

City of Santa Fe  
Planning Commission  
Findings of Fact and Conclusions of Law

Case #2015-82

River Trail Lofts Final Development Plan  
2180 & 2184 West Alameda

Owner's Name – Alameda Lofts Investments, LLC

Agent's Name – Sommer Karnes & Associates

THIS MATTER came before the Planning Commission (Commission) for hearing on October 1, 2015 upon the application (Application) of Sommer Karnes & Associates as agent for Alameda Lofts Investments, LLC (Applicant).

The Applicant requests Final Development approval for 32 units on 4.25 acres of land. The property is zoned R-7 (Residential- 7 dwelling units per acre) and is located at 2180 and 2184 West Alameda.

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and there were no members of the public who spoke to the matter.
2. The Commission has the authority under Code §14-2.3(C)(1) to review and decide applications for development plan approval.
3. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)(1)(a)(i)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F)(2)(a)(iii) and (xii)]; and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
4. Code §14-3.8(B)(1) requires Early Neighborhood Notification (ENN), notice and a public hearing in accordance with the provisions of Code §§14-3.1(F), (H) and (I).
5. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
6. An ENN meeting was held on the Application on March 18, 2015 at the Frenchy's Field Community Building.
7. Notice of the ENN meeting was properly given.

8. The ENN meeting was attended by representatives of the Applicant, City staff and 28 other interested parties attended and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(6).
9. Commission staff provided the Commission with a report (Staff Report) evaluating the factors relevant to the development plan and recommending approval by the Commission.

#### Development Plan

10. Pursuant to Code §14-3.8(B)(3)(a), approval of a development plan by the Commission is required prior to new development with a likely gross floor area of ten thousand square feet or more located within any residential district in the City.
11. A development plan is required for the Project.
12. Code §14-3.8(B)(4) requires that development plans described in §14-3.8(B)(3) must be reviewed by the Commission.
13. The development plan for the Project is required to be reviewed by the Commission.
14. Code §14-3.8(C)(1) requires applicants for development plan approval to submit certain plans and other documentation that show compliance with applicable provisions of Code (the Submittal Requirements).
15. The Applicant has complied with the Submittal Requirements.
16. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:
  - a. That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)];
  - b. That approving the development plan for the Project does not adversely affect the public interest [§14-3.8(D)(1)]; and
  - c. That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [§14-3.8(D)(1)].
17. The Commission finds the following facts:
  - a. *The Commission has the authority under the section of Code Chapter 14 cited in the Application to approve the development plan [Code §14-3.8(D)(1)(a)].* The Commission has the authority to grant development plan approval for the Project.
  - b. *Approving the development plan will not adversely affect the public interest [Code §14-3.8(D)(1)(b)].* Approving the development plan for the Project will not adversely affect the public interest because the development plan addresses issues involving access, parking, loading, landscaping, terrain management, environmental services, waste water, fire protection, lighting and signage/architecture.
  - c. *That the Project use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [Code §14-3.8(D)(1)(c)].* The Project is compatible with and adaptable to buildings and uses of abutting property and other properties in the vicinity because properties along the

south side of West Alameda have developed over the years as multi-family type housing, in addition to single family subdivisions.

18. Code §14-3.8(D)(2) provides that the Commission may specify conditions of approval that are necessary to accomplish the proper development of area and to implement the policies of the general plan.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. The proposed development plan and proposed rezoning were properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The ENN meeting complied with the requirements established under the Code.

The Development Plan

3. The Commission has the power and authority under the Code to review and approve the Applicant's development plan.
4. The Applicant has complied with all applicable requirements of the Code with respect to the development plan, including the Submittal Requirements.

**WHEREFORE, IT IS ORDERED ON THE 5th DAY OF NOVEMBER, 2015 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:**

1. That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission approves the development plan subject to the Staff Conditions, and to the following additional conditions:
  - a. The two dwelling units in the northerly part of the property shall be one-story instead of two-story buildings;
  - b. The connection to the River Trail shall be completed as shown on the plan presented by the Applicant at the hearing;
  - c. The Applicant shall build a five foot pavement pathway as shown on plan sheet C-1.

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Chair

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Date:

FILED:

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Yolanda Y. Vigil  
City Clerk

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Date:

APPROVED AS TO FORM:

\_\_\_\_\_  
Zachary Shandler  
Assistant City Attorney

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Date: