

227
City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 10 Resolution #11-178 Council District: 2

For Meeting of February 22, 2011
 (Adoption Date)

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO OKAZURI FLOATING SUSHI LAS CRUCES, TO BE LOCATED AT 1715 EAST UNIVERSITY AVENUE, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION: To approve, disapprove, or not approve the issuance of a Restaurant Liquor License to Okazuri Floating Sushi Las Cruces.

Drafter and Staff Contact: Monica Campbell <i>mc</i>		Department: Legal		Phone: 541-2128	
Department	Signature	Phone	Department	Signature	Phone
Department Director			Budget	<i>[Signature]</i>	541-2107
Other			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, an 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.

Okazuri Floating Sushi Las Cruces 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-Premises Consumption Only) at 1715 East University Avenue, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on January 10, 2011.

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 Tuesday, February 22, 2011, beginning at 1:00 p.m., in the City Council Chambers, City Hall, 700 North Main Street, Las Cruces, New Mexico. Notice of this public hearing was published in the *Las Cruces Sun-News* on January 30 and February 6, 2011 and in the *Las Cruces Bulletin* on January 28 and February 4, 2011.

Council may approve or disapprove the issuance. 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. Council may also fail to

(Continue on additional sheets as required)

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:

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. Economic Development Report (registration and permits), 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".

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)	
	<input type="checkbox"/>	Proposed funding is from fund balance in the (# and Fund Name) Fund.	
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: <u>1015-10180020-520002</u> in the amount of <u>\$300.00</u> for FY11.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

(Continue on additional sheets as required)

FUND EXPENDITURE SUMMARY

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes". This will approve of and consent to the issuance of a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to Okazuri Floating Sushi Las Cruces, and Alcohol and Gaming will continue with the application process.
2. Vote "No". A "No" vote must be based on substantial evidence that the issuance of the liquor license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces.
3. Vote to "Amend". Any amendments must comply with state statute and/or the requirements of Alcohol and Gaming.
4. Vote to "Table". If the Council fails to either approve, disapprove or not approve the issuance of the liquor license, the Director of Alcohol and Gaming may give final approval and issue the license.

REFERENCE INFORMATION

None.

RESOLUTION NO. 11- 178

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE ON-PREMISE CONSUMPTION ONLY) TO OKAZURI FLOATING SUSHI LAS CRUCES, TO BE LOCATED AT 1715 EAST UNIVERSITY AVENUE, LAS CRUCES, NEW MEXICO.

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

WHEREAS, Okazuri Floating Sushi Las Cruces 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 1715 East University Avenue, Las Cruces, New Mexico; and

WHEREAS, on January 10, 2011, Alcohol and Gaming granted conditional 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; and, the City Council has considered the issuance of the liquor license and 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 Okazuri Floating Shushi Las Cruces, to be located at 1715 East University Avenue, 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 22 day of February 2011.

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:



Interim 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



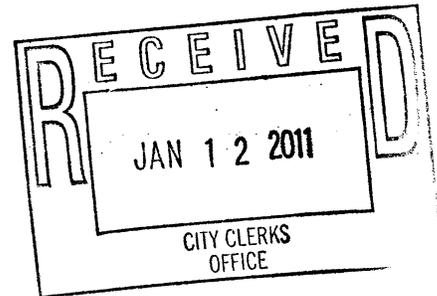
Susana Martinez
GOVERNOR

Gary J. Tomada
DIRECTOR

January 10, 2011

Certified Mail No: 7006 3450 0000 3001 3143

City of Las Cruces
Attn: Ester Martinez, Clerk
PO Box 20000
Las Cruces, NM 88004



Re: License / App. No. Application #A-654117
Applicant Name: Okazuri Floating Sushi Las Cruces, Inc.
Doing Business As: Okazuri Floating Sushi Las Cruces
Proposed Location: 1715 E. University Avenue
Las Cruces, NM 88001

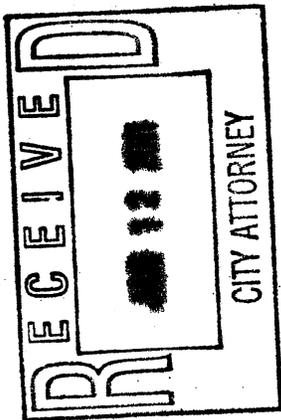
ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. *(Please review the revised instructions for approval or disapproval below.)

Greetings:

The Director of the Alcohol and Gaming Division has granted "Conditional" **Preliminary Approval** for 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 days after receipt of a notice of preliminary approval 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; (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).**



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

Exhibit A

The governing body may disapprove the issuance or transfer of the license if:

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.)

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.

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 *in writing* as to whether the local governing body has approved or disapproved the issuance of transfer of the license *and* by signing the enclosed original Page 1 of the application. *The letter of approval/disapproval and the Page 1 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
Hearing Officer
Alcohol & Gaming Division
505-476-4552

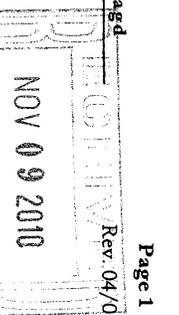
Enclosures: Original Page 1 of Liquor License Application (must be signed and returned)
Copy of page 2 Premises, Location, Ownership & Description of Premises
Copy of Surveyors Certificate
Copy of Letter from the University Presbyterian Church indicating the church has no objection to the location of the proposed restaurant.



12/23/10
ENTERED
2010

LIQUOR LICENSE APPLICATION

9-11-16-10
Room



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

State Liquor License # 654117
Application Number 654117
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: Restaurant Beer + Wine - 1st

Applicant is: Individual _____ Corporation Partnership (General or Limited) _____ Limited Liability Company _____
NAME OF APPLICANT (company or individual) OKAZURI Floating Sushi Las Cruces ADDRESS (including city, state, zip) 1715 E University Ave Las Cruces NM 88001 TELEPHONE NUMBER 768 Paloma Dr. Chaparral NM 88081 (915) 717-8520

D/B/A name to be used: OKAZURI Floating Sushi Las Cruces Phone number for licensed premises: _____

Physical location where license is to be used: 1715 E University Ave Las Cruces NM 88001
Mailing address: 865 N Resler St E El Paso TX 79912
(Include street number / highway number / state road, city and county, state, and zip code)

Are alcoholic beverages currently being dispensed at the proposed location? Yes _____ No If yes, give license number and type _____

I, (print name) Luis Oscar Muñoz, as (title) President 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.

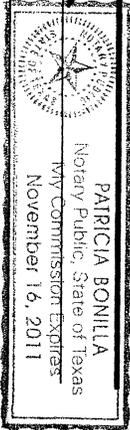
Signature of Applicant [Signature] Date 08-10-2010

SUBSCRIBED AND SWORN TO before me this 18th day of October Notary Public Use Only
My Commission Expires 11-16-2011 by Patricia Bonilla

Notary Public [Signature]
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 _____



235

UNIVERSITY
PRESBYTERIAN
CHURCH

WISCONSIN AVENUE

225.46'

27.1'

ADJACENT BLDG.

BLDG.

71.2'

ADJACENT BLDG.

1715
E. UNIVERSITY AVENUE

PAN AM PLAZA
SHOPING CENTER

788.2'

UNIVERSITY AVENUE

NEW MEXICO STATE
UNIVERSITY DORMS
BLDG.

NOV 09 2010



PLAT
SHOWING THE DISTANCES
TO THE NEAREST CHURCH
AND NM STATE UNIVERSITY

I, HEREBY CERTIFY THAT THE DISTANCES
ARE TRUE AND CORRECT

Jorge Moy
JORGE MOY N.M.P.S. 5939

MOY SURVEYING INC.
414 N. DOWNTOWN MALL
LAS CRUCES, NEW MEXICO
88001
PHONE: (505) 525-9683
FAX: (505) 524-3238

JOB NO. 10-0829
DRAWN BY JUAN GARCIA
FIELD BY KENNY/VICTOR
DATE 11/04/10 SCALE: N/A



AD FORM
LAS CRUCES SUN NEWS
LEGAL CLASSIFIED

City contact: Monica Campbell; 541-2014 / 541-2128

Account No. 26484 (Bill to City Clerk, PO Box 20000, Las Cruces, NM 88004)

Dates to Publish: January 30 and February 6, 2011

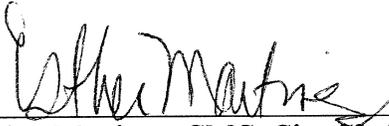
Copy to publish:

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 Okazuri Floating Sushi, Las Cruces, to be located at 1715 East University Avenue, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council to be held on Tuesday, February 22, 2011, at 1:00 p.m. in the City Council Chambers, 700 North Main Street, City Hall. If passed, the State of New Mexico Regulation & Licensing Department may approve the transfer.

Witness my hand and seal of the City of Las Cruces on this the 19th day of January 2011.



Esther Martinez, CMC, City Clerk



City of Las Cruces[®]
PEOPLE HELPING PEOPLE

AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

City contact: Monica Campbell; 541-2014 / 541-2128

Proof of publication/bill to: City Clerk, PO Box 20000, Las Cruces, NM 88004

Dates to Publish: January 28 and February 4, 2011

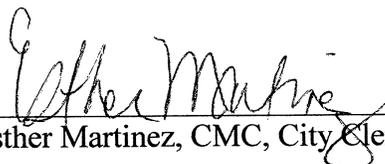
Copy to publish:

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Witness my hand and seal of the City of Las Cruces on this the 12th day of January 2011.



Esther Martinez, CMC, City Clerk



City of Las Cruces

**INTER-DEPARTMENTAL
MEMORANDUM**

=====

TO: Harry "Pete" Connelly, Interim City Attorney

FROM: Dan Soriano, Traffic Engineer, Public Works 

SUBJECT: Traffic Investigation Report

DATE: January 20, 2011

=====

As requested, Traffic Engineering has completed a traffic investigation for Okazuri Floating Sushi located at 1715 E. University Avenue, Las Cruces, New Mexico. The following information is submitted for review:

- **University Avenue at this location carries approximately 25,000 vehicles per day.**
- **University Avenue is operated as a four lane major arterial with raised median.**
- **Access to the property in question is off of University Avenue with no sight distance problems.**
- **The speed limit on University Avenue in this area is 40 mph.**

The approval of a Liquor License Transfer at this location has not appeared to adversely impact traffic operations in the past 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-654117
(Beer and Wine Only)

Okazuri Floating Sushi Las Cruces
1715 E. University Avenue

February 1, 2011

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

Okazuri Floating Sushi Las Cruces
1715 E. University Avenue

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: 1715 E. University Avenue
 Applicant: Okazuri Floating Sushi Las Cruces, Inc.
 Business Name: Okazuri Floating Sushi Las Cruces

LAND USE AND ZONING INFORMATION:

Subject Property Zoning: UD-UAZ (University District-University Avenue Zone)
 (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	UD-UAZ	Commercial/Religious Institution/Vacant
South	N/A	New Mexico State University
East	UD-UAZ	Commercial/Vacant
West	UD-UAZ	Commercial

DISTANCE REQUIREMENTS:

Greater than 300 feet to a school: YES
 Greater than 300 feet to a church: NO
 Greater than 300 feet to a military installation: YES

TRAFFIC COUNT AND ACCESS INFORMATION:

Roadway: University Avenue
 Classification: Principal Arterial
 Number of Lanes: 4
 Site Access: 5
 Nearest intersection: University Avenue and Locust Street

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 site of Okazuri Floating Sushi Las Cruces is located along a Principal Arterial roadway which is designed to accommodate heavy traffic and land uses such as restaurants. The subject property is zoned UD-UAZ which allows restaurants as a permitted use by right. The applicant is requesting a new restaurant liquor license (beer & wine only) for this location. In terms of a transportation and land use perspective, this seems to be an appropriate location and request.

