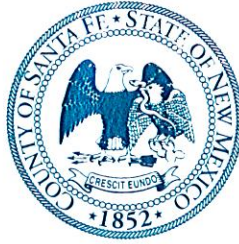


Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** June 14, 2011

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager

**VIA:** Jack Kolkmeier, Land Use Administrator  
Shelley Cobau, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

**FILE REF:** BCC Case # MIS 11-5160 CJ'S Café Restaurant License

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### ISSUE:

CJ'S Café, Applicant, requests approval of a Restaurant Liquor License to serve beer and wine with meals. The subject property is located at 3810 Highway 14, within Section 35, Township 15 North, Range 8 East (Commission District 5).

### SUMMARY:

The Applicant requests approval of a Restaurant Liquor License. CJ'S Café will not have a bar however they intend to serve beer and wine with meals. The issuance of a Restaurant Liquor License will not increase the intensity of the restaurant as there is not any proposed expansion of the existing site.

The property is acknowledged by the Land Development Code as a legal non-conforming commercial property for restaurant and/or food service use. On September 14, 2004, the Board of County Commissioners granted approval, of a zoning statement, to allow beer and wine to be served on this site as a permitted use.

CJ's Café is current with the Santa Fe County business license requirements. The restaurant consists of a total of 2,100 square feet with approximately 832 square feet of dining area and a patio area of 400 square feet to be utilized to serve beer and wine with meals.

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. Legal notice of this request has been published in the newspaper. The Board of County Commissioners are required to conduct a public hearing on the request to grant a Restaurant Liquor License at this location.

**RECOMMENDATION:**

Staff has reviewed this application and has found the facts presented support this application: the property is acknowledged by the Land Development Code as a legal non-conforming commercial property for restaurant and/or food service use; the Board of County Commissioners granted approval, of a zoning statement, to allow beer and wine to be served on this site as a permitted use; the Applicant's request complies with the Santa Fe County Land Development Code; the Applicant has met the State of New Mexico requirements for noticing, distance from Schools and Churches; therefore Staff recommends **approval** of the Applicants request.

**ATTACHMENTS:**

- Exhibit "A"- Alcohol and Gaming Division Letter of Preliminary Approval
- Exhibit "B"- Vicinity Map
- Exhibit "C" – Letter of Intent
- Exhibit "D"- Zoning Statement
- Exhibit "E" – Restaurant and Parking Site Plan
- Exhibit "F" – ED Permit
- Exhibit "G" – County Business License



New Mexico Regulation and Licensing Department  
ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2530 Cerrillos Road ▪ Santa Fe, New Mexico 87505  
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us/agd

April 11, 2011

Suzanna Martinez  
GOVERNOR

J. Dee Dennis, Jr.  
SUPERINTENDENT

Gary J. Tomada  
DIRECTOR

Certified Mail No: 7009 2820 0001 0028 5628

Santa Fe County  
Building & Development Manager  
Attn: Shelley Cobau, CFM  
PO Box 276  
Santa Fe, NM 87504-0276

Re: License / App. No. 663469  
Applicant Name: Carol M. Hayes  
Doing Business As: CJ's Cafe  
Proposed Location: 3810 Hwy. 14, Santa Fe, NM

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses. **\*(Please review the revised instructions for approval or disapproval below.)**

Greetings:

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

Within forty-five days after receipt of a notice of preliminary approval from the Alcohol and Gaming Division, the governing body shall hold a public hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the public hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, **which requires that two weeks of publication must be satisfied before a hearing can be conducted.** The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the applicant of the date, time and place of the public hearing. The governing body may designate a hearing officer to conduct the hearing. A record shall be made of the hearing.

**The applicant is requesting a Beer & Wine Restaurant Liquor License:**

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

The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this

Alcohol and Gaming Division  
(505) 476-4875

Boards and Commissions Division  
(505) 476-4600

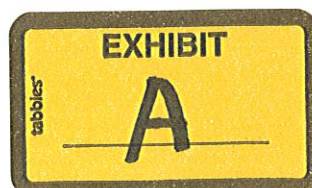
Construction Industries Division  
(505) 476-4700

Financial Institutions Division  
(505) 476-4885

Manufactured Housing Division  
(505) 476-4770

Securities Division  
(505) 476-4380

Administrative Services Division  
(505) 476-4800



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.)

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

The issuance would be detrimental to the public health, safety or morals of the residents of the local option district. Disapproval by the governing body on public health, safety or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

*\*Within thirty (30) days after the public hearing, the governing body shall notify the Alcohol and Gaming Division in writing as to whether the local governing body has approved or disapproved the issuance of transfer of the license and by signing the enclosed original Page 1 of the application. The letter of approval/disapproval and the Page 1 must be returned together with the notice of publication(s). If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the public hearing, the director may give final approval to the issuance or transfer of the license.*

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

Sincerely,

  
Annette R. Brumley  
Hearing Officer

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



RECEIVED

MAR 06 2011

ALCOHOL AND GAMING DIVISION

93.11.11  
 Amette

**LIQUOR LICENSE APPLICATION**

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

12.28.12  
 ENTERED  
 200

State Liquor License # \_\_\_\_\_  
 Application Number 6603469  
 Local option (AGD use) \_\_\_\_\_  
 Record Owner of Existing License \_\_\_\_\_  
 Current D/B/A Name \_\_\_\_\_  
 Current Premises Address \_\_\_\_\_

Application is for: Change of Stock \_\_\_\_\_ Change of Officers/Directors \_\_\_\_\_ Transfer Ownership of Existing License \_\_\_\_\_ Transfer Ownership and Location \_\_\_\_\_ Transfer Location \_\_\_\_\_ Other \_\_\_\_\_  
 Issue New License  Type of License being applied for BEER & WINE  
 Applicant is: Individual  Corporation \_\_\_\_\_ Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company \_\_\_\_\_

NAME OF APPLICANT (company or individual) Carol M Hayes ADDRESS (including city, state, zip) 25 ARROYO COYOTE RD SANTA FE NM 87508 Ams 4/5/11  
 TELEPHONE NUMBER 505-473-9117

D/B/A name to be used: C.J.'S CAFE Phone number for licensed premises: 505-471-2925

Physical location where license is to be used: 3510 HUBY LN SANTA FE, N.M. 87508  
 (Include street number / highway number / state road, city and county, state, and zip code)

Mailing address: \_\_\_\_\_  
 Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No  If yes, give license number and type \_\_\_\_\_

I, (print name) Carol M. Hayes, as (title) SOLE PROPRIETOR 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 Carol M. Hayes Date \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this March day of March, 2011 by Carol M. Hayes  
 Notary Public Carol M. Hayes My Commission Expires July 17, 2014

Local Governing Body of: Santa Fe (City or County) Hearing held on \_\_\_\_\_ 20\_\_\_\_  
 Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Director Approval \_\_\_\_\_ Date \_\_\_\_\_  
 For Alcohol and Gaming Division Use Only



RECEIVED

MAR 06 2011

COPY

PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION  
SS-60-6B-10

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

Owned by Applicant \_\_\_\_\_ Leased by Applicant (attach copy of deed or lease)  Other (provide details) \_\_\_\_\_

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

A. Owner(s) Family Ranch (Nai Lee Smith, Nai Zing Ho)

B. Date and term of lease 10-1-10 To 10-1-11

Attach a hand drawn map, zoning map, or other map showing the location of the proposed premises and the main adjacent streets, roads or highways in relation to the closest church and school properties. This map should be drawn on a sheet of paper no larger than 8 1/2 x 11 inches.

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

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

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

Miles/feet 4.8 miles Name of church St. Joseph Address/location of church Cerrillos Village, New Mexico

4/5/11

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

Miles/feet 3.3 miles Name of school Tucigaiuse Trail Address/location of school Highway 14, Santa Fe, New Mexico

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

Miles 4.2 ~~3.6~~ miles Name of Military Installation, circle one: (Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis))

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

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

8. Type of Operation:

Lounge \_\_\_\_\_ Restaurant  Package Grocery \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (specify) \_\_\_\_\_

Map of 3810 NM-14, Santa Fe, NM 87508-8065



SITE

When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.





STATE RD 14

STATE RD 14

POLLITO RD

STATE RD 14

047-085-198-441

047-085-232-441

047-085-224-470

DOS LOBOS LOOP



It is my intent to obtain a beer and wine license for CJ'S Cafe, currently operating on the commercial property located at 3810 Highway 14, Santa Fe, N.M. 87508. This property is non-conforming.

I am currently open 11:00 am to 8:00 pm-Tuesday-Friday, 10:00 am to 8:30 pm Saturday, and 10:00 am to 5:00 pm on Sunday. It is a full service restaurant with 2 employees.

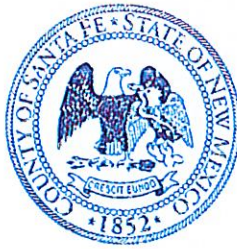
Carol Hayes



Daniel "Danny" Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

March 24, 2011

CJ's Cafe  
Carol Hayes  
3810 State Highway 14  
Santa Fe, NM, 87508

Re: Zoning Statement for CJ's Cafe, located at 3810 State Highway 14, Santa Fe County, New Mexico, 87508.

Carol Hayes:

This office has been asked to provide a zoning statement with respect to the above referenced property.

On September 14, 2004, the Board of County Commissioners granted approval, of a zoning statement, to allow beer and wine to be served on this site as a permitted use. The use as a restaurant on this site is recognized, by the Land Development Code, as legal non-conforming. CJ's Café is current with the business license requirements of Santa Fe County.

If you have any questions contact me at 986-6225.

Sincerely,

Jack Kolkmeier  
Land Use Administrator

Cc: Jose E. Larrañaga  
Commercial Development Case Manager



Door  
To  
Patio

WOOD FLOOR,  
CEILING AND WALLS

All coving, walls, and  
ceilings in dining area  
are wood.  
Track lighting throughout.

