

# City of Las Cruces®

PEOPLE HELPING PEOPLE

## Council Action and Executive Summary

Item # 14 Resolution #11- 072 Council District:     

For Meeting of September 20, 2010  
(Adoption Date)

**A RESOLUTION APPROVING THE ISSUANCE OF A SMALL BREWER LIQUOR LICENSE TO ST. CLAIR WINERY & BISTRO V, LLC, TO BE LOCATED AT 1710 AVENIDA DE MESILLA, LAS CRUCES, NEW MEXICO.**

**PURPOSE(S) OF ACTION:** To approve, disapprove, or not approve the issuance of a Small Brewer Liquor License to St. Clair Winery & Bistro V, LLC.

<b>Drafter and Staff Contact:</b> Monica Campbell <i>mc</i>		<b>Department:</b> Legal		<b>Phone:</b> 541-2128	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Department Director			Budget	<i>Richard Y. ...</i>	541-2107
Other			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

Pursuant to state law, the application for issuance of a liquor license must be accompanied by a resolution of the City Council approving of and consenting to the issuance after a public hearing.

St. Clair Winery & Bistro V, LLC, applied to the Alcohol & Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the issuance of a Small Brewer Liquor License at 1710 Avenida de Mesilla, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on August 10, 2010.

The City Council is required to hold a public hearing within 45 days after the date of receipt of the preliminary approval from Alcohol and Gaming. A public hearing to review this issue is scheduled for Monday, September 20, 2010, beginning at 1:00 p.m., in the City Council Chambers, City Hall, 700 North Main Street, Las Cruces, New Mexico. Notice of this public hearing was published in the *Las Cruces Sun-News* on September 5 and 12, 2010, and in the *Las Cruces Bulletin* on September 3 and 10, 2010.

Council may approve or disapprove the issuance of the license. However, Council's disapproval must be based on substantial evidence that the issuance of the license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.

Council may also fail to either approve or disapprove the issuance of the license. If Council fails to approve or disapprove issuance within 30 days after the public hearing, the Director of Alcohol and Gaming may give final approval of this license.

**SUPPORT INFORMATION:**

1. Resolution with Alcohol and Gaming’s preliminary approval and the application attached as Exhibit “A”.
2. Notices of Intent to Adopt, Attachments “1” and “2”.
3. Traffic Impact Report from the Traffic Engineering Section, Attachment “3”.
4. Liquor License Impact Report (zoning) from the Community Development Department, Attachment “4”.
5. Liquor License Impact Report (registration and permits) from the Economic Development Department, Attachment “5”.
6. Criminal Activity Report from the Las Cruces Police Department, Attachment “6”.
7. Fire and Safety Compliance Report from the Las Cruces Fire Department, Attachment “7”.

**SOURCE OF FUNDING:**

<b>Is this action already budgeted?</b>  N/A	Yes	<input type="checkbox"/>	See fund summary below	
	No	<input type="checkbox"/>	If No, then check one below:	
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:	
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)		
			<input type="checkbox"/>	Proposed funding is from fund balance in the ____ Fund.
<b>Does this action create any revenue?</b>	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>1015-10180020-520002</u> Permits-Liquor Licenses (\$600.00)	
	No	<input type="checkbox"/>	There is no new revenue generated by this action.	

(Continue on additional sheets as required)

**FUND SUMMARY:**

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A					

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes". This will approve of and consent to the issuance of a Small Brewer Liquor License to St. Clair Winery & Bistro V, LLC, and Alcohol and Gaming will continue with the application process.
2. Vote "No". A "No" vote must be based on substantial evidence that the issuance of a Small Brewer Liquor License would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.
3. Vote to "Amend". Any amendments must comply with state statute and/or the requirements of Alcohol and Gaming.
4. Vote to "Table". If the Council fails to either approve, disapprove or not approve the issuance of a Small Brewer Liquor License, the Director of Alcohol and Gaming may give final approval and issue the license.

**REFERENCE INFORMATION**

None.

**RESOLUTION NO. 11-072****A RESOLUTION APPROVING THE ISSUANCE OF A SMALL BREWER LIQUOR LICENSE TO ST. CLAIR WINERY & BISTRO V, LLC, TO BE LOCATED AT 1710 AVENIDA DE MESILLA, LAS CRUCES, NEW MEXICO.**

The City Council of the City of Las Cruces is informed that:

**WHEREAS**, St. Clair Winery & Bistro V, LLC, located at 1710 Avenida de Mesilla, Las Cruces, New Mexico, applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the issuance of a Small Brewer Liquor License; and

**WHEREAS**, on August 10, 2010, Alcohol and Gaming granted preliminary approval for the issuance of the license, as evidenced by their letter with the application attached; and

**WHEREAS**, pursuant to law, the application for issuance of a liquor license must be accompanied by a resolution of the City Council approving of and consenting to the issuance after a public hearing upon reasonable public notice of such hearing; and

**WHEREAS**, the City Council did on this date hold a public hearing after reasonable public notice setting forth the appropriate information concerning the public hearing. The City Council has considered the issuance of the liquor license and it has determined that the approval of said license is not detrimental to the public health, safety or welfare of the City of Las Cruces.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:**

**(I)**

**THAT** the issuance of a Small Brewer Liquor License to St. Clair Winery & Bistro V, LLC, located at 1710 Avenida de Mesilla, Las Cruces, New Mexico, is hereby approved.

**(II)**

**THAT** a copy of this Resolution shall be conveyed to the Director of the Alcohol and Gaming Division of the Regulation and Licensing Department, Post Office Box 25101, Santa Fe, New Mexico 87504-5101.

(III)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Resolution and the Agreement.

DONE AND APPROVED on this 20 day of September 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

{SEAL}

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:

*By [Signature]*  
\_\_\_\_\_  
City Attorney



New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505  
PO Box 25101, Santa Fe, NM 87504-5101  
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

Bill Richardson  
GOVERNOR

August 10, 2010

Kelly O'Donnell, Ph.D.  
SUPERINTENDENT

Certified Mail No.: 7006 3450 0000 3001 2962

Randall Cherry  
CHIEF GENERAL  
COUNSEL

City of Las Cruces  
Attn: Esther Martinez, City Clerk  
P.O. Box 20000  
Las Cruces, NM 88004-0000

Gary J. Tomada  
DIRECTOR

Re: License / App. No.: Application #A-640619  
Applicant Name: St. Clair Winery & Bistro V, LLC  
Doing Business As: St. Clair Winery & Bistro V, LLC  
Proposed Location: 1710 Avenida de Mesilla  
Las Cruces, New Mexico 88005

**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 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 SMALL BREWER 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

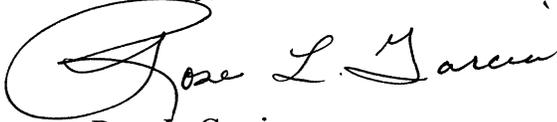
The governing body may disapprove the issuance or transfer of the license if:

- 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 of 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  
Administrative Law Judge

Enclosures:

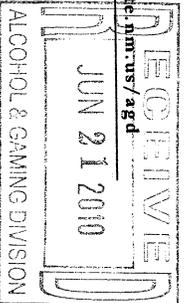
1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application.



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/agd

### LIQUOR LICENSE APPLICATION

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



Page 1  
Rev. 04/08  
6/21/10  
R# 117888

State Liquor License # 640619  
Application Number 7/22/10  
Local option (AGD use) Las Cruces

Flowood  
Bl  
Room

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 \_\_\_\_\_ Transfer Location \_\_\_\_\_ Other \_\_\_\_\_  
Issue New License  Type of License being applied for Small brewer (Master) TX 07-19-10

Applicant is: Individual \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company   
NAME OF APPLICANT (company or individual) ST Clair Winery & Bistro V, LLC ADDRESS (including city, state, zip) 1710 Avenida De Navarra Las Cruces, NM 88005 TELEPHONE NUMBER 575-546-9324

D/B/A name to be used: ST Clair Winery & Bistro V, LLC Phone number for licensed premises: 575-546-9324

Physical location where license is to be used: 1710 Avenida De Navarra Las Cruces, Dona Ana County, NM 88005  
(Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: P.O. Box 1186 Deming, NM 88031

Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No  If yes, give license number and type \_\_\_\_\_  
I, (print name) Florent Lescombes as (title) V.P. Managing member 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 \_\_\_\_\_ Date \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this 17 day of June Notary Public Use Only  
Notary Public Maria Carrillo My Commission Expires 12/09/2012

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-GB-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) Hansa Valley Corporation TV 07-19-10

B. Date and term of lease Types June 2, 2010 ~~with 2 automatic 5-year renewal options~~ TV 07-19-10

3. Premises location is zoned (example C-1) C-3 (Commercial High Intensity)  
 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).

0 Miles/feet 0.5 miles Name of church San Albino Address/location of church 2290 Calle De Guadalupe  
Marble, NM 88416

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

Miles/feet 0.5 miles Name of school San Andres Address/location of school 2355 Avenida De Marilla  
Marilla, NM 88005

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

Miles 20 miles Name of Military Installation, circle one: White Sands Missile Range (Las Cruces)  
Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

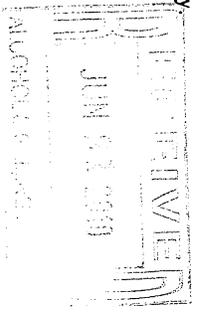
7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total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

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





## AD FORM

LAS CRUCES SUN NEWS	
CLASSIFIED LEGAL AD	
DATE TO PUBLISH: <b>SEPTEMBER 5 AND 12, 2010</b>	Account No. 26484
CITY CONTACT & PHONE NUMBER: MONICA CAMPBELL 541-2128 FAX: 541-2017	BILL TO: CITY CLERK P O Box 20000 LAS CRUCES, NM 88004
<b>PROOF OF PUBLICATION REQUIRED.</b>	

**COPY TO PUBLISH:**

### NOTICE OF INTENT TO ADOPT

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of a **Small Brewer Liquor License for St. Clair Winery & Bistro V, LLC**, to be located at **1710 Avenida De Mesilla, Las Cruces, New Mexico**.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council to be held on Monday, September 20, 2010, at 1:00 p.m. in the City Council Chambers, City Hall, 700 North Main Street. If passed, the State of New Mexico Regulation & Licensing Department may approve the issuance.

Witness my hand and seal of the City of Las Cruces on this the 20<sup>th</sup> day of August 2010.

  
 Esther Martinez, CMC, City Clerk



## AD FORM

LAS CRUCES BULLETIN	
CLASSIFIED LEGAL AD	
DATES TO PUBLISH: SEPTEMBER 3 AND 10, 2010	
CITY CONTACT & PHONE NUMBER: MONICA CAMPBELL 541-2128 FAX: 541-2017	BILL TO: CITY CLERK P O Box 20000 LAS CRUCES, NM 88004

**PROOF OF PUBLICATION REQUIRED.**

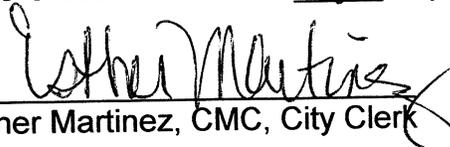
**COPY TO PUBLISH:**

**NOTICE OF INTENT TO ADOPT**

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of a **Small Brewer Liquor License for St. Clair Winery & Bistro V, LLC, to be located at 1710 Avenida De Mesilla, Las Cruces, New Mexico.**

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council to be held on Monday, September 20, 2010, at 1:00 p.m. in the City Council Chambers, City Hall, 700 North Main Street. If passed, the State of New Mexico Regulation & Licensing Department may approve the issuance.

**Witness my hand and seal** of the City of Las Cruces on this the 20<sup>th</sup> day of August 2010.

  
Esther Martinez, CMC, City Clerk



**City of Las Cruces®**  
PEOPLE HELPING PEOPLE

**INTER-DEPARTMENTAL  
MEMORANDUM**

=====

**TO:** Harry "Pete" Connelly, Interim City Attorney

**FROM:** Dan Soriano, Traffic Engineer, Public Works *DS*

**SUBJECT:** Traffic Investigation Report

**DATE:** August 23, 2010

=====

As requested, Traffic Engineering has completed a traffic investigation for St. Clair Winery and Bistro V, LLC located at 1710 Avenida De Mesilla, Las Cruces., New Mexico. The following information is submitted for review:

- Avenida De Mesilla at this location carries approximately 7400 vehicles per day.
- Avenida De Mesilla is operated as a four lane roadway with continuous left turn lane and primarily serves commercial and high density residential properties.
- Access to the property in question is off of Avenida De Mesilla. No potential sight distance or operational problems exist.
- The speed limit on Avenida De Mesilla is posted at 35 mph.

The approval of a Liquor License Transfer at this location does not appear it will adversely impact traffic operations along this segment of roadway.

Should any additional information be needed, please contact me.

RECEIVED  
AUG 24 2010  
CITY ATTORNEY

City of Las Cruces  
Community Development Department

LIQUOR LICENSE IMPACT REPORT  
Small Brewer Liquor License No. A-640619

1710 Avenida de Mesilla  
St. Clair Winery & Bistro V

August 30, 2010

**LIQUOR LICENSE IMPACT REPORT**  
**Small Brewer Liquor License**

**St. Clair Winery & Bistro V**  
**1710 Avenida de Mesilla**

The purpose of this report is to review, analyze and determine any possible impacts of a liquor license relating to land use and other planning related issues.

**PROPERTY INFORMATION:**

Location: 1710 Avenida de Mesilla  
 Applicant: St. Clair Winery & Bistro V, LLC  
 Business Name: St. Clair Winery & Bistro V, LLC

**LAND USE AND ZONING INFORMATION:**

Subject Property Zoning: C-3 (Commercial High Intensity)  
 (See attached Statement of Zoning and Vicinity Map)

Subject Property Current Land Use:

<u>Adjacent Land Uses</u>	<u>Zoning</u>	<u>Land Use</u>
North	C-3C	Vacant
South	C-3C	Vacant
West	R-1c	Residential
East	City Limits	

**DISTANCE REQUIREMENTS:**

Greater than 300 feet to a school: YES  
 Greater than 300 feet to a church: YES  
 Greater than 300 feet to a military installation: YES

**TRAFFIC COUNT AND ACCESS INFORMATION:**

Roadway: Avenida de Mesilla & Laguna Drive  
 Classification: Principal Arterial & Local Roadway  
 Number of Lanes: 4 & 2  
 Site Access: 1  
 Nearest Intersections: Avenida de Mesilla & Laguna Drive

**PARKING REQUIREMENTS:**

The 2001 Las Cruces Zoning Code, as amended, requires restaurants to provide one (1) automobile parking space for every 2-5 seats and one (1) bicycle parking space per one thousand (1,000) square feet of gross floor area. As the restaurant is already in existence and there is no change in land use, parking for the business is not an issue.

**IMPACT ANALYSIS:**

The subject property is located on the corner Avenida de Mesilla and Laguna Drive. Avenida de Mesilla is designated as a principal arterial and is designed to accommodate heavy traffic and land uses such as restaurants. The subject property is zoned C-3 (Commercial High Intensity) which permits this use and uses related to it. The subject property is also located in the Avenida de Mesilla Gateway Overlay Zone District which also permits this use and uses related to it. The applicant is requesting a small brewer liquor license for this location. In terms of a transportation and land use perspective, this seems to be an appropriate location and request.



## STATEMENT OF ZONING

The property located at 1710 Avenida de Mesilla, and having a Map Code Number or Parcel ID Number of 02-21011, in Las Cruces, New Mexico, is zoned as follows:

### **C-3 (Commercial High Intensity)**

The above described property located in the City of Las Cruces, New Mexico, has been reviewed and found to be zoned as indicated above in accordance with the Las Cruces Zoning Atlas. Accordingly, I do hereby approve and issue this Statement of Zoning.

August 30, 2010  
Date

  
Adam Ochoa  
Acting Planner

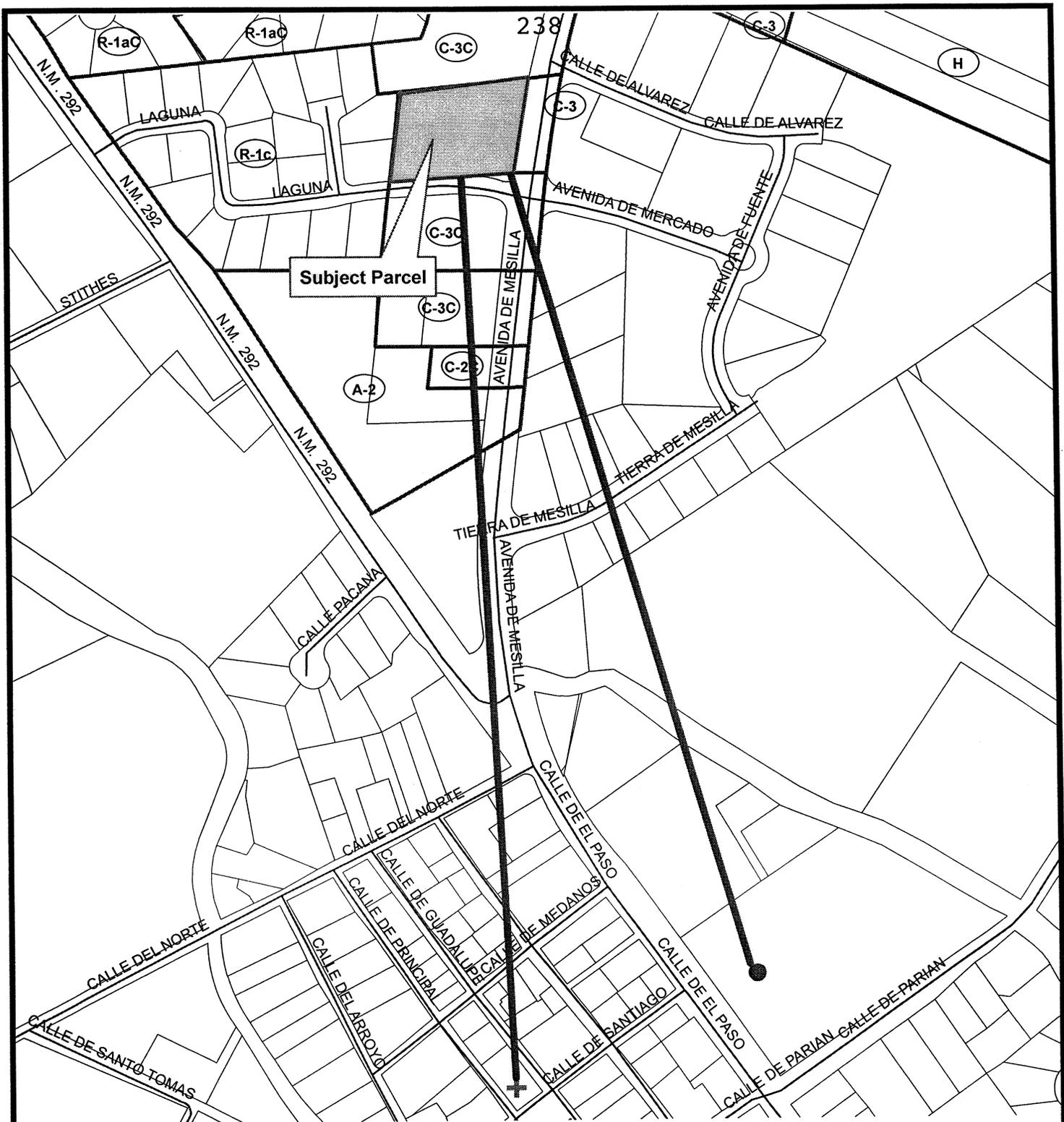
Comments: The C-3 district facilitates and encourages development of those uses which provide retail, service, and wholesale activities within the City and a regional market and whose use generally serves a population of over 15,000.

The subject property is located in the Avenida de Mesilla Gateway Overlay. The purpose of the Avenida de Mesilla Gateway Overlay Zone District is to implement land use and urban design policies as established in the Avenida de Mesilla Gateway Plan. Specifically, the purpose of this zone is to utilize special provisions to provide guidance in future decisions regarding zoning, land use, urban design, and transportation. The overall intent of the District is to create a gateway which promotes an aesthetically pleasing yet functional environment in which citizens from both the City of Las Cruces and the Town of Mesilla can interact socially, where the business community can exist in a commercially viable environment, and where both endeavors can co-exist with little or no conflict with one another. Wine production and brewing including on-premise consumption & off-premise package sales are permitted in the Avenida de Mesilla Gateway Overlay with conditions (attached).

Please be advised that the information presented on this document is taken from the City of Las Cruces Zoning Atlas. Nothing shall prevent the City of Las Cruces from amending this information if review of the Zoning Ordinance shows the Atlas to be in error.

Food/Beverage Production or Packaging: Such use shall meet the following requirements:

1. Permitted only when such use occurs within the same building as the primary use;
2. The use must remain secondary to the primary use (retail or service).
3. In no event shall the square footage for any production/assembly process associated with the commercial activity exceed 49% of the total business floor area (not to exceed 3,000 square feet).
4. All ancillary activity (processing) uses shall conform to the following:
  - Shall be conducted in a manner which serves to enhance the general retail and/or service atmosphere.
  - Examples of establishments which may conduct this ancillary activity include cafes/restaurants, taverns, and other like uses involving food/beverage related products (human consumption) within applicable zoning districts.
  - The ancillary activity shall not pose any adverse impacts to adjacent properties due to noise, odor, dust, or vibration.

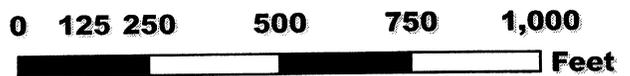


Subject Parcel

# ZONING/VICINITY MAP

**1710 AVENIDA DE MESILLA**  
**PARCEL: 02-21011**  
**ZONING: C-3**  
**DISTANCE TO NEAREST SCHOOL: ~2,050 FEET**  
**DISTANCE TO NEAREST CHURCH: ~2,300 FEET**

-  ZONING
-  CHURCH
-  SCHOOL



*This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (575) 528-3222.*

**Community Development Department**  
 700 N. Main Street, Suite 1000  
 Las Cruces, NM 88004  
 (575) 528-3222

**ECONOMIC DEVELOPMENT REPORT  
St. Clair – Small Brewer License**

---

**From:** Christine Logan

St. Clair Winery has not yet occupied the 1710 Avenida de Mesilla location and so no business registration is required there. They are up to date on their current licenses for the 1800 Avenida de Mesilla Location.



LAS CRUCES POLICE DEPARTMENT  
PO BOX 20000  
217 E. Picacho  
Las Cruces, New Mexico 88004

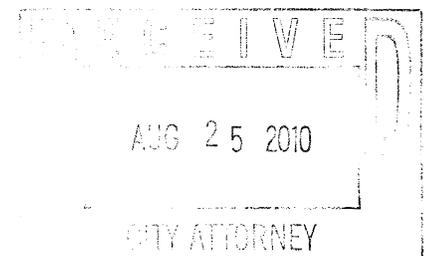
---

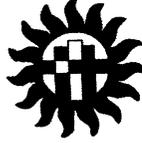
**DATE:** August 19, 2010  
**TO:** Pete Connelly, City Attorney  
**From:** Richard Williams, Chief of Police *RSW*  
**Subject:** St. Clair Winery & Bistro V, LLC

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for St. Clair Winery & Bistro V, LLC located at 1710 Avenida De Mesilla, Las Cruces, NM 88005.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for St. Clair Winery & Bistro be approved.

Richard Williams  
Chief of Police



**City of Las Cruces**

**TO: Harry (Pete) Connelly, Interim City Attorney**  
**FROM: Lt. Robert P. Gonzales, Prevention Bureau**  
**SUBJECT: Liquor License / Application #A-640619**

**DATE: 6/23/10**

**FILE #:**

---

**Our Fire Department has reviewed the liquor license application #A-640619 for St. Clair Winery & Bistro V, LLC, located at 1710 Avenida de Mesilla, Las Cruces, NM 88005. This applicant is requesting a small brewer liquor license.**

**The building at 1710 Avenida de Mesilla has demolition and renovation in progress and the property is empty at the present time. The applicant will be submitting construction drawings for the renovation at this address.**

**This application is approved with the condition that the construction drawings submitted to the Fire Department for review will be in compliance with the 2006 International Fire Code (IFC) and are in conformance with the requirements for a facility that sells alcoholic beverages.**

**Please contact me if you have questions or desire additional information.**