



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
MONDAY, SEPTEMBER 9, 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. Commission members present: Henry Caldwell, Richard Duffy, Neal King, Susan Nichols, Chris Stagg, and Tom Wittman. Commission members absent: Jim Woodard. Staff members present: Village Administrator John Avila, Planning Director Patrick Nicholson, Village Clerk Ann Wooldridge, Building Inspector Jalmar Bowden, Police Chief Sammy Trujillo, Public Works Director Anthony Martinez, and Attorney Susan Baker.

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

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner King

Second: Commissioner Duffy

Passed: 6-0

III. APPROVAL OF THE MINUTES OF THE JULY 1, 2019 P&Z COMMISSION MEETING

MOTION: To approve the minutes with the amendment of changing the wording in the paragraph about the Village acquiring some property along Thunderbird Road for a re-alignment, to say that there had been a sense of some agreement when the Village met with the property owner.

Motion: Commissioner King

Second: Commissioner Duffy

Passed: 6-0

IV. NEW BUSINESS

A. Discussion and Decision on Engineering Recommendation to Village Council: Thunderbird Road Engineering and Design Plans Remanded by the Village Council for Additional Review and Consideration
Planning Director Nicholson presented the prior actions on this item:

January 5, 2015 – P&Z Commission approval of Parcel D Conditional Use Permit (CUP). Discussion and approval on potential improvements to Thunderbird Road occurred. The approved alignment sheets were presented.

January 4, 2016 - the P&Z Commission considered various design scenarios for Thunderbird Road, such as changing the road functionality to one-way, or pedestrian-only or limited to local access only. The Commission did not determine or vote upon a preferred realignment, but instead, decided to forward the possible realignment and change in functionality of the roadway to the Village Council. The Council did not act upon the request.

July 3, 2017 - time extension granted to the 2015 CUP

February 5, 2018 - P&Z discussion on sidewalk requirements and the need for roadway improvements to enhance traffic circulation, pedestrian flow, public safety, convenience, and welfare. A motion to recommend that Council require sidewalks on both sides of the road was approved.

February 13, 2018 – Council approves a motion directing staff to work with adjacent property owners to obtain rights of way for sidewalk installation

April 6, 2018 - Village Public Works Director signed acknowledgement that the presented Thunderbird

Road construction documents conformed to Village road standards. Director Nicholson said that the Public Works Director's signature did not indicate approval or acceptance of the construction design set on behalf of the Village.

June 4, 2018 – a new CUP was obtained for Parcel D and Parcel C. Thunderbird Road improvements were not included in the submittals nor discussed by the Commission. This action vacated the former CUP for Parcel D granted in January of 2015.

April 2019 – Village Administration directed the developer to provide the current final engineer design set to the Village Development Review Team and to obtain approval to proceed from the P&Z Commission.

Director Nicholson said that Thunderbird Road was being re-developed as a publicly financed TIDD project and that Village responsibilities including approvals and project oversight were guided by the Amended and Restated Master Development Agreement from May 31, 2017. The Thunderbird Road Improvement project is separate from the adjacent private Parcel D and Parcel C Mixed Use re-development project.

The conceptual-level plans approved by the P&Z Commission in January 2015 were 3 pages long, while the construction design 2018 plans presented to the Public Works Director were 30 pages long. According to Director Nicholson, the 2018 plan set shows elevation and grade changes, which now direct drainage toward and onto adjacent private properties. There are horizontal changes as well, which shift the road center line to the east, further altering the design presented in 2015. The sidewalk width and alignment have been revised and narrowed, which deviates from the twelve foot sidewalks proposed in the 2012 TSV Conceptual Plan for the Village Core.

Director Nicholson said that the 2018 deviations were important for multiple reasons, not the least of which involved an increase in the amount of private property to be acquired for construction of the road

Additional concerns by Staff with the 2018 plans include an inherent conflict between pedestrians and vehicle traffic. The plans do not provide any design solutions nor incorporate innovative urban design principles to address this public safety problem. Fire Safety requires more information on the location of fire lanes, the adequacy of emergency vehicle access, and sufficiency of emergency vehicle turn around access. The Village Police Chief and Certified Building Official presented letters expressing their concerns with the 2018 plans.

Director Nicholson said that Village staff had invited TSVI to numerous meetings to discuss clarification of the Thunderbird Road engineering and design plans since the beginning of the year and that TSVI had refused such meetings. He said that the lack of collaboration had delayed the installation of public infrastructure that the Village relied upon, including a natural gas line to be located beneath the road. This delay is injurious to the public's health, safety, and welfare, said Director Nicholson.

Director Nicholson said that Staff recommended a motion to direct the developer to work with the Village Development Review Team to resolve various design issues and afterwards present to the Planning & Zoning Commission a revised design plan and engineered construction documents for its consideration and recommendation to the Village Council.

Drew Chandler with SEH Engineering, formerly Russell Engineering, went over the details of the plans. He explained that the original grant of the road from the Pattison Trust to the Village showed that the Village is responsible for the right-of-way. (Patrick what's the right-of-way versus the road?) Some of the drainage extends on to the Brownell property, and some onto the Alpine Village Suites property. With a right-of-way of 30 feet, there would be room for a 22-foot driving surface, two curbs, and one six-foot wide sidewalk. IN order to accommodate two sidewalks, the right-of-way would have to be 35 feet. The sidewalk would have to be partially in the right-of-way and partially on private property. Mr. Chandler said that he had been coordinating work with the Village up into 2019. He said that changes to the road had been designed in accordance with the Village's wishes.

The height of Parcel D had been raised to make it more level for pedestrians going from the skier drop-off to the Plaza. If the road were to be raised by two feet, then in the construction, the Brownell driveway would also be raised by two feet, he said. The drainage would be in the road. Culvert storm inlets would tie into trunk and branch lines which would go into the North Fork. Water from behind the sidewalk would also go into the drainage, from out of the shade and into the sun. The drainage would be away from the Brownell property, not into the property.

Discussion followed. Commission Chair Wittman said that the discussion needed to stay focused on the

P&Z Commission's recommendation to the Council on the engineering and design plans, and not on the pedestrian flow.

MOTION: To direct the developer to work with the Village Development Review Team to resolve various design issues and afterwards present to the Planning & Zoning Commission a revised design plan and engineered construction documents for its consideration and recommendation to the Village Council.

Motion: Commissioner King Second: Commissioner Duffy

Further discussion took place. TSVI's Peter Talty said that TSVI had worked in exemplary fashion with land owners along Sutton Place to make a satisfactory outcome for the private land owners as well as to improve the road. He said that TSVI and the engineer would work with the land owners along Thunderbird Road in the same manner.

Commission Chair Wittman called for a vote. Failed: 0-6

MOTION: To recommend to Council that they approve the 2018 Public Works Director signed engineering plans with the condition that the Village and the Developer work with the Brownells on acquisition of the necessary property, and the condition that the Village issue a revocation of the letters which rescinded approval for the Thunderbird Road plans.

Motion: Commissioner King Second: Commissioner Nichols Passed: 6-0

B. Presentation: Proposed Traffic Control Signage Plan for the Village Core

Police Chief Sammy Trujillo presented his concerns for increased safety within the Village Core, and especially on Thunderbird Road. One of his major concerns was the interaction of vehicles and pedestrians on Thunderbird Road. He said that it was difficult to keep skiers on the sidewalk and not in the roadway. Chief Trujillo was also concerned with having adequate handicapped parking at a level area, such as the flat area near Twining Campground. He also said that enforceable traffic and safety signage on Thunderbird Road, Ernie Blake Road, and offshoot roads in the Village Core would be necessary.

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Director Nicholson said that a 30-day notice had been given for a dormitory housing accommodation to submit application for conditional use, the deadline for which was going to be September 10, 2019.

Commissioner King said that the Zoning Ordinance needed revisiting and probably revising concerning this matter.

B. Director Nicholson reported that the 2021-2015 ICIP had been entered onto the DFA LGD web site, with 11 projects submitted in their entirety, of the 44 projects on the list.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, October 7, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room.

The regular November P&Z meeting is planned for Monday, November 4, 2019, with a potential special P&Z Commission meeting Monday, November 18, 2019 to review the draft Firewise Ordinance. A Firewise Board Community Outreach meeting is planned to take place on Saturday, November 9, 2019.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner King Second: Commissioner Duffy Passed: 6-0

The meeting adjourned at 3:00 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk