City of Santa Fe

200 Lincoln Ave, Santa Fe, NM 87501 | santafenm.gov

Memorandum

DATE: October 30, 2026

TO: Renee Barela-Gutierrez, Liquor Hearing Officer

VIA: Xavier I. Vigil, Assistant City Clerk XIV

FROM: Emily Aragon, Constituent Services Specialist EA

ITEM & ISSUE:
Request from Tune Up Bistro, LLC dba Tune Up Bistro for a Restaurant A (Beer & Wine) Liquor License with on premises consumption only, to be located at Tune Up Bistro, 204 Montezuma Avenue, which is not located within 300 feet of a church, school, or a daycare.

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 recommends that it be noted that the applicant is required to comply with all city ordinances.

ACTION REQUESTED:
Consideration of the above request

Attachments:
Alcoholic Beverage Control Application
Notice of Public Hearing and Publications
Reminder Letter to Applicant
Staff Reports

NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Clay Bailey, Superintendent
Phillip A. Sanchez, Director

September 22, 2026
By Certified Mail No.: 9171 9690 0935 0299 2427 20

9171 9690 0935 0299 2427 20

City of Santa Fe
Community Engagement
% Geralyn Cardenas, City Clerk
PO Box 909
Santa Fe, NM 87504-0909

RECEIVED - CITY CLERK
'26 SEP 24

Lic. No. | Appl. No.:	RESTAURANT A APPL #BLA -0000022056
Name of Applicant:	TUNE UP BISTRO LLC
Doing Business as:	TUNE UP BISTRO
Proposed Location:	204 MONTEZUMA AVENUE SANTA FE, NM 87501

The Director of the Alcoholic Beverage Control 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.

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.**

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

With that in mind, when a local governing body receives a liquor license application from ABC, that the 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 (BEER AND WINE) LICENSE WITH ON-PREMISES CONSUMPTION.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcoholic Beverage Control 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 Application must be returned together with approval letter and 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,

Tammy Sandoval

Tammy Sandoval, Hearing Officer
Alcoholic Beverage Control Division
Phone: (505) 795-4165
Email: tammy.sandoval@rld.nm.gov

Enclosures:

1. Original Application
2. Copy of Zoning Statement
3. Copy of Floor Plan

Alcoholic Beverage Control Division

Restaurant A Intake Application

Application Number: BLA-0000022056

Business Information

Business Information

Business Name: Tune Up Bistro LLC
Type of Business: Alcohol
Business Structure: Limited Liability Company
FEIN: XX-XXX0824
State Tax ID Number: XX-XXXXX5-00-5
Business Email: tuneupjesus@gmail.com
Business Phone: 5059894200

Contact Person Information

Contact Person Name: Jesus Rivera
Contact Person Phone: 5056705759
Contact Person Email: tuneupjesus@gmail.com

Business Mailing Address

Mailing Street: 535 Cortez St.
Mailing City: Santa Fe
Mailing State: NM
Mailing Zip Code: 87501
Mailing Country: US

Local Option District Use Only: Local Governing Body of _____ City, County,Village

Public Hearing held on _____ 20_____ Please check one: ☐Approved ☐Disapproved

Signature of City/County Official: _____ Title: _____

Alcoholic Beverage Control Division Use Only: ☐Approved ☐Disapproved _____

Signed by Director: _____ Date: _____

NMRLD
NEW MEXICO REGULATION & LICENSING DEPARTMENT

Alcoholic Beverage Control Division

Restaurant A Intake Application

Application Number: BLA-0000022056

NMRLD
NEW MEXICO REGULATION & LICENSING DEPARTMENT

Premises Information

Premises DBA

Premises Doing Business As (DBA):Tune Up Bistro

Proposed Premises Physical Address

Physical Street: 204 Montezuma Avenue
Physical City: Santa Fe
Physical Zip Code: 87501
Physical State: New Mexico
Physical County: Santa Fe
Local Option District: Santa Fe City
"Local Option District" means a county that has voted to approve the sale, serving or public consumption of alcoholic beverages, OR an incorporated municipality that falls within a county that has voted to approve the sale, serving or public consumption of alcoholic beverages, OR an incorporated municipality of over five thousand population that has independently voted to approve the sale, serving or public consumption of alcoholic beverages under the terms of the Liquor Control Act or any former act.

Ownership

The land and building which is proposed to be the licensed premises is: Leased by Applicant
The following information is required to ensure the issuance of a license to this location will not result in the violation of a county or municipal ordinance.
Specify Owner(s) of the land and building:
Specify Date and Terms of Lease/Operating Agreement:

Zoning

Is the proposed premises location zoned? Yes
You will be required to upload "Copy of Zoning Statement" issued by the local municipality or county. If not applicable, you will be required to upload "Copy of Zoning Statement" or Letter from local government to indicate that there is no zoning for the proposed location.
Specify the zone for proposed premises location (example C-1).: BCD

Distance from nearest School

Name of School: Wood-Gormley Elementary School
School Street: 141 E Booth st.
School City: Santa Fe
School State: New Mexico
School Zip Code: 87505
School Country: United States
School Distance (in feet): More than 1000
Specify the shortest direct line distance from the nearest point of the proposed premises to the nearest point of the property line of the school.

Distance from nearest Church

Name of Church: Cathedral Basilica of St Francis
Church Street: 131 Cathedral Pl
Church City: Santa fe
Church State: New Mexico
Church Zip Code: 87501
Church Country: United States
Church Distance (in feet): More than 1000
Specify the shortest direct line distance from the nearest point of the proposed premises to the nearest point of the property line of the church.

NMRLD
NEW MEXICO REGULATION & LICENSING DEPARTMENT

Alcoholic Beverage Control Division

Restaurant A Intake Application

Application Number: BLA-0000022056

NMRLD
NEW MEXICO REGULATION & LICENSING DEPARTMENT

Premises Information 2

Please specify the appropriate option for the premises that you have specified in the application?

☐ A license has never been issued to the location of the proposed premises.
☑ A license was once issued to the location of the proposed premises but is no longer being operated at the location.
☐ Alcohol operations are currently being performed at the proposed premises by the applicant business.
☐ Alcohol operations are currently being performed at the proposed premises by a business other than the applicant business.

Please provide more details for the option selected in above question?
You can specify more details such as license has become expired non-renewable, business ownership has changed, planning to extend operations of existing premises or planning to buy premises etc.

Licenses at Proposed Premises
Please specify the active New Mexico licenses currently held by the proposed premises.
If you need to view, edit, or delete any records, click the down arrow under action for that specific record.

License Number: 03-715295-00-5 License Type: Restaurant

Questions

Has the applicant business ever had a liquor license denied, suspended, revoked, surrendered, or had any other form of discipline or disciplinary action by a licensing agency in another state or jurisdiction?	No
Has the structure and/or ownership disclosure for the applicant business changed since last reported to the department?	No
Does the applicant business own any (direct/indirect) interest in a liquor license?	No

NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

Alcoholic Beverage Control Division

Restaurant A Intake Application

Application Number: BLA-0000022056

NMRLD
NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

Payment

Fee Name	**Fee Amount**
Application Fee	200.00
Total Fee Amount:	**200.00**

Attestation/Oath

Under penalty of perjury, I hereby depose and state that I am the person identified in this application and the information given by me is true and complete to the best of my knowledge and belief. I understand that any information contained in this application may be investigated and any false or dishonest answer to any question in this application may be grounds for denial or revocation of my license.

Attestation Signature: Jesus Rivera

Date: 06/19/2026

City of Santa Fe
200 Lincoln Ave, Santa Fe, NM 87501 | santafenm.gov

Michael J. Garcia, Mayor

June 18, 2026

Jesus Rivera
Tune Up Bistro LLC
204 Montezuma Ave
Santa Fe, NM 87501

Subject: Zoning Verification for the property located at 204 Montezuma Ave, Santa Fe, NM

Dear Jesus Rivera,

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 State Capitol Subdistrict.

14-3.3 (C) Business-Capitol District

(1) Purpose

The business-capitol district (BCD) is intended for a mixture of both residential and nonresidential land uses, designed to promote economic well-being 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.

(4) Townscape Subdistricts

I. Intent

The townscape subdistricts are intended to:

a. Preserve the overall aesthetic quality of the BCD;

b. Maintain diversity among the various subdistricts; and

c. Protect the unique features, recognizable historic character and other common identifying characteristics of each subdistrict.

