



PLANNING & ZONING COMMISSION DRAFT MEETING MINUTES

EDELWEISS LODGE CLUB ROOM,
TAOS SKI VALLEY, NEW MEXICO

TUESDAY, JULY 20, 2017 1:00 P.M.

I. CALL TO ORDER & ROLL CALL

Commission Chair Tom Wittman called the meeting to order at 1:10 p.m. Roll call was taken and a quorum was established. Commission members present: April Bender, Henry Caldwell (by phone), Richard Duffy, Tom Wittman, and Jim Woodard. Commission members absent: Susan Nichols and Chris Stagg. Staff members present: Building & Construction Director Bill Jones, and Building Official Rich Willson.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Richard Duffy

Second: Jim Woodard

Passed: 5-0

III. APPROVAL OF THE MINUTES OF THE JULY 3, 2017 MEETING

MOTION: To approve the minutes as presented

Motion: Richard Duffy

Second: Jim Woodard

Passed: 5-0

IV. OLD BUSINESS

V. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve Application for Variance to the Side Yard Setback Requirements of Zoning Ordinance No. 2017-30, at Block 7 Lot 5 Amizette, 1346 State Highway 150, by the Village of Taos Ski Valley

Commission Chair Tom Wittman opened the public hearing. Speaking in favor of the application for variance was Village Building Official Rich Willson. He explained that the Village had purchased the Taos Mountain Lodge property in July 2016 because of the development potential for making the house into much-needed Village office space. The intent is to rent the eight condominium units as low-cost long-term rentals to local workers. Willson presented the design to maximize parking spaces and also to allow for the installation of four traffic-rated buried wastewater holding tanks. At the time of the purchase of the Taos Mountain Lodge, the Village obtained a ten-year variance from the New Mexico Environment Department to allow for using the holding tanks. Willson said that has been challenging to design the parking and entrance because of the current slope of the entrance driveway, which is at 17% grade. This steep grade makes for especially difficult driving conditions in the winter. Willson estimates that excavation costs will total \$50,000 to \$70,000, and the costs of the retaining walls will be \$500,000 to \$550,000. The retaining walls are necessary in order to create level parking spaces for the inhabitants, as well as for the handicapped-accessible spaces required for the Village office. The New Mexico Finance Authority loan that the Village obtained to use for purchase and remodeling of the Lodge has approximately \$470,000 left to use for the grading, retaining, and the interior remodeling for designing office space.

The Village is seeking a variance to the zoning regulations to allow for construction of a retaining wall on the property line, to maximize parking area. The Village would need to draw up an

agreement with the adjacent land owner addressing the specifics of the retaining wall design and construction. If all of the details could not be agreed upon, then the Village could construct the wall approximately eighteen inches to two feet back from the property line and still be within the regulations. This would only eliminate one parking space.

The retaining wall variance request includes a provision that the wall could be up to twelve feet in height, instead of the required six feet, due to the steep slope of the property. The wall would be made of pigmented concrete or ready rock, and landscaping would be placed alongside the wall after construction.

Willson said that a new access permit to the Taos Mountain Lodge will need to be applied for from the New Mexico Department of Transportation (NMDOT) due to the change in use of the buildings to long-term rentals from solely commercial/business use. Additionally, the Village could initiate a suit to quiet title against the NMDOT in order to try to obtain title to an apparent old right-of-way strip of land on the property that might be owned by NMDOT. Alternatively, NMDOT might be willing to execute a quitclaim deed to the property, which would eliminate the need for a suit to quiet title to the strip.

The Public Hearing was closed.

MOTION: To Approve the Application for Variance to the Side Yard Setback Requirements of Zoning Ordinance No. 2017-30, at Block 7 Lot 5 Amizette, 1346 State Highway 150, by the Village of Taos Ski Valley

Motion: Richard Duffy

Second: Jim Woodard

Passed: 5-0

Director Jones explained that he is working with the owner of the adjacent land, and that there may be a possibility of purchasing an easement along the side of the Village-owned property to allow the wall to be constructed.

VI. MISCELLANEOUS

A. Commission Chair Wittman reported on recent agenda items from Village Council meetings. The contract with RMCI to build the Kachina Water Tank was not signed by the Village since discussions are taking place about possible new locations for the tank. TSV Inc. no longer wants the Village to build the tank at the original site, even though TSV Inc. granted the site to the Village in 2011. If the tank site were to be changed, the Village would need to go back to the Water Trust Board to ask if the new location would still qualify for the funding. So far, there have been no issues or concerns from the Water Trust Board.

The potential new site is 130 feet lower in elevation than the original site. A tank at that site might require that pumps be used to deliver fire-suppression water flows to new development in the Kachina area. A tank at the old site would provide fire-suppression flows, but water would still need to be pumped from the Phoenix Spring to fill the tank. No development application has been received by the Village for development on a recently purchased 70-acre tract in the Kachina area.

There is concern that the proposed new site is too close to the Village's infiltration gallery, which provides spring water into the Village's drinking water system. There is a probability that installation of a water tank in the same proximity would disturb the ground and disrupt the water flow to the spring. Construction of a five-million gallon tank is no longer being considered.

Commission Chair Wittman said that he would like to make sure that if a new location were to be used, that TSV Inc. put in writing a commencement date for construction.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting will take place on Monday, September 11, 2017 at 1:00 p.m. at the Snakedance Condominiums Hondo Restaurant.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Jim Woodard

Second: Richard Duffy

Passed: 5-0

The meeting ended at 2:20 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk