

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

**Case #2025-11006**

**3800 Governor Miles Road – Vistas de la Sierra Phase 3 Preliminary Subdivision Plat**

**Owner's/Applicant's Name-** Foresstar (USA) Real Estate Group, Inc.

**Agent's Name-** Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (“Commission”) for public hearing on November 6, 2025 (Hearing) upon the application (“Application”) of Liaison Planning Services, as agent for Forestar (USA) Real Estate Group, Inc. (“Applicant”).

The Application pertains to a property located at 3800 Governor Miles Road totaling approximately 24.42 acres (“Property”). The Applicant requested preliminary subdivision plat approval for a 128-lot single-family residential subdivision (“Project”). The property is zoned R-5 (Residential -5 dwelling units per acre).

After conducting a public hearing and having heard from City of Santa Fe Planning Staff (“Staff”) and all interested persons, the Commission hereby FINDS, as follows:

**FINDINGS OF FACT**

1. 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 subdivision plats.
2. The Santa Fe City Code (SFCC) 1987 Section 14-3.1 sets out the following procedures for a preliminary plat 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 12, 2025.
4. The Applicant properly noticed the ENN meeting by completing an application, prominently displaying a public notice poster on the site, mailing public notice of the meeting to neighbors within a 200 foot radius and conducting a virtual meeting.
5. The Applicant held a virtual ENN meeting on July 22, 2025. The Project team, members of City staff, and approximately 25 members of the public attended the meeting.
6. SFCC Section 14-3.7(B)(4) establishes certain procedures for preliminary subdivision plat approval which include, without limitation, 1) that the Commission hold a public hearing, 2) that the Commission review the preliminary plat, and 3) that the Commission render a decision based on the criteria set out in SFCC Section 14-3.7(C).
7. After a preliminary subdivision plat has been approved, SFCC Section 14-3.7(B)(4)(b) requires the Applicant to submit a final plat prepared by a professional land surveyor, together with maps, drawings, and other specified supplementary material as specified by the land use director (Submittal Requirements).
8. Staff reviewed the Application, related materials, and other information that the Applicant submitted for conformity with applicable SFCC requirements. Staff also provided the Planning Commission a written report of Staff’s findings (“Staff Report”) that evaluated the factors relevant to the Application.

9. At the Hearing, the Commission considered the Application in this case, received reports from Staff, heard testimony and evidence from the Applicant, and opened the floor for testimony from any interested members of the public prior to making a decision. Approximately ten (10) members of the public gave comments on the project.
10. Staff recommended that the Commission approve the preliminary subdivision plat, subject to the conditions and technical corrections set out in the exhibits to the Staff Report. Staff added four (4) Conditions of Approval at the time of the hearing. The Planning Commission Chairperson added a Stipulation to the Applicant regarding 2-story homes adjacent to the Nava Ade subdivision. The Land Use Director added a Comment regarding construction traffic and staging. These can be found in the Revised Conditions of Approval attached herewith.
11. SFCC Section 14-3.7(B)(4)(a) requires that the “final plat shall conform substantially to the preliminary plat as approved.”
12. 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 final subdivision.
13. The Commission finds that the Project shows due regard for all natural features, as there is minimal vegetation on the site, and there are no significant natural features, water courses, historical sites or structures, or other similar community assets. Archaeological clearance for this project was obtained. There are no historical sites.
14. The Commission finds that the land is suitable for platting and development purposes of the kind proposed. The land is suitable for residential development of similar density to surrounding neighborhoods with a major road adjoining the property and utilities either adjacent to the property or in close proximity to the property.
15. The Commission finds that the Project complies with the infrastructure design, improvement, and dedication standards including those required by the Water Division, Wastewater Division, Environmental Services, and Terrain Management.
16. The Commission finds that no existing nonconformities are increased, nor are any nonconformities created by the approval of this subdivision. The Applicant is not requesting any variances with this proposal.

