


City of Santa Fe, New Mexico

memo

DATE: February 24, 2022

TO: Chris Graeser, Liquor Hearing Officer

FROM: 
Kristine M. Mihelcic, City Clerk

ITEM & ISSUE

Request from Bumblebee's Baja Grills, Inc. for a waiver of the 300 foot location restriction and a request for a Restaurant A Liquor License with Patio Service.

BACKGROUND AND SUMMARY

The applicant has requested the following:

- a) Pursuant to §60-6B-10 NMSA 1978, consideration of a waiver of the 300 foot location restriction to allow the sale of alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 feet of Carlos Gilbert Elementary School, 300 Griffin Street, Santa Fe.
- b) If the waiver of the 300 foot location restriction is granted, consideration of a request for a Restaurant A Liquor License with Patio Service to be located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe.

Attached are staff reports regarding litter, noise and traffic. Staff does not anticipate a substantial change in litter and noise or any unacceptable traffic impacts due to the approval of this request.

Additionally, as a condition of doing business in the city, staff is recommending that it be noted that the applicant is required to comply with all of the city's ordinances.

ACTION REQUESTED

Consideration of the above request.

Attachments: Alcoholic Beverage Control Application
 Notice of Public Hearing and Publications
 Website Notice of Public Hearing
 Applicant's Proof of Publication
 Letter to Applicant
 Certified Letter to School
 Staff Reports



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

January 18, 2022

Certified Mail No.: 9171 9690 0935 0155 7571 53

City of Santa Fe

% GERALYN F. CARDENAS, Assistant City Clerk
PO Box 909
Santa Fe, NM 87504-0909

Lic. No. /Appl. No.: **Application No. 1213818**
Name of Applicant: Bumblebee's Baja Grills, Inc.
Doing Business As: Bumblebee's Baja Grills, Inc.
Proposed Location: 301 Jefferson St., Santa Fe, NM 87501

The Director of the Alcoholic Beverage Control Division (ABC) has reviewed the referenced Application and granted **Conditional Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

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;
- (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.**

While the law states that "within forty-five (45) days after receipt of a Notice from the Alcoholic Beverage Control, 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.

With that in mind, when a local governing body receives a liquor license application from ABC, that governing body has a couple of options:

- 1) Hold a hearing on the license application within the statutory time frame of forty-five (45) days, as required by the Liquor Control Act, and comply with all other statutory and regulatory procedures and notify ABC of your decision within thirty (30) days of the hearing;
- 2) Request from ABC an extension of time, past the forty-five (45) days, designating how much additional time will be needed to conduct the hearing in compliance with all statutory and



regulatory procedures. After the extension is granted and the hearing is held, notify ABC of your decision within thirty (30) days of the hearing;

ABC has no preference in the option you choose.

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 A Liquor License. APPLICANT IS REQUESTING A WAIVER AS THE PREMISES IS LOCATED WITHIN 300 FT OF THE NEAREST SCHOOL.

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC 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 ABC within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to ABC with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Desirae D. Griego

Admin Law Judge | Hearing Officer
NM Regulation & Licensing Department
Alcoholic Beverage Control Division
Phone: (505) 476-4552 Fax: (505) 476-4595
Email: Desirae.Griego@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 the Zoning Statement
4. Copy of Proposed Floor Plan



RECEIVED

Premises Location, Ownership, and Description | NMSA §60-6B-10 | Page 2

OCT 23 2021

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

Owned by Applicant, copy of deed/document attached

Leased by Applicant, copy of lease/document attached

Other (provide details): Barbara Weil is the wife and heir of Robert Weil (deceased on 2/7/2021) Death Cert. attached.

ALCOHOLIC BEVERAGES CONTROL

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

A. Owner(s): Kings Map 8 LLC

B. Date and Term of Lease: 1-1-2012 month to month

3. Premises location is Zoned (example C-1, see Zoning Statement): _____

Zoning Statement attached, Yes No Must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: Firt Presbyterian Church Miles/feet: .3 miles

Address/location of Church: 208 Grant Avenue Santa Fe, NM 87501

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

Name of School: Carlos Gilbert Elementary Miles/feet: .2 miles

Address/location of School: 300 Griffin St. Santa Fe, NM 87501

6. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8 1/2 x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

7. Type of Operation: Hotel Lounge Package Grocery Racetrack

Restaurant Craft Distiller Small Brewer Winery Wholesaler

Other (specify): _____

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, and the Applicant does not admit that the location is within 300 feet and requests a waiver from the LOD, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.





City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

OCT 26 2021

ALCOHOLIC BEVERAGE CONTROL

Councilors:

- Signe I. Lindell, Mayor Pro Tem, District 1
- Renee Villarreal, District 1
- Michael J. Garcia, District 2
- Carol Romero-Wirth, District 2
- Roman "Tiger" Abeyta, District 3
- Chris Rivera, District 3
- Jamie Cassutt-Sanchez, District 4
- JoAnne Vigil Coppler, District 4

August 12, 2021

Barbara Weil
 President/Director
 Bumblebee's Baja Grills, Inc.
 301 Jefferson Street
 Santa Fe, NM 87505

RE: Zoning Verification for 301 Jefferson Street, Santa Fe, NM

Dear Mrs. Weil,

This letter provides zoning verification on the above referenced property. According to the Official Zoning Map, this property is zoned **BCD Business-Capitol District** and is within the **McKenzie Sub-district** and lies within the **Downtown and Eastside Historic Overlay District**.

14-4.3 (E) BCD Business-Capitol District

(1) Purpose

In recognition of the fact that the economic health of the city depends on the economic viability of the BCD, the purpose of the BCD is to provide for a mixture of land uses, including residential uses, designed to promote the district's economic wellbeing while preserving the unique architecture, townscape and aesthetics that foster a strong tourist industry and sustain the quality of life, sense of community and historical identity in the district and the city.

(3) Townscape Subdistricts

(a) The existing townscape subdistricts include: Alameda Street, Barrio de Analco, Cerrillos Road, Don Gaspar, East Marcy/East Palace, Loretto, Marcy, McKenzie Street, Old Santa Fe Trail, Plaza/San Francisco, Rosario Boulevard/NW Paseo de Peralta, Sandoval/Montezuma, State Capitol and Westside.

(b) The townscape subdistricts are intended to:

- (i) preserve the overall aesthetic quality of the BCD;
- (ii) maintain diversity among the various subdistricts; and
- (iii) protect the unique features, recognizable historic character and other common identifying characteristics of each subdistrict.

(c) Property is eligible for rezoning to a townscape sub district if the land is located within or adjacent to the BCD and meets all other requirements of Chapter 14.

14-7.4 - BUSINESS-CAPITOL DISTRICT

(1) Standards for Entire District

(B) Additional Regulations

(c) Drive-in or Drive-through Facilities

Drive-in or drive-through facilities are permitted as principal or accessory uses and structures in the Rosario Boulevard/Northwest Paseo de Peralta, Sandoval/Montezuma and Cerrillos Road Subdistricts,

where traffic generated by the use will not substantially interfere with existing vehicular and pedestrian traffic. Drive-in or drive-through facilities are prohibited in the other subdistricts of the BCD.

(3) Design Objectives for Individual Townscape Subdistricts

The best existing qualities of the individual townscape subdistricts should be preserved, while encouraging diversity of design in the individual townscape subdistricts. New development should be harmonious with the specific physical characteristics and development and design objectives listed below:

(h) McKenzie Street Subdistrict:

- (i) maintain the residential scale;
- (ii) maintain yards, with or without fences; and
- (iii) maintain separation of individual structures.

Development standards for the Townscape Subdistricts may be found within Santa Fe City Code, Chapter 14, Table 14-7.4(A)-1, and development standards for the Historic Districts may be found within Santa Fe City Code, Chapter 14-5.2.

Full service restaurants which may or may not have patio services, with incidental alcohol service for on-site consumption are permitted uses in the BCD district.

For additional information, please reference City of Santa Fe Chapter 14 SFCC regarding these districts (Chapter 14-4 – Zoning Districts/14-6 Permitted Uses) https://library.municode.com/nm/santa_fe/codes/code_of_ordinances?nodeId=CH14LADE. All uses are subject to compliance with applicable development standards such as parking, lot coverage, etc.

Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. This letter intends to provide advice regarding zoning regulations. It is not the intent to state that the subject property complies with zoning requirements. Occupancy is determined based on zoning compliance at the time of building permit or certificate of occupancy, whichever applies. Additionally, it is not the intent to interfere with or to abrogate or annul any official document including conditions or safeguards made a part of the subject property at the time of any public hearings. Applicants are advised to pursue an independent search of official documents.

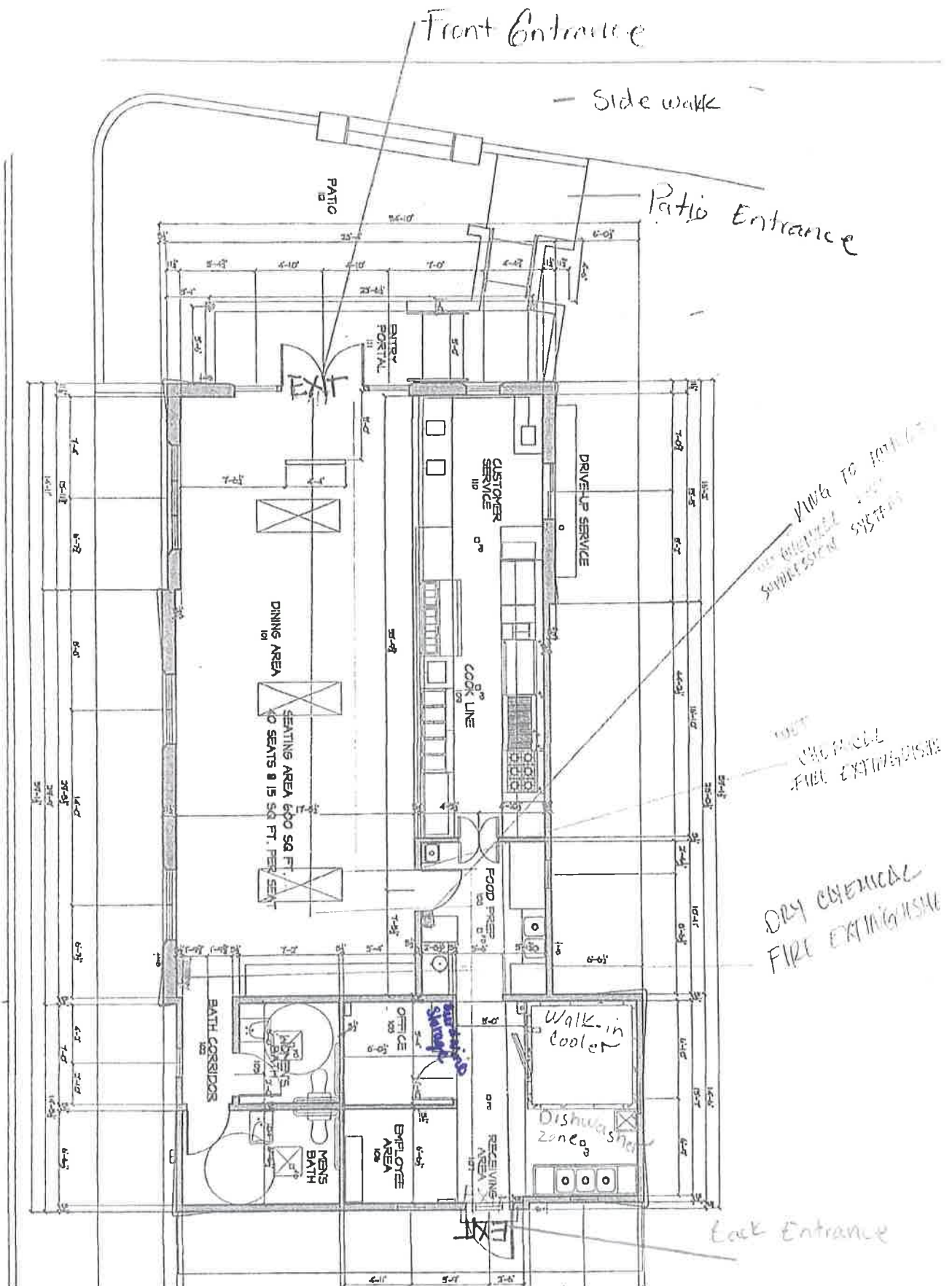
If you have any further questions, please contact me at ljmcculley@santafenm.gov.

Lani McCulley
Land Use Planner
City of Santa Fe, New Mexico

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OCT 26 2021

**ALCOHOLIC BEVERAGE
CONTROL**





NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

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OCT 26 2021

STATE OF NEW MEXICO
MICHÈLLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

Restaurant Liquor License Application | \$200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee \$200.00 Received on: 10-27-21 Receipt No. 2424420
License Fee \$ _____ Received on: _____ Receipt No. _____

Application Number: 1213818 Local Option District: _____

TYPE of APPLICATION: Check appropriate box

- Restaurant A | Beer & Wine only | License Fee, pro-rated, due at final: \$1,050.00
 - Restaurant B | Beer, Wine & Spirits | License Fee, pro-rated, due at final: \$10,000.00
- Applicant is:** Individual Limited Liability Company Corporation Partnership (General/Limited)

Applicant /Company Name: **Bumblebee's Baja Grills, Inc.**

D/B/A Name: **Bumblebee's Baja Grills, Inc.**

Email: (required) **BJBlossom@aol.com** Business Phone No: **505-820-2862**

Mailing Address: **301 Jefferson St., Santa Fe NM 87501**

Physical location, if different: **Same**
County: **Santa Fe** (Include Street number / Hwy number / State Road, City, State, and Zip Code)

Are alcoholic beverages currently being dispensed at the proposed location? Yes No If Yes, License #/Type: **30586**

As defined in §60-3A-3. V. "Restaurant", means an establishment having a New Mexico resident as a proprietor or manager ... as a place where food is prepared and served primarily for on-premises consumption to the general public in consideration of payment and that has a dining room, a kitchen and the employees necessary for preparing, cooking and serving food; ... does not include establishments as defined in rules promulgated by the director serving only hamburgers, sandwiches, salads and other fast foods;

I qualify as a "Restaurant"? Yes No

Is food service the primary source of revenue and accounts for 60% or more of the total gross receipts at current licensed premises? Yes No

Is Food Service Permit current? Yes, attached No

I have attached **photos of the Dining Room and Kitchen** and included a **copy of the Menu**. Yes No

Days and Hours of Operation? **Sun-Tues 11am - 9pm and Wed-Sat 11am-9:30pm**

I understand that a restaurant license requires that the establishment is not a bar-like setting and the hours for sales and/or service of alcoholic beverages are only from 7:00am to 11:00pm or until food sale and service ceases, whichever is earlier? Yes No

Contact Person: **Dago Melara Leon** Phone #: **505-820-2862** Email: **bestfishtaco@hotmail.com**



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OCT 26 2021

Application No. 1213818

You must sign before a Notary Public ALCOHOLIC BEVERAGE

I, (print name) DAGO BENTO CONTROLLEUR, as (Title) Resident Agent 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.

Signature of Applicant: [Signature] Date: 08/30/2021

Notary Public Use Only: (State of New Mexico, County of Santa Fe)

SUBSCRIBED AND SWORN TO before me this 30th day of August, 2021

By Affiant: [Signature]

SEAL

Notary Public: [Signature]

My Commission Expires on: 9/26/2022

Local Option District Use Only:

Local Governing Body of _____ City, County, Town, Village

Public Hearing held on _____ 20____ Decision: [] Approved [] Disapproved

Signature of Official: _____ Title: _____

ABC USE ONLY: [] APPROVED [] DISAPPROVED, Done this _____ Day of _____, 20____ SIGNED BY DIRECTOR: _____ ASSIGNED LICENSE NO. _____ EXPIRES ON: _____ Reviewed, with copy sent to Licensee via [] Email, [] Fax, [] 1st class mail By: _____ Date: _____



CITY OF SANTA FE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Santa Fe Liquor Hearing Officer will hold a public hearing at 4:00 p.m. on Monday, February 28, 2022.

The purpose of this public hearing is to discuss a request from Bumblebee's Baja Grills, Inc. for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, consideration of a waiver of the 300 foot location restriction to allow the sale of alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 feet of Carlos Gilbert Elementary School, located at 300 Griffin Street, Santa Fe.
- b) If the waiver of the 300 foot location restriction is granted, consideration of a request for a Restaurant A Liquor License with patio service, to be located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe.

Virtual meeting information will be posted on the City of Santa Fe's Weekly Meeting List at least seventy-two (72) hours before the meeting at https://www.santafenm.gov/weekly_meeting_list_agendas.



Kristine M. Mihelcic
City Clerk and Community Engagement Director

Received by The Santa Fe New Mexican
Date: January 25, 2022
To Be Published: January, 28, 2022 &
February 04, 2022.

By 
The Santa Fe New Mexican (Signature)

LEGAL #89222

**CITY OF SANTA FE
NOTICE OF PUBLIC
HEARING**

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Kristine M. Mihelcic
City Clerk and Community Engagement Director

Pub: Jan 28, Feb, 4, 2022



City of Santa Fe

NOTICE OF LIQUOR LICENSE HEARING
Monday, February 28, 2022 at 4:00 PM

NOTICE IS HEREBY GIVEN that a Liquor License Hearing is scheduled for Monday, February 28, 2022 at 4:00 PM.

Please visit <https://santafe.primegov.com/public/portal> to view agendas, participation information and corresponding materials.
For additional information, contact the City Clerk's Office at 505-955-6521.

SANTA FE NEW MEXICAN

Founded 1849

BUMBLEBEES BAJA GRILL
301 Jefferson St
Attn Dago
Santa Fe, NM 875011872

ACCOUNT:	S1191	
AD NUMBER:	27429	
LEGAL NO	89222	P.O.#:
2 TIME(S)	114.80	
AFFIDAVIT	20.00	
TAX	11.38	
TOTAL	146.18	

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, **Charity Valdez**, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe, Rio Arriba, San Miguel, and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the Legal No a copy of which is hereto attached was published in said newspaper 2 day(s) between 01/28/2022 and 02/04/2022 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 28th day of January, 2022 and that the undersigned has personal knowledge of the matter and thngs set forth in this affidavit.

ISI 
LEGAL ADVERTISEMENT RESPRESENTATIVE

Subscribed and sworn to before me on this 7th day of February, 2022

Notary 

Commission Expires: 11/20/2024

STATE OF NEW MEXICO
NOTARY PUBLIC
SUSAN LARINE CAHOON
COMMISSION #1132046
EXPIRES: 11/20/2024

LEGAL #27429

LEGAL #89222

**CITY OF SANTA FE
NOTICE OF PUBLIC
HEARING**

Notice is hereby given that the City of Santa Fe Liquor Hearing Officer will hold a public hearing at 4:00 p.m. on Monday, February 28, 2022.

The purpose of this public hearing is to discuss a request from Bumblebee's Baja Grills, Inc. for the following:

a) Pursuant to §60-6B-10 NMSA 1978, consideration of a waiver of the 300 foot location restriction to allow the sale of alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 feet of Carlos Gilbert Elementary School, located at 300 Griffin Street, Santa Fe.

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Virtual meeting information will be posted on the City of Santa Fe's Weekly Meeting List at least seventy-two (72) hours before the meeting at www.santafenm.gov/weekly_meeting_list_agendas.

Kristine M. Mihelcic
City Clerk and Community Engagement
Director

Pub: Jan 28, Feb, 4,
2022

SantaFeNewMexican.com3

202 East Marcy Street, Santa Fe, NM 87501-2021 - 505-983-3303 - fax: 505-984-1785 - P.O. Box 2048, Santa Fe, NM



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1

Renee Villarreal, District 1

Michael J. Garcia, District 2

Carol Romero-Wirth, District 2

Lee Garcia, District 3

Chris Rivera, District 3

Jamie Cassutt, District 4

Amanda Chavez, District 4

VIA EMAIL – bestfishtaco@hotmail.com

February 21, 2022

Dago Melara Leon
Bumblebee's Baja Grills, Inc.
301 Jefferson Street
Santa Fe, New Mexico 87501

RE: Request from Bumblebee's Baja Grills, Inc. for a waiver of the 300 foot location restriction to allow the sale of alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 feet of Carlos Gilbert Elementary School, located at 300 Griffin Street, Santa Fe, and consideration of a request for a Restaurant A Liquor License with patio service, to be located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe.

Dear Mr. Melara Leon:

The public hearing before the City of Santa Fe Liquor Hearing Officer for the above referenced request has been set for Monday, February 28, 2022, at 4:00 p.m. This will be a virtual hearing via Zoom. We will email you the meeting invite on the morning of the hearing.

The City of Santa Fe's Governing Body will consider the Liquor Hearing Officer's recommendation at their March 9, 2022 meeting.

Attached is a copy of the notice for the public hearing.