DINNING ROOM 2  
SEATING FOR 24

WOOD FLOOR, CEILING AND WALLS

BRICK  
HEARTH  
FIREPLACE

○  
SMOKE DETECTOR

RAMP

BRICK  
FORMER HEARTH

DINNING ROOM 1  
SEATING FOR 16

BRICK FLOOR, WOOD WALLS AND CEILING

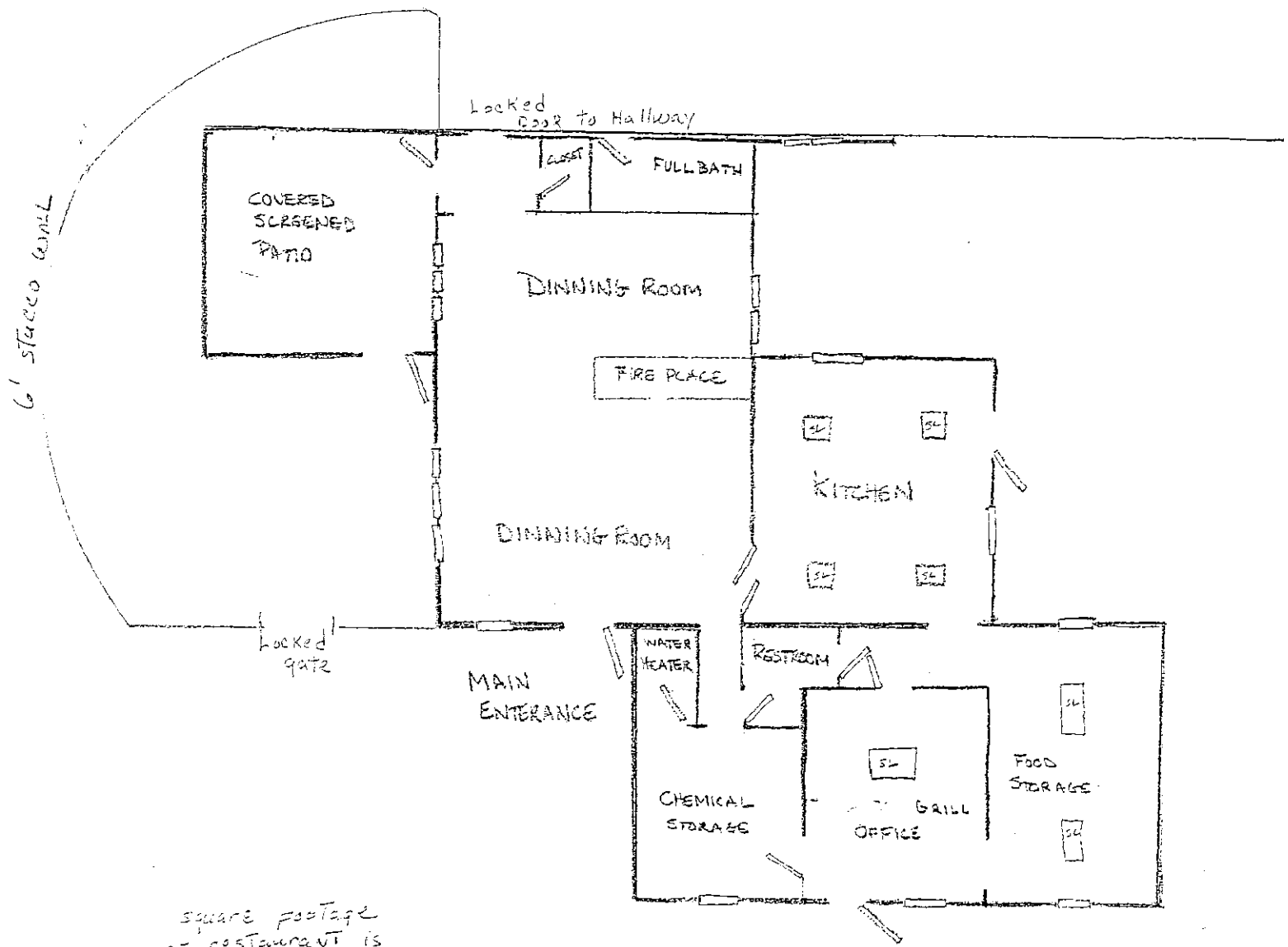
1/4" = 1'



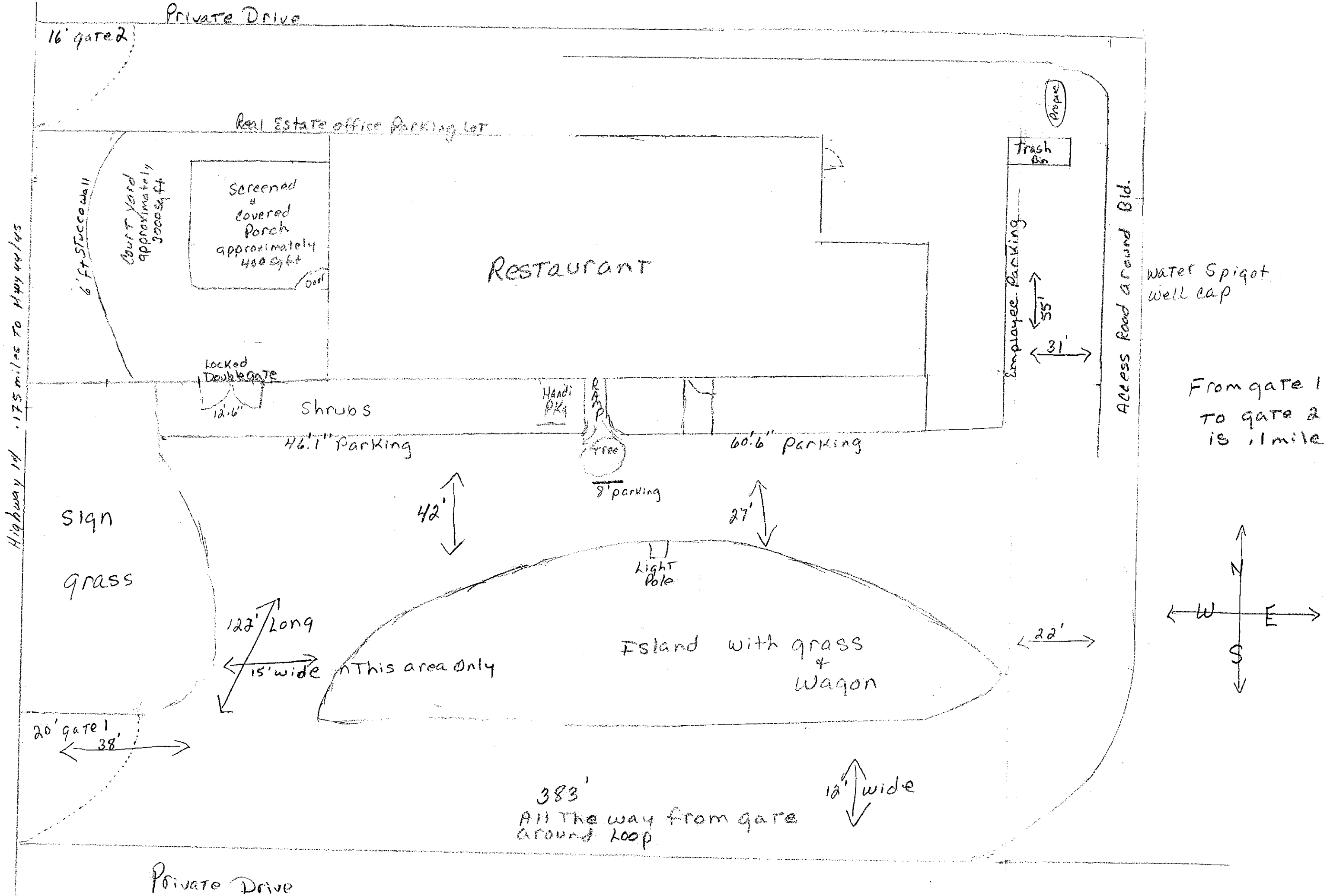
MAIN  
ENTRY

TO KITCHEN →

TO RESTROOM ↓



square footage  
 of restaurant is  
 2100 sq. feet,  
 patio is approx. 400 sq. ft.  
 Enclosed yard around  
 patio is approx 6000 sq. ft





State of New Mexico  
Environment Department

# FOOD ESTABLISHMENT PERMIT

This is to certify that Carol Hayes

Owner of: CJs

Is hereby granted a permit to operate a food establishment

At: 3810 State Road 14; Santa Fe, NM 87508

Type of Establishment: Food Service - Restaurant

Limitations or Restrictions: \_\_\_\_\_

*Failure to maintain and operate the establishment in compliance with the Regulations (7.6.2 NMAC) may result in suspension or revocation of this permit by an authorized representative of this Department. This permit shall be renewed annually.*

Date Issued: 1/24/2011 Permit Number: 24100 - PRE20110001

Expiration Date: 1/31/2012 Authorizing Official: Chika N. Geary

*This permit is not transferable to another individual, establishment, or location.*

*This permit must be displayed in a conspicuous place.*



# COMMERCIAL BUSINESS LICENSE

License No: 13487

Permit No: 10-0613

Permit Type: COMMERCIAL BUSINESS

State of New Mexico, County of Santa Fe

WHEREAS, CAROL HAYES, a resident of 3810 HWY 14, SANTA FE, NM 87508

County and State aforesaid, and one of the members of the firm known as CJ'S CAFE

has made application for a license as COMMERCIAL BUSINESS; therefore

## License Has Been Granted

to the said CJ'S CAFE to carry on said business at

3810 HWY 14, SANTA FE, NM 87508

in said County and State for a period of 12 months, commencing on the 27 day of January, 2011

and ending on the 31 day of December, 2011, under the provisions of the law in such cases made and provided.

In Witness Whereof, I have hereunto set my hand and affixed the seal

of the Treasurer, at Santa Fe, N.M., this 27

day of January 2011.



*Victor A. Montoya*  
SANTA FE COUNTY TREASURER



Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** June 14, 2011

**TO:** Board of County Commissioners

**FROM:** Wayne Dalton, Building and Development Services Supervisor *WD for WD*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*

**FILE REF:** CDRC CASE # V 11-5090 Suzanne Teng Variance

---

### ISSUE:

Suzanne Teng, Applicant, Santa Fe County Open Space and Trails, (Colleen Baker), Agent, requests a variance of Ordinance # 2007-2 (Village of Agua Fria Zoning District), Section 10.6 to allow a land division of 2.55 acres into two lots; one lot consisting of 1.51 acres and one lot consisting of 1.04 acres and to allow two dwelling units on 1.51 acres.

The property is located at 1673 Camino McMillin, West of Siler Road, within Section 32, Township 17 North, Range 9 East, (Commission District 2).

### SUMMARY

This case is tabled until the July 12, 2011, BCC Meeting.



Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** June 14, 2011

**TO:** Board of County Commissioners

**FROM:** Wayne Dalton, Building and Development Services Supervisor *WD*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*

**FILE REF:** CDRC CASE # V 11-5030 Ivan Salcido Variance

---

### ISSUE:

Ivan Salcido, Applicant, requests a variance of Article II, Section 4.3.2c (Family Proper) of the Land Development Code to allow a Family Transfer Land Division of 2.8 acres into two 1.4 acre lots from sibling to sibling.

The property is located at 17 Corral Blanco Road off the East Frontage Road, South of the N.M. 599/I-25 Intersection, within Section 4, Township 15 North, Range 8 East, (Commission District 5).

### SUMMARY

This case is tabled until the July 12, 2011, BCC meeting.

Danny Mayfield  
Commissioner, District 1

Virginia Vigil  
Commissioner, District 2

Robert Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## MEMORANDUM

**DATE:** June 14, 2011

**TO:** Board of County Commissioners

**FROM:** Vicki Lucero, Development Review Team Leader *VL*

**VIA:** Jack Kolkmeier, Land Use Administrator *JK*  
Shelley Cobau, Building and Development Services Manager *SC*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CDRC CASE # V 11-5070 Joya de Hondo Road Variance

---

### ISSUE:

Gray-Hall LLC. (Damion Terrell), Applicant, Jenkins/Gavin, Agent request a variance of Article XV, Section 6.E (Community College District Road Standards) of the County Land Development Code to allow an off-site Living Priority Lane with a Right-of-Way ranging in size from 20-feet to 30-feet for a section of roadway approximately 1,110 ft. in length and to allow a driving surface of 16 feet in width for a portion of roadway approximately 640 ft. in length, for the purpose of creating a 4-lot Summary Review Subdivision on 43.8 acres. The property is located off of Old Galisteo Way, within Section 15, Township 16 North, Range 9 East (Commission District 4).

### SUMMARY:

This case is tabled until the July 12, 2011, BCC Meeting.