

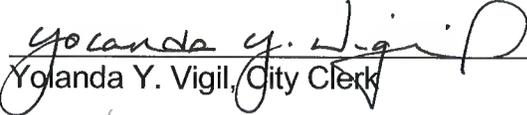


# City of Santa Fe, New Mexico

# memo

DATE: October 2, 2014  
TO: Mayor Gonzales & City Councilors

VIA:   
Brian K. Snyder, City Manager

FROM:   
Yolanda Y. Vigil, City Clerk

## **ITEM & ISSUE**

Request for a Restaurant Liquor License (beer and wine on-premise consumption only).

## **BACKGROUND AND SUMMARY**

4320 Cerrillos Road, LLC has requested the issuance of a Restaurant Liquor License (beer and wine on-premise consumption only) to be located at Hyatt Place, 4320 Cerrillos Road.

There is an existing Restaurant Liquor License at this location; however the business has changed ownership. Restaurant Licenses are non-transferable therefore a new application is required.

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 Hyatt Place 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 Governing Body indicate its decision on the issuance of a Restaurant Liquor License (beer and wine on-premise consumption only) to be located at Hyatt Place, 4320 Cerrillos Road.

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



New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

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

September 10, 2014

Certified Mail No.: 7009 2250 0000 9386 8645

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

James C. McKay  
GENERAL COUNSEL

Mary Kay Root  
DIRECTOR

Re: Lic. No. /Appl. No.: Appl. No. 920796  
Applicant Name: 4320 Cerrillos Road, LLC  
Doing Business As: Hyatt Place  
Proposed Location: 4320 Cerrillos Road  
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 RESTAURANT BEER AND WINE LICENSE WITH ON PREMISE CONSUMPTION ONLY AND 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

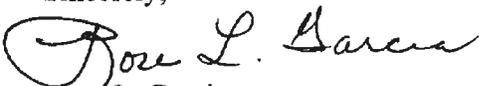
The governing body may disapprove the issuance or transfer of the license if:

- 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,



Rosé 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  
Posting Certificate

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**New Mexico Regulation and Licensing Department**  
ALCOHOL AND GAMING DIVISION

State Liquor License # 920796 Record Owner of License \_\_\_\_\_  
Application Number 920796 Current D/B/A Name \_\_\_\_\_  
Local Option (AGD use) 7/20/14 Santa Fe, New Mexico 87504-5101 Current Premise Address \_\_\_\_\_  
P.O. BOX 25101 505-476-4570

Liquor License Application Non Refundable Application Fee- \$200.00  
Application is for: (check one) Change of Structure  Transfer of Ownership  X  
Transfer of Ownership and Location \_\_\_\_\_ Other \_\_\_\_\_  
Applicant is: Individual \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership (General or Limited) \_\_\_\_\_ X  
Limited Liability Company \_\_\_\_\_

NAME OF APPLICANT (company or individual): \_\_\_\_\_ ADDRESS (INCLUDING CITY, STATE, ZIP) \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_  
4320 Cerrillos Road, LLC 6501 Eagle Rock Ave N.E., Suite B-5, Albuquerque, New Mexico 87113 505-243-6000  
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: Hyatt Place Phone Number for licensed premises 505-474-7777  
Physical Address Where License is to be used 4320 Cerrillos Road, Santa Fe, New Mexico 87507  
Mailing Address: 6501 Eagle Rock Ave N.E., Suite B-5, Albuquerque, New Mexico 87113  
(Street No./P.O. Box/City/State/Zip)

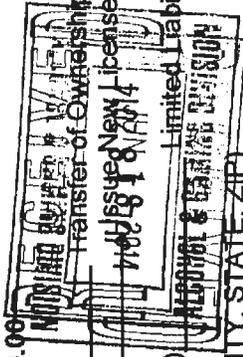
Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ If yes, give license number 30987  
I, Aileen Kassar, as (title) Manager, being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents thereof and that all statements herein 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 said license or may cause such license to be revoked at any time.

Signature of Applicant(s) A/K Date 7/17/14 Notary Public Use Only  
ANN STEVENS  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 7/19/17

SUBSCRIBED AND SWORN TO before me this 17 day of July, 2014 by Aileen Kassar (Name of Person(s) Signing Above)  
NOTARY PUBLIC: [Signature] My Commission Expires: 7/19/17

Local Governing Body of: \_\_\_\_\_ (CITY OR COUNTY) Hearing Held on: \_\_\_\_\_  
PLEASE CHECK ONE:  APPROVED  DISAPPROVED  DISAPPROVED CITY/COUNTY OFFICIAL (Signature and Title): \_\_\_\_\_  
APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ DIRECTOR APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_  
AGD Use Only

12:11 PM  
ENTERED  
200  
110 21458



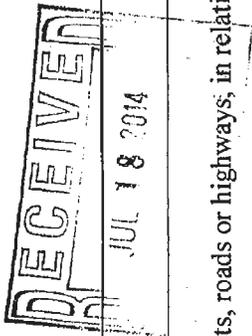
**PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES**

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

Owned by Applicant  Leased by Applicant (attach copy of deed or lease) \_\_\_\_\_ Other (please provide details) \_\_\_\_\_

2. If the land and building are not owned by Applicant, please indicate the following:

A. Owner(s) \_\_\_\_\_  
B. Date and Term of Lease \_\_\_\_\_



At \_\_\_\_\_ a hand drawn map, zoning map, or other map, showing the location of the proposed premises, and the main adjacent streets, roads or highways, in relation to the closest church and school properties. This map should be drawn on a sheet of paper no larger than 8 1/2 x 11 inches.

3. Premise location is zoned (example C-1) \_\_\_\_\_ C-2/PUID \_\_\_\_\_

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and 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 1500feet \_\_\_\_\_ Name of Church Gospel Life Community Church \_\_\_\_\_ Address-Location of Church 2520 Camino Entrada # A, Santa Fe, New Mexico \_\_\_\_\_

5. Distance from nearest school \*(Property line of school to licensed premises-shortest distance).  
Miles, Feet 4000 feet \_\_\_\_\_ Name of School Monte Del Sol Charter School \_\_\_\_\_ Address-Location of School 4157 Walking Rain Road, Santa Fe, New Mexico \_\_\_\_\_

6. Distance from military installation (Property line of military installation to licensed premises-shortest distance).  
Miles 60 Miles \_\_\_\_\_ Name of Military Installation Kirtland Air Force Base \_\_\_\_\_

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 premise. 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 \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (Please specify) \_\_\_\_\_



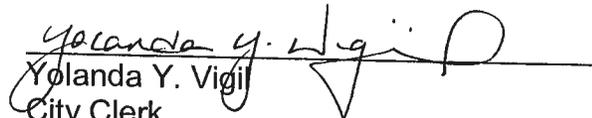
CITY OF SANTA FE

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, October 8, 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 4320 Cerrillos Road, LLC for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be located at Hyatt Place, 4320 Cerrillos Road, Santa Fe.

All interested citizens are invited to attend this public hearing.

  
Yolanda Y. Vigil  
City Clerk

Received by The New Mexican  
Date 9/22/2014  
To Be Published Thursday 9/25  
8 Thursday 10/2  
By Gallery Marc  
The New Mexican (Signature)

# City of Santa Fe



PUBLIC WORKS DEPARTMENT  
TRAFFIC DIVISION  
Post Office Box 300  
Santa Fe, NM 87504-0300  
Phone: 908-681-0000  
908-682-3100

## 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.

- Name of owner of business 4320 Cerrillos Road, LLC  
Name of business where proposed license is to be used Hyatt Place  
Business street address 4320 Cerrillos Road, Santa Fe NM 87507  
Telephone number 505-474-7777
- Indicate the type of liquor license this request entails.  
 issuance of new license (indicate type: Restaurant Beer & Wine)  
 transfer of location of existing license (indicate type: \_\_\_\_\_)  
 transfer of ownership of existing license (location to remain the same)
- Is this an existing business?  
 yes  
 no
- 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.  
24 hrs a day - Liquor Sales Mon-Sat. 7am-11pm Sun 11am-11pm  
 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  
150 number of customers who walk all are guests at the hotel.
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 Hyatt Place  
 Year(s) 2010 to present
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: Linda L. Aikin  
 Telephone number 505-988-6224  
 Date 9-22-14

(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 10/2/15

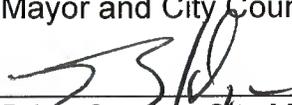
# City of Santa Fe, New Mexico

# memo

**DATE:** September 18, 2014 for the City Council Meeting of October 8, 2014

**TO:** Mayor and City Council Members

**VIA:**

  
Brian Snyder, City Manager

Matthew O'Reilly, Director, Land Use Department *MSO*

**FROM:** James G. Martinez, Code Enforcement Specialist *JGM*

## ITEM AND ISSUE

Litter and noise impact assessment, due to a request from 4320 Cerrillos Road, LLC for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be located at Hyatt Place, 4320 Cerrillos Road, Santa Fe, New Mexico.

## BACKGROUND AND SUMMARY

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





**Hyatt Place**

4320 Cerrillos Road

250/1

4316 CERRILLOS RD  
4316

691/016

C2

691/016

4318 CERRILLOS RD

11 B

470/42  
11 EMBLEM

C2PUD

15 EMBLEM RD A  
15A

15 EMBLEM RD B15B

576/029  
18 EMBLEM

C2PUD

C2PUD

511/2  
C2

I1

CERRILLOS RD

557/34

636/047

I1

636/047 640

3800 EMBLEM

N/A

I1