

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 for a Transfer of Ownership and Location of Dispenser License #0656.

BACKGROUND AND SUMMARY

London Holdings, LLC has requested the transfer of ownership and location of Dispenser License #0656 from Casanova Bar Inc., dba Casanova Bar, HSE #901, Hwy 68, Alcalde to London Holdings, LLC, dba Adelita's Mexican Restaurant (LEASED), 3136 Cerrillos Road. This location is not within 300 feet of a church or school.

As a condition of approval the restaurant shall not exceed 99 occupants based on occupant load factors of 15 square feet (net) of unconcentrated (table and chairs) space per occupant as allowed by the 2009 International Building Code Table 1004.1.1 – Maximum Floor Area Allowances per Occupant.

The use of the restaurant is limited to its current use, but if Adelita's Mexican Restaurant wants to expand its use of their event center into the restaurant, then Adelita's Mexican Restaurants will have to submit a request for an amended building permit with updated architectural drawings (which could require, but not limited to, an automatic sprinkler system, additional bathrooms, additional exits and additional fire alarms).

As an additional condition of approval, the use of the event center shall follow the attached path of egress presented to the Fire Marshal.

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 Adelita's Mexican Restaurant 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 and location of Dispenser License #0656 from Casanova Bar Inc., dba Casanova Bar, HSE #901, Hwy 68, Alcalde to London Holdings, LLC, dba Adelita's Mexican Restaurant, 3136 Cerrillos Road.

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



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • PO Box 25101 • Santa Fe, New Mexico 87505-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

June 16, 2014

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

James C. McKay
GENERAL COUNSEL

Mary Kay Root
DIRECTOR

Certified Mail No: 7009 1680 0000 1952 8394

City of Santa Fe
Attn: Yolanda Vigil, Clerk
PO Box 909
Santa Fe, NM 87504-0909

Re: License / App. No. License 0656 / A-911218
Applicant Name: London Holdings, LLC
Doing Business As: Adelita's Mexican Restaurant
Proposed Location: 3136 Cerrillos Road, Santa Fe, NM

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. ~~(The following are revised instructions for approval or disapproval below.)~~

Greetings:

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

Within forty-five days after receipt of a notice of preliminary approval from the Alcohol and Gaming Division, the governing body shall hold a public hearing on 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; (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 requesting Transfer of Ownership and Location of ~~the License~~

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

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

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries &
Manufactured Housing Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

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.)

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.

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 *in writing* as to whether the local governing body has approved or disapproved the issuance or transfer of the license *and by signing the enclosed original Page 1 of the application. The letter of approval/disapproval and the Page 1 must be returned together with the notice of public hearing. If the governing body fails to either approve or disapprove the issuance or transfer of the license within 30 days after the public hearing, the director may give final approval to the issuance or transfer of the license.

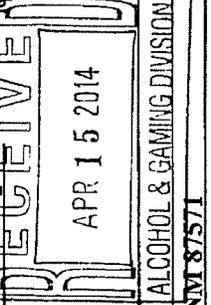
If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the minutes of the public hearing shall be submitted to the Alcohol and Gaming Division with the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

Sincerely,



Pamela Brommer
Hearing Officer

ENCLOSURES: Original page 1
Copy of page 2
Copy of Posting Certificate
Copy of Zoning Statement



LIQUOR LICENSE APPLICATION

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

Record Owner of Existing License Casanova Bar, Inc.
 Current DB/A Name Casanova Bar
 Current Premises Address HSE #901-Hwy 68- Alcalde, NM 87571

State Liquor License # 0656
 Application Number 910730
 Local option (AGD use) 9/12/18



Application is for: Change of Stock Change of Officers/Directors Transfer Ownership of Existing License Transfer Ownership and Location Transfer Location Other

Issue New License Type of License being applied for: Partnership (General or Limited) Limited Liability Company

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

NAME OF APPLICANT (company or individual) London Holdings, LLC
 ADDRESS (including city, state, zip) 9915 Petra Court NE, Albuquerque, NM 87122
 TELEPHONE NUMBER (505) 331-0535

COPY TO: New Mexico Liquor Licenses, LLC 1801 Lomas Blvd NW, Albuquerque, NM 87104
Adelita's Mexican Restaurant (LEASED) Phone number for licensed premises: 505-980-5614

D/B/A name to be used: Adelita's Mexican Restaurant (LEASED)

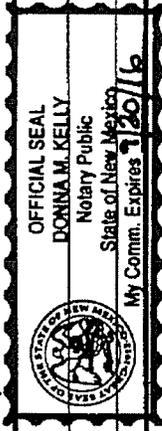
Physical location where license is to be used: 3136 Cerrillos Road, Santa Fe, Santa Fe County, New Mexico 87507
 (include street number / highway number / state road, city and county, state, and zip code)

Mailing address: 9915 Petra Court NE, Albuquerque, New Mexico 87122

Are alcoholic beverages currently being dispensed at the proposed location? Yes No if yes, give license number and type Restaurant License 30407
 I, (print name) CHRISTIAN D. GORDON, as (title) Managing Member London Holdings LLC 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 therein contained are true. Applicant(s) agree(s) that
 "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 Christian Gordon Date April 11, 2014

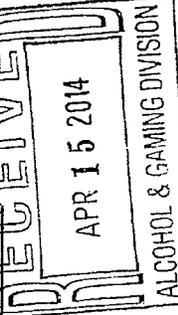
SUBSCRIBED AND SWORN TO before me this 11th day of April, 2014 by Notary Public Use Only
 Notary Public Dona M Kelly My Commission Expires 7/30/16
 My Comm. Expires 7/30/16



Local Governing Body of: _____ (City or County). Hearing held on _____ 20____

Check one: Approved Disapproved City/County Official _____ (Signature & Title)

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



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) _____ xx Leased by Adelfra's Inc.

2. If the land and building are not owned by Applicant, indicate the following:
 A. Owner(s) see accompanying lease application _____
 B. Date and term of lease _____

3. Premises location is zoned (example C-1) _____
 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 ca .3 miles _____ Name of church Santa Fe Christian Fellowship _____ Address/location of church 2860 Cerrillos Road, Santa Fe, NM _____

5. Distance from nearest school *(Property line of school to licensed premises—shortest distance):
 Miles/feet ca .9 mile _____ Name of school Kearny Elementary School _____ Address/location of school 901 Avenida de las Companas, Santa Fe, NM _____

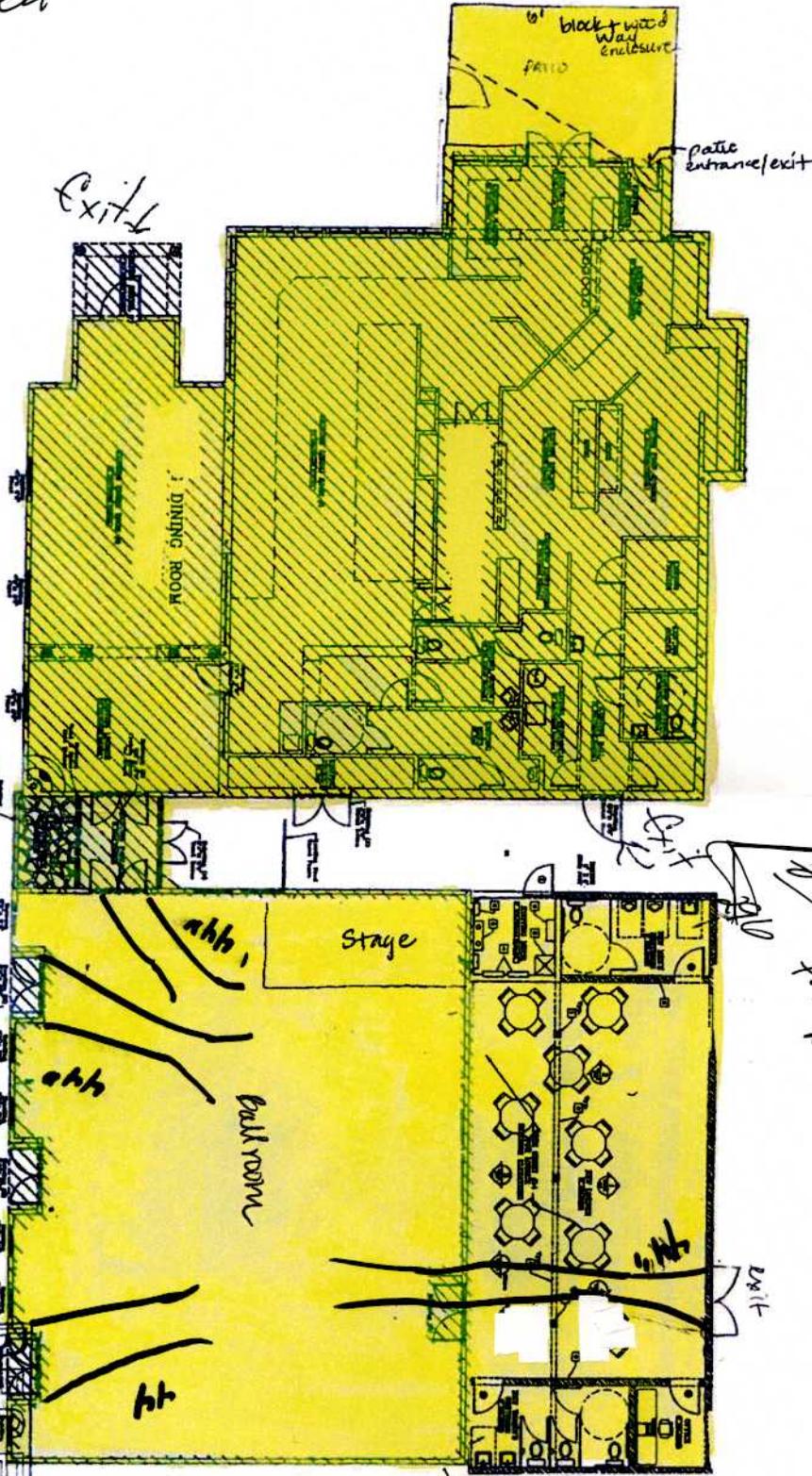
6. Distance from military installation *(Property line of military installation to licensed premises—shortest distance):
 Miles ca 64 miles _____ Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
 Holloman Air Force Base (Alamogordo), 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 x _____ Restaurant x _____ Package Grocery _____ Racetrack _____ Hotel _____ Other (specify) banquet hall _____

← Cerrillo →
 Emergency Floor Plan
 with exit



Path of egress



Total SF = 9475
 public premises unrestricted

RECEIVED
 APR 15 2014
 ALCOHOL & GAMING DIVISION

296
 256
 total area

area

ALCOHOL & GAMING DIVISION
2550 CERRILLOS RD.
TONEY ANAYA BLDG.
P.O. BOX 25101
SANTA FE, NEW MEXICO 87504-5101

POSTING CERTIFICATE

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

APPLICATION FILED FOR LICENSE/APPLICATION NUMBER: 656/910750
 TRANSFER OF OWNERSHIP & LOCATION TRANSFER OF LOCATION
 TRANSFER OF OWNERSHIP NEW LICENSE
 CHANGE OF STOCKHOLDERS/PARTNERSHIP INTEREST

TRANSFERRED FROM: OWNER: CASANOVA BAR, INC
TRANSFERRED TO: OWNER: LONDON HOLDINGS, LLC

CURRENT LOCATION: HSE #901-HWY 68, ALCALDE, NM PROPOSED LOCATION: 3136 CERRILLOS RD., SANTA FE, NM

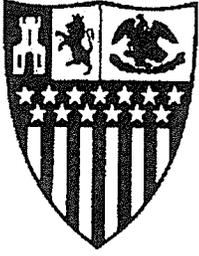
CURRENT BUSINESS NAME: CASANOVA BAR PROPOSED NAME: ADELITA'S MEXICAN RESTAURANT

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

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Santa Fe
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: _____
3. DISTANCE FROM NEAREST CHURCH IS: 3,696 ft.
NAME OF CHURCH IS: Kearny Elementary School Grace Community Church
4. DISTANCE FROM NEAREST SCHOOL IS: 3,168 ft.
NAME OF SCHOOL IS: Kearny Elementary School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION: 63.5 miles
NAME OF INSTALLATION IS: Kirtland AFB
6. IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:
BY PASSABLE ROAD: _____ BY STRAIGHT AIRLINE: _____
7. NOTICE POSTED ON:
 BUILDING BILLBOARD BUILDING UNDER CONSTRUCTION
 BUILDING BEING REMODELED NO BUILDING

DATE POSTED: 25 Apr 2014
[Signature]
APPLICANT'S SIGNATURE

EXPIRATION DATE: 13 May 2014
[Signature]
S.I.D./SPECIAL AGENT



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

May 13, 2014

Kyla Rhodes Stoker
New Mexico Liquor Licenses, LLC
1801 Lomas Blvd NW
Albuquerque, NM 87104

RE: Zoning Verification for:
3136 Cerrillos Road
Santa Fe NM
DBA Name: Adelita's Mexican Restaurant

Dear Ms. Kyla Rhodes Stoker,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page K-15 updated May 2001, this property is zoned C2 (General Commercial District).

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

- The C-2 general commercial district includes areas along streets carrying large volumes of traffic where commercial uses are appropriate. Regulations are designed to guide future additions or changes so as to discourage extension of existing and formation of future strip commercial development, to preserve the carrying capacity of the streets and to provide for off-street parking and loading.
- Restaurants are permitted- full service, with incidental alcohol service within a C-2 district.

