


City of Santa Fe, New Mexico

memo

DATE: March 20, 2014

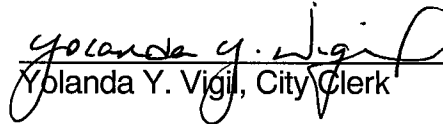
TO: Mayor Gonzales & City Councilors

VIA:



Brian K. Snyder, City Manager

FROM:



Yolanda Y. Vigil, City Clerk

ITEM & ISSUE

Request from Catenary Art Gallery for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of wine at Catenary Art Gallery, 616½ Canyon Road, which is within 300 feet of Acequia Madre Elementary School, 700 Acequia Madre Street.

BACKGROUND AND SUMMARY

Pursuant to §60-6B-10 NMSA 1978, a request from Catenary Art Gallery for a waiver of the 300 foot location restriction has been submitted to allow the dispensing/consumption of wine at their Grand Opening Celebration. This event will be held on Friday, March 28, 2014 from 5:00 p.m. to 7:00 p.m.

Attached is a letter from Carl Gruenler, Santa Fe Public Schools stating that they will refrain from issuing a decision regarding opposition or non-opposition to this request.

ACTION REQUESTED

I hereby request that the City Council indicate its decision on the request for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of wine at Catenary Art Gallery, 616½ Canyon Road for their Grand Opening Celebration to be held on March 28, 2014 from 5:00 p.m. to 7:00 p.m.

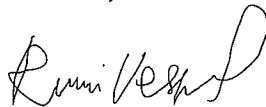
Attachments: Letter/Applicant Letter
Letter/Santa Fe Public Schools
Special Dispenser Permit Application
§60-6B-10 NMSA 1978

To the Mayor and Governing Body of City of Santa Fe

March 20, 2014

We would like to request a waiver for event alcohol serving at a location within 300 feet of a school. Catenary Art Gallery will be holding a grand opening celebration with wine serving. The gallery is located at 616 ½ Canyon Rd, Santa Fe, NM 87501, and is within 300 feet of Acequia Madre Elementary school. The event is planned for Fri, March 28, 5-7 pm. We hope that the Gallery will be given the Special Dispenser Permit required for the event to take place.

Thank you for your consideration,



Rumi Vesselinova

Artistic Director,

Catenary Art Gallery

rumi@catenaryartgallery.com

505 473 4150



March 20, 2014

Catenary Art Gallery
Rumi Vesselinova
616 ½ Canyon Road
Santa Fe, New Mexico 87501

RE: Catenary Art Gallery Grand Opening

To Whom It May Concern:

Thank you for your request of March 20, 2014 concerning the Catenary Art Gallery Grand Opening, 616 ½ Canyon Road, Santa Fe, New Mexico on March 28, 2014 from 5:00 pm – 7:00 pm. Below are excerpts from the Santa Fe Public School District Board of Education Policy 623 “Certain Special Events within 300 Feet of District” adopted on December 18, 2012.

In accordance with the School Alcohol-Free Zone Act and NMAC 60-6B-10, the Santa Fe School District promotes and encourages an alcohol-free environment for District students and the District community, on school property, and within 300 feet of District property related to the functions of public schools.

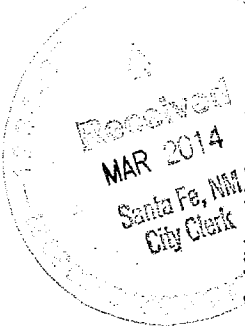
The District will refrain from issuing a decision regarding opposition or non-opposition to the City of Santa Fe regarding special events where liquor will be sold consumed within 300 feet of school district property and instead will refer the City of Santa Fe to this policy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Gruenler', is written over a light blue horizontal line.

Carl Gruenler
Chief Business Officer
Santa Fe Public Schools

cc: Joel Boyd, Superintendent



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

Fee Per day: X \$50.00 Public Celebration

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

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

(BUSINESS)

Business Name (DBA) SF WINE+SPIRITS, INC

Owner Name SF WINE+SPIRITS, INC Local Option District CITY OF SANTA FE

Liquor License # 156

Street Address 1001 ST FRANCES STE 101

Mailing Address SAME

City, State & Zip SANTA FE NM 87505

Telephone # 984-1582

Fax # 216-0662

* EVENT INFORMATION

Description of Event GALLERY OPENING Date(s) of Event 3/28 Begin Time 4:30 End Time 7:30

Physical Address of Event 616 1/2 CANKON RD SANTA FE NM 87501 Number of Persons expected 100

Description of Security LICENSED SERVER

Number of Security personnel to be at this function 1

Security Contact Name VALENTIN JORDANON

Telephone # 982-2700

* SPONSOR INFORMATION

Sponsor of Event CATHERINE ART GALLERY Contact Name VALENTIN JORDANON Telephone # 982-2700

* BUILDING/PROPERTY OWNER APPROVAL

Name (print) VALENTIN T. JORDANON Signature V. Jordanon Telephone # 9859200045 Date 3/5/14

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

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

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

Licensee Name (print) SF WINE+SPIRITS, INC Signature SF WINE+SPIRITS, INC Date 3-8-14

All profits derived from the sale of liquor will go only to the licensee.

Subscribed and Sworn before me this 8 day of 3 NOTARY INFORMATION Notary Public MICHAEL WASHINGTON Date 3-8-14 Exp. 10/5/16

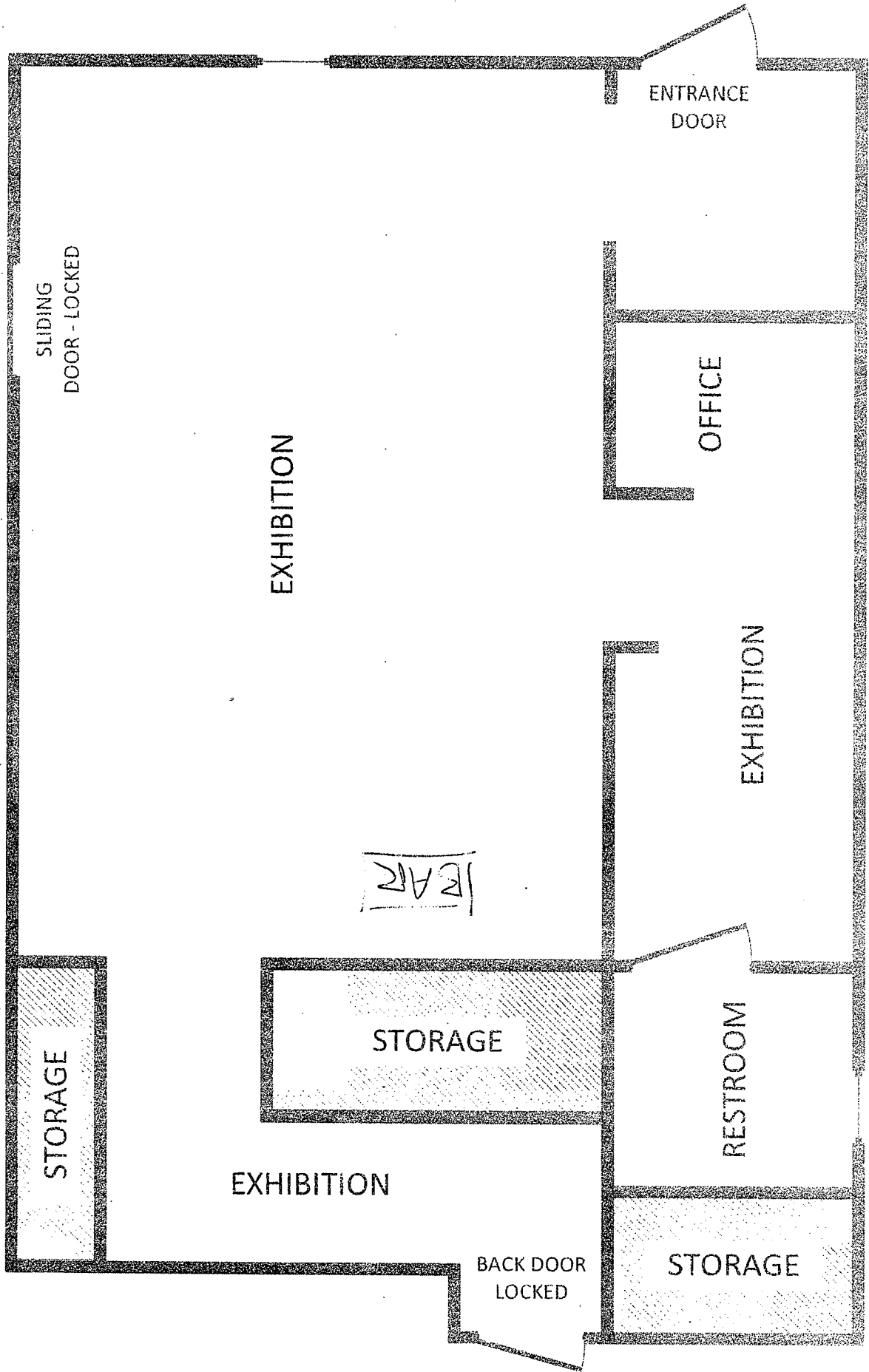
LOCAL GOVERNING BODY APPROVAL

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

ALCOHOL & GAMING DIVISION USE ONLY

Approved by: _____ Date _____ Permit Number _____
Attachments: 1) Floor plan - (Pictures) 2) Fees (listed on top of page) 3) Server information list

CATENARY ART GALLERY



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.