There is a question, however, concerning the required distance between liquor establishments and military installations, churches, and schools. New Mexico State Statutes read that the liquor establishment must be 300 feet from the property line of military installations, churches and schools. Okazuri Floating Sushi Las Cruces is actually within the required 300 foot distance of a church property: University Presbyterian Church of Las Cruces, located at 2010 Wisconsin Avenue.

According to New Mexico State Law, a local governing district may grant a waiver to allow such a business within 300 feet of a church or school. Thus the local governing district may determine whether or not the location of the liquor license request is appropriate. The law does not set parameters to assist in determining applicability. Therefore, Planning Staff assumes the local government district may use traditional guidelines, such as, health, safety, and welfare to make this decision.


STATEMENT OF ZONING

The property located at 1715 E. University Avenue in Las Cruces, New Mexico, and having a Map Code Number or Parcel Identification Number of 02-26375 is zoned as follows:

UD-UAZ (University District-University Avenue Zone)

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.

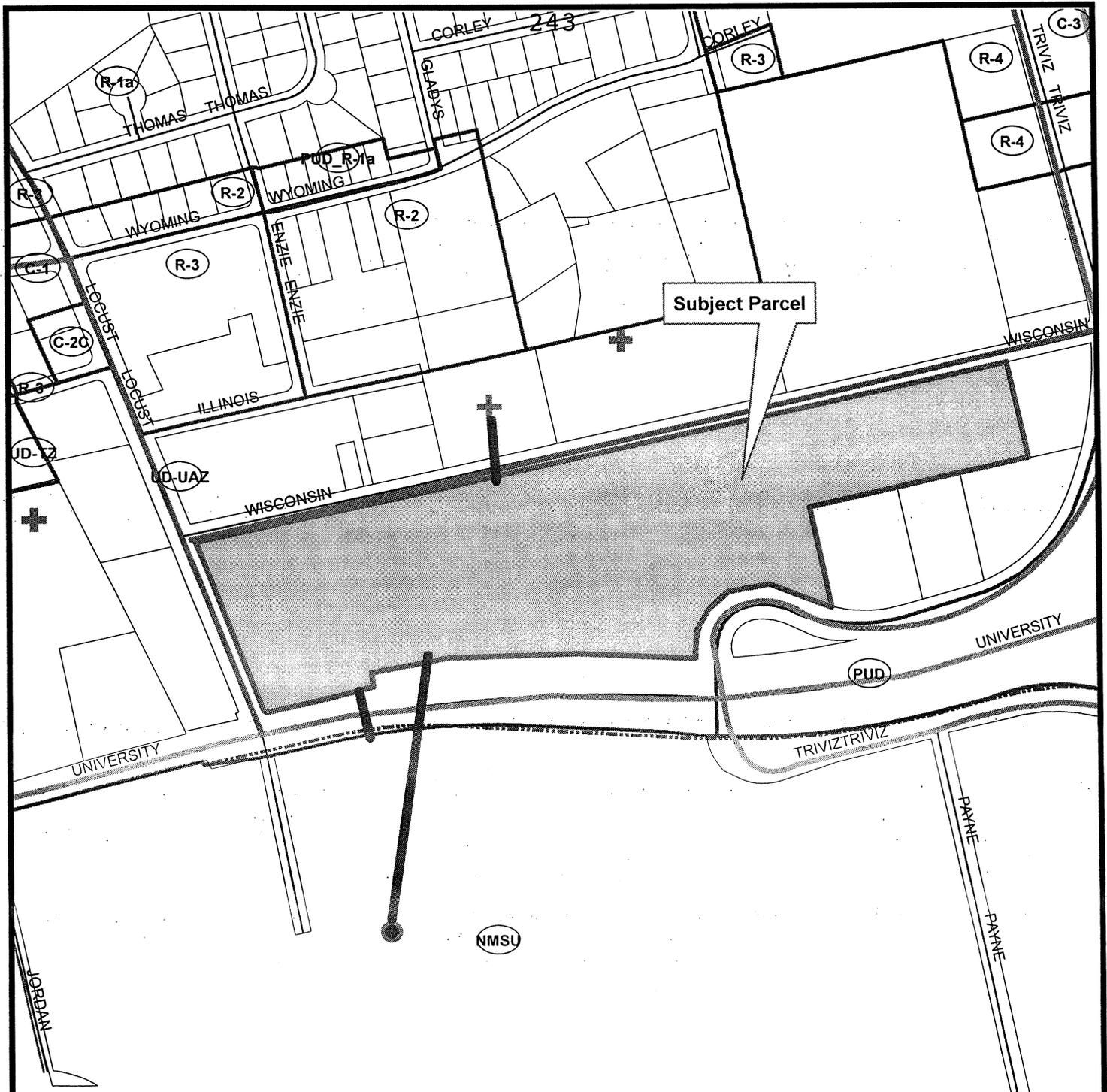
February 1, 2011

Date

Adam Ochoa
Planner

Remarks: The UD-UAZ is assigned to land appropriate for an urban neighborhood center with a mix of building types and uses. These lands are generally occupied by attached residential houses, apartment buildings, and commercial or mixed-use buildings. Civic and religious use buildings may also be present. Lands may also be used for playgrounds, squares, and plazas. Two-to-five story buildings are encouraged. Block sizes are limited to create a walkable and well connected network of streets. Streets are designed to encourage pedestrian activity by generally including on-street parking, curbs and gutters, parkways with street trees, and wide sidewalks. University Avenue shall be the primary frontage for properties on University Avenue. A restaurant with a beer and wine dispenser's licenses is a permitted use within the UD-UAZ, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met.

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.



VICINITY MAP

1715 E. UNIVERSITY AVENUE

PARCEL: 02-15266

ZONING: UD-UAZ

DISTANCE TO NEAREST CHURCH: ~220 FEET

DISTANCE TO NEAREST SCHOOL PROPERTY: ~175 FEET

DISTANCE TO NEAREST SCHOOL BUILDING: ~785 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.

ECONOMIC DEVELOPMENT REPORT

From: Vicki Montez

Subject: Review of Okazuri liquor license application

This business has not applied for a business license. They have submitted plans for a remodel of the business. As soon as all needed inspections are done then the business can proceed.

From: Monica Campbell

Sent: Wednesday, January 19, 2011 1:56 PM

To: Christine Logan

Cc: Vicki Montez

Subject: Review of liquor license applications

Attached is Alcohol & Gaming's letter concerning a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) for Okazuri Floating Sushi, to be located at 1715 East University Avenue.

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

In order to meet the time limits and publication deadlines imposed by law, I would appreciate it if you would submit the report no later than **February 3, 2011**.

Monica Campbell
Legal Dept. Operations Analyst
City of Las Cruces
575-541-2014 / 575-541-2128
Fax 575-541-2017



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

DATE: *January 25, 2011*
TO: *Pete Connelly, City Attorney*
From: *Richard Williams, Chief of Police*
Subject: *Okazuri Floating Sushi*

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Okazuri Floating Sushi located at 1715 E. University Avenue, Las Cruces, NM 88001.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for Okazuri Floating Sushi be approved.

Richard Williams
Chief of Police

Adrian Arias

From: Mark Dubbin**Sent:** Tuesday, February 08, 2011 9:04 AM**To:** Adrian Arias**Subject:** okazuri sushi restaurant

Although this project is currently under review, I see no reason why the alcohol license would be a problem. Approval recommended.

Mark H. Dubbin, PE

Fire Protection Engineer

Las Cruces Fire Dept.

Prevention Services

201 E. Picacho Ave.

Las Cruces, NM 88001

575-528-4150