

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

Case #2024-7898

Las Soleras Master Plan Tracts 21, 23, 24, and 26 General Plan Amendment

Owner's/Applicant's Name- Beckner Road Partnership, LLC

Agent's Name- Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024 (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a general plan amendment (“General Plan Amendment”) to change the Future Land Use Map designation for Las Soleras Master Plan Tracts 21 and 26, comprising approximately 8.18 acres and Tracts 23 and 24, comprising 13.45 acres from Commercial Office to Community Commercial (“Project”). The property is located at the southeast quadrant of the Las Soleras / Beckner Road roundabout (“Property”) and is zoned C-1 (General Office).

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

FINDINGS OF FACT

1. The Santa Fe City Code (“SFCC”) 1987 Section 14-3.2(E) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body to approve the General Plan Amendment.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-7898.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff (“Staff”) on September 28, 2023.
6. The Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. City staff reviewed the Application and related materials submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.

9. Staff recommended that the Commission recommend approval of the Las Soleras General Plan Amendment.
10. The Planning Commission heard Case #2024-7898 concurrently with Cases #2024-7899, 2024-7900, 2024-8852, 2024-8853, 2024-8854 and 2024-8855.
11. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras General Plan Amendment for Tracts 21, 23, 24 and 26.
12. Pursuant to SFCC 1987 Sections 14-2.3(C)(7)(a) and 14-3.2(D)(2), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the General Plan.
13. SFCC 1987 Section 14-3.2 establishes certain procedures for General Plan amendments, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based on the criteria set out in SFCC 1987 Section 14-3.2(D).
14. SFCC 1987 Section 14-3.2(E)(1) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval of an amendment to a master plan to the Governing Body.
15. The record before the Planning Commission includes a Staff report and corresponding exhibits, as well as testimony and evidence presented at the hearing.
16. The General Plan Amendment accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
17. The General Plan Amendment the proposal is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses such as those articulated in Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, and Policy 9-2-G-4.
18. The General Plan Amendment does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby.
The General Plan Amendment affects an area greater than two acres. Tracts 21 and 26 encompass 8.18 acres, and Tracts 23 and 24 encompass 13.45 acres (+/-21.63 total acres), both of which exceed the minimum size requirement for land use amendments.
19. General Plan Amendment does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
20. With the necessary infrastructure improvements as required by the conditions of approval, including road realignments and utility upgrades, the existing and proposed infrastructure will be able to accommodate the impacts of the development.
21. The General Plan Amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
22. The General Plan Amendment does not conflict with any existing City policies, ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
23. Pursuant to SFCC 1987 Section 14-3.2(E)(2), the Commission finds that the additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section 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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose an amendment to the General plan.
3. The Commission has the power and authority at law and under SFCC 1987 Subsections 14-2.3(C)(7)(a) and 14-3.2(D)(2)(a) to review the proposed amendment to the General Plan and to make recommendations regarding the proposed amendment to the General Plan to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The record before the Planning Commission includes a Staff report and corresponding exhibits, as well as testimony and evidence presented at the hearing. All applicable criteria in SFCC 1987 Section 14-3.2(E) "*Approval Criteria*" have been met.
6. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(a), the Commission finds that the General Plan Amendment is consistent with growth projections for Santa Fe, and that the project The General Plan Amendment accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
7. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(b), the General Plan Amendment is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses such as those articulated in Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, and Policy 9-2-G-4.
8. The General Plan Amendment complies with SFCC 1987 Section 14-3.2(E)(1)(c), because it:
 - a. does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby;
 - b. affects an area greater than two acres. Tracts 21 and 26 encompass 8.18 acres, and Tracts 23 and 24 encompass 13.45 acres (+/-21.63 total acres), both of which exceed the minimum size requirement for land use amendments; and
 - c. does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
9. Pursuant to SFCC 1987 Section 14-3.2(1)(d), the existing and proposed infrastructure will be able to accommodate the impacts of the development.
10. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(e), the Commission finds that this section is not applicable.
11. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(f), the General Plan Amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
12. The General Plan Amendment does not conflict with any existing City policies, ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
13. Pursuant to SFCC 1987 Section 14-3.2(E)(2), the Commission finds that the additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section of the General Plan.
14. The Commission recommends approval of the requested General Plan amendment because the

applicable code requirements and criteria for recommendation for the proposed amendment to the General Plan have been addressed.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

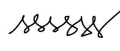
Considering the foregoing findings and conclusions, the Commission recommends approval of the General Plan Amendment Case #2024-7898 to the Governing Body, subject to conditions of approval and the technical corrections set forth in the Staff Report and the exhibits to the Staff Report.



Janet Clow
Chair

October 21, 2024
Date:

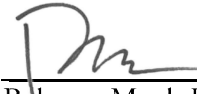
FILED:



Geraldyn F. Cardenas *XIV*
City Clerk

Oct 29, 2024
Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

10/21/2024
Date:

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

Case #2024-8852

Las Soleras Master Plan Tract 19 General Plan Amendment

Owner's/Applicant's Name- Beckner Road Partnership, LLC

Agent's Name- Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024 (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a general plan amendment (the "General Plan Amendment") to change the Future Land Use Map designation for Las Soleras Master Plan Tract 19, comprising approximately 9.11 acres from Transitional Mixed Use to Community Commercial ("Project"). The property is located southwest of the Walking Rain Road / Beckner Road roundabout ("Property") and is zoned MU (Mixed Use).

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

FINDINGS OF FACT

1. The Santa Fe City Code ("SFCC") 1987 Section 14-3.2(E) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body to approve the General Plan Amendment.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-8852.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff ("Staff") on September 28, 2023.
6. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. City staff reviewed the Application and related materials submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.

9. Staff recommended that the Commission recommend approval of the Las Soleras General Plan Amendment.
10. The Planning Commission heard Case #2024-8852 concurrently with Cases #2024-7898, 2024-7899, 2024-7900, 2024-8853, 2024-8854 and 2024-8855.
11. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras General Plan Amendment for Tract 19.
12. Pursuant to SFCC 1987 Sections 14-2.3(C)(7)(a) and 14-3.2(D)(2), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the General Plan.
13. SFCC 1987 Section 14-3.2 establishes certain procedures for general plan approval, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based on the criteria set out in SFCC 1987 Section 14-3.2(D).
14. SFCC 1987 Section 14-3.2(E)(1) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval of an amendment to a master plan to the Governing Body.
15. Based on the Staff Report and exhibits and the testimony and evidence presented at the hearing, the Planning Commission finds that all applicable criteria in SFCC 1987 Section 14-3.2(E) "*Approval Criteria*" have been met.
16. The General Plan Amendment is consistent with growth projections for Santa Fe, and the project accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
17. The General Plan Amendment is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses (Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, Policy 9-2-G-4.).
 - i. The General Plan Amendment does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby.
 - ii. The General Plan Amendment affects an area greater than two acres. Tract 19 encompasses 9.11 acres, and which exceeds the minimum size requirement for land use amendments.
 - iii. The General Plan Amendment does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
18. With the necessary infrastructure improvements as proposed, including road realignments and utility upgrades, the existing and proposed infrastructure will be able to accommodate the impacts of the development.
19. The General Plan Amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
20. The General Plan Amendment does not conflict with any existing City policies, or ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
21. The additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section 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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose an amendment to the General plan.
3. The Commission has the power and authority at law and under SFCC 1987 Subsections 14-2.3(C)(7)(a) and 14-3.2(D)(2)(a) to review the proposed amendment to the General Plan and to make recommendations regarding the proposed amendment to the General Plan to the Governing Body.
4. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(a), the Commission finds that the proposal is consistent with growth projections for Santa Fe, and that the project accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
5. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(b), the Commission finds that the proposal is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses.
6. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(c), the Commission finds that:
 - iv. The amendment does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby.
 - v. The amendment affects an area greater than two acres. Tract 19 encompass 9.11 acres, and which exceeds the minimum size requirement for land use amendments.
 - vi. The amendment does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
7. Pursuant to SFCC 1987 Section 14-3.2(1)(d), the Commission finds that with the necessary infrastructure improvements as proposed, including road realignments and utility upgrades, the existing and proposed infrastructure will be able to accommodate the impacts of the development.
8. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(e), the Commission finds that this section is not applicable.
9. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(f), the Commission finds that the proposed amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
10. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(g), the Commission finds that the proposed amendment does not conflict with any existing City policies, or ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
11. Pursuant to SFCC 1987 Section 14-3.2(E)(2), the Commission finds that the additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section of the General Plan
12. The Applicant met the applicable Submittal Requirements.
13. The Commission recommends approval of the requested General Plan amendment because the applicable code requirements and criteria for recommendation for the proposed amendment to the General Plan have been addressed.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING

COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the General Plan Amendment Case #2024-8852 to the Governing Body, subject to conditions of approval and the technical corrections set forth in the Staff Report and the exhibits to the Staff Report.

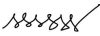


Janet Clow
Chair

October 24, 2024

Date:

FILED:



Geralyn F. Cardenas
City Clerk

XIV

Oct 29, 2024

Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

10/21/2024

Date:

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

Case #2024-8854

Las Soleras Master Plan Tract 20 General Plan Amendment

Owner's/Applicant's Name- Beckner Road Partnership, LLC

Agent's Name- Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024 (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a general plan amendment (“General Plan Amendment”) to change the Future Land Use Map designation for Las Soleras Master Plan Tract 20, comprising approximately 10.7 acres from Commercial Business Use to Community Commercial (“Project”). The property is located south of the Rail Runner Loop (“Property”) and is zoned BIP (Business Industrial Park).

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

FINDINGS OF FACT

1. The Santa Fe City Code (“SFCC”) 1987 Section 14-3.2(E) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body to approve the General Plan Amendment.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-8854.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff (“Staff”) on September 28, 2023.
6. The Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. City staff reviewed the Application and related materials submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.
9. Staff recommended that the Commission recommend approval of the Las Soleras General Plan

Amendment.

