

**Referring to Case Number**

ZNCH-20-001

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Eastern Sandoval Citizens Association  
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SANDOVAL COUNTY PLANNING AND ZONING COMMISSION

RE: Homestead Village, Inc., Application ZNCH-20-001, for an amendment to the existing Homestead Special Use (SU) zone district in Placitas

To All P & Z Commission Members,

The Eastern Sandoval Citizens Association (ESCA) is a N.M. non-profit association of residents of Eastern Sandoval County, organized for the purpose of protecting the environment, quality of life and property values of the citizens of that area of the county. As stated on ESCA's website ([es-ca.org](http://es-ca.org)), ESCA monitors proposed legislative and other governmental activities that might impact eastern Sandoval County or its residents, reports on those activities and ensures that the voices of its constituents are heard.

ESCA is contacting the Sandoval County Planning and Zoning Commission (the "Commission") at this time to comment on the above-referenced zone change application for an amendment to the Homestead Special Use District (SUD) in West Placitas. ESCA is not, at this time, expressing any view on whether residential development density of greater than 1 residence per acre (see Placitas Area Plan, p. 43) should be allowed in the Homestead SUD or at any other location in eastern Sandoval County. Rather, the purpose of this letter is to point out to the Commission significant problems with the Homestead application which make it impossible to determine whether the proposed zoning amendment will be to the

benefit or detriment of the residents of West Placitas. These problems are as follows:

1. The application is unacceptably vague in that it is for "multi-family use." "Multi-family use" is not a defined term in the Sandoval County Comprehensive Zoning Ordinance (CZO). The definitions section of the CZO (Section 6) does have a definition for a "cluster housing development" but that term was not, for some reason, used by the applicant, perhaps because a cluster housing development requires a master plan and common open space. In any event, the term "multi-family use" could mean anything from several families in one unit, to multiple attached units, to major apartment complexes. The point is that we just don't know at this point, because the designation "multi-family" is too open-ended and ambiguous.
2. The application covers the full 8.32 acres of the Homestead SUD which means that, if the application were to be granted, theoretically the Homestead Shopping Village could be razed and an enormous apartment complex constructed on the site.
3. The applicant submitted no site development plan (at least none was attached to material posted on the County's website). Normally, a site development plan must be submitted with any application for a zone change (see, e.g., CZO Section 10.B). Without a site development plan, ESCA and its constituency cannot determine the size, precise location, and arrangement of all structures, parking areas, water availability, liquid waste disposal, drainage facilities, landscaping, traffic and pedestrian routes, and compliance with Section 14 of the CZO (accessory buildings, height limitations, fences and walls, outdoor lighting, etc.). As a consequence, the absence of a site plan prevents ESCA (and other interested parties) from engaging in meaningful analysis of the application.
4. The absence of a site plan also prevents the County authorities from making an informed decision on whether the proposed amendment should be granted. In CZO Section 10, the County must determine whether the proposed revised special district will "become detrimental to the public, health, safety or general welfare"; and, in Section 19, zoning may not be amended unless satisfactory provision has been made concerning 7 items, including, among other things, accessibility, adequate parking, water and liquid waste facilities, economic and other effects on adjoining properties, etc. At this point, neither the County nor the public have any assurance from the applicant that there is adequate water availability for a high-density housing development or an acceptable liquid waste disposal plan. These are all things that must be addressed in a detailed site development plan before ESCA can take a position pursuant to its stated mission; and, before the County authorities can decide whether to grant the application.

It seems clear at this point that the Homestead application is fatally defective for the reasons stated above, and the fact it violates the Placitas Area Plan. The Sandoval County Planning and Zoning Division, in its Staff Report, has pointed out this conflict. The Placitas Area Plan, approved and adopted by the County Commission in 2009, recommends that West Placitas be zoned as a residential district with a minimum lot size of 1 acre per residence. This zoning recommendation is incorporated into the County's CZO as the CD-West Placitas Community District (Section 9(2.7)) which limits residential development to 1 dwelling unit per lot and does not allow for "multi-family" or cluster housing. The only exceptions to the above development scheme in the Placitas Area Plan are two designated commercial locations at La Puerta and Homestead Village along the Route 165 corridor. Those locations were to be for commercial and office space use. In 2010, Homestead Village, Inc., applied for and was granted a SUD for its 8.32-acre site. The County Commission order creating Homestead's SUD does not allow for any residential development within the SUD.

According to CZO §19 (amendment of existing zoning), any use not specifically permitted cannot be approved by the County Commission unless it conforms to the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County. The Placitas Area Plan is a land use plan adopted by the County. Homestead's proposed amendment to the SUD does not conform to the Placitas Area Plan in two respects. It does not meet the overall West Placitas residential development density of 1 residence per 1-acre lot, and it does not conform to the Placitas Area Plan requirement that the Homestead SUD be limited to commercial and office space use. Thus, under Sections 10 and 19 of the CZO, the Homestead application cannot be granted, and the Planning and Zoning Division report recommending denial is correct.

As a last point, ESCA notes that this zone change is being publicized by realtors as a means of providing affordable housing to “aging senior citizens of Placitas who want to downsize.” At the same time, the claimed developer of the project has been representing that the units will be marketed at a price of around \$450,000 each. This hardly constitutes “affordable” housing. It is doubtful whether many, if any, senior citizens will be able, or willing, to re-locate into such expensive housing. The reality is that realtors will market these units to whoever is willing to pay the price. The potential market for the proposed units should not be relevant to the required decisions in the CZO.

EASTERN SANDOVAL CITIZENS ASSOCIATION

George Franzen President ESCA

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