



May 15, 2023

**Certified Mail No.: 7022 1670 0002 1180 6515**

**Village of Ruidoso**

Jini S. Turri, Village Clerk  
313 Cree Meadows Rd.  
Ruidoso, NM 88345

**Lic. No. /Appl. No.:**

Name of Applicant: La Salsa Kitchen, LLC  
Doing Business As: La Salsa Kitchen  
Proposed Location: 654 Sudderth Drive, Ruidoso, New Mexico 883452

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 RESTAURANT A – BEER AND WINE LIQUOR LICENSE WITH ON PREMISES CONSUMPTION ONLY WITH PATIO SERVICE**

**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,



**Charmaine Martinez**

Admin Law Judge | Hearing Officer

NM Regulation & Licensing Department

Alcoholic Beverage Control Division

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

Email: [Charmaine.Martinez2@rld.nm.gov](mailto:Charmaine.Martinez2@rld.nm.gov)

**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 Floor Plan





**NMRLD**  
NEW MEXICO  
REGULATION &  
LICENSING DEPARTMENT

APR 10 2023

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

## Restaurant Liquor License Application | \$200.00 Application Fee, non-refundable

ABC USE ONLY: Application Fee \$200.00 Received on: 4-10-23 Receipt No. \_\_\_\_\_  
License Fee \$ \_\_\_\_\_ Received on: \_\_\_\_\_ Receipt No. \_\_\_\_\_

Application Number: \_\_\_\_\_ Local Option District: \_\_\_\_\_

### TYPE of APPLICATION: *Check appropriate box*

☐ Restaurant A | Beer & Wine only | License Fee, pro-rated, due at final: \$1,050.00

☒ Restaurant B | Beer, Wine & Spirits | License Fee, pro-rated, due at final: \$10,000.00

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

Applicant /Company Name: La Salsa Kitchen LLC

D/B/A Name: La Salsa Kitchen

Email: (required) contact@lasalsakitchen.com Business Phone No: 5758088668

Mailing Address: 654 Sudderth Dr, Ruidoso, nm 88345

Physical location, if different: Same

(Include Street number / Hwy number / State Road, City, State, and Zip Code)

County: Lincoln

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

As defined in §60-3A-3. V. "Restaurant", *means an establishment having a New Mexico resident as a proprietor or manager ... as a place where food is prepared and served primarily for on-premises consumption to the general public in consideration of payment and that has a dining room, a kitchen and the employees necessary for preparing, cooking and serving food; ... does not include establishments as defined in rules promulgated by the director serving only hamburgers, sandwiches, salads and other fast foods;*

I qualify as a "Restaurant"? ☒ Yes ☐ No

Is food service the primary source of revenue and accounts for 60% or more of the total gross receipts at current licensed premises? ☒ Yes ☐ No

Is Food Service Permit current? ☒ Yes, attached ☐ No

I have attached **photos of the Dining Room and Kitchen** and included a **copy of the Menu**. ☒ Yes ☐ No

Days and Hours of Operation: Tuesday - Sunday 7am - 2pm

I understand that a restaurant license requires that the establishment is not a bar-like setting and the hours for sales and/or service of alcoholic beverages are only from 7:00am to 11:00pm or until food sale and service ceases, whichever is earlier? ☒ Yes ☐ No

Contact Person: Luis R Garcia Jr Phone #: 5758088668 Email: contact@lasalsakitchen.com



Application No. \_\_\_\_\_

You must sign before a Notary Public.

I, (print name) **Luis R Garcia Jr**, as (Title) **CEO**  
 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.

