

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6

Ordinance/Resolution# 14-144

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of March 17, 2014
(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 CHEF SERVICES, LLC D/B/A BRADLEY D & WILLIAM B RESTAURANT, LOCATED AT 2540 EL PASEO ROAD, SUITE A, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To approve or disapprove the issuance of a liquor license.

COUNCIL DISTRICT: 2		
<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.

Chef Services, LLC d/b/a Bradley D and William B Restaurant 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 2540 El Paseo Road, Suite A, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval on January 16, 2014.

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, March 17, 2014, 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 February 28 and March 7, 2014, and in the *Las Cruces Sun-News* on March 2 and 9, 2014.

(Continue on additional sheets as required)

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 Traffic Operations.
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"/>	<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 FY14.
	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. 14-144

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE TO CHEF SERVICES, LLC D/B/A BRADLEY D & WILLIAM B RESTAURANT, LOCATED AT 2540 EL PASEO ROAD, SUITE A, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, Chef Services, LLC d/b/a Bradley D & William B Restaurant, located at 2540 El Paseo Road, Suite A, 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 January 16, 2014, 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 Chef Services, LLC d/b/a Bradley D & William B Restaurant, located at 2540 El Paseo Road, Suite A, 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 _____ day of _____ 20__.

APPROVED:

ATTEST:

Mayor

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____

Councillor Silva: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Small: _____

Councillor Sorg: _____

Councillor Levatino: _____

APPROVED AS TO FORM:


City Attorney

New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • PO Box 25101 • Santa Fe, New Mexico 87505-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

January 16, 2014



Susana Martinez
GOVERNOR

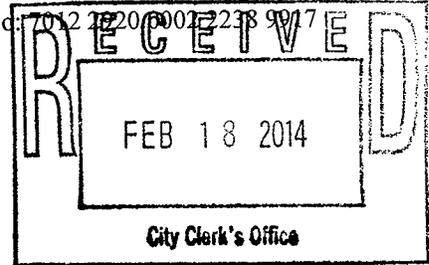
Robert "Mike" Unthank
SUPERINTENDENT

James C. McKay
GENERAL COUNSEL

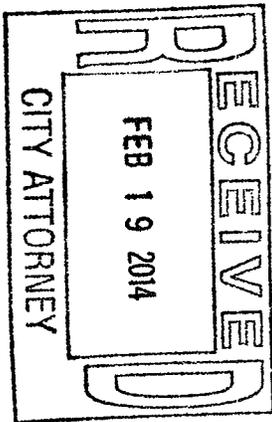
Mary Kay Root
DIRECTOR

Certified Mail No. 7012 2020 001 2238 9917

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



Re: Lic. No./App. No. 899910
Applicant Name: Chef Services, LLC
Doing Business As: Bradley D & William B. Restaurant
Proposed Location: 2540 El Paseo Rd., Suite A, 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 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.)

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

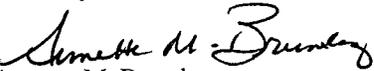
The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval.

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 *will* 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).

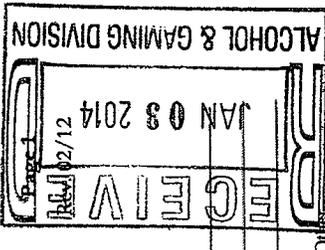
Sincerely,


Annette M. Brumley
Hearing Officer

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



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division
 2500 Terrillos Road - Santa Fe, New Mexico 87505 - (505) 476-4875 - Fax (505) 476-4595 - www.rld.state.nm.us



LIQUOR LICENSE APPLICATION

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

State Liquor License # _____
 Application Number 899910
 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 _____
 Issue New License Type of License being applied for Beer & Wine Partnership (General or Limited) _____ Limited Liability Company

Applicant is: Individual _____ Corporation _____
 NAME OF APPLICANT (company or individual) Chef Services LLC ADDRESS (including city, state, zip) 2540 El Paseo Road, Suite A Las Cruces, NM 88001 TELEPHONE NUMBER 575-652-3871

Bradley D + William B Restaurant Las Cruces, NM 88001
Bradley D + William B Restaurant Phone number for licensed premises: 575-652-3871

Physical location where license is to be used: 2540 El Paseo Road, Suite A, Las Cruces, NM 88001
 (include street number / highway number / state road, city, and county, state, and zip code)
 Mailing address: 2540 El Paseo Road, Suite A, Las Cruces, NM 88001

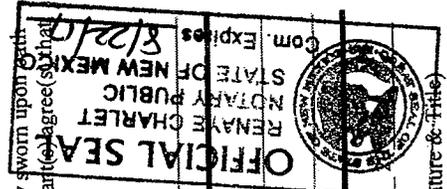
Are alcoholic beverages currently being dispensed at the proposed location? Yes _____ No If yes, give license number and type n/a
 I, (print name) Bradley Dale Wilson, as (title) Managing member (owner) being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant agrees 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 Bradley Dale Wilson Date 12/30/13

SUBSCRIBED AND SWORN TO before me this 30th day of December, 2013 by Bradley D. Wilson
 Notary Public AW My Commission Expires 8/22/17

Local Governing Body of: _____ (City or County). Hearing held on _____
 Check one: Approved _____ Disapproved _____
 Approved _____ Disapproved _____ Director Approval _____ Date _____

For Alcohol and Gaming Division Use Only
 (Signature & Title) _____





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) McCoshin Family Trust

B. Date and term of lease Aug 1st 2013 3 year lease

3. Premises location is zoned (example C-1) UD-UAZ (UNIVERSITY DISTRICT - UNIVERSITY AVENUE ZONE)
 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 0.7 miles Name of church St Albans Episcopal Church Address/location of church 2615 S. Solano Dr. Doores NM

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

Miles/feet 2.6 to 3 ft Name of school Sas Cruces High School Address/location of school 1755 El Paseo Rd Las Cruces NM

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

Miles 0.75 Name of Military Installation, circle one (White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).)
Approximately 35 miles

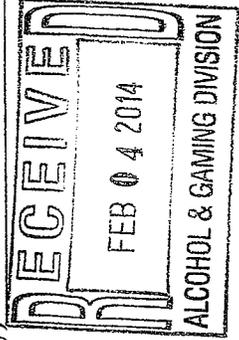
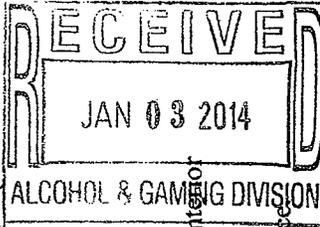
7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total 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.

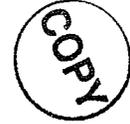
8. Type of Operation:

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)

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-899210

APPLICANT NAME: CHEF SERVICES, LLC

PROPOSED NAME: BRADLEY D & WILLIAM B RESTAURANT

PROPOSED LOCATION: 2540 EL PASEO RD., SUITE A, 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: N/A
3. DISTANCE FROM NEAREST CHURCH IS APPROXIMATELY: .45 tenths of a mile
NAME OF CHURCH IS: Messina Park Community Church - sbe
4. DISTANCE FROM NEAREST SCHOOL IS APPROXIMATELY: .6 tenths of a mile
NAME OF SCHOOL IS: Las Cruces High School
5. DISTANCE FROM NEAREST MILITARY INSTALLATION IS: N/A

MILES

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

NOTICE POSTED ON: BUILDING _____ BILLBOARD _____ OTHER: _____

DATE POSTED: 01/21/2014

EXPIRATION DATE: 02/10/2014 (midnight)

Bradley D. Williams
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: February 28 and March 7, 2014

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 Chef Services, LLC d/b/a Bradley D & William B Restaurant at 2540 El Paseo Road, Suite A, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council on Monday, March 17, 2014, 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 February 2014.



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 2 and 9, 2014

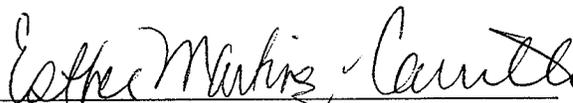
Copy to publish:

NOTICE OF INTENT TO ADOPT

Notice is hereby given Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of the issuance of a Restaurant Liquor License to Chef Services, LLC d/b/a Bradley D & William B Restaurant at 2540 El Paseo Road, Suite A, Las Cruces, New Mexico.

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Witness my hand and seal of the City of Las Cruces on this the 21st day of February 2014.



Esther Martinez-Carrillo, CMC, City Clerk



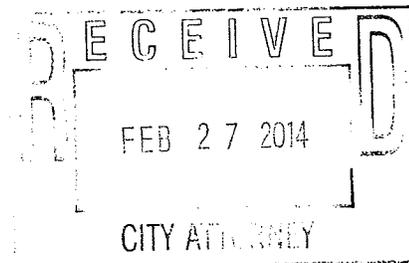
INTER-DEPARTMENTAL MEMORANDUM

TO: Harry "Pete" Connelly, City Attorney

FROM: Willie Roman, P.E., PTOE 
Traffic Operations Engineer, Transportation Dept.

DATE: February 26, 2014

SUBJECT: **Traffic Investigation Report – Liquor License Application
2540 El Paseo Road, Suite A – Bradley D & William B Restaurant**



As requested, Traffic Engineering has completed a traffic investigation for Bradley D & William B Restaurant located at 2540 El Paseo Road, Suite A, Las Cruces, New Mexico. The following information is submitted for review:

- Bradley D & William B Restaurant is located within a retail/office complex at the corner of El Paseo Road and University Avenue. The traffic volume on El Paseo Road near this location is approximately 12,100 vehicles per day and the traffic volume on University Avenue near this location is approximately 16,200 vehicles per day.
- The Mesilla Valley MPO classifies El Paseo Road as a minor arterial roadway and University Avenue as a principal arterial roadway adjacent to the subject location. Both roadways primarily serve commercial and multi-family residential uses near the property.
- The subject property can be accessed through the retail/office complex parking lot which contains three driveways along El Paseo Road and one driveway along University Avenue. The most southern driveway along El Paseo Road is in close proximity to the signalized intersection of El Paseo Road and University Avenue and therefore may experience operational issues for certain turn movements. No other sight distance or operational problems are currently known at the driveways.
- The speed limit along both roadways near the subject property is 35 mph.

The approval of a Liquor License Application at this location does not appear to adversely impact traffic operations along these roadway segments. 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. 899910
(Beer and Wine Only)

Bradley D. & William B. Restaurant
2540 El Paseo Rd. Ste. A

February 21, 2014

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

Bradley D. & William B. Restaurant
2540 El Paseo Rd. Ste. A

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: 2540 El Paseo Rd.
 Applicant: Chef Services, LLC
 Business Name: Bradley D. & William B. Restaurant

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-TZ	Commercial
South	UD-UAZ	Commercial
East	UD-UAZ	Residential
West	UD-UAZ	Residential

DISTANCE REQUIREMENTS:

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

TRAFFIC COUNT AND ACCESS INFORMATION:

Roadway: El Paseo
 Classification: Minor Arterial
 Number of Lanes: 5
 Site Access: 1
 Nearest intersection: El Paseo & University

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. As the business currently exists, there is no apparent change in land use and parking is not an issue.

IMPACT ANALYSIS:

The site of Bradley D & William B. Restaurant is located along a Minor Arterial roadway which is designed to accommodate heavy traffic and land uses such as restaurants. The subject property is zoned UD-UAZ which allows a restaurant 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.



STATEMENT OF ZONING

The property located at 2540 El Paseo Road in Las Cruces, New Mexico, and having a Map Code Number or Parcel Identification Number of 02-13262 is zoned as follows:

UD-UAZ (University District-University Avenue Zone)

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. An eating and drinking establishment with a 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.

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 21, 2014

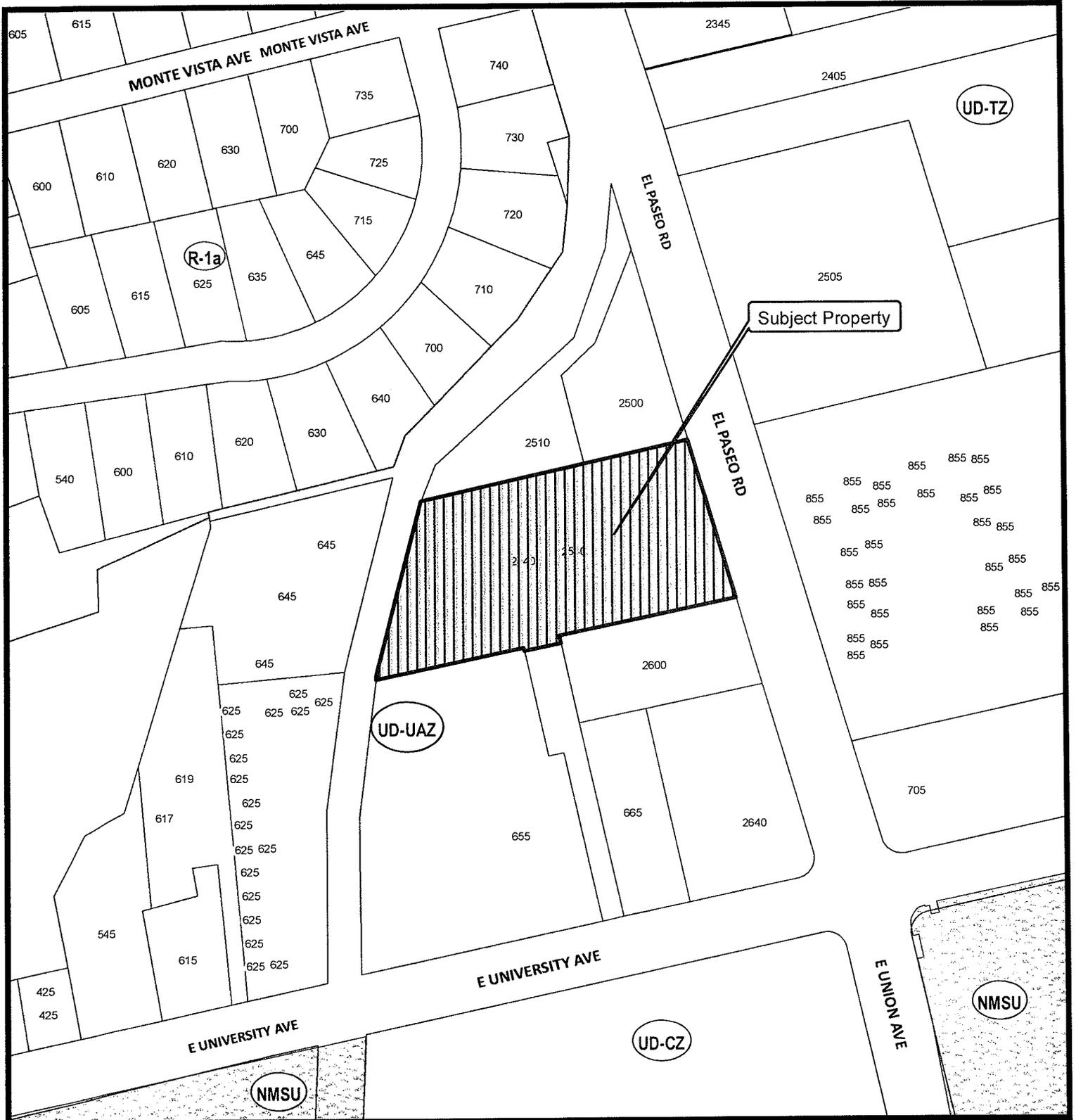
Date



 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.

Zone Map



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 City (575) 528-3043.

2540 EL PASEO RD.
 ZONING UD-UAZ
 (UNIVERSITY DISTRICT-UNIVERSITY AVENUE ZONE)
 DISTANCE TO THE NEAREST SCHOOL: 442 FEET
 (NMSU)
 DISTANCE TO THE NEAREST CHURCH: 2115 FEET
 FIRST CHRISTIAN CHURCH OF LAS CRUCES

Legend

- County Parcel
- Interstates_Highway
- Railroad
- Rio Grande



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

**BUSINESS REGISTRATION REPORT
BRADLEY D & WILLIAM B RESTAURANT**

From: Sara Gonzales

Subject: RE: Liquor license report request - Bradley D & William B Restaurant

This business has a license that was issued on 9/13/13 at the 2540 El Paseo location. The license number is 11697 and expires 7/31/14.

From: Monica Campbell

Sent: Thursday, February 20, 2014 9:20 AM

To: Lorenzo Vigil; Sara Gonzales; Eloy Jimenez; Kyle Metzgar; Christina Abeyta

Cc: Robert Kyle

Subject: Liquor license report request - Bradley D & William B Restaurant

Attached is Alcohol and Gaming's letter and application about a Restaurant Liquor License for Bradley D & William B Restaurant, located at 2540 El Paseo Road, Suite A, Las Cruces.

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

The report is due to the City Attorney on or before **February 27, 2014** in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the March 17, 2014 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



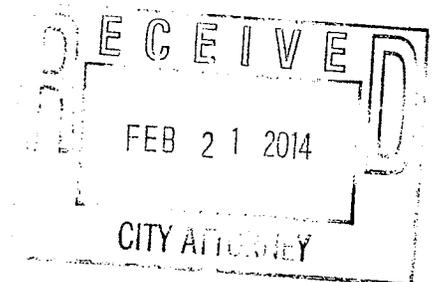
Date: February 20, 2014
To: Pete Connelly, City Attorney
From: Richard Williams Chief of Police
Subject: Bradley D & William B. Restaurant

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Bradley D & William B. Restaurant 2450 El Paseo Rd. suite A Las Cruces, NM 88001.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for Bradley D & William B. Restaurant be approved.

A handwritten signature in black ink, appearing to be "JM".

Jaime Montoya
Chief of Police



**FIRE SAFETY AND COMPLIANCE REPORT
BRADLEY D & WILLIAM B RESTAURANT**

From: Michael Danner
Subject: RE: Liquor license report request - Bradley D & William B Restaurant

Bradley D & William B Restaurant, located at 2540 El Paseo Rd, Suite A, is in compliance with the 2009 International Fire Code.

*Michael Danner
Fire Inspector
Las Cruces Fire Department
Station 1
201 E. Picacho Ave.
(575) 528-3473
(575) 528-4049 Direct
mdanner@las-cruces.org*

From: Monica Campbell
Sent: Thursday, February 20, 2014 9:21 AM
To: Travis Brown; Ted Sweetser; Billy Chaires
Cc: Mary Helen Sarabia
Subject: Liquor license report request - Bradley D & William B Restaurant

Attached is Alcohol and Gaming's letter and application about a Restaurant Liquor License for Bradley D & William B Restaurant, located at 2540 El Paseo Road, Suite A, Las Cruces.

Please review the attachment and prepare a fire and safety compliance report.

The report is due to the City Attorney on or before **February 27, 2014** in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the March 17, 2014 Council meeting.

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