



# Agenda

## BOARD OF ADJUSTMENT

Tuesday, August 1, 2017 at 6:00 P.M.

City Council Chambers

City Hall 1<sup>st</sup> Floor – 200 Lincoln Avenue

**A. ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF AGENDA**

**D. APPROVAL OF MINUTES: Minutes of July 5, 2017**

**E. FINDINGS/CONCLUSIONS:**

Case #2017-46. 6419 Airport Road Drive-Through Restaurant Special Use Permit.

Case #2017-48. 1208 Unity Way Special Use Permit.

**F. OLD BUSINESS**

**G. NEW BUSINESS**

1. Case #2017-43. 16 Pueblo Drive Variance. Praxis Architects Inc., agent for Daron and Debra Street request a variance from Table 14-7.2-1: Table of Dimensional Standards for Residential Districts and 14-7.1(F)(4) "Street Setback for Garage or Carport" to allow a garage door less than 20 feet from the street. (Dan Esquibel, Case Manager) **(POSTPONED FROM JULY 5, 2017)**
2. Case #2017-47. 630 Canyon Road Use Permit. Jan Wisniewski, agent for Santa Fe Monthly Meeting of Friends, requests a Special Use Permit to construct a single-story 1,500 square foot religious assembly structure for a maximum of 75 people. The application includes a variance to allow one off-street parking space where approximately six spaces are required. The property is a 0.334± acre lot zoned RC-8-AC (Residential Compound Eight Dwelling Units Per Acre, Arts and Crafts Overlay District). (Katherine Mortimer, Case Manager). **(POSTPONED FROM JULY 5, 2017)**
3. Case #2017-54. Museum of NM Foundation, 1411 Paseo de Peralta, Variance. Jamie Clement, President and CEO of the Museum of New Mexico Foundation requests a variance from Section 14-8.4(J)(3) that requires a 15 foot continuous landscaped buffer strip between residential and non-residential uses. The applicant proposes to continue access to and parking on their property running from Galisteo Street to their Foundation office buildings facing Paseo de Peralta. The property is zoned C-1 (Office and Related Commercial). (Donna Wynant, Case Manager) **(POSTPONED FROM JULY 5, 2017)**

4. **Case #2017-64. 2791 Agua Fria Street Special Use Permit.** Jason Fitzpatrick of Tumbleroot Brewing LLC., agent for Stella Rivera, requests approval of a Special Use Permit for a Bar/Taproom at a property that is located within 200 feet of a residentially zoned district. The property is addressed 2791 Agua Fria and zoned C-2 (General Commercial). (Noah Berke, Case Manager)

**H. STAFF COMMUNICATIONS**

**I. MATTERS FROM THE COMMISSION**

**J. ADJOURNMENT**

**NOTES:**

New Mexico law requires the following administrative procedures be followed by zoning boards conducting "quasi-judicial" hearings. In "quasi-judicial" hearing before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to cross-examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings. Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

## Meeting Index

Item	Description	Page
<b>Call to Order</b>	The meeting of the Board of Adjustment was called to order at 6:05 pm by the Chair, Mr. Gary Friedman, in the City Council Chambers, Santa Fe, New Mexico.	<b>1</b>
<b>Roll Call</b>	Roll Call reflects a quorum.	<b>1</b>
<b>Pledge of Allegiance</b>		<b>1</b>
<b>Approval of Agenda</b>	Mr. Maahs Moved to approve the agenda as amended, second by Ms. Winston, motion carried by unanimous voice vote.	<b>1</b>
<b>Approval of Minutes of July 5, 2017</b>	Ms. Dearing moved to approve the minutes of July 5, 2017 as presented, second by Ms. Reynolds, motion carried by unanimous voice vote.	<b>2</b>
<b>Findings/Conclusions</b>		
<b><u>Case #2017-46. 6419 Airport Road Drive-Through Restaurant Special Use Permit.</u></b>	Ms. Dearing moved to approve Case #2017-46, 6419 Airport Road Drive-Through Restaurant Special Use Permit second by Ms. Reynolds, motion carried by unanimous voice vote.	<b>2</b>
<b><u>Case #2017-48. 1208 Unity Way Special Use Permit.</u></b>	Mr. Maahs moved to approve Case #2017-48. 1208 Unity Way Special Use Permit second by Ms. Reynolds, motion carried by unanimous voice vote.	<b>2</b>
<b>Old Business</b>		<b>2</b>
<b>New Business</b>		
<b><u>Case #2017-43. 16 Pueblo Drive Variance</u></b>	(POSTPONED FROM JULY 5, 2017) – Pulled from agenda by motion.	<b>2</b>
<b><u>Case #2017-47 630 Canyon Rd. Use Permit</u></b>	Ms. Winston moved to approve Case #2017-47 with facts and findings and subject to staff recommendations, second by Mr. Maahs, motion carried by unanimous voice vote.	<b>2,3</b>
<b><u>Case #2017-54. Museum of NM Foundation, 1411 Paseo de Peralta, Variance.</u></b>	Ms. Winston moved to approve the Museum of NM Foundation, 1411 Paseo de Peralta The property is zoned C-1, findings of fact, and staff recommendation and that a code compliant coyote fence, with screening vegetation buffers – in consultation with the neighbors from the north and the south, second by Ms. Reynolds, motion carried by unanimous voice vote.	<b>3-8</b>
<b><u>Case #2017-64. 2791 Agua Fria Street Special Use Permit.</u></b>	Ms. Dearing Moved to approve Case #2017-64 approval of a Special Use Permit for a Bar/Taproom second by Mr. Maahs, motion carried by unanimous voice vote.	<b>9,10</b>
<b>Staff Communications</b>		<b>10</b>
<b>Matters from the Commission</b>		<b>10</b>
<b>Adjournment &amp; Signatures</b>	There being no further business to come before the Board of Adjustment, the meeting was adjourned at 8:00 pm	<b>10,11</b>

**BOARD OF ADJUSTMENT**  
**Tuesday, August 1, 2017 at 6:00 P.M.**  
**City Council Chambers- 200 Lincoln Avenue**  
**MEETING MINUTES**

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- A. The meeting of the Board of Adjustment was called to order at 6:05 pm by the Chair, Mr. Gary Friedman, in the City Council Chambers, Santa Fe, New Mexico. Roll Call reflects a quorum.**

**B. ROLL CALL**

Present:

Gary Friedman, Chair  
Rachel L. Winston, Vice Chair  
Coleen Dearing  
Douglas Maahs  
Donna Reynolds

Not Present:

Patricia Hawkins, Excused  
Daniel Werwath, Excused

Others Present:

James Martinez, City Traffic Engineer  
Zachary Schandler, Assistant City Attorney  
Lisa Martinez, Director of  
Katherine Mortimer, Case Manager  
Donna Wynant, Case Manager  
Noah Berke, Case Manager  
John Romero and James Martinez, Traffic Engineer's office  
Fran Lucero, Stenographer for Linda Vigil, Stenographer

*Members of the Audience who testified, names and addresses included under their testimony.*

- C. PLEDGE OF ALLEGIANCE**  
**Recited by Board and Audience**

**D. APPROVAL OF AGENDA**

*Ms. Winston made a motion to remove Case #2017-43 – from the agenda, 16 Pueblo Drive Variance. Praxis Architects Inc., agent for Daron and Debra Street request a variance from Table 14-7.2-1: Table of Dimensional Standards for Residential Districts and 14-7.1(F)(4) "Street Setback for Garage or Carport" to allow a garage door less than 20 feet from the street, second by Ms. Dearing, motion carried by unanimous voice vote..*

**MOTION: Mr. Maahs Moved to approve the agenda as amended, second by Ms. Winston, motion carried by unanimous voice vote.**

**E. APPROVAL OF MINUTES: Minutes of July 5, 2017**

**MOTION: Ms. Dearing moved to approve the minutes of July 5, 2017 as presented, second by Ms. Reynolds, motion carried by unanimous voice vote.**

**F. FINDINGS/CONCLUSIONS:**

**Case #2017- 46. 6419 Airport Road Drive-Through Restaurant Special Use Permit.**

***MOTION: Ms. Dearing moved to approve Case #2017-46, 6419 Airport Road Drive-Through Restaurant Special Use Permit second by Ms. Reynolds, motion carried by unanimous voice vote.***

**Case #2017-48. 1208 Unity Way Special Use Permit.**

**MOTION: Mr. Maahs moved to approve Case #2017-48. 1208 Unity Way Special Use Permit second by Ms. Reynolds, motion carried by unanimous voice vote.**

**G. OLD BUSINESS**

**None**

**H. NEW BUSINESS**

1. **Case #2017-43. 16 Pueblo Drive Variance.** Praxis Architects Inc., agent for Daron and Debra Street request a variance from Table 14-7.2-1: Table of Dimensional Standards for Residential Districts and 14-7.1(F)(4) "Street Setback for Garage or Carport" to allow a garage door less than 20 feet from the street. (Dan Esquibel, Case Manager) **(POSTPONED FROM JULY 5, 2017) – Pulled from agenda by motion.**
2. **Case #2017-47. 630 Canyon Road Use Permit.** Jan Wisniewski, agent for Santa Fe Monthly Meeting of Friends, requests a Special Use Permit to construct a single-story 1,500 square foot religious assembly structure for a maximum of 75 people. The application includes a variance to allow one off-street parking space where approximately six spaces are required. The property is a 0.334± acre lot zoned RC-8-AC (Residential Compound Eight Dwelling Units per Acre, Arts and Crafts Overlay District). (Katherine Mortimer, Case Manager). **(POSTPONED FROM JULY 5, 2017)**

*Staff Report* – Ms. Mortimer explained the reason for the special use permit for continued use, which has been there for over 70 years. They meet twice a week on Sunday's. There are two sessions and there have not been any parking places on the site. They would like to build a meeting room at the back of the property. They have been using the rooms in the house but they do not lend themselves to larger groups. It does require a variance to

allow one off street parking space, 6 spaces are required, they will add a disabled space on the site, and their variance would be for 5. Their services are before the businesses on Canyon Road are open and the second session is not during the peak hours and it would end before peak time. The biggest concern was fire suppression as they want to put the building at the back of the lot, it is a very old historic long standing garden and people come through to use it. The hose link, SFFD stated they could not meet the length. SFFD can provide waivers, this use does not require to have sprinkling and they will be required to install a fire hydrant. They would need to dedicate an easement by the sidewalk for the hydrant.

*Applicant:* Ms. Mortimer did a good job of explaining the proposed building. The applicant provided photos and site plan. Proposed building is 1500 sq. ft., free standing and one level. Proposal is a simple building and bathrooms. Applicant agrees to the staff recommendations. Monthly meeting of friends would like to continue to meet there; they have been there for 70 years. Other properties were considered but this space was the choice and we would look for favorable approval. Because of the existing status being historical, there are few changes that can be done. They are expecting approximately 75 people in this building at one time. The preference is to locate it at the back of the building. Parking is the main issue, currently there is an arrangement with the Compound for parking alternatives. A lot of people park on Canyon Road and they do not see any reason why this couldn't be continued. Businesses on Canyon Road park street. They informally have received approval of this request from Acequia Madre School and El Farol.

### **Public Hearing Open**

Theresa Herrera, 2411 Camino Capitan, Santa Fe, New Mexico

Ms. Herrera speaking on behalf of her father stated that she and her family were raised on Canyon Road over a 50 year span. Where do they propose if they park on Acequia Madre; how will they access their location?

*Applicant:* If anyone parks at the school they will be expected to walk along the walk way, there are no short cuts, there are walls and fences which would make it impossible for them to take a short cut.

**MOTION: Ms. Winston moved to approve Case #2017-47 with facts and findings and subject to staff recommendations, second by Mr. Maahs, motion carried by unanimous voice vote.**

3. **Case #2017-54. Museum of NM Foundation, 1411 Paseo de Peralta, Variance.** Jamie Clement, President and CEO of the Museum of New Mexico Foundation requests a variance from Section 14-8.4(J)(3) that requires a 15 foot continuous landscaped buffer strip between residential and non-residential uses. The applicant proposes to continue access to and parking on their property running from Galisteo Street to their Foundation office buildings facing Paseo de Peralta. The property is zoned C-1 (Office and Related Commercial). (Donna Wynant, Case Manager) **(POSTPONED FROM JULY 5, 2017)**

The Chair provided information related to the recent presentation of Case #2017-54. Case was postponed to allow staff an opportunity to report on one-way or two-way traffic and parking plans on the subject site. Staff will present first. It will be opened to the public only the item and reason for it coming back to the Board of Adjustment meeting tonight will be heard.

*Staff Report:* Ms. Wynant: (Aerial photograph) Request – Variance from the landscape requirement where non-residential development. The property is flag shaped, the Gerard House, main frontage on Paseo de Peralta and Galisteo. Ms. Wynant showed where the applicant would want the driveway. 40 ft. width and 15' of a buffer leaves you 10' for emergency. Does not meet the requirement. They would like to rearrange things on their site and have their access at Paseo de Peralta to Galisteo. The plan has changed and because of the new information. They are proposing a one-way circulation as required from the State Traffic Engineer.

Mr. Martinez, Traffic Engineer: We looked at the revised plans and worked with the Museum and we agreed that one-way was the preferred.

Chair asked Mr. Martinez how he felt about where the parking spaces will be situated.

Mr. Martinez said they will have a right in or a left in with a one-way direction. Having the one way direction will allow them the ability to move cars off onto Galisteo reducing the conflicts on Paseo de Peralta.

Mr. Sommer asked if a traffic count was taken when they looked at this site.

Mr. Martinez stated City staff did go out and analyze the traffic signal to assure that they could get through that light and it showed that they could move vehicles through.

Mr. Sommer asked the Board sought the advice of the Traffic Engineer and the advice has not been obtained. We did not have a traffic study before we came before you. It was good to have Mr. Martinez say that this will not. This property was zoned before the imposition of the ordinance to put 15' of landscaping around. This ordinance would make this leg unusable for safety reasons. We feel the variance should be given from the ordinance. Mr. Sommer said that he brought photos to show the committee members.

(Photos were given to the committee) Photo shows 1, Photo 2 shows on-coming car, Photo 3 shows when you are pulling out. Mr. Martinez pointed out that the traffic coming out will not add stress to the light at that area.

Ms. Winston asked the applicant to describe the proposed landscape buffer and vegetation.

Mr. Jamie Clements, 912 Hillcrest Drive, Santa Fe, NM and Beverly Spears, 1334

Pacheco Street, Santa Fe, NM

Presented informational material (letters of support) provided at the July 5<sup>th</sup> meeting and we would like for it to be made part of the record.

Ms. Spears stated there are 24 letters of support for the variance. Ms. Spears explained the trees along the foundation driveway, there are Siberian elms (existing) 30' tall 10-12 inches in diameter and are along the property line and provide screening and will be retained. There will be an area of about 2 feet to do planting of vines for year-round screening. We would do vine planting to provide screening. Driveway would be a permeable surface not asphalt, it will be day time parking for the Museum to use.

Ms. Winston asked if the fence to the south faces condominiums, and does the north fall on the line – how do you propose to get the ivy going?

Ms. Spears said that is true, and there are some on the property line, and they would plant on the Museum property. This seems like a good solution for everyone.

Ms. Winston asked about comments in a letter regarding the cut trees. There is farm like wire in another section. There was a concern of the ivy it offers no screen 15' landscape buffer. Letter from a resident of the condominium. (read from the information in the packet)

Ms. Spears explained it is a chain link fence and she believes it could support ivy.

Ms. Winston asked if the condominium owners would be willing to provide fence would this be agreeable.

Mr. Clements stated they are fully prepared to build fences on north and south of that driveway. They have offered to work with all neighbors on both sides of the screening that is satisfactory to all. They are prepared to work with all parties.

Ms. Martinez stated under code walls and fences, chain link fences are not allowed, they have to be rod iron, wood, stone, mesh wire (read directly from the ordinance) it specifically excludes chain link fences, historical code also prohibits this.

Mr. Sommers stated the Foundation would erect 4' on the side, fencing – Las Brisas Property, fencing there and if it is in violation it is on the other property. The museum proposes a coyote fence on Museum property. A 6' fence is intended to stay in place, they are willing to have that as a condition of approval.

### **Public Hearing: In Favor**

Michael Pettit, 11 Headquarters Trail, Santa Fe 87506

Trustee of the Museum of NM and a resident of Santa Fe. I was instrumental in bringing



this forward and has have been the liaison with the architects on this project. He took the photographs on Saturday. He discussed the terms of screening. There would be some screening of the driveway parking area from Galisteo that would not interfere with the neighbors. The Foundation is committed to improve this property, they are very happy to have one-way circulation, thank you to the city staff for their work.

Ms. Spears received a call from a neighbor who was unable to make it in. Her letter will be part of the record.

### **Public Hearing: Opposed**

Frank Herdman, 123 E. Marcy Street, SFNM  
(Material given to the Board)

Mr. Herdman states this revised application is different, it now proposes 22 parking spaces, which was not before you last time. Mr. Herdman requested the chair to address these new issues. (Exhibit D)

Mr. Herdman explained this was represented as a flag lot, indeed it is not. This property has over 160 feet access to Paseo de Peralta. The Foundation wants to move to the rear of the lot to Las Brisas there is 29 units located adjacent to the property. What is being proposed is the opposite on this case, opposite of Paseo de Peralta, it is proposed to be at the rear so they can have a garden. There is a total of 44 headlights pointing adjacent to the condominiums from the Museum – that would not be acceptable to anyone.

The Foundation is doubling the required spaces. They are parking the cars, there should be a landscape. The land development code says, “to provide buffers” the variance in this case would eliminate that separation so the Foundation can have a garden. The plan undermines the 15’ landscape buffer. The vehicles would create, exhaust fumes, glare, etc. The foundation is not asking for the minimum variances, we are providing you with two alternative plans: one would have 28 spaces, parking cars in the area shown is consistent with parking in the street, 20’ egress and ingress, 10’ landscape buffer so that those residential areas have appropriate buffing. The second alternative would shoe parking in adjacent areas, provides a garden, 17 parking spaces, 22 spaces pointing in the – solution to satisfy everyone’s needs. The residents request that application be denied.

Mary Armijo y Clifford, 616 Galisteo, Santa Fe, NM.

Ms. Armijo y Clifford stated she has lived there all her life, she expressed her right to have the variance and the buffer. Ms. Elizabeth Hemmer had asked to speak with the traffic engineer, after the last meeting, no one contacted her and she is directly affected.

William Fisher, 619 Galisteo Street, Santa Fe, NM

Mr. Fisher explained the historic residential area. one of the issues is the historical use of this property. It is currently used for parking at the rear of the property. They say there

are going to landscape. They are asking for variance this is not consistent with the neighborhood. Urged the board to reject.

Dr. Jeannete Fischer, 619 Galisteo St., Santa Fe, NM

Dr. Fischer discussed the 22 more cars on Galisteo Street, she would like to know what time of day Mr. Martinez was there doing the study. If it was 12:00 noon or 5:00 pm, it will differ when school is gets back in session. Booth Street will also be congested due to school traffic. The landscape buffer to the north and to the south which doesn't leave enough room. They say they need this for fire access, there is a power pole that says one way for people who want to turn on to Galisteo Street. There is a fire hydrant by Elizabeth Hemmer's home. There are 24 letters are probably not from people in that area. The traffic should come off Galisteo Street and on to Paseo de Peralta.

Murrae Haynes, 615 Galisteo St., Santa Fe, NM

Mr. Haynes is a 35-year resident, would underscore what the folks before me have said, and encourage a better traffic study. The traffic density changes from early morning to mid-day to afternoon. Blocks Galisteo Street, cars trying to get to Paseo to get to work on time. If any of the neighbors are willing to start a lawsuit he will participate.

Robert Clifford, 616 Galisteo St., Santa Fe, NM

Mr. Clifford is opposed to the variance and parking lot. If your neighbor was going to have lights shining in your windows, would you vote for this?

Mabel Chin, 615 Galisteo Street, Santa Fe, NM

Ms. Chin has been a resident for 25 years at this address. Imagine 22 cars trying to get to Galisteo Street and their exhaust fumes all over the alley. If the Museum wants a garden they should transpose all of it for a garden. There is 25 letters from people who don't live there. Ms. Chin echos everything Mr. Herdman said.

Elizabeth Zetffel, 624 Galisteo #32, Santa Fe, NM

Ms. Zetfell wanted to reiterate what the neighbors have said. Ms. Zetfell reiterated kids walk to nearby Wood Gormley Elementary. The traffic is different at peak hours and when school is in session there is a serious effect with that. Please consider not passing this.

Russ Thornton, 624 Galisteo St. #32, Santa Fe, NM

Mr. Thornton explained this is the third meeting and every time there is not enough information on this project. If we only have 30 feet on either side how are they are now going to add more fences. The math is adding up or the use of what they are requesting.

Bill Harper 624 Galisteo Street #24, Santa Fe, NM

Mr. Harper explained he is in favor of this variance. Conditions with the buffers and parking if they are done right. The plans show no parking in the alley other than 2 parking spaces. During the ENN they needed 17 spaces. If they pay for the shrubs.

The Chair closed the public hearing.

Ms. Winston asked if Mr. Martinez would address the time-of-day that traffic study was performed and how the traffic might be affected when Wood Gormley School opens?

Mr. Martinez stated the traffic study was conducted from 8:00 am – 8:45 am, – Evening 4:30 pm - 5:00 pm. (Exhibit in the packet-Exhibit 4)

Ms. Winston asked about traffic from Wood Gormley when school gets out, how will that affect this. Mr. Martinez did not have a response at this time.

Mr. John Romero, Traffic Engineer explained there is not a time that school starts, and when school is let out. It would be different from when the business let out. The let out time is different for both peak times. The times do not overlap.

Ms. Winston asked if they could confirm what the Museum times of operation are?

Mr. Clements stated the hours are from 8:30 am – 5:00 pm.

The Chair asked if there is any evening usage. Mr. Clements doesn't anticipate any evening hours, their work hours are 8:30 am – 5:00. Any evening events are held at the Museum sites. There won't be head lights when they leave at 5:00 pm.

Mr. Sommers would like to address that there are patios on the northside, there are no patios.

Ms. Spears clarified the letters are not from neighbors, most all letters are from the neighborhood.

Mr. Harper clarified that he owns unit 24, 25, 26, 27, 28, 29 and 30 – they all have patios and they have doors that are full glass, and they have double windows that face north.

**MOTION: Ms. Winston moved to approve the Museum of NM Foundation, 1411 Paseo de Peralta, Variance from Section 14-8.4(J)(3) that requires a 15 foot continuous landscaped buffer strip between residential and non-residential uses. The applicant proposes to continue access to and parking on their property running from Galisteo Street to their Foundation office buildings facing Paseo de Peralta. The property is zoned C-1, findings of fact, and staff recommendation and that a code compliant coyote fence, with screening vegetation buffers – in consultation with the neighbors from the north and the south, second by Ms. Reynolds, motion carried by unanimous voice vote.**

Mr. Berke requested clarification on the request from staff. Ms. Winston explained they should meet with the neighbors before construction and they show the proposed vegetation plans.

The Chair requested a 5 Minute Break.

Back on the record at 7:30 pm.

4. **Case #2017-64. 2791 Agua Fria Street Special Use Permit.** Jason Fitzpatrick of Tumbleroot Brewing LLC., agent for Stella Rivera, requests approval of a Special Use Permit for a Bar/Taproom at a property that is located within 200 feet of a residentially zoned district. The property is addressed 2791 Agua Fria and zoned C-2 (General Commercial). (Noah Berke, Case Manager)

*Staff Report:* Mr. Berke explained the special use permit requested is 200 feet from residential. Prior to 2017 it housed a liquor store, bar and other businesses. It came in to the cities jurisdiction in 2009. In 2014 the planning commission approved it. It was R-1 to current zoning of C2, general plan amendment. Main structure 7200 with a 5000 sq. ft. patio, 4 residential units, 1000 sq. ft. each, rent of 500 sq. ft., 5000 sq. ft. of patio, ½ for play area. 1000 sq. ft. for retail, 440 sq. ft. for storage and 1188 for bathroom not in the serving area calculation.

Mr. Berke explained how the calculation for parking, serving area, the dwelling units have their own parking spaces adjacent and were not included as they have their parking satisfied. They will have 12 bicycle spaces. There will be city water available and separate water meters for this structure. A septic system is required, and the information from the NM Environmental is in the packet.

Mr. Berke explained the Fire Marshall has completed the inspection and the system is approved. Staff feels that they have satisfied the special use permit, which would expire in 2020. The Land Use Department recommends approval to bar/taproom with staff recommendation outlined in the staff report.

*Applicant:* Jason Fitzpatrick, 187 Quemado, Jason Kirkman 10 A Timberwick Road, Santa Fe, NM

Mr. Fitzgerald and Mr. Kirkman from Tumbleroot Brewing explained they have lived here for a number of years. They have been all over the world and have had many careers. They have a passion for beer and spirits and for community.

They would like to get a production space at Bisbee Court for a small tap room for tours of 20 people. They plan to self-distribute throughout Santa Fe County, most of our business is tied to tap room sales.

Mr. Kirkman explained his background. He discussed the great location and the reason they are applying for this even if though it is 200 ft. from residential. They have spoken to the Ulibarri family who own the sand and gravel business nearby. It is an unusual area with commercial and residential. It was approved by Santa Fe County for a bar or night club and fits the historical use of that site.

Mr. Maahs asked about the retail area if it will be for package liquor or beer.

Mr. Fitzgerald explained it was split up and they would like to keep the retail area for local products separate. They plan to serve meat and cheese trays.

The Chair: asked if there is a kitchen in the plans.

Mr. Kirkman responded no, it will all be cold prep.

***Public Hearing:***

Being none, the Chair closed the public comments

***MOTION: Ms. Dearing Moved to approve Case #2017-64approval of a Special Use Permit for a Bar/Taproom at a property that is located within 200 feet of a residentially zoned district. The property is addressed 2791 Agua Fria and zoned C-2, second by incorporating staffs findings and facts and conditions of approval, second by Mr. Maahs, motion carried by unanimous voice vote.***

**I. STAFF COMMUNICATIONS**

Mr. Burke stated there will be a media announcement requesting and submitting appointments, please send a letter to the Mayor if you are still interested.

Ms. Martinez explained this will be done for Planning Commission and Board of Adjustment. When the notice comes out, she suggested they send a letter of interest along with your resume and they will move formally.

The Chair asked for an e-mail to members on their expiration dates.

Ms. Martinez stated Mr. Burke is moving in to new role in the Land Use Department.

**J. MATTERS FROM THE COMMISSION**

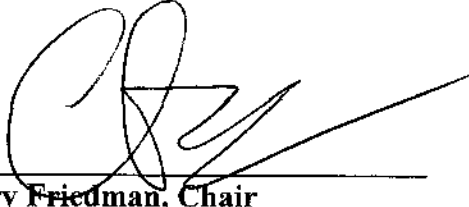
Ms. Dearing will be out of town for the next 4 meetings.

Mr. Berke updated the board that there will be a special use permit case for storage unit at September meeting.

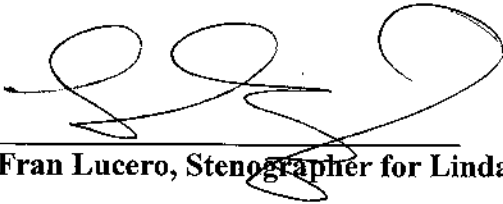
**K. ADJOURNMENT**

**There being no further business to come before the Board of Adjustment, the meeting was adjourned at 8:00 pm**

**SIGNATURES:**

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a series of loops and a long, sweeping horizontal stroke extending to the right.

**Gary Friedman, Chair**

A handwritten signature in black ink, featuring a series of loops and a long, sweeping horizontal stroke extending to the right, similar in style to the signature above.

**Fran Lucero, Stenographer for Linda Vigil, Stenographer**