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**PLANNING & ZONING
COMMISSION:**

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Neal King
Susan Nichols
J. Christopher Stagg
Jim Woodard

VILLAGE ADMINISTRATOR:
John Avila

**DIRECTOR OF PLANNING &
COMMUNITY DEVELOPMENT:**
Patrick Nicholson

VILLAGE CLERK:
Ann Marie Wooldridge

**PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA**

MONDAY, APRIL 1, 2019 1:00 P.M.
EDELWEISS LODGE, CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO

AGENDA

- I. CALL TO ORDER & ROLL CALL**
- II. APPROVAL OF THE AGENDA**
- III. APPROVAL OF THE MINUTES OF THE FEBRUARY 4, 2019 REGULAR P&Z COMMISSION MEETING**
- IV. NEW BUSINESS**
 - A. PUBLIC HEARING:** Consideration to Approve an Application for a Time Extension for a Conditional Use Permit previously granted for a temporary commercial building (Taos Tent) within the Village Core Zone on Lot 2, Block G.
- V. OLD BUSINESS**
- VI. MISCELLANEOUS**
 - A.** TSVI employee housing proposal at Lot 1, Block A within the O.E. Pattison Subdivision at the corner of Twinning Road & O.E. Pattison Loop.
 - B.** P&Z Commissioner training opportunity
- VII. ANNOUNCEMENT OF THE DATE, TIME, AND PLACE OF THE NEXT MEETING**
- VIII. ADJOURNMENT**



Village of Taos Ski Valley
 PO Box 100, 7 Firehouse Road, Taos Ski Valley, NM 87525
 (575) 776-8220 (575) 776-1145 Fax
 E-mail: vtsv@vtsv.org Website: www.vtsv.org
Mayor: Christof Brownell
Council: Jeff Kern, Roger C. Pattison,
 J. Christopher Stagg, Thomas Wittman
Administrator: John Avila
Clerk: Ann M. Wooldridge, CMC
Finance Director: Nancy Grabowski

NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN of the following meetings of the Village of Taos Ski Valley, New Mexico and the dates, times and locations of the meetings:

MEETING	DATE & TIME	LOCATION
PARKS & RECREATION COMMITTEE	Tuesday, March 26, 2019 4:00 p.m.	Edelweiss Lodge
VILLAGE COUNCIL SPECIAL MEETING	Thursday, March 28, 2019 4:00 p.m.	Inn at Taos Valley Club Room
PUBLIC SAFETY COMMITTEE	Monday, April 1, 2019 10:00 a.m.	Inn at Taos Valley Club Room
FIREWISE COMMUNITY BOARD	Monday, April 1, 2019 11:00 a.m.	Inn at Taos Valley Club Room
PLANNING & ZONING COMMISSION REGULAR MEETING <i>PUBLIC HEARING: Consideration to Approve Application for Extension of Conditional Use Permit for Temporary Structure at Parcel C, 3 Thunderbird Road, by TSV Inc.</i>	Monday, April 1, 2019 1:00 p.m.	Edelweiss Lodge Club Room
VILLAGE COUNCIL REGULAR MEETING	Tuesday April 9, 2019 2:00 p.m.	Edelweiss Lodge Club Room
SOURCE WATER PROTECTION PLAN COMMITTEE MEETING	Thursday April 25, 2019 10:30 a.m.	TBD
TIDD BOARD SPECIAL MEETING	Tuesday, April 30, 2019 10:00 a.m.	Edelweiss Lodge Club Room
VILLAGE OF TAOS SKI VALLEY SPRING CLEAN-UP DAY	Thursday May 23, 2019	Details to follow
TIDD BOARD REGULAR MEETING	Monday, June 3, 2019 10:00 a.m.	Edelweiss Lodge Club Room
LODGER'S TAX COMMITTEE	TBA	Snakedance Condominiums

These meetings will be public meetings to consider various items of business. A copy of the agenda for each meeting will be available for inspection 72 hours prior to the meeting. Persons wishing to comment on items listed on the proposed agendas may submit written comments to the Village offices on or before 5:00 p.m. on the day prior to the meeting. Persons with disabilities may request accommodations no later than 5:00 P.M. on the day prior to the meeting. This notice shall be posted at the Village Office, Box Canyon, Village Message Board in the TSV Chamber of Commerce and three other public places within the municipality as provided by Section 3-1-2 NMSA 1978. /s/ Ann M. Wooldridge, Village Clerk, posted March 21, 2019, amended March 25, 2019.



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO

MONDAY, FEBRUARY 4, 2019 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:00 p.m. Roll call was taken and a quorum was established. All Commission members were present: Henry Caldwell, Richard Duffy, Neal King, Susan Nichols, Chris Stagg, Tom Wittman, and Jim Woodard. Staff members present: Village Administrator John Avila, Planning Director Patrick Nicholson, Village Clerk Ann Wooldridge, Building Inspector Jalmar Bowden, and Attorney Susan Baker.

It was noted that a quorum of the Village Council was present: Mayor Brownell, Council Stagg, and Councilor Wittman.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner Nichols **Second:** Commissioner King **Passed:** 7-0

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 5, 2018 P&Z COMMISSION MEETING

MOTION: To approve the minutes as presented

Motion: Commissioner Duffy **Second:** Commissioner King **Passed:** 7-0

IV. NEW BUSINESS

A. Consideration to Approve **Resolution No. 2019-384** Concerning Governing Body Meetings and Notice Required

Required annually by the State of New Mexico, this is the open meetings act that governs when and how meetings will be conducted.

Motion: Commissioner Stagg **Second:** Commissioner Woodard **Passed:** 7-0

B. Consideration of P&Z Commissioner Appointments

According to Ordinance 1997-15 Creating a Planning and Zoning Commission:

“SECTION 2. MEMBERSHIP, APPOINTMENT, TERMS OF OFFICE AND REMOVAL FROM OFFICE.

A. The Commission shall consist of seven (7) members who shall be appointed by the Mayor with the consent of the Village Council. Members shall be residents of the planning and platting jurisdiction of the Village. Administrative officials of the Village may be appointed ex-officio, non-voting members of the Commission.

B. On the first Commission, a majority of the members shall be appointed for one-year terms and the balance of the members shall be appointed for two-year terms. Each subsequent term of a member on the Commission shall be for two years or less in order to maintain the original staggering of terms of membership. A vacancy in the membership of the Commission shall be filled for the remainder of the

unexpired term.”

At the January 16, 2018 Village Council Meeting, Commissioners Wittman, Nichols, and Woodard were appointed for two-year terms. Commissioners Caldwell, Stagg, Bender, and Duffy were appointed for two-year terms in December 2016, effective January 2017. Commissioner King was appointed in May 2018 to fill the remainder of Commissioner Bender’s term. With the assent of Commissioners Caldwell, Duffy, King, and Stagg, their appointments will be presented for approval by the Mayor with approval by the Council.

After the Commission appointments, the Commission should elect one of its members as Chairman for a one-year term, as outlined in Ordinance 1997-15 Creating a Planning and Zoning Commission:

“SECTION 4. ORGANIZATION AND MEETINGS.

A. OFFICERS: The Commission shall elect one (1) of its members as chairman for a one (1) year term, and create and fill any other offices as it may deem appropriate.”

In answer to Commission Chair Wittman’s questioning of the four Commissioners, all agreed to serve again, if the Mayor desired them to do so.

C. PUBLIC HEARING: Consideration to Approve an Application for Conditional Use Permit for a New Retail Facility at 111 Sutton Place in the Core Village Zone, by TSVI

Planning Director Nicholson explained that TSV, Inc. was requesting approval of a Conditional Use Permit to operate a new retail facility at 111 Sutton Place, at the upper plaza of the Gondolita Platform. Tenant improvements were recently completed and the present occupant is Mucho Gusto Donuts.

The recent change in use of a portion the facility (107 sq. ft.) from a skier services/amenity facility to partial retail within the Core Village Zone (CVZ) necessitates a request for a Conditional Use Permit.

The applicant’s project description, response to applicable zoning regulations, site plan and building photos were all presented.

TSVI Development Director Peter Johnson explained that the building permit had previously been approved and that the business is operational. This item is to clean up an administrative action.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing. Peter Johnson spoke in favor of approving the application. TSVI’s Peter Talty spoke in favor, saying that the Village’s Comprehensive plan includes expansion of retail space in the Village Core area.

No one spoke against.

The Public Hearing was closed.

MOTION: To approve the Application for Conditional Use Permit for a New Retail Facility at 111 Sutton Place in the Core Village Zone, by TSVI, with the one condition proposed by Staff

Motion: Commissioner Duffy Second: Commissioner King

Planner Nicholson explained that this Conditional Use Permit is for the project as presented; any expansion of use or the construction of additional structures will require further approval by the Village.

Commissioner Stagg asked that Zoning Ordinance No. 2017-30 be reviewed by the Commission for possible amendments. He also wanted to make sure that the regulations outlined in the ordinance were being uniformly applied.

The business has had NM Environment Department inspection as a food operation.

Commission Chair Wittman called for a vote. Passed: 7-0

D. PUBLIC HEARING: Consideration to Approve an Application for a Special Use Permit for an Outdoor Wedding Venue in the Kachina Subdivision, Lots 6 & 7A Block 3, by TSVI

Planning Director Nicholson explained that TSV, Inc. is requesting approval for a Special Use Permit (SUP) for an outdoor wedding venue at an existing clearing on the north side of the Kachina Wetland Park behind the Bavarian restaurant. The Special Use, as proposed by the applicant, would be occasional, as needed for weddings and other significant ceremonies.

Staff recommends approval subject to certain conditions:

1. TSVI will adhere to its stated policy to provide shuttle service for all TSVI events in the Kachina Village area to augment the capacity of the available on-site parking. Failure to provide adequate shuttle service and prevent overflow roadside parking, as determined by the P&Z Commission, would void the Special Use Permit.
2. The Special Use Permit, if approved, would expire in three years unless the Planning and Zoning Commission specifically grants an extension.
3. This Special Use Permit is for the project as presented, any expansion of use or the construction of additional structures would require further approval by the Village

TSVI Development Director Peter Johnson explained that TSVI is trying to expand activities in the Kachina area. There has been an increased interest from couples to hold weddings in the Kachina area, he said, and this site would give couples an additional option. The cost of the shuttles would most likely be shared by TSVI and the customers. He asked that the second condition be removed, as the Village would have the right to revoke the permit if parking were to get out of control.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing. Peter Johnson spoke in favor of approving the application. Peter Talty spoke in favor, saying that the wedding site would not be used at the same time as any other large event at the Bavarian or the Phoenix. TSVI is trying to offer various options for events in the Village of Taos Ski Valley. Homeowner Ben Cook spoke in favor, but with a concern about handling the parking. Brain Rupp, representing the Shopoff group, also spoke in favor, as long as the parking were controlled.

No one spoke against the application.

The Public Hearing was closed.

MOTION: To approve the Application for Special Use Permit for an Outdoor Wedding Venue in the Kachina Subdivision, Lots 6 & 7A Block 3, by TSVI

Motion: Commissioner King Second: Commissioner Nichols

TSVI explained that they would not leave wedding guests to fend for themselves. Parking may be an issue, but it may not relate to a wedding event. TSVI would have a plan for any wedding. This wedding venue would accommodate just 100 people. Suggestions were made to not attach all other potential parking problems to this application, and also to not make the first condition a requirement for all of TSVI's events. There would be electricity to the site for music, and the plan is to install about six wooden benches for wedding guests, as well as a wooden stage to formalize the location for the wedding couple. It was pointed out that any event by a property owner should accommodate the guests. Event parking shouldn't overflow onto Village property. Attorney Baker asked that the motion state that "all local, State, and Federal laws be followed."

AMENDED MOTION: To approve the Application for Special Use Permit for an Outdoor Wedding Venue in the Kachina Subdivision, Lots 6 & 7A Block 3, by TSVI, with the following proposed conditions: that shuttle service be required only for wedding events, that condition number two be eliminated, and that the venue comply with the original application documents.

Motion: Commissioner King Second: Commissioner Nichols Passed: 7-0

E. PUBLIC HEARING: Consideration to Approve an Application for a Conditional Use Permit to install a Wireless Communications Tower at 110 Kachina Road, adjacent to the Phoenix Lodge, in the Village of Taos Ski Valley, by TSVI

Planning Director Nicholson said that Taos Ski Valley, Inc. is requesting approval for a Conditional Use Permit to install a wireless communication tower on the Phoenix Restaurant property within the Kachina Basin of the VTSV.

The proposed 65-foot high cell tower, considered an accessory use, is aimed at accommodating two providers, AT&T & Verizon Wireless, in order to provide better service coverage for the Village of Taos Ski Valley. The existing temporary Cellular on Wheels (COW) will be replaced. The proposed cell tower will have a galvanized steel finish. All supporting equipment will be housed in the Phoenix Restaurant building, minimizing impact on the surrounding landscape. The proposed tower also meets the standards

and regulations of the FAA and FCC, and satisfies applicable local and state building codes and safety regulations. The applicant's project narrative, zoning compliance, and site maps were presented.

Staff recommends a motion to Approve the Conditional Use Permit Subject to the Conditions outlined below:

1. A performance bond is required to ensure the proper and timely removal of the tower if it is no longer being used and any and all associated facilities. The form and amount of the performance bond will be established administratively by Village staff.
2. The applicant shall certify that all franchises required by law for the construction and/or operation of a wireless communication system have been obtained and shall provide a copy of all required franchises to the Planning Officer.
3. Provisions to allow the applicant to locate all of the ground based equipment inside the Phoenix Restaurant building and replace the requirement for fencing with a climb-proof gate around the base of the ladder on the tower.
4. Applicant shall remove and disable the existing Celltower on Wheels, aka the COW, from the site.
5. Any substantial changes to the application must be approved by the Planning and Zoning Commission; all other changes must be approved administratively by the Planning Officer and as required by the Zoning Regulations

TSVI Development Director, Peter Johnson, explained that the location will now be at the edge of the trees across from the Phoenix Restaurant. This site is the location designated for tower placement in the Wireless Communication Master Plan. Johnson said that this tower complements the new tower at the top of Lift #6 as well as the tower on the top of the Resort Center.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing.

Peter Johnson spoke in favor of approving the application, saying that it would be good to remove the COW near this site. Peter Talty spoke in favor saying that this tower is critical for better coverage for the Village. Mayor Christof Brownell spoke in favor saying removing the COW and building this new tower would create a better view.

No one spoke against.

The Public Hearing was closed.

MOTION: To approve the Application for a Conditional Use Permit to install a Wireless Communications Tower at 110 Kachina Road, adjacent to the Phoenix Lodge, in the Village of Taos Ski Valley, by TSVI, with the conditions recommended by Staff

Motion: Commissioner Duffy Second: Commissioner King

Peter Johnson said that the tower, which has already been purchased, is a mono-pole. Most likely, additional height would need to be added in order to add additional carriers, although the technology is changing rapidly. Presently, no other carriers were interested in using this new tower. Alternatively, other carriers could apply for a permit to construct an additional tower. Mr. Johnson said that requiring a performance bond to be issued was onerous. He said that TSVI would want to remove the tower if it were no longer being used, as this is their private property.

Director Nicholson explained that this Conditional Use Permit doesn't regulate which carriers use the tower, or the number of carriers using the tower. The permit would only need revision if the height were more than 75 feet.

Mayor Brownell said that he hoped that cellular service in Amizette could be improved.

Commission Chair Wittman called for a vote. Passed: 7-0

F. Consideration to Recommend Approval of Open Space Land Dedication of Four Parcels to the Village of Taos Ski Valley by the Kachina Property Owners' Association

Kachina Homeowner Ben Cook, who is also the President of the Kachina Property Owners' Association (POA), explained that the POA would like to dedicate 4 parcels of open space land in the Kachina area to the Village. The hope is that a system of trails could be developed on this land, with directional signs for

pedestrian traffic. Mr. Cook said that perhaps the trail system could connect to the Kachina Vista Park eventually. There are no taxes due on these parcels, and no restrictions or easements.

Additionally, the Quast family is interested in dedicating an easement on the parcel above their house, once the slope has been mitigated.

Attorney Scott Sanger of Taos has drafted the dedication documents for the 4 parcels, which total approximately 7.5 acres.

MOTION: To Recommend Approval of Open Space Land Dedication of Four Parcels to the Village of Taos Ski Valley by the Kachina Property Owners' Association

Motion: Commissioner King Second: Commissioner Duffy

Brain Rupp, representing the Shopoff group, said that they are in favor of this dedication to enhance a trail system.

Peter Talty said that the dedication would conflict with the master plan process in understanding what the use would be for this land. He asked whether storm water management might be necessary. Attorney Baker explained that the deeds have a strong restriction that the use remains as open space.

Commission Chair Wittman called for a vote. Passed 6-0 (Commissioner Woodard abstaining)

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Planning Director Nicholson reported that he had administratively approved a small reduction in size to the Parcel D riparian setback variance, granted previously by the Commission, because of final building footprint revisions.

B. There are possible upcoming Commissioner trainings available in May. More information will follow.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, March 4, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room. (Note: this meeting was later cancelled. The next meeting was scheduled for Monday, April 1, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room.)

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Duffy Second: Commissioner King Passed: 7-0

The meeting adjourned at 3:15 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk



February 15, 2019

Village of Taos Ski Valley
7 Firehouse Road
Taos Ski Valley
New Mexico 87525

Attn: Patrick Nicholson
Re: Sprung Structure CUP extension request

Dear Mr. Nicholson,

On May 11, 2015, TSVI obtained a Conditional Use Permit for the temporary Sprung structure on the southern portion of lot 2, Block G of the O. E. Pattison subdivision, also known as Parcel C (copy attached). The CUP was approved with a term of four years from the date of final certificate of occupancy, which was issued May 19, 2015. TSVI received approval of an additional CUP for the development on the same site of a condominium building, which we expect to begin in 2021, assuming market conditions remain favorable.

Since the building was first occupied there have been some changes in use, as documented most recently by the building permit issues by the Village approving a plan for interior modifications to the space to accommodate the temporary location of offices for marketing, accounting and reservations personnel, as well as the relocation of the season ticket sales office. These modifications resulted in a change from M (mercantile) to B (business) occupancy, as documented on the cover sheets of the original permit plans and the plans for the alterations that were carried out in 2018. Most recently, a building permit has been submitted to the Village for construction of a small secure space to temporarily house the Village Post Office. Some of these functions, in particular the season ticket sales office, will eventually be relocated into the Parcel D buildings, which are planned for construction over the next two construction seasons, with completion expected in the fall of 2020.

I am therefore writing to request the Conditional Use Permit for the Sprung structure be extended for an additional four years to expire May 19, 2023.

Zoning Ordinance 2017-30 conformance discussion: The proposed use is consistent with the stated Intent of the Core Village Zone (Section 13.1), "to facilitate the redevelopment and revitalization of the Core Village Zone", and this temporary use will help "stimulate a consistent and sustainable mixture of commercial, residential and recreational land uses"; the foot traffic generated by the business will contribute to "fostering a vibrant pedestrian activity zone".



Further, the same section of the ordinance defines several additional purposes that the proposal will also help to achieve:

The improvement of a previously empty and unoccupied space will help enhance the character of the CVZ area.

The products offered at the season pass sales office and the post office will appeal to and be available to both tourists and the local community.

The use does not propose any changes to the exterior architecture or placement of the existing tent building, so height and massing will remain unchanged. No design guidelines or siteplan revisions are being requested at this time.

As mentioned previously, no off-street parking was provided for this location because of the proximate location of plentiful parking in the skiers' day parking lot.

No grading or other changes to site or landscape design are proposed with this application. Snow storage and clearing arrangements are already in place for Thunderbird and Ernie Blake Roads.

Please let me know if you need any additional information regarding this application.

I look forward to answering any questions you may have.

Sincerely,

Peter Johnson
Director of Development



Planning & Zoning Commission

Thomas P. Wittman, Chair
Henry Caldwell
Richard Duffy
Neal King
Susan Nichols
J. Christopher Stagg
Jim Woodard

Staff Report:

Conditional Use Permit Lot 2, Block G

1. Case Summary

Date of Hearing: April 1, 2019
Application Received: February 15, 2019
Date of Posting: March 15, 2019
Plan Review Fees: \$750 - Conditional Use Permit (time ext.)
Project Description: TSV, Inc. is requesting approval of a time extension for a previously granted Conditional Use Permit for a temporary commercial building (Taos Tent) within the Core Village Zone (CVZ).

The applicant's request letter and floor plan documents are attached.

Prior Actions/Approvals: The Village Planning & Zoning Commission granted approval of the Conditional Use Permit (CUP) with Conditions on May 11, 2015. The current CUP expires on May 19, 2019. The Record of Decision is attached.

TSVI received approval for a second separate CUP on June 4, 2018 for the construction of a mixed-use development consisting of a four (4) level mixed-use building with ground floor parking and 2,400 sf of retail and three (3) floors of 27 total condominium units.

2. Zoning Analysis:

Village zoning regulations require that the Commission shall not approve any Conditional Use Permit unless satisfactory provision has been made concerning the following, where applicable:

1. Access to property and proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood, avalanche or catastrophe.

Adequate access to property and proposed use is provided through Thunderbird Road.

2. The economic, noise, glare, or odor effects of the Conditional Use on adjoining properties.

Please see attached written comment submitted by the adjacent property owner. TSVI has not adequately addressed noise and odor concerns on adjoining properties. See proposed Condition#1.

3. General compatibility with adjacent properties and other properties in the Village with regard to height, landscaping, setbacks, lighting, signs, parking, and design standards when adopted by the Village Council.

Due to the temporary nature of the structure, general compatibility with adjacent properties was fulfilled at the time of original issuance of the CUP.

4. Compliance with supplementary regulations as delineated in zone in which the property will be located.

Compliance with supplementary regulations were fulfilled at the time of original issuance of the CUP.

5. All improvements required by the Village Planning Department and/or Village Engineer in the Public Works Plan have been completed or completion plans, designs and costs are approved by an agreement approved by the Village Council.

N/A. However, it should be noted that no impact fees have been paid and were waived at the time of issuance of the original CUP, due to the temporary nature of the facility.

TSVI, the applicant, has complied generally with the conditions of approval attached to the original CUP.

3. Recommendation: Staff recommends a motion to **Approve** the Conditional Use Permit **Subject to the Conditions** outlined below.

4. Proposed Conditions:

1. Within thirty (30) days, TSVI shall address the expressed exhaust fume concern from the diesel powered generator to the satisfaction of the Village Planning Officer. An effort to reduce the noise emitted from the generator shall also be undertaken.

2. The Conditional Use Permit will expire on May 19, 2023 or upon initiation of construction of the new mixed use development, whichever occurs first.
3. This Conditional Use Permit is for the project as presented. The original Conditions of Approval shall remain in effect. Any expansion of use or the construction of additional structures will require further approval by VTSV.

5. Public Notice & Public Comments

The notice of public hearing was mailed to all adjacent property owners on March 20, 2019. A public notice poster was placed on the property on March 15, 2019.

The application packet and Staff Report were made available at the Villages Office for public review. The following written comments were received by the public:

None received.

6. Staff Endorsements

Submitted By:



Patrick Nicholson, Director & Planning Officer
Community Development Department

7. Attachments

- Applicant's request letter and floor plan.
- Record of Decision from May 11, 2015.
- Written comment from adjacent property owner.

Patrick Nicholson

From: Christof Brownell <brownellchalet@gmail.com>
Sent: Wednesday, March 27, 2019 11:02 AM
To: Patrick Nicholson
Subject: Tent generator

Patrick,

The diesel power generator between the tent and the Brownell Chalet emits exhaust that, depending on the wind direction, goes into the Chalet and all around the property and outside areas. It is turned on every week for testing for about 20 minutes and for hours when there is a power outage. I have addressed the issue with David Norden and Peter Johnson three times before a little 1 foot high smokestack facing away from the Chalet was installed and the weekly time was changed to later in the morning, Tuesdays at around 11:20am. The owner's manual for the generator clearly states that the exhaust is hazardous and toxic and that the generator should not be mounted where the exhaust can travel in the direction of homes.

I realize the tent is a temporary structure, but it will be there for several more years with the weekly testing continuing. Most of the time the breeze blows away from the Chalet toward the generator, so it's not a problem then. It is relatively quiet for a big gen set, but can still be heard. When there is no wind or the breeze blows toward the chalet from the tent, the fumes are very intrusive.

I am also concerned where the back up generator exhaust port will be located on the future Parcel C plans. I would recommend that it not face the Brownell Chalet property or any other nearby residences like the St. Bernard Condos, Bob Wilkerson's house, the Cottam's cabin, or Powderhorn Condos.

Thank you,

Christof Brownell
Brownell Chalet Manager
(505) 204-8784



PLANNING & ZONING COMMISSION

RECORD OF DECISION

IN THE MATTER OF THE TAOS SKI VALLEY, INC. APPLICATION FOR A CONDITIONAL USE PERMIT FOR A TEMPORARY COMMERCIAL BUILDING.

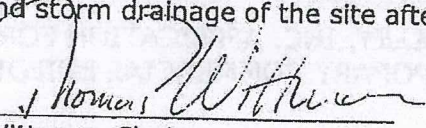
This matter came before the Planning and Zoning Commission for public hearing on May 11, 2015 to consider Taos Ski Valley, Inc.'s application for a Conditional Use Permit to construct a temporary building within the Core Village Zone, located on the southern portion of Lot 2, Block G of the O. E. Pattison Subdivision, also known as the "Old T-Bird Site."

The Commission, having heard and viewed Applicant's presentation, having reviewed the materials submitted by Applicant, and having heard the testimony of citizens offered in support of the application without opposition, finds that the proposed project is consistent with the applicable regulations and development standards of Ordinance 14-30 (Zoning Regulations), and should be approved.

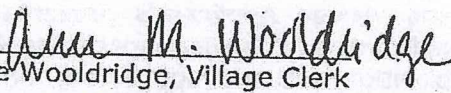
Therefore, the Planning and Zoning Commission does hereby grant the Certificate of Compatibility for a Conditional Use Permit for a temporary commercial building with the following conditions:

1. The Conditional Use Permit will expire within four years of the date of approval of a building permit application.
2. Applicant will submit all applicable documents identified on the Certificate of Compatibility checklist at the time of submitting for a building permit showing compliance with all applicable development standards.
3. The Village must issue a Building Permit and all applicable permits prior to commencing any construction or demolition.
4. The Village must issue a Lighting Permit, Sign Permit, Fence Permit, or Tree Cutting Permit prior to commencing any applicable improvements.
5. Any substantial changes to the application must be approved by the Planning and Zoning Commission; all other changes must be approved administratively by the Planning Officer and as required by the Zoning Regulations.
6. All utilities must be located underground or inside structures.
7. The building permit application identifies the location(s) of mechanical equipment showing adequate screening from public view.
8. The building permit application identifies the location(s) of garbage storage containers and considerations of snow accumulation in planning for access and removal of garbage receptacles. All garbage storage shall be in containers preventing bear access to the stored garbage.
9. The building permit application will identify the size(s) and location(s) of satellite dishes, if installed, and are to be the minimum size possible.

10. The building permit application will identify the size(s) and location(s) of propane tanks. All propane tanks are to be shielded from public view.
11. Loading areas are designated and posted with restricted hours for loading and unloading prior to issuing a Certificate of Occupancy.
12. At least two "NO PARKING" signs or other signs approved by the Village Public Safety Department must be installed to along Thunderbird Road or attached to the building.
13. Applicant must submit a landscaping plan for review and approval by the Village to be implemented after the temporary building is removed from the site. The purposes of the landscaping plan will be to beautify the property, provide a landscape and visual buffer to adjacent properties, and to provide soil erosion control and storm drainage of the site after the building is removed.

By: 
Tom Wittman, Chair
Village of Taos Ski Valley Planning and Zoning Commission

Date: 12 MAY 2015

Attest: 
Anne Marie Wooldridge, Village Clerk

Date: May 12, 2015