



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

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

June 10, 2019

Certified Mail No.: 9171 9690 0935 0155 1537 02

Michelle Lujan Grisham
Governor

Marguerite Salazar
Superintendent

Claudia Armijo
Deputy Superintendent

Daniel Rubin
General Counsel

Andrew Vallejos
Director

Los Alamos County
Naomi D. Maestas, Clerk
1000 Central Avenue, Suite 240
Los Alamos, NM 87544

Re: Lic. No. /Appl. No.: Application No. 1129777
Name of Applicant: Sirphey, LLC
Doing Business As: Unquarked
Proposed Location: 743 Central Avenue, #2, Los Alamos, NM 8754

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 LIQUOR LICENSE WITH ON PREMISES CONSUMPTION ONLY

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions
Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

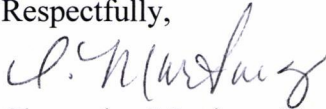
Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

**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

New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4804 Fax: (505) 476-4595

Email: [charmaine.martinez2@state.nm.us](mailto: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

RECEIVED

MAY 01 2019



New Mexico Regulation and Licensing Department | Alcohol and Gaming Division

Page 1 Revised 5/16

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ALCOHOL & GAMING DIVISION

AGD USE ONLY: Payment| Application Fee \$ 2M Received on: 5-1-19 Receipt No. 2181972

License Fee \$ \_\_\_\_\_ Received on: \_\_\_\_\_ Receipt No. \_\_\_\_\_

Application # 1129777 Local Option District: \_\_\_\_\_

RESTAURANT LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for:  New Restaurant Liquor License

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

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER

SIRPHEY, LLC 1793 Deacon St, Los Alamos 8503455370

D/B/A Name to be used: UNQUAKRED Business Phone #: 8503455370

Email Address (required): prashant@sirphey.com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)

1743 Centon Avenue, #12, Los Alamos, NM 87544

Mailing Address: 560 W San Francisco St, Santa Fe, NM 87501

Agent/Contact Person: PRASHANT JAIN Phone#: 8503455370 Email: prashant@sirphey.com

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

I, (print name) PRASHANT JAIN, as (title) CEO / Sole 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 before a Notary Public.

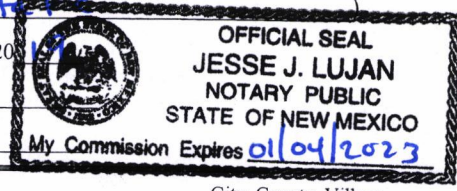
Signature of Applicant: Prashant Jain Date: 05/01/2019

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Santa Fe)

SUBSCRIBED AND SWORN TO before me this 1st day of May, 2019

By: Prashant Jain Notary Public: [Signature]

My Commission Expires: 01/04/2023



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: \_\_\_\_\_ City, County, Village

Public Hearing held on \_\_\_\_\_, 20\_\_\_\_. Check one:  Approved  Disapproved

Signature and Title of City/County Official: \_\_\_\_\_

FOR ALCOHOL AND GAMING DIVISION USE ONLY:  Approved  Disapproved

Signed by Director: \_\_\_\_\_ Date: \_\_\_\_\_

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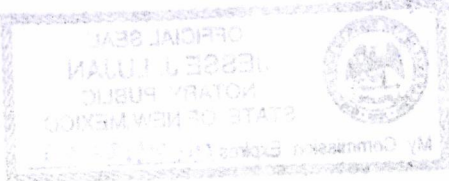
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PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION  
NMSA §60-6B-10

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): \_\_\_\_\_

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

- A. Owner(s): Smiths Food & Drug Centers, Inc
- B. Date and Term of Lease: 5 Years w/ 5 Yr option

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

Zoning Statement attached, which 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: Saint Job of POCHIANI ORTHODOX CHURCH Miles/feet: 0.5  
 Address/location of Church: 1319 Trinity Dr., Los Alamos, NM 87544

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

Name of School: CHILDREN'S MONTESSORI PRE-SCHOOL Miles/feet: 0.5  
 Address/location of School: 1060 NUGGET ST, Los Alamos, 87544

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

Name of Military Installation, <sup>circle one:</sup> Kirtland Air Force Base (Albuquerque) White Sands Missile Range (Las Cruces),  
106 Miles Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

7. 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 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation:  Hotel  Lounge  Package Grocery  Restaurant  Racetrack
- Small Brewer  Craft Distiller  Winery  Wholesaler
- Other (specify): \_\_\_\_\_

\*NOTE: 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.

# MEMORANDUM

LOS ALAMOS

Planning

1000 Central Avenue, Suite 150  
Los Alamos, NM 87544  
P 505.662.8120

losalamosnm.us

April 26, 2019

New Mexico Regulation and Licensing Department  
Alcohol and Gaming Division  
2550 Cerrillos Road  
Santa Fe, New Mexico 87505

**SUBJECT: Zoning Statement; 813 Central Avenue, Los Alamos, New Mexico 87547**

To Whom It May Concern:

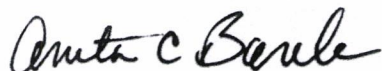
Please be advised, the subject property is located at 743 Central Avenue, Unit 12, Los Alamos NM, in a DT-NCO (Downtown-Neighborhood Center Overlay) zone. The Los Alamos County Development Code allows liquor stores, lounges or bars and restaurants serving alcoholic beverages in a DT-NCO zone as a **permitted** use.

The property addressed at 743 Central Avenue, Unit 12 is part of the larger property known as Marimac Village, Lot 1, in Eastern Area No. 2. The Los Alamos County Development Code characterizes the DT-NCO zone as intended to be a place where many uses and activities occur. Chapter 16 of the Los Alamos County Code permits liquor stores, lounges or bars and restaurants serving alcoholic beverages by right in a DT-NCO zone.

A complete listing of allowable uses for this property can be found in the Los Alamos County, New Mexico, Code of Ordinances, Chapter 16, Article VII—Use Regulations.

Please feel free to contact me directly if you require additional information, or I can be of further assistance.

Very Truly,



Anita C. Barela  
Associate Planner