



City of Las Cruces
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 8

Ordinance/Resolution# 17-048

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of September 19, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT BEER AND WINE LIQUOR LICENSE WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE TO ALAS, LLC D/B/A PASTAGGIO'S ITALIAN, TO BE LOCATED AT 3000 HARRELSON STREET, SUITE 1N, 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.

Alas, LLC d/b/a Pastaggio's Italian 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 with on premise consumption only and patio service at 3000 Harrelson Street, Suite 1N, Las Cruces, New Mexico. Alcohol and Gaming granted preliminary approval by letter dated August 4, 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, September 19, 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 August 19 and 26, 2016.

The City 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", Traffic Impact Report from Traffic Operations.
5. Attachment "3", Liquor License Impact Report (zoning) from Building & Development Services.
6. Attachment "4", Business Registration Report from Building & Development Services.
7. Attachment "5", Criminal Activity Report from the Las Cruces Police Department.
8. Attachment "6", 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>1000-15315000-511300</u> in the amount of <u>\$300.00</u> for FY17. |
| | 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 beer and wine license to Alas, LLC d/b/a Pastaggio's Italian, 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

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of September 19, 2016
 (Adoption Date)

TITLE: A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT BEER AND WINE LIQUOR LICENSE WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE TO ALAS, LLC D/B/A PASTAGGIO'S ITALIAN, TO BE LOCATED AT 3000 HARRELSON STREET, SUITE 1N, LAS CRUCES, NEW MEXICO.

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

| DEPARTMENT | SIGNATURE | PHONE NO. | DATE |
|-----------------------------|------------------------|-----------|----------------|
| Drafter/Staff Contact | <i>Monica Campbell</i> | 541-2128 | 8-18-2016 |
| Department Director | <i>WBS</i> | 541-2128 | 19 August 2016 |
| Other | | | |
| Assistant City Manager /CAO | <i>David Miller</i> | 541-2100 | 8/25/2016 |
| Management & Budget Manager | <i>M. Magallon</i> | 541-2107 | 8/24/16 |
| Assistant City Manager/COO | <i>WBS</i> | 541-2271 | 8/26/16 |
| City Attorney | <i>WBS</i> | 541-2128 | 19 August 2016 |
| City Clerk | <i>D. J. Jones</i> | 541-2115 | 9-9-16 |

RESOLUTION NO. 17-048

A RESOLUTION APPROVING THE ISSUANCE OF A RESTAURANT BEER AND WINE LIQUOR LICENSE WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE TO ALAS, LLC D/B/A PASTAGGIO'S ITALIAN, TO BE LOCATED AT 3000 HARRELSON STREET, SUITE 1N, LAS CRUCES, NEW MEXICO.

The City Council is informed that:

WHEREAS, Alas, LLC d/b/a Pastaggio's Italian, to be located at 3000 Harrelson Street, Suite 1N, 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 with on premise consumption only and patio service; and

WHEREAS, Alcohol and Gaming granted preliminary approval for the issuance of the license by letter dated August 4, 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 with on premise

consumption only and patio service to Alas, LLC d/b/a Pastaggio's Italian, to be located at 3000 Harrelson Street, Suite 1N, 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:

ATTEST:

Mayor

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



83
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

August 4, 2016

Certified Mail No.: 9171 9690 0935 0079 1504 81

Susana Martinez
 Governor

Robert "Mike" Unthank
 Superintendent

David Jablonski
 Deputy Superintendent

Claudia Armijo
 Deputy General Counsel

Mary Kay Root
 Director

City of Las Cruces
 Linda Lewis, Clerk
 PO Box 20000
 Las Cruces, NM 88004

Re: Lic. No. /Appl. No.: Application No. 1008490
 Name of Applicant: Alas, LLC
 Doing Business As: Pastaggio's Italian
 Proposed Location: 3000 Harrelson Street, Suite 1N
 Las Cruces, NM 88005

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

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 potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

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.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

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 PREMISE CONSUMPTION ONLY AND PATIO SERVICE

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

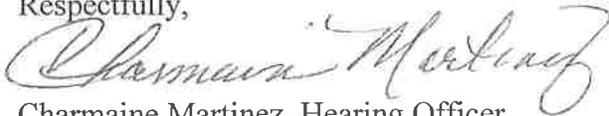
Securities Division
 (505) 476-4580

Administrative Services Division
 (505) 476-4800

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove 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 notices of publication. **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 issue 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,



Charmaine Martinez, Hearing Officer
NM Regulation & Licensing Dept. | Alcohol & Gaming Division
Phone: (505) 476-4804 Fax: (505) 476-4595
Email: charmaine.martinez2@state.nm.us

Enclosures:

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

xc by email: Applicant



Chavez
6/22/16

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/algaming



LIQUOR LICENSE APPLICATION

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

Record Owner of Existing License _____

Current D/B/A Name _____

Current Premises Address _____

Liquor License # 1008490
Application Number _____
Local option (AGD use) _____

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

Issue New License Type of License being applied for

Restaurant

Entity is: Individual _____ Corporation _____ Partnership (General or Limited) _____ Limited Liability Company

NAME OF APPLICANT (company or individual) ALAS, LLC ADDRESS (including city, state, zip) 3000 Havelson St 1N Las Cruces, NM 88005 TELEPHONE NUMBER 575-522-5522

3/A name to be used: Pastaggio's Italian Phone number for licensed premises: 575-522-5522

Typical location where license is to be used: 3000 Havelson St 1N, Las Cruces, NM 88005
(Include street number / highway number / state road, city and county, state, and zip code)
Billing address: 412 Bason Dr, Las Cruces NM 88005

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If yes, give license number and type _____
Print name) Lawrence S Liberto, as (title) OWNER being first duly sworn upon oath
Does 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 my 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.

Just sign and date this form in the presence of a notary public.

Nature of Applicant Lawrence S. Liberto Date 6-7-16

DESCRIBED AND SWORN TO before me this 7th day of June Notary Public Use Only
by Peter Schoben My Commission Expires 12-30-2017



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

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

For Alcohol and Gaming Division Use Only

Approved _____ Disapproved _____ Director Approval _____ Date _____

ENTERED
2016
180827



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

SS-60-6B-10



The land and building which is proposed to be the licensed premises is (check one):

Leased by Applicant _____ Leased by Applicant (attach copy of deed or lease) Other (provide details) _____

If the land and building are not owned by Applicant, indicate the following:

A. Owner(s) Lankford Enterprises, LLC

B. Date and term of lease JANUARY 1 2016 - FIVE YEAR LEASE

Premises location is zoned (example C-1) C-2
he premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at posed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

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

0 Miles/feet 345.43' Name of church St. James Episcopal Address/location of church 102 St. James St. Las Cruces, NM 88001

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

Miles/feet .09 Miles Name of school ZIA Middle School Address/location of school 1300 W. UNIVERSITY AVE, LAS CRUCES, NM 88001

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

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

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 lls. 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.

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.

Type of Operation:

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

RECEIVED

JUL 27 2016

ALCOHOL & GAMING DIVISION



City of Las Cruces®

STATEMENT OF ZONING

The property located at 3000 Harrelson St. Ste 1N., and having a Map Code Number or Parcel ID Number of 02-07800, in Las Cruces, New Mexico, is zoned as follows:

M-1/M-2 (Industrial Standard)

Comments: The M-1/M-2 district is intended to provide for industrial uses that consist of full-scale fabrication, manufacturing, packaging and processing of products that can be conducted in a generally clean, quiet, and safe environment with minimal negative impacts on the surrounding environment and uses. A restaurant with a patio and a beer and wine dispenser's license is a permitted use in the M-1/M-2 zoning district, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met.

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

July 25, 2016

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.