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, July 30, 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 London Holdings, LLC for a Transfer of Ownership and Location of Dispenser License #0656 from Casanova Bar, Inc., dba Casanova Bar, HSE #90-Hwy 68, Alcalde to London Holdings, LLC, dba Adelitas Mexican Restaurant (Leased), 3136 Cerrillos Road, Santa Fe.

All interested citizens are invited to attend this public hearing.


Yolanda Y. Vigil
City Clerk

Received by The New Mexican on

Date 7/10/14

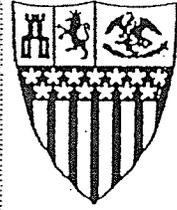
To Be Published On 7/15/14

and 7/22/14

By [Signature]

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.

- Name of owner of business Ruben Ramirez + Maria Chavez
Name of business where proposed license is to be used Acelutus Mexican Restaurant
Business street address 3136 Cerrillos rd
Telephone number 505-474-4697
- Indicate the type of liquor license this request entails.
 issuance of new license (indicate type: _____)
 transfer of location of existing license (indicate type: Licensed Liquor License)
 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 Beer + Wine
 no

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

8:00-10:00

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

~~8:00-10:00~~ 8:00-1:00 am

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 150)

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.

95 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 Adelitas Mexican Restaurant

Year(s) 4 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 Amarjensi Olivas (Ana)

Telephone number 505-577-1797

Date 7/10/2014

(For City Use Only)

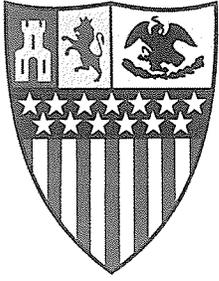
Based upon the information provided above, staff has the following comments:

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 7/17/14



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

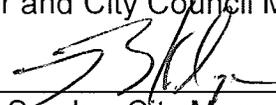
Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

DATE: July 16, 2014 for the City Council Meeting of July 30, 2014

TO: Mayor and City Council Members

VIA: 

Brian Snyder, City Manager
Matthew O'Reilly, Director, Land Use Department *MSO*

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

ITEM AND ISSUE

Litter and noise impact assessment, due to a request from London Holdings, LLC for a Transfer of Ownership and Location of Dispenser License #0656 from Casanova Bar, Inc., dba Casanova Bar, HSE #90-Hwy 68, Alcalde to London Holdings, LLC, dba Adelitas Mexican Restaurant (Leased), 3136 Cerrillos Road, 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

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

May 13, 2014

Kyla Rhodes Stoker
New Mexico Liquor Licenses, LLC
1801 Lomas Blvd NW
Albuquerque, NM 87104

RE: Zoning Verification for:
3136 Cerrillos Road
Santa Fe NM
DBA Name: Adelita's Mexican Restaurant

Dear Ms. Kyla Rhodes Stoker,

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- Restaurants are permitted- full service, with incidental alcohol service within a C-2 district.

CATEGORY Specific Use	RR	R-1 -	R-7 -	R-7 R-9 -1	RC- 5, RC- 8	R- 10 -R- 29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC- 1	SC- 2	SC- 3	MU ***	Use- Specific Regs 14-6.2
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.								S ^{*3}	S ^{*3}		P [*]			P [*]	P [*]			P [*]	P [*]	P [*]	P ^{*2}	
Restaurant - Fast service/take-out, no drive-through/drive-up								S		P ⁴	P	P ⁴		P	P		S	P	P	P	P	
Restaurant - with drive-through/drive-up											P [*]			P [*]	P [*]		S	P [*]	P [*]	P [*]	P ^{*2}	
Medical																						
Apothecary shops or pharmacies										P	P		P	P	P			P	P	P	P ²	
Medical and dental offices or clinics								S	S	P	P	P	P	P	P		P	P	P	P	P ²	
Offices, Business and Professional																						
Business and professional offices excluding medical and dental and financial services								S	S	P	P	P	P	P	P		P	P	P	P	P ²	
Public Accommodation																						
Bed and breakfast houses and inns											P			P	P		P				P	
Conference and extended stay lodging facilities											P			P	P		P					

Italicized words defined in Article 14-12



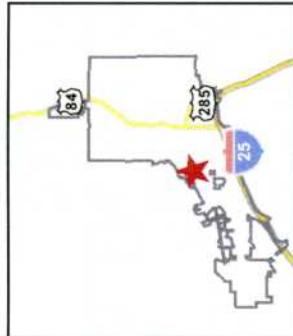
3136 Cerrillos Road



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.



Map center: 1716385, 1900006



Legend

- City Limits
- Full Address Labels
- Parcels
- Airport Clear Zones
- Other Roads and Streets
- 2011 Aerial Photography - 1 foot resolution

Scale: 1:943