



Planning and Land Use Department Planning Commission Staff Report

Case No:	2025-10276	
Hearing Date:	June 5, 2025	
Applicant:	RKSS Santa Fe 1, LLC	
Agent:	JenkinsGavin, Inc	
Request:	Rezoning	
Location:	3439 Cerrillos Rd	
Case Mgr.:	Claudia Kath	
Zoning:	R-3	
Overlay:	Suburban Archaeological Review District Review District	
Future Land Use:	Transitional Mixed-Use and Community Commercial	
Pre-app. Mtg.:	July 27 th , 2023	
ENN Mtg.:	March 11 th , 2025	
Proposal:	Rezoning R-3 (Residential – Three (3) dwelling units per acre) to C- 2(General Commercial) for +/-1.49 acres.	

Case #2025-10276. 3439 Cerrillos Rd Rezoning. JenkinsGavin, Agent, for RKSS Santa Fe 1, LLC, Applicant, requests approval for the rezoning of a 1.49- acre lot from R-3 (Residential three dwelling units per acer) to C-2 (General Commercial). The property is located within the Suburban Archaeological Review District and currently zoned R-3. (Claudia Kath, Case Manager, cmkath@santafenm.gov).

I. RECOMMENDATION

The Planning Commission should recommend that the Governing Body **APPROVE** Case #2025-10276 “3439 Cerrillos Rd Rezoning” from R-3 to C-2 as outlined in this report. No conditions are recommended with this rezoning request.

One motion will be required for this case:

- a. Recommend the Governing Body approve or deny Case #2025-10276 3439 Cerrillos Rd Rezoning.

Pending a decision by the Planning Commission for this project, the Findings of Fact and Conclusions of Law will be presented at the next Planning Commission meeting for approval.

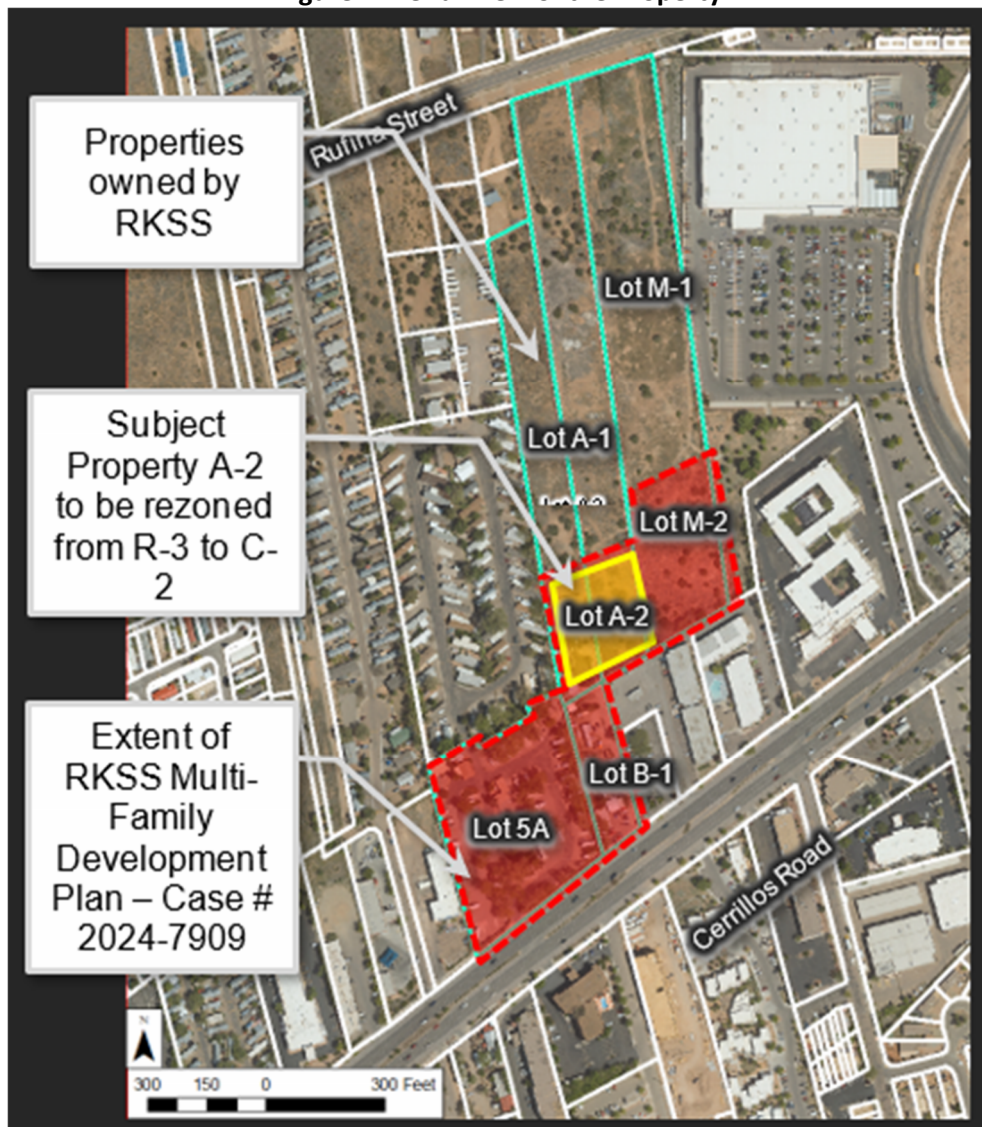
II. EXECUTIVE SUMMARY

JenkinsGavin (“Agent”), representing RKSS Santa Fe 1, LLC (“Applicant”), requests approval for a rezoning of a +/-1.49 acre property located at 3439 Cerrillos Rd (“Property”) from R-3 (Low Density Residential - Three [3] dwellings per acre) to C-2 (General Commercial) (see Figure 1: “Aerial View of the Property”).

On January 16, 2025, the Applicant came before the Planning Commission requesting approval of a development plan spanning four (4) lots, including the Property (Lot A-2). The Planning Commission postponed their decision on the application due to concerns about the mix of zone districts (R-3 and C-2) and the mix of uses proposed within the development plan not being consistent with the existing zone districts. The initial proposal included an access road, parking and an open space/dog park on Lot A-2, which is zoned R-3, and was planned to serve the residential uses proposed on the other three (3) lots, which are all zoned C-2.

Following the postponement, the Applicant amended the proposal and removed the parking lot and dog park uses from Lot A-2. The only remaining proposed development on Lot A-2 was a “lot access driveway” at the southern end of the subject property, connecting the other lots within the development plan. On February 6, 2025, the Applicant returned to the Planning Commission and received approval of the amended proposal (Case# 2024-7909).

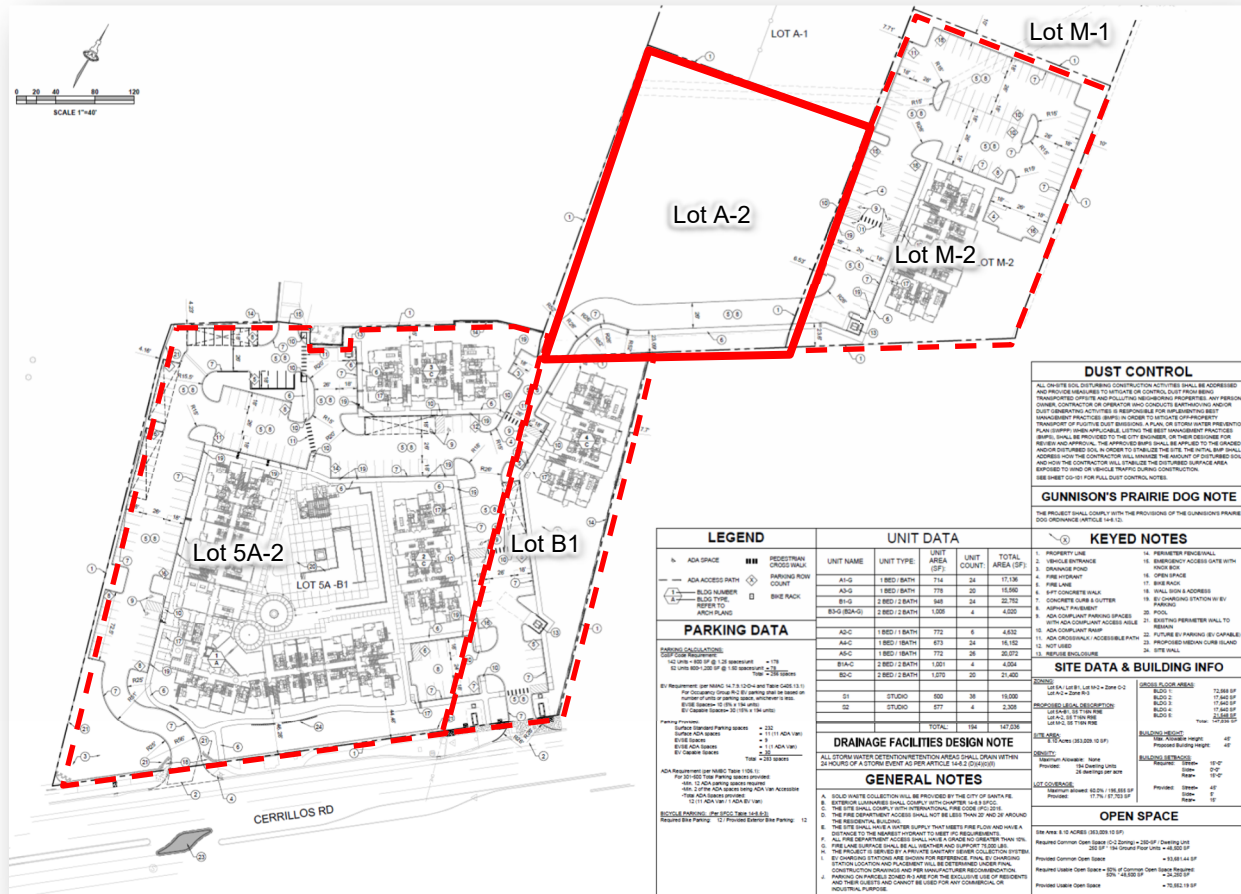
Figure 1: Aerial View of the Property



The subject Property is a legal lot of record, as documented in the records of the Santa Fe County Clerk. It is identified as Lot A-2 on the RKSS Multi-Family Development Plan (Case #2024-7909), which was approved by the Planning Commission on February 6, 2025 (see Figure 2 “Approved Development Plan”).

In their review of the RKSS Multi-Family Development Plan, the Design Review Team (DRT) did not anticipate any issues with the availability or provision of infrastructure, nor did they provide any additional comments in their review of this rezoning request. As such, the DRT comments from the Development Plan (Case #2024-7909) are included for reference in Attachment A.

Figure 2: Approved Development Plan & Open Space Plan



The Applicant owns approximately nineteen (19) acres of land located between Rufina Street and Cerrillos Road (north and south), and Richards Avenue and Camino de Manuel (east and west). Through various lot consolidations, adjustments, and splits, nearly half of this acreage will be utilized for the RKSS Multi-Family Development Plan (see Table 1: “Lots & Acreage Owned by the Applicant”). The Applicant will be extending future construction to other lots as part of a phase 2 development.

Table 1: Lots & Acreage Owned by the Applicant

Address	Lot #	Lot Consolidation	Lot Line Adjustment	Lot Split	Acreage	Date Recorded
3431 Cerrillos Rd	B1	✓			.98	2/10/2021
3471 Cerrillos Rd	5A	✓	✓		+/-3.93 ac	-
3450 Cerrillos Rd	A1				+/-6.13 ac	-
3439 Cerrillos Rd	A2	✓	✓		+/-1.49 ac	-
3420 Rufina St	M1				+/-5.52 ac	-
3420 Rufina St	M2			✓	+/-1.61 ac	-
Total Acreage Included in RKSS Development Plan					+/- 8.01 ac	
Total Acreage of Land owned by RKSS					+/- 19.66 ac	

The Applicant has complied with Subsection 14-3.1(E) “Pre-Application Conferences,” 14-3.1(F) “Early Neighborhood Notification Procedures,” and 14-3.1(H) “Notice Requirements.”

Staff’s analysis finds that the Project satisfies Subsection 14-3.5(C) “Approval Criteria” for rezoning.

III. PROJECT ANALYSIS

A. Property Information

As outlined in the City of Santa Fe Land Development Code, all rezoning requests must demonstrate consistency with the General Plan’s Future Land Use Map (FLUM). The subject Property is identified on the FLUM (see Figure 3: “Future Land Use Map”) primarily as Transitional Mixed Use (TMU), with a small portion along the southern boundary designated as Community Commercial (CCOM).

Figure 4: Existing and Proposed Zoning



B. Adjacent Properties

The Property is adjacent to commercially zoned properties along Cerrillos Road to the south. There is a vacant lot to the east and the Trailer Ranch property to the west, both of which are zoned C-2. To the north, there are two linear lots currently zoned R-3. The properties adjacent to the subject Property are described in (Table 2: “Adjacent Uses and Zoning”) below.

Table 2: Adjacent Uses and Zoning

Direction	Property Address	Zoning
North	3439 Cerrillos Road	R-3 (Low Density Residential) owned by RKSS
East	3420 Rufina Street	C-2 (General Commercial) owned by RKSS
South	3431 Cerrillos Road	C-2 (General Commercial)
West	3471 Cerrillos Road	C-2 (General Commercial) (Trailer Ranch)

C. Overlay District

The Property is located within the Suburban Archeological Review Overlay District, which the Santa Fe City Code (“SFCC” or “Code”) SFCC 1987, § 14-5.3(C)(c) describes as follows::

*(c) Suburban Archaeological Review District
Land within the suburban archaeological review district has a moderate potential of containing significant cultural remains and is not a part of the historic downtown or river and trails archaeological review districts.*

However, archeological review is not required for this rezoning because the Property is less than ten (10) acres in size. See SFCC 1987, § 14-3.13(B)(3).

D. Utilities

a. Water

As shown on Figure 5: “Existing Utility Diagram”, there is an existing water main in Rufina Street which is approximately 800 feet to the north from the subject Property. There is also an existing water main in Cerrillos Road which is approximately 500 feet to the south. A connection to either of these water sources would be through property owned by the Applicant and would not require a special easement. The City’s Water Division has provided DRT Comments for the RKSS Multi-Family Development Plan, previously approved by the Planning Commission on February 6, 2025, which are included for reference in Attachment A.

b. Sewer

Existing wastewater lines are located on Rufina Street and Cerrillos Road. The DRT has indicated the Applicant will need to provide private 8” sewer lines and manhole locations on a utility plan for review and approval. Further comments are included in Attachment A.

c. Fire

As shown on Figure 5: “Existing Utility Diagram”, there are multiple existing fire hydrants near the subject Property. The closest hydrant is approximately 500 feet from the Property. As part of the DRT review process the Fire Marshall has indicated the comments for the RKSS Multi-Family Development plan also apply to the subject Property rezoning request. These comments can be found in Attachment A.

Figure 5: Existing Utilities Diagram



d. Terrain Management

The site slopes gently from the northeast to the southwest of the Property and there are no arroyos on the site. The Terrain Management review has indicated that DRT comments for the RKSS Multi-Family Development Plan apply to the subject Property rezoning request. These can be found in Attachment A.

IV. ZONING APPROVAL CRITERIA

Code Sections 14-3.5(A) and (C) sets forth approval criteria for rezoning as follows:

(1) The Planning Commission and the Governing Body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

<p>Criterion 1 (SFCC 1987, § 14-3.5(C)(1)(a)) requires that one or more of the following conditions exist:</p> <ul style="list-style-type: none"> (i) there was a mistake in the original zoning; (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans; 	<p>Criterion Met: (Yes/No) YES</p>
<p>Applicant’s Response:</p> <ul style="list-style-type: none"> <i>(i) N/A</i> <i>(ii) The subject parcel is a remnant of the traditional land pattern along the Agua Fria and Rufina corridors comprising long, narrow tracts historically used for agricultural purposes. The intensity of land uses in the area has increased significantly over time and, accordingly, this parcel relates much more to the Cerrillos Road corridor than Rufina St. The change in the surrounding area is further evidenced by the subject property’s designations of Community Commercial and Transitional Mixed-Use on the City’s Future Land Use Map. The subject parcel is bordered by C-2 zoning to the west, south, and east.</i> <i>(iii) With this rezone, the subject parcel will support a 194-unit multifamily community, as opposed to the development of just four dwelling units permissible under the current R-3 zoning. This is more advantageous to the community through the provision of much needed housing in the urban area with access to public transit, services, and employment.</i> 	
<p>Staff Response:</p> <ul style="list-style-type: none"> (i) Staff agrees with the Applicant and finds that there was no mistake in the original zoning. (ii) The neighborhood exhibits a diverse land use pattern, comprising single-family homes, multifamily residential developments, vacant parcels, and commercial structures accompanied by surface parking facilities. Historically agricultural in character, the area has undergone a gradual transformation toward increased commercial activity. The site is immediately adjacent to a C-2 (General Commercial) zoning district, and the Future Land Use Map identifies the area as suitable for Transitional Mixed Use (TMU) and Community Commercial (CCOM), reflecting its evolving urban context. (iii) Staff finds that a different zone district (in this case, C-2 zoning) would allow for more advantageous development of the Property as part of the RKSS Multi-Family Development Plan. In addition, that would enhance compliance with the General Plan policies; specifically, the themes and policies relating to higher densities, compact urban form, and infill as growth management. The C-2 rezoning request has the potential to provide long-term, higher density and mixed-use solutions where infrastructure is already present. Furthermore, the C-2 zone district will allow for more density and enable a wider diversity of permitted uses. 	

<p>Staff finds that the application request on its merits contains sufficient information to address Criterion 1.</p>	
<p>Criterion 2 (SFCC 1987, § 14-3.5(C)(1)(b)) requires that all the rezoning requirements of Chapter 14 have been met;</p>	<p>Criterion Met: (Yes/No) Yes</p>
<p>Applicant's Response: <i>All rezoning requirements of Chapter 14 have been met. The rezone requirements specified in §14-3.1 and §14-3.5 are addressed in the RKSS Rezone Report provided by the Agent in Attachment B.</i></p>	
<p>Staff Response: The Applicant has met all the requirements of Chapter 14 for a rezoning request. They participated in a pre-application meeting on July 27th, 2023, held an ENN meeting on March 11th, 2025, and properly notified the public of the ENN meeting and this Planning Commission public hearing. Additionally, the applicant submitted a complete application that meets the requirements of Chapter 14. Staff finds that the application request does address Criterion 2.</p>	
<p>Criterion 3 (SFCC 1987, § 14-3.5(C)(1)(c)) requires that the rezoning is consistent with the applicable policies of the general plan, including the future land use map.</p>	<p>Criterion Met: (Yes/No) Yes</p>
<p>Applicant's Response: <i>This rezone request complies with the property's Future Land Use Map designations of both Community Commercial and Transitional Mixed-Use. This parcel is part of the RKSS Cerrillos Road multi-family Development Plan, which was approved by the Planning Commission on February 6, 2025. The balance of the RKSS premises is zoned C-2 and this rezone will bring the subject property into conformance with the surrounding C-2 zoning, allowing the parcel to potentially be developed with outdoor recreational amenities and additional resident parking. This rezone and the RKSS project also align with General Plan Themes and Policies such as Affordable Housing, Economic Diversity, Urban Form/Higher Densities, Transportation Alternatives, and Community Oriented Development. Furthermore, the project exemplifies key elements of the General Plan Land Use Framework, including compact urban form and the provision of a mix of housing types in all neighborhoods. As an infill site, the subject property is efficiently served by existing utility and roadway infrastructure.</i></p> <p><u><i>Affordable Housing Policy 4-4-G-7</i></u> <i>This increase in housing supply provided by the RKSS multifamily project will help alleviate the current housing shortage in Santa Fe. In addition, a fee in lieu of affordable housing will be paid to the Affordable Housing Trust Fund to support future affordable housing efforts.</i></p> <p><u><i>Economic Development Strategic Plan</i></u> <i>The provision of adequate housing opportunities for the workforce is critical to economic development. Furthermore, the RKSS development enhances the mixed-use environment of the Cerrillos Road corridor, whose residents will support local businesses in the vicinity.</i></p> <p><u><i>Urban Form/Higher Densities - Growth Management Methods 4.1</i></u> <i>"In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows. This approach does not necessarily require</i></p>	

greater building height but rather greater massing on specifically identified infill sites within the Urban Area.”

