



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

HONDO RESTAURANT AT THE SNAKEDANCE
CONDOMINIUMS
TAOS SKI VALLEY, NEW MEXICO

MONDAY, OCTOBER 19, 2015 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:05 p.m. Roll call was taken and a quorum was established. All Commission members were present: April Bender, Henry Caldwell, Richard Duffy, Susan Nichols, Chris Stagg, Tom Wittman, and Jim Woodard. Staff members present: Planner Matthew Foster, Administrator Mark Fratrack, Community Development Director Don Schieber, Building Inspector Rich Willson, Clerk Ann Wooldridge, and Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

Planner Foster would like to add an update from the Council meeting under Miscellaneous.

MOTION: To approve the agenda with the above addition

Motion: Chris Stagg **Second:** Jim Woodard **Passed:** 7-0

III. APPROVAL OF THE MINUTES OF THE SEPTEMBER 14, 2015 MEETING

MOTION: To approve the minutes as presented.

Motion: Chris Stagg **Second:** Richard Duffy **Passed:** 7-0

IV. NEW BUSINESS

A. PUBLIC HEARING: John Halley, representing Kachina Village LLC, is requesting approval of a Conditional Use Permit to develop 1.259 acres as a mixed-use development on Lot 6, Block 3 of the Kachina Subdivision located within the Commercial / Business Zone, consisting of five (5) single-family residences, three (3) townhouse units, a 4,381 square foot day lodge with spa, and dedicated open space.

Planner Foster introduced the application for mixed use. Staff has analyzed the proposal and recommends approval with a number of conditions. The conditions for approval are either required by the zoning regulations, are necessary to further the objectives of the Village of Taos Ski Valley Master Plan, or are deemed essential to protect the public safety and general welfare of the Village. Concerns by Staff include access to the spa from the handicapped parking space, the size of all the parking spaces, possible glare from south-facing glass panels, the storm water drainage plan, and whether the open space will be improved or not. The proposed development meets the Kachina Subdivision covenants. The five homes could be built before a Kachina water tank were built as long as they have sprinklers for fire protection. Future phases are conditioned on completion of the blue zone water tank.

John Halley presented renderings of the proposed development. He explained that the Kachina Mountain Lodge proposal "offers an environmentally conscious demonstration project that pioneers how we can create and achieve regeneratively sustainable development and life-styles year-round at Taos Ski Valley". The plan includes demonstration indoor/outdoor permaculture gardens.

PUBLIC HEARING: Chairman Wittman opened the public hearing. Speaking against approval of

the conditional use permit was Michael Mitchell, representing TSV Inc. He expressed concern that a unified approach to development in the Kachina area had not taken place. He said that the precedent of multiple land owners working together that has occurred in the Village core should serve as a model for development in the Kachina area as well. Speaking for approval of the conditional use permit were Dianne McKenzie and John Halley. The public hearing was closed.

MOTION: To approve the Conditional Use Permit to develop 1.259 acres as a mixed-use development on Lot 6, Block 3 of the Kachina Subdivision located within the Commercial / Business Zone

Motion: Chris Stagg Second: Richard Duffy

Discussion followed. Commissioners expressed concern that so many items needed to be addressed in the twenty-two conditions necessary for approval set forth by Staff. There was concern that the grading and the utilities plan were not yet clearly laid out, the parking lot was not ADA compliant nor was the access from the parking lot to the commercial building as required by ADA, and that build-out of the project would be difficult to achieve because of the close proximity of the buildings and the uncertainty of the specific phases and units to be built as a result of the condominium ownership of the development.

Chairman Wittman called the question and the vote was taken.

Voting for: Henry Caldwell, Richard Duffy, and Tom Wittman.

Voting against: April Bender, Susan Nichols, Chris Stagg, and Jim Woodard. Failed: 3-4

V. OLD BUSINESS

A. Discussion of the Preliminary Plat of the Lake Fork Creek Subdivision and conveyance of the Kachina Water Tank Property

Attorney Joe Canepa discussed the recent history of the Lake Fork Creek Subdivision and the conveyance of the Kachina Water Tank Property. The 41-acre parcel was subdivided out of the Pattison's 1350-acre parcel and sold to Lake Fork Creek Holdings in 2010. The land for the water tank, with utility easements and an easement to access the tank, was deeded to the Village in 2011 with the provision that the tank be built within four years or the site and easements would revert back to Lake Fork Creek Holdings. In January 2013, preliminary approval was given for the Lake Fork Creek Subdivision which separated out a 17-acre parcel of open space and a 24-acre parcel which would be divided into 4 lots. With this approval the developer requested 3 years to complete the necessary infrastructure after the water tank was built. With the approval of the Parcel D conditional use in January 2015, there was approval for an extension of 4 years of the reversionary clause on the water tank site. Funding is being secured so hopefully the Kachina water tank construction will begin in 2016.

B. Discussion of TIDD Boundaries in relation to the Lake Fork Creek Subdivision and the Village's Eastern Boundary / Jurisdiction.

Attorney Canepa explained that the 17-acre open space parcel is outside the boundary of the newly formed Village of Taos Ski Valley Tax Increment Development District area. There had been consideration of starting the process to change the boundary, but it appears that Village attorney Romero will be able to negotiate a memorandum of understanding with Taos County for the tax assessor's office to handle the boundary intersecting the Lake Fork Creek Subdivision parcel.

C. Presentation and discussion of the draft Community Services Element of the Village Master Plan

Planner Foster presented the next element of the revised master plan, which addresses community services such as law enforcement, fire protection, emergency medical services, animal control, trash and recycling, slash burning, transit, and special events. The goal outlined in the plan would be that the Village become fully equipped, trained, and empowered to provide community services that meet the recognized needs of Village residents and visitors. The policies suggested include the Village recognizing that providing new or enhanced community services is not always feasible due to the small population and remote location. However, the Village will

collaborate with regional agencies and organizations to explore new opportunities. The objectives include purchasing a new law enforcement vehicle every other year, constructing a new public safety and multi-purpose building, implementing a public education and notification program, purchasing a water tender truck, adopting a noise ordinance to regulate noise levels during special events, signing an agreement with the USFS to grant jurisdiction for Village public safety department to issue citations on USFS land in the parking lots, relocate the fire substation, purchase a ladder truck, and expand recycling services. This draft element will be revisited at a later time along with the other elements.

VI. MISCELLANEOUS

A. Discussion of potential ordinance amendments to encourage and potentially regulate fire prevention improvements on private property

Planner Foster reported that the Public Safety Committee has expressed interest in having the Village regulate forest thinning on private property for defensible space. Regulations would need to be created in order to do this, as well as a system to mandate thinning. He suggested that it would be best to spread educational information to the community and to provide information about financial incentives for thinning prior to adopting an ordinance to mandate thinning and creating defensive space on private property. The Firewise Committee will help create a strategy for implementing defensive space within the Village.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting will take place on Monday, December 7, 2015 at 1:00 p.m. at the Edelweiss Lodge Club Room.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: April Bender **Second:** Richard Duffy **Passed:** 7-0

The meeting was adjourned at 4:15 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk