

City of Santa Fe, New Mexico

memo

DATE: July 25, 2014

TO: Mayor Gonzales & City Councilors

VIA: Brian K. Snyder by yym
Brian K. Snyder, City Manager

FROM: Yolanda Y. Vigil
Yolanda Y. Vigil, City Clerk

ITEM & ISSUE

Request from the New Mexico Children's Foundation for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of alcoholic beverages at the Drury Plaza Hotel Palace Ballroom and Wedding Garden, 228 East 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.

BACKGROUND AND SUMMARY

Pursuant to §60-6B-10 NMSA 1978, the New Mexico Children's Foundation has requested a waiver of the 300 foot location restriction to allow the dispensing/consumption of alcoholic beverages at the Drury Plaza Hotel Palace Ballroom and Wedding Garden, 228 East Palace. This request is for the New Mexico Children's Foundation Gala to be held on Friday, August 8, 2014 from 5:00 p.m. to 12:00 a.m.

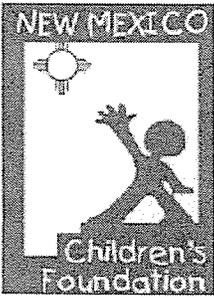
As a condition of approval the Drury Plaza Hotel must obtain a building final and certificate of occupancy prior to the requested event.

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. The applicant has contacted the New Mexico School for the Arts but has not received a letter stating their position on this request.

ACTION REQUESTED

I hereby request that the City Council indicate its decision on the request for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of alcoholic beverages at the Drury Plaza Hotel Palace Ballroom and Wedding Garden, 228 East Palace for New Mexico Children's Foundation Gala to be held on Friday, August 8, 2014 from 5:00 p.m. to 12:00 a.m.

Attachments: Letter/New Mexico Children's Foundation
Letters/Eloisa Catering
Letter/Episcopal Church of the Holy Faith
Letter/Cathedral Basilica of St. Francis of Assisi
Special Dispenser Permit Application
§60-6B-10 NMSA 1978



NEW MEXICO CHILDREN'S FOUNDATION

P.O. Box 8182 - Santa Fe, New Mexico 87504-8182 - (505) 986-2043
www.nmchildren.org - email: info@nmchildren.org

Yolanda Vigil
Santa Fe City Clerk
City of Santa Fe

*Working Together.....
For the Kids!*

July 25, 2014

Alice King
Founder
1930-2008

2014-2016
Board of Directors

Kathy Schulz
President
Katherine Basham
Vice President
Richard Sandoval
Treasurer
Janice B. Quinn
Secretary
David Dodge
Immediate Past President

Sara Armstrong
Margo Barr
Ann Bealle
Jack Campbell
Lois Chiarito
Tricia Elmer
Aaron Enloe
Linda Ferdig-Riley
Cleveland Gardner
Ann Kenyon
Mimi Kingsbury
Sean Martinez
Janice B. Quinn
Mary E. Roberts
Tim Vigil
Toni Wanic
Kristi Wareham
Wyeth Carpenter
Youth Representative

To the Honorable Mayor and Members of the Governing Body,

The New Mexico Children's Foundation is a non-profit founded by former First Lady Alice King twenty-three years ago. Our mission is to support small programs statewide that serve the physical, mental, educational and social needs of children and their families. We have given \$1,212,000 in grants to eighty organizations located throughout New Mexico. In Santa Fe, recent awardees include Gerard's House, CASA First, Food for Santa Fe, Young Fathers of Santa Fe, Zona del Sol, Many Mothers and NM Suicide Prevention Project, just to name a few.

Our hard-working Board of Directors and volunteers raise the money that we give through-year round fundraising activities. On August 8, 2014, we will be holding our Annual Grande Gala, Party at the Drury from 6:30 pm to 10:00 pm. There will be a reception in the garden followed by a dinner and dancing and a silent auction. We are very excited to be the first event to be held at the Drury.

It is my understanding that the Drury is seeking all the necessary permits and waivers that will allow alcohol at our event.

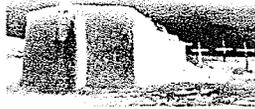
We are writing to ask for your support and approval of this request.

Sincerely,

Carol Robertson Lopez
Executive Director

Carol Robertson Lopez
Executive Director

ELŐISA
CATERING



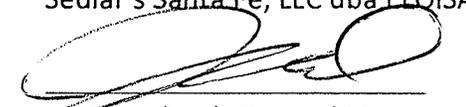
Re: Special Dispenser Permit (Picnic Liquor License) for 228 East Palace Ave. on August 8, 2014

Dear Reverend Kenneth JG Semon,

I am the general manager of Sedlar's Santa Fe, LLC, which is the owner and operator of ELOISA, the restaurant in the new Drury Plaza Hotel located at 228 East Palace Avenue. ELOISA, which is headed by award winning chef, John Rivera Sedlar, will cater and host the New Mexico Children's Foundation Annual Gala on August 8, 2014. This is the Foundation's largest fundraising event of the year. The event will be held in the Hotel's Palace Ballroom and Wedding Garden, and will involve service of cocktails, hors d'oeuvres and seated dinners for up to 150 guests. Because this location is within 300 feet of your church, we must obtain a waiver from the City of Santa Fe in order to obtain a Special Dispenser Permit ("picnic license") to allow alcohol service at the event. The City asks that we obtain letters from you stating that you would have no objection to the granting of a waiver.

If you have no objection to the granting of a waiver, please so indicate by signing below. If you have any questions or concerns, please do not hesitate to contact me. We thank you in advance for your support of this event.

Very truly yours,
Sedlar's Santa Fe, LLC dba ELOISA



James Ackard, General Manager

Santa Fe City Counselors:

The Church of the Holy Faith has no objection to the granting of a waiver of the rule prohibiting alcohol sales within 300 feet of a church or school in order to allow the grant of a special dispenser permit for the above described event.

Church of the Holy Faith



By: KENNETH J. G. SEMON, Rector
[name/title]



The Cathedral Basilica of St. Francis of Assisi

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



www.cbsfa.org

July 17, 2014

Re: Eloisa Catering, Picnic Dispenser Permit
228 East Palace Ave.
Santa Fe, NM 875010

Dear Mayor Gonzales & City Council,

Our neighbor, Eloisa Restaurant, in the new Drury Plaza Hotel, has asked our permission to process a picnic license on their behalf of Sedlar's Santa Fe LLC, dba Eloisa. The event will be the Annual New Mexico Children's Foundation Gala, and will be held in the Hotel's Palace Ballroom on August 8, 2014.

We are fine with this event going forward and with their providing alcoholic beverage service for this gala, which serves as the foundations largest fundraising event.

Sincerely in Christ,

Very Rev. Adam Lee Ortega y Ortiz
Rector

P: 505.982.5619



F: 505.989.1952



sfcathedral@cbsfa.org



ELOISA
CATERING



Re: Special Dispenser Permit (Picnic Liquor License) for 228 East Palace Ave. on August 8, 2014

Dear Very Reverend Adam Ortega y Ortiz,

I am the general manager of Sedlar's Santa Fe, LLC, which is the owner and operator of ELOISA, the restaurant in the new Drury Plaza Hotel located at 228 East Palace Avenue. ELOISA, which is headed by award winning chef, John Rivera Sedlar, will cater and host the New Mexico Children's Foundation Annual Gala on August 8, 2014. This is the Foundation's largest fundraising event of the year. The event will be held in the Hotel's Palace Ballroom and Wedding Garden, and will involve service of cocktails, hors d'oeuvres and seated dinners for up to 150 guests. Because this location is within 300 feet of your church, we must obtain a waiver from the City of Santa Fe in order to obtain a Special Dispenser Permit ("picnic license") to allow alcohol service at the event. The City asks that we obtain letters from you stating that you would have no objection to the granting of a waiver.

If you have no objection to the granting of a waiver, please so indicate by signing below. If you have any questions or concerns, please do not hesitate to contact me. We thank you in advance for your support of this event.

Very truly yours,
Sedlar's Santa Fe, LLC dba ELOISA

James Ackard, General Manager

Santa Fe City Counselors:

The Cathedral Basilica of St. Francis of Assisi has no objection to the granting of a waiver of the rule prohibiting alcohol sales within 300 feet of a church or school in order to allow the grant of a special dispenser permit for the above described event.

Cathedral Basilica of St. Francis of Assisi

By:
[name/title]

**ALCOHOL & GAMING DIVISION
SPECIAL DISPENSER PERMIT APPLICATION (60-6A-12 NMSA)**

Fee Per day: \$50.00 Public Event

\$25.00 Private Event (Catered) (all fees are non refundable)

A copy of all approved permits will be sent to the Special Investigations Division of the Department of Public Safety. They will notify you directly if they need additional information

LICENSE HOLDER INFORMATION

Business Name (DBA) SUSAN'S FINE WINE + SPIRITS Owner Name SF WINE + SPIRITS, LLC Local Option District CITY OF SANTA FE
 Mailing Address 1005 ST FRANCIS STE 101 City, State & Zip SANTA FE NM 87505
 Contact Telephone # 984-1582 Fax # 216 0662 Email Address MICHAEL@SFWINEANDSPIRITS.COM
 Liquor License # 156

*EVENT INFORMATION

All Age Event - Beer Garden - Indoor/Outdoor Event Begin Time _____ End Time _____
Wrist Band / Stamps
 Description and Name of Event MM Children's Foundation Gala Date(s) of Event August 8 2014 Alcohol Service Begin Time 5:00 End Time 12:00
 Physical Address of Event and Name of Building or Business 228 E. PALACE Drury Plaza Number of Persons expected to Drink 150
 Description of Security Licensor Sorden Number of Security 2 Security Contact Name Marija Marko Contact Telephone # 577-7012

*SPONSOR INFORMATION

Sponsor of Event MM Children's Foundation Contact Name Darin Dodge Contact Telephone # 988-8088
DSW Santa Fe, LLC
 By: Drury Southwest, Inc, Sole member * BUILDING/PROPERTY OWNER APPROVAL
 Name (print) By: Carolyn F. Bohnert, Sr VP Signature Carolyn F Bohnert Telephone # 573-335-3134 Date 7-16-14

LICENSE HOLDER & SERVER CERTIFICATION: I, SF WINE + SPIRITS, LLC (Licensee) hereby certify that this event is within the same local option district as the dispenser's license, that event is not within 300 Ft. of a church or school unless alcoholic beverages were sold there prior to July 1, 1981 or a waiter is obtained from the local governing body. I further certify that all persons providing the service of alcoholic beverages are server certified and that they are my employees and that ALL the information in this application is true and correct.

NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application.

Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) SF WINE + SPIRITS, LLC Signature Susan J. Sorden - Agent Date 7-18-14
 All profits derived from the sale of liquor will go only to the licensee
 Only the owner or authorized person under this license may sign the permit.

NOTARY INFORMATION

Subscribed and Sworn before me this 18 day of 7 .20 14 Notary Public Michael Waddington Exp. 10/5/16

LOCAL GOVERNING BODY APPROVAL

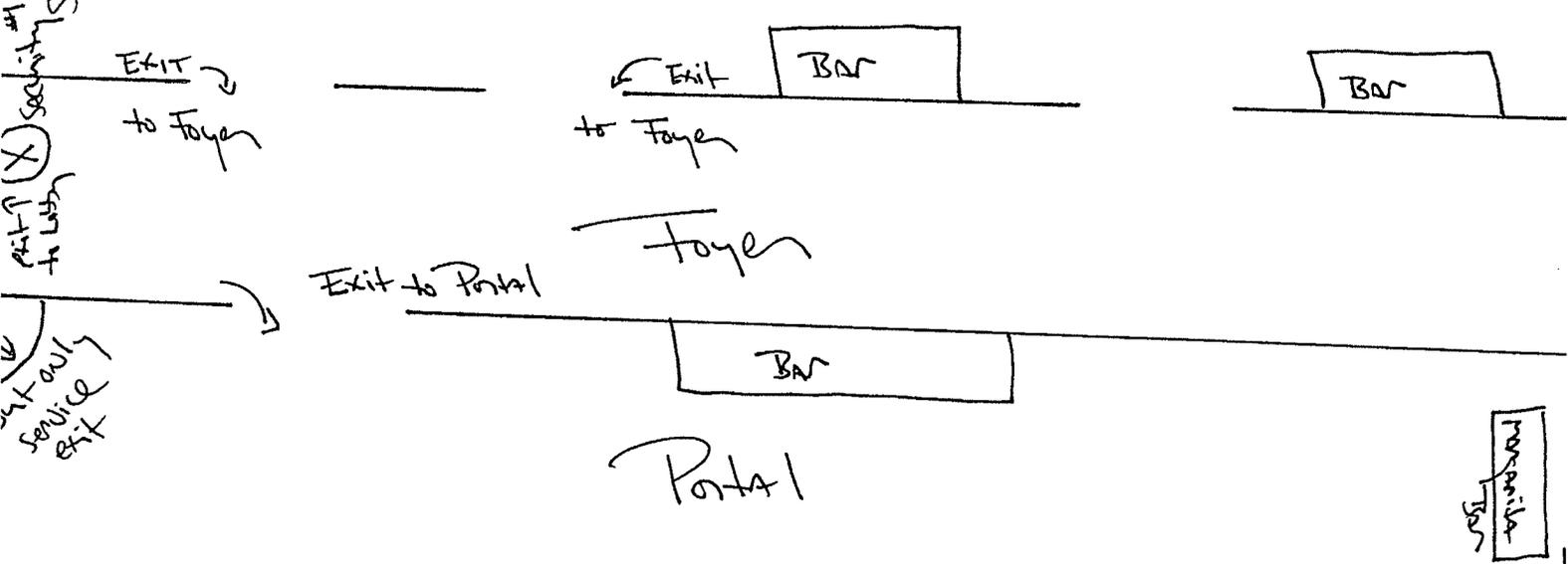
Print Name _____	Title _____	Date _____	Signature _____	Phone _____	Fax _____
------------------	-------------	------------	-----------------	-------------	-----------

ALCOHOL & GAMING DIVISION USE ONLY
 Approved by: _____

Attachments: 1) Floor plan (Pictures) 2) Fees per day (listed on top of page) 3) Server information list

Palace Ballroom

Exit to Lobby
(X) Security #1
Security #2
EXIT to Foyer
Exit to Lobby
(X) Security #1
to Lobby
Exit
Service exit



Portal

Porch Bar

Locker area

Garden

No exit from garden
to portal

5 FT surrounding
metal fence

Yellow
DeWaters
Service
area

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.