

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 11 Ordinance/Resolution# 13-046

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of September 17, 2012
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE TO ZEFFIRO, LLC D/B/A MAIN STREET BISTRO & ALEHOUSE, LOCATED AT 139 NORTH MAIN STREET, SPACE B, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To approve or disapprove the issuance of a Restaurant Liquor License.

COUNCIL DISTRICT: 1		
<u>Drafter/Staff Contact:</u> Monica Campbell	<u>Department/Section:</u> Legal/City Attorney	<u>Phone:</u> 541-2128
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Pursuant to New Mexico Statutes, an application for the issuance of a Restaurant Liquor License must be accompanied by a resolution of the City Council approving of and consenting to the issuance after a public hearing.

Zeffiro, LLC d/b/a Main Street Bistro & Alehouse applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the issuance of a Restaurant Liquor License at 139 North Main Street, Space B, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on August 1, 2012.

The City Council is required to hold a public hearing within 45 days after the date of receipt of the approval letter from Alcohol and Gaming. A public hearing to review this issue is scheduled during the regular City Council meeting to be held on Monday, September 17, 2012, 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 Bulletin* on August 31 and September 7, 2012, and in the *Las Cruces Sun-News* on September 2 and 9, 2012.

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.

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 the license.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A". Alcohol and Gaming's letter with the application.
3. Attachment "1". Notice of Intent to Adopt published in the *Las Cruces Bulletin*.
4. Attachment "2". Notice of Intent to Adopt published in the *Las Cruces Sun-News*.
5. Attachment "3". Traffic Impact Report from the Traffic Engineering Section.
6. Attachment "4". Liquor License Impact Report (zoning) from Development Services.
7. Attachment "5". Business Registration Report from Development Services.
8. Attachment "6". Criminal Activity Report from the Las Cruces Police Department.
9. Attachment "7". Fire and Safety Compliance Report from the Las Cruces Fire Department.

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 _____ 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 <u>FY13</u> .
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

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

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve of and consent to the issuance of the Restaurant Liquor License and Alcohol and Gaming will continue with the application process.
2. Vote "No"; this 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.
3. Vote to "Amend"; this is not permitted by the Liquor Control Act, NMSA 1978, Section 60-6B-4.
4. Vote to "Table"; this is not permitted by the Liquor Control Act, NMSA 1978, Section 60-6B-4.

REFERENCE INFORMATION:

N/A

RESOLUTION NO. 13-046

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE TO ZEFFIRO, LLC D/B/A MAIN STREET BISTRO & ALEHOUSE, LOCATED AT 139 NORTH MAIN STREET, SPACE B, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, Zeffiro, LLC d/b/a Main Street Bistro & Alehouse, located at 139 North Main Street, Space B, Las Cruces, New Mexico, applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for the issuance of a Restaurant Liquor License; and

WHEREAS, on August 1, 2012, Alcohol and Gaming granted preliminary approval for the issuance of the license; 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 license 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 to Zeffiro, LLC d/b/a Main Street Bistro & Alehouse, located at 139 North Main Street, Space B, Las Cruces, New

Mexico, as evidenced by Alcohol and Gaming's letter and the application attached hereto as Exhibit "A", 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 hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED on this 17th day of September 2012.

APPROVED:

ATTEST:

Mayor

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

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
 (505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd



Suzanna Martinez
GOVERNOR

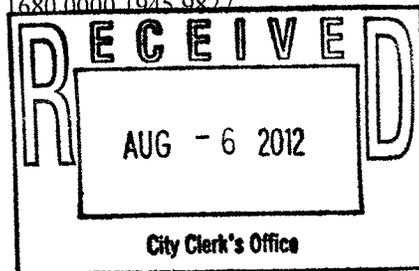
J. Dee Dennis, Jr.
SUPERINTENDENT

Mary Kay Root
DEPUTY
SUPERINTENDENT

Steven A. Reinhart, Esq.
DIRECTOR

August 1, 2012

Certified Mail No: 7009 1680 0000 1945 9827



City of Las Cruces
 Esther Martinez, Clerk
 PO Box 20000
 Las Cruces, NM 88004

Re: License / App. No. Application #821683
 Applicant Name: Zeffiro, LLC
 Doing Business As: Main Street Bistro & Alehouse
 Proposed Location: 139 N. Main St., Sp. B, 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 "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 requesting a Beer & Wine Restaurant Liquor License:

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

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

prior to 1981 or unless the applicant/licensee has obtained a waiver from the local option district governing body for the proposed licensed premises.)

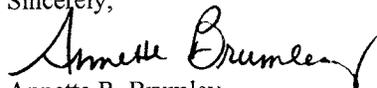
The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval.

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, and Ownership & Description of Premises
SID Posting Certificate
Copy of City of Las Cruces Zoning Statement



LIQUOR LICENSE APPLICATION

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

State Liquor License # _____
 Application Number 801683
 Local option (AGD use) _____
 Record Owner of Existing License _____
 Current D/B/A Name _____
 Current Premises Address _____

#138125
 ENTERED
 200

Application is for: Change of Stock _____ Change of Officers/Directors _____ Transfer Ownership of Existing License _____ Transfer Ownership and Location _____ Other _____
 Issue New License Type of License being applied for RESTAURANT BEER & WINE
 Partnership (General or Limited) _____ Limited Liability Company

Applicant is: Individual _____ Corporation _____
 NAME OF APPLICANT (company or individual) ZEFFIRO, LLC
 ADDRESS (including city, state, zip) 136 N. WATER ST., SUITE A, LAS CRUCES, NEW MEXICO, 88001
 TELEPHONE NUMBER 575-525-6757

D/B/A name to be used: MAIN STREET BISTRO & ALEHOUSE Phone number for licensed premises: 575-650-7437
 Physical location where license is to be used: 139 N. MAIN ST, SPACE B, LAS CRUCES, DONA ANA COUNTY, NEW MEXICO 88001
 (Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: 977 FLORA VISTA DR., LAS CRUCES, NEW MEXICO, 88007
 Are alcoholic beverages currently being dispensed at the proposed location? Yes _____ No If yes, give license number and type _____
 _____ as (title) MEMBER/OWNER being first duly sworn upon oath

is (print name) GARY J. EBERT, that he/she is the applicant 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 6/25/2012

Notary Public Use Only
 Notary Public Allen R. Ontig My Commission Expires 4/2/2013
 SUBSCRIBED AND SWORN TO before me this 25th day of June, 2012 by Gary J. Ebert

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



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division
P.O. Box 25101 - Santa Fe, New Mexico 87504-5101 - (505) 476-4875 - Fax (505) 476-4595 - www.rld.state.nm.us / agd

COPY

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) RICHARD ROSEN, INC

B. Date and term of lease JUNE 18, 2012; INITIAL TERM OF LEASE EXPIRES NOVEMBER 30, 2015

3. Premises location is zoned (example C-1) CBD (CENTRAL BUSINESS DISTRICT AND MAIN ST. PLAZA OVERLAY)
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 275' Name of church CASA de ALBANZA Address/location of church 100 S. CHURCH STREET LAS CRUCES, NM 88001

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

Miles/feet 385' Name of school CENTRAL ELEMENTARY Address/location of school 150 N. ALAMEDA BLVD., LAS CRUCES, NM 88005

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

Miles 11.7 Name of Military Installation, circle one: 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) _____

ALCOHOL & GAMING DIVISION
2550 CERRILLOS ROAD 87505
P.O. BOX 25101
SANTA FE, NEW MEXICO 87504-5101

POSTING CERTIFICATE
(ISSUANCE OF NEW LIQUOR LICENSES)

XX RESTAURANT (BEER/WINE ONLY) WHOLESALER: _____
 MASTER WINEGROWER WINEGROWER OFF-SITE: 1 2 3 (Circle)
 MASTER SMALL BREWER SMALL BREWER OFF-SITE: 1 2 (Circle)
 OTHER: _____



APPLICATION NUMBER: A-821683

APPLICANT NAME: ZEFFIRO, LLC

PROPOSED NAME: MAIN STREET BISTRO 7 & ALEHOUSE

PROPOSED LOCATION: 139 N. MAIN ST., SPACE B, LAS CRUCES, NM

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: City of Las Cruces
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: NA
3. DISTANCE FROM NEAREST CHURCH IS APPROXIMATELY: 1 tenth of a mile
NAME OF CHURCH IS: Calvary Chapel
4. DISTANCE FROM NEAREST SCHOOL IS APPROXIMATELY: 15 tenths of a mile
NAME OF SCHOOL IS: Central Elm. school
5. DISTANCE FROM NEAREST MILITARY INSTALLATION IS: NA
MILES

NAME OF INSTALLATION IS: X KIRTLAND AIR FORCE BASE (ALBUQUERQUE)
NA WHITE SANDS MISSILE RANGE (LAS CRUCES)
NA HOLLoman AIR FORCE BASE (ALAMOGORDO)
 CANNON AIR FORCE BASE (CLOVIS)

NOTICE POSTED ON: X BUILDING BILLBOARD OTHER: _____

DATE POSTED: 7/9/2012

EXPIRATION DATE: 07/26/2012 (midnight)

APPLICANT'S SIGNATURE: [Handwritten Signature]

S.I.B. SPECIAL AGENT: [Handwritten Signature] S-9



AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

City contact: Monica Campbell, 541-2128

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

Dates to Publish: August 31 and September 7, 2012

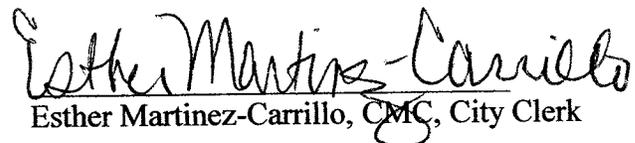
Copy to publish:

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 to Zeffiro, LLC d/b/a Main Street Bistro & Alehouse at 139 North Main Street, Space B, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council on Monday, September 17, 2012, beginning 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 issuance.

Witness my hand and seal of the City of Las Cruces on this the 21st day of August 2012.


Esther Martinez-Carrillo, CMC, City Clerk



AD FORM
LAS CRUCES SUN NEWS
LEGAL CLASSIFIED

City contact: Monica Campbell, 541-2128

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

Dates to Publish: September 2 and 9, 2012

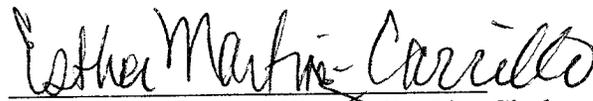
Copy to publish:

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The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council on Monday, September 17, 2012, beginning 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 issuance.

Witness my hand and seal of the City of Las Cruces on this the 21st day of August 2012.


Esther Martinez-Carrillo, CMC, City Clerk



City of Las Cruces
PEOPLE HELPING PEOPLE

**INTER-DEPARTMENTAL
MEMORANDUM**

=====

TO: Harry "Pete" Connelly, City Attorney

FROM: Dan Soriano, Traffic Engineer, Transportation Dept.

SUBJECT: Traffic Investigation Report

DATE: August 29, 2012

=====

As requested, Traffic Engineering has completed a traffic investigation for Main Street Bistro and Alehouse located at_139 N. Main Street Space B , Las Cruces., New Mexico. The following information is submitted for review:

- N Main Street at this location carries approximately 5000 vehicles per day.
- N Main Street is operated as a downtown central business district street and primarily serves commercial businesses.
- Vehicular access to the downtown properties is from parking areas along Church and Water Streets No potential sight distance or operational problems exist.
- The speed limit on both Church and Water Streets is set at 30 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. 821683
(Beer and Wine Only)**

**Main Street Bistro & Alehouse
139 N. Main Street**

August 14, 2012

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

Main Street Bistro & Alehouse
139 N. Main Street

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: 139 N. Main Street
 Applicant: Zeffiro, LLC
 Business Name: Main Street Bistro & Alehouse

LAND USE AND ZONING INFORMATION:

Subject Property Zoning: CBD (Central Business District and Main Street Plaza Overlay 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	CBD	Commercial
South	CBD	Commercial
East	CBD	Commercial
West	CBD	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: N. Main
 Classification: Collector Roadway
 Number of Lanes: 2
 Site Access: 2
 Nearest Intersection: Main Street & Griggs Avenue

PARKING REQUIREMENTS:

The 2001 Las Cruces Zoning Code, as amended, requires restaurants to provide one automobile space for each 2-5 seats. However, the business is in the Main Street Plaza Overlay Zone which has no minimum or maximum parking requirement since several public parking lots and on street parking is shared among various businesses. Hence, parking is adequate for the use.