Signature of Applicant: Luis R Garcia Jr Date: 3/23/2023

**Notary Public Use Only:** (State of New Mexico, County of Chaves)

SUBSCRIBED AND SWORN TO before me this 23<sup>rd</sup> day of March, 2023

By Affiant: Luis R. Garcia Jr

Notary Public: Belinda Franco

My Commission Expires on: August 27, 2023

STATE OF NEW MEXICO  
 NOTARIAL OFFICER  
 BELINDA FRANCO  
 ROSWELL MUNICIPAL COURT

**Local Option District Use Only:**

Local Governing Body of \_\_\_\_\_ City, County, Town, Village

Public Hearing held on \_\_\_\_\_ 20\_\_\_\_ Decision: ☐ Approved ☐ Disapproved

Signature of Official: \_\_\_\_\_ Title: \_\_\_\_\_

**ABC USE ONLY:**

☐ APPROVED ☐ DISAPPROVED, \_\_\_\_\_

Done this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

SIGNED BY DIRECTOR: \_\_\_\_\_

ASSIGNED LICENSE NO. \_\_\_\_\_ EXPIRES ON: \_\_\_\_\_

Reviewed, with copy sent to Licensee via ☐ Email, ☐ Fax, ☐ 1<sup>st</sup> class mail

By: \_\_\_\_\_ Date: \_\_\_\_\_



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

B. Date and Term of Lease: Year to Year

3. Premises location is Zoned (example C-1, see Zoning Statement): C-2

**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: Gateway Church of Christ Miles/feet: 0.8 miles

Address/location of Church: 415 Sudderth Dr, Ruidoso, NM 88345

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

Name of School: Ruidoso High School Miles/feet: 3 miles

Address/location of School: 125 Warrior Dr, Ruidoso, NM 88345

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

**\*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.





February 14, 2023

**CONFIRMATION OF ZONING REGULATIONS:  
654 Sudderth Dr, Ruidoso, New Mexico**

Per your inquiry regarding the applicability of zoning codes of the subject property within the corporate boundaries of the Village of Ruidoso, please reference the following confirmation of existing regulations. The property listed below is not found to be located within 300' of a church, school, or daycare facility.

**Current Property Owners:**

Luis R Garcia Jr.

**Subdivision:** Palmer Gateway

**Legal Description:**

Lot 5A Block 1

**Physical Address:** 654 Sudderth Dr.,  
Ruidoso, New Mexico 88345

**Zoning Designation:**

C-2 Community Commercial District

**Property Size:** 0.580103 Acre.



**VOR.DBO.Zoning\_Districts  
ZONING**

- AR-1 Agricultural Residential District
- C-1 Neighborhood Commercial District
- C-2 Community Commercial District
- C-3 Midtown Commercial District
- C-4 Heavy Commercial District
- I-1 Industrial District
- M-1 Low-Density Mobile Home District
- M-2 Medium-Density Mobile Home District
- PUD Planned Unit Development District
- PUD-C Planned Unit Development Commercial District
- PUD-M Planned Unit Development Mixed District
- R-1 Single-Family Residential District
- R-2 Two-Family Residential District
- R-3 Multiple-Family Residential District
- R-4 High-Density Residential District

**Confirmation of Conformity Status:**

In accordance with §54-100 of the Municipal Code of the Village of Ruidoso, the above-referenced property is situated within the C-2 Community Commercial District. The purpose of the district is to provide for low-intensity retail or service outlets which deal directly with the consumer for whom the goods or services are intended.

**Confirmation of Applicable Codes:**

Village of Ruidoso Municipal Code – Land Use Chapter §54-100

(b) Principal permitted uses. Principal permitted uses in the C-2 district are as follows:

(14) Restaurants or prepared foods, including alcoholic beverages served in conjunction with food service.

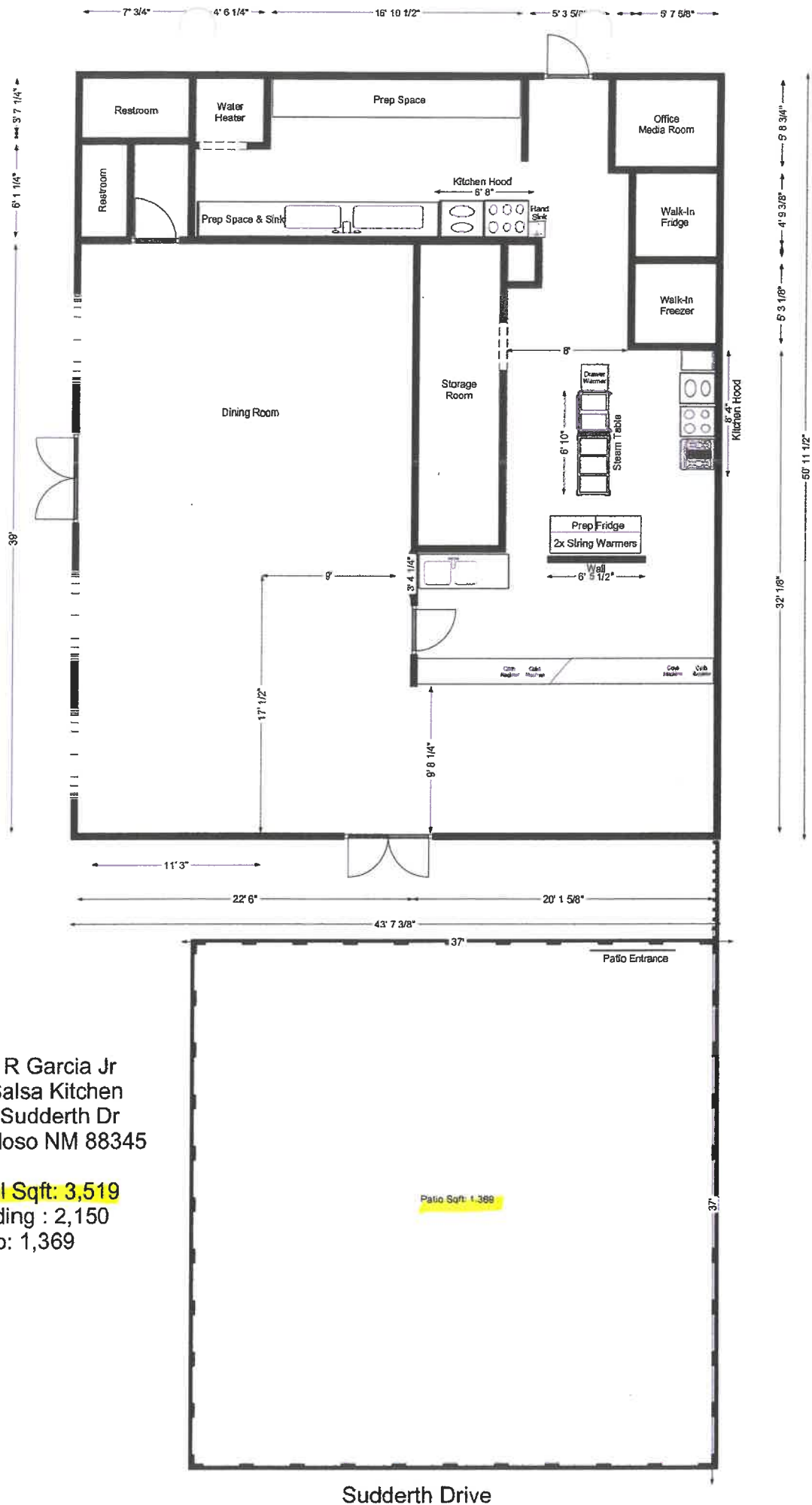
Please be advised that this should not be construed as a zoning determination or any form of approval, nor should it be interpreted as a guarantee of future regulations. Furthermore, zoning codes, regulations and district designations are all subject to change by Council action subject to the requisite public hearings.

Should you have any questions in the meantime, please feel free to contact me at 575-258-6999 ext. 1061 or email at [StephanieWarren@Ruidoso-NM.gov](mailto:StephanieWarren@Ruidoso-NM.gov).

Confirmed by:



Stephanie J. Warren  
GIS Coordinator/Planner  
Community Development Department  
Village of Ruidoso



Luis R Garcia Jr  
 La Salsa Kitchen  
 654 Sudderth Dr  
 Ruidoso NM 88345

Total Sqft: 3,519  
 Building : 2,150  
 Patio: 1,369

Sudderth Drive