

**TRANSCRIPT OF THE
SANTA FE COUNTY
SLDC HEARING OFFICER MEETING**

Santa Fe, New Mexico

December 9, 2021

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer was called to order by Santa Fe County Hearing Officer Richard Virtue on the above-cited date at approximately 3:14 pm.

This meeting was conducted as a hybrid with participation in-person and by Webex.

[For clarity purposes, repetitive identification and confirmations of those on the phone have been eliminated and/or condensed in this transcript.]

Staff Present:

Vicki Lucero, Building & Development Services Manager
Paul Kavanaugh, Building & Development Services Supervisor
John Lovato, Development Review Specialist
Roger Prucino, Assistant County Attorney

2. Approval of Agenda

HEARING OFFICER VIRTUE: This is the monthly meeting of the Sustainable Land Development Code Hearing Officer. My name is Richard Virtue and I'm the Hearing Officer. We have three items on the published agenda for today. Are there any changes to that?

VICKI LUCERO (Building & Development Services Manager): Hearing Officer Virtue, there are no changes but I just wanted to mention for any of the public that's on the call or on the Webex is that the first case, the Drury Sherrod Variance has been tabled.

HEARING OFFICER VIRTUE: Okay, so with that we will turn to agenda item number 3B.

3. Public Hearings

A. CASE # 21-5190 Drury Sherrod Variance. TABLED

3. B. CASE # 21-5071 Sierra Vista Subdivision Variance. Ron Sebesta Realty Profit Sharing Plan Applicant, Robert Siqueiros, Agent, request a variance of Chapter 7.11.6.2 (Intersections and

Roundabouts) of the SLDC, to allow two existing roadways to be less than the required minimum of two hundred feet (200') for a proposed 24 lot subdivision. The property is located within the Residential Estate Zoning District. The site is located at 10 & 15 West Camino del Cielo, and 7 & 16 East Camino del Cielo, within the vicinity of Camino La Tierra and within Township 17 North, Range 9 East, Section 18, SDA-2 (Commission District 2)

JOHN LOVATO (Case Manager): Thank you, Hearing Officer Virtue.

Summary: The current plat entitled Land Division for Love Ranch Partners, LLC of 80.71 total acres was created in November 6, 2006. The land division created four parcels which are labeled Tract A, 20.38 acres, Tract B, 20.12 acres, Tract C, 20.20 acres, and Tract D, 20.00 acres, for the combined total of 80.71 acres.

The property is accessed directly off of South Wildflower Road which is a 24-foot width roadway that bisects the property. There is a looped internal road network that serves the four existing lots. Two of the 20-acre lots are accessed off East Camino del Cielo and the other two 20-acre lots are accessed off West Camino del Cielo. The Applicant wishes to create a 24-lot subdivision within the four 20-acre lots. However, the access points between East and West Camino del Cielo at their intersection with South Wildflower do not meet separation standards of 200 feet. Therefore, the Applicant is requesting a variance.

The Applicant states, "Currently, there is a separation issue between offset intersection of West Camino del Cielo and East Camino del Cielo. Section 7.11.6.2. requires that the offset between the intersections shall be no less than 200 feet. The existing offset is approximately 150 feet from the center line of the two road alignments."

The Applicant further states, "The volumes of traffic at these two intersections are so low that the conflict in movements will be minimal. The volume of traffic on West Wildflower is approximately 25 vehicles per hour while East and West Camino del Cielo will approximately be six and eight vehicles per hour respectively."

Santa Fe County staff has conducted a site inspection on this property. It has been confirmed by staff that the proposed offset is 150 feet. Currently there are four 20-acre lots which are now being subdivided into a 24-lot subdivision which will increase the amount of traffic at this intersection and area. Currently, there are other lots that utilize South Wildflower and these intersecting roads are and could potentially become a hazard.

The Applicant has addressed the variance criteria and staff has responded as contained in the memo.

Recommendation: Chapter 7.11.6.2 of the Sustainable Land Development Code states, offset intersections less than 200 feet apart shall not be permitted. Chapter 7, Section 7.11.6.7 states, curvature in intersection design alignments shall be no less than the stopping distance required for the design speed of the road as per AASHTO standards. The geometry of intersections shall be consistent with the design speed of the road and AASHTO standards. The American Association of State Highway and Transportation official's guidelines for separation requires a 165-foot sight distance for intersections for speeds of 35 miles per hour. The intersections do not meet AASHTO standards for the required separation.

There are four 20-acre lots which are now being subdivided into a 24 lot subdivision which will increase the amount of traffic within this intersection. Currently, there are other lots that utilize these roads and this could potentially become a hazard to the offset intersection

A subdivision is a discretionary approval and the ability to meet all design standards is criteria for approval. There is no terrain or physical constraint that prohibits the standard from being met. Therefore, staff recommends denial of the variance request and requires that the Applicant provide road design plans and a grading and drainage plan to meet code requirements with the preliminary plat submittal.

Thank you, Hearing Officer, and I stand for any questions.

HEARING OFFICER VIRTUE: Thank you, Mr. Lovato. I do have a question for you. You refer in your report to Section 7.11.6.2, which establishes the offset of 200 feet. at least 200 feet. Do you happen to know the basis for the 200 feet requirement?

MR. LOVATO: Hearing Officer Virtue, I believe that is based off the stopping distance at any given intersection.

HEARING OFFICER VIRTUE: The stopping distance at what rate of speed?

MR. LOVATO: At 35 miles an hour.

HEARING OFFICER VIRTUE: That's based upon then the existing speed limit in that area?

MR. LOVATO: Correct. And that is what they've labeled the speed limit to be. Upon staff's inspection there was no confirmed speed signs posted in this area. Which is also very concerning because of the intersection offset.

HEARING OFFICER VIRTUE: You go on to cite the Association of State Highway Transportation Officials guidelines as being 165 feet at 35 miles per hour. How does that relate to the 200-foot requirement in the code?

MR. LOVATO: So in our code, based off those guidelines, you can reduce the distance off the AASHTO standards and that's what the AASHTO standards – AASHTO standards are for the state manual.

HEARING OFFICER VIRTUE: The 200 feet?

MR. LOVATO: 165 feet is the AASHTO standards.

HEARING OFFICER VIRTUE: It's the state manual. What's the basis for the increase again? I'm sorry. I didn't follow.

MR. LOVATO: It is the stopping distance with the intersection, on speed.

HEARING OFFICER VIRTUE: I guess what I'm not understanding is 165 feet is based upon the 35 mile per hour speed limit, yet the code says 200. I'm trying to understand the difference, and you're telling me it's based upon miles per hour. But as I read your report it's based upon 35 miles per hour which is the speed limit in the area it would be 165 feet instead of 200.

MR. LOVATO: Correct. The 200 feet is the subdivision standard. Because this is coming in for a 24-lot subdivision it needs to meet those standards of 200 feet. We can further reduce that to 165 feet based off the recommendation of the code to follow along the guidelines of the state manual. I tried to work with the individuals as we get them as needed for that adjustment, but being that this is 150 feet it still does not meet the 165 feet, therefore the variance request is necessary.

HEARING OFFICER VIRTUE: Okay. Thank you for that. Those are all the questions I have for you right now. With that, we'll turn to the Applicant and the Applicant's presentation, and I would like, at this point to have the Applicant and all of those who speak on behalf of the Applicant please identify yourself by name and address, and then we will swear you in. We'll start with the Applicant, Mr. Sebesta.

RON SEBESTA (Via Webex): Ron Sebesta. My address is 3420 Camino Viejo, Santa Fe.

HEARING OFFICER VIRTUE: Okay. Do we have anybody else who is going to speak on behalf of the Applicant?

MS. LUCERO: I think Mr. Siqueiros appears to be muted. Bob, can you unmute yourself on the computer?

[Technical difficulties were experienced at this point.]

MORREY WALKER (Via Webex): Morrey Walker, Morrey Walker Engineer, 95 Camino Sierra Vista, Santa Fe, New Mexico.

HEARING OFFICER VIRTUE: Mr. Sebesta, were you going to make the initial presentation?

[Duly sworn, Ron Sebesta testified as follows:]

MR. SEBESTA: Yes. I was hoping that Bob would but I'll do my best. We have applied over what we call the Sierra Vista Subdivision, a 24-lot subdivision, including two affordable housing units. I guess I was under the impression that we had staff recommendation. We have gone through – our original submittal, I believe, was back in January of this year. I think we've gone through four – I'm not sure of the proper term, but case officers and so for the last, I don't know, some time, I was under the impression that we did have the staff recommendation on this. So this is just like totally new to me, showing up here and having the staff recommendation. Otherwise we wouldn't have wasted our time coming.

HEARING OFFICER VIRTUE: Please proceed.

MR. SEBESTA: And Morrey will – I think Morrey can address this better than I can as far as a standpoint from safety. It was Morrey's recommendation and I believe he will testify to this that we thought, from a safety standpoint, it was better to leave the intersections – and keep in mind the County did approve the offset of the intersections the way they are right now back in 2006 and I totally understand that laws have changed and code has changed since then but these four lots with the intersections the way they are right now with the offset were approved back then. I understand the increase in traffic but it sounds like we're talking about a 15-foot difference between the 165 and 150-foot which we presently have.

I think that Morrey can probably address the issue from the standpoint of safety and visibility from the different intersections. There were some other issues there – the grades on the intersections were not in compliance. I think they were seven percent; the code requires five percent, and rather than asking for a variance on the other intersections for the seven percent we just agreed that we would go in and change those sections of road and bring them into compliance to the five percent. I don't know, Morrey, if I'm missing something maybe you should jump in.

[Previously sworn, Morrey Walker testified as follows:]

MR. WALKER: Okay, I'll jump in. The reason I think there's a little bit of conflict here as far as the reason why we have an offset. The issue with the difference

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in offset, it's a little bit off the stopping sight distance but it's also distance so that you wouldn't have conflict of movements, and that's what the issue is. That when you have two intersections, lane roadway intersections that are offset that are too close to each other but would offset, you have a lot of conflict of movements. In this case, in the subdivision itself we have reasonable traffic so the conflict between the movements are very minimal. We're talking about a nice big loop in the road [audio interference] to the other side, and there's maybe six cars an hour that have been using those intersections. So the conflict with the movement is what the big issue is.

It's not a main road. It's more of a large driveway, really, to tell the truth with the amount of traffic we have. The stopping sight distance is an issue but it's not as – because we do have a large [inaudible – audio interference] So the cars that are coming down the road, but the issue – Oh, go ahead [Feedback – audio interference]

HEARING OFFICER VIRTUE: We are getting feedback from somebody. Somebody needs to mute themselves. [Continual interference]

MS. LUCERO: Mr. Siqueiros seems to be unmuted now.

MR. SEBESTA: We hear you Bob.

MR. WALKER: So bottom line is that we have enough –

HEARING OFFICER VIRTUE: We're still getting some feedback. Mr. Siqueiros needs to mute himself again. Mr. Siqueiros, now that you know how to operate the mute button, let's mute yourself for now and then we'll unmute you or have you unmute yourself when it is your turn.

MR. WALKER: So the two issues are the sight distance; we have plenty of sight distance. You can see the two intersections actually can see each other pretty well, so the conflict in movement is very minimal in this area and that's why as a professional engineer I would say, yeah, this is a safe intersection just because the amount of traffic is so minimal and there's plenty of sight distance that we'll work at as design. I'm open for any questions.

HEARING OFFICER VIRTUE: Okay. Thank you for that. We'll turn to Mr. Siqueiros now if he is proposing to testify. Would you unmute yourself, Mr. Siqueiros and we'll have you identify yourself and swear you in.

ROBERT SIQUEIROS (Via Webex): Thank you. I apologize for the feedback. I don't know if you're still hearing it. Anyway, my name is Robert Siqueiros, 207 Calle Robles, Santa Fe, New Mexico, 87501.

[Duly sworn, Bob Siqueiros testified as follows:]

HEARING OFFICER VIRTUE: You can proceed, Mr. Siqueiros.

MR. SIQUEIROS: Thank you. So I did – again, I apologize, but I did hear most of the testimony and introduction by Ron Sebesta, and our engineer, Morrey Walker, his input also. I really don't have anything to add at this point.

HEARING OFFICER VIRTUE: Okay. I'll just ask if the Applicant or either one of you, Applicant or Mr. Walker has anything to add at this point as part of your presentation. Seeing no indication or further testimony I'm going to close the Applicant's presentation portion of the hearing and I'm going to ask if there's anybody present that wishes to testify in favor of the application? Testimony in favor of the application. Okay, hearing none, I will now ask if there's anybody present on the call who wishes to testify in opposition to the application? Okay, hearing none, I will close

the public testimony portion of the hearing and just ask if the staff has a response to any of the testimony that's been presented.

MR. LOVATO: Hearing Officer Virtue, I just want to respond to one of the comments Mr. Morrey Walker made, or Mr. Siqueiros. I'm not too sure who made the comment. But when this subdivision was approved it was approved for four lots. Now it has the potential of 24 lots is what their application has come in with, which increases the traffic in addition to the surrounding lots. In terms of the stopping distance, that is 200 feet. Per the AASHTO standards of separation between intersections it's 165 feet. We thought we could work with that, but that was not met; it's 150 feet is what they have listed and what they have documented, and that is why staff has recommended denial of the request.

HEARING OFFICER VIRTUE: Okay. Thank you for that. Just so I'm clear. The code provides for 200 feet but the state guideline provides for 165 feet; is that correct?

PAUL KAVANAUGH (Building & Development Services Supervisor): Hearing Officer Virtue, there are actually two different standards. One, the 200 feet is a stopping sight distance. That's what it takes to stop a vehicle at 35 miles an hour – 200 feet. The other one, 165 is just a separation of intersections. There are two different codes. We felt the 165 is enough for the volume of that road. That's why we were going with 165-foot separation.

HEARING OFFICER VIRTUE: Okay. Thank you for that.

MR. KAVANAUGH: Okay. Also, we wanted to clarify that the four lots, according to ITE trip generation will generate 40 trips for the four lots. It's ten trips per residence. When you increase it to a 24-lot subdivision it's now 240 trips. So it will increase the traffic substantially.

HEARING OFFICER VIRTUE: Okay. Thank you for that. Is that trips per day?

MR. KAVANAUGH: Per day. Yes, sir.

HEARING OFFICER VIRTUE: Okay. Thank you very much for that.

MR. SEBESTA: Is there room for one more comment from our side?

HEARING OFFICER VIRTUE: Yes. I'll allow the Applicant to reply to what the staff has said, if that's what you're intending to do.

MR. SEBESTA: Yes.

HEARING OFFICER VIRTUE: Okay, please proceed.

MR. SEBESTA: So our traffic impact study was not based on four lots. Our traffic impact study was based on either 24 or 32 lots. So we've taken into consideration the increase in traffic volume on that road. And that was provided by Mr. Walker.

HEARING OFFICER VIRTUE: Okay. Thank you for that. I believe that study is in the packet I received. We have some evidence in the record on that.

Okay, if there's nothing else I'm going to declare the hearing closed and I will make a written recommendation within the 15 business days of today. Thank you very much for attending.

3. C. **CASE # 21-5050 High Desert Self-Storage Conditional Use Permit.**
High Desert Self Storage LLC, Applicant, James & Jennifer Gurule, Owners, request approval of a Conditional Use Permit (CUP) to allow a Self-Storage Facility on 2.63 acres. The facility will include eight storage structures with approximately 160 individual storage units. The property is located within the El Valle de Arroyo Seco Highway Corridor District Overlay (ASHCD) and is zoned Commercial Neighborhood (ASHCD CN). Table 9-9-8, ASHCD Use Table, illustrates that storage units are a Conditional Use within the ASHCD CN zoning district. The site is located at 18572 US # 84/285, within Township 20 North, Range 9 East, Section 18, SDA-2 (Commission District 1)

MR. LOVATO: Thank you, Hearing Officer Virtue. Currently, the 2.63-acre parcel is vacant, and the Applicants are requesting to construct eight storage structures with approximately 160 individual storage units, totaling 22,500 square feet. The Applicant's proposal will include new access driveway, access gate, storage buildings, signage, boundary fence, water catchment system, water storage cistern, landscaping and lighting needed to support a self-storage facility. The facility will be unmanned and will only be for self-storage.

Review: County Building and Development Services reviewed the application for compliance with the following requirements of the SLDC: El Valle de Arroyo Seco Highway Corridor District Overlay, sustainable design standards, access, fire protection, landscaping and buffering, fences and walls, lighting, signage, road design standards utilities, water/wastewater and water conservation, landscaping and buffering, terrain management, flood prevention and flood control, solid waste.

The following agencies reviewed this project as follows: agency review, NMED New Mexico Environment Department, no comments or concerns; County Fire Marshal, conditional approval; County utilities, approval; and New Mexico Department of Transportation, conditional approval.

The Applicants have addressed the conditional use approval criteria, SLDC Section 4.9.6.5, Approval Criteria. This establishes the approval criteria for conditional use permits. Staff has determined that the Applicant's proposed use satisfies the criteria as contained in this memo.

Recommendation: Staff has determined that the proposed storage facility complies with the SLDC and recommends that a Conditional Use Permit of Chapter 9, Section 9.9.5, Use Table, which establishes the criteria displayed as a condition use permit and allows this use subject the following conditions. And, Hearing Officer Virtue, can I enter those conditions into the record?

HEARING OFFICER VIRTUE: Yes, you may.

[The conditions are as follows:]

1. Applicant at his own expense shall record the Conditional Use Permit showing the site layout and the conditions imposed in this approval process in the office of the County Clerk as required by the SLDC, Section 4.9.6.8.

2. The Application was reviewed based upon the Applicant's proposal. Any change or expansion will be required to go through the County approval process.
3. Applicant shall comply with the approved water budget of 0.25 acre-foot per year for the Facility.
4. Applicant shall obtain an inspection and approval of, and comply with any conditions imposed by the County Fire Department prior to use of the Facility.
5. Applicant shall obtain a water agreement from Cuatro Villas Mutual Domestic Water System prior to recordation of the Conditional Use Permit.

MR. LOVATO: Thank you, and I stand for any questions you may have.

HEARING OFFICER VIRTUE: I don't have any questions at this time.

We will now turn to the Applicant's presentation, and I would ask the Applicant and anyone who wishes to speak or testify on behalf of the Applicant to identify yourself for the record and we will swear you in.

JAMES GURULE (Via Webex): Thank you, Hearing Officer Virtue. My name is James Gurule. My address is 18572 US 84/285, Española, New Mexico, 87532, and I believe I'm the only one joining you today from my side.

[Duly sworn, James Gurule testified as follows:]

MR. GURULE: Yes, I understand I'm under oath.

HEARING OFFICER VIRTUE: Please proceed, Mr. Gurule.

