THE VILLAGE OF Taos Ski Valley

7 Firehouse Road
Post Office Box 100
Taos Ski Valley
New Mexico 87525

(575) 776-8220
(575) 776-1145 Fax

E-mail: vtsv@vtsv.org
Web Site: www.vtsv.org

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, FEBRUARY 4, 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 NOVEMBER 5, 2018 P&Z COMMISSION MEETING

IV. NEW BUSINESS

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

B. Consideration of P&Z Commissioner Appointments

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

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

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

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

V. OLD BUSINESS

VI. MISCELLANEOUS

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

THE VILLAGE OF Taos Ski Valley

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
PUBLIC SAFETY COMMITTEE	Monday, February 4, 2019 10:00 a.m.	Inn at Taos Valley Club Room
FIREWISE COMMUNITY BOARD	Monday, February 4, 2019 11:00 a.m.	Inn at Taos Valley Club Room
KACHINA MASTER PLAN COMMITTEE	CANCELLED	Edelweiss Lodge Club Room
PLANNING & ZONING REGULAR MEETING *Public Hearing: Consideration to Approve Application for Conditional Use Permit for Wireless Communications Tower placement at 110 Kachina Road in the Village of Taos Ski Valley, by TSVI* *Public Hearing: Consideration to Approve Application for Conditional Use Permit for the Mucho Gusto Donut Shop on Sutton Place in the Core Village Zone, by TSVI* *Public Hearing: Consideration to Approve Application for Special Use Permit for the Phoenix Lodge Wedding Lawn in Kachina Subdivision, Lots 6 & 7A Block 3, by TSVI*	Monday, February 4, 2019 1:00 p.m.	Edelweiss Lodge Club Room
TIDD BOARD REGULAR MEETING	Tuesday, February 12, 2018 8:00 a.m.	Edelweiss Lodge Club Room
VILLAGE COUNCIL WORKSHOP MEETING **Work Study/Discussion of the Kachina Water Tank Project**	Tuesday February 12, 2019 12:30 p.m.	Edelweiss Lodge Club Room
VILLAGE COUNCIL REGULAR MEETING	Tuesday February 12, 2019 2:00 p.m.	Edelweiss Lodge Club Room
PARKS & RECREATION COMMITTEE	TBA	Village Office
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 January 21, 2019.

PLANNING & ZONING COMMISSION
DRAFT MEETING MINUTES

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

MONDAY, NOVEMBER 5, 2018 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: Richard Duffy, Neal King, Susan Nichols, Chris Stagg, and Tom Wittman. Commission Members absent: Henry Caldwell and Jim Woodard. Staff members present: Village Administrator Mark Fratrick, Planning Director Patrick Nicholson, Village Clerk Ann Wooldridge, Building Inspector Jalmar Bowden, and Attorney Dennis Romero.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented

Motion: Commissioner Nichols **Second: Commissioner Stagg** **Passed: 5-0**

III. APPROVAL OF THE MINUTES OF THE AUGUST 23, 2018 and the OCTOBER 1, 2018 P&Z COMMISSION MEETINGS

MOTION: To approve the minutes as presented

Motion: Commissioner King **Second: Commissioner Duffy** **Passed: 5-0** .

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve Application for Conditional Use for Wireless Communication Tower Installation near the Fraser Mine Outcropping on the Northside at Taos Ski Valley Property in the Village of Taos Ski Valley, by Pattison Trust, LLC

Director Nicholson explained that the Pattison Trust LLC is requesting approval of a Conditional Use Permit application to install a wireless communication tower near the Fraser Mine Outcropping on the Northside property. The 75-foot tower would be designed to blend into the surrounding landscape and minimize visual impact.

The Planning & Zoning Commission approved the Wireless Communication Master Plan on July 6, 2015 and the Village Council adopted the same on July 16, 2015. The Commission considered a nearly identical application from the Pattison Trust during the fall of 2016. Prior to a determination, the application was withdrawn by the applicant.

Village Zoning Ordinance 2017-30 Section 19, Wireless Communication Towers & Antennas, directly addresses an array of issues and stipulates the conditions which must be meet in the granting of a Conditional Use Permit for cell tower installation. The applicant has directly responded to each item in the General Requirements, and more specifically, has provided information to determine compliance with the Village requirements for the granting of a Conditional Use Permit for tower installation, outlined in Section 19.6. This proposal meets the criteria and requirements of the Village Zoning Ordinance, Director Nicholson reported.

Staff recommends approval of the application for Conditional Use Permit subject to certain proposed conditions:

1. The wireless communication tower shall meet or exceed the design, landscape, and aesthetic requirements of Section 19 of the Village Zoning Ordinance.

2. The Village must issue a Building Permit and all applicable permits prior to commencement of any construction or site alteration. All installation documents must be signed and certified by a licensed professional engineer.

3. The Conditional Use Permit (CUP) shall be granted for a period of two years. If a Certificate of Completion is issued by the Village and copies of telecommunication service provider agreements, which show activation dates prior to the two year CUP expiration date, are provided to the Village Planning Officer, then upon receipt, the CUP would be made permanent.

4. A performance bond is required to ensure the proper and timely removal of the tower and any and all associated facilities. The amount of the performance bond will be established administratively by Village staff.

5. Applicant shall improve the roadway to the site sufficiently for emergency vehicle access and to be acceptable to the Village Public Works Director or Village Engineer.

6. A provision to allow a chain link fence sufficiently colored or stained to blend into the surrounding landscape.

7. A signed notarized statement as provided in the applicant submittal packet, which complies with Section 19.6.2.a.8 of the Village Zoning Ordinance.

8. 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.

Roger Pattison, speaking for the applicant Pattison Trust LLC, said that his intent is to improve cell service for the community. He said that he needed conditional use approval in order to begin to negotiate contracts with wireless communication providers.

PUBLIC HEARING: Commission Chair Wittman opened the Public Hearing.

Margaret Walsh, whose family owns a house on Mineslide Road, asked whether the distance requirement had been met for proximity to a residential unit.

Speaking for the approval was Roger Pattison, representative for the applicant, who said that his intent is to involve the community and to provide better cell service.

No one spoke against. The Public Hearing was closed.

MOTION: To Approve the Application for a Conditional Use Permit for Wireless Communication Tower Installation near the Fraser Mine Outcropping on the Northside at Taos Ski Valley Property in the Village of Taos Ski Valley, by Pattison Trust, LLC

Motion: Commissioner King **Second: Commissioner Nichols**

Director Nicholson said that the tower placement meets regulations for distance from a living quarters outlined in the Zoning Ordinance, which is 100 feet or 200 percent of the tower height, whichever is greater. Also, the location is relatively close to the area suggested for tower placement in the Wireless Communications Master Plan, he said. Ms. Walsh expressed her concern with possible health issues from living in the proximity of either a Wi-Fi tower or a cell tower. She said that she did not have any concerns with the site designated in the Master Plan, but that this location is different. Mr. Pattison said that the tower height would be determined with the provider, and the height may not be 75 feet.

Commissioner King expressed concern with emergency vehicle access to this site. TSVI representatives said that they already have many cell towers in use, in the Village core area, and in the Kachina area. TSVI expressed concern that the proposed Pattison Trust tower would have exclusive rights for tower placement in the Bull-of-the-Woods area. Commissioner Stagg said that there is no fiber optic or utilities in this area. Mr. Pattison said that if TSVI were to identify a better location and be able to move forward with installing a tower with wireless service, that he would relinquish his conditional use permit.

AMENDED MOTION: To Approve the Application for a Conditional Use Permit for Wireless Communication Tower Installation near the Fraser Mine Outcropping on the Northside at Taos Ski Valley Property in the Village of Taos Ski Valley, by Pattison Trust, LLC, with the amendment that if another application were to be submitted which could provide better service, and sooner, that this

conditional use permit would be withdrawn

Motion: Commissioner King **Second: Commissioner Nichols** **Passed: 5-0**

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Planning Director Nicholson reported that he had administratively approved a variance for a front-yard setback at 23 Zap's Road in order for the owner to build a carport. This request had been approved administratively many years ago but the carport was never built. The carport will not intrude into the roadway any more than several other buildings already do on this road.

VII. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING: The next meeting of the Planning & Zoning Commission will take place on Monday, December 3, 2018 at 1:00 p.m. at the Edelweiss Lodge Club Room. (Note: this meeting was later cancelled, as was the January meeting. The next meeting was scheduled for Monday, February 4, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room.)

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner King **Second: Commissioner Duffy** **Passed: 5-0**

The meeting adjourned at 3:00 p.m.

_____ ATTEST: _____

Tom Wittman, Chairperson Ann M. Wooldridge, Village Clerk

VILLAGE OF TAOS SKI VALLEY
PLANNING & ZONING COMMISSION
AGENDA ITEM

AGENDA ITEM TITLE:
Consideration to Approve **Resolution No. 2019-384** A Resolution Concerning Governing Body Meetings and Public Notice Required

DATE: February 4, 2019

PRESENTED BY: Ann M. Wooldridge, Village Clerk

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

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

RECOMMENDATION:
Motion to approve **Resolution No. 2019-384**, A Resolution Concerning Governing Body Meetings and Public Notice Required

VILLAGE OF TAOS SKI VALLEY

RESOLUTION No. 2019-384

A RESOLUTION CONCERNING GOVERNING BODY MEETINGS AND PUBLIC NOTICE REQUIRED.

WHEREAS, Section 10-15-1(B) of the New Mexico Open Meetings Act, NMSA 1978 as amended, provides that "All meetings of a quorum of Village Council or any board, commission or other policy-making body of any state agency, or any agency or authority of any county, municipality, district or any political subdivision held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority or the delegated authority of such board, commission of other policy-making body, are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provisions of the Open Meetings Act"; and,

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, regulation or formal action occurs shall be held only after reasonable notice to the public; and,

WHEREAS, Section 10-15-4, NMSA 1978 provides that "Any person violating any of the provisions of Section 10-15-1, NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars ($500) for each offense"; and,

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Village of Taos Ski Valley to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE BE IT RESOLVED by the Planning and Zoning Commission of the Village Of Taos Ski Valley, New Mexico that:

1. All meetings shall be held at the Edelweiss Lodge and Spa, Club Room, at 1:00 p.m. or as indicated in the meeting notice.

2. Unless otherwise specified, regular meetings shall be held each month on the first Monday. The agenda will be available at least seventy-two hours prior to the meeting from the Village Clerk whose office is located above the Taos Ski Valley Firehouse, 7 Firehouse Road, Taos Ski Valley, New Mexico. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.

3. Special meetings may be called by a majority of the Commission upon three (3) days' notice. The notice shall include an agenda for the meeting or information on how the Commission or the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Village of Taos Ski Valley will avoid emergency meetings whenever possible. Emergency meetings may be called by a majority of the Commission upon twenty-four (24) hours' notice, unless threat of personal injury or property damage requires less notice. The notice for all emergency meetings shall include an agenda for

the meeting or information on how the public may obtain a copy of the agenda.

5. In addition to the regular meetings of the Village there are Briefings and Workshop Meetings at which no action will be taken, and are held principally as information and study sessions. When these meetings are scheduled Notice will be provided.

6. The notice requirements of Sections 1, 2, 3, 4 and 5 of this Resolution are complied with if the proposed agenda with the meeting date, time and location is posted at the Village's offices above the Taos Ski Valley Firehouse, 7 Firehouse Road and at the board in Box Canyon, the U.S. Post Office for Taos Ski Valley, New Mexico, and four other public places within the Village, as provided by Section 3-1-2 NMSA 1978. Revised agendas may be posted up to seventy-two (72) hours prior to the meeting. In addition, written notice of such meetings shall be mailed or hand delivered to federally-licensed broadcast stations and newspapers of general circulation which have provided a written request for such notice.

7. Notwithstanding any other provisions of Sections 1 through 6 of this Resolution, the Commission may establish such additional notice requirements as may be deemed proper and advisable to comply with the provisions of the Open Meetings Act.

8. If any meeting is closed pursuant to exclusions contained in Section 10-15-1, Subsection H, NMSA 1978, such closed meetings called by the Commission shall not be held until public notice, appropriate under the circumstances, and in compliance with Sections 1 through 6 of this Resolution, has been given. In addition, such notice shall state the exclusion or exclusions in Section 10-15-1, Subsection H, NMSA 1978 of the Open Meetings Act, under which such closed meeting is permitted.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2019.

THE VILLAGE OF TAOS SKI VALLEY
PLANNING AND ZONING COMMISSION

_____
Thomas P. Wittman, Chair

Attest:

_____
Ann M. Wooldridge, Village Clerk

Vote: For ____ Against _____

VILLAGE OF TAOS SKI VALLEY
PLANNING & ZONING COMMISSION
AGENDA ITEM

AGENDA ITEM TITLE: Consideration of P&Z Commissioner Appointments

DATE: February 4, 2019

PRESENTED BY: Commission Chair Wittman

STATUS OF AGENDA ITEM: New Business

CAN THIS ITEM BE RESCHEDULED: Not recommended

BACKGROUND INFORMATION: 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 at the February 12, 2019 Village Council meeting.

At the next P&Z meeting, and after the Commission appointments, the Commission should elect one if 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.

RECOMMENDATION: Discussion and assent of Commission Appointments for two-year terms for Commissioners Caldwell, Duffy, King, and Stagg.

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
Tract D

1. Case Summary

Date of Hearing: February 4, 2019
Application Received: January 7, 2019
Date of Posting: January 18, 2019
Plan Review Fees: $1,500 - Conditional Use Permit
Project Description: TSV, Inc. is 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 are attached.

Prior Actions/Approvals: There have been no prior actions or approvals granted for this location or project.

The Planning & Zoning Commission adopted the Comprehensive Plan for the Village of Taos Ski Valley on May 11, 2017 by Resolution 2017-329. The Village Council adopted revised Zoning Regulations on July 12, 2016.

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 customer and emergency access to the property and proposed use is provided. Nearly all customers to the facility are expected to be pedestrians and the cul-de-sac roadway offers vehicle access.

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

Minimal to no additional impact is expected due to the scale of use and surrounding retail establishments.

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.

The proposed use fits and is compatible with adjacent properties. Building follows adopted design standards for the Village Core and complements existing nearby commercial and retail uses.

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

The facility and proposed use are in compliance with the supplementary regulations for the CVZ.

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

The proposed development meets the intentions of all the above.

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

4. Proposed Conditions:

1. 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 VTSV.

5. Public Notice & Public Comments

The notice of public hearing was mailed to all adjacent property owners on January 18, 2019. A public notice poster was placed on the property January 18, 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

Project submittal - Project description, response to applicable zoning regulations, site plan and building photos by TSVI.

TAOS | SKITAOS.COM
PO Box 90
116 Sutton Place
Taos Ski Valley, NM 87525

January 15, 2019

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

Attn: Patrick Nicholson
Re: copies of Mucho Gusto Donut Shop CUP application

Dear Mr. Nicholson,

Enclosed please find seven copies of the application packet for the Conditional Use Permit for the Mucho Gusto Donut shop at Sutton Place. In each packet you will find:

- Land use application form
- Narrative letter
- Upper Gondola Plaza Site plan

Please do not hesitate to contact me is there is anything else I can provide to help you in your evaluation of this application.

Sincerely,

Peter Johnson
Director of Development

Village of Taos Ski Valley
Planning & Community Development Department

LAND USE & DEVELOPMENT APPLICATION

Applicant/Developer: Taos Ski Valley Incorporated	Property Address: 111 Sutton Place, Village of Taos Ski Valley
Current Owner Address: PO Box 90, Village of Taos Ski Valley	Lot/Block: Subdivision:
Architect/Engineer: N/A	Contractor: N/A

Authorization and Acknowledgment

I, the undersigned, am the owner of the above described property, or am authorized to represent the owners (proof of such authorization is attached). I recognize the fees paid with the application may not constitute the total cost to process this request and that I will be responsible for the additional costs incurred by the Village of Taos Ski Valley to review and process this request. I agree to pay these costs upon receipt of a statement from the Village.

Peter Johnson, Director of Development — December 18, 2018

Owner or Representative — Date

APPLICATION INFORMATION

SUBDIVISION	FEE		ZONING	FEE
Sketch Plat:	$1,000		Conditional Use	$1,500
Parcel Conceptual Plan (CVZ)	$500		Zone Change	$1,500
Preliminary Plat:			Variance	$800
Category I - less than 3 lots	$1,250		Variance (minimum)	$250
Category II - less than 10 lots	$2,500		Special Use	$500
Category III- 10 - 20 lots	$4,000		**CERTIFICATE of COMPATIBILITY**	$1,000
Each lot > 20	$250		**PUBLIC NOTICE SIGNS**	$50
Final Plat (½ cost of preliminary plat)			**APPEALS**	$250
Summary Subdivision	$500		**PERMITS**	
Lot Line Adjustment	$250		Fence Tree Sign Lighting	$25
Variance	$500		Accessory Structure	$25

Application Received: Date: _____ *Total Fees Paid: $* 1,500.00

Received by: _____ *(VTSV staff)*

TAOS
SKITAOS.COM
PO Box 90
116 Sutton Place
Taos Ski Valley, NM 87525

January 15, 2019

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

Attn: Patrick Nicholson
Re: copies of Mucho Gusto Donut Shop CUP application

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- Land use application form
- Narrative letter
- Upper Gondola Plaza Site plan

Please do not hesitate to contact me is there is anything else I can provide to help you in your evaluation of this application.

Sincerely,

Peter Johnson
Director of Development

Village of Taos Ski Valley
Planning & Community Development Department

LAND USE & DEVELOPMENT APPLICATION

Applicant/Developer: Taos Ski Valley Incorporated	Property Address: 111 Sutton Place, Village of Taos Ski Valley
Current Owner Address: PO Box 90, Village of Taos Ski Valley	Lot/Block: Subdivision:
Architect/Engineer: N/A	Contractor: N/A

Authorization and Acknowledgment

I, the undersigned, am the owner of the above described property, or am authorized to represent the owners (proof of such authorization is attached). I recognize the fees paid with the application may not constitute the total cost to process this request and that I will be responsible for the additional costs incurred by the Village of Taos Ski Valley to review and process this request. I agree to pay these costs upon receipt of a statement from the Village.

Peter Johnson, Director of Development — December 18, 2018

Owner or Representative — Date

APPLICATION INFORMATION

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Sketch Plat:	$1,000		Conditional Use	$1,500
Parcel Conceptual Plan (CVZ)	$500		Zone Change	$1,500
Preliminary Plat:			Variance	$800
Category I - less than 3 lots	$1,250		Variance (minimum)	$250
Category II - less than 10 lots	$2,500		Special Use	$500
Category III- 10 - 20 lots	$4,000		**CERTIFICATE of COMPATIBILITY**	$1,000
Each lot > 20	$250		**PUBLIC NOTICE SIGNS**	$50
Final Plat (½ cost of preliminary plat)			**APPEALS**	$250
Summary Subdivision	$500		**PERMITS**	
Lot Line Adjustment	$250		Fence Tree Sign Lighting	$25
Variance	$500		Accessory Structure	$25

Application Received: Date: _____ *Total Fees Paid: $* 1,500.00

Received by: _____ *(VTSV staff)*

TAOS
SKITAOS.COM
PO Box 90
116 Sutton Place
Taos Ski Valley, NM 87525

January 7, 2019

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

Attn: Patrick Nicholson
Re: Mucho Gusto Donuts CUP

Dear Mr. Nicholson,

As you are aware, this past summer TSVI obtained a building permit to implement tenant improvement work for a small (107 square feet) retail outlet at the upper plaza of the Gondolita.

I am writing to request a Conditional Use Permit for the recently finished retail facility Mucho Gusto Donuts, inside the upper terminal of the Gondolita, just off Sutton Place. Operation of the facility will be generally conducted within the following guidelines:

Store Description: Mucho Gusto Donuts will sell freshly prepared mini-donuts by the half dozen, which will be available with a variety of flavored toppings, as well as hot or cold beverages, depending on the season and various other accompaniments which may change from time to time or seasonally.

Hours: The Mucho Gusto Donuts tenant improvements are finished and the store is currently operating weekends only with the sale of fresh donuts and warm drinks daily between the hours of 8:00 a.m. and 7:00p.m. It is our expectation that the hours of business will increase to seven days per week in mid-December and continue as such for the remainder of the busy season. Hours after the end of ski season will be adjusted as demand dictates.

Access: The business is located inside the upper gondola station, with frontage onto the small pedestrian plaza that was constructed to promote pedestrian activity between the children's center and the main resort village plaza.

Deliveries: To minimize commercial traffic up and down Sutton Place, goods and supplies for the operation of the business will be received at the Blake hotel loading dock, and inventory maintained in the Blake shipping and receiving area facility.

Signage: As specifically permitted in Section 8.6.8.u, the business has mounted a menu board describing the menu offerings available and including the business name "Mucho Gusto Donuts" on the building exterior.

TAOS SKITAOS.COM
PO Box 90
116 Sutton Place
Taos Ski Valley, NM 87525

Zoning Ordinance 2017-30 conformance discussion: Section 13 of the Ordinance defines the Core Village Zone, in which zone the subject project is located. The proposed use is consistent with the stated Intent of the Core Village Zone (Section 13.1), "to facilitate the redevelopment revitalization of the Core Village Zone", and it 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 Mucho Gusto Donuts will appeal to and be available to both tourists and the local community.

The operation of Mucho Gusto Donuts at the upper gondola plaza will help energize the pedestrian connection between the main plaza and the Children's center, whether via gondola during winter months, or via walking trail during summer months.

All customers of Mucho Gusto Donuts will be pedestrians. No adjacent parking has been provided since the business is proximate to the skier parking lot at the north end of Sutton Place, which serves all of the village core parking needs.

In terms of meeting the Supplementary Regulations and Development Requirements (Section 13.10 of the Ordinance), Mucho Gusto Donuts will certainly help fulfil the goal to encourage "pedestrian-level commercial and amenity uses that animate the pedestrian experience within this zone . . . and create spaces and places in which residents and resort guests enjoy spending time . . ." (we certainly hope everyone will like the donuts!).

Although the upper gondola plaza is not identified as part of the CVZ Public Pedestrian Open Space Zone, the plaza will benefit from the energy and activity created by Mucho Gusto Donuts, which will serve as a nucleus or meeting place for families on their way to the Children's center and residents in the village alike.

The use does not propose any changes to the exterior architecture or placement of the building, so height and massing will remain unchanged. No design guidelines or siteplan revisions are being requested at this time, and Mucho Gusto Donuts is being proposed as a permanent use, with no other interim uses being proposed.

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. Further, as also discussed in the Intent of the Core Village Zone, all materials and

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supply deliveries are expected to be received at the Blake Hotel loading dock and stored in the Blake receiving facility.

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 Sutton Place.

View of the upper gondolita building looking from the plaza towards the Snakedance courtyard

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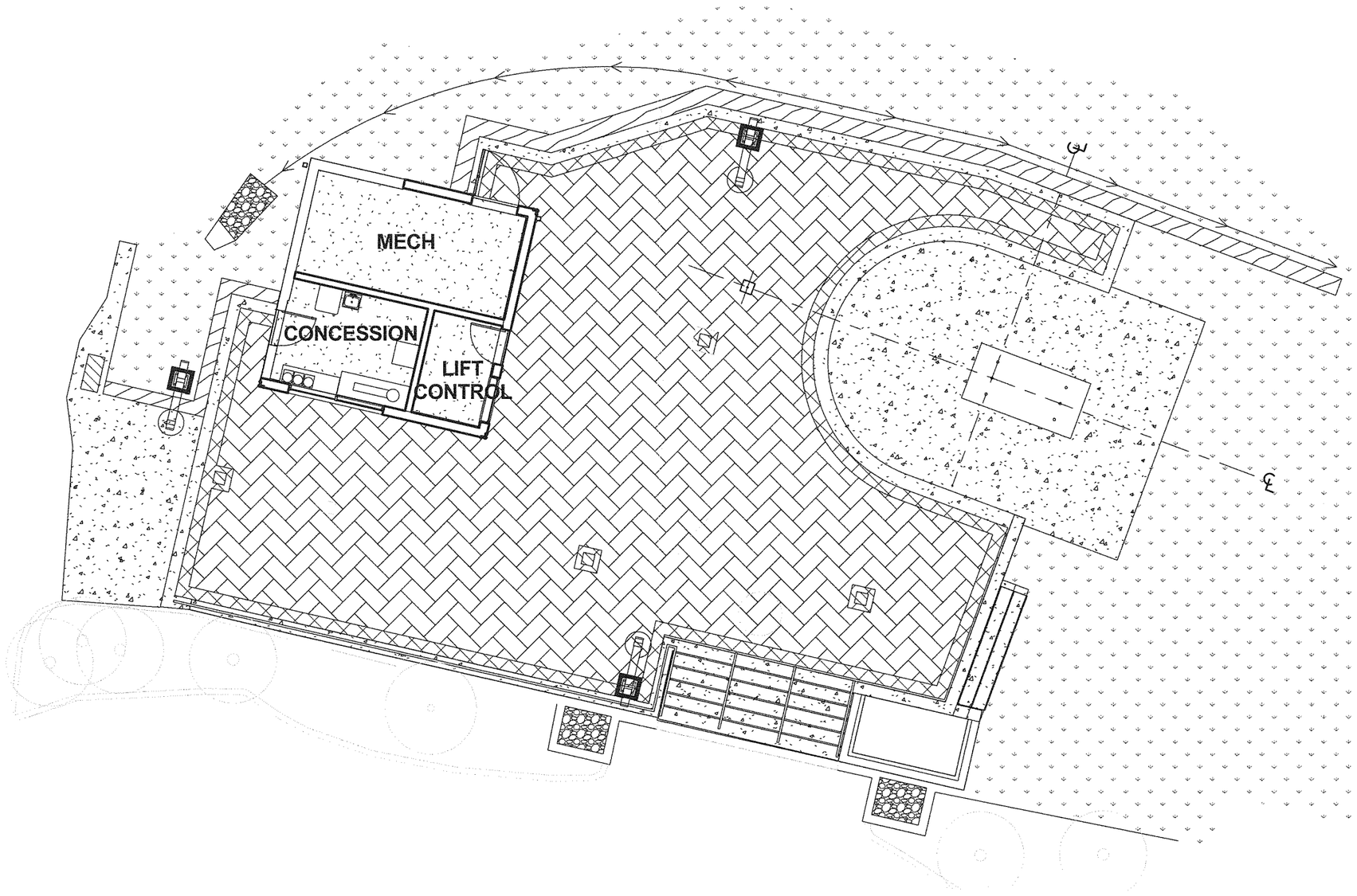
View of the upper gondolita building with menu board looking from Sutton Place towards the west

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



1 SITE PLAN - UPPER GONDOLA PLAZA
1" = 10'-0"

ldg
architects
122 A DOÑA LUZ
TAOS, NM 87571
P575.751.9481
F575.751.9483
www.ldgtaos.com

PULSE GONDOLA - TOP TERMINAL

111 SUTTON PLACE

PROJ. NO: 2017-050

SCALE: 1" = 10'-0"

ISSUE DATE: 12/11/18

REFERENCE TO:

SITE PLAN

AS-100

THE VILLAGE OF Taos Ski Valley

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
Block 3 – Lots 6 & 7A

1. Case Summary

Date of Hearing: February 4, 2019
Application Received: January 7, 2019
Date of Posting: January 18, 2019
Plan Review Fees: $500 - Special Use Permit
Project Description: 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.

The applicant's project narrative and site plan are attached.

Prior Actions/Approvals: There have been no prior actions or approvals granted for this location or project.

The Planning & Zoning Commission adopted the Comprehensive Plan for the Village of Taos Ski Valley on May 11, 2017 by Resolution 2017-329. The Village Council adopted revised Zoning Regulations on July 12, 2016.

2. Zoning Analysis:

Village zoning regulations offer few specific guidelines or regulations pertaining to the issuance of a SUP, other than the provisions of the Code which govern appropriate development and land use and sections which address protection of the general health, safety, and welfare of the community.

The proposed special use does raise concerns on the adequacy of existing parking options within the Kachina area and the possibility that adding more vehicles would strain the limited parking capacity currently available. The applicant indicates that the special use will create no additional parking demand as the attendees should be considered part of the permitted capacity at the existing facilities parking, namely the Phoenix and Bavarian Lodge. TSVI indicates that it will be providing shuttle service whenever guest counts exceed available parking capacity.

The proposed use meets the intention of the Zoning Ordinance with the recommended conditions affixed to approval.

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

4. **Proposed 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, will void the Special Use Permit.

2. The Special Use Permit, if approved, will expire in three (3) years unless the Planning and Zoning Commission specifically grants an extension.

3. 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 VTSV.

5. **Public Notice & Public Comments**

The notice of public hearing was mailed to all adjacent property owners on January 18, 2019. A public notice poster was placed on the property January 18, 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**

Permit submittal - narrative letter and site plan.

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January 15, 2019

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

Attn: Patrick Nicholson
Re: copies of Phoenix Lodge Wedding lawn SUP application

Dear Mr. Nicholson,

Enclosed please find seven copies of the application packet for the Special Use Permit for the Phoenix Lodge Wedding Lawn at the Kachina Village area. In each packet you will find:

- Land use application form
- Narrative letter
- Overall Kachina Site Plan
- Wedding Lawn Site Plan

Please do not hesitate to contact me is there is anything else I can provide to help you in your evaluation of this application.

Sincerely,

Peter Johnson
Director of Development

RECEIVED
JAN 07 PAID
CK # 51750
$ 3500
total
$500 This one

Village of Taos Ski Valley
Planning & Community Development Department

LAND USE & DEVELOPMENT APPLICATION

THE VILLAGE OF Taos Ski Valley

Applicant/Developer: Taos Ski Valley Incorporated	Property Address: Kachina Basin, Village of Taos Ski Valley
Current Owner Address: PO Box 90, Village of Taos Ski Valley	Lot/Block: Lots 6 and 7A, Block 3 Subdivision:
Architect/Engineer: N/A	Contractor: N/A

Authorization and Acknowledgment

I, the undersigned, am the owner of the above described property, or am authorized to represent the owners (proof of such authorization is attached). I recognize the fees paid with the application may not constitute the total cost to process this request and that I will be responsible for the additional costs incurred by the Village of Taos Ski Valley to review and process this request. I agree to pay these costs upon receipt of a statement from the Village.

Peter Johnson, Director of Development — January 7, 2019

Owner or Representative — Date

APPLICATION INFORMATION

SUBDIVISION	FEE		ZONING	FEE
Sketch Plat:	$1,000		Conditional Use	$1,500
Parcel Conceptual Plan (CVZ)	$500		Zone Change	$1,500
Preliminary Plat:			Variance	$800
Category I - less than 3 lots	$1,250		Variance (minimum)	$250
Category II - less than 10 lots	$2,500		Special Use	$500
Category III- 10 - 20 lots	$4,000		**CERTIFICATE of COMPATIBILITY**	$1,000
Each lot > 20	$250		**PUBLIC NOTICE SIGNS**	$50
Final Plat (½ cost of preliminary plat)			**APPEALS**	$250
Summary Subdivision	$500		**PERMITS**	
Lot Line Adjustment	$250		Fence Tree Sign Lighting	$25
Variance	$500		Accessory Structure	$25

Application Received: Date: _____ *Total Fees Paid: $* 500.00

Received by: _____ *(VTSV staff)*

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116 Sutton Place
Taos Ski Valley, NM 87525

January 7, 2019

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

Attn: Patrick Nicholson
Re: Phoenix Wedding Lawn

Dear Mr. Nicholson,

As you are aware, this past summer TSVI obtained approval of a variance for reduced setback from a wetland for the Bavarian restaurant in the Kachina Basin. Condition #2 of the Planning and Zoning commission's approval reads:

2. Any large off-site gatherings or formal ceremonies held on adjacent properties will require a Special Use Permit or rezoning. Structural or landscape improvements for such gatherings, likewise, to require a Special Use Permit or rezone.

I am therefore writing to request a Special Use Permit for the existing clearing on the north edge of the pond behind the Bavarian restaurant. Operation of the facility will be generally conducted within the following guidelines:

Background: TSVI owns and operates two facilities in the Kachina Basin: the Phoenix Lodge and the Bavarian Restaurant. Both facilities have recently undergone substantial remodels and expansion, with the goal of offering more and improved options to special events clients and as permitted and certified for occupancy, they have the following capacities:

Bavarian:
- Indoor Dining: 111
- Outdoor Deck: 214
- **TOTAL: 325**

Phoenix:
- Second Floor Indoor Dining: 426