

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: March 24, 2017

TO: Board of County Commissioners

FROM: John M. Salazar, Development Review Specialist Sr. JMS

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director PEG
Vicki Lucero, Building and Development Services Manager VL

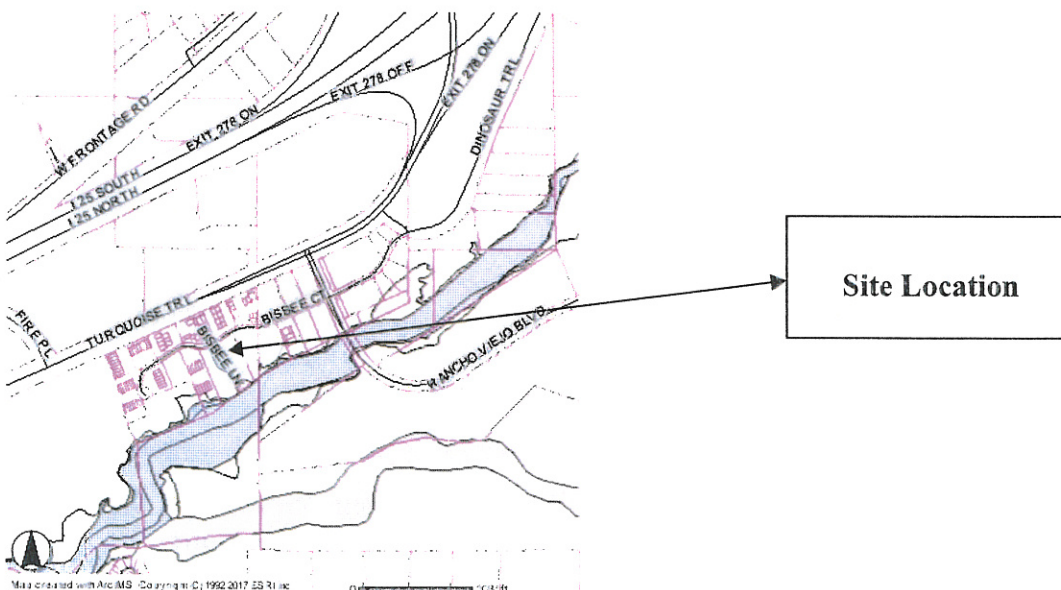
FILE REF.: BCC CASE #MIS 17-5060 Fiasco Fine Wine, Inc. Beer, Wine and Spirituous Wholesaler Liquor License

ISSUE:

Fiasco Fine Wine, Inc., Applicant, is requesting approval for a beer, wine and spirituous wholesaler liquor license.

The property is located at 20 Bisbee Ct., within Section 24, Township 16 North, Range 8 East (Commission District 5).

Vicinity Map:



SUMMARY:

The Applicant is undergoing an ownership change and will become Fiasco Fine Wine, LLC. The Applicant is already a distributor of wine, beer and spirits and is requesting approval for a beer, wine and spirituous wholesaler liquor license to reflect the name change. The Applicant's current name is Fiasco Fine Wine, Inc. and will be changing to Fiasco Fine Wine, LLC. The property is located at 20 Bisbee Ct. and is zoned as a Planned Development District (PDD) within an Employment Center in the Santa Fe Community College District. Section 8.10.3.19 CCD Use Matrix allows the sale of beer, wine, and liquor for off premises consumption and the use of a warehouse or storage facility as permitted uses.

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

Legal notice of this request has been published in accordance with the Liquor Control Act by publishing notice before the hearing twice in the Santa Fe New Mexican on March 12, 2017, and March 19, 2017.

This Application was submitted on March 7, 2017.

Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the following facts to support this submittal: Chapter 8.10.3.19 CCD Use Matrix allows the sale of beer, wine, and liquor for off premises consumption and the use of a warehouse or storage facility as permitted uses; the Applicant has met the State of New Mexico requirements for noticing; the warehouse is 557 feet from the nearest church and 3.1 miles from the nearest school.

APPROVAL SOUGHT: Approval of a Beer, Wine, and Spirituous Wholesale Liquor License.

GROWTH MANAGEMENT AREA: Santa Fe Community College District Overlay, SDA-1

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

Distance from nearest Church – 557 feet
Distance from nearest School – 3.1 miles

STAFF RECOMMENDATION: Approval of a Beer, Wine, and Spirituous Wholesale Liquor License to be located at 20 Bisbee Court.

EXHIBITS:

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

Zoning Request;
Letter of Intent

DATE: 2 February, 2017

Kemosabe LLC, owned by Steven Begg and Thomas Wolinski, owns a warehouse at 20 Bisbee Court, Santa Fe, NM 87508. They have been owners of this warehouse since 2006

Since 2006, the warehouse has been leased to Fiasco Fine Wine, Inc, a ^{wholesale} distributor of wine, spirits and beer.

Fiasco Fine Wine Inc is undergoing an ownership change, and will become Fiasco Fine Wine, LLC, a wholesale distributor of wine spirits and beer.

Fiasco's current hours of operation are Monday - Friday, 6:00 AM - 7:00 PM. There will be no changes to the hours of operation.

Thomas Wolinski:
president; Fiasco Fine Wine Inc
partner: Kemosabe LLC





Susana Martinez
Governor

Robert "Mike" Unthank
Superintendent

Alex Sanchez
Deputy Superintendent

Claudia Armijo
Deputy General Counsel

Mary Kay Root
Director

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.rld.state.nm.us/alcoholandgaming

February 24, 2017

Certified Mail No.: 9171 9690 0935 0078 6771 25

Santa Fe County

Jose Larranaga, Development Review Team Leader
102 Grant Avenue
Box 276
Santa Fe, NM 87504

Re: Lic. No. /Appl. No.:	Application No. 1009013
Name of Applicant:	Fiasco Fine Wine, LLC
Doing Business As:	Fiasco Fine Wine, LLC
Proposed Location:	20 Bisbee Court, Santa Fe, New Mexico 87508

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer", we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

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 BEER, WINE AND SPIRITOUS
WHOLESALE LIQUOR LICENSE.**

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

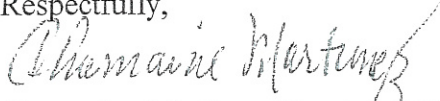
EXHIBIT

2

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove 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 notices of publication. **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 issue 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, noting disapproval*).

Respectfully,



Charmaine Martinez, Hearing Officer

New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4804 Fax: (505) 476-4595

Email: charmaine.martinez2@state.nm.us

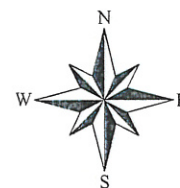
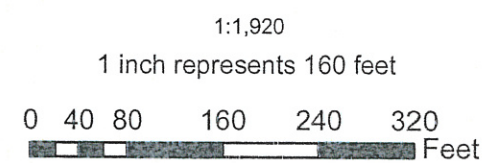
Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement
4. Copy of the Floor Plan



Legend

- ROADS
- DRIVEWAYS
- Parcels



2015 Orthophotography
2 FOOT CONTOURS

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



March 28, 2017

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

February 8, 2017

Fiasco Fine Wine
Thomas Wolinski, President
5 Bisbee Court
Santa Fe, New Mexico, 87508

Re: Zoning Statement for 20 Bisbee Court, Santa Fe, New Mexico

Mr. Wolinski;

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

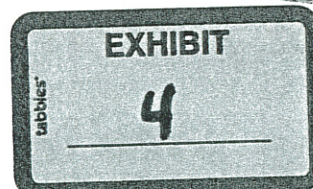
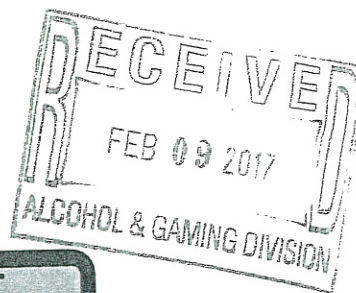
The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code (SLDC), Chapter 8, Section 8.10.3, Planned District Santa Fe Community College District (PD-CCD). The site is located within the Employment Center (EC) zone within the PD-CCD. Section 8.10.3.19 CCD Use Matrix allows the sale of beer, wine, and liquor for off premises consumption and the use of a warehouse or storage facility as permitted uses. Appendix B, Use Matrix defines a Permitted Use as, permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SLDC.

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

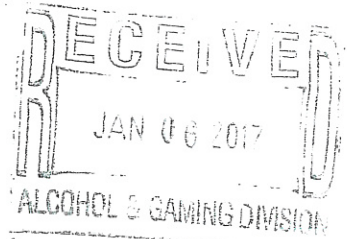
Sincerely,

Vicki Lucero
Building and Development Services Manager

Cc; Jose E. Larrañaga
Development Review Team Leader



EWING
IRRIGATION
(6,000 Square feet)



PARKING AREA

LOAD
DOOR

BAY
DOOR

BAY
DOOR

WAREHOUSE SPACE

KITCHEN
SPACE

OFFICE

OFFICE

RECEIVING

CORRIDOR

HALLWAY

MEN'S

WOMEN'S

SANITARY

MECH

20 Bisbee COURT, SANTA FE, NM
10,000 Square feet

PARKING AREA

North



CANCHO VIEJO BLVD

COMMERCIAL Registration

Registration No: 12500

Permit No: 03-0654

Permit Type: COMMERCIAL

Santa Fe County
State of New Mexico, County of Santa Fe

WHEREAS, THOMAS WOLINSKI a resident of 5 BISBEE COURT #109, BOX 317, SANTA FE, NM 87508

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

FIASCO FINE WINE, INC.

has made application for registration as

COMMERCIAL

; therefore

Registration Has Been Granted

to the said

FIASCO FINE WINE, INC.

to carry on said business at

17 BISBEE COURT, SANTA FE, NM 87508

in said County and State for a period of

12

months, commencing on the

1

day of

January

, 2017

and ending on the 31 day of December, 2017, 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 2017



Patrick J. Torres
SANTA FE COUNTY TREASURER

18093

EXHIBIT

5

