



Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

Claudia Armijo
DEPUTY GENERAL
COUNSEL

Mary Kay Root
DIRECTOR

New Mexico Regulation and Licensing Department ALCOHOL AND GAMING DIVISION

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87504
(505) 476-4875 ▪ Fax (505) 476-4595 ▪ www.rld.state.nm.us

December 7, 2017

Certified Mail No.: 9171 9690 0935 0078 2654 45

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

Re: License No. / Appl. No.: License No. 1013 /Appl. No. 1052865
Applicant Name: Polk Oil Co.
Doing Business As: LA Liquor
Proposed Location: 1650 Trinity Drive
Los Alamos, New Mexico 87544

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you 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.

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

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 TRANSFER OF LOCATION ONLY OF LICENSE NO. 1013 WITH PACKAGE SALES.

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*).

Sincerely,



Rose L. Garcia
Hearing Officer
NM Regulation & Licensing Dept.
Alcohol & Gaming Division
Phone: 505-476-4552
Fax: 505-476-4595
Email: rosel.garcia@state.nm.us

Enclosures:

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



New Mexico Regulation and Licensing Department | Alcohol and Gaming Division
PO Box 25101 Santa Fe, NM 87504-5101 | Phone: (505) 476-4875 Fax: (505) 476-4875



AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 10/13/17 Receipt No. 2009135
Application Number: 1052865 Local Option District: _____

TRANSFER OF DISPENSER-TYPE LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

License No. #1013 Type of License: Canopy Liquor License

Check appropriate boxes:

Application is for: ☐ Transfer of Ownership ☐ Transfer of Ownership and Location ☒ Transfer of Location Only

Record Owner of Existing License: Polk Oil Company

Current D/B/A Name: _____

Current Premises Address: 2373 Trinity Drive, Los Alamos NM 87544

Current LOD: Los Alamos Is License moving out of Local Option District? ☐ Yes ☒ No

APPLICANT IS: ☐ Individual ☐ Limited Liability Company ☒ Corporation ☐ Partnership (General/Limited)

NAME of Individual/Company: Polk Oil Company ADDRESS (including city, state, zip): c/o Mack With 100 La Salle Circle Santa Fe NM 87505

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

Email Address (required): bryan@polkoilco.com

Physical location where license is to be used: (Include Street # / Highway # / State Road, City, State, and Zip Code)

1650 Trinity Drive Suite 125

Los Alamos NM, 87544 County of: Los Alamos

Mailing Address: 1313 N. Paseo De Onate, Espanola NM 87532

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

Agent/Contact Person: Pradeep Chhena Phone#: 815.554.8818 Email: subwayricky@gmail.com

I, (print name) Leah Polk, as (title) Vice President / 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.

Sign before a Notary Public:

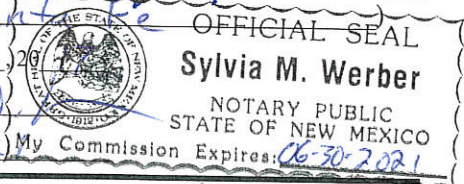
Signature of Applicant: Leah R. Polk Date: 10/12/17

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

SUBSCRIBED AND SWORN TO before me this 12 day of October

By: Leah R. Polk Notary Public: Al M. W.

My Commission Expires: 06-30-2021 My Commission Expires: 06-30-2021



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

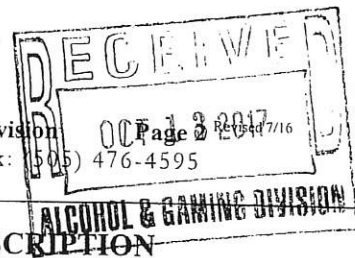
Public Hearing held on _____, 20____. Check one: ☐ Approved ☐ Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: _____ Date: _____

ATTACHMENT D



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): Polk Oil is transferring the location and then new applicant will lease if approved.

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

A. Owner(s): C. SHANNON C de BACA - Shannon Corp. reg

B. Date and Term of Lease: 10.2.17 5 YEARS

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

☒ **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 POCHAV ORTHODOX Miles/feet: 0.2 miles

Address/location of Church: 1319 TRINITY DRIVE, LOS ALAMOS NM 87544

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

Name of School: CAYUNGETO MONTESSORI Miles/feet: 0.7 MILES

Address/location of School: 2525 CANYON ROAD, LOS ALAMOS NM 87544

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

Name of Military Installation, ^{circle one:} Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: 106 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

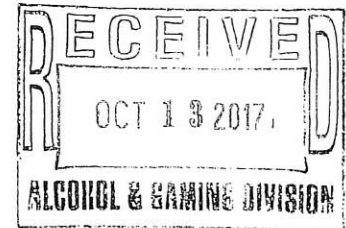
☐ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler

☐ 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.

October 11, 2017

Pradeep Chhina
MG Investment Group LLC
1331 Paseo De Oate
Española, NM 87532



Re: Zoning Verification for 1650 Trinity Drive Los Alamos New Mexico

Dear Mr. Chhina,

COUNTY COUNCIL

David Izraelevitz
Council Chair

Susan O'Leary
Council Vice-Chair

COUNCILORS

Chris Chandler
James A. Chrobocinski
Antonio Maggione
Rick Reiss
Pete Sheehy

COUNTY MANAGER

Harry Burgess

Per your request, this letter is to confirm the zoning for the property addressed 1650 Trinity Drive in Los Alamos, New Mexico. The property is zoned Downtown District-Town Center Overlay zone (DT-TCO). The Los Alamos County Code of Ordinances (Code), Chapter 16 – Development Code, Sec. 16-541. – Downtown District- Town Center Overlay zone (DT-TCO), describes this district as follows:

"The town center overlay zone (DT-TCO) in the downtown district is a mixed-use zone combining office, commercial, civic, certain types of residential and other uses at the highest density allowed in the downtown district."

Permitted uses within this zoning district can be found in Chapter 16 of the Code, Section 16-287 (Use index table), and include: Retail businesses and Liquor stores.

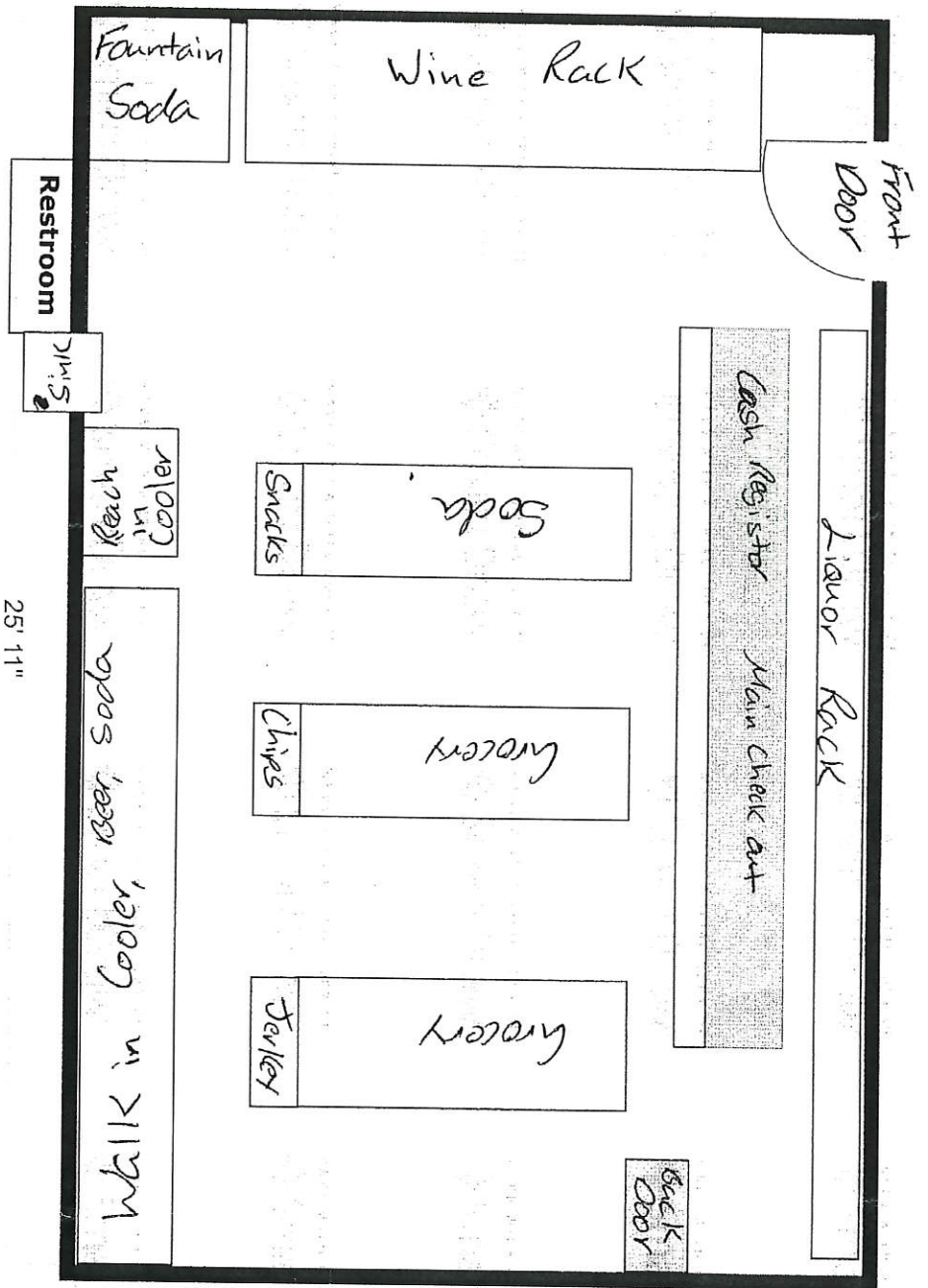
If you have any questions or need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "James Naranjo".

James Naranjo
Community Development Department
Los Alamos County
(505) 662-8097
james.naranjo@lacnm.us

16' 9"



25' 11"

16' 9"

1,900 sq. ft.

