

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

Case #2015-92
Pulte SFHP Lot Split

Applicant's Name- Pulte Group
Agent's Name- James W. Siebert and Associates

THIS MATTER came before the Planning Commission (Commission) for hearing on November 5, 2015 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 a lot split to create a 4.5+/- acre parcel from Tract 9 in the Las Soleras Master Plan (the Property). Tract 9 is zoned R-21 (Residential-21 units per acre). The parcel is located immediately west of the future Rail Runner Road extension and immediately south of the regional park within the Las Soleras Master Plan.

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 was one member of the public in attendance to speak.
2. Pursuant to Code §14-3.7(A)(1)(b) subdivisions of land must be approved by the Commission.
3. Pursuant to SFCC §14-2.3(E)(1), the Commission has delegated to the Summary Committee its authority to hear and decide applications for the division of land into two lots (a Lot Split), except for those powers retained by the Commission.
4. Where a Lot Split is part of another request requiring Commission review, the Commission retains its authority to review and approve or disapprove the subdivision.
5. This Application was heard at the same meeting as the application for Case #2015-83 Pulte Phase I Final Subdivision Plat and therefore was heard by the full Planning Commission (as opposed to the Summary Committee).
6. Pursuant to SFCC §14-3.7(D), Lot Splits are subject to the procedural requirements, approval criteria and development standards that apply to other subdivision (collectively, the Applicable Requirements).
7. 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 lot split be approved, subject to certain conditions (the Conditions) set out in such report.

8. 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 lot split for the Property.
2. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE ____ OF DECEMBER 2015 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 lot split for the Property is approved, subject to Conditions.

Chairperson

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date: