FOR LIGHTING CODE AND SPECIFICATIONS.

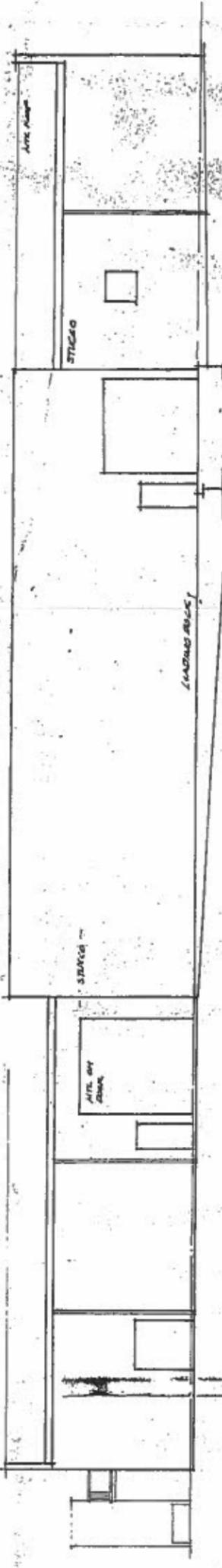


DUPLICATE ENCLOSURE PLAN

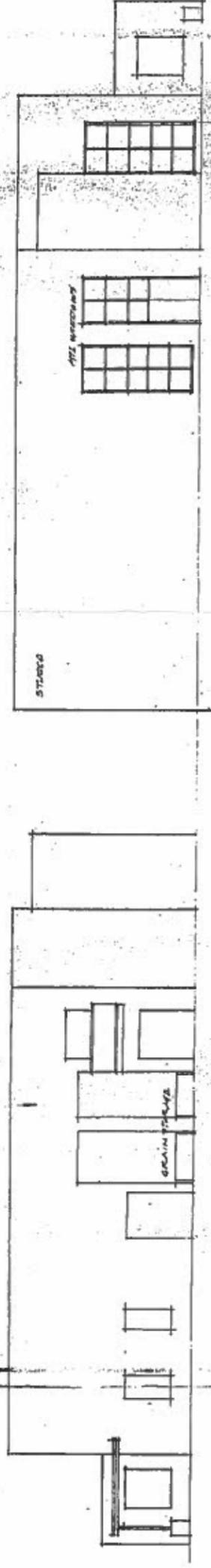
| | |
|---------|----------------|
| NO. 1 | ENCLOSURE PLAN |
| NO. 2 | ENCLOSURE PLAN |
| NO. 3 | ENCLOSURE PLAN |
| NO. 4 | ENCLOSURE PLAN |
| NO. 5 | ENCLOSURE PLAN |
| NO. 6 | ENCLOSURE PLAN |
| NO. 7 | ENCLOSURE PLAN |
| NO. 8 | ENCLOSURE PLAN |
| NO. 9 | ENCLOSURE PLAN |
| NO. 10 | ENCLOSURE PLAN |
| NO. 11 | ENCLOSURE PLAN |
| NO. 12 | ENCLOSURE PLAN |
| NO. 13 | ENCLOSURE PLAN |
| NO. 14 | ENCLOSURE PLAN |
| NO. 15 | ENCLOSURE PLAN |
| NO. 16 | ENCLOSURE PLAN |
| NO. 17 | ENCLOSURE PLAN |
| NO. 18 | ENCLOSURE PLAN |
| NO. 19 | ENCLOSURE PLAN |
| NO. 20 | ENCLOSURE PLAN |
| NO. 21 | ENCLOSURE PLAN |
| NO. 22 | ENCLOSURE PLAN |
| NO. 23 | ENCLOSURE PLAN |
| NO. 24 | ENCLOSURE PLAN |
| NO. 25 | ENCLOSURE PLAN |
| NO. 26 | ENCLOSURE PLAN |
| NO. 27 | ENCLOSURE PLAN |
| NO. 28 | ENCLOSURE PLAN |
| NO. 29 | ENCLOSURE PLAN |
| NO. 30 | ENCLOSURE PLAN |
| NO. 31 | ENCLOSURE PLAN |
| NO. 32 | ENCLOSURE PLAN |
| NO. 33 | ENCLOSURE PLAN |
| NO. 34 | ENCLOSURE PLAN |
| NO. 35 | ENCLOSURE PLAN |
| NO. 36 | ENCLOSURE PLAN |
| NO. 37 | ENCLOSURE PLAN |
| NO. 38 | ENCLOSURE PLAN |
| NO. 39 | ENCLOSURE PLAN |
| NO. 40 | ENCLOSURE PLAN |
| NO. 41 | ENCLOSURE PLAN |
| NO. 42 | ENCLOSURE PLAN |
| NO. 43 | ENCLOSURE PLAN |
| NO. 44 | ENCLOSURE PLAN |
| NO. 45 | ENCLOSURE PLAN |
| NO. 46 | ENCLOSURE PLAN |
| NO. 47 | ENCLOSURE PLAN |
| NO. 48 | ENCLOSURE PLAN |
| NO. 49 | ENCLOSURE PLAN |
| NO. 50 | ENCLOSURE PLAN |
| NO. 51 | ENCLOSURE PLAN |
| NO. 52 | ENCLOSURE PLAN |
| NO. 53 | ENCLOSURE PLAN |
| NO. 54 | ENCLOSURE PLAN |
| NO. 55 | ENCLOSURE PLAN |
| NO. 56 | ENCLOSURE PLAN |
| NO. 57 | ENCLOSURE PLAN |
| NO. 58 | ENCLOSURE PLAN |
| NO. 59 | ENCLOSURE PLAN |
| NO. 60 | ENCLOSURE PLAN |
| NO. 61 | ENCLOSURE PLAN |
| NO. 62 | ENCLOSURE PLAN |
| NO. 63 | ENCLOSURE PLAN |
| NO. 64 | ENCLOSURE PLAN |
| NO. 65 | ENCLOSURE PLAN |
| NO. 66 | ENCLOSURE PLAN |
| NO. 67 | ENCLOSURE PLAN |
| NO. 68 | ENCLOSURE PLAN |
| NO. 69 | ENCLOSURE PLAN |
| NO. 70 | ENCLOSURE PLAN |
| NO. 71 | ENCLOSURE PLAN |
| NO. 72 | ENCLOSURE PLAN |
| NO. 73 | ENCLOSURE PLAN |
| NO. 74 | ENCLOSURE PLAN |
| NO. 75 | ENCLOSURE PLAN |
| NO. 76 | ENCLOSURE PLAN |
| NO. 77 | ENCLOSURE PLAN |
| NO. 78 | ENCLOSURE PLAN |
| NO. 79 | ENCLOSURE PLAN |
| NO. 80 | ENCLOSURE PLAN |
| NO. 81 | ENCLOSURE PLAN |
| NO. 82 | ENCLOSURE PLAN |
| NO. 83 | ENCLOSURE PLAN |
| NO. 84 | ENCLOSURE PLAN |
| NO. 85 | ENCLOSURE PLAN |
| NO. 86 | ENCLOSURE PLAN |
| NO. 87 | ENCLOSURE PLAN |
| NO. 88 | ENCLOSURE PLAN |
| NO. 89 | ENCLOSURE PLAN |
| NO. 90 | ENCLOSURE PLAN |
| NO. 91 | ENCLOSURE PLAN |
| NO. 92 | ENCLOSURE PLAN |
| NO. 93 | ENCLOSURE PLAN |
| NO. 94 | ENCLOSURE PLAN |
| NO. 95 | ENCLOSURE PLAN |
| NO. 96 | ENCLOSURE PLAN |
| NO. 97 | ENCLOSURE PLAN |
| NO. 98 | ENCLOSURE PLAN |
| NO. 99 | ENCLOSURE PLAN |
| NO. 100 | ENCLOSURE PLAN |



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



SOUTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"

EAST ELEVATION
1/8" = 1'-0"

SANTA FE BREWING COMPANY
EXISTING BUILDING ELEVATIONS

Daniel Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**PUBLIC WORKS DIVISION
MEMORANDUM**

Date: October 27, 2014

To: John M. Salazar, Development Review Specialist

From: Paul Kavanaugh, Engineering Associate Public Works *PK*
Johnny P. Baca, Traffic Manager Public Works *JPB*

Re: CDRC Case # 14-5430 MPA/PDP/FDP/VAR Santa Fe Brewing Company Master
Plan Amendment / Preliminary & Final Development Plan / Variance

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of Article V (Subdivision Design Standards), Section 8.1 (General Policy on Roads) and Article XV Regulations for the Community College District, in which the roadway/driveway needs to conform. The project is within the Community College District and located within Santa Fe County Zoning Jurisdiction. Santa Fe Brewing Company is situated southwest of Cerrillos Road/New Mexico Highway 14 intersection, northeast of New Mexico 599 and New Mexico Highway 14 intersection, at #35 and #37 Fireplace Road. The applicant is requesting to amend their Master Plan to allow for an expansion of ± 4.976 acres for (lot 1-A) and ± 1.897 acres for (lot 2-A) for a total of ± 6.873 acres. The applicant is also requesting a variance on Open Space Requirements, Preliminary Development Plan and Final Development Plan approval.

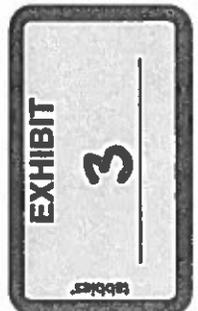
Access:

The applicant is proposing to utilize an existing driveway off New Mexico Highway 14 as well as constructing a new driveway off of Fire Place, with a supplementary emergency access via Rumble Road. Fireplace Road meets the definition of a Living Priority Road but does not meet the standards of a Village Street, as per the Community College District Ordinance. Fireplace Road is under the jurisdiction of New Mexico Department of Transportation and is not maintained by Santa Fe County Public Works Department.

Conclusion:

It is Public Works opinion that they can support the development with the following conditions;

- Applicant shall change R1-1-30 located at Fireplace and NM14 exit, from engineer grade to diamond grade Type IX material to meet MUTCD standards.
- All signage shall meet MUTCD standards.
- Applicant shall provide an approved copy of Access Permit from New Mexico Department of Transportation for the proposed Driveways.



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

| | | | |
|-------------------|---|--|---|
| Date | 11-14-2014 | | |
| Project Name | Santa Fe Brewing Company | | |
| Project Location | 35 Fire Place Road, Santa Fe, New Mexico 87508 | | |
| Description | New Brewing & Bottling Facility W/ tasting room | Case Manager | John Salazar |
| Applicant Name | Jenkins Gavin Design & Development Inc. | County Case # | 14-5430 |
| Applicant Address | 130 Grant Avenue, Suite 101 Santa Fe, New Mexico 87501 | Fire District | La Cienega |
| Applicant Phone | 505-820-7444 | | |
| Review Type: | Commercial <input checked="" type="checkbox"/> | Residential <input type="checkbox"/> | Sprinklers <input type="checkbox"/> |
| | Master Plan <input type="checkbox"/> | Preliminary <input checked="" type="checkbox"/> | Final <input checked="" type="checkbox"/> |
| | Wildland <input type="checkbox"/> | Variance <input type="checkbox"/> | Hydrant Acceptance <input type="checkbox"/> |
| Project Status: | Approved <input type="checkbox"/> | Approved with Conditions <input checked="" type="checkbox"/> | Denial <input type="checkbox"/> |
| | | Inspection <input checked="" type="checkbox"/> | Lot Split <input type="checkbox"/> |

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (Note underlined items):

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

Curbs or signage adjacent to the building, marked 10' on both sides of fire hydrant, entrances and landscape medians in traffic flow areas shall be appropriately marked in red with 6" white lettering

reading "FIRE LANE – NO PARKING" as determined by the Fire Marshal prior to occupancy. Assistance in details and information are available through the Fire Prevention Division.

Roadways/Driveways

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Roads meet the minimum County standards for fire apparatus access roads within this type of proposed development. Driveway, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate and driveway width shall be 20' and an unobstructed vertical clearance of 13'6".

Street Signs/Rural Address

Section 901.4.4 Premises Identification (1997 UFC) Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

Section 901.4.5 Street or Road Signs. (1997 UFC) When required by the Chief, streets and roads shall be identified with approved signs.

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

Buildings within a commercial complex shall be assigned, post and maintain a proper and legible numbering and/or lettering systems to facilitate rapid identification for emergency responding personnel as approved by the Santa Fe County Fire Marshal.

Restricted Access/Gates/Security Systems

Section 902.4 Key Boxes. (1997 UFC) When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.

The project report states that the brewing facility will continue to operate 24 hours a day. If here is a responsible party on site 24/7 for the complete structure consisting of 67,413 square feet then this requirement may be removed.

Commercial buildings shall be required to install a Knox Cabinet or applicable Knox device as determined by this office for Fire Department access, Haz-Mat/MSDS data, and pre-fire planning

information and for access to fire protection control rooms (automatic fire sprinklers, fire alarm panels, etc...).

A final inspection by this office will be necessary to determine the applicability of the installation of the Knox lock access system in regards to emergency entrance into the fenced area. Should it be found suitable for such, the developer shall install the system.

Fire Protection Systems

Hydrants

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Section 903.4.2 Required Installations. (1997 UFC) The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within five hundred feet (500') as measured along the access route.

Fire hydrant locations as shown on plans shall be no further than 10 feet from the edge of the approved access roadways with the steamer connections facing towards the driving surface. Final placement of any additional fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

Supply lines meet the minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system. All hydrants shall have NST ports. Final design shall be approved by the Fire Marshal.

All hydrants shall comply with Santa Fe County Resolution 2000-55, Hydrant color-coding, marking and testing.

Automatic Fire Protection/Suppression

Automatic Fire Protection Sprinkler systems shall be required as in all new construction and existing structures per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe.

All Automatic Fire Protection systems shall be developed by a firm certified to perform and design such systems. Copies of sprinkler system design shall be submitted to the Fire Prevention Division for review and acceptance prior to construction. Systems will not be approved unless final inspection test is witnessed by the Santa Fe County Fire Department. Fire sprinklers systems shall meet all requirements of NFPA 13 Standard for the Installation of Sprinkler Systems.

Locations of all Fire Department Connections (FDC's) shall be determined and approved prior to the start of construction on the system. All FDC's shall have ports as per the City/County thread boundary agreement. All FDC's shall be within 150' of a pressurized hydrant.

All sprinkler and alarm systems as required shall have a test witnessed and approved by the Santa Fe County Fire Department, prior to allowing any occupancy to take place. It shall be the responsibility of the installer and/or developer to notify the Fire Prevention Division when the system is ready for testing.

Fire Alarm/Notification Systems

Automatic Fire Protection Alarm systems shall be required as per 1997 Uniform Fire Code, Article 10 Section 1007.2.1.1 and the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe. Required Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code, for given type of structure and/or occupancy use. Said requirements will be applied as necessary as more project information becomes available to this office during the following approval process.

Unless the building is occupied on a continual 24-hour basis, the sprinkler system shall be electrically monitored by an approved central station, remote station or proprietary monitoring station.

All Fire Alarm systems shall be developed by a firm certified to perform and design such systems. Copies of the fire alarm system design shall be submitted to the Fire Prevention Division for review and acceptance prior to installation. Systems will not be approved unless tested by the Santa Fe County Fire Department. Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code for given type of structure and/or occupancy use.

Fire Extinguishers

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers shall be installed in occupancies and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

Life Safety

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a commercial and public occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

This project shows the remove existing tasting room and installing a new tasting room in the 6300 s.f. area.

The existing structure has brewing, bottling facilities, offices, shipping and receiving areas.

The new 47,000 s.f. structure will be bottling and brewing facilities.

The new 2400 s.f. structure will be a receiving area addition to the existing 11,713 s.f. structure.

The existing 11,713 s.f. structure shall have an automatic fire protection system installed.

General Requirements/Comments

Inspections/Acceptance Tests

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

Permits

As required

Final Status

Recommendation for Preliminary/Final Development Plan approval with the above conditions applied.

Renee Nix, Inspector

Renee Nix
Code Enforcement Official

11-14-14
Date

Through: David Sperling, Chief

File: DEV/SFBrewingbuildout/111414/LC

Cy: Buster Patty, Fire Marshal *BP*
John Salazar, Land Use
Applicant
District Chief La Cienega
File

Memorandum

To: John Salazar, Development Review Specialist
From: Planning Staff
cc: Robert Griego, Planning Manager *RG*
Date: November 5, 2014
Re: CDRC CASE # 14-5430 Santa Fe Brewing Company Master Plan
Amendment/Preliminary & Final Development Plan

REVIEW SUMMARY: The applicant is requesting approval of a Master Plan Amendment, Preliminary and Final Development Plan approval for expansion to the brewing facility, new buildings, a tasting room and the addition of a biergarten. The Santa Fe Brewing Company expansion has been reviewed for compliance with the Santa Fe Community College District Plan (SFCCD Plan), and the Santa Fe County Sustainable Growth Management Plan (SGMP).

STAFF COMMENT:

Santa Fe County Sustainable Growth Management Plan 2010 (SGMP)

Approval of Master Plan, Preliminary and Final Development Plan will be consistent with the SGMP principles related to Land Use Element (Chapter 2)

- The project is within the Sustainable Development Area 1 (SDA-1), where growth is likely and also being targeted to occur (2.2.5.1).
- The Future Land Use Map has a Mixed-Use Non-Residential category for the area (2.2.5.2).
- Land Use category of Mixed-Use Non-Residential is intended for light industrial and commercial along with other higher density options (2.2.5.2).

Approval of Master Plan, Preliminary and Final Development Plan is consistent with the SGMP including principles related to Economic Development Element (Chapter 3):

- Supporting and encouraging local and small businesses that create employment opportunities in the County is one of the keys to sustainability (3.1.2.3)
- The SGMP describes a lack of diversity in employment types in Santa Fe County (3.2.2)
- The number of manufacturing jobs has remained unchanged (3.2.2)
- Assistance through LEDA (Local Economic Development Act) (3.2.6)
- Goal 8 for economic development includes a policy for small business development

- Goal 10 for economic development includes a policy for supporting the development of industries with sustainable wages and high quality work environments
- Goal 11 for economic development includes directing development towards Opportunity Centers and major transit-oriented development sites served by facilities and services through requirements and incentives.

The intent of the SGMP has been met because the area for development is a targeted area for development, the development is consistent with the Future Land Use Map Mixed-Use Non-Residential category, the use falls within the intended uses for the land use. This development will create employment opportunities, increase diversity in employment types and help the County meet goals in economic development for small business development, sustainable wages and high quality work environments in Opportunity Centers.

The Santa Fe Community College District Plan 2000 (SFCCD Plan)

Santa Fe Brewery is located within the SFCCD Plan and is in an Employment Center zoning category.

The intent is that Employment Centers be developed with the following characteristics: (1.C.8 page 28)

- *Like other areas of the District, Employment Centers are to be mixed use and include commercial uses and services such as recreational amenities, parks, trails, retail and restaurants so employees can walk to lunch, recreation, and services.*
- *2) Residential uses should be included in Employment Centers depending on the characteristics of individual centers and Employment Centers are to have a wide range of nearby housing opportunities allowing access by walking, bicycling or a short vehicular journey. For planning purposes a one mile radius is considered to be walking and biking distance from an Employment Center.*
- *3) Employment Centers may be included within or as extensions of New Community Centers or should be within a one mile radius of a New Community Center. Their shape is subject to terrain, access and other variables. They should be designed and developed in relations to the New Community Centers with direct primary road and trail connections and phasing of their development. Employment Centers will be required to demonstrate adequate road and infrastructure capacity to support each development phase.*
- *4) The maximum FAR is 3.0. Because of their size and potential impacts, Master Plans for larger Employment Centers will need to submit a more detailed site plan, comparable to a conceptual preliminary development plan, before they can be approved.*
- *5) Employment Centers should serve the District and greater Santa Fe community, and be connected by public transit, trails, walkways and small roads to transport people, goods and services. Walkway systems within Employment Centers should connect all areas of the center to each other and the District.*

- 6) Buildings within the Employment Centers shall be oriented to the street and keep the parking and storage areas to the rear and sides of the buildings, to maintain the mixed use intent of the Plan and to create active urban street spaces in the manner of town plazas or traditional main streets.
- 7) Feature buildings should provide focal points that visually connect Employment Centers to adjacent centers and neighborhoods and provide the value of their architectural image to the District. Standards for mass, scale and thematic architectural style of buildings will be developed in the District Ordinance.
- 8) Employment Center facilities may be the result of joint action and investment by public agencies and developers to ensure that local services and infrastructure meet anticipated demand, for example, wideband communications. Specialized business clusters, selected in cooperation with local government and economic development entities, will be allowed.

The intent of the SFCCD Plan is met for the Employment Center zoning category. The Santa Fe Brewing Company expansion will be for commercial and retail uses and will include a garden that will be accessed by employees and customers. The FAR is under the maximum for the area. This expansion will serve the District and greater Santa Fe community by providing employment and services. The parking and storages are to the rear of the major road.

The Economic Development Plan (6, page 50)

- The SFCC District Economic Development Plan seeks to enhance the quality of life for its present and future residents and position the district within the greater regional economy of which it is apart. Because of the District's location adjacent to both I-25 and the Santa Fe Bypass, employment opportunities may be created that can serve not only the needs of District residents, but also those of persons living outside of the District.
- The District Plan envisions an overall ratio of one job per dwelling unit. The current ratio is 1.2 jobs per dwelling unit. As new housing is developed within the District, new employment opportunities need to be developed simultaneously so that the job to dwelling unit ratio can be maintained. To do this the District emphasizes an aggressive mixed use concept mandated for all the proposed development zones, including New Community Centers, Neighborhood Centers and Employment Centers.

The intent of the economic development portion of the SFCCD Plan has been met.

STAFF RECOMMENDATION:

Planning staff recommend approval of the Master Plan and Preliminary and Final Development Plan and Amendment to the Master plan for the Santa Brewing Company expansion finding that:

- The applicant meets the intent of the Santa Fe Community College District Plan.
- The applicant meets the intent of the SGMP.



MEMORANDUM

DATE: October 24, 2014

TO: John M Salazar, Development Review Specialist

FROM: Maria Lohmann, Open Space and Trails Planner *ML*
Planning Division, Growth Management Department

VIA: Robert Griego, Planning Division Manager, Growth Management Department *RG*

RE: CDRC CASE #FDP 14-5430 Santa Fe Brewing Company Master Plan Amendment/
Preliminary & Final Development Plan/ Variance

Attachment: 12126-AHT-Overall_Alignments~2014-03-5.pdf

I have reviewed the case submittal for technical accuracy and for compliance with the Sustainable Growth Management Plan (SGMP), and the Santa Fe Community College District Plan and Ordinance, and I have the following comments:

Background

- Open Space within the Santa Fe Community College district is to be a continuous system of natural and developed spaces that include arroyo corridors, mountains, natural hillsides, buffers between development areas, open corridors along roads, parks, play fields and plazas. New development within the District will generally provide 50% of the development area in open space. It is estimated that when all of the natural and developed open space elements are combined the District open space system will include over 50% of the total land area and exceed 8,500 acres.
- The open space system for the Santa Fe Community College District is to be comprised of many elements, including parks, plazas and developed open space and trail corridors. Developed open space may include parks, plazas, play fields, tot lots and community gardens and other types of open space use that support community recreation or community agricultural activities. Trail corridors will provide trail connections to supplement the transportation system, provide

recreational opportunities, and connect the open space system to the community.

- Trails are integral to the connected open space system, providing both transportation corridors and recreational opportunities. Trail easements for District-wide trails and trail easements within a development as part of a continuous system connecting the core areas of the development to the District-wide trails are considered part of the open space system. Trailheads for public access to the trail system will also be part of the open space system.
 - The following property may be considered open space for the purpose of meeting the 50% requirement:
 - Trails allowing public access and connecting the District Trail system;
 - Public trailheads
- There is a proposed connection to the proposed district trail/ Arroyo Hondo alignment leading to Santa Fe Brewing Company (see attached map).

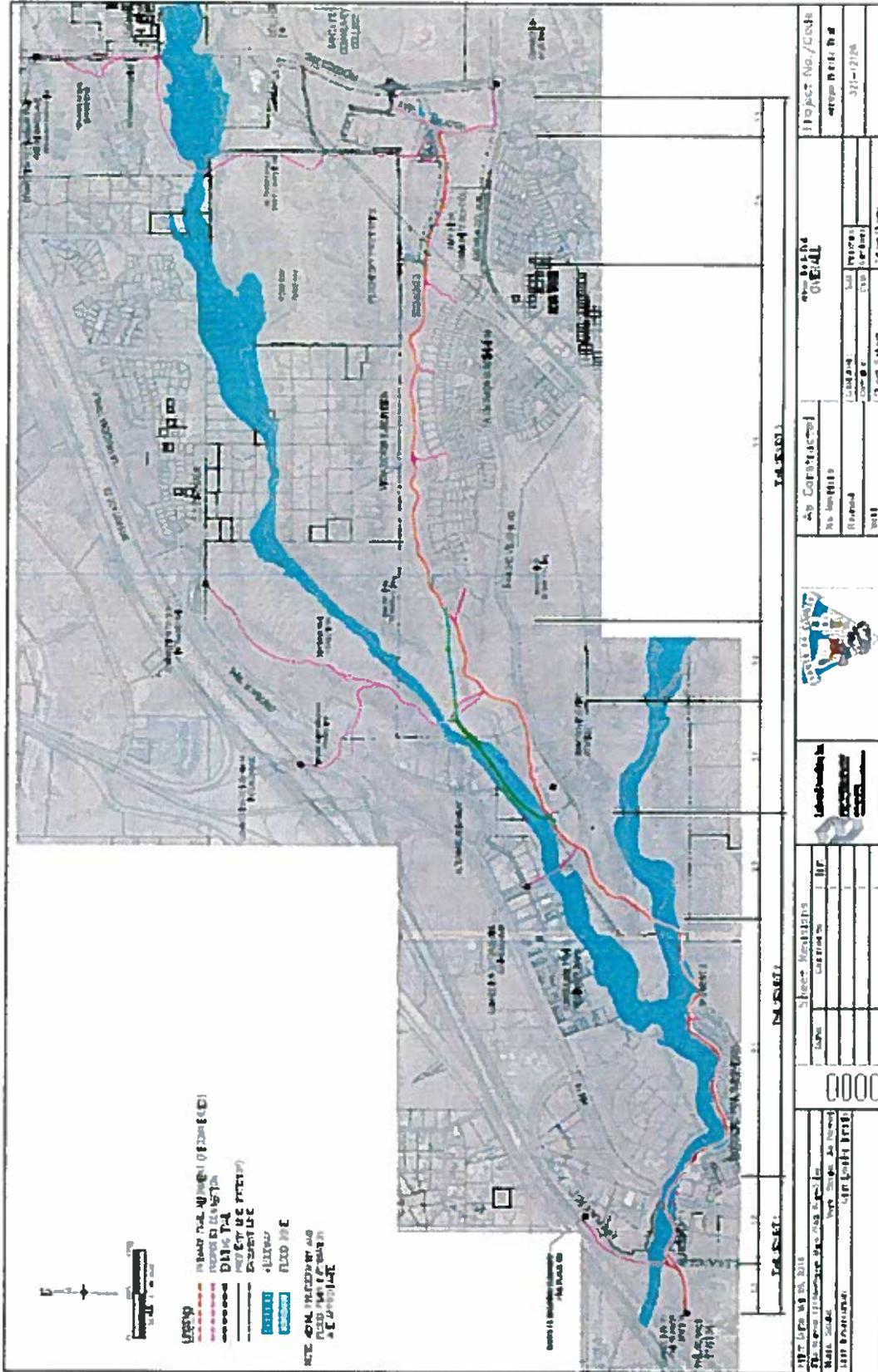
Recommendations

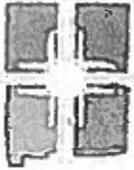
Staff Recommends denial of the variance request for less than 50% open space.

If the variance were approved, staff recommends the following conditions:

1. Provide a trail connection to the proposed district trail and trailhead/ bicycle and pedestrian access point on property which can be counted as open space.
2. Staff supports the inclusion of a district trail connection and trailhead/ bicycle and pedestrian access point in the open space requirement.

Proposed Alignment for the Arroyo Hondo Trail





New Mexico DEPARTMENT OF
TRANSPORTATION

December 5, 2014

Mr. John M. Salazar
Development Review Specialist
102 Grant Avenue
Santa Fe, NM 87501

Re: CRDC Case # DP 14-5430 Santa Fe Brewing Company Master Plan
Amendment/ Preliminary & Final Development Plan/Variance

Dear Mr. Salazar:

Traffic staff has reviewed the Traffic Impact Analysis for the above referenced project in Santa Fe County, NM and have the following requirements:

- The report shows improvements to NM 14 to include a left turn and right turn deceleration lane into the West Driveway but shows no improvements at the intersection of Fireplace Lane and NM 14. The existing left turn deceleration lane on NM 14 at Fireplace Lane will need to be lengthened to meet the requirements in the New Mexico Department of Transportation (NMDOT) State Access Management Manual. A minimum of a 4' bike lane in each direction must be maintained on NM 14 between Fire Place Lane and the West Driveway.
- The applicant shall submit an access permit application to NMDOT for any access to NM 14 and Fireplace Lane.

If you have any questions, please feel free to call me at 505-995-7800.

Sincerely,

Javier A. Martinez, P.E.
District 5 Traffic Engineer

Cc: Habib Abi-Khalil, ADE Engineering

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmelts
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

David Sepich
Commissioner
District 2

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6



NEW MEXICO
ENVIRONMENT DEPARTMENT



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

2540 Camino Edward Ortiz
Santa Fe, NM 87507
Phone (505) 827-1840 Fax (505) 827-1839
www.nmenv.state.nm.us

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

October 30, 2014

John M. Salazar
Development Review Specialist
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276

**RE: CDRC Case #14-5430 Santa Fe Brewing Company Master Plan
Amendment/Preliminary & Final Development Plan/Variance**

Hello Mr. Salazar:

On behalf of Bob Italiano in this office, I have reviewed the information you provided for the referenced project and offer the following comments. My comments are related to the on-site liquid waste system (septic system), as well as some other aspects of the proposed project.

It appears that live music will be performed at the proposed "biergarten" and performance platform. Has sufficient parking and restroom facilities for patrons of a musical performance been addressed adequately?

In the letter from JenkinsGavin Design & Development, Inc. dated October 10, 2014, regarding the Preliminary and Final Development Plan, they state that no archeology survey is required because the property is less than 5 acres. However, in the letter concerning the Master Plan Amendment #2 and Variance Request, also dated October 10, 2014, the overall acreage is said to be 6.873 acres. This would indicate that an archeology survey may be required.

The letter also talks about how "the wastewater from the brewing activities will be pre-treated prior to release into the sewer system and used for irrigation." However, no specifics are provided about what this pre-treatment will actually entail.

Finally, the existing septic system is proposed to be "abandoned and decommissioned" when municipal sewer service becomes available. It is a requirement of the New Mexico Environment Department (NMED) that the system be abandoned following the standards outlined in section 20.7.3.307 of the Liquid Waste Regulations. Because the existing septic system is comprised of plastic septic tanks and plastic disposal chambers that over time will decompose, all components

NBC-44

of the septic system should be removed from the ground and disposed of properly to preclude the possibility of an unsafe condition.

Please contact me with any questions or if you need additional information.

Sincerely,



Bill Brown
New Mexico Environment Department
2540 Camino Edward Ortiz
Santa Fe, NM 87507
505-827-1840 office



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

November 4, 2014

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

Jose E. Larrañaga, Senior Development Review Specialist
Planning and Development Division
Santa Fe County
102 Grant Avenue
Santa Fe, NM 87501

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: Santa Fe Brewing Company Master Plan Amendment #2 and Variance Request and Preliminary and Final Development Plan

Dear Mr. Larrañaga:

On October 14, 2014 the Office of the State Engineer (OSE) received a request to provide comments for the Santa Fe Brewing Company Master Plan #2 and Variance Request and Preliminary and Final Development Plan.

The proposal provides an outline for the expansion of the existing Santa Fe Brewing Company. Preliminary and Final Development Plan approval is sought for a 55,700 square foot (s.f.) addition to the existing brewing and bottling facility located on Lot 1-A of the Santa Fe Brewing Company Master Plan. The expansion will include the following:

- Addition of 2,400 s.f. to the north side of the existing brewing facility.
- A new 6,300 s.f. entrance, lobby and tasting room on the east side of the existing brewing facility.
- 47,000 s.f. of additional bottling and brewing facilities east of the new lobby and tasting room.
- A 3,500 s.f. outdoor landscaped "biergarten" with seating and performance platform.

The Santa Fe Brewing Company is located on a 4.976 acre parcel and a 1.897 acre parcel for a total of 6.873 acres, within Sections 24 and 25, Township 16N, Range 8E, at 35 and 37 Fire Place Road. Water supply is provided by an existing well on Lot 2-A (RG-42703) and Santa Fe County water system.

NBC-46

Santa Fe Brewing Company Master Plan Amendment # 2 and Variance Request and Preliminary and Final Development Plan

November 4, 2014

Page 2 of 2

This proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act.

The developer provided a water budget and estimates that indoor water use will be 1.90 acre feet/year. The indoor estimate is consistent with the findings presented in the City of Santa Fe, New Mexico Resolution No. 2009-116, a study of residential and commercial water use, *November 2009*.

Section 47-6-11.F (1) of the New Mexico Subdivision Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. Therefore, the OSE reviews the water rights and the physical water availability. The developer states they will use 10 AFY for brewing activities from well RG-42703. The developer also states that they will use 0.11 AFY of water captured through active rain water harvesting for landscaping. Based on the OSE's records, the Santa Fe Brewing Company currently holds sufficient water rights.

When a subdivision proposal is received by the OSE, the developer's water demand analysis is reviewed to determine if it is technically correct and reasonable. The OSE also verifies that the appropriate conservation measures are reflected in the analysis. Further, data in the water demand analysis is compared with the data and statements included in the disclosure statement to make sure that they are consistent with each other.

Development Plans are not required (by the Code) to provide the level of detail that is required by the OSE for a water demand analysis. Article VII, Section 6.1 of the Santa Fe County Land Development Code (Code) allows the Santa Fe County Land Use staff to refer development plan to state agencies for review "*if, in the opinion of the County Hydrologist and the Code Administrator, such referrals will provide information necessary to the determination of whether or not a proposed development is in conformance with provisions of this Code*". The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the Santa Fe Brewing Company Master Plan Amendment #2 and Variance Request and Preliminary and Final Development Plan.

If you have any questions, please call Emily Geery at 505-827-6664.

Sincerely,



Molly Magnuson, P.E.

Water Use & Conservation/Subdivision Review Acting Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office

NBC-47

WARNING:
Two (2) foot contour data sets are
NOT SUITABLE FOR ENGINEERING WORK.
These data are appropriate for
PLANNING PURPOSES ONLY.

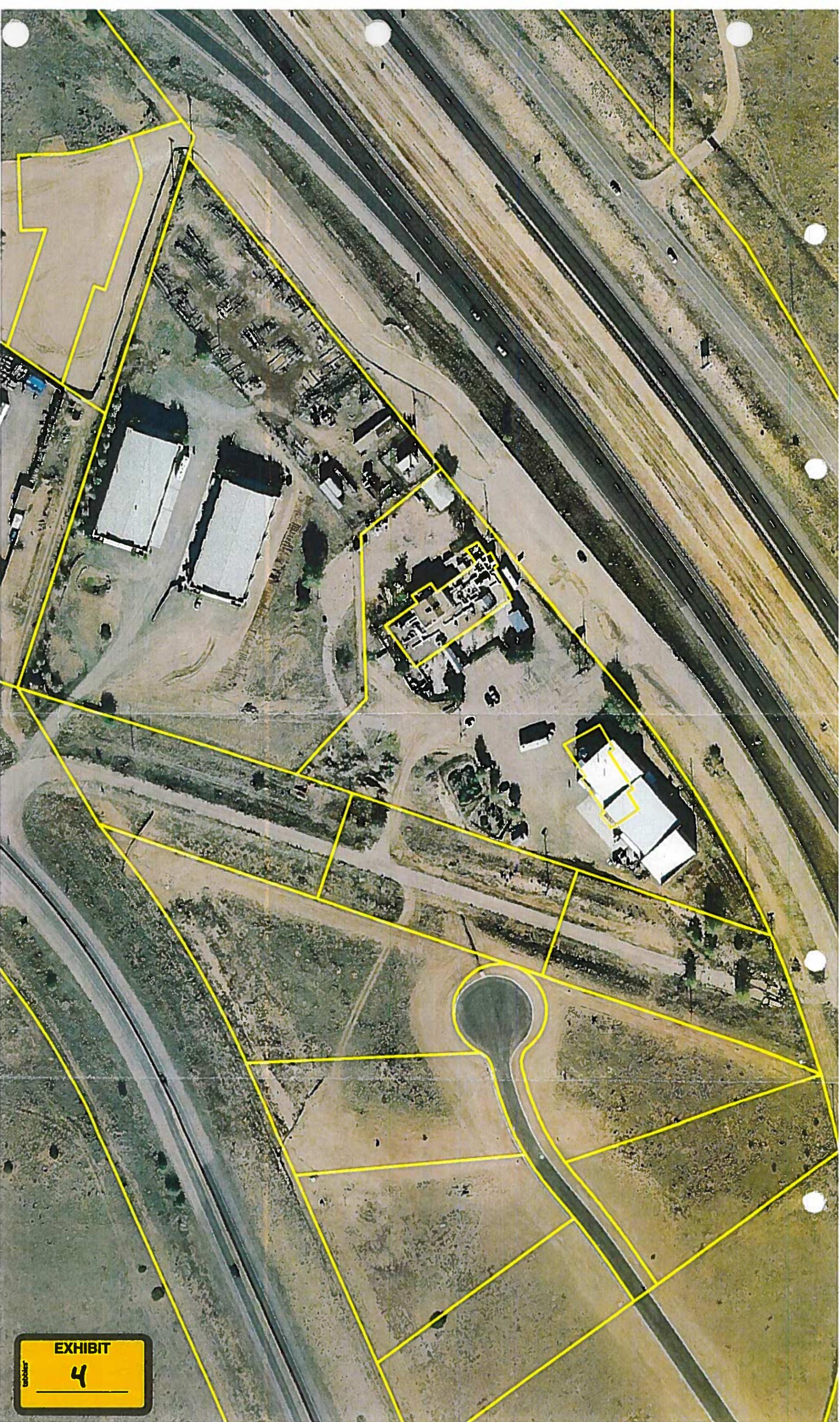
Dec 10, 2014

Orthophoto from 2008
Contour Interval: 2 Feet
This information is for reference only. Santa Fe County assumes
no liability for errors associated with the use of these data.
Users are solely responsible for confirming data accuracy.

1 inch = 110 feet



EXHIBIT
4



fulfill the proposals contained in the subdivider's disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations.

4.8 Common Promotional Plans

The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in this Article V.

SECTION 5 - PROCEDURES AND SUBMITTALS

5.1 Pre-application Procedures

Prior to the filing of an application for approval of a preliminary plat, the subdivider shall confer with the Code Administrator to become acquainted with these subdivision regulations. At this pre-application conference, the subdivider shall be advised of the following:

1. Submittals required by the Code.
2. Type and/or class of the proposed subdivision.
3. Individuals and/or agencies that will be asked to review the required submittals.
4. Required improvements.
5. Conditions under which Master Plans and Development Plans are required as described in Sections 5.2 and 7.
6. A determination will be made as to the appropriate scale and format for plans and plats and as to the appropriateness of applicable submittal requirements.

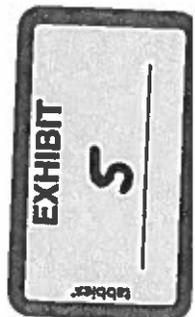
5.2 Master Plan Procedure

5.2.1 Introduction and Description

- a. Master plans are required in the following cases:
 - i. All Type I, Type II, and Type IV subdivisions with more than one development phase or tract;
 - ii. As required in Article III for developments other than subdivisions; and
 - iii. Such other projects which may elect to apply for master plan approval.
- b. A master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.
- c. The master plan submittal will consist of both plans and written reports which include the information required in 5.2.2 below. A typical submittal would include a vicinity map, a plan showing existing site data, a conceptual environmental plan with written documentation, a master plan map, a master plan report, a schematic utilities plan and the phasing schedule. Maps and reports may be combined or expanded upon at the discretion of the applicant to fit the particular development proposal as long as the relevant information is included.

5.2.2 Master Plan Submittals

- a. Vicinity Map. A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies located on the parcel and within three miles of the Parcel.



The locations of all Federal, State, or County Roads within one thousand (1000) feet of the parcel shall be shown. In addition, location of future highways and arterials as designated on the appropriate master plan for roads in the County (see 3-19-9 N.M.S.A. 1978) shall be shown.

- b. Existing Site Data. A description of existing conditions on or adjacent to the site. Maps shall be at a scale of one (1) inch to one hundred (100) feet or other appropriate scale as determined by the Code Administrator and shall include the following:
- 1) Boundary lines: bearings and distances. The error of closure shall be of a third order survey, and no discrepancy between computed and measured distances shall exceed one (1) part in 1,280 parts;
 - 2) Easements: Location, width and purpose;
 - 3) Streets or Roads on and immediately adjacent to the tract, name and right-of-way width;
 - 4) Utilities on and immediately adjacent to the tract;
 - 5) Owners of record of unplatted land and existing subdivision plats by name and recordation, together with owners of record for affected lots shall be shown for property within one-hundred (100) feet of that tract not including public rights-of-ways.
 - 6) Title and certificates: Present tract designations according to official records in the County Clerk's Office, title under which the proposed development is to be recorded with name and address of owner, notation stating acreage, scale, true and magnetic north arrow, U.S.G.S. datum and benchmarks, if any, certification of the engineer or land surveyor licensed in accordance with the laws of the State of New Mexico who prepared the plat.
 - 7) Proof of legal access from a county or state road as required by the Code.
- c. Conceptual environmental plan shall include, when appropriate:
- 1) Graphic representation of existing topography, natural features, slopes, and floodplains.
 - 2) Soils maps and reports (SCS)
 - 3) Recreational and/or open space plan, or landscape concepts.
 - 4) Liquid waste disposal plan, and
 - 5) Water Supply plan.
- d. Master plan map(s) showing the proposed development in sketch form, including:
- 1) Proposed major vehicular and pedestrian circulation system.
 - 2) Designation and description of proposed land uses, including information about residential uses by type, area and density, and information about office, general commercial and industrial uses by area and intensity of development. Mixed uses shall not be prohibited.
 - 3) Logical and natural boundaries defining development limitations, and
 - 4) Any proposed sites for schools or other community facilities.
- e. A phasing schedule shall be included in the master plan giving a general description of each phase of the development.
- f. A schematic utilities plan showing location, locational cross sections, and approximate line sizes. It is recognized that there may be changes in the final utilities plan due to the requirements of utility companies or final engineering plans and specifications.

- g. Master plan report which includes the following:
- 1) A general description of the project, existing development on the parcel, location, adjacent properties, acreage, lot coverage, access, traffic impacts, terrain management, soils, landscaping, outside lighting, parking, signage, water, liquid waste, solid waste, archaeological sites and fire protection measures;
 - 2) If appropriate, market analysis and economic impact report which address: demand, projected sales and build-out; identifies a trade area; estimates retail sales and potential, and identifies the scale and extent of local competition.
 - 3) Preliminary fiscal impact estimates of net local public costs, including capital outlay and operating expenses, and revenues attributable to the proposed project.
 - 4) Preliminary environmental assessment, which identifies the possible effects of proposed development on natural resources or natural features. This may be combined with Section 5.2.2.c of this Article.
 - 5) A written preliminary traffic report prepared by a licensed traffic engineer or other qualified expert acceptable to the Code Administrator.
 - 6) Description of concepts for restrictive covenants proposed for the development if applicable, outlining the areas and extent of restriction or regulation. Detailed covenants are not required at this time.
 - 7) Schools impact report. A written report which projects the effects the proposed project will have on public schools, and which includes:
 - the proposed number, size, and price of residential units within the project;
 - a description of the project's target market; and
 - where applicable, any special educational needs of the project's school-aged residents.

The report will also identify the schools that service the area of the proposed project and their boundaries, the transportation available to those schools, and a list of any pending or approved residential developments within those schools' boundaries. Copies of the schools impacts notice shall be submitted to the school district in which the project is located and to the Code Administrator.

5.2.3 Master Plan Review

The master plan shall be submitted to the Code Administrator or his authorized representative with a written application for approval. The Code Administrator will review the plan and submit analysis, written comments and a recommendation to the County Development Review Committee and the Board. Master plans shall be reviewed by the County Development Review Committee which shall make determinations regarding compliance with the County General Plan or the Extraterritorial Plan and the Code and shall forward the plan to the Board with the Committee's recommendation. The Board may adopt, amend, supplement, or reject the County Development Review Committee recommendation.

5.2.4 Master Plan Approval

- a. The approved master plan shall show the area of residential use and general density measured in dwelling units per acre of land, less dedicated or conveyed rights-of-way, and the area and intensity of commercial and industrial use measured in gross square feet of building area or maximum gross floor area ratio. These shall constitute the maximum permitted number of dwelling units and maximum permitted area and intensity of commercial or industrial use.
- b. The County Development Review Committee and Board shall consider the following criteria in making determinations and recommendations for approval or amendment of master plans:
 1. Conformance to County and Extraterritorial Plan;

2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed;
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.

5.2.5 Filing of Approved Master Plan

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)

5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

5.3 Preliminary Plat Procedure

5.3.1 Introduction and Description

- 5.3.1a Preliminary plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions.

SECTION 6 - FEES AND LEVIES**6.1 Standard Fees**

Any person desiring to subdivide land in the County shall pay the current administrative fees set by the County. A fee schedule, which may be periodically amended, is available from the Code Administrator.

6.2 Additional Fees for Unusual Circumstances

Where additional review by the County is required above and beyond normal review requirements due to complex, unforeseen, or unique circumstances relating to the proposed plan or plat, such as complex hydrological considerations, then the County may charge an additional review fee to defray the cost of such review. Review fees shall be only for professional services rendered to the County in the case that the County does not have qualified personnel to assist in reviewing such reports, plans and plats. When an additional fee is deemed necessary, the fee shall be arrived at between the County and the subdivider.

SECTION 7 - DEVELOPMENT PLAN REQUIREMENTS**7.1 Preliminary Development Plans****7.1.1 Pre-application conference**

- a. Prior to the application for approval of a preliminary development plan for any phase or for an entire project, the subdivider may confer with the Code Administrator regarding the plan submittal and requirements of the Code according to Section 5.1 of this Article.
- b. At this time a determination will be made as to the appropriate scale and format for plans and plats and as to the appropriateness of applicable submittal requirements.

7.1.2 Information to be submitted

- a. Evidence of legal lot of record;
- b. Contour intervals of two feet or such other appropriate scale as determined by the Code Administrator;
- c. Arrangements, location and size of buildings, where applicable;
- d. Off-street parking and loading or dumping facilities, where applicable;
- e. Internal vehicular and pedestrian circulation, and ingress and egress;
- f. A drainage, grading, and erosion control plan including existing and proposed contours for roads and utilities; a preliminary/conceptual grading plan around buildings, when applicable;
- g. A landscaping plan providing a schedule specifying conceptual methods, to include type, size, and location of vegetative and non-vegetative landscape material, and a preliminary description of the irrigation system to be used;
- h. Walls, fences and earth berms; their approximate locations and identifying types of fences and walls, if applicable;
- i. Size, location, orientation, lighting and type of signage, where applicable;
- j. Conceptual plan for outdoor lighting, including type, size, location of fixtures, if applicable;
- k. Easements, rights-of-way and street design;
- l. Access to telephone, gas, and electric utility service;
- m. Utility plan for water and sanitary sewer;
- n. Residential densities/gross acres;



- o. Intensity of non-residential development, including lot coverages, gross floor area ratios or gross square feet of building area;
- p. A vicinity map showing the boundaries of the project, owners of record within one hundred feet of the tract including public rights-of-way and existing conditions and development, including adjacent streets and utilities, for at least two hundred feet from the project boundaries;
- q. If appropriate, the phases and approximate dates of development of the phases;
- r. The plan shall be drawn at a scale of one hundred feet (100') to the inch or such other appropriate scale as determined by the Code Administrator;
- s. Proposed community facilities and/or sites and recreational areas, if any, and proposed ownership of such:
- t. A schedule of on-site and off-site public improvements with the time of construction related to the phasing schedule;
- u. Information as required by state agencies;
- v. The preliminary subdivision plat may be submitted concurrently with the preliminary development plan, but is not required. Submittal of a schematic or sketch subdivision plat showing proposed lot layout, approximate dimensions and lot areas together with topography and natural features; and
- w. A written traffic report prepared by a licensed traffic engineer or other qualified expert as determined by the Code Administrator.
- x. Schools Impact Report. A written report which projects the effects the proposed project will have on public schools, and which includes: the proposed number, size, and price of residential units within the project; a description of the project's target market; and where applicable, any special educational needs of the project's school-aged residents. The report will also identify the schools that service the area of the proposed project and their boundaries, the transportation available to those schools, and a list of any pending or approved residential developments within those schools' boundaries. Copies of the schools impacts notice shall be submitted to the school district in which the project is located and to the Code Administrator.
- y. Water Supply Plan - Water System. As required by Article VII, Section 6 of the Code and Table 5.1, of Section 9.3 of this Article V.
- z. Solid Waste Disposal Plan. As required by Article VII, Section 7 of the Code.
- aa. Liquid Waste (Disposal) Plan. As required by Article VII, Section 2 of the Code.
- bb. Timing and Phasing of Development. Projections for 5 to 10 years.
- cc. Copies of deed restrictions and protective covenants must be submitted.

7.1.3 Review

- a. A preliminary development plan may be only a phase or portion of the area covered by an approved master plan, so long as the preliminary development plan substantially conforms to the approved master plan.
- b. A preliminary development plan shall be submitted prior to or concurrent with submission of a preliminary plat.
- c. The application for preliminary development plan approval shall be presented to the County Development Review Committee for review with a staff report. The staff report shall include a description of the proposed project, an evaluation of pertinent planning issues, and a statement on the compliance of the project with the County General Plan and Code. The report may include recommended conditions of approval. The report shall include all comments from appropriate State or Federal agencies, the County Fire Marshal, the County Hydrologist, and other appropriate County personnel. Particular attention shall be given in the staff report to public

agency comments which relate to potential limitations of lot size, intensity, or character of development.

7.1.4 Criteria for development plan phase approval

- a. Conformance to the approved master plan;
- b. The plan must meet the criteria of Section 5.2.4 of this Article V.

7.2 Final Development Plan

7.2.1 Submittals

A final development plan conforming to the approved preliminary plan and approved preliminary plat, if required, and containing the same required information shall be submitted. In addition, the final development plan shall show, when applicable, and with appropriate dimensions, the locations and size of buildings, heated floor area of buildings, and minimum building setbacks from lot lines or adjoining streets. Documents to be submitted at this time are: proof of ownership including necessary title documents, articles of incorporation and by-laws of owners' association; required disclosure statements; final engineering plans and time schedule for grading, drainage, and all improvements including roads, water system, sewers, solid waste, utilities; engineering estimates for bonding requirements; development agreements; and final subdivision plats, if required.

7.2.2 Review

The final development plan shall be submitted to the County Development Review Committee accompanied by a staff report. The County Development Review Committee shall review the plan and make a determination as to its compliance with the County General Plan and Code. The County Development Review Committee may recommend changes or additions to the plan as conditions of its approval. The final development plan as approved by the County Development Review Committee shall be filed with the County Clerk. The approved final development plan becomes the basis of development permits and for acceptance of public dedications. Any changes in the plan must be approved by the County Development Review Committee.

History. 1980 Comp. 1980-6. Section 7 of Article V was amended by County Ordinance 1987-1 adding language relating to master plans.

SECTION 8 - SUBDIVISION DESIGN STANDARDS

These standards shall be binding upon the subdivider unless modifications are justified by sound engineering principles. Such modifications from these standards may be approved by the Board after a review by the County Development Review Committee upon presentation of documented justification by a licensed professional engineer.

8.1 General Policy on Roads

8.1.1 General

The arrangement, character, extent, width, grade and location of all roads shall be considered in relation to convenience and safety, and to the proposed uses of land to be served by such roads. Prior to grading or roadway cuts, all applicable permits shall be granted by the Code Administrator.

1 F. Lighting and Signage Standards

2 All lighting in the CCD shall be shielded. All other lighting and signage standards set
3 forth in Article III, Section 4.4.4h and Article VIII shall apply.

4 G. Landscaping Standards

5 1. Except as specifically set forth in the CCD, the provisions of Article III, Section
6 2.3.10 and Section 4.4.4 shall apply. In addition, it is the intent of the CCD to promote
7 the use of xeriscape designs for landscaping and the use of stormwater and treated
8 wastewater effluent for irrigation to minimize water consumption

9 2. Buffers and Landscaping for Road Frontages

10 Setbacks and width of landscape buffers from major and minor arterial roads, highways,
11 or limited access highway rights-of-ways as set forth in Article III, Section 4 and Article
12 V of the County Land Development Code, Ordinance 1996-10, as amended, shall not
13 apply to highways to roads or rights-of-way within the Community College District.

14 Buffers and landscaping for road frontages shall be provided as shown on the Land Use
15 Zoning Map or on the Road Cross Sections.

16 3. Residential yards shall be required to use xeriscape designs incorporating
17 drought-tolerant and native vegetation to the maximum extent possible. Non-native turf
18 will not be permitted. Areas to be used for recreation, parks, playfields, and plazas shall
19 be excluded from this requirement. See Article XV, Section (I),7, Park Plazas and Trail
20 Standards.

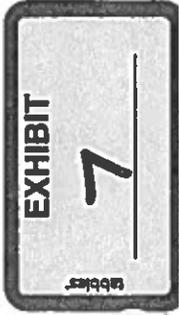
4. Irrigation Systems:

a) Irrigation systems shall maximize the use of drip or storm flow capture
systems, using the best available technology for conservation.

b) Parks, playfields, plazas, other developed open space areas and all commercial
and industrial areas shall have installed effluent reuse lines for irrigation of
community and commercial landscapes. Subject to acquisition of applicable
State and Federal permits, irrigation of such areas shall be converted to non-
potable water when a reliable source is available from the District wastewater
treatment facility that meets all applicable standards and requirements.

H. Open Space Standards

1. Applicability



1 a) All development within the CCD; except within Existing Neighborhood
2 Zones, shall meet the open space standards as set forth below. 1846048

3 2. Standards and Procedures

4 a) A master plan submitted shall show a minimum of 50% of the property to
5 be dedicated or reserved as open space.

6 3. Criteria

7 a) The following property may be considered open space for the purpose of
8 meeting the 50% requirement:

9 i. Open space mapped on the Land Use Zoning Map shall be
10 common or public open space;

11 ii. Common or Public Parks and Plazas;

12 iii. Trails allowing public access and connecting the District Trail
13 system;

14 iv. Public trailheads;

15 v. Archaeological easements;

16 vi. Setbacks required by the Highway Corridor Standards or other
17 Ordinances; and

18 vii. Private Open Space shall be counted if it is physically contiguous
19 or separated only by road or trail features from adjacent open space
20 and is not enclosed by fences, walls or other structures.

21 b) Open space shall be dedicated or reserved on the final development plan or
22 plat. Open space may be dedicated on property not contiguous to the zone for
23 which the applicant is seeking master plan approval if 1) open space adjacent
24 to or within the proposed development is not feasible or has already been
25 dedicated as part of another development phase, and (2) the continuous
26 property is within property designated as open space on the Land Use Zoning
27 Map, and (3) the proposed open space dedication is contiguous to other lands
28 dedicated as open space and meets the intent of the CCD Plan to form a
29 continuous open space system.

30 I. Park, Plaza, And Trail Standards

31 1. Purpose

NBC-57

2.5 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

2.6 Subdivisions

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

2.7 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

SECTION 3 - VARIANCES**3.1 Proposed Development**

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

3.2 Variation or Modification

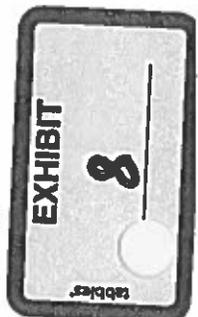
In no case shall any variation or modification be more than a minimum easing of the requirements.

3.3 Granting Variances and Modifications

In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

3.4 Height Variance in Airport Zones

All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the



C. CDRC Case #Z/DP/V 14-5430 Santa Fe Brewing Co.Expansion.
 Lock Builders, LLC, Applicant, JenkinsGavin, Agents, request a
 Master Plan Amendment, Preliminary and Final Development
 Plan approval to allow an expansion to an existing brewing
 facility on 4.97-acres. This request also includes a variance of
 Ordinance No. 2000-12, Article XV, Section 6.H Open Space
 Standards to allow 37 percent open space rather than the
 required 50 percent open space. The property is located at 35
 Fire Place within the Community College District, within
 Section 24, Township 16 North, Range 8 East (Commission
 District 5)

Case Manager John Salazar read the case caption and summarized the staff report as follows:

“On November 9, 2004, the Board of County Commissioners approved CDRC CASE # MP 04-5440 Santa Fe Brewing Master Plan. The approval incorporated Master Plan Zoning and Preliminary Development Plan within a designated Employment Center Zone to allow a brewing facility and restaurant, and an 11,200 square foot warehouse on 4.97 acres. The Master Plan was subsequently amended in 2011, to permit outdoor entertainment at the restaurant.

“The Applicant requests a Master Plan Amendment to the existing 1.7 acre brewing facility site in order to rezone 3.27 acres on Lot 1-A on 4.976 acres ± which was recently added via a lot consolidation. The additional acreage was originally part of the Los Cabos Master Plan which was approved in August 2008. The Master Plan created three lots for the purpose of constructing 18,750 square feet of commercial and industrial uses, however, the project was never constructed and the approval has since expired.

“The Applicant is also requesting Preliminary and Final Development Plan Approval for the expansion. The proposed brewery expansion will be developed in one phase and will include a 2,400 square foot addition to the north side of the existing brewing facility; a new 6,300 square foot entrance, lobby and tasting room on the east side of the existing building; additional bottling and brewing facilities totaling 47,000 square feet to be added to the proposed lobby and tasting room; and a 3,500 square foot landscaped outdoor area with seating and a performance platform.



“Santa Fe Brewing Company has applied to Santa Fe County for economic assistance pursuant to the Local Economic Development Act. The Economic Development Manager has evaluated the project and determined that Santa Fe Brewing Company is qualified for economic assistance pursuant to LEDA. The New Mexico Economic Development Department has similarly determined that the Brewery is qualified for LEDA funds. The LEDA funds will be used to design, construct, and implement a state of the art wastewater treatment system to treat all of the Brewery's effluent.

“The Applicant is also requesting a variance of Ordinance No. 2000-12, Article XV, Section 6.H Open Space Standards. The Community College District Ordinance requires 50 percent open space for new development which would consist of about 149,693.94 square feet of open space. The Applicant is proposing 37 percent open space or 110,344 square feet.

“The Applicant states the following reasons for the variance: The necessity for this open space reduction stems from the fact that the Project is a manufacturing facility in an Employment Center Zone. Therefore, although the lot coverage is only 26 percent, significant paved areas are essential for loading and deliveries, which reduces the amount of available open space. Full compliance would limit the functionality of the manufacturing facility and its role as an important employer in Santa Fe County.

“Staff Response: The 50 percent open space requirement in the CCDO does not contemplate flexibility based on use. Planning Division staff has reviewed this application and has stated that the Applicant may utilize proposed trail connections allowing public access to district trail systems for the purpose of meeting the 50 percent requirement and has recommended the following conditions of approval should the variance be granted:

1. Provide a trail connection to the proposed district trail and trailhead/bicycle and pedestrian access point on the property which can be counted as open space.
2. Staff supports the inclusion of a district trail connection and trailhead/bicycle and pedestrian access point in the open space requirement.

“The Applicant has agreed to accept the conditions as they believe it is a bigger benefit to the community rather than dedicating unusable property such as arroyos or floodplain as open space.”

Mr. Salazar said staff recommends denial of the Applicant's request for a variance of Ordinance No. 2000-12 Article XV, Section 6.H, Open Space Standards, to allow 37 percent open space. If the decision of the CDRC is to approve the open space variance, and the Master Plan amendment, Preliminary and Final Development Plan to

allow an expansion to the existing brewing facility, staff recommends the following conditions be imposed:

1. The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.
2. Master Plan with appropriate signatures, shall be recorded with the County Clerk
as per Article V, § 5.2.5.
3. The Applicant shall provide a trail connection to the proposed district trail and trailhead/bicycle and pedestrian access point on the property which can be counted as open space behind the restaurant on Lot 2-A along with vehicular and bicycle parking.
4. Final design plans for the required improvements to Highway 14 shall be submitted for review and approval by NMDOT prior to Final Development recordation.

Mr. Salazar confirmed that the issue of the variance is open space and he directed the CDRC to an exhibit identifying the applicant's plans.

The applicant, Brian Lock and his agent, Jennifer Jenkins were duly sworn.

Jennifer Jenkins said the applicant was in agreement with all staff-imposed conditions and thanked staff for their efforts. She said the expansion is important for Santa Fe County and discussed the LEDA funds. Ms. Jenkins located the project on a site map noting that the restaurant functions for special events and the brewery is accessed off of Fireplace Place. When additional adjacent lots became available the applicant purchased them to further his plans to expand the brewery. The tasting area and lobby area will be relocated. The heart of the project is an outdoor landscaped beer garden with seating and a platform for entertainment. An existing access off SR 14 will be improved and the Fireplace Place access will be maintained.

Ms. Jenkins identified the open space that will be landscaped. Santa Fe Brewing will provide property for trailhead parking for people accessing the Arroyo Hondo Trail.

Brian Lock said he was pleased to have the opportunity to grow his business in Santa Fe rather than relocating. When the state decided to lower the excise tax it leveled the playing field and he was able to stay in Santa Fe. Local breweries are a growing industry across the country and he was pleased he could stay in Santa Fe. The expansion will increase employment in the County. Currently he has approximately 42 employees. The expansion will be completed in 2020 and he estimated having 105 employees.

There was no one from the public wishing to speak for or against this project.

Member Anaya moved to approve Z/DP/V 14-5430 with staff-imposed conditions. Ms. Booth seconded and the motion passed by unanimous [6-0] voice vote.

The applicant was lauded for expanding his business in Santa Fe County.

- D. **PNM Santa Fe County Solar Energy Center Project.** Public Service Company of New Mexico, Applicant, Laurie Moye, Agent, requests Master Plan Zoning, Preliminary and Final Development Plan approval to allow a 10 megawatt electric Solar Facility on a 100 acre site. The property is located south of the National Guard site and takes access via the East I-25 Frontage Road, within Sections 3 & 4, Township 15 North, Range 8 East, (Commission District 5)

Jose Larrañaga, case manager, recited the case caption and presented the staff report as follows:

“Public Service Company of New Mexico is requesting Master Plan Zoning, Preliminary and Final Development Plan approval to allow a 10 megawatt tracking solar electric generating facility on a 100 acre site. The solar panels are tracking panels which will be configured together in long rows which will be oriented north-south. Each row of panels are approximately 210 feet in length, the row length varies depending on the amount of developable area and will rotate together, making adjustments as the panels move to track the sun east to west. The solar modules will be mounted on a ground mounted rack. The height of the top of the panels at full-rotation will not exceed 7 feet from the natural grade. A distribution line will be extended to the site for the delivery of the electricity being generated by the facility. For safety and security reasons the facility will be enclosed by a chain link fence with three strands of barbed wire, 8 feet in total height.

of
of
“The Applicant states: The solar generating facility is needed to meet PNM’s 2015 Renewable Energy Plan. The project is part of a utility distribution system for utility use for the greater public good and for the health, safety and welfare the residents of Santa Fe County and will provide the community with a source clean, renewable energy to support growth and economic development in the area.

contain
of the
“The Applicant has submitted a subsequent letter and drawings in response to staff and review agency comments. The Applicant states that typically there are 4,000 panels per megawatt, therefore the proposed ten megawatt site will approximately 40,000 panels and will encompass approximately 75 acres of the 100 acre site. The site will also house five power converters and one switchgear facility.

proposed
attended
“On October 28, 2014, the Applicant held an open house to discuss the development. Notice was sent to 67 adjacent property owners and three attended the meeting. The Applicant states that concerns of the individuals who



Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 30, 2014

TO: Board of County Commissioners

FROM: Mathew Martinez, Development Review Specialist *ME*

VIA: Katherine Miller County Manager
Penny Ellis-Green, Growth Management Director *PE*
Vicki Lucero, Building and Development Services Manager *VL*
Wayne Dalton, Building and Development Services Supervisor *WD*

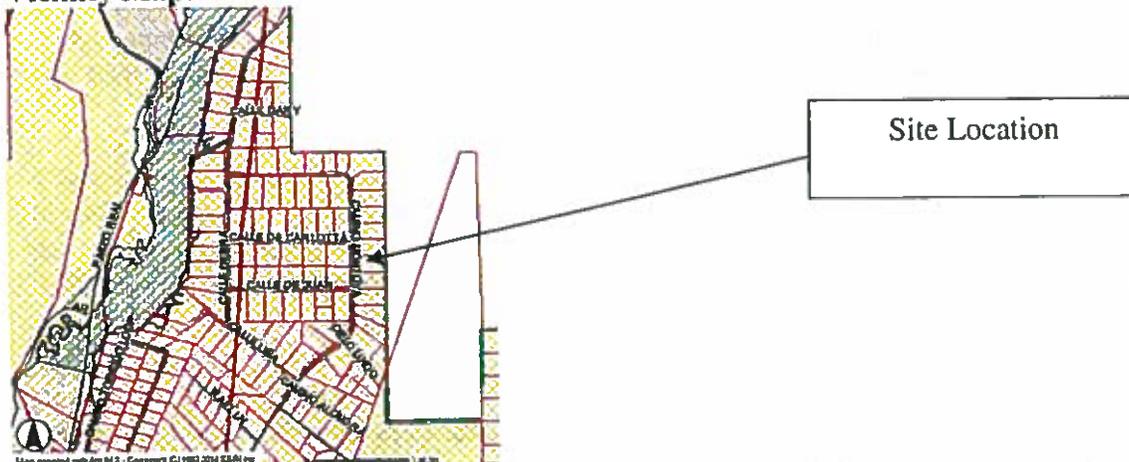
FILE REF.: CDRC CASE # V 14-5340 Luis and Isela Rodriguez Variance

ISSUE:

Luis and Isela Rodriguez, Applicants, request a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres

The property is located within the Traditional Historic Community of La Cienega at 92 Camino Montoya, within Section 20, Township 16 North, Range 8 East, (Commission District 3).

Vicinity Map:



SUMMARY:

The subject lot is part of the Vista Land Subdivision (consisting of 86 lots) which was created in 1974, and is recognized as a legal lot of record. There is currently a duplex on the property. The Applicants have owned the property since August 13, 2001, and claim they purchased the property in its current state with the two dwelling units. On November 2, 2001, the Applicants applied for a 336 square foot residential addition to the existing 1,925 sq. ft. duplex. At that time, the Applicants floor plan did not indicate two kitchens were located in the residence and in fact misrepresented that the kitchen was a bedroom and the permit was issued. The residence, including the addition, does not exceed the maximum allowable lot coverage of twenty percent.

On August 13, 2014, the Building and Development Services Division received a complaint regarding a potential density violation on the property. On August 15, 2014, the Applicants met with staff and admitted that there were two kitchens within the residence which makes the structure a duplex rather than a single dwelling unit. The properties septic system was installed in 1978, and has a 1,000 gallon per day capacity.

The Applicants request a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres. The Applicants state a variance is needed to allow the property to remain in the current state in which they purchased it and will only be used by themselves and for visitation of family members and for their children when needed.

Section 6.25.2 (Review of Applications Requesting Increased Zoning Density) states "when examining requests for increases in zoning density, all applicable review bodies shall consider the proposed development's impact on factors such as but not limited to traffic, schools, water, liquid waste, and infrastructure as part of the development review process. It is appropriate requests for increases in zoning density to be denied in the Planning Area if the reviewing body determines that there is a reasonable expectation, based on the evidence presented, that the development would negatively impact the community and/or surrounding neighbors.

An increase in density from one dwelling unit per 10 acres to two dwelling units per 2.5 acres could negatively impact the community and neighboring properties due to potential water quality issues and an increase in water use per unit. Increased density would also increase traffic and could create a health safety issue due to the lack of fire protection in the area.

Article II, § 3 (Variances) of the County Code states: "Where in the case of proposed development, it can be shown that strict compliance with the requirements of the code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the purposes of the Code, the applicant may submit a written request for a variance." This Section goes on to state "In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified." **The variance criterion does not consider financial or medical reasons as extraordinary hardship.**

This Application was submitted on September 3, 2014

On December 18, 2014, the County Development Review Committee (CDRC) met and acted on this case. The decision of the CDRC was to recommend denial of the Applicant's request (Minutes Attached as Exhibit 1).

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.

APPROVAL SOUGHT: Approval of a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

GROWTH MANAGEMENT AREA: SDA-2

HYDROLOGIC ZONE: The property is located within the Traditional Historic Community of La Cienega Basin Hydrologic Zone. Minimum lot size in this area is 10 acres per dwelling unit. Lot size can be reduced to 2.5 acres per dwelling unit with proof of 100 year water supply through a geohydrologic reconnaissance report, and adoption of water use covenants.

FIRE PROTECTION: La Cienega

WATER SUPPLY: Shared Domestic Well

LIQUID WASTE: Conventional Septic System

VARIANCES: Yes

| | | |
|-----------------------|-----------------------------------|---|
| AGENCY REVIEW: | <u>Agency:</u> Fire Prevention | <u>Recommendation:</u> Comments not received |
|-----------------------|-----------------------------------|---|

STAFF RECOMMENDATION: Denial of a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres.

The decision of the CDRC was to recommend denial of the Applicants' request.

If the decision of the BCC is to approve this request, staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre feet per year per unit. A water meter shall be installed for each unit within ninety days of recording the order granting the variance. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of Development Permit (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a development Permit for the duplex within 90 days of recording of the Order granting the Variance.
3. The placement of additional dwelling units or Division of land is prohibited on the property. (As per Ordinance No. 2002-9 § 6.4) (Zoning Density).
4. The Applicant shall provide an updated liquid waste permit for the duplex from the New Mexico Environment Department with the Development Permit Application (As per Article III, § 2.4.1a.1 (a) (iv)).
5. The Applicant shall comply with all Fire Prevention Division requirements at time of development permit Application (As per 1997 Fire Code and NFPA Life Safety Code).
6. The conditions are conditions precedent to granting of the variance. If the Applicants fail to comply with any conditions set forth above within the time periods provided, the variance shall be denied.

EXHIBITS:

1. December 18 2014 CDRC Minutes
2. Letter of request
3. Ordinance No. 2002-9 § 6.4 (Zoning Density)
4. Article II, § 3 (Variances)
5. Site Plan
6. Site Photographs
7. Aerial of Site and Surrounding Area
8. 1984 NMDOT Aerial
9. 2001, Development Permit Application

V. APPROVAL OF MINUTES: November 20, 2014

Upon motion by Member Katz and second by Member Booth the minutes were unanimously [5-0] approved as submitted. [Member Anaya was not present for this action.]

VI. CONSENT CALENDAR: Final Order

- A. CDRC CASE # MIS 14-5360 Mark Martineau Accessory Structure.
Mark Martineau, Applicant, requests approval to allow a 2,184 square foot accessory structure on 15.03 acres to be utilized as a garage/storage building. The property is located at 22 Ranchos Cañoncito, off Ojo de la Yaca Road, within § 14, Township 15 North, Range 10 East (Commission District 4). Approved 5-0

Member Katz moved to approve the consent calendar as presented. His motion was seconded by Member Martin and passed by [5-0] voice vote. [Member Anaya was not present for this action.]

VII. OLD BUSINESS

- B. CDRC CASE # V 14-5330 Francisco and Arlene Tercero.
TABLED

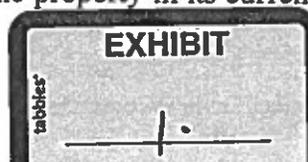
VIII. NEW BUSINESS

- A. CDRC CASE # V 14-5340 Luis and Isela Rodriguez Variance . Luis and Isela Rodriguez, Applicants, request a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 2.5 acres. The property is located within the Traditional Historic Community of La Cienega at 92 Camino Montoya, within Section 20, Township 16 North, Range 8 East, (Commission District 3) [Exhibit 1: Santa Fe County Fire Prevention memo; Exhibit 2: La Cienega Valley Association letter opposing the variance]

Case Manager Martinez read the case caption and presented the staff report as follows:

“The subject lot is part of the Vista Land Subdivision consisting of 86 lots which was created in 1974, and is recognized as a legal lot of record. There is currently a duplex on the property. The Applicants have owned the property since

August 13, 2001, and claim they purchased the property in its current state with



the two dwelling units.

“On November 2, 2001, the Applicants applied for a 336 square foot residential addition to the existing 1,925 square foot duplex. At that time, the Applicants floor plan did not indicate two kitchens were located in the residence and in fact misrepresented that the kitchen was a bedroom and the permit was issued. The residence, including the addition, does not exceed the maximum allowable lot coverage of twenty percent.

15, “On August 13, 2014, the Building and Development Services Division received a complaint regarding a potential density violation on the property. On August 15, 2014, the Applicants met with staff and admitted that there were two kitchens within the residence which makes the structure a duplex rather than a single dwelling unit. The properties septic system was installed in 1978, and has a 1,000 gallon per day capacity.

“The Applicants state a variance is needed to allow the property to remain in the current state in which they purchased it and will only be used by themselves and for visitation of family members and for their children when needed.

“Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request and recommends to allow two dwelling units on 2.5 acres.”

Mr. Martinez advised the CDRC that staff has four proposed conditions if the variance were approved.

The applicants, Luis and Isela Rodriguez, and their translator were placed under oath.

Through their interpreter, the applicants requested permission to maintain the property as it was purchased.

Responding to questions posed by Member Katz, the applicants through their interpreter said they submitted the application and the drawings for the addition and they failed to show the kitchen because they didn't think it was necessary. They confirmed the unit is only used for visiting family and friends. The applicants also stated that the unit has not been used as a rental.

Staff confirmed that one non-metered domestic well serves the units that are within one structures. The subdivision is pre-code. A discussion ensued that if

the variance were approved the applicant would be required to meter the well and use .25 acre-feet per year per unit.

There was no public wishing to speak regarding this item.

Member Anaya arrived at this time.

Member Booth moved to deny the variance. Member Katz seconded and in support of the denial mentioned the misrepresentation in the 2001 application for the second unit and that the kitchen could be shared by the family. The motion passed by majority 4-1-1 voice vote: Member Gonzales voting against and Member Anaya abstaining.

**B. CDRC CASE # V 14-5400 Melody Saucedo Variance. Melody Saucedo, Applicant, request a variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to allow two dwelling units on 3.26 acres. The property is located within the Traditional Historic Community of La Cienega at 77a Calle Debra, within Section 20, Township 16 North, Range 8 East, (Commission District 3)
[Exhibit 3: La Cienega Valley Association letter opposing variance]**

Case Manager Martinez read the case caption and provided a staff report as follows:

“The subject lot, owned by the Applicant, is part of the Vista Land Subdivision consisting of 86 lots which was created in 1974, and is recognized as a legal lot of record. There are currently two dwelling units on the property. Staff has found no evidence that the structures were permitted by Santa Fe County. The Applicant has owned the property since March 3, 2008, and claims she purchased the property with both dwelling units on it. Currently the Applicant and her family reside in one dwelling unit, 2,275 square foot and her elderly mother resides in the second dwelling unit which is 696 square feet.

“In 1985, the New Mexico Environment Department issued a permit to install a liquid waste system for a three bedroom home on 3.26 acres. The permit indicated that it was for 375 gallons per day. The drawing submitted with the Application indicated only one dwelling unit on the property. The well for the property was drilled in 1985, at the depth of 100 feet.

“On August 13, 2014, the Building and Development Services Division received

September 2nd, 2014.

To Whom it May Concern:

This letter is to certify that the property at 92 Camino Montoya, Santa Fe N.M. 87507, was purchased with a duplex. This duplex is used only for visitation of family and for our children when they need it. For this reason is very important to us to conserve and maintain the property as we will use it to sustain and preserve it to the best of our ability as long as we own it.

Respectfully,

Luis Rodriguez

Rosa Isela Montes de Rodriguez

Luis Rodriguez and Rosa Isela Montes de Rodriguez



~~plan approval where such approval is required, at the time of adoption of this Ordinance, shall comply with this ordinance. This Ordinance and standards may be amended from time to time.~~

6.4 Zoning Density:

6.4.1 Traditional Community Zoning District:

Maximum density is three quarters of an acre per one dwelling unit (.75 acre). Density adjustments must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained. Note: the Traditional Community Zoning District is located within the Traditional Historic Community boundary but the .75 acre zoning density applies only in the Traditional Community Zoning District. See attached map b.), *La Cienega Traditional Community Zoning District.*

6.4.2 Basin Zone:

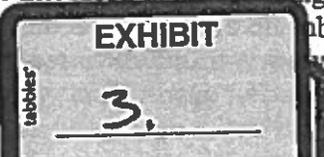
Maximum density in the Basin Zone shall be ten acres per one dwelling unit (10 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and adoption of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 2.5 acres. Density adjustments above one dwelling unit per 10 acres must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained.

6.4.3 Basin Fringe Zone:

Maximum density in the Basin Fringe Zone shall be fifty acres per one dwelling unit (50 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and application of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 12.5 acres. If an adequate 100 year supply of water, and no impairment to neighboring wells, is proven by an on-site geohydrological well test, land may be further divided to a maximum of 2.5 acres per dwelling unit. Density adjustments above one dwelling unit per 50 acres must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code, as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased even when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained.

6.4.4 Homestead Zone:

Maximum density in the Homestead Zone shall be one hundred and sixty acres per one dwelling unit (160 acres). With proof of 100 year water supply through a geohydrologic reconnaissance report, and application of water use covenants (See Attachment 1), the maximum density may be increased to one dwelling unit per 40 acres. If an adequate 100 year supply of water, and no impairment to neighboring wells, is proven by an on-site geohydrological well test, land may be further divided to a minimum of 2.5 acres per



dwelling unit. Density adjustments above one dwelling unit per 160 acres must follow requirements as outlined in Article III, Section 10 and Article VII, Section 6 of the Code as amended, along with all requirements outlined in this ordinance. The maximum density shall not be increased when community water and sewer systems are provided except where density transfer is used to protect sensitive lands or preserve community assets as described in Section 6.6 and gross density is maintained.

6.4.5 Density Requirements on Lots with Multiple Zoning Designations:

If a single land parcel and/or subdivision lies within two separate hydrologic or zoning districts, the density of dwelling units per acre shall reflect the exact proportion of each district in which the parcels lies.

6.4.6 Documentation of Wastewater System Compliance for Zoning and Land Division Applications:

When property in the Planning Area is divided, subject to a family transfer or re-zoned the landowner must furnish complete and accurate documentation to the County which demonstrates that all facilities on-site are in compliance with all applicable New Mexico Environment Department regulations and that all necessary permits have been obtained for any and all septic and waste disposal facilities on the property. This section shall not be interpreted so as to exempt existing development from all applicable requirements.

6.5 Density Transfers to Protect Community Assets:

Density transfer(s) should be used to protect community assets including but not limited to wetlands, open spaces, springs, watercourses, riparian areas, agricultural lands, acequias, traditional community centers, archeological sites, historical and cultural sites and multi-generational family housing compounds. When density transfers result in higher site densities, such development shall be clustered and sited in a manner to fit the topography, and existing rural character of La Cienega and La Cieneguilla, instead of in an urban grid pattern.

6.6 Open Space Land Protection through Density Transfers or other types of Easements:

Open spaces set aside for density transfer or other easements for the protection of community assets, as described above, should interconnect to similar sites or potential sites on adjacent properties whenever possible. Easements shall clearly delineate the open space areas and no build areas as well as document any permitted uses in such areas.

6.7 Acequia Protection

6.7.1 Acequia Setback Requirements:

No new structures or permanent fences or walls that will impair or obstruct normal operations of an acequia shall be permitted within six (6) feet of community acequia associations registered with the Office of the State Engineer. This will not apply to private acequia associations.

6.7.2 Acequia Association Review of New Development:

Prior to issuance of development permits for activities that may interfere with acequia operations including fences, walls, grading, drainage and septic systems, applications for development within twenty-five feet (25') of an acequia must be reviewed by the affected acequia association. Such review will include a recommendation of approval or denial and/or any suggested conditions for approval and will be non-binding. Applicants shall

2.5 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

2.6 Subdivisions

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

2.7 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements under the Code.

→ SECTION 3 - VARIANCES

3.1 Proposed Development

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking of property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

3.2 Variation or Modification

In no case shall any variation or modification be more than a minimum easing of the requirements.

3.3 Granting Variances and Modifications

In granting variances, and modifications, the Board may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

3.4 Height Variance in Airport Zones

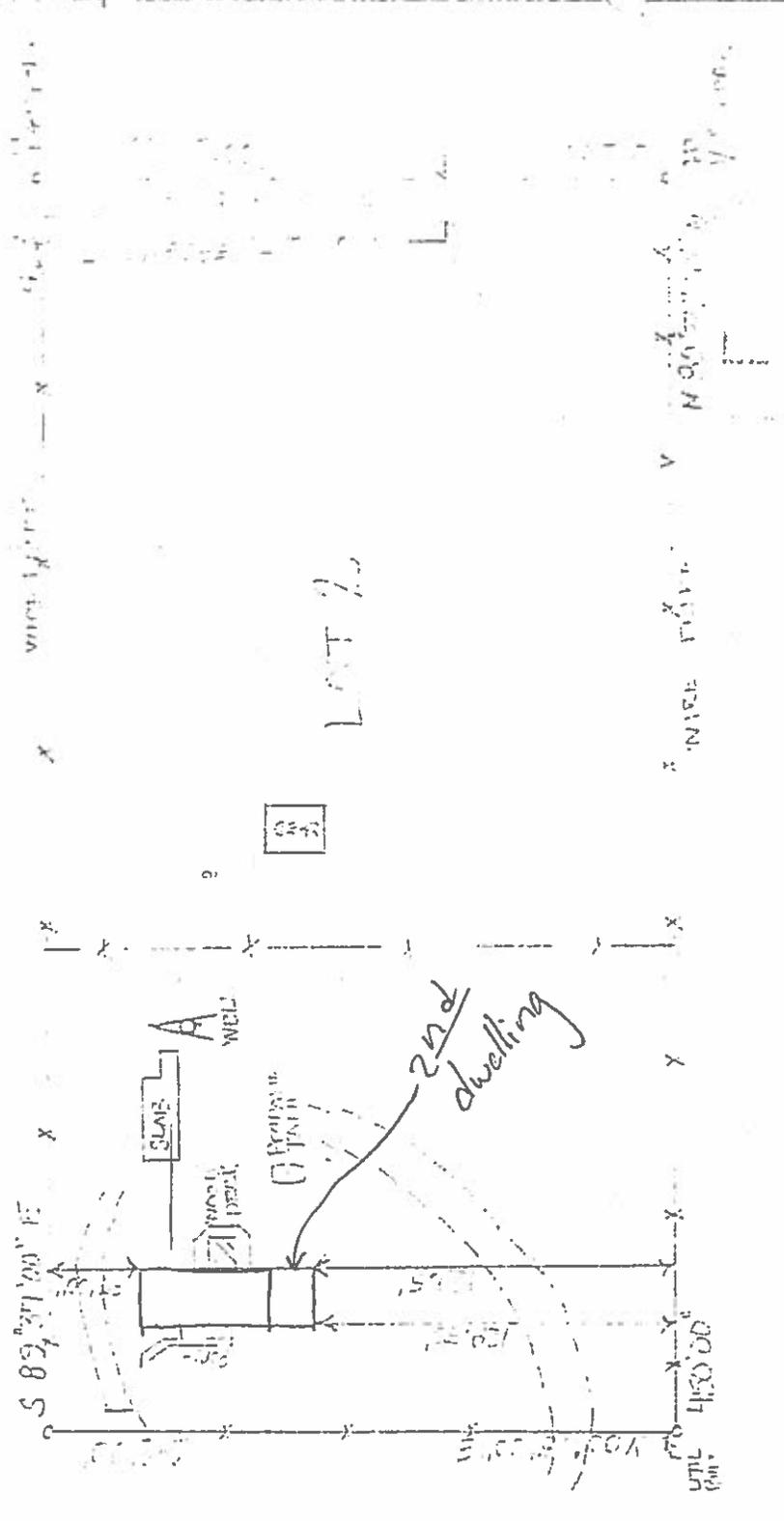
All height variance requests for land located with approach, Transitional, Horizontal and Conical surfaces as described within Map #31 A, incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the

EXHIBIT

4.



LOT 2

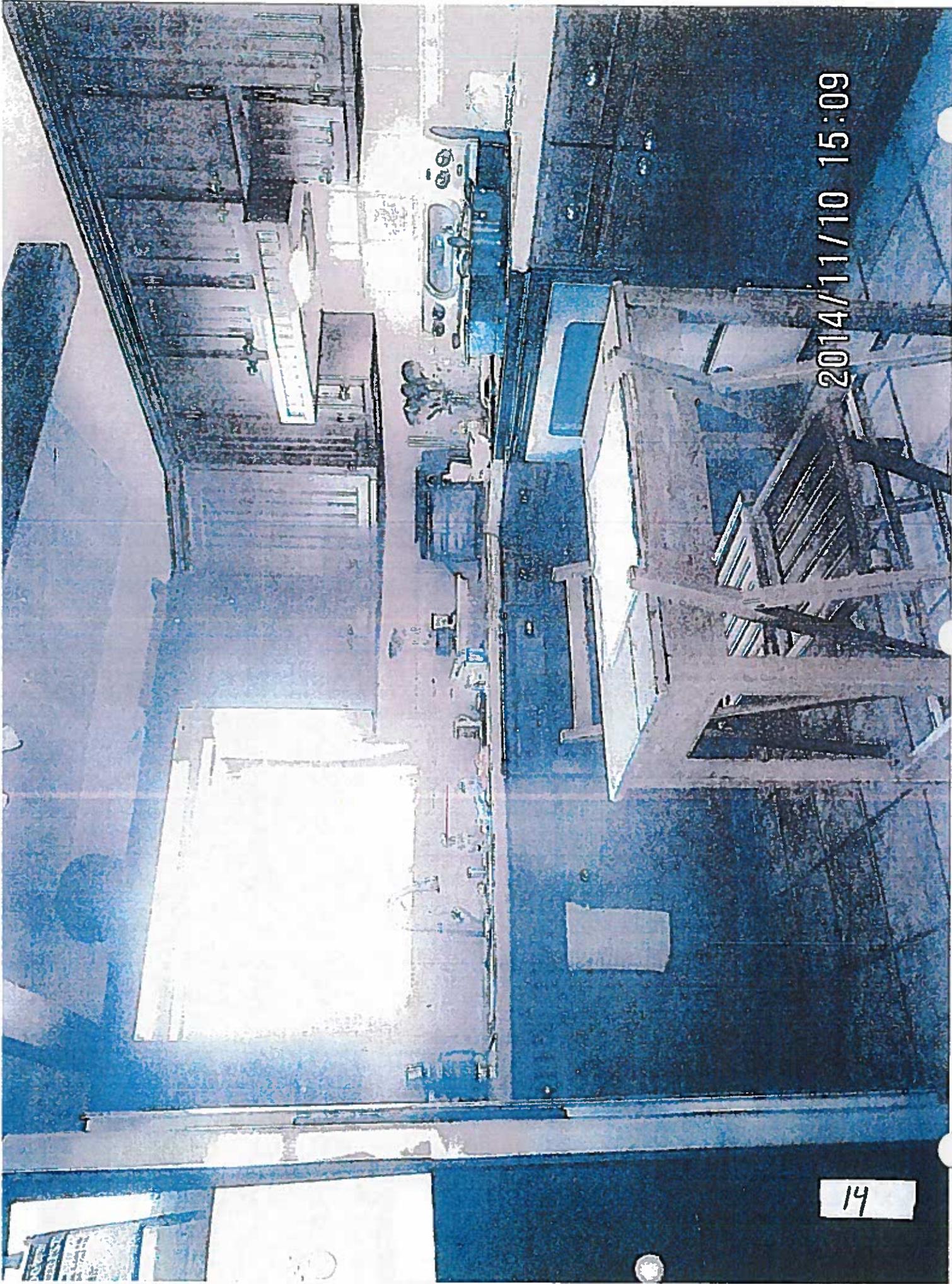


LOT 1

SCALE: 3/16" = 1'-0"
OCTOBER 2004

VISTA LAND SUBDIVISION
SANTA FE COUNTY, N.M.

tabbies
EXHIBIT
5.