AD FORM
LAS CRUCES BULLETIN
LEGAL CLASSIFIED

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

Account No. 977669 (Bill to City Clerk, PO Box 20000, Las Cruces, NM 88004)

Dates to Publish: August 19 and 26, 2016

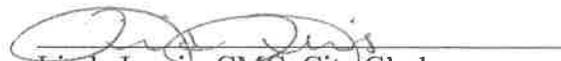
Copy to publish:

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 Restaurant Beer and Wine License with on premise consumption and patio service for Alas, LLC d/b/a Pastaggio's Italian, to be located at 3000 Harrelson Street, Suite 1N, 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, September 19, 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 15 day of August 2016.


Linda Lewis, CMC, City Clerk



MEMORANDUM

To: William "Rusty" Barbington, City Attorney

From: SooGyu Lee, P.E., Traffic Operations Engineer Initials: *SL*

Date: August 15, 2016 File #: STO-17-014

Subject: Traffic Investigation Report – Liquor License Application
3000 Harrelson Street, Suite 1N – Pastaggio's Italian

As requested, Traffic Engineering has completed a traffic investigation for Pastaggio's Italian at the proposed location of 3000 Harrelson Street, Suite 1N in Las Cruces, New Mexico. The following information is submitted for review:

- Pastaggio's Italian is proposed to be located at the southwest corner of the intersection of Harrelson Street and W. College Ave.
- The traffic data on Harrelson Street and W. College Ave. near this location is not available but is estimated to be 750 – 1,200 vehicles per day.
- The Mesilla Valley MPO classifies Harrelson Street and W. College Ave. as a local roadway adjacent to the subject location. Harrelson Street and W. College Ave. serve primarily industrial and residential uses near the property.
- The subject property's driveway is located along Harrelson Street. No sight distance or operational problems are currently anticipated at the subject property's driveways.
- The speed limit along Harrelson Street and W. College Ave. near the subject property is 25 mph.

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 at 575-541-2566 if additional information is needed.



TRANSPORTATION DEPARTMENT

AN EQUAL OPPORTUNITY EMPLOYER

City of Las Cruces
Community Development Department

LIQUOR LICENSE IMPACT REPORT

Restaurant Liquor License Application No. 1008490
(Beer and Wine Only)

3000 Harrelson St. Ste. 1N
Pastaggio's Italian

August 15, 2016

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

**Pastaggio's Italian
3000 Harrelson St. Ste. 1N**

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: 3000 Harrelson St. Ste. 1N
 Applicant: Alas, LLC
 Business Name: Pastaggio's Italian

LAND USE AND ZONING INFORMATION:

Subject Property Zoning: PUD (Planned Unit Development)
 (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 | M-1 | Institutional/Agricultural |
| South | M-1 | Instructional/Gym |
| West | M-1 | Industrial/Parking |
| East | M-1 | Industrial |

DISTANCE REQUIREMENTS:

Greater than 300 feet to a school: No
 Greater than 300 feet to a church: YES
 Greater than 300 feet to a military installation: YES

TRAFFIC COUNT AND ACCESS INFORMATION:

Roadway: Harrelson Street
 Classification: Local
 Number of Lanes: 2
 Site Access: 1
 Nearest Intersections: Harrelson St. & College Ave.

PARKING REQUIREMENTS:

The 2001 Las Cruces Zoning Code, as amended, requires restaurants to provide one (1) automobile parking space for every five (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 applicant is requesting a Beer and Wine On-Premise Consumption Only and Patio Service Liquor License for this establishment. The subject property is located on Harrelson Street which is designated as a Local roadway and is designed to accommodate moderate traffic and land uses such as restaurants.

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 location in which the subject business is located in is approximately 50 feet from the property line of New Mexico State University. 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 3000 Harrelson St. Ste 1N., and having a Map Code Number or Parcel ID Number of 02-07800, in Las Cruces, New Mexico, is zoned as follows:

M-1/M-2 (Industrial Standard)

Comments: The M-1/M-2 district is intended to provide for industrial uses that consist of full-scale fabrication, manufacturing, packaging and processing of products that can be conducted in a generally clean, quiet, and safe environment with minimal negative impacts on the surrounding environment and uses. A restaurant with a patio and a beer and wine dispenser's license is a permitted use in the M-1/M-2 zoning district, provided all requirements as prescribed for liquor establishments by the State of New Mexico are met.

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

August 15, 2016
Date


Lorenzo Vigil
Planning Technician, Sr.

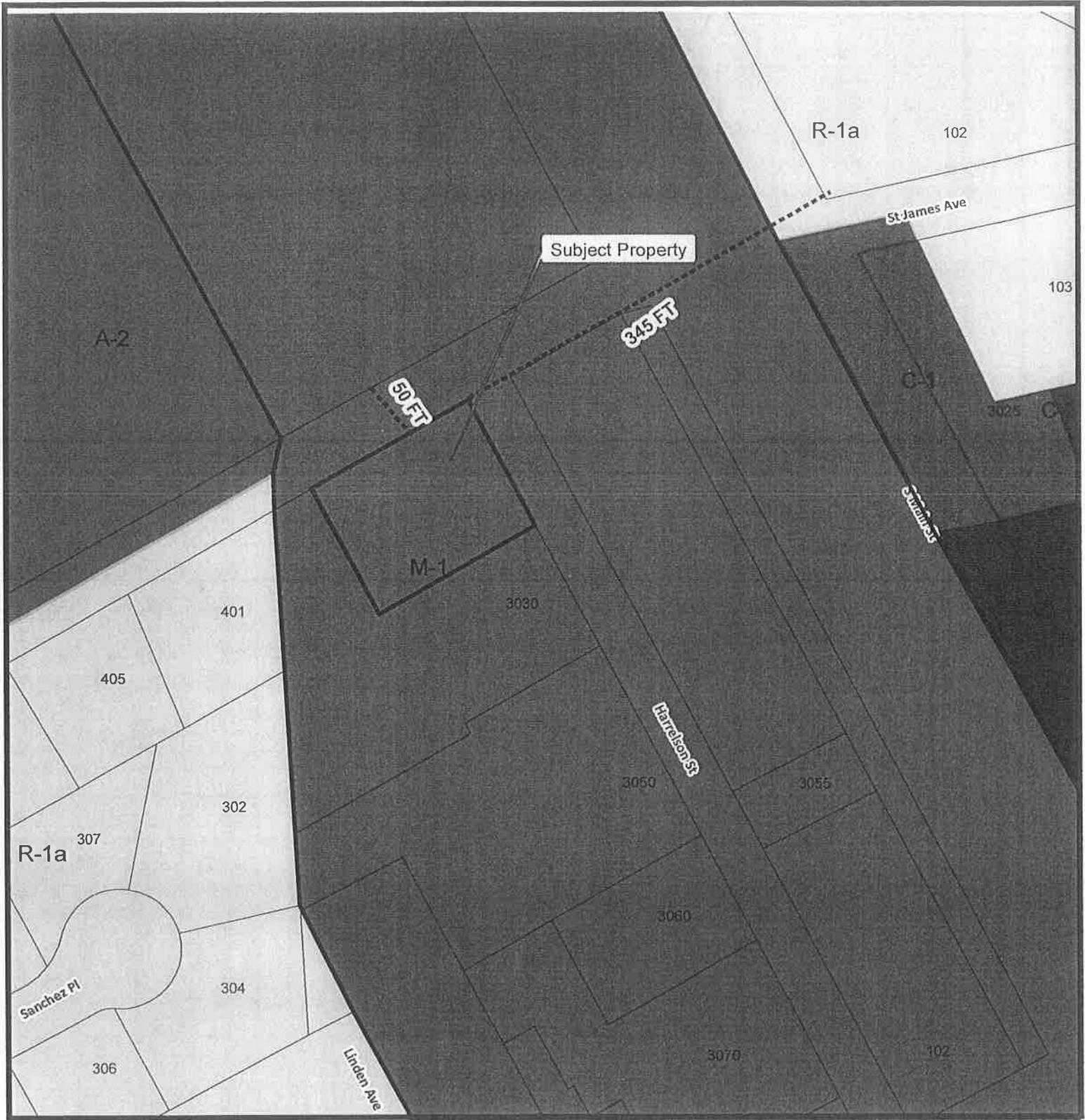
Please be advised that the information presented on this document is taken from the City of Las Cruces Zoning Atlas. Nothing shall prevent the City of Las Cruces from amending this information if review of the Zoning Ordinance shows the Atlas to be in error.



COMMUNITY DEVELOPMENT
DEPARTMENT

AN EQUAL OPPORTUNITY EMPLOYER

Zoning / Vicinity 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.

3000 HARRELSON ST. STE. 1N
 ZONING M-1
 DISTANCE TO THE NEAREST SCHOOL: 50FT
 DISTANCE TO THE NEAREST CHURCH: 345FT

Legend

- A-2
- C-2
- R-1a
- C-1
- M-1
- Property Address Points



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

BUSINESS REGISTRATION REPORT - PASTAGGIO'S ITALIAN

From: Christina Abeyta

Subject: RE: Liquor license report request - Pastaggio's Italian

The business license is valid thru 3/31/17.

Christina Abeyta

Permit Technician/Community Development/Permits and inspections

Direct: 575-528-3063 Main: 575-528-3059, cabeyta@las-cruces.org



From: Monica Campbell

Sent: Friday, August 12, 2016 9:12 AM

To: Lorenzo Vigil <lvigil@las-cruces.org>; Permitting Development Technicians <PermittingDevelopmentTechnicians@las-cruces.org>

Cc: Katherine H. Rogers <krogers@las-cruces.org>

Subject: Liquor license report request - Pastaggio's Italian

Attached is a preliminary approval letter from Alcohol and Gaming about Pastaggio's Italian at 3000 Harrelson Street, Suite 1N. Pastaggio's is seeking a Restaurant beer and wine license with on premise consumption only and patio service.

Please review the letter and provide a reports for 1) zoning and 2) business registration for the restaurant location.

The report is due to the City Attorney on or before August 19, 2016. The item will be submitted for the September 19, 2016 City Council meeting.

Monica Campbell

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

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





MEMORANDUM

To: Rusty Babington, City Attorney

From: Maria Elena Sanchez, Executive Assistant **Initials:** *[Signature]*

Date: August 17, 2016 **File #:**

Subject: Pastaggio's Italian

I have reviewed all available statistical information obtained from the Las Cruces Police Department in reference to the attached liquor license application for Pastaggio's Italian located at 3000 Harrelson Street, Suite 1N, Las Cruces, New Mexico 88005.

No anomalies were found that would warrant denial of this license; therefore, I recommend the liquor license application for Pastaggio's Italian be approved.

cc: Jaime Montoya, Chief of Police

cc:

Initials: *[Signature]* DC Division
Initials: *[Signature]* Chief Montoya



FIRE SAFETY COMPLIANCE REPORT – PASTAGGIO’S ITALIAN

From: Chris Mount

Subject: RE: Liquor license report request - Pastaggio's Italian

At this point Pastaggio's is still lacking their Building Final. I anticipate this being complete within the next couple of weeks. Once final, Fire is good with this application.

Thank you,
Chris

From: Monica Campbell

Sent: Friday, August 12, 2016 9:12 AM

To: Eric Enriquez <eenriquez@las-cruces.org>; Ted Sweetser <TSweetser@las-cruces.org>; 'Chris Arrieta' <Chris@contractassociatesnm.com>

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

Subject: Liquor license report request - Pastaggio's Italian

Attached is a preliminary approval letter from Alcohol and Gaming about Pastaggio's Italian at 3000 Harrelson Street, Suite 1N. Pastaggio's is seeking a Restaurant beer and wine license with on premise consumption only and patio service.

Please review the letter and provide a fire safety compliance report for the restaurant location.

The report is due to the City Attorney on or before August 19, 2016. The item will be submitted for the September 19, 2016 City Council meeting.

Monica Campbell

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

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

