

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

Case #2025-10037

1111 Ocate Road Multifamily Development Plan

Owner's/Applicant's Name- Santa Fe Civic Housing Authority

Agent's Name-Liaison Planning

THIS MATTER came before the Planning Commission (Commission) for public hearing on July 17th, 2025 (Hearing) upon the development plan application (Application) of Liaison Planning as Agent for Santa Fe Civic Housing Authority (Applicant).

The Application pertains to the property located at 1111 Ocate Road totaling approximately 5.6 acres (Property). The Applicant requests approval of a development plan for a 119,540 SF, 84-unit affordable multifamily development (Project). The property is zoned C-2 (General Commercial) and is within the Suburban Archaeological Review District.

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 Applicant requested approval of a development plan for 2 multifamily buildings and 1 Community Building totaling 119,540 SF.
2. 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.
3. 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 §1 4-3.1(F)(2)(a)(iv)]; and (c) compliance with notice and public hearing requirements [SFCC 1987 § 14-3.1(H)-(I)].
4. The Applicant attended a pre-application conference on February 22nd, 2024, with City Land Use Department Staff (City Staff).
5. The Applicant conducted an ENN meeting for this project. The Applicant gave notice of the ENN meetings to neighbors and neighborhood associations within 300 feet of the subject property and posted posters on the subject property.
6. The Applicant held the virtual ENN meeting on April 16th, 2024. The ENN meeting was attended by members of the applicant team, city staff, and no members of the public.
7. City staff reviewed the Application, as well as the related materials and information submitted by the Applicant for conformity with applicable SFCC requirements. Staff also provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.

8. Staff recommended that the Commission approve the development plan, subject to certain conditions (the Conditions) and the technical corrections set forth in the Staff Report and Attachments.
9. Pursuant to SFCC 1987 Section 14-2.3(C)(1), the Commission has the authority to review and approve development plans.

Development Plan

10. Under SFCC 1987 Section 14-3.8(B)(3)(a), a new development with a gross floor area of thirty thousand (30,000) square feet or more requires approval of a development plan.
11. SFCC 1987 Section 14-3.8 establishes certain procedures for development plan approval including, without limitation, a public hearing by the Commission and a decision based on the criteria set out in SFCC 1987 Section 14-3.8(D).
12. SFCC 1987 Section 14-3.8(C)(1) requires the Applicant to submit plans and other documentation that demonstrates conformance with applicable provisions of the SFCC (Submittal Requirements).
13. SFCC 1987 Section 14-3.8(D)(1) 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 development plan.
14. Pursuant to SFCC 1987 Section 14-3.8(D)(2), the Commission “may specify conditions of approval that are necessary to accomplish the proper development of the area and to implement the policies of the general plan.”
15. The Governing Body has implemented the General Plan and ordinances in order to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. Multifamily residential developments are a permissible land use under both the zoning district, C-2, and the Future Land Use designation, Community Commercial. Therefore, the proposed development meets the goals of the General Plan is not adverse to the public interest.
16. The proposed use is compatible with the neighboring uses, buildings and structures.

CONCLUSIONS OF LAW

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

General

1. Pursuant to SFCC 1987 Section 14-3.1, all procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

Development Plan

2. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
3. The Commission finds that it has the authority to review the development plan under SFCC 1987 Sections 14-2.3(C)(1), 14-3.8(B)(4), and Table 14-2.1-1, as required by SFCC 1987 Section 14-3.8(D)(1)(a).
4. The Commission finds that the development plan does not adversely affect the public interest, as required by SFCC 1987 Section 14-3.8(D)(1)(b).

5. The Commission finds that the proposed use is compatible with the neighboring uses, buildings and structures. The proposed use is compatible with the neighboring uses, buildings and structures required by SFCC 1987 Section 14-3.8(D)(1)(c).
6. The Commission finds that the Conditions and Technical Corrections set forth in the Staff Report and Attachments are necessary to accomplish the proper development of the area and to implement the policies of the general plan.
7. The Commission has the authority to review and to approve the development plan, and to impose conditions of approval.
8. The Applicant met the applicable Submittal Requirements.
9. The Commission approves the development plan subject to the conditions and technical corrections recommended by staff because all applicable code requirements and criteria for development plan approval have been met with the exception that Conditions 1, 2 & 7 be deleted and a new Condition included. The revised Conditions of Approval and Technical Corrections are attached herewith.

WHEREFORE, IT IS ORDERED ON THE 4th DAY OF SEPTEMBER, 2025 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission approves the development plan for the Property, as requested in the Application for Case #2025 - 10037, subject to the revised Conditions and the technical corrections attached herewith. The development plan shall expire three years after issuance of this final action unless actual development of the site or off-site improvements has begun and is continued pursuant to Subsection 14-3.19(B)(6). If the development plan approval expires, approval of any corresponding preliminary development plan expires simultaneously pursuant to SFCC 1987 Section 14-3.19(B)(4).

Janet Clow, Chair

Date

FILED:

Geraldyn F. Cardenas
Project Administrator

Date

APPROVED AS TO FORM:

Frank Ruybalid
Assistant City Attorney

Date

Attachment A – REVISED 7/17/2025

CONDITIONS OF APPROVAL – REVISED 7/17/2025		Department	To be completed by:
New Condition	“The Applicant and City Staff will work together to find an ADA compliant access to Community Services and Transportation and a bond will be set up in time by the Applicant to cover any expenses incurred with access for the public.”	Planning Commission	Prior to Recordation
1	Extend the sidewalk east to the edge of the N/S paved access road (about 80')	MPO	Prior to Recordation
2	Build a crosswalk across Ocate Road to provide a continuous pedestrian connection to Cerrillos Road	MPO	Prior to Recordation
3	An approved Water Plan will be required for all new public water infrastructure and fire services. Water Plan shall be submitted to the City Water Division for review and included in the application materials.	Water Division	Prior to Recordation
4	An approved Agreement to Construct and Dedicate (ACD) will be required with the Water Division for all new public water infrastructure and fire services.	Water Division	Prior to Building Permit Approval
5	A separate irrigation meter will be required if the total landscaped area is 1,000 square feet or greater. An approved backflow prevention device shall be installed beyond the meter on any new irrigation service.	Water Division	At the time of Development
6	Any re-grading of site over existing water mains shall maintain a minimum of 4 feet of cover and not exceed 5 feet of cover. Depth of existing main to be adjusted to maintain a minimum of 4 feet of cover and not exceed 5 feet of cover if site grading impacts these depth requirements.	Water Division	At the time of Development
7	An Accessible Route must be added from the Public Right of Way nearest Bus Stop to the building entrances. A sidewalk must be added to and from Cerrillos Rd. Connect to the existing curb ramp at the Cerrillos intersection.	ADA	Prior to Recordation
8	ADA accessible Garages must have an accessible route to them.	ADA	Prior to Recordation
9	ADA Parking Stalls and Aisles cannot exceed 2% in any direction sheet 8-12 curb ramp 10 & 11 detail.	ADA	Prior to Construction
10	Shall comply with the most currently adopted International Fire Code.	Fire	Prior to Public Hearing
11	Key notes 15 and 16 are duplicates on sheets 11-1 and 11-2	Wastewater	Prior to Recordation
12	The sewer line from manhole 1 to manhole 2 shall be public. The sewer line from manhole 2 to manhole 6 shall be a private.	Wastewater	Prior to Recordation

