

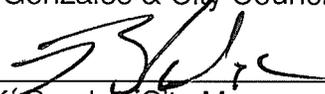
City of Santa Fe, New Mexico

memo

DATE: June 3, 2014

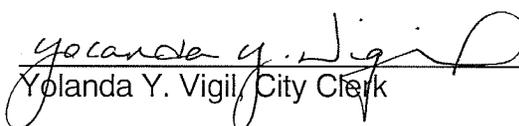
TO: Mayor Gonzales & City Councilors

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

Loyal Hound, LLC has requested the issuance of a Restaurant Liquor License (beer and wine on-premise consumption only) to be located at Loyal Hound, 730 St. Michaels Drive, #3-RW.

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 Loyal Hound 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 Loyal Hound, 730 St. Michaels Drive, #3-RW.

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

May 14, 2014

Certified Mail No.: 7009 2250 0000 9386 8065

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. 909354
Applicant Name: Loyal Hound LLC
Doing Business As: Loyal Hound
Proposed Location: 730 St. Michael's Drive, #3-RW
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 CONSUMPTION ONLY.

- 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,



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
Posting Certificate

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Page 2 of 2



PAID
R#1584502
\$200.00 OK# 9005

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/alcoholandgaming

RESTAURANT LIQUOR LICENSE APPLICATION

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

AGD USE ONLY - APPLICATION # 201354 LOD Santa Fe City

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) Loyal Hound, LLC. (Dont Ready hough & Renee Fox)

ADDRESS (including city, state, zip) 2907 Camino Esquinas, Santa Fe NM 87507

TELEPHONE NUMBER OWNER 505-690-3516 EMAIL Superdave ready 2 @ MSN, com

D/B/A name to be used: Loyal Hound LLC. Phone number for licensed premises: 505-690-3516

Physical location where license is to be used: 730 St. Michaels Dr. # 3-RW Santa Fe, NM 87505

Mailing address: 2907 Camino Esquinas, SE NM 87507 (Include street number / highway number / state road, city and county, state, and zip code)

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

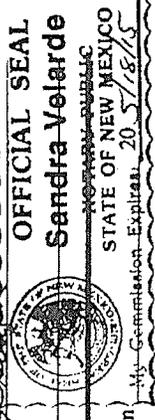
I, (print name) DAVID READY HOUGH AS (title) OWNER being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any 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 David Ready Hough Date 4/2/14

SUBSCRIBED AND SWORN TO before me this 2 day of April, 2014 by David Ready Hough Notary Public Use Only

Notary Public Sandra Velarde My Commission Expires May 14 2015



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) Del Sol Shoppings Center Associates, LLC

B. Date and term of lease 5 year lease. Commencing 3/1/14 ending 2/28/2019

3. Premises location is zoned (example C-1) SC-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 1000 Feet Name of church New Life Family Fellowship Address/location of church 1612 Pecheco St. Santa Fe

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

Miles/feet 1.5 miles Name of school Santa Fe High School Address/location of school 2100 Yucca St, Santa Fe 87505

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

Miles 6.6 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) _____

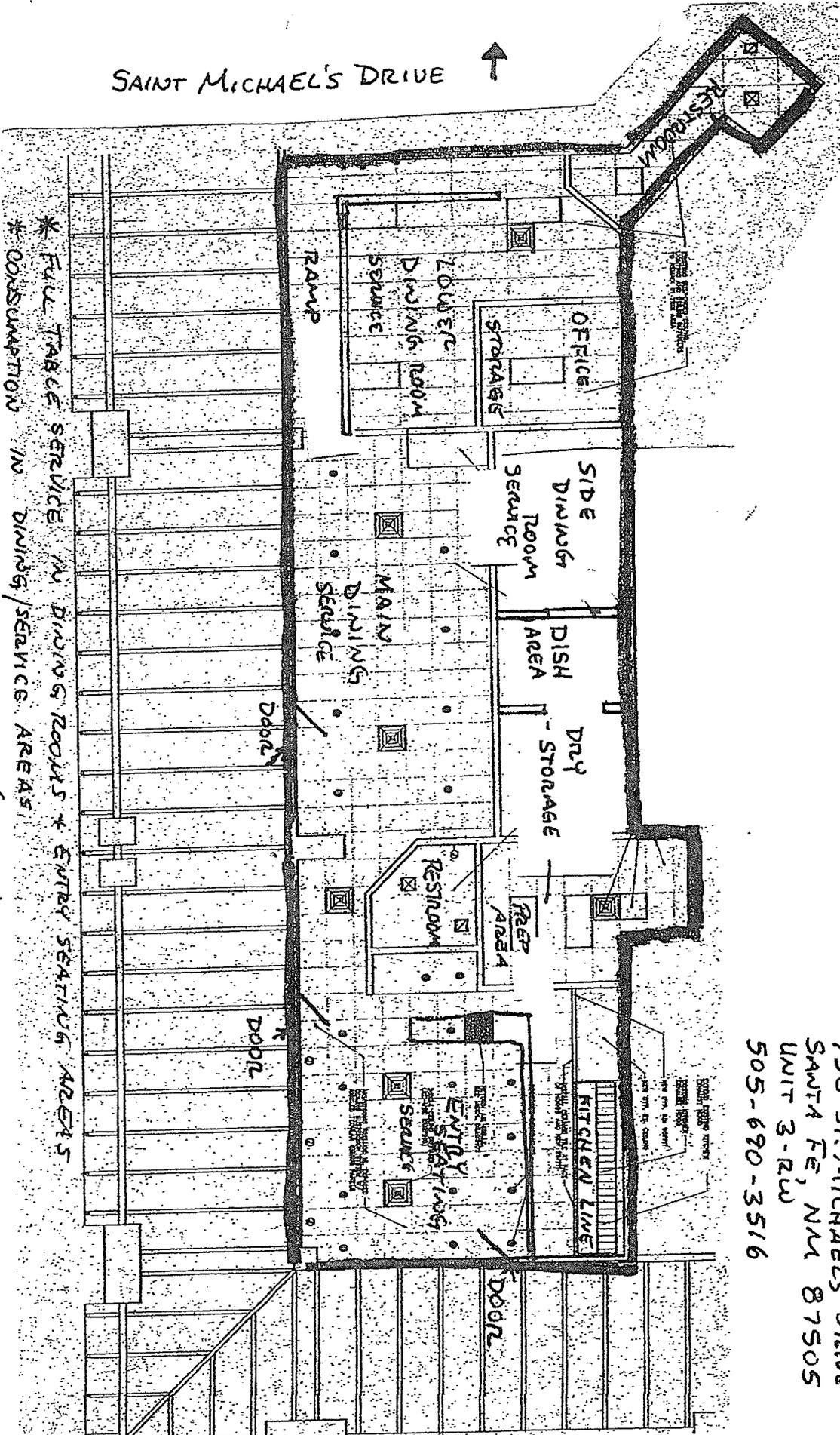
SAINT MICHAEL'S DRIVE



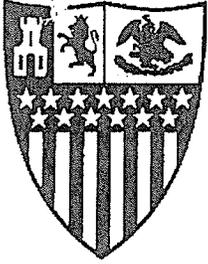
North ↑

PERIMETER / SERVICE SPACE

- * FULL TABLE SERVICE IN DINING ROOMS + ENTRY SEATING AREAS
- * CONSUMPTION IN DINING / SERVICE AREAS
- * TOTAL SQUARE FOOTAGE 2,403 (NO PATIO)



LOYAL HOUND LLC
 730 St MICHAELS DRIVE
 SANTA FE, NM 87505
 UNIT 3-RW
 505-690-3516



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

March 25, 2014

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

RE: Zoning Verification for 730 St. Michaels Drive. Unit 3 RW, Santa Fe NM

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, this property is zoned SC-2 (Planned Shopping Center District.)

The Purpose and Intent of the SC Shopping Center Districts is stated below. Paragraph (K)(1)(c) (ii) more particularly states the intent of the **SC-2 Planned Shopping Center District**:

§14-4.3 (K) SC Planned Shopping Center Districts:

(1) Purpose

- (a) The purpose of the SC districts is to provide new neighborhood, community and regional shopping centers. The SC-1, SC-2 and SC-3 districts are intended for a unified grouping, in one or more buildings, of retail establishments, stores and services that provide for the regular needs and convenience of families residing in the adjacent residential neighborhoods or in the larger community.
- (b) The purpose of the SC districts also is to allow uses and structures customarily accessory and clearly incidental and subordinate to the permitted principal uses and structures as stated and restricted in Subsection 14-4.3(K)(1)(a); provided that the accessory uses and structures are in keeping with the character of the district.
- (c) The further purpose of the SC districts is that the three types of SC districts are defined and distinguished by scale of development, using trade area, market and number and variety of retail establishments to determine whether the district should be zoned SC-1, SC-2 or SC-3 as follows:
 - (i) SC-1 neighborhood shopping center district: 1) radius of trade area is approximately one to one and one-half miles; 2) minimum market is

approximately one thousand families; and 3) composition of center is five to ten retail establishments, the major store is usually a supermarket or pharmacy; other retail establishments include those offering convenience goods and personal services, not including auto repair, filling stations or residential uses;

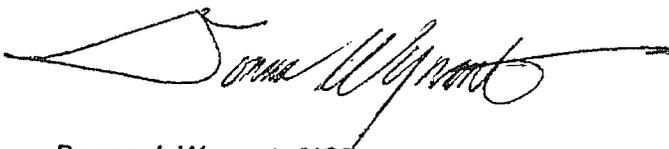
- (ii) **SC-2 community shopping center district:** 1) radius of trade area is approximately four miles or more; 2) minimum market is approximately five thousand families; and 3) composition of center is ten or more retail establishments; the major retail establishment is usually a variety or department store, in addition to convenience goods and personal services as in SC-1. Other retail establishments may include filling stations, department stores, discount stores, furniture stores and other stores and services that provide for the regular needs of families residing in the adjacent residential neighborhoods or in the larger community; and
- (iii) SC-3 regional shopping center district: 1) radius of trade area is approximately one hour drive by automobile; 2) minimum market is approximately one hundred fifty thousand people; and 3) composition of center is one or more full-time department stores with eighty thousand to one hundred thousand square feet of gross leasable area each and retail establishments providing convenience goods and personal services.

Eating and drinking establishments are permitted uses within a SC-2 district.

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.

For additional information, please reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 Zoning Districts and 14-6 Permitted Uses).

If you have any questions, please call me at 505-955-6325.



Donna J. Wynant, AICP
Land Use Senior Planner
City of Santa Fe Land Use Department
200 Lincoln Ave., Box 909
Santa Fe, NM 87504-0909
(505) 955-6325
(505) 955-6829 (fax)
djwynant@santafenm.gov

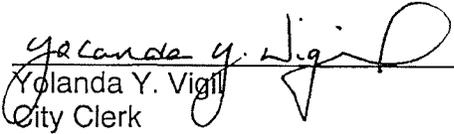
CITY OF SANTA FE

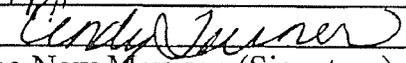
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, June 11, 2014 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

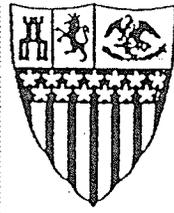
The purpose of this hearing is to discuss a request from Loyal Hound, LLC for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be located at Loyal Hound, 730 St. Michaels Drive, #3-RW, Santa Fe.

All interested citizens are invited to attend this public hearing.


Yolanda Y. Vigil
City Clerk

Received by The New Mexican
Date 5/23/14
To Be Published 5/28/14
6/4/14
By 
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 ~~LOYAL HOUND~~ DAVID READYHOUGH LOYAL HOUND LLC
Name of business where proposed license is to be used LOYAL HOUND
Business street address 730 ST. MICHAELS DR. SANTA FE NM 87505
Telephone number 505-690-3516
- Indicate the type of liquor license this request entails.
 issuance of new license (indicate type: RESTAURANT)
 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.
11:30 AM. 10:00 PM
 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.
40 number of customers who drive
20 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 _____
 Year(s) _____
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 DAVID READYHOUGH
 Telephone number 505-690-3516
 Date 5/23/14

(For City Use Only)

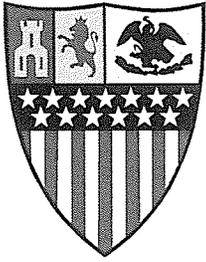
Based upon the information provided above, staff has the following comments:

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 CRAVIC EVALUATOR
 Date 5/28/14



City of Santa Fe, New Mexico

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

Javier M. Gonzales, Mayor

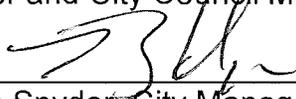
Councilors:

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

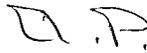
DATE: May 29, 2014 for the City Council Meeting of June 11, 2014

TO: Mayor and City Council Members

VIA:



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

FROM: Antoinette Padilla, Code Enforcement Specialist 

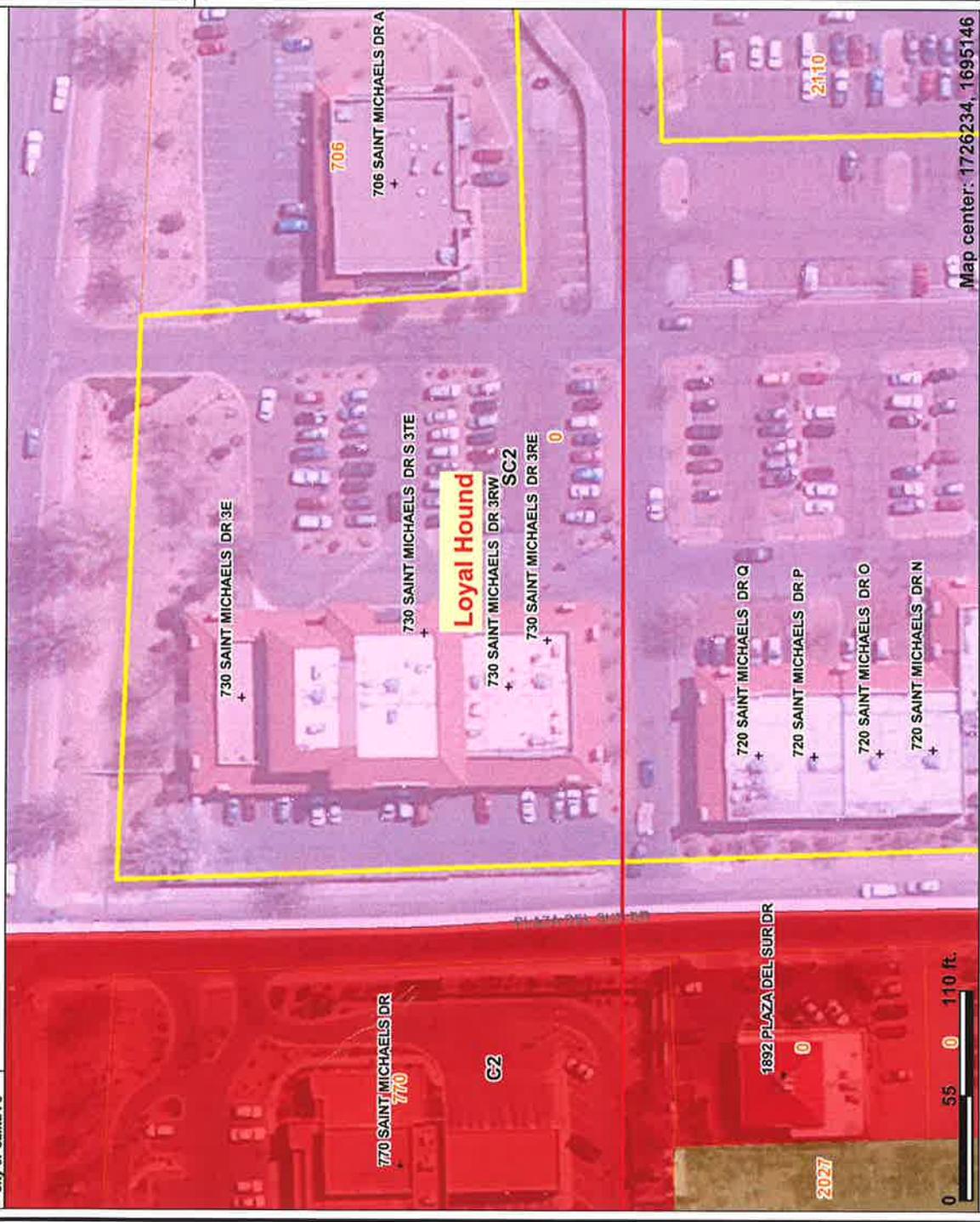
ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Loyal Hound, LLC for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be located at Loyal Hound, 730 St. Michael's Drive, #3-RW, Santa Fe, New Mexico.

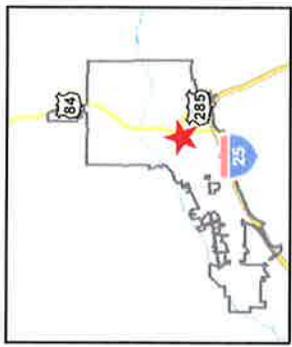
BACKGROUND AND SUMMARY

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

730 St. Michael's Drive, #3-RW



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
- Full Address Labels
- 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
- RC5, RCSAC Compound 5du/ac
- RC6, RCSAC 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: 1:961

CATEGORY	RR	R-1 -	R-7 -	R-7 R-9	R-7 -J	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
Arts and crafts schools									P	P	P	P	P		P	P		P	P	P	P	P ²	
Dance studios									P	P	P	P			P	P		P	P	P	P	P ²	
Photographers' studios									P	P	P	P			P	P		P	P	P	P	P ²	
Assembly																							
Private clubs and lodges	S	S	S	S		S	S		S	S	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P* ²	
Financial Services																							
Banks, credit unions (without drive-through)											P	P			P	P		P	P	P	P	P ²	
Banks, credit unions (with drive-through)											P*	P*			P	P*		P*	P*	P*	P*	P ²	
Food and Beverages																							
Bar, cocktail lounge, nightclub, no outdoor entertainment									S ³	S ³		P			P	P		P	P	P	P	P ²	
Bar, cocktail lounge, nightclub, with outdoor entertainment									S* ³	S ³		P*			P*	P*		P*	P*	P*	P*	P* ²	
Restaurant - full service, with or without incidental alcohol service									S ³	S ³		P			P	P		S	P	P	P	P	

CATEGORY Specific Use	RR	R-1 -	R-7 -	R-7 R-9 -I	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** ²	
Restaurant - Fast service/take-out, no drive-through/drive-up								S	P ⁴	P ⁴	P	P ⁴			P	S		P	P	P	P	
Restaurant - with drive-through/drive-up											P*				P*			S	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 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 ²	
Public Accommodation																						
Bed and breakfast houses and inns											P				P						P	
Conference and extended stay lodging facilities											P				P							