

City of Santa Fe, New Mexico

memo

DATE: December 10, 2025

TO: Governing Body

VIA: Elisa Montoya, Community Development Director
Heather L. Lamboy, AICP Planning and Land Use Director
Maggie Moore, Assistant Land Use Director
Dan Esquibel, Planning Manager

FROM: Claudia Kath, Planner Senior, Current Planning Division

1. **CONSIDERATION OF BILL NO. 2025-20**

Rezoning. Case #2025-10276. JenkinsGavin, Inc., Agent for Applicant, RKSS Santa Fe 1, LLC., asks the Governing Body to adopt Bill 2025-20 to rezone +/- 1.49-acres located at 3439 Cerrillos Road from Residential Three Units per Acre district (R-3) to General Commercial (C-2). (Claudia Kath, Case Manager, cmkath@santafenm.gov)

I. Planning Commission Recommendation

On June 5, 2025, the Planning Commission recommended the Governing Body take the following action:

1. **APPROVE** Case #2025-10276. 3439 Cerrillos Road Rezoning from Residential Three Units per Acre (R-3) to General Commercial (C-2).

II. Sample Motion

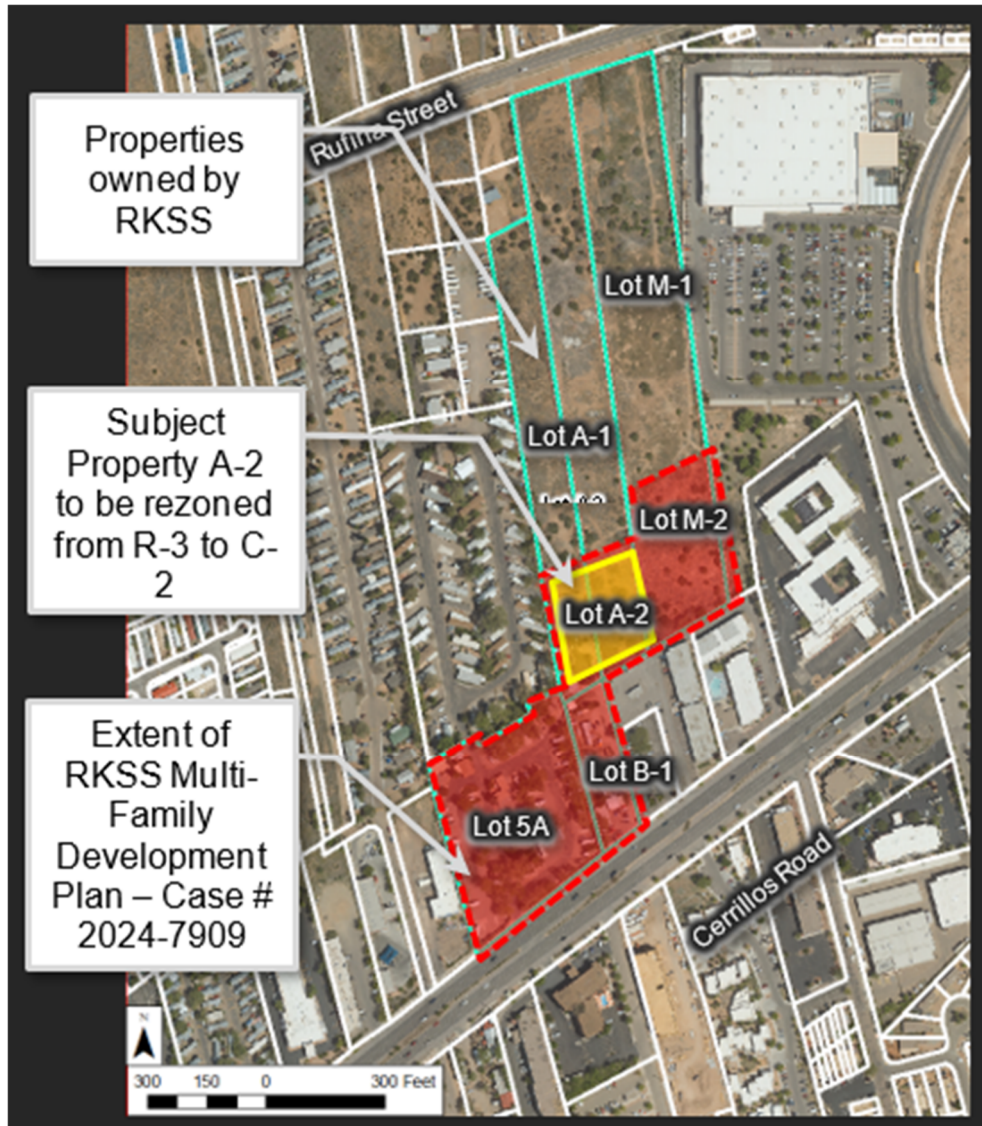
One (1) motion will be required in the case:

1. **Move to approve or deny** Case #2025-10276, adopting Bill 2025-20 changing the official Zoning Map Designation from R-3 to C-2 for ±1.49-acres located at 3439 Cerrillos Road.

III. Executive Summary

The Applicant, RKSS Santa Fe 1, LLC., (the “Applicant”), through its agent, JenkinsGavins, Inc., (the “Agent”), requests approval for a rezone (“Application”) changing the zoning district from R-3 to C-2. The proposed Application allows for 3439 Cerrillos Road to complete the RKSS multi-family development on Cerrillos Road. The Application satisfies approval criteria and goals expressed in Santa Fe City Code “SFCC”, Chapter 14 and the General Plan.

The applicant and staff had a pre-application conference on July 27, 2023, to discuss the application prior to submittal. An Early Neighborhood Notification (ENN) meeting was held on March 11, 2025. On June 5, 2025, the Planning Commission held a public hearing to review Case #2025-10276 during which the Planning Commission heard reports from City Planning and Land Use Department staff (“Staff”), testimony and evidence from the Applicant. There were no public comments by interested members of the public. The Planning Commission found that the Application was consistent with the General Plan and that all approval criteria had been met.



The Planning Commission (“Commission”) recommended that the Governing Body approve Case #2025-10276, (see Attachment A “Planning Commission Packet”). On September 4, 2025, the Planning Commission adopted Findings of Fact and Conclusions of Law for case #2025-10276, (Attachment B), and Commission Minutes, (“Planning Commission Minutes”), reflecting its holdings from the public hearing (Attachment C).

IV. Rezoning Approval Criteria

The City Code requires the Governing Body to review all rezoning proposals based on the criteria addressed below and make complete findings of fact “sufficient to show that these criteria have

been met” before it approves a rezoning. See SFCC 1987, Sec. 14-3.5(C). Table 1 provides the Applicant’s responses and staff’s analysis of the approval criteria subject to §14-3.5(C) and §14-3.5(D).

Table 1

<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) N/A (ii) <i>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> (iii) <i>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 in that additional housing opportunities will be provided through the completion of this project. 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 range of permitted uses.

Staff finds that the application request on its merits contains sufficient information to address Criterion 1.

<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>
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Applicant’s Response:
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.

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>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>
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Applicant’s Response:
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.

Affordable Housing Policy 4-4-G-7
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.

Economic Development Strategic Plan
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.

Urban Form/Higher Densities - Growth Management Methods 4.1

"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 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 a mix of uses and 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, reducing urban sprawl and the need for greenfield development that is further away from community services and transit.

<p>Staff finds that the application request on its merits contains sufficient information to address Criterion 3.</p>	
<p>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 regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city.</p>	<p>Criterion Met: (Yes/No) YES</p>
<p>Applicant's Response:</p> <p><i>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.</i></p> <p><i>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..."</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	
<p>Staff Response:</p> <p>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.</p> <p>Staff finds that the application request on its merits contains sufficient information to address Criterion 4 (14-3.5(C)(1)(d)).</p>	
<p>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.</p>	<p>Criterion Met: (Yes/No) YES</p>
<p>Applicant's Response:</p> <p><i>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.</i></p>	

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 Design Review Team (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 for the RKSS Multi-Family Development Plan, Staff had sufficient information to determine that the existing public infrastructure will be able to accommodate for any development permitted in proposed C-2 zone district.

Staff finds that the application request 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.



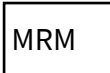

V. CONCLUSION

Upon the Planning Commission and staff’s review of the applicant’s request, submittal, and written findings, the Planning Commission and staff have determined the applicant has met the approval criteria to approve a rezone from Residential Three Units per Acre to General Commercial established in SFCC §14-3.5(C), §14-3.5(D), and §14-3.9(D)(1).

VI. ATTACHMENTS

- A. Planning Commission Packet
- B. Planning Commission Approved Findings of Fact and Conclusions of Law (Rezone)
- C. Planning Commission Minutes of June 5, 2025

VII. DIRECTOR AND MANAGER INITIALS

Elisa Montoya, Community Development Director	
Heather L. Lamboy, Land Use Director	
Maggie Moore, Assistant Land Use Director	
Daniel Esquibel, Planning Manager	

Signature: ELISA MONTOYA


ELISA MONTOYA (Dec 3, 2025 15:48:43 MST)

Email: edmontoya1@santafenm.gov

Signature: Maggie Moore

Maggie Moore (Dec 3, 2025 16:00:12 MST)

Email: mrmoore@santafenm.gov

Signature: 

Email: hllamboy@santafenm.gov

Signature: 

Email: daesquibel@santafenm.gov