



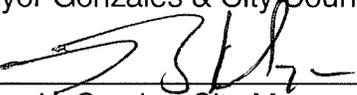
# City of Santa Fe, New Mexico

# memo

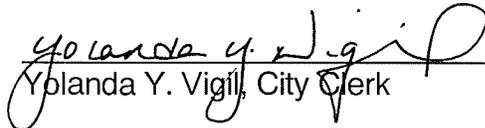
DATE: March 6, 2014

TO: Mayor Gonzales & City Councilors

VIA:

  
Brian K. Snyder, City Manager

FROM:

  
Yolanda Y. Vigil, City Clerk

## ITEM & ISSUE

Request for a waiver of 300 foot location restriction and if the waiver is granted, consideration of a request for a Transfer of Ownership and Location of Inter-Local Dispenser License #2746 with on premise consumption only.

## BACKGROUND AND SUMMARY

Santa Fe Café, LLC has requested the following:

- 1) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at Santa Fe Cafe, 228 E. Palace Avenue, which is within 300 feet of The Cathedral Basilica of Saint Francis of Assisi, 131 Cathedral Place, the Episcopal Church of the Holy Faith, 311 E. Palace Avenue and the New Mexico School for the Arts, 275 E. Alameda Street.
- 2) If the waiver of the 300 foot location restriction is granted, a request from Santa Fe Café, LLC for a transfer of ownership and location of Inter-Local Dispenser License #2746 from El Camino NM, LLC, dba El Camino Cantina, 122 Paseo del Pueblo Sur, Taos, to Santa Fe Café, LLC, dba Santa Fe Cafe, 228 E. Palace Avenue.

Attached are letters of no objection from Reverend Adam Lee Ortega y Ortiz, the Cathedral Basilica of St. Francis of Assisi and from Kenneth Semon, President of the Episcopal Church of the Holy Faith, 311 E. Palace Avenue. The applicant has contacted the New Mexico School for the Arts but has not received a letter stating their position on this request.

Included in your packet are staff reports regarding litter, noise and traffic. Staff does not anticipate a substantial change in litter and noise or any unacceptable traffic impacts due to the approval of this request.

Staff is recommending that it be noted that Santa Fe Café is required to comply with all of the city's ordinances as a condition of doing business in the city.

**ACTION REQUESTED**

I request that the City Council indicate its decision on the waiver of the 300 foot location restriction and if the waiver is granted, consideration of the transfer of ownership and location of Inter-Local Dispenser License #2746 from El Camino NM, LLC, dba El Camino Cantina, 122 Paseo del Pueblo Sur, Taos, to Santa Fe Café, LLC, dba Santa Fe Cafe, 228 E. Palace Avenue.

Attachments:           Alcohol & Gaming Division Application  
                              Letter/ The Cathedral Basilica of Saint Francis of Assisi  
                              Letter/ Episcopal Church of the Holy Faith  
                              Letter/The New Mexico School for the Arts  
                              Letter/Attorney Linda Aikin  
                              Notice of Public Hearing  
                              Staff Reports  
                              §60-6B-10 NMSA 1978



New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

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

February 12, 2014

Susana Martinez  
GOVERNOR

Robert "Mike" Unthank  
SUPERINTENDENT

James C. McKay  
GENERAL COUNSEL

Mary Kay Root  
DIRECTOR

Certified Mail No.: 7006 3450 0000 3001 2276

City of Santa Fe  
Attn: Yolanda Y. Vigil, City Clerk  
P.O. Box 909  
Santa Fe, NM 87504-0909



**Re: Lic. No. /Appl. No.: Lic. No. 2746 / Appl. No. A-900331**  
**Applicant Name: Santa Fe Café, LLC**  
**Doing Business As: Santa Fe Café**  
**Proposed Location: 228 E. Palace Avenue**  
**Santa Fe, New Mexico 87501**

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

Greetings:

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

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

**THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP AND LOCATION OF LIQUOR LICENSE NO. 2746 WITH ON PREMISE CONSUMPTION ONLY.**

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

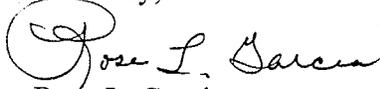
The governing body may disapprove the issuance or transfer of the license if:

- 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.
- 3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

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

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

Sincerely,



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

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

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New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

Page 2 of 2

State Liquor License # 2746

Record Owner of License El Camino NM, LLC

Application Number AD0331

Current D/B/A Name El Camino Cantina

Local Option (AGD use) 1526084

Current Premise Address 122 Paseo del Pueblo Sur

Taos, New Mexico

*11/11/14  
K. Bohnert*  


**STATE OF NEW MEXICO  
REGULATION AND LICENSING  
DEPARTMENT  
ALCOHOL AND GAMING DIVISION**

P.O. BOX 25101 Santa Fe,  
New Mexico 87504-5101  
505-476-4570

Liquor License Application  
Non Refundable Application Fee- \$200.00

Application is for: (check one) Change of Stock  Transfer of Ownership of Existing License

Transfer of Ownership of Existing License

Transfer of Ownership and Location  Other

Issue New License

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

Limited Liability Company

NAME OF APPLICANT (company or individual):

ADDRESS (INCLUDING CITY, STATE, ZIP)

TELEPHONE NUMBER

Santa Fe Cafe, LLC

101 S. Farrar Drive, Cape Girardeau, MO 63701

573-335-3134  
~~314-269-6500~~

Notice also to: Linda L. Aikin, Esq., 530B Harkle Road, Santa Fe, NM 87505 PH: 505-982-6224 FAX: 505-992-8378

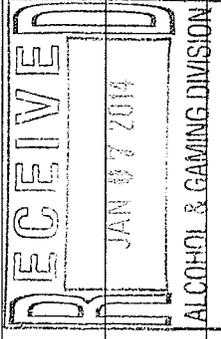
DBA Name to be used: Santa Fe Cafe

Phone Number for licensed premises TBD

Physical Address Where License is to be used: 228 E. Palace, Santa Fe, New Mexico 87501

(Street No./Highway No./State Road/City/County)

Mailing Address: 101 S. Farrar Drive, Cape Girardeau, MO 63701  
(Street No./P.O. Box/City/State/Zip)



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

I, Carolyn F. Bohnert, as (title) Sr. Vice Pres. 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 thereof and that all statements therein contained are true. Applicant(s) agree(s) that if any statements or representations herei are found to be false, the Director may refuse to issue said license or may cause such license to be revoked at any time.

SANTA FE CAFE, LLC By: DSW Management, LLC, manager

Signature of Applicant(s) Carolyn F. Bohnert

Date 12-19-13

Notary Public Use Only

**KAREN SEABAUGH**  
Notary Public - Notary Seal  
My Commission Expires Mar 10, 2016  
Commission # 12545592

SUBSCRIBED AND SWORN TO before me this 19th day of December, 2013 by

Carolyn F. Bohnert (Name of Person(s) Signing Above)

My Commission Expires: March 10, 2016

Local Governing Body of: \_\_\_\_\_

Hearing Held on: \_\_\_\_\_

PLEASE CHECK ONE:  APPROVED  DISAPPROVED  CITY OR COUNTY OFFICIAL (Signature and Title): \_\_\_\_\_

AGD Use Only

51 APPROVED \_\_\_\_\_

DISAPPROVED \_\_\_\_\_

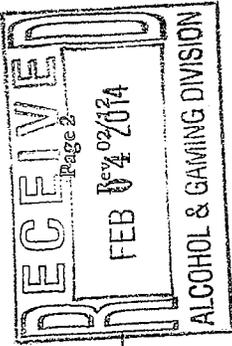
DIRECTOR \_\_\_\_\_

APPROVAL \_\_\_\_\_

DATE \_\_\_\_\_



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
 2550 Cerrillos Road - Santa Fe, New Mexico 87505 - (505) 476-4875 - Fax (505) 476-4595 - www.nra.state.nm.us



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION  
 SS-60-5B-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) DSW Santa Fe, LLC

B. Date and term of lease December 23, 2013 month to month \_\_\_\_\_

3. Premises location is zoned (example C-1) BCDEAS

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 0- (adjacent) Cathedral Basilica of St. Francis  
 Address/location of church 131 Cathedral Pl Santa Fe, NM 87501

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

Miles/feet 0- (adjacent) New Mexico School for the Arts Address/location of school 275 East Alameda, Santa Fe, NM 87502

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

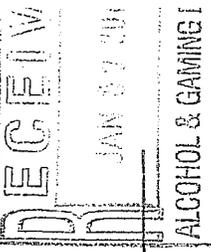
Miles 65 miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

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) \_\_\_\_\_



ALCOHOL & GAMING DIVISION  
2550 CERRILLOS ROAD  
SANTA FE, NEW MEXICO 87505  
**POSTING CERTIFICATE**

DISPENSER (FULL SERVICE)  RETAILER (PACKAGE ONLY)  
 RESTAURANT (BEER/WINE ONLY)  DISPENSER (ON PREMISE ONLY)  
 CANOPY (DISPENSER-C)  INTER-LOCAL DISPENSER  
 OTHER:  LOTTERY

LICENSE NUMBER /APPLICATION NUMBER: LICENSE NO. 2746 /APPL. NO. A-900331

TRANSFER OF OWNERSHIP & LOCATION  TRANSFER OF LOCATION ONLY  
 TRANSFER OF OWNERSHIP ONLY  NEW LICENSE

TRANSFERRED FROM: EL CAMINO NM, LLC

CURRENT LOCATION: 122 PASEO DEL PUEBLO SURE, TAOS, NM

TRANSFERRED TO:/APPLICANT: SANTA FE CAFE, LLC

PROPOSED LOCATION: 228 E. PALACE, SANTA FE, NM 87501

PROPOSED BUSINESS NAME SANTA FE CAFE

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

- LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: SANTA FE
- LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: \_\_\_\_\_
- DISTANCE FROM NEAREST CHURCH IS: .1 miles  
NAME OF CHURCH IS: Cathedral Basilica of St. Francis
- DISTANCE FROM NEAREST SCHOOL IS: .2  
NAME OF SCHOOL IS: SECOND WARD SCHOOL
- DISTANCE FROM NEAREST MILITARY INSTALLATION: 6710-105  
NAME OF INSTALLATION IS: KATRINA AIRBORNE BRIGADE
- IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:  
BY PASSABLE ROAD: \_\_\_\_\_ BY STRAIGHT AIRLINE: \_\_\_\_\_
- NOTICE POSTED ON:  
 BUILDING  BILLBOARD  
 BUILDING UNDER CONSTRUCTION  NO BUILDING  
 BUILDING BEING REMODELED

DATE POSTED: 1-13-14

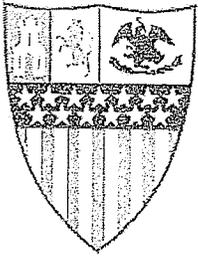
EXPIRATION DATE: 2-3-14

[Signature]  
APPLICANT'S SIGNATURE  
Linda Aikill

[Signature]  
S.I.D. SPECIAL AGENT SIGNATURE  
DAVID HOY

PRINTED

PRINTED



# City of Santa Fe, New Mexico

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

David Coss, Mayor

Councillors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Faith J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Peter N. Ives, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Bill Dimas, Dist. 4

Ronald S. Trujillo, Dist. 4

October 7, 2013

Debora Lopez, Deputy Department Director  
Alcohol Beverage & Gaming Division  
Regulations & Licensing Department  
2550 Cerrillos Rd.  
Santa Fe, NM 87505

RE: Zoning Verification for 228 E Palace Ave.

Dear Debora Lopez,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page H-18 updated May 2001, this property is zoned BCDEAS (Business Capitol District East Marcy/East Palace).

*14-4.3(E) BCD Business-Capitol District*

*(1) Purpose*

*In recognition of the fact that the economic health of the city depends on the economic viability of the BCD, the purpose of the BCD is to provide for a mixture of land uses, including residential uses, designed to promote the district's economic well being while preserving the unique architecture, townscape and aesthetics that foster a strong tourist industry and sustain the quality of life, sense of community and historical identity in the district and the city.*

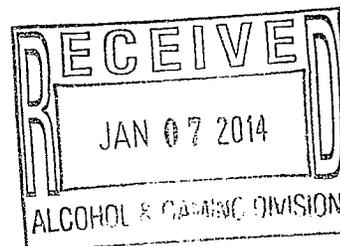
Pursuant to Chapter 14-6.1-1 SFCC the list of uses identified allows for the sale of alcohol.

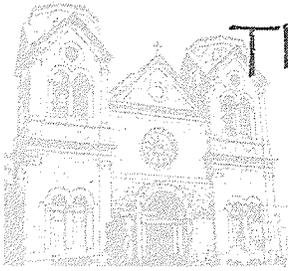
For additional information, reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses).

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 of the ordinances pertaining to the zone districts. It is 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 annual 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 505-955-6587.

Daniel A. Esquibel  
Land Use Planner Senior





# The Cathedral Basilica of St. Francis of Assisi

P.O. Box 2127, Santa Fe, NM 87504-2127



www.cbsfa.org

January 28, 2014

*Via email ([lla@cybermesa.com](mailto:lla@cybermesa.com)) and regular mail*

Ms. Linda Aikin  
530B Harkle Road  
Santa Fe, NM 87505

Re: New Mexico Liquor License No. 2507 ("1<sup>st</sup> Liquor License")  
New Mexico Liquor License No. 2746 ("2<sup>nd</sup> Liquor License")

Dear Linda:

My name is Fr. Adam Lee Ortega y Ortiz and I am the President Rector of The Cathedral Basilica of St. Francis of Assisi, a New Mexico non-profit corporation (the "Cathedral"). Please be advised that:

1. The Cathedral is the owner of the church at 131 Cathedral Place, Santa Fe, New Mexico 87501; and
2. The Cathedral has no objection to the pending application to transfer the ownership of the 1<sup>st</sup> Liquor License from AmRest, LLC, a Delaware limited liability company to Drury Hotels Company, LLC, a Nevada limited liability company; and
3. The Cathedral has no objection to the pending application to transfer the ownership of the 2nd Liquor License from El Camino N.M., L.L.C. to Santa Fe Cafe, LLC, a Missouri limited liability company.

Should you have any questions, please feel free to contact me at the address listed above.

Sincerely in Christ,

Very Rev. Adam Lee Ortega y Ortiz  
President Rector  
Cathedral Basilica of St. Francis of Assisi

CC: Ryan Shasserre; Corporate Counsel

Enclosure



P: 505.982.5619



F: 505.989.1952



[sfcathedral@cbsfa.org](mailto:sfcathedral@cbsfa.org)

**THE CHURCH OF THE HOLY FAITH**  
311 E. Palace Ave.  
Santa Fe, NM 87501  
(505) 982-4447

February 13, 2014

*Via email ([lla@cybermesa.com](mailto:lla@cybermesa.com)) and regular mail*

Ms. Linda Aikin  
530B Harkle Road  
Santa Fe, NM 87505

Re: New Mexico Liquor License No. 2507 ("1<sup>st</sup> Liquor License")  
New Mexico Liquor License No. 2746 ("2<sup>nd</sup> Liquor License")

Dear Linda:

My name is Father Kenneth Semon and I am the President of The Church of the Holy Faith, Inc., a New Mexico non-profit corporation (the "Church"). Please be advised that:

1. The Church is the owner of the church which is located at 311 E. Palace Ave., Santa Fe, New Mexico 87501; and
2. The Church has no objection to the pending application to transfer the ownership of the 1<sup>st</sup> Liquor License from AmRest, LLC, a Delaware limited liability company to Drury Hotels Company, LLC, a Nevada limited liability company; and
3. The Church has no objection to the pending application to transfer the ownership of the 2<sup>nd</sup> Liquor License from El Camino N.M., L.L.C. to Santa Fe Cafe, LLC, a Missouri limited liability company.

Should you have any questions, please feel free to contact me at the address listed above.

Sincerely,

By:   
Kenneth Semon  
President

**LINDA L. AIKIN**  
LAWYER  
530B Harkle Road  
SANTA FE, NEW MEXICO 87505  
(505) 982-6224  
FAX: (505) 992-8378  
E-Mail lla@cybermesa.com

February 19, 2014

**Via Email**

Ms. Yolanda Vigil  
City Clerk  
City of Santa Fe  
200 Lincoln Ave  
Santa Fe, New Mexico 87501

Re: Drury Plaza Hotel-Santa Fe: Two Liquor Licenses

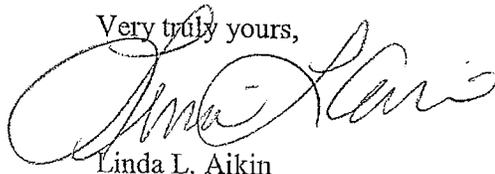
Dear Ms. Vigil:

This letter is written to explain the reason that there will be two liquor licenses at Drury Plaza Hotel-Santa Fe ("Hotel"). Drury Hotels Company, LLC ("DHC") is the Hotel management company and has applied for one liquor license that will only be used to provide three (3) complimentary alcoholic beverages between the hours of 5:30 p.m. and 7:00 p.m. to Hotel guests ("Kick Back Service"). The Kick Back Service will be controlled by DHC and will occur in the Hotel lobby area, which is the licensed premise for DHC. The city public hearing for the liquor license for DHC is scheduled for February 26, 2014.

The second liquor license is being acquired by Santa Fe Cafe, LLC, which is a Drury owned company. The second liquor license will be leased to a company that will operate a Hotel restaurant, lounge and provide room service. Drury owned hotels do not generally have restaurants but the owner of the Hotel would like to provide a first class restaurant operation while maintaining ownership of the liquor license. Because the restaurant, lounge, and room service will be operated by a different company than the Kick Back Service, the two companies cannot legally share one liquor license. Operation of a liquor license cannot be shared between the owner and lessee of the liquor license. One company must be the sole operator of each liquor license. The application for the second liquor license received preliminary approval this week and the City of Santa Fe should receive notice of preliminary approval at any time.

Please let me know if you have any questions.

Very truly yours,



Linda L. Aikin

CITY OF SANTA FE

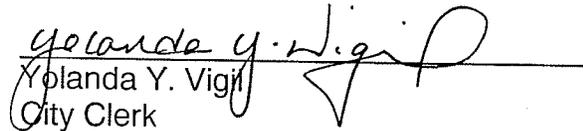
NOTICE OF PUBLIC HEARING

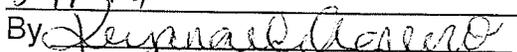
Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, March 12, 2014 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from Santa Fe Café, LLC for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at Santa Fe Café, 228 E. Palace which is within 300 feet of the Cathedral Basilica of Saint Francis of Assisi, 131 Cathedral Place, the Episcopal Church of the Holy Faith, 311 E. Palace Avenue and the New Mexico School for the Arts, 275 E. Alameda Street;
- b) If the waiver of the 300 foot restriction is granted, a request from Santa Fe Café, LLC for a Transfer of Ownership and Location of Inter-Local Dispenser License #2746, with on premise consumption only, from El Camino NM, LLC, dba El Camino Cantina, 122 Paseo del Pueblo Sur, Taos, to Santa Fe Café, LLC, dba Santa Fe Cafe, 228 E. Palace, Santa Fe.

All interested citizens are invited to attend this public hearing.

  
Yolanda Y. Vigil  
City Clerk

Received by The New Mexican  
Date 2-27-14  
To Be Published 3-4-14 and  
3-11-14  
By   
The New Mexican (Signature)

# City of Santa Fe



PUBLIC WORKS DEPARTMENT  
PERMITS DIVISION  
Post Office Box 209  
Santa Fe, NM 87501-0209  
Phone: 904-689-6000  
904-607-7110

## Liquor License Request Supplemental Information

### Instructions:

The following information is needed regarding this request. Please type or print clearly.  
Complete this form and leave with the City Clerk while picking up the newspaper publication notice.

Thank you.

1. Name of owner of business Santa Fe Cafe, LLC  
Name of business where proposed license is to be used Santa Fe Cafe  
Business street address 228 E. Palace Avenue  
Telephone number TBD
2. Indicate the type of liquor license this request entails.  
 issuance of new license (indicate type: \_\_\_\_\_)  
 transfer of location of existing license (indicate type: Dispenser)  
 transfer of ownership of existing license (location to remain the same)
3. Is this an existing business?  
 yes  
 no
4. Does the location where this license will be used currently sell liquor?  
 yes  
 no

(cont.)

1 of 2

5. If the answer to question #3 is yes, indicate the current hours of operation of the business.

N/A

If the hours of operation will change due to the sales of liquor, indicate the revised hours.

6. If this is a new business, indicate the anticipated hours of operation of the business.

7. If the answer to question #3 is yes, indicate the anticipated change in business volume due to the sales of liquor.

Business is expected to increase (number of customers per day \_\_\_\_\_)

Business is expected to decrease (number of customers per day \_\_\_\_\_)

Business is expected to remain the same

8. If the answer to question #3 is no, indicate the number of customers anticipated per day at the business.

Annual Average of 185 customers a day.

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.

50% number of customers who drive

50% number of customers who walk

10. Has liquor ever been sold at this business site?

yes

no

11. If the answer to question #10 is yes, indicate the name of the establishment and the year(s) that liquor sales occurred.

Name N/A

Year(s) \_\_\_\_\_

12. Indicate which of the following statements best reflects your opinion regarding traffic impacts if this request is approved.

traffic can be expected to increase on adjacent streets if this request is approved

traffic will not increase on adjacent streets if this request is approved

Name of person completing this form Brian Nenninger

Telephone number 832-338-3064

Date \_\_\_\_\_

(For City Use Only)

Based upon the information provided above, staff has the following comments:

It does not appear that the approval of this request will create any unacceptable traffic impacts.

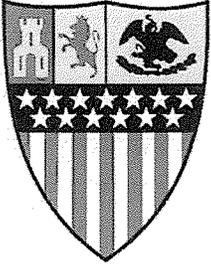
It appears that the approval of this request will create unacceptable traffic impacts (see comments below).

Other comments \_\_\_\_\_

By [Signature]

Title TRAFFIC ENGINEER

Date 9/18/19



# 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. Bushee, Dist. 1

Chris Calvert, Dist. 1

Peter N. Ives, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Bill Dimas, Dist. 4

Ronald S. Trujillo, Dist. 4

**DATE:** March 6, 2014 for the City Council Meeting of March 12, 2014

**TO:** Mayor and City Council Members

**VIA:** *Brian Snyder*  
Brian Snyder, City Manager  
Matthew O'Reilly, Director, Land Use Department *MO*

**FROM:** Antoinette Padilla, Code Enforcement Specialist *A.P.*

## ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Santa Fe Café, LLC for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at Santa Fe Café, 228 E. Palace which is within 300 feet of the Cathedral Basilica of Saint Francis of Assisi, 131 Cathedral Place, the Episcopal Church of the Holy Faith, 311 E. Palace Avenue and the New Mexico School for the Arts, 275 E. Alameda Street;
- b) If the waiver of the 300 foot restriction is granted, a request from Santa Fe Café, LLC for a Transfer of Ownership and Location of Inter-Local Dispenser License #2746, with on premise consumption only, from El Camino NM, LLC, dba El Camino Cantina, 122 Paseo de Pueblo Sur, Taos, to Santa Fe Café, 228 E. Palace, Santa Fe, New Mexico.

## BACKGROUND AND SUMMARY

A substantial change in litter and noise due to this request is not anticipated.







**60-6B-10. Locations near church or school; restrictions on licensing.**

No license shall be issued by the director for the sale of alcoholic beverages at a licensed premises where alcoholic beverages were not sold prior to July 1, 1981 that is within three hundred feet of any church or school. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church or school located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a valid building permit for the construction or renovation of the proposed licensed premises and has filed on a form prescribed by the director a notice of intention to apply for transfer of a license to the proposed licensed premises. A license may be granted for a proposed licensed premises if a person has obtained a waiver from a local option district governing body for the proposed licensed premises. For the purposes of this section, all measurements taken in order to determine the location of licensed premises in relation to churches or schools shall be the straight line distance from the property line of the licensed premises to the property line of the church or school. This provision shall not apply to any church that has been designated as an historical site by the cultural properties review committee and which does not have a regular congregation.