



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 10Ordinance/Resolution# 16-210For Meeting of _____
(Ordinance First Reading Date)For Meeting of May 2, 2016
(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 (BEER AND WINE) TO NY PIZZA SLICE HOUSE, LLC, LOCATED AT 1001 EAST UNIVERSITY AVENUE, SUITE D2, 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:

According to state law (NMSA 1978, Section 60-6B-4, as amended), an application for the issuance of a restaurant beer and wine license must be accompanied by a resolution of the Las Cruces City Council approving of and consenting to the issuance after a public hearing.

NY Pizza Slice House, LLC 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 beer and wine license at 1001 East University Avenue, Suite D2, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval by letter dated March 18, 2016.

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, May 2, 2016, 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 April 1 and 8, 2016 and in the *Las Cruces Sun-News* on April 3 and 10, 2016.

(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 Building & Development Services.
7. Attachment “5”, Business Registration Report from Building & 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 FY16.
	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

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve of and consent to the issuance of the restaurant beer and wine license to NY Pizza Slice House, LLC, 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



City of Las Cruces®

PEOPLE HELPING PEOPLE

②

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of May 2, 2016
(Adoption Date)

TITLE: A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE) TO NY PIZZA SLICE HOUSE, LLC, LOCATED AT 1001 EAST UNIVERSITY AVENUE, SUITE D2, LAS CRUCES, NEW MEXICO.

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Therica Campbell</i>	541-2128	4/4/2016
Department Director	<i>[Signature]</i>	541-2128	5 April 2016
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	541-2100 541-2107	4-7-2016 4-6-2016
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	4-7-16
City Attorney	<i>[Signature]</i>	541-2128	5 April 2016
City Clerk	<i>[Signature]</i>	541-2115	4-14-16

RESOLUTION NO. 16-210**A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT LIQUOR LICENSE (BEER AND WINE) TO NY PIZZA SLICE HOUSE, LLC, LOCATED AT 1001 EAST UNIVERSITY AVENUE, SUITE D2, LAS CRUCES, NEW MEXICO.**

The City Council is informed that:

WHEREAS, NY Pizza Slice House, located at 1001 East University Avenue, Suite D2, 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 beer and wine liquor license; and

WHEREAS, Alcohol and Gaming granted preliminary approval for the issuance of the license by letter dated March 18, 2016; and

WHEREAS, pursuant to law, the application for issuance of a liquor license must be accompanied by a resolution of the Las Cruces 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 beer and wine liquor license to NY Pizza Slice House, LLC, located at 1001 East University Avenue, Suite D2, Las Cruces, New Mexico,

as evidenced by Alcohol and Gaming's letter and the application attached hereto as Exhibit "A" and made a part of this Resolution, is hereby approved.

(II)

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:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

Mayor Miyagishima: _____

Councillor Gandara: _____

Councillor Smith: _____

Councillor Pedroza: _____

Councillor Eakman: _____

Councillor Sorg: _____

Councillor Levatino: _____

APPROVED AS TO FORM:



City Attorney

508



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

P.O. Box 25101 ▪ Santa Fe, New Mexico 87504-5101
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/alcoholandgaming

March 18, 2016

Certified Mail No.: 9171 9690 0935 0079 1752 24

City of Las Cruces

Linda Lewis, Clerk
PO Box 20000
Las Cruces, New Mexico 88004

Re: Lic. No. /Appl. No.: Application No. 986379
Name of Applicant: NY Pizza Slice House, LLC
Doing Business As: NY Pizza Slice House, LLC
Proposed Location: 1001 E. University Suite D2, Las Cruces, NM 88001

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 NMSA of the Liquor Control Act §60-6B-4.

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 & 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 SEEKING A RESTAURANT BEER AND WINE LICENSE, WITH ON PREMISES CONSUMPTION ONLY, WITHOUT PATIO SERVICE.

Susana Martinez
Governor

Robert “Mike” Unthank
Superintendent

David Jablonski
Deputy Superintendent

Diana A. Martwick
Chief General Counsel

Mary Kay Root
Director

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.
- 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 or 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, noting disapproval*).

Respectfully,



Beverly Kennedy, Hearing Officer
 NM Regulation & Licensing Dept. | Alcohol & Gaming Division
 Phone: (505) 476-4548 Fax: (505) 476-4595
 Email: beverly.kennedy@state.nm.us

Enclosures:

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

xc by email: Applicant

12/21/15
ENTERED
200
1786568



New Mexico Regulation and Licensing Department • Alcohol and Gaming Division
PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4995 • www.ald.state.nm.us/alcoholandgaming

RESTAURANT LIQUOR LICENSE APPLICATION

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

AGD USE ONLY - APPLICATION # 986379 LOD CITY LAS CRUCES

Application is for: New License / Change of Stock among existing members only / Change of Officers (no ownership interest)

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

NAME OF APPLICANT (company or individual) NY pizza Slice House, LLC

ADDRESS (including city, state, zip) 1001 E. University Suit D2, Las Cruces, NM 88001

TELEPHONE NUMBER OWNER 575-649-8157 EMAIL NY pizza Slice house@yahoo.co

D/B/A name to be used: NY pizza Slice House, LLC Phone number for licensed premises: _____

Physical location where license is to be used: 1001 E. University Suit D2, Las Cruces, NM 88001 (Include street number / highway number / state road, city and county, state, and zip code) Dona

Mailing address: 1088 FRAN DR, Las Cruces, NM 88007

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

I, (print name) Jessie Carreon, as (title) 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(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 9/18/15 12/16/15

SUBSCRIBED AND SWORN TO before me this 16th day of December, 20 15 by Jessie F. Carreon

Notary Public [Signature] My Commission Expires 3/21/2018

Local Governing Body of: _____ (City or County). Hearing held on _____ 20 _____

Check one: Approved _____ Disapproved _____ City/County Official _____ (Signature & Title)

For Alcohol and Gaming Division Use Only

Approved _____ Disapproved _____ Director Approval _____ Date _____





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) Greco Rentals - Commercial, LLC

B. Date and term of lease October 1st 2015, 3 years

3. Premises location is zoned (example C-1) UD-4AZ

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). NMSU-Christian Challenge .21 miles, east
Per DPS

Miles/feet 0.2 mi Name of church Newman Center Address/location of church 2615 S. Solano Dr

5. Distance from nearest school *(Property line of school to licensed premises—shortest distance). Las Cruces High School .55 miles, west
Per DPS

Miles/feet _____ Name of school _____ Address/location of school _____

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

Miles 20.6 Mi 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) _____

COPY



STATEMENT OF ZONING

The property located at 1001 E. University Avenue, Ste. D2 in Las Cruces, New Mexico, and having a Map Code Number or Parcel Identification Number of 02-26375 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. A restaurant with a beer and wine dispenser's license 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.

December 10, 2015
Date

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.

COPY



AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

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

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

Dates to Publish: April 1 and 8, 2016

Copy to publish:

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of a Restaurant Beer and Wine License for NY Pizza Slice House, LLC, to be located at 1001 East University, Suite D2, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the City Council to be held on Monday, May 2, 2016, 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 21 day of March 2016.


Linda Lewis, CMC, 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)

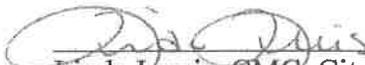
Dates to Publish: April 3 and 10, 2016

Copy to publish:

Notice is hereby given that the Las Cruces City Council will hold a Public Hearing to discuss approval or disapproval of a Restaurant Beer and Wine License for NY Pizza Slice House, LLC, to be located at 1001 East University, Suite D2, Las Cruces, New Mexico.

The Public Hearing will be held in conjunction with the regular meeting of the City Council to be held on Monday, May 2, 2016, 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 29 day of March 2016.


Linda Lewis, CMC, City Clerk



INTER-DEPARTMENTAL MEMORANDUM

TO: William "Rusty" Babington, City Attorney

FROM: SooGyu Lee, P.E., Traffic Operations Engineer 

DATE: March 31, 2016

SUBJECT: Traffic Investigation Report – Liquor License Application
1001 E. University Suite D2 – NY Pizza Slice House

As requested, Traffic Engineering has completed a traffic investigation for NY Pizza Slice House located at 1001 E. University, Suite D2 in Las Cruces, New Mexico. The following information is submitted for review:

- NY Pizza Slice House is located in a commercial complex at the northeast corner of University Avenue and Espina Street. According to the Mesilla Valley MPO 2015 Traffic Flow Map the most recent traffic volume on University Avenue near this location is approximately 15,940 vehicles per day. The traffic volume on Espina Street near this location is approximately 7,140 vehicles per day.
- The Mesilla Valley MPO classifies University Avenue as a principal arterial roadway and Espina Street as a collector roadway near the subject location. Both roadways primarily serve commercial, institutional, and high-density residential uses near the property.
- The subject property has a driveway along University Avenue, along Hagerty Road and Ease Mesa Ave (local roads), and access to Espina Street through an adjacent property. The driveway along Espina Street, through which the subject property has access, is located in close proximity to the University Avenue/Espina Street signalized intersection and does not have a raised median to control access. No other sight distance or operational problems are currently known at the driveways.
- The speed limit along University Avenue and Espina Street 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 these roadway segments. Feel free to contact me if additional information is needed.

City of Las Cruces
Community Development Department

LIQUOR LICENSE IMPACT REPORT

Restaurant Liquor License Application No. 986379
(Beer and Wine Only)

1001 E. University Avenue Ste. D2
NY Pizza Slice House, LLC

March 30, 2016

IMPACT ANALYSIS:

The subject property is located on University Avenue, a designated principal arterial roadway that is designed to accommodate moderate to heavy traffic and land uses such as eating and drinking establishments. The subject property is zoned UD-UAZ (University District-University Avenue Zone) 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.

There is a question, however, concerning the required distance between liquor establishments and military installations, churches, and schools. New Mexico State Statutes read that a liquor establishment must be 300 feet from the property line of military installations, churches and schools. The shopping center in which the subject business is located in is approximately 75 feet from the property line of New Mexico State University. The nearest building where classes are held is approximately 95 feet from the subject business. According to New Mexico State Law, a local governing district may grant a waiver to allow such a business within 300 feet of a church or school. Thus the local governing district may determine whether or not the location of the restaurant license request is appropriate. The law does not set parameters to assist in determining applicability. Therefore, Planning Staff assumes the local government district may use traditional guidelines, such as, health, safety, and welfare to make this decision.



STATEMENT OF ZONING

The property located at 1001 E. University Avenue, Ste.D2 in Las Cruces, New Mexico, and having a Map Code Number or Parcel Identification Number of 02-26375 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. A restaurant with a beer and wine dispenser's license 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.

March 30, 2016
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.

BUSINESS REGISTRATION REPORT – NY PIZZA SLICE HOUSE

From: Sara Gonzales
Subject: liquor license report request, Giant #336

NY Pizza Slice House at location 1001 E University has a current business registration through December 31, 2016.

From: Monica Campbell
Sent: Tuesday, March 29, 2016 2:25 PM

Attached are two preliminary approval letters from Alcohol and Gaming:

1. Giant Store #336, 1998 Bataan Memorial E., Las Cruces. Transfer of location of liquor license.
2. NY Pizza Slice House, 1001 E. University, Suite D2, Las Cruces. Restaurant beer and wine license.

Please review the attachments and prepare reports for 1) zoning and 2) business registrations for each location.

The reports are due to the City Attorney on or before **April 1, 2016** in order to meet required time limits and other deadlines imposed by law. The items will be submitted for the May 2, 2016 City Council meeting.

If the reports cannot be ready by Friday, let me know when you expect them to be completed. Thank you.



**LAS CRUCES POLICE DEPARTMENT
MEMORANDUM**



Date: April 1, 2016
To: Rusty Babington, City Attorney
From: Jaime Montoya, Chief of Police
Subject: NY Pizza Slice House, LLC

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for NY Pizza Slice House located at 1001 E. University Suite D2, Las Cruces, NM 88001.

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

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

Jaime Montoya
Chief of Police

FIRE SAFETY COMPLIANCE REPORT – NY PIZZASLICE HOUSE

From: Chris Mount

Subject: RE: 2 liquor license report requests - Giant #336, NY Pizza

Approved by Las Cruces Fire Department. NY Pizza Slice House is in compliance.

From: Monica Campbell

Sent: Tuesday, March 29, 2016 2:26 PM

To: Travis Brown <tbrown@las-cruces.org>; Ted Sweetser <TSweetser@las-cruces.org>; Chris Mount <cmount@las-cruces.org>

Cc: Mary Helen Sarabia <MaryS@las-cruces.org>

Subject: 2 liquor license report requests - Giant #336, NY Pizza

Attached are two preliminary approval letters from Alcohol and Gaming:

1. Giant Store #336, 1998 Bataan Memorial E., Las Cruces. Transfer of location of liquor license.
2. NY Pizza Slice House, 1001 E. University, Suite D2, Las Cruces. Restaurant beer and wine license.

Please review the attachments and prepare a safety compliance report for each location.

The reports are due to the City Attorney on or before **April 1, 2016** in order to meet required time limits and other deadlines imposed by law. The items will be submitted for the May 2, 2016 City Council meeting.

If the reports cannot be ready by Friday, let me know when you expect them to be completed. Thank you.

Monica Campbell

Office Manager Senior/City Attorney's Office/Legal Department

Direct: 575-541-2014 Main: 575-541-2128, mcampbell@las-cruces.org