The rezoning supports the General Plan’s emphasis on higher densities and a compact urban form. The requested rezone to C-2 maximizes land use efficiency in an urban setting, reducing urban sprawl, and supporting walkability and transit- oriented development. By promoting higher-density residential development, the rezoning aligns with the city’s vision of creating a more sustainable urban environment.

Community-Oriented Development - Growth Management Methods 4-1-G-3

“Use a full range of growth management methods to achieve a superior quality of life and to ensure a financially and environmentally sustainable community.”

The RKSS project, supported by this rezoning, will help meet the community’s housing needs in a sustainable manner. Developing housing in the Cerrillos Road corridor provides walkable access to services and employment opportunities.

Furthermore, the site is served by a Santa Fe Trails bus stop directly adjacent to its Cerrillos frontage.

Compact Urban Form 4-3-G-2

Rezoning to C-2 supports a more compact urban form by making more efficient use of the land. This is particularly important for infill sites where existing utility and roadway infrastructure can be leveraged without the need for extensive new development. This efficient use of land and infrastructure is a key goal of the General Plan, helping to reduce the environmental impact of development and supporting more sustainable urban growth.

Mix of Housing Types in All Neighborhoods (3.3 Land Use Framework)

“Future Land Use (Figure 3-2) illustrates neighborhoods with integrated housing types, designed to locate a larger share of residences close to transit and neighborhood centers.”

The subject property is in a diverse neighborhood of commercial uses and a variety of residential densities. The RKSS multifamily project adds to this diversity, increasing the housing supply in this mixed-use area. Furthermore, access to public transit, services, and employment make the site an ideal infill location for multi-family development.

Staff Response:

Staff finds that the proposed rezoning aligns with the applicable policies of the General Plan, and most importantly the Future Land Use Map. The zone district proposed in this request allows for greater density in an area identified in the Future Land Use Map as Transitional Mixed Use and Community Commercial, which is intended to accommodate more dwelling units per acre, providing for “apartments, condominiums, and other forms of multifamily housing.” Rezoning could facilitate infill development and the use of existing infrastructure, which reduces urban sprawl and the need for greenfield development that is further away from community services and transit.

Staff finds that the application request on its merits contains sufficient information to address Criterion 3.

Criterion 4 (SFCC 1987, § 14-3.5(C)(1)(d)) requires that the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies

**Criterion Met:
(Yes/No)**

regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city.	YES
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Applicant’s Response:

The rezoning is consistent with the City’s policies regarding the provision of urban land sufficient to meet the projected growth in both population and housing demand. This consistency is reflected in several key aspects of the General Plan, particularly regarding infill development, higher densities, and sustainable urban growth.

General Plan Figure 4-4, Urban Sub-Areas, designates the subject property and surrounding area as an “Infill Area.” General Plan Section 4.1 states, “In both ‘infill’ and ‘future growth’ areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows” to help “create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand...”.

The rezoning proposal supports the city’s policy of maximizing the efficiency of existing urban infrastructure. By increasing the density of a property within an established urban area, the city can accommodate growth without the need to extend roads, utilities, or other public services into undeveloped areas. This not only aligns with sustainability goals but also helps manage the rate of growth in a manner consistent with long-term city planning.

The rezoning is also consistent with the city’s policy to ensure that the supply of urban land meets long-term housing demand, thereby supporting sustained population growth. By rezoning for higher density, the city is not just responding to immediate tenant needs but is planning for future demand. This strategic approach ensures that as the population grows, there is adequate housing available in desirable locations, contributing to economic stability and urban vitality.

Staff Response:

Staff agrees with the Applicant’s response and finds that rezoning the Property could provide for potential housing needs where infrastructure already exists and reduce pressure to accommodate such growth at the edges of the City.

