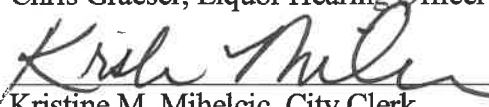


City of Santa Fe, New Mexico

memo

DATE: March 10, 2022

TO: Chris Graeser, Liquor Hearing Officer

FROM: 
Kristine M. Mihelcic, City Clerk

ITEM & ISSUE

Request from Mystic Ambrosia, LLC for a Winegrower Liquor License.

BACKGROUND AND SUMMARY

The applicant has requested a Winegrower Liquor License, to be located at Mystic Ambrosia, 2538 Camino Entrada, Suite 203, Santa Fe. This location is not within 300 feet of a church or school.

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.

As a condition of approval, staff is recommending that it be noted that the applicant will be required to obtain all necessary permits and licenses and comply with all Fire, Building and Land Use Code requirements.

Additionally, as a condition of doing business in the city, staff is recommending that it be noted that the applicant is required to comply with all of the city's ordinances.

ACTION REQUESTED

Consideration of the above request.

Attachments: Alcoholic Beverage Control Application
 Notice of Public Hearing and Publications
 Website Notice of Public Hearing
 Applicant's Proof of Publication
 Letter to Applicant
 Staff Reports



NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

January 21, 2022

Certified Mail No.: 9171 9690 0935 0155 3725 16

City of Santa Fe

% GERALYN F. CARDENAS, Assistant City Clerk
PO Box 909
Santa Fe, NM 87504-0909

Lic. No. /Appl. No.: **Application No. 1212236**
Name of Applicant: Mystic Ambrosia, LLC
Doing Business As: Mystic Ambrosia
Proposed Location: 2538 Camino Entrada Ste. 203, Santa Fe, NM 87507

The Director of the Alcoholic Beverage Control Division (ABC) 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;
- (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, 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 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 Winegrower Liquor License.

Within thirty (30) days after the Public Hearing, the governing body shall notify ABC 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 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,



Desirae D. Griego
Admin Law Judge | Hearing Officer
NM Regulation & Licensing Department
Alcoholic Beverage Control Division
Phone: (505) 476-4552 Fax: (505) 476-4595
Email: Desirae.Griego@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 the Zoning Statement
4. Copy of the proposed floorplan



10-14-21



NMRLD

NEW MEXICO REGULATION & LICENSING DEPARTMENT

STATE OF NEW MEXICO
MICHELLE LUJAN GRISHAM, GOVERNOR
Linda M. Trujillo, Superintendent
Andrew Vallejos, Director

Winegrower and Off-Site Location Application | \$200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee \$ 200 Received on: 10-12-21 Receipt No. 2420923
License Fee \$ _____ Received on: _____ Receipt No. _____
Application Number: 1212236 Local Option District: City of Santa Fe

Check appropriate boxes:

Application is for New License | Off-Site Location - 1st, 2nd, 3rd | Master License Number _____

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

NAME OF APPLICANT: Mystic Ambrosia, LLC

D/B/A Name to be used: MYSTIC AMBROSIA Business Phone No: 505-304-4419

Mailing Address: 5 Bisbee Ct. Ste. 109-206, Santa Fe, NM 87508

Email (required) info@mysticambrosia.com

Physical location where license is to be used: 2538 Camino Entrada Ste. 203, Santa Fe, NM, 87507
County: SANTA FE (Include street number / highway number / state road, city, state, and zip code)

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

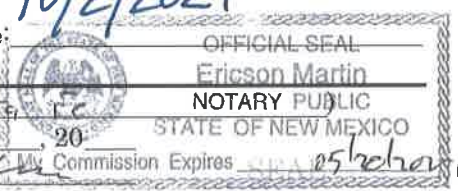
Contact Person: Clint Sulis Phone #: 505-304-4419 Email: info@mysticambrosia.com

I, (print name) Clint Sulis, as (title) Owner of Mystic Ambrosia, LLC 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: Clint Sulis Date: 10/2/2021

Notary Public Use Only: (State of New Mexico, County of Santa Fe)
SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20____
By: Ericson Martin Notary Public: [Signature]
Date my Commission Expires: 05/20/2024



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: _____

RECEIVED

Alcoholic Beverage Control Division Use Only: Approved Disapproved

Signed by Director: _____ Date: OCT 12 2021

Premises Location, Ownership, and Description | NMSA §60-6B-10 | Page 2

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): Arthur Atkins (Skip) & Herman Gonzalez of Santa Fe Commerce Center, LLC

B. Date and Term of Lease: 10/01/2021 - 09/30/2028 (7 Years)

3. Premises location is Zoned (example C-1, see Zoning Statement): I-1 (Light Industrial)

Zoning Statement attached, Yes No 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: Gospel Life Community Church Miles/feet: 600 feet

Address/location of Church: 2520 Camino Entrada, Santa Fe, NM, 87507

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

Name of School: Academy at Larragoite Miles/feet: 1000 feet

Address/location of School: 2504 Camino Entrada, Santa Fe, NM, 87507

6. 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.

7. Type of Operation: Hotel Lounge Package Grocery Racetrack

Restaurant Craft Distiller Small Brewer Winery Wholesaler

Other (specify): _____

RECEIVED

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, and the Applicant does not admit that the location is within 300 feet and requests a waiver from the LOD, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:

- Signe I. Lindell, Mayor Pro Tem, District 1
- Renee Villarreal, District 1
- Michael J. Garcia, District 2
- Carol Romero-Wirth, District 2
- Roman "Tiger" Abeyta, District 3
- Chris Rivera, District 3
- Jamie Cassutt, District 4
- JoAnne Vigil Coppler, District 4

September 16, 2021

James W. Siebert & Associates, Inc.
915 Mercer Street
Santa Fe, New Mexico 87505

RE: Zoning Verification for Mystic Ambrosia Winery located at 2538 Camino Entrada, Santa Fe, NM

Dear Mr. Siebert,

This letter provides zoning verification on the above referenced property. According to the Official Zoning Map, this property is zoned **I-1 Light Industrial zoning district** and is not located in any overlay districts.

14-4.3(F) I-1 Light Industrial District

The I-1 district is intended primarily for light manufacturing, processing, storage, warehousing, distribution and similar commercial uses. Regulations are intended to prevent friction between uses within the district and also to protect nearby residential districts.

Light assembly and manufacturing, wholesaling and distribution operations - 3,000 square feet or less of storage, and retail establishments not listed elsewhere including liquor sales for off-site and on-site consumption are permitted uses in the I-1 zone.

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=CH14LADE. 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 ljmcculley@santafenm.gov.

Lani McCulley
Land Use Planner
City of Santa Fe, New Mexico

RECEIVED

OCT 1 2 2021

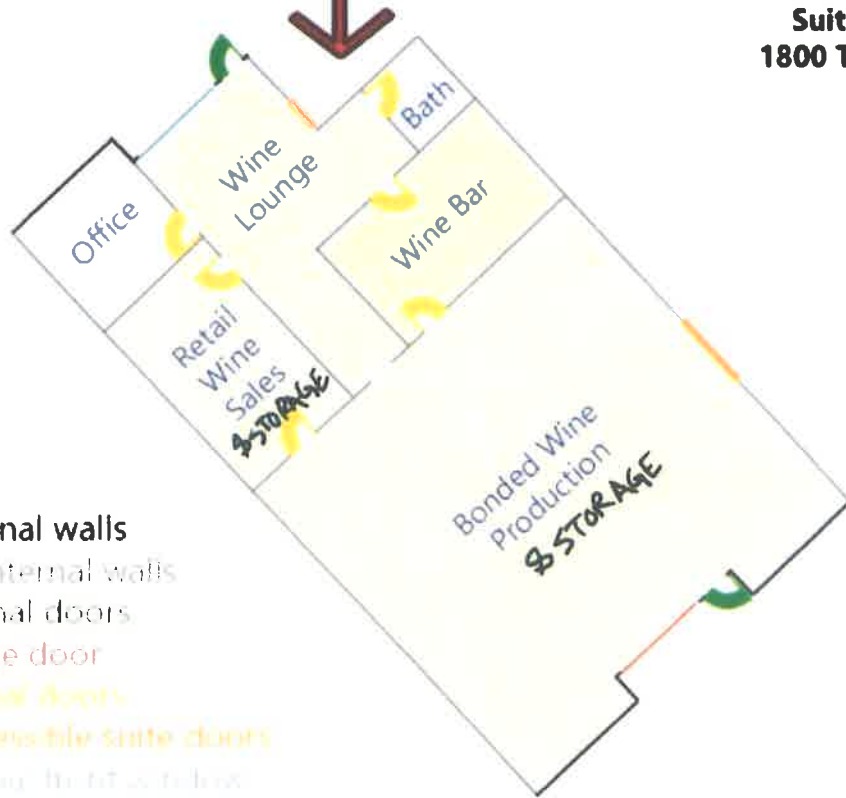
ALCOHOLIC BEVERAGE
CONTROL

**Mystic Ambrosia
Detailed Floor Plan**

2538 CAMINO ENTRADA, SUITE 203
SANTA FE, NM 87507



**Suite Diagram
1800 Total Sq/Ft**



- 2 external walls
- many internal walls
- 2 external doors
- 1 garage door
- 5 external doors
- 2 accessible suite doors
- 1 exterior built-in table

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 Monday, March 14, 2022.

The purpose of this hearing is to discuss a request from Mystic Ambrosia, LLC, for a Winegrower Liquor License, to be located at Mystic Ambrosia, 2538 Camino Entrada, Suite 203, Santa Fe.

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://www.santafenm.gov/weekly_meeting_list_agendas.

Kristine Mihelcic

Kristine Mihelcic (Feb 7, 2022 14:52 MST)

Kristine M. Mihelcic

City Clerk and Community Engagement Director

Received by The Santa Fe New Mexican

Date: February 8, 2022

To Be Published: February 11, 2022 &
February 18, 2022.

By 

The Santa Fe New Mexican (Signature)

LEGAL# 89265

CITY OF SANTA FE
NOTICE OF PUBLIC
HEARING

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Kristine M. Mihelcic
City Clerk and Community Engagement Director

PUB: FEB-11,18-2022



City of Santa Fe

NOTICE OF LIQUOR LICENSE HEARING
Monday, March 14, 2022 at 4:00 PM

NOTICE IS HEREBY GIVEN that a Liquor License Hearing is scheduled for Monday, March 14, 2022 at 4:00 PM.

Please visit <https://santafe.primegov.com/public/portal> to view agendas, participation information and corresponding materials.
For additional information, contact the City Clerk's Office at 505-955-6521.



202 E. Marcy
PO Box 2048
Santa Fe, NM 87504
Phone: 505-983-3303
FAX: 505-984-1785

LEGAL# 89265

**CITY OF SANTA FE
NOTICE OF PUBLIC
HEARING**

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The purpose of this hearing is to discuss a request from Mystic Ambrosia, LLC, for a Winegrower Liquor License, to be located at Mystic Ambrosia, 2538 Camino Entrada, Suite 203, Santa Fe.

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Kristine M. Mihelcic
City Clerk and Community Engagement Director

PUB: FEB-11,18-2022

Ad Proof/ Order Confirmation/ Invoice

CLINT SULIS
5 Bisbee Ct Ste 109-206
Santa Fe NM, 875081397

505-304-4419

Account Number: STCS10

Ad ID: 28091

Ordered By:

Ad Cost: \$80.20

Tax Amount: \$6.77

Total Amount: \$86.97

Amount Due: \$0.00

PO Number:

Major Class: LEGAL NOTICES

Classification: Legals

Ad Type: Legal (wrapper)

of Words 104

Run Dates:

02/11/22, 02/18/22

Sales Rep: Shaundel Moya

Order Taken by: Shaundel Moya

Payment \$86.97

Credit Card - American Express:1019

Tagline: LEGAL# 89265

Product:

Placement:

Ad Size: 1.22" x 3.86"

Modular Size:

Color:



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1

Renee Villarreal, District 1

Michael J. Garcia, District 2

Carol Romero-Wirth, District 2

Lee Garcia, District 3

Chris Rivera, District 3

Jamie Cassutt, District 4

Amanda Chavez, District 4

VIA EMAIL – info@mysticambrosia.com

March 4, 2022

Clint Sulis
Mystic Ambrosia, LLC
2538 Camino Entrada, Suite 203
Santa Fe, New Mexico 87507

RE: Request from Mystic Ambrosia, LLC for a Winegrower Liquor License to be located at Mystic Ambrosia, 2538 Camino Entrada, Suite 203, Santa Fe.

Dear Mr. Sulis:

The public hearing before the City of Santa Fe Liquor Hearing Officer for the above referenced request has been set for Monday, March 14, 2022, at 4:00 p.m. This will be a virtual hearing via Zoom. We will email you 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 March 30, 2022 meeting.

Attached is a copy of the notice for the public hearing.

Should you have any questions, or require anything further from our office, please do not hesitate to call me at 955-6520.

Sincerely,

Kristine M. Mihelcic
City Clerk and Community Engagement Director

/am



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:

Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Lee Garcia, District 3
Chris Rivera, District 3
Jamie Cassutt, District 4
Amanda Chavez, District 4

DATE: February 28, 2022

TO:

Jason M. Kluck

Jason Kluck, Interim Director, Land Use Department

VIA:

Jason Sena

FROM: Jason Sena, Zoning and Code Enforcement Supervisor

ITEM & ISSUE

Litter and noise impact assessment, due to a request from Mystic Ambrosia, LLC, for the following:

- a) Pursuant to §60-6B-10 NMSA 1978, request from Mystic Ambrosia, LLC, for a Winegrower Liquor License, to be located at Mystic Ambrosia, 2538 Camino Entrada, Suite 203.

BACKGROUND AND SUMMARY

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



VEREDA DE VALENCIA

CENTER CT

CENTER DR

CAMINO ENTRADA

2538 Camino Entrada

I1

CAMINO ENTRADA

CAMINO ENTRADA

CAMINO ENTRADA

CAMINO ENTRADA

CERILLOS RD

PLUM

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R-7 - I	RC-5, - RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use- Specific Regs 14-6.2
Bar, cocktail lounge, nightclub, no outdoor entertainment								S ^{3,10}	S ³		P+			P	P	P		P+	P+	P+	P ²	
Bar, cocktail lounge, nightclub, with outdoor entertainment								S ^{3,10}	S ³		P+			P+	P+	P+		P+	P+	P+	P+ ²	
Restaurant - full service, with or without incidental alcohol service								S ^{3,10}	S ³		P			P	P	P	S	P	P	P	P	
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.								S ^{3,10}	S+ ³		P+			P+	P	P		P+	P+	P+	P+ ²	
Restaurant - Fast service/take-out, no drive-through/drive-up								S ^{3,10}		P ⁴	P	P ⁴		P	P	P	S	P	P	P	P	
Restaurant - with drive-through/drive-up											P+			P+	P+	P+	S	P+	P+	P+	P+ ²	

Applicant Supplemental Information Form

1. Name of Applicant: _____
D/B/A Name to be used: _____
Proposed License Location: _____
Telephone number: _____
Email: _____

2. Type of liquor license request:

- New License (indicate type: _____)
- 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: _____)
- No

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

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

5. Does this business have any record of violation?

- Yes (If yes, please explain: _____
_____.)
- No

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

Current/Previous Hours of Operation: _____

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)
- No

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

What days? _____.

What times? _____.

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

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

No (If 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? _____)

No (If 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 (If 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:

_____.

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: _____).

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

Business is expected to remain the same.

Please explain your answer: _____

_____.

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: _____

_____.

Name of person completing this form: _____

Telephone number: _____

Date: _____

(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, school, or daycare.

(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 # _____.

No, the requesting business does not have a business license issued by the City of Santa Fe. (Applicant was referred to the business licensing department to obtain a City of Santa Fe business license.)

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) (Code # and Explanation: _____
N/A _____.)

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

Verification Completed By: Jason Sena

Title: Supervisor Code Compliance

Date: Feb 24, 2022

Traffic Engineering Department

Yes, it appears that the approval of this request will create unacceptable traffic impacts. (Please explain: _____
NA _____.)

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

Verification Completed By: [Signature]

Title: Public Works Director

Date: Mar 2, 2022

City of Santa Fe Fire Department

Inspection was completed at the time Certificate of Compliance was issued.

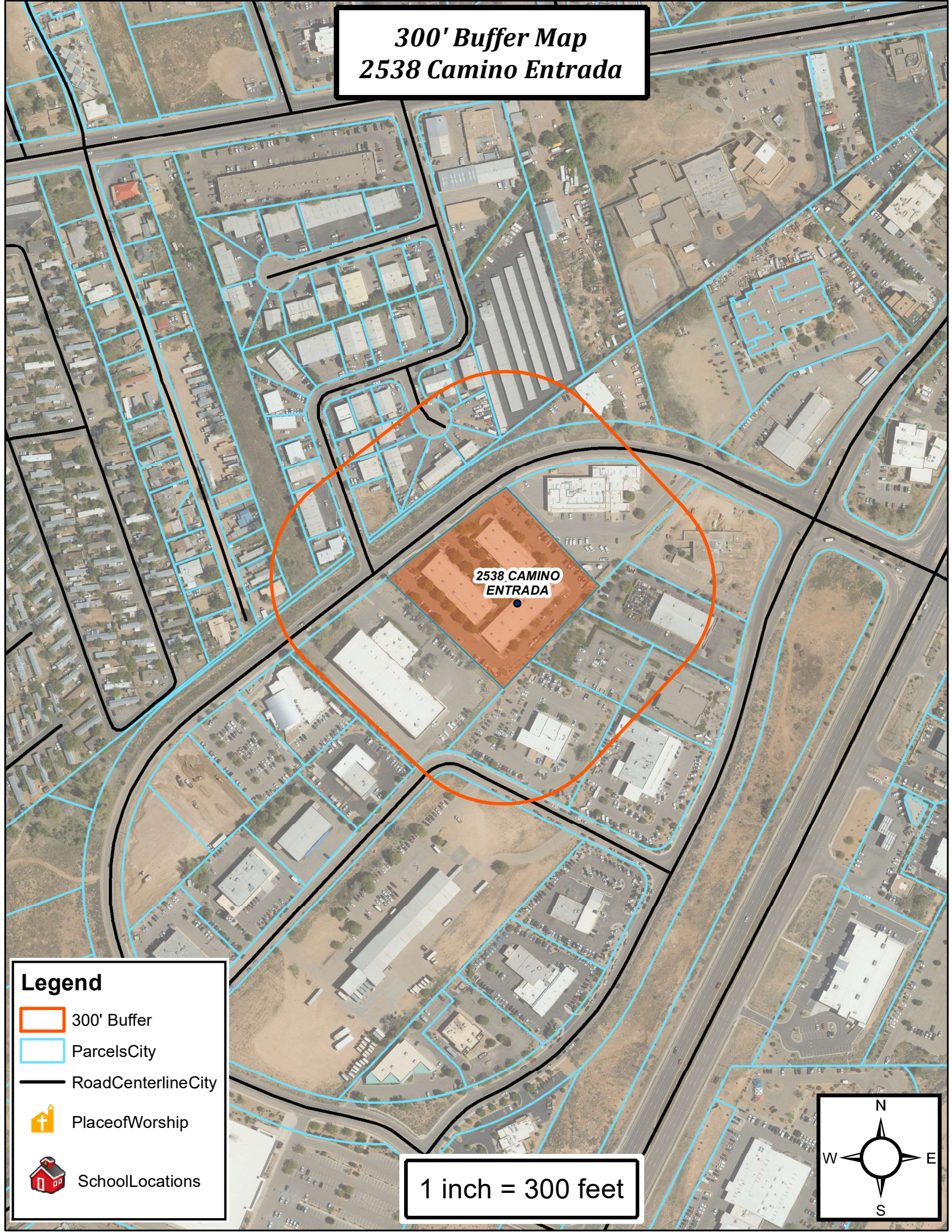
Inspection was completed in conjunction with the Liquor License Application. (Inspection completed: 02/28/2022)

Verification Completed By: shall submit for change of use permit for occupancy
shall submit for change of use permit for occupancy (Feb 28, 2022 08:58:15)

Title: Fire Marshal






Date: Feb 28, 2022

**300' Buffer Map
2538 Camino Entrada**



**2538 CAMINO
ENTRADA**

Legend

-  300' Buffer
-  ParcelsCity
-  RoadCenterlineCity
-  PlaceofWorship
-  SchoolLocations

1 inch = 300 feet

