

**SANDOVAL COUNTY
PLANNING AND ZONING COMMISSION
PUBLIC HEARING
WEDNESDAY, OCTOBER 26, 2016 - 6:00 P.M.**

Agenda

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF SEPTEMBER 28, 2016 MINUTES**
6. **PUBLIC HEARINGS** Anyone wishing to speak on any hearing item must be sworn in prior to giving testimony. The Planning Commission reserves the right to limit the time for individual testimony based on the number of persons wishing to speak
 - A. **ZNCH-16-001 (Continuation)** Request by Placitas Sage Co-Housing, Joyce Thompson/Andrea Mason, agents, for approval of a Zone Map Amendment from CD-WP (West Placitas Community District) to MP (Master Planned) zone district for a mixed-use development on Lots 62-B, 82-B, 83-A, 83-B, and 84, Placitas Small Tracts, Section 34, Township 13 North, Range 4 East, NMPM, in the southwestern portion of the Placitas area. The proposed mixed use development includes 18 attached clustered residential units, open space, a community center/common house containing a place of worship/religious space, and a separate gallery/studio space. The subject site contains approximately 6.18 acres, with a gross residential density of 3.0 dwelling units per acre.
 - B. **V-16-001 (Continuation)** Request by Placitas Sage Co-Housing, Joyce Thompson/Andrea Mason, agents, for approval of a Variance for parking dimensions, number of parking spaces, and placement of parking shelters for on Lots 62-B, 82-B, 83-A, 83-B, and 84, Placitas Small Tracts, Section 34, Township 13 North, Range 4 East, NMPM, in the southwestern portion of the Placitas area.
 - C. **CU-16-002** Request by Rodney Sandoval for a Conditional Use Permit in the RRA (Rural Residential/Agricultural) Zone within a site of approximately 51.3 acres in the La Jara community, portion of Small Holding Claim No. 4293, Tract 1, Section 32, Township 22 North, Range 1 West, NMPM, Sandoval County.
7. **STAFF REPORT** – At the discretion of the Planning & Zoning Commission the Public may comment on the discussed items after the Staff has completed their report.
8. **DISCUSSION ITEMS** – These items are presented for discussion and recommendation. At the discretion of the Planning & Zoning Commission the public may comment on these items.
9. **PUBLIC COMMENT** -Anyone wishing to address the Commission must sign in prior to the Meeting. Individual remarks are limited to three (3) minutes.
10. **PLANNING COMMISSION COMMENT** - Individual Planning Commissioners may discuss new and other business. Public comment will not be taken on this item.
11. **ADJOURNMENT**

Posted 10/09/16

Attachment # 1

SAGE CO-HOUSING

October 2016

ZNCH-16-001

Thank you for this opportunity Chairman Arrango and Commissioners.

The Planning and Zoning staff has submitted a recommendation for this site to you with information that does not appear to follow the Placitas Area Plan as adopted in April of 2009 Resolution #4-16-09. It goes in the reverse direction. The West Placitas Community District is defined by the Placitas Area Plan adopted and incorporated into the Sandoval County Comprehensive Zoning Ordinance by the Board of County Commissioners December 2010, to be different from other areas. Specific to that plan the West Placitas Community District can only be developed in single family RRA one acre lots as recognized on page one of the staff report.

The staff report on page two goes on to say that the applicant's HOA by-laws may only sell or rent to persons over 55 years of age which does nothing to diversify a population already largely over 55 but only serves to add density. No benefit is gained by a change to a Master Plan Zone District which the current residents oppose. The applicant has applied to the Town of Bernalillo to vacate a portion of the existing right of way and utility easement used by these neighbors. The application also asks for a variance (V-16-001) to reduce the legal space requirements for parking dimensions, number of spaces, and placement of the required parking spaces. Clearly the applicant assumes that smaller roads and parking spaces for EMT, fire and police are acceptable and visitors to the residents or the chapel and store/gallery are pedestrians.

Attachment #2

The staff report goes on in the following page to do an analysis which references Resolution No.2-21-13.11 to the Housing Policy in Section V Letter B which says: “Sandoval County SHALL implement programs and procedures for neighborhood stabilization and affordability”. This proposed zone change destabilizes the neighborhood by proposing to build 18 units which the applicant has been unable to market over an extended period thru radio and print advertising and by direct appeal to others. The proposed zone change contradicts the Resolution and policy directive passed by the Sandoval County Board of County Commissioners on February 21st 2013 and instead offers the neighborhood the prospect of short term occupancy, high vacancy rates and unaffordable above area average housing costs.

The staff report goes on in the next few pages to speak to federal housing policy. On page six the staff report addresses the Placitas Area Plan Policy to restate the West Placitas Community District is for single family residences. To reinforce the point the staff report says that only the areas already zoned as NON-residential areas of West Placitas and the I-25/Bernalillo Interface District may be considered for higher density residential and mixed use development. The report goes on to discuss the Master Plan Zone (MP) requirements for the I25/Bernalillo Interchange area and does not mention the area this application applies to but again refers to federal guidelines for (MP) districts.

On page seven of the report the staff refers to a policy to allow “cluster housing” to developers and quotes the Placitas Area Plan, Incentive for Cluster Housing to improve Open Space page 64 as follows “Developers shall be allowed to cluster housing units on smaller single family lot size. However, undevelopable areas such as slopes greater than 40% as well as arroyos should not be considered as part of the gross parcel”.

The submitted documents in the application and an inspection of the site show that this requirement has not been met. The report on page eight submits an analysis for Master Planned districts and in paragraph 3 quotes the intent of the (MP) district “to permit and encourage the unified planning of LARGE areas or mixed use developments in order to achieve the mixture and variety of land uses that such LARGE scale planning makes possible.” The remainder of the report attempts to justify the zone change then uses pretzel logic to say the disallowed undevelopable area and arroyos are open space. In a further attempt to fit this square peg into a round hole staff spells out the parking requirements and say those don’t need to be followed. The applicant is asking for a variance after it gets approval to further reduce their need to comply.

The language used by the developer is “cherry picked” from the comprehensive zoning ordinance which is perhaps understandable. That the planning and zoning staff then uses the developers’ application to subvert the stated intent of the ordinance is less understandable. The Placitas West residents have made clear their desire to have this development rejected. Commissioners please ask yourselves where the commercial, industrial and high density urban residential aspects of a large area and large scale planning required for a Master Planned District are in this application. If the stated intent of Sandoval County Board of County Commissioners is reflected in the Comprehensive Plan, the Placitas Area Plan, the West Placitas District, the Master Planned District and the single family RRA, please follow their directive and reject this attempt to spot zone for the benefit of the few at the expense of the entire area.

In response to a letter dated 10-20-16 to the Sandoval County Attorney by the applicants' council it should be noted that the Sage Co-housing application does not seek a public place of worship but a common house for residents. If a Buda, Crucifix or yoga mat is put in a room, for spiritual fulfillment, it does not transform that room into a spiritual center. A spiritual space in a residential setting does not provide grounds for a zone change. There has been no public invitation offered to worshipers or parking provided. The threat made about the "heavy burden" of compliance is a reach at best and an insult to the legitimate concerns of the community.