



City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5Ordinance/Resolution# 16-098For Meeting of _____
(Ordinance First Reading Date)For Meeting of October 19, 2015
(Adoption Date)

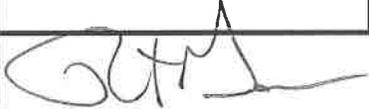
Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING THE TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 28033, WITH ON PREMISE CONSUMPTION ONLY, TO BLAZIN WINGS, INC. D/B/A BUFFALO WILD WINGS, LOCATED AT 2750 MALL DRIVE, SUITE 600, LAS CRUCES, NEW MEXICO.

PURPOSE(S) OF ACTION:

To approve or disapprove a liquor license ownership transfer.

COUNCIL DISTRICT: 3		
<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 state law, an application for the transfer of ownership of a liquor license must be accompanied by a resolution of the Las Cruces City Council approving of and consenting to the transfer after a public hearing.

Blazin Wings, Inc. d/b/a Buffalo Wild Wings applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for a transfer of ownership, with on premise consumption only, of Liquor License No. 28033. Alcohol and Gaming granted preliminary approval of the license transfer by letter dated September 8, 2015.

The City Council is required to hold a public hearing within 45 days of receipt of the preliminary approval from Alcohol and Gaming. A public hearing to review this issue is scheduled for Monday, October 19, 2015, as part of the regular City Council meeting which begins at 1:00 p.m. in the City Council Chambers at City Hall, 700 North Main Street, Las Cruces, New Mexico. Notice of this public hearing was published in the *Las Cruces Sun-News* on September 20 and 27, 2015, and in the *Las Cruces Bulletin* on September 18 and 25, 2015.

(Continue on additional sheets as required)

The City Council may approve or disapprove the transfer. However, the City Council's disapproval must be based on substantial evidence that the transfer of ownership of the license would adversely affect the health, safety or welfare of the citizens of the City of Las Cruces. The City Council may also fail to either approve or disapprove the license. If the City 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 to the transfer of the license.

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A". Alcohol and Gaming's letter and 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 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 <u>FY16</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 transfer of ownership, with on premise consumption only, of Liquor License No. 28033 and Alcohol and Gaming will continue with the application process.
2. Vote "No"; this must be based on substantial evidence that the transfer of ownership 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. 16-098

A RESOLUTION APPROVING THE TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 28033, WITH ON PREMISE CONSUMPTION ONLY, TO BLAZIN WINGS, INC. D/B/A BUFFALO WILD WINGS, LOCATED AT 2750 MALL DRIVE, SUITE 600, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, Blazin Wings, Inc. d/b/a Buffalo Wild Wings applied to the Alcohol and Gaming Division of the Regulation and Licensing Department of the State of New Mexico ("Alcohol and Gaming") for a transfer of ownership of Liquor License No. 28033, with on premise consumption only, to Buffalo Wild Wings, located at 2750 Mall Drive, Suite 600, Las Cruces, New Mexico; and

WHEREAS, Alcohol and Gaming granted preliminary approval for the transfer of ownership of the license; and

WHEREAS, pursuant to law, an application for the transfer of ownership of a liquor license must be accompanied by a resolution of the Las Cruces City Council approving of and consenting to the transfer 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. The City Council has considered the transfer of ownership of the liquor license and it has determined that approval of said license is not detrimental to the public health, safety or welfare of the citizens of the City of Las Cruces.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the transfer of ownership of Liquor License No. 28033, with on premise

consumption only, to Buffalo Wild Wings, located at 2750 Mall Drive, Suite 600, Las Cruces, New Mexico, as evidenced by Exhibit "A" attached hereto, 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 ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87504
PO Box 25101, Santa Fe, NM 87504-5101
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Tania Maestas, Esq.
ACTING CHIEF GENERAL
COUNSEL

September 8, 2015

Certified Mail No.: 7012 2920 0002 2239 0302

City of Las Cruces
Esther Martinez, City Clerk
P.O. Box 20000
Las Cruces, NM 88004-0000

Re: License / Appl. No.: License No. 28033 /Application No. 964234
Applicant Name: Blazin Wings, Inc.
Doing Business As: Buffalo Wild Wings
Proposed Location: 2750 Mall Drive, Suite 600
Las Cruces, New Mexico 88011

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

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

While the law states that "within forty-five (45) days after receipt of a Notice 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", we recognize the inherent conflict between the new 30 day notice and the existing 45 day hearing requirement. Extensions to the 45-day hearing requirement will be granted when necessary to allow for compliance with the 30 day notice. 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 twice during the 30 days prior to the hearing in a newspaper of general circulation within the territorial limits of the governing body The first notice must be published at least thirty (30) days before the hearing. Both publications must occur 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; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 28033 WITH ON PREMISE CONSUMPTION ONLY.



Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

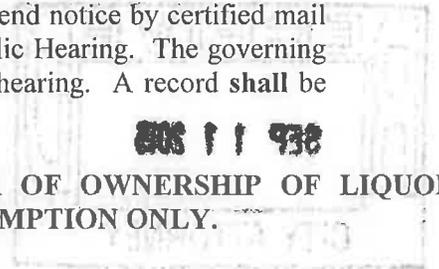
Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800



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

- 1) 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).
- 2) 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. Attached is a copy of a Zoning Statement from the local governing body.
- 3) 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 as to whether the local governing body has approved or disapproved the issuance of transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may give Final Approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

Sincerely,



Rose L. Garcia
 Hearing Officer
 NM Regulation & Licensing Dept.
 Alcohol & Gaming Division
 Phone: 505-476-4552
 Fax: 505-476-4595
 Email: rosel.garcia@state.nm.us

Enclosures:

1. Original Page 1 of the Application (must be signed and returned).
2. Copy of Page 2 of the Application.



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division
PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

LIQUOR LICENSE APPLICATION

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

Record Owner of Existing License Alamowing Las Cruces, LLC

Current D/B/A Name Buffalo Wild Wings

Current Premises Address 2750 Mall Drive, Suite 600, Las Cruces, NM 88011



State Liquor License # 28033

Application Number 964234

Local option (AGD use) _____

Application is for: Change of Stock _____ Change of Officers/Directors _____ Transfer Ownership of Existing License X Transfer Ownership and Location _____ Transfer Location _____ Other _____

Issue New License _____ Type of License being applied for ILD Partnership (General or Limited) _____ Limited Liability Company _____

Applicant is: Individual _____ Corporation X _____

NAME OF APPLICANT (company or individual) Blazin Wings, Inc. ADDRESS (including city, state, zip) 5500 Wayzata Blvd, Suite 1600, Minneapolis, Minnesota 55416 TELEPHONE NUMBER (952) 516-8175

Copy to: Rhodes & Salmon, P.C. c/o Mark Rhodes 1801 Lomas Blvd NW, Albuquerque, New Mexico 87104 (505) 247-0328

D/B/A name to be used: Buffalo Wild Wings Phone number for licensed premises: (575) 521-1955

Physical location where license is to be used: 2750 Mall Drive, Suite 600, Las Cruces, Dona Ana County, New Mexico 88011

Mailing address: 5500 Wayzata Blvd, Suite 1600, Minneapolis, MN 55416 (Include street number / highway number / state road, city and county, state, and zip code)

113

Are alcoholic beverages currently being dispensed at the proposed location? Yes X No _____ If yes, give license number and type 28033 (ILD)

I, (print name) Emily C Decker as (title) Vice 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 EC Decker Date 7/16/15

SUBSCRIBED AND SWORN TO before me this _____ day of JULY Notary Public Use Only

Notary Public [Signature] My Commission Expires JAN 31, 2018 by Emily C Decker

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 _____

LAURAKAY GARRISON HEIDEMAN
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2018
[Signature]

9/15
ENTERED
200
1423



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) Cruces Development Partners, LP

B. Date and term of lease May 1, 2009 (12 years)

3. Premises location is zoned (example C-1) C-3 (Commercial High Intensity)
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).

⁴~~1~~ Miles/feet 800 ft Name of church Church of Latter Day Saints Address/location of church 2915 E. Idaho Ave, Las Cruces, NM 88011

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

Miles/feet 1800 ft Name of school Hill Rise Elementary Address/location of school 1400 Cummut St. Las Cruces, NM 88011

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

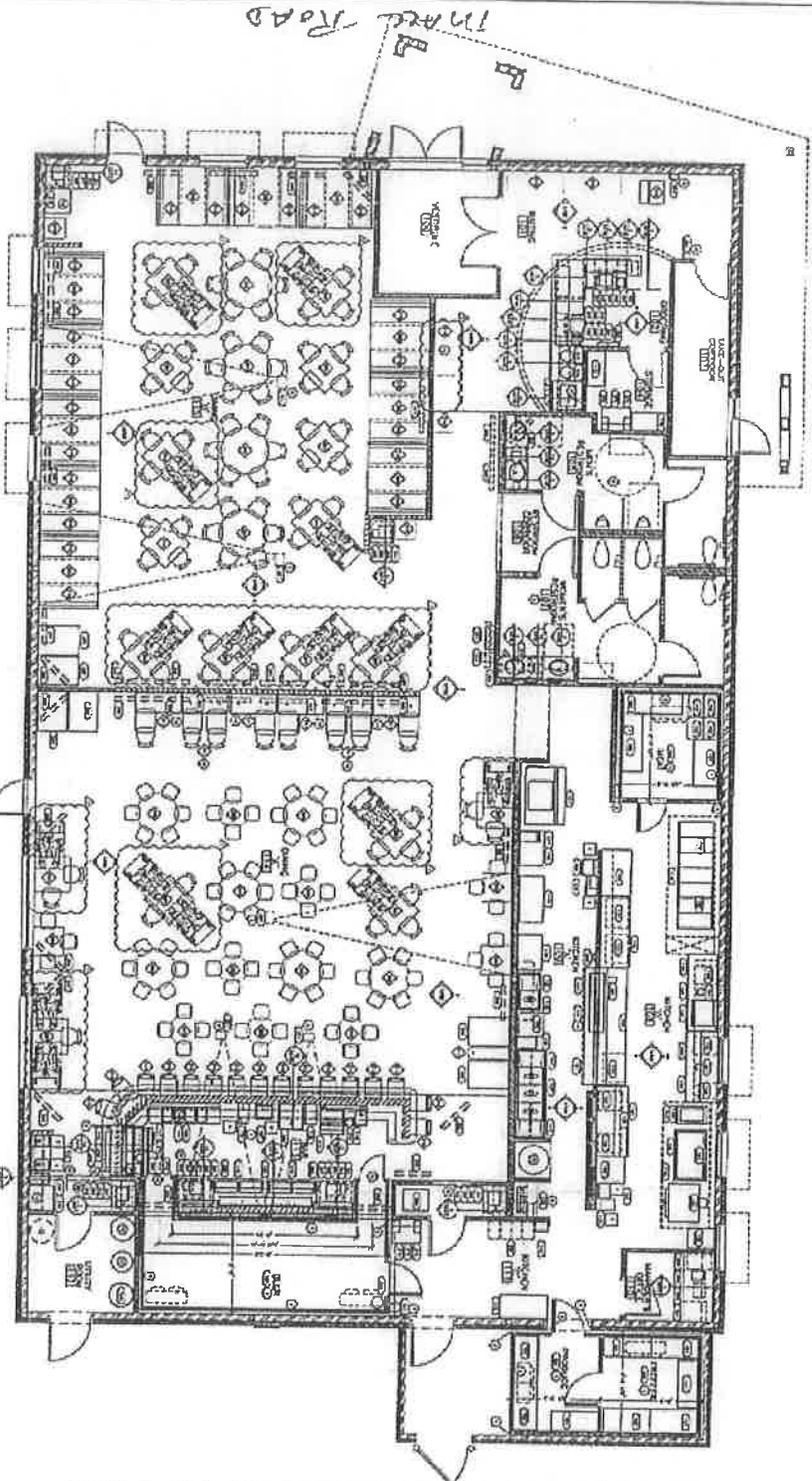
Miles 20 miles Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), ~~White Sands Missile Range (Las Cruces)~~
Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

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.

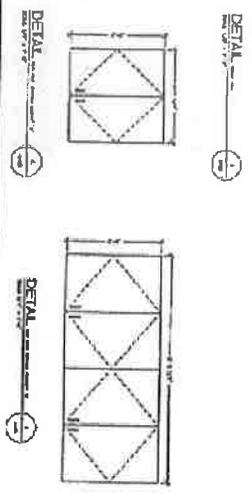
*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge _____ Restaurant Package Grocery _____ Racetrack _____ Hotel _____ Other (specify) _____



S. DAN ROSEN BLUE
6,000 Sq Ft.
BUFFALO WILD WINGS
2750 MALL ROAD
LAS CRUCES, NM



◇ FURNITURE SCHEDULE ◇

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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○ EQUIPMENT SCHEDULE ○

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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○ FURNITURE AND EQUIPMENT PLAN ○

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO ANY EXCAVATION WORK.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL WASTE MATERIALS.
11. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
13. ALL MATERIALS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.
14. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
15. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO ANY EXCAVATION WORK.
16. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
18. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
19. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL WASTE MATERIALS.

COOED NOTES

TOILET ACCESSORIES

REMARKS

WALL TYPE LEGEND

BUFFALO WILD WINGS
GRILL & BAR®
FRANCHISE
MALL ROAD
LAS CRUCES, NM

Starbuck Design
SOLUTIONS, INC.
1000 N. MEXICO AVE.
LAS CRUCES, NM 87801
TEL: 505/325-1234
WWW.STARBUCKDESIGN.COM

Starbuck Design
SOLUTIONS, INC.
1000 N. MEXICO AVE.
LAS CRUCES, NM 87801
TEL: 505/325-1234
WWW.STARBUCKDESIGN.COM

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LAS CRUCES, NM 87801
TEL: 505/325-1234
WWW.STARBUCKDESIGN.COM



STATEMENT OF ZONING

The property located at 2750 Mall Drive, and having Map Code Numbers or Parcel ID Numbers of 4-009-135-330-300, in Las Cruces, New Mexico, is zoned as follows:

C-3 (Commercial High Intensity)

Comments: The C-3 district facilitates and encourages development of those uses which provide retail, service, and wholesale activities within the City and a regional market and whose use generally serves a population of over 15,000. 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.

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.

July 14, 2015

Date

A handwritten signature in black ink, appearing to read "L. Vigil".

Lorenzo Vigil
Planning Technician, Sr.

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.



AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

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

Account No.: 977669 City Clerk, PO Box 20000, Las Cruces, NM 88004

Dates to Publish: September 18 and 25, 2015

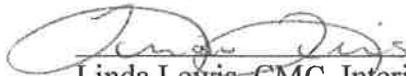
Copy to publish:

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 a transfer of ownership of Liquor License No. 28033, with on premise consumption only, to Blazin Wings, Inc. d/b/a Buffalo Wild Wings, located at 2750 Mall Drive, Suite 600, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council scheduled for Monday, October 19, 2015, at 1:00 p.m. in the City Council Chambers, 700 North Main Street, City Hall. If passed, the State of New Mexico Regulation & Licensing Department may approve the transfer.

Witness my hand and seal of the City of Las Cruces on this the 14 day of September, 2015.


Linda Lewis, CMC, Interim City Clerk



AD FORM
LAS CRUCES SUN NEWS
LEGAL CLASSIFIED

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

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

Dates to Publish: September 20 and 27, 2015

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 a transfer of ownership of Liquor License No. 28033, with on premise consumption only, to Blazin Wings, Inc. d/b/a Buffalo Wild Wings, located at 2750 Mall Drive, Suite 600, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the Las Cruces City Council scheduled for Monday, October 19, 2015, at 1:00 p.m. in the City Council Chambers, 700 North Main Street, City Hall. If passed, the State of New Mexico Regulation & Licensing Department may approve the transfer.

Witness my hand and seal of the City of Las Cruces on this the 14 day of September, 2015.



Linda Lewis, CMC, Interim City Clerk



INTER-DEPARTMENTAL MEMORANDUM

TO: William "Rusty" Babington, City Attorney

FROM: Willie Roman, P.E., PTOE
Street and Traffic Operations Administrator, Transportation Dept. *WR*

DATE: September 29, 2015

SUBJECT: Traffic Investigation Report – Liquor License Application
2750 Mall Drive, Suite 600 – Buffalo Wild Wings

As requested, Traffic Engineering has completed a traffic investigation for Buffalo Wild Wings located at 2750 Mall Drive, Suite 600 in Las Cruces, New Mexico. The following information is submitted for review:

- Buffalo Wild Wings is located in a business park along Mall Drive. According to the Mesilla Valley MPO 2014 Traffic Flow Map, the most recent traffic volume on Mall Drive near this location is approximately 1,900 vehicles per day.
- Mall Drive is not classified by the Mesilla Valley MPO and is considered a local road. This road primarily serves commercial uses near the property.
- The business park can be accessed through two driveways along Mall Drive. Parking is permitted along this road which may affect sight distance. No other sight distance or operational problems are currently known at these driveways.
- The speed limit along Mall Drive is 25 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 road. Feel free to contact me if additional information is needed.



City of Las Cruces

To: Rusty Babington, City Attorney
From: Lorenzo Vigil, Senior Planning Tech *W*
Re: Liquor License Impact Report, Buffalo Wild Wings
Date: September 15, 2015

M-15-206

Development Services staff has reviewed the request for a transfer of ownership of Liquor License No. 28033/ Application No. 964234 for Blazin Wings Inc., d/b/a/ Buffalo Wild Wings at 2750 Mall Dr., Ste. 600. Because this license is a transfer of ownership request and no actual change in the operation/activities at this location will occur, staff recommends approval of the request.

Cc: Katherine Harrison Rogers, Senior Planner *KHR*
Robert Kyle, Building and Development Services Administrator *RK*
Vincent Banegas, Community Development Deputy Director

BUSINESS REGISTRATION REPORT – BUFFALO WILD WINGS

From: Christina Abeyta
Subject: RE: Liquor license report request - Buffalo Wild Wings

Buffalo Wild Wings currently does not have a business license or an active liquor license. We received notification of closure on 7/29/15.

Christina Abeyta
Permit Technician
City of Las Cruces

From: Monica Campbell
Sent: Tuesday, September 15, 2015 11:26 AM
To: Lorenzo Vigil <lvigil@las-cruces.org>; Permitting Development Technicians <PermittingDevelopmentTechnicians@las-cruces.org>
Subject: Liquor license report request - Buffalo Wild Wings

Attached is Alcohol & Gaming's preliminary approval of the transfer of ownership of a liquor license to Buffalo Wild Wings, 2750 Mall Drive, Suite 600, Las Cruces.

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

The report is due to the City Attorney on or before October 1, 2015 in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the October 19, 2015 City Council Meeting.

Monica Campbell
Office Manager Senior
Legal Department
City of Las Cruces
575-541-2128
mcampbell@las-cruces.org



LAS CRUCES POLICE DEPARTMENT MEMORANDUM



Date: September 21, 2015
To: Rusty Babington, City Attorney
From: Jaime Montoya, Chief of Police
Subject: Buffalo Wild Wings

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Buffalo Wild Wings located at 2750 Mall Drive, Suite 600 Las Cruces, NM 88011.

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

A handwritten signature in black ink, appearing to read "Jaime Montoya".

Jaime Montoya
Chief of Police

2105 4 5 1072

FIRE SAFETY COMPLIANCE REPORT – BUFFALO WILD WINGS

From: Michael Danner
Subject: RE: Liquor license report request - Buffalo Wild Wings

Buffalo Wild Wings is up to date with their fire inspections and show no deficiencies. The transfer is approved by LCFD. Please let me know if there is anything else you need. Thank you.

Michael Danner
Fire Inspector/Investigator
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: Tuesday, September 15, 2015 11:26 AM
To: Travis Brown <tbrown@las-cruces.org>; Ted Sweetser <TSweetser@las-cruces.org>; Michael Danner <mdanner@las-cruces.org>
Cc: Mary Helen Sarabia <MaryS@las-cruces.org>
Subject: Liquor license report request - Buffalo Wild Wings

Attached is Alcohol & Gaming's preliminary approval of the transfer of ownership of a liquor license to Buffalo Wild Wings, 2750 Mall Drive, Suite 600, Las Cruces.

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

The report is due to the City Attorney on or before October 1, 2015 in order to meet required time limits and other deadlines imposed by law. This matter will be submitted for the October 19, 2015 City Council Meeting.

Monica Campbell
Office Manager Senior
Legal Department
City of Las Cruces
575-541-2128
mcampbell@las-cruces.org



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 October 19, 2015
(Adoption Date)

TITLE:

A RESOLUTION APPROVING THE TRANSFER OF OWNERSHIP OF LIQUOR LICENSE NO. 28033, WITH ON PREMISE CONSUMPTION ONLY, TO BLAZIN WINGS, INC. D/B/A BUFFALO WILD WINGS, LOCATED AT 2750 MALL DRIVE, SUITE 600, LAS CRUCES, NEW MEXICO.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Thonica Campbell</i>	541-2128	9/30/15
Department Director	<i>Webb</i>	541-2128	1 October 2015
Other			
Assistant City Manager /CAO	<i>[Signature]</i>	541-2100	10/5/15
Management & Budget Manager	<i>C. MacGuop for R. Liguori</i>	541-2107	10/2/15
Assistant City Manager/COO	<i>Dan De</i>	541-2271	10/6/15
City Attorney	<i>Webb</i>	541-2128	1 October 2015
City Clerk - Interim	<i>[Signature]</i>	541-2115	10/9/15