



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.

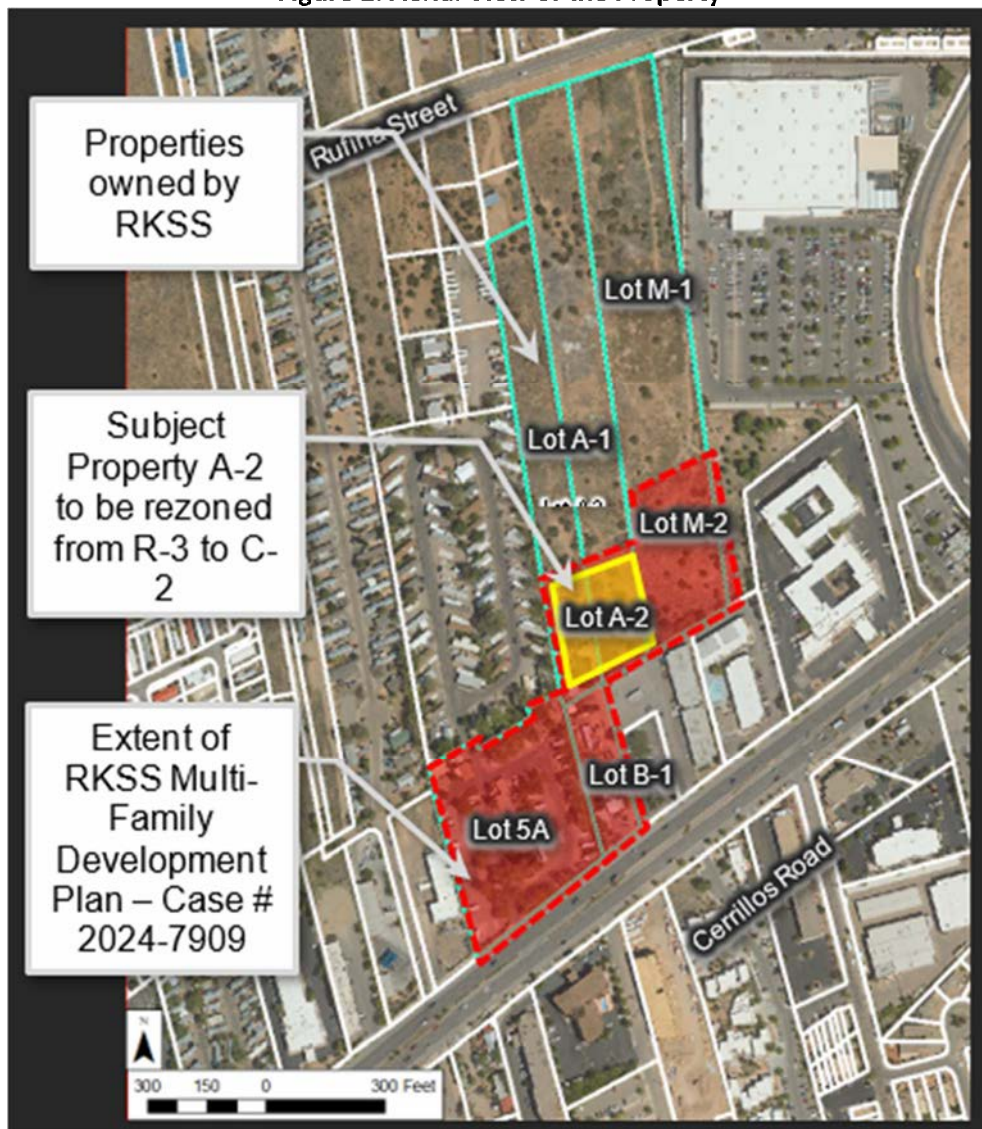
II. EXECUTIVE SUMMARY

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).

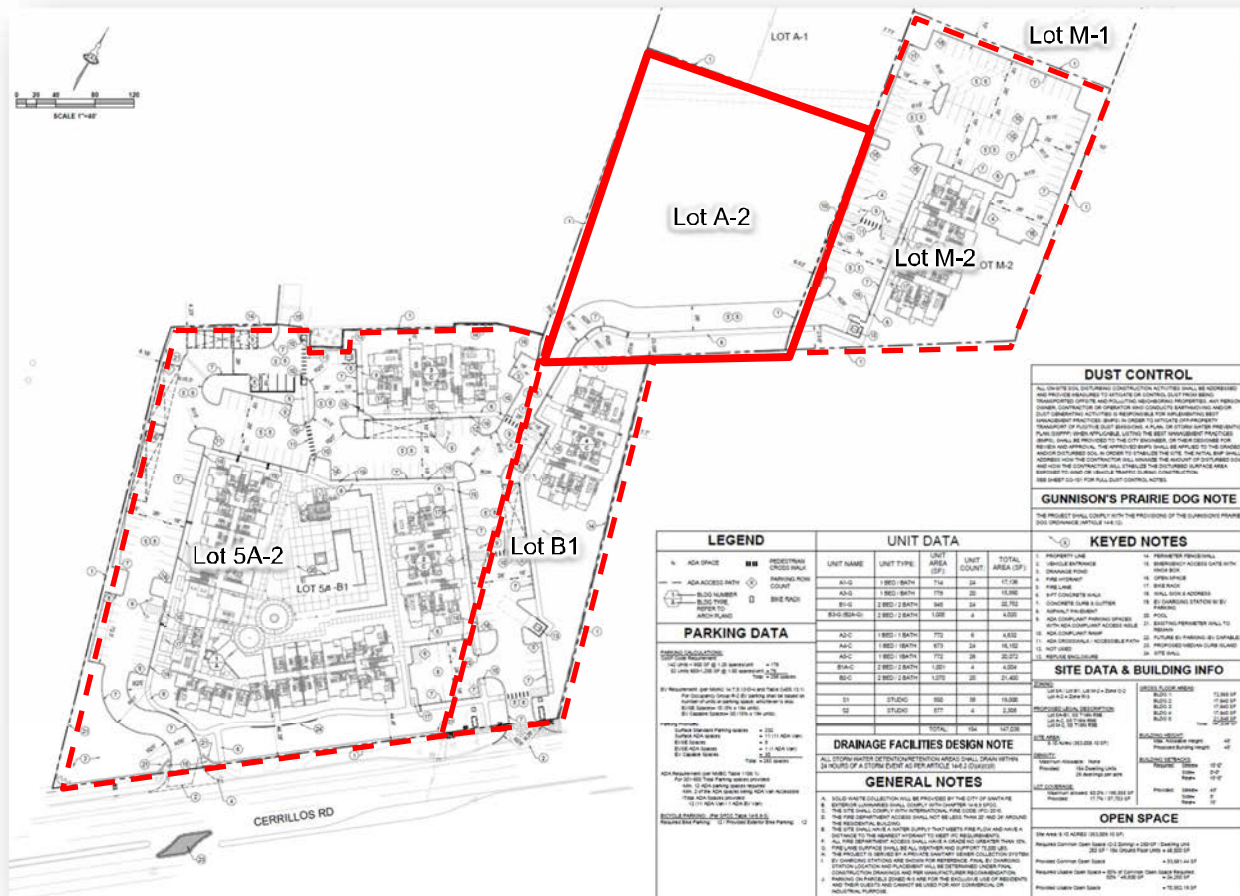
Figure 1: Aerial View of the Property



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.”

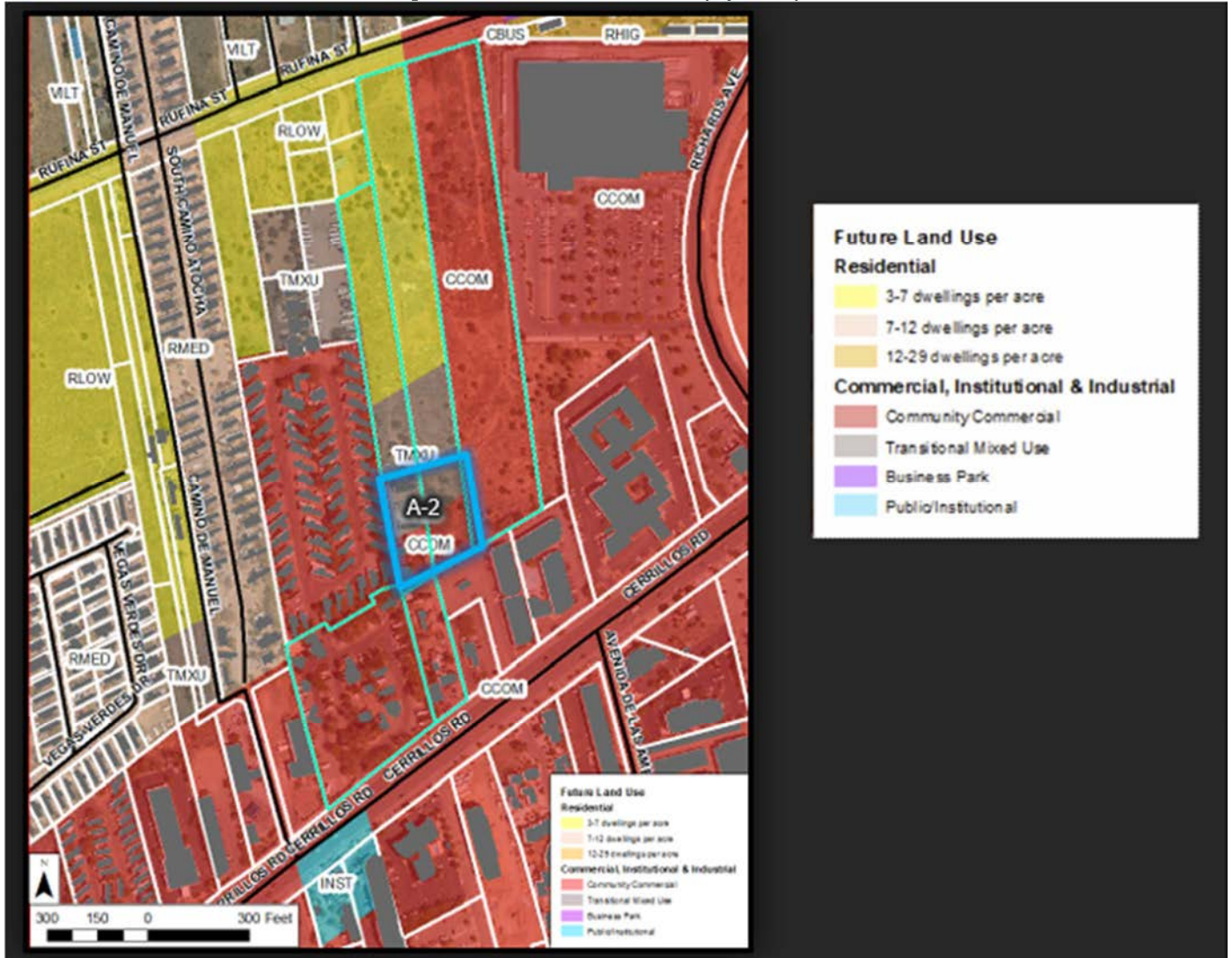
Staff’s analysis finds that the Project satisfies Subsection 14-3.5(C) “Approval Criteria” for rezoning.

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 3: Future Land Use Map (FLUM)



The Property's existing R-3 zoning is inconsistent with the General Plan FLUM Transitional Mixed Use (TMU) and community commercial (CCOM) designations. The TMU land use category is intended to support a diverse mix of uses and residential types, promoting flexibility in development patterns. The proposed rezoning to C-2 (General Commercial), if approved, would be consistent with the underlying TMU and CCOM designations, as the C-2 zone allows for a compatible mix of commercial and residential uses envisioned in these future land use areas. Therefore, the requested C-2 rezoning aligns with the General Plan Future Land Use Map, and no General Plan Amendment would be required to enable development of the tract.

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.

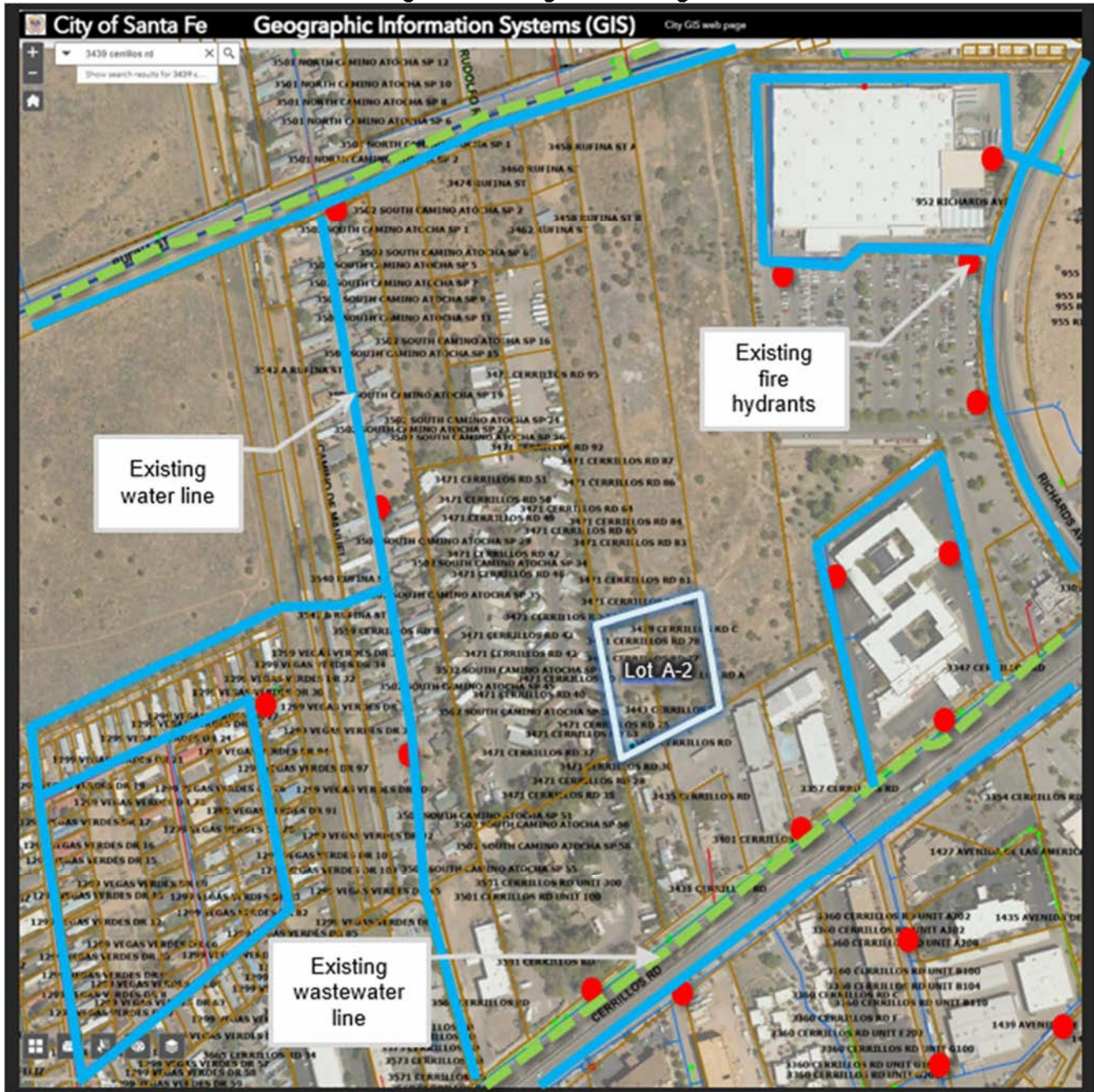
b. Sewer

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.</p> <p>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

Attachment A – REVISED 7/17/2025

CONDITIONS OF APPROVAL – REVISED 7/17/2025		Department	To be completed by:
New Condition	“The Applicant and City Staff will work together to find an ADA compliant access to Community Services and Transportation and a bond will be set up in time by the Applicant to cover any expenses incurred with access for the public.”	Planning Commission	Prior to Recordation
1	Extend the sidewalk east to the edge of the N/S paved access road (about 80')	MPO	Prior to Recordation
2	Build a crosswalk across Ocate Road to provide a continuous pedestrian connection to Cerrillos Road	MPO	Prior to Recordation
3	An approved Water Plan will be required for all new public water infrastructure and fire services. Water Plan shall be submitted to the City Water Division for review and included in the application materials.	Water Division	Prior to Recordation
4	An approved Agreement to Construct and Dedicate (ACD) will be required with the Water Division for all new public water infrastructure and fire services.	Water Division	Prior to Building Permit Approval
5	A separate irrigation meter will be required if the total landscaped area is 1,000 square feet or greater. An approved backflow prevention device shall be installed beyond the meter on any new irrigation service.	Water Division	At the time of Development
6	Any re-grading of site over existing water mains shall maintain a minimum of 4 feet of cover and not exceed 5 feet of cover. Depth of existing main to be adjusted to maintain a minimum of 4 feet of cover and not exceed 5 feet of cover if site grading impacts these depth requirements.	Water Division	At the time of Development
7	An Accessible Route must be added from the Public Right of Way nearest Bus Stop to the building entrances. A sidewalk must be added to and from Cerrillos Rd. Connect to the existing curb ramp at the Cerrillos intersection.	ADA	Prior to Recordation
8	ADA accessible Garages must have an accessible route to them.	ADA	Prior to Recordation
9	ADA Parking Stalls and Aisles cannot exceed 2% in any direction sheet 8-12 curb ramp 10 & 11 detail.	ADA	Prior to Construction
10	Shall comply with the most currently adopted International Fire Code.	Fire	Prior to Public Hearing

11	Key notes 15 and 16 are duplicates on sheets 11-1 and 11-2	Wastewater	Prior to Recordation
12	The sewer line from manhole 1 to manhole 2 shall be public. The sewer line from manhole 2 to manhole 6 shall be a private.	Wastewater	Prior to Recordation
13	Identify the locations of the 4-inch sewer service lines and the cleanout locations	Wastewater	Prior to Recordation
14	Need to add details for the sewer cleanouts	Wastewater	Prior to Recordation
15	<p>Stormwater Agreement Notes shall include the following inspection/maintenance language:</p> <p>INSPECTIONS SHALL BE CONDUCTED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO OR OTHER QUALIFIED PERSON. INSPECTIONS SHALL BE CONDUCTED ON THE DRAINAGE FACILITIES IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:</p> <p>ON OR ABOUT MARCH 15TH, ON OR ABOUT SEPTEMBER 15TH, AND AFTER EACH STORM EVENT OF 1-INCH OR GREATER. MAINTENANCE OF THE DRAINAGE FACILITIES SHALL BE CONDUCTED AND DOCUMENTED BY THE ENGINEER AND THE OWNER. THE OWNER SHALL MAINTAIN A FILE OF THE INSPECTIONS AND REMEDIAL ACTION CONDUCTED ON THE DRAINAGE FACILITIES.</p> <p>WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE ENGINEER'S RECOMMENDATIONS, AND SHALL INCLUDE BUT NOT LIMITED TO THE FOLLOWING:</p> <ul style="list-style-type: none"> A. FLUSH ALL CULVERTS, DROP INLETS AND DRAINAGE PIPES TO REMOVE SEDIMENT AND VEGETATION THAT PREVENTS OR HINDERS THE FLOW OF STORMWATER IN THE DRAINAGE STRUCTURE. B. REMOVE SEDIMENT IN PONDS THAT IS GREATER THAN 6-INCHES IN DEPTH AND IF NECESSARY RESEED WITH NATIVE GRASSES AND 3 TO 4 INCH COBBLE AS DIRECTED BY THE ENGINEER. C. INSPECT FOR SEDIMENTATION IN ALL SWALES, DITCHES, DRAINAGE PONDS AND REMOVE AND STABILIZE AS NECESSARY. D. INSPECT FOR SOIL EROSION AT ALL DRAINAGE PONDS CUT AND FILL SLOPES AND REPAIR OR STABILIZE ACCORDINGLY. E. INSPECT STRUCTURAL INTEGRITY OF DRAINAGE PONDS SLOPES RIP-RAP AND OTHER EROSION CONTROL MEASURES AND REPAIR OR STABILIZE ACCORDINGLY. <p>THE CITY OF SANTA FE IS HEREBY GRANTED THE RIGHT TO ACCESS AND INSPECT THESE EASEMENTS AND DRAINAGE FACILITIES AT THE DISCRETION OF THE CITY.</p> <p>THE OWNER AGREES TO INDEMNIFY AND TO HOLD HARMLESS FROM ALL DAMAGE TO PERSONS OR PROPERTY RESULTING FROM THE CITY'S REASONABLE EXERCISE TO THEIR ACCESS AND INSPECTION RIGHT.</p>	River and Trails	Prior to Recordation