10. The Planning Commission heard Case #2024-8854 concurrently with Cases #2024-7898, 2024-7899, 2024-7900, 2024-8852, 2024-8853, and 2024-8855.
11. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras General Plan Amendment for Tract 20.
12. Pursuant to SFCC 1987 Sections 14-2.3(C)(7)(a) and 14-3.2(D)(2), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the General Plan.
13. SFCC 1987 Section 14-3.2 establishes certain procedures for General Plan amendments, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based on the criteria set out in SFCC 1987 Section 14-3.2(D).
14. SFCC 1987 Section 14-3.2(E)(1) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval of an amendment to a master plan to the Governing Body.
15. The record before the Planning Commission includes a Staff report and corresponding exhibits, as well as testimony and evidence presented at the hearing.
16. The General Plan Amendment accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
17. The General Plan Amendment is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses such as those articulated in Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, and Policy 9-2-G-4.
18. The General Plan Amendment does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby.
19. The General Plan Amendment affects an area greater than two acres. Tract 20 (+/-10.70 acres), exceeds the minimum size requirement for land use amendments.
20. General Plan Amendment does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
21. With the necessary infrastructure improvements as required by the conditions of approval, including road realignments and utility upgrades, the existing and proposed infrastructure will be able to accommodate the impacts of the development.
22. The General Plan Amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
23. The General Plan Amendment does not conflict with any existing City policies, ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
24. Pursuant to SFCC 1987 Section 14-3.2(E)(2), the Commission finds that the additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section 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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose an amendment to the General plan.
3. The Commission has the power and authority at law and under SFCC 1987 Subsections 14-2.3(C)(7)(a) and 14-3.2(D)(2)(a) to review the proposed amendment to the General Plan and to make recommendations regarding the proposed amendment to the General Plan to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The record before the Planning Commission includes a Staff report and corresponding exhibits, as well as testimony and evidence presented at the hearing. All applicable criteria in SFCC 1987 Section 14-3.2(E) "*Approval Criteria*" have been met.
6. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(a), the Commission finds that the General Plan Amendment is consistent with growth projections for Santa Fe, and that the project The General Plan Amendment accommodates increased commercial land use, which supports the expanding community. The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
7. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(b), the General Plan Amendment is consistent with other parts of the General Plan, aligning with several policies, including but not limited to, commercial and community-serving land uses such as those articulated in Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, and Policy 9-2-G-4.
8. The General Plan Amendment complies with SFCC 1987 Section 14-3.2(E)(1)(c), because it:
 - a. does not allow uses or changes that are significantly different from or inconsistent with the prevailing use and character of the surrounding area. The proposed Community Commercial designation aligns with existing and planned commercial developments nearby;
 - b. affects an area greater than two acres. Tract 20 encompass 10.70 which exceed the minimum size requirement for land use amendments; and
 - c. does not benefit one or a few landowners at the expense of surrounding landowners or the general public. The proposed change provides commercial services that benefit the community at large, promoting economic development and supporting community needs.
9. Pursuant to SFCC 1987 Section 14-3.2(1)(d), the existing and proposed infrastructure will be able to accommodate the impacts of the development.
10. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(e), the Commission finds that this section is not applicable.
11. Pursuant to SFCC 1987 Section 14-3.2(E)(1)(f), the General Plan Amendment contributes to a coordinated, adjusted, and harmonious development of Santa Fe, meeting the future needs of the community and promoting convenience, prosperity, and general welfare in the area.
12. The General Plan Amendment does not conflict with any existing City policies, ordinances, or regulations. The amendment is in line with the General Plan's goals to balance growth with community-serving commercial developments, supporting local economic and infrastructural development.
13. Pursuant to SFCC 1987 Section 14-3.2(E)(2), the Commission finds that the additional criteria specific to amendments to the Land Use Policies section of the General Plan are not applicable to this case because the proposal does not amend the land use policies section of the General Plan.
14. The Commission recommends approval of the requested General Plan amendment because the applicable code requirements and criteria for recommendation for the proposed amendment to the General Plan have been addressed.

**WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE
PLANNING COMMISSION OF THE CITY OF SANTA FE:**

Considering the foregoing findings and conclusions, the Commission recommends approval of the
General Plan Amendment Case #2024-8854 to the Governing Body.



Janet Clow
Chair


October 21, 2024
Date:

FILED:

Geraldyn F. Cardenas
City Clerk

Date:

APPROVED AS TO FORM:



Rebecca Mnuik-Herrmann
Assistant City Attorney

10/21/2024
Date:

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

Case #2024-7899

Las Soleras Master Plan Amendment Master Plan Amendment

Owner's/Applicant's Name- Beckner Road Partnership, LLC

Agent's Name- Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024 (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a master plan amendment ("Master Plan Amendment") to the Las Soleras Master Plan, changing the zoning from MU (Mixed Use), BIP (Business Industrial Park), and C-1 (General Office) to C-2 (General Commercial), and reducing the width of the 90-foot Utility, Access, and Trail Corridor (La Rambla Trail) to 45 feet, on a property located southeast of the Las Soleras / Beckner Rd roundabout, south of the Rail Runner Rd / Beckner Rd roundabout on the south side of Beckner Rd, encompassing Tracts 19-26 within the Las Soleras Master Plan. (Project).

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

FINDINGS OF FACT

1. The Santa Fe City Code ("SFCC") 1987, Section 14-3.9(C) sets out procedures for the creation of a Master Plan and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-7899.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
4. "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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff ("Staff") on September 28, 2023.
6. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.9(C) sets out procedures for master plan approval and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body,

- together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. Staff recommended that the Commission recommend approval of the Las Soleras Master Plan Amendment, subject to conditions and technical corrections identified in the Staff Report.
 9. The Planning Commission heard Case #2024-7899 concurrently with Cases #2024-7898, 2024-7900, 2024-8852, 2024-8853, 2024-8854 and 2024-8855.
 10. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras Master Plan Amendment.
 11. Pursuant to SFCC 1987 Sections 14-3.9(C)(4), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the General Plan.
 12. SFCC 1987 Section 14-3.9(D)(1) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval of an amendment to a master plan to the Governing Body.
 13. The Master Plan Amendment consistent with the City of Santa Fe growth projections and economic development goals.
 14. . The infrastructure, including wet and dry utility and roadway, can accommodate the proposed development.
 15. Pursuant to SFCC 1987 Section 14-3.9(D)(1)(b), the Commission finds that the proposal is consistent with other parts of the General Plan, aligning with several policies (Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, Policy 9-2-G-4.), maintaining a broad spectrum of uses within the C-2 District, supporting the potential for a coherent and strategically planned environment that accommodates both commercial and residential developments within the Master Plan. The amendment to C-2 zoning provides enhanced flexibility in site design, enabling optimal lot configurations and the strategic placement of various services, such as full-service dining and more. The Master Plan amendment will facilitate future development that is expected to trigger the completion of the Las Soleras Bridge and the expansion of the Las Soleras Trails System, further enhancing the area's coordinated development.
 16. The amendment aligns with the predominant zoning patterns in the area, which primarily are uses (multifamily and nonresidential) allowed within a C-2 District. The variety of C-2 uses, ranging from residential to light industrial, adheres to the Las Soleras Master Plan's original intent to foster a mix of uses, despite the proposed elimination of both Mixed Use and Business Industrial Park Districts, while also responding to current market demands. The master plan continues to maintain a broad spectrum of uses within the C-2 District, supporting the potential for a coherent and strategically planned environment that accommodates both commercial and residential developments within the Master Plan.
 17. This Master Plan amendment will significantly enhance the site's ability to deliver an efficient, thoughtful development via a uniform C-2 Zoning District as it will offer flexibility in establishing meaningful lot configurations and the location of various services (including full-service dining) within the site. These services will benefit not only the users of Tracts 19-26 but also the surrounding neighborhood as it continues to grow. This will also attract interested businesses and companies in search of a new office. Finally, this development will trigger the completion of the Las Soleras Bridge and the expansion of the Las Soleras Trails System.
 18. The net impact of the Master Plan Amendment on the utility system infrastructure is minimal and the existing infrastructure, water, wastewater, and parks are adequate to accommodate the Master Plan Amendment. Inadequacies in roads and fire service capacity can be adequately addressed as conditions of approval during the development of this project such that health and safety goals are met.

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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose an amendment to the Master plan Amendment.
3. Pursuant to SFCC 1987, 14-3.9(C)(4) the Planning Commission has the authority to review and recommend approve of a Master Plan to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. Pursuant to SFCC 1987 Section 14-3.9(D)(1)(a), the Commission finds that the proposal is consistent with growth projections for Santa Fe, and that the project accommodates increased commercial land use, which supports the expanding community.
6. Pursuant to SFCC 1987 Section 14-3.9(D)(1)(b), the Commission finds that the proposal is consistent with other parts of the General Plan, aligning with several policies (Policy 3-G-2, Policy 4-1-G-2, Policy 4-4-G-4, Policy 4-4-G-6, Policy 9-2-G-1, Policy 9-2-G-2, Policy 9-2-G-3, Policy 9-2-G-4.).
7. Pursuant to 14-3.9(D)(1)(b), the Master Plan Amendment is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts.
8. Pursuant to 14-3.9(D)(1)(c)), the Master Plan Amendment will contribute to the coordinated and efficient development of the community.
9. Pursuant to SFCC 1987 Section 14-3.9(D)(1)(d), the necessary infrastructure improvements as proposed, including road realignments and utility upgrades, the existing and proposed infrastructure will be able to accommodate the impacts of the development.
10. The Commission recommends approval of the requested General Plan amendment because the applicable code requirements and criteria for recommendation for the proposed amendment to the General Plan have been addressed.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

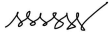
Considering the foregoing findings and conclusions, the Planning Commission approves the Master Plan, subject to conditions of approval and the technical corrections set forth in the Staff Report and the exhibits to the Staff Report for Case #2024-7899.



Janet Clow
Chair

October 21, 2024
Date:

FILED:



Geralyn F. Cardenas
City Clerk

XIV

Oct 29, 2024

Date:

APPROVED AS TO FORM:



Rebecca Mruk-Herrmann
Assistant City Attorney

10/21/2024

Date:

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

Case #2024-7900

Las Soleras Master Plan Tracts 21, 23, 24, and 26 Rezoning

Owner's/Applicant's Name - Beckner Road Partnership, LLC

Agent's Name - Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024 (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a rezoning ("Rezoning") to change the official Zoning Map designation for Las Soleras Master Plan Tracts 21 and 26, comprising approximately 8.18 acres and Tracts 23 and 24, comprising 13.45 acres from General Office (C-1) to General Commercial (C-2) ("Project"). The property is located at the southeast quadrant of the Las Soleras / Beckner Road roundabout ("Property") and is zoned C-1.

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

FINDINGS OF FACT

1. The Santa Fe City Code ("SFCC") 1987 Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body approve the rezoning request.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-7900.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff ("Staff") on September 28, 2023.
6. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. Pursuant to SFCC 1987 Section 14-3.5(A)(1)(d), any person may submit a written request for rezoning, along with all submissions required by the SFCC 1987 Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with Chapter 14 (Submittal Requirements).

9. Staff reviewed the Application and related materials submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.
10. Staff recommended that the Commission recommend approval of the Las Soleras rezoning from C-1 to C-2.
11. The Planning Commission heard Case #2024-7900 concurrently with Cases #2024-7899, 2024-7898, 2024-8852, 2024-8853, 2024-8854 and 2024-8855.
12. Pursuant to SFCC 1987 TABLE 14-2.1-1: Review and Decision-Making Bodies and Responsibilities and Section 14-3.5(B)(1), and 14-3.5(C), the Planning Commission has the authority to review and recommend the Governing Body approve the rezoning request.
13. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
14. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras Tracts 21, 23, 24, and 26 Rezoning from C-1 to C-2.
15. SFCC 1987 Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
16. SFCC 1987 Section 14-3.5(C) sets out the approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
17. There has been a significant change in the character of the Las Soleras neighborhood since 2010, which may justify the proposed zoning changes. The Applicant's response acknowledges all the Tracts in the context of the infrastructure project, but it primarily focuses on Tracts 19 and 20 in terms of zoning inconsistencies. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from C-1 (General Office Use) to C-2 (General Commercial) for Tracts 21, 23, 24, and 26.
18. This rezoning supports a variety of uses, enhances pedestrian environments, and promotes economic self-sufficiency by balancing residential and employment opportunities. The rezoning is designed to meet increasing local service demands due to residential growth since 2009, supporting sectors like healthcare and retail that provide higher-wage jobs and meet community needs. Furthermore, the development aligns with the Las Soleras Master Plan, ensuring consistency in community design and infrastructure. Notable infrastructure improvements like the Las Soleras Bridge and trail expansions are also planned, enhancing community access and supporting the overall benefits of this rezoning proposal.
19. The Rezoning is consistent with the City of Santa Fe growth projections and economic development goals. Specifically, the following policy goals are achieved:
 - (a) Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
 - (b) Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes.
 - (c) Policy 4-4-G-4: Promote a balance between residential development and new employment opportunities in detailed plans prepared for future growth areas; and
 - (d) Policy 4-4-G-6: Promote a balance between residential and employment-based development in order to achieve self-sufficiency within larger projects.
 - (e) Policy 9-2-G-1: Promote diversification of the Santa Fe economy; and
 - (f) Policy 9-2-G-2: Promote increased job opportunities with higher wages for Santa Fe residents; and
 - (g) Policy 9-2-G-3: Support retail uses that serve the needs of Santa Fe residents and workers;
20. Policy 9-2-G-4: Develop and maintain an attractive climate for conducting business in Santa Fe;

and

21. Policy 9-2-G-5: Promote small business.
22. The Rezoning request affects an area of more than two acres. The Rezoning impacts Tracts 21 and 26 (8.18 acres) and Tracts 23 and 24 (13.45 acres).
23. The existing infrastructure is adequate for the proposed development, and necessary precautions and requirements for future development to ensure that the infrastructure can adequately handle the proposed development will be addressed as conditions of approval.
24. The prevailing use and character of the surrounding area are generally commercial and mixed-use, consistent with the rezoning to C-2 (General Commercial).
25. The land proposed for rezoning is greater than two acres, with the total affected area comprising approximately 21.63 acres across Tracts 21, 23, 24, and 26.
26. The rezoning is consistent with adjacent land use patterns and the General Plan Policy, promoting balanced commercial development supported by Policies 3-G-2, 4-1-G-2, 4-4-G-4, 4-4-G-6, 9-2-G-1, 9-2-G-2, 9-2-G-3, and 9-2-G-4. The rezoning is not at the expense of surrounding landowners but benefits the community by increasing commercial services

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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose a request for rezoning.
3. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(a)(i)-(iii), the Planning Commission finds:
 - i. There is no mistake in the original zoning.
 - ii. There is not a conflict between the General Plan's Future Land Use Map and the existing zoning for Tracts 21, 23, 24, and 26. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from C-1 (General Office Use) to C-2 (General Commercial) for Tracts 21, 23, 24, and 26.
 - iii. The rezoning reflects the City's long-term land use and growth patterns as provided for in the General Plan, promoting efficient land and infrastructure use.
27. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(b), the Planning Commission finds that the Applicant's submittal is a complete application as required by SFCC 1987 Chapter 14, and the rezoning request meets all applicable rezoning approval criteria.
28. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(c), the Rezoning is consistent with the Future Land Use Map and City policy as articulated in the General Plan, supporting community and economic growth.
29. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(d), the Rezoning request affects an area of more than two acres. The rezoning impacts Tracts 21 and 26 (8.18 acres) and Tracts 23 and 24 (13.45 acres), which meets the minimum requirement.
30. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(e), the existing and proposed infrastructure, including roads, utilities, and public services, will be able to accommodate the impacts of the proposed rezoning and support future development.
31. Pursuant to SFCC 1987 Section 14-3.5(C)(2), the Rezoning:
 - (a) *does not* allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area prevailing use and character of the surrounding area;
 - (b) *does not* affect an area of less than two acres; and
 - (c) *does not* benefit one or a few landowners at the expense of the surrounding landowners or

general public.

4. The Planning Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to recommend approval of the proposed rezoning to the Governing Body.
5. The Applicant met the applicable Submittal Requirements.
6. The Planning Commission recommends that the Governing Body Approve the requested rezoning because the application met all applicable code criteria for recommendation of approval of the proposed rezoning.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

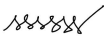
Considering the foregoing findings and conclusions, the Planning Commission recommends the Governing Body approve the rezoning as requested from C-1 to C-2, as requested in the Application for Case #2024-7900.



Janet Clow
Chair

October 21, 2024
Date:


FILED:



Geralyn F. Cardenas
City Clerk *XIV*

Oct 29, 2024
Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

10/21/2024
Date:

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

Case #2024-8853

Las Soleras Master Plan Tract 19 Rezoning

Owner's/Applicant's Name - Beckner Road Partnership, LLC

Agent's Name - Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024, (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a rezoning ("Rezoning") to change the official Zoning Map designation for Las Soleras Master Plan Tract 19, comprising approximately 9.11 acres from Mixed Use (MU) to General Commercial (C-2) ("Project"). The property is located southwest of the Walking Rain Road / Beckner Road roundabout ("Property") and is zoned MU.

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

FINDINGS OF FACT

1. The Santa Fe City Code ("SFCC") 1987 Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body approve the rezoning request.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-8853.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff ("Staff") on September 28, 2023.
6. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. Pursuant to SFCC 1987 Section 14-3.5(A)(1)(d), any person may submit a written request for rezoning, along with all submissions required by the SFCC 1987 Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with Chapter 14 (Submittal Requirements).
9. Staff reviewed the Application and related materials submitted by the Applicant for conformity

- with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.
10. Staff recommended that the Commission recommend approval of the Las Soleras rezoning from MU to C-2.
 11. The Planning Commission heard Case #2024-8853 concurrently with Cases #2024-7900, 2024-7898 2024-7899, 2024-7900, 2024-8852, 2024-8855, 2024-8854, and 2024-8855.
 12. Pursuant to SFCC 1987 TABLE 14-2.1-1: Review and Decision-Making Bodies and Responsibilities and Section 14-3.5(B)(1), and 14-3.5(C), the Planning Commission has the authority to review and recommend the Governing Body approve the rezoning request.
 13. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
 14. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras Tract 19 Rezoning from MU to C-2.
 15. SFCC 1987 Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
 16. SFCC 1987 Section 14-3.5(C) sets out the approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
 17. There has been a significant change in the character of the Las Soleras neighborhood since 2010, which may justify the proposed zoning changes. The Applicant's response acknowledges all the Tracts in the context of the infrastructure project, but it primarily focuses on Tracts 19 and 20 in terms of zoning inconsistencies. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from MU (Mixed Use) to C-2 (General Commercial) for Tract 19.
 18. This rezoning supports a variety of uses, enhances pedestrian environments, and promotes economic self-sufficiency by balancing residential and employment opportunities. The rezoning is designed to meet increasing local service demands due to residential growth since 2009, supporting sectors like healthcare and retail that provide higher-wage jobs and meet community needs. Furthermore, the development aligns with the Las Soleras Master Plan, ensuring consistency in community design and infrastructure. Notable infrastructure improvements like the Las Soleras Bridge and trail expansions are also planned, enhancing community access and supporting the overall benefits of this rezoning proposal.
 19. The Rezoning is consistent with the City of Santa Fe growth projections and economic development goals. Specifically, the following policy goals are achieved:
 - (a) Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
 - (b) Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes.
 - (c) Policy 4-4-G-4: Promote a balance between residential development and new employment opportunities in detailed plans prepared for future growth areas; and
 - (d) Policy 4-4-G-6: Promote a balance between residential and employment-based development in order to achieve self-sufficiency within larger projects.
 - (e) Policy 9-2-G-1: Promote diversification of the Santa Fe economy; and
 - (f) Policy 9-2-G-2: Promote increased job opportunities with higher wages for Santa Fe residents; and
 - (g) Policy 9-2-G-3: Support retail uses that serve the needs of Santa Fe residents and workers;
 20. Policy 9-2-G-4: Develop and maintain an attractive climate for conducting business in Santa Fe; and

21. Policy 9-2-G-5: Promote small business.
22. The Rezoning request affects an area of more than two acres. The Rezoning impacts Tract 19 (9.11 acres).
23. The existing infrastructure is adequate for the proposed development, and necessary precautions and requirements for future development to ensure that the infrastructure can adequately handle the proposed development will be addressed as conditions of approval.
24. The prevailing use and character of the surrounding area are generally commercial and mixed-use, consistent with the rezoning to C-2 (General Commercial).
25. The land proposed for rezoning is greater than two acres, with the total affected area comprising approximately 9.11 acres for Tract 19.
26. The rezoning is consistent with adjacent land use patterns and the General Plan Policy, promoting balanced commercial development supported by Policies 3-G-2, 4-1-G-2, 4-4-G-4, 4-4-G-6, 9-2-G-1, 9-2-G-2, 9-2-G-3, and 9-2-G-4. The rezoning is not at the expense of surrounding landowners but benefits the community by increasing commercial services

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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose a request for rezoning.
3. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(a)(i)-(iii), the Planning Commission finds:
 - i. There is no mistake in the original zoning.
 - ii. There is not a conflict between the General Plan's Future Land Use Map and the existing zoning for Tract 19. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from MU (Mixed Use) to C-2 (General Commercial) for Tract 19.
 - iii. The rezoning reflects the City's long-term land use and growth patterns as provided for in the General Plan, promoting efficient land and infrastructure use.
27. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(b), the Planning Commission finds that the Applicant's submittal is a complete application as required by SFCC 1987 Chapter 14, and the rezoning request meets all applicable rezoning approval criteria.
28. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(c), the Rezoning is consistent with the Future Land Use Map and City policy as articulated in the General Plan, supporting community and economic growth.
29. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(d), the Rezoning request affects an area of more than two acres. The rezoning impacts Tract 19 (9.11 acres) meets the minimum requirement.
30. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(e), the existing and proposed infrastructure, including roads, utilities, and public services, will be able to accommodate the impacts of the proposed rezoning and support future development.
31. Pursuant to SFCC 1987 Section 14-3.5(C)(2), the Rezoning:
 - (a) *does not* allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area prevailing use and character of the surrounding area;
 - (b) *does not* affect an area of less than two acres; and
 - (c) *does not* benefit one or a few landowners at the expense of the surrounding landowners or general public.

4. The Planning Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to recommend approval of the proposed rezoning to the Governing Body.
5. The Applicant met the applicable Submittal Requirements.
6. The Planning Commission recommends that the Governing Body Approve the requested rezoning because the application met all applicable code criteria for recommendation of approval of the proposed rezoning.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:


Considering the foregoing findings and conclusions, the Planning Commission recommends the Governing Body approve the rezoning as requested from MU to C-2, as requested in the Application for Case #2024-8853.



Janet Clow
Chair

October 21, 2024
Date:


FILED:



Geralyn F. Cardenas
City Clerk *XIV*

Oct 29, 2024
Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

10/21/2024
Date:

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

Case #2024-8855

Las Soleras Master Plan Tract 20 Rezoning

Owner's/Applicant's Name - Beckner Road Partnership, LLC

Agent's Name - Orion West, LLC

THIS MATTER came before the Planning Commission (Commission) for public hearing on September 5, 2024, (Hearing) upon the application (Application) of Orion-West LLC as agent for Beckner Road Partnership, LLC (Applicant).

The Applicant requested a rezoning ("Rezoning") to change the official Zoning Map designation for Las Soleras Master Plan Tract 20, comprising approximately 10.70 acres from Business Industrial Park (BIP) to General Commercial (C-2) ("Project"). The property is located southwest of the Walking Rain Road / Beckner Road roundabout ("Property") and is zoned BIP.

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

FINDINGS OF FACT

1. The Santa Fe City Code ("SFCC") 1987 Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending the Governing Body approve the rezoning request.
2. On September 5, 2024, the Planning Commission recommended the Governing Body approve Case #2024-8855.
3. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public
4. 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)].
5. The Applicant attended a preapplication conference with City Land Use Department Staff ("Staff") on September 28, 2023.
6. Pursuant to SFCC 1987 Section 14-3.1(F), the Applicant conducted an ENN meeting on November 14, 2023, virtually via Zoom. The ENN meeting was attended by a representative of the Applicant, Staff, and one (1) member of the public.
7. SFCC 1987, Section 14-3.2(D) sets out procedures for amendments to the General Plan and requires the Planning Commission to hold a public hearing, review the Application, make a recommendation to the Governing Body, and shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval.
8. Pursuant to SFCC 1987 Section 14-3.5(A)(1)(d), any person may submit a written request for rezoning, along with all submissions required by the SFCC 1987 Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with Chapter 14 (Submittal Requirements).
9. Staff reviewed the Application and related materials submitted by the Applicant for conformity

- with applicable SFCC requirements and provided the Commission with a written report of its findings, which evaluated the factors relevant to the Application.
10. Staff recommended that the Commission recommend approval of the Las Soleras rezoning from BIP to C-2.
 11. The Planning Commission heard Case #2024-8855 concurrently with Cases #2024-7898, 2024-7899, 2024-7900, 2024-8852, 2024-8853, and 2024-8854.
 12. Pursuant to SFCC 1987 TABLE 14-2.1-1: Review and Decision-Making Bodies and Responsibilities and Section 14-3.5(B)(1), and 14-3.5(C), the Planning Commission has the authority to review and recommend the Governing Body approve the rezoning request.
 13. At the hearing on September 5, 2024, the Planning Commission received reports from staff, testimony, and evidence from the Applicant, and testimony offered by any interested members of the public.
 14. On September 5, 2024, the Planning Commission voted to recommend that the Governing Body approve the Las Soleras Tract 20 Rezoning from BIP to C-2.
 15. SFCC 1987 Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
 16. SFCC 1987 Section 14-3.5(C) sets out the approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
 17. There has been a significant change in the character of the Las Soleras neighborhood since 2010, which may justify the proposed zoning changes. The Applicant's response acknowledges all the Tracts in the context of the infrastructure project, but it primarily focuses on Tracts 19 and 20 in terms of zoning inconsistencies. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from BIP (Business Industrial Park) to C-2 (General Commercial) for Tract 20.
 18. This rezoning supports a variety of uses, enhances pedestrian environments, and promotes economic self-sufficiency by balancing residential and employment opportunities. The rezoning is designed to meet increasing local service demands due to residential growth since 2009, supporting sectors like healthcare and retail that provide higher-wage jobs and meet community needs. Furthermore, the development aligns with the Las Soleras Master Plan, ensuring consistency in community design and infrastructure. Notable infrastructure improvements like the Las Soleras Bridge and trail expansions are also planned, enhancing community access and supporting the overall benefits of this rezoning proposal.
 19. The Rezoning is consistent with the City of Santa Fe growth projections and economic development goals. Specifically, the following policy goals are achieved:
 - (a) Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
 - (b) Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes.
 - (c) Policy 4-4-G-4: Promote a balance between residential development and new employment opportunities in detailed plans prepared for future growth areas; and
 - (d) Policy 4-4-G-6: Promote a balance between residential and employment-based development in order to achieve self-sufficiency within larger projects.
 - (e) Policy 9-2-G-1: Promote diversification of the Santa Fe economy; and
 - (f) Policy 9-2-G-2: Promote increased job opportunities with higher wages for Santa Fe residents; and
 - (g) Policy 9-2-G-3: Support retail uses that serve the needs of Santa Fe residents and workers;
 20. Policy 9-2-G-4: Develop and maintain an attractive climate for conducting business in Santa Fe; and

21. Policy 9-2-G-5: Promote small business.
22. The Rezoning request affects an area of more than two acres. The Rezoning impacts Tract 20 (10.70 acres).
23. The existing infrastructure is adequate for the proposed development, and necessary precautions and requirements for future development to ensure that the infrastructure can adequately handle the proposed development will be addressed as conditions of approval.
24. The prevailing use and character of the surrounding area are generally commercial and mixed-use, consistent with the rezoning to C-2 (General Commercial).
25. The land proposed for rezoning is greater than two acres, with the total affected area comprising approximately 10.70 acres for Tract 20.
26. The rezoning is consistent with adjacent land use patterns and the General Plan Policy, promoting balanced commercial development supported by Policies 3-G-2, 4-1-G-2, 4-4-G-4, 4-4-G-6, 9-2-G-1, 9-2-G-2, 9-2-G-3, and 9-2-G-4. The rezoning is not at the expense of surrounding landowners but benefits the community by increasing commercial services

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 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose a request for rezoning.
3. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(a)(i)-(iii), the Planning Commission finds:
 - i. There is no mistake in the original zoning.
 - ii. There is not a conflict between the General Plan's Future Land Use Map and the existing zoning for Tract 20. The proposed rezoning is consistent with the General Plan's Future Land Use Map, which supports the shift from BIP (Business Industrial Park) to C-2 (General Commercial) for Tract 20.
 - iii. The rezoning reflects the City's long-term land use and growth patterns as provided for in the General Plan, promoting efficient land and infrastructure use.
27. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(b), the Planning Commission finds that the Applicant's submittal is a complete application as required by SFCC 1987 Chapter 14, and the rezoning request meets all applicable rezoning approval criteria.
28. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(c), the Rezoning is consistent with the Future Land Use Map and City policy as articulated in the General Plan, supporting community and economic growth.
29. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(d), the Rezoning request affects an area of more than two acres. The rezoning impacts Tract 19 (9.11 acres) meets the minimum requirement.
30. Pursuant to SFCC 1987 Section 14-3.5(C)(1)(e), the existing and proposed infrastructure, including roads, utilities, and public services, will be able to accommodate the impacts of the proposed rezoning and support future development.
31. Pursuant to SFCC 1987 Section 14-3.5(C)(2), the Rezoning:
 - (a) *does not* allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area prevailing use and character of the surrounding area;
 - (b) *does not* affect an area of less than two acres; and
 - (c) *does not* benefit one or a few landowners at the expense of the surrounding landowners or general public.

4. The Planning Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to recommend approval of the proposed rezoning to the Governing Body.
5. The Applicant met the applicable Submittal Requirements.
6. The Planning Commission recommends that the Governing Body Approve the requested rezoning because the application met all applicable code criteria for recommendation of approval of the proposed rezoning.

WHEREFORE, IT IS ORDERED ON THE 3rd DAY OF OCTOBER 2024, BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

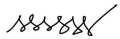
Considering the foregoing findings and conclusions, the Planning Commission recommends the Governing Body approve the rezoning as requested from BIP to C-2, as requested in the Application for Case #2024-8855.



Janet Clow
Chair

October 21, 2024
Date:

FILED:




Geralyn F. Cardenas
City Clerk

XIV

Oct 29, 2024
Date:

APPROVED AS TO FORM:



Rebecca Mnuk-Herrmann
Assistant City Attorney

10/21/2024
Date: