

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

**Case #2025-11526: Tierra Contenta Phase 3A Final Subdivision Plat  
6120, 6130, 6135, 6150 Paseo del Sol**

**Owner/Applicant's Name** - Homewise, Inc.

**Agent's Name** – Jennifer Jenkins, JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (“Commission”) for hearing on December 4, 2025, upon the application (“Application”) of JenkinsGavin, Inc., agent for Homewise, Inc. (“Applicant”).

The Applicant seeks the Commission’s approval of a final subdivision plat for sixteen (16) development lots and six (6) open space lots on approximately 216.5 acres (“Project”). The property is located at 6120, 6130, 6135, and 6150 Paseo del Sol (“Property”) and is zoned Planned Residential Community (PRC).

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 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. A pre-application conference was held on March 12, 2025, in accordance with SFCC 1987 Section 14-3.1(E).
4. The Applicant gave notice of the ENN meeting to neighbors and neighborhood associations within 300 feet of the subject property and posted posters on the subject property. Pursuant to SFCC 1987 Section 14-3.1(H)(1), notice of the ENN meeting was properly given.
5. The Applicant conducted one ENN on May 29, 2025. The ENN meeting was conducted virtually via Zoom. The meeting was attended by a representative of the Applicant and City staff. The meeting was well attended by the public.
6. On November 6, 2025, the Commission voted to approve the preliminary subdivision plat for the Property and adopted written Findings of Fact and Conclusions of Law that approved the preliminary subdivision plat, subject to certain conditions of approval and technical correction recommended by City Staff (Case #2025-10685).

7. After a preliminary subdivision plat has been approved, SFCC 1987 Section 14-3.7(B)(4)(b) requires the Applicant to submit a final plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material that demonstrates conformance with the standards of SFCC 1987 Section 14-9 (“Submittal Requirements”).
8. City staff reviewed the Application and all related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (“Staff Report”), which evaluates the factors relevant to the Application.
9. Staff recommended that the Commission approve the final subdivision plat, subject to the conditions and technical corrections imposed at the time of preliminary subdivision plat approval and the technical corrections set out in the attachments to the Staff Report and testimony at the hearing.
10. SFCC Section 14-3.7(B)(4) establishes certain procedures for final subdivision plat approval including, without limitation, a public hearing by the Commission, review of the final plat, and a decision based on the criteria set out in SFCC Section 14-3.7(C).
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 1987 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.

### **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 or deny final subdivision plats.
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 final plat substantially conforms with the preliminary plat.
4. Pursuant to SFCC 14-3.7(C)(1), the Commission finds that due regard has been shown for all natural features such as vegetation, water courses, or historical sites on the subject property, and natural areas of stormwater collection are to remain in their current location.
5. 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. No portion of the proposed subdivision lots fall within the 100-year flood zone. The development is suitably sited for platting and residential and non-residential occupancy, and the proposed development would not endanger health, safety, or welfare or aggravate erosion or flooding hazards.

6. 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. The plat is compliant with the preliminary plat and Master Plan, which includes unique design guidelines.
7. 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, and no variances or exceptions are requested or needed.
8. The Commission has the authority to review and approve the final subdivision plat 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.
9. The Applicant met the applicable Submittal Requirements of SFCC Sections 14-3.1(C), (G) and (L).
10. The Commissions approves the final subdivision plat, subject to the conditions of approval and technical corrections (as amended) set forth in the Attachment A, because all applicable code requirements and criteria for final subdivision plat approval have been met.

**WHEREFORE, IT IS ORDERED ON THE 18TH DAY OF DECEMBER 2025 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:**

Considering the foregoing findings and conclusions, the Commission approves the final subdivision plat for the Project, subject to the conditions of approval and technical corrections set forth in the attachments to the Staff Report. Approval of the final subdivision plat will expire on December 4, 2028, unless the plat is filed for record with the County Clerk, or an extension is granted under SFCC Section 14-3.19.

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Janet Clow  
Chair

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Date:

FILED:

\_\_\_\_\_  
Andréa Salazar  
City Clerk

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Date:

APPROVED AS TO FORM:

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Rebecca A. Mnuk-Herrmann  
Assistant City Attorney

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Date:

**City of Santa Fe, New Mexico**

# **Attachment A**

**Table of  
Conditions of  
Approval and  
Technical  
Corrections**

## Final Subdivision Plat Conditions of Approval and Technical Corrections

#	CONDITION OF APPROVAL	DEPARTMENT OR DIVISION:	TO BE COMPLETED BY:
1.	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.	Public Utilities – Water Division	Prior to Final Plat Hearing
2.	An approved Agreement to Construct and Dedicate (ACD) will be required with the Water Division for all new public water infrastructure and fire services.		Prior to Building Permit Approval
3.	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.		At the Time of Development
4.	Each lot shall be served by separate City Water service at the time of development.		At the Time of Development
5.	The final plat will require the Interim Public Utilities Director’s signature and approval before submitting to the Santa Fe County Clerk.	Public Utilities – Water Resources	Prior to Final Plat Hearing
6.	If changes are needed to the Streetscape Irrigation Water Budget, then Water Resources will work with the applicant to make necessary changes prior to Public Utilities Director’s signature on the final plat and before approval of the ACD		Prior to Approval of Agreement to Construct and Dedicate (ACD)
7.	Prior to development of the first and any subsequent tract in the proposed subdivision, the comments noted in the attached memo in Attachment A2: <i>Development Review Team Complied Comments</i> must be	Public Works - Traffic	Prior to the Development of the First Tract

	addressed by the developer as part of its traffic impact analysis.		
8.	Shall comply with IFC 2021	Fire Protection District	Prior to Final Plat Hearing
9.	All bike symbols, stop bars, median striping, yield lines, arrow symbols and continental crosswalk striping is to be hot thermoplastic not 3M Tape. Conform with MUTCD.	Land Use – ADA	Prior to Final Plat Hearing
10	Add “NO PARKING” signs adjacent from parking lanes, and in the bike lanes areas where needed. Conform with MUTCD.		Prior to Final Plat Hearing
11	At station 11+00 to 12+00 on the east side of PDS West. Identify the accessible route detail. The sidewalk seems to end at a drive entrance. If so, striping must be added to comply with ADA. Show detail.		Prior to Final Plat Hearing
12	Fencing locations will be determined in the field for safety near ponds that are greater than 3’ in depth	Land Use -- Engineering	At Time of Construction
13	No parking signs should be placed throughout where parking is not allowed.		Prior to Final Plat Hearing
14	Provide detail with profile view of openings in gabions, CMPs, and weirs on gabion structures in ponds on page 13D, 13E.		Prior to Final Plat Hearing
15	Explain how overflow of water would work on Pond C1 and E1.		Prior to Final Plat Hearing
16	Include street names on all pages where a street is shown for ease of location		Prior to Final Plat Hearing

17	14-8.4(F)(5)(e) All areas with exposed soil surfaces disturbed by construction shall be revegetated to minimize erosion and stormwater runoff and to improve the infiltration of precipitation.	Land Use – Landscape and Irrigation	Prior to Final Plat Hearing
18	Median detail 3/L3.0 shows the top gravel mulch to be 1-inch below top of curb. City code Exhibit A, Resolution No. 2010-66 (08/11/10) 6.(B.) Mulch reads, Provide for the surface of the organic mulch or crusher fines to be at least two inches below the top of the curb of the median, parkway or planter. Median Mulch levels shall be 2-inches below top of median curbing. Revise detail and notes accordingly.		Prior to Final Plat Hearing
19	Irrigation line shall not cross over city water mains Without City Water Department approval.		Prior to Final Plat Hearing
20	<i>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.</i> 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.		Prior to Final Plat Hearing
21	Bubbler Assembly locations city staff request all Rainbird RWS-BCG Root Watering Kits be located 12- inches away from the root ball to prevent roots from girdling (root bound).		Prior to Final Plat Hearing

22	<p>The retaining wall height standards in this Section 14.8.5 apply to the portion of a wall, fence or similar that supports a higher finished grade on one side than on the other. The height of the retaining wall is measured from the finished grade at the base of the wall to the finished grade at the top of the wall. (Ord. No. 2012-11 § 22)</p> <p>14-8.5(B)(1)(a) No retaining wall shall exceed six feet in height.</p> <p>14-8.5(B)(1)(b) Retaining walls shall be stepped or terraced so that they are separated by a distance equal to the height of the higher wall.</p>		Prior to Final Plat Hearing
23	<p><b>Stormwater Ponding:</b> A water level measuring device with zero set at finish grade located at the center of each pond is required. 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. Stormwater storage ponds are not to exceed 1 foot in depth without a verification that storm water will drain within 24 hrs.</p>		Prior to Final Plat Hearing
24	<p>Revise roadway section in the following:  <del>Section B-1 – Paseo del Sol West (No Parking): Switch the existing 6' sidewalk with the adjacent 6' planter strip so that the planter strip lies between the sidewalk and easement. This adjustment maintains the required 10' easement.</del></p> <p><del>Section B-2 – Paseo del Sol West: Switch the 6' sidewalk with the 5'</del></p>	Public Works – Parks & Open Space, River and Watershed	

<p><del>planter strip to place the sidewalk directly behind the curb. This layout retains the 10' easement.</del></p> <p><del>Section C-2—Paseo del Sol (No On-Street Parking): Replace the planter strip with a 3' hardened buffer, followed by a 6' sidewalk and an 8' planter strip on the opposite side. This revision maintains the 10' easement.</del></p> <p><del>Section E—Ginto (With On-Street Parking): Switch the 5' sidewalk with the 5' buffer so the sidewalk runs at the back of curb and the planter lies between the sidewalk and the easement. This layout preserves the 10' required easement.</del></p> <p><del>Section D—Paseo del Sol West (Unplanned Development Area): Switch the 7' buffer with the 10' multi-modal trail</del></p> <p>Buffer Standards: Buffers constructed using permeable paving, pavers stamped or colored concrete, cobble, gravel, or other approved materials. Decorative gravel must be a minimum of 7/8 inch in diameter and installed to a depth of 4 inches, with a 1/2-inch freeboard from the sidewalk edge and 2 inches from the curb. A commercial-grade woven fabric weed barrier shall be installed beneath all gravel to reduce weed growth.</p> <p>If vegetation—specifically trees—must be installed within a buffer that combines a vegetative strip behind the curb and between the sidewalk, suspended pavement or</p>		
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	<p>another approved method must be used. This increases soil volume offsets and water-holding capacity, which are essential for supporting tree health and longevity.</p> <p>Vegetative strips and buffer designs must consider long term maintenance. Narrow curbside strips are discouraged due to irrigation inefficiencies, weed intrusion, and the high level of upkeep required. Tree planting in these areas is often unsuccessful, as limited rooting space between the hardened roadway and sidewalk leads to short-lived trees. Additionally, tree limbs may extend into roadways or bike lanes, creating safety hazards, increasing liability for the City, and driving up maintenance demands.</p> <p><del>Placing the vegetative strip on the opposite side of the sidewalk or trail still provides green space and shade, while significantly reducing maintenance challenges and minimizing safety risks.</del></p> <p>Medians: A mixture of cobble, 3" to 6", and decorative gravel, 7/8" minimum, is acceptable and shall be installed to a depth of 4 inches, maintaining a 1/2-inch freeboard from the edge. A commercial-grade woven fabric weed barrier shall be installed beneath all cobble and gravel to reduce weed growth, with exceptions allowed around planting areas</p>		
25	Applicant shall coordinate with the Parks Division regarding the final alignment of the proposed trail connections to SWAN Park.		Prior to Construction

26	All gravel areas (medians, buffer, vegetative strips) that spec must be at least 3" min—add commercial grade weed barrier except adjacent to plantings. Size and color to be approved by Parks & Open Space Division.		Prior to Final Plat Hearing
27	Sheet IR0.1, Irrigation Schedule, Hydrometer model change to-Master Meter 1.5" Brass USG 1 GPP Water, WITH CONTACT HEAD AND REED SWITCH with one pair of Brass Master Meter Coupling, Master Meter 1.5" coupling with gasket, Mottech Single Output Decoder for 24 VAC Valves, Mottech Single input decoder configured to work with digital or analog sensor Flow Meters		Prior to Final Plat Hearing
28	Sheet IR0.1, Irrigation Schedule, Controller model to be-MOTOROLA IRRINET M AC with Single Cable Decoder Assembly with 200 Decoder Max, Radio, Antenna, Interspec Stainless Steel Locking Single Door Enclosure Powder Coated Paint with Communication to ICC Central. Single Cable Line Surge Protection Unit for SC DEC 1, install every 500' and at terminal end of path.		Prior to Final Plat Hearing
29	Sheet IR0.1, Irrigation Schedule, Hot Box to be lockable, insulated stainless steel with heat tape and electric source inside box		Prior to Final Plat Hearing
30	Sheet IR1.1, IR1.2, IR1.4, IR1.6 & IR1.9 POINT OF CONNECTION 1, 2, 3, 4, 5, 6, 7 and 8 calls out installation of '1" STOP AND WASTE VALVE', need to change to- gate valve and automatic drain valve per code 14.161		Prior to Final Plat Hearing

31	Sheet IR2.1, Detail #6 change Mainline depth to 24", Lateral line depth to 18" and poly line (drip) depth to 6" min.		Prior to Final Plat Hearing
32	Sheet IR2.1, Detail #10, 'Stop & Drain Valve' callout, change to gate valve and automatic drain valve per code 14.161 Also change 120 volt AC GFI protected duplex 3 prong outlet to be installed inside of backflow preventer enclosure		Prior to Final Plat Hearing
33	Sheet IR2.2, Detail #11, 'Hot Box HB1-T Fiberglass Enclosure' change to- Hot Box to be lockable, insulated stainless steel		Prior to Final Plat Hearing
34	Culvert outlet concerns: a. some of these have long rundowns with no splash pad or channel protection to prevent scour, please provide scour protection b. the potential for large pulses to overshoot the rundown and therefore have little dissipation before the water hits the channel (G2 for example).		Prior to Final Plat Hearing
35	Earthen Berms: The Applicant shall coordinate with the Parks and Open Space Division to field-verify and approve the strategic placement of boulders to deter unauthorized ATV access. All boulders must be securely seated into the subgrade, which may require minor localized grading. Upon completion of boulder placement, all disturbed areas of the berm shall be stabilized and seeded with an approved seed mix.		At Time of Construction
36	Ponds: Please avoid planting trees in the flow path of the outlets and inlets, trees should be planted on higher terrain and around the ponds for maintenance purposes and to avoid obstruction of storm flow. Grasses and wildflowers should be an acceptable alternative to planting irrigated vegetation		Prior to Final Plat Hearing

	<p>within the ponds as developer proposes in the alternative means of compliance (current requirement of 1 tree and 2 shrubs per 500 sq ft of required ponding area, seems to Parks staff like an unnatural density of new plant material and exceeds density current conditions of existing ponds). This design should relate to similar densities found at existing, established ponds. Seeding quantities as proposed seem reasonable</p>		
37	<p>Illegal Dumping: There is a lot of illegal dumping on this property, contractors are responsible for site cleanliness and maintenance and should be mindful of this existing issue. Once they mobilize to the site, they are responsible for what happens on the site.</p>		<p>Prior to Final Plat Hearing</p>
38	<p>The Applicant shall demonstrate compliance with each of the conditions of approval, technical corrections and notes as found in Attachment A2: "<i>City DRT Conditions of Approval, Technical Corrections, and Comments</i>" as amended</p>	<p>Various departments</p>	<p>Various</p>