II. 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 in each district below.

(17) State Capitol

I. Design Objectives

a. Retain the open "campus" quality of this area as a contrast to surrounding developed areas;

b. Recognize the area as complementary to the Santa Fe River park; and

c. Maintain intensive landscape treatment.

City Council

Alma G. Castro, District 1 | Elizabeth "Liz" Barrett, District 2 | Lee Garcia, Mayor Pro Tem, District 3 | Jamie Cassutt, District 4
Patricia Feghali, District 1 | Paul C. Bustamante, District 2 | Pilar F.H. Faulkner, District 3 | Amanda Chavez, District 4

A restaurant with alcohol service including a bar, cocktail lounge or nightclub is allowed in this zoning district at the above referenced property.

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=CHAPTER%2014%20NEW.
All uses are subject to compliance with applicable development standards such as parking, lot coverage, etc.

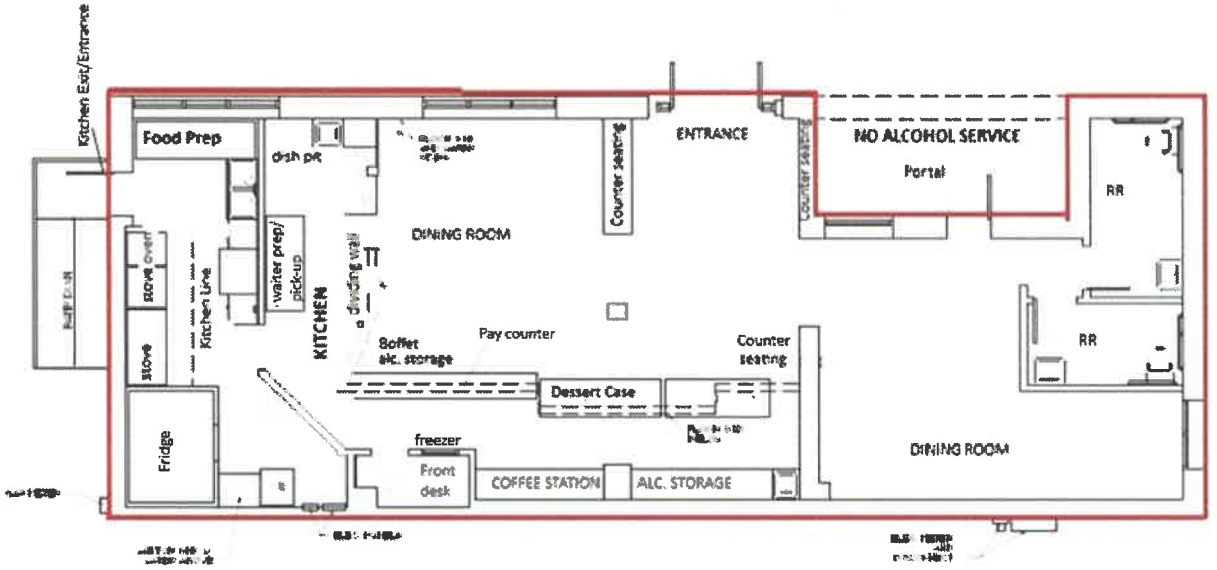
Note: The information provided in this letter is solely derived from the Official Zoning Map and the minimum requirements set forth in Chapter 14, SFCC 1987. This letter intends to provide advice regarding zoning regulations. It is not the intent to state that the subject property complies with zoning 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 bhpfeifer@santafenm.gov.

Benjamin Pfeifer

Benjamin Pfeifer
Planner
City of Santa Fe Planning & Land Use
bhpfeifer@santafenm.gov

GALISTEO ST.



EXISTING FLOOR PLAN

2,044 TOTAL INDOOR SQ. FT.

ARCHITECTURAL ALLIANC

Interior Remo of Existing Establishme

25-03

EXISTING FLOOR PLA

A-1

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 Wednesday November 4, 2026.

The purpose of this public hearing is to discuss a request from Tune Up Bistro, LLC for the following:

A Request from Tune Up Bistro, LLC dba Tune Up Bistro for a Restaurant A (Beer and Wine) Liquor License with On Premises Consumption Only, to be Located at Tune Up Bistro, 204 Montezuma Avenue, which is Not Located within 300 Feet of a Church or School.

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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 https://santafenm.portal.civicclerk.com/.

Geralyn F. Cardenas
City Clerk

Received by The Santa Fe New Mexican
Date: 9/30/26

To Be Published: October 6, 2026
AND
October 13, 2026

By _____
The Santa Fe New Mexican (Signature)

SANTA FE NEW MEXICAN

150 Washington Ave., Ste 105
Mail Payments To:
PO Box 2048
Santa Fe, NM 87504
Phone: 505-983-3303
FAX: 505-984-1785

Ad Proof/ Order Confirmation/ Receipt Invoice

TUNE-UP BISTRO
204 Montezuma Ave
Santa Fe NM, 87501-2625

505-989-4200

Tagline:	LEGAL #95840		
Account Number:	STTB15		
Ad ID:	126839		
		Sales Rep:	Sebastian Garcia
Ordered By:		**Order Taken By:**	Sebastian Garcia
Ad Cost:	$103.60		
Tax Amount:	$8.48	**Payment**	$0.00
Total Amount:	$112.08	**Tagline:**	LEGAL #95840
Amount Due:	$112.08		
PO Number:			
Payment:	$0.00		
Major Class:	LEGALS	**Product:**	
Classification:	Legals	**Placement:**	
		Ad Size:	1.22" x 5.210"
Ad Type	Legal (wrapper)	**Modular Size:**	
# of Words	140	**Color:**	

Run Dates:

10/06/26, 10/13/26

LEGAL #95840

CITY OF SANTA FE

NOTICE OF
PUBLIC HEARING

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/s/ Geralyn F. Cardenas
City Clerk

PUB: Oct. 6, 13, 2026

City of Santa Fe
200 Lincoln Ave, Santa Fe, NM 87501 | santafenm.gov

Michael J. Garcia, Mayor

VIA EMAIL: tuneupjesus@gmail.com

10/26/2026

Tune Up Bistro, LLC
204 Montezuma Avenue
Santa Fe, New Mexico 87501

RE: Request from Tune Up Bistro, LLC dba Tune Up Bistro for a Restaurant A (Beer and Wine) Liquor License with On Premises Consumption Only, to be Located at Tune Up Bistro, 204 Montezuma Avenue.

Dear Mr. Jesus Rivera,

The public hearing before the City of Santa Fe's Liquor Hearing Officer for the above referenced request has been scheduled for Tuesday, November 4, 2026, at 4:00 p.m. This will be a virtual hearing via Zoom. You will be provided with 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 November 10, 2026, meeting.

Attached is a copy of the Notice of Public Hearing.

Should you have any questions, or require anything further from our office, please do not hesitate to call me at 505-955-6521.

Sincerely,

Xavier Vigil
Assistant City Clerk

City Council

Alma G. Castro, District 1
Patricia Feghali, District 1
Elizabeth "Liz" Barrett, District 2
Paul C. Bustamante, District 2
Lee Garcia, Mayor Pro Tem, District 3
Pilar F.H. Faulkner, District 3
Jamie Cassutt, District 4
Amanda Chavez, District 4

Applicant: Tune up Bistro LLC, Jesus Rivera, 505-989-4200 **Proposed Location:** 204 Montezuma Ave.

(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 #243962.

☐ No, the requesting business does not have a business license issued by the City of Santa Fe.

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).

*Note: N/A

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

Verification Completed By: Jason D. Sena

Title: Enforcement Division Manager

Date: 10/13/2026

Traffic Engineering Department

☐ Yes, it appears that the approval of this request will create unacceptable traffic impacts.

*Note: N/A

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

Verification Completed By: MARCOS ESQUIBEL

Title: Interim Complete Streets Division Director

Date: 10/13/2026

City of Santa Fe Fire Department

☑ Yes, the applicant is in compliance with all Fire Codes.

☐ No, the applicant is not in compliance with Fire Code(s).

*Note: Inspection performed October 1, 2026. Not violations noted.

Verification Completed By: GERONIMO GRIEGO (Oct 13, 2026 11:42:47 MDT)

Title: Fire Marshal

Date: 10/13/2026

Applicant Supplemental Information Form

1. Name of Applicant: Jesus Rivera

   D/B/A Name to be used: Tune up Bistro LLC

   Proposed License Location: 204 Montezuma Ave

   Telephone number: 505-989-4200

   Email: Tuneupjesus@gmail.com

2. Type of liquor license request:

   - [x] New License (indicate type: Restaurant A - beer + Wine)
   - [ ] 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:)
   - [x] No

4. Were alcoholic beverages previously dispensed by the requesting business?

   - [ ] Yes (If yes, License # and address where alcohol was being dispensed:)
   - [x] No

5. Does this business have any record of violation?

   - [ ] Yes (If yes, please explain:)
   - [x] No

6. What are the current/previous and proposed hours of operation of this business?

   Current/Previous Hours of Operation: Monday - Sunday 7am - 3PM

   Proposed Hours of Operation:

7. Is an outdoor seating/patio area included in the licenses premise?

   - [ ] Yes (If yes, is the area fully enclosed? [ ] Yes [ ] No)
   - [x] No

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

What days? Saturday Sunday

What times? 11am - 2pm

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

☑ Yes (If yes, what is your License #? 03715295005)

☐ 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? 70)

☐ 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? _____)

☐ 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:**

I would say about a handful 15-20 more ppl

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: 100?).

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

☐ Business is expected to remain the same.

* Please explain your answer: We are anew Restaurant tryjng to establish our preence in the community. We do expect our business to increase but not Rapidly.

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 our own Parking Lot

Name of person completing this form: Jesus Rivera

Telephone number: 505-670-5759

Date: 10/1/26

DATE: October 19, 2026

TO: Maggie Moore

Maggie R. Moore, Assistant Planning & Land Use Department Director

VIA: Jason D. Sena

FROM: Jason D. Sena, Enforcement Manager

ITEM & ISSUE : Litter and noise impact assessment,due to a request from Tune Up Bistro, LLC, for the following:

a) A Request from Tune Up Bistro, LLC dba Tune Up Bistro for a Restaurant A (Beer and Wine) Liquor License with On Premises Consumption Only, to be Located at Tune Up Bistro, 204 Montezuma Avenue, which is Not Located within 300 Feet of a Church or School.

BACKGROUND AND SUMMARY

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

City Council

Alma G. Castro, District 1
Patricia Feghali, District 1
Elizabeth "Liz" Barrett, District 2
Paul C. Bustamante, District 2
Lee Garcia, Mayor Pro Tem, District 3
Pilar F.H. Faulkner, District 3
Jamie Cassutt, District 4
Amanda Chavez, District 4

Signature: Maggie Moore
Maggie Moore (Feb 9, 2026 07:50:48 MST)

Email: mrmoore@santafenm.gov

Signature: MAGGIE MOORE

Email: mrmoore@santafenm.gov

Tune Up Bistro Assessment Letter (1)

Final Audit Report 2026-10-19

Created:	2026-10-19
By:	Jason Sena (jdsena@santafenm.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJGVXWXIFfybvSGk42HDTMtsbbuD_RUOB
Documents:	Tune Up Bistro Assessment Letter (1).pdf (3 pages)
Number of Documents:	1
Document page count:	4
Number of supporting files:	0
Supporting files page count:	0

"Tune Up Bistro Assessment Letter (1)" History

Document created by Jason Sena (jdsena@santafenm.gov)
2026-10-19 - 7:10:02 PM GMT- IP address: 63.232.20.2

Document emailed to MARGARET MOORE (mrmoore@santafenm.gov) for signature
2026-10-19 - 7:10:58 PM GMT

Email viewed by MARGARET MOORE (mrmoore@santafenm.gov)
2026-10-19 - 7:37:26 PM GMT- IP address: 174.218.17.138

Document e-signed by MARGARET MOORE (mrmoore@santafenm.gov)
Signature Date: 2026-10-19 - 7:37:56 PM GMT - Time Source: server- IP address: 174.218.17.138 - Signature Appearance Selected: MOBILE_IMAGE

Agreement completed.
2026-10-19 - 7:37:56 PM GMT

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