Should you have any questions, or require anything further from our office, please do not hesitate to call me at 955-6520

Sincerely,

Kristine M. Mihelcic
City Clerk

/arm



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1

Renee Villarreal, District 1

Michael J. Garcia, District 2

Carol Romero-Wirth, District 2

Lee Garcia, District 3

Chris Rivera, District 3

Jamie Cassutt, District 4

Amanda Chavez, District 4

Certified Mail No. : 7013 0600 0000 5932 3287

February 14, 2022

Carlos Gilbert Elementary School
300 Griffin Street
Santa Fe, New Mexico 87501

To Whom It May Concern,

The City Clerk's Office provides notification as a courtesy to schools and places of worship when a Liquor License request is received that is located within 300 feet of one of these entities. This letter is to notify Carlos Gilbert Elementary School that there is a Liquor License being requested by Bumblebee's Baja Grills, Inc., to be located at 301 Jefferson Street, Santa Fe. The proposed liquor license location is located within 300 feet from your building that will serve and sell alcohol, pending Governing Body approval. The requesting applicant is required to obtain a waiver, due to the 300 foot location restriction.

If you have any additional questions, comments, or concerns, you can participate at the scheduled Liquor License Hearing. Please note participation is not required. Information for the scheduled Liquor License Hearing is below:

Date: February 28, 2022

Time: 4:00 PM

Website Link: <https://santafe.primegov.com/portal/search> - The Zoom link will also be on the Meeting Agenda.

Should you have any questions, or require additional information, do not hesitate to call me at 955-6520. Thank you!

Sincerely,

Kristine M. Mihelcic
City Clerk and Community Engagement Director

/arm



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Lee Garcia, District 3
Chris Rivera, District 3
Jamie Cassutt, District 4
Amanda Chavez, District 4

DATE: February 17, 2022

TO: *Jason M. Kluck* 02/21/2022
Jason Kluck, Interim Director, Land Use Department

VIA: *Jason Sena*

FROM: Jason Sena, Zoning and Code Enforcement Supervisor

ITEM & ISSUE

Litter and noise impact assessment, due to a request from Palacio Restaurant, LLC, for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, consideration of a waiver of the 300 foot location restriction to allow the sale of alcohol at Bumblebee's Baja Grills, Inc., 301 Jefferson Street, Santa Fe, which is within 300 feet of Carlos Gilbert Elementary School, Located at 300 Griffin Street.

- b) If the waiver of the 300 foot location restriction is granted, consideration of a request for a Restaurant A Liquor License with patio service, to be located at Bumblebee's Baja Grills, Inc., 301 Jefferson Street.

BACKGROUND AND SUMMARY

It is not anticipated that there will be a substantial change in litter and noise because of this request.

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5 - RC-8	R-10 - R-29	MHP	RAC	AC++	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU***	Use- Specific Reqs 14.6.2	
Bar, cocktail lounge, nightclub, no outdoor entertainment								S ^{3,10}	S ³		P*			P	P	P		P*	P*	P*	P*	P-2	
Bar, cocktail lounge, nightclub, with outdoor entertainment								S ^{3,10}	S ³		P*			P*	P*	P*		P*	P*	P*	P*	P+2	
Restaurant - full service, with or without incidental alcohol service								S ^{3,10}	S ³		P			P	P	P	S	P	P	P	P	P	
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.								S ^{3,10}	S* ³		P*			P*	P	P		P*	P*	P*	P*	P+2	
Restaurant - Fast service/take-out, no drive-through/drive-up								S ^{3,10}		P ⁴	P	P ⁴		P	P	P	S	P	P	P	P	P	
Restaurant - with drive-through/drive-in											P*			P*	P*	P*	S	P*	P*	P*	P*	P+2	



MCKENZIE ST

MCKENZIE ST

301 Jefferson Street
BCD

JEFFERSON ST

NGUADALUPE ST

Applicant Supplemental Information Form

1. Name of Applicant: Bumblebee's Baja Grills, Inc.
D/B/A Name to be used: Bumblebee's Baja Grills, Inc.
Proposed License Location: 301 Jefferson st Santa fe NM 87501
Telephone number: (505) 820-2862
Email: bestfish taco@hotmail.com

2. Type of liquor license request:
 New License (indicate type: Restaurant A liquor License)
 Transfer of location (indicate type: _____)
 Transfer of ownership (indicate type: _____)
 Transfer of ownership and location (indicate type: _____)

3. Are alcoholic beverages currently being dispensed at the proposed location?
 Yes (If yes, License # and Type: 30586 Restaurant A liquor License)
 No

4. Were alcoholic beverages previously dispensed by the requesting business?
 Yes (If yes, License # and address where alcohol was being dispensed: 30586 301 Jefferson st Santa fe NM 87501)
 No

5. Does this business have any record of violation?
 Yes (If yes, please explain: _____)
 No

6. What are the current/previous and proposed hours of operation of this business?
Current/Previous Hours of Operation: Sunday through Tuesday 11-9pm, wednesday - saturday
Proposed Hours of Operation: 11-9:30pm - same.

