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**PLANNING & ZONING COMMISSION
REGULAR MEETING
WEDNESDAY, FEBRUARY 6, 2008**

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This meeting was called to order at 5:30 p.m. at Council Chambers, Coronado Hall located at 120 Civic Plaza Drive. This is the scheduled regular meeting of the Town of Taos Planning and Zoning Commission.

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1. ROLL CALL

The following were present:

Planning Commission: Jim Thompson, Chairman
Jim Pollard
Mark Gonzales
Cipriano Medina

Historic Commission: Zeke Tapia

Absent: Josepha Cruz
Luis Reyes
Michael Silva
Merlinda James
Fred Robbins

Planning Department Staff present:
Rudy Perea, Planner
Melinda Vasquez, Admin. Asst.

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2. PLEDGE OF ALLEGIANCE

Pledge of allegiance was recited.

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3. APPROVAL OF AGENDA

Rudy Perea requests to remove item #5, update from Matt Foster, he is at an out of state conference.

No further amendments to the agenda

Commissioner Pollard made motion to approve the agenda as amended.

Commissioner Medina seconded the motion.

Commissioners voted yes verbally on the motion.

Motion carried unanimously.

1 **4. APPROVAL OF MINUTES OF January 2, 2008**

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3 **No corrections noted.**

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5 **Commissioner Gonzales** made motion to approve the minutes as presented.

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7 **Commissioner Pollard** seconded the motion.

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9 **Commissioners voted yes verbally on the motion.**

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11 **Motion carried unanimously.**

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16 **Rudy Perea read the rules for public hearing.**

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20 **6. PRELIMINARY PUBLIC HEARINGS**

21
22 **A. Case No. P&Z2008-02**

23 **Town of Taos, property owner, Lee Gamelsky, Architect, agent;**
24 **requesting *Certificate of Appropriateness*, for new construction,**
25 **remodel and demolition of the Town Hall building, the property is**
26 **located at 400 Camino de la Placita; within the C-1 (Neighborhood**
27 **Commercial) Historic Overlay Zone of the Town of Taos.**

28
29 **Mr. Lee Gamelsky** is sworn in, explaining the submitted plans of the proposed
30 expansion of the existing Town Hall building.

31
32 **Commissioner Medina** asked if the project has already been bid out, if so, why is
33 this before the Commission at this time.

34
35 **Mr. Gamelsky** stated that the project has been bid out but has not been awarded.

36
37 **Mr. Gamelsky** continued to explain the submitted plans, indicating and pointing to the
38 renderings presented indicating the existing floor plan and the proposed second story on
39 the south side and also to the north side. Explained the step backs, the massing, on the
40 second level and new portal.

41
42 **Commissioner Medina** asked where the water catchments will be located or what is to
43 be done with water from the roof.

44
45 **Mr. Gamelsky** stated that the rain water will be contained, a very innovative sight
46 treatment, rain water will be picked up in a cistern which will be located on the existing
47 west side graveled area of the courtyard and will be used for landscaping, the tanks are
48 about 1,000 gallon storage tanks, any overflow will go into the existing storm drainage.

49
50 **Commissioner Tapia** asked if there will be any parking spaces removed.

1 **Mr. Gamelsky** stated that the area parking spaces will not decrease are adding more
2 handicap accessibility spaces.

3
4 **Commissioner Pollard** asked if there will be green building aspects in the design.

5
6 **Mr. Gamelsky** stated he designed the building to be green as much as possible, it will be
7 LEED equipped, have a very efficient mechanical system, utilizing steel a recyclable
8 material, utilizing materials that are locally available, water conserving plumbing
9 fixtures, the recycling station set up in the building, have showers set up in the building
10 and lockers will be provided as well, will take up less land area by going two story, there
11 will be lots of day lighting windows, natural sky lighting in all offices, sun screening on
12 the south side and will have xeriscaping.

13
14 **Commissioner Gonzales** asked what kind of sun screening on the windows is proposed.

15
16 **Mr. Gamelsky** stated that it is a series of metal bars, set up on the south elevation set up
17 in a frame they are horizontal slats to keep out most of the direct sunlight.

18
19 **Commissioner Gonzales** asked about the windows and doors.

20
21 **Mr. Gamelsky** stated the windows are clad inside will be sealed wood and true divided
22 light on the second story and on the ground floor is single to comply with what is
23 existing.

24
25 **Chairman Thompson** asked about the details around the windows and doors.

26
27 **Mr. Gamelsky** stated they will be bull nosed, bringing in the stucco around the corners
28 have wood beams at the entry way as shown, columns and beams exposed on the portal.

29
30 **Commissioner Gonzales** asked about the colors of the stucco and beams, and if there
31 will be a bike rack provided.

32
33 **Mr. Gamelsky** stated he did not bring in color samples, the stucco will be brown and
34 there are existing bike racks in front of the building and in the back as you come in the
35 building.

36
37 **Commissioner Medina** asked about the timeframe for construction.

38
39 **Mr. Gamelsky** stated they would like to allow construction time of 380 days and would
40 like to execute the contract within two weeks of this approval, the scheduling concept is
41 to have the new construction completed before winter sets in.

42
43 **Commissioner Medina** asked what will happen to the farmers market, have they been
44 advised that they will have to move.

45
46 **Rudy Perea** stated he has no information on the farmers market but deferred to Mauro
47 Rosales to answer.

48
49 **Mauro Rosales** stated that he is not involved with the operation of the farmers market,
50 but will address that at a later date.

51

1 **Commissioner Pollard** asked Rudy if the project would be asked to provide a
2 construction mitigation plan.

3
4 **Rudy Perea** stated that since the Ordinance was adopted, all building projects have been
5 asked to complete the construction mitigation checklist.

6
7 **Mr. Gamelsky** stated those issues have been addressed and submitted in the
8 construction plans.

9
10 **Rudy Perea** had a question of the Commission, had discussed this with the architect, but
11 on the south elevation, where the metal stairs go up to the second floor was wondering if
12 that could be screened because it does not fit in with the style of the building, there is
13 nothing in the code that addresses that but would like the Commission to decide.

14
15 **Mr. Gamelsky** understands Rudy's concern, but stated that the stairs are located so that
16 they will be screened, the stairs are a secondary stairs, metal and should the building need
17 to expand again the stairs can be removed.

18
19 **Commissioner Pollard** stated that this is an aesthetic issue, has no objection to the
20 stairs.

21
22 **Rudy Perea** stated he had one more concern on the south elevation, the clear story
23 indicated on the elevation, looks like the roof is exposed and would like to see a parapet
24 along the roofline to obscure that portion of the metal roof, as indicated in Section 4-
25 20.8.F.1.e."The use of parapets is strongly encouraged. Buildings shall be topped by
26 "flat"(moderately sloped) roofs obscured by parapets (firewalls). Dead flat roofs are not
27 recommended. Parapets shall obscure the sloping roof surface on the front and side
28 facades as proper drainage may allow. Alternative treatments should be consistent with
29 the building style." Has discussed this with the architect, believes a parapet should be
30 constructed so that this metal portion is not seen, but would like the Commission's
31 determination.

32
33 **Mr. Gamelsky** stated that from a pedestrian level it is not seen and will not be seen
34 unless you are in the courtyard and look up and are tall enough to see it, at that point you
35 are surrounded by sloped metal roofs, so he is not hiding anything but not see an issue
36 with that metal portion of the roof.

37
38 **Commissioner Gonzales** asked Rudy if what he quoted is something that should be
39 asked of to be consistent.

40
41 **Rudy Perea** stated that is why he would like the Commission to interpret that section of
42 the code.

43
44 **Chairman Thompson** stated that it may be seen from Placitas.

45
46 **Mr. Gamelsky** stated it may be seen from the road, but it would have to be something
47 you are looking for, there will be a wall on the east elevation, but again, it will be set
48 back.

49
50 **Commissioner Pollard** stated that the section is a conflict, but would like to give the
51 applicant a response so that he can continue.

1 **Commissioner Gonzales** stated that since this is a public building, should set an example
2 and be consistent with the whole thing, would encourage that the parapet should go up so
3 that you don't see the metal roof.

4
5 **Commissioner Pollard** stated that he is not sure there is a conflict, it is fine the way it is
6 proposed.

7
8 **Mr. Rosales** stated that as Buildings and Grounds Director, in maintaining the building,
9 would prefer the roof as proposed, would like to have it as free flow as possible, to add a
10 parapet you would need to install canales on the whole roof.

11
12 **Mr. Gamelsky** stated that the Code also states that the appropriate style should be in
13 harmony with the existing, this building has exposed metal roofs and this small portion
14 proposed should not be an issue.

15
16 **Chairman Thompson** opened the application for public comment.

17
18 **No public comment noted.**

19
20 **Chairman Thompson** closed the public hearing and entertained a motion from the
21 Commission.

22
23 **Commissioner Pollard** stated in the case of 2008-2, made a motion that based on the
24 documents provided and the testimony tonight, that this be moved forward to a public
25 hearing with the following conditions, the applicant bring those traditional details which
26 we usually look at for a certificate of appropriateness, the windows, the doors bull
27 nosing, colors, the traditional list that we usually ask for, specificity.

28
29 **Commissioner Gonzales** seconded the motion.

30
31 **Commissioners voting yes on the motion: Commissioner Medina, Commissioner**
32 **Gonzales, Commissioner Tapia, Commissioner Pollard.**

33
34 **Motion carried unanimously.**

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39 **7. PUBLIC HEARINGS-Certificate of Appropriateness**

- 40
41 **A. Case No. P&Z2007-20**
42 **Simon Bell, property owner, Douglas Patterson, agent; requesting a**
43 ***Certificate of Appropriateness and Variances on setbacks, lot size***
44 **and lot coverage, for new construction on property located at 125 La**
45 **Loma Plaza; within the R-14 Historic Overlay Zone of the Town of**
46 **Taos.**

47
48 **Mr. Douglas Patterson** is sworn in, explaining the submitted information requested at
49 the last meeting by the Commission; including a revised site and landscape plan, a
50 mitigation plan, a soils analysis, found photos and site plan of the previous house on the
51 site, revisions to the floor plan, revisions to the elevations, investigation of the utilities on

1 the site, and a written response from Father Brito. From the time of the last meeting on
2 October 3, a written response from SHPO was not received until January 30, the owner
3 has worked with everyone in the neighborhood very diligently to present this design, the
4 revised set of drawings do not incorporate the response from SHPO. Mr. Patterson
5 walked the Commission through the submitted documents.
6

7 **Chairman Thompson** asked if the building setback required is twenty feet.
8

9 **Mr. Patterson** stated that the required side yard setback is 15 feet.
10

11 **Commissioner Medina** asked about the size of the previous house located on that
12 property, asked where he got the information that the previous house was larger than
13 what is proposed.
14

15 **Mr. Patterson** stated that he got a building footprint from the Town's GIS maps, it
16 shows the outline of the building footprint.
17

18 **Commissioner Medina** stated that he was familiar with the previous house and it was
19 much larger than what is stated about it.
20

21 **Commissioner Gonzales** stated that there is a quote in the meeting packet from Window
22 Depot, although he is co-owner of that business, this quote is being handled totally by his
23 brother Anthony and not by himself.
24

25 **Chairman Thompson** stated that he is concerned with the road and where the latilla
26 fence is located on the southwest corner, it isn't very clear to see traffic.
27

28 **Mr. Patterson** stated there is a six foot latilla fence on the property and there seems to be
29 no problem with the current traffic, but would be willing to move the fence closer to the
30 building for a better sight line.
31

32 **Chairman Thompson** stated in regard to the GIS map, it gives only roof area and not of
33 the building, to clarify the inconsistent comments, you really can't get floor area from an
34 aerial.
35

36 **Commissioner Medina** stated that he made that comment because he recalls the house
37 and it was very smaller than the lot coverage proposed.
38

39 **Chairman Thompson** opened the application for public comment.
40

41 **Mr. Simon Bell** is sworn in, as property owner stated that he has lived in La Loma Plaza
42 for about eight months, would not do anything to exploit the property, would like to live
43 in this neighborhood, has spent a great deal of money and time preparing the application
44 and was upset when the response from SHPO came late as it did, in regard to that letter it
45 makes two points, one is to conduct an archaeological study and thinks that is a good idea
46 and the other point it makes is in regard to next to a chapel, believes the proposed
47 construction would be in keeping with the Plaza architecture, believes the letter from Fr.
48 Brito has more knowledge in it than the letter from SHPO.
49

50 **Commissioner Pollard** asked Mr. Bell, if he would consider reducing the height of the
51 latilla fence on the southwest corner to three feet.

1 **Mr. Bell** stated that is a sensible idea and would agree if that is the Commissions
2 request.

3
4 **No further public comment.**

5
6
7 **Rudy Perea** commented that in regard to the letter from SHPO in their recommendation
8 on the west elevation that it be cut it back to seven feet on the side yard, however, as
9 stated in the staff report, the Commission may consider information submitted by the
10 State Presevation office, so in this instance the letter from SHPO is not binding in the
11 sense that the Commission must follow their recommendations, but it may take their
12 comments into consideration, the reason he mentions this is because the applicant is
13 requesting variances as well.

14
15 **Chairman Thompson** closed the public hearing and returned to the Commission for a
16 motion.

17
18 **Chairman Thompson** closed the public hearing and returned to the Commission for a
19 motion.

20
21 **Commissioner Pollard** stated that in regard to P&Z2007-20, makes motion for approval
22 of based on the findings outlined by the staff numbers 1-7 for the Variances and numbers
23 8-13 for the certificate of appropriateness, with the following modification under number
24 4 for the Variances, would like to add one sentence to paragraph 4. "Upon examination of
25 the other properties in the immediate area where the variances are requested are in
26 keeping with surrounding properties in the neighborhood and are therefore not
27 substantial." Under the certificate of appropriateness would like to add a paragraph
28 number 14 that says "The Commission has received, reviewed and considered the
29 accompanied report from SHPO in their deliberations." Based on those findings of fact
30 and the conditions under the Variances that the "The applicant hires a professional
31 archaeologist to conduct an archaeological survey of the subject property and should any
32 artifacts be discovered, that the proper archaeological methods be used to salvage them
33 prior to the issuance of a building permit." Under the certificate of appropriateness, the
34 conditions in the staff report 1-4 and number 5 The six foot latilla fence shown on the
35 southwest corner of the property be reduced in height to three feet.

36
37 **Commissioner Gonzales** seconded the motion, with the amendment to reduce the six
38 foot fence come to the back corner of the yard in order to get a clear view coming in.

39
40 **Commissioner Gonzales** stated that on sheet A1.0, the northwest corner there is a gate
41 entrance with a fence extending to the property line, if that extension of the fence could
42 be cut back to the gate to allow clear entrance.

43
44 **Commissioner Pollard** amended the motion to include that stated from Commission
45 Gonzales.

46
47 **Commissioners voting yes verbally on the motion: Commissioner Medina,**
48 **Commissioner Gonzales, Commissioner Tapia, Commissioner Pollard.**

49
50 **Motion carried unanimously.**

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1 **B. Case No. P&Z 2008-01**
2 **Robert DeSilva, property owner, Jed Magee dba Magee Design,**
3 **Agent; requesting a *Certificate of Appropriateness*, for new**
4 **construction and remodel; the 0.447 acre property is located at 230**
5 **Ranchitos Road; within the CBD (Central Business District) within**
6 **the Historic Overlay Zone of the Town of Taos.**
7
8

9 **Commissioner Pollard recused himself from considerations on this application.**

10
11 **Mr. Jed Magee** is sworn in, explaining the submitted information in the meeting packet,
12 in regard to electrical and fixtures, color and type of window and door details and the
13 proposed yard walls.

14
15 **Commissioner Gonzales** asked if those existing metal railings in the yard will be
16 removed.

17
18 **Mr. Magee** stated that the existing metal railings will be removed and replaced with the
19 masonry wall to the end of the property, the purpose of the wall is to mitigate a fall from
20 happening about two-three feet it varies.

21
22 **Chairman Thompson** opened the application for public comment.

23
24 **No public comment noted.**

25
26 **Chairman Thompson** closed the public hearing and entertained a motion.

27
28 **Commissioner Gonzales** stated in regard to P&Z2008-01, made motion to approve the
29 certificate of appropriateness based upon the findings and conditions in the staff report.

30
31 **Commissioner Medina** seconded the motion.

32
33 **Commissioners voting yes verbally on the motion: Commissioner Medina,**
34 **Commissioner Gonzales, Commissioner Tapia.**

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36 **Motion carried unanimously.**
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8. PUBLIC HEARINGS

**A. Case No. P&Z 2007-15
Robert Willette, property owner; requesting a *Zone Change*, from R-A (Residential-Agricultural) to R-4 (residential), the 1.07 acre property is located at 124 Upper Ranchitos Road, within the R-A Zone of the Town of Taos.**

Mr. Robert Willette is sworn in, stated that he has submitted the information the Commission asked for months ago, the updated survey indicating the easements and the documentation from the Pueblo and the warranty deed, this brings everything up to date, the request is to change the zone on his one acre from R-A to R-4, which is surrounded by high density.

Commissioner Pollard asked what the purpose is to do a composite diagram instead of a survey.

Mr. Willette stated that the Commission wanted the survey to show the easement from Sally Howell and the letter from the Pueblo stating that they own property up to his and updated to show his ownership.

No other questions from the Commission.

Chairman Thompson opened the application for public comment.

No public comment noted.

Chairman Thompson closed the public hearing and entertained a motion.

Commissioner Gonzales stated in regard to P&Z2007-15, made motion to approve the zone change based upon the findings in the staff report.

Commissioner Medina seconded the motion.

Commissioners voting yes verbally on the motion: Commissioner Medina, Commissioner Gonzales.

Commissioner Pollard voted no on the motion.

Motion carried.

9. MATTERS FROM STAFF/COMMISSIONERS/PUBLIC

Rudy Perea updated the Commission on the proposed UNM-Harwood expansion.

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10. ADJOURNMENT

Commissioner Pollard made motion to adjourn.

Commissioner Gonzales seconded the motion.

Members voted unanimously on the motion.

Meeting minutes of February 6, 2008 prepared by: _____
Melinda Vasquez, Planning Assistant