Staff finds that the application request on its merits contains sufficient information to address Criterion 4 (14-3.5(C)(1)(d)).

Criterion 5 (SFCC 1987, § 14-3.5(C)(1)(e)) requires that the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.	Criterion Met: (Yes/No) YES
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Applicant’s Response:

Water and Sewer Capacity: The City’s Water and Wastewater Divisions have confirmed that the RKSS development, of which the subject parcel is a part, will be served and identified the infrastructure improvements necessary for service.

Public Schools: A Santa Fe Public Schools (SFPS) Impact Form was submitted and, to my knowledge, SFPS has not issued a response.

Park Capacity: Given the significant commercial nature of the Cerrillos Road corridor, the nearest neighborhood park is San Isidro Village Park, which is 0.75 miles away.

Given this distance, the future residents of the RKSS community will have minimal impact on the Park. Given this environment, the RKSS project is providing 1.18 acres of common open space and outdoor amenities. The rezone of Lot A-2 will enable additional development of outdoor recreational space to serve the residents.

Public Transportation: The property is served by Santa Fe Trails Route 2 and there are bus stops directly in front of the site and across the street.

Emergency Services: The potential development of Lot A-2 with outdoor recreational amenities will not have a significant impact on emergency services. Furthermore, the Fire Department reviewed the RKSS Multifamily Development Plan and did not express any concerns regarding capacity to serve the project.

Road Capacity: A Traffic Impact Analysis was reviewed and approved as part of the RKSS Multifamily Development Plan with a finding that there would not be significant impact on the roadway network.

Staff Response:

Staff coordinated with the DRT agencies for water, wastewater, fire and terrain management regarding the subject Property. Each stated that the comments made for the RKSS Multi-Family Development Plan apply to this rezoning as well. Based on the information that the Applicant provided with the application for the RKSS Multi-Family Development Plan, Staff had sufficient information to determine that the existing infrastructure and terrain will be able to accommodate the proposed rezoning.

Staff finds that the application request on its merits contains sufficient information to address Criterion 5.

Criterion 6 (SFCC 1987, § 14-3.5(C)(2) provides that: unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

- (a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;**
- (b) affect an area of less than two acres, unless adjusting boundaries between districts; or**
- (c) benefit one or a few landowners at the expense of the surrounding landowners or general public.**

**Criterion Met:
(Yes/No)
YES**

Applicant's Response:

The proposed C-2 zoning not only complies with the property's Future Land Use Map designations of Community Commercial and Transitional Mixed-Use, but it also embodies many of the Plan's themes and policies with respect to infill, compact urban form, and economic development. Therefore, the criteria above are not applicable to this application.

Staff Response:

Staff agrees with the Applicant's response. The proposed change is consistent with applicable general plan policies and themes including Affordable Housing, Economic Diversity, Urban Form / Higher Densities, Transportation Alternatives, and Community Oriented Development. The prevailing use and

character of the area is a mix of medium density residential (Trailer Ranch), multi-family residential (Oslo, RKSS, and Stage Coach Motor Inn Apartments) and commercial. Rezoning the subject Property from R-3 to C-2 is consistent with the density that was contemplated in and established by the Future Land Use Map.

Staff finds that the application request on its merits contains sufficient information to address Criterion 6.

V. EARLY NEIGHBORHOOD NOTIFICATION

The Applicant conducted an Early Neighborhood Notification ("ENN") meeting virtually via ZOOM on March 11th, 2025. City staff, the Applicant's team, one member of the public and one member of the press were present. The member of the public asked if additional buildings were planned for Lot A-2. The applicants answered that only parking and recreational facilities were planned for the parcel. Staff answered that if any further buildings were to be proposed it would require a significant amendment to the Development Plan that would likely require a hearing.

VI. ATTACHMENTS:

- Attachment A: DRT Comments
- Attachment B: RKSS Rezone Report
- Attachment C: Maps and Figures
- Attachment D: ENN Packet

APPROVED AS TO FORM:

Title	Name	Initials
Department Director	Heather L. Lamboy	HLL
Assistant Department Director	Margaret Moore	MRM
Planning Manager	Daniel A Esquibel	DAE
Planner Senior	Claudia Kath	CK