

City of Santa Fe, New Mexico

memo

DATE: May 22, 2015

TO: Mayor Gonzales & City Councilors

VIA: Brian K. Snyder (ys)
Brian K. Snyder, City Manager

FROM: Yolanda Y. Vigil
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 (Outdoor Patio), 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 (Outdoor Patio), 1615 Old Pecos Trail. This request is for a Benefit Car Show to be held on Saturday, May 30, 2015 from 9:00 a.m. to 4:00 p.m.

The applicant is seeking to obtain a letter of no opposition from the Christ Lutheran Church which will be provided at the public hearing.

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 (Outdoor Patio), 1615 Old Pecos Trail for a Benefit Car Show to be held on Saturday, May 30, 2015 from 9:00 a.m. to 4:00 p.m.

Attachments: Special Dispenser Permit Application
§60-6B-10 NMSA 1978

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 Local Option District Santa Fe, City Liquor License # 0830
Street Address 2801 Rodeo Rd. Ste B-12 Mailing Address Same
City, State & Zip Santa Fe, NM 87507 Telephone # 505-473-2867 ~~Fax~~ # rodeoplazaliquors@
BP.O.E. Benoit hotmail.com

EVENT INFORMATION

Description of Event Elks 7th Annual Car Show Date(s) of Event May 30, 2015 Begin Time 9 am End Time 4 pm
Physical Address of Event 1615 Old Pecos Trail, Santa Fe, NM 87505 Number of Persons expected 150 +/-
Description of Security Sandstrom Security LLC Number of Security personnel to be at this function 2
Security Contact Name Andrew Sandstrom Telephone # 505-310-0624

SPONSOR INFORMATION

Sponsor of Event ELKS-460 Contact Name Leany Reybal Signature Leany Reybal Telephone # 699-9249

BUILDING-OWNER APPROVAL

Name (print) Leonard Reybal Signature Leany Reybal Telephone # 983-7711 Date 4-15-15

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) Kathleen Ortiz Date 5-30-14
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)

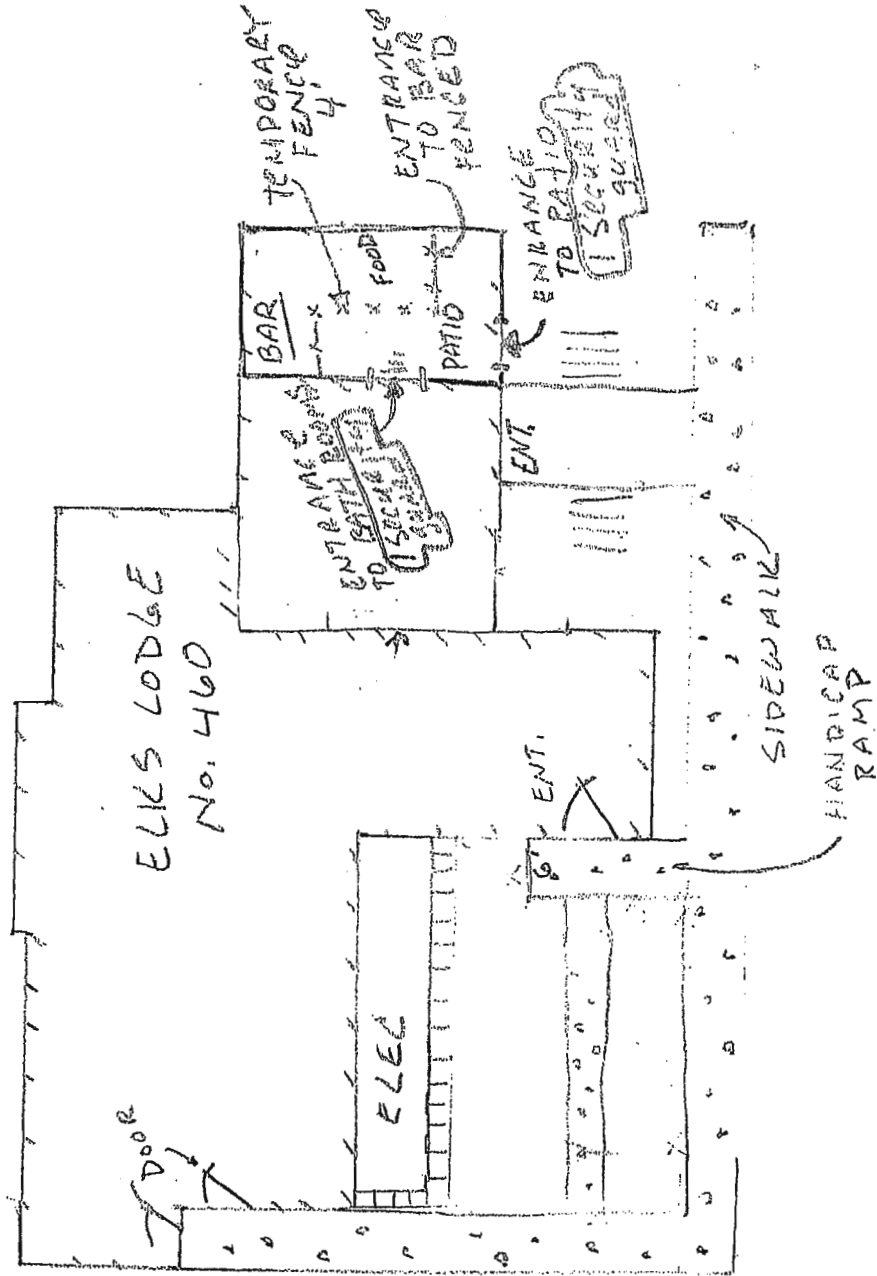
Subscribed and Sworn before me this 30 day of May 20 14 Notary Public Kathleen Reybal Exp. 8/31/14
LOCAL GOVERNING BODY APPROVAL

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

May 30, 2015



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.