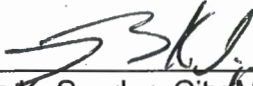



City of Santa Fe, New Mexico

memo

DATE: January 9, 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 #2773 with on premise consumption only.

BACKGROUND AND SUMMARY

Santa Fe Fire Water, LLC has requested the transfer of ownership of Dispenser License #2773, with on premise consumption only, from Abiquiu Saint-Flour to Santa Fe Fire Water, LLC. This license will remain at The Locker Room, 2831 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 The Locker Room 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 #2773, with on premise consumption only, from Abiquiu Saint-Flour to Santa Fe Fire Water, LLC. This license will remain at The Locker Room, 2831 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

December 11, 2014

Certified Mail No.: 7009 2820 0001 0028 5659

City of Santa Fe
Attn: Yolanda Y. Vigil, City Clerk
P.O. Box 909
Santa Fe, NM 87504-0909

Re: Lic. No. /Appl. No.: Lic. No. 2773 /Appl. No. 930703
Applicant Name: Santa Fe Fire Water, LLC
Doing Business As: The Locker Room
Proposed Location: 2831 Cerrillos Road
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 TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 2773 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

New Mexico Regulation and Licensing Department

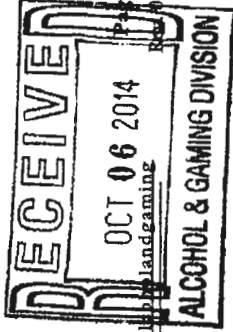
ALCOHOL AND GAMING DIVISION

Page 2 of 2



10/15/14
P.O. Box 25101

New Mexico Regulation and Licensing Department - Alcohol and Gaming Division
P.O. Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming



LIQUOR LICENSE APPLICATION

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

State Liquor License # 2773
Application Number 930703
Local option (AGD use) _____

Record Owner of Existing License Abiquiu Saint-Flour, Inc
Current D/B/A Name THE LOCKER ROOM
Current Premises Address 2831 CERRILLOS RD. SANTA FE NM 87505

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 Dispenser (ILD) Partnership (General or Limited) _____ Limited Liability Company

Applicant is: Individual _____ Corporation _____
NAME OF APPLICANT (company or individual) SANTA FE FIRE WATER LLC ADDRESS (including city, state, zip) P.O. Box 22776
SANTA FE FIRE WATER LLC SANTA FE, N.M. 87502 TELEPHONE NUMBER 505-577-3785

D/B/A name to be used: THE LOCKER ROOM Phone number for licensed premises: _____

Physical location where license is to be used: 2831 CERRILLOS RD SANTA FE NM 87505
(Include street number, highway number / state road, city and county, state, and zip code)
Mailing address P.O. Box 22776 SANTA FE, N.M. 87502

Are alcoholic beverages currently being dispensed at the proposed location? Yes No _____ If yes, give license number and type Dispenser (ILD) # 2773
I, (print name) DEAN ALEXIS, as (title) MANAGING MEMBER 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 Dean Alexis Date 9-30-14

SUBSCRIBED AND SWORN TO before me this 30th day of September, 2014 by Dean Alexis
Notary Public Dean P. Beck My Commission Expires 9/19/2018

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) Leased by The Local Room SF, LLC

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

A. Owner(s) ELMO MONTOYA

B. Date and term of lease JANUARY 1, 2013 TO DECEMBER 31, 2017 (5 YEARS)

3. Premises location is zoned (example C-1) C-2 (General Commercial)
 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 0.2 mi Name of church Santa Fe Christian Fellowship Address/location of church 2860 Cervantes Rd, Santa Fe NM

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

Miles/feet 0.8 mi Name of school NAVA Elementary Address/location of school 2655 Sunco Rd. Santa Fe NM

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

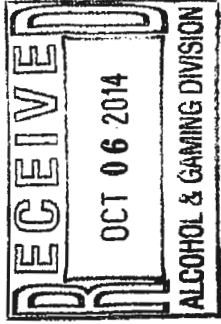
Miles 1.5 Name of Military Installation, circle one Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

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.

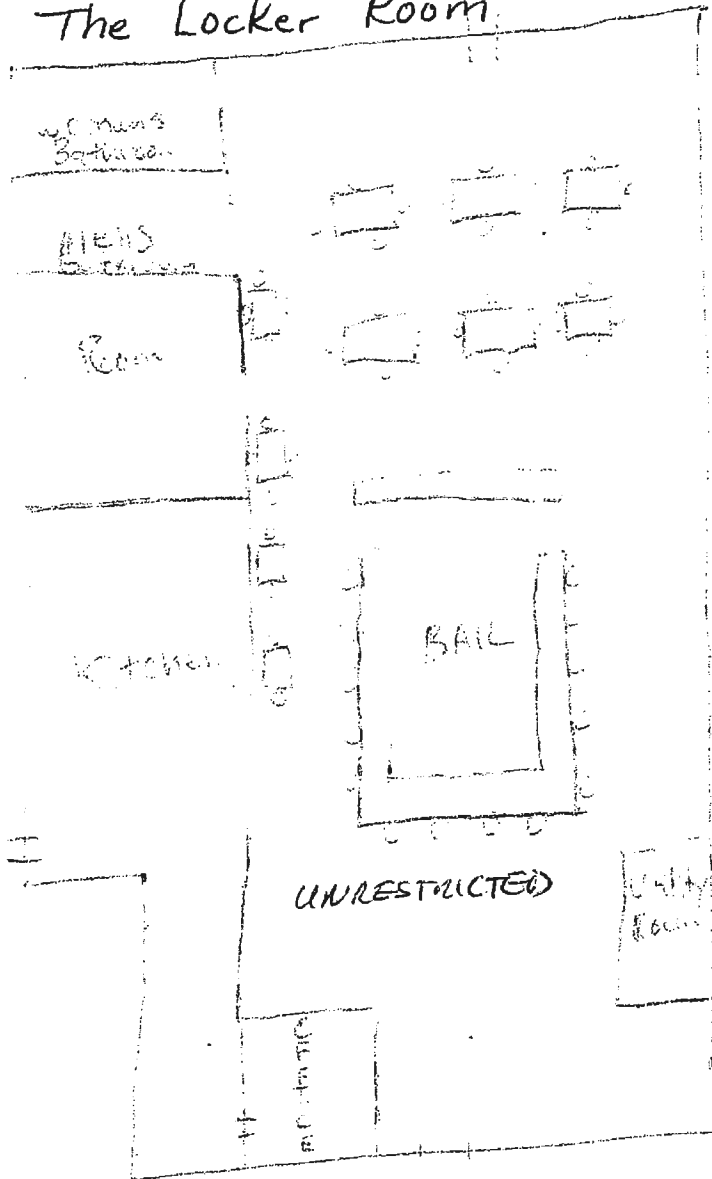
8. Type of Operation:

Lounge Restaurant _____ Package Grocery _____ Racetrack _____ Hotel _____ Other (specify) _____



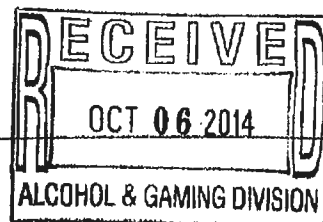
Return this form to the Alcohol and Gaming Division, PO Box 25101, Santa Fe, New Mexico 87505-5101.

The Locker Room LL # 2773



3187 sq ft

2831 Cerrillos Rd.



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.

1. Name of owner of business SANTA FE FIRE WATER, LLC
Name of business where proposed license is to be used currently "LOCKER ROOM"
Business street address _____
Telephone number _____

License
owner

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

5. If the answer to question #3 is yes, indicate the current hours of operation of the business. (DK) DON'T KNOW
If the hours of operation will change due to the sales of liquor, indicate the revised hours. None

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. None
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. NO CHANGE

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.
_____ number of customers who drive
_____ number of customers who walk DON'T KNOW

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 LOCKER ROOM
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: DEAN AUREA
Telephone number (505) 988-2191
Date 12-30-14

(For City Use Only)

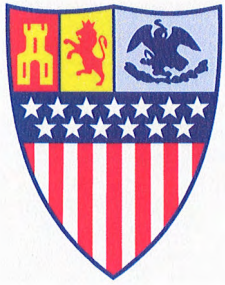
Based upon the information provided above, staff has the following comments:

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 TRAFFIC ENGINEER
Date 1/7/15



City of Santa Fe, New Mexico

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

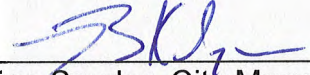
Javier M. Gonzales, Mayor


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: January 9, 2015 for the City Council Meeting of January 14, 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 Fire Water, LLC for a transfer of Ownership of Inter-Local Dispenser License #2773 (with on premise consumption only) from Abiquiu Saint-Flour, Inc. to Santa Fe Fire Water, LLC. This license will remain at The Locker Room, 2831 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

memo

DATE: January 9, 2015

TO: Mayor Javier Gonzales
City Councilors

FROM: Antoinette Padilla, Code Enforcement Specialist 

VIA: Georgia Urioste, Zoning Inspections Supervisor 

RE: Zoning Verification for 2831 Cerrillos Road

This is in response to a request for zoning verification on the above referenced property. According to the Official Zoning Map, Page K-16 updated May 2001, this property is zoned C-2, General Commercial District.

The codes pertaining to the C-2 zone list eating and drinking establishments as permitted uses pursuant to the permitted use table in Section 14-6.1-1 (C), of Chapter 14, 2012 of the Santa Fe City Code (attached). Please understand that other zoning ordinances apply to the occupancy of this building i.e., parking. Compliance with these to be determined upon application of appropriate permits.

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 505-955-6323.

cc: Lisa Martinez, Director, Land Use Department
Michael D. Purdy, Inspections & Enforcement Division Director

CATEGORY	RR	R-1	R-7	R-7	R-7	R-7	R-9	R-9	R-10	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
Specific Use																											
Arts and crafts schools													P ¹⁰	P	P	P	P		P	P		P	P	P	P	P ²	
Dance studios													P ¹⁰	P	P	P			P	P		P	P	P	P	P ²	
Photographers' studios													P ¹⁰	P	P	P			P	P		P	P	P	P	P ²	
Assembly																											
Private clubs and lodges	S	S	S	S	S	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 ^{3,10}	S ³		P*			P	P		P*	P*	P*	P*	P ²	
Bar, cocktail lounge, nightclub, with outdoor entertainment													S ^{3,10}	S ³		P*			P*	P*		P*	P*	P*	P* ²		
Restaurant - full service, with or without incidental alcohol service													S ^{3,10}	S ³	P				P	P		P	S	P	P	P	

Italicized words defined in Article 14-12



2831 Cerrillos Road



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
 R9, R10, R11, R12, R13, R14, R15, R16, R17, R18, R19, R20, R21, R22, R23, R24, R25, R26, R27, R28, R29, R30, R31, R32, R33, R34, R35, R36, R37, R38, R39, R40, R41, R42, R43, R44, R45, R46, R47, R48, R49, R50

Scale: 1:1,555

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