

**TOWN OF MOUNTAIN VILLAGE  
TOWN COUNCIL REGULAR MEETING  
THURSDAY, MARCH 16, 2017, 8:30 AM  
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL  
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO  
AGENDA**

	Time	Min	Presenter	Type	
1.	8:30				Call to Order
2.	8:30	120	Reed Mahoney	Legal	Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e
3.	10:30	5			Public Comment on Non-Agenda Items
4.	10:35	30	Loebe Caton Brafford Benitez	Presentation	Gondola Market Research Trip Preliminary Report
5.	11:05	5	Johnston	Action	Consideration of Approval of Minutes of the February 16, 2017 Regular Town Council Meeting
6.	11:10	5	Kunz Montgomery	Action	Consideration of an Invitation for Bid Scope of Work for a Compensation and Benefits Study
7.	11:15	45	Kennefick Van Nimwegen	Action	Consideration of Appointments: a. Grant Committee b. Region 10 c. Multi-Cultural Advisory Council d. Three Regular and Two Alternate Seats on the Design Review Board
	12:00	30			Lunch
8.	12:30	10	Swain	Action	Finance: Presentation of the February 28, 2017 Business & Government Activity Report (BAGAR)
9.	12:40	20	Lannon	Presentation	Telluride Historical Museum Annual Report
10.	1:00	20	Van Nimwegen	Action	Second Reading, Public Hearing and Council Vote on an Ordinance to Amend Chapter 17.4 Development Review Procedures of the Community Development Code Regarding Establishing a Two-step Design Review Process
11.	1:20	30	Bangert	Action <b>Quasi-Judicial</b>	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to (1) Rezone and (2) Transfer Density for Lot 128, Units 736 and 740, (The Peaks, 136 Country Club Drive), into the Density Bank
12.	1:50	20	Drew	Presentation	2016 Governmental Energy Use and Green House Gas Report
13.	2:10	20	Chambers	Presentation	Market-based Solutions to Reduce Town of Mountain Village's Carbon Footprint
14.	2:30	20	Drew Montgomery	Informational	Staff Reports: a. Plazas & Environmental Services b. Town Manager
15.	2:50	20	Council Members	Informational	Council Boards and Commissions Updates: a. San Miguel Watershed Coalition – Jett b. Colorado Flights Alliance – Jansen c. Transportation & Parking – MacIntire/Benitez d. Budget & Finance Committee – McKinley/Caton e. Gondola Committee – McKinley/Caton f. Colorado Communities for Climate Action-Jett g. San Miguel Authority for Regional Transportation-Benitez h. Eco Action Partners -Sherry i. Telluride Historical Museum-Sherry j. Telluride Conference Center-McKinley/MacIntire

					k. Mayor's Update
16.	3:10	5			Other Business:
17.	3:15				Adjourn

Please note that times are approximate and subject to change.

jk

03/08/17

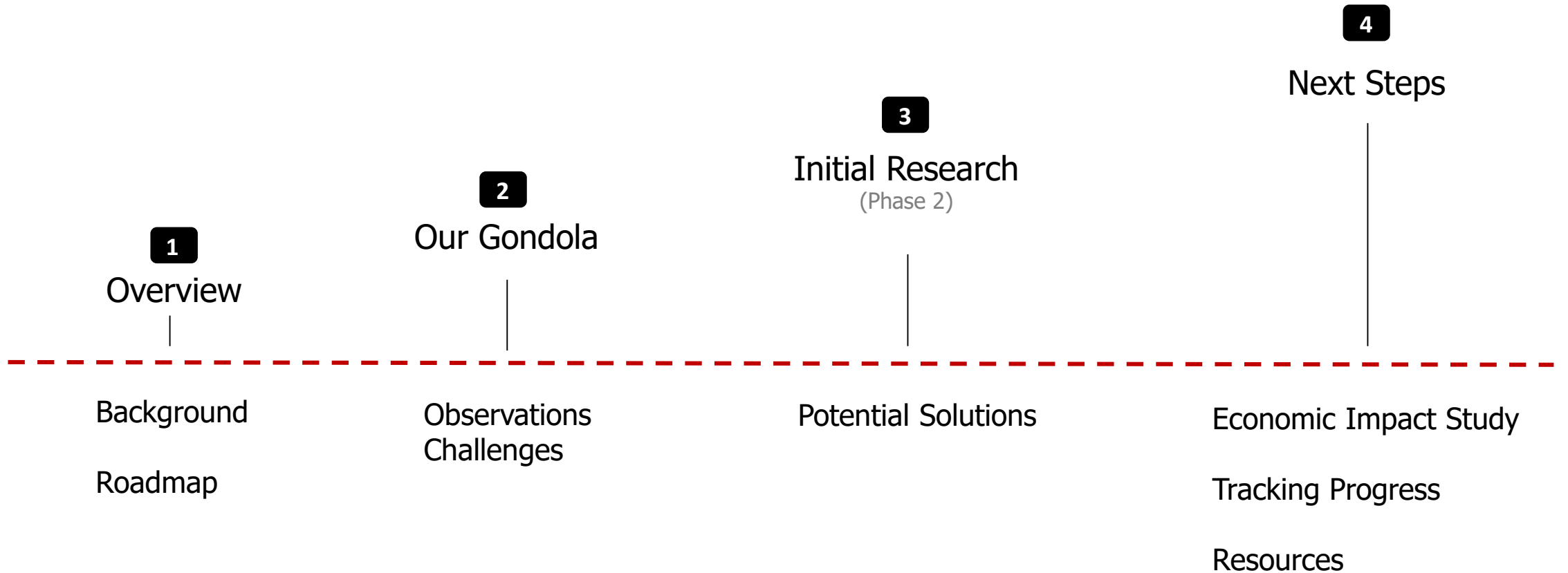
Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at 970-369-6406 or email: [mvclerk@mtnvillage.org](mailto:mvclerk@mtnvillage.org).  
A minimum of 48 hours advance notice is required so arrangements can be made to locate requested auxiliary aid(s)

# Gondola Background & Preliminary Research



January 2017  
Lech, Austria

# ► Agenda





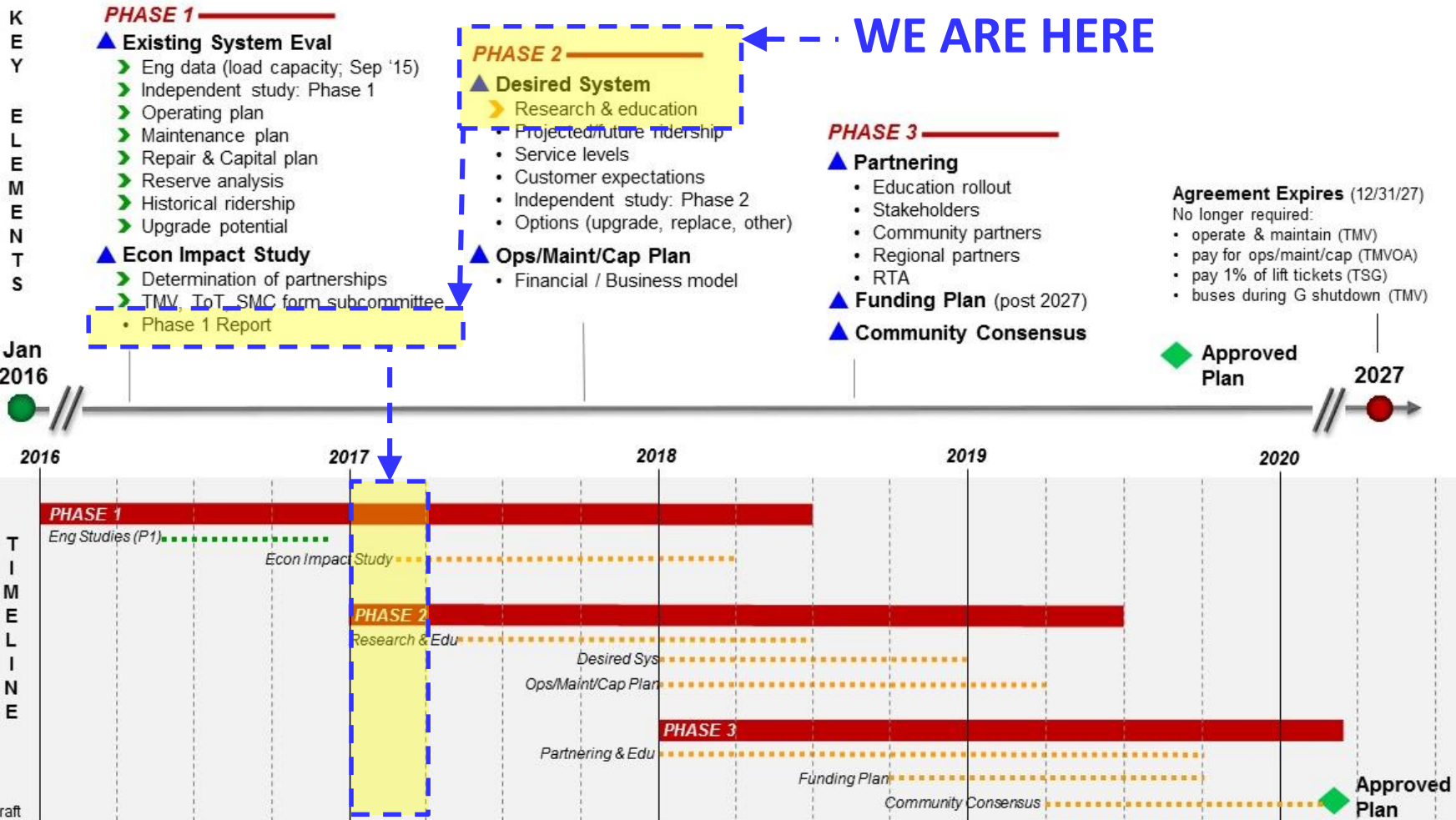
# Overview

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- In Q2-2015, the TMVOA Board directed staff to develop a long term plan for the gondola
- Gondola committee developed a Roadmap containing 3 key phases
  - 1: Understanding the current system
  - 2: Assessing needs and defining the desired future system
  - 3: Funding and operating after 2027
- Integrated community feedback and determined need for a subcommittee with regional stakeholders
  - Members now include TMVOA, Town of Mountain Village, Town of Telluride, San Miguel County, Telluride Ski & Golf

# Roadmap... to Consensus on a Long Term Plan

<b>PRESENT SITUATION</b>	<b>FINANCIAL OBLIGATIONS</b>	<b>BONDS: 2015-2032</b>	<b>TSG FUNDING: 2016-2027</b>	<b>OTHER INFORMATION</b>
	SYSTEM BUDGET: 2015-2027 (TMVOA) \$57M est \$7M Capital \$50M Ops & Maint	\$3.5M \$0.07M TMV \$1.02M TMVOA \$2.43M TSG	1% of total lift ticket sales (gross revenue)	<b>GONDOLA RIDERSHIP</b> Annually: +2,600,000 people Winter: +1,300,000 Summer: +1,300,000



High Level Working Document

# Observations & Challenges

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<b>System</b>	<ul style="list-style-type: none"><li>• Capacity stressed at current high-traffic times - future will be worse more often</li><li>• Current system limited in upgradeability</li><li>• Noise levels above industry standards</li></ul>
<b>Terminal</b>	<ul style="list-style-type: none"><li>• Poor passenger flow - difficult to maximize loading efficiencies</li><li>• Loading areas small, entries/exits narrow, crowd control limited</li><li>• No cabin garaging for light seasons or extreme weather conditions</li><li>• Current maintenance facility inadequate</li></ul>
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# SYSTEM: Capacity



- No waiting for a cabin
- High capacity



# SYSTEM: Capacity

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# SYSTEM: Upgradability / Flexibility



- Facility space
- Latest technology
- Upgradability (hardware & software)



# SYSTEM: Latest Controls

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# SYSTEM: Latest Controls





# SYSTEM: Driveline Redudancy

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# **SYSTEM: Noise Reduction / Sound Dampening**

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- Technology solutions



# Observations & Challenges

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# TERMINAL: Exterior



- Modern design
- Lot of glass (natural light)
- Entry requires RFID / Ticket
- Non-slip walkway



# TERMINAL: Exterior



- Easy access
- Vehicle drop-off/loading steps away

# TERMINAL: Traffic Flow

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Stairs



Escalator

- Especially useful for children & families



# TERMINAL: Exterior

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- Modern design
- Blending/Camouflage (pale/light color)
- Doesn't distract from views
- Lots of glass/clear material (natural light)



# TERMINAL: Exterior

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- Modern design / doesn't distract from views
- Blending/Camouflage (snow covered roof)
- Lots of glass (natural light)





# TERMINAL: Interior



- Entry requires RFID (helps control flow)
- Non-slip flooring



# TERMINAL: Interior



- No waiting for a cabin
- High capacity



# TERMINAL: Interior



- Easy loading with more time (prevents loading panic)
- Choose your cabin
- Minimizes staff required



# TERMINAL: Interior

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- Natural light



# TERMINAL: Interior

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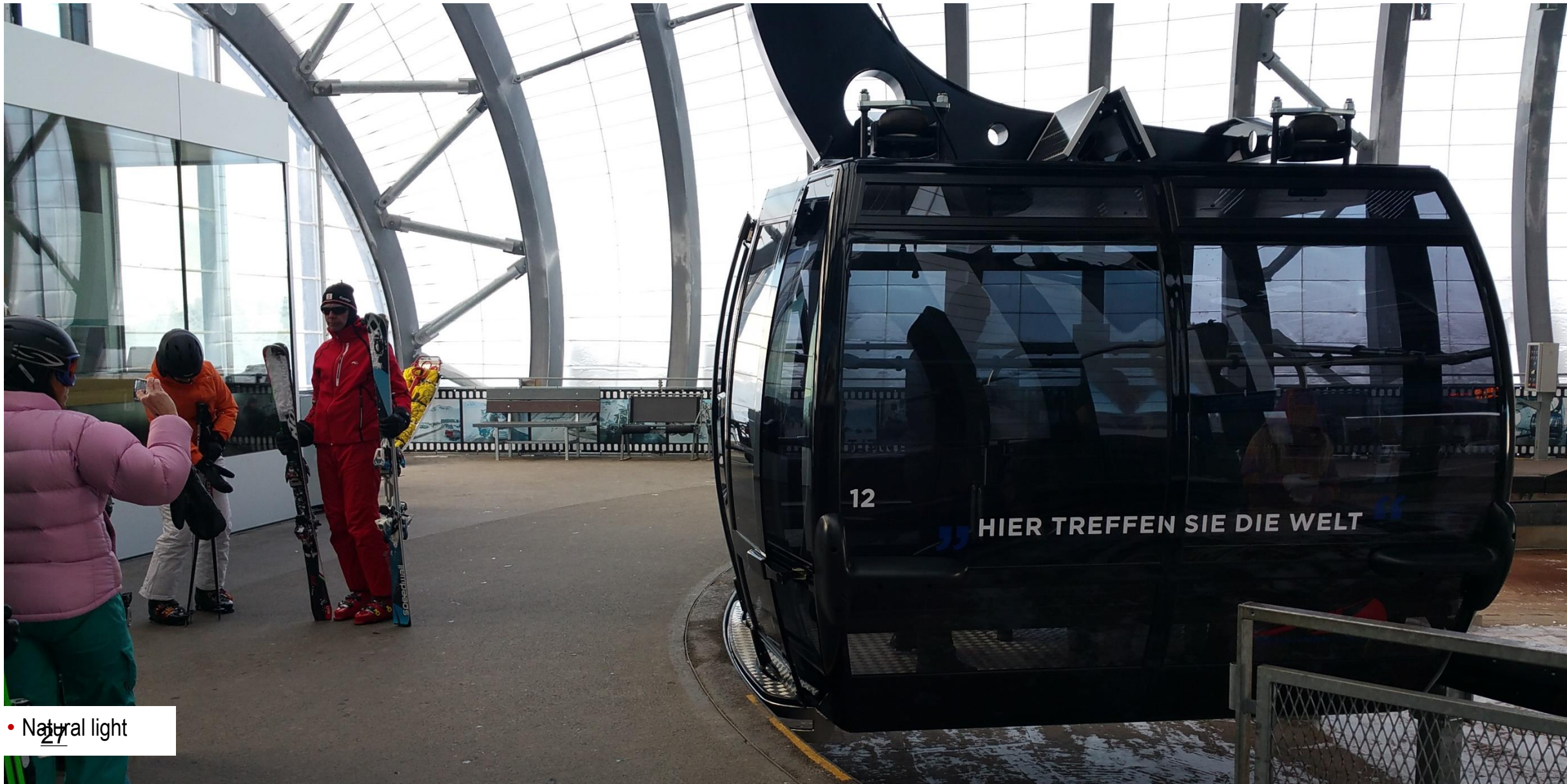
• Area for cabin storage

