

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**PLANNING & ZONING COMMISSION  
REGULAR MEETING  
WEDNESDAY, JANUARY 4, 2006**

**Chairman Jim Thompson** called this meeting to order at 5:30 p.m. at the Coronado Council Chambers, located at 120 Civic Plaza Drive. This is the monthly Regular Meeting of the Town of Taos Planning and Zoning Commission.

1. **ROLL CALL**

*The following were present:*

*Commissioners:* Jim Thompson, Chairman  
Jim Pollard, Vice-Chairman  
Susan Benedetti  
John Delmargo  
William Himes  
Patrick Nicholson  
Joseph Quintana

*Historic Preservation:* Sheila Grainger  
Richard Montoya

*Planning Department Staff present:*

*Rudy Perea, Planner  
Lou Baker, Planning Director  
Rachel Romero, Permit Technician*

2. **PLEDGE OF ALLEGIANCE**

Pledge of allegiance was recited.

3. **APPROVAL OF AGENDA**

**Commissioner Himes** made a motion to approve the agenda as presented.

**Commissioner Pollard** seconded the motion.

**Commissioners voted aye verbally.**

**Motion carried unanimously.**

1                   **4.       ELECTION OF OFFICERS**

2                   **a. Chairman -**

3  
4                   **Commissioner Pollard nominated Jim Thompson for Chairman.**

5                   **No other nominations/nominations closed.**

6                   **Commissioner Delmargo seconded the nomination.**

7                   **Commissioners voting aye verbally: Commissioner Pollard, Commissioner**  
8                   **Benedetti, Commissioner Delmargo, Commissioner Himes, Commissioner**  
9                   **Nicholson, Commissioner Quintana, Commissioner Grainger, Commissioner**  
10                   **Montoya.**

11                   **b. Vice-Chairman-**

12                   **Commissioner Himes nominated Patrick Nicholson for Vice-Chairman.**

13                   **No other nominations/nominations closed.**

14                   **Commissioner Grainger seconded the nomination.**

15                   **Commissioners voting aye verbally: Commissioner Pollard, Commissioner**  
16                   **Benedetti, Commissioner Delmargo, Commissioner Himes, Commissioner**  
17                   **Quintana, Commissioner Grainger, Commissioner Montoya.**

18  
19  
20                   **5.       ADOPTION OF RESOLUTION 06-01 OPEN MEETINGS ACT**

21  
22                   **Commissioner Himes made motion to adopt resolution 06-01.**

23  
24                   **Commissioner Benedetti seconded the motion.**

25  
26                   **Commissioners voted aye verbally.**

27  
28                   **Motion carried unanimously.**

29  
30                   **6.       ADOPTION OF PLANNING & ZONING COMMISSION BY-LAWS 2006**

31  
32                   **Commissioner Himes** requested clarification on the statement “Each Historic  
33                   Preservation member may vote on all requests for alterations, demolition, additions, and  
34                   any items requiring action under the LUDC” that should cover anything that relates to the  
35                   historic zone, the historic commissioners are then allowed to vote.

36  
37                   **Commissioner Grainger** stated that on page 56 of the LUDC, it just refers to  
38                   certificates of appropriateness, there is a discrepancy in the by-laws with the LUDC.

39  
40                   **Commissioner Himes** made a motion to postpone approval of the by-laws until the next  
41                   regular meeting, and asked Rudy to meet with the Town Attorney and clarify the Historic  
42                   Preservation Commissioners duties; and extend approval of last years by-laws until such  
43                   time.

44  
45                   **Commissioner Pollard** seconded the motion.

46  
47                   **Commissioners voting aye verbally: Commissioner Benedetti, Commissioner**  
48                   **Delmargo, Commissioner Himes, Commissioner Nicholson, Commissioner**  
49                   **Quintana, Commissioner Grainger, Commissioner Montoya.**

50  
51                   **Commissioner Pollard voted no on the motion.**

1           **7.        APPROVAL OF MEETING MINUTES OF DECEMBER 7, 2005.**

2  
3           **Commissioner Nicholson** made a motion to approve the minutes as presented.

4  
5           **Commissioner Himes** seconded the motion.

6  
7           **Commissioners voted aye verbally.**

8  
9           **Motion carried unanimously.**

10  
11  
12  
13           **5.        Update on projects from Long Range Planner-Matthew Foster**

14  
15           **Chairman Thompson** stated that Mr. Foster would like to make copies of his  
16 presentation and will be making his presentation when that is done.

17  
18  
19  
20           **Rudy Perea read the rules for public hearing.**

21  
22  
23  
24           **6.        PRELIMINARY PUBLIC HEARINGS:**

25  
26           **A.        Case No. P&Z2006-01**

27                   **Patricia Ann Baker, property owner; requesting a Zone Change, from R-14**  
28                   **(multi-family residential) to R-4 (residential). The 0.3171 acre property is**  
29                   **located at 110 Cervantes Drive, in the R-14 Zone within the Town of Taos.**

30  
31           **Ms. Patricia Baker** is sworn in, stating that she would like approval on her request to  
32 downzone her property located in an R-14 area, there are some business around the  
33 property; the homes are small single-family residences; with the current zoning, should  
34 something happen to her, her property could be commercialized and go to more houses.  
35 Does not want that to happen, wants to retain the openness of the area, the architecture and  
36 the size of houses, anything else would impact the traffic. Cervantes Drive goes to the  
37 High School, two times during the day that the traffic is horrendous, there is also a  
38 restaurant, law office and a mortgage company that feed into Cervantes Drive, would hate  
39 to see more traffic. Does not want something to go in there that would negatively impact  
40 the neighborhood.

41  
42           **Commissioner Himes** asked if Ms. Baker if she had considered placing covenants and  
43 restrictions on the property rather than changing the zoning.

44  
45           **Ms. Baker** stated that she currently has a restriction on the property that it cannot be  
46 subdivided, but has been told that the restrictions can only be placed for twenty years.

47  
48           **Commissioner Himes** recommended that would be a simpler path to take.

49  
50           **Ms. Baker** stated that she did that, about ten years ago and was told it would be for only  
51 short term duration; really thinks the zone change is what is needed, if approved in the

1 future, another zone change request would be needed; wants to protect her neighborhood  
2 and historical integrity value of her property.

3  
4 **Commissioner Nicholson** asked Ms. Baker if she has approached the surrounding  
5 property owners, to petition for zone change as a block.

6  
7 **Ms. Baker** stated she has not done that, only discussed this with one neighbor.

8  
9 **Commissioner Pollard** stated that he would not attempt to give legal advice, but he  
10 believes very confidently and strongly, that Ms. Baker would be better served for what  
11 was expressed by putting covenants and restrictions on the property, because they will last  
12 forever, any zone change given, and is not sure a spot zone would be given, can be  
13 reversed with the next property owner, but a restriction on the deed that is filed with  
14 prohibitions will remain forever.

15  
16 **Ms. Baker** asked if she could add deed restrictions to the existing restriction, and those  
17 would last forever.

18  
19 **Commissioner Pollard** recommended obtaining legal advice and believes that those  
20 restrictions can last forever.

21  
22 **Commissioner Himes** recommended the restrictions be placed on the deed, because a  
23 future property owner would have more valid reason to change back to R-2, from an R-4,  
24 because that is a spot zoning, which is contrary to what the code requires.

25  
26 **Ms. Baker** stated that she was told the restrictions only last twenty years and understood  
27 that the rezone to R-4, would not be spot zone-was told it did not fall within the  
28 description of a spot zone.

29  
30 **Rudy Perea** stated it would not be considered spot zoning, from a legal point of view,  
31 because spot zoning considers other criteria other than the zone itself, there are other  
32 issues involved, if the request was a C-2 zone that would be considered spot zoning, but  
33 with the R-4 request it would still be a lower density residential.

34  
35 **Commissioner Pollard** recommended to Ms. Baker to request a postponement to acquire  
36 some legal advice, in zoning a buffer zone is recommended, to go from commercial to  
37 higher density to lower density and then even lower density, from the current zoning map  
38 submitted it looks like that property was properly zoned, with the C-1 and C-2  
39 surrounding all R-14 property it looks like it was properly done and it may be more  
40 effective to seek another tool to get what is wanted.

41  
42 **Ms. Baker** stated that she would take that recommendation into consideration.

43  
44 **Chairman Thompson** opened the application for public comment.

45  
46 **No public comment noted.**

47  
48 **Chairman Thompson** closed the public hearing and returned to the Commission for  
49 discussion.

50

1 **Commissioner Himes** stated that the request for zone change does not fall within the  
2 criteria for rezoning a property, the property was zoned correctly, is wondering if that is  
3 in the prevue of the Commission to change that.  
4

5 **Rudy Perea** stated that he took into consideration that there is only one access to this  
6 property off of Cervantes; it is zoned R-14 and there is potential for more density; would  
7 support a zone change to R-4, it would not be spot zoning and it wouldn't be a detriment  
8 to the neighbors, believes it meets the criteria for a zone change.  
9

10 **Chairman Thompson** stated that he fully believes, if an application is submitted for  
11 Commission review, that applicant should be allowed the opportunity for due process;  
12 would like to see this application moved forward and scheduled for the next meeting, with  
13 the understanding that the applicant can rescind the application at any time; also believes  
14 in what Commissioner Pollard is stating that the deed restrictions can be placed and  
15 stayed.  
16

17 **Chairman Thompson** made a motion to schedule the application for the February 1,  
18 public hearing meeting.  
19

20 **Commissioner Pollard** seconded the motion.  
21

22 **Commissioners voting aye on the motion: Commissioner Pollard, Commissioner**  
23 **Benedetti, Commissioner Delmargo, Commissioner Himes, Commissioner Nicholson,**  
24

25 **Commissioner Quintana voted No on the motion.**  
26

27 **Motion carried.**  
28

29  
30 **5. Update on projects from Long Range Planner-Matthew Foster**  
31

32 **Chairman Thompson** allowed Mr. Foster to make his presentation at this time.  
33

34 **Matthew Foster** made a presentation on the issues and options in relation to the  
35 development of the Land Use Master Plan.  
36

37  
38  
39 **9. B. Case No. P&Z2006-02**  
40 **Susan & John Medina, property owners; Leticia Manzanares, agent;**  
41 **requesting a Special Use Permit, to operate a Child Day Care Center. The**  
42 **property is located at 1128D Paseo del Pueblo Sur, within the C-2 zone of**  
43 **the Town of Taos.**  
44

45 **Ms. Leticia Manzanares** is sworn in, stated she has worked with the school system for  
46 ten years, with special education and throughout that time has always heard that there is no  
47 child care for younger children; so she went to school and got her teaching degree in Early  
48 Childhood and hopes to open a child day care center that focuses on those children who  
49 are six weeks old to up to three years old. Had searched for a location and found this  
50 location behind Susan Grill, so with permission from the Commission and the State, will  
51 renovate this location, by putting in a playground and place fencing all around.

1 **Commissioner Grainger** asked how many square feet the State requires per child.

2  
3 **Ms. Manzanares** stated it is 35 square feet per child indoors and 75 square feet in the  
4 playground per child.

5  
6 **Commissioner Benedetti** asked if she will eventually allow 24 children.

7  
8 **Ms. Manzanares** stated that she would eventually like to go up to 24 children, but that  
9 would be including a total two story renovation and would not consider that until a future  
10 time.

11  
12 **Commissioner Benedetti** asked if the State requires more than one exit.

13  
14 **Ms. Manzanares** stated they require two exits, that is not shown in the submitted plan,  
15 but plans to place the door before the downstairs doorway.

16  
17 **Commissioner Delmargo** asked how many children she will start off with, and how  
18 many adults are needed.

19  
20 **Ms. Manzanares** stated she would like to begin with ten children who need two adults  
21 and to eventually twelve with two adults.

22  
23 **Chairman Thompson** stated that this is a very populated area, how will the children be  
24 kept safe from this traffic.

25  
26 **Ms. Manzanares** stated that she would like to place a chain link fence around the portal  
27 with a high latch for adults.

28  
29 **Chairman Thompson** opened the application for public comment.

30  
31 **No public comment noted.**

32  
33 **Chairman Thompson** closed the application for public comment and returned to the  
34 Commission for discussion.

35  
36 **Commissioner Himes** stated that the location and the proposed remodeling looks fine,  
37 the State will also have some very strict requirements to meet, would like to see detail  
38 drawings of the fencing and on the fire exits, would also like to see what the State requires  
39 and see how those restrictions are going to be addressed.

40  
41 **Commissioner Himes** made a motion to schedule the application for the next public  
42 hearing in February.

43  
44 **Commissioner Nicholson** seconded the motion.

45  
46 **Commissioners voting aye verbally: Commissioner Pollard, Commissioner**  
47 **Benedetti, Commissioner Delmargo, Commissioner Himes, Commissioner Nicholson,**  
48 **Commissioner Quintana.**

49  
50 **Motion carried unanimously.**

51

1           **C.        Case No. P&Z2006-03**  
2           **Dharma Properties Inc., property owners, Living Designs Group, Agent;**  
3           **requesting a Conditional Use Permit, Zone Change from R-4 to C-1 and a**  
4           **Planned Unit Development. The property is located at 331 Kit Carson**  
5           **Road, in the R-4 Zone.**

6  
7           **Commissioner Himes recused himself from considerations on this application.**

8  
9           **Douglas Patterson and John Szerdi** are sworn in.

10  
11           **Mr. Patterson** stated that they are here with Living Designs Group, representing El  
12           Monte Sagrado, requesting a zone change, conditional use and extended PUD for 131 Kit  
13           Carson Road, adjacent to the existing El Monte. In March 2001, approval was granted  
14           for a zone change, conditional use and PUD to build the existing El Monte. The request  
15           now is for an expansion of that PUD and an expansion of operations at El Monte  
16           Sagrado. Upon that prior approval El Monte had been under construction for the  
17           following 18 months, until June 2003. Since its opening it has operated for over two  
18           years getting international recognition for its resource conservation. Through multiple  
19           requests a need was determined for additional rooms and expansion of the banquet  
20           facilities for the resort. Through identification of that need and in response El Monte  
21           acquired the adjacent 2.6 acre property, which is the subject of this request.

22  
23           **Mr. John Szerdi** stated that some of the Commissioners were present at the time of the  
24           prior approvals; presented an enlarged drawing to the Commissioners to explain the  
25           current facilities and explained the proposed designs on the current location and  
26           surrounding areas.

27  
28           **Commissioner Delmargo** asked in regards to large events, where are outdoor events to  
29           occur.

30  
31           **Mr. Szerdi** stated they would still have the use of service in the green space.

32  
33           **Commissioner Delmargo** asked if any attempt has been made to mitigate noise levels,  
34           such as a band playing.

35  
36           **Mr. Szerdi** stated that they have physically monitored decimal levels to meet the Town  
37           requirements, and the existence of the two story levels has helped contain that, also the  
38           second row would isolate the noise.

39  
40           **Commissioner Delmargo** asked if written approval is needed to alter the acequia from  
41           the Association.

42  
43           **Mr. Patterson** stated Mr. Chavez would give written documentation if needed.

44  
45           **Commissioner Quintana** asked if the expansion is the need for hotel rooms for suites.

46  
47           **Mr. Szerdi** stated there is a request to accommodate for small conferences at this resort,  
48           for small meeting rooms, and the need for more hotel rooms.

1 **Commissioner Benedetti** asked to describe the existing handicapped parking and access  
2 and what is proposed.

3  
4 **Mr. Szerdi** stated that they have all sloping ramps and have met ADA regulations, the  
5 handicapped spaces are marked and there is free valet parking.

6  
7 **Commissioner Pollard** asked what sort of landscaping exists along the property and  
8 that of Los Suenos and how is it buffered.

9  
10 **Mr. Szerdi** there will be a parking area with a fence and landscaping with evergreens.

11  
12 **Mr. Patter son** stated they have addressed that issue with Dreamcatcher Investments the  
13 developer of the condos who erected a six foot latilla fence which will remain and will  
14 provide a five to eight foot of landscape strip for evergreens, there is a one two story  
15 property and other than that there are no other buildings that look onto the property.

16  
17 **Commissioner Grainger** asked what will happen to all of the existing cottonwood trees.

18  
19 **Mr. Szerdi** stated there are some three trees that are in bad shape, there are many good  
20 ones that have been trimmed and have tried to preserve.

21  
22 **Commissioner Nicholson** asked about the landscape plan, asked why more native plants  
23 were not considered, instead of Austrian pine, Russian sage.

24  
25 **Mr. Patterson** stated that the Austrian pines were used on the existing landscaping  
26 because of the susceptibility of the native pine bark beetle, and this was the most resistant  
27 to be found at the time, the intent is to encourage native growth patterns.

28  
29 **Commissioner Nicholson** asked to confirm, it is his understanding that they will fund  
30 the expansion of the sidewalk to the Town limits.

31  
32 **Mr. Szerdi** stated there is a master plan that shows this in its plan how it goes out to the  
33 city limits, but only the frontage would be funded.

34  
35 **Chairman Thompson** stated he lives on Liebert and takes walks on Kit Carson Road  
36 and he has a list of ten items that he would like taken into consideration, there is a street  
37 light at the entrance of El Monte-would like that to be consistent with the lighting  
38 ordinance; deliveries and trash collection are done very dangerously at the facility;  
39 deliveries park on both sides of Kit Carson Road and use parking lots across the street by  
40 Dolan to make u-turns- would like to see these dangerous situations be removed; the  
41 speed limit sign is completely covered by the evergreens; parking on Kit Carson Road  
42 continually happens for any function at the resort-would like to see that stopped; relative  
43 to construction time-lots of building materials were inventoried on the right-of-way or  
44 even right on the street-very dangerous; when connections to Town utilities were  
45 implemented-open holes were left on the street-very dangerous at night; during  
46 construction it was very hard to walk along Kit Carson-both sides of the street were  
47 blocked; when trenches were dug on Kit Carson-dirt was stacked right up against the  
48 neighbors fences on the south side of Kit Carson and that dirt is still there-would like to  
49 see cleanup after work is done; there was a large amount of trash from the construction  
50 all along the south side of Kit Carson and would like to see cleanup at least once a week  
51 and not see trash accumulated; in general the deliveries are the most dangerous-the trucks

1 park facing traffic; the trash containers are in the way and have to walk onto the street  
2 around them. These are all items that he has personally seen during the prior construction  
3 and would like the owners to take these into consideration during any new construction.  
4 Agrees that the project is a good benefit, the resort is a good neighbor and if these issues  
5 were dealt with it will be greatly appreciated.  
6

7 **Commissioner Montoya** asked how many handicapped rooms are in the new hotel  
8 suites.  
9

10 **Mr. Szerdi** stated right now there is a full type A, down next to the main office area and  
11 there is a B unit on site, that would be duplicated again, that is required to up to fifty  
12 rooms.  
13

14 **Ms. Lou Baker** Planning Director, explained that this project is unique in that Mr.  
15 Patterson met with the Town of Taos twice, brought together a pre-development review  
16 team, with fire, police, public utilities, streets and the Planners, who worked with Doug to  
17 give him ideas and give him insight into issues. All this issues just mentioned by Mr.  
18 Thompson were discussed, in regards to the construction staging, traffic on Kit Carson,  
19 these were issues immediately brought to Doug's attention at the first meeting and all  
20 determined their proposed staging will alleviate congestion on Kit Carson. This project is  
21 very unique in that she has asked Doug to provide data on economic development; as  
22 Planners land use is first taken into consideration; but these projects are economically  
23 driven, they are machines in the community and increase gross receipts tax, lodgers tax,  
24 and give people in the community jobs. Would like to assure the Commission that this  
25 project has been addressed very intensely.  
26

27 **Rudy Perea** commented on the request for granting variances on the location of the  
28 parking, the code requires all commercial buildings are placed on the front property line  
29 and parking placed towards the sides and back so a parking variance is requested under  
30 the PUD.  
31

32 **Commissioner Pollard** stated the parking variance is the only issue to be considered  
33 under the PUD, and there are no other variances requested.  
34

35 **Rudy Perea** stated that is correct, this is the only consideration under the PUD.  
36

37 **Commissioner Quintana** asked if the Town is fully in favor of the proposed project.  
38

39 **Rudy Perea** stated that the Town supports this project and their proposed parking  
40 placement.  
41

42 **Commissioner Delmargo** asked how tall the tallest building will be.  
43

44 **Mr. Szerdi** stated that the tallest building is about 26 and a half feet, the height  
45 limitation is 27 feet.  
46

47 **Chairman Thompson** commented on the letter from the traffic engineer, would like the  
48 calculations clarified, the occupancy of the meeting rooms, the residents and those that  
49 are not residents.  
50

51 **Mr. Szerdi** stated he is still working with Rudy on the traffic study.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

**Commissioner Grainger** asked what the occupancy rate is at El Monte.

**Mr. Szerdi** stated he didn't know the average occupancy rate.

**Commissioner Pollard** agreed that most of the issues have begun to be addressed and would like to see justification for the parking variance.

**Chairman Thompson** opened the application for public comment.

**Rudy Perea** read an emailed letter received from Gary and Barbara Devane.

**Mr. Robert Malone** is sworn in, only wants to alert the Commission that he has concerns, but is engaging in a discuss with the El Monte personnel and hopefully will be resolved soon.

**No further public comment noted.**

**Chairman Thompson** closed the public hearing and returned to the Commission for motion.

**Commissioner Nicholson** made a motion to public hearing on February 1, 2006.

**Commissioner Delmargo** seconded the motion and commended the Planning Director for coordinating with the Public Utilities, police and fire department in this preliminary review.

**Commissioners voting aye verbally: Commissioner Pollard, Commissioner Benedetti, Commissioner Delmargo, Commissioner Nicholson, Commissioner Quintana.**

**Motion carried unanimously.**

**10. PUBLIC HEARINGS CERTIFICATE OF APPROPRIATENESS:**

- A. Case No. P&Z 2005-23  
Taos Inn c/o Dr. Douglas Smith/Ms. Carolyn Haddock, property owners, Robert Parker Associates, Agent; requesting a *Certificate of Appropriateness*, for new construction, remodel and demolition to the existing buildings, the 1.98 acre property is located at 125 Paseo del Pueblo Norte, in the CBD zone within the Historic Overlay Zone of the Town of Taos.**

**Chairman Thompson** recused himself from consideration on this application.

**Vice-Chairman Nicholson** chaired the meeting.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

**Mr. Robert Parker** is sworn in, and distributed a revised parking plan to the Commission. Explained the application and some revisions addressed- has overall eleven itemized improvement items, that were described in the preliminary presentation; the Commission requested a report from SHPO which was received and is included in the meeting packet; similarly the Staff has prepared a report and spoke in response to the conditions of approval recommended to the Commission by Staff.

**Commissioner Nicholson** asked how many parking spaces are required for the Liebert lot.

**Mr. Parker** stated the there is a requirement of 70 spaces, between both the guest rooms and transient parking and have provided over 100.

**Vice-Chairman Nicholson** opened the application for public comment.

**No public comment noted.**

**Vice-Chairman Nicholson** closed the public hearing and returned to the Commission for motion.

**Commissioner Pollard** stated, in the case of P&Z2005-23, based upon all nine findings of fact from staff in their report, and an additional finding - that the applicants are already in substantial compliance with the SHPO recommendation regarding false parapets; made motion to approve case 2005-23, with the following conditions, the applicant submit a door and window schedule for the proposed new construction as outlined in the staff report; the applicants formulate a plan and submit it to the Town of Taos Planning and Zoning regarding any archeological or cultural resources, according to the staff report; the applicants submit finalized drawings for the proposed storage recycling trash bin structure at the time the permit is drawn; the applicants preserve the historic wall which is adjacent to the Liebert lot and any significant deviations from their plans or window and door schedules need to be reviewed by the Planning and Zoning Department and or the P&Z Commission.

**Commissioner Delmargo** seconded the motion.

**Commissioners voting aye verbally: Commissioner Pollard, Commissioner Benedetti, Commissioner Delmargo, Commissioner Quintana, Commissioner Grainger, Commissioner Montoya.**

**Motion carried unanimously.**

**Chairman Thompson returned to chair the meeting.**

1           **11.    PUBLIC HEARINGS:**  
2  
3

4           **A.    Case No. P&Z2005-18**

5           **Robert Knudson Trust (option to purchase by Denis Grosvenor, assigns or**  
6           **nominees), property owner, Abeyta Engineering Inc., Agent; requesting a**  
7           **Zone Change, from R-2 (single-family residential) to R-14 (multi-family**  
8           **residential) the 3.72 acre property is located at 701 Salazar Street, in the R-2**  
9           **zone of the Town of Taos.**  
10          **(requests continuance)**  
11

12          **Mr. Alex Abeyta** is sworn in, explained the application status from the preliminary  
13          public hearing in November, the Commission requested modifications which have been  
14          done; have worked with Rudy and had a telephone scoping meeting on the traffic study;  
15          have Terry Brown, the traffic engineer present this evening to present the executive  
16          summary of the traffic study; submitted a December packet, which has additional data  
17          based on the request and would like to walk through those items. Provided an updated  
18          traffic study; last site plan showed 40 units but now propose only 36 units; included a  
19          landscape plan, provided open space area on the north end and at the south end each .5  
20          acres for a total of .3acres; Rudy had a concern because a completed boundary survey has  
21          not been completed and for that reason both have agreed that could be a condition of a  
22          continuance to move forward; included landscaping along Salazar Road; a building  
23          elevation plan is included; have expanded and is included in the meeting packet an  
24          explanation on meeting the five criteria for zone change request.  
25

26          **Commissioner Pollard** asked Mr. Abeyta to clarify on the site plan, on Zuni Street,  
27          asked if there was an actual overlap from the existing road onto the property.  
28

29          **Mr. Abeyta** stated the dash lines are from the Town aerial photography not a survey, so  
30          it makes it appear that on the east side there is an overlap, the boundary survey will  
31          confirm if there is a conflict there.  
32

33          **Commissioner Pollard** stated his concern was that as time goes on and there is more R-  
34          14 in the area, can see a conflict some time on Zuni Road is wondering how will that be  
35          addressed.  
36

37          **Mr. Abeyta** stated that Zuni is already paved and its about 20 to 22 feet of asphalt and if  
38          is determined the road is on private property, the owners have agreed to dedicate that to  
39          the Town to that they are not encroaching.  
40

41          **Commissioner Nicholson** commended the applicants for making significant  
42          improvements on the original design, however, it is his opinion that in regard to vehicle  
43          circulation in the project, would like to see the parking moved to the rear and to not have  
44          two roads next to each other, to create a better pedestrian environment.  
45

46          **Mr. Abeyta** stated he understood the recommendation, but that would change the site  
47          plan significantly, the benefits the loop road provides is that there will be no need for cul-  
48          de-sacs or hammerhead turnarounds, if the fire needs to get in all the roads an radius are  
49          wide enough; he will be working on more modifications to the site plan.  
50

1 **Commissioner Nicholson** stated in regard to the landscape plan, what is the  
2 maintenance plan.

3  
4 **Mr. Abeyta** stated that in the legend it shows a water line with a drip system.

5  
6 **Commissioner Grainger** has a question on the drainage, there are three big culverts that  
7 go across the road on the south side of Salazar Road.

8  
9 **Mr. Abeyta** stated that that lower area is just where this property ends and the Town  
10 built the Cruz Alta West storm sewer a double 40" pipe that goes through there and takes  
11 care of that, the open space proposed on this subject property will take 100 percent of  
12 storm drainage. Rudy brought up one concern with an abandoned irrigation ditch that  
13 they will coordinate with the acequias to realign that and get a letter of concurrence from  
14 them.

15  
16 **Commissioner Montoya** asked on the parking spaces in between the condo units, where  
17 there are four spaces, would one vehicle pull in and another behind it.

18  
19 **Mr. Abeyta** stated they are double stacked.

20  
21 **Commissioner Nicholson** asked to clarify the green space requirement.

22  
23 **Mr. Abeyta** stated that based on the 3.72 acres, are providing .3 acres of open space  
24 which is not quite 10 percent, but for a condo project the performance standards don't  
25 indicate 10 percent but will provide as much as possible and the owners will be willing to  
26 pay a fee for any difference determined.

27  
28 **Mr. Abeyta** asked the Commission to take into consideration a request to give final  
29 approval, contingent upon the boundary survey being submitting in a couple of weeks, to  
30 avoid having to appear for another public hearing.

31  
32 **Rudy Perea** stated he would feel comfortable continuing the public hearing, to clarify  
33 the issue of the right of way on Zuni, the boundary survey will definitely clarify that.

34  
35 **Mr. Abeyta** introduced Mr. Terry Brown to explain the executive summary on the  
36 traffic study.

37  
38 **Mr. Terry Brown** is sworn in, and explained the executive transportation summary  
39 submitted in the meeting packet.

40  
41 **Commissioner Nicholson** asked about the accident analysis, there are an acceptable  
42 amount of accidents in that non-signalized intersection.

43  
44 **Mr. Brown** stated there are about less than two a year.

45  
46 **Chairman Thompson** stated that at some intersections there was a level D of service are  
47 those intersections near, will we see problems in those areas in one year, what is the  
48 assessment there.

49  
50 **Mr. Brown** stated that with the level service D, like in Ranchitos and Salazar in the near  
51 future you might start experiencing a problem, however the average delay is about 35 and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

a half seconds, level service D extends all the way to 55 seconds, level C is 34 seconds, so at this intersection there is reserved capacity and will not have problems for a long time.

**Chairman Thompson** opened the application for public hearing.

**No public comment noted.**

**Chairman Thompson** closed the public hearing and returned to the Commission for motion.

**Commissioner Nicholson** made motion to continue public hearing on February 1, 2006.

**Commissioner Delmargo** seconded the motion.

**Commissioners voting aye verbally: Commissioner Pollard, Commissioner Benedetti, Commissioner Delmargo, Commissioner Nicholson, Commissioner Quintana.**

**Motion carried unanimously.**

**12. OLD/NEW BUSINESS**

**13. ADJOURNMENT**

**Commissioners** made and seconded motion to adjourn.

**Members voted aye verbally.**

**Motion carried unanimously.**

**Meeting minutes of January 4, 2005 prepared by: \_\_\_\_\_  
Melinda Vasquez, Planning Assistant**