

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

Case #2023-7752

4000 and 4200 Beckner Road

Owner/Applicant's Name - Santa Fe Las Soleras Medical Development LLC, Las Soleras Center LLC, and Las Soleras Village LLC

Agent's Name - Orion West LLC

THIS MATTER came before the Planning Commission (Commission) for hearing on November 21, 2024 (Hearing), upon the application (Application) of Orion West LLC, agent for Santa Fe Las Soleras Medical Development LLC, Las Soleras Center LLC, and Las Soleras Village LLC (Applicant).

The Applicant requested the Commission's approval of a preliminary serial subdivision plat for six (6) non-residential lots on approximately 47.83 acres (Project). The property is located at 4000 and 4200 Beckner Road (Property) and is zoned C-2 (General Commercial).

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

FINDINGS OF FACT

1. At the Hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
2. The Santa Fe City Code (SFCC) 1987 Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC 1987 § 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC 1987 § 14-3.1(F)(2)(a)(v)]; and (c) compliance with notice and public hearing requirements [SFCC 1987 § 14-3.1(H)-(I)].
3. The Applicant attended a pre-application conference on June 22, 2023, in accordance with SFCC 1987 Section 14-3.1(E).
4. The Applicant conducted one ENN on November 27, 2023, virtually via Zoom. A representative of the Applicant and City staff attended the ENN meeting. There were no members of the public in attendance.
5. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.7(B)(3)(d), the Commission has the authority to review and approve or disapprove preliminary serial subdivision plats.

6. Planning and Land Use Department staff (Staff) reviewed the Application, related materials, and information submitted by the Applicant for conformity with applicable SFCC requirements. Staff provided the Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
7. Staff recommended that the Commission approve the preliminary serial subdivision plat, subject to certain conditions and technical corrections set out in the Staff Report and attachments.
8. SFCC Section 14-3.7(B) establishes certain procedures for preliminary serial subdivision plat approval including, without limitation, a public hearing by the Commission, review of the preliminary plat, and a decision based on the criteria set out in SFCC Section 14-3.7(C).
9. SFCC Section 14-3.7(B)(3)(b) requires the Applicant to submit a preliminary plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material that demonstrates conformance with the standards of SFCC Section 14-9 (Submittal Requirements).
10. SFCC Section 14-3.7(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before approving a preliminary subdivision.
11. Pursuant to SFCC Section 14-3.7(C)(1), the Commission finds that due regard has been shown for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets. The City approved Archaeological Clearance for the property on November 26, 2008.
12. The land is suitable for platting and development purposes of the kind proposed. No portion of the proposed subdivision falls within the 100-year flood zone.
13. The Project, including the design of streets, utility and access easements, drainage, sidewalks and crosswalks complies with the infrastructure design, improvement, and dedication standards set forth in SFCC Section 14-9, subject to conditions and technical corrections identified within the staff report and the additional condition imposed at the public hearing.
14. The Project does not create any nonconformities or increase any existing nonconformities.

CONCLUSIONS OF LAW

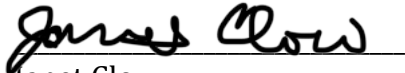
Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. Pursuant to SFCC 1987 Section 14-3.1(H)(1), notice of the ENN meeting was properly given. The Applicant effected notice by: mailing out notice via first-class mail to property owners within 300 feet of the subject property on October 23,

- 2024; e-mailing neighborhood associations within 300 feet; and posting the required City sign on the property from October 23, 2024 to November 7, 2024.
3. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting. The Applicant conducted one ENN on November 27, 2023. The ENN meeting was conducted virtually via Zoom. The ENN meeting was attended by a representative of the Applicant and City staff. There were no members of the public in attendance.
 4. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.7(B)(3)(d), the Commission has the authority to review and approve or disapprove preliminary serial subdivision plats.
 5. The Commission has the authority to review and approve the preliminary serial subdivision plat subject to conditions, technical corrections within the staff report and packet to the Commission and adding the additional condition stating that *"Dedication of internal subdivision roads be addressed during Final Plat."*
 6. Pursuant to SFCC Section 14-3.7(C)(2), the Commission finds that the land is suitable for platting and development purposes of the kind proposed.
 7. Pursuant to SFCC Section 14-3.7(C)(3), the Commission finds that the plat complies with the infrastructure design, improvement, and dedication standards set forth in SFCC Section 14-9, subject to conditions and technical corrections identified within the staff report and the additional condition imposed at the public hearing.
 8. Pursuant to SFCC Section 14-3.7(C)(4)-(5), the Commission finds that the plat does not create any nonconformities or increase any existing nonconformities.
 9. The Applicant met the applicable Submittal Requirements.
 10. The Project meets all applicable criteria.
 11. The preliminary serial subdivision plat should be approved because all applicable code requirements and criteria for preliminary serial subdivision plat approval have been met.

WHEREFORE, IT IS ORDERED ON THE 6TH DAY OF FEBRUARY 2025 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:


Considering the foregoing findings and conclusions, the Commission approves the preliminary subdivision plat for the Project, subject to the Conditions and the technical corrections set forth in the Staff Report and attachments. Final decision was rendered on December 26, 2024. Approval of the preliminary serial subdivision plat will expire three years after this date unless the plat is filed for record with the county clerk, or an extension is granted under SFCC Section 14-3.19.



Janet Clow
Chairperson

2/12/2025
Date:

FILED:



ANDREA SALAZAR (Feb 10, 2025 13:35 MST)
Andrea Salazar XIV
City Clerk

Feb 25, 2025
Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

2/11/2025
Date: