

City of Santa Fe, New Mexico

memo

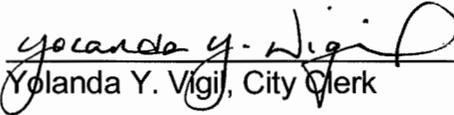
DATE: February 19, 2015

TO: Mayor Gonzales & City Councilors

VIA:


Brian K. Snyder, City Manager

FROM:


Yolanda Y. Vigil, City Clerk

ITEM & ISSUE

Request for a transfer of ownership of Dispenser License #2765 with patio service (on premise consumption only).

BACKGROUND AND SUMMARY

Bottoms Up, LLC has requested the transfer of ownership of Dispenser License #2765 with patio service (on premise consumption only) from Abiquiu Saint-Flour, Inc., to Bottoms Up, LLC. This license will remain at the Plaza Café Southside, 3466 Zafarano Drive.

This location is not within 300 feet of a church or school. Attached 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 the Plaza Café Southside 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 transfer of ownership of Dispenser License #2765 with patio service (on premise consumption only) from Abiquiu Saint-Flour, Inc., to Bottoms Up, LLC. This license will remain at the Plaza Café Southside, 3466 Zafarano Drive.

Attachments: Alcohol & Gaming Division Application
Notice of Public Hearing
Staff Reports



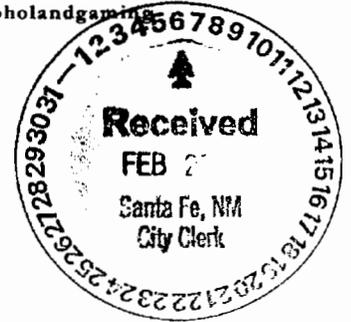
New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

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 4, 2015

Certified Mail No.: 7005 0390 0003 4006 8856

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



Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Tania Maestas, Esq.
ACTING CHIEF GENERAL
COUNSEL

Mary Kay Root
DIRECTOR

Re: Lic. No. /Appl. No.: License No. 2765 /Appl. No. 936296
Applicant Name: Bottoms Up, LLC
Doing Business As: Plaza Café Southside
Proposed Location: 3466 Zafarano Drive
Santa Fe, New Mexico 87507

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 OF LIQUOR LICENSE NO. 2765 FOR ON PREMISE CONSUMPTION ONLY WITH PATIO.

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

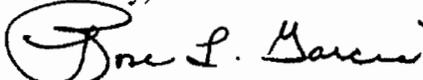
The governing body may disapprove the issuance or transfer of the license if:

- 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

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

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Page 2 of 2



LIQUOR LICENSE APPLICATION

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

Liquor License # 2765
 Application Number 936296
 Record Owner of Existing License ARIQUY SALUT-FLOUR, INC.
 Current D/B/A Name PLAZA CAFE SOUTHW 5106
 Current Premises Address 3406 ZAFARANO DR. SANTA FE NM 87507

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 Dispense (ILD)
 licant is: Individual _____ Corporation _____ Partnership (General or Limited) _____ Limited Liability Company

ME OF APPLICANT (company or individual)
Bottoms LP, LLC
 ADDRESS (including city, state, zip)
P.O. Box 22776
SANTA FE, N.M., 87502-2776
 TELEPHONE NUMBER
505-577-3765

IA name to be used: PLAZA CAFE SOUTHWEST
SANTA FE, N.M., 87502-2776
 Phone number for licensed premises: 505-424-0755

sical location where license is to be used: 3406 ZAFARANO DR. SANTA FE N.M. 87507
 (Include street number / highway number / state road, city and county, state, and zip code)
 iling address: P.O. Box 22776 Santa Fe, N.M. 87502-2776

alcoholic beverages currently being dispensed at the proposed location? Yes No _____ If yes, give license number and type #2765 (DISPENSE-ILD)
 rint name) Dean G. Alexis as (title) Member being first duly sworn upon oath
 es 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
 y 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.

must sign and date this form in the presence of a notary public.
 Nature of Applicant Dean G. Alexis Date 11/7/14

scribed AND SWORN TO before me this 7th day of November, 2014 by Dean G. Alexis
 My Commission Expires 9/19/2018
 Notary Public Use Only

Governing Body of: _____ (City or County). Hearing held on _____ 20____
 ck one: Approved _____ Disapproved _____ City/County Official _____ (Signature & Title)

roved _____ Disapproved _____ Director Approval _____ Date _____
 For Alcohol and Gaming Division Use Only



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

SS-60-6B-10

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

ned by Applicant Leased by Applicant (attach copy of deed or lease) Other (provide details) SEE Current Lease

f the land and building are not owned by Applicant, indicate the following:

A. Owner(s) SAN ISIDRO PLAZA, LLC

B. Date and term of lease 8/19/2008 - 10 YEARS

remises location is zoned (example C-1) C-2
 he premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at
 posed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

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

les/feet 0.4 mi Name of church POTTER HOUSE Address/location of church 3732 CERRILLOS RD. SANTA FE, NM

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

les/feet 1 mile Name of school Kennedy Elementary Address/location of school CAMPUS DE LAS CAMPANAS

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

les 0.5 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).

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
 ills. 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.

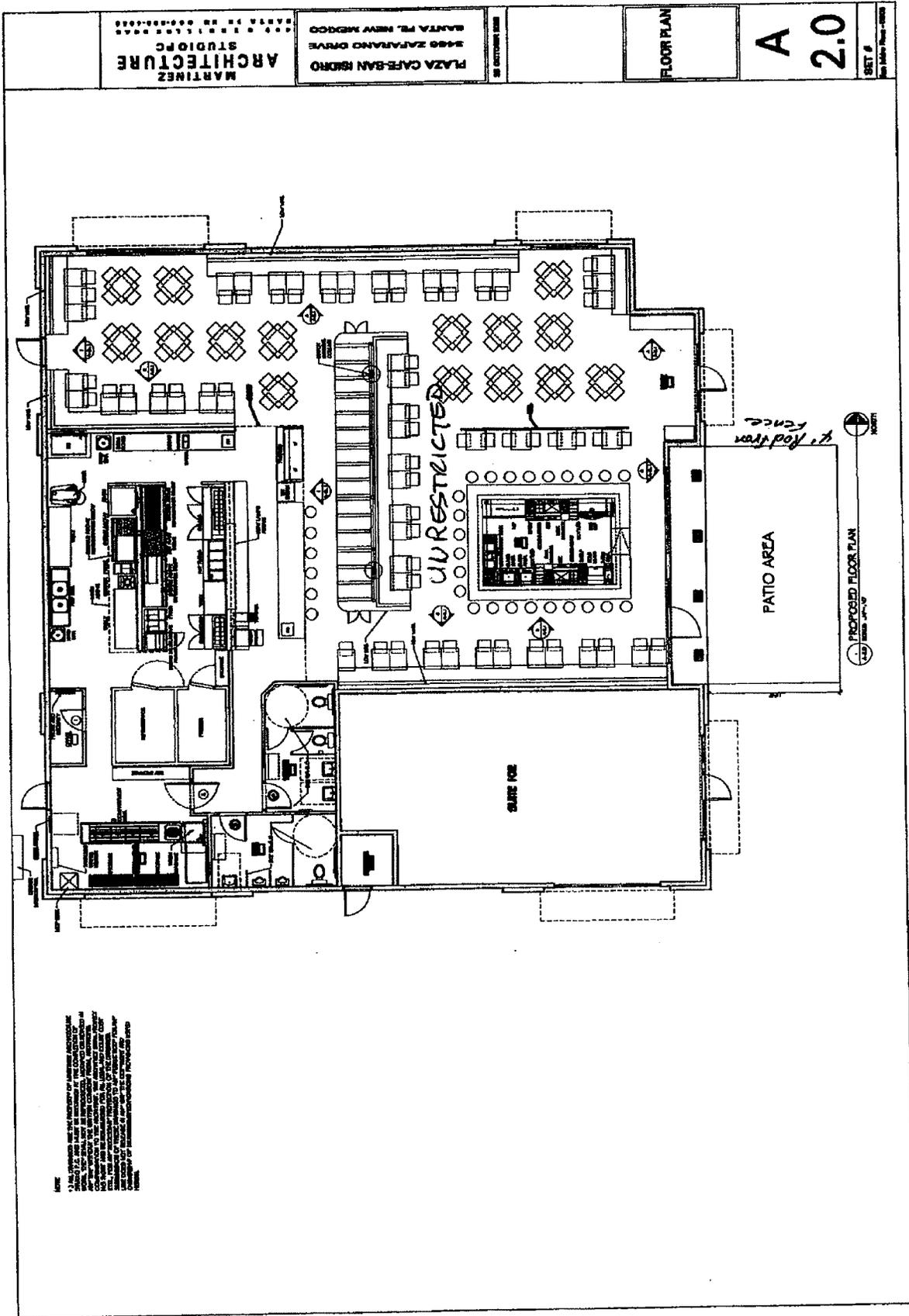
the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

Type of Operation:

ange Restaurant Package Grocery Racetrack Hotel Other (specify) _____

LL # 2765

Plaza Cafe' Southside



MARTINEZ ARCHITECTURE STUDIOS
 3436 ZAFARANO DRIVE
 SANTA FE, NEW MEXICO
 10 OCTOBER 2008
 FLOOR PLAN
 A 2.0
 SET #
 1000 Plaza Cafe' 2008

NOTE:
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 ALL WALLS ARE TO BE CONSTRUCTED BY THE CONTRACTOR.
 ALL FINISHES ARE TO BE AS NOTED OR AS SHOWN ON THE DRAWINGS.
 ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE.

RESTAURANT 4,575 SQ. FT.
 PATIO 1,000 SQ. FT.
 TOTAL 5,575 SQ. FT.

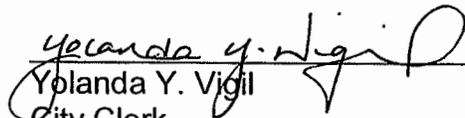
CITY OF SANTA FE

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, February 25, 2015 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 Bottoms Up, LLC for a transfer of ownership of Inter-Local Dispenser License #2765 with Patio Service (on premise consumption only) from Abiquiu Saint-Flour, Inc. to Bottoms Up, LLC. This license will remain at the Plaza Café Southside, 3466 Zafarano Drive, Santa Fe.

All interested citizens are invited to attend this public hearing.

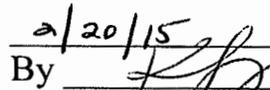

Yolanda Y. Vigil
City Clerk

Received by The New Mexican

Date 2/10/15

To Be Published 2/13/15

2/20/15

By 

The New Mexican (Signature)

City of Santa Fe



PUBLIC WORKS DEPARTMENT
TRAFFIC DIVISION
Post Office Box 909
Santa Fe, NM 87504-0909
Phone: 984-6619 (voice)
984-6627 (fax)

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 LEONARD RAZATOS
Name of business where proposed license is to be used SOUTHSIDE PLAZA CAFE
Business street address 3466 ZAFARANO DRIVE, SANTA FE 87505
Telephone number _____
2. Indicate the type of liquor license this request entails.
 issuance of new license (indicate type: _____)
 transfer of location of existing license (indicate type: _____)
 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

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

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.

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

_____ number of customers who drive

_____ 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 SOUTHSIDE PLAZA CAFE

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 DEAN G. ALEXIS, Manager

Telephone number _____ (505) 988-2191

Date _____

2-10-15

(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.

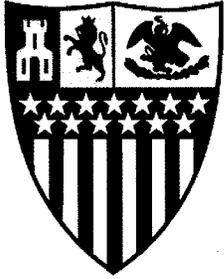
It appears that the approval of this request will create unacceptable traffic impacts (see comments below).

Other comments _____

By [Signature]

Title TRAFFIC ENGINEER

Date 2/12/15



City of Santa Fe, New Mexico

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

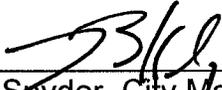
Javier M. Gonzales, Mayor

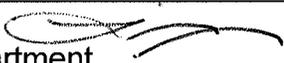
Councilors:

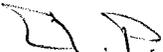
- Patti J. Bushee, Dist. 1
- Signe I. Lindell, Dist. 1
- Peter N. Ives, Dist. 2
- Joseph M. Maestas, Dist. 2
- Carmichael A. Dominguez, Dist. 3
- Christopher M. Rivera, Dist. 3
- Ronald S. Trujillo, Dist. 4
- Bill Dimas, Dist. 4

DATE: February 13, 2015 for the City Council Meeting of February 25, 2015

TO: Mayor and City Council Members

VIA: 

 Brian Snyder, City Manager 
 Lisa Martinez, Director, Land Use Department

FROM: Antoinette Padilla, Code Enforcement Specialist 

ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Bottoms Up, LLC for a transfer of ownership of Inter-Local Dispenser License #2765 with Patio Service (on premise consumption only) from Abiquiu Saint-Flour, Inc. to Bottoms Up, LLC. This license will remain at the Plaza Café Southside, 3466 Zafarano Drive, Santa Fe, New Mexico.

BACKGROUND AND SUMMARY

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

City of Santa Fe, New Mexico

memo

DATE: February 13, 2015

TO: Mayor Javier Gonzales
City Councilors

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

VIA: Georgia Urioste, Zoning Inspections Supervisor *GCU by ap*

RE: Zoning Verification for 3466 Zafarano Drive

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page L-14 updated October 2001, this property is zoned C-2/PUD, General Commercial District/Planned Unit Development.

The codes pertaining to the C-2/PUD zone list eating and drinking establishments as permitted uses pursuant to the permitted use table in Section 14-6.1-1 (C), of Chapter 14, 2012 of the Santa Fe City Code (attached). Please understand that other zoning ordinances apply to the occupancy of this building i.e., parking. Compliance with these to be determined upon application of appropriate permits.

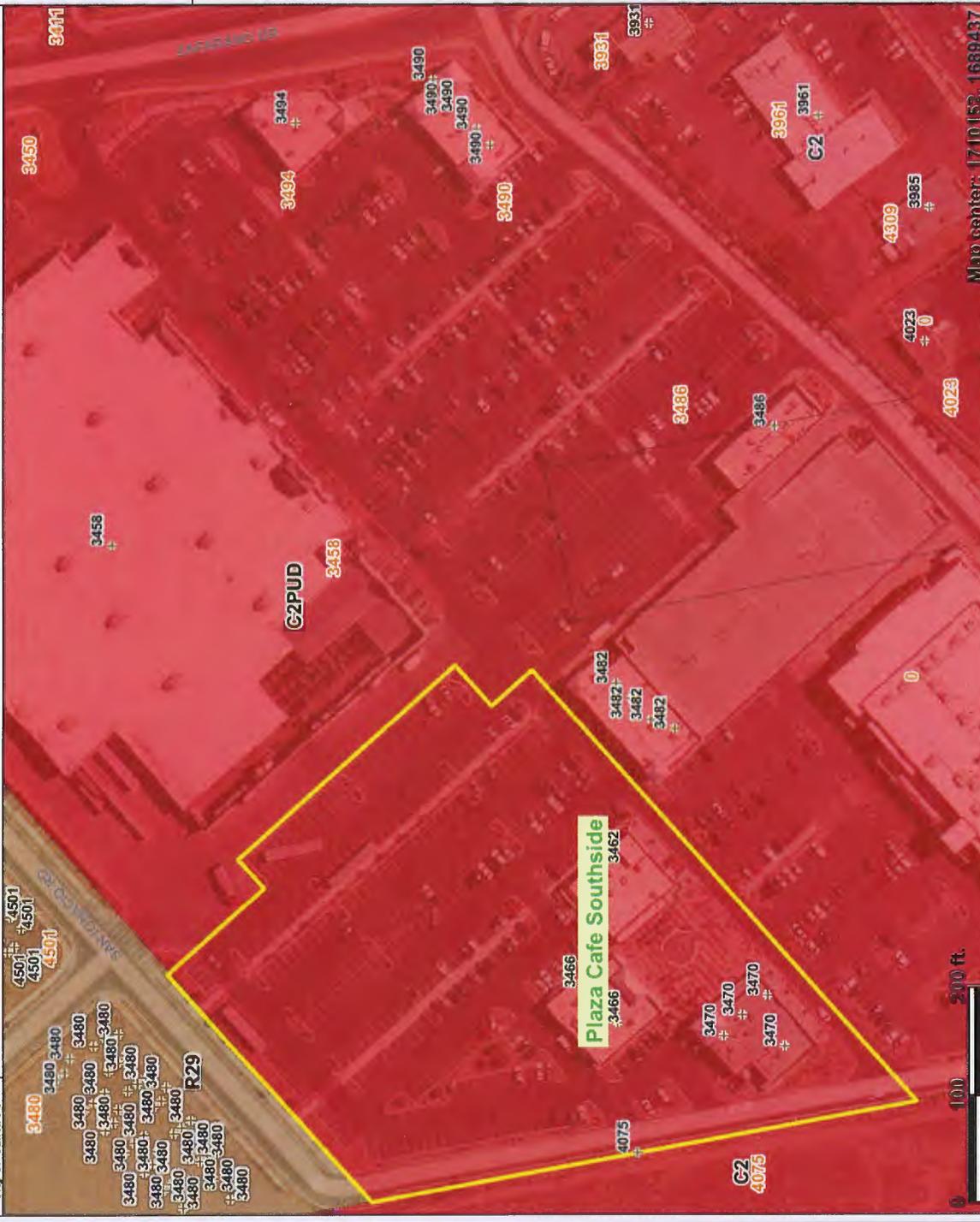
Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. It is the intent of this letter to advise of the ordinances pertaining to the zone districts. **It is not the intent to state that the subject 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 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 505-955-6323.

cc: Lisa Martinez, Director, Land Use Department
Michael D. Purdy, Inspections & Enforcement Division Director



3466 Zafarano Drive



Legend

- City Limits
- Address Points
- Parcels
- Airport Clear Zones
- Santa Fe River
- Zoning
 - RR Rural Residential
 - R1, (PUD) Single-Family 1du/ac
 - R2, (DT), (PUD), (AC) Single - Family 2du/ac
 - R3, (PUD) Single - Family 3du/ac
 - R4 Single - Family 4du/ac
 - R5, (DT), (PUD), (AC), R6 Single - Family 5-6du/ac
 - R7, (P), (PUD), R8 Single - Family 7-8du/ac
 - RCS, RCSAC Compound 5du/ac
 - RCS, RCSAC Compound 8du/ac
 - R10, (PUD) Multiple - Family 10du/ac
 - R12, (PUD) Multiple - Family 12du/ac
 - R21, (PUD) Multiple - Family 21du/ac
 - R22, (PUD), (AC) Multiple - Family 25du/ac
 - RAC Residential Arts & Crafts

Scale: 1:1,714

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

