

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6

Ordinance/Resolution# 13-130

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 1, 2013
(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 DELICIAS CHIHUAHUA CAFÉ, INC. D/B/A CAFÉ DELICIAS COCINA MEXICANA LOCATED AT 1413 EAST AMADOR AVENUE, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

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

COUNCIL DISTRICT: 4		
<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.

Delicias Chihuahua Café, Inc. d/b/a Café Delicias Cocina Mexicana 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 1413 East Amador Avenue, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on February 20, 2013.

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, April 1, 2013, 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 March 15 and 22, 2013, and in the *Las Cruces Sun-News* on March 17 and 24, 2013.

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>1000-10180010-520002</u> in the amount of <u>\$300.00</u> for FY13.
	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:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A.

RESOLUTION NO. 13-130

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE TO DELICIAS CHIHUAHUA CAFÉ, INC. D/B/A CAFÉ DELICIAS COCINA MEXICANA LOCATED AT 1413 EAST AMADOR AVENUE, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, Delicias Chihuahua Café, Inc. d/b/a Café Delicias Cocina Mexicana located at 1413 East Amador Avenue, 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 February 20, 2013, 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 Delicias Chihuahua Café, Inc. d/b/a Café Delicias Cocina Mexicana located at 1413 East Amador Avenue, 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 1st day of April 2013.

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

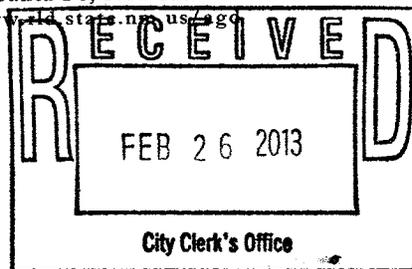


New Mexico Regulation and Licensing Department

ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.state.nm.us/agc

February 20, 2013



Certified Mail No: 7009 2820 0003 9518 4699

Suzanna Martinez
GOVERNOR

J. Dee Dennis, Jr.
SUPERINTENDENT

Jennifer W. Anderson
DIRECTOR

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

Re: App. No. 844845
Applicant Name: Delicias Chihuahua Café, Inc.
Doing Business As: Café Delicias Cocina Mexicana
Proposed Location: 1413 Amador, 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:

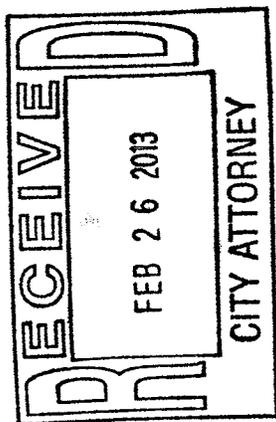
The Director of the Alcohol and Gaming Division has granted Preliminary Approval for the referenced application and is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

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 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



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

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



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division
 2550 Cerrillos Road • Santa Fe, New Mexico 87505 • (505) 476-4875 • Fax (505) 476-4898
 www.nm.gov

PAID LIQUOR LICENSE APPLICATION

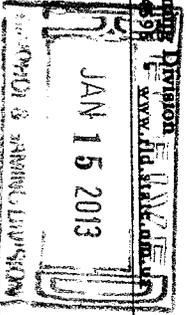
2005

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

Record Owner of Existing License

Current D/B/A Name

Current Premises Address



State Liquor License # 844845 PA 1438913
 Application Number
 Local option (AGD use)

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

Applicant is: Individual Corporation Partnership (General or Limited) Limited Liability Company
 NAME OF APPLICANT (company or individual) Delicias Chihuahua Cafe Inc ADDRESS (including city, state, zip) Las Cruces NM 88001 TELEPHONE NUMBER 575-541-0902
Delicias Chihuahua Cafe Inc 1417 Amador

D/B/A name to be used: Cefe Delicias Cocina Mexicana Phone number for licensed premises: 575-541-0902

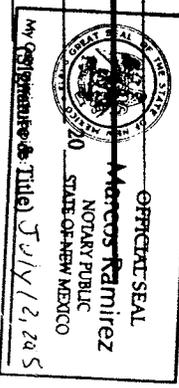
Physical location where license is to be used: 1413 Amador Las Cruces NM 88001
 (Include street number / highway number / state road, city and county, state, and zip code)
 Mailing address: 1413 Amador Las Cruces NM 88001

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If yes, give license number and type _____
 I, (print name) Fernando Bustamante, 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 12/05/12

SUBSCRIBED AND SWORN TO before me this 9 day of December, 2012 by Fernando Bustamante
 Notary Public _____ My Commission Expires July 12, 2015

Local Governing Body of: _____ (City or County). Hearing held on _____
 Check one: Approved Disapproved City/County Official _____
 For Alcohol and Gaming Division Use Only



Approved _____ Disapproved _____ Director Approval _____ Date _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

SS-60-GB-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) Fernando Bustamante

B. Date and term of lease 07-01-2011 5 year lease TERM.

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 .6 Miles Name of church Saint Genevieve Roman Catholic Church Address/location of church 100 South Esquire Street
Las Cruces, NM 785.

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

Miles/feet .8 Miles Name of school Hermosa Heights Address/location of school 1655 east Amador Las Cruces NM
85001

6. Distance from military installation *(Property line of military installation to licensed premises—shortest distance.)
Miles 64.2 Name of Military Installation, circle one: White Sands Missile Range (Las Cruces),
Kirtland Air Force Base (Albuquerque), 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) _____

Return this form to the Alcohol and Gaming Division, 2550 Cerrillos Road, Santa Fe, New Mexico 87505.

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-844845
APPLICANT NAME: DELICIAS CHIHUAHUA CAFE INC
PROPOSED NAME: CAFE DELICIAS COCINA MEXICANA
PROPOSED LOCATION: 1413 AMADOR, 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: 3.7 miles
NAME OF CHURCH IS: St. Genevieve's Catholic Church
4. DISTANCE FROM NEAREST SCHOOL IS APPROXIMATELY: 400 yards
NAME OF SCHOOL IS: Mariposa Heights Elem. School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION IS: NA

MILES

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

NOTICE POSTED ON: X BUILDING BILLBOARD OTHER: _____

DATE POSTED: 01/22/2013

EXPIRATION DATE: 02/11/2013 (midnight)

[Signature]
APPLICANT'S SIGNATURE

[Signature]
S.I.D. SPECIAL AGENT



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: March 15 and 22, 2013

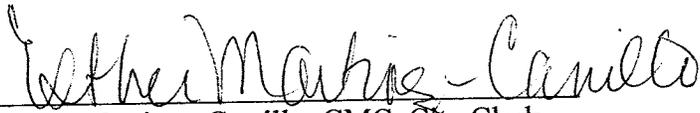
Copy to publish:

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 Delicias Chihuahua Café, Inc. d/b/a Café Delicias Cocina Mexicana at 1413 East Amador Avenue, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council on Monday, April 1, 2013, 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 5th day of March 2013.



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: March 17 and 24, 2013

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 Delicias Chihuahua Café, Inc. d/b/a Café Delicias Cocina Mexicana at 1413 East Amador Avenue, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council on Monday, April 1, 2013, 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 5th day of March 2013.

Esther Martinez-Carrillo

 Esther Martinez-Carrillo, CMC, City Clerk



INTER-DEPARTMENTAL MEMORANDUM

TO: Harry "Pete" Connelly, City Attorney

FROM: Willie Roman, PE, Traffic Engineer, Transportation Dept. 

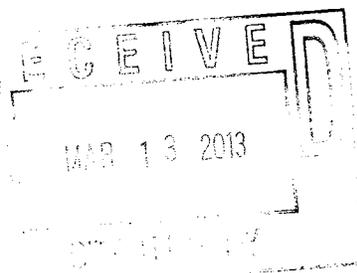
DATE: March 12, 2013

SUBJECT: Traffic Investigation Report – Liquor License Application
1413 Amador – Café Delicias Cocina Mexicana

As requested, Traffic Engineering has completed a traffic investigation for Café Delicias Cocina Mexicana located at 1413 Amador, Las Cruces, New Mexico. The following information is submitted for review:

- The subject property is located along Amador Avenue near its intersection with Solano Drive. The traffic volume on Amador Avenue near this location is approximately 13,700 vehicles per day.
- Amador Avenue is classified as a principal arterial roadway by the Las Cruces MPO. Amador Avenue primarily serves commercial properties near the subject location.
- The subject property contains two driveways along Amador Avenue, one of which is located near a channelized right turn lane transition. No other potential sight distance or operational problems currently exist.
- The speed limit on Amador Avenue is 35 mph near the subject property.

The approval of a Liquor License Application at this location does not appear to 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. 844845
(Beer and Wine Only)

1413 E. Amador Avenue
Café Delicias Cocina Mexicana

March 5, 2013

LIQUOR LICENSE IMPACT REPORT
Restaurant Liquor License
Café Delicias Cocina Mexicana
1413 E. Amador 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: 1413 E. Amador Avenue
 Applicant: Delicias Chihuahua Café, Inc.
 Business Name: Café Delicias Cocina Mexicana

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-2	Commercial
South	C-2	Commercial
West	C-2	Commercial
East	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: Amador Avenue
 Classification: Principal Arterial
 Number of Lanes: 4
 Site Access: 2
 Nearest Intersections: Amador & Espanola

PARKING REQUIREMENTS:

The 2001 Las Cruces Zoning Code, as amended, requires restaurants to provide one (1) automobile parking space for every 2-5 seats and one (1) bicycle parking space per one thousand (1,000) square feet of gross floor area. Parking requirements will be verified upon the submittal of a building permit.

IMPACT ANALYSIS:

The subject property is located on Amador Avenue, a designated principal arterial roadway, which is designed to accommodate heavy traffic and land uses such as restaurants. The subject property is zoned C-2 (Commercial Medium Intensity) which permits this use and uses related to it. 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.



STATEMENT OF ZONING

The property located at 1413 E. Amador Avenue in Las Cruces, New Mexico, and having a Map Code Number or Parcel Identification Number of 02-10257 is zoned as follows:

C-2 (Commercial Medium Intensity)

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 the C-2 zoning district, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met.

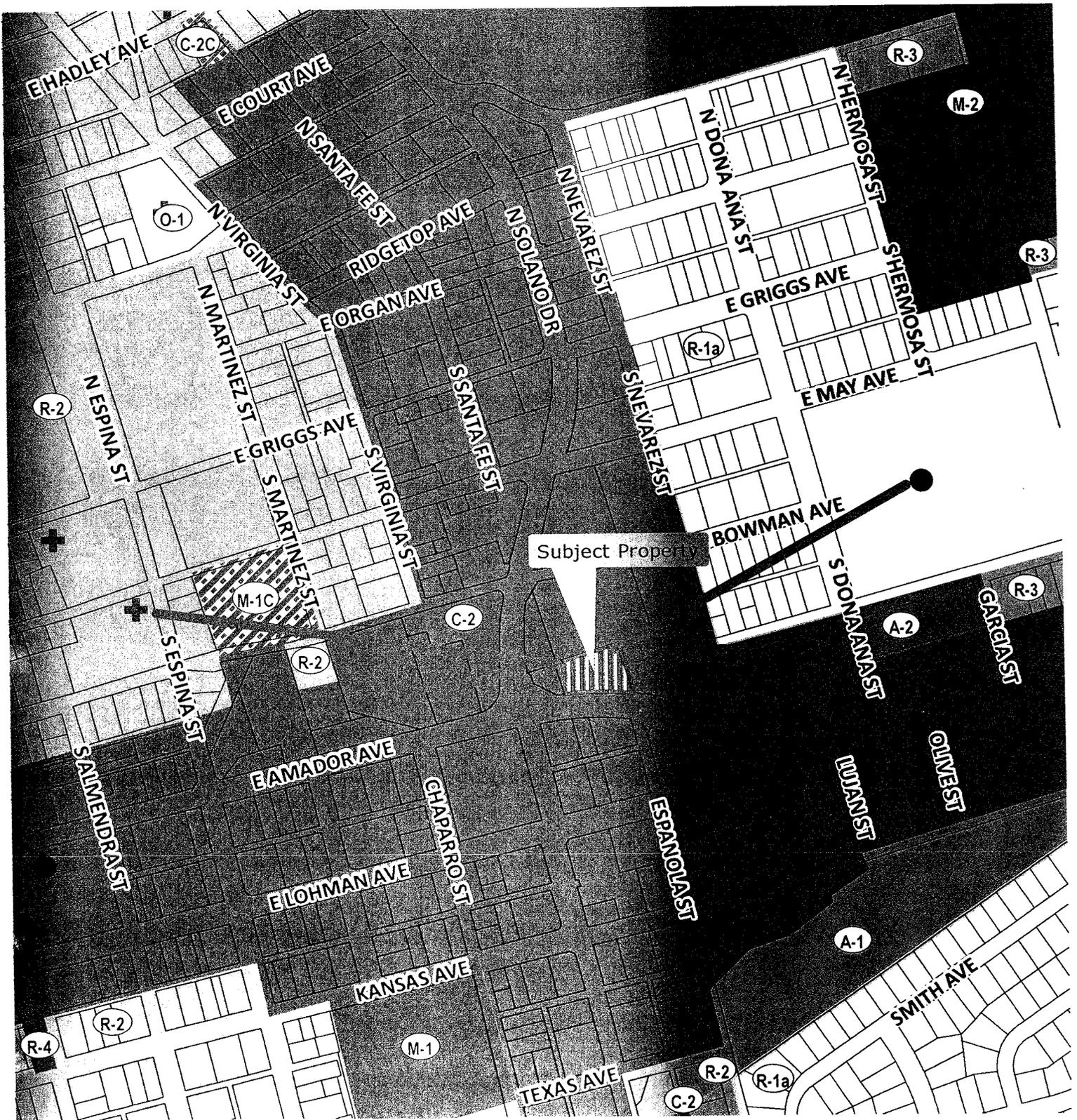
The above described property located in the City of Las Cruces, New Mexico, has been reviewed and found to be zoned as indicated above in accordance with the Las Cruces Zoning Atlas. Accordingly, I do hereby approve and issue this Statement of Zoning.

March 5, 2013
Date

Lorenzo Vigil
Planning Technician Senior

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



○ ZONING ● SCHOOL CHURCH



1413 AMADOR AVENUE
 PARCEL ID # 02-10257
 ZONING: C-2
 DISTANCE TO NEAREST SCHOOL: ~720 FEET ⁹⁵
 DISTANCE TO NEAREST CHURCH: ~1,211 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 REGISTRATION REPORT – CAFÉ DELICIAS COCINA MEXICANA

From: Sara Gonzales
Subject: Report request- liquor license application/resolution

A business registration certificate was issued June 15, 2005 for Delicia Café located at 1413 E Amador, and the license is current.

From: Monica Campbell
Sent: Thursday, February 28, 2013 9:20 AM
To: Lorenzo Vigil; Sara Gonzales; Kyle Metzgar; Business Registration
Subject: Liquor license report request - Cafe Delicias

Attached is Alcohol and Gaming's letter and application about a restaurant liquor license (beer and wine only) for Café Delicias at 1413 East Amador Avenue, Las Cruces.

Please review and prepare reports for 1) zoning and 2) business registration.

The report is due to the City Attorney on or before March 14, 2013 in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the April 1, 2013 Council meeting.

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



**LAS CRUCES POLICE DEPARTMENT
MEMORANDUM**

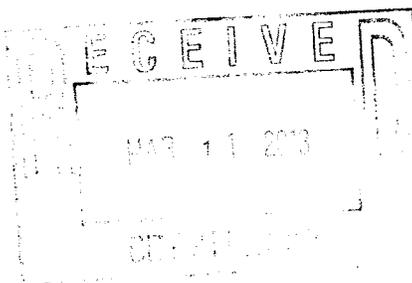


Date: March 5, 2013
To: Pete Connelly, City Attorney
From: Richard Williams Chief of Police *RGW*
Subject: Café Delicias Cocina Mexicana

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for the Café Delicias Located at 1413 Amador, Las Cruces, NM 88001

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

Richard Williams
Chief of Police



FIRE SAFETY AND COMPLIANCE REPORT – CAFÉ DELICIAS COCINA MEXICANA

From: Billy Chaires
Subject: RE: Liquor license report request - Cafe Delicias

Café Delicias meets Code compliance for a liquor license.

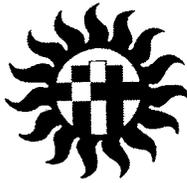
From: Monica Campbell
Sent: Thursday, February 28, 2013 9:19 AM
To: Travis Brown; Ted Sweetser; Billy Chaires
Cc: Mary Helen Sarabia
Subject: Liquor license report request - Cafe Delicias

Attached is Alcohol and Gaming's letter and application about a restaurant liquor license (beer and wine only) for Café Delicias at 1413 East Amador Avenue, Las Cruces.

Please review and prepare a fire and safety compliance report.

The report is due to the City Attorney on or before **March 14, 2013** in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the April 1, 2013 Council meeting.

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



City of Las Cruces®

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COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 1, 2013
(Adoption Date)

TITLE:

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE TO DELICIAS CHIHUAHUA CAFÉ, INC. D/B/A CAFÉ DELICIAS COCINA MEXICANA LOCATED AT 1413 EAST AMADOR AVENUE, LAS CRUCES, NEW MEXICO.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monica Campbell</i>	541-2128	3/13/2013
Department Director		541-2128	
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	3/15/13
Management & Budget Manager	<i>[Signature]</i>	541-2107	3/15/13
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	3/15/13
City Attorney	<i>[Signature]</i>	541-2128	3/14/13
City Clerk	<i>[Signature]</i>	541-2115	3/15/13