13	Identify the locations of the 4-inch sewer service lines and the cleanout locations	Wastewater	Prior to Recordation
14	Need to add details for the sewer cleanouts	Wastewater	Prior to Recordation
15	<p>Stormwater Agreement Notes shall include the following inspection/maintenance language:</p> <p>INSPECTIONS SHALL BE CONDUCTED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO OR OTHER QUALIFIED PERSON. INSPECTIONS SHALL BE CONDUCTED ON THE DRAINAGE FACILITIES IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:</p> <p>ON OR ABOUT MARCH 15TH, ON OR ABOUT SEPTEMBER 15TH, AND AFTER EACH STORM EVENT OF 1-INCH OR GREATER. MAINTENANCE OF THE DRAINAGE FACILITIES SHALL BE CONDUCTED AND DOCUMENTED BY THE ENGINEER AND THE OWNER. THE OWNER SHALL MAINTAIN A FILE OF THE INSPECTIONS AND REMEDIAL ACTION CONDUCTED ON THE DRAINAGE FACILITIES.</p> <p>WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE ENGINEER'S RECOMMENDATIONS, AND SHALL INCLUDE BUT NOT LIMITED TO THE FOLLOWING:</p> <ul style="list-style-type: none"> A. FLUSH ALL CULVERTS, DROP INLETS AND DRAINAGE PIPES TO REMOVE SEDIMENT AND VEGETATION THAT PREVENTS OR HINDERS THE FLOW OF STORMWATER IN THE DRAINAGE STRUCTURE. B. REMOVE SEDIMENT IN PONDS THAT IS GREATER THAN 6-INCHES IN DEPTH AND IF NECESSARY RESEED WITH NATIVE GRASSES AND 3 TO 4 INCH COBBLE AS DIRECTED BY THE ENGINEER. C. INSPECT FOR SEDIMENTATION IN ALL SWALES, DITCHES, DRAINAGE PONDS AND REMOVE AND STABILIZE AS NECESSARY. D. INSPECT FOR SOIL EROSION AT ALL DRAINAGE PONDS CUT AND FILL SLOPES AND REPAIR OR STABILIZE ACCORDINGLY. E. INSPECT STRUCTURAL INTEGRITY OF DRAINAGE PONDS SLOPES RIP-RAP AND OTHER EROSION CONTROL MEASURES AND REPAIR OR STABILIZE ACCORDINGLY. <p>THE CITY OF SANTA FE IS HEREBY GRANTED THE RIGHT TO ACCESS AND INSPECT THESE EASEMENTS AND DRAINAGE FACILITIES AT THE DISCRETION OF THE CITY.</p> <p>THE OWNER AGREES TO INDEMNIFY AND TO HOLD HARMLESS FROM ALL DAMAGE TO PERSONS OR PROPERTY RESULTING FROM THE CITY'S REASONABLE EXERCISE TO THEIR ACCESS AND INSPECTION RIGHT.</p>	River and Trails	Prior to Recordation
16	An approved Development Water Budget including a 9.8% contingency per SFCC 14-8.13(E)(1) will be required. A technical evaluation request for a Development Water Budget needs to be submitted to the City Water Division for review.	Water Resources	Prior to Final Development Plan Approval

17	An Agreement to Construct and Dedicate (ACD) from the Water Division will be required for all new public water infrastructure or fire services. An approved Development Water Budget, including Landscape Irrigation Budget and a 9.8% Contingency is required prior to processing the ACD.	Water Resources	Prior to ACD
18	Each lot shall be served by a separate water service at the time of development.	Water Resources	Prior to Building Permit Application

Attachment A			
TECHNICAL CORRECTIONS		Department	To be completed by:
1	Specific technical comments on the water plans will be provided by the Water Division to the design engineer.	Water	Prior to Water Plan Approval
2	Provide a significant tree survey, list species, size, and quantities. Any trees to be removed shall be marked on the plan with a red X.	Landscape	Prior to Recordation
3	City Staff respectfully request the replacement Pinon Pine with another evergreen tree variety from the City approved plant list. Due to the black scale and bark beetle infestations plaguing Pinon in many areas of Santa Fe.	Landscape	Prior to Recordation
4	On the Plant Schedule remove 4'-6' for the size of all evergreen trees and replace with "6 feet and taller". 14-8.4 (F)(2)(c) All required evergreen trees shall be a minimum of six (6) feet in height.	Landscape	Prior to Recordation
5	Pond #3: Landscape Plan shows 4,902 square feet of Bluegrass Sod. 4. 14-8.4(F)(3)(a) Turf grass sod or turf grass seed mixes installed within the city limits shall contain no more than twenty-five percent Kentucky Bluegrass. City staff have concerns with sod installed in pond bottoms due to silt buildup and extended time the sod may be underwater. City staff require gravel/cobble over weed fabric or a native seeding with irrigation. The native seed will need to be evaluated after each storm event and reseeding may be required. Pond trees and shrubs are required in all ponds per city code 14-8.4(F)(2)(e) stormwater detention ponds and retention ponds shall be planted with appropriate trees, shrubs, and grasses, with a minimum of one tree and three shrubs per five hundred (500) square feet of required ponding area. Plants located in the bottom third of the detention pond or retention pond must be adaptable to periods of submersion and may require replacement during periodic maintenance to remove silt.	Landscape	Prior to Recordation

6	A water level measuring device with zero set at finish grade located at the center of each pond is required.	Landscape	Prior to Recordation
7	Retention ponds deeper than three feet require a security fence and maintenance gate. Fence shall be five in height. The following shall also apply 14-8.4(J) Screening and Buffering, 14-8.5 Walls and Fences.	Landscape	Prior to Recordation
8	Landscape plan calculations must include the following information: Street tree calculations as required by 14-8.4(G) and retention / detention pond plant material.	Landscape	Prior to Recordation
9	Playground mulch must be a minimum depth of 12 inches. Provide note on landscape plan on sheet 3-2	Landscape	Prior to Recordation
10	Provide details and cut sheets of the playground equipment.	Landscape	Prior to Recordation
11	Provide additional screening of the parking lots per city code 14-8.4(l)(2)(c). Provide additional shrubs for lower screening at deciduous trees and gaps between evergreen trees.	Landscape	Prior to Recordation
12	Drip valve detail shown on sheet L3-1 requires a pressure regulator after the Wye Filter.	Landscape	Prior to Recordation
13	Provide an emitter placement detail for trees.	Landscape	Prior to Recordation
14	Shrub locations within the ponds are difficult to see, please revise for better visibility.	Landscape	Prior to Recordation
15	14-8.4(E)(4)(h) irrigation systems shall be zoned by levels of water use. For the most efficient water use, plant with similar water use requirements shall be grouped together. Trees and shrubs shall have separate zones. Drought tolerant and very low water-use tree shall have a separate zone. Native shrubs and very low water-use shrubs shall be irrigated on a separate zone. Separate zones are required for permanent and temporary irrigation lines.	Landscape	Prior to Recordation
16	Provide a landscape irrigation design for the Pop-Up Spray System. Provide a complete set of installation details, notes, and specifications for the irrigation system. Show on the detailed drawings the installation of all assemblies without any questions about size or type of materials to use for said irrigation system.	Landscape	Prior to Recordation
17	The water budget requires revision; Sod is not included in the calculations.	Landscape	Prior to Recordation
18	City Staff respectfully request the use of lateral lines, 4mm barb fitting, spaghetti tubing and compensating emitters for drip irrigation. Inline emitter tubing has a minimal life expectancy due to the high content of calcium in our water.	Landscape	Prior to Recordation
19	Irrigation plans shall be to scale 1-inch=20 feet.	Landscape	Prior to Recordation

20	Photometrics do not meet Code requirements. See Article 14-8.9 and revise for compliance.	Landscape	Prior to Recordation
21	See attached letter date 5/14/25 from Wilson & Company. (See Attachment B for letter)	Traffic	Prior to Development Plan Approval
22	Possible confusion on landscape plan page 5, within the legend, 'all gravel types' are noted to be without filter fabric and in the Landscape Notes, it states that all gravel to be placed over filter fabric.	River and Trails	Prior to Recordation
23	Additionally, I assume it means weed barrier when using the term 'filter fabric'. There should be a note saying "no plastic" sheeting to be used and the type of fabric should be specified (ie. Commercial grade spun fabric, not woven)	River and Trails	Prior to Recordation
24	Please see the comments provided on the plans - in Attachment B	Terrain Management	Prior to Recordation
25	There is a tree on top of a fire hydrant. Trees must be a minimum of 15' from a hydrant.	Land Use/Planning	Prior to Recordation
26	There are 4 van accessible spaces listed in the legend but only 2 are shown on the plan.	Land Use/Planning	Prior to Recordation
27	Include fence and gate details	Land Use/Planning	Prior to Recordation
28	Building labels vary between plan drawing sheets – clarify and make consistent throughout the set.	Land Use/Planning	Prior to Recordation
29	There are 36 bicycle parking spaces indicated on the legend but 34 are shown on the plan	Land Use/Planning	Prior to Recordation
30	Please correct on sheet 3-3; Water Demand Calculations table contradicts Water Budget irrigation calculations.	Water Resources	Prior to Final Development Plan Approval