

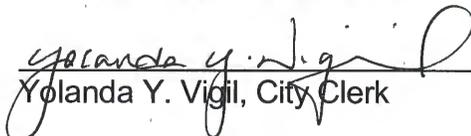


# City of Santa Fe, New Mexico

# memo

DATE: December 3, 2014  
TO: Mayor Gonzales & City Councilors

VIA:   
Brian K. Snyder, City Manager

FROM:   
Yolanda Y. Vigil, City Clerk

## ITEM & ISSUE

Request for a waiver of 300 foot location restriction and if the waiver is granted, consideration of a request for a Restaurant Liquor License (beer and wine with on-premise consumption only).

## BACKGROUND AND SUMMARY

Qiang Tu has requested the following:

- 1) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2, which is within 300 feet of the Santa Fe Christian Fellowship Church, 2860 Cerrillos Road, Suite C-3.
- 2) If the waiver of the 300 foot location restriction is granted, a request from Qiang Tu for a Restaurant Liquor License (beer and wine with on-premise consumption only) to be located at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2.

Attached is a letter of no objection from Pastor Jesse Morales, of the Santa Fe Christian Fellowship Church.

Included in your packet 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 Wok Chinese Cuisine 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 of the waiver of the 300 foot location restriction and if the waiver is granted, consideration of the issuance

of a Restaurant Liquor License (beer & wine with on-premise consumption only) to be located at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2.

Attachments:           Alcohol & Gaming Division Application  
                              Letter/ Santa Fe Christian Fellowship Church  
                              Notice of Public Hearing  
                              Staff Reports  
                              §60-6B-10 NMSA 1978



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • 2550 Cerrillos Road • Santa Fe, New Mexico 87505
P.O. Box 25101 • Santa Fe, New Mexico 87505-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

November 19, 2014

Certified Mail No.: 7009 2250 0000 9386 7945

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

Re: Lic. No. /Appl. No.: Appl. No. 927368
Name of Applicant: Oiang Tu
Doing Business As: Wok Chinese Cuisine
Proposed Location: 2860 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 LICENSE FOR ON PREMISE CONSUMPTION.

- Susana Martinez GOVERNOR
Robert "Mike" Unthank SUPERINTENDENT
James C. McKay CHIEF GENERAL COUNSEL
Mary Kay Root DIRECTOR



- 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,



Brenda Mares  
Hearing Officer  
NM Regulation & Licensing Dept.  
Alcohol & Gaming Division  
Phone: 505-476-4548  
Fax: 505-476-4595  
Email: [brenda.mares2@state.nm.us](mailto:brenda.mares2@state.nm.us)

Enclosures:

1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application, copy of posting certificate, copy of zoning statement



### RESTAURANT LIQUOR LICENSE APPLICATION

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

AGD USE ONLY - APPLICATION # 927368 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) DIANG TU

ADDRESS (including city, state, zip) 2323 CASA RUFINA RD APT 221 SANTA FE NM 87507

TELEPHONE NUMBER OWNER (505) 988-1116 EMAIL

D/B/A name to be used: WOK Chinese Cuisine Phone number for licensed premises: (505) 424 8126

Physical location where license is to be used: 2860 CERILLOS ROAD # A2 SANTA FE NM 87507  
(Include street number / highway number / state road, city and county, state, and zip code)

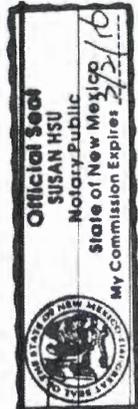
Mailing address: 2860 CERILLOS ROAD # A2 SANTA FE NM 87507

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

I, (print name) DIANG TU, as (title) DWNER 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 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 9/8/14



SUBSCRIBED AND SWORN TO before me this 8th day of September, 2014 by DIANG

Notary Public [Signature] My Commission Expires 03/02/16

Local Governing Body of: \_\_\_\_\_ (City or County). Hearing held on \_\_\_\_\_ 20 \_\_\_\_\_

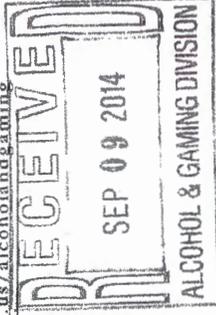
Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

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) GARDENSARTZ SHOPPING CENTER ASSOCIATION

B. Date and term of lease 07-01-14, 5 YRS

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 459 FT Name of church SANTA FE CHRISTIAN FELLOWSHIP Address/location of church 2860 CERRILLOS RD

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

Miles/feet 4752 FT Name of school KEARNY ELEMENTARY Address/location of school 901 AVENIDA DE LAS CAMPANAS

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

Miles 334.224 FT 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.

3. Type of Operation:

\_\_\_\_\_ Restaurant  \_\_\_\_\_ Package Grocery \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (specify) \_\_\_\_\_





**NEW MEXICO DEPARTMENT OF PUBLIC SAFETY  
SPECIAL INVESTIGATIONS DIVISION**

**REQUEST FOR SERVICE**

Complaint: \_\_\_\_\_ Posting: XX Informational Report: \_\_\_\_\_

Date/Time: 9/23/2014 Reported by: Brenda Mares Phone: 505-476-4548

Received by: APPLICATION

Offender/Establishment: WOK CHINESE CUISINE

Address: 2860 CERRILLOS ROAD, SANTA FE, NM 87507

License No. / Appl. No.: APPLICATION NO. 927368

County: SANTA FE

Nature of Information:

POSTING

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SID Agent Assigned: Jeremy Stricklin Date Assigned: 23 Sep 2014

Agent's Findings:

No Findings, Church within 166 ft from premise but license already existed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Agent's Signature: [Signature] Date: 30 Sep 2014

Approved by: [Signature] Date: 10/1/14

Revised 3-2002

**STATE OF NEW MEXICO  
REGULATION AND LICENSING DEPARTMENT  
ALCOHOL AND GAMING DIVISION**

In The Matter of:

Oiang Tu (*"Applicant"*)  
D/B/A Wok Chinese Cuisine  
Application No.: A-927368  
Application for a Restaurant License

**HEARING OFFICER'S RECOMMENDATION**

The Director of the Alcohol and Gaming Division ("Division") has the authority, pursuant to Sections 60-3A-2, 60-3A-7, and Chapter 60, Article 6B NMSA 1978 to grant preliminary approval or disapproval of an application for issuance of or transfer of ownership or location ("Application") of a Liquor License. The Director is required to hold a public hearing within 30 days of receipt of an Application before issuing a license or approving a transfer of ownership or location.

1. The Application was received by the Division on September 9, 2014. The Application was assigned to the Hearing Officer on September 11, 2014. The Application fee of \$200.00 was paid when the Application was submitted. The Application was deemed complete for **Conditional Preliminary Review** on October 20, 2014.
2. The Application is for issuance of a new Restaurant License. The license is to be owned by Oiang Tu ("Applicant"). The license will be located at 2860 Cerrillos Road, #A2, Santa Fe, New Mexico. The d/b/a name for the license will be Wok Chinese Cuisine.
3. In accordance with Section 60-6B-2(K), the Director designated Brenda Mares as Hearing Officer to take evidence at the hearing and the Applicant was notified by mail of the date, time, and place of the hearing.
4. In accordance with Section 60-6B-2(M) NMSA 1978, notice of the Application was posted at the licensed premises for the intended location pursuant to Section 60-6B-2 (M) NMSA 1978, on September 30, 2014 by New Mexico Department of Public Safety Special Agent Jeremy Stricklin. The posting period expired on October 20, 2014.
5. In accordance with Section 60-6B-2(F) NMSA 1978, a Preliminary Hearing was held on September 14, 2014 before the Hearing Officer. The Hearing was conducted in person. Qiang Tu represented the Applicant. The Applicant submitted Proof of Publication of the Preliminary Hearing.

6. The hours and days of operation for the proposed establishment will be Monday through Thursday from 11:00 a.m. until 9:00 p.m., Friday and Saturday from 11:00 a.m. until 9:30 p.m., and Sunday from 12:00 p.m. until 8:00 p.m. (Open 7 days a week)
7. The Applicant was informed at the Preliminary Hearing of the following provisions of the Liquor Control Act regarding Restaurant Liquor Licenses:
  - a) That the Applicant must have a wait staff to serve **both** food and beer and wine to their customers (**no counter service or bars**);
  - b) The compliance of the Alcohol Server Training Program including keeping copies of all Alcohol Server Permits on the premises;
  - c) That the Applicant can only serve beer and wine from 7:00 AM until 11:00 PM or until such time that meal service ceases, **whichever is earlier** as relayed to Applicant at the time of hearing. On Sundays, in those Local Option Districts that have voted to permit Sunday Sales, from 11:00 AM until 11:00 PM or until such time that meal service ceases, **whichever is earlier**;
  - d) That the Applicant must annually, as a condition of renewal of the Restaurant Liquor License, maintain a 60/40 ratio (at least 60% of gross revenues must come from food and no more than 40% from alcohol);
  - e) That the Licensee (after the liquor license is issued) shall **only** purchase their alcoholic beverages from a **New Mexico Wholesaler (no retailers)** and shall keep copies of all invoices on the premises for two years; and
  - f) That the Licensee (after the liquor license is issued) will be given the required posters for display on the liquor-licensed premises; a copy of the approved floor plan; a copy of the Liquor Control Act and Rules & Regulations; a copy of the current monthly calendar for Alcohol Server Training; all of which should be adhered to so that the Licensee will be **entirely responsible** for any citations and/or penalties administered.
8. The Applicant completed and submitted Page 2 of the Application showing:
  - a) That the land and building which is proposed to be the licensed premises will be leased by the applicant;
  - b) That zoning is proper for a business selling alcoholic beverages; and
  - c) That the proposed licensed **premise is within 300 feet of a church or school** and the Agent noted that this is not a finding as a license has already existed at this location; however, the City of Santa Fe indicated that a waiver is still necessary.
9. A description of the proposed licensed premises, including floor plans, was submitted with the Application. The floor plan shows:
  - a) Every level of the licensed premises;
  - b) All areas where alcoholic beverages are sold, served or consumed;
  - c) An exterior footprint of the licensed premises, including dimensions and total square footage; and
  - d) That the proposed licensed premises consist of approximately 2,350 square feet.

10. The following documents were attached:

- a) A copy of the Lease Agreement for the proposed premise between Gardenswartz Shopping Center (Landlord) and Qiang Tu DBA The Wok (Tenant);
- b) A statement from the City of Santa Fe stating the proposed premise is zoned C-2 and a restaurant for beer and wine is allowed for on premise consumption in this district;
- c) A copy of the Tax Registration Certificate in the name of the Applicant.

11. The Applicant is a Sole Proprietor.

12. The Applicant submitted one set of fingerprints with the \$44.00 fee for Qiang Tu. The fingerprints were submitted to the FBI and Department of Public Safety for review. The Division has received the reviews and cleared Mr. Tu's fingerprints on September 4, 2014.

13. The Applicant submitted a sworn affidavit from Qiang Tu stating that he has not been convicted of a felony in any jurisdiction or of two separate misdemeanor or petty misdemeanor violations of the Liquor Control Act in any calendar year.

14. The proposed licensed premise is located in the Local Option District of City of Santa Fe, New Mexico, which has approved by election the sale of alcoholic beverages.

15. The Applicant *has* requested Sunday Sales by the Drink. The Local Option District of City of Santa Fe, New Mexico has approved by election the sale of alcoholic beverages for on-premise consumption on Sunday. The Applicant *has* submitted the fee of \$100.00.

16. The Applicant has not held a liquor license and has no ownership interest required to be disclosed under the Liquor Control Act, prior to this Application.

17. No written protests to the issuance of a new Restaurant License were submitted.

18. No one spoke at the Preliminary Hearing in opposition to the Application.

19. **The following deficiencies are required to complete the Application:**

- The initial license fee.
- A copy of the Food Establishment Permit in name of Applicant.
- Photos of the restaurant to include kitchen.
- Waiver of 300 ft. from City of Santa Fe

**The Hearing Officer CONCLUDES:**

20. The Applicant is not prohibited from receiving or holding a liquor license pursuant to the provisions of Sections 60-6B-1 and 60-6B-1.1 NMSA 1978.

21. The Applicant has submitted all information required under the Liquor Control Act except as noted in Paragraph 20.
22. The Applicant is qualified to hold or receive a liquor license pursuant to the provisions of Section 60-6B-2 NMSA 1978.
23. The Hearing Officer recommends **Conditional Preliminary Review** of the Application.

Brenda Mares  
Brenda Mares, Hearing Officer

10-22-14  
Date

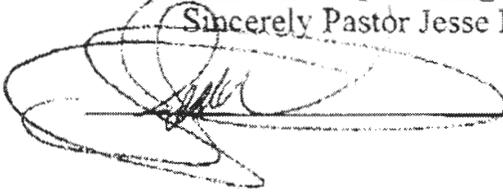
Mary K. Root for  
Mary K. Root, Director

10/22/14  
Date

Santa Fe Christian Fellowship Church  
2860 Cerrillos Rd.  
Santa Fe New Mexico  
87507

Salutations, Santa Fe City Counsel, and to whom it may concern; I Pastor Jesse Morales, on behalf of our congregation would like to grant permission to The Wok Restaurant and the owners to serve alcohol at their restaurant; at Gardenswartz Shopping Center. I have been informed that alcohol will be served at the local business. If you have any questions or concerns please feel free to contact me at 505.470.0234 or at [jessedanielmorales@gmail.com](mailto:jessedanielmorales@gmail.com), or at [sfchristianfellowshipchurch@gmail.com](mailto:sfchristianfellowshipchurch@gmail.com) Thank you.

Sincerely Pastor Jesse Morales



December 1st, 2014

CITY OF SANTA FE

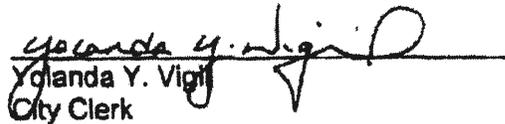
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, December 10, 2014 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this public hearing is to discuss a request from Qiang Tu for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2 which is within 300 feet of the Santa Fe Christian Fellowship Church, 2860 Cerrillos Road, Suite C-3;
- b) If the waiver of the 300 foot restriction is granted, a request from Qiang Tu for a Restaurant Liquor License (Beer and Wine with On Premise Consumption Only) to be located at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2, Santa Fe.

All interested citizens are invited to attend this public hearing.

  
 Yolanda Y. Vigil  
 City Clerk

Received by The New Mexican

Date 11/20/14

To Be Published 11/25/14 and

12/2/14

By Wayne B. ... MGR  
 The New Mexican (Signature) *classified*

City of Santa Fe



PUBLIC WORKS DEPARTMENT  
TRADING DIVISION  
P.O. BOX 1000  
SANTA FE, NM 87504  
(505) 427-1100

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 DIANG TU  
Name of business where proposed license is to be used WOK CUISINE  
Business street address 2860 CERRILLOS RD STE A2 SANTA FE NM 87507  
Telephone number (505) 424-8126
- Indicate the type of liquor license this request entails.  
 issuance of new license (indicate type: 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.

\_\_\_\_\_

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 5)

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.

50 number of customers who drive

2 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 WOK CUISINE

Year(s) 2010 - 2014

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 SUSAN HSY

Telephone number (505) 228-6202

Date 11/20/14

(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 \_\_\_\_\_

Title TRAFFIC ENGINEER

Date 11/21/15



# 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:** November 21, 2014 for the City Council Meeting of December 10, 2014

**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 Qiang Tu for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the sale of alcoholic beverages at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2 which is within 300 feet of the Santa Fe Christian Fellowship Church, 2860 Cerrillos Road, Suite C-3;
- b) If the waiver of the 300 foot restriction is granted, a request from Qiang Tu for a Restaurant Liquor License (Beer and Wine with On Premise Consumption Only) to be located at the Wok Chinese Cuisine, 2860 Cerrillos Road #A2, Santa Fe, New Mexico.

**BACKGROUND AND SUMMARY**

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



# 2860 Cerrillos Road, #A2



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.

## 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, (I), (PUD), R8 Single - Family 7-8du/ac
  - RCS, RCSAC Compound 5du/ac
  - RC8, RC8AC Compound 8du/ac
  - R10, (PUD) Multiple - Family 10du/ac
  - R12, (PUD) Multiple - Family 12du/ac
  - R21, (PUD) Multiple - Family 21du/ac
  - R29, (PUD),(AC) Multiple - Family 29du/ac
  - RAC Residential Arts & Crafts



Scale: 1:1,847





**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.