7. Is an outdoor seating/patio area included in the licenses premise?
 Yes (If yes, is the area fully enclosed? Yes No)
 No

8. What, if any, are the anticipated peak days and times at the proposed business location?

What days? Thursday through Saturday.

What times? From 12 to 8:30 pm

9. Do you have a business license with the City of Santa Fe?

Yes (If yes, what is your License #? 222610)

No (If no, please contact the Business Licensing Department at 505-955-6551 to obtain a business license.)

10. Do you have a posted occupant load issued by the City of Santa Fe Fire Department?

Yes (If yes, what is your occupant load issued for your business? 48)

No (If no, please contact the City of Santa Fe Fire Department - 505-955-3310 to schedule your inspection)

11. Have you been issued a Certificate of Compliance from the City of Santa Fe Fire Department?

Yes (If yes, what is the date the Certificate was issued? 11-30-2021)

No (If no, please contact the City of Santa Fe Fire Department - 505-955-3310 to schedule your inspection)

12. Please indicate the anticipated daily occupant load due to the sale of alcohol at this location:

About the same 48-55 people do to take out food and drive thru window.

13. Please indicate the anticipated change in business volume due to the sale of alcohol and explain:

Business is expected to increase (additional number of customers per day: _____).

Business is expected to decrease (loss of customers per day: _____).

Business is expected to remain the same.

Please explain your answer: We had a liquor license before so the amount of customers will be the same.

14. Indicate which of the following statements best reflects your opinion regarding traffic impacts if this request is approved and explain:

Traffic can be expected to increase on adjacent streets.

Traffic will not increase on adjacent streets.

*Please explain your answer: We have had a liquor license for many years - and it hasn't affect traffic at all. so is expected to stay the same.

Name of person completing this form: Dagoberto A. Melara Leon

Telephone number: (505) 820-2862 cell: (505) 316-0565

Date: Feb 7, 2022.

(FOR CITY USE ONLY)

Based on the information provided and review of City Reports, staff has found the following in accordance with Ordinance (4-4.3):

Geographic Information System Mapping (GIS) Department

Yes, this business is located within three hundred (300) feet of a church and/or school. A waiver of the 300 foot location restriction will be requested.

No, this business is not located within three hundred (300) feet of a church and/or school.

(Please see attached map indicating whether the proposed licensed premise is within three hundred (300) feet of a church and/or school.)

Business Licensing Department

Yes, the requesting business has a business license issued by the City of Santa Fe. License # 222610.

No, the requesting business does not have a business license issued by the City of Santa Fe. (Applicant was referred to the business licensing department to obtain a City of Santa Fe business license.)

Code Enforcement Department

Yes, the applicant is in compliance with all Land Use Codes.

No, the applicant is not in compliance with Land Use Code(s) (Code # and Explanation: N/A
N/A.)

(Please also provide a Code Enforcement Report related to Litter and Noise of the requesting business location.)

Verification Completed By: Jason Sena

Title: Zoning Supervisor

Date: Feb 11, 2022

Traffic Engineering Department

Yes, it appears that the approval of this request will create unacceptable traffic impacts. (Please explain: na.)

No, it does not appear that this request will create any unacceptable traffic impacts.

Verification Completed By: Regina Wheeler
Regina Wheeler (Feb 13, 2022 19:35 MST)

Title: Public Works Director

Date: Feb 13, 2022

City of Santa Fe Fire Department

Inspection was completed at the time Certificate of Compliance was issued.

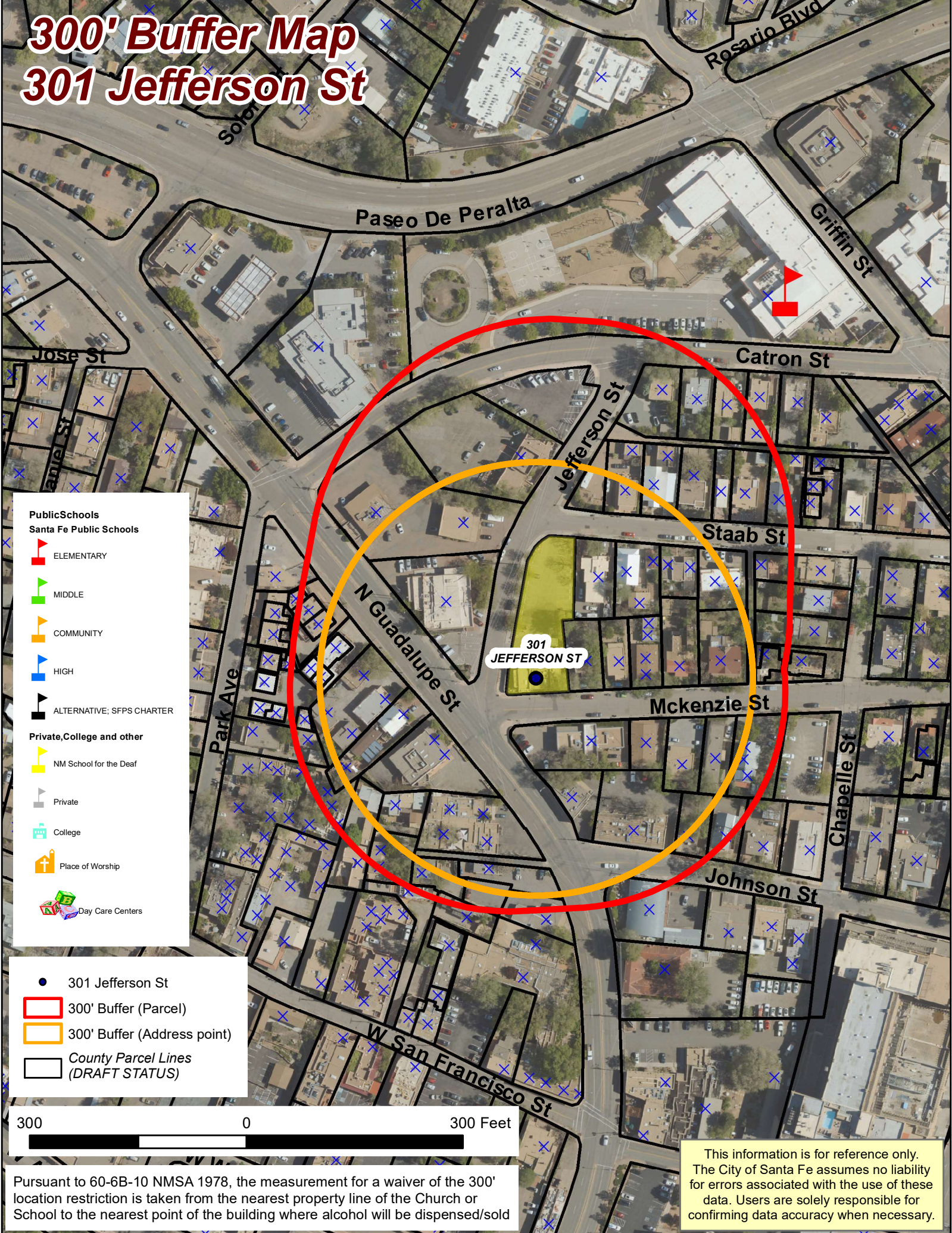
Inspection was completed in conjunction with the Liquor License Application. (Inspection completed: February 14, 2022)

Verification Completed By: Geronimo Griego
Geronimo Griego (Feb 14, 2022 16:18 MST)

Title: Fire Marshal

Date: Feb 14, 2022

300' Buffer Map 301 Jefferson St



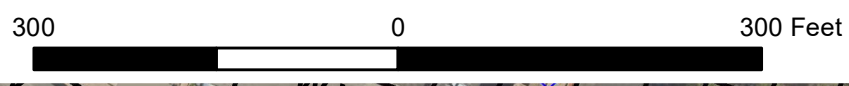
Public Schools
Santa Fe Public Schools

- ELEMENTARY
- MIDDLE
- COMMUNITY
- HIGH
- ALTERNATIVE; SFPS CHARTER

Private, College and other

- NM School for the Deaf
- Private
- College
- Place of Worship
- Day Care Centers

- 301 Jefferson St
- 300' Buffer (Parcel)
- 300' Buffer (Address point)
- County Parcel Lines (DRAFT STATUS)



Pursuant to 60-6B-10 NMSA 1978, the measurement for a waiver of the 300' location restriction is taken from the nearest property line of the Church or School to the nearest point of the building where alcohol will be dispensed/sold

This information is for reference only. The City of Santa Fe assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.