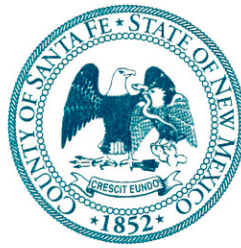


Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** October 11, 2011

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager *JEL*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF:** BCC Case # MIS 11-5280 Santa Fe Spirits Alcohol Craft Distiller License

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### ISSUE:

Santa Fe Distillery, LLC, d/b/a Santa Fe Spirits, Applicant, Colin Keegan, Owner, request approval of an Alcohol Craft Distiller License. The subject property is located at 7505 Mallard Way, Unit I, within Section 11, Township 16 North, Range 8 East, (Commission District 2).

### SUMMARY:

This site is located within the presumptive City Limits. Ordinance No. 2009-01 limits the jurisdiction of the City Council to make a ruling on this type of zoning request. The decision for this request falls within the jurisdiction of the Board of County Commissioners (Exhibit "B").

On May 14, 2010 the City of Santa Fe issued a letter of Zoning Verification for this site. The letter states: "this property is zoned I-1, Light Industrial District, which allows for distilleries and wholesale liquor distributors" (Exhibit "D"). Prior to the adoption of Ordinance No. 2009-01 this site was known as the Airport Business Park. The master plan approval, for this site, allowed for distilleries and wholesale liquor distributors.

Santa Fe Spirits currently operates as a batch distillery producing small batches of hand crafted liquor. The Applicant is requesting approval of an Alcohol Craft Distiller License. This type of license allows the manufacture of distilled spirits and provides for on-premise consumption as well as package liquor sales similar to the Winegrower and Small Brewer licenses. The Craft

Distiller does require minimum production amounts. The operation employs 2-3 employees and as the operation expands the number of employees will increase (Exhibit "A").

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 are required to conduct a public hearing on the request to grant an Alcohol Craft Distiller License at this location (Exhibit "C").

**RECOMMENDATION:**

Staff has reviewed this application and has found the following facts to support this submittal: the City of Santa Fe has acknowledged that this property is zoned I-1, Light Industrial District, which allows for distilleries and wholesale liquor distributors; Ordinance No. 2009-01 allows the Board of County Commissioners jurisdiction on this type of zoning request; the master plan approved by Santa Fe County, for this site, allowed for distilleries and wholesale liquor distributors; the Applicant has met the State of New Mexico requirements for noticing, distance from Schools and Churches. Staff recommends **approval** of the Applicants request for an Alcohol Craft Distiller License, to be located at 7505 Mallard Way, Unit I.

**ATTACHMENTS:**

- Exhibit "A"- Letter of Intent
- Exhibit "B"- Ordinance No. 2009-01
- Exhibit "C" – Alcohol and Gaming Division Preliminary Approval
- Exhibit "D"- Zoning Statement
- Exhibit "E" – Floor Plan - Unit I
- Exhibit "F" – Vicinity Map
- Exhibit "G" – City Business License
- Exhibit "H" – Receipt of Application from City

Santa Fe Distillery, Letter of intent

This letter is to explain the intent of Santa Fe Distillery to establish a distillery in the Airport Business District which has recently been incorporated from Santa Fe County into the Santa Fe City limits.

The business Santa Fe Distillery LLC, will be doing business as Santa Fe Spirits, and will be producing high quality spirits. It will be located at Unit I, 7505 Mallard Way, Santa Fe NM 87506, within the city limits. We are located in an industrial area (I1) on the south side of town, close to the Airport Road & 599 junction, within the Mallard industrial condominium complex.

The distillery will be a 'batch distillery', meaning it will be producing small batches of liquor in the Artisan fashion, where each liquor is hand crafted. Each of these spirits will be 'top shelf' type liquors, and typically made for 'sipping' rather than mixing. We will make an aged Single Malt Whiskey, and are currently sourcing New Mexico grain for the raw material. Our Apple Brandy will be made from New Mexico Apples from Velarde orchards and aged as in a Calvados style apple brandy, and an un-aged Single malt White Whiskey. The aging process takes 3 years minimum, and will be done on the premises.

We have completed the requirements of Federal license for being a Distilled Spirits Plant (DSP), and have fulfilled all the State requirements apart from county approval. Santa Fe Spirits will only be manufacturing high quality spirits as under state law we cannot distribute or sell our products. We can only supply a distributor.

We anticipate a slow start up over the next few years, with only 2-3 employees, and are aiming at sales of 1,500 cases of liquor. As the business grows and the aged products are ready to sell we aim to increase production to 3,000 and employ more people (not more than 6).

The building has been approved by Santa Fe City Land Use Department for this operation, (see Zoning statement provided), and has been issued a business license to manufacture distilled spirits (attached).



THE SANTA FE EXTRATERRITORIAL LAND USE AUTHORITY

ORDINANCE NO. 2009-01

AN ORDINANCE ESTABLISHING SUBDIVISION, PLATTING, PLANNING AND ZONING RULES WITHIN THE PRESUMPTIVE CITY LIMITS AND WITHIN UNINCORPORATED AREAS OF THE COUNTY THAT ARE SUBJECT TO THE EXTRATERRITORIAL, SUBDIVISION, PLATTING, PLANNING AND ZONING JURISDICTION OF THE CITY OF SANTA FE; ESTABLISHING DEFINITIONS; PROVIDING FOR TRANSITIONAL PROVISIONS; REPEALING ORDINANCE NOS. 1997-4, 1997-3, 1999-1, 1999-5, 1999-6, 2000-01, 2000-03.

BE IT ORDAINED BY THE SANTA FE EXTRATERRITORIAL LAND USE AUTHORITY:

Section One. Title. This ordinance may be cited as the Santa Fe Extraterritorial Land Use Authority Subdivision, Platting, Planning and Zoning Ordinance (SPPaZo).

Section Two. Authority. This ordinance is enacted pursuant to NMSA 1978, Sections 3-19-5 (2003), 3-20-5 (1998), 3-21-3 (2001), 3-21-3.1 (1989), 3-21-3.2 (2003) and 3-21-4 (1999), the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008), Ordinance No. 2008-17 of the Board of County Commissioners of Santa Fe County, and Ordinance No. 2008-46 of the Governing Body of the City of Santa Fe.

Section Three. Scope. This ordinance applies within the extraterritorial platting and planning zone set forth in NMSA 1978, Section 3-19-5 (2003), and the extraterritorial zoning area set forth in NMSA 1978, Section 13-21-2 (2003).

Section Four. Repeal. Ordinance Nos. 1997-4 (except for section 9.8 Mountain Special Review District), 1997-3, 1999-1, 1999-5, 1999-6, 2000-01, 2000-03 of the Extraterritorial Zoning Authority shall be and hereby are repealed.

Section Five. Planning Basis. This ordinance implements the City of Santa Fe 1999 General Plan as amended through 2008. The following other planning documents to the extent they are not inconsistent shall also be considered: Regional Planning Authority Land Use Plan (2004), the Southwest Santa Fe County Community Area Plan (2005), the Santa Fe County Growth Management Plan (General Plan)(1999), the Santa Fe County Community College District Plan (2000), the Santa Fe Metro Area Highway Corridor Plan (2000), the Santa Fe Northwest Community Plan (1999), the Santa Fe Exterritorial Zoning Authority Comprehensive Plan (1998), the Santa Fe Urban and Extraterritorial Future Roads Plan (1999), the Tres Arroyos del Poinente Plan (2006), and the Hyde Park Plan (1994).



**Section Six. Definitions.**

A. "ELUA" means the Santa Fe Extraterritorial Land Use Authority established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008) and City Ordinance No. 2008-46 and County Ordinance No. 2008-17.

B. "ELUC" means the Santa Fe Extraterritorial Land Use Commission established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008) and City Ordinance No. 2008-46 and County Ordinance No. 2008-17.

C. "EZA" means the Santa Fe Extraterritorial Zoning Authority established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (1991);

D. "EZC" means the Santa Fe Extraterritorial Zoning Commission established by the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (1991);

E. "Presumptive City Limits" means the city limits of the City of Santa Fe following the completion of the annexations provided for in the Settlement Agreement and Mutual Release of Claims (2008), by and between the City of Santa Fe, Santa Fe County, and Las Soleras (as shown on Map A, attached);

F. "Areas to be Annexed" means those areas outside of the current city limits of the City of Santa Fe that will be annexed pursuant to the Settlement Agreement and Mutual Release of Claims (2008), by and between the City of Santa Fe, Santa Fe County, and Las Soleras (as shown on Map A, attached).

**Section Seven. Zoning and Planning and Platting Within the Areas to be Annexed.**

A. Regulation of zoning, subdivision, planning and platting of property within the Areas to be Annexed shall be governed by the City of Santa Fe Land Development Code, Chapter 14. Zoning for properties within the Areas to be Annexed is hereby established by this Ordinance as set forth in the zoning map Map B attached hereto reflecting City zoning districts selected to match land uses adopted in the planning documents referred to in Section 5 and, where applicable, current zoning granted by the EZA. Pending adoption of escarpment overlay districts within Area 18 on Map A, EZA Ordinance No. 1997-4, Section 9.8 establishing rules for the Mountain Special Review District shall apply. The City of Santa Fe will be responsible for administering zoning districts, prescribing uses within districts, rezoning particular parcels, prescribing and enforcing design standards, prescribing procedures for making and processing applications, processing applications, establishing and administering standards for development plans, subdivision of land, and all matters necessary and proper to the foregoing.

B. The City may establish and collect fees for administering zoning, platting and planning and for capital improvements, included but not limited to development review fees, application fees, impact fees, fees for building permit applications, processing, review and inspections and other fees related to development for development within the Areas to Be Annexed.

**Section Eight. Zoning and Planning and Platting Outside the Presumptive City Limits.**

A. Regulation of zoning and planning and platting of property within the extraterritorial zoning and platting authority outside the Presumptive City Limits shall be governed by the Santa Fe County Land Development Code (1996, as amended), including without limitation establishing zoning districts, prescribing uses within districts, establishing zoning of particular parcels, prescribing and enforcing design standards, prescribing procedures for making and processing applications, processing applications, establishing and administering standards for subdivision of land, establishing and providing code enforcement, processing applications for building permits, and all matters necessary and proper to the foregoing.

B. The County may establish and collect fees for administering zoning, platting and planning and capital improvements included but not limited to impact fees, development review fees, enforcement fees, application for development outside the Presumptive City Limits.

**Section Nine. Transitional Provisions.**

**A. Pending Applications.**

1. Each application pending before the ELUA/ELUC for development of property within the Areas to be Annexed shall be transferred to the City of Santa Fe for further processing.

2. Each application pending before the ELUA/ELUC for development of property outside the Presumptive City Limits shall be transferred to Santa Fe County for further processing.

**B. Zoning.**

1. Rezoning of properties within the Areas to be Annexed, as deemed desirable by the City or property owners may be accomplished subsequent to the effective date of this ordinance pursuant to Chapter 14, the City Land Development Code.

2. Properties outside the Presumptive City Limits shall be zoned as established by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to the enactment of this Ordinance. Rezoning of such properties, as

deemed necessary by the County may be accomplished subsequent to the effective date of this ordinance pursuant to the County Land Development Code.

**C. Permits and Approvals Without Vested Rights.** Permits and approvals granted by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to the effective date of this ordinance for which rights have not vested (approved master plans, special exceptions, recognition of nonconforming uses, development plans, subdivisions, exception plats, and lot line adjustments) shall be henceforth governed by the City Land Development Code within the Presumptive City Limits, and by the Santa Fe County Land Development Code outside the Presumptive City Limits.

**D. Permits and Approvals With Vested Rights.** Permits and approvals granted by the Extraterritorial Zoning Authority and the Extraterritorial Zoning Commission prior to enactment of this ordinance for which rights have vested (whether or not the permit or approval conforms to City Land Development Code) shall be recognized by the City and the County.

**E. Approved Master Plans.**

1. Properties within the Areas to be Annexed that have received final approval of a master plan from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission shall within five years of that approval file an application for approval of a development plan, preliminary development plan or subdivision plat in accordance with that Master Plan with the City of Santa Fe or the approval of the master plan shall expire unless an extension is obtained pursuant to the City Land Development Code.

2. Properties outside the Presumptive City Limits that have received final approval of a master plan from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission shall be permitted to file an application for approval of a preliminary development plan or plat from the County.

**F. Approved Preliminary Development Plans or Plats.**

1. Properties within the Areas to be Annexed that have received preliminary development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission but have not received final development plan or plat approval, shall within 24 months of said approval file an application for approval of a final development plan or subdivision plat in accordance with that preliminary plan or plat with the City of Santa Fe or the approval of the preliminary development plan or plat shall expire unless an extension is obtained pursuant to the City Land Development Code..

2. Properties outside the Presumptive City Limits that have received preliminary development plan or plat approval from the Extraterritorial Zoning

Authority or the Extraterritorial Zoning Commission but have not received final development plan or plat approval, may file an application for approval of a preliminary development plan or plat with the County. The application will be governed and processed according to the County Land Development Code.

**G. Approved but Unrecorded Final Development Plans and Plats.**

Properties that have received final development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission but have not recorded the plan or plat shall within 18 months of the approval complete the recordation process under the terms of the final approval or the approval will expire unless an extension is obtained pursuant to the City Land Development Code.

**H. Approved and Recorded Final Development Plans, Plats or Permits.** Properties that have received final development plan or plat approval from the Extraterritorial Zoning Authority or the Extraterritorial Zoning Commission and have recorded the plan or plat shall within 24 months of the approval apply for construction permits consistent with that plan or plat from the City of Santa Fe or the approval will expire unless an extension is obtained pursuant to the City Land Development Code..

**Section Ten. Enforcement.** Enforcement of Land Development Codes within the delegated authority set forth in this Ordinance shall be made by the entity responsible for enforcement of those Codes, e.g. within the Presumptive City Limits, the City Code shall govern as set forth in this Ordinance, and the City shall be responsible for enforcement of its Land Development Code pursuant to this delegated authority. Likewise, within the County and outside the Presumptive City Limits, the County Land Development Code shall govern as set forth in this Ordinance, and the County shall be responsible for enforcement of the terms of that Code.

**Section Eleven. Business and Itinerant Vendor Licenses.** The City shall issue business and itinerant vendor licenses within the Presumptive City Limits. The County shall issue business and itinerant vendor licenses outside the Presumptive City Limits. Licenses validly issued pursuant to the Extraterritorial Zoning Ordinance shall be valid until expiration.

**Section Twelve. Building and Development Permits.** Building and/or development permits sought within the Presumptive City Limits shall be obtained from the City. Building and/or development permits sought outside the Presumptive City Limits shall be obtained from the County or the Construction Industries Division. Building and development permits that pertain to property for which final approvals were approved through the Extraterritorial Zoning Ordinance shall be governed by the terms of the approval.



PASSED, APPROVED AND ADOPTED this 27<sup>th</sup> day of August, 2009.

THE EXTRATERRITORIAL LAND USE  
AUTHORITY OF SANTA FE COUNTY

By: [Signature]  
Harry Montoya, Chair

ATTEST: [Signature]  
Valerie Espinoza, Santa Fe County Clerk

[Signature]  
Yolanda Vigil, City Clerk

APPROVED AS TO FORM:  
[Signature]  
Stephen C. Ross, Santa Fe County Attorney

[Signature]  
Frank Katz, City Attorney



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
ELUA ORDINANCE  
PAGES: 9

I Hereby Certify That This Instrument Was Filed for  
Record On The 4TH Day Of September, 2009 at 02:14:03 PM  
And Was Duly Recorded as Instrument # 1576351  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Valerie Espinoza  
Deputy, [Signature] County Clerk, Santa Fe, NM



# Annexation Areas



## Future Land Use & Zoning Districts East

Adopted 08/27/2009  
Extraterritorial Land Use Authority

### City Zoning Districts

#### Residential Districts

- R1, (PLU) Single - Family 1-dw/lot
- R2, (D7), (PLU) Single - Family 2-dw/lot
- R3, (PLU) Single - Family 3-dw/lot
- R4 Single - Family 4-dw/lot
- R5, (D7), (PLU), (AC), (R), (PLU) Single - Family 5-dw/lot
- R7, (L), (PLU), (R) Single - Family 7-dw/lot
- RCA, ACRCB Compound 5-dw/lot
- RCA, ACRCB Compound 10-dw/lot
- RM1, (PLU) Multiple - Family 10-dw/lot
- RM2, (PLU) Multiple - Family 12-dw/lot
- RM3, (PLU) Multiple - Family 21-dw/lot
- RM4, (PLU) Multiple - Family 28-dw/lot
- RAC Residential Arts & Crafts
- MHP Mobile Home Park
- RR, Rural Residential
  - .04 dwt/ac 1/4 City water or sewer
  - 1.0 dwt/ac City water or sewer
  - 2.0 dwt/ac City water and sewer
  - 3.0 dwt/ac City water and sewer and 40% common open space

#### Non-Residential and Mixed Use Districts

- C1, (PLU) Office and Related Commercial
- C2, (PLU) General Commercial
- C4 Limited Office and Retail
- H2 Hospital Zone
- BCD Business Capital District
- I1, (PLU) Light Industrial
- I2 General Industrial
- BP Business Industrial Park
- PRC, PRSC Planned Community
- SC1, SC2, SC3 Planned Shopping Center
- MJ Mixed Use

NOTE:  
 \*Zoning districts are a period or parcel which may be affected by documented development approvals granted under the Extraterritorial Zoning Ordinance and which may result in effect to the extent provided in Extraterritorial Land Use Authority Ordinance No. 2008-01. Parcels may exist which are affected by EZZ approvals, but which are not designated on this map.

### Future Land Use

#### Residential

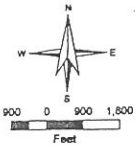
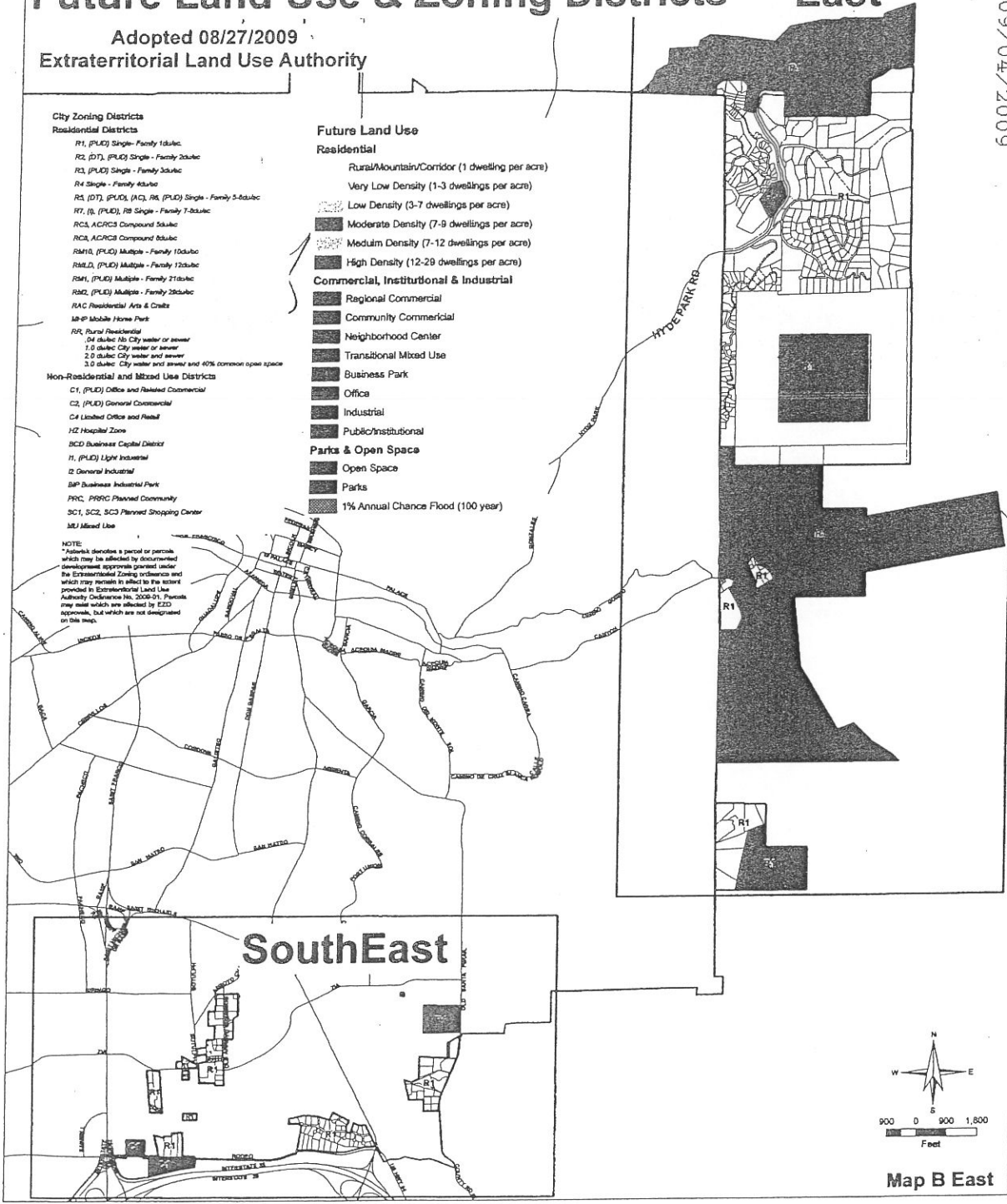
- Rural/Mountain/Corridor (1 dwelling per acre)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (12-29 dwellings per acre)

#### Commercial, Institutional & Industrial

- Regional Commercial
- Community Commercial
- Neighborhood Center
- Transitional Mixed Use
- Business Park
- Office
- Industrial
- Public/Institutional

#### Parks & Open Space

- Open Space
- Parks
- 1% Annual Chance Flood (100 year)



Map B East



# Annexation Areas Future Land Use & Zoning Districts

Adopted 08/27/2009  
Extraterritorial Land Use Authority

## SouthWest

### City Zoning Districts

- Residential Districts**
- R1, (PUD) Single - Family 10du/ac
  - R2, (DT), (PUD) Single - Family 20du/ac
  - R3, (PUD) Single - Family 30du/ac
  - R4 Single - Family 40du/ac
  - R5, (DT), (PUD), (AC), R6, (PUD) Single - Family 5-50du/ac
  - R7, (L), (PUD), R8 Single - Family 7-50du/ac
  - RCS, ACRC3 Compound 50du/ac
  - RCS, ACRC3 Compound 10du/ac
  - RM10, (PUD) Multiple - Family 10du/ac
  - RM10L, (PUD) Multiple - Family 10du/ac
  - RM1, (PUD) Multiple - Family 21du/ac
  - RM2, (PUD) Multiple - Family 25du/ac
  - RAC Residential Arts & Crafts
  - MHP Mobile Home Park
  - RR, Rural Residential
    - 04 du/ac No City water or sewer
    - 1.0 du/ac City water or sewer
    - 2.0 du/ac City water and sewer
    - 3.0 du/ac City water and sewer and 40% common open space

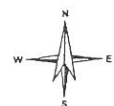
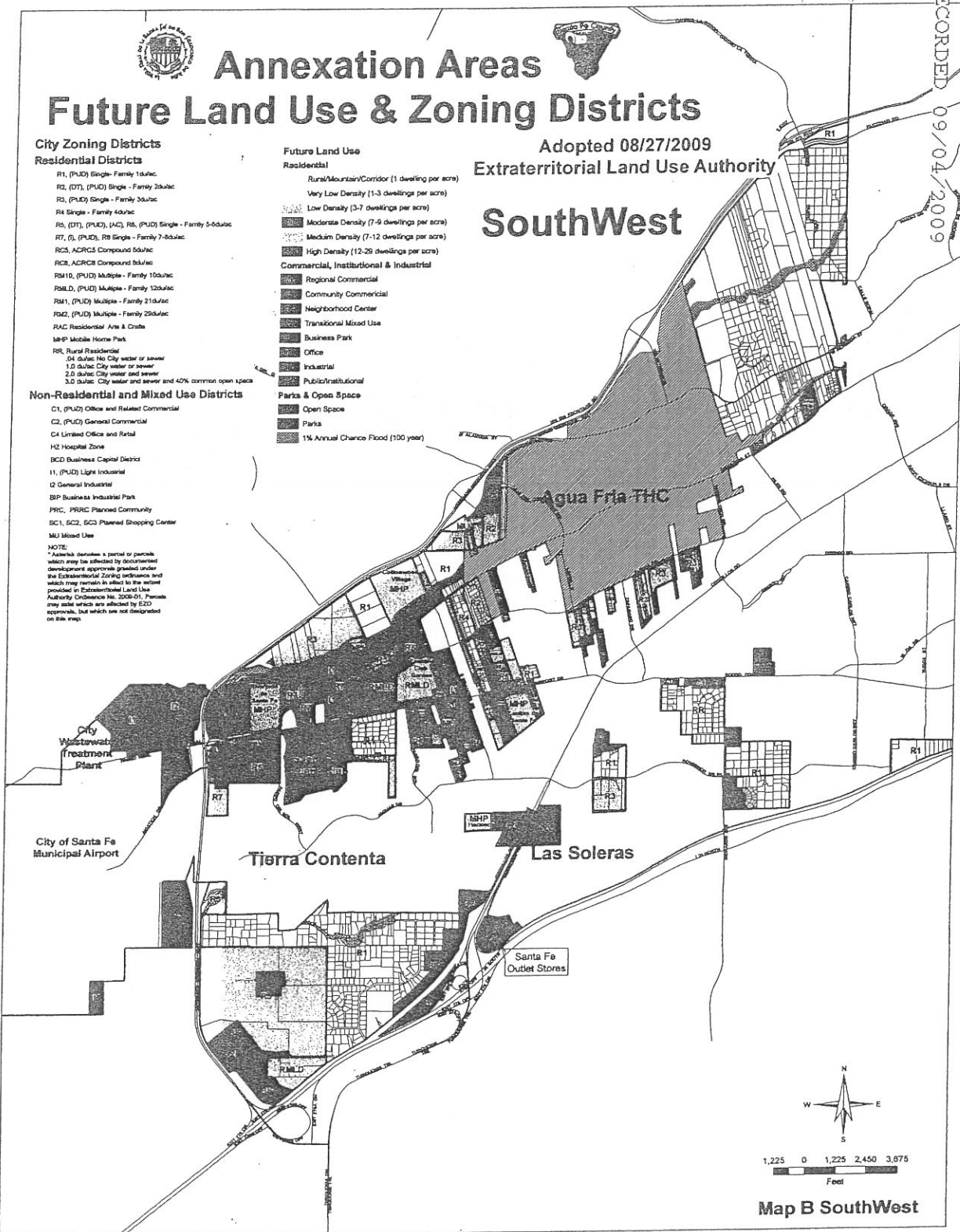
### Future Land Use

- Residential**
- Run/Mountain/Corridor (1 dwelling per acre)
  - Very Low Density (1-3 dwellings per acre)
  - Low Density (3-7 dwellings per acre)
  - Moderate Density (7-9 dwellings per acre)
  - Medium Density (7-12 dwellings per acre)
  - High Density (12-29 dwellings per acre)
- Commercial, Institutional & Industrial**
- Regional Commercial
  - Community Commercial
  - Neighborhood Center
  - Transitional Mixed Use
  - Business Park
  - Office
  - Industrial
  - Public/Institutional
- Parks & Open Space**
- Parks & Open Space
  - Open Space
  - Parks
  - 1% Annual Chance Flood (100 year)

### Non-Residential and Mixed Use Districts

- C1, (PUD) Office and Related Commercial
- C2, (PUD) General Commercial
- C4 Limited Office and Retail
- H2 Hospital Zone
- BCD Business Capital District
- I1, (PUD) Light Industrial
- I2 General Industrial
- BIP Business Industrial Park
- PRC, PRRC Planned Community
- SC1, SC2, SC3 Planned Shopping Center
- MJ Mixed Use

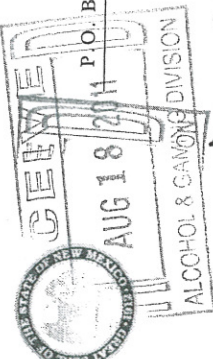
**NOTE:**  
 \* Aerials describe a parcel or parcels which may be affected by documented development approvals granted under the Extraterritorial Zoning Ordinance and which may remain in effect to the extent provided in the Extraterritorial Land Use Authority Ordinance No. 2009-01. Parcels only exist which are affected by EDO approvals, but which are not designated on this map.



1,225 0 1,225 2,450 3,675  
Feet

Map B SouthWest





New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
Santa Fe, New Mexico 87504-5101 - (505) 476-4875 - Fax (505) 476-4595 - www.rld.state.nm.us/agd

RECEIVED  
Page 1  
R. Lopez/10

JUN 30 2011

ALCOHOL AND GAMING DIVISION  
500.00  
05/22/11  
05/26/11

### LIQUOR LICENSE APPLICATION

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

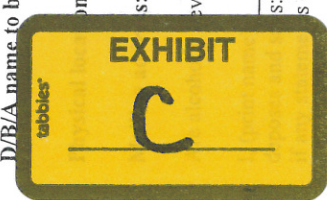
State Liquor License # 1780028  
Application Number \_\_\_\_\_  
Local option (AGD use) \_\_\_\_\_

Record Owner of Existing License \_\_\_\_\_  
Current D/B/A Name \_\_\_\_\_  
Current Premises Address \_\_\_\_\_

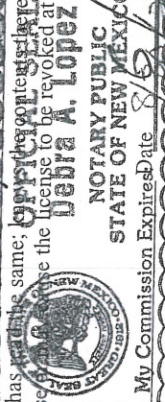
Application is for: Change of Stock \_\_\_\_\_ Change of Officers/Directors \_\_\_\_\_ Transfer Ownership of Existing License \_\_\_\_\_ Transfer Ownership and Location \_\_\_\_\_ Other \_\_\_\_\_  
Issue New License  \_\_\_\_\_

Type of License being applied for: MICRODISTILLERS LICENSE  
(Craft Distiller)  
Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company

NAME OF APPLICANT (company or individual)  
SANTA FE DISTILLERY LLC  
(INDIVIDUAL) COLIN KEEGAN  
D/B/A name to be used: SANTA FE SPIRITS  
ADDRESS (including city, state, zip)  
7505 MALLARD WAY (UNIT I) SANTA FE, NM 87507  
7505 MALLARD WAY (UNIT I) SANTA FE, NM 87507  
Telephone number for licensed premises: 505-467-8892  
505-780-4857 (cell)  
505-467-8892



where license is to be used: 7505 MALLARD WAY (UNIT I) SANTA FE, NM 87507  
(include street number / highway number / state road, city and county, state, and zip code)  
Averages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No  If yes, give license number and type N/A 6304 (manufacturer)  
Signature of Applicant: COLIN KEEGAN as (title) OWNER / MANAGER being first duly sworn upon oath  
that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; and the contents herein contained are true. Applicant(s) agree(s) that  
the license to be renewed at any time.  
*You must sign and date this form in the presence of a notary public.*



Signature of Applicant: Colin Keegan day of June, 2011 by Colin Keegan  
Notary Public Debra A. Lopez My Commission Expires 8/22/11

SUBSCRIBED AND SWORN TO before me this 22nd day of June, 2011 by Colin Keegan  
Notary Public Debra A. Lopez My Commission Expires 8/22/11

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



New Mexico Regulation and Licensing Department • Alcohol and Gaming Division  
P. O. Box 25101 • Santa Fe, New Mexico 87504-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rfd.state.nm.us/agd

JUN 20 2011

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

ALCOHOL AND  
GAMING DIVISION

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) SFP HOLDINGS, LLC.

B. Date and term of lease 5 YEARS / JULY 19, 2010 - JULY 19 2015.

3. Premises location is zoned (example C-1) I-1 LIGHT INDUSTRIAL DISTRICT.

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 2.3 miles Name of church PRASE TABERNACLE Address/location of church 503 AIRPORT ROAD, SANTA FE, NM 87507

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

Miles/feet 1.2 miles Name of school SOUTHWESTERN COURSE Address/location of school 3960 SANTELUPE ROAD, SANTA FE, NM 87507

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

Miles 58.3 miles 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:

Restaurant \_\_\_\_\_ Package Grocery \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (specify) DISTILLERY.





# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, Mayor

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2  
Patti J. Busbee, Dist. 1  
Chris Calvert, Dist. 1  
Rosemary Romero, Dist. 2  
Miguel M. Chavez, Dist. 3  
Carmichael A. Dominguez, Dist. 3  
Matthew E. Ortiz, Dist. 4  
Ronald S. Trujillo, Dist. 4

April 28, 2011

Attention: Debra Lopez  
New Mexico Regulation and Licensing Department  
Alcohol and Gaming Division  
Toney Anaya Building  
2550 Cerrillos Road  
Santa Fe, NM 87505

RECEIVED

JUN 30 2011

ALCOHOL AND  
GAMING DIVISION

RE: Zoning Verification for 7505 (unit I) Mallard Way, Santa Fe NM 87507

Dear Mrs. Lopez,

This is in response to a request for zoning verification on the above referenced property. According to the Annexation Areas Future land Use & Zoning Districts Map B Southwest Adopted August 27<sup>th</sup>, 2009, this property is zoned I-1 (Light Industrial District).

## "14-4.3 (F) I-1 Light Industrial District

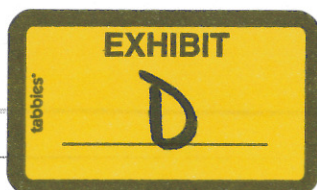
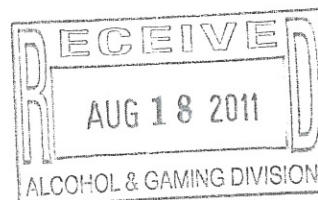
### (1) Purpose and Intent

The I-1 district is intended primarily for light manufacturing, processing, storage, warehousing, distribution, and commercial uses. Regulations are intended to prevent friction between uses within the district and also to protect nearby residential districts.

### (2) Additional Development Standards

All uses permitted in the I-1 district are subject to the following limitations, in addition to the general development regulations of Article 14-8:

- (a) Outdoor storage areas shall be enclosed by solid walls or solid fences at least six feet in height, with access only through solid gates that shall be kept closed when not in use;
- (b) No objects shall be stacked or stored outdoors higher than the minimum height of the enclosing walls; and
- (c) All uses shall conform to the performance standards set forth in §10-4 of Chapter X, Environmental Regulations."



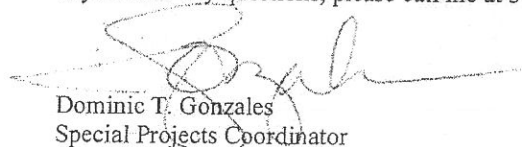
- Eating and drinking establishments, distilleries, wholesale liquor distributors, and the consumption liquor are permitted uses within a I-1 district.

For additional information, reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses).

Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987.

It is the intent of this letter to advise you of the ordinances pertaining to the zone districts and not the intent to state that the subject property complies with zoning requirements. Occupancy is determined based on zoning compliance at the time of building permit or certificate of occupancy, whichever applies. Additionally, it is not the intent to interfere with or to abrogate or annul any official document including conditions or safeguards made a part of the subject property at the time of any public hearings. Applicants are advised to pursue an independent search of official documents.

If you have any questions, please call me at 505-955-6679



Dominic T. Gonzales  
Special Projects Coordinator

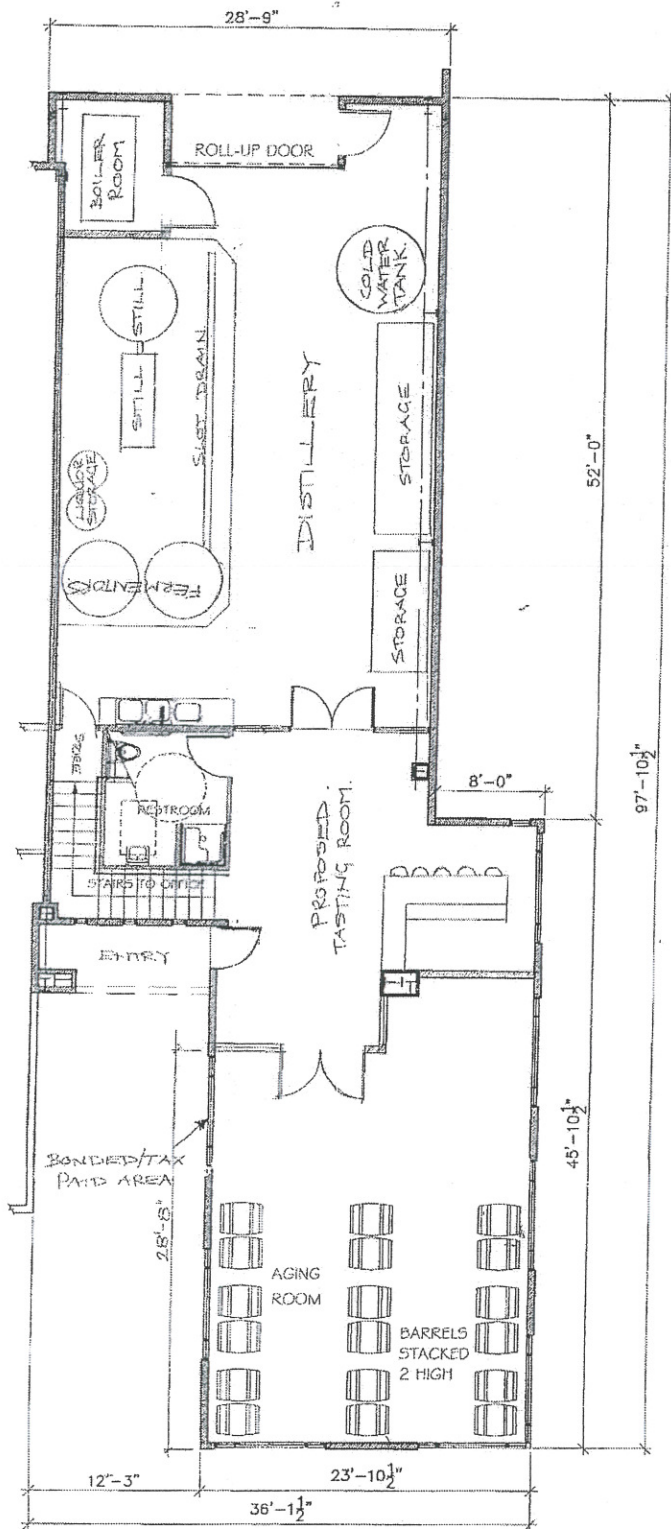
RECEIVED

JUN 30 2011

ALCOHOL AND  
GAMING DIVISION

RECEIVED  
AUG 18 2011  
ALCOHOL & GAMING DIVISION



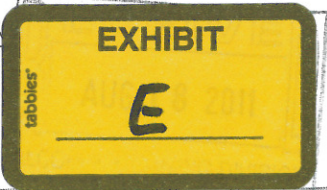


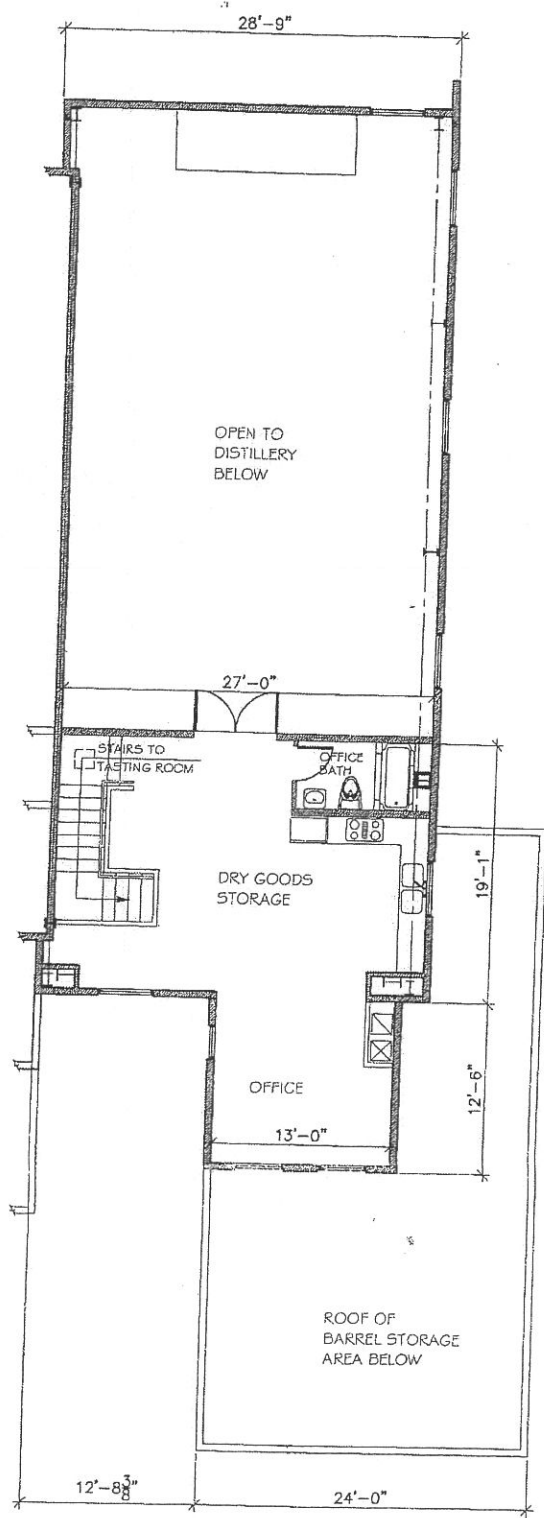
← CONSTELLATION WAY →

Total = 3320 sq ft - both Floors

← MAIN STREET →  
← MALLARD WAY →

SANTA FE DISTILLERY  
7505 MALLARD WAY, SANTA FE, NM  
1ST FLOOR - GENERAL LAYOUT  
SCALE 1/8" = 1'-0"  
DATE: 6-15-11

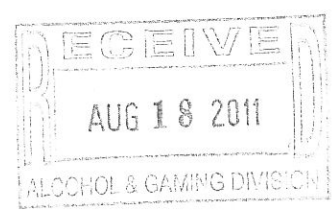




↑  
 ↓ CONSTELLATION WAY ↑


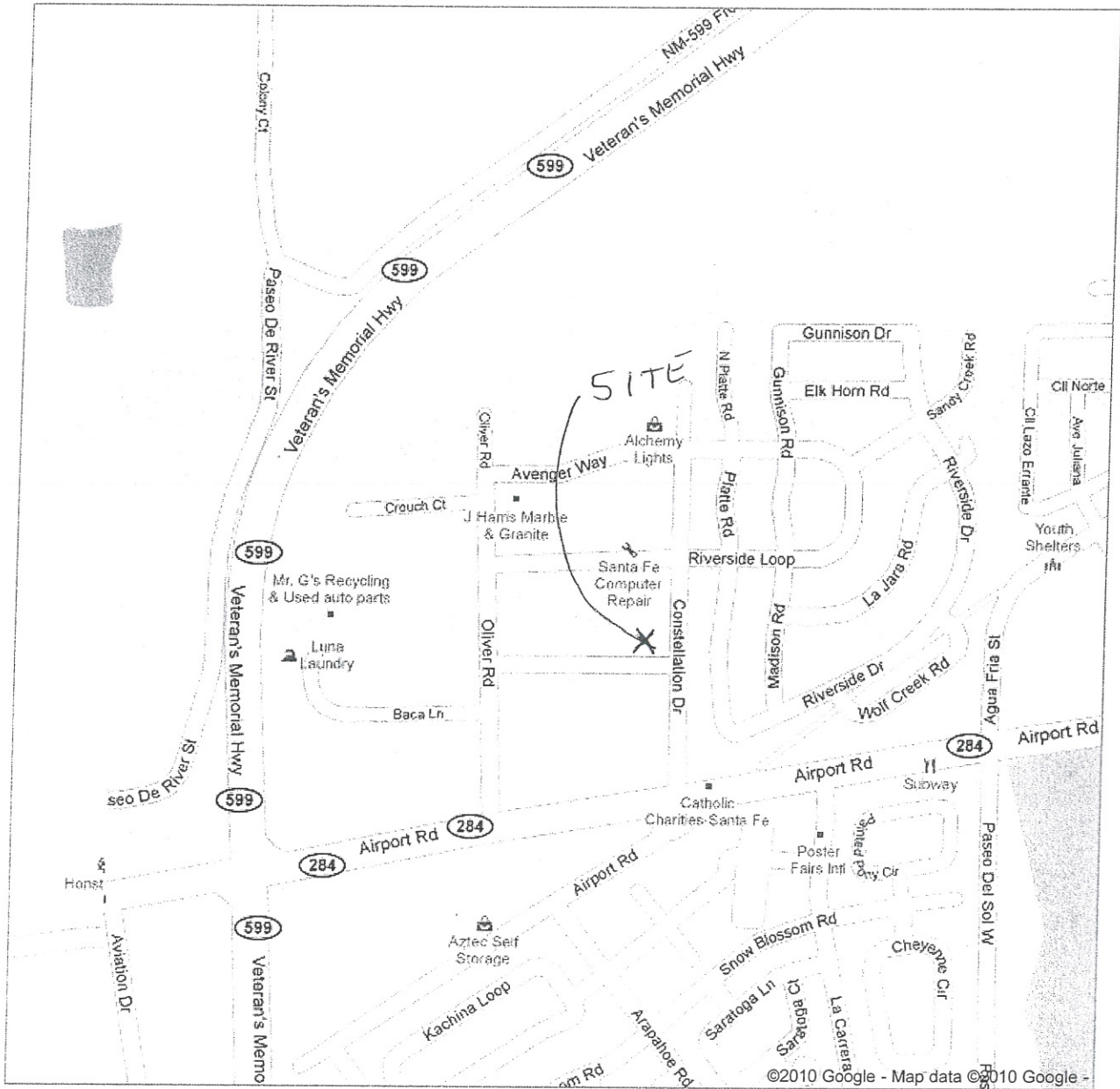
← MAIN STREET →  
 ← MALLARD WAY →

**SANTA FE DISTILLERY**  
 7505 MALLARD WAY, SANTA FE, NM  
 2ND FLOOR - GENERAL LAYOUT  
 SCALE 1/8" = 1'-0"  
 DATE: 6-15-11



Google maps

Get Google Maps on your phone  
 Text the word "GMAPS" to 466453



# City of Santa Fe, New Mexico BUSINESS LICENSE

City Of Santa Fe  
PO BOX 909  
Santa Fe NM, 87504

Official Document  
Please Post

Business Name: SANTA FE SPIRITS

Location: 7505 MALLARD WAY I

Class: BUSINESS REGISTRATION - STANDARD

Comment:

Control Number: 0058333

License Number: 10-00100931

Issue Date August 20, 2010

Expiration Date December 31, 2010

SANTA FE SPIRITS  
7505 MALLARD WAY I

SANTA FE NM 87507



# Receipt of Application

September 2, 2010

It has been determined that the property listed for the application for a Manufacturer Liquor License (Manufacturing of Spirituous Liquors) at 7505 Mallard Way, Unit I, is located outside of the city limits in the presumptive city limits. The city does have jurisdiction to prepare a zoning verification statement, but not to grant approval. Approval of this request must be granted by the County of Santa Fe.

The application was received in the City Clerk's office on August 27, 2010 by Certified Mail #7009 1680 0000 1945 8325 and was hand delivered to the County Land Use Department on September 2, 2010.

I hereby certify by my signature that I have received the application for:

License / App. No: Application #A-640933  
Application Name: Santa Fe Distillery, LLC  
Doing business as: Santa Fe Spirits  
Proposed Location: 7505 Mallard Way, Unit I, Santa Fe, NM 87505

COUNTY OF SANTA FE

J. Kochanek  
Name

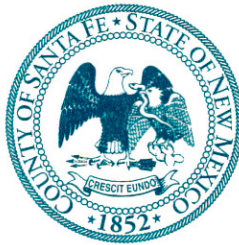
9.2.10  
Date



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

## MEMORANDUM

**DATE:** October 11, 2011

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager *JEL*

**VIA:** Jack Kolkmeyer, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF:** BCC CASE # MIS 11-5290 The Steaksmith at El Gancho Liquor License

---

### ISSUE:

Busan Vocale, Inc., d/b/a The Steaksmith at El Gancho, request approval of a transfer of ownership of an existing Liquor License. The subject property is located at 104 B Old Las Vegas Highway, within Section 7, Township 16 North, Range 10 East, (Commission District 4).

### SUMMARY:

The Steaksmith at El Gancho is a legal non-conforming full service restaurant serving food and beverages in the bar, lounge and restaurant. The Applicant is requesting a transfer of ownership of dispenser Liquor License #0684. Liquor License #0684 is a full dispenser license which allows for serving beer, wine and liquor within the restaurant, lounge and bar.

Steaksmith Ltd. Co (Limited Liability Company), d/b/a Steaksmith, is transferring ownership of the current Liquor License to Busan Vocale, Inc., d/b/a The Steaksmith at El Gancho.

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 are required to conduct a public hearing on the request for transfer of ownership of an existing Liquor License.

**RECOMMENDATION:**

The issue to be considered by the Board of County Commissioners is whether the transfer of ownership should be approved. The Applicant has met the State of New Mexico requirements for noticing, distance from Schools and Churches. The intensity of the restaurant will not increase as there is not any proposed expansion of the existing site therefore Staff recommends **approval** of this request.

**ATTACHMENTS:**

- Exhibit "A"- Alcohol and Gaming Division Letter of Preliminary Approval
- Exhibit "B"- Vicinity Map
- Exhibit "C" – Posting Certificate
- Exhibit "D"- Site Plan where liquor will be served
- Exhibit "E" – County Business License
- Exhibit "F" – Zoning Statement



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
Santa Fe, New Mexico 87504-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/agd

P.O. Box 25101 • Santa Fe, New Mexico 87504-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/agd

4503141

4/11/11

Quemada #1263038

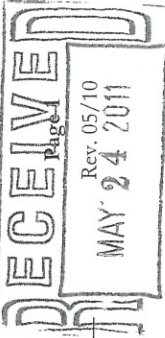
### LIQUOR LICENSE APPLICATION

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

State Liquor License # 0684

Application Number 775873

Local option (AGD use) Santa Fe County



ALCOHOL & GAMING DIVISION  
Limited Liability Company

Record Owner of Existing License STEAKSMITH LTD. CO.

Current D/B/A Name ~~Steaksmith at El Gancho~~

Current Premises Address 104 Old Las Vegas Highway #B, Santa Fe, New Mexico 87508 S

Application is for: Change of Stock \_\_\_\_\_ Change of Officers/Directors \_\_\_\_\_ Transfer Ownership of Existing License \_\_\_\_\_ X \_\_\_\_\_ Transfer Ownership and Location \_\_\_\_\_ Transfer Location \_\_\_\_\_ Other \_\_\_\_\_

Issue New License \_\_\_\_\_ Type of License being applied for \_\_\_\_\_

Applicant is: Individual \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company \_\_\_\_\_ X \_\_\_\_\_

NAME OF APPLICANT (company or individual) Busan Vocale, Inc., ~~a New Mexico corporation~~  
ADDRESS (including city, state, zip) 161 Arroyo Hondo Road, Santa Fe, New Mexico 87508  
TELEPHONE NUMBER 505.984.2891

to be used: The Steaksmith at El Gancho Phone number for licensed premises: 505.988.3333

Location where license is to be used: 104 Old Las Vegas Highway #B, Santa Fe, New Mexico 87508 S  
Address: 104 Old Las Vegas Highway #B, Santa Fe, New Mexico 87508 S  
(Include street number / highway number / state road, city and county, state, and zip code) Santa Fe County NV 05-24-11

Alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No \_\_\_\_\_ X \_\_\_\_\_ If yes, give license number and type 0684 / Dispenser TV 06-17-11  
Applicant Name: Gerald N. Levine as (title) President of Busan Vocale, Inc.

I, the undersigned, being first duly sworn upon oath, certify 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) agree(s) that the 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: *Gerald N. Levine* Date: March 18, 2011

Notary Public Use Only

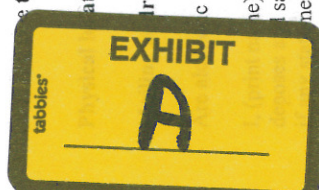
SUBSCRIBED AND SWORN TO before me this 18th day of March, 2011 by Gerald Levine, President of Busan Vocale, Inc.  
Notary Public: *Karl H. Sommer* My Commission Expires 3-11-15 a New Mexico corporation, on behalf of the corporation.

Local Governing Body of: \_\_\_\_\_ (City or County). Hearing held on \_\_\_\_\_ 20 \_\_\_\_\_

Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

For Alcohol and Gaming Division Use Only

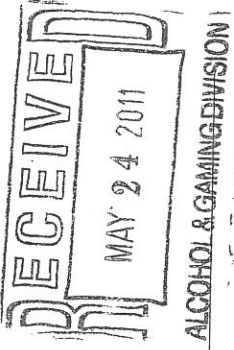
Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Director Approval \_\_\_\_\_ Date \_\_\_\_\_







**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) \_\_\_\_\_

B. Date and term of lease \_\_\_\_\_

3. Premises location is zoned (example C-1) LEGAL NON-CONFORMING COMMERCIAL PROPERTY TV 06-17-11  
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. Commercial - Restaurant, Spa and Tennis Club. The sale of alcoholic beverages is allowed.

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

Miles/feet 2.28 MILES Name of church CHURCH OF LATTER DAY SAINTS Address/location of church 410 RODEO RD. SF, NM  
2.4 MILES, per posting. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, per posting. Address unavailable, per posting. TV 06-22-11

5. Distance from nearest school \*(Property line of school to licensed premises—shortest distance).  
SANTA FE GIRLS SCHOOL Address/location of school 310 W. ZIA RD.  
1.8 Miles, per posting. SANTA FE WILDONT SCHOOL, per posting. Address unavailable, per posting. TV 06-22-11

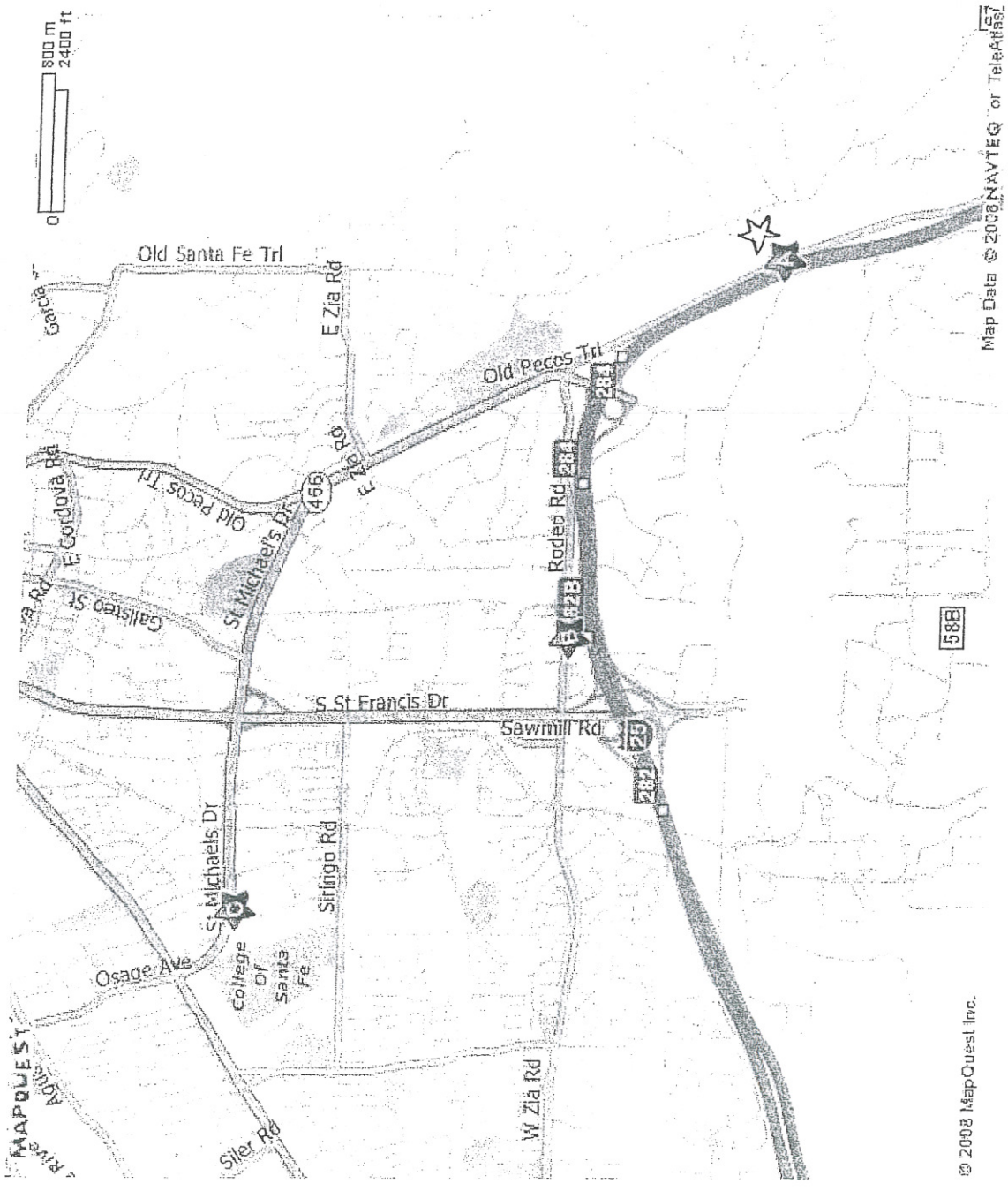
6. Distance from military installation \*(Property line of military installation to licensed premises—shortest distance).  
56 Miles, per posting. Kirtland Air Force Base, per posting. TV 06-22-11  
53 Miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands 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) \_\_\_\_\_



- ★ NM Academy for Math, physics & sciences
- A Steaksmith Restaurant
- B Church of Jesus Christ
- C National Guard

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 Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest. Your use of MapQuest means you agree to our [Terms of Use](#)