### **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 Sections 14-2.3(C)(1) and 14-3.7(B)(4)(e), the Commission has the authority to review and approve the Project subject to the technical correction listed in the exhibits to the staff report and the conditions and technical corrections imposed at the preliminary subdivision stage.
2. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
3. The Applicant attended a pre-application conference on June 12, 2025 in accordance with SFCC 1987 Section 14-3.1(E)(1).
4. Pursuant to SFCC 1987 Section 14-3.1(H), the Applicant properly noticed the ENN meeting.
5. Pursuant to SFCC 1987 Section 14-3.1 (F), the Applicant held virtual ENN meetings on July 22, 2025. The Project team, members of City staff, and approximately 25 members of the public attended the meeting.
6. The preliminary plat substantially conforms with SFCC 1987 Section 14-3.7 (B)(4)(a).
7. The Applicant met the applicable Submittal Requirements SFCC 1987 Section 14-3.1(G).

8. The preliminary subdivision plat should be approved because all applicable code requirements and criteria for the preliminary subdivision plat approval have been met.
9. Pursuant to SFCC Section 14-3.7(C)(1), the Commission finds that the Project shows due regard for all natural features, as there is minimal vegetation on the site, and there are no significant natural features, water courses, historical sites or structures, or other similar community assets. Archaeological clearance for this project was obtained. There are no historical sites.
10. 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. The land is suitable for residential development of similar density to surrounding neighborhoods with a major road adjoining the property and utilities either adjacent to the property or in close proximity to the property.
11. Pursuant to SFCC Section 14-3.7(C)(3), the Commission finds that the Project complies with the infrastructure design, improvement, and dedication standards set forth in SFCC Section 14-9.
12. Pursuant to SFCC Section 14-3.7(C)(4)-(5), the Commission finds that no existing nonconformities are increased, nor are any nonconformities created by the approval of this subdivision. The Applicant is not requesting any variances with this proposal.

**WHEREFORE, IT IS ORDERED ON THE 4th DAY OF DECEMBER 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 exhibits. The preliminary subdivision plat shall expire three years after issuance of this final action unless the plat is filed for record with the county clerk or an extension is granted under SFCC Section 14-3.19.

ATTACHMENTS: Attachment A – Conditions of Approval

\_\_\_\_\_  
Janet Clow  
Chairperson

\_\_\_\_\_  
Date

FILED:

\_\_\_\_\_  
Andrea Salazar  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Rebecca Mnuk-Herrmann  
Assistant City Attorney

\_\_\_\_\_  
Date

# City of Santa Fe, New Mexico

## **Attachment A – Revised 11/06/2025**

### **Conditions of Approval and Technical Corrections**

- 1. Table of Conditions of Approval - REVISED**
- 2. Table Technical Corrections**
- 3. DRT Comments**
  - a. Fire Protection
  - b. Water Division
  - c. Wastewater Division
  - d. Water Resources
  - e. Traffic
  - f. Metropolitan Planning Organization
  - g. Terrain Management
  - h. Landscape
  - i. ADA
  - j. Archaeology

## Attachment A

<b>STIPULATION FROM PLANNING COMMISSION CHAIRPERSON ADDED AT PLANNING COMMISSION HEARING ON 11/06/2025</b>			
Stipulation: “Applicant agrees to make all houses bordering Nava Ade in Phase 3 single story and those are seven houses.”		Planning Commission	Prior to Final Development Plan Approval
<b>COMMENT FROM LAND USE DIRECTOR ADDED AT PLANNING COMMISSION HEARING ON 11/06/2025</b>		Department	To be completed by:
Comment: “We are going to work with the Applicant to determine a staging area and construction traffic circulation, and we will report back to you before final plat or as part of final plan.”		Land Use	Prior to Final Development Plan Approval
<b>CONDITIONS OF APPROVAL ADDED BY STAFF AT PLANNING COMMISSION HEARING ON 11/06./2025</b>		Department	To be completed by:
1	Include on plans the extension of the trail at the northwest property line to connect to existing Nava Ade Trail;	Land Use	Prior to Final Development Plan Approval
2	Coordinate with Fire Marshall to engineer a pathway acceptable to safety apparatus as well as emergency egress;	Land Use	Prior to Final Development Plan Approval
3	Amend current housing agreement for phase 3 or prepare new agreement for 25 affordable homes;	Land Use	Prior to Final Development Plan Approval
4	Coordinate with Terrain Management staff on drainage ponds and stormwater mitigation – including letter from Applicant’s engineer clarifying pond information.	Land Use	Prior to Final Development Plan Approval
<b>1. TABLE OF CONDITIONS OF APPROVAL</b>		Department	To be completed by:
1	Shall comply with the most currently adopted International Fire Cod	Fire Marshall	Prior to Building Permit Approval
2	Shall comply with Chapter 33 “Fire Safety During Construction and Demolition	Fire Marshall	At the Time of Development
3	Shall verify all weather road and active fire hydrants are in place prior to combustible materials arriving on site	Fire Marshall	At the Time of Development

