

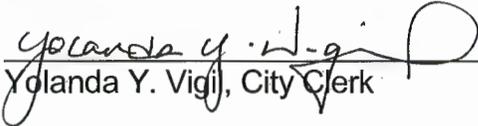
City of Santa Fe, New Mexico

memo

DATE: January 9, 2015

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 with on-premise consumption only -- indoor only).

BACKGROUND AND SUMMARY

Jambo Café, LLC has requested the issuance of a Restaurant Liquor License (beer and wine with on-premise consumption only -- indoor only) to be located at Jambo Café, 2010 Cerrillos Road, Suite #13.

The applicant currently has a Restaurant Beer and Wine License at this location but has increased the square footage of the premise by over 25% which requires reapplication for this license.

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 Jambo 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 Governing Body indicate its decision on the issuance of a Restaurant Liquor License (beer and wine with on-premise consumption only -- indoor only) to be located at Jambo Café, 2010 Cerrillos Road, Suite #13.

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

December 11, 2014

Certified Mail No.: 7009 2250 0000 9386 8591

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. 933222
Applicant Name: Jambo Café, LLC
Doing Business As: Jambo Café
Proposed Location: 2010 Cerrillos Road, Suite #13
Santa Fe, New Mexico 87505

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 & WINE LICENSE WITH ON PREMISE COMSUMPTION. APPLICANT CURRENTLY OWNES A RESTAURANT BEER & WINE LICENSE AT

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

THIS LOCATION BUT HAS INCREASED THE SQUARE FOOTAGE OF THE PREMISE BY OVER 25%. THEREFORE, IT IS CONSIDERED A CHANGE OF LOCATION.

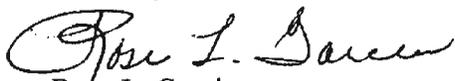
The governing body may disapprove the issuance or transfer of the license if:

- 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 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 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



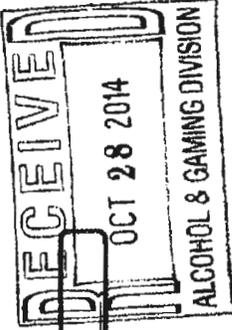
New Mexico Regulation and Licensing Department • Alcohol and Gaming Division
 PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/licensing

PAID 10/29/14
 \$200.00 CC# 54581
 Rev. 01/14

RESTAURANT LIQUOR LICENSE APPLICATION

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

AGD USE ONLY - APPLICATION # 933222 LOD



Application is for: New License / Change of Stock among existing members only / Change of Officers (no ownership interest)

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

NAME OF APPLICANT (company or individual) Jambo Cafe LLC

ADDRESS (including city, state, zip) 2010 Cerrillos Road - Suite #13 Santa Fe, NM 87505

TELEPHONE NUMBER OWNER 505-473-1269 EMAIL urembo23@gmail.com

D/B/A name to be used: Jambo Cafe Phone number for licensed premises: 505-473-1269

Physical location where license is to be used: 2010 Cerrillos Road - Suite #13 Santa Fe, NM 87505
 (Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: Samc

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If yes, give license number and type 30542

I, (print name) Ahmed Obo, as (title) President

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 and correct; and that he/she is not being first duly sworn in.

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 [Signature] Date 9/30/14

SUBSCRIBED AND SWORN TO before me this 30 day of September, 2014 by Ahmed Obo

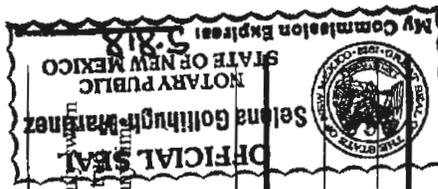
Notary Public [Signature] My Commission Expires 5.8.18

Local Governing Body of: _____ (City or County). Hearing held on _____

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-60-6B-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) College Plaza Investors, LLC

B. Date and term of lease 6/19/2009 - 5 years - amended 5/17/2011

3. Premises location is zoned (example C-1) C-2

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 0.14 miles Name of church St. John The Baptist Address/location of church 1301 Osage Avenue

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

Miles/feet 0.64 miles Name of school De Vargas MS Address/location of school 1720 Llano Street

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

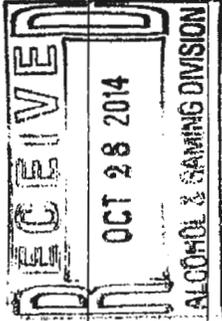
Miles 65.77 miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

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) _____





City of Santa Fe, New Mexico

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

www.santafenm.gov

David Coss, Mayor

Councilors:

Rebecca Wurzburger, 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

Alcohol Beverage & Gaming Division
Regulations & Licensing Department
725 St. Michael's Drive
Santa Fe, NM 87504

September 22, 2014

RE: Zoning Verification for 2010 Suite 12 & 13 Cerrillos Road, Santa Fe NM (Jambo Café)

Dear To whom it may concern;

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page K-16 updated May 2001, this property (buildings may be within 300 feet of church or school) is zoned C2 i.e. General Commercial District.

14-4.3(G) C-2 General Commercial District

(1) Purpose and Intent

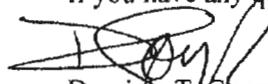
Districts in this category are intended to include areas along streets carrying large volumes of traffic where commercial uses already exist, have displaced or are displacing residential development or are moving in on vacant lands. Regulations are designed to guide future additions or changes so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets and to provide for off-street parking and loading. It is not the intent of this article to encourage the extension of existing strip commercial areas, nor is it intended for this district to be used as a means for creating new strip commercial developments.

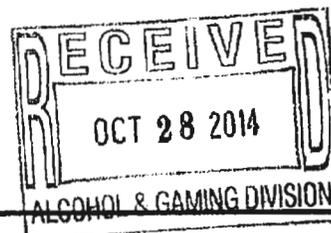
- Eating and drinking establishments are permitted uses within a C2 district.
- Serving of beer and wine is allowed in this district.

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 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.

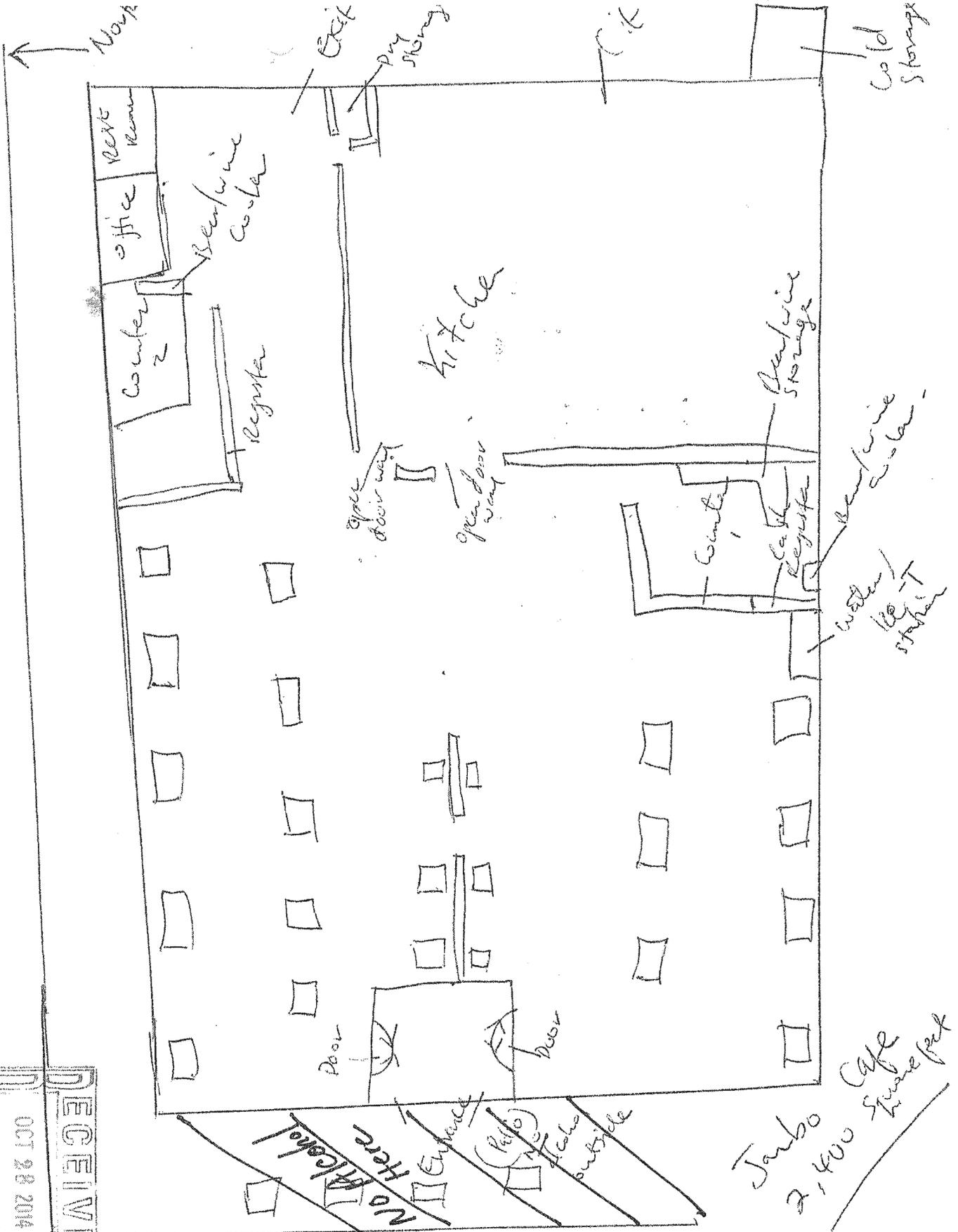
If you have any questions, please call me at 505-955-6679.


 Dominic T. Gonzales
 Special Projects Coordinator



St. Michael's Drive

ALCOHOL & GAMING DIVISION
OCT 28 2014
RECEIVED



Camillos Rd

Jumbo Cafe
2,400 square feet

CITY OF SANTA FE

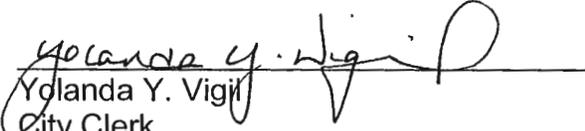
NOTICE OF PUBLIC HEARING

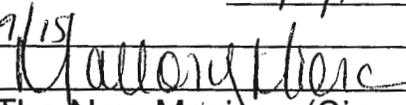
Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, January 14, 2015 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from Jambo Café, LLC for a Restaurant Liquor License (Beer and Wine with On Premise Consumption Only) to be located at Jambo Café, 2010 Cerrillos Road, Suite #13, Santa Fe.

The applicant currently owns a Restaurant Beer and Wine License at this location but has increased the square footage of the premise by over 25% which requires reapplication for this license.

All interested citizens are invited to attend this public hearing.


Yolanda Y. Vigil
City Clerk

Received by The New Mexican
Date 12/30/14
To Be Published 1/2/15
1/9/15
By 
The New Mexican (Signature)

City of Santa Fe



PUBLIC WORKS DEPARTMENT
TRAFFIC DIVISION
1500 Office Bldg 909
Santa Fe, NM 87601-0909
Phone: 505 451-1400 ext
Fax: 505 451-1231

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 Ahmed Obo
Name of business where proposed license is to be used Jamba Cafe
Business street address 2010 Cerrillos Rd H. 13
Telephone number 505 473 1269

2. Indicate the type of liquor license this request entails.
 issuance of new license (indicate type: _____)
 transfer of location of existing license (indicate type: Expansion - over 25%)
 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.
11am - 9pm
 If the hours of operation will change due to the sales of liquor, indicate the revised hours.
NO CHANGE
6. If this is a new business, indicate the anticipated hours of operation of the business.
N/A
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 NO CHANGE)
 Business is expected to decrease (number of customers per day NO CHANGE)
 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.
180 number of customers who drive
5 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 Jamba Cafe
 Year(s) 5 years
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

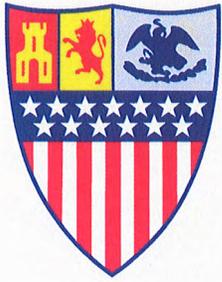
Name of person completing this form Ahmed Obo
 Telephone number 505 920 473-1269
 Date 12/30/14

(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 1/7/14



City of Santa Fe, New Mexico

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

Javier M. Gonzales, Mayor

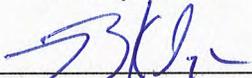
Councilors:

- Peter N. Ives, Mayor Pro Tem, Dist. 2
- Patti J. Bushee, Dist. 1
- Signe I. Lindell, Dist. 1
- 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: January 9, 2015 for the City Council Meeting of January 14, 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 Jambo Café, LLC for a Restaurant Liquor License (Beer and Wine with On-Premise Consumption Only) to be located at Jambo Café, 2010 Cerrillos Road, Suite #13, Santa Fe, New Mexico.

The applicant currently owns a Restaurant Beer and Wine License at this location but has increased the square footage of the premise by over 25% which requires reapplication for this license.

BACKGROUND AND SUMMARY

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

