

**City of Santa Fe
Board of Adjustment
Findings of Fact and Conclusions of Law**

Case #2024-9316

2247 Camino Carlos Rey; Grace Community Church; Special Use Permit

Applicant's Name- Grace Community Church

Agent's Name- Plan A Architecture

THIS MATTER came before the Board of Adjustment (“BOA”) for public hearing on March 4, 2025 (“Hearing”) upon the application (“Application”) of agent Plan A Architecture (“Agent”) for Grace Community Church (“Applicant”).

The Applicant requests Special Use Permit approval to construct a 5,800 sq.ft. new Religious Assembly Building. The property, located at 2247 Camino Carlos Rey, is zoned R-5 (low-density residential) and has an existing church building of 5,540 sq.ft on the lot of 1.5 acres.

After conducting a public hearing (“Hearing”) and having heard from City Planning and Land Use staff (“Staff”) and all interested persons, the BOA hereby FINDS as follows:

FINDINGS OF FACT

1. Pursuant to SFCC 1987 Section 14-2.4(B) and Section 14-3.6(B), the BOA has the authority to review and approve Special Use Permits.
2. SFCC 1987 Section 14-3.6(C) sets out the following procedures for a Special Use Permit application: (1) approval of a site plan and other development drawings including a pre-application conference [SFCC § 14-3.1(E)], an Early Neighborhood Notification (ENN) meeting [SFCC 1987 § 14-3.1(F)(2)(a)(iv)] and, compliance with notice and public hearing requirements [SFCC 1987 § 14-3.1(H)-(I)]; (2) an application which shall indicate the section of Chapter 14 under which the special use permit is sought; and, (3) approval limited for any significant expansion or intensification of a special use .
3. SFCC 1987 Section 14-3.1(E)(1) requires applicants for special use permits to attend a pre-application conference. The Applicant attended a pre-application conference on October 26, 2023.
4. The Applicant held a virtual ENN meeting on the Application on August 21, 2024. The Applicant’s team, members of Staff, and approximately twelve (12) members of the public attended the ENN meeting. Neighbors raised concerns regarding operating hours of the facility. Several residents expressed concern about maintaining access through the unimproved route in the southeast corner of the site that connects to Cedros Lane. Neighbors have utilized this route to access their properties from the backyard garage area.
5. Staff reviewed the Application, related materials, and other information that the Applicant submitted for conformity with applicable SFCC requirements. Staff also provided the BOA with a written report of Staff’s findings (“Staff Report”) that evaluated the factors relevant to the Application.
6. Staff recommended that the BOA approve the Application subject to certain conditions (“Conditions”) and technical corrections set out in the Staff Report and exhibits.
7. At the Hearing, the BOA received reports from Staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

8. The project proposed in the Special Use Permit application is less than 10,000 square feet.
9. SFCC 1987 Section 14-3.8 establishes procedures for development plan approval including, without limitation, a public hearing by the BOA and a decision based on the criteria set out in SFCC 1987 Section 14-3.8(D).
10. 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”).
11. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
12. SFCC 1987 Section 14-3.8(D)(1) sets out approval criteria and requires the BOA to make complete findings of fact sufficient to show that these criteria have been met before approving a development plan.
13. Pursuant to SFCC 1987 Section 14-3.8(D)(2), the BOA “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.”
14. The BOA finds that the Conditions and technical corrections set forth in the Staff Report and exhibits are necessary to accomplish the proper development of the area and to implement the policies of the general plan.

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 1987 Section 14-2.4 and Section 14-3.6(B), the BOA has authority to review and approve this Special Use Permit.
2. 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.
3. Pursuant to SFCC 1987 Section 14-3.8(C)(1), the Applicant met the applicable Submittal Requirements.
4. Pursuant to SFCC 1987 Section 14-3.8(D)(1)(a), the BOA finds that it has the authority to review the Special Use Permit under SFCC 1987 Sections 14-2.3(C)(1), 14-3.8(B)(4), and Table 14-2.1-1. Pursuant to SFCC 1987 Section 14-3.8(D)(1)(b), the BOA finds that the Special Use Permit will not adversely affect the public interest. The Governing Body has implemented the General Plan and ordinances to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This project serves the public interest through the provision of gathering space for special functions.
5. Pursuant to SFCC 1987 Section 14-3.6(D)(1), the BOA finds that the proposed religious assembly building and associated site improvements are compatible with and adaptable to buildings, structures, and uses of the abutting properties in the vicinity of the premises under consideration.
6. The BOA approves the Special Use Permit subject to the conditions and technical corrections recommended by staff because all applicable code requirements and criteria for preliminary development plan approval have been met.

WHEREFORE, IT IS ORDERED ON THIS 4TH DAY OF NOVEMBER 2025 BY THE BOARD OF ADJUSTMENT OF THE CITY OF SANTA FE:

The Special Use Permit for the Project is approved, subject to the conditions of approval and technical corrections set forth in the Staff Report and exhibits. The Special Use Permit 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 SFCC 1987 Subsection 14-3.19(B)(6), or a time extension is granted pursuant to SFCC 1987 Section 14-3.19(C).

Gary Friedman, Chair

Date

FILED:

Andrea Salazar
City Clerk

Date

APPROVED AS TO FORM:

Rebecca Mnuk-Herrmann
Assistant City Attorney

Date