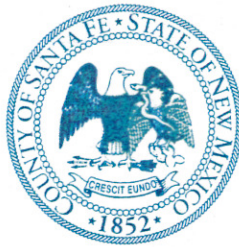


Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

**DATE:** May 8, 2012

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Development Review Specialist *JEL*

**VIA:** Wayne Dalton, Building and Development Services Supervisor *WD*  
Penny Ellis-Green, Interim Land Use Administrator *PEG*

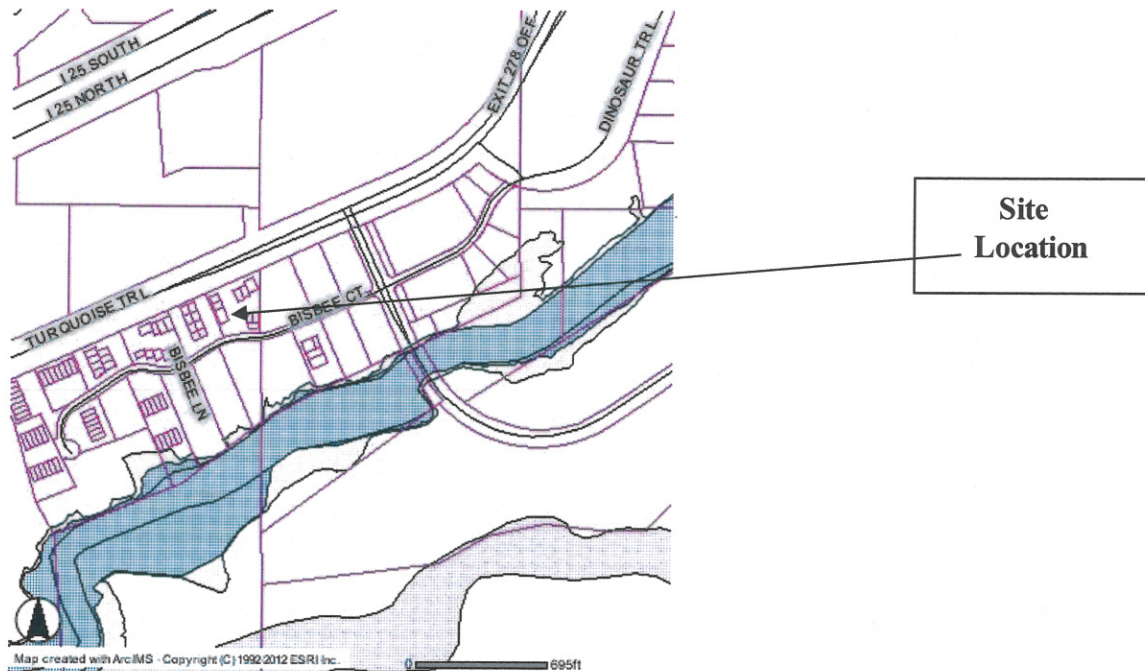
**FILE REF.:** BCC Case MIS 12-5100 Global Wine Inc. Wholesaler Liquor License

**ISSUE:**

Global Wine Connection, Inc., D/B/A VinGarage, Applicant, Nancy Frith, Owner, requests approval of a Spiritous Liquor and Wine Wholesaler Liquor License to allow the wholesale distribution of Spiritous Liquor and Wine.

The property is located at 17 Bisbee Court, Unit H, within Section 24, Township 16 North, Range 8 East, (Commission District 5).

**Vicinity Map:**



**SUMMARY:**

In September of 2002, a Master Plan for the Thornburg Property was approved by the Board of County Commissioners. The Master Plan approval included commercial zoning of Lot C-1, located at 17 Bisbee Court. The Zoning approval allowed for wholesale distribution for spirituous liquor and wine. Ordinance 2000-12, Community College District, designates Lot C-1 as an Employment Center Zone which allows for wholesale distribution as a special use. A special use is a use allowed in the approved Master Plan.

The Applicant requests approval of a Spirituous Liquor and Wine Wholesaler Liquor License. A Wholesale License will allow the Applicant to warehouse and distribute spirituous liquor and wine wholesale.

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. Legal notice of this request has been published in the newspaper. The Board of County Commissioners is required to conduct a public hearing on the request to grant a Spirituous Liquor and Wine Wholesaler Liquor License at this location.

**This application was submitted on April 11, 2012.**

**Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the following facts to support this submittal: Ordinance 2000-12, Community College District, designates Lot C-1 as an Employment Center Zone which allows for wholesale distribution as a special use; the Board of County Commissioners approved the Thornburg Property Master Plan which allows wholesale distribution of spirituous liquor and wine; the Applicant has met the State of New Mexico requirements for noticing, distance from schools and churches.**

**APPROVAL SOUGHT:** Approval of location of a Spirituous Liquor and Wine Wholesaler Liquor License.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-1

<b>AGENCY REVIEW:</b>	<u>Agency</u>	<u>Recommendation</u>
	NM Alcohol & Gaming	Preliminary Approval

**STAFF RECOMMENDATION:** **Approval of a Spirituous Liquor and Wine Wholesaler Liquor License to be located at 17 Bisbee Court.**

**EXHIBITS:**

- 1- Letter of Intent
- 2- Zoning Statement
- 3- Site Plan
- 4- Alcohol and Gaming Division Letter of Preliminary Approval
- 5- CCD Land Use Table

- 6- CCD Land Use Zoning Map
- 7- Aerial of Site

VinGarage  
518 Old Santa Fe Trail #209  
Santa Fe, New Mexico 87505  
505-440-9926/505216-9698  
NM WHOLESALER LICENSE #7137

LETTER OF INTENT

January 23, 2012

Jose E. Larrañaga  
Commercial Development Case Manager  
Building and Development Services  
Santa Fe County  
102 Grant Avenue, Santa Fe, NM, 87504  
(505) 986-6296

Dear Mr. Larranaga,

This letter explains that my intention is to move my existing wholesale wine and spirit distributorship, VinGarage, NM license #7151, from 36 Bisbee Court, to the commercially zoned warehouse located across the street at 17 Bisbee Ct., Building 3 Unit H, Santa Fe, New Mexico, 87508, in the county of Santa Fe. I believe this was Fiasco's first warehouse. The warehouse will come with a one year lease. The hours of business operation will be from 7am-7pm, six days a week. I am the president and sole stockholder in Global Wine Connection, Inc., DBA, VinGarage, and also the only employee. Since I am not a restaurant, or open to the public in any way, no alcohol will be served. Do I need a new business license or development permit? I will get a letter from the landlord to you, giving GWC permission to use the warehouse for wine and spirit distribution like I did on the present warehouse. Please let me know if there is anything else I need to get to you.

Sincerely,



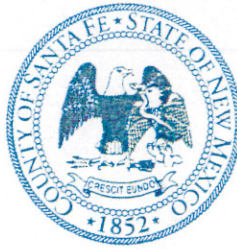
Nancy Frith



Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

February 1, 2012

Global Wine Connection, Inc.  
17 Bisbee Court, Unit H  
Santa Fe, New Mexico 87504

Re: Zoning Statement for Building 3, Unit H, Lot C-1, within the Thornburg Subdivision, located at 17 Bisbee Court, within the Community College District.

Nancy Elizabeth Frith:

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

On September 2002, a Master Plan for the Thornburg Property was approved by the Board of County Commissioners. The Master Plan approval included commercial zoning of Lot C-1. The Master Plan approval allowed for warehouse/distribution for spirituous liquor, wine, and beer wholesale and the manufacturing of wine and beer. Ordinance 2000-12, Community College District designates Lot C-1 as an Employment Center Zone which allows for wholesale distribution as a special use.

If you have any questions contact me at 986-6225.

