

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

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