

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

Case #2025-11753
1802 Cerrillos Development Plan

Owner/Applicant: Amatren, LLC

Agents: Sommer Karnes & Associates, LLP and B Constructiv LLC

Property: 1802 and 1750 Cerrillos Road; 1361 Fourth Street; and 3rd Berry Avenue, Santa Fe, New Mexico

THIS MATTER came before the Planning Commission ("Commission") for public hearing on June 4, 2026 ("Hearing") upon the application ("Application") submitted on behalf of Amatren, LLC ("Applicant").

The Applicant requests approval of a Development Plan for redevelopment of the former Empire Builders site and related parcels on Cerrillos Road. The property is zoned C-2 (General Commercial) and is within the Cerrillos Road Highway Corridor Protection District, Zone 1, and the Suburban Archaeological Review District.

After conducting a public hearing and having heard from City Planning and Land Use Staff ("Staff"), the Applicant, and interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

1. Staff reviewed the Application, related materials, Development Review Team comments, public comments, and other submitted information for conformity with applicable requirements of Chapter 14 SFCC 1987.
2. Staff provided the Commission a written Staff Report evaluating the factors relevant to the Application and recommended approval subject to conditions and technical corrections set forth in Attachment A.
3. Pursuant to former SFCC 1987 Section 14-3.1(F) (2025), which applied to the ENN process at the time, the Applicant conducted two Early Neighborhood Notification ("ENN") meetings on October 6, 2025 and October 23, 2025. The meetings included presentations by the Applicant's team and questions and comments from neighbors and interested persons. Meeting summaries are included in Attachment C-2 to the Staff Report.

4. The Planning Commission heard the matter on June 4, 2026. The Commission received the Staff Report, Staff presentation, testimony and evidence from the Applicant, written public comments, public testimony if any, and other materials in the record prior to making its decision.
5. The public record included comments and concerns related to public access to case materials, Special Use Permit findings, the Cerrillos Road Highway Corridor Protection District, the Suburban Archaeological Review District, fire-station proximity and emergency access, NMDOT / Cerrillos frontage coordination, mural / public art treatment, and corridor character.
6. The public record also included written support for redevelopment of the former Empire Builders site.
7. The Commission approved the Application with conditions, subject to Attachment A: Conditions of Approval and Technical Corrections, as modified by the Commission.
8. The Development Plan request concerns the physical site plan, circulation, dimensional standards, parking, open space, access, signage, lighting, drainage, utility coordination, and technical review for the redevelopment.
9. The record supports a finding that the Development Plan satisfies applicable Development Plan review criteria, subject to Attachment A conditions and technical corrections.
10. No variances are approved through this action.
11. The Commission imposed an additional mural / public art condition requiring reproduction of the existing Empire Builders mural on the exterior of the building in a location visible to the public and requiring a second exterior mural in a location visible to the public, with the location of the second mural to be agreed upon by the applicant and staff. The Commission further required the Applicant hire an artist or artists from Santa Fe to complete both murals.
12. The Commission finds that the conditions and technical corrections set forth in Attachment A, as modified by the Commission, are necessary to accomplish proper development of the area and implement applicable policies and requirements.
13. At the August 6, 2026, Planning Commission hearing, the Commission provided further explanation for the condition that the artist or artists hired to complete the murals be residents of Santa Fe. The Commission seeks to provide opportunities for local artists as a necessary means to promote the local cultural heritage, engage the community, and contribute to vibrant neighborhoods in a manner that aligns with other city-directed initiatives aimed at fostering local artists.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction and authority to review and act on the Application.
2. Pursuant to SFCC 1987 Section 14-2.1, the applicable procedural requirements, including notice and public hearing, have been satisfied based on the record before the Commission. The ENN process was conducted pursuant to former SFCC 1987 Section 14-3.1(F) (2025), which applied to the ENN process at the time.
3. The Staff Report, Attachment A, Development Review Team comments, public comments/support materials, Applicant materials, and hearing testimony constitute substantial evidence in the record supporting the Commission's decision.
4. The Commission concludes that it has authority to approve the Development Plan.
5. The Commission concludes that the Development Plan satisfies applicable review criteria, subject to conditions and technical corrections.
6. The Commission approves the Development Plan subject to Attachment A: Conditions of Approval and Technical Corrections, as modified by the Commission to include the PC-added mural / public art condition.
7. Condition 44 is incorporated into Attachment A and requires: (a) reproduction of the existing Empire Builders mural on the building exterior in a location visible to the public; (b) a second exterior mural visible to the public, with its location agreed upon by the applicant and staff; and (c) that the artist or artists hired to complete both murals be residents of Santa Fe.
8. The Commission concludes that the condition the Applicant hire artists from Santa Fe to complete the murals at the property is carefully tailored to promote the local arts community and culture without unreasonably harming nonresidents.

ORDER

WHEREFORE, IT IS ORDERED by the Planning Commission of the City of Santa Fe that Case #2025-11753, 1802 Cerrillos Development Plan, is approved subject to the conditions of approval and technical corrections set forth in Attachment A, as modified by Planning Commission action, including the PC-added mural / public art condition.

The Development Plan shall expire in accordance with SFCC 1987 Subsection 14-2.1(F)(4)(IV)(h)(3), unless actual development of the site or off-site improvements has begun and is continued, or a time extension is granted pursuant to SFCC 1987 Section 14-2.1(B)(5)(VII).

Signature Blocks

Planning Commission Chair Date

FILED: City Clerk Date

APPROVED AS TO FORM: City Attorney / Assistant City Attorney Date