

448  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 18      Resolution #10-235      Council District:     

**For Meeting of March 15, 2010**

(Adoption Date)

**A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO MICHELLE Y. FAULKNER D/B/A HOT ROD CAFÉ, LOCATED AT 1300 EL PASEO ROAD, SUITE E, LAS CRUCES, NEW MEXICO.**

**PURPOSE(S) OF ACTION:** To approve, disapprove, or not approve or disapprove the issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Hot Rod Café.

<b>Name of Drafter:</b> Monica Campbell <i>mc</i>		<b>Department:</b> Legal		<b>Phone:</b> 541-2128	
<b>Department</b>	<b>Signature</b>	<b>Phone</b>	<b>Department</b>	<b>Signature</b>	<b>Phone</b>
Originating Department		541-2128	Budget	<i>Richard Y. Faulkner</i>	541-2107
			Assistant City Manager	<i>[Signature]</i>	541-2271
Legal	<i>[Signature]</i>	541-2128	City Manager	<i>[Signature]</i>	541-2076

**BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:** Pursuant to state law, the application for the issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) must be accompanied by a resolution of the City Council approving of and consenting to the issuance after a public hearing.

Michelle Y. Faulkner d/b/a Hot Rod Café applied to the Alcohol & Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) at 1300 El Paseo Road, Suite E, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on February 12, 2010.

The City Council is required to hold a public hearing within 45 days after the date of receipt of the preliminary approval from Alcohol and Gaming. A public hearing to review this issue is scheduled for Monday, March 15, 2010, beginning at 1:00 p.m., in the City Council Chambers, City Hall, 200 North Church Street, Las Cruces, New Mexico. Notice of this public hearing was published in the *Las Cruces Sun-News* on February 28 and March 7, 2010, and in the *Las Cruces Bulletin* on February 26 and March 5, 2010.

Council may approve or disapprove the issuance of the license. However, Council's disapproval must be based on substantial evidence that the issuance of the license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.

(Continue on additional sheets as required)

Council may also fail to either approve or disapprove the license. If Council fails to approve or disapprove the license within 30 days after the public hearing, the Director of Alcohol and Gaming may give final approval of this license.

**SUPPORT INFORMATION:**

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Resolution with Alcohol and Gaming's preliminary approval with the application attached as Exhibit "A".
2. Notices of Intent to Adopt, Attachments "1" and "2".
3. Traffic Impact Report from the Traffic Engineering Section, Attachment "3".
4. Liquor License Impact Report (zoning) from the Community Development Department, Attachment "4".
5. Liquor License Impact Report (registration and permits) from the Economic Development Department, Attachment "5".
6. Criminal Activity Report from the Las Cruces Police Department, Attachment "6".
7. Fire and Safety Compliance Report from the Las Cruces Fire Department, Attachment "7".

**OPTIONS / ALTERNATIVES:**

1. Approve the resolution and consent to the issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Michelle Y. Faulkner d/b/a Hot Rod Café. Approval will allow Alcohol and Gaming to continue with its application process.
2. Disapprove the resolution. Council's disapproval must be based on substantial evidence that the issuance of the Restaurant Liquor License would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.
3. Not approve or disapprove the Resolution. If the Council fails to either approve or disapprove the issuance of the Restaurant Liquor License, the Director of Alcohol and Gaming may give final approval to said issuance.

(Continue on additional sheets as required)

**RESOLUTION NO. 10-235****A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO MICHELLE Y. FAULKNER D/B/A HOT ROD CAFÉ, LOCATED AT 1300 EL PASEO ROAD, SUITE E, LAS CRUCES, NEW MEXICO.**

The City Council of the City of Las Cruces is informed that:

**WHEREAS**, Michelle Y. Faulkner d/b/a Hot Rod Café applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico (“Alcohol and Gaming”) for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) at 1300 El Paseo Road, Suite E, Las Cruces, New Mexico; and

**WHEREAS**, on February 12, 2010, Alcohol and Gaming granted preliminary approval for the issuance of the liquor license, as evidenced by their letter with the application attached; and

**WHEREAS**, pursuant to law, the application for issuance of a liquor license must be accompanied by a resolution of the City Council approving of and consenting to the issuance after a public hearing upon reasonable notice of such hearing; and

**WHEREAS**, the City Council did on this date hold a public hearing after reasonable notice setting forth the appropriate information concerning the public hearing. The City Council has considered the issuance of the liquor license and it has determined that the approval of said issuance is not detrimental to the public health, safety or welfare of the City of Las Cruces.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LAS CRUCES:**

**(I)**

**THAT** the issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Michelle Y. Faulkner d/b/a Hot Rod Café, 1300 El Paseo Road, Suite E, Las Cruces, New Mexico, is hereby approved.

(II)

THAT a copy of this Resolution shall be conveyed to the Director of the Alcohol and Gaming Division of the Regulation and Licensing Department, Post Office Box 25101, Santa Fe, New Mexico 87504-5101.

(III)

THAT City staff is authorized to do all deeds necessary to accomplish the intent of this Resolution.

DONE AND APPROVED on this 15 day of March 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

{SEAL}

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505  
PO Box 25101, Santa Fe, NM 87504-5101  
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

Bill Richardson  
GOVERNOR

February 12, 2010

Kelly O'Donnell, Ph.D.  
SUPERINTENDENT

Certified Mail No.: 7006 3450 0000 3001 2726

Julie Ann Meade  
DEPUTY  
SUPERINTENDENT

City of Las Cruces  
Attn: Esther Martinez, City Clerk  
P.O. Box 20000  
Las Cruces, NM 88004-0000

Randall Cherry  
CHIEF GENERAL  
COUNSEL

Re: License / App. No.: Application #A-623663  
Applicant Name: Michelle Y. Faulkner  
Doing Business As: Hot Rod Café  
Proposed Location: 1300 El Paseo Road, Suite E  
Las Cruces, New Mexico 88001

Gary J. Tomada  
DIRECTOR

**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 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 RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY).**

**EXHIBIT A**

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. Attached is a copy of a Zoning Statement from the local governing body.
- 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 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  
Administrative Law Judge

Enclosures:

1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application.

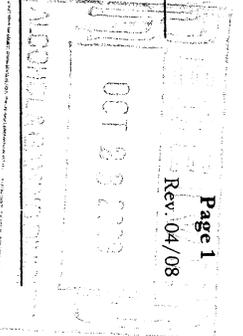


**LIQUOR LICENSE APPLICATION**

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



11/21/11  
 [Signature]



State Liquor License # 623663  
 Application Number 623663  
 Local option (AGD use) \_\_\_\_\_

Record Owner of Existing License \_\_\_\_\_  
 Current D/B/A Name \_\_\_\_\_  
 Current Premises Address \_\_\_\_\_

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 Beer and Wine

Applicant is: Individual  Corporation \_\_\_\_\_ Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company \_\_\_\_\_  
 NAME OF APPLICANT (company or individual) Michelle Y. Faulkner ADDRESS (including city, state, zip) 1300 El Paseo Rd Suite E Las Cruces, NM 88001 TELEPHONE NUMBER 575-571-3906  
1300 El Paseo Rd Suite E

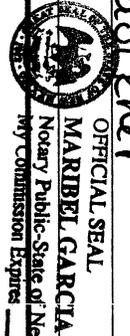
D/B/A name to be used: Hot Rod Cafe Phone number for licensed premises: 575-525-1958

Physical location where license is to be used: 1300 El Paseo Rd Suite E Las Cruces, NM 88001 Dona Ana County  
 (Include street number / highway number / state road, city and county, state, and zip code)  
 Mailing address: 1300 El Paseo Rd Suite E Las Cruces, NM 88001

Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No  If yes, give license number and type \_\_\_\_\_  
 I, (print name) Michelle Y. Faulkner, as (title) Diner Operator, 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 Michelle Y. Faulkner Date 6-10-09

SUBSCRIBED AND SWORN TO before me this 10<sup>th</sup> day of June 2009 by Michelle Y Faulkner  
 Notary Public My Commission Expires 6/5/2011  
 Local Governing Body of: \_\_\_\_\_ (City or County). Hearing held on \_\_\_\_\_ 20\_\_\_\_



Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Director Approval \_\_\_\_\_ Date \_\_\_\_\_

For Alcohol and Gaming Division Use Only



App# 17-623663

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) \_\_\_\_\_

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

A. Owner(s) Laura Guaderrama

B. Date and term of lease April 2009 (35yr lease) expires March 2044

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. Premises location is zoned (example C-1) C-2

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 4 1/10<sup>th</sup> of mile Name of church Immaculate Heart of Mary Catholic Church Address/location of church Espina and Idaho

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

Miles/feet 0/10<sup>th</sup> of mile Name of school Las Cruces High School Address/location of school corner of Boutz and El Paseo

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

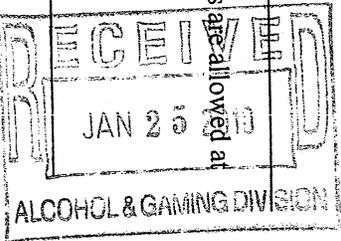
Miles 15+ miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque) White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

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) \_\_\_\_\_





## AD FORM

LAS CRUCES SUN NEWS	
CLASSIFIED LEGAL AD	
DATE TO PUBLISH: <b>FEBRUARY 28 AND MARCH 7, 2010</b>	Account No. 720680
CITY CONTACT & PHONE NUMBER: MONICA CAMPBELL 541-2128 FAX: 541-2017	BILL TO: CITY CLERK P O Box 20000 LAS CRUCES, NM 88004
<b>PROOF OF PUBLICATION REQUIRED.</b>	

**COPY TO PUBLISH:**

### NOTICE OF INTENT TO ADOPT

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of the **Issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Michelle Y. Faulkner d/b/a Hot Rod Café, 1300 El Paseo Road, Suite E, Las Cruces, New Mexico.**

The Public Hearing will be held at a meeting of the City Council on Monday, March 15, 2010, at 1:00 p.m. in the City Council Chambers, 200 North Church, City Hall. If passed, the State of New Mexico Regulation & Licensing Department, Alcohol and Gaming Division, may approve the issuance of the Restaurant Liquor License.

**Witness my hand and seal** of the City of Las Cruces on this the 17<sup>th</sup> day of February 2010.

  
 \_\_\_\_\_  
 Esther Martinez, CMC, City Clerk



## AD FORM

LAS CRUCES BULLETIN	
CLASSIFIED LEGAL AD	
DATE TO PUBLISH: <b>FEBRUARY 26 AND MARCH 5, 2010</b>	
CITY CONTACT & PHONE NUMBER: <b>MONICA CAMPBELL 541-2128 FAX: 541-2017</b>	BILL TO: <u>CITY CLERK</u> P O Box 20000 LAS CRUCES, NM 88004
<b>PROOF OF PUBLICATION REQUIRED.</b>	

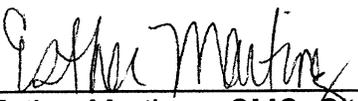
**COPY TO PUBLISH:**

### NOTICE OF INTENT TO ADOPT

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**Witness my hand and seal of the City of Las Cruces on this the 17<sup>th</sup> day of February 2010.**

  
 \_\_\_\_\_  
 Esther Martinez, CMC, City Clerk



**City of Las Cruces®**  
PEOPLE HELPING PEOPLE

**INTER-DEPARTMENTAL  
MEMORANDUM**

=====

**TO: Pete Connelly, Acting City Attorney**

**FROM: Dan Soriano, Traffic Engineer, Public Works** 

**SUBJECT: Traffic Investigation Report**

**DATE: February 24, 2010**

=====

**As requested, Traffic Engineering has completed a traffic investigation for Hot Rod Cafe located at 1300 El Paseo Road Ste E, Las Cruces, New Mexico. The following information is submitted for review:**

- **El Paseo Road at this location carries approximately 18,000 vehicles per day while Idaho Avenue carries 11,400 vehicles per day.**
- **El Paseo Road is operated as a four lane major arterial roadway with continuous left turn lane serving primarily commercial development in this area. Idaho Avenue is a four lane major arterial with no left turn facility.**
- **Access to the property in question is off of El Paseo Road and Idaho Avenue. No sight distance problems exist at either access.**
- **The speed limit on El Paseo Road and Idaho Avenue in this area is 35 mph.**

**The approval of a Liquor License Transfer at this location does not appear it will adversely impact traffic operations along this segment of roadway.**

**Should any additional information be needed, please contact me.**

**City of Las Cruces  
Community Development Department**

**LIQUOR LICENSE IMPACT REPORT**

**Restaurant Liquor License Application No. A-623663  
(Beer and Wine Only)**

**Hot Rod Cafe  
1300 El Paseo Road, Suite E**

**February 19, 2010**

**LIQUOR LICENSE IMPACT REPORT**  
**Restaurant Liquor License (Beer and Wine ONLY)**

**Hot Rod Cafe**  
**1300 El Paseo Road, Suite E**

The purpose of this report is to review, analyze and determine any possible impacts of a liquor license relating to land use and other planning related issues.

**PROPERTY INFORMATION:**

Location: 1300 El Paseo Road, Suite E  
 Applicant: Michelle Y. Faulkner  
 Business Name: Hot Rod Cafe

**LAND USE AND ZONING INFORMATION:**

Subject Property Zoning: C-2 (Commercial Medium Intensity)  
 (See attached Statement of Zoning and Vicinity Map)

Subject Property Current Land Use:

<u>Adjacent Land Uses</u>	<u>Zoning</u>	<u>Land Use</u>
North	C-3/C-2	Commercial
South	C-2	Commercial
East	C-2	Commercial
West	C-2	Commercial

**DISTANCE REQUIREMENTS:**

Greater than 300 feet to a school: YES  
 Greater than 300 feet to a church: YES  
 Greater than 300 feet to a military installation: YES

**TRAFFIC COUNT AND ACCESS INFORMATION:**

Roadway: El Paseo Road  
 Classification: Principal Arterial  
 Number of Lanes: 5  
 Site Access: 4  
 Nearest Intersection: El Paseo & Idaho.

**PARKING REQUIREMENTS:**

The 2001 Las Cruces Zoning Code, as amended, requires restaurants to provide 1 auto parking space per 2-5 seats. However, because the business is in a shopping center, one (1) space for each 200-300 square feet of gross floor area is required. As the center currently exists, it complies with current parking standards.

**IMPACT ANALYSIS:**

The applicant is requesting a new restaurant liquor license for beer and wine only for this establishment. The subject property is located on El Paseo Road which is designated as a principal arterial roadway and is designed to accommodate moderate to heavy traffic and land uses such as restaurants. Zoning for this property is C-2 (Commercial Medium Intensity) which permits this use and uses related to it. In terms of a transportation and land use perspective, this seems to be an appropriate location and request.

**STATEMENT OF ZONING**

The property located at 1300 El Paseo Road, and having a Map Code Number or Parcel ID Number of 02-07454, in Las Cruces, New Mexico, is zoned as follows:

**C-2 (Commercial Medium Intensity)**

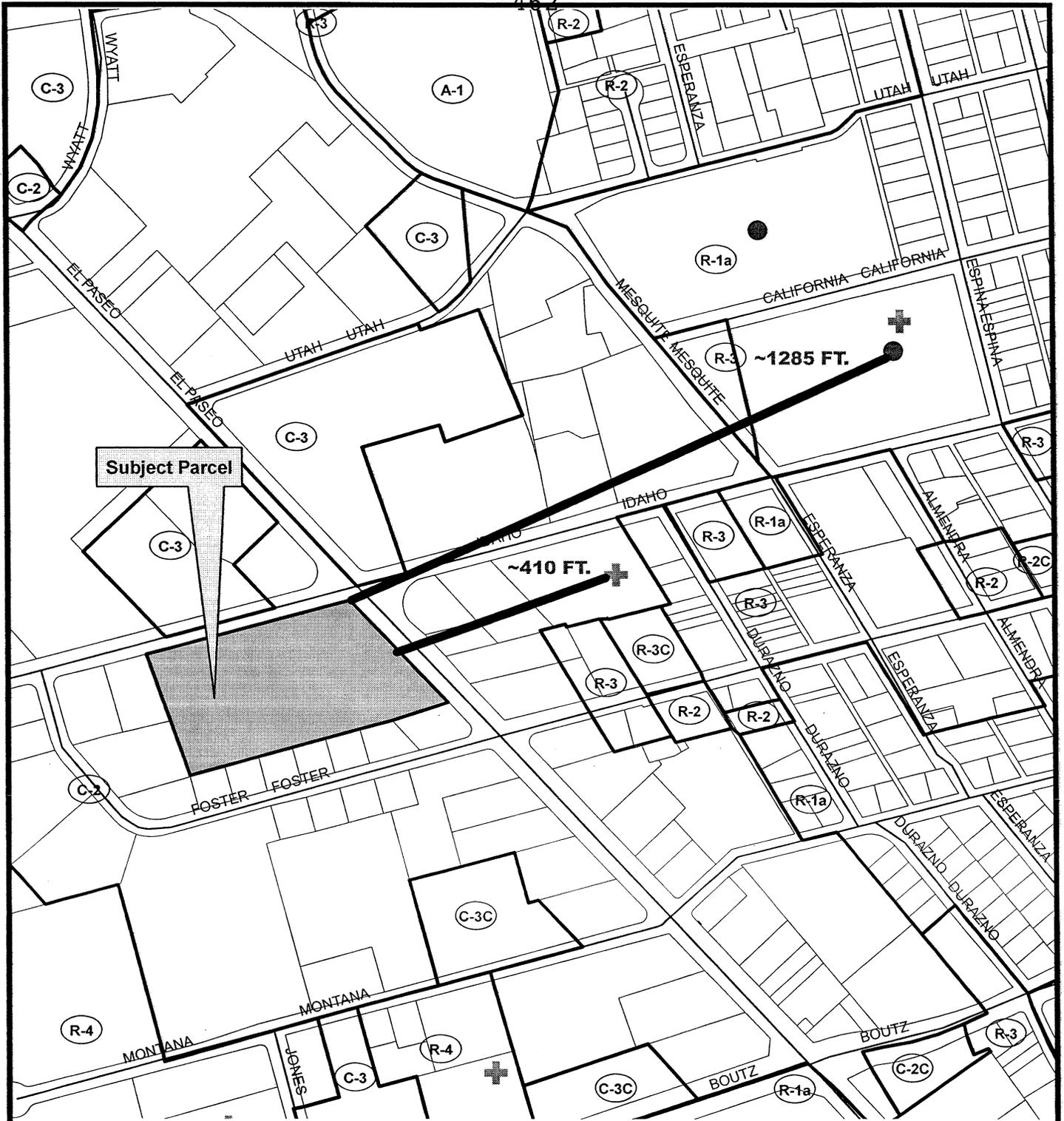
The above described property located in the City of Las Cruces, New Mexico, has been reviewed and found to be zoned as indicated above in accordance with the Las Cruces Zoning Atlas. Accordingly, I do hereby approve and issue this Statement of Zoning.

February 19, 2010  
Date

  
\_\_\_\_\_  
Adam Ochoa  
Acting Planner

Comments: The C-2 district facilitates and encourages development of those uses which provide retail and service activities as a convenience to adjacent neighborhoods and whose use generally serves a population of 5,000 to 30,000. A restaurant with a beer and wine dispenser's license is a permitted use in C-2 districts, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met (as per Section 38-44.C.4a of the 2001 Las Cruces Zoning Code as amended).

Please be advised that the information presented on this document is taken from the City of Las Cruces Zoning Atlas. Nothing shall prevent the City of Las Cruces from amending this information if review of the Zoning Ordinance shows the Atlas to be in error.



### Zoning/Vicinity Map

**1300 EL PASEO ROAD**

**PARCEL: 02-07454**

**ZONING: C-2**

**DISTANCE TO NEAREST SCHOOL: ~ 1285 FEET**

**DISTANCE TO NEAREST CHURCH: ~ 410 FEET**

-  ZONING
-  CHURCH
-  SCHOOL



*This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the Community Development Department at (505) 528-3043.*

**Community Development Department**  
 575 S Alameda Blvd.  
 Las Cruces, NM 88001  
 (505) 528-3222

Economic Development / Business Registrations

**From:** Vicki Montez  
**Subject:** Review of liquor license application

**They do have a current business license.**

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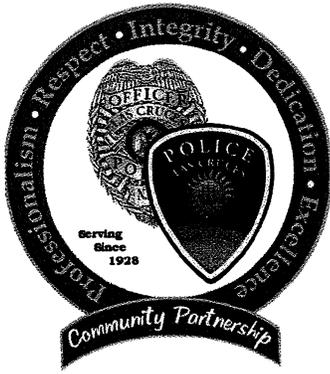
**From:** Monica Campbell  
**Sent:** Tuesday, February 16, 2010 3:07 PM  
**To:** Christine Logan  
**Cc:** Vicki Montez  
**Subject:** Review of liquor license application

Attached is Alcohol & Gaming's letter with the application for issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Hot Rod Café at 1300 El Paseo Road, Suite E.

Please review the application and report on whether or not this business has obtained applicable licenses and/or permits.

In order to meet the time limits and publication deadlines imposed by law, I would appreciate it if you would submit your report no later than **February 25, 2010**.

Monica Campbell  
City Attorney's Office  
541-2128



LAS CRUCES POLICE DEPARTMENT  
PO BOX 20000  
217 E. Picacho  
Las Cruces, New Mexico 88004

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**DATE:** *February 22, 2010*

**TO:** *Fermin A. Rubio, City Attorney*

**From:** **Pete Bradley, Interim Chief of Police**

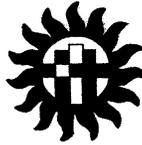
**Subject:** *The Hot Rod Café*

I have reviewed all available statistical information obtained from the Las Cruces Police Department Crime Analyst in reference to the attached liquor license application for The Hot Rod Café located at 1300 El Paseo Road, Suite E Las Cruces, NM 88001.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for The Hot Rod Café to be approved.

  
Pete Bradley  
Interim Chief of Police

001 03 311

**City of Las Cruces**

**TO: Fermin A. Rubio, City Attorney**

**FROM: Lt. Robert P. Gonzales, Prevention Bureau**

*H.R.A.*

**SUBJECT: Liquor License / Application #A-623663**

**DATE: 2/23/2010**

**FILE #:**

---

**Our department has reviewed the liquor license application # A-623663 for the issuance of a restaurant liquor license (Beer and Wine on-premise consumption only) to Hot Rod Cafe, 1300 El Paseo Road, Suite E, Las Cruces, NM 88001.**

**The facility is an existing restaurant which was inspected and found to be in compliance with the 2006 International Fire Code. This facility is in conformance with the requirements for a facility that serves alcoholic beverages.**

**Please contact me if you have any questions or desire additional information.**