MR. GURULE: Hearing Officer Virtue, I've prepared a short presentation. If I can share my screen I can kind of walk you through the development. Would that be acceptable?

HEARING OFFICER VIRTUE: That would be fine.

MR. GURULE: I wanted to just provide a little background, talk about the business, give an overview of the development and then go over a couple of the design details to support the review that Mr. John Lovato provided.

So as we've already discussed, it's located at 18572 US Highway 84/285. It's right off of the east frontage road. It's vacant property. My wife, Jennifer, and I are proposing to develop a storage facility. It's approximately 2.6 acres and we're hoping to develop approximately 160 storage units. We've been working with the County and other departments like DOT and the Fire Marshal's Office to make sure that the design is up to the SLDC Code requirements and DOT design requirements.

The vision we have for the business is simply a storage facility and nothing else. We wouldn't have any other businesses besides a storage business like this. We'd have operations from 6 a.m. to 9 p.m. It would be indoor storage only. We would not allow folks/customers to store flammables or explosives or chemicals or those kinds of things that would cause harm to the community. And then we would not have a manager's quarters. There's no need for any kind of building besides the storage facility itself.

At a high level, this is the property. The northern boundary is shared with residential property or traditional use community property I think you call it. So that would require screening as well as part of the north side of the east boundary will need screening as well, and then there's also an existing fence on the west side that we wouldn't touch. So there's some screening and some fencing, a drainage pond, eight

buildings, access road, signage and some other landscaping and other details. So we'll try to go into some of those details.

So as I said, eight storage structures. The buildings I've designed are 30-foot wide. They range in length from 50 feet to 120. Currently the largest one that we have is 110. The height will not exceed 17 feet. Currently, I believe I found a vendor that would allow me to stay under 13 feet but I wanted to make sure there's a little bit of space just in case I can't find a vendor when the time comes to purchase these facilities, these structures. Maximum square footage is limited by the lot coverage which is an overlay district requirement, 20 percent. So it's less than 20 percent. The cap is 22,500. It's a little higher than that but that's the number of I've stayed under. We've had to make some reductions in the lengths, the overall square footage of the facility so we can reload some power poles and make sure that we're not passing power over the top of the buildings.

Color scheme, we're kind of going with neutral colors as you see here on the right. Probably some tans and some greens on the outside just so it's not an eyesore to the community. I should note that this presentation is very similar to the one I proposed at the neighborhood hearing at the beginning of this process that I did. So I've tried to stay consistent with what I proposed to the neighbors.

Property access, there's two roads, County Road 86 and then the frontage road. I was able to work with NMDOT to obtain approval for a commercial business access. I've worked with them to make sure I've met the requirements of the PHMSA and that was approved with conditions as Mr. Lovato mentioned. All roads are 20 feet wide and have a minimum turning radius of 28.5-foot inner turning radius. The road will have compacted – it will be compacted with basecourse and gravel and it will also be equipped with a Knox box for emergency access.

As far as screening goes, the existing latilla fence to the west will not be touched. It's a minimum of six feet. We won't touch that fence. We'll pick it up there on the north side of the west boundary and start with a stained treated wood panel fence and the north boundary will be a wood panel fence, and then again on the north side of the east boundary will be mostly wood panel fence and then there's a transition there as you see in the top right diagram, and then it transitions to chain link. And we'll use six-foot chain link fence with three strands of barbed wire above it. So it will be about seven feet tall or so. The stain treated wood fence will be around eight feet tall as we're proposing right now but given the market conditions and the price of materials we've kind of moved around a little bit on that one but it will meet screening requirements to make sure we're providing the right screening for the neighbors.

Landscaping, I've worked with Newman's to identify drought tolerant and cold tolerant vegetation for the development, and so we have proposed the examples that are shown there. I'll be sure to make sure they meet all the height and thickness and maturity requirements. I've looked closely at the water requirements for this so that I could develop a water budget for landscaping so that I can properly size the cistern. So I did that and that's also provided in the report. The landscaping will be supported with below-ground irrigation and our intention is to use the rainwater catchment system to supply water to the vegetation.

Lighting, light analysis was performed for the facility. We use fully sheltered lights. Most of the lights are mounted at a height of 8.5 feet along the sides of the

buildings. Where it can be accommodated we went up to 12 feet. All of the light requirements were met in the SLDC sections and there will be aside from the building-mounted lighting there's a single pole-mounted freestanding light near the gate access, and then, of course, we'll also have internally lit signs but that doesn't contribute to the lighting of the facility or anything like that.

The signage, we have two signs as part of the design. We have one free standing sign near the entrance. You can see there in blue. We're going to go with a four-foot by eight-foot, kind of a standard size, seven-foot in height and it will be set back so that seven feet is acceptable. And then the other sign will be mounted on the building, again, four-foot by eight-foot and it won't exceed the maximum height of 16 feet. That will be single-sided.

On the right is an example of what we'd expect the sign to look like, just a business logo and some text that describes it's a storage unit facility and some contact information.

Parking, we've included six parking spaces. That's consistent with our traffic analysis report study that we conducted. We did a trip generator and determined that based on the square footage and the number of storage units at peak hour traffic it shouldn't exceed six vehicles, so we went ahead and made sure there were six off-road parking spaces. This is good in case of an emergency the aisle ways would be open so that emergency vehicles can get through.

The rainwater catchment pond, this is one of the main changes since I met with the neighborhood at the neighborhood meeting. We used to have two ponds; now we have one big pond and this was largely to working with NMDOT and going through the process of refining the drainage and irrigation plan. So it's a real wide shallow pond so that we can have quick absorption and it's not just standing water. It's designed for a 100-year storm so that's what we're looking at working with now. We also have a rainwater cistern that I mentioned earlier. It's located between the buildings and will support the vegetation, the landscaping near the entrance. And so we used a bounding estimate for the water cistern. The vegetation, with mature vegetation it shouldn't exceed roughly 1,900 gallons per month. So we'll provide a 2,000 gallon tank to make sure that we can store the water.

And that's all I really have, and just a picture of the property as it sits today. Thank you.

HEARING OFFICER VIRTUE: Okay. Thank you, Mr. Gurule, the clarity and thoroughness of your presentation is appreciated. I don't have any questions for you at least at this point. And with that I will ask if there are any persons present on the call who wish to speak in support or favor of the application? Okay, hearing none --

MR. GURULE: Sir, Hearing Officer Virtue.

HEARING OFFICER VIRTUE: Yes.

MR. GURULE: I don't know when it would be appropriate but I did have -- I was informed that Ms. Mills was the adjacent neighbor to the north boundary did send a letter of support.

HEARING OFFICER VIRTUE: That letter was in the packet I received and it is in the record of the case.

MR. GURULE: Thank you, sir.

HEARING OFFICER VIRTUE: Okay, so I'll ask if there's anybody present on the call who desires to speak in opposition to the application or generally speak to the application without taking a position. Hearing none, I'll ask if the staff has any response to the Applicant's presentation. Thank you. With that, I will close this hearing and I will make a written recommendation on the application within 15 business days of today.

MR. LOVATO: Hearing Officer Virtue, we have no comments.

HEARING OFFICER VIRTUE: Thank you very much.

MR. GURULE: Thank you.

4. Adjournment

Hearing Officer Virtue adjourned the hearing at approximately 4:00 p.m.

Approved by:



Richard L.C. Virtue, SLDC
Hearing Officer Santa Fe County

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss SLDC HEARING OFFICER M
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I Hereby Certify That This Instrument Was Filed for
Record On The 14TH Day Of January, 2022 at 08:41:24 AM
And Was Duly Recorded as Instrument # **1977167**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark

Deputy Destiny Pomeroy County Clerk, Santa Fe, NM

