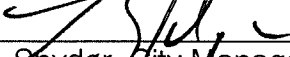


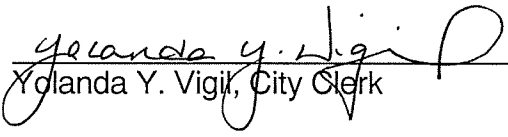
City of Santa Fe, New Mexico

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 from the Elks BPOE Lodge #460 for a waiver of the 300 foot location restriction and approval to allow the dispensing/consumption of beer and wine at the Elks Lodge, 1615 Old Pecos Trail, which is within 300 feet of the Christ Lutheran Church, 1701 Arroyo Chamiso.

BACKGROUND AND SUMMARY

Pursuant to §60-6B-10 NMSA 1978, the Elks BPOE Lodge #460 has requested a waiver of the 300 foot location restriction to allow the dispensing/consumption of beer and wine at the Elks Lodge, 1615 Old Pecos Trail. This request is for a Benefit Car Show to be held on Sunday, June 15, 2014 from 12:00 p.m. to 4:00 p.m.

Attached is a letter of no opposition from Pastor Kate Schlechter of the Christ Lutheran Church.

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 beer and wine at the Elks Lodge, 1615 Old Pecos Trail for a Benefit Car Show to be held on Sunday, June 15, 2014 from 12:00 p.m. to 4:00 p.m.

Attachments: Letter/Applicant
Letter/Elks BPOE Lodge #460
Letter/Christ Lutheran Church
Special Dispenser Permit Application
§60-6B-10 NMSA 1978

Rodeo Plaza Liquors
2801 Rodeo Road
Santa Fe, NM 87505
(505) 473-2867

5-23-2014

The Honorable Javier Gonzales, Mayor
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501

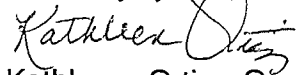
Dear Mayor Gonzales,

On behalf of the Elks Club of Santa Fe, I am submitting a request for approval of Special Dispenser Permits and waiver of the 300 ft. restriction to allow alcohol service on Sunday, June 15 2014. Beer and wine will be served at the event (Benefit Car Show).

Attached are letters from the Elks Club and Christ Lutheran Church.

Rodeo Plaza Liquors respectfully requests City Council approval. Thank you for your favorable consideration.

Sincerely yours,



Kathleen Ortiz, Owner

Rodeo Plaza Liquors

**ELKS BPOE LODGE #460
1615 OLD PECOS TRAIL
SANTA FE, NM 87505**

5/26/14

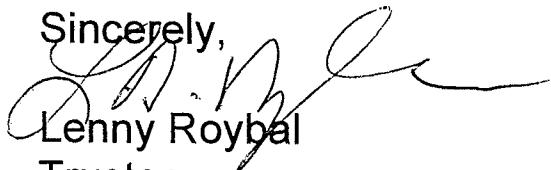
The Honorable Javier Gonzales, Mayor
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501

Dear Mayor Gonzales,

The Santa Fe Elks Lodge #460 respectfully requests the approval of the Special Dispenser Permit and waiver for our Benefit Car Show scheduled for Sunday, June 15, 2014. The show will be held at the lodge, and we would like to be allowed to sell beer and wine at the event.

Rodeo Plaza Liquors, if approved, will serve at the event.
Thank you for your favorable consideration.

Sincerely,



Lenny Roybal
Trustee

Elks Lodge #460

Christ Lutheran Church
1701 Arroyo Chamiso
Santa Fe, New Mexico
87505-4775

May 23, 2014


The Honorable Javier Gonzales, Mayor
Mayor, City of Santa Fe
200 Lincoln Ave
Santa Fe, NM 87504-0909

Dear Mayor Gonzales:

Christ Lutheran Church has been asked by the Elks Club of Santa Fe for permission to approve the issuance of a Special Dispenser's Permit for the service of alcohol (beer and wine). The event will be held on Sunday, June 15th, 2014.

Christ Lutheran Church gives its approval for this event and the Elk's request for waiver of the 300 ft. restriction which will be present to you and the Santa Fe City Council.

Sincerely,


Kate Schlechter
Pastor, MFT, CDPT
Christ Lutheran Church
(505) 983-9461

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

Fee Per day: \$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.

LICENSE HOLDER INFORMATION
 Business Name (DBA) Rodeo Plaza Liquors Owner Name SRK, LLC Liquor License # 0830
 Street Address 2801 Rodeo Rd. 035th, B-12 Mailing Address Same Local Option District City - Santa Fe
 City, State & Zip Santa Fe, NM 87507 Telephone # 505-473-2867 ^{e-mail} ~~Fax #~~ redcep12caliquors@hotmail.com

EVENT INFORMATION
 Description of Event 6th Annual Car Show Benefit Date(s) of Event June 15, 2014 Begin Time 12 noon End Time 4 pm
 Physical Address of Event 1615 Old Pecos Trail, Santa Fe, NM 87505 Number of Persons expected 200 +/-
 Description of Security Sandovne Security LLC Number of Security personnel to be at this function 2
 Security Contact Name Andrea Sandovnal Telephone # 505-310-0619

SPONSOR INFORMATION
 Sponsor of Event * ELKS 460 Contact Name Leonard Roybal Signature [Signature] Telephone # 983-7711
BUILDING OWNER APPROVAL
 Name (print) LEONARD ROYBAL Signature [Signature] Telephone # 983-7711 Date 6/24/2014

LICENSE HOLDER & SERVER CERTIFICATION: I, Kathleen Ortiz (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.

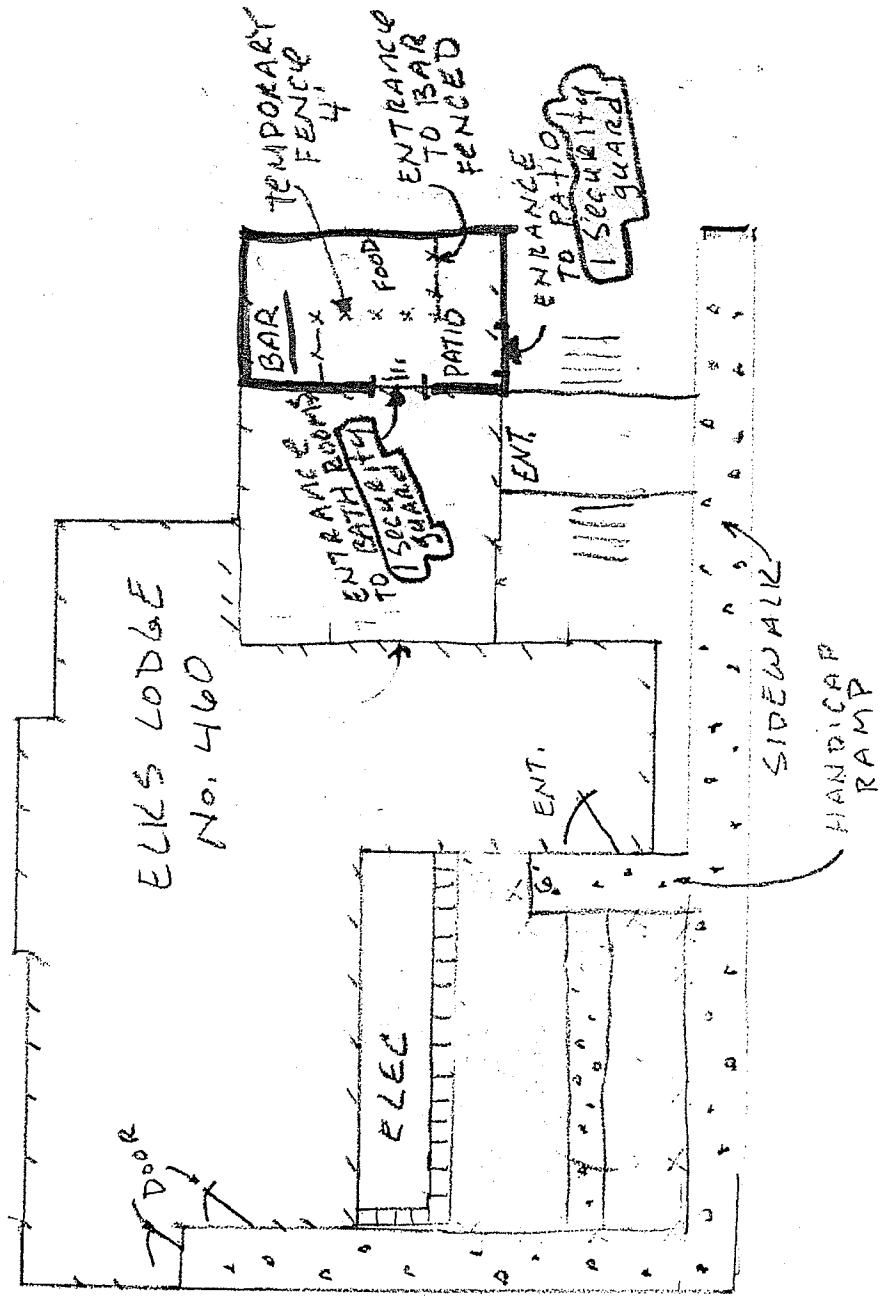
NOTE: List of servers including name, server permit # and server expiration date must be attached to permit application. Licensee agrees that if any statements or representations herein are found to be false, the director may refuse to issue additional permits.

Licensee Name (print) Kathleen Ortiz Signature (Licensee Only) [Signature] Date 3-27-14
 All profits derived from the sale of liquor will go only to the licensee. Only the owner or authorized person under this license may sign the permit. (seal)

Subscribed and Sworn before me this 27th day of March, 2014 Notary Public [Signature] Exp. 8/27/14
LOCAL GOVERNING BODY APPROVAL
 Print Name _____ Title _____ Signature _____ Date _____

ALCOHOL & GAMING DIVISION USE ONLY
 Approved by: _____ Date _____ Permit Number _____
 Attachments: 1) Floor plan _____ 2) Fees (listed on top of page) _____ 3) Server information list _____

OLD PECOS TRAIL



6/15/14

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.