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 N. Main Street which is designated as a collector roadway which is designed to accommodate moderate to heavy traffic and land uses such as restaurants. Zoning for this property is CBD (Central Business District and Main Street Plaza Overlay Zone) 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.

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. Main Street Bistro & Alehouse is actually within the required 300 foot distance of a church property: House of Praise, located at 100 S. Church St.

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 139 N. Main Street, and having a Map Code Number or Parcel ID Number of 02-05997, in Las Cruces, New Mexico, is zoned as follows:

CBD (Central Business District & Main Street Plaza Overlay 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.

August 14, 2012
Date

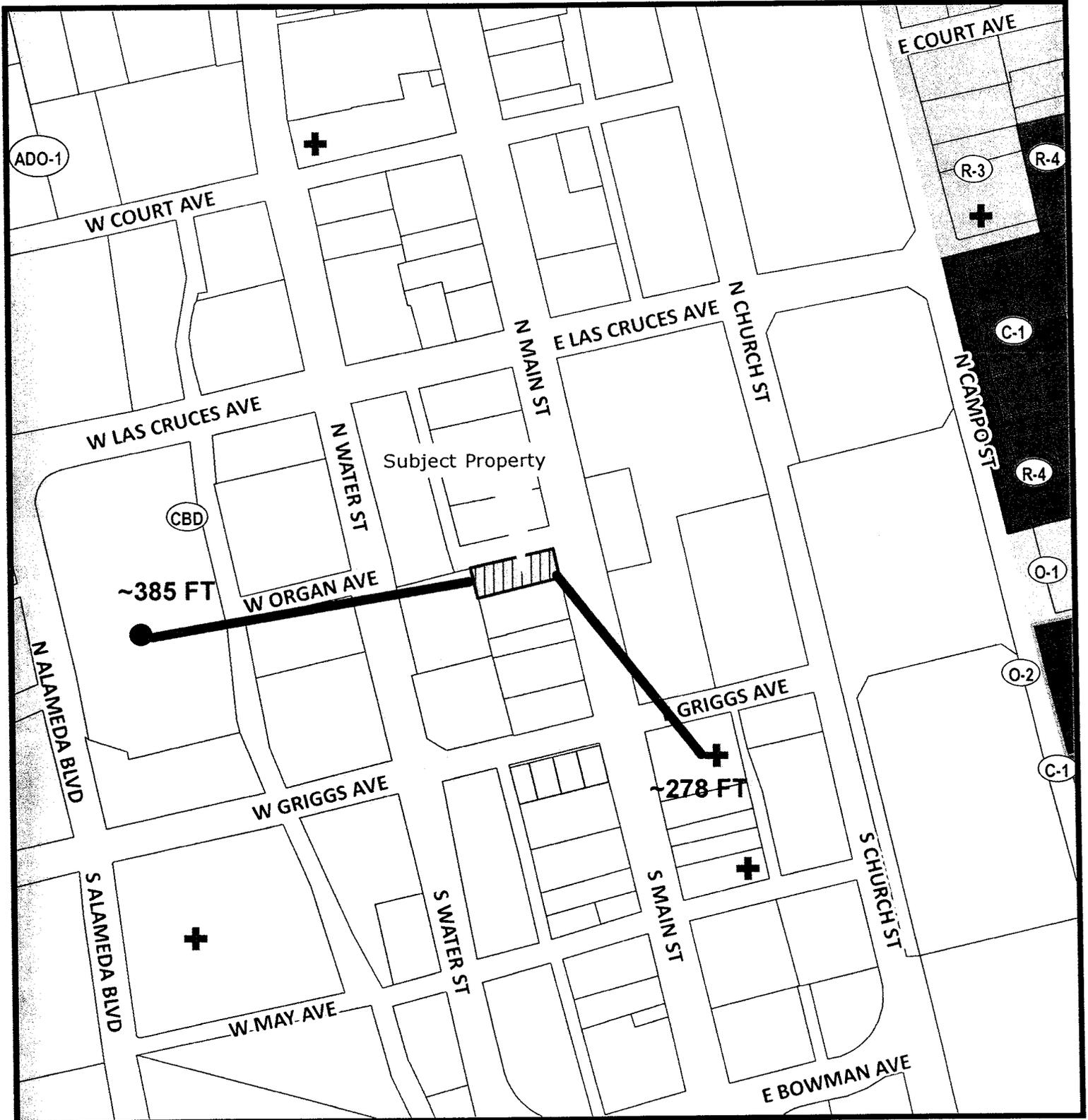
Lorenzo Vigil
Planning Technician, Sr

Comments: The purpose of this district is to accommodate government facilities, retail, office, residential, and other similar uses in the central business area of the City with appropriate height, yard, and intensity standards to allow for a higher density of development. Furthermore, the properties described within the "Main Street Plaza" Overlay Zone are identified as a special area within the Central Business District (CBD) to encourage revitalization through incentives and clearly defined development standards. A food and beverage establishments with a dispenser's liquor license are permitted uses within this zoning district, providing that all requirements prescribed for liquor establishments by the State of New Mexico are met.

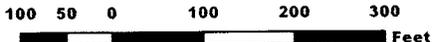
Please be advised that the information presented on this document is taken from the City of Las Cruces Zoning Atlas. Nothing shall prevent the City of Las Cruces from amending this information if review of the Zoning Ordinance shows the Atlas to be in error.

ZONING/VICINITY MAP

261



○ ZONING ● SCHOOL + CHURCH



139 N MAIN STREET
PARCEL ID # 02-05997
ZONING: CBD
DISTANCE TO NEAREST SCHOOL: ~385 FEET
DISTANCE TO NEAREST CHURCH: ~278 FEET

Community Development Department
700 N Main St
Las Cruces, NM 88001
(575) 528-3222

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

BUSINESS REGISTRATIONS REPORT

From: Sara Gonzales
Subject: RE: Liquor license report request - Main St. Bistro

There is no business registration.

From: Monica Campbell
Sent: Friday, August 10, 2012 1:45 PM
To: Lorenzo Vigil; Sara Gonzales; Eloy Jimenez; Business Registration
Cc: Robert Kyle
Subject: Liquor license report request - Main St. Bistro

Attached is Alcohol and Gaming's letter and application concerning a Restaurant Liquor License for Main Street Bistro & Alehouse, 139 N. Main, Space B, Las Cruces.

Please review, and prepare reports for zoning and business registration. (Lorenzo: information will also be needed for a church/school distance waiver request.)

The reports are due in the City Attorney's Office on or before **August 30, 2012**, in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the September 17, 2012 Council meeting.

Thank you.

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



LAS CRUCES POLICE DEPARTMENT MEMORANDUM

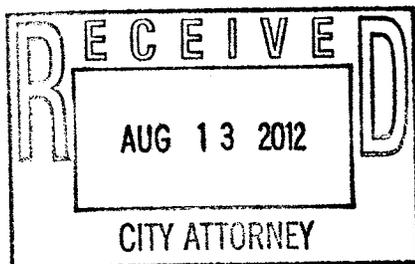


DATE: August 10, 2012
TO: Pete Connelly, City Attorney
From: Richard Williams, Chief of Police
Subject: Main Street Bistro & Alehouse

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Main Street Bistro & Alehouse located at 139 N. Water Street, Las Cruces, NM 88001.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for Main Street Bistro & Alehouse be approved.

Richard Williams
Chief of Police



FIRE AND SAFETY COMPLIANCE REPORT – MAIN STREET BISTRO & ALEHOUSE

From: Billy Chaires
Subject: RE: Liquor license report request - Main St. Bistro

Main Street Bistro meets the requirements for a Restaurant Liquor License

From: Monica Campbell
Sent: Friday, August 10, 2012 1:47 PM
To: Travis Brown; Ted Sweetser; Billy Chaires
Cc: Mary Helen Sarabia
Subject: Liquor license report request - Main St. Bistro

Attached is Alcohol and Gaming's letter and application concerning a Restaurant Liquor License for Main Street Bistro & Alehouse, 139 N. Main, Space B, Las Cruces.

Please review, and prepare a fire and safety compliance report.

The report is due in the City Attorney's Office on or before **August 30, 2012**, in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the September 17, 2012 Council meeting.

Thank you.

Monica Campbell
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City of Las Cruces
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