



# City of Santa Fe, New Mexico

# memo

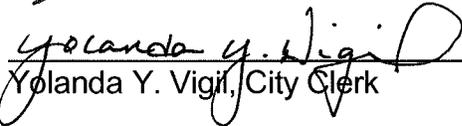
DATE: December 4, 2015

TO: Mayor Gonzales & City Councilors

VIA:

  
\_\_\_\_\_  
Brian K. Snyder, City Manager

FROM:

  
\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

## **ITEM & ISSUE**

Request for a transfer of ownership of Dispenser License #2602 with on premise consumption only.

## **BACKGROUND AND SUMMARY**

Santa Fe Two Hospitality, LLC has requested the transfer of ownership of Dispenser License #2602, with on premise consumption only, from CONM Associates, LLC, to Santa Fe Two Hospitality, LLC. This license will remain at Courtyard Santa Fe, 3347 Cerrillos Road.

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 Courtyard Santa Fe 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 of Dispenser License #2602, with on premise consumption only, from CONM Associates, LLC, to Santa Fe Two Hospitality, LLC. This license will remain at Courtyard Santa Fe, 3347 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 • 2550 Cerrillos Road • Santa Fe, New Mexico 87505  
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

October 22, 2015

Certified Mail No.: 9171 9690 0935 0078 6752 13

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

Tania Maestas, Esq.  
ACTING CHIEF GENERAL  
COUNSEL

Mary Kay Root  
DIRECTOR

**Re: Lic. No. /Appl. No.:** License No. 2602 / Appl. No. 973842  
**Applicant Name:** Santa Fe Two Hospitality, LLC  
**Doing Business As:** Courtyard Santa Fe  
**Proposed Location:** 3347 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.

While the law states that "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", we recognize the inherent conflict between the new 30 day notice and the existing 45 day hearing requirement. Extensions to the 45-day hearing requirement will be granted when necessary to allow for compliance with the 30 day notice. 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 twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body. The first notice must be published at least thirty (30) days before the hearing. Both publications must occur 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 TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 2602 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

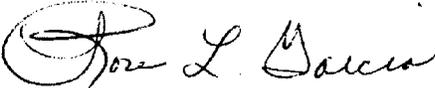
The governing body may disapprove the issuance or transfer of the license if:

- 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 of transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director 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,



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](mailto:rosel.garcia@state.nm.us)

Enclosures: Original Page 1 of Application  
Copy of Page 2 of Application  
Copy of Floor Plan

Liquor License Application

Non Refundable Application Fee- \$200.00

9/16/15 RECEIVED

250  
1-50615 SEP 16 2015

ALCOHOL & GAMING DIVISION

State Liquor License # 2602

Record Owner of License CONM Associates LLC

Application Number 973842

Current D/B/A Name Courtyard Santa Fe

Local Option (AGD use) \_\_\_\_\_

Current Premise Address 3347 Cerrillos Road, Santa Fe, NM 87507

Application is for: (check one) Change of Stock \_\_\_\_\_  
Transfer of Ownership and Location \_\_\_\_\_

Change of Officers/Directors \_\_\_\_\_  
Transfer of Ownership of Existing License \_\_\_\_\_ X  
Other \_\_\_\_\_  
Issue New License \_\_\_\_\_

Applicant is: Individual \_\_\_\_\_

Corporation \_\_\_\_\_

Partnership (General or Limited) \_\_\_\_\_

Limited Liability Company \_\_\_\_\_ X

Name of APPLICANT (company or individual):

ADDRESS (INCLUDING CITY, STATE, ZIP)

TELEPHONE NUMBER

Santa Fe Two Hospitality, LLC

3347 Cerrillos Road, Santa Fe, New Mexico 87507

678-207-8811

Notice also to: Linda L. Aikin, Esq., 530B Harkle Road, Santa Fe, NM 87505 PH: 505-982-6224 FAX: 505-992-8378

DBA Name to be used: Courtyard Santa Fe

Phone Number for licensed premises 505-473-2800

Physical Address Where License is to be used: 3347 Cerrillos Road, Santa Fe, New Mexico 87507

(Street No./Highway No./State Road/City/County)

Mailing Address: 3347 Cerrillos Road, Santa Fe, New Mexico 87507

(Street No./P.O. Box/City/State/Zip)

Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ If yes, give license number 2602

I, Pinal Patel, as (title) \_\_\_\_\_ 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 thereof and that all statements 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 said license or may cause such license to be revoked at any time.

X Signature of Applicant(s) Pinal Patel Date 9-8-15

Notary Public Use Only

SUBSCRIBED AND SWORN to before me this 8<sup>th</sup> day of September, 2015 by Pinal Patel (Name of Person(s) Signing Above)  
NOTARY PUBLIC: [Signature] My Commission Expires: 11-29-15

Local Governing Body of: \_\_\_\_\_ (CITY OR COUNTY) Hearing Held on: \_\_\_\_\_

PLEASE CHECK ONE:  APPROVED  DISAPPROVED/CITY/COUNTY OFFICIAL (Signature and Title): \_\_\_\_\_

AGD Use Only

APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_

DIRECTOR \_\_\_\_\_

APPROVAL \_\_\_\_\_

DATE \_\_\_\_\_

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SEP 16 2015

ALCOHOL & GAMING DIVISION

PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES

1. The land and building which is proposed to be the licensed premise is (check one):

Owned by Applicant \_\_\_\_\_ Leased by Applicant (attach copy of deed or lease)  Other (please provide details) \_\_\_\_\_

2. If the land and building are not owned by Applicant, please indicate the following:

A. Owner(s) Santa Fe One Hospitality, LLC

B. Date and Term of Lease September 10, 2015 25 years

Attach a hand drawn map, zoning map, or other map, showing the location of the proposed premises, and the main adjacent streets, roads or highways, in relation to the closest church and school properties. This map should be drawn on a sheet of paper no larger than 8 1/2 x 11 inches.

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

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and 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).

2,000 feet Name of Church Sunlit Hills Christian Fellowship Address-Location of Church 2235 Henry Lynch Rd., Santa Fe, New Mexico

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

2,500 feet Name of School Agua Fria Elementary School Address-Location of School 3160 Agua Fria St., Santa Fe, New Mexico

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

Miles 60 Name of Military Installation Kirtland Air Force Base

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 premise. 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 \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel  Other (Please specify) \_\_\_\_\_



3347 Cerrillos Rd. Santa Fe, New Mexico 87507  
 (505) 473-2800 **Totally Unrestricted**

**C**

350	349	348	347	346	345	344	343	342	341	340
250	249	248	247	246	245	244	243	242	241	240
150	149	148	147	146	145	144	143	142	141	140

**D**

163	162	161	160	159	158	157	156	155	154	153	152	151
263	262	261	260	259	258	257	256	255	254	253	252	251
363	362	361	360	359	358	357	356	355	354	353	352	351

384	383	382	381	380
284	283	282	281	280
184	183	182	181	180

376	375	374	373	372	371	370	369	368	367	366	365	364	363	362	361	360	359	358	357	356	355	354	353	352	351
276	275	274	273	272	271	270	269	268	267	266	265	264	263	262	261	260	259	258	257	256	255	254	253	252	251
176	175	174	173	172	171	170	169	168	167	166	165	164	163	162	161	160	159	158	157	156	155	154	153	152	151

385 | 386 | Ice/Vending

**Fitness Center**  
 Brand New Equipment!  
 Open 24/7!

Renovated Heated Saline Pool!  
 Two Whirlpools!  
 Pool toys for the family!  
 Open from 6am to 11pm

Patio

**B**

318	317	316	315	314	313	312	311	310
218	217	216	215	214	213	212	211	210
Elevator	117	116	115	114	113	112	111	110

323	322	321	320	319
223	222	221	220	219
123	122	121	120	119

Laundry  
 Ice/Vending

Courtyard

106	107	108	109
206	207	208	209
306	307	308	309

Front Desk  
 24/7 Market

LOBBY

**A**

326	325	324
226	225	224
126	125	124

**G**

323	322	321	320	319
223	222	221	220	219
123	122	121	120	119

**F**

164	165	166	167	168	169	170	171	172	Service Elevator
264	265	266	267	268	269	270	271	272	273
364	365	366	367	368	369	370	371	372	373

We now have HD Channels and Movies!  
 Turn to Channel 81  
 for more information and Channel listing!

Breakfast: 6:30am-10:00am M-F until 11:00am Weekends  
 Dinner: 4:00pm-10:00pm

Now Proudly Serving Starbucks Coffee  
 All Day from 6:30am- 10:00pm!

**RECEIVED**

SEP 16 2015

ALCOHOL & GAMING DIVISION

112,180 59.41





# 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

September 08, 2015

Alcohol & Gaming Division  
Attn: Debora Lopez, Department Director  
2550 Cerrillos Rd.  
Santa Fe, NM 87505

RE: Zoning Verification 3347 Cerrillos Rd.

Dear Ms. Lopez,

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page L-15 updated October 4 2009; this property zoned C-2 (General Commercial).

**"14-4.3(G) 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."*

For full listing of uses allowed in a C-2 District, reference Chapter 14 "Land Development", Article 14-6 "Permitted Uses and Use Regulations", Table 14-6-1-1 "Table of permitted Uses" (<http://clerkshq.com/default.ashx?clientsite=Santafe-nm>).

The sale of alcohol in conjunction with an "Inter local Dispenser" license is permitted within the C-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.

If you have any questions, please call me at 505-955-6587.

Daniel A. Esquibel  
Land Use Planner Senior

ALCOHOL & GAMING D  
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SEP 16 2015

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 9, 2015 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from Santa Fe Two Hospitality, LLC for a transfer of Ownership of Dispenser License #2602 from CONM Associates, LLC to Santa Fe Two Hospitality, LLC. This license will remain at Courtyard Santa Fe, 3347 Cerrillos Road, Santa Fe.

All interested citizens are invited to attend this public hearing.

  
Yolanda Y. Vigil  
City Clerk

Received by The New Mexican

Date 11-12-15

To Be Published \_\_\_\_\_

11-16-15 and 11-23-15

By V. Villal

The New Mexican (Signature)

# City of Santa Fe



PUBLIC WORKS DEPARTMENT  
TRAFFIC DIVISION  
Post Office Box 909  
Santa Fe, NM 87504-0009  
Phone: 505-451-1100 (TDD)  
505-451-7142

## Liquor License Request Supplemental Information

### Instructions:

The following information is needed regarding this request. Please type or print clearly.  
Complete this form and leave with the City Clerk while picking up the newspaper publication notice.

Thank you.

1. Name of owner of business Santa Fe Two Hospitality, LLC  
Name of business where proposed license is to be used Courtyard Santa Fe  
Business street address 3347 Cerrillos Road, Santa Fe, NM 87507  
Telephone number 505-473-2800
2. Indicate the type of liquor license this request entails.  
 issuance of new license (indicate type: \_\_\_\_\_)  
 transfer of location of existing license (indicate type: \_\_\_\_\_)  
 transfer of ownership of existing license (location to remain the same)
3. Is this an existing business?  
 yes  
 no
4. Does the location where this license will be used currently sell liquor?  
 yes  
 no

(cont.)

1 of 2

5. If the answer to question #3 is yes, indicate the current hours of operation of the business.  
7 a.m. - 2 a.m. of following day Mon - Sat.; Sun. 11 a.m. - Midnight  
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.

124 guests at hotel per day. 10-12 in restaurant/bar area.

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.

92% 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 Courtyard Marriott, High Mesa Inn, Cafe Santa Fe, Salsa's, Alfredo's  
Year(s) at least 24 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

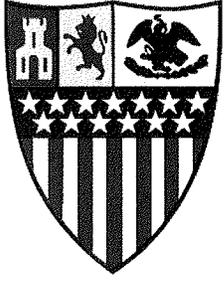
Name of person completing this form: Linda L. Aikin  
Telephone number 505-982-6224  
Date 11-16-15

(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 11/24/15



# 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

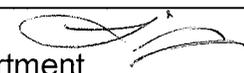
Bill Dimas, Dist. 4

**DATE:** November 30, 2015 for the City Council Meeting of December 9, 2015

**TO:** Mayor and City Council Members

**VIA:**

  
\_\_\_\_\_  
Brian Snyder, City Manager

Lisa Martinez, Director, Land Use Department 

**FROM:** Antoinette Padilla, Code Enforcement Specialist 

## ITEM AND ISSUE

Litter and noise impact assessment, due to a request from Santa Fe Two Hospitality, LLC for a transfer of Ownership of Dispenser License #2602 from CONM Associates, LLC to Santa Fe Two Hospitality, LLC. This license will remain at Courtyard Santa Fe, 3347 Cerrillos Road, Santa Fe, New Mexico.

## BACKGROUND AND SUMMARY

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

CATEGORY Specific Use	RR	R-1 -	R-6 R-9	R-7 -	R-7 -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
Hotels, motels, residential suite hotels											P				P	P					P		
Vacation time share projects											P				P	P							(C)(8)
<b>Public Transportation</b>																							
Transit transfer facilities											S			S	P	P		S	S	P	P	S	
<b>Recreation and Entertainment</b>																							
Commercial recreational uses and structures; theaters, bowling alleys, pool-rooms, driving ranges, etc.											P				P	P			P	P	P	S <sup>2</sup>	
Exercise, spas or gym facilities											P				P	P			P	P	P	P <sup>2</sup>	
Nonprofit theaters for production of live shows									P*	S					P	P		P	P	P	P	P <sup>2</sup>	
<b>Retail Sales and Services</b>																							
Antique stores									P	P	P				P	P			P	P	P	P <sup>2</sup>	
Art supply stores									P	P	P				P	P			P	P	P	P <sup>2</sup>	
Bookshops									P	P	P				P	P			P	P	P	P <sup>2</sup>	
Cabinet shops, custom									P	P	P		P		P	P							
Department and discount stores											P				P	P				P	P	P <sup>2</sup>	
Flea markets											P				P	P							(C)(4)

*Italicized words defined in Article 14-12*

