

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

Case #2016-38

3760 Buffalo Grass Final Subdivision Plat

Owner's Name- Buffalo Grass LLC

Agent's Name- Santa Fe Planning Group, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on May 5, 2016 upon the application (Application) of Santa Fe Planning Group as agent for Buffalo Grass LLC (Applicant).

The Applicant seeks the Commission's approval of the final subdivision plat to divide 1.19 acres into five individual lots. Each proposed lot will be approximately 0.24 acres. The property is located at the southeast corner of Airport Road and Buffalo Grass Road at 3760 Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant; there were no members of the public in attendance to speak.
2. Pursuant to Santa Fe City Code (Code) §14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats and development plans.
3. Pursuant to Code §14-3.7(A)(1)(b) subdivisions of land must be approved by the Commission.
4. Code §14-3.7 sets out certain general principles governing the subdivision of land and establishes certain standards and procedures for the Commission's review and approval of a Final Subdivision Plat [Code §14-3.7(B)(4)] and criteria for the Commission's approval [Code §14-3.7(C)] (collectively, the Applicable Requirements).
5. Code §14-9 sets out infrastructure design, improvement, and dedication standards and requirements.
6. Code §14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code §14-3.1(F) for subdivision plats.
7. Code §14-3.1(F)(2)(a)(v) requires an ENN for subdivision plats, except for Final Subdivision Plats for which ENN procedures were followed at the Preliminary Plat review stage.
8. An ENN meeting on the Applicant's application for Preliminary Plat approval was held on November 12, 2015 at the Southside Side Library at 6599 Jaguar Drive; therefore no ENN is required for Final Subdivision Plat approval in this case.
9. The conditions under Code § 14-3.7(D)(2) are present to allow for the deferral of public or semipublic improvements until such time as the lots are developed.

10. The Preliminary Subdivision Plat was approved by the Commission on April 7, 2016.
11. The Final Subdivision Plat substantially conforms with the Preliminary Plat as approved under Code §14-3.7(B)(4)(a).
12. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the Final Subdivision Plat be approved, subject to certain conditions (the Conditions or Exhibit A) set out in such report.
13. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

1. The Commission has the authority under the Code to approve the Final Subdivision Plat for the Property.
2. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE _____ OF JUNE 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Final Subdivision Plat for the Property is approved, subject to Conditions.

Vince Kadlubek
Chairperson

Date: _____

FILED:

Yolanda Y. Vigil
City Clerk

Date: _____

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date: _____