

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

Case #2016-04

Estancia de Las Soleras Phase 1C Final Subdivision Plat

Owner's Name- Pulte Group

Agent's Name- James W. Siebert and Associates

THIS MATTER came before the Planning Commission (Commission) for hearing on March 3, 2016 upon the application (Application) of James W. Siebert and Associates as agent for the Pulte Group (Applicant).

The Applicant seeks the Commission's approval of the final subdivision plat for 67 lots located on 25.86+/- acres, Tract 11A of the Las Soleras Master Plan. Tract 11A is zoned R-6 (Residential, 6 units per acre). The plat is the final unit of Phase 1 of the overall Pulte residential development. The Preliminary Subdivision Plat was approved by the Planning Commission on January 7, 2016. Findings for that case were approved by the Planning Commission on February 4, 2016.

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 December 16, 2014 at the Genoveva Chavez Center; 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 January 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) set out in such report.
13. The Staff Condition from the MPO shall be changed to be consistent with the modified Exhibit B-7, as provided at the meeting, which included:
 - a. retaining the central public trail in Applicant's Trail Map Sheet 19 (with HOA maintenance, 8 foot width, paved trail);
 - b. removing the trail spur connecting the central trail (directly above the Lluvia Encantada cul-de-sac) to Railrunner Road;
 - c. but connecting the central trail with a future continuous connection (in Phase II) to the property's northern most trail.
14. 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 7th OF APRIL 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: _____