16	An approved Development Water Budget including a 9.8% contingency per SFCC 14-8.13(E)(1) will be required. A technical evaluation request for a Development Water Budget needs to be submitted to the City Water Division for review.	Water Resources	Prior to Final Development Plan Approval
17	An Agreement to Construct and Dedicate (ACD) from the Water Division will be required for all new public water infrastructure or fire services. An approved Development Water Budget, including Landscape Irrigation Budget and a 9.8% Contingency is required prior to processing the ACD.	Water Resources	Prior to ACD
18	Each lot shall be served by a separate water service at the time of development.	Water Resources	Prior to Building Permit Application

Attachment A

TECHNICAL CORRECTIONS		Department	To be completed by:
1	Specific technical comments on the water plans will be provided by the Water Division to the design engineer.	Water	Prior to Water Plan Approval
2	Provide a significant tree survey, list species, size, and quantities. Any trees to be removed shall be marked on the plan with a red X.	Landscape	Prior to Recordation
3	City Staff respectfully request the replacement Pinon Pine with another evergreen tree variety from the City approved plant list. Due to the black scale and bark beetle infestations plaguing Pinon in many areas of Santa Fe.	Landscape	Prior to Recordation
4	On the Plant Schedule remove 4'-6' for the size of all evergreen trees and replace with "6 feet and taller". 14-8.4 (F)(2)(c) All required evergreen trees shall be a minimum of six (6) feet in height.	Landscape	Prior to Recordation
5	Pond #3: Landscape Plan shows 4,902 square feet of Bluegrass Sod. 4. 14-8.4(F)(3)(a) Turf grass sod or turf grass seed mixes installed within the city limits shall contain no more than twenty-five percent Kentucky Bluegrass. City staff have concerns with sod installed in pond bottoms due to silt buildup and extended time the sod may be underwater. City staff require gravel/cobble over weed fabric or a native seeding with irrigation. The native seed will need to be evaluated after each storm event and reseeding may be required. Pond trees and shrubs are required in all ponds per city code 14-8.4(F)(2)(e) stormwater detention ponds and retention ponds shall be planted with appropriate trees, shrubs, and grasses, with a minimum of one tree and three shrubs per five hundred (500) square feet of required ponding area. Plants located in the bottom third of the detention pond or retention pond must be adaptable to periods of submersion and may require replacement during periodic maintenance to remove silt.	Landscape	Prior to Recordation
6	A water level measuring device with zero set at finish grade located at the center of each pond is required.	Landscape	Prior to Recordation
7	Retention ponds deeper than three feet require a security fence and maintenance gate. Fence shall be five in height. The following shall also apply 14-8.4(J) Screening and Buffering, 14-8.5 Walls and Fences.	Landscape	Prior to Recordation
8	Landscape plan calculations must include the following information: Street tree calculations as required by 14-8.4(G) and retention / detention pond plant material.	Landscape	Prior to Recordation
9	Playground mulch must be a minimum depth of 12 inches. Provide note on landscape plan on sheet 3-2	Landscape	Prior to Recordation

10	Provide details and cut sheets of the playground equipment.	Landscape	Prior to Recordation
11	Provide additional screening of the parking lots per city code 14-8.4(l)(2)(c). Provide additional shrubs for lower screening at deciduous trees and gaps between evergreen trees.	Landscape	Prior to Recordation
12	Drip valve detail shown on sheet L3-1 requires a pressure regulator after the Wye Filter.	Landscape	Prior to Recordation
13	Provide an emitter placement detail for trees.	Landscape	Prior to Recordation
14	Shrub locations within the ponds are difficult to see, please revise for better visibility.	Landscape	Prior to Recordation
15	14-8.4(E)(4)(h) irrigation systems shall be zoned by levels of water use. For the most efficient water use, plant with similar water use requirements shall be grouped together. Trees and shrubs shall have separate zones. Drought tolerant and very low water-use tree shall have a separate zone. Native shrubs and very low water-use shrubs shall be irrigated on a separate zone. Separate zones are required for permanent and temporary irrigation lines.	Landscape	Prior to Recordation
16	Provide a landscape irrigation design for the Pop-Up Spray System. Provide a complete set of installation details, notes, and specifications for the irrigation system. Show on the detailed drawings the installation of all assemblies without any questions about size or type of materials to use for said irrigation system.	Landscape	Prior to Recordation
17	The water budget requires revision; Sod is not included in the calculations.	Landscape	Prior to Recordation
18	City Staff respectfully request the use of lateral lines, 4mm barb fitting, spaghetti tubing and compensating emitters for drip irrigation. Inline emitter tubing has a minimal life expectancy due to the high content of calcium in our water.	Landscape	Prior to Recordation
19	Irrigation plans shall be to scale 1-inch=20 feet.	Landscape	Prior to Recordation
20	Photometrics do not meet Code requirements. See Article 14-8.9 and revise for compliance.	Landscape	Prior to Recordation
21	See attached letter date 5/14/25 from Wilson & Company. (See Attachment B for letter)	Traffic	Prior to Development Plan Approval

22	Possible confusion on landscape plan page 5, within the legend, 'all gravel types' are noted to be without filter fabric and in the Landscape Notes, it states that all gravel to be placed over filter fabric.	River and Trails	Prior to Recordation
23	Additionally, I assume it means weed barrier when using the term 'filter fabric'. There should be a note saying "no plastic" sheeting to be used and the type of fabric should be specified (ie. Commercial grade spun fabric, not woven)	River and Trails	Prior to Recordation
24	Please see the comments provided on the plans - in Attachment B	Terrain Management	Prior to Recordation
25	There is a tree on top of a fire hydrant. Trees must be a minimum of 15' from a hydrant.	Land Use/Planning	Prior to Recordation
26	There are 4 van accessible spaces listed in the legend but only 2 are shown on the plan.	Land Use/Planning	Prior to Recordation
27	Include fence and gate details	Land Use/Planning	Prior to Recordation
28	Building labels vary between plan drawing sheets – clarify and make consistent throughout the set.	Land Use/Planning	Prior to Recordation
29	There are 36 bicycle parking spaces indicated on the legend but 34 are shown on the plan	Land Use/Planning	Prior to Recordation
30	Please correct on sheet 3-3; Water Demand Calculations table contradicts Water Budget irrigation calculations.	Water Resources	Prior to Final Development Plan Approval

City of Santa Fe, New Mexico

Exhibit B

RKSS Rezone Report



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

March 21, 2025
(Revised May 23, 2025)

Claudia Kath, Senior Planner
Planning & Land Use Department
City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

**RE: RKSS Cerrillos Road – Lot A-2 (3439 Cerrillos Rd./3450 Rufina St.)
Rezone Application**

Dear Claudia:

This letter is respectfully submitted on behalf of RKSS Santa Fe 1, LLC in application to rezone Lot A-2 comprising 1.49 acres from R-3 (Residential, three dwellings per acre) to C-2 (General Commercial), for consideration by the Planning Commission on May 1, 2025. The subject parcel is designated both Community Commercial (southern half) and Transitional Mixed-Use (northern half) on the General Plan Future Land Use Map.

Project Summary

The 1.49-acre subject parcel, Lot A-2, is being created via a Lot Consolidation Plat submitted on February 12, 2024 (attached) and is currently under review. This parcel is part of the RKSS Cerrillos Road multi-family project premises, the Development Plan for 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 and allow the parcel to potentially be developed with outdoor recreational amenities and additional resident parking. The approved Development Plan (attached for reference) includes only an access drive across Lot A-2 in compliance with the property's R-3 zoning restrictions.

Rezone Approval Criteria

Responses to the rezoning approval criteria in SFCC §14-3.5(C) and (D) are detailed below.

(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:

(a) One or more of the following conditions exist:

- (i) *there was a mistake in the original zoning.* N/A
- (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.*

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.

- (iii) *a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans.*

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.

- (b) *all the rezoning requirements of Chapter 14 have been met.*

The rezone requirements specified in §14-3.1 and §14-3.5 are addressed below.

- (c) *the rezoning is consistent with the applicable policies of the general plan, including the future land use map;*

This rezone request complies with 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.

Applicable General Provisions, §14-3.1

(B) Authority to File Applications

(1) Unless otherwise specified in Chapter 14, applications for review and approval under Chapter 14 may be filed by:

(a) the owner of the property that is the subject of the application;

RKSS Santa Fe 1, LLC is the legal owner of the subject property per the Warranty Deed attached.

(b) the owner's authorized agent with written authorization;

JenkinsGavin is authorized to submit this application on behalf of the owner per the attached letter of authorization.

(c) a land use board; or N/A

(d) the land use director. N/A

(2) When a land use board files an application, it does so without prejudice to the outcome.

(C) Form of Application

(1) Applications required by Chapter 14 shall be submitted in a form and in such number as required by the land use director.

(2) Each application shall include plans, calculations, and reports sufficient to clearly demonstrate compliance with all applicable provisions of Chapter 14 and applicable state and federal regulations that are administered or enforced by the city. The

number and format of the required documentation shall be as required by the land use director.

(3) The land use director shall provide standardized checklists and format guidelines for each type of application. The land use director may waive the submittal of items on the checklist or require supplemental materials not included on the checklist where such action is necessary to clearly demonstrate compliance with applicable provisions.

(4) In the course of reviewing an application, the governing body and the land use boards may waive the submission of items on the checklist or may require supplemental materials not included on the checklist where such action is necessary to clearly demonstrate compliance with applicable provisions.

This application complies with the form application outlined above.

(D) Schedule of Fees, Charges and Expenses

The governing body shall establish by resolution a schedule of fees, charges, and expenses and a collection procedure for construction permits, appeals, subdivisions, amendments, and other applications. This schedule of fees, charges, and expenses shall be posted in the planning and land use department and may be altered or amended only by the governing body. No permit or approval required under Chapter 14 shall be issued or granted unless and until applicable charges, fees, and expenses have been paid in full.

This application acknowledges the Schedule of Fees, Charges, and Expenses outlined above.

(E) Pre-Application Conferences

(1) Applicability

(a) Pre- Pre-application conferences are required prior to submission of applications for: (i) amendment of the number, shape, boundary, or area of any district, whether by a non-governing-body -initiated annexation or a rezoning; (ii) subdivisions, unless the land use director waives, in writing, the requirement for good cause shown; and (iii) a residential development request that is subject to the Santa Fe Homes Program set forth in Section 26-1 SFCC 1987;

(b) The land use director may determine that a pre-application conference is necessary for other applications to land use boards due to the scope or complexity of the proposed project; and

(c) The land use director may waive or modify the pre-application conference procedures based on a determination that the purposes of the conference have

been achieved by other means or that the limited scope or simplicity of the project does not warrant a formal pre-application conference.

(2) Procedures

(a) At least fifteen calendar days before the application is filed, the applicant shall initiate a pre-application conference with the land use director.

(b) For annexations and rezonings, the purpose of the pre-application conference is to review the proposal for conformity with the general plan, availability of community facilities and utilities, proposed utilities and street improvements, required park and open space improvements, and other requirements as may be dictated by city ordinance.

(3) Responsibility

The city does not assume any responsibility for a lack of understanding of these regulations by the applicant. Advice to the applicant shall not be construed to result in the city, its officers, agents, or employees becoming responsible for damages to the applicant as a result of the applicant's reliance on information given by them. Advice to the applicant does not limit the discretion of any land use board or the governing body in making conditions of approval for the proposed development not anticipated at the time of the pre-application conference.

This application acknowledges the Pre-Application Conference's applicability, procedures, and responsibility outlined above. The requisite Pre-Application Conference was conducted on July 27, 2023.

F) Early Neighborhood Notification Procedures

(1) Intent

Early neighborhood notification (ENN) is intended to provide for an exchange of information between the applicant and residents and property owners in affected neighborhoods before plans become too firm to respond meaningfully to community input and before changes in plans might cause major financial losses by the applicant. Notification set forth in this section is in addition to notification required elsewhere in Chapter 14, unless the other notification procedures are duplicative with the requirements of this section.

(2) Applicability to Projects Reviewed by the board of adjustment, planning commission or the governing body.

(Ord. No. 2013-16 § 4)

(a) ENN is required for the following types of projects, if a public hearing before the board of adjustment, planning commission or the governing body is required by other provisions of Chapter 14:

(iii) rezonings;

(5) ENN Meeting

The announced meeting shall take place at least ten days before the development project application is submitted. Attendees should make a good-faith effort to communicate with the applicant. The meeting shall be attended by a representative of the land use director whose role at the meeting shall be to acquaint the applicant and community with provisions of city ordinances, applicable requirements of city codes and the development review process. At the meeting, the applicant shall present schematic or preliminary plans for the proposed project and a drawing or other graphical representation suitable to reasonably indicate streets and structures within a two hundred (200) foot radius from the perimeter of the property that is the subject of the application.

(6) ENN Guidelines

For any project application required to meet ENN requirements, the applicant and neighborhood shall use the guidelines set forth below to assist them in discussing the project at ENN meetings. The guidelines are based on the requirements of Chapter 14 and the general plan and other formally adopted city plans. Where applicable, the applicant shall respond in writing with a short narrative statement. Interested parties may also respond. Responses from all participants shall be provided to the land use board hearing the application. Responses for specific elements may be cross-referenced to other submittal documents. The ENN guidelines provided in this paragraph are adopted for use by applicants in meeting with interested parties.

The Early Neighborhood Notification (ENN) Meeting was conducted in accordance with these provisions on March 11, 2025.

(G) Application Completeness

An application shall be considered complete if it is submitted in the required form; includes all mandatory information, including all exhibits specified by the land use director; and is accompanied by the applicable fee. The land use director shall make a determination of application completeness. If an application is determined to be incomplete, the land use director shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected in a future re-submittal.

This application acknowledges the completeness standards and procedures outlined above.

(H) Notice Requirements The notices required by this section shall indicate the nature of the change proposed; the property affected; the time, date, and place of the hearing or meeting; and the deadline for receiving written comments regarding the request, if applicable. The notice shall be approved by the land use director. Neighborhood associations that wish to receive notifications of hearings and meetings and copies of agendas, including email notifications, must register with the land use director.

(1) Notice of Public Hearing Before Land Use Boards and ENN Meetings.

(a) General Notice Requirements

The notice requirements in Subsections 14-3.1(H)(1)(b), (c) and (d) below apply to public hearings required for all applications and ENN meetings, except that:

(i) Public hearings concerning development review actions initiated by the city require notification as described in Subsection 14-3.1(H)(1)(e);

(ii) Public hearings concerning Archaeological Clearance Permits require notification in accordance with Section 14-3.13(C)(3);

(iii) Public hearings concerning projects heard before the historic districts review board shall meet the agenda and posting requirements in Subsections 14-3.1(1)(1)(b) and (c) below, but mailed notification in accordance with Subsection 14-3.1(H)(1)(d) is not required; and

(iv) Public hearings concerning appeals must provide notice as described in Subsection 14-3.1(H)(4).

All general notice requirements have been met for this application with respect to the ENN meeting.

(b) Agenda Requirements

For all public hearings required before any land use board, the land use director shall place the tentative meeting agenda in a local daily newspaper of general circulation at least fifteen calendar days prior to the scheduled meeting. In addition, the land use director shall post the tentative meeting agenda in City Hall and send a copy to neighborhood associations that are registered with the land use director, at least fifteen days prior to the scheduled meeting.

Application acknowledges the agenda requirements stated above.

(c) Posting Requirements

(i) For all ENN meetings and public hearings required before a land use board, except appeals, the property shall be posted by the applicant with posters obtained from the land use director at the applicant's expense. At

least one poster shall be prominently displayed, visible from each public and private street and road abutting the property, and securely placed on the property at least fifteen calendar days prior to the scheduled meeting. Placement of the posters shall be in such a manner as to not compromise public safety.

(ii) The posters shall be removed within thirty days after final action, and failure to do so may result in the city removing the poster and charging the applicant a civil fee of fifty dollars (\$50.00).

All posting requirements were satisfied for the ENN meeting.

(d) Mailing and Emailing Requirements

Notice of a public hearing or ENN meeting shall be mailed via the United States postal service by the applicant at least fifteen calendar days prior the public hearing or meeting as follows:

(i) notices shall be mailed by first class mail to the owners of properties within three hundred (300) feet of the subject property as shown in the records of the county treasurer, and to the physical addresses of such properties where the property's address is different than the address of the owner ;

(ii) notices shall also be mailed by first class mail to neighborhood associations that have registered with the land use director and that will be directly affected by the proposed action or that have a boundary within three hundred (300) feet of the subject property. Email notices to the neighborhood associations shall be provided on the same day the applicant sends postal notices;

(iii) for zone changes of one block or less, notices to property owners for public hearings before the governing body or the planning commission shall be by certified mail with return receipt requested as required by Section 3-21-6 NMSA 1978;

(iv) in the case of an application for a telecommunications facility, all property owners within the corresponding setback distances listed in Section 14-6.2(E) shall also receive notices;

(v) if a notice by certified mail of a zoning change is returned undelivered, the city shall attempt to discover the owner's most recent address and shall send the notice by certified mail to that address as required by Section 3-21-6 NMSA 1978;

(vi) copies of all required mailing lists, mailing certificates and return receipts shall be provided to the land use director prior to the public

hearing or ENN meeting with an affidavit of mailing signed by the person who mailed the notices.

All mailing and emailing requirements have been met for the ENN meeting. Applicant also acknowledges the public hearing notice requirements and the special provisions for rezone applications requiring notice via certified mail, return receipt, to all property owners within 100 feet of the subject parcel.

(2) Notice of Public Hearing Before Governing Body

Notice shall be provided as required in Subsection 14-3.1(1)(1)(a) or (e), as applicable. In addition, the applicant shall publish one notice in a local daily newspaper of general circulation at least fifteen calendar days prior to the public hearing.

Applicant acknowledges the notice requirements outlined above.

(3) Postponed or Recessed and Reconvened Public Hearings and Meetings

If a public hearing or ENN meeting is postponed prior to the scheduled meeting, re-notification is not necessary if notice of the new date, time, and location of the meeting is clearly posted at the time and place where the original public hearing or meeting was to be held. A public hearing or meeting may be recessed and reconvened without re-noticing if the date, time, and place for the meeting is specified immediately prior to recessing. N/A

14-3.5 (A) General Provisions

(1) Initiation of Proposals

A rezoning, or amendment to the official zoning map, may be proposed by:

(d) any other person, who must submit a request in writing to the governing body, along with all submissions required by Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with this chapter.

This is the “request in writing” referenced above, which is accompanied by all requisite submittal materials listed at the end of this report.

(2) Plan Requirements

Plan submittal requirements for rezonings are set forth in Articles 14-4 (Zoning Districts) and 14-5 (Overlay Zoning Districts).

There are no plan submittals required for a rezone to C-2. Nevertheless, the RKSS Multifamily Development Plan is submitted for reference.

(3) Uniform Zoning Classification for Entire Lot Required

Except where a legal lot of record is divided by a zoning district boundary, no request to change the zoning classification on a portion of a legal lot of record shall be considered unless the change will establish a uniform zoning classification for the entire lot. A new zoning district boundary shall not divide a legal lot of record, except to establish overlay district boundaries based on topography or other physical conditions.

The entirety of Lot A-2 is proposed to be rezoned.

(d) 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.

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.

(e) 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.

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.

- (2) *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.*

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.

- (1) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;*
- (2) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.*

The infrastructure requirements for the RKSS project are documented in the approved Development Plan. There are no additional infrastructure requirements to serve the potential outdoor amenity and parking improvements on Lot A-2.

Early Neighborhood Notification

The Early Neighborhood Meeting (ENN) for the rezone request was conducted on March 11, 2025. In addition to City staff and the Applicant team, one neighbor and a member of the press were present. Following the Applicant's presentation, the neighbor inquired if an additional resident building would be constructed on Lot A-2 and the Applicant responded that only outdoor recreational amenities and resident parking are being considered.

In support of this request, the following documentation is submitted herewith for your reference:

1. Rezone Application
2. Agent Authorization Letter
3. Boundary Survey & Lot of Record Deed
4. Warranty Deeds
5. ENN Meeting Notice & Participant List
6. SFPS Impact Form
7. RKSS Development Plan
8. Lot Consolidation Plat (Lot A-2)

The application fees are calculated as follows:

Rezoning Application 1-9.99 acres (first 5 acres)	\$1,000.00
<u>Notice Poster</u>	<u>\$0.00</u> (will re-use ENN poster)
TOTAL	\$1,000.00

Please contact me should you have any questions or require additional information. Thank you.

Sincerely,



Jennifer Jenkins, Principal

City of Santa Fe, New Mexico

Exhibit C

Maps and Figures

Figure 1: Aerial View of the Property

Figure 2: Approved Development Plan Open Space Plan

Figure 3: Future Land Use Map (FLUM)

Figure 4: Existing and Proposed Zoning

Figure 5: Existing Utilities Diagram

Figure 1: Aerial View of the Property

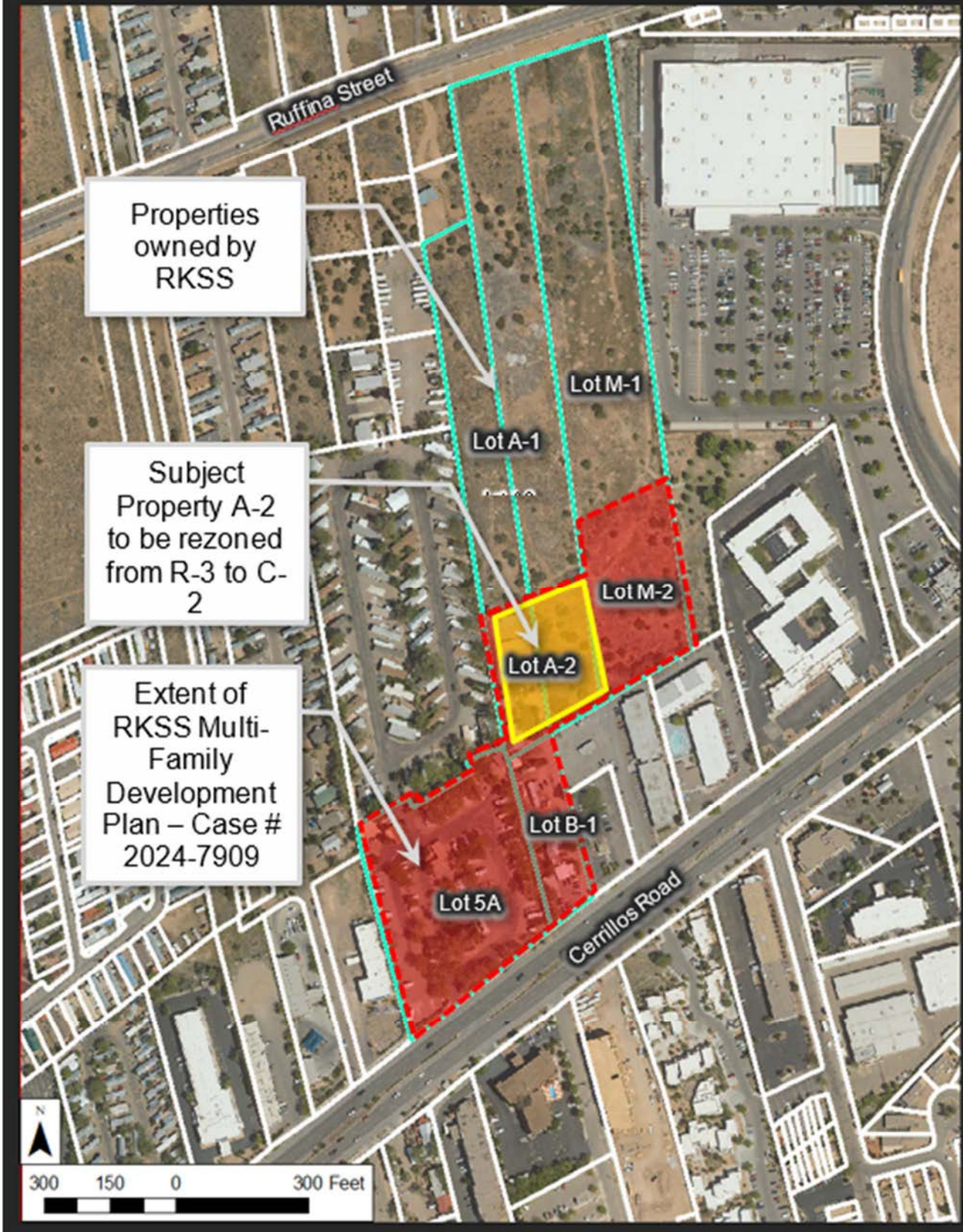


Figure 2: Approved Development Plan

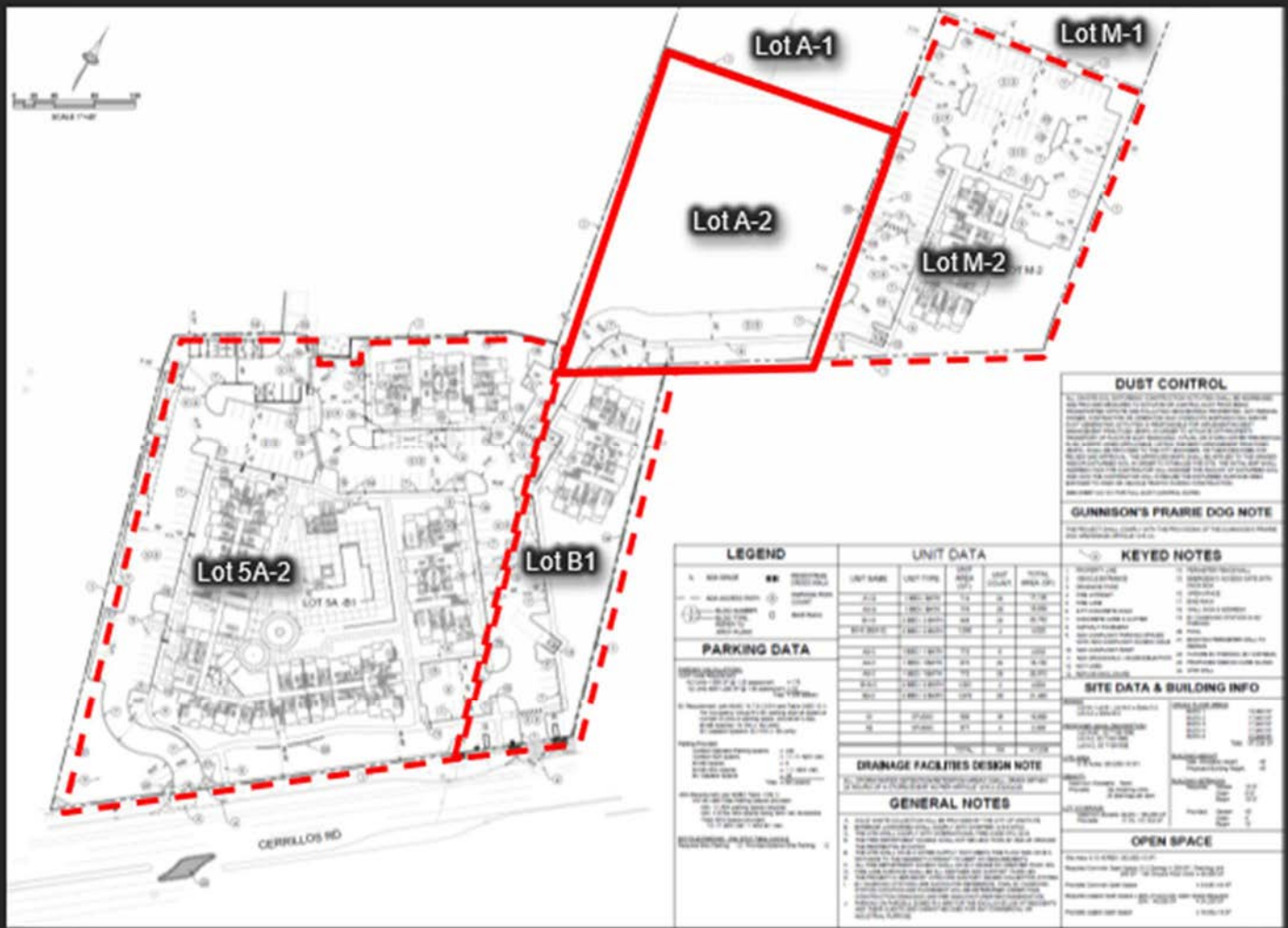


Figure 3: Future Land Use Map (FLUM)



Future Land Use

Residential

- 3-7 dwellings per acre
- 7-12 dwellings per acre
- 12-29 dwellings per acre

Commercial, Institutional & Industrial

- Community Commercial
- Transitional Mixed Use
- Business Park
- Public/Institutional

Future Land Use

Residential

- 3-7 dwellings per acre
- 7-12 dwellings per acre
- 12-29 dwellings per acre

Commercial, Institutional & Industrial

- Community Commercial
- Transitional Mixed Use
- Business Park
- Public/Institutional

Figure 4: Existing and Proposed Zoning

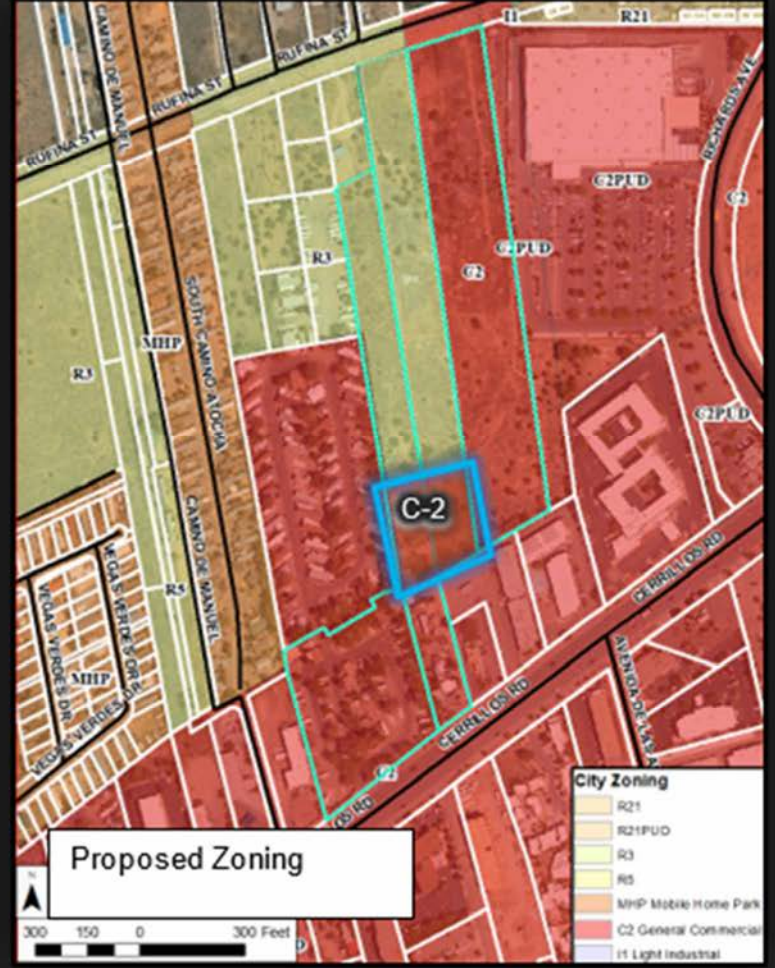


Figure 5: Existing Utilities Diagram



City of Santa Fe, New Mexico

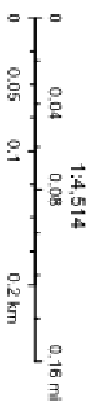
Exhibit D

ENN Packet



1/24/2025, 4:49:57 PM

- Major Roads
- Roads
- Parcels
- City Limits





Submit by Email

Print Form

Early Neighborhood Notification (ENN) Guidelines

Section 14-3.1(F)(5) SFCC 1987, as Amended

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 1987, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about each criterion, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS *For example: number of stories, average setbacks, mass and scale, architectural style, landscaping, lighting, access to public places, open spaces and trails.* (Ord. No. 2008-29 § 3)

Project Description: The 2.981 acre subject parcel at 3443 Cerrillos Road is intended to be consolidated with adjacent C-2 parcels being developed as a 194-unit multi-family community. The rezone will establish identical zoning for the consolidated parcels.

The property located at 3443 Cerrillos Road is currently zoned R-3 (Residential, 3 dwelling units per acre) with a proposed zoning of C-2 (General Commercial). The surrounding parcels are zoned R-3 and C-2. The proposed rezone would support the current character of the surrounding neighborhood and support future development in the area.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT *For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.*

The site slopes gently from the northeast to the southwest. There are no arroyos on the property. Any development that occurs on the property will work to preserve as many trees as possible.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN *For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.*

The property is located in the Suburban Archaeological District area. The site is 2.981 acres, which is less than 10 acres, an archaeological clearance permit is not required.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN *For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.*

As described above, the property is consistent with surrounding use intensities. The subject properties General Plan Future Land Use designation is General Commercial and Transitional Mixed Use. The proposed rezone would not only support the unison with its adjacent parcels but also bring the parcel into compliance with the General Plan Future Land Use designations.

(e) EFFECTS UPON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES *For example: increased access to public transportation, alternate transportation modes; traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.*

The project design for this community will include pedestrian connections to the existing sidewalk along Cerrillos Rd and the Santa Fe Trails bus stop. No negative impact on access to services is anticipated, including pedestrian access for Trailer Ranch residents.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE *For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.*

The rezone will support the proposed 194-unit multi-family community. This will create a new housing supply, which is critical to economic development in Santa Fe by providing more housing opportunities for the employment base. In addition, the project will create jobs in construction related industries.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS
For example: creation, retention or improvement of affordable housing; how the project contributes to serving different ages, incomes and family sizes; the creation or retention of affordable business space. (Ord. No. 2005-30(A) § 4)

The project will comply with the Santa Fe Homes Program through payment of a fee to the Affordable Housing Trust Fund.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES *For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.*

The project will be served by City water and sewer, as well as existing emergency services. the site is served by Route 26 of the Santa Fe Trails bus system and there are three bus stops in close proximity. The area is served by several public schools and a school impact form is submitted with this report.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS *For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.*

In accordance with City requirements, water rights will be purchased to offset the project's water demand, so there will be no new demand on the City's water supply. The project will comply with the City's regulations governing landscaping and water conservation.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS *For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.*

The project improves the opportunities for community integration and balance by incorporating a pedestrian-oriented design and linkages among neighborhoods, including Trailer Ranch access. As well as access to employment and services in walking distance.

(k) EFFECT UPON SANTA FE'S URBAN FORM *For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? The project's effect on intra-city travel; and between employment and residential centers.*

As an infill site, the proposed project promotes a compact urban form. Furthermore, the site is easily accessible to commercial services and employment.

ADDITIONAL COMMENTS (Optional)