Sincerely,

Shelly Cobau  
Building and Development Manager

Cc; Jose E. Larrañaga,



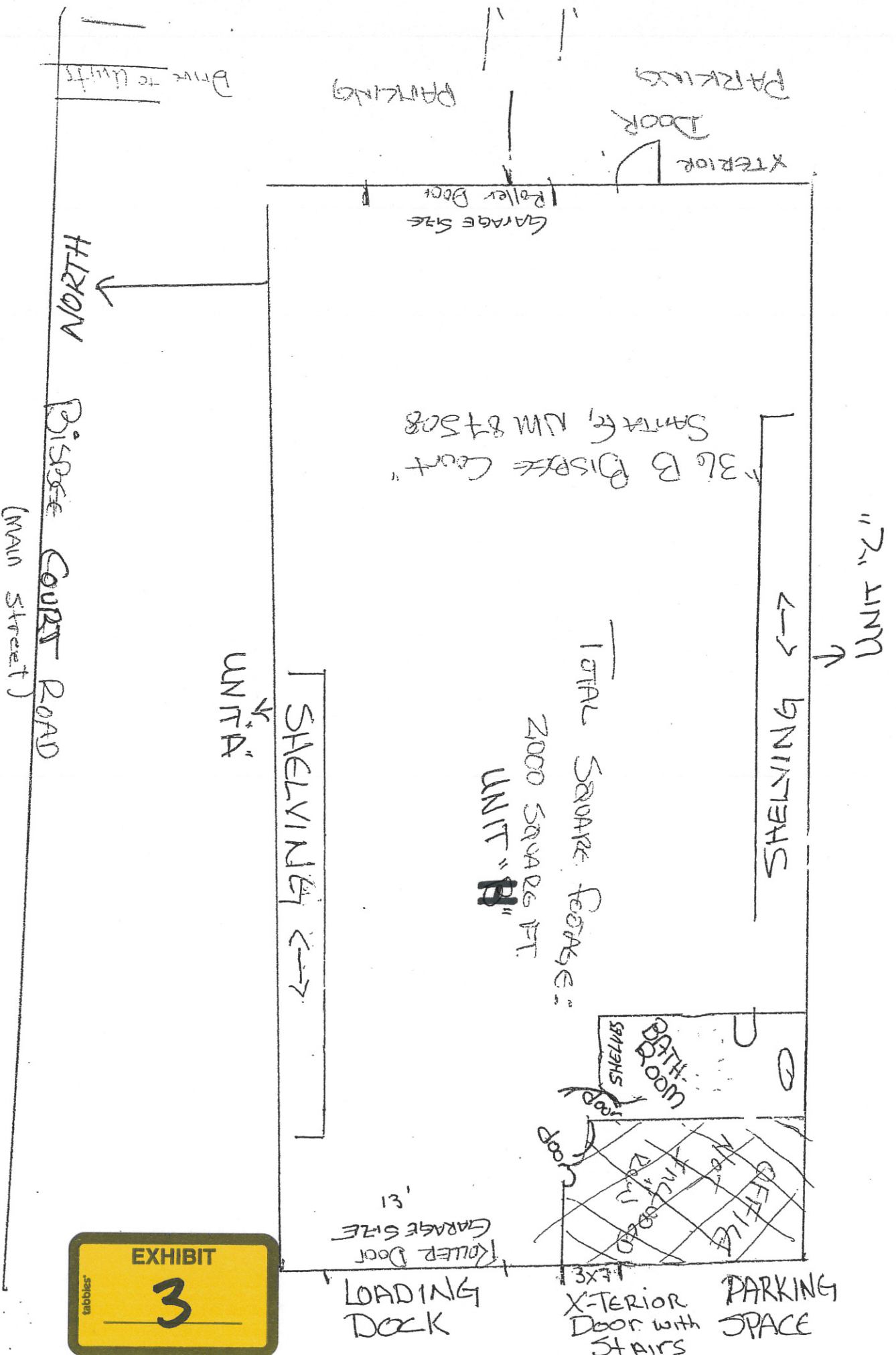


EXHIBIT  
**3**

tabbles





New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

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

March 14, 2012

Susana Martinez  
GOVERNOR

J. Dee Dennis, Jr.  
SUPERINTENDENT

Steven A. Reinhart  
DIRECTOR

**Certified Mail No.: 7006 3450 0000 3001 3303**

Santa Fe County  
Building & Development Manager  
Attn: Shelley Cobau, CFM  
P.O. Box 276  
Santa Fe, NM 87504-0276

Re: License / App. No.: / **A-808411**  
Applicant Name: **Global Wine Connection, Inc.**  
Doing Business As: **VinGarage**  
Proposed Location: **17 Bisbee Court, Bldg. 3, Unit "H"**  
**Santa Fe, NM 87505**

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

Greetings:

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

Within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, which requires that two weeks of publication must be satisfied before a hearing can be conducted. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

**THE APPLICANT IS SEEKING A WHOLESALER LICENSE FOR WINE AND SPIRITOUS LIQUORS.**



Alcohol and Gaming Division  
(505) 476-4875

Boards and Commissions Division  
(505) 476-4600

Construction Industries Division  
(505) 476-4700

Financial Institutions Division  
(505) 476-4885

Manufactured Housing Division  
(505) 476-4770

Securities Division  
(505) 476-4580

Administrative Services Division  
(505) 476-4800



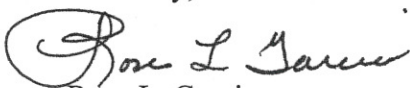
The governing body may disapprove the issuance or transfer of the license if:

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

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

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

Sincerely,



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

Enclosures: Original Page 1 of Application  
Copy of Page 2 of Application



ENTERED 2012

### LIQUOR LICENSE APPLICATION

Application fee - \$200.00 Fees are non-refundable.

State Liquor License # 7151  
Application Number 808411  
Local option (AGD use) \_\_\_\_\_

Record Owner of Existing License NANCY FRITH  
Current D/B/A Name VINGARAGE  
Current Premises Address 36 Bisbee Ct, Unit B, Santa Fe, NM 87508

Application is for: Change of Stock \_\_\_\_\_ Change of Officers/Directors \_\_\_\_\_ Transfer Ownership of Existing License \_\_\_\_\_ Transfer Ownership and Location \_\_\_\_\_ Transfer Location \_\_\_\_\_ Other \_\_\_\_\_  
Issue New License  Type of License being applied for Wholesaler - Wine and Spirituous Liquors  
Licant is: Individual \_\_\_\_\_ Corporation  Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company \_\_\_\_\_

NAME OF APPLICANT (company or individual) GLOBAL Wine Connection, Inc. ADDRESS (including city, state, zip) 518 Old Santa Fe Tr. Suite 209 Santa Fe, NM 87505 TELEPHONE NUMBER 505-440-9926  
505-216-9698 fax

D/B/A name to be used: VINGARAGE Phone number for licensed premises: 505-440-9926  
Physical location where license is to be used: 17 Bisbee Ct., Bldg 3, Unit "H", Santa Fe, NM 87508  
Mailing address: 518 Old Santa Fe Tr. Suite 209, Santa Fe, NM 87505

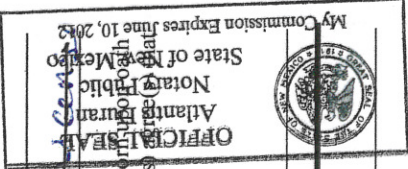
Are alcoholic beverages currently being dispensed at the proposed location? Yes  No  If yes, give license number and type Lic. # 7151, Wholesale being first duly sworn to with the State of New Mexico on the 10, 2012.  
I, (print name) NANCY FRITH, as (title) PRESIDENT, being first duly sworn to with the State of New Mexico on the 10, 2012, deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) declares that if any statements or representations herein are found to be false, the director may refuse to issue or renew the license or may cause the license to be revoked at any time.

*You must sign and date this form in the presence of a notary public.*  
Signature of Applicant Nancy Frith Date Feb 14, 2012

SUBSCRIBED AND SWORN TO before me this Feb day of 20 12 by Nancy Frith  
Notary Public Atalanta Duman My Commission Expires 6-10-2012

Local Governing Body of: \_\_\_\_\_ (City or County). Hearing held on \_\_\_\_\_ 20 \_\_\_\_\_  
Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Director Approval \_\_\_\_\_ Date \_\_\_\_\_  
For Alcohol and Gaming Division Use Only





**PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION**  
SS-60-6B-10

1. The land and building which is proposed to be the licensed premises is (check one):

Owned by Applicant \_\_\_\_\_ Leased by Applicant (attach copy of deed or lease)  Other (provide details) \_\_\_\_\_

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s) HADDOW FAMILY, LLC

B. Date and term of lease 6-1-12 - 6-30-2013

3. Premises location is zoned (example C-1) Commercial Zoning - Unspecified per Jose Larrazaga, Zoning Office (wine & spirits are distributed in plan)  
If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church \*(Property line of church to licensed premises—shortest distance).

Miles/feet 3.4 mi Name of church Apostolic Revival Address/location of church 15th Emblem Rd., Santa Fe, NM  
ES mlu - SF Church of St. Tabernacle

5. Distance from nearest school \*(Property line of school to licensed premises—shortest distance).

Miles/feet 3 mi Name of school Ortiz Middle School Address/location of school 4104 S. Meadows Dr., Santa Fe, NM  
2-1 m 5th grade of American Indian Arts

6. Distance from military installation \*(Property line of military installation to licensed premises—shortest distance.)

Miles 6.0 mi Name of Military Installation, circle one Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),  
Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

\*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge \_\_\_\_\_ Restaurant \_\_\_\_\_ Package Grocery \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (specify) Wholesale Distributor of wine & spirits & liquors

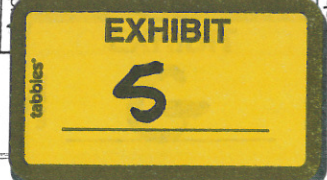
LAND USE TABLE

Adopted 12/11/00

18460874

USE CATEGORY	VILLAGE ZONES				OTHER ZONES				
	New Community Center	Neighborhood Center	Neighborhoods (optional)**	Fringe Zone	Rural Zone	Employment Center Zone	Institutional Campus Zone	Open Space	Village Separators *
<b>ELIGIBLE USES</b>									
<b>Residential and Residential Accessory</b>									
Bed and Breakfast (6 units max.)	X		X		X				
Guest Homes and Shelters	X	X	X		X				
Home Day Care (12 or fewer children)	X	X	X		X		X		
Home Occupations	X	X	X		X		X		
Live / Work Dwellings	X	X	X		X		X		
Residential, dormitories	X	X	X		X		X		
Residential, Limited Multifamily (4 units max.)	X	X	X		X		X		
Residential, Multifamily (over 4 units)	X	X	X		X		X		
Residential, Single family	X	X	X		X		X		
Retirement Homes/Assisted Living	X	X	X		X		X		
Studios	X	X	X		X		X		
<b>Civic/Public/Institutional</b>									
Art Galleries, Community Theatres, Museums	X		X						
Bookstores									
Churches/Religious Institutions	X	X	X		X		X		
Child Care (more than 12 children)	X	X	X		X		X		
Day Care	X	X	X		X		X		
Hospitals									
Senior Homes	X	X	X		X		X		
State Club/Lodges	X	X	X		X		X		
Public Buildings	X	X	X		X		X		
Recreational areas, play fields & facilities, including pool fields	X	X	X		X		X		
Recreational buildings, public indoor	X	X	X		X		X		
Schools: Colleges, Universities, Vocational	X	X	X		X		X		
Schools: K-6, Public	X	X	X		X		X		
Schools: Middle or High, Public ***	X	X	X		X		X		
Schools: Private	X	X	X		X		X		
<b>Commercial/Industrial</b>									
Automotive sales/Auto, truck or RV dealerships	S								
Automotive services/ Car Washes	S	S							
Automotive services/ Gas stations	S	S							
Automotive services/ repair shops	S	S							
Banks/Financial institutions	X	X							
Business & Personal Services	X	X							
Campgrounds, RV parks	X	X							
Construction supplies & yards	X	X							
Distribution facilities	S								
Greenhouses/Plant nurseries									
Guest Ranches, Resorts	X	X							
Health Clubs	X	X							
Hotel, motel, inns, Bed & Breakfast (over 6 units)	X	X							
Indoor Recreational Centers	X	X							
Industrial, Light & crafts manufacture	S	S							

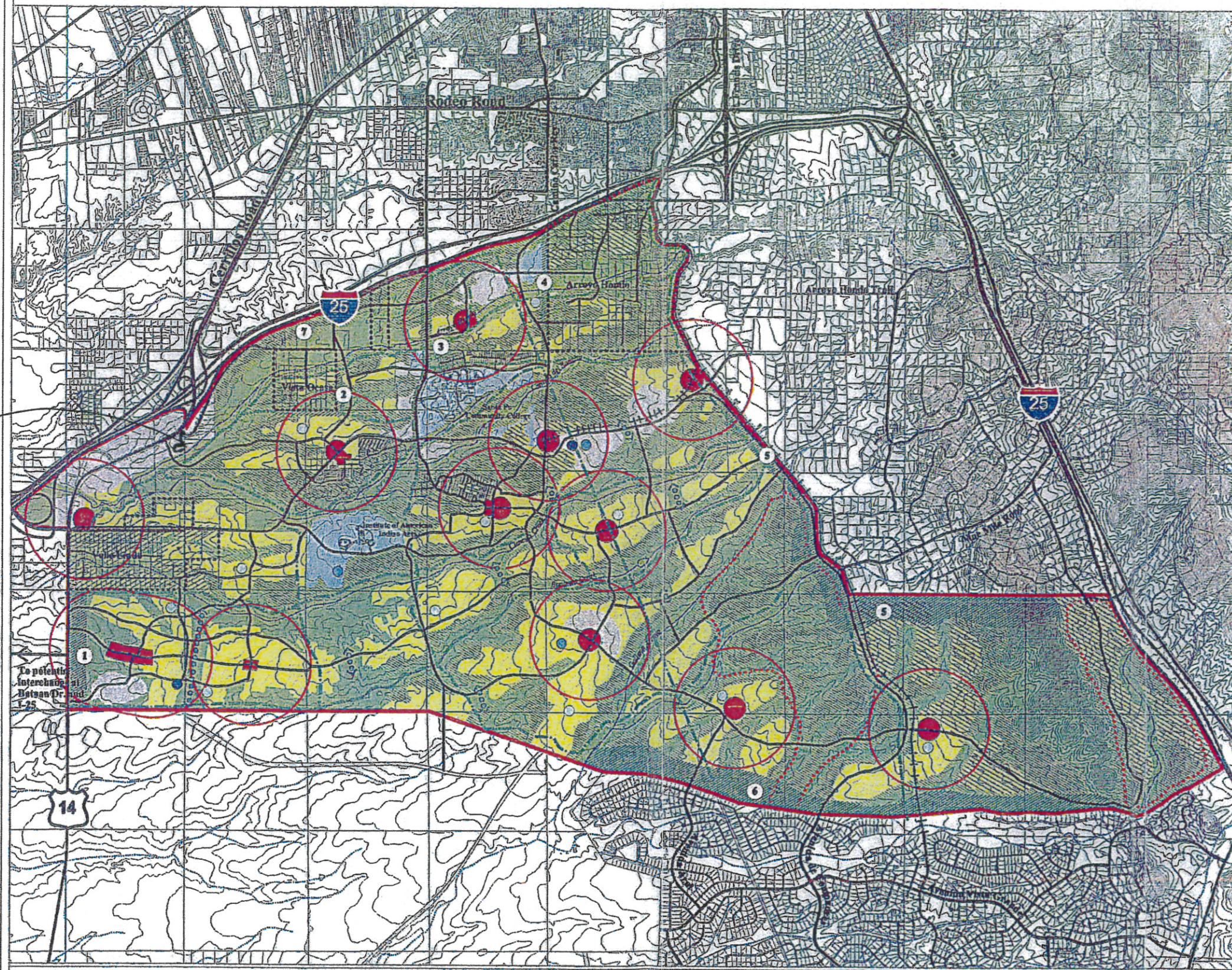
x= uses eligible in zone  
S= special use



# Land Use Zoning Map

## Legend

- Community College District Boundary
- Major Drainages
- Existing Rail Road
- Proposed Rail Road
- Village Zones
- Flatland/ Pinon Juniper
- Employment Campuses and Centers
- Institutional Campuses
- Arroyo Corridors and Open Space
- Roads - Proposed & Existing
- Village Separators
- District Trails
- Proposed Alignments
- Rural Zones
- Existing Neighborhood Zones
- New Community Centers & Walking Radii
- Fringe Zones: Hillsides/ Pinon Juniper
- Fringe Zones: Hillsides/ Grasslands
- Buffer Areas:
  - ① Highway 14 buffer
  - ② Vitas Oaks buffer
  - ③ Richard's Ave. / 200 ft. both sides
  - ④ Arroyo Hondo West buffer
  - ⑤ Nine Mile buffer
  - ⑥ El Dorado buffer
  - ⑦ 150'-350' Highway Corridor Refer to Highway Corridor Plan
- Elementary Schools
- Middle Schools
- High Schools



SITE

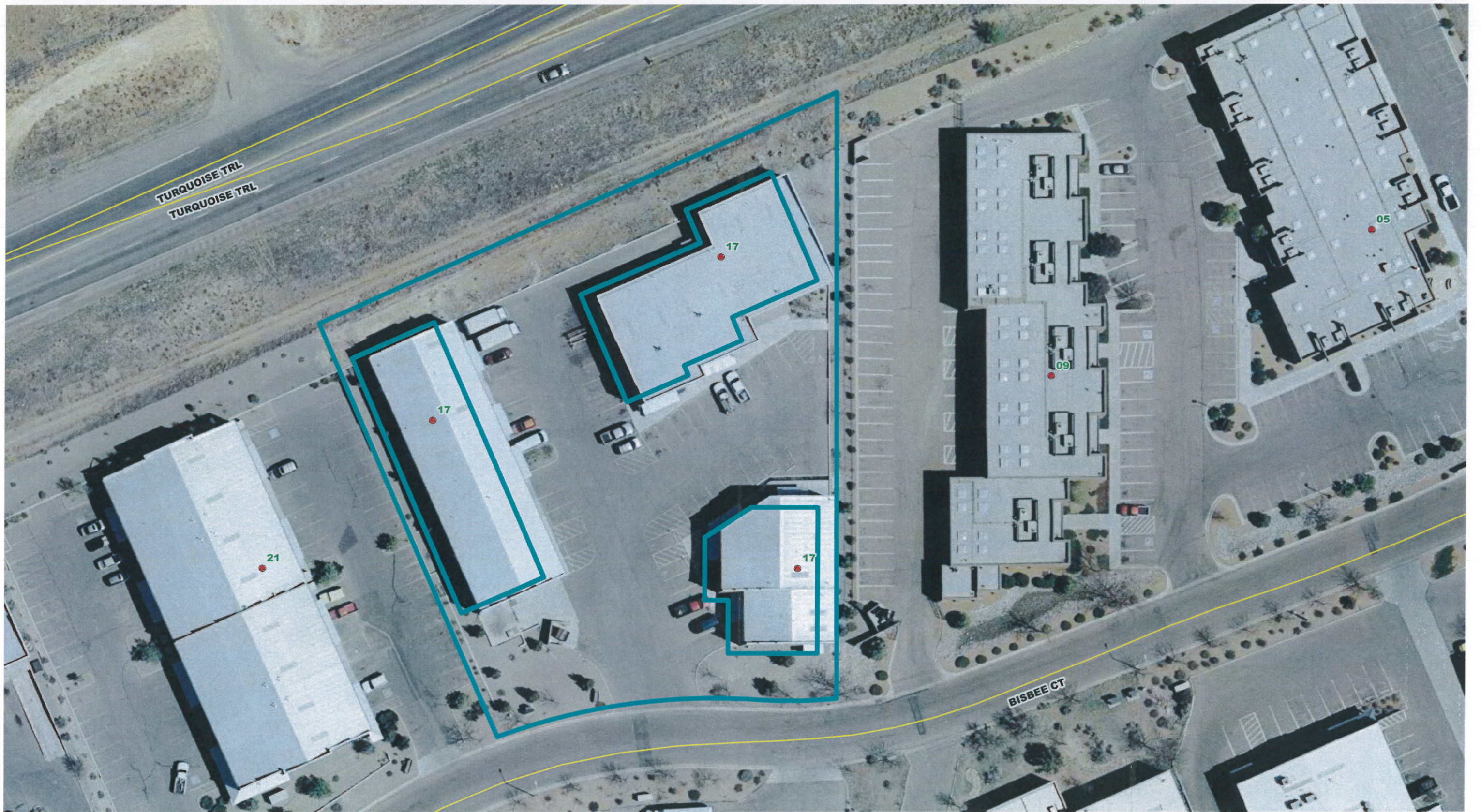
Approved by Board of County Commissioners October 31, 2000  
 Approved by El Paso-Territorial Zoning Authority November 1, 2000  
 As amended by BOCEZA on December 11, 2008  
 THIS INFORMATION IS FOR REFERENCE ONLY. SANTA FE COUNTY  
 ASSUMES NO LIABILITY FOR ERRORS ASSOCIATED WITH THIS USE  
 OF THESE DATA, USER IS SOLELY RESPONSIBLE FOR CONFIRMING  
 DATA ACCURACY WHEN NECESSARY.





# Santa Fe Community College District



EXHIBIT  
 6

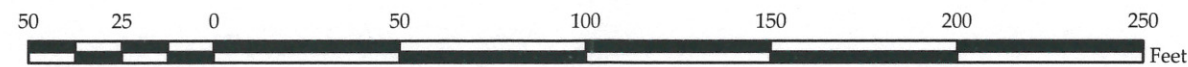


**Legend**

-  Subject Property
-  Roads



1:600  
1 inch represents 50 feet



Aerial Photography from 2008  
Contour Interval 2 Feet  
North American Vertical Datum 1988

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



April 19, 2012