ALCOHOL & GAMING DIVISION  
2550 CERRILLOS ROAD 87505  
P.O. BOX 25101  
SANTA FE, NEW MEXICO 87504-5101

**POSTING CERTIFICATE**

RESTAURANT (BEER/WINE ONLY)      WHOLESALER:  
MASTER WINEGROWER              WINEGROWER OFF-SITE: A B C (Circle)  
MASTER SMALL BREWER          SMALL BREWER OFF-SITE: A B (Circle)  
**X** OTHER: TRANSFER OF OWNERSHIP

TRANSFERRED FROM:  
OWNER: Steaksmith Ltd. Co. Limited Liability Company  
CURRENT DBA NAME: Steaksmith  
CURRENT LOCATION: 104 Old Las Vegas Highway  
Santa Fe, NM 87505

TRANSFERRED TO:  
OWNER: Busan Vocale, Inc.  
PROPOSED DBA NAME: The Steaksmith at El Gancho  
PROPOSED LOCATION: 104 Old Las Vegas Highway  
Santa Fe, NM 87505

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: \_\_\_\_\_
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: County of Santa Fe
3. DISTANCE FROM NEAREST CHURCH IS APPROXIMATELY: 2.4 miles  
NAME OF CHURCH IS: Church of Jesus Christ Lds
4. DISTANCE FROM NEAREST SCHOOL IS APPROXIMATELY: 1.8 miles  
NAME OF SCHOOL IS: Santa Fe Waldorf School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION IS: 5/6 MILES  
NAME OF INSTALLATION IS:  KIRTLAND AIR FORCE BASE (ALBUQUERQUE)  
 WHITE SANDS MISSILE RANGE (LAS CRUCES)  
 HOLLOWAY AIR FORCE BASE (ALAMOGORDO)  
 CANNON AIR FORCE BASE (CLOVIS)

NOTICE POSTED ON:  BUILDING       BILLBOARD       OTHER: \_\_\_\_\_

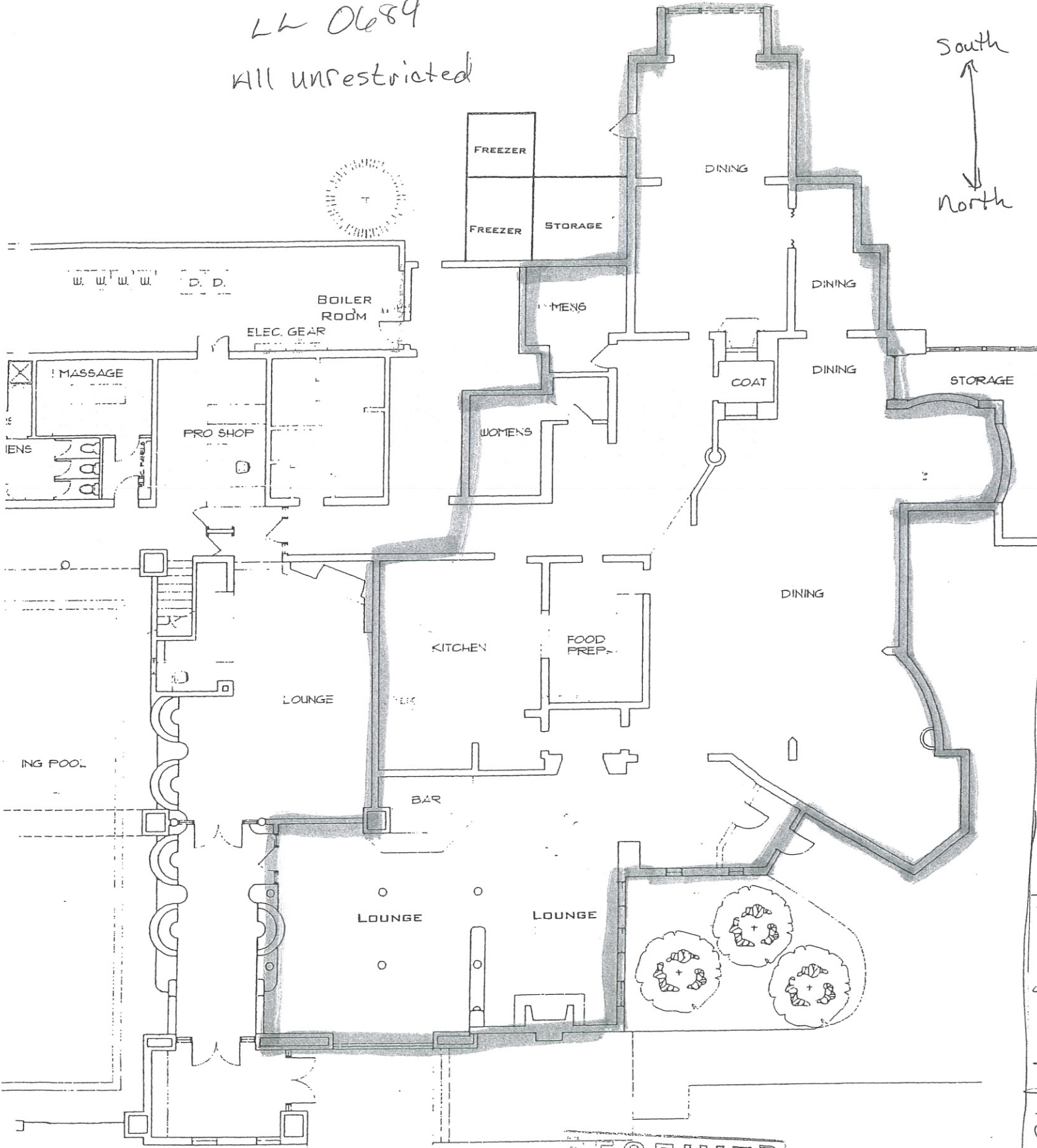
DATE POSTED: 6/14/11  
[Signature]  
APPLICANT'S SIGNATURE

EXPIRATION DATE: 7/4/2011  
[Signature]  
S.I.D. SPECIAL AGENT Tingwall



LH 0684  
All unrestricted

South  
↑  
North  
↓



*[Handwritten signature]*

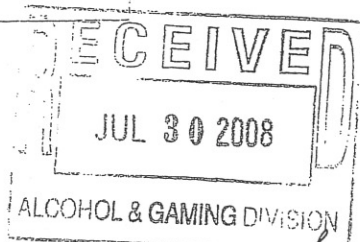


EXHIBIT "D"

*El Grande way*

# COMMERCIAL LICENSE

License No: 11122

Permit No:

Permit Type: COMMERCIAL

State of New Mexico, County of Santa Fe

WHEREAS, HERBERT C. COHEN

a resident of 104 POND LAS VEGAS HIGHWAY, SANTA FE, NM 87505

County and State aforesaid and one of the members of the firm known as

STEAKSMITH AT EL GANCHO

has made application for a license as

COMMERCIAL

; therefore

License Has Been Granted

to the said

STEAKSMITH AT EL GANCHO

to carry on said business at

104 POND LAS VEGAS HIGHWAY, SANTA FE, NM 87505

in said County and State for a period of 12 months commencing on the 1 day of January, 2011

2011

and ending on the 31 day of December, 2011

under the provisions of the law in such cases made and provided.



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

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

day of

January 2011

*Victor A. Montoya*  
SANTA FE COUNTY TREASURER



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

May 31, 2011

The Steaksmith at El Gancho  
104-B Old Las Vegas Highway  
Santa Fe, New Mexico 87505

Re: Zoning Statement for the Steaksmith at El Gancho

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

This property is acknowledged, by Santa Fe County, as a legal non-conforming commercial property and is in compliance with Article II of the Land Development Code. Article II, Section 4.5.2a states: "Except as otherwise provided in this Section, any non-conforming use of land or structure may be continued so long as it remains otherwise lawful."

This establishment has conducted business at this location for a period of approximately twenty five (25) years. The Steaksmith at El Gancho is a full service restaurant serving food and beverages in the bar, lounge and restaurant.

If you have any questions, please contact my office at 986-6225.

Sincerely,

Jack Kolkmeier  
Land Use Administrator

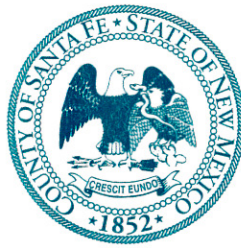
Cc: Jose E. Larrañaga,  
Commercial Development Case Manager



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

## MEMORANDUM

**DATE:** October 11, 2011

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager *JEL*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF:** BCC CASE # MIS 11-5300 Don Quixote Distillery & Winery Liquor License

---

### ISSUE:

Dolin Distillery Inc., d/b/a Don Quixote Distillery & Winery, request approval of a Craft Distiller off-site License and a Winegrower off-site License. The subject property is located at 18057-A NM 84/285, within Section 7, Township 19 North, Range 9 East, (Commission District 1).

### SUMMARY:

The property is acknowledged, by Santa Fe County, as a legal non-conforming commercial property and is in compliance with Article II of the Land Development Code. Article II, Section 4.5.2a states: "Except as otherwise provided in this Section, any non-conforming use of land or structure may be continued so long as it remains otherwise lawful."

The property is within the Pojoaque Valley Traditional Mixed Use District. The establishment conducted business, as the Line Camp, at this location prior to the creation of the Land Development Code. Most recently the property operated as an Art Gallery. The use of this establishment as an offsite tasting room for Don Quixote Distillery and Winery will not intensify the historic non-conforming use (Exhibit "B").

The Applicant operates a Winery and Distillery in Los Alamos. The Applicant is requesting a Winegrower off-site License which will allow for the tasting of wine which is manufactured off site. The request also includes an Alcohol Craft Distiller License. This type of license allows

the manufacture of distilled spirits and provides for on-premise consumption as well as package liquor sales similar to the Winegrower and Small Brewer licenses. The Craft Distiller does require minimum production amounts (Exhibit "A").

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 are required to conduct a public hearing on the request to grant an Alcohol Craft Distiller License and Winegrower off-site License at this location (Exhibit "C").

**RECOMMENDATION:**

Staff has reviewed this Application and has found the following facts to support this submittal: the property is acknowledged, by Santa Fe County, as a legal non-conforming commercial property; the site is in compliance with Article II of the Land Development Code; the use of this establishment as an offsite tasting room for Don Quixote Distillery and Winery will not intensify the historic non-conforming use; the Applicant has met the State of New Mexico requirements for noticing, distance from Schools and Churches. Staff recommends **approval** of the Applicants request for an Alcohol Craft Distiller License and Winegrower off-site License, to be located at what is commonly known as the Line Camp property.

**ATTACHMENTS:**

- Exhibit "A"- Letter of Intent
- Exhibit "B"- Floor Plan
- Exhibit "C" – Alcohol and Gaming Division Preliminary Approval
- Exhibit "D"- Zoning Statement
- Exhibit "E" – Vicinity Map



# Don Quixote Distillery and Winery

236 Rio Bravo  
Los Alamos, NM 87544  
505.695-0864  
[ron@dqdistillery.com](mailto:ron@dqdistillery.com)



*Ronald Dolin, Ph.D.*

*Artisan Crafters of Vodka, Gin, Whiskey, Brandy, Grappa, Calvados, Pisco, Eau-de-Vie, Angelica, Port, and Fine Wines*

June 30, 2011

Mr. Jose E. Larranaga  
Commercial Development Case Manager  
Santa Fe County Building & Development Services  
P.O. Box 276 – 102 Grant Avenue  
Santa Fe, NM 87504-0276

## **SUBJECT: LETTER OF INTENT REGARDING LINE CAMP PROPERTY**

Mr. Larranaga:

Dolin Distillery Inc., dba Don Quixote Distillery and Winery intends to lease the property located at 18057-A Hwy 84/285 in Pojoaque, which is commonly referred to as the Line Camp. Our intent is to utilize this property as a tasting room and private event venue.

