



PLANNING & ZONING COMMISSION MEETING MINUTES

EDELWEISS LODGE CLUB ROOM
106 SUTTON PLACE
TAOS SKI VALLEY, NEW MEXICO
MONDAY, NOVEMBER 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: 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 Pattison, Councilor Stagg, and Councilor Wittman.

II. APPROVAL OF THE AGENDA

MOTION: To approve the agenda as presented.

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

III. APPROVAL OF THE MINUTES OF THE OCTOBER 7, 2019 P&Z COMMISSION MEETING

MOTION: To approve the minutes as presented

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

IV. NEW BUSINESS

A. PUBLIC HEARING: Consideration to Approve a Preliminary Plat application from the Resort at Taos Ski Valley, LLC to subdivide approximately 74 acres of land located along Kachina Road within the Kachina Village Subdivision of the Village of Taos Ski Valley. This will be for the purposes of developing two commercial hotels with up to 96 hotel rooms, recreational amenities, retail space, and 63 residential villas

Planning Director Nicholson asked the Shopoff group to present. Brian Rupp, with Shopoff Realty Investments, introduced himself and the other Shopoff staff. He said that the proposed development would consist of hotels, villas, restaurants, bars, and open space. The slide presentation showed diagrams, maps, schematics, and timelines. In 2004 the Village P&Z Commission approved a preliminary plat for a proposed Block 4 development, the plat of which is encompassed in this plat. Mr. Rupp said that the purchase of the proposed Block 4 land was completed in 2015. In 2017, the Shopoff Group took on project management for the development. The plan encompasses approximately 74.7 acres, and rezoning will be requested for certain portions to become a residential-commercial overlay zone, as well as an improved open space zone. A Master Development Agreement will be finalized before approval in order to commit to all details in a binding agreement.

Stephen Scott with Nama, who had worked with Adrian Zucha of Aman Resorts for many years in developing resorts, said that he had worked on building 33 resorts world-wide, including the unique properties of Amangiri in Utah, and Amangani in Jackson Hole, Wyoming. The group has a non-corporate method of working on a resort, he said, as they work to be in tune with the physical, social, and climatic landscape in the area. Their approach is to be subtle and discreet, and they don't want the character of a site to change. Mr. Scott said that the Nama team loves Taos and Taos Ski Valley and that their proposed project would enhance Taos Ski Valley, approaching it with great sensitivity. He pointed out that this resort concept is very different from other commercial entities such as a Marriott, for example. The idea is to

create a retreat from urban life which allows for a low-impact development.

Mark Rogers, a landscape architect also with Nama resorts said that their approach is to focus on the process, not just the outcome. Their standards are rooted in natural science, he said. He noted that their team includes several local people who have worked their careers in the ski valley, which has greatly assisted the team in recognizing local concerns. They wish to work in a balanced manner with TSVI and the local community. Their development is mindful of the special elements of the terrain, he said. Constraining factors are elements such as hillsides and wetlands, which are also a big benefit. The watershed is a concern to which they are paying much attention.

Mr. Rogers showed the conceptual site plan, which would include a 36-room hotel and 16 villas in Phase 1. The approach to the buildings will be minimalist, seeking simplicity. He said that the trail system and the hiking opportunities are the biggest amenity to this project. This development is in line with the Village's overall master plan, he said. Phase 2 will involve a 60-room lodge, as well as 36 villas.

Brian Rupp continued with the presentation, saying that they are focusing on traffic management and a parking plan. The expectation is that most of the clientele will be flying into regional airports, and the resort staff will be chauffeuring these guests to the resort. As a result, he said, less parking will be needed overall. Hotel staff will be responsible for snow removal on the property. This project has designated snow storage areas included in the site plan. Guests will be educated about altitude sickness by the staff prior to arrival and the welcome guide will also provide detailed information on altitude sickness including symptoms, recommendations, and remedies. Oxygen will be provided to guests if needed, and staff will be trained to assist with medical attention, he said. At the time of a conditional use permit application more details will be provided, such as the parking plan.

Mr. Rupp pointed out that the public benefits to this proposed project are that this will be a quality development in the Village, in the Kachina subdivision, which has always been zoned for commercial use. Several proposals have been drawn up over the years and this will be the least impactful of any proposal, said Mr. Rupp. Creating source water protection for the Gunsite Spring is a concern that they are eager to assist the Village in creating. The location of the spring is beneficial as water can drain by gravity into the Village's green water tank. They will dedicate the land and easements to the Village for Gunsite Spring development and access.

The Shopoff Group is providing \$1 million in funding for road improvements to the Kachina area. They project that \$18 million from the build-out of the project will be generated in taxes for the Village and the TIDD. They have contracted the completion of a Kachina Road Feasibility Report by Souder Miller & Associates. This could present an alternate route to the Kachina area, for long-term planning. Additionally, a Twining Road Improvements Feasibility Report was created by Souder Miller & Associates at Shopoff's request. The report shows a plan for improved grades, installation of guard rails, paving, road widening, and the creation of additional snow storage areas, as well as improved drainage, and the creation of wider travel lanes. He noted that funding for an improved road to the Kachina area is in the TIDD finance plan.

Village Public Works Director Martinez explained that the Kachina Water Tank will provide adequate water pressure for the development and the upgraded Wastewater Treatment Plant will have adequate capacity for the project.

Councilor Roger Pattison said that the project is well-conceived and well-considered and that the developer has provided much of the detail already in the preliminary plat and preliminary terrain management plan.

Planning Director Nicholson reported that many issues and items necessary to recommend approval and/or conditions of approval are included in a draft Development Agreement. This Agreement is incomplete and in-process. Additional materials and revised submittals are also necessary to complete project review and to provide a recommendation. Staff recommends a motion for continuance of the Public Hearing for the Preliminary Plat of The Resort at Taos Ski Valley, LLC until the February 3, 2020 P&Z Commission meeting.

MOTION: To continue the agenda item for preliminary plat approval until February 3, 2020.

Motion: Commissioner King

Second: Commissioner Woodard

Mr. Rupp explained that work is being conducted on finalizing the Master Development Agreement. Feedback was received up until the previous week, so more time is needed. Director Nicholson explained that a preliminary plat approval grants certain entitlements so the details need to be sorted out in advance of approval. Attorney Baker explained that key items remaining to be agreed upon are road easements and

road care details.

Mayor Brownell asked Mr. Rupp whether the development would provide staff housing. Mr. Rupp replied that the extra land on the Wheeler Peak Condominium site may have some condominiums built for staff housing purposes. Arroyo Hondo citizen Phaedra Greenwood, as well as TSV homeowner Dee Johnson, expressed their concern about the impact of the project on the Rio Hondo. TSV property owner Stephen Ortiz expressed concern about the impact of traffic on the roads and asked that the vote be continued. Other concerns about the impact of the development were expressed by Valdez residents Ken Gallard and Christine Lowry. Bavarian Chalet owner Brandon Swim said that he was worried about the impact of the project on the Kachina area water supply, as he said that the Bavarian Chalets had experienced water issues the past couple of winters.

Commission Chair Wittman called for a vote. dissenting)

Passed: 6-1(Commissioner Duffy

Commission Chair Wittman opened the **Public Hearing**. Speaking for approval of the project was Brian Rupp, who said that he was in favor of approval of both the preliminary plat and the requested zoning changes at the February 3, 2020 P&Z Commission meeting. Former Village Community Development Director Don Schieber, who is working with the Shopoff group, said that the entire project is in line with the planning goals of the Village. The application for preliminary plat for Block 4 in 2004 led to re-writing the Village's subdivision ordinance to include cluster development and open space in developments. He said that this project is a very appropriate design for the land and that the designated building spots are ideal. Mark Rogers, with Shopoff Realty Investments, said that activity in the Kachina area is inevitable, in his opinion, and that the energy and resources of Shopoff are in motion. He said that he was in favor of the solutions that Shopoff was bringing to this project. John Halley, who is working with the Shopoff group, spoke in favor, saying that his 2005 plan presented to the P&Z Commission was for development in this same area, for 100 acres inclusive of the 74 acres in this preliminary plat. Stephen Scott, with the Shopoff group, spoke in favor saying that he has seen the opportunities in remote small communities that the Aman resorts have provided. He said that the project would be something of which the community would be proud. Martin Molz, partner in Engel & Volkers Taos, spoke in favor saying that the Shopoff Realty Group is great to work with.

Speaking against was Cliff Bain, saying that the Village of Taos Ski Valley has the responsibility to preserve and protect the head waters of the Rio Hondo. He said that the Village has the obligation to push for studies and better evaluation. Ken Gallard spoke against saying that he was involved in the early Kachina Master Plan and that the same issues were identified, namely the difficult access. He said that access for emergency vehicles should be considered because the site is so remote. Also, he said that the solution to altitude sickness is usually only to remove to a lower altitude. Sylvia Rodriguez said that she was representing the acequia association and asked if the Village had enough water rights to include this project, and was there a plan to expand the Village's water rights. Steve Ortiz spoke against as he said that he had had negative interactions with the Shopoff group. Valdez acequia parciante Christine Lowry said that she was against the project as the forest should be a place for animals and not for people. She said that the jobs provided would only be service jobs. Phaedra Greenwood spoke against saying that her well system in Arroyo Hondo depends on the Rio Hondo and she was concerned about flows in the river. Brandon Swim spoke against saying that the Village's infrastructure is getting taxed and that the current infrastructure doesn't meet current needs. Homeowner Barry Johnson spoke against, citing concern over infrastructure and mostly the status of the road. Homeowner Jeanne Gesumaria said that she was still on the fence deciding to be for or against but asked if the P&Z Commission and/or the Village Council could be made to provide emergency services staffing.

The **Public Hearing** was closed.

B. PUBLIC HEARING: Consideration to Recommend a Zone Change Request from the Resort at Taos Ski Valley, LLC, which is located in the Kachina Village Subdivision within the Village of Taos Ski Valley. The following changes to the Village Zoning Map are proposed:

1. Lot 1, Block 2: Change from the current Zoning of Commercial Business Zone to a Residential-Commercial Overlay Zone. The proposed general Land Use shall be Commercial Use;
2. Lot 2, Block 2: Change from the current Zoning of Commercial Business Zone to a Residential-Commercial Overlay Zone. The proposed general Land Use shall be Commercial Use;

3. Proposed Block 4: Change from the current Zoning of Recreational/Agricultural to a Residential-Commercial Overlay Zone. The proposed general Land Use shall be Commercial Use; and
4. Change from Recreational/Agricultural to Improved Open Space Zone for approximately 53.3 acres of land in the Proposed Block 4, to be surveyed and given a metes and bounds legal description before Final Plat approval.

Commission Chair Wittman opened the **Public Hearing**.

Speaking in favor was Brian Rupp, who said that the zone change would allow for a mix of uses to provide for a higher quality development. He said there would be plenty of room for recreational and open space use. The development will provide funding for emergency services, and for water and sewer improvements. He said that the land previously had water rights attached to it which were transferred to the Village. He said that they will be implementing roadway improvements and that they will be a partner in seeking solutions. He said that they appreciate the input and that they are driven to produce a quality development.

Planning Director Nicholson read the staff report on this agenda item saying that this is a significant zone change request which will substantially impact the Kachina area and all surrounding properties. The roadway access to the project property will also experience a large increase in vehicle traffic, more than double the current traffic volume, as indicated in the developer's traffic impact analysis, if the rezoning and proposed project is approved and fully built-out. He said that the applicant has provided a feasibility analysis of a potential alternative by-pass route to serve the area and the property development. Any rezoning is a discretionary action and not an entitlement or vested right by any property owner. By Village Ordinance, the Commission can make a recommendation to the Village Council to amend the official zoning map. The Village Council is the formal decision-making body for this matter. The zone change request is directly tied to consideration of the related preliminary plat application for the subject property. It is recommended that the rezone only be approved if and when the preliminary plat is also granted approval. As with the preliminary plat request, many issues and items necessary to recommend approval and/or conditions of approval are included in the draft Development Agreement. This Agreement is incomplete and in-process.

John Halley and Mark Rogers spoke in favor of the zone changes saying that this is an important part of the low-impact development policy.

Speaking against was Christine Lowry who said that the parcel should stay agricultural/recreational to allow people to use it. She suggested that someone make it a conservation easement. Brandon Swim spoke against asking whether the zone change would allow for more development than could be sustained.

The **Public Hearing** was closed.

Commissioner Duffy said that it was unfair to stonewall Shopoff by delaying for three months. Commissioner Caldwell said that he thought it best to get all of the details sorted out as this is important for the community.

V. OLD BUSINESS

VI. MISCELLANEOUS

A. Director Nicholson said that he was going to proceed with an administrative variance for a stairway at 32 Twining Road.

II. ANNOUNCEMENT OF THE DATE, TIME & PLACE OF THE NEXT MEETING:

The next meeting of the Planning & Zoning Commission will be a Special meeting on Monday, November 18, 2019 at 1:00 p.m. at the Edelweiss Lodge Club Room to review the draft Firewise Ordinance. . A Firewise Board Community Outreach meeting will take place on Saturday, November 9, 2019 at 2:00 p.m. at the Edelweiss Lodge Club Room.

VIII. ADJOURNMENT

MOTION: To adjourn.

Motion: Commissioner Stagg Second: Commissioner Caldwell Passed: 7-0

The meeting adjourned at 3:10 p.m.

Tom Wittman, Chairperson

ATTEST: _____
Ann M. Wooldridge, Village Clerk