

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: June 1, 2016

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 VZ for
Vicki Lucero, Building and Development Services Manager VZ
Wayne Dalton, Building and Development Services Supervisor WD

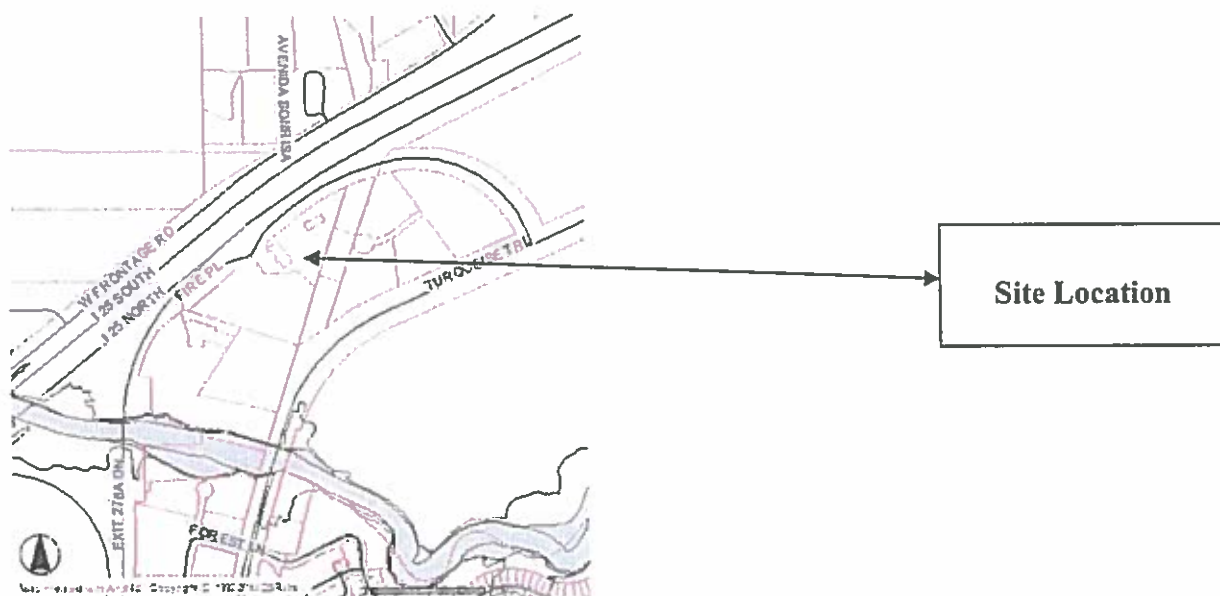
FILE REF.: BCC CASE #MIS 16-5130 Santa Fe Brewing Co. Small Brewers License

ISSUE:

Santa Fe Brewing Co., Applicant, requests approval to expand the on premise alcohol consumption area by over 25% of the consumption area under their current small brewer's license.

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:

The Applicant requests approval to expand the on premise consumption area by over 25% of an existing small brewer's license located at 35 Fire Place.

On November 9, 2004, the Board of County Commissioners (BCC) 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.

On January 13, 2015, the BCC approved a Master Plan Amendment, Preliminary and Final Development Plan approval to allow a 47,000 square foot expansion to an existing brewing facility. This approval allows the Applicant to expand their brewer's license into the new bottling facility as well as extend the on premise consumption area to include the adjoining lot with the restaurant.

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. The Liquor Control Act requires the Board of County Commissioners (BCC) to conduct a public hearing on the request to grant a Restaurant Beer and Wine Liquor License. In accordance with the Liquor Control Act the BCC may disapprove the issuance of the license if the location is within three hundred feet of any church or school; the issuance would be in violation of zoning or an ordinance; or the issuance would be detrimental to public health, safety or morals of the residents of the local option district.

Legal notice of this request has been published in accordance with the Liquor Control Act by publishing notice before the hearing twice in the Santa Fe New Mexican on May 15, 2016 and May 22, 2016.

This Application was submitted on April 28, 2016.

Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the following facts to support this submittal: the Board of County Commissioners approved the Master Plan on two occasions for 35 and 37 Fire Place which allowed a brewing facility and restaurant as permitted uses under Ordinance 1996-10; the Applicant has met the State of New Mexico requirements for noticing; the brewery is .8 miles from the nearest church and 2.8 miles from the nearest school; and the Liquor License will not be detrimental to the public health, safety or morals of the residents.

APPROVAL SOUGHT: Approval to expand a small brewer's license on premise consumption area by over 25%.

**GROWTH MANAGEMENT
AREA:**

Community College District Overlay, SDA-1

AGENCY REVIEW:

Agency

NM Alcohol & Gaming

Recommendation

Preliminary Approval

Distance from nearest Church – .8 miles

Distance from nearest School – 2.8 miles

STAFF RECOMMENDATION: Approval to expand a small brewer's license on premise consumption area by over 25%.

EXHIBITS:

- 1- Letter of Intent
- 2- Zoning Statement
- 3- Site Plan
- 4- Alcohol and Gaming Division Letter of Preliminary Approval
- 5- Aerial of Site
- 6- County Business License



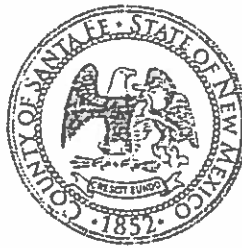
Letter of Intent

Santa Fe Brewing Co. is applying for a Small Brewer License to cover the entire site located at 37 and 35 Fire Place, Santa Fe, NM. — 87508. This license is intended to cover the expanded production buildings, the new Tasting Room, the Barrel Cave, the Beer Garden, and the event space known as “The Bridge” at Santa Fe Brewing Co. Hours of operation for the new tasting room, once complete, will be Monday through Saturday 11:00 AM to 10:00 P.M. and Sunday 12:00 noon to 8:00 P.M. Hours of operation for the Barrel cave, once complete, will be Friday and Saturday 4:00 P.M. to 10:00 P.M. closed Sunday through Thursday. Hours of operation for The Bridge at Santa Fe Brewing Co. will be dependent on private party rentals but are anticipated to be Tuesday through Saturday 4:00 P.M. to 12:00 A.M. and Sunday 12:00 noon to 10:00 P.M. There will not be a full service restaurant on site, instead food trucks will be parked to offer patrons something to eat during normal business hours.

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County Manager

April 22, 2015

Santa Fe Brewing
35 Fire Place
Santa Fe, New Mexico 87508

Re: Zoning Statement for the Santa Fe Brewing Co. Expansion located at 35 (Lot 1-A) & 37 (Lot 2-A) Fire Place.

Mr. Brian Lock:

This office has been asked to provide a zoning statement with respect to the above referenced property.

The zoning for the property located at 35 & 37 Fire Place is regulated by Ordinance No. 2015-11, the Sustainable Land Development Code (SLDC), Chapter 8, Section 8.10.3, Planned District Santa Fe Community College District (CCD) and Chapter 14, Section 14.10 Non-Conforming Uses. The site is zoned as Employment Center (CCD-EC).

The previous zoning of these properties under Ordinance 1996-10 (the Land Development Code) allowed liquor stores, bars, lounges and pubs which allowed for a Small Brewers License.

Chapter 14, Section 14.10.2 of the SLDC, Continuation Permitted states:

Any nonconformity that legally existed on the date of adoption of this SLDC or the original Santa Fe County Land Development Code, effective January 1, 1981, together with all amendments thereto; or that becomes non-conforming upon the adoption of any amendments to this SLDC or as a result of condemnation may be continued in accordance with the provisions of this article.

The nonconformity of the historic use and prior zoning approval as a Small Brewer serving alcohol meets the criteria set forth in Chapter 14, Section 14.10.2 of the SLDC.

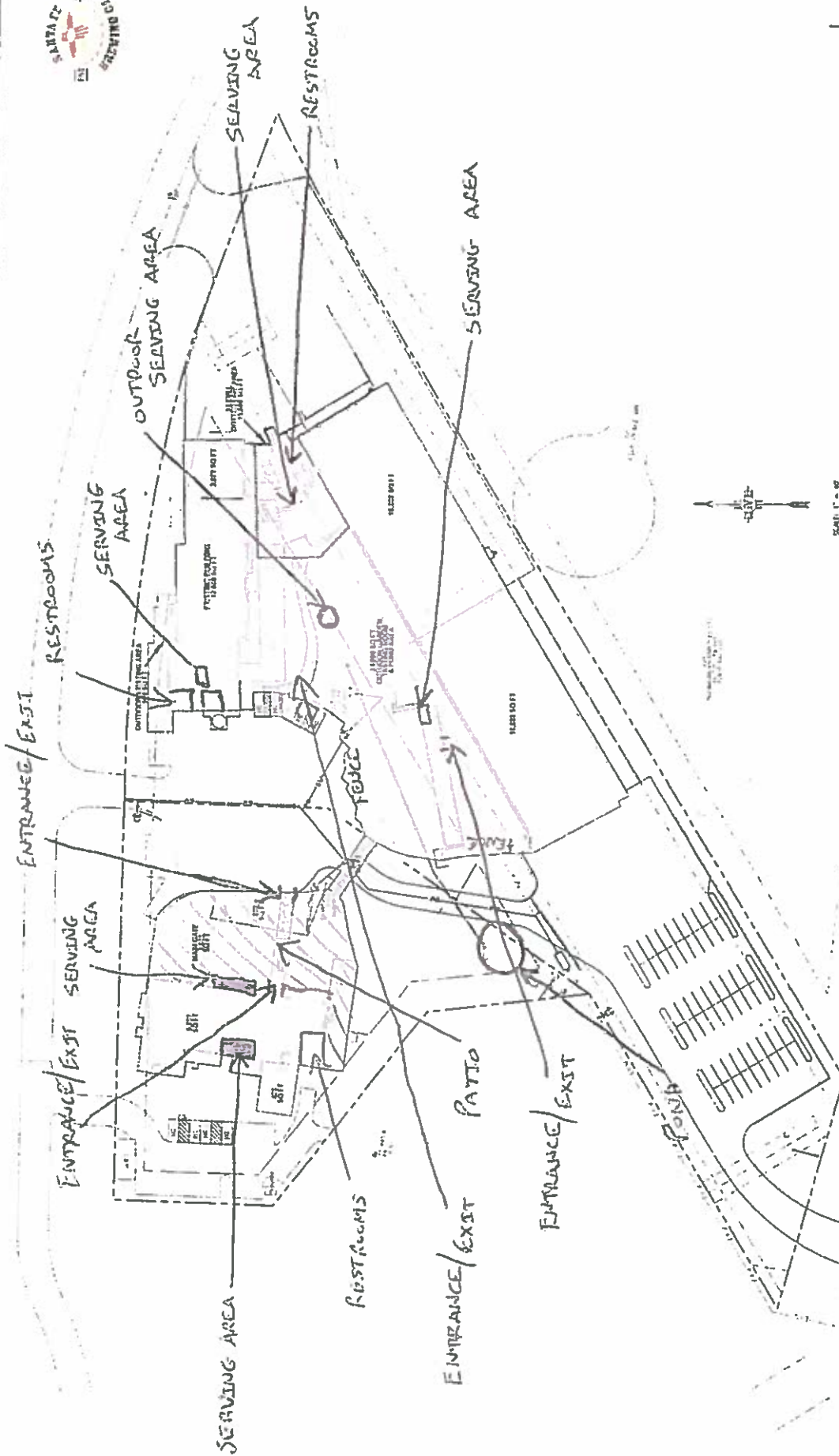
Sincerely,


Vicki Lucero

Building and Development Services Manager

Cc; Jose E. Larrañaga, Development Review Team Leader

102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:
505 986 3740



SANTA FE BREWING CO. SQUARE FOOTAGE
PARK HATCH AREA - FENCED LICENSING AREA

USE	AREA	FOOTAGE
Bar	1,000	1,000
Restrooms	500	500
Storage	1,000	1,000
Truck Dock	1,000	1,000
Truck Drive	1,000	1,000
Truck Parking	1,000	1,000
Truck Loading	1,000	1,000
Truck Unloading	1,000	1,000
Truck Wash	1,000	1,000
Truck Storage	1,000	1,000
Truck Service	1,000	1,000
Truck Maintenance	1,000	1,000
Truck Repair	1,000	1,000
Truck Inspection	1,000	1,000
Truck Insurance	1,000	1,000
Truck Financing	1,000	1,000
Truck Rentals	1,000	1,000
Truck Parts	1,000	1,000
Truck Accessories	1,000	1,000
Truck Supplies	1,000	1,000
Truck Services	1,000	1,000
Truck Equipment	1,000	1,000
Truck Tools	1,000	1,000
Truck Vehicles	1,000	1,000
Truck Trailers	1,000	1,000
Truck Containers	1,000	1,000
Truck Tanks	1,000	1,000
Truck Pumps	1,000	1,000
Truck Valves	1,000	1,000
Truck Fittings	1,000	1,000
Truck Flanges	1,000	1,000
Truck Bolts	1,000	1,000
Truck Nuts	1,000	1,000
Truck Washers	1,000	1,000
Truck Brushes	1,000	1,000
Truck Cleaners	1,000	1,000
Truck Degreasers	1,000	1,000
Truck Polishers	1,000	1,000
Truck Buffers	1,000	1,000
Truck Waxes	1,000	1,000
Truck Sealants	1,000	1,000
Truck Adhesives	1,000	1,000
Truck Coatings	1,000	1,000
Truck Paints	1,000	1,000
Truck Inks	1,000	1,000
Truck Dyes	1,000	1,000
Truck Pigments	1,000	1,000
Truck Additives	1,000	1,000
Truck Extenders	1,000	1,000
Truck Thickeners	1,000	1,000
Truck Gelatins	1,000	1,000
Truck Stabilizers	1,000	1,000
Truck Emulsifiers	1,000	1,000
Truck Surfactants	1,000	1,000
Truck Preservatives	1,000	1,000
Truck Antioxidants	1,000	1,000
Truck Flavors	1,000	1,000
Truck Fragrances	1,000	1,000
Truck Essences	1,000	1,000
Truck Extracts	1,000	1,000
Truck Oils	1,000	1,000
Truck Butters	1,000	1,000
Truck Cheeses	1,000	1,000
Truck Meats	1,000	1,000
Truck Fishes	1,000	1,000
Truck Eggs	1,000	1,000
Truck Dairies	1,000	1,000
Truck Grains	1,000	1,000
Truck Legumes	1,000	1,000
Truck Nuts	1,000	1,000
Truck Seeds	1,000	1,000
Truck Fruits	1,000	1,000
Truck Vegetables	1,000	1,000
Truck Herbs	1,000	1,000
Truck Spices	1,000	1,000
Truck Blends	1,000	1,000
Truck Compounds	1,000	1,000
Truck Mixtures	1,000	1,000
Truck Formulations	1,000	1,000
Truck Recipes	1,000	1,000
Truck Methods	1,000	1,000
Truck Procedures	1,000	1,000
Truck Techniques	1,000	1,000
Truck Arts	1,000	1,000
Truck Crafts	1,000	1,000
Truck Industries	1,000	1,000
Truck Businesses	1,000	1,000
Truck Companies	1,000	1,000
Truck Organizations	1,000	1,000
Truck Unions	1,000	1,000
Truck Laborers	1,000	1,000
Truck Workers	1,000	1,000
Truck Employees	1,000	1,000
Truck Managers	1,000	1,000
Truck Owners	1,000	1,000
Truck Investors	1,000	1,000
Truck Partners	1,000	1,000
Truck Suppliers	1,000	1,000
Truck Distributors	1,000	1,000
Truck Retailers	1,000	1,000
Truck Wholesale	1,000	1,000
Truck Export	1,000	1,000
Truck Import	1,000	1,000
Truck Trade	1,000	1,000
Truck Commerce	1,000	1,000
Truck Economy	1,000	1,000
Truck Society	1,000	1,000
Truck Culture	1,000	1,000
Truck History	1,000	1,000
Truck Future	1,000	1,000
Truck Present	1,000	1,000
Truck Past	1,000	1,000

SCALE: 1" = 50'
UNITS: FEET, INCHES, AND FEET 1/2"





New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • 2550 Cerrillos Road • Santa Fe, New Mexico 87505
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us

May 3, 2016

Certified Mail No.: 9171 9690 0935 0078 6756 26

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

David Jablonski
DEPUTY
SUPERINTENDENT

Diana A. Martwick
CHIEF GENERAL
COUNSEL

Mary Kay Root
DIRECTOR

Jose E. Larrañaga
Commercial Development Case Manager
Building and Development Services
Santa Fe County
102 Grant Avenue, Box 276
Santa Fe, NM, 87504

Re: License No. / Appl. No.: **Appl. No. 987483**
Applicant Name: **Santa Fe Brewing Co.**
Doing Business As: **Santa Fe Brewing Co.**
Proposed Location: **35 Fire Place**
Santa Fe, NM 87508

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the inherent conflict between the new 30 day notice and the existing 45 day hearing requirement. Extensions to the 45-day hearing requirement will be granted when necessary to allow for compliance with the 30 day notice. Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A SMALL BREWERS LICENSE WITH ON PREMISE CONSUMPTION AND PACKAGE SALES. THE APPLICANT

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4644

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4895

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

CURRENTLY HAS A SMALL BREWERS LICENSE AT THIS LOCATION BUT WILL BE EXPANDING THE PREMISE BY OVER 25%.

The governing body may disapprove the issuance or transfer of the license if:

- 1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
- 2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval.
- 3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may give Final Approval to the issuance or transfer of the license.

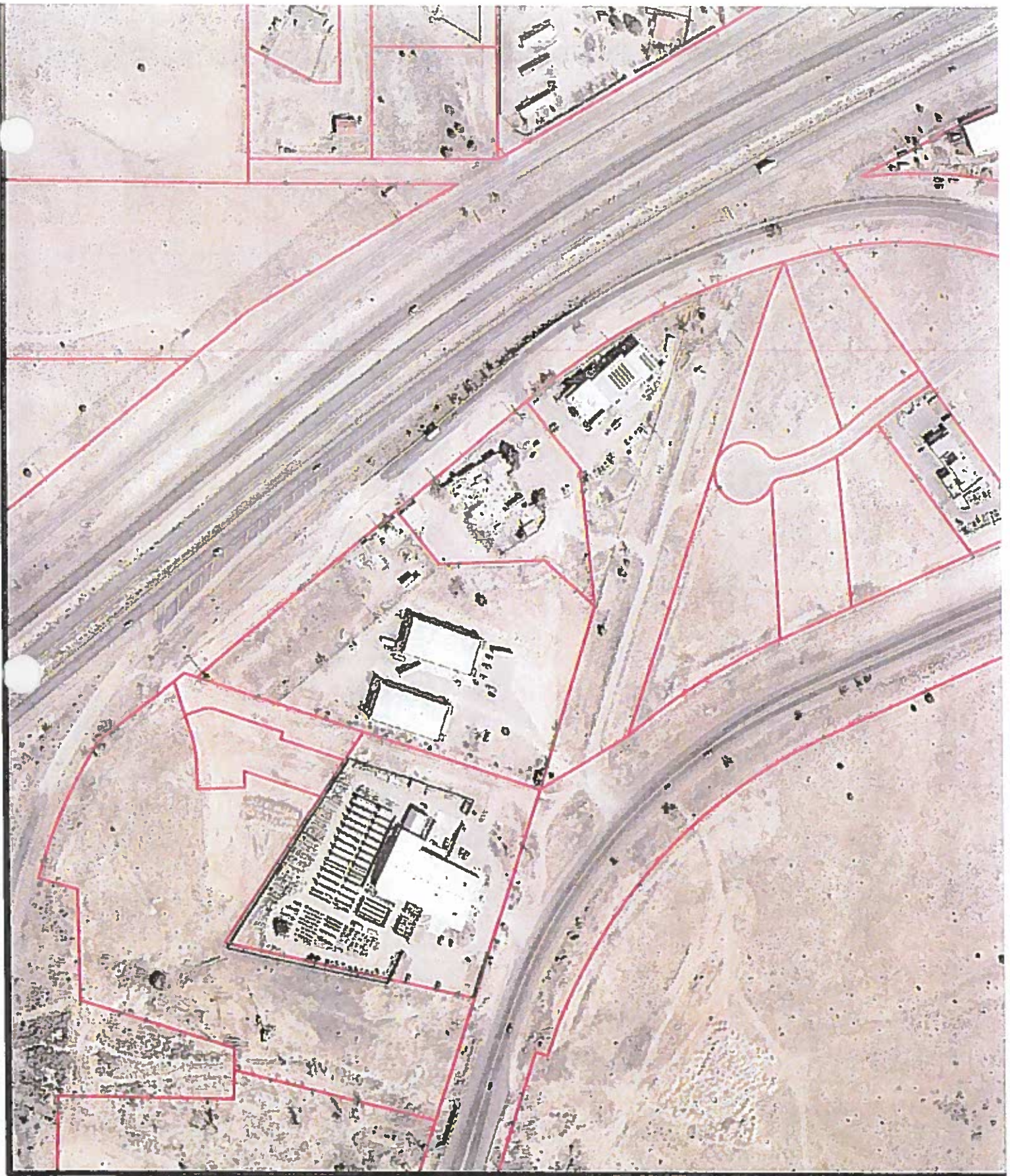
If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

Sincerely,



Rose L. Garcia
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4552
Fax: 505-476-4595
Email: rosel.garcia@state.nm.us

Enclosures: Original Page 1 of Application
Copy of Page 2 of Application
Floor Plan
Zoning Statement



- Legend**
-  ROADS
 -  DRIVEWAYS
 -  STRUCTURES
 -  PARCELS



1 inch Represents 250 feet

210 105 0 210 Feet



2008 Orthophotography
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.



June 1, 2016

COMMERCIAL Registration

Registration No: 12034

Permit No: 96-4380

Permit Type: COMMERCIAL

State of New Mexico, County of Santa Fe

WHEREAS, BRIAN LOCK, a resident of P. O. BOX 29773, SANTA FE, NM 87592

County and State aforesaid, and one of the members of the firm known as SANTA FE BREWING COMPANY

has made application for registration as COMMERCIAL ; therefore

Registration Has Been Granted

to the said SANTA FE BREWING COMPANY to carry on said business at

35 FIRE PLACE, SANTA FE, NM 87508

in said County and State for a period of 12 months, commencing on the 1 day of January, 2016

and ending on the 31 day of December, 2016, under the provisions of the law in such cases made and provided.

In Witness Whereof, I have hereunto set my hand and affixed the seal

of the Treasurer, at Santa Fe, N.M., this 1

day of January 2016



SANTA FE COUNTY TREASURER

16,070