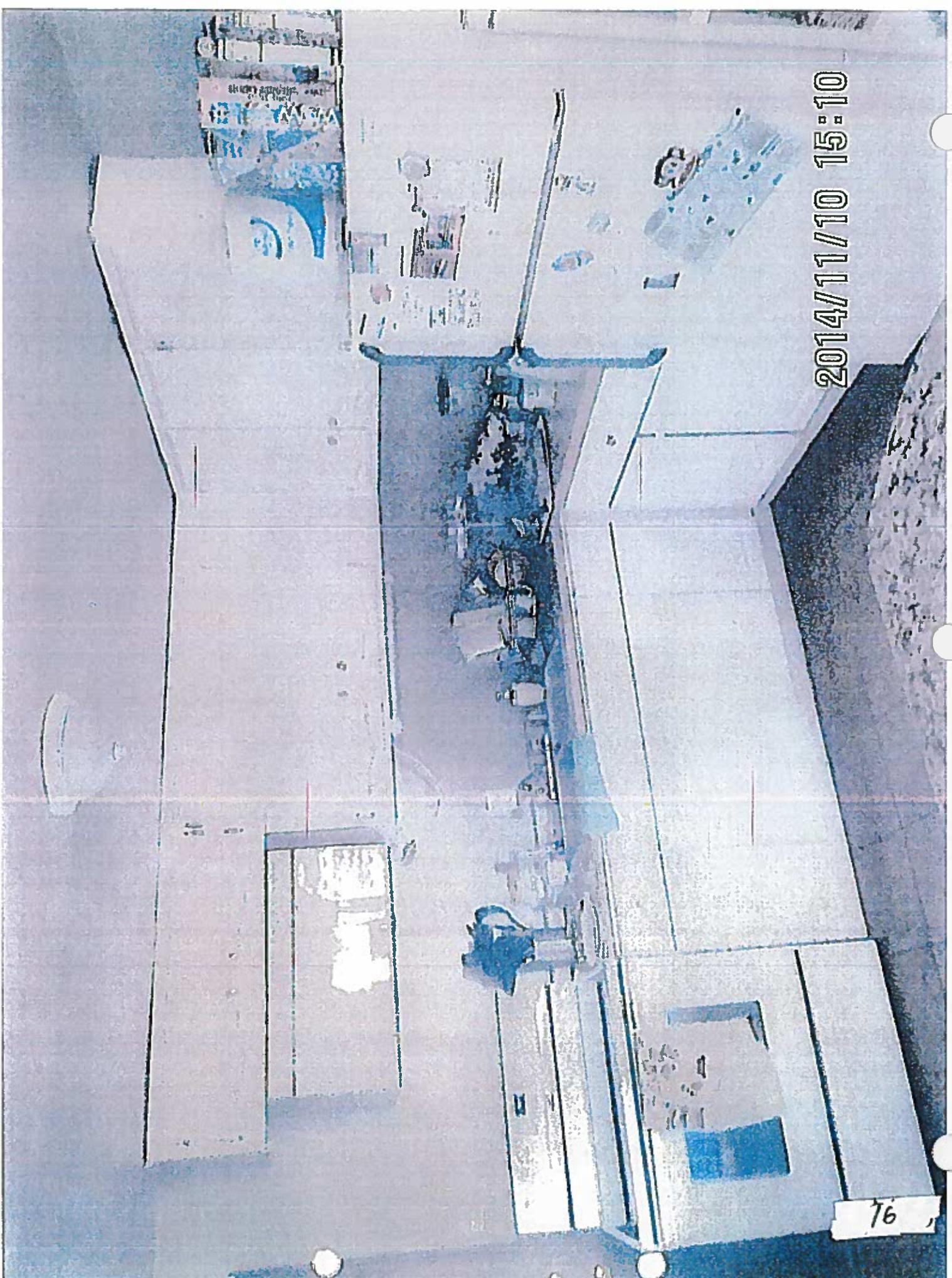
2014/11/10 15:09

14



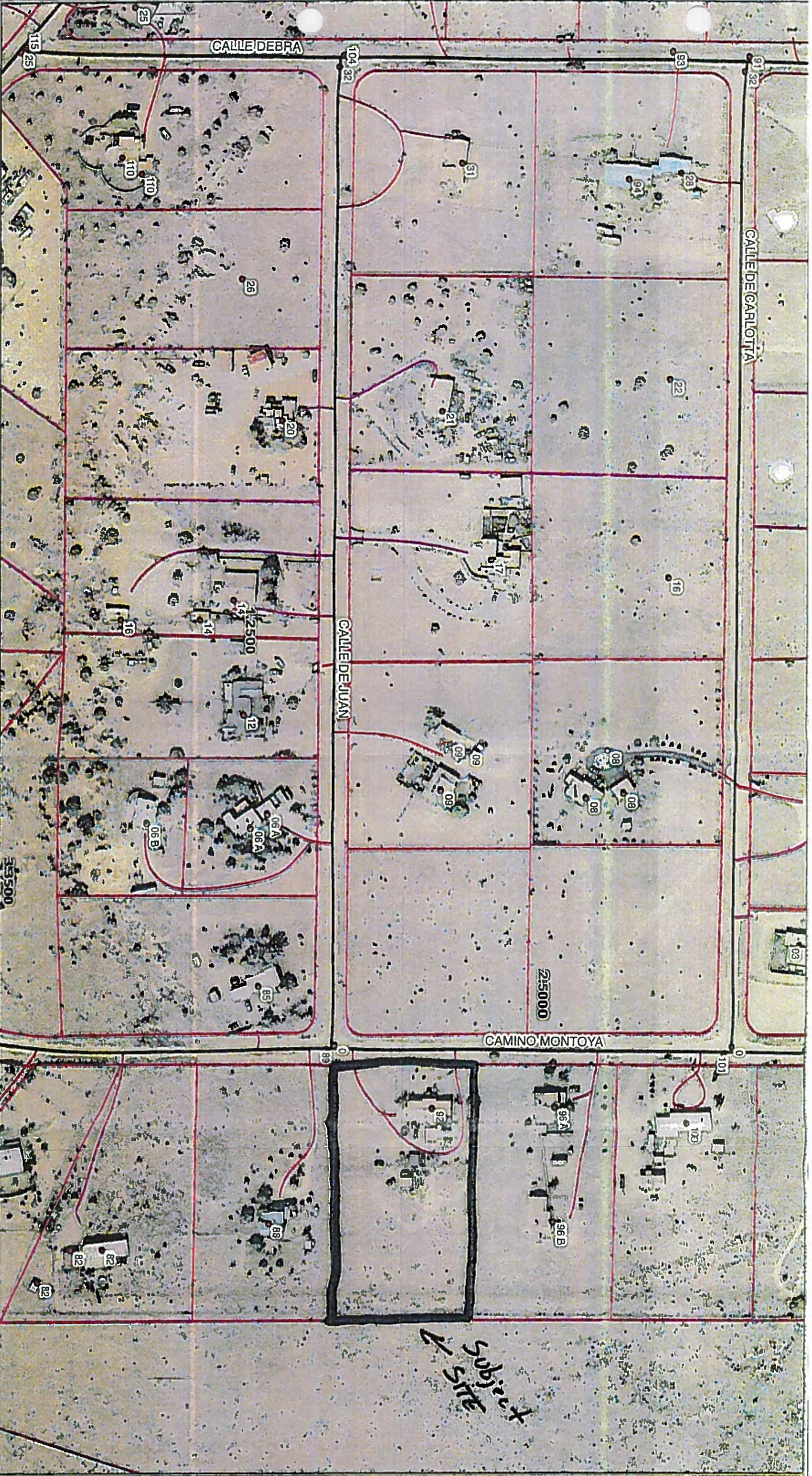
2014/11/10 15:10

15



2014/11/10 15:10

76



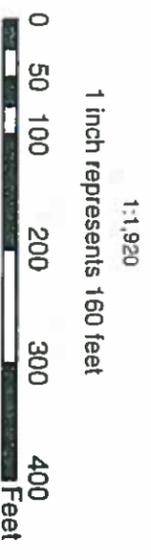
Legend

-  ROADS
-  DRIVEWAYS
-  PARCELS

tabbles®

EXHIBIT

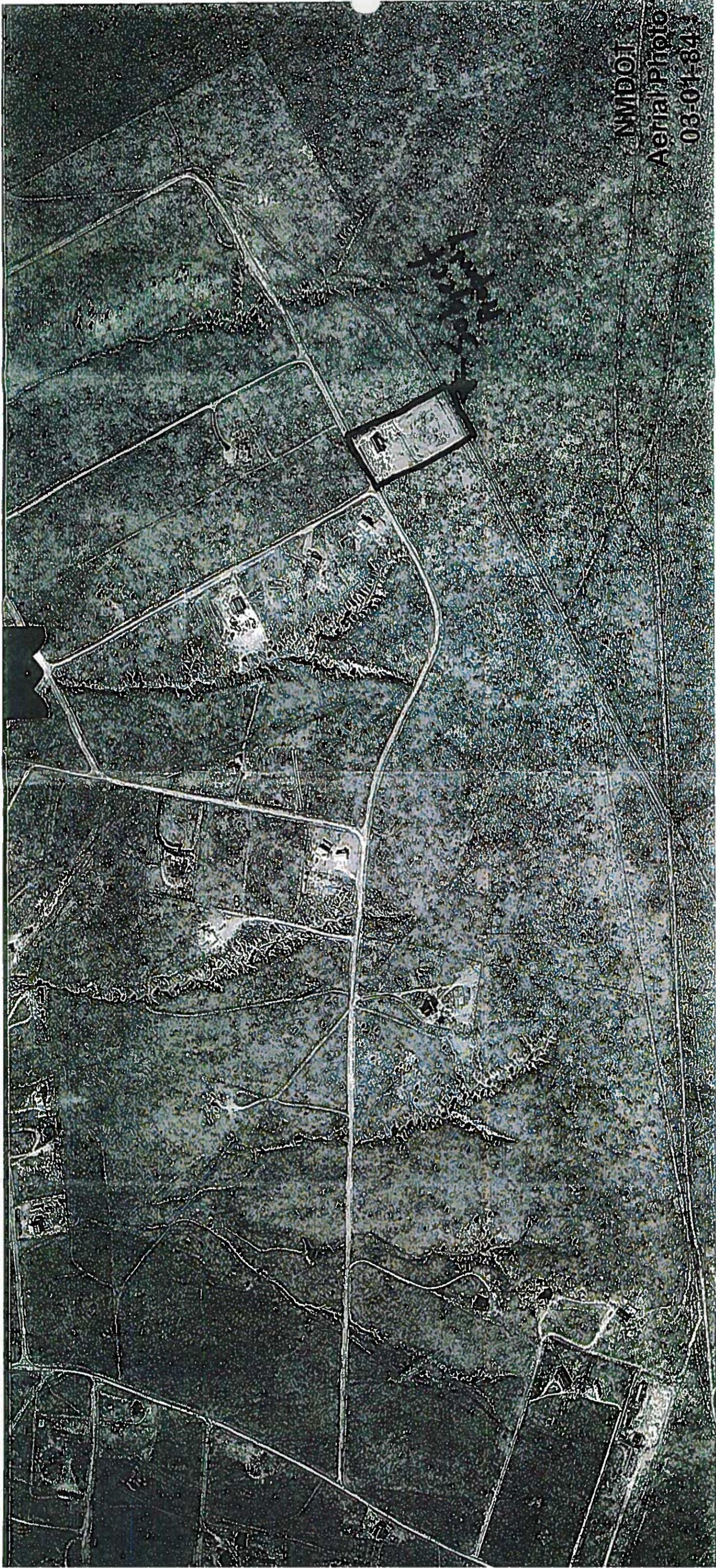
7



Word Imagery
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for errors associated with the use of these data.
User are solely responsible for confirming data accuracy.

Subj. site



NMDOT
Aerial Photo
03-01-84



18

EXHIBIT
8.

SANTA FE COUNTY

DEVELOPMENT PERMIT APPLICATION

CONTROL # 01-1562 APPLICATION DATE _____ ISSUE DATE _____

APPLICANT INFORMATION

OWNER NAME: Luis & Rosa J. Rodriguez
(LAST) (FIRST) (MIDDLE)

MAILING ADDRESS: 92 Camino Montoya Santa Fe NM 87507
STREET OR P.O. NUMBER CITY STATE ZIP

HOME PHONE (505) 438-4731 WORK PHONE (505) 982-8738

AGENT / CONTRACTOR NAME: HOME OWNER / SAME AS ABOVE
(LAST) (FIRST) (MIDDLE)

AGENT / CONTRACTOR ADDRESS: _____
STREET OR P.O. NUMBER CITY STATE

AGENT HOME PHONE () _____ WORK PHONE () _____

PROPERTY INFORMATION

COUNTY RURAL ADDRESS: SAME AS ABOVE
This address is available from the Santa Fe County Rural Addressing Dept. 466-6330

PROPERTY LOCATION ID: 65253390 TAXES PAID: (Y/N) Y ACREAGE: 2.5

LEGAL DESCRIPTION - Twpshp: 16 N Range: 8 Section: 21 01 02 03

Subdivision: _____

Grant/Claim _____ Unit: _____ Tract: _____ Block: _____ Lot: _____

DEED RECORDED AS - Deed Book 1956 Page: 897 PLAT RECORDED AS: Plat book 35 Page 4
Date Recorded Aug 13 2001 Date Recorded April 21 1974

PROJECT INFORMATION

DESCRIPTION: Addition PROJECT TYPE: B P R A

TOTAL NEW ROOFED AREA TO BE CONSTRUCTED: 336 Sq.Ft.

BUILDING MATERIAL: Frame

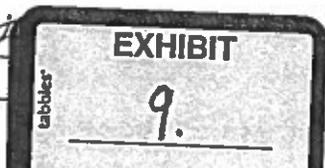
PROJECT VALUATION (from appraisal): \$ 5,000.00 # EXISTING LOTS: 1

EXISTING STRUCTURES: 1 TOTAL EXISTING BLDG. SQ. FT.: 1975

EXISTING USE(S): M/H

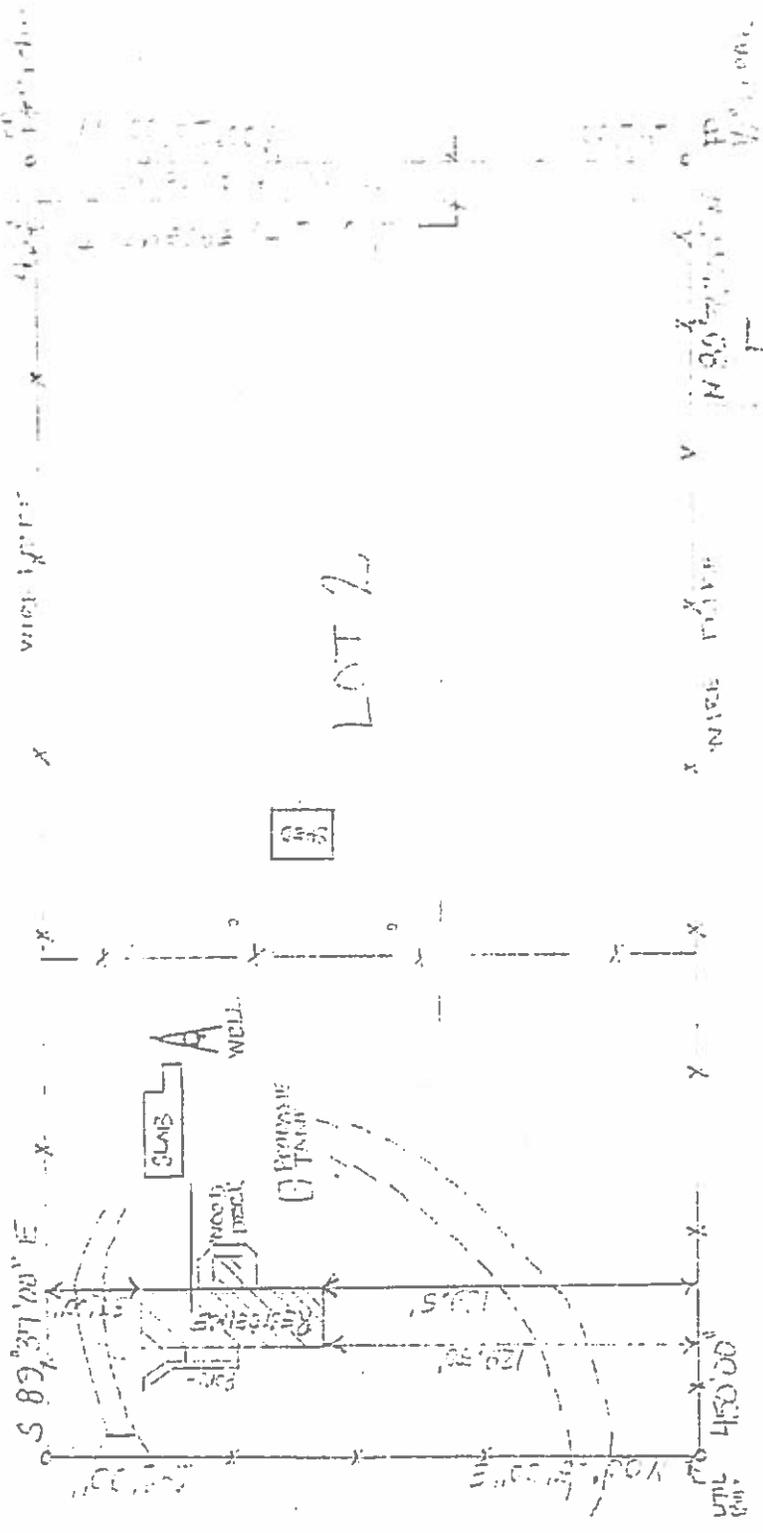
OF THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

APPLICANT SIGNATURE Luis Rodriguez DATE 11-2-01





LOT 3



LOT 1

SCALE: 3/11" = 1' 11"

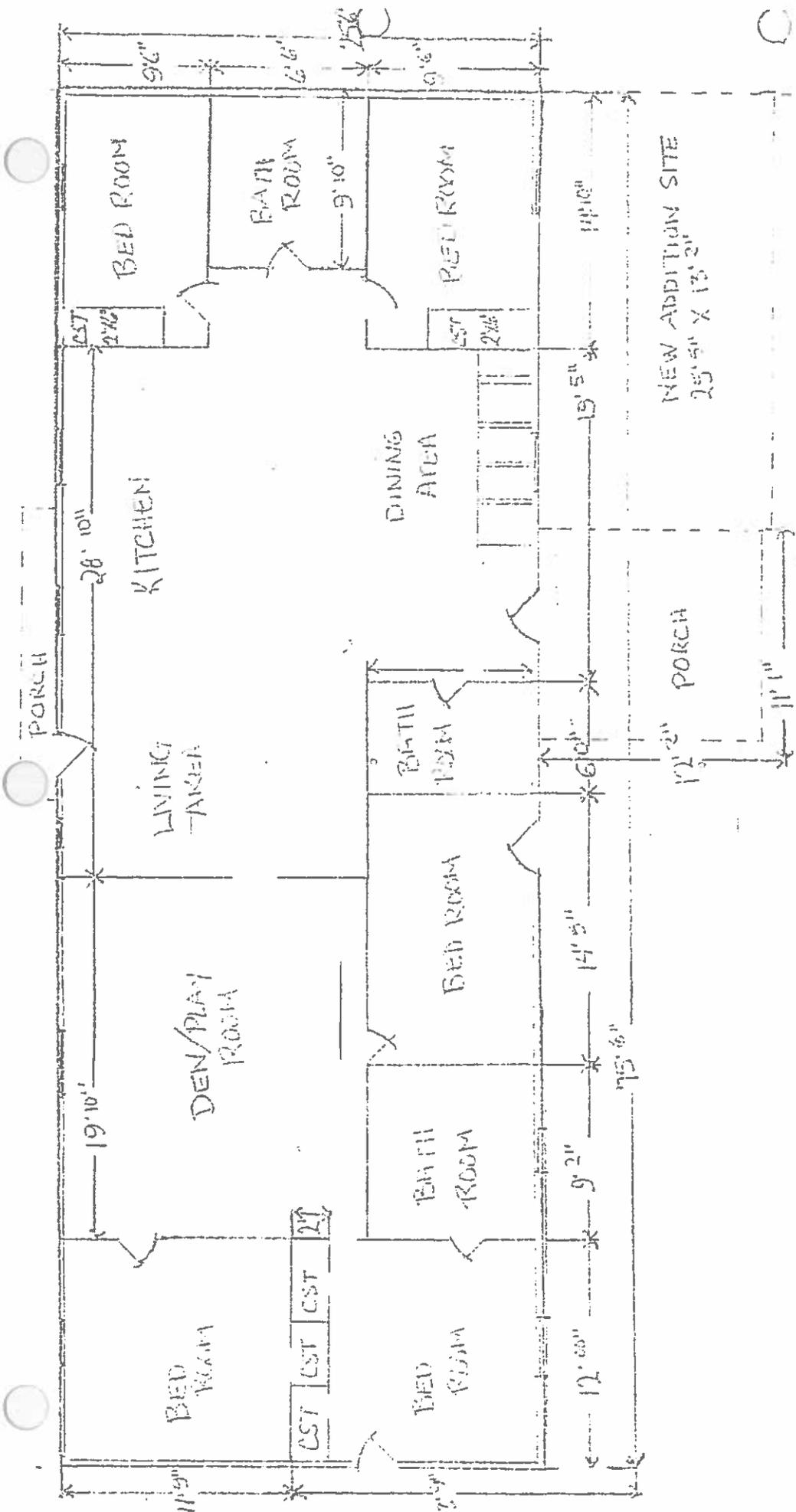
OCTOBER 21, 2001

VISTA LAND SUBDIVISION

SANTA FE COUNTY, N.M.

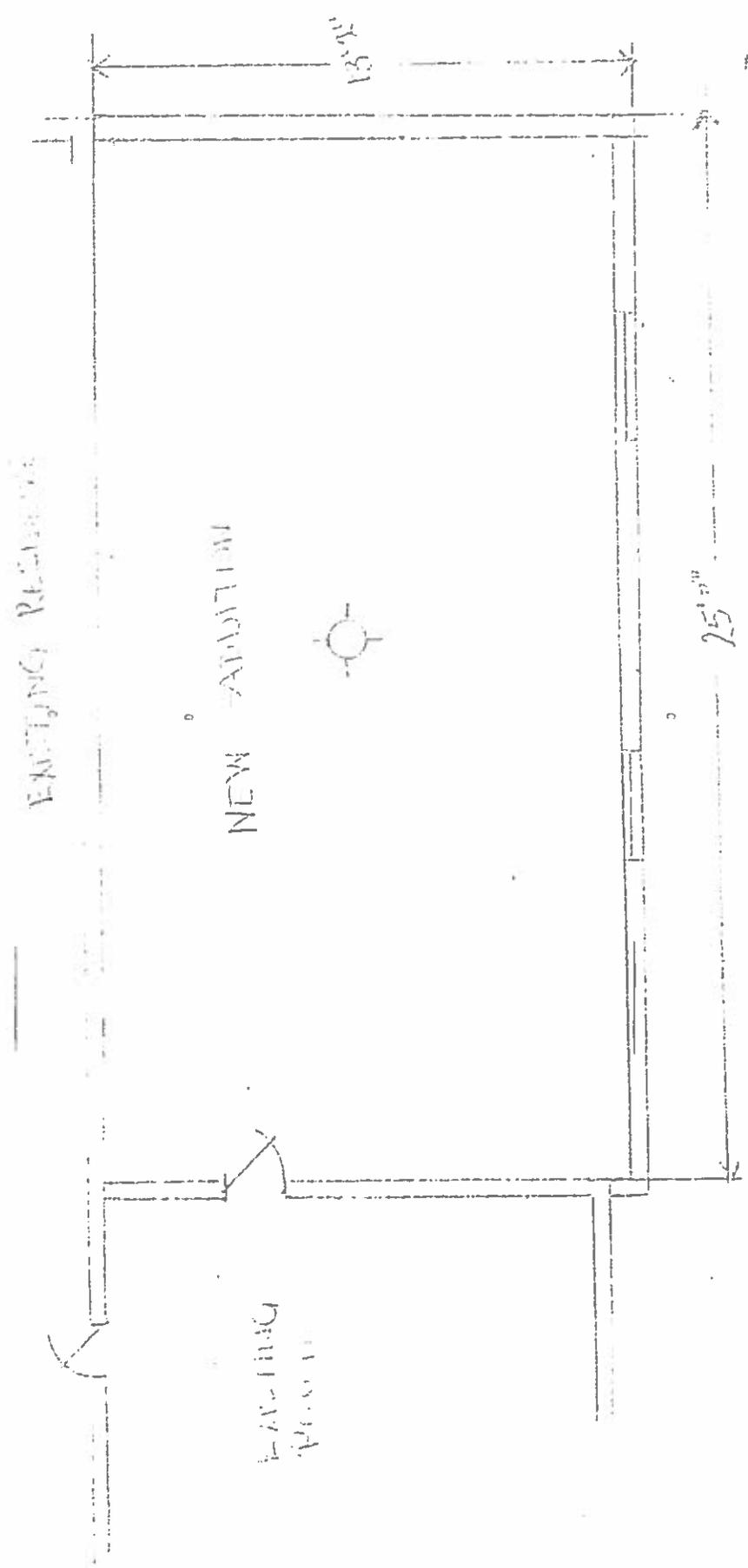
EDRIND MATH

SITE PLAN



21

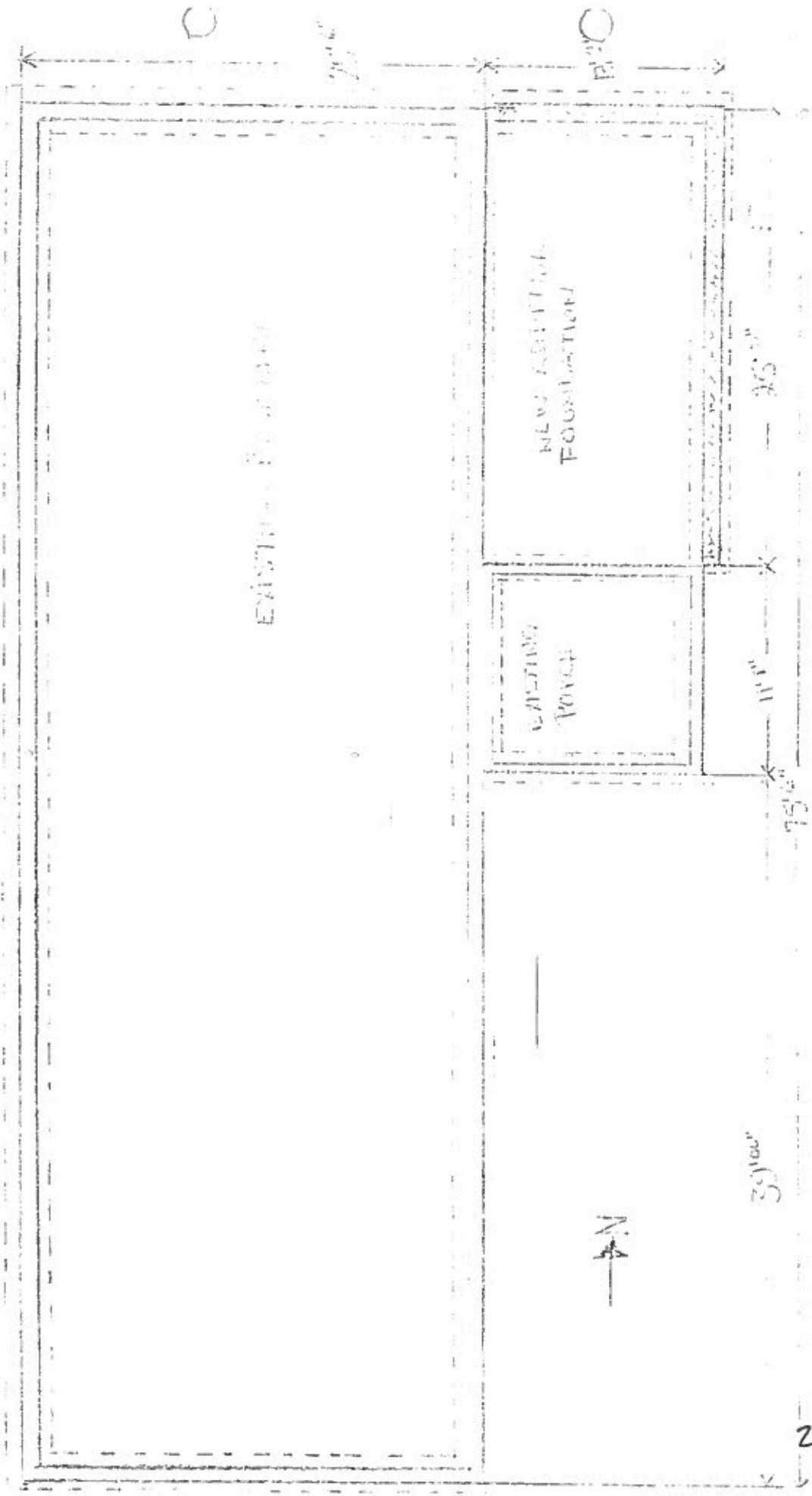
| | | |
|--|--|--------------------------------------|
| RODRIGUEZ RESIDENCE EXISTING RESIDENCE FLOOR PLAN | VISTA LAND SUBDIVISION SANTA FE COUNTY N.M. | SCALE: 1/8" = 1' OCTOBER 24, 2001 |
|--|--|--------------------------------------|



22

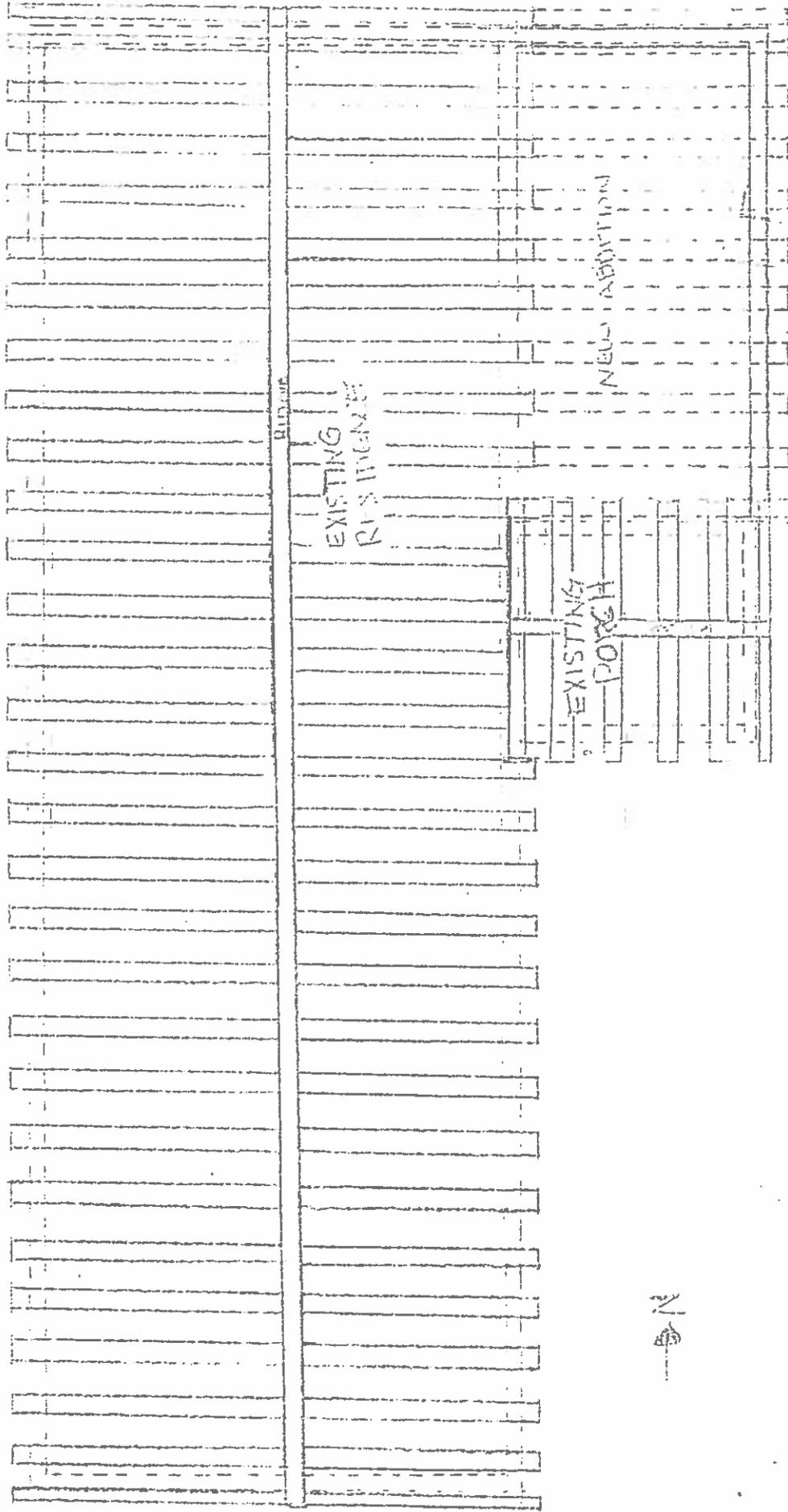
✓

| | | |
|---|---|------------------------------------|
| SECTION 2, RESUBDIVISION NEW AUSTON FLOOY PLAT | VISTA LAND SUBDIVISION SANTA FE COUNTY, N.M. | SCALE 1/4" = 1' OCTOBER 2, 1941 |
|---|---|------------------------------------|



N

| | | |
|-------------------------|------------------------|------------------|
| RODRIGUEZ, VICTOR J. | VISTA LAND SUBDIVISION | SCALE 1/8" = 1' |
| EXISTING FOOTPRINT | SANTA FE COUNTY, N.M. | OCTOBER 24, 2001 |
| NEW ASSULTIVE FOOTPRINT | | |



24

TRAVELING

SCALE: 1/8" = 1'

VISTA LAND SUBDIVISION
SANTA FE COUNTY, N.M.

RODRIGUEZ RESIDENCE
EXISTING & ADDITION 1906

OCTOBER 24, 2000

GOYER

RIDGE

RIDGE

GUTTER

RIDGE

GUTTER

25

RODRIGUEZ RESIDENCE

RODRIGUEZ DIAGRAM

VISTA LAND SUBDIVISION

SANTA FE COUNTY, N.M.

SCALE: 1/8" = 1'

OCTOBER 24, 2001

✓

