

February 23, 2009

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 Ralph Martinez, Planning & Zoning Commissioner
 Mike Lucero, Planning & Zoning Commissioner
 Juan Vigil, County Manager
 David Matthews, County Attorney
 Michael Springfield, Development Director
 Moises Gonzales, Long Range Planner

Re: Remarks and Recommendations on Placitas Area Plan

Dear Commissioners and County Officials,

The OnePlacitas group has had a chance to review the revision of the Placitas Area Plan, posted on February 16, 2009. Many recommendations we have made in the past have not been incorporated in the present draft plan. In general we find that the lack of specificity in the present draft represents a step backwards, as it gives insufficient guidance to the County Commission regarding what zoning regulations will result from the plan. Just as disturbing is the sudden appearance of new topics in the present draft plan, particularly regarding the I-25 Frontage Road, which do not represent anywhere near a consensus of the Placitas community.

The following specific remarks and recommendations do not constitute the whole of our suggested changes to the plan. We have previously put on record a number of recommendations, some but not all of which appear in the present Appendix, and for the most part will not repeat those here. What follows mostly concerns items or omissions that are new to the present revised draft.

Page 16 – “NM DOT has listed the redesign and construction of I-25/US 550 Interchange as a priority; it will go to bid in 2009 with construction following within approximately 2 years.”

Remark: There is no guarantee that this construction will be done or even started within 2 years.

Everything depends on funding, which is highly uncertain at present. Recommend this be changed to:

NM DOT has listed the redesign and construction of I-25/US 550 Interchange as a priority. Plans are for this to go to bid in 2009, but no schedule for construction can be given with any certainty.

Page 22 – Remark: In the listing of open spaces in or surrounding the Placitas Area, the Sandia Wilderness is appropriately included, as bounding the Placitas Area on the south. But the approximately 3000 acres of BLM land bounding the Placitas Area on the north is given no mention. The BLM land at present is as much open space as the Sandia Wilderness. The first two sentences should therefore be amended to read:

The Placitas Area and immediately surrounding areas contain several major open spaces. The two largest are the Sandia Wilderness area which forms the south boundary of the planning area, and the over 3000 acres of BLM land, not yet designated as open space, which forms the northern boundary of the planning area.

Page 26 – Remark: Again, no explicit mention is made of the large BLM land to the north of the planning area. A sentence should be added after the first sentence of the second paragraph:

In addition to the two tracts within the planning area, the over 3000 acres of BLM land to the north of the planning area will be included in the BLM RMP.

Page 28 – Correction in first sentence: Should be “November 2008”.

 Pages 36-40 and 58: Specific Remarks on "Town of Bernalillo Land Use Interface"

There are a number of problems with this material (transit oriented development and annexation), most specifically this text on Page 36:

"Transit oriented development would provide the Town of Bernalillo with the ability to transition commercial development off of NM 550 due to traffic constraints as well as provide a housing strategy that would encourage the use of transit. Therefore, the Placitas Area Plan should encourage the Town of Bernalillo to annex the Bernalillo/Placitas Interface Area and develop opportunities for mixed use transit oriented development at this location."

1. None of this text or concept appear in any of the earlier drafts of the Plan.
2. This was not discussed at any of the public Existing Conditions or P&Z meetings. The Town of Bernalillo has been working on a Transit Oriented Development plan for some time, but this was never presented or discussed at any of the public Placitas Plan meetings. Placitas residents have not been part of the Town planning process.
3. There do not seem to be any publicly available comments from Placitas residents or organizations that support this.
4. This material ignores recommendations and discussion at the January P&Z meeting about a "7th district" for mixed commercial/residential use along the frontage road, and supported by comments submitted by OnePlacitas to define such a district.
5. This material is inconsistent with the definition of the West Placitas Residential District (WPRD) shown on Page 45 (and all earlier drafts) as extending to the I-25 frontage road.
6. The "Area Best Suited for Annexation into Town" pictured on Page 37, although somewhat vague, appears to include a much larger area than has been discussed for commercial development up to now.
7. Encouraging the Town of Bernalillo to annex this area sends the incorrect message that Placitas residents are willing to give up all control and influence over how this critical area is zoned and developed.
8. The recommendations provided on Page 36-39 can not be considered "Existing Conditions".

Recommended Changes:

1. Retain a section in Existing Conditions, but rename it "I-25 Corridor".
2. Change the text in Existing Conditions (page 36) to:

I-25 Corridor

Along the east side of the I-25 corridor in the study area is not only the interchange between US 550 / NM 165 and I-25, but also the intersection of several jurisdictions such as the Town of

Bernalillo, Non-trust Sandia Pueblo Land and parcels of land that fall within the jurisdiction of Sandoval County. Approximately 50% of the land on the I-25 frontage road is already in the Town of Bernalillo's jurisdiction or owned by Sandia Pueblo.

On October 30, 2007, the Bernalillo Town Council adopted Resolution No. 10-30-07 which supplemented the Town of Bernalillo Comprehensive Plan with the Bernalillo Transit Oriented Development (TOD) Plan. Although the TOD Plan recognizes that some of the property east of I-25 is within the TOD study area, the focus is on development west of I-25.

In the Spring of 2009, the NMDOT is scheduled to begin the re-design process for the interchange of I-25 and US 550 / NM 165.

3. In the section on Non-Residential Districts, beginning on Page 52, add an additional district:

Placitas I-25 Frontage District

The purpose of the Placitas I-25 Frontage District is to develop land use policy that ensures the appropriate type of development of property along I-25 in keeping with overall plan goals of preserving the rural character of the area, the view-shed, and night skies.

The Placitas I-25 Frontage District is defined as all property, within the Placitas Area Plan, immediately adjacent to, and within one tenth mile of the I-25 frontage roads north and south of I-25 exit 242 (US 550 / NM 165) that is not presently under any other jurisdiction.

If suitable pedestrian trails and highway crossings can be included in the redesign of the I-25 and US 550 / NM 165 interchange to connect development to the Rail Runner station, then mixed use transit oriented development could be a viable land use alternative. It is important that development be designed not to impact the views from west Placitas neighborhoods.

4. Change the map on Page 45 showing the West Placitas Residential District to reflect this Placitas I-25 Frontage District.

5. Eliminate the picture on Page 37, and include instead a map showing the exact boundaries of this I-25 district.

6. Move the drawings on Pages 38 and 39 and the text at the bottom of Page 39 to go with the Placitas I-25 Frontage District following page 52, as recommended in point 3 above.

7. On Page 54, under "Non-Residential District Zoning Recommendations:", add:

- Only approve zoning changes or development requests when traffic conditions and state of improvements at the I-25 and US 550 / NM 165 Interchange will support additional traffic.
- Limit of one entrance and exit for each property to deter strip mall style development and encourage building clusters.
- Require appropriate improvements to highway or frontage road with each development to maintain traffic flow.
- Adopt suitable height restrictions of all structures to preserve view-shed.
- Adopt suitable restrictions on sign size and placement to preserve view-shed.
- Adopt building, parking, and sign lighting restrictions to preserve night sky.
- Adopt landscaping restrictions to require xeriscaping and showcase low water use.

8. On Page 58, completely remove the bullet point and text under "Town of Bernalillo/Placitas Interface".

Page 41 – Remark: In the introductory paragraph it is stated that “these goals were submitted by various community groups”. This is true of most of the bulleted items that follow. However two of them were submitted by a representative for the owner of the Cashwell property. This constitutes a single property owner, not a community group. Certainly individual property owners should have their voices heard and respected in this area planning process. But it misrepresents the consensus nature of the process to treat the goals of an individual property owner, unsupported by others in the community, as representing community goals. The goals of individuals are more properly represented in the Appendix, or alternatively in a separate part of the Goals section that lists goals voiced by individuals rather than community groups. Consequently the following 2 bullet points should be omitted from this list:

- Develop new ways to integrate non-residential uses into a residential fabric
- Develop land use definitions that promote varied building types and land uses that conform to the appropriate development pattern in the Placitas area.

Page 42, bullet point 5 – Remark: The “Live and Let Live” attitude has been taken to mean in large part a resistance to restrictive covenants. That has indeed been endorsed by some in the East Placitas Residential District, but not by those in the West Placitas Residential District. In order that there be no confusion on this point, the bullet point should be amended to read:

- Support the “Live and Let Live” attitude in the eastern portion of Placitas

Page 42, bullet point 6 – The use of just “Placitas” here could be misconstrued to include the entire Placitas Area. It should be expanded to “the Historic Village of Placitas”, as in bullet point 14 on page 42.

Page 44 – Remark: The idea of “sub-area” and “sub-planning area”, introduced on page 46, should instead appear here (see note on page 46). Following the first sentence, the following sentence should be moved and inserted from page 46:

Specific sub-planning areas need to be created for this area to deal with the unique characteristics of the community (see map of proposed district on page 45).

Page 45 – The map here draws a line for the border between the West Placitas Residential District and the East Placitas Residential District. Part of the Overlook subdivision, however appears on the east side of the line. The map should be redrawn so that the whole of Overlook is included in the west part.

Page 46, first paragraph, first sentence – This sentence should be moved to page 44 (see above), and removed from here. Its placement here misleadingly indicates that the idea of sub-areas applies only the West Placitas Residential District, and could be misconstrued as stating that the WPRD itself should be divided into sub-areas, which is not the intent of the planners.

Page 46, first paragraph, sixth sentence – “subdivisions such as The Overlook, Anasazi Trails, and Placitas” should instead read “subdivisions such as The Overlook, Anasazi Trails, and Placitas Trails”.

Page 48 – Redraw map consistent with map on page 45, so that the Overlook subdivision appears entirely on the west side.

Page 49 – To be consistent with the corresponding title on page 46, the title here should read “Purpose of East Placitas Residential District (sub-area) Plan”. Or if the present title is kept, then the title on page 46 should read just “West Placitas Residential District”.

Page 52 – In accord with the above recommendations regarding the Placitas I-25 Frontage District, a third bullet point should be added here: “Placitas I-25 Frontage District”.

Page 58 – The section “Revise the Criteria for Home based Businesses” does not represent the views of the Placitas community. The most characteristic home based occupation in Placitas is that of artist. Referring to the present definition of “home occupation” in the zoning ordinance, the following statement came from the Board of the Placitas Studio Tour: “The Board of the Placitas Studio Tour had an opportunity to consider the definition of Home Occupation as defined below. We are in unanimous agreement that it is sufficient for our activities. However, we do feel that they should not be changed to anything less restrictive, as that could lead to a negative change in the character of Placitas.” (Submitted to Orin Safier by Barry McCormick, member of the Board of the Placitas Studio Tour.) Since no other community group is calling for a change in the definition of home occupation, this section should be removed from the Area Plan.

Page 61 – Recommend revising paragraph on water recommendations to the following:

Water Recommendations

The County should do everything possible to discourage new individual domestic wells and instead encourage the connection of housing units in subdivisions to shared systems or community water systems using system wells for water supply. The advantage of the community systems or the shared wells is the management of the water supply that is inherent in the metering of wells of this type, allowing system management and the user / customer to see their usage, be part of realistic conservation programs, and provide for identification of water losses. Additionally, the County will encourage policies that will decrease ground water mining for residential landscape such as rain water harvesting and low water use plant species appropriate to water availability.

A policy of Sandoval County is: "Water availability governs land use".

Page 61 – Remarks on "Storm Water Recommendations": The current text defers any controls on building in arroyos until an "approach" can be worked out with ESCAFCA, without any definite time line given for reaching such an agreement. This does not reflect the desire of Placitas residents to not have any new buildings that would be threatened by flooding, or development that would contribute to downstream problems.

Recommend the following replacement:

Storm Water Recommendations

In November of 2008, the Eastern Sandoval County Arroyo Flood Control Authority was formalized by election to become a governing flood control authority. Flood control and storm water mitigation will come under the authority of this body after completion of intergovernmental agreements of Sandoval County and the Town of Bernalillo. Therefore, review and approval of acceptable stormwater management and erosion control, regardless of size of development, will require ESCAFCA approval. Sandoval County Development Division will support early approval of intergovernmental agreements and will work with ESCAFCA to develop a comprehensive approach to dealing with drainage issues in the Placitas Plan Area.

The County will only approve a subdivision or building permit when each lot has both a building footprint and an area suitable for a septic field (unless a community or shared sewer system will be used) that is entirely outside of any arroyo erosion zone. Additionally each proposed improvement will include in its site plan hydraulic design to demonstrate adequate detention and/or retention of runoff created by impervious surfaces of the new construction. The drainage plan required for review and approval may require stamped approval by a registered engineer. The bounds of an arroyo erosion zone and requirements for on-site detention will be determined by ESCAFCA.

Appendix, page 67 – The “Additional Proposed Definitions for Allowable Uses” came from Knight Seavey. As such they should be identified as his contribution, and included under the “Knight Seavey Plan Recommendations” on page 75. The purpose of the appendix is to include either sections of the present

zoning ordinance, or contributions of groups and individuals relevant to the area plan. Those contributions must all be linked to their contributors, and not be presented as general recommendations for the area plan. Anything in the plan that is a recommendation should appear in the “Recommendations” section, not the appendix.

Respectfully,

Orin Safier/OnePlacitas