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City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 25 Resolution# 09- 311 Council District:

For Meeting of June 15, 2009

(Adoption Date)

A RESOLUTION APPROVING THE TRANSFER OF OWNERSHIP AND LOCATION OF LIQUOR LICENSE NO. 0362 FROM GIANINO'S TOO, INC. D/B/A GADSDEN SPIRITS & GADSDEN PURCHASE TO PAY AND SAVE, INC. D/B/A LOWE'S FOODS, LOCATED AT 1410 MISSOURI AVENUE, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION: To approve, disapprove, or not approve the transfer of ownership and location of Liquor License No. 0362 to Lowe's Foods, located at 1410 Missouri Avenue, Las Cruces.

Name of Drafter: Monica Campbell <i>mc</i>		Department: Legal		Phone: 541-2128	
Department	Signature	Phone	Department	Signature	Phone
Originating Department		541-2128	Budget	<i>[Signature]</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 transfer of ownership and location of a liquor license must be accompanied by a resolution of the City Council approving of and consent to the transfer of ownership and location after a public hearing.

Pay and Save, Inc. d/b/a Lowe's Foods applied to the Alcohol & Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for a transfer of ownership and location of Liquor License No. 0362 to 1410 Missouri Avenue, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on May 1, 2009.

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, June 15, 2009, 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 May 24 and 31, 2009, and in the *Las Cruces Bulletin* on May 22 and 29, 2009.

Council may approve or disapprove the transfer. However, Council's disapproval must be based on substantial evidence that the transfer of ownership and location 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. Notice 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 transfer of ownership and location of Liquor License No. 0362 to Pay and Save, Inc. d/b/a Lowe's Foods. 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 transfer of ownership and location of the 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 transfer of ownership and location of the liquor license, the Director of Alcohol and Gaming may give final approval to said transfer.

(Continue on additional sheets as required)

RESOLUTION NO. 09- 311

A RESOLUTION APPROVING THE TRANSFER OF OWNERSHIP AND LOCATION OF LIQUOR LICENSE NO. 0362 FROM GIANINO'S TOO, INC. D/B/A GADSDEN SPIRITS & GADSDEN PURCHASE TO PAY AND SAVE, INC. D/B/A LOWE'S FOODS, LOCATED AT 1410 MISSOURI AVENUE, LAS CRUCES, NEW MEXICO.

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

WHEREAS, Pay and Save, Inc. d/b/a Lowe's Foods applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for a transfer of ownership and location of Liquor License No. 0362 to 1410 Missouri, Las Cruces, New Mexico; and

WHEREAS, on May 1, 2009 Alcohol and Gaming granted preliminary approval for the transfer of ownership and location, as evidenced by their letter with the application attached; and

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

WHEREAS, the City Council did on this date hold a public hearing after reasonable public notice setting forth the appropriate information concerning the public hearing. The City Council has considered the transfer of ownership and location of the liquor license and it has determined that the approval of said transfer 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 transfer of location of Liquor License No. 0362 to Pay and Save, Inc. d/b/a Lowe's Foods, located at 1410 Missouri, Las Cruces, New Mexico, is hereby approved.

(II)

THAT a copy of this Resolution shall be conveyed to Pay and Save, Inc. d/b/a Lowe's Foods, Attention: Ronnie Rogers, 1804 Hall Avenue, Littlefield, Texas 79339,

and 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 June 2009.

Mayor

ATTEST:

City Clerk

{SEAL}

Moved by: _____

Seconded by: _____

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Archuleta:	_____
Councillor Small:	_____
Councillor Jones:	_____
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
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

Bill Richardson
GOVERNOR

Kelly O'Donnell, Ph.D.
SUPERINTENDENT

Pamelya Herndon
DEPUTY
SUPERINTENDENT

Julie Ann Meade
CHIEF LEGAL COUNSEL

Gary J. Tomada
DIRECTOR

May 1, 2009

Certified Mail No: 7005 0390 0003 4006 9570

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

Re: License / App. No. 362/595436
Applicant Name: Pay and Save, Inc.
Doing Business As: Lowes Foods
Proposed Location: 1410 Missouri Ave., Las Cruces, NM

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 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 requesting a Transfer of Ownership & Location:

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

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

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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,



Annette R. Brumley
Hearing Officer

ENCLOSURES: Original Page 1 of Liquor License Application
Copy of page 2 Premises, Location, Ownership & Description of Premises

State Liquor License # 0362

Application Number 595436

Local Option (AGD use)



STATE OF NEW MEXICO
 REGULATION AND LICENSING
 DEPARTMENT
 ALCOHOL AND GAMING DIVISION
 P.O. BOX 25101
 Santa Fe, New Mexico 87504-5101
 505-476-4570

Liquor License Application
 Non Refundable Application Fee- \$200.00

RECEIVED
 FEB 26 2009
 ALCOHOL & GAMING DIVISION

Record Owner or License Giammus 100, LLC
 Current D/B/A Name Gadsden Spirits & Gadsden Purchase
 Current Premise Address 1300 Avenida de Mesilla Suite 225 Las Cruces, NM 88005

63409
 Guesette

Application is for: (check one) Change of Structure Transfer of Location Other Transfer of Ownership of Existing License Issue New License

Applicant is: Individual Corporation Partnership (General or Limited) Limited Liability Company

NAME OF APPLICANT (company or individual): ADDRESS (INCLUDING CITY, STATE, ZIP) TELEPHONE NUMBER

Pay and Save, Inc. 1804 Hall Ave., Littlefield, Texas 79339 806-385-8618
 Notice also to: Linda L. Aikin, Esq., 530B Harkle Road, Santa Fe, NM 87505 PH: 505-982-6224 FAX: 505-982-0352

DBA Name to be used: Lowes Foods 1410 Missouri Ave., Las Cruces, New Mexico 88001
 Physical Address Where License is to be used: (Street No./Highway No./State Road/City/County) Phone Number for licensed premises 575-522-0794

Mailing Address: 1804 Hall Ave., Littlefield, Texas 79339
 (Street No./P.O. Box/City/State/Zip)

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

1. Ronnie Rogers, as (title) Secretary/Assistant being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized b. applicant to make this application; that he/she has read the same; knows the contents thereof and that all statements 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 said license or may cause such license to be revoked at any time.
 Signature of Applicant(s) _____ Date 2/19/09

Notary Public Use Only

SUBSCRIBED AND SWORN TO before me this 18 day of February, 2009 by Ronnie Rogers My Commission Expires: 9-19-2012 (Name of Person(s) Signing Above)
 NOTARY PUBLIC: Cheryl Bowman



Local Governing Body of: APPROVED DISAPPROVED (CITY OR COUNTY) Hearing Held on: _____
 PLEASE CHECK ONE: APPROVED DISAPPROVED CITY/COUNTY OFFICIAL (Signature and Title): _____

AGD Use Only

APPROVED _____ DISAPPROVED _____ DIRECTOR APPROVAL _____ DATE _____

PREMISES, LOCATION, OWNERSHIP & DESCRIPTION OF PREMISES

COPY

RECEIVED
FEB 26 2009
ALCOHOL & GAMING DIVISION

1. The land and building which is proposed to be the licensed premise is (check one):

Owned by Applicant _____ Leased by Applicant (attach copy of deed or lease) Other (please provide details) _____

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

A. Owner(s) _____ Solano Square Center, L.P.

B. Date and Term of Lease _____ October 15, 2003 till September 30, 2018

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. Premise location is zoned (example C-1) _____ C-2 (Commercial Medium Intensity) _____

If the premise is zoned, attach zoning statement from local government giving location address, type of zone and 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).
⁰₅

Miles, Feet 1300 feet Name of Church Peace Lutheran Church Address-Location of Church 1701 Missouri Ave. Las Cruces, New Mexico

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

Miles, Feet 2600 feet Name of School Las Cruces High School Address-Location of School 1755 El Paseo Road, Las Cruces, New Mexico

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

Miles 20 Miles Name of Military Installation White Sands Missile Range

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 premise. 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 _____ Racetrack _____ Hotel _____ Other (Please specify) _____



AD FORM

LAS CRUCES BULLETIN	
CLASSIFIED LEGAL AD	
DATES TO PUBLISH: 05/22/09 & 05/29/09	
CITY CONTACT & PHONE NUMBER: MONICA CAMPBELL 541-2128 FAX: 541-2017	BILL TO: <u>CITY CLERK</u> P O Box 20000 LAS CRUCES, NM 88004
PROOF OF PUBLICATION REQUIRED.	

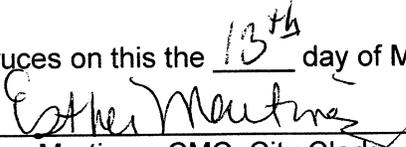
COPY TO PUBLISH:

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 **Transfer of Ownership and Location of Liquor License No. 362 From Gianino's Too, Inc. d/b/a Gadsden Spirits & Gadsden Purchase To Pay and Save, Inc. d/b/a Lowes Foods, located at 1410 Missouri 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 Monday, June 15, 2009, 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 may approve the change.

Witness my hand and seal of the City of Las Cruces on this the 13th day of May 2009.


Esther Martinez, CMC, City Clerk



AD FORM

LAS CRUCES SUN NEWS	
CLASSIFIED LEGAL AD	
DATES TO PUBLISH: 05/24/09 & 05/31/09	Account No. 720680
CITY CONTACT & PHONE NUMBER: MONICA CAMPBELL 541-2128 FAX: 541-2017	BILL TO: <u>CITY CLERK</u> P O Box 20000 LAS CRUCES, NM 88004
PROOF OF PUBLICATION REQUIRED.	

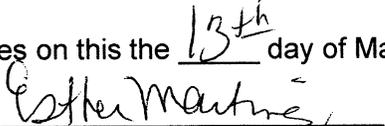
COPY TO PUBLISH:

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 **Transfer of Ownership and Location of Liquor License No. 362 From Gianino's Too, Inc. d/b/a Gadsden Spirits & Gadsden Purchase To Pay and Save, Inc. d/b/a Lowes Foods**, located at 1410 Missouri 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 Monday, June 15, 2009, 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 may approve the change.

Witness my hand and seal of the City of Las Cruces on this the 13th day of May 2009.



 Esther Martinez, CMC, City Clerk



City of Las Cruces

**INTER-DEPARTMENTAL
MEMORANDUM**

=====

TO: Fermin A. Rubio, City Attorney

FROM: Dan Soriano, Traffic Engineer, Public Works 

SUBJECT: Traffic Investigation Report

DATE: May 14, 2009

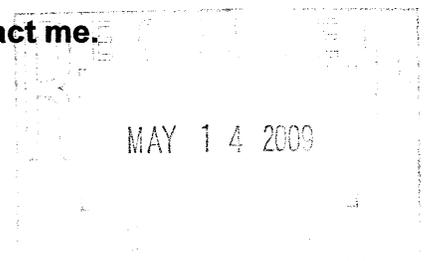
=====

As requested, Traffic Engineering has completed a traffic investigation for Lowe's Foods located at 1410 Missouri Avenue, Las Cruces, New Mexico. The following information is submitted for review:

- Missouri Avenue and Solano Avenue at this location carries approximately 19,000 and 10,000 vehicles per day respectively.
- Missouri and Solano Avenues are operated as four lane major arterials with continuous left turn lanes.
- Access to the property in question is off of Missouri Avenue and Solano Avenue with no sight distance problems.
- The posted speed limit on both Missouri and Solano Avenues in this area is 35 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

Transfer of Ownership and Location for Liquor License No. 362

1410 Missouri Avenue
Lowes Foods

May 14, 2009

**LIQUOR LICENSE IMPACT REPORT
Transfer of Ownership and Location**

**Lowes Foods
1410 Missouri 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: 1410 Missouri Avenue
Applicant: Pay and Save, Inc.
Business Name: Lowes Foods

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	R-1a/R-4	Residential/Office Use
South	C-2C	Commercial
East	R-3/C-2	Residential
West	O-1	Office Use

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: Missouri Avenue
Classification: Principal Arterial
Number of Lanes: 4
Site Access: 5
Nearest Intersections: Missouri & Solano

PARKING REQUIREMENTS:

The 2001 Las Cruces Zoning Code, as amended, requires markets to provide one (1) auto parking space per 250-350 square feet of gross floor area and one (1) bicycle parking space per 6000 square feet of gross floor area. As the business currently exists, it complies with current parking standards.

IMPACT ANALYSIS:

The subject property is located off of Missouri Avenue which is designated as a principal arterial and is designed to accommodate heavy traffic and land uses such as markets and grocery stores. The subject property is zoned C-2 (Commercial Medium Intensity) which permits this use and uses related to it. The applicant is requesting a transfer of ownership and location of a liquor license for this location. 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 1410 Missouri Avenue, and having a Map Code Number or Parcel ID Number of 02-12217, in Las Cruces, New Mexico, is zoned as follows:

C-2 (Commercial Medium Intensity)

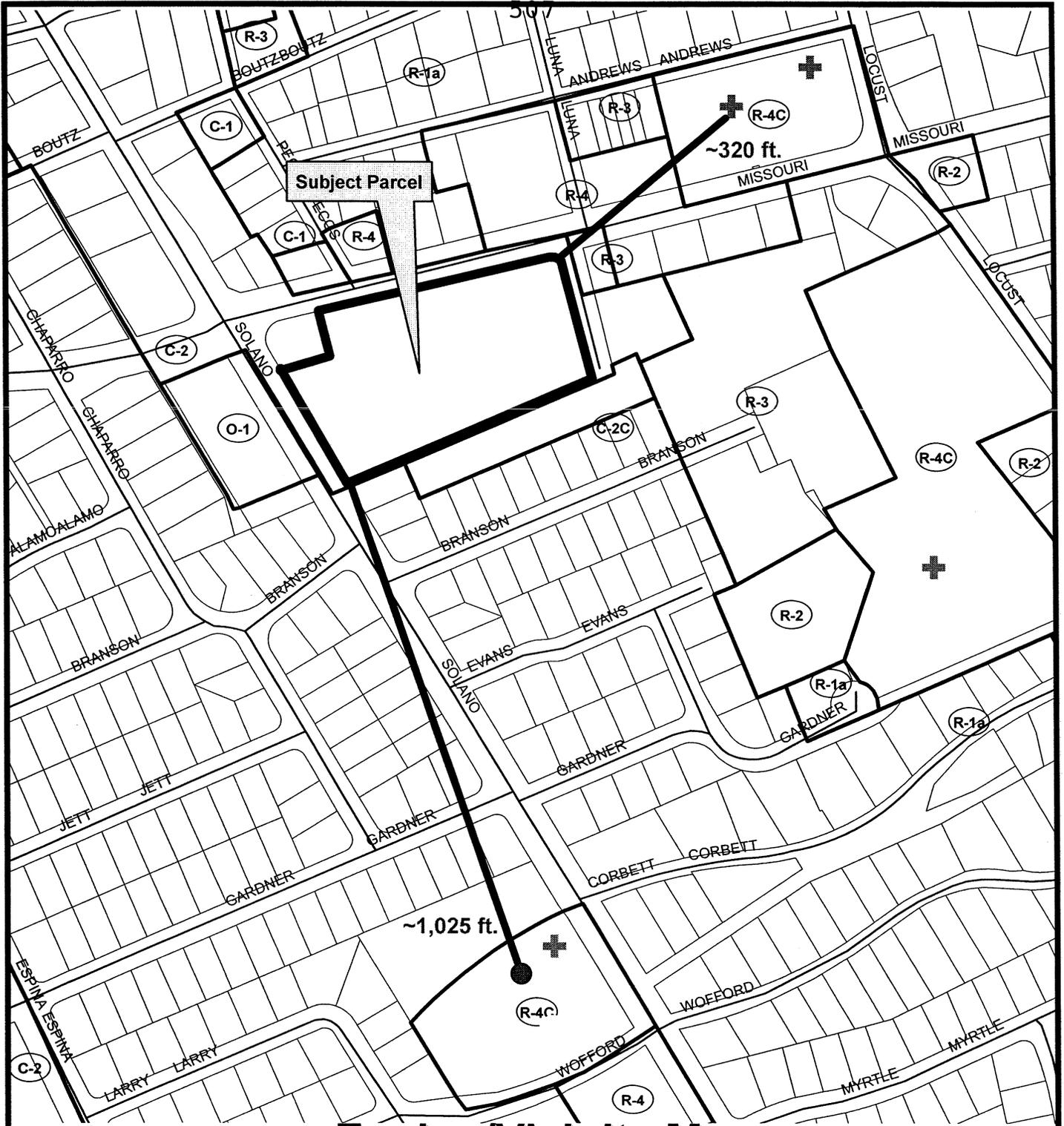
The above described property located in the City of Las Cruces, New Mexico, has been reviewed and found to be zoned as indicated above in accordance with the Las Cruces Zoning Atlas. Accordingly, I do hereby approve and issue this Statement of Zoning.

May 14, 2009
Date


Adam Ochoa
Associate 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. Retail packaged liquor sales 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 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

1410 Missouri Ave.
Parcel ID#: 02-12217

Zoning: C-2

Distance to nearest school: 1,025 ft.

Distance to nearest church: 320 ft.

-  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 (575) 528-3043.

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

From: Christine Logan
Subject: RE: Liquor license application

Lowes Food (as Lowe's #58) has a current business license for the 1410 Missouri Avenue location.

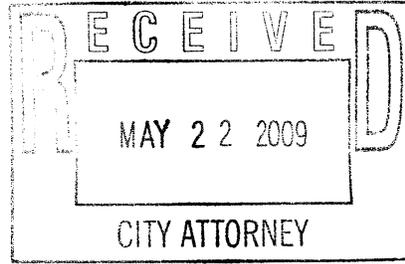
From: Monica Campbell
Sent: Monday, May 11, 2009 2:01 PM
To: Christine Logan
Cc: Vicki Montez
Subject: Liquor license application

Attached is a copy of the Alcohol and Gaming letter and application for the transfer of ownership and location of Liquor License No. 362 to Pay and Save, Inc. d/b/a Lowe's Foods, located at 1410 Missouri Avenue, Las Cruces.

Please review this application and confirm whether this business has a valid business license and all permits, if applicable.

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 **May 28, 2009**.

Monica Campbell
City Attorney's Office
541-2128

**INTEROFFICE MEMORANDUM****LAS CRUCES POLICE DEPARTMENT**

DATE: May 18, 2009
TO: Fermin A. Rubio, City Attorney
From: HARRY ROMERO, Chief of Police
Subject: Lowes Foods

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 Lowes located at 1410 Missouri Ave, Las Cruces, New Mexico.

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

A handwritten signature in black ink, appearing to read "Harry Romero".

HARRY ROMERO
Chief of Police



Interdepartmental Memorandum

TO: Fermin A. Rubio, City Attorney

FROM: Travis A. Brown, Deputy Chief *AB*

SUBJECT: Liquor License Review

DATE: June 27, 2009

FILE #:

Our department has reviewed the liquor license application for Pay and Save, Inc., d/b/a Lowes Foods, located at 1410 Missouri Avenue, Las Cruces, New Mexico.

This is an existing business that was inspected and found to be in compliance with the 2006 International Fire Code (IFC) for a facility that serves alcoholic beverages.

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

Attachment 7

