

**CITY OF SANTA FE
LIQUOR LICENSE HEARING OFFICER**

**Recommended
Findings of Fact and Conclusions of Law**

Type of Dispenser Permit: Special Dispenser Private Event
Business Name (DBA): STAR INVESTMENT, LLC (Kelly Liquor Barn)
Business Mailing Address: 2885 Cerrillos Road, Santa Fe, NM 87507
License Number: DIS-000338
Event Name: NDI New Mexico Gala
Event Date: 05/09/2026

THIS MATTER came before the Liquor License Hearing Officer for public hearing on **April 16, 2026** at 4:00 PM by video hearing, on the request of **National Dance Institute of New Mexico (NDI)** (Applicant) for:

1. Request from National Dance Institute of New Mexico (NDI) for a waiver of the 300-foot location restriction and approval to allow the dispense/consumption of alcoholic beverages at the NDI Dance Barns, 1140 Alto St., which is within 300 feet of Aspen Community Magnet School, 450 La Madera St. and La Comunidad de Los Ninos Head Start, 1121 Alto St.

The Hearing Officer recommends that the Governing Body adopt the following findings of fact and conclusions of law.

After reviewing the record, conducting a public hearing and having provided an opportunity to be heard from city staff, the Applicant and any interested persons, the Hearing Officer hereby proposes that the Governing Body find as follows:

FINDINGS OF FACT

1. Staff submitted a packet containing the following, which was reviewed by the Hearing Officer and relied on in making these findings:
 - a. March 31, 2026 memo from Emily Aragon, Constituent Services Specialist.
 - b. (NMRLD/AGD) Special Dispenser Permit Intake Application.
 - c. Premises map.
 - d. March 13, 2026 letter from Santa Fe Public Schools neither opposing nor supporting the application.
 - e. February 5, 2026 letter from NDI authorizing Kelly's Liquor Barn to perform catering bar services for the NDI New Mexico Gala on May 9, 2026.
 - f. Premises Map.
 - g. Server List.

2. City Clerk staff member Emily Aragon presented the application.
3. Applicant was represented by Yong Il Jo.
4. The Application is for a waiver of the 300-foot location restriction and approval to allow the dispense/consumption of alcoholic beverages at the NDI Dance Barns, 1140 Alto St., which is within 300 feet of Aspen Community Magnet School, 450 La Madera St. and La Comunidad de Los Ninos Head Start, 1121 Alto St.
5. Issuance or transfer will not be detrimental to the public health, safety or morals of the residents of the local option district.
6. The hearing was recorded and a copy of the recording is made a part of the record.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Hearing Officer CONCLUDES:

1. Notice of the Application was properly given by publication, mail and posting on the website pursuant to Section 60-6B-4(D).
2. The governing body may disapprove a transfer or issuance only if individuals opposing the transfer or issuance provide positive evidence showing that the transfer or issuance would be detrimental to the health, safety or morals of the community. This evidence must be based on authentic, relevant facts related to a specific prospective licensee and specific location. *The Southland Corporation v. Manzagol*, 1994-NMSC-099, 118 N.M. 423
3. The Applicant does not have the burden to prove that the transfer would not be detrimental to the health, safety or morals of the residents of the local option district. *Dick v. City of Portales*, 1994-NMSC-092, 118 N.M. 541.
4. The Application meets the requirements of §60-6B-4(F)(2).

CONDITIONS OF APPROVAL

None.

WHEREFORE, the Liquor License Hearing Officer recommends to the Governing Body that the Application be **APPROVED**.

/s/ Renee Barela-Gutierrez
Renee Barela-Gutierrez

Date: 04/17/2026