4	Verify that correct currently adopted International Fire Code (IFC) is referenced.	Fire Marshall	Prior to Building Permit Approval
5	An approved Water Plan will be required for all new public water infrastructure and fire services.	Water Division	Prior to Public Hearing for Final Subdivision Plan
6	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
7	Each lot shall be served by separate City water service at the time of development.	Water Division	At the time of Development
8	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
9	SDR35 shall be the only material used for public sewer mains.	Wastewater	Prior to Construction
10	We will accept the 0.5 percent slope detailed on Utility Plan C6,06 - 0.6% is highly recommended'	Wastewater	Prior to Construction
11	Avoid the placement of sewer lines above water lines during crossings – none found.	Wastewater	Prior to Construction
12	Make sure to contact Luke Gray, Engineer Associate 505-955-4626 before construction for inspection scheduling. He will be responsible for the issuing of letter of approval and system city acceptance.	Wastewater	Prior to Construction
13	No need to change drawing, but the Wastewater Division will not accept any service connections branching from a sewer manhole.	Wastewater	Prior to Construction
14	Pipe Material shall be SDR26	Wastewater	Prior to Construction
15	See attached comments response letter dated 9/16/25 from Wilson & Company. Comments in red are summarized below.	Traffic	Prior to Approval of Final Subdivision Plat
16	<b>General Comments #2</b> – Acceleration/deceleration lane warrants and lengths at various intersections are unresolved and developer shall provide further analysis at locations identified.	Traffic	Prior to Approval of Final Subdivision Plat
17	<b>General Comments #4 and Report Comment #2</b> – The development's	Traffic	Prior to

	impacts to the signalized intersections on Richards Avenue at both Governor Miles Road, and Beckner Road will require build year <b>signal timing plans</b> for each intersection analyzed and stamped by developers engineer to accommodate impacts identified (if any) by the Traffic Impact Study. In addition, the recommended traffic signal modifications at Richard/Beckner by that signal's EOR (Mr. Mike Gomez, PE), are to be implemented as part of this development. This include: <u>modifications to signal heads</u> at Richards/Beckner; <u>relocation of advanced northbound signal flasher</u> further south on Richards Avenue; and a <u>photometric analysis</u> to determine if installation of additional lighting for the southbound approach as described in the EOR's close out memo dated 6/27/25 is necessary. If so, the developer shall provide this additional lighting.		Approval of Final Subdivision Plat
18	<b>Report Comment #4</b> – developer shall provide an all way stop sign warrant analysis at the intersection of Governor Miles and Dancing Ground and shall construct any identified improvements resulting from that analysis.	Traffic	Prior to Approval of Final Subdivision Plat
19	<b>Summary Comment</b> – Whispering Wing Road changes from dead end to connecting street to this subdivision as part of this development plan, and developer shall provide a more robust analysis of onstreet signage and striping per MUTCD in correspondence with signage for other connecting streets in this subdivision.	Traffic	Prior to Approval of Final Subdivision Plat
19	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
20	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
21	Each lot shall be served by a separate water service at the time of development.	Water Resources	Prior to Building Permit Application