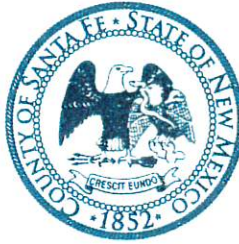


**Henry P. Roybal**  
Commissioner, District 1

**Anna Hansen**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Anna T. Hamilton**  
Commissioner, District 4

**Ed Moreno**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**DATE:** September 21, 2017

**TO:** Santa Fe County Planning Commission

**FROM:** Jose E. Larrañaga, Development Review Team Leader *jet*

**VIA:** Penny Ellis-Green, Growth Management Director *peg*  
Vicki Lucero, Building and Development Services Manager *VL*

**FILE REF.:** CASE # CUP 17-5080 Tumbleroot Brewing LLC Conditional Use Permit

**ISSUE:**

Tumbleroot Brewing LLC, Jason Kirkman/Jason Fitzpatrick, Applicants, request approval of a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits. Tumbleroot Brewing will occupy an existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product and a small tasting room. The site is within the Planned Development District Santa Fe Community College District (CCD) and zoned as Employment Center (CCD-EC). The site is located at 32 Bisbee Court via Hwy 14 within T16N, R8E, Section 24, SDA-1, (Commission District 5).

**Vicinity Map:**



## **SUMMARY:**

The Applicants are requesting approval of a Conditional Use Permit (CUP) to allow a manufacturing use within an existing structure. (Exhibit 1) The manufacturing will consist of a small production brewery and distillery. The site is within the Planned Development District Santa Fe Community College District (CCD), Employment Center (CCD-EC) of the Sustainable Land Development Code (SLDC) and is within the Turquoise Trail Business Park. Table 8.44: CCD Use Table illustrates manufacturing plants as a Conditional Use which is a permitted use within the Employment Center Subdistrict upon approval of a conditional use permit.

The Applicants propose to utilize the existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product, and a small tasting room. Table 8.44: CCD Use Table illustrates a Tap or Tasting Room, warm and cold storage, and the sales of beer, wine, and liquor for off premises consumption as a permitted use within the Employment Center Subdistrict upon approval by the Land Use Administrator.

The Applicants propose to make minor modifications to the interior of the structure to meet the needs of the brewing facility. The exterior of the existing structure as well as the parking and access will not be altered. The lot is built out and most site improvements are existing (established by prior business). Limited outdoor development is proposed. (Exhibit 2)

On July 27, 2017, this application for a Conditional Use Permit was presented to the Hearing Officer for consideration. The Hearing Officer supported the Application as memorialized in the findings of fact and conclusions of law written order (Exhibit 13), subject to the following condition:

1. The CUP showing the site layout and any other conditions that may be imposed through the approval process shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.6.8.

Chapter 8, Section 8.10.3.13, Employment Center Subdistrict Development Standards (CCD-EC) states:

The Employment Center Subdistrict is intended to accommodate mixed uses, where large scale employers, anchor businesses and light industry can locate in support of New Community Center Subdistrict development...The Employment Center Subdistrict provides a concentrated planned multi-use environment for light industrial and business uses. Retail uses may be included as necessary to support the needs of anchor employees. (Exhibit 3)

Table 8.44: Use Table Labels, states, a conditional use "is permitted within the zoning district only after review and approval of a Conditional Use Permit (CUP) in accordance with Chapter 4."

Chapter 4, Section 4.9.6.1, Conditional Use Permits, Purpose and Findings:

This section provides for certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth herein be approved. These uses shall be permitted through the issuance of a conditional use permit (CUP). (Exhibit 4)

Chapter 4, Section 4.9.6.5. (Approval Criteria) CUPs may only be approved if it determined that the use for which the permit is requested will not:

1. be detrimental to the health, safety and general welfare of the area;
2. tend to create congestion in roads;
3. create a potential fire hazard for fire, panic, or other danger;
4. tend to overcrowd land and cause undue concentration of population;
5. interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
6. interfere with adequate light and air; and
7. be inconsistent with the purposes of the property's zoning classification or in any other way inconsistent with the spirit and intent of the SLDC or SGMP. (Exhibit 5)

Staff has analyzed the Application and has determined that the proposed use meets the criteria set forth in Chapter 4, Section 4.9.6.5.

1. The proposed use will be a small scale operation with limited hours of operation and will be monitored by State Agencies, therefore will not be detrimental to the health, safety and general welfare of the area;
2. A Traffic Impact Analysis was not required by the County Public Works Department due to the low volume of traffic generated during peak hours, therefore the use will not create congestion on roads;
3. The existing building is equipped with an Automatic Fire Sprinkler System and shall maintain the system, therefore the use will not create a potential fire hazard for fire, panic, or other danger;
4. The exterior of the existing structure as well as the parking and access will not be altered. The lot is built out and most site improvements are existing, therefore the use will not overcrowd land and cause undue concentration of population;
5. The proposed water use and wastewater discharge have been approved by the County Utilities Department and the New Mexico Environmental Department and are in compliance. The use will not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
6. The type of use proposed does not require a New Mexico Air Quality Permit. The exterior lights that are proposed/existing meet the criteria set forth in the SLDC, therefore the use does not interfere with adequate light and air; and
7. The manufacturing (use) will consist of a small production brewery and distillery. The site is within the Planned Development District Santa Fe Community College District (CCD), Employment Center (CCD-EC) of the Sustainable Land Development Code (SLDC). Table 8.44: CCD Use Table illustrates manufacturing plants as a Conditional Use which is a permitted use within the Employment Center Subdistrict upon approval of a Conditional

Use Permit (CUP), therefore the use is consistent with the purposes of the property's zoning classification and with the spirit and intent of the SLDC or SGMP. There are several manufacturing facilities within Bisbee Court, such as, Symphony Seed Papers, Lab ZY, Solbee, STAR Cryoelectronics, Shift New Mexico, Soothing Touch, Water Boyz, Santa Fe Tortilla Company, Aztec Spirits. (Exhibit 11 List of Manufacturing Business's on Bisbee Court)

The Applicant presented the Application to the Technical Advisory Committee (TAC) on November 17, 2016, at the regular scheduled monthly meeting, as required by Chapter 4, Section 4.4.3 Pre-application TAC Meeting and Table 4-1. (Exhibit 6)

The Applicant attempted to present the Application to the General Public on March 17, 2017, as required by Chapter 4, Section 4.4.4, Pre-application Neighborhood Meeting. The Applicant submitted material that was to be presented at the meeting, a sign-up sheet, and a list of individuals notified of the meeting inclusive of Registered Organizations registered with Santa Fe County. Even though the Applicant met the requirements of Section 4.4.4., no members of the public attended the meeting. This material is contained in the record. (Exhibit 7)

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on July 12, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on July 12, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record inclusive of Registered Organizations registered with Santa Fe County. (Exhibit 8)

This Application was submitted on March 24, 2017.

**This Application was reviewed for the following applicable design standards as per Chapter 7, Sustainable Design Standards of the SLDC:**

**ACCESS (Section 7.4) and ROAD DESIGN STANDARDS (Section 7.11)**

The County Public Works Department reviewed the Application for access and road design standards and states the following:

- The site will access via an existing access from Bisbee Court.
- A Traffic Impact Analysis is not required due to the low volume of traffic generated during peak hours.
- The proposed project will not have an impact on the County Road network.
- Public Works supports the project.

**FIRE PROTECTION (Section 7.5)**

The Santa Fe County Fire Department, Fire Prevention Division reviewed the Application and requires compliance with applicable Santa Fe County fire and life safety codes, Ordinances and Resolutions. The project shall comply with Article I, Section 103.3.2-New Construction and

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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.

Conditions of approval:

- The building is equipped with an existing Automatic Fire Sprinkler System and shall maintain the system.
- All exit doors shall be operational.

There are Fire Hydrants within the development known as Bisbee Court that will serve this development.

#### **LANDSCAPING AND BUFFERING (Section 7.6)**

There is existing landscaping on the north (front paved parking lot) and west side of the site. An existing concrete wall buffers the site on the south. The existing structure is close to a zero lot line to the adjacent structure to the west. The existing conditions on the site satisfy the requirements set forth in Section 7.6.

#### **LIGHTING (Section 7.8)**

The existing outdoor recessed lights are under a portal and shielded from view. An existing security light mounted on the backside of the building is shielded and downward lit. No other exterior lights are proposed with this application.

#### **SIGNS (Section 7.9)**

Wall mounted signs are allowed if the square footage of the sign equals or is less than the length of the façade, not to exceed 70 square feet. The Applicant is proposing a 32 square foot (8' X 4') wall mounted sign, replacing the existing sign. The length of the façade is 55 feet where a 55 square foot sign is allowed. The proposed sign is below the allowed square footage.

#### **PARKING/LOADING (Section 7.10)**

The existing site has 31 parking spaces, inclusive of one Van Accessible Handicap space. The existing number of parking spaces exceeds the requirement for retail sales and service/manufacturing which is 1 space per 200 square feet illustrated in Table 7-6 (Parking). The existing structure is 4,250 square feet divided by 200 square feet equals 21 required parking spaces.

#### **UTILITIES (Section 7.12)**

The existing site is served by electricity (PNM), natural gas (NM GAS), County Water, and a private sewer system.

#### **WATER SUPPLY, WASTE WATER & WATER CONSERVATION (Section 7.13)**

Water: The existing structure is served/connected to the County Water system. The estimated water use for the facility is 1.20 afy. The County Utilities Division has reviewed the water budget for this facility and is agreeable with the calculation of 1.09 afy for manufacturing consumables and 0.11 afy for the tap room for a total of 1.20 afy. The infrastructure is in place and the business is connected to County water, therefore Tumble Root will not be required to pursue a water

service agreement with the County. Tumbleroot will be required to set-up an account with Santa Fe County Utilities.

**Waste Water:** the wastewater from Bisbee Court currently goes to the Turquoise Trail Business Park wastewater treatment plant. The wastewater treatment plant at the Business Park is regulated by the state (NMED). The wastewater treatment plant is maintained and operated by the Turquoise Trail Business Park Lot Owners Association (TTBPLOA). The limiting stipulation in the covenants is that the facility not discharge more than 625 gpd. Tumbleroot has indicated that even at full capacity would not exceed 566 gpd. The building at 32 Bisbee Ct. is already connected to the system and has been since it was built.

**Water Conservation:** the structure is existing and there are no plans to expand the structure, therefore water harvesting is not required by the SLDC. The water conservation requirements for this site are outlined in the Turquoise Trail Business Park Disclosure Statement, recorded in Book 1358, Page 553-581. The applicant shall comply with the existing water conservation requirements.

**OPEN SPACE (Section 7.15)**

This site was a part of the Rancho Viejo De Santa Fe Master Plan where Open Space was established to accommodate the Open Space requirements for the development known as the Turquoise Trail Business Park.

**PROTECTION OF HISTORIC AND ARCHAEOLOGICAL RESOURCES (Section 7.16)**

This Turquoise Trail Business Park (Final Development Plan recorded in Bk. 358, Pg. 33) was a part of the Rancho Viejo De Santa Fe Master Plan where an Archaeological Survey was conducted. There were no archaeological sites found on the proposed site.

**TERRAIN MANAGEMENT (Section 7.17)**

An existing retention pond is sited on the southeast corner of the property. The retention pond captures water from the asphalt parking lot and the structure. The existing retention pond is adequate for the amount of runoff produced from the site.

**FLOOD PREVENTION AND FLOOD CONTROL (Section 7.18)**

The site is not within a FEMA Flood Hazard Area.

**SOLID WASTE (Section 7.20)**

A dumpster will be located on the southeast corner of the site. The waste will be removed and disposed of at an appropriate landfill by a private contractor.

**THE PLANNED DEVELOPMENT DISTRICT SANTA FE COMMUNITY COLLEGE DISTRICT (CCD), EMPLOYMENT CENTER (CCD-EC)**

No additional design standards from Chapter 8, Section 8.10.3 are applicable to this development.

**AGENCY REVIEW (Exhibit 9)**

Agency  
NMED

Review Comment  
Conditional Approval

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County Public Works  
County Fire Marshal  
County Utilities

Approval  
Conditional Approval  
Approval

**Building and Development Services staff has reviewed this project for compliance with pertinent SLDC requirements and has found that the facts presented support the request for a Conditional Use Permit (CUP) to allow a manufacturing use within an existing structure: the use is compatible with the current development within the Employment Center; the use will not impact adjacent land uses; and the Application satisfies the submittal requirements set forth in the SLDC inclusive of the Conditional Use Criteria set forth in Chapter 4, Section 4.9.6.5.**

**The review comments from State Agencies and County staff have established findings that this Application to utilize an existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product, and a small tasting room is in compliance with State requirements and design standards set forth in the SLDC.**

**In approving any CUP, the Planning Commission may (Chapter 4, Section 4.9.6.6):**

- 1. Impose such reasonable standards, conditions, or mitigation requirements, in addition to any general standard specified in the SLDC or the SGMP, as the Planning Commission may deem necessary. Such additional standards, conditions, or mitigation requirements may include, but are not limited to:**
  - a. Financing and availability of adequate public facilities or services;**
  - b. Reservations and dedications;**
  - c. Payment of development fees;**
  - d. Establishment of assessment and public improvement districts;**
  - e. Adoption of restrictive covenants or easements;**
  - f. Special buffers or setbacks, yard requirements, increased screening or landscape requirements;**
  - g. Development phasing;**
  - h. Standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, or preservation of archaeological, cultural and historic resources;**
  - i. Provision of sustainable design and improvement features, solar, wind or other renewable energy source, rainwater capture, storage and treatment or other sustainable requirement.**

**RECOMMENDATION:**

**Staff recommends approval of a Conditional Use Permit to allow the manufacturing of craft beer and distilled spirits within an existing 4,250 sf structure, located at 32 Bisbee Court with the following condition:**

1. The CUP showing the site layout and any other conditions that may be imposed through the approval process shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.6.8.

**This matter came before the Hearing Officer for a hearing on July 27, 2017. The Hearing Officer recommended approval of the Application with the following condition:**

1. The CUP showing the site layout and any other conditions that may be imposed through the approval process shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.6.8.

**EXHIBITS:**

1. Development Report
2. Plan Set
3. Chapter 8, Section 8.10.3.13
4. Chapter 4, Section 4.9.6.1
5. Chapter 4, Section 4.9.6.5
6. TAC Summary
7. Neighborhood Meeting Material
8. Notice
9. Agency Reviews
10. Aerial Photo of Site
11. List of Manufacturing Business's on Bisbee Court
12. Chapter 4, Section 4.9.6.6
13. July 27, 2017, Hearing Officer Meeting Minutes
14. Hearing Officer Recommended Decision



Development Report for Conditional Use Permit  
Santa Fe County  
March 24<sup>th</sup>, 2017  
Project Title: Tumbleroot Brewing Company

Project Description: Tumbleroot Brewing Company desires to establish a production facility at 32 Bisbee Court, units 3 and 4. The primary use will be a small production brewery and distillery (1,500 bbl and 1000 proof gallons per year respectively). The secondary use will be a small tap room with limited hours (early evening and after tours) and a capacity of approximately 20 customers.

This is a suitable site for Tumbleroot's needs, and they can move in, establish set up equipment and begin operations with very little change to the property. There will be no new construction that will alter the shell of this building or exterior grounds, other than signage. The desired alterations to the interior would be minimal. They are limited to upgrading utilities and extending them to our equipment, constructing one hour fire separation between tap room and production space, and of course complying with all other fire and occupancy codes.

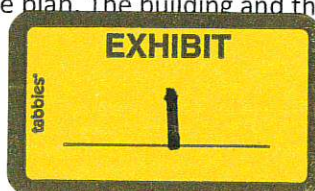
Below is a list of required considerations for the Conditional Use Permit and how Tumbleroot Brewing Company plans to address them in accordance with Santa Fe County Sustainable Land Development Code, Adopted by Ordinance 2016-9 December 13, 2016:

1. **Elevations:** Please refer to the original elevations for this site, included.
2. **Utilities Plan:** Chapter 7, Section 12 of the SLDC describes standards for installing and replacing utilities to a project site. Tumbleroot will not require additional utilities brought to the site. The electrical, natural gas, and water lines that service the building are adequate for operational needs. Please see included photos.
3. **Signage Plan:** Tumbleroot's lease states that the tenant may install and maintain at the tenant's expense and compliant with all acceptable ordinances one (1) identifying sign on or about the Leased Premises, subject to Landlord's review and approval. It further states that the sign shall be no larger than 8'x4'. Tumbleroot's plan is to exercise this option and erect a sign on the premises. Non-Residential signs within a Multi-Tenant center are permitted in accordance with Table 7-5.6. Table 7-5.6 states that one permanent sign up to 70 square feet, is allowed, but requires a permit.

The maximum height is determined by distance from right of way. The façade of our building is located between 50-75 feet from the road. The façade is also located at a height of approximately 8 feet below road level. Therefore, the approximate maximum height will be under 23 feet. Please find attached photo of façade and see neighboring tenant's signage.

The sign will be made of permanent materials such as metal, wood, plaster, stucco, and rock and may not be roof mounted or rise above roof level. The sign will be directly illuminated and will not exceed 250 foot candles, as per 7.9.4. When Tumbleroot has designed and is ready to mount a sign, they will apply for a permit pursuant to chapter 4.

4. **Fire Protection Plan:** The current facility has a fire plan, which includes fire suppression sprinkler heads. Please see attached fire plan. The building and the units which Tumbleroot will occupy



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are fully sprinklered. The previous tenants built a mezzanine and dropped sprinkler heads to cover the area underneath. Please see included photos. Tumbleroot will enclose this area with framing, sheetrock and door to provide one hour fire separation. This area will be our tap room and will be appropriately separated from our production area, which will be F-1, moderate hazard manufacturing. Tumbleroot has met with the fire department at the site, and they have indicated where fire extinguishers should be located.

5. **Traffic Circulation Plan:** The existing property has vehicle access from Bisbee Court. There are 17 parking spaces in the front, including a handicapped spot. The paved area at the rear is designed for shipping and receiving via loading docks. There are also 14 parking spaces in the rear. Refer to site plan. We have exclusive access to 4 spaces in the front. All of the spaces in the rear are shared. In accordance with our lease, all of the spaces are shared after 5:30 PM. We have the right to negotiate with neighboring tenants for use of parking spaces during business hours. Units 5 and 6 are warehouse and never use more than one space. This gives Tumbleroot unlimited use of 11 parking spaces.

Though the manufacturing space will have an occupancy of 8, Tumbleroot anticipates 3-4 employees using the designated parking spaces. The additional taproom, with fewer than 24 seats and an occupancy of fewer than 24 will demand at most 8 spaces, but the manufacturing hours are before 5 pm and the tap room hours are after 5 pm. Even if all of these demands occurred at the same time, existing on-site parking exceeds Tumbleroot's maximum demand of 16 parking spaces.

Our anticipated 3-4 employees will most likely be driving to and from work each weekday in personal vehicles. We anticipate once a week, on average, freight delivery. We will also run a delivery van to and from the property once every 1-2 days. We anticipate an average of 15 customers per day (our tap room will have a capacity for approximately 20 customers). This will be between the hours of 5 and 8 on weekdays and for tours on Saturday afternoons. The committee at the TAC meeting determined that Tumbleroot's proposed use will not require a Traffic Impact Assessment.

6. **Landscape Plan:** Our site plan indicates that we are compliant with current code, according to 7.6. There is no planned exterior development or encroachment on existing vegetated area. In compliance with 7.6.4 there is an existing buffer between the developed area and the local road which is in excess of 10 feet, which includes a combination of trees, shrubs, grasses and flowers, ground cover or other organic and inorganic materials. 7.6.4.3. Shade trees predominate; with ornamental trees, shrubs and smaller native trees interspersed. Since there are no residential areas adjacent to the property, there is no need for screening.

The parking area contains fewer than 40 parking spaces, so according to table 7.1, there is no need for parking area landscaping. However, parking area landscaping exists. Refer to site plan.

The landscaped area contains at least one tree with a minimum height at maturity of twenty (20) feet shall be provided for each 500 square feet of landscaped area. Trees are spaced at a distance equal to the average diameter of the spread of the crown of the typical mature specimen. At least three shrubs with a minimum mature height and spread of four feet are provided for each 500 square feet of landscaped area. The vegetation is established, cared for, and served by a buried drip irrigation system.

7. **Water harvesting Plan:** as per 7.13.11.7 *Water Harvesting. 1. Rainwater Catchment Systems.* *Rainwater catchment systems are required for all new residential and all new or remodeled non-residential development, including a change of use from residential to non-residential, as required below. 2. Overflow from a cistern shall be directed into a designated retention pond or landscaped area. 3. The requirements of this Section shall not apply where a development proposes to utilize grey water recycling for all outdoor landscaping.* Tumbleroot Brewing is seeking a conditional use permit for an existing building. It is not engaged in new development but leasing an existing commercial building, and there is no need to satisfy this requirement.
8. **Lighting Plan:** Tumbleroot Brewing will occupy a property that has already has a complaint outdoor lighting plan as listed in the lighting plan. The front light is HID Recessed down light. The back is Outdoor HID wall mount fixture deep shielded. Refer to site plan. These features satisfy all requirements of 7.8.2 as the outdoor lights are shielded or recessed, do not spill over onto adjacent properties, are not above the roof height, and do not produce more than 10,000 lumens/acre of surface to be lit. Please find included photos.
9. **Terrain Management:** The purpose of the Terrain Management section of the code, 7.17, is to (a) protect water quality and the natural character of the land (b) minimize soil and slope instability, erosion, sedimentation and storm water runoff (c) protect and retain rugged and steep terrain, natural landmarks and prominent natural features as open space; (d) adapt development to the existing natural topography, soils, vegetation, geology, hydrology, landforms and other conditions existing on a lot or parcel prior to development by: (i) proper vegetation management techniques (ii) minimizing cuts and fills and earth grading (iii) blending graded areas with undisturbed natural terrain and (iv) minimizing the amount of exposed raw earth at any time in a project by careful phasing of development and revegetation. Chapter 7 - Sustainable Design Standards 7 -75 SLDC 7.17.1.5. refers to preserving natural drainage patterns and recharge groundwater protect the public from the natural hazards of flooding, erosion and landslides; 7.17.1.6. encourage minimum disturbance to the natural areas of a site by; 7.17.1.7. appropriately locate roads, driveways and utilities so as to minimize unsightly cut and fill areas, and scarring; and 7.17.1.8. provide passive irrigation of landscaped areas.

To address these concerns: (a) There will be no new construction or disturbance of existing open space and there is an existing retention pond. See site plan (b) The site is located on a slope of less than 15%. The main sloped landscaped area is terraced and separated from the parking lot by a retaining wall. Run-off from sloped parking lot flows directly to a retention pond before continuing to natural rill and gully. See site plan. (c) See a and b (d) see a and b. To address concern 7.17.1.8, the main landscaped area on the NW side of the property catches surface water run-off from Bisbee Court. The overflow from this run-off is channeled to the vegetated area to on the SW side of the property. The only other vegetated area on the property surrounds the retention pond. Therefore, all of the vegetated and landscaped areas receive passive irrigation.

10. **Growth Management:** On March 7<sup>th</sup> Tumbleroot submitted a competed Development Utility Service Application, along with supporting documents, to Sandra Ely, project manager for Santa Fe County Utilities, as requested at the TAC meeting. Please find a copy of the submitted application included. Tumbleroot is awaiting the "Ready, Willing, and Able" letter that she will prepare for submission to Growth Management.

NB-G-11

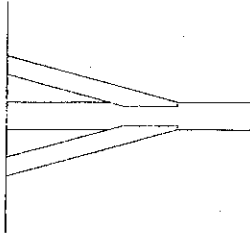
**11. Handicap Parking:** According to ADA regulations, with less than 25 parking spaces in the Western lot of Bisbee Court, one of those spaces must be designated for handicap parking, must be 96 inches wide and van accessible. The spot marked "1" on the Site Plan designates the handicap parking space that meets these requirements.





allegretti  
architects

1556 ASPEN DRIVE, SUITE 400  
SANTA FE, NEW MEXICO, 87505  
505.838.8933



PROJECT

mulligan dog - 3.  
lot D-4, lakeview court  
turquoise trail business park  
Santa Fe, NM

OWNER

SCALE

DATE

PROJECT

ARCHITECT

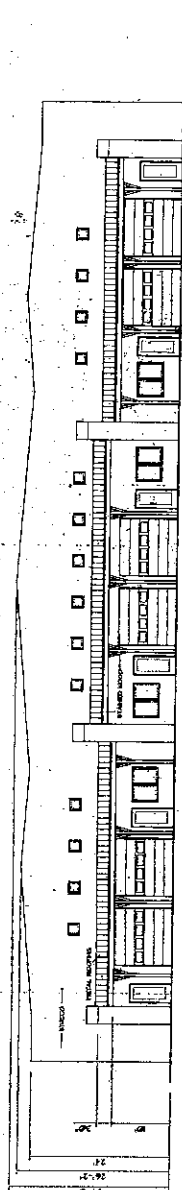
SHEET NO.

ELEVATIONS

DATE

A-3

copyright 2001 dog design

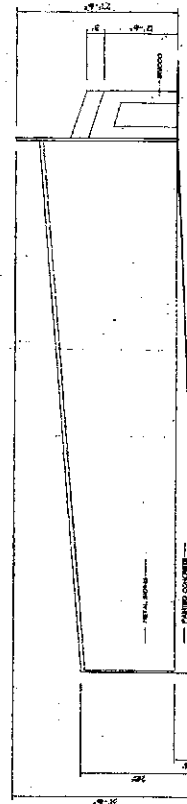


NORTH ELEVATION

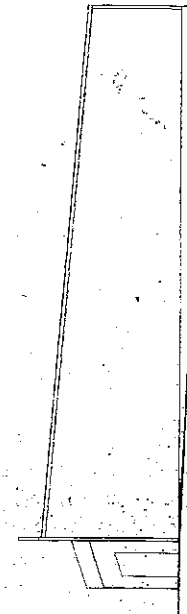
NOTE  
SECTION 12345  
OF THE BUILDING SHALL  
BE CONSIDERED  
WITH A 1/4" SCALE



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

N.B.G.-13

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architects

1000 PARK AVENUE, 10TH FLOOR  
NEW YORK, NEW YORK 10028  
TEL: 212-692-1100  
FAX: 212-692-1101

PROJECT

mulligan dog - 3

1st D-4, baboon court  
Liquorice trail business park,  
santa fe, nm

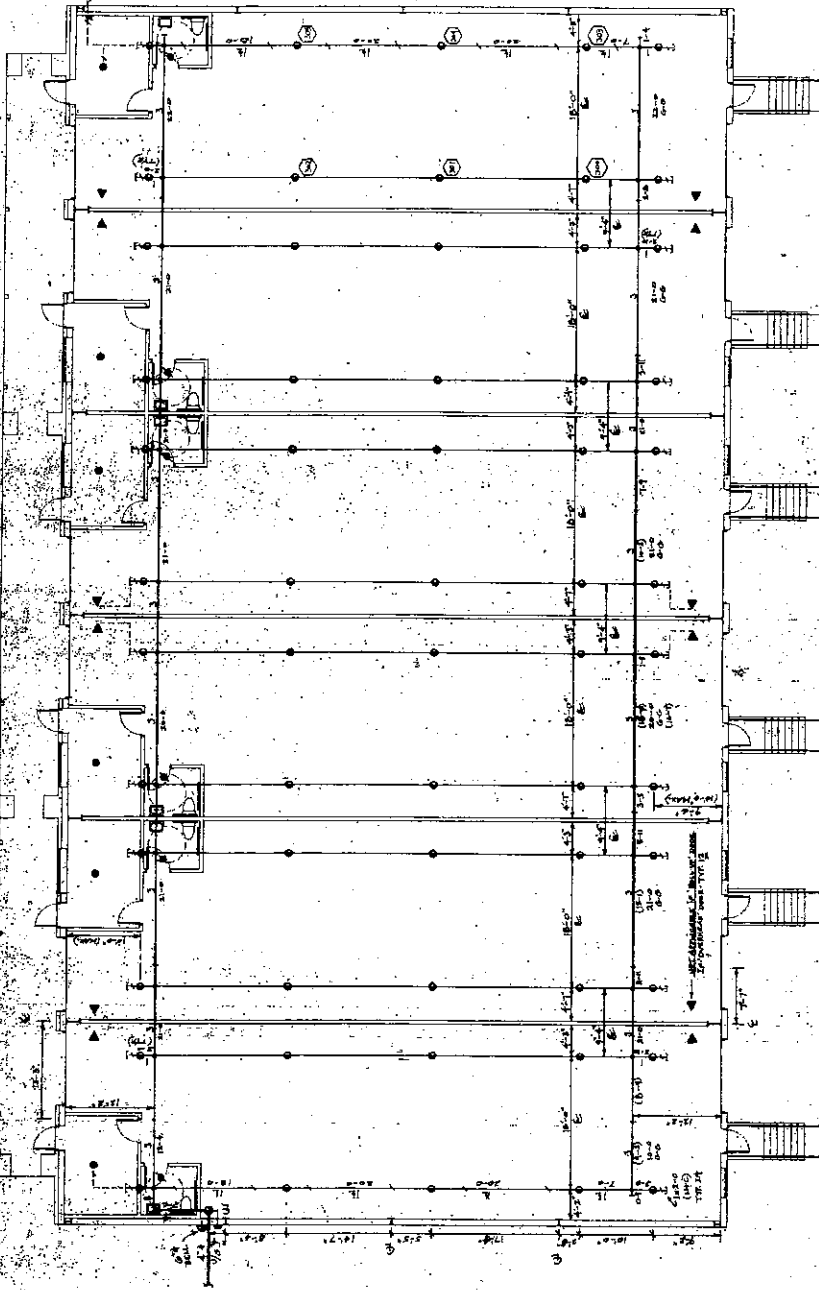
DATE

BY

FOR



1/20/98



FLOOR PLAN THE MULLIGAN DOG

1/20/98  
ARCHITECT: ALLEGRETTI ARCHITECTS  
DESIGNED BY: ALLEGRETTI ARCHITECTS  
DRAWN BY: ALLEGRETTI ARCHITECTS  
CHECKED BY: ALLEGRETTI ARCHITECTS  
DATE: 1/20/98  
PROJECT: MULLIGAN DOG - 3  
SANTA FE, NM

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CEILING	1000	SQ. FT.	1.00	1000.00
2	FLOOR	1000	SQ. FT.	1.00	1000.00
3	WALL	1000	SQ. FT.	1.00	1000.00
4	DOOR	1000	SQ. FT.	1.00	1000.00
5	WINDOW	1000	SQ. FT.	1.00	1000.00
6	STAIR	1000	SQ. FT.	1.00	1000.00
7	ELEVATOR	1000	SQ. FT.	1.00	1000.00
8	MECHANICAL	1000	SQ. FT.	1.00	1000.00
9	ELECTRICAL	1000	SQ. FT.	1.00	1000.00
10	PLUMBING	1000	SQ. FT.	1.00	1000.00
11	PAINT	1000	SQ. FT.	1.00	1000.00
12	LANDSCAPE	1000	SQ. FT.	1.00	1000.00
13	TOTAL	1000	SQ. FT.	1.00	1000.00

THE MULLIGAN DOG CONTRACTOR, FIRE SPRINKLER SYSTEMS, SANTA FE, NM. NO. 1000

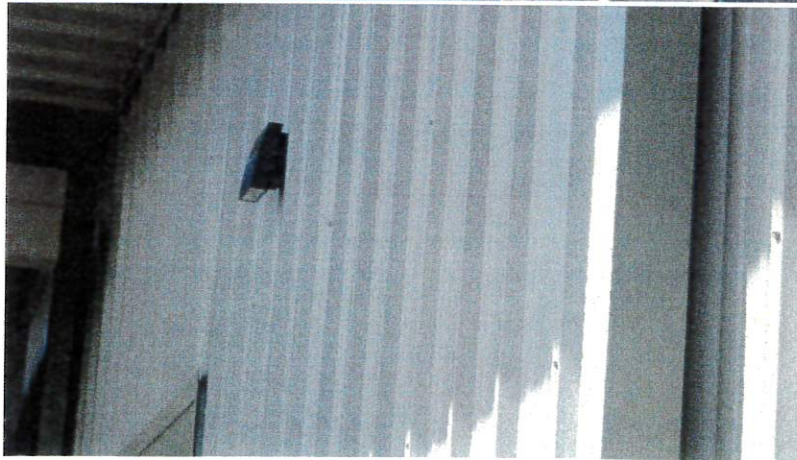
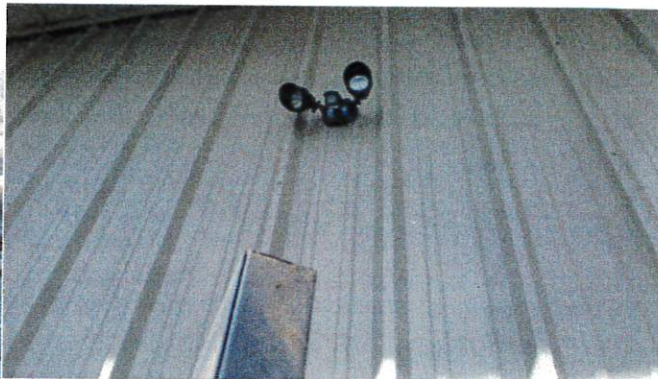
NBG-14

Fire Protection- First is proof of Emergency Exit signs. Second shows the fire sprinklers placed under the Mezzanine. Third shows a wide view of the Mezzanine. Fourth is the fire box at 32 Bisbee Court.





Exterior Lighting

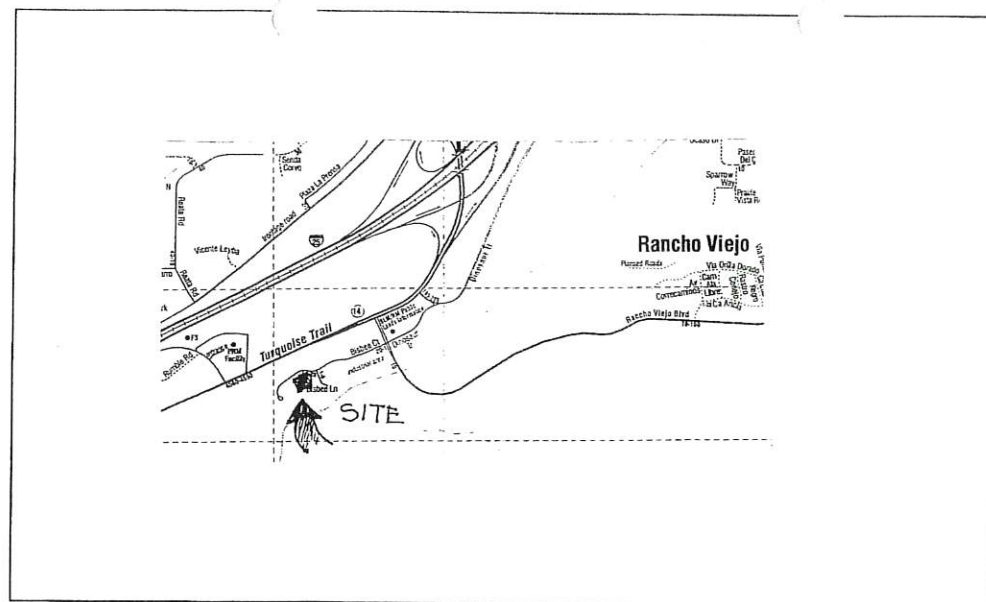




Signage Plan- First two show where we would place of sign referenced in the Signage Plan Portion of the Development Plan. Third shows the sign of the business occupying Units 5-6 of 32 Bisbee Court.







## VICINITY MAP

NTS

## LIST OF DRAWINGS

SP SITE PLAN & LANDSCAPE PLAN  
& PRELIMINARY DEVELOPMENT PLAN

A1 FLOOR PLAN

## BUILDING CODE INFORMATION

BUILDING AREA: 15,500 S. F. FULLY SPRINKLERED  
TENANT AREA: 3,754 S. F. FULLY SPRINKLERED  
( UNITS 3 & 4 )

OCCUPANCY USE: FACTORY INDUSTRIAL F-1 MODERATE - HAZARD OCCUPANCY

TENANT AREA: 3,754 S. F. @ 200 = 19 OCCUPANTS

TENANT AREA: 300 S. F. @ 15 = 20 OCCUPANTS

## EXISTING LANDSCAPE SCHEDULE



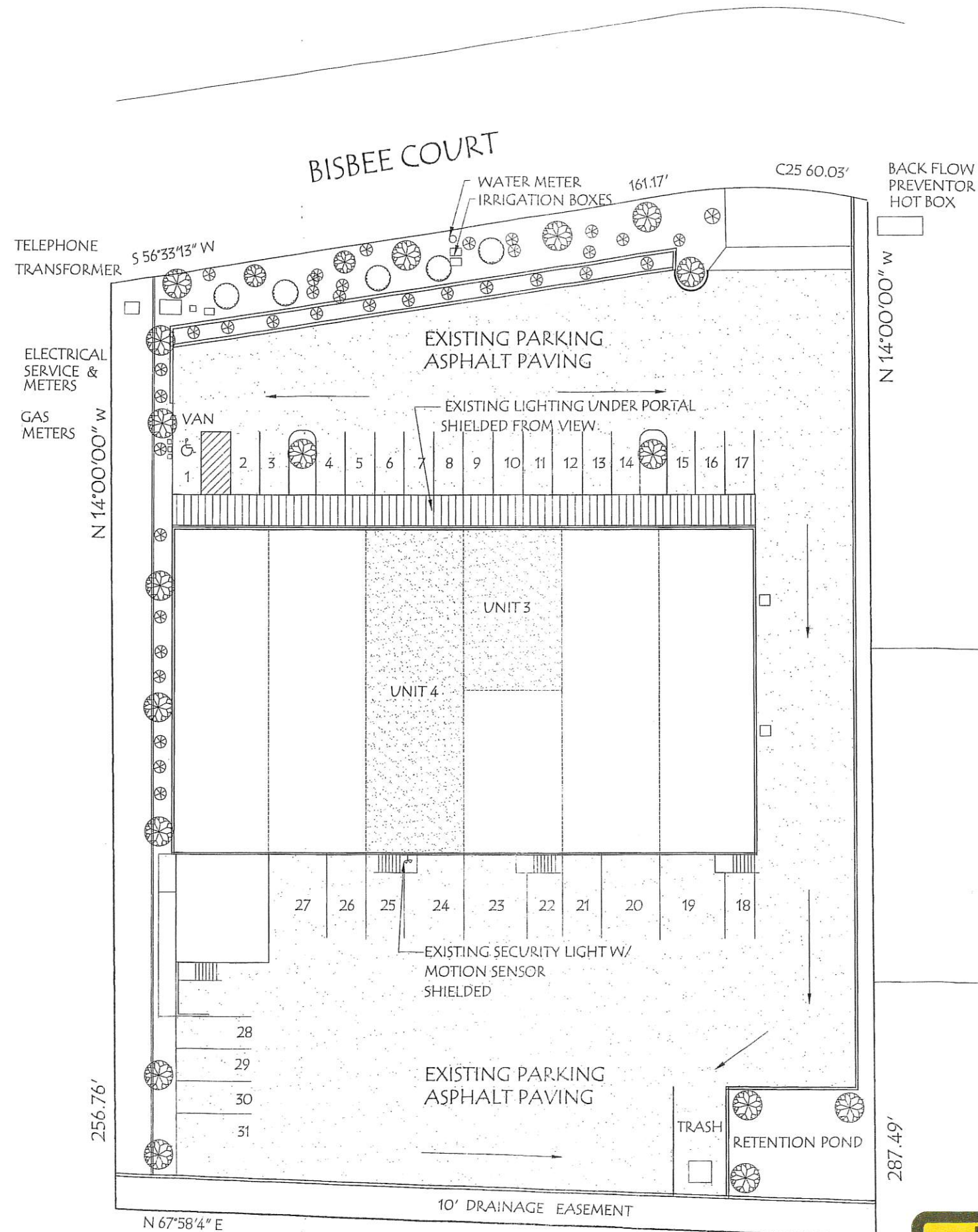
DECIDUOUS TREE HONEY OR NATIVE LOCUST



EVERGREEN JUNIPER OR PINON



SHRUBS & PERENNIALS



SITE PLAN & DEVELOPMENT PLAN  
& LANDSCAPE PLAN

SCALE 1/16" = 1' - 0"



NBG-18



TUMBLERROOT BREWING CO.

TENANT IMPROVEMENTS

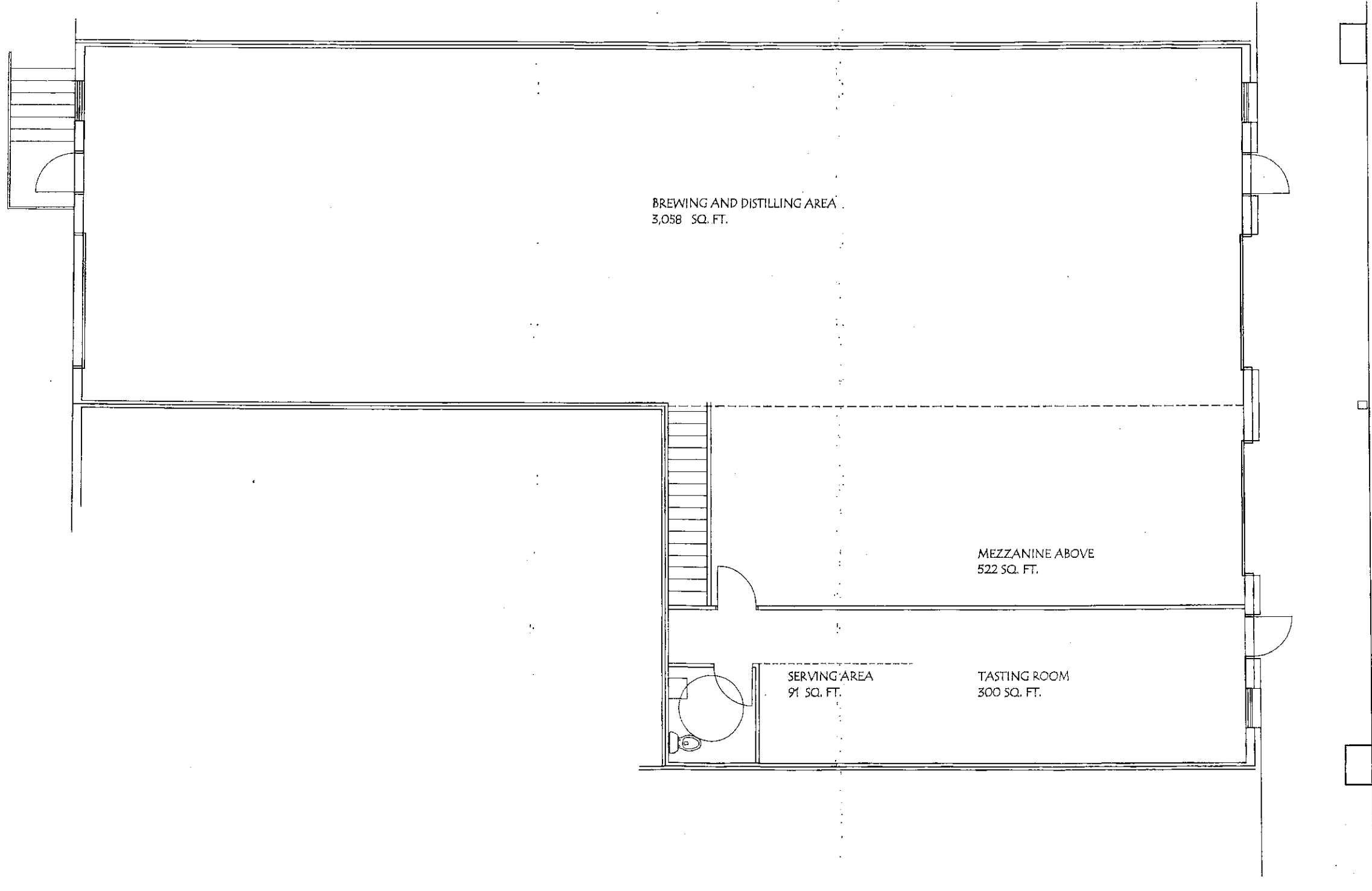
32 Bisbee Court Units 3 & 4  
Santa Fe, New Mexico

Thomas E. Lechner - Architect

24 Vista De Luna Dr.  
SANTA FE, NEW MEXICO 87508  
505-660-9100  
telechner24@gmail.com

EXHIBIT

2



FLOOR PLAN  
1/4" = 1'-0"



NBG-19

Thomas E. Lechner - Architect

24 Vista De Luna Dr.  
SANTA FE, NEW MEXICO 87508  
505-660-9100  
telechner24@gmail.com

TUMBLEROOT BREWING CO.

TENANT IMPROVEMENTS  
52 Bisbee Court Units 3 & 4  
Santa Fe, New Mexico



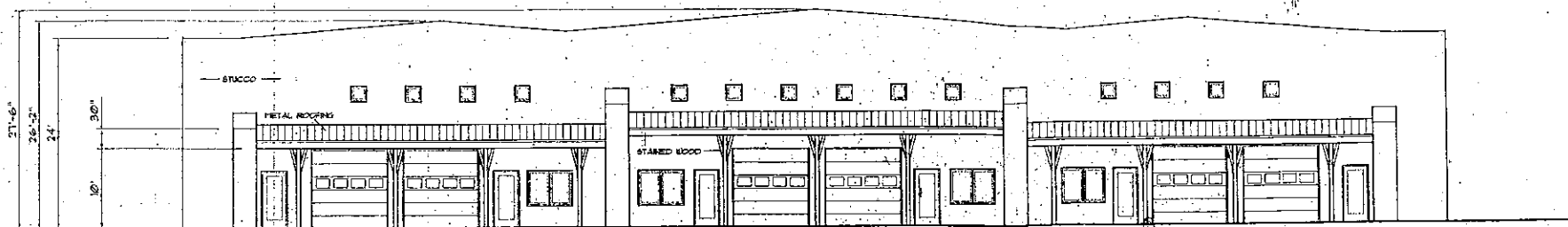
A1



allegretti  
architects

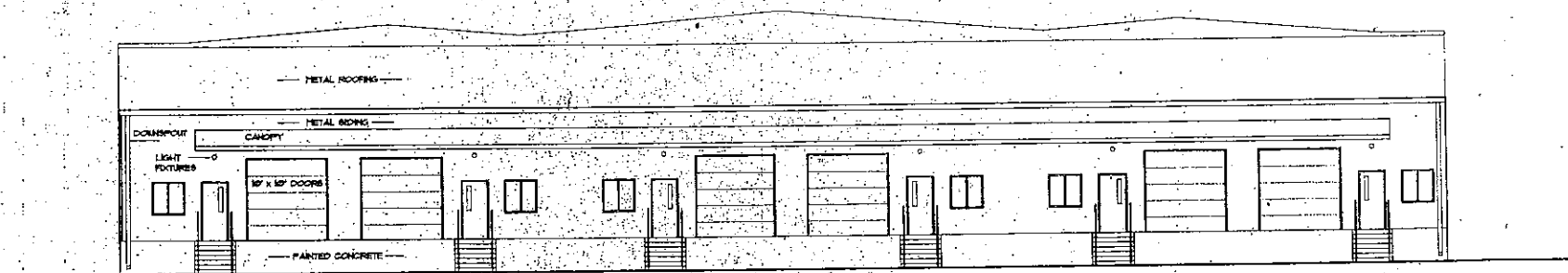
1925 ASPEN DRIVE, SUITE 8028  
SANTA FE, NEW MEXICO, 87505

505.986.8033

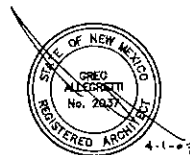


NORTH ELEVATION  
1"=10'

Posts  
NOTE  
SECTIONS 2306.5  
OF THE UNIFORM BUILDING  
CODE MUST BE COMPLIED  
WITH, 1" above floor



SOUTH ELEVATION  
1"=10'



project

mulligan dog - 3

lot D-4, bisbee court  
turquoise trail business park  
santa fe, nm

drawn G.A.

scale A0 NOTED

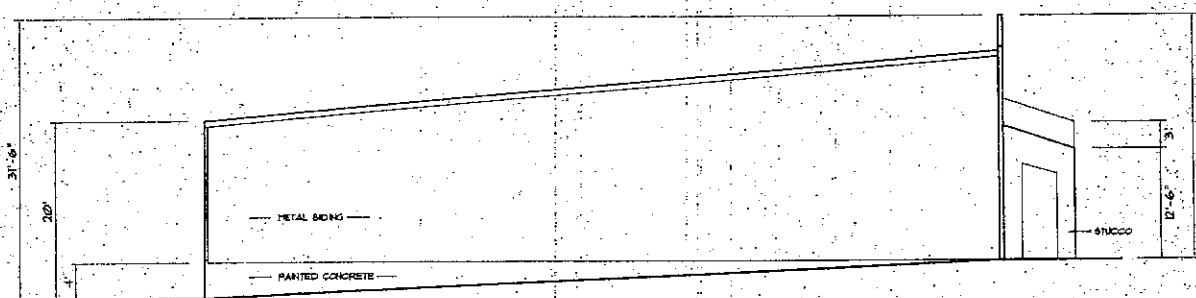
date JULY 8, 2002

revisions:

sheet title

ELEVATIONS

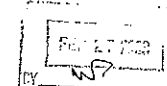
sheet no.



EAST ELEVATION  
1"=10'



WEST ELEVATION  
1"=10'



A-3

NBG-20

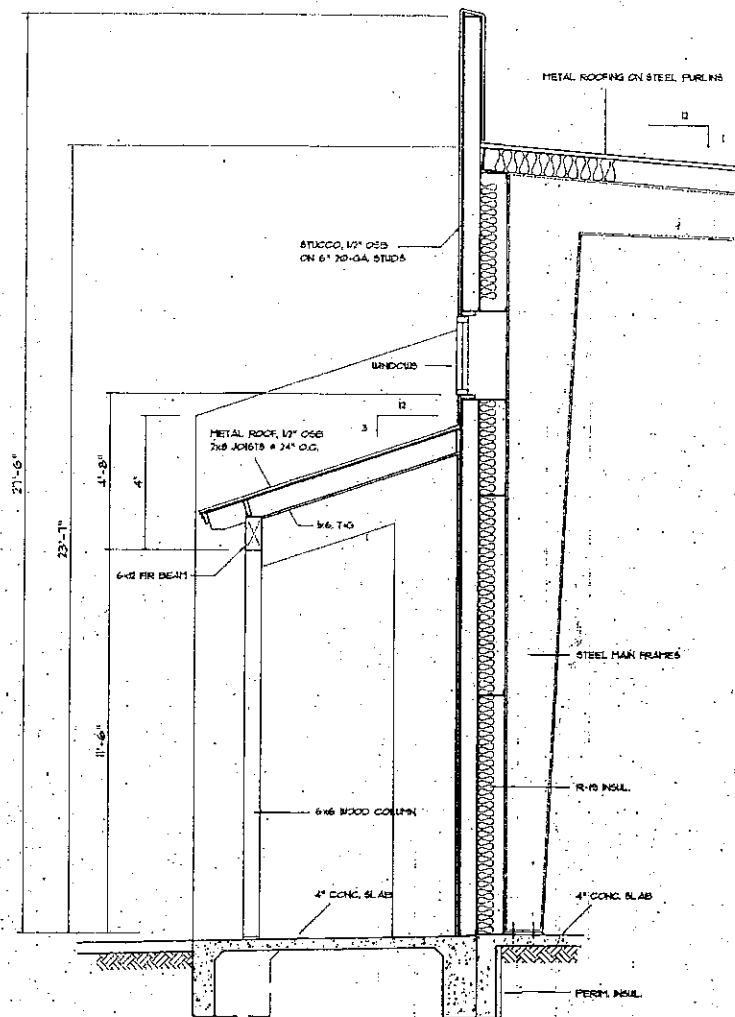
copyright 2001 greg allegretti



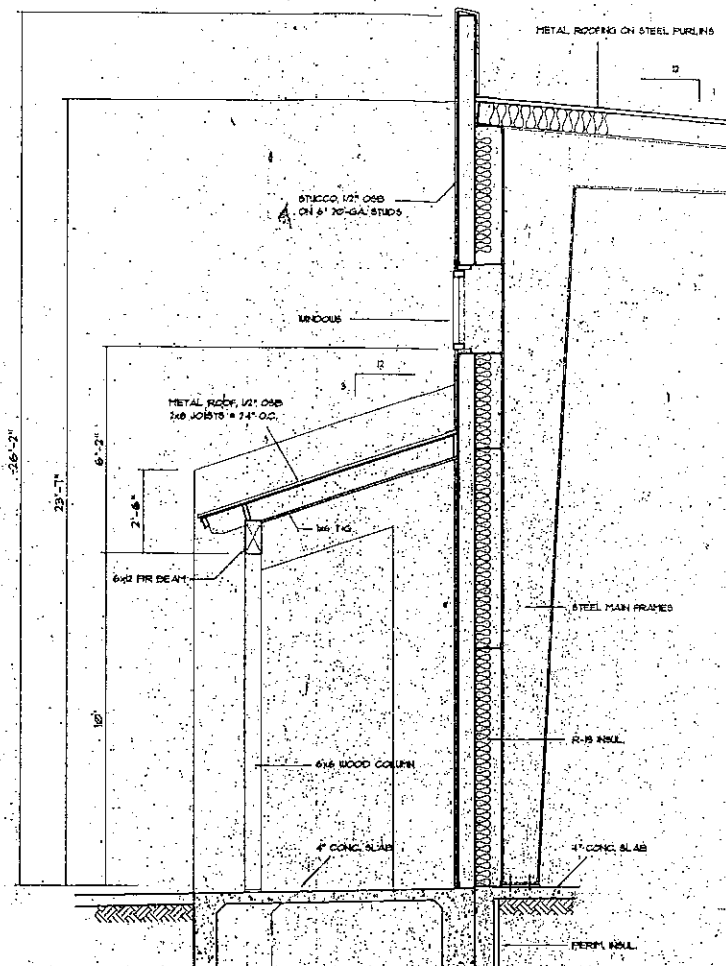


allegretti  
architects<sup>llc</sup>

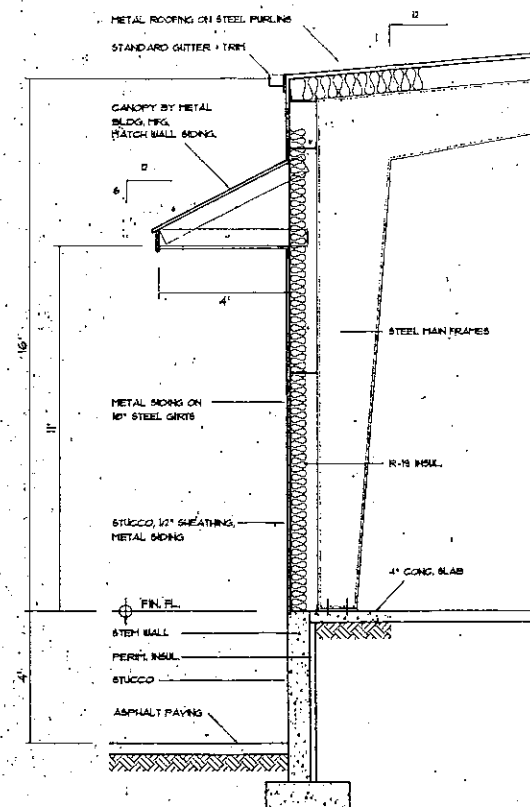
1925 ASPEN DRIVE, SUITE 802B  
SANTA FE, NEW MEXICO, 87505  
505.966.9033



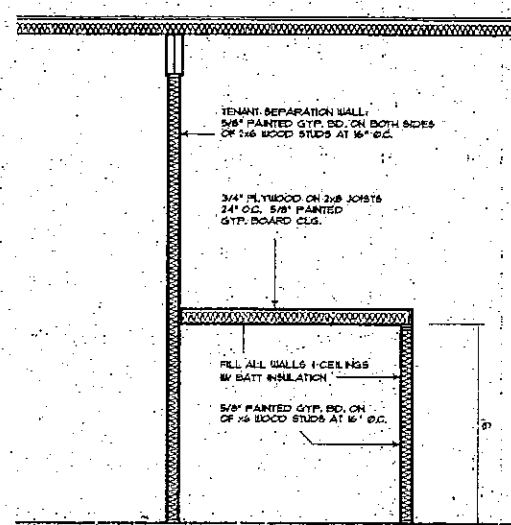
A NORTH WALL SECTION  
SCALE: 3/8" = 1'



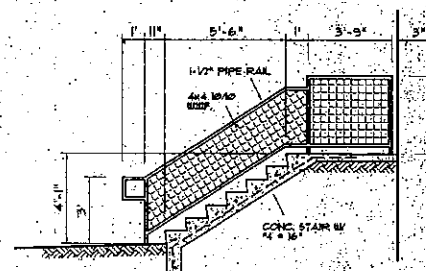
B NORTH WALL SECTION  
SCALE: 3/8" = 1'



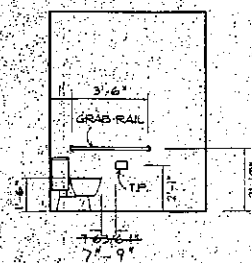
C SOUTH WALL SECTION  
SCALE: 3/8" = 1'



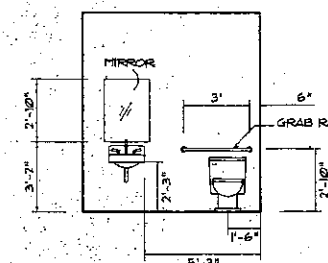
INTERIOR WALL SECTION AT OFFICES  
SCALE: 3/8" = 1'



TYPICAL STAIR  
SCALE: 1/4" = 1'-0"



TYPICAL TOILET ROOM ELEVATION  
SCALE: 1/4" = 1'-0"



TYPICAL TOILET ROOM ELEVATION  
SCALE: 1/4" = 1'-0"

NOTE  
SECTIONS 1003.3.3  
OF THE UNIFORM BUILDING  
CODE MUST BE COMPLIED  
WITH: *Stairways/Rail*

NOTE  
SECTIONS 1003.3.3.6  
OF THE UNIFORM BUILDING  
CODE MUST BE COMPLIED  
WITH: *Handrails*

NOTE  
SECTIONS 606.6  
OF THE ANSI MUST BE COMPLIED  
WITH: *Insulate Pipes*



project

mulligan dog - 3

lot D-4, blsbee court  
turquoise trail business park  
santa fe, nm

drawn GA

scale AS NOTED

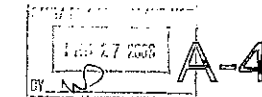
date JULY 8, 2002

revisions:

sheet title

SCHEMATIC

sheet no.



NB G-21

**Table 8-36: Dimensional standards – Neighborhood Center (CCD-NC).**

Subdistrict	CCD-NC
Density with community water and community sewer	Minimum of 3.5 DU per acre
Lot size -Residential	1500 sq ft min
Height (maximum, feet)	24ft.
Height within 500 ft of perimeter of plaza	30 ft with 36ft allowed for up to 25% of building footprint
Setback	No minimum

**8.10.3.12. Village Neighborhood Subdistrict Development Standards (CCD-VN).** The Village Neighborhood Subdistrict is intended for application to village subdistrict lands outside of the Village Center and Neighborhood Center Subdistricts where residential uses predominate. The Village Neighborhood Subdistrict may have distinct identities based on location, natural landscape, design theme or the nature of the adjacent neighborhood center.

**1. General.** The Village Neighborhood subdistrict is appropriate for Flatlands/ Grasslands and Flatlands/Pine Juniper land types, and shall be located within a village subdistrict outside of the New Community Center Subdistrict and Neighborhood Center Subdistrict. Development shall be in accordance with applicable requirements of this Section and the following sustainable development requirements:

- a. There is no minimum or maximum size on a VN.
- b. A mix of housing types is required, including single-family and multi-family.
- c. Non residential and civic/Public uses shall be small scale and neighborhood oriented.
- d. Living Priority Roads are required.

**2. Village Neighborhood Density and Dimensional Standards.** The dimensional standards in Table 8-37 below shall apply in the Village Neighborhood Zone:

**Table 8-37: Dimensional Standards – Village Neighborhood (CCD-VN).**

Subdistrict	CCD-VN
Density with community water and community sewer	Minimum of 3.5 DU per acre
Lot size -Residential	1500 sq ft min
Height (maximum, feet)	24ft.
Setback	No minimum

**8.10.3.13. Employment Center Subdistrict Development Standards (CCD-EC).** The Employment Center Subdistrict is intended to accommodate mixed uses, where large scale employers, anchor businesses and light industry can locate in support of New Community Center Subdistrict development. Businesses with special needs for access; buffering for visual, noise or other impacts; technology; storage and size can located in the Employment Center Subdistrict. The Employment Center Subdistrict provides a concentrated planned multi-use environment for light industrial and business uses. Retail uses may be included as necessary to support the needs of anchor employees.

1. **General.** The Employment Center Subdistrict shall be located on Flatlands/Grasslands and Flatlands/Piñon, Juniper land types, provided housing opportunities and a New Community Center Subdistrict are located within one mile. Development shall be in accordance with applicable requirements of this Section and the following sustainable development requirements:

- a. There is no minimum or maximum size on a EC.
- b. Each phase of development in a multi-phase project may include mixed use,
- c. Living or Mixed Priority Roads are required and shall include direct primary road connection to a New Community Center with potential transit connections.
- d. The Neighborhood Center Subdistrict may be utilized and located within the Employment Center Subdistrict.

2. **Parking and Loading.** Parking shall be designed around internal pedestrian walkways, with parking in a series of small parking areas.

3. **Open Space, Parks, Plazas and Trails.** District, Village and Local trails are required to connect the Employment Center Subdistrict to the CCD district trail system.

4. **Building design.** Feature buildings shall provide a focal point for each Employment Center Subdistrict and adjacent neighborhoods.

5. **Employment Center Density and Dimensional Standards.** The dimensional standards in Table 8-38 below shall apply in the Employment Center Zone.

**Table 8-38: Dimensional Standards – Employment Center (CCD-EC).**

Subdistrict	CCD-EC
Density with community water and community sewer	Minimum of 3.5 DU per acre
Lot size -Residential	1500 sq ft min
Height (maximum, feet)	30ft with 36 ft allowed for up to 25% of building footprint
Setback	No minimum

~~8.10.14. **Institutional Campus Subdistrict Development Standards (CCD-IC).** The Institutional Campus Subdistrict is a mixed use subdistrict that is reserved for large civic and public uses and to allow a concentration of facilities and room for flexibility and growth. The anchor institutional use is a large civic or public institution for which the campus is created.~~

~~1. **General.** The Institutional Campus Subdistrict shall be located on Flatlands/Grasslands and Piñon/ Juniper land types as shown on the Zoning Map. Development shall be in accordance with applicable requirements of this Section and the following sustainable development requirements:~~



**4.9.6. Conditional Use Permits (CUP).** For approval of certain conditional uses as set forth in the Use Matrix and elsewhere in the SLDC, pursuant to this Section.



**4.9.6.1. Purpose and Findings.** This Section provides for certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth herein, be approved. These uses shall be permitted through the issuance of a conditional use permit (CUP).

**4.9.6.2. Applicability.** The provisions of this Section apply to any application for approval of a CUP as required by the Use Matrix. Conditional uses are those uses that are generally compatible with the land uses permitted by right in a zoning district but that require individual review of their location, design and configuration, and the imposition of conditions or mitigations in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses that are enumerated as conditional uses in a zoning district, as set forth in the use matrix, may be authorized by the Planning Commission. No inherent right exists to receive a CUP. Concurrent with approval of a CUP, additional standards, conditions and mitigating requirements may be attached to the development order. Additionally, every CUP application shall be required to comply with all applicable requirements contained in the SLDC.

**4.9.6.3. Application.** An applicant may apply for a CUP by filing an application for discretionary development approval with the Administrator. A site development plan is required to be submitted with any CUP application and shall include any SRAs required pursuant to Table 6-1 in Chapter 6.

**4.9.6.4. Review.** The application shall be referred to the Hearing Officer and Planning Commission for the holding of a quasi-judicial public hearing.

**4.9.6.5. Approval Criteria.** CUPs may only be approved if it is determined that the use for which the permit is requested will not:

1. be detrimental to the health, safety and general welfare of the area;
2. tend to create congestion in roads;
3. create a potential hazard for fire, panic, or other danger;
4. tend to overcrowd land and cause undue concentration of population;
5. interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
6. interfere with adequate light and air; and
7. be inconsistent with the purposes of the property's zoning classification or in any other way inconsistent with the spirit and intent of the SLDC or SGMP.

**4.9.6.6. Conditions.** In approving any CUP, the Planning Commission may:

1. Impose such reasonable standards, conditions, or mitigation requirements, in addition to any general standard specified in the SLDC or the SGMP, as the Planning Commission may deem necessary. Such additional standards, conditions, or mitigation requirements may in addition be subject to:



**4.9.6. Conditional Use Permits (CUP).** For approval of certain conditional uses as set forth in the Use Matrix and elsewhere in the SLDC, pursuant to this Section.

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6. interfere with adequate light and air; and
7. be inconsistent with the purposes of the property's zoning classification or in any other way inconsistent with the spirit and intent of the SLDC or SGMP.

**4.9.6.6. Conditions.** In approving any CUP, the Planning Commission may:

1. Impose such reasonable standards, conditions, or mitigation requirements, in addition to any general standard specified in the SLDC or the SGMP, as the Planning Commission may deem necessary. Such additional standards, conditions, or mitigation requirements may include:



**Santa Fe County  
TECHNICAL ADVISORY COMMITTEE**

November 23, 2016

**Re: Tumbleroot Brewing Conditional Use Permit**

---

Jason:

Thank you for presenting the above mentioned project at the pre-application Technical Advisory Committee (TAC) meeting on November 17, 2016. Below is a summary of relevant issues that were discussed at the TAC meeting:

- The site is located at 32 Bisbee Court via Hwy 14 and is zoned as Employment Center within PD-1 Community College District (CCD).
- The CCD Use Matrix allows for warehouse or storage facility, wholesale trade durable and non-durable goods, and refrigerated warehouse or cold storage as a Permitted Use. Manufacturing plants, beer, wine, and liquor store with off-premises consumption of alcohol, bars, taverns, and night clubs, are a Conditional Use.
- The applicant proposes to utilize an existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product, and a small tasting room.
- The structure will undertake some minor interior alterations.
- Discussion at TAC included the following; existing parking, traffic circulation, width of access point/entrance, fire protection, evening peak hour traffic (approximately 20 patrons) may trigger a Traffic Impact Study (TIA), shall contact County Utilities (Sandra Ely) in regards to water and waste water.
- Neighborhood Meeting required prior to submittal of an application (per Chapter 4, Section 4.4.4 of the SLDC).
- Notice requirements for neighborhood meeting (see Chapter 4, Section 4.4.4.1 of the SLDC) Must include the following Registered Organizations (RO's):

San Marcos Association (RO), Walter Wait, 505-471-0645, 48 Bonanza Creek Road, Santa Fe, NM, 87508 [waltwait@q.com](mailto:waltwait@q.com)

Turquoise Trail Community Association (RO), Michael Smith, 505-954-9479  
1421 Luisa St. Suite R, Santa Fe, NM, 87505, [msmith@hoamco.com](mailto:msmith@hoamco.com)

- Public Hearings required (Hearing Officer & Planning Commission).



NIBG-26

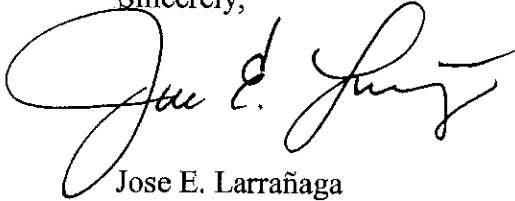


July 11, 2017

- Submittal for a Conditional Use shall comply with Ordinance #2015-11, the Sustainable Land Development Code inclusive of criteria set forth in Chapter 7 (Sustainable Design Standards) and Chapter 8, Section 8.10.3 (CCD).

If you have any questions, please do not hesitate to contact this office at 986-6296.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jose E. Larrañaga". The signature is fluid and cursive, with the first name "Jose" being the most prominent.

Jose E. Larrañaga  
Development Review Team Leader

NIB G-27

# Tumbleroot Brewing Company Neighborhood Meeting Report

Date: 3/17/17

Time: 2:00 PM

Location: Inn at Santa Fe Hotel  
8376 Cerrillos Rd  
Santa Fe, NM 87507

List of Invitees: All Registered Organizations listed in our TAC letter for Registered Organizations we are as well as property owners as shown by the records of the County Assessor of lots within the area proposed and within 100 feet of subject property, excluding public right-of-way (see included list).

List of Attendees: There were no attendees at this meeting.

Materials Distributed: Please see attached documents.

Meeting Summary: There were no concerns addressed, issues raised, or problems identify. No one attended.



NB.G - 28

# Tumbleroot Brewing Company

We are seeking to establish our business, Tumbleroot Brewing LLC, at 32 Bisbee Court units 3 and 4. It is a property that is located in the Santa Fe Community College Zone, in a section that is approved for commercial use. This property is well suited for our needs. It is in a commercial area that is located over 300 feet from any church or school. However, since our primary use is light industrial and our secondary use is a tap room, we are required to obtain a conditional use permit. We would like to take this opportunity to share with you the vision we have for our business, to assure you that the Bisbee Court property is well suited and situated for our operation, and to illustrate how Tumbleroot Brewing LLC will fit within the current and future vision of the Santa Fe Community College Zone and prove to be an asset to the neighborhood and greater community.

Having signed a lease on this property, Tumbleroot is in the process of obtaining a Small Brewer License, a Craft Distiller License, and a Wholesaler License from the Alcohol and Gaming Department of the State of New Mexico. With an anticipated start date in late August, Tumbleroot's brewery and distillery will craft locally produced, high-quality beer and spirits to meet the growing demand for local and artisanal products. In addition to craft beer, the brewery will make 100% organic spirits. Our business model focuses on producing beer and spirits primarily for on-site consumption, at a separate location within Santa Fe city limits, though our licenses will give us the flexibility to self-distribute some of our product to local accounts as well.

Our operation at Bisbee Court will focus on producing primarily beer and secondarily spirits. At this 3750 square foot facility, we plan to produce 1,500 barrels of beer and 1000 proof gallons of spirits annually. This is considered small by production brewery and very small by production distillery standards, but is large for a single brewpub, which, with our sales focused our in-town tap room, we will essentially be. Close to ideal, this site offers us the necessary utilities, space, and fire suppression that we need to operate our production facility with only minor modifications.

We will also construct and operate a secondary tap room at our Bisbee Court brewery location. It will occupy a small portion of the facility, and will be separated by a 1 hour fire wall from our production space. It will have an occupancy of approximately 20 people and will have very limited hours. We anticipate the onsite taproom being open for about 3 hours on weekday evenings and on Saturday afternoons. The taproom will operate in conjunction with tours and will also serve people who work and live in the immediate area.

Our in-town taproom will be a place where locals can gather, relax in a comfortable atmosphere, have a bite to eat, and enjoy a beer or cocktail crafted at our Bisbee Court location, as well as other New Mexico produced beer, spirits, wine, and cider. We plan to have a traditional bar counter where customers can interact with our knowledgeable bartenders as well as smaller tables where there is an option for privacy. However, the main seating option in our tap room will be long community tables where our customers can rub elbows with neighbors and perhaps meet someone new. The site will also have a kitchen and we will specialize in a variety of small plates to accompany our beverages. We hope to also include a stage where we can feature live entertainment from local and regional musical acts.

Our target demographic will be those seeking quality, locally produced food and beverage in a fun yet calm and safe environment. We envision a place where parents will feel comfortable bringing their children on a warm summer evening. This is not a place that will appeal to a late-night crowd and our hours of operation at both tap room locations will reflect this commitment.

We plan to have strict drink limit policies, a practice voluntarily adopted by most craft breweries across the state and one of the reasons that many craft breweries are seen as family-friendly

venues. Focusing on afternoon and early evening business, our hours will encourage moderate and responsible consumption.

Our brewery location at Bisbee Court will have a limited impact on neighboring businesses. We are occupying an existing structure and the limited amount of retrofitting we will need to do will be constrained to the building's interior. The only exterior modifications we anticipate are those necessary to be compliant with updated Santa Fe County Codes. Our production model is smaller quantities of higher quality product for onsite consumption, so we will not place a significant burden on precious natural resources, especially water. Our brewing and distilling practices will further safeguard this resource.

Our impact on the neighborhood traffic will be minimal. We anticipate freight delivery once every one to two weeks. We will run a delivery van to and from our in-town taproom every one to two days. We plan to begin with three employees on site. Our taproom will have an occupancy of approximately 20 people, but the hours of operation will be mostly after regular business hours of most of the neighboring businesses. And with 31 available parking spaces onsite, which will be available after business hours, parking will not be an issue.

There are many reasons why craft breweries are gaining in popularity, and this growth is undeniable. We are starting our business in response to this growing demand. Though we know that there is an opportunity for financial success with this business model, we will also judge our success by how it benefits the community and environment that we call home. Both owners, Jason Kirkman and Jason Fitzpatrick, live and raise families in the greater Santa Fe area. Jason Kirkman lives in the county and was a teacher in Santa Fe Public Schools for nearly a decade. Jason Fitzpatrick and his family live in the city of Santa Fe and has been an instrumental player in the growth of craft beer in New Mexico. Both owners are committed to improving quality, family-friendly businesses in Santa Fe.

We want our business to not just sustain our families and those of our employees, but also to serve the greater community. Not only will we strive to be an inclusive and inviting community space (at our in-town taproom as well as our secondary taproom), but we will further serve the community by creating jobs: beginning with three new manufacturing jobs, as well as eleven service jobs. Our business plan also includes a plan for employee ownership.

With experience in permaculture design, it is our intention to become an industry leader in sustainable brewing and distilling practices, in both energy and water conservation. We have a plan to adopt specific environmentally friendly features and systems and to proudly share and educate the brewing community and our customers about how they too can integrate some of these systems, affordably, in their lives.

We have carefully outlined our values and goals in the process of developing our business plan, which is centered around the following goals:

1. To craft world-class beer and spirits.
2. To use sustainable methods.
3. To create an entertaining, comfortable community gathering space.
4. To help develop a skilled labor force in Santa Fe.
5. To center our workplace on growth, support, and employee ownership.
6. To build our brewery and distillery to last.

Our use of the Bisbee Property will be an embodiment of these principals. We hope that we have made a case that we will be an asset to our neighborhood, to the Santa Fe Community College District, and to the greater Santa Fe community.

## Tumbleroot Brewing Company Neighborhood Meeting Mailing List

Jason Kirkman went down to Santa Fe County Offices and accesses the records of the County Assessor of lots within the area proposed and within 100 feet of subject property, excluding public right-of-way. He also contacted the neighborhood associations requested by Land Use in the TAC letter. Here is a list of owners and neighborhood associations, with their contact information. Also, please see included photos of addresses envelopes. Letters were postmarked and sent on March 2<sup>nd</sup>, 2017, 15 days before the neighborhood meeting, which was conducted on March 17<sup>th</sup>, 2017.

Virginia Vigil  
3153 La Paz LN  
Santa Fe, NM 87507

Long Hard Trail Condominium Association  
10 Bisbee CT Unit B  
Santa Fe, NM 87508

Mulligan Dog Company  
10 Bisbee CT Unit B  
Santa Fe, 87508

Hardpan Properties LLC  
16 Paseo del Caballo  
Santa Fe, NM 87505

25 Bisbee Condominium Association  
149 Chili Line RD  
Santa Fe, NM 87508

Anthony R and Alice M Roybal  
54 Camerada Loop  
Santa Fe, NM 87508

Cantor Properties LLC  
25 A Bisbee CT  
Santa Fe, NM 87508

KGB Properties LLC  
HCR 74 Box 21821  
El Prado, NM 87529

Randa Hunter  
2700 21<sup>st</sup> ST  
Bakersfield, CA 93301

Larry & Keller  
101 W Marcy  
Santa Fe, NM 87501

Brian C and Valerie Bodei  
25 Bisbee CT E  
Santa Fe, NM 87508

36 E LLC  
95 Don Jose Loop  
Santa Fe, NM 87508

Laura B Dunderstadt, Trustee  
13308 Twilight Trail PL NE  
Albuquerque, NM 87111

Lawrence De Leon  
1112 Sunshine Way  
Santa Fe, NM 87507

Guy A Dominguez  
33 Bisbee CT #E  
Santa Fe, NM 87507

L & S Properties LLC  
PO Box 5218  
Santa Fe, NM 87502

The Horace Group LLC  
2913 Calle Derecha  
Santa Fe, NM 87505

The Miller Group  
10 Bisbee CT Suite B  
Santa Fe, NM 87508

33 Bisbee Court Condominium Association  
33 Bisbee Ct Unit G  
Santa Fe, NM 87508

John M Otter, Trustee  
2300 Alameda ST W Unit D3  
Santa Fe, NM 87507

NBG-31



Satya LLC  
1704 B Llano ST #199  
Santa Fe, NM 87505

Maul Partnership LLC  
28 Bisbee CT STE B-8  
Santa Fe, NM 87508

Horace Group LLC  
2913 Calle Derecha  
Santa Fe, NM 87505

San Marcos Association (RO)  
c/o Walter Wait  
48 Bonanza Creek Rd.  
Santa Fe, NM 87508

Turquoise Trail Community Association (RO)  
1421 Luisa ST Suite R  
Santa Fe, NM 87505



Mr. Jason M. Kirkman  
30 Timberwick Rd  
Santa Fe, NM 87508

Maul Partnership LLC  
28 Bisbee CT STE B-B  
Santa Fe, NM 87508

Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

SATYA, LLC  
1704 B LLANO ST #199  
SANTA FE, NM 87505

Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

JOHN M OTTER, TRUSTEE  
2300 W. ALAMEDA #D3  
SANTA FE, NM 87505

NBG-33



Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

THE MILLER GROUP LLC  
10 BISBEE COURT SUITE B  
SANTA FE, NM 87508



Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

LES PROPERTIES INC  
PO BOX 5218  
SANTA FE, NM 87502

Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

LAWRENCE DE LEON  
112 SUNSHINE WAY  
SANTA FE, NM 87507

NBG-34



36 E LLC

45 DOW HOLE LOOP

SANTA FE, NM 87508

LARRY KELLER

101 W MARLY

SANTA FE, NM 87501

K&B PROPERTIES LLC

BOX 74 BOX 21821

EL PASO, NM 87525-2904

NRG-35



ANTHONY & ALICE ROYBAL  
54 CAMERADA LOOP  
SANTA FE, NM 87508

HARDPAN PROPERTIES LLC  
16 PASEO DEL CABALLO  
SANTA FE, NM 87505

LONG HARK TRAIL CONDOMINIUM ASSOC.  
10 BISBEE COURT UNIT B  
SANTA FE, NM 87508

NBAG-36



33 BRIDGE COURT CONDOMINIUM ASSN.

33 BRIDGE COURT UNIT 6

SANTA FE, NM 87508

Mr. Jason M. Karlson  
El Juncos, NM  
Santa Fe, NM 87508

THE HURALE GROUP LLC

2913 CALLE DE RECHIA

SANTA FE, NM 87505

Mr. Jason M. Karlson  
El Juncos, NM  
Santa Fe, NM 87508

Guy A. Dominguez

33 BRIDGE COURT NE

SANTA FE, NM 87507

NBG-37





Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

LAUREN B DUNDERSTANT  
13708 TIMBERWICK TRAIL NE  
ALBUQUERQUE, NM 87109



Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

EL PASO DE GRANTED  
5901 WYOMING BLVD NE SUITE 1333  
ALBUQUERQUE, NM 87109



Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

BRIAN & VALERIE BODEL  
25 BODEE COURT E  
SANTA FE, NM 87508





Mr. Jason M. Kirkman  
40 Timberwick Rd  
Santa Fe, NM 87508

RANDA HUNTER  
2700 211<sup>st</sup> St  
BAKERSFIELD, CA 93301



Mr. Jason M. Kirkman  
40 Timberwick Rd  
Santa Fe, NM 87508

CANTON PROPERTIES LLC  
25A BISBEE CT  
SANTA FE, NM 87508



Mr. Jason M. Kirkman  
40 Timberwick Rd  
Santa Fe, NM 87508

25 BISBEE CONDOMINIUM ASSOC.  
149 E. CHILI LINE RD  
SANTA FE, NM 87508

NB/G-39





Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

MULLIGAN DOG COMPANY  
10 BIRBEE CT UNIT B  
SANTA FE, NM 87508



Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

VIRGINIA VIGIL  
3153 LA PAZ LN  
SANTA FE, NM 87507

Mr. Jason M. Kirkman  
10 Timberwick Rd  
Santa Fe, NM 87508

SAN MARCOS ASSOCIATION  
C/O WALTER WAIT  
48 BOWMAN CREEK RD.  
SANTA FE, NM 87508

NBG-40





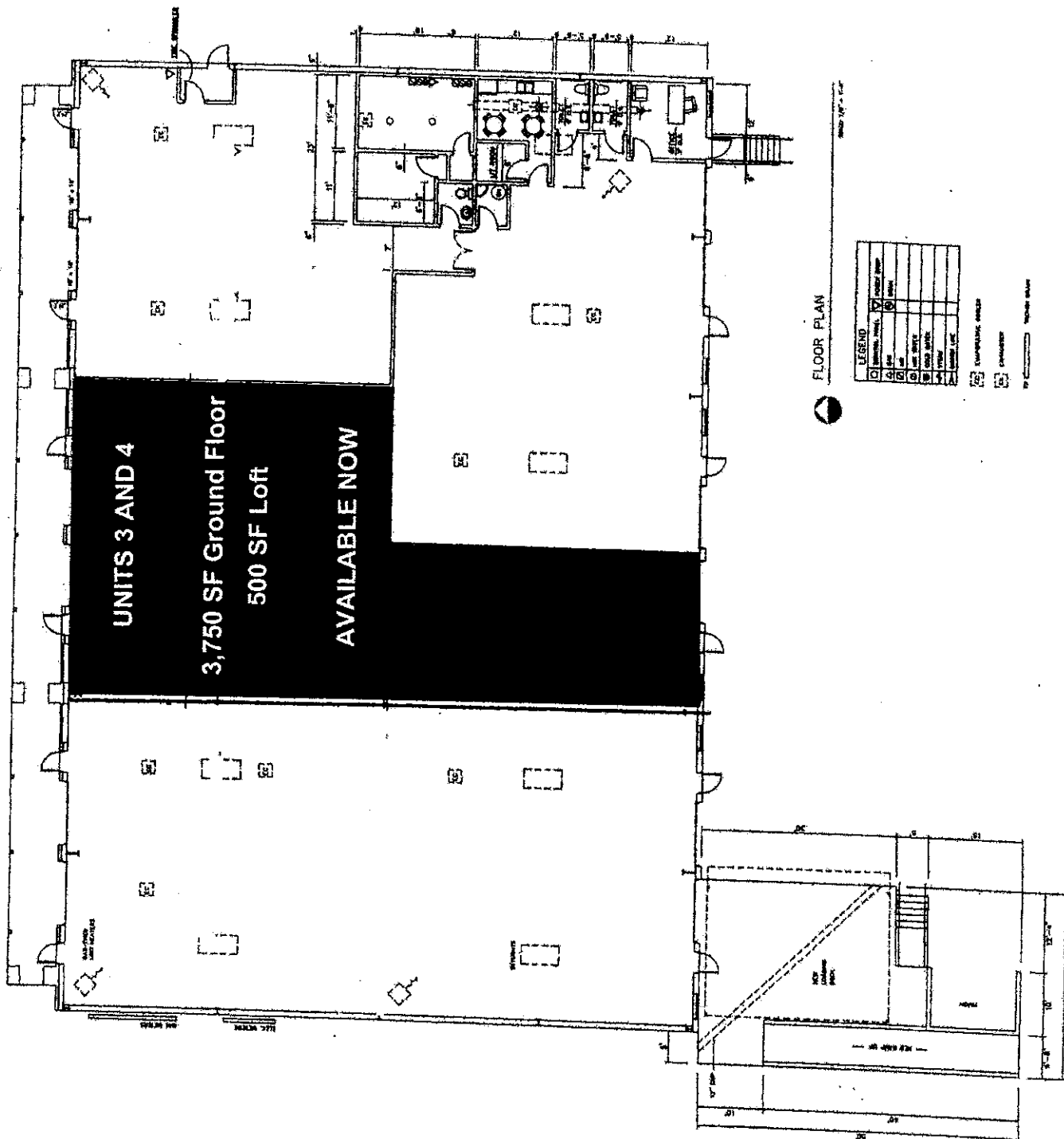
Mr. Jason M. Kirkman  
10 Timbercreek Rd.  
Santa Fe, NM 87508

TURQUOISE TRAIL COMMUNITY ASSOCIATION  
C/O MICHAEL SMITH  
1421 LUISA ST. SUITE R  
SANTA FE, NM 87505

NBG-41



← BISBEE COURT →



NBG-42

# LIST OF DRAWINGS

SP SITE PLAN & LANDSCAPE PLAN  
& PRELIMINARY DEVELOPMENT PLAN

## BUILDING CODE INFORMATION

BUILDING AREA: 15,500 S. F. FULLY SPRINKLERED  
TENANT AREA: 3,754 S. F. FULLY SPRINKLERED  
(UNITS 3 & 4)

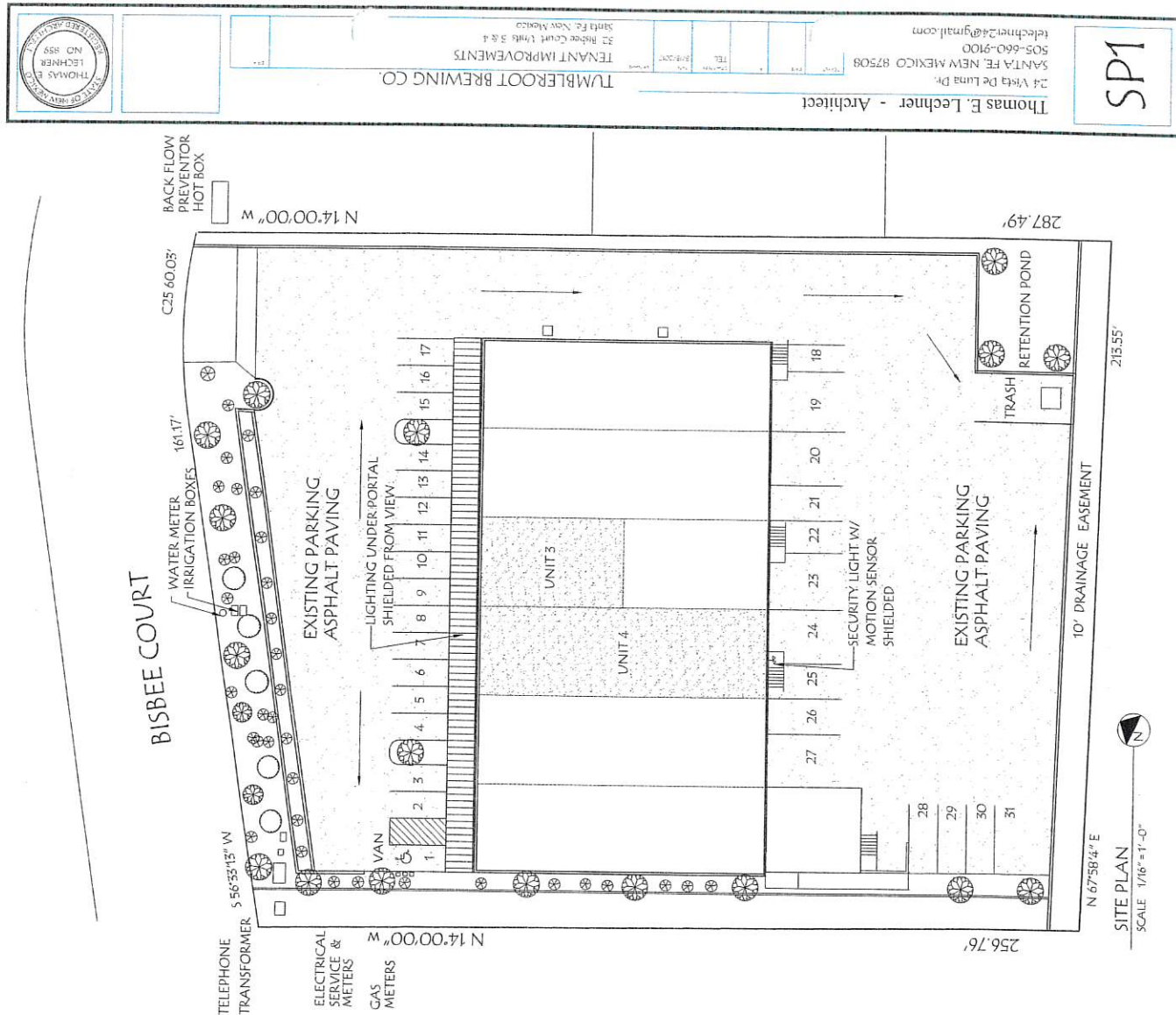
OCCUPANCY USE: FACTORY INDUSTRIAL F-1 MODERATE - HAZARD OCCUPANCY

TENANT AREA: 3,754 S. F. @ 200 = 19 OCCUPANTS  
TENANT AREA: 300 S. F. @ 15 = 20 OCCUPANTS

## EXISTING LANDSCAPE SCHEDULE

- DECIDUOUS TREE HONEY OR NATIVE LOCUST
- EVERGREEN JUNIPER OR PINON
- SHRUBS & PERENNIALS

NBG-43



## Tumbleroot Brewing Company Neighborhood Meeting

March 17<sup>th</sup>, 2017 at 2:00PM

*List of Attendees:*

Name

Email

Signature

[illegible]

NB G-44

LEGAL #82876

CASE # CUP 17-5080

Tumbleroot Brewing  
LLC Conditional Use  
Permit

**NOTICE OF PUBLIC  
HEARING**

Notice is hereby given that a public hearing will be held to

consider a request by Tumbleroot Brewing LLC, for approval of a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits. Tumbleroot Brewing will occupy an existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product and a small tasting room. The site is within the Planned District Santa Fe Community College District (CCD) and zoned and Employment Center (CCD-EC). The site is located at 32 Bisbee Court via Hwy 14 within T16N, R8E, Section 24, SDA-1, (Commission District 5).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 27th day of July 2017, at 3 p.m. on a petition to the Santa Fe County Hearing Officer and on September 21, 2017 at 4 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Hearing Officer/Planning Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P. O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

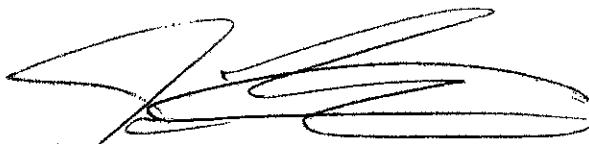
Published in the Santa Fe New Mexican on July 12, 2017.



NBG-45

## CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding a Conditional Use Permit  
Case # **CUP 17-5080** was posted for 15 days on the property beginning the **12th**  
day of **July, 2017**. \*\*


  
Signature

\*Photo of posting taken from a public road must be provided with affidavit.

**\*\*PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the Applicant's responsibility to ensure that the notice is on the property for the full 15 days. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

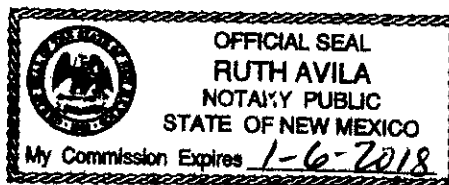
STATE OF NEW MEXICO    }  
  }  
COUNTY OF SANTA FE    }

The foregoing instrument was acknowledged before me this 11 day of  
July, 2017, By Ruth Avila.

  
Notary Public

My Commission Expires:

1-6-2018



NB:G-46



AVAILABLE  
505-424-4517  
WWW.MILLERGR.COM

NB G-47

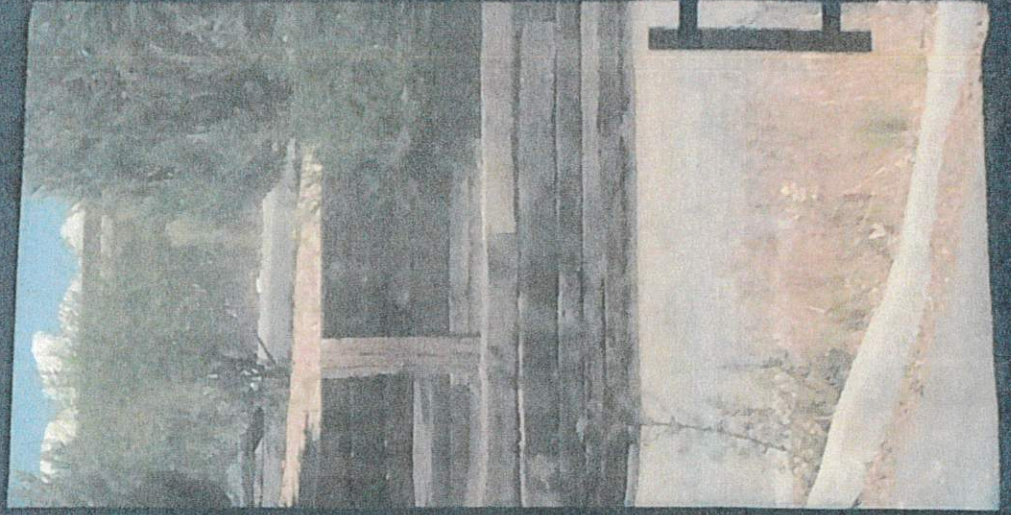


# **PUBLIC NOTICE**

Notice is hereby given that an application has been filed with Santa Fe County for APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW MANUFACTURING OF CRAFT BEER AND DISTILLED SPIRITS TUMBLERCOOT BREWERY WILL OCCUPY AN EXISTING 4,250 SF STRUCTURE TO HOUSE A BREWERY, A DISTILLERY, A PACKING LINE, BOTTLING AND COLD STORAGE FOR THE PRODUCT AND A SMALL TASTING ROOM. THE SITE IS WITHIN THE PLANNED DISTRICT SANTA FE COMMUNITY COLLEGE DISTRICT (CD-1) AND ZONED AS EMPLOYMENT CENTER (C20-1EC).

Name of Applicant: TUMBLERCOOT BREWERY, LLC  
 Address of Request: 528 S. 8th Street, Santa Fe, NM 87501  
 Legal Description: Section 24, Township 16N, Range R8E, NMPM Santa Fe County, New Mexico

A PUBLIC HEARING will be held at the Old Santa Fe County Courthouse corner of Palace and Grant Avenues, Santa Fe, New Mexico on the 27th day of JULY 2017 at 3:00 PM before the SFC HEARING OFFICE AND ON SEP 21, 2017 AT 4 PM BEFORE THE SFC PLANNING COMMISSION. Further information can be obtained by contacting the Land Use Department, P.O. Box 276, Santa Fe, NM 87504. Phone (505) 988-6225. Development Permit # 17-6080





CASE# CUP 17-5080 Tumbleroot Brewing LLC Conditional Use Permit

Dear Property Owner:

Notice is hereby given that a public hearing will be held to consider a request by Tumbleroot Brewing LLC, for approval of a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits. Tumbleroot Brewing LLC will occupy an existing 4,250 sf structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product and a small tasting room. The site is within the Planned District Santa Fe Community College District (CCD) and zoned as Employment Center (CCD-EC). The site is located at 32 Bisbee Court via Hwy 14 within T16N, R8E, Section 24, SDA-1, (Commission District 5).

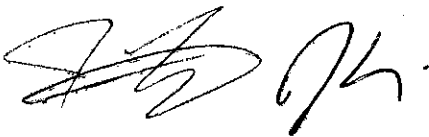
A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 27th day of July 2017, at 3 p.m. on a petition to the Santa Fe County Hearing Officer and on September 21, 2017 at 4 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Hearing Officer/Planning Commission taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, N.M. 87504-0276; or presented in person at the hearing.

Sincerely:



Jason Fitzpatrick and Jason Kirkman

Tumbleroot Brewing LLC

32 Bisbee Court Unit 3-4

Santa Fe, New Mexico 87508

NB G-49

## Tumbleroot Brewing Company Neighborhood Meeting Mailing List

Jason Fitzpatrick went down to Santa Fe County Offices and accesses the records of the County Assessor of lots within the area proposed and within 500 feet of subject property, excluding public right-of-way. He also contacted the neighborhood associations requested by Land Use by the County. Here is a list of owners and neighborhood associations, with their contact information. Letters were postmarked and sent on July 12th, 2017, 15 days before the neighborhood meeting, which was conducted on July 27th, 2017.

Virginia Vigil  
3153 La Paz LN  
Santa Fe, NM 87507

Mulligan Dog Company  
10 Bisbee CT Unit B  
Santa Fe, 87508

25 Bisbee Condominium Association  
149 Chili Line RD  
Santa Fe, NM 87508

Cantor Properties LLC  
25 A Bisbee CT  
Santa Fe, NM 87508

Randa Hunter  
2700 21<sup>st</sup> ST  
Bakersfield, CA 93301

Brian C and Valerie Bodei  
25 Bisbee CT E  
Santa Fe, NM 87508

Laura B Dunderstadt, Trustee  
13308 Twilight Trail PL NE  
Albuquerque, NM 87111

Guy A Dominguez  
33 Bisbee CT #E  
Santa Fe, NM 87507

The Horace Group LLC  
2913 Calle Derecha  
Santa Fe, NM 87505

33 Bisbee Court Condominium Association  
33 Bisbee Ct Unit G

Santa Fe, NM 87508  
Long Hard Trail Condominium Association  
10 Bisbee CT Unit B  
Santa Fe, NM 87508

Hardpan Properties LLC  
16 Paseo del Caballo  
Santa Fe, NM 87505

Anthony R and Alice M Roybal  
54 Camerada Loop  
Santa Fe, NM 87508

KGB Properties LLC  
HCR 74 Box 21821  
El Prado, NM 87529

Larry & Keller  
101 W Marcy  
Santa Fe, NM 87501

36 E LLC  
95 Don Jose Loop  
Santa Fe, NM 87508

Lawrence De Leon  
1112 Sunshine Way  
Santa Fe, NM 87507

L & S Properties LLC  
PO Box 5218  
Santa Fe, NM 87502

The Miller Group  
10 Bisbee CT Suite B  
Santa Fe, NM 87508

John M Otter, Trustee

NB.G-50



2300 Alameda ST W Unit D3  
Santa Fe, NM 87507

Satya LLC  
1704 B Llano ST #199  
Santa Fe, NM 87505

Maul Partnership LLC  
28 Bisbee CT STE B-8  
Santa Fe, NM 87508

Horace Group LLC  
2913 Calle Derecha  
Santa Fe, NM 87505

San Marcos Association (RO)  
c/o Walter Wait  
48 Bonanza Creek Rd.  
Santa Fe, NM 87508

Turquoise Trail Community Association (RO)  
1421 Luisa ST Suite R  
Santa Fe, NM 87505

Hayduk King Advertising  
PO Box 4492  
Santa Fe, NM 87502

25 Bisbee Condominium  
9 Rumble Rd  
Santa Fe, NM 87508

Leroy and Mary Aragon  
8316 Calle De Petirrojo  
Albuquerque, NM 87120

Daniel Ronda  
21B Bisbee Court  
Santa Fe, NM 87508

Bisbee Properties LLC  
21 Bisbee Court STE F  
Santa Fe, NM 87508

Sequoia Pawan Madan  
21 Bisbee Court Unit E  
Santa Fe, NM 87507

NB.G-51

Daddio Real Estate LLC  
21 Bisbee Ct Unit F  
Santa Fe, NM 87508

Leon and Dorothy Romero  
21 Bisbee Ct  
Santa Fe, NM 87508

Builders Specialty SVC INC  
PO Box 2028  
Santa Fe, NM 87504

Vigilant Real Estate Group LLC  
6 A Deans Ct  
Santa Fe, NM 87508

Turquoise Trail LLC  
371 Centennial Parkway #200  
Louisville, CO 80027

El Paseo de Galisteo  
5901 Wyoming Blvd NE Unit J333  
Albuquerque, NM 87109

Tierra Sola LLC  
4300 Glenwood Hills  
Albuquerque, NM 87111

David and Valerie Linson  
33 Bisbee Ct #G  
Santa Fe, NM 87507

Sat Katar and Sat Bachan Bird  
35 Bisbee Ct  
Santa Fe, NM 87507

**Henry P. Roybal**  
Commissioner, District 1

**Anna Hansen**  
Commissioner, District 2

**Robert A. Anaya**  
Commissioner, District 3



**Anna T. Hamilton**  
Commissioner, District 4

**Ed Moreno**  
Commissioner, District 5

**Katherine Miller**  
County Manager

**PUBLIC WORKS DIVISION  
MEMORANDUM**

**Date:** April 28, 2017  
**To:** Jose Larranaga, Development Review Team Leader  
**From:** Johnny P. Baca, Traffic Manager Public Works  
**Re:** **CASE # SCUP 17-5080 Tumbleroot Brewing Conditional Use Permit**

The referenced project has been reviewed for compliance of the Santa Fe County Sustainable Land Development Code (SLDC), and shall conform to roads and driveway requirements of Sustainable Design Standards **Chapter 7.4 (Access and Easements) and Chapter 7.11 (Road Design Standards)**. The referenced project is located within the Community College District located within Santa Fe County Zoning Jurisdiction and is located approximately 1.31 miles east of State Road 14 (Turquoise Trail) / New Mexico 599 (Veterans Highway) intersection, approximately .62 miles southwest of Cerrellos Road / State Road 14, west of Bisbee Court / Rancho Viejo Boulevard intersection. The applicant is requesting approval for Conditional Use permit to allow a production facility to manufacture craft beer/tasting room within an existing 4,250square foot building.

**Access:**

The applicant is proposing to serve the proposed project with the existing access from Bisbee Court. A Traffic Impact Analysis was not required due to the low volume of traffic generated during the peak hours. Staff feels that the proposed project will not have an impact on the County Road network system.

**Conclusion:**

Public Works has reviewed the submittal and feels that they **can** support the above mentioned project.



## Jose Larranaga

---

**From:** Gerard A. Schoeppner  
**Sent:** Monday, July 10, 2017 9:26 AM  
**To:** Phyllis Bustamante; Sandra J. Ely; Jose Larranaga  
**Subject:** FW: SFCo Utilities Application for Ready Willing and Letter for Tumble Root Brewing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged


FYI

Jerry

---

**From:** Gerard A. Schoeppner  
**Sent:** Wednesday, April 12, 2017 4:07 PM  
**To:** Sandra J. Ely  
**Cc:** Phyllis Bustamante  
**Subject:** RE: SFCo Utilities Application for Ready Willing and Letter for Tumble Root Brewing

Sandra:

 I reviewed the water budget for Tumble Root Brewing. The applicant used the City of SF's Resolution 2009-116 as a guide to establish an estimated water budget. Both the manufacturing consumables (brewing and distilling process) and the restaurant (limited service) are well below Resolution 2009-116 values.

Based on the amount of beer planned to be brewed, spirits distilled, and the water use ratio for this brewery/distillery, the proposed water budget of 1.09 afy for manufacturing consumables is reasonable and acceptable. If brewing and distilling is increased in the future or more bottling is done, the water budget will have to be revised to reflect this change. The applicant did not specify the number of customers expected at the tap room, but used a nearby tap room for comparison. Based on this and the description of the proposed brewery/distillery, I estimated 50 customers per day, 5 days per week. Using an average of 2 flushes per customer (1.6 gallons per flush) and using the faucet (1.5 gallon per minute x 0.5 minutes) twice per customer results in a water use of 56,400 gallons or 0.17 afy. This is slightly higher than the applicants proposed use of 0.11 afy which is reasonable and acceptable. This estimate is based on the use of water saving toilets and faucets, does not include water used in preparation of food and related cleaning as the application did not include food service, or water needed for outside landscaping.

Jerry

*Jerry Schoeppner, P.G.  
Santa Fe County Utilities Division  
Physical address: 424 Hwy 599 New Mexico Frontage Road, Santa Fe, NM, 87507;  
Mailing address: P.O. Box 276, Santa Fe, NM 87504  
Office: 505-992-9871  
Mobile: 505-231-2346*

[Link to Google Map of our Office Location](#)

---

**From:** Sandra J. Ely  
**Sent:** Thursday, March 09, 2017 11:09 AM  
**To:** Gerard A. Schoeppner  
**Cc:** Phyllis Bustamante  
**Subject:** FW: SFCo Utilities Application for Ready Willing and Letter for Tumble Root Brewing



## Jose Larranaga

---

**From:** Sandra J. Ely  
**Sent:** Tuesday, July 11, 2017 3:14 PM  
**To:** Phyllis Bustamante; Jose Larranaga  
**Cc:** Gerard A. Schoeppner  
**Subject:** RE: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

→ Since the infrastructure is already in place and that business is already connected to County water, Tumble Root would not need a water service agreement with the County. They will need to come in and set-up an account with us.

---

**From:** Phyllis Bustamante  
**Sent:** Tuesday, July 11, 2017 2:56 PM  
**To:** Jose Larranaga  
**Cc:** Sandra J. Ely; Gerard A. Schoeppner  
**Subject:** RE: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Not sure – Jerry or Sandra may know. My guess is that they are under an agreement through the business park??

Phyllis

---

**From:** Jose Larranaga  
**Sent:** Tuesday, July 11, 2017 2:54 PM  
**To:** Phyllis Bustamante  
**Cc:** Sandra J. Ely; Gerard A. Schoeppner  
**Subject:** RE: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Thank you.

At what point would they have to go through the water service agreement process?

---

**From:** Phyllis Bustamante  
**Sent:** Tuesday, July 11, 2017 2:52 PM  
**To:** Jose Larranaga; Sandra J. Ely  
**Cc:** Gerard A. Schoeppner  
**Subject:** RE: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

According to Jerry's e-mail, attached, 1.09 is ok.

Phyllis

---

**From:** Jose Larranaga  
**Sent:** Tuesday, July 11, 2017 8:27 AM  
**To:** Phyllis Bustamante; Sandra J. Ely  
**Subject:** RE: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Thank you Phyllis.

Another question is 1.09 afy water use ok with you?



Henry P. Roybal  
Commissioner, District 1

Anna Hansen  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Anna T. Hamilton  
Commissioner, District 4

Ed Moreno  
Commissioner, District 5

Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Development Review

Date	04/05/2017		
Project Name	Tumbleroot Brewing		
Project Location	32 Bisbee Court. Units 3 & 4, Santa Fe, New Mexico 87508		
Description	Brewery, distillery, taproom	Case Manager	J. Larranaga
Applicant Name	Jason M. Kirkman	County Case #	17-5080
Applicant Address	10A Timberwick Road Santa Fe, New Mexico 87508	Fire District	La Cienega
Applicant Phone	505-603-4740		
Review Type:	Commercial <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Lot Split <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/>		
Project Status:	Family Trans <input type="checkbox"/> Inspection <input checked="" type="checkbox"/> Wildland <input type="checkbox"/> Variance <input type="checkbox"/> Zone No. ____ PD ____		
	Approved <input checked="" type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denial <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):

### Conditions of Approval

- Building has Automatic fire sprinkler system (page #3)
- All exit doors shall be operational (page #3)

## **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.*

- **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 of a minimum 26' wide.

Driveway is County approved all-weather paved driving surface Minimum 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.

- **Slope/Road Grade**

*Section 902.2.2.6 Grade (1997 UFC) The gradient for a fire apparatus access road shall not exceed the maximum approved.*

*This driveway/fire access does not exceed 10% slope and has a minimum 28' inside radius on curves.*

## **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 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 fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system. All hydrants shall have NST ports.

### **Automatic Fire Protection/Suppression**

Automatic Fire Protection Sprinkler systems shall be required and is installed 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. The sprinkler system shall be maintained per NFPA 25 standards.

### **Fire Alarm/Notification Systems**

Automatic Fire Protection Alarm systems are highly recommended per 1997 Uniform Fire and Building Codes 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.

#### **■ 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 private 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.

### **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.

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

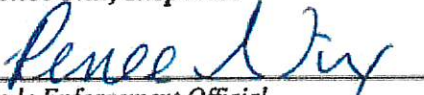
▪ **Permits**

As required

**Final Status**

Recommendation for Development Plan approval with the above conditions applied.

*Renee Nix, Inspector*

  
Code Enforcement Official

4-5-17  
Date

Through: David Sperling, Chief  
Jaime Blay, Fire Marshal

File: DEV/Tumbleroot/040517/LC

Cy: Jose Larranaga, Land Use  
Battalion Chiefs  
Regional Lieutenants  
District Chief La Cienega  
Applicant  
File

**Jose Larranaga**

---

**From:** Jason Kirkman <titokirkman@gmail.com>  
**Sent:** Monday, July 10, 2017 10:59 AM  
**To:** Jose Larranaga  
**Subject:** Fwd: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Hi Jose,

I am forwarding you a string of emails regarding our use of the private septic system at Turquoise Trail Business Park. It looks like NMENV has decided that it is up to the owner of the permitted private septic system to determine whether or not we can hook up - whether or not the system can handle our output. That's great news since we already had Gary Smotherman send you and Sandra a letter on this issue on April 25th:

Hello Sandra,

→ I was asked by Tumbleroot Brewing to provide approval on behalf of the Turquoise Trail Business Park Lot Owners Association (TTBPLOA) for them to connect to our Wastewater System. There is no need to obtain approval from the business park to connect to our system. First of all the building at 32 Bisbee Ct. is already connected to our system and has been since it was built. More importantly their business is not listed in the list of prohibited uses in the covenants of TTBPLOA. It is therefore not necessary to have our permission to connect. The only limiting stipulation in the covenants is that they not discharge more than 625 gpd. Tumbleroot has indicated that even at full capacity, which he is not expected to be for some time, they would not exceed 566 gpd

If you have any questions or would like to discuss this further please do not hesitate to contact me.

Have a nice day.

**Gary Smothermon**

**L. E. Meyer Company**

**5 Bisbee Ct. #101**

**Santa Fe, NM 87508**

**505-982-5579 Office**

**505-983-1551 Fax**

I am hoping that we can consider this matter closed and can move forward with a conditional use permit that will allow us to use the private septic system until the Turquoise Trail Business Park hooks up to the county sewer system. I only wish that Mr. Brown had been more clear in his communication and more responsive back

in April. This process would have been much smoother, not to mention faster. Jason Fitzpatrick and I are wondering if there is anything you or the Land Use Department can do to expedite our special use process now that we have discovered that the wastewater issue never should have caused such a delay. Anything that you can do in this regard would be greatly appreciated.

Sincerely,

Jason Kirkman

1(505)603-4740

----- Forwarded message -----

From: **Isaac, Russell, NMENV** <[Russell.Isaac@state.nm.us](mailto:Russell.Isaac@state.nm.us)>

Date: Mon, Jul 10, 2017 at 8:49 AM

Subject: FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

To: "[titokirkman@gmail.com](mailto:titokirkman@gmail.com)" <[titokirkman@gmail.com](mailto:titokirkman@gmail.com)>, "[jasonfitzpatrick1@gmail.com](mailto:jasonfitzpatrick1@gmail.com)"

<[jasonfitzpatrick1@gmail.com](mailto:jasonfitzpatrick1@gmail.com)>, "[ason@atalayaglobal.com](mailto:ason@atalayaglobal.com)" <[ason@atalayaglobal.com](mailto:ason@atalayaglobal.com)>

Cc: "Schall, Brian, NMENV" <[brian.schall@state.nm.us](mailto:brian.schall@state.nm.us)>, Phyllis Bustamante

<[pbustamante@santafecountynm.gov](mailto:pbustamante@santafecountynm.gov)>, "Brown, William, NMENV" <[William.Brown@state.nm.us](mailto:William.Brown@state.nm.us)>, "Loren

Allen ([loren@allenenvironmental.com](mailto:loren@allenenvironmental.com))" <[loren@allenenvironmental.com](mailto:loren@allenenvironmental.com)>, "Smothermon, Gary"

<[Gary@lemeyerco.com](mailto:Gary@lemeyerco.com)>

→ It is up to the utility owner and its consultant to determine whether the treatment system can accommodate the additional flow and load within the discharge permit's (DP-1176) limits and still perform as required.

If you have any questions, please contact me.

→ **Russell A. Isaac Ph.D., P.E.**

Environmental Engineer

**New Mexico Environment Department**

**Ground Water Program**

1190 St. Francis Drive

P.O. Box 5469

Santa Fe, NM 87502-5469



T: [\(505\) 827-2978](tel:(505)827-2978)

F: [\(505\) 827-2965](tel:(505)827-2965)

**From:** Schall, Brian, NMENV  
**Sent:** Friday, July 07, 2017 8:43 AM  
**To:** Isaac, Russell, NMENV <[Russell.Isaac@state.nm.us](mailto:Russell.Isaac@state.nm.us)>  
**Subject:** FW: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

FYI

R. Brian Schall

Domestic Waste Team Leader

Ground Water Quality Bureau

NM Environment Department

[505-476-3648](tel:505-476-3648)

**From:** Brown, William, NMENV  
**Sent:** Friday, July 07, 2017 8:21 AM  
**To:** Jason Kirkman <[titokirkman@gmail.com](mailto:titokirkman@gmail.com)>  
**Cc:** Jose Larranaga <[joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)>; Jason Fitzpatrick <[jasonfitzpatrick1@gmail.com](mailto:jasonfitzpatrick1@gmail.com)>; Jason Kirkman <[jason@atalayaglobal.com](mailto:jason@atalayaglobal.com)>; Schall, Brian, NMENV <[brian.schall@state.nm.us](mailto:brian.schall@state.nm.us)>  
**Subject:** RE: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Mr. Kirkman,

The Turquoise Trail Business Park septic system was permitted by NMED's Ground Water Quality Bureau (GWQB). I'm copying this email to Brian Schall with GWQB. He should be able to comment on your proposed brewery/distillery operation.

Sincerely,

Bill Brown

Staff Manager, District II

Environmental Health Bureau

New Mexico Environment Department

[505-476-9112](tel:505-476-9112) direct

**From:** Jason Kirkman [<mailto:titokirkman@gmail.com>]

**Sent:** Wednesday, July 5, 2017 3:18 PM

**To:** Brown, William, NMENV <[William.Brown@state.nm.us](mailto:William.Brown@state.nm.us)>

**Cc:** Jose Larranaga <[joselarra@santafecountynm.gov](mailto:joselarra@santafecountynm.gov)>; Jason Fitzpatrick <[jasonfitzpatrick1@gmail.com](mailto:jasonfitzpatrick1@gmail.com)>; Jason Kirkman <[jason@atalayaglobal.com](mailto:jason@atalayaglobal.com)>

**Subject:** HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit

Dear William Brown, Liquid Waste Specialist, District 2,

We are a new brewery/distillery hoping to begin production in Santa Fe County in the fall of 2017. We have signed a lease on a production space in the Turquoise Trail Business Park at 32 Bisbee Ct. We are pursuing a conditional use permit for use of this space as a brewery/distillery. A conditional use is required for all light manufacturing in the Community College District. Our meeting with the hearing officer is July 27th, and our meeting with the planning commission is September 21st. We have met all of the conditions for approval, except for the wastewater issue.

Several months ago, through our case manager with the county, Jose Larranaga, you requested more information from us regarding our projected wastewater. You wrote in the memo that it was regarding: HCUP 17-5080 Tumbleroot Brewing Conditional Use Permit.

Promptly after receiving your letter, we investigated the status of the private septic system at Turquoise Trail Business Park and learned that it had a valid permit through the state with daily discharge limits. We sent a response about meeting the conditions for using the existing septic system to Jose Larranaga, and we also sent a wastewater pre-treatment and monitoring plan to Phyllis Bustamonte at the County. She requested this plan because she stated that the business park is in the process of hooking up to the county wastewater line. I also sent you copies of these plans. I have attached a few documents related to refresh you on the matter.

We have provided documentation to the county that the business park has a valid permit to discharge wastewater into its private septic system, with a maximum discharge of 12,500 gpd. We have also provided them the per unit daily discharge limits created by the Turquoise Trail Business Park Condo Association in order to stay under the discharge limits allowed under the license, 625 gpd. We have demonstrated that our projected wastewater, at a maximum daily average of 564 gpd at full capacity, will be below these limits for at least our first few years of operation.

The county is asking for a letter from you that permits us to use the private septic system, in the case that we begin operations while the business park is still in the process of hooking up to the county sewer line. As I mentioned previously, we have demonstrated that our projected waste is below what is allowed under the business park's per lot allocation under the current license for the septic system. We also will have designed and installed a wastewater pre-treatment system (solids removal and pH adjustment) that will further reduce our impact on the septic system. If you would like to discuss any other concerns you might have regarding our use of this system, we can arrange a face-to-face meeting at your convenience, or you can give me a call anytime.

As I have tried to contact you several times regarding this issue, both by email and phone, I sincerely hope you will reply to this request, either by granting us permission or explaining how and why we would be denied such use, and proposing conditions whereby, should necessity dictate, we may temporarily use the private septic system at Turquoise Trail Business Park. As this wastewater issue has already delayed our conditional use process by several months, I am hoping that we can resolve this matter promptly.

Sincerely,

Jason Kirkman

Tumbleroor Brewing Company

[1\(505\)603-4740](tel:15056034740)





THIS INFORMATION IS FOR REFERENCE ONLY. SANTA FE COUNTY ASSUMES NO LIABILITY FOR ERRORS ASSOCIATED WITH THE USE OF THIS DATA. USERS ARE SOLELY RESPONSIBLE FOR CONFIRMING DATA ACCURACY WHEN NECESSARY.

1 inch = 69 feet



NBG-65



## Suitability of 32 Bisbee Court for Tumbleroot Brewing Company's Brewing, Distilling, and Warehousing of Craft Beverages and Operation of a Small Tasting Room

*32 Bisbee Court is located in an employment center within the Community College District. This commercial zone is composed of a variety of business, from warehouses, offices, construction company yards, automotive repair shops, woodshops, and light manufacturing facilities. Our light manufacturing purpose requires a conditional use approval in this zone. We have included a list of businesses in this zone, which includes both a large brewery and a distilled spirits processor, to show that our small production facility fits in well with the character of this neighborhood:*

### Santa Fe Brewing Company

New Mexico's oldest brewery. A large craft brewery that distributes throughout the Southwest and beyond. Onsite brewery, taproom, bottling and canning facility. Location: Fire Place

### Aztec Spirits

Distilled spirits processing, storage, and bottling. Location: Bisbee Court

### Santa Fe Tortilla Company

Large tortilla manufacturer. Onsite manufacturing, packaging and warehousing. Location: multiple buildings in Bisbee Court

### Water Boyz

Local water treatment and packaging company. Onsite water processing, bottling plant, and warehouse. Location: Bisbee Court

### Soothing Touch

Cosmetics production and marketing. Onsite manufacturing of oils, lotions, creams etc. Location: Bisbee Court

### Shift New Mexico

Marijuana dispensary. Processing and sales of hand raised medical cannabis. Location: Bisbee Court

### STAR Cryoelectronics

Scientific Instruments Manufacturer. Builds Superconducting QUantum Interference Device (SQUID) sensors. Location: Bisbee Court

### Solbee

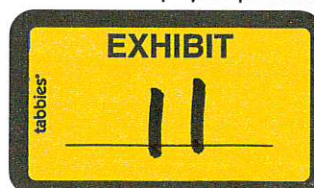
Manufacturing and marketing of honey products. Infusing and bottling onsite. Location: Bisbee Court

### Lab ZY

Scientific Instruments Manufacturer. Production of radiation detection instruments. Location: Bisbee Court

### Symphony Seed Papers

Paper manufacturing. Onsite production of handmade paper products embedded with seeds. Location: Bisbee Court



NB-G-66

**4.9.6. Conditional Use Permits (CUP).** For approval of certain conditional uses as set forth in the Use Matrix and elsewhere in the SLDC, pursuant to this Section.

**4.9.6.1. Purpose and Findings.** This Section provides for certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth herein, be approved. These uses shall be permitted through the issuance of a conditional use permit (CUP).

**4.9.6.2. Applicability.** The provisions of this Section apply to any application for approval of a CUP as required by the Use Matrix. Conditional uses are those uses that are generally compatible with the land uses permitted by right in a zoning district but that require individual review of their location, design and configuration, and the imposition of conditions or mitigations in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses that are enumerated as conditional uses in a zoning district, as set forth in the use matrix, may be authorized by the Planning Commission. No inherent right exists to receive a CUP. Concurrent with approval of a CUP, additional standards, conditions and mitigating requirements may be attached to the development order. Additionally, every CUP application shall be required to comply with all applicable requirements contained in the SLDC.

**4.9.6.3. Application.** An applicant may apply for a CUP by filing an application for discretionary development approval with the Administrator. A site development plan is required to be submitted with any CUP application and shall include any SRAs required pursuant to Table 6-1 in Chapter 6.

**4.9.6.4. Review.** The application shall be referred to the Hearing Officer and Planning Commission for the holding of a quasi-judicial public hearing.

**4.9.6.5. Approval Criteria.** CUPs may only be approved if it is determined that the use for which the permit is requested will not:

1. be detrimental to the health, safety and general welfare of the area;
2. tend to create congestion in roads;
3. create a potential hazard for fire, panic, or other danger;
4. tend to overcrowd land and cause undue concentration of population;
5. interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
6. interfere with adequate light and air; and
7. be inconsistent with the purposes of the property's zoning classification or in any other way inconsistent with the spirit and intent of the SLDC or SGMP.

**4.9.6.6. Conditions.** In approving any CUP, the Planning Commission may:

1. Impose such reasonable standards, conditions, or mitigation requirements, in addition to any general standard specified in the SLDC or the SGMP, as the Planning Commission may deem necessary. Such additional standards, conditions, or mitigation requirements may include, but are not be limited to:



- a. financing and availability of adequate public facilities or services;
- b. reservations and dedications;
- c. payment of development fees;
- d. establishment of assessment and public improvement districts;
- e. adoption of restrictive covenants or easements;
- f. special buffers or setbacks, yard requirements, increased screening or landscaping requirements;
- g. development phasing;
- h. standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, or preservation of archaeological, cultural and historic resources; and
- i. provision of sustainable design and improvement features, solar, wind or other renewable energy source, rainwater capture, storage and treatment or other sustainability requirements.

2. Require that a payment and performance guaranty be delivered by the owner/applicant to the Administrator to ensure compliance with all conditions and mitigation measures as are set forth in the development order; and

3. Encourage that a voluntary development agreement be entered into between the owner/applicant and the County to carry out all requirements, conditions and mitigation measures.

**4.9.6.7. Scope of Approval.** The CUP approval applies only to the project as presented and approved at the hearing. If the project changes in any way it will be subject to the major/minor amendments provisions of Section 4.9.6.9.

**4.9.6.8. Recording Procedures.** The CUP showing the site layout and conditions of approval shall be recorded at the expense of the applicant in the office of the County Clerk.

**4.9.6.9. Amendments.** An amendment is a request for any enlargement, expansion, greater density or intensity, relocation, decrease in a project's size or density, or modification of any condition of a previously approved and currently valid CUP.

**1. Minor Amendments.** Shifts in on-site location and changes in size, shape, intensity, or configuration of less than five percent (5%), or a five percent (5%) or less increase in either impervious surface or floor area over what was originally approved, may be authorized by the Administrator, provided that such changes comply with the following criteria:

- a. no previous minor amendment has been previously granted pursuant to this Section;
- b. nothing in the currently valid CUP precludes or otherwise limits such expansion or enlargement; and

I hereby Certify That This Instrument Was Filed for  
Record On The 16TH Day Of August, 2017 at 10:06:49 AM  
And Was Duly Recorded as Instrument # 1833806  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Deputy *A. Laura Hernandez* Geraldine Salazar  
County Clerk, Santa Fe, NM



RECEIVED AUG 10 2017

RECORDED  
INDEXED  
AUG 10 2017

**TRANSCRIPT OF THE  
SANTA FE COUNTY  
SLDC HEARING OFFICER MEETING  
Santa Fe, New Mexico**

**July 27, 2017**

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Nancy Long on the above-cited date at approximately 3:03 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**Staff Present:**

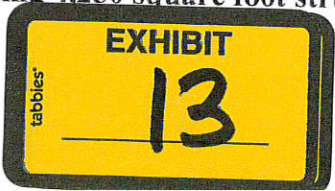
- Vicki Lucero, Building & Services Manager
- John Lovato, Development Review Specialist
- John Michael, Development Review Specialist
- Paul Kavanaugh, Building & Services Supervisor
- Jose Larrañaga, Development Review Specialist
- Rachel Brown, Deputy County Attorney
- Tony Flores, Deputy County Manager

**II. Approval of Agenda**

HEARING OFFICER LONG: I will approve the agenda. There is an amended agenda that was published, and so cases A. and B. are tabled. So we will begin with Case C.

**III. Public Hearings**

- C. **CASE # CUP 17-5080 Tumbleroot Brewing LLC Conditional Use Permit.** Tumbleroot Brewing LLC, Jason Kirkman/Jason Fitzpatrick, applicants, request approval of a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits. Tumbleroot Brewing will occupy an existing 4,250 square foot structure to house a brewery,



NBIG-69



a distillery, a packaging line, both warm and cold storage for the product and a small tasting room. The site is within the Planned District Santa Fe Community College District (CCD) and zoned as Employment Center (CCD-EC). The site is located at 32 Bisbee Court via Hwy 14 within T16N, R8E, Section 24, SDA-1 (Commission District 5)

Hearing Officer Long read the case caption.

JOSE LARRAÑAGA (Case Manager): Thank you, Hearing Officer Long. The applicants are requesting approval of a Conditional Use Permit to allow a manufacturing use within an existing structure. The manufacturing will consist of a small production brewery and distillery. The site is within the Planned District Santa Fe Community College District, Employment Center of the Sustainable Land Development Code. Table 8.44: CCD Use Table, illustrates manufacturing plants as a conditional use which is a permitted use within the Employment Center Subdistrict upon approval of a conditional use permit.

The applicants propose to utilize the existing 4,250 square foot structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product, and a small tasting room. Table 8.44: CCD Use Table, illustrates a tap or tasting room, warm and cold storage, and the sales of beer, wine, and liquor for off-premises consumption as a permitted use within the Employment Center Subdistrict upon approval by the Land Use Administrator.

The applicants propose to make minor modifications to the interior of the structure to meet the needs of the brewing facility. The exterior of the existing structure as well as the parking and access will not be altered. The lot is built out and most site improvements are existing. Limited outdoor development is proposed.

Building and Development Services staff has reviewed this project for compliance with pertinent SLDC requirements and has found that the facts presented support the request for a conditional use permit to allow a manufacturing use within an existing structure; the use is compatible with the current development within the Employment Center; the use will not impact adjacent land uses; and the application satisfies the submittal requirements set forth in the SLDC inclusive of the conditional use criteria set forth in Chapter 4, Section 4.9.6.5.

The review comments from state agencies and County staff have established findings that this application to utilize an existing 4,250 square foot structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product, and a small tasting room is in compliance with State requirements and design standards set forth in the SLDC.

Staff recommends approval of a Conditional Use Permit to allow the manufacturing of craft beer and distilled spirits within an existing 4,250 square foot structure, located at 32 Bisbee with the following condition:

1. The CUP showing the site layout and any other conditions that may be imposed through the approval process shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.6.8.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on September 21, 2017. Hearing Officer Long, I stand for any questions.

HEARING OFFICER LONG: Thank you. I couldn't tell from the pictures. Is this a free-standing structure or part of a larger building?

MR. LOVATO: It is part of a larger building.

HEARING OFFICER LONG: And what is the limited outdoor use that is planned? Is that seating as part of the tasting room, or are they allowed to do that?

MR. LOVATO: They are allowed to do that once their liquor license gets approved. They have room for seating but the plans that we have are just for the structure itself and the parking and the existing landscaping.

HEARING OFFICER LONG: All right. Thank you. The applicants are present I assume? All right. Will both of you come forward and I can have you sworn in at the same time in case you both want to speak.

[The applicants were placed under oath.]

HEARING OFFICER LONG: Go ahead with anything you would like to address. The staff has recommended approval, so with that I'll probably be inclined to go with their recommendation. I make a recommendation and I don't do that until I issue a written decision within two weeks of today, but if there's anything you would like to add regarding the presentation please feel free to do so.

[Duly sworn, Jason Fitzpatrick testified as follows:]

JASON FITZPATRICK: So just to answer the couple of questions that you did have, this is a picture of the building that we're talking about, and it's just that center section there. There are two on the other side. One is a lighting showroom and sales office and the other is a warehouse for Santa Fe Tortilla Company. And there will be no outside seating.

HEARING OFFICER LONG: What will be the hours of operation for you?

MR. FITZPATRICK: So the hours of operation, we'll start manufacturing early in the morning, depending on what the requirements of that workday are. I would say sometimes as early as 6:00, but most of the time it would be between 8:00 and 9:00. We will be receiving shipments in of grain and raw product and those trucks we'll start receiving those trucks around 8:00 am and that will be probably once or twice a week. Very minimal. And our hours of operation for the taproom, most of that business will come during tours on the weekends but it will not be open past 10:00 pm.

HEARING OFFICER LONG: Do you plan to serve any food?

MR. FITZPATRICK: We will serve supplemental food. It won't be produced on site. It will all be brought in from offsite.

HEARING OFFICER LONG: And what types of beer do you plan on brewing.

MR. FITZPATRICK: I'll let the brewer tell you.

[Duly sworn, Jason Kirkman testified as follows:]

JASON KIRKMAN: Yes, just a variety of ales, lagers, and because we are a brewery and distillery, we'll be focusing on kind of where those two products meet, so barrel-aged beers will be something that's kind of part of our regular offerings.



HEARING OFFICER LONG: Okay. Will you have employees?

MR. FITZPATRICK: Yes, we will. So the two of us are the only employees now. We're the founders, Jason Kirkman, he's in charge of brewery and distillery operations. Jason Fitzpatrick – me – I'm in charge of business operations. At that site we do plan to have two full-time employees as well as part-time employees, probably up to four part-time employees. We'll also have, and have submitted with the City of Santa Fe for a special use permit for a taproom closer into town, and we plan to have upwards of 20 employees at that taproom.

HEARING OFFICER LONG: Great. Now, there is one condition that staff has recommended and that is just that you record the conditional use permit showing the site layout and that that be at your expense with the County Clerk. I take it you don't have any problem with that.

MR. FITZPATRICK: We have no problem with that.

HEARING OFFICER LONG: Okay, let me ask if there's anyone here that came to speak in regard to this application for the conditional use permit. No one is present that wishes to speak to this application. Okay. Thank you very much and good luck to you with your business ventures. It's exciting.

**D. CASE # V 17-5170 Hager Road/Los Sueños Trail Extension Variance.**  
**Los Sueños Trail Extension, Inc. and the Catholic Foundation,**  
**Applicants, Jenkins Gavin, Inc., Agent, request a variance of the**  
**Sustainable Land Development Code (SLDC), Chapter 7, Section 7.11**  
**Road Design Standards, Table 7-13, Rural Road Classification and**  
**Design Standards (SDA-2 and SDA-3) to permit the construction of**  
**the Hager Road/Los Sueños Trail Extension from collector road**  
**standards to local road standards. The 14 lots, referred to as the**  
**Hager Lands, are accessed via County Road 70 (West Alameda St.)**  
**within Sections 30 & 31, Township 17 North, Range 9 East**  
**(Commission District 2) [Exhibit 1: West Santa Fe Association Letter in**  
**Opposition; Exhibit 2: Applicant's Suggested Modified Conditions;**  
**Exhibit 3: Trail Agreement]**

Hearing Officer Long read the case caption.

JOHN MICHAEL SALAZAR (Case Manager): Thank you, Hearing Officer Long. Handed out to you was a letter of opposition from the West Santa Fe Association, along with some proposed modified conditions of approval by the applicant's agent. So as mentioned in the caption, the applicant, independent of any proposal to develop the Hager Lands, is requesting a variance of SLDC Table 7-13, Rural Road Classification and Design Standards, to permit applicant to construct the Hager Road/Los Sueños Trail Extension at local road standards rather than the more rigorous collector road standards.

Within the SLDC Official Map Series Future Road Network, Exhibit 6, the Hager Road/Los Sueños Trail extension is designated as a minor collector-rural road. Table 7-13 requires a collector road for roadways with an average daily traffic count of 401-1999

CASE NO. CUP 17-5080

Tumbleroot Brewing, LLC, Jason Kirkman, Jason Fitzpatrick, Applicant

**RECOMMENDED DECISION AND ORDER**

**THIS MATTER** came before the Sustainable Land Development Code (SLDC) Hearing Officer for hearing on July 27, 2017, on the application of Tumbleroot Brewing, LLC (Tumbleroot Brewing), Jason Kirkman, and Jason Fitzpatrick (Applicant) for a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits. Tumbleroot Brewing will occupy an existing 4,250 square foot structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product and a small tasting room. The site is within the Planned District Santa Fe Community College District and zoned as Employment Center (CCD-EC). The site is located at 32 Bisbee Court via Hwy 14, within Township 16 North, Range 8 East, Section 24, SDA-1 (Commission District 5). The Hearing Officer, having reviewed the application, staff reports, and having conducted a public hearing on the application, finds that the application is well-taken and recommends that it be granted, making the following findings of fact and conclusions of law:

1. On March 24, 2016, the Applicant submitted an application for a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits in an existing 4,250 square foot structure to house a brewery, a distillery, a packaging line, both warm and cold storage for the product and a small tasting room.

2. The site for the proposed use is located in the Santa Fe Community College District, which is within the Planned District Santa Fe Community College District (CCD), within Section 24, Township 16 North, Range 8 East (Commission District 5).



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3. As required by the SLDC, the Applicant presented the application to the Technical Advisory Committee (TAC) on November 17, 2016, at the regular scheduled monthly meeting, as required by Chapter 4, Section 4.4.4.3 Pre-application TAC Meeting and Table 4-1.

4. As required by the SLDC, the Applicant presented the application at a Neighborhood Meeting held on March 17, 2017, as required by Chapter 4, Section 4.4.4.4, Pre-Application Neighborhood Meeting. The Applicant submitted material that was to be presented at the meeting, a sign-up sheet, and a list of individuals notified of the meeting inclusive of Registered Organizations registered with Santa Fe County. Even though the Applicant met the requirements of Section 4.4.4., no members of the public attended the meeting.

5. Notice requirements of the SLDC were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing. In advance of the hearing on the application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that the public notice posting regarding the application was made for fifteen days on the property, beginning on July 12, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on July 12, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

6. At the public hearing before the Hearing Officer on July 27, 2017, County staff presented the following analysis:

a. The proposed use will be a small-scale operation with limited hours of operation and will be monitored by States Agencies, and therefore will not be detrimental to the health, safety and general welfare of the area.

b. A Traffic Impact Analysis was not required by the County Public Works Department due to the low volume of traffic generated during peak hours; therefore, the use will not create congestion on roads;

c. The existing building is equipped with an automatic fire sprinkler system and the Applicant shall maintain the system; therefore, the use will not create a potential fire hazard for fire, panic, or other danger;

d. The exterior of the existing structure as well as the parking and access will not be altered. The lot is build out and most site improvements are existing; therefore, the use will not overcrowd land and cause undue concentration of population;

e. The proposed water use and wastewater discharge have been approved by County Utilities Department and the New Mexico Environment Department and the proposals are in compliance. The use will not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;

f. The type of use proposed does not require a New Mexico Air Quality Permit. The exterior lights that are proposed/existing meet the criteria set forth in the SLDC; therefore, the use does not interfere with adequate light and air; and

g. The manufacturing (use) will consist of a small production brewery and distillery. The site is within the Planned District Santa Fe Community College District, Employment Center (CCD-EC) of the Sustainable Land Development Code. Table 8.44 provides: CCD Use Table illustrates manufacturing plants as a Conditional Use which is a permitted use within the Employment Center Subdistrict upon approval of a Conditional Use Permit (CUP); therefore, the use is consistent with the purposes of the property's zoning



classification and with the spirit and intent of the SLDC or Sustainable Growth Management Plan.

7. Section 4.9.6 of the SLDC, **Conditional Use Permits (CUP)** provides as follows:

**4.9.6.1, Purpose and Findings.** This section provides for certain uses that, because of unique characteristics or potential impacts on adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards and factors set forth herein, be approved. These uses shall be permitted through the issuance of a conditional use permit (CUP).

**4.9.6.2 Applicability.** The provisions of this Section apply to any application for approval of a CUP as required by the Use Matrix. Conditional uses are those uses that are generally compatible with the land uses permitted by right in a zoning district but that require individual review of their location, design and configuration, and the imposition of conditions or mitigations in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses that are enumerated as conditional uses in a zoning district, as set forth in the use matrix, may be authorized by the Planning Commission. No inherent right exists to receive a CUP. Concurrent with approval of a CUP, additional standards, conditions and mitigating requirements may be attached to the development order. Additionally, every CUP application shall be required to comply with all applicable requirements contained in the SLDC.

**4.9.6.3 Application.** An applicant may apply for a CUP by filing an application for discretionary development approval with the Administrator. A site development plan is required to be submitted with any CUP application and shall include any SPAs required pursuant to Table 6-1 in Chapter 6.

**4.9.6.4. Review.** The application shall be referred to the Hearing Officer and Planning Commission for the holding of a quasi-judicial public hearing.

8. No one spoke in opposition to the application.

WHEREFORE, the Hearing Officer hereby recommends approval of the application for a Conditional Use Permit to allow manufacturing of craft beer and distilled spirits, subject to the following condition: The CUP showing the site layout and any other conditions that may be improved through the approval process shall be recorded at the expense of the Applicant in the office of the County Clerk in accordance with Chapter 4, Section, 4.9.6.8.

Respectfully submitted,

Nancy R. Long  
Nancy R. Long  
Hearing Officer

Date: 8-14-17

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
SLDC HEARING OFFICER O  
PAGES: 5  
I Hereby Certify That This Instrument Was Filed for  
Record On The 16TH Day Of August, 2017 at 10:06:53 AM  
And Was Duly Recorded as Instrument # 1833810  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy G. Salazar County Clerk, Santa Fe, NM