**Background:** Don Quixote Distillery and Winery began operations in 2003 as New Mexico's first fully licensed distillery. In 2004 we began operations as a winery. Our New Mexico distillery license is NM6302, and our winery licenses are NM6139 and NM6864. Our current manufacturing and tasting room facilities are located in Los Alamos, NM. We currently hold a Los Alamos County business license, #20090035. Our federal license numbers are NM-S-15005 and BWN-NM-15003. Our federal tax identification number is 20-1942143 and our NM CRS number is 03-131631-00-0.

**Tasting Room Operations:** We intend to operate the Line Camp property as an off-site tasting room with hours of operation from 10:00am to 6:00pm daily. We will target both regional and out of state tourist to our tasting room. Each visitor will be allowed to sample and purchase our products.

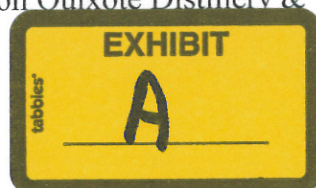
**Private Event Venue:** On occasion we intent to host private events such as wedding receptions, business meetings, birthday parties, etc. These private events will be held both during normal operating hours and during off-hours by agreement.

**Employment:** We anticipate hiring two full time employees to operate the tasting room and multiple part-time employees as needed for private events.

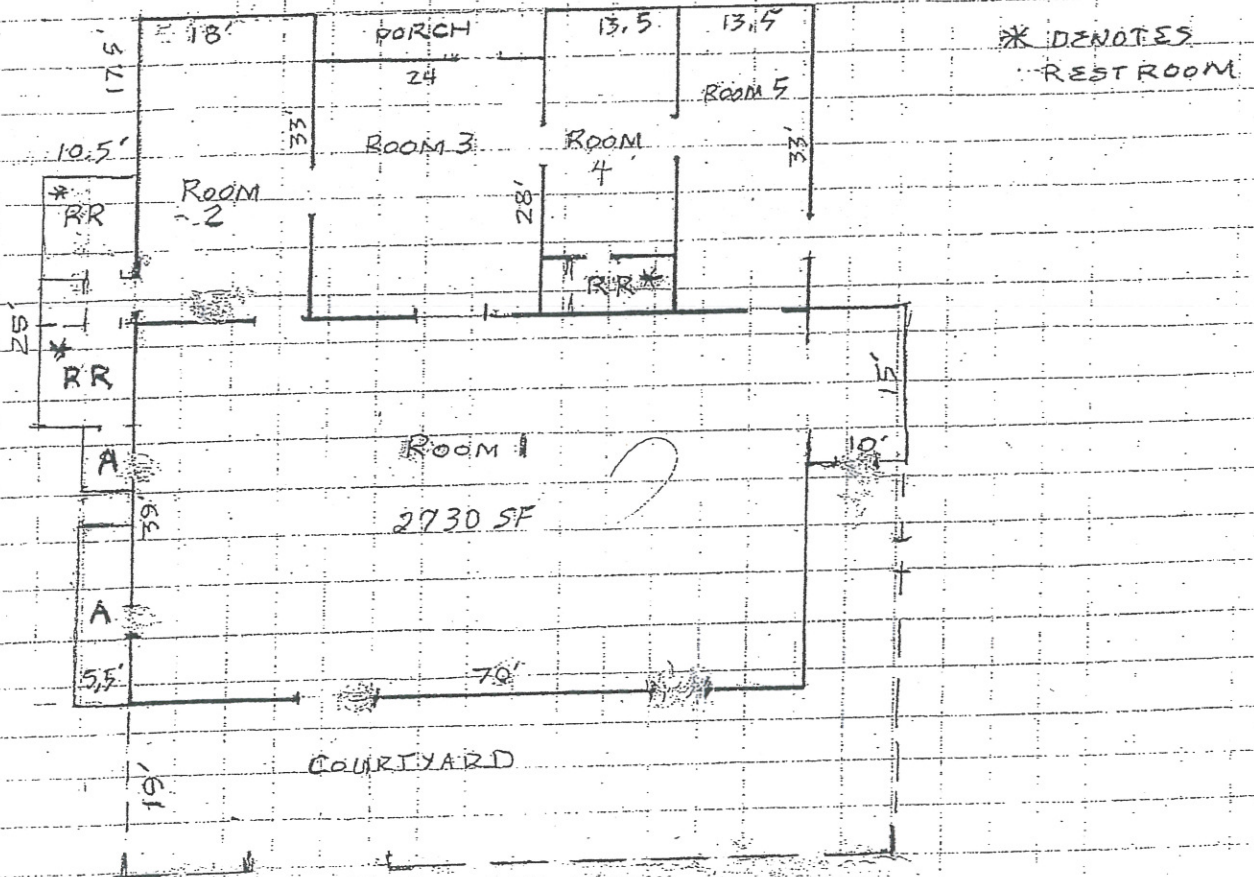
Please let me know if you need any additional information. I can be reached by phone (505) 695-0864 or by email at [ron@dqdistillery.com](mailto:ron@dqdistillery.com).

Respectfully,

Ronald M. Dolin, Ph.D.  
Owner, Dolin Distillery, Inc., dba Don Quixote Distillery & Winery



ESPAÑOLA ← US HWY 84/285 → SANTA FE



BUILDING: APPROX 5000 SF

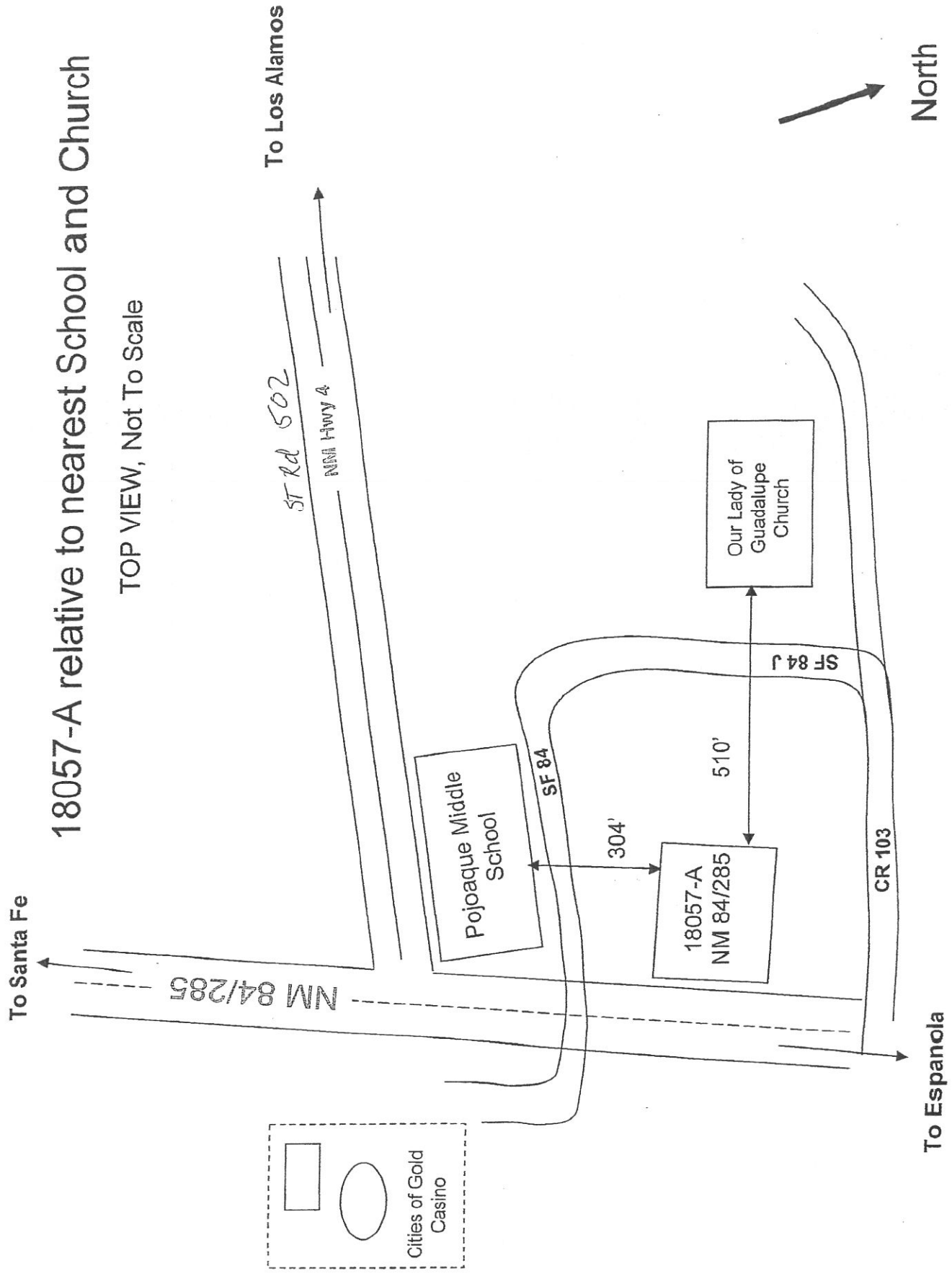
SCALE: 1" = 20'



Pg 4

# 18057-A relative to nearest School and Church

TOP VIEW, Not To Scale

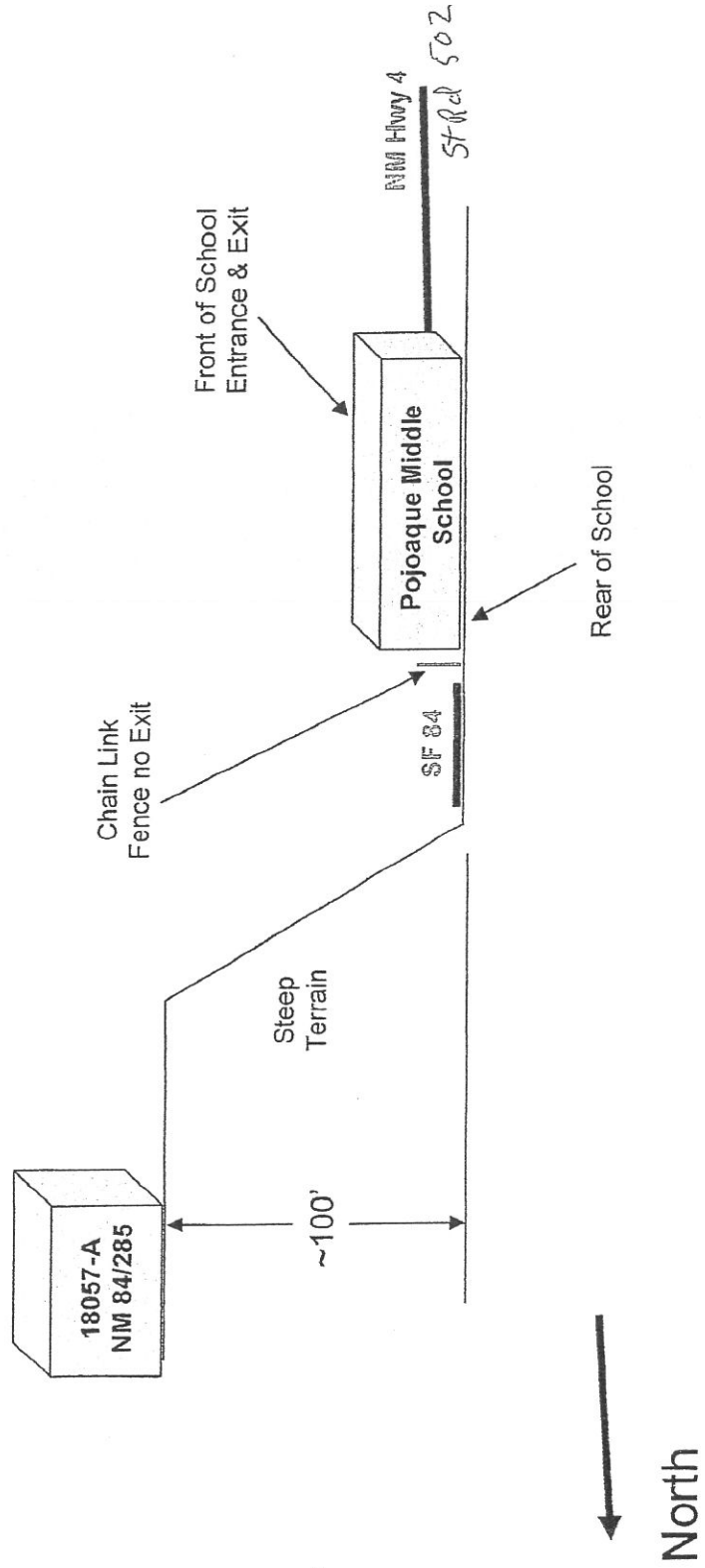


# 18057-A relative to Pojoaque Middle School

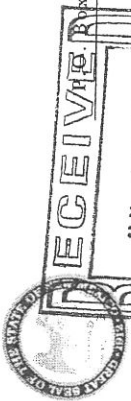
PLAN VIEW, Not To Scale

No Line of Sight from School to property

No direct access from school to property







**PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION**

SS-60-CB-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) Ramon Valdez

B. Date and term of lease Two year ~~month-to-month~~ Commence 9/1/2011 - 5 years

3. Premises location is zoned (example C-1) Pojoaque Valley Traditional Mixed Use District  
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 510' Name of church our lady of Guadalupe Address/location of church SF 845

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

Miles/feet 304' Name of school Pojoaque Middle School Address/location of school 1574 Santa Fe 87506

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

Miles 60 miles 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) winery + distillery offsite  
testing + retail



RECEIVED  
2011  
JUL 18 2011

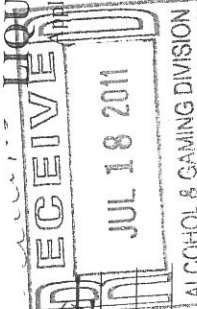
2011  
JUL 18 2011

LIQUOR LICENSE APPLICATION

Record Owner of Existing License Dolin Distillery Inc

Current D/B/A Name Don Quixote Distillery + Winery

Current Premises Address 236 Rio Bravo, Los Alamos, NM



Application is for: Change of Stock  Change of Officers/Directors  Transfer Ownership of Existing License  Transfer Location  Other

Issue New License  Type of License being applied for Off-site storage facility/retail outlet

Applicant is: Individual  Corporation  Partnership (General or Limited)  Limited Liability Company

NAME OF APPLICANT (company or individual) Dolin Distillery Inc

ADDRESS (including city, state, zip) 236 Rio Bravo, Los Alamos, NM 87544

TELEPHONE NUMBER 505-695-0864

D/B/A name to be used: Don Quixote Distillery + Winery Phone number for licensed premises: 505-695-0817

Physical location where license is to be used: 18057-A NM 84/285 Pojoaque Santa Fe, NM, 87506

Mailing address: 18057-A, NM 84/285, Pojoaque, NM

Are alcoholic beverages currently being dispensed at the proposed location? Yes  No  If yes, give license number and type

I, (print name) Ronald Dolin, as (title) Vice President being first duly sworn upon oath

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) agree(s) 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 Ronald Dolin Date 6/29/11

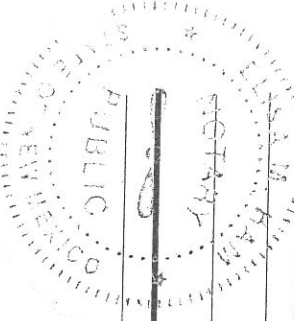
SUBSCRIBED AND SWORN TO before me this 29th day of June, 2011 by Ronald M Dolin

Notary Public [Signature] My Commission Expires 12.30.2014

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 \_\_\_\_\_





**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) Romon Valdez

B. Date and term of lease Two-year month-to-month September 1, 2011 - 5 years

3. Premises location is zoned (example C-1) Pojoaque Valley Traditional Mixed Use District

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 510' Name of church Our Lady of Guadalupe Address/location of church SF 84J

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

Miles/feet 304' Name of school Pojoaque Middle School Address/location of school 1574 St Rd 502, Santa Fe 87506

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

Miles 60 miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), **RECEIVED** Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis), **JUL 18 2011**, **ALCOHOL & GAMING DIVISION**

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. 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) Winegrowers Winery Distillery Office  
tasting & retail

Return this form to the Alcohol and Gaming Division, 2550 Cerrillos Road, Santa Fe, New Mexico 87505, if using overnight delivery.



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

July 12, 2011

Don Quixote Distillery and Winery  
18057-A Highway 84/285  
Pojoaque, New Mexico 87506

Re: Zoning Statement for the property known as the Line Camp located at 18057-A Highway 84/285, Pojoaque, New Mexico 87506

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

This property is acknowledged, by Santa Fe County, as a legal non-conforming commercial property and is in compliance with Article II of the Land Development Code. Article II, Section 4.5.2a states: "Except as otherwise provided in this Section, any non-conforming use of land or structure may be continued so long as it remains otherwise lawful."

The property is within the Pojoaque Valley Traditional Mixed Use District. The establishment conducted business, as the Line Camp, at this location prior to the creation of the Land Development Code. Most recently the property operated as an Art Gallery. The use of this establishment as an offsite tasting room for Don Quixote Distillery and Winery will not intensify the historic non-conforming use. This use shall be allowed at this location in compliance with the requirements of Section 60-6B-4 NMSA of the Liquor Control Act..

If you have any questions, please contact my office at 986-6225.

Sincerely,

Jack Kolkmeier  
Land Use Administrator

Cc: Jose E. Larrañaga,  
Commercial Development Case Manager



# Map of Property in Santa Fe County



## Legend

- driveways
- Minor Roads
- Major Roads
- Parcels\_sde
- Section Lines

## 2011 FEMA Data

### Draft Fema Data 2011

- 0.2 PCT
- A
- AE
- AO; D; X

## 2008 FEMA Data

- 500 Year
- 100 Year

1:600

1 inch represents 50 feet



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

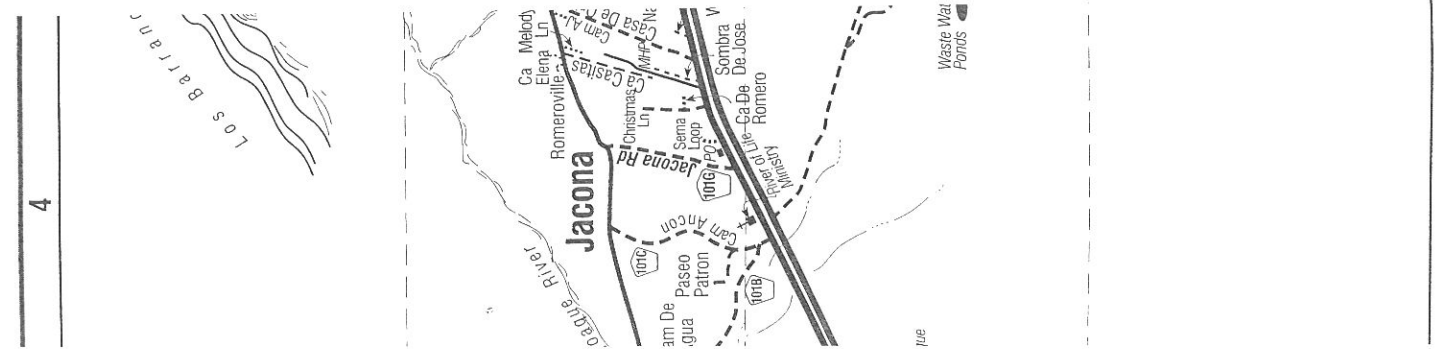
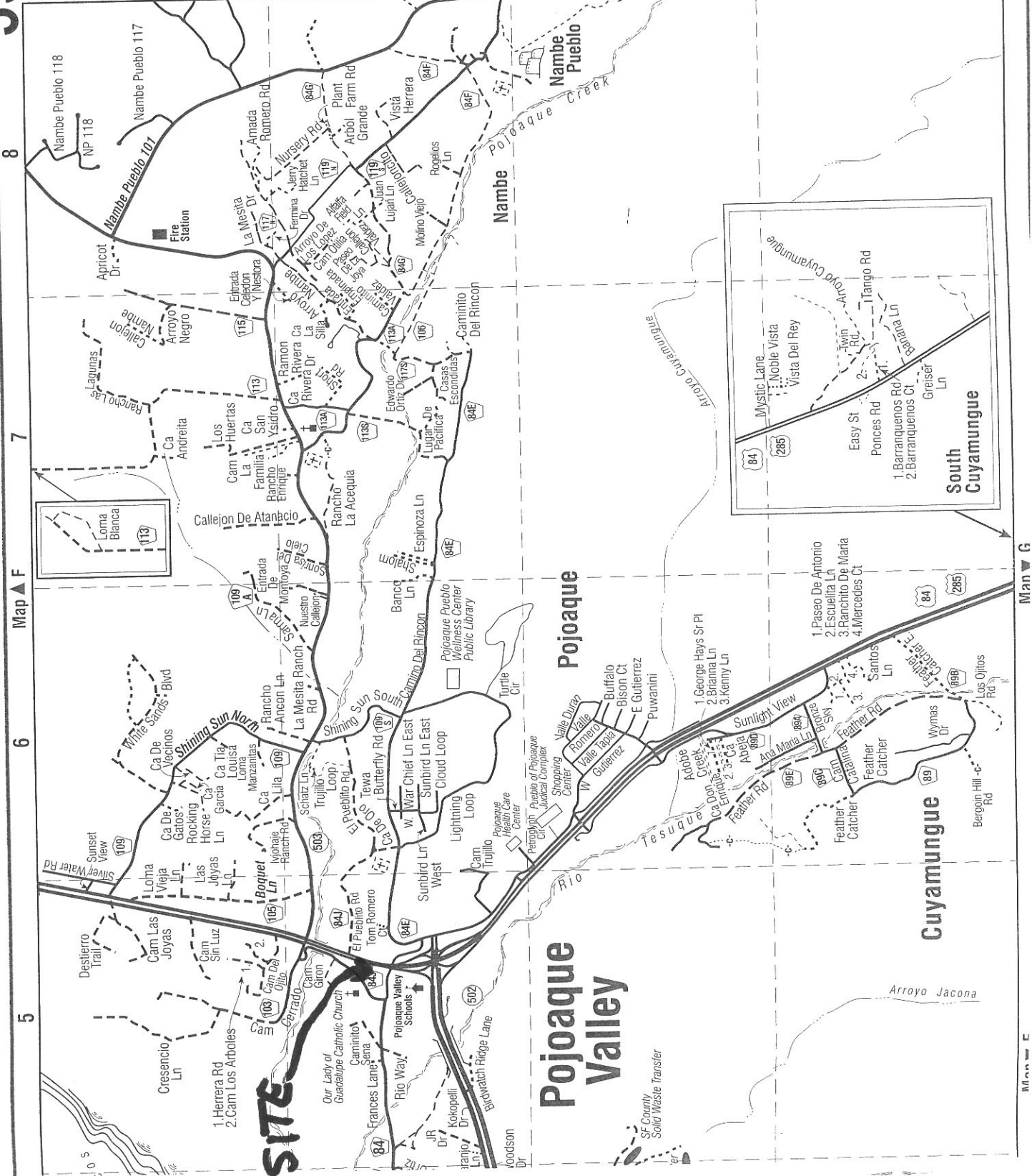
Orthophoto from 2008

Contour Interval 2 Feet

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



July 6, 2011



Map F 8 7 6 5 4

Man G