Solden



# TERMINAL: Interior

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• Natural light

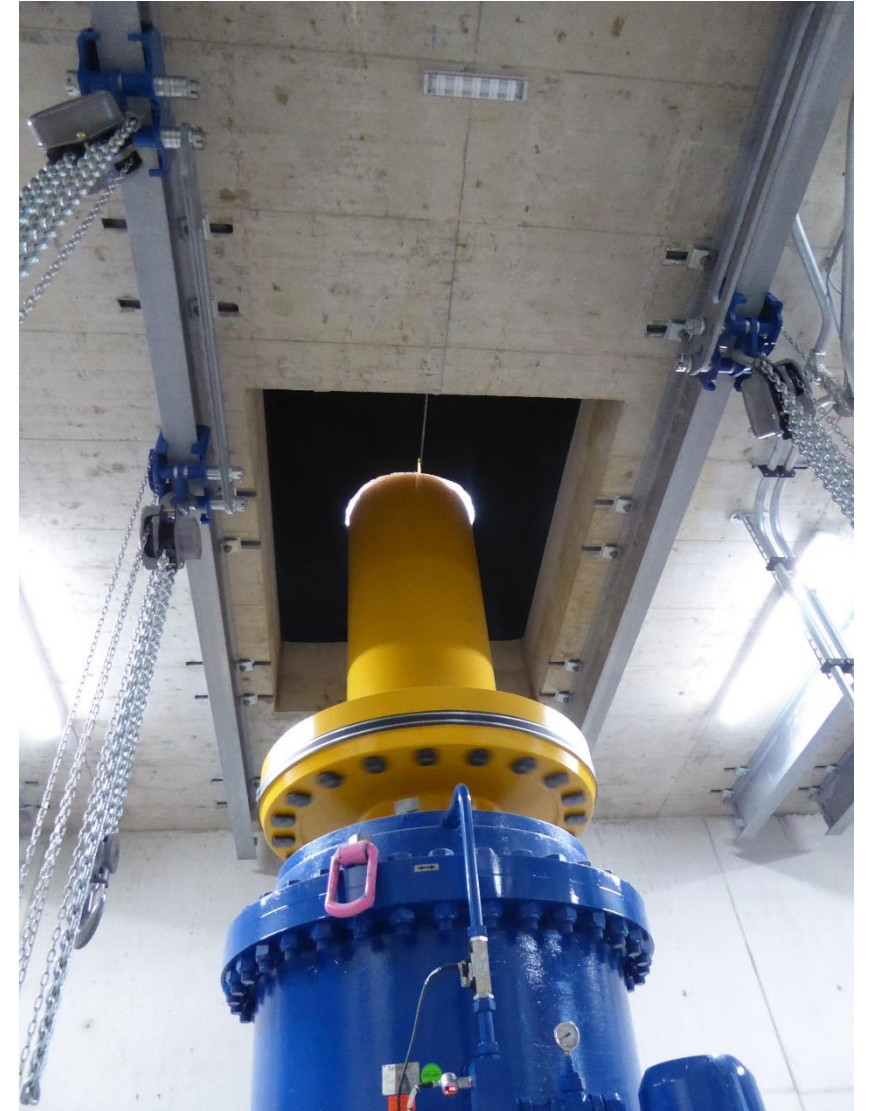
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# SAFETY: Redundancy in Power & Drive





# SAFETY: Level Walk-In (LWI)

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# SAFETY: **Level Walk-In (LWI)**

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Level walk-in (LWI)



Easy loading/unloading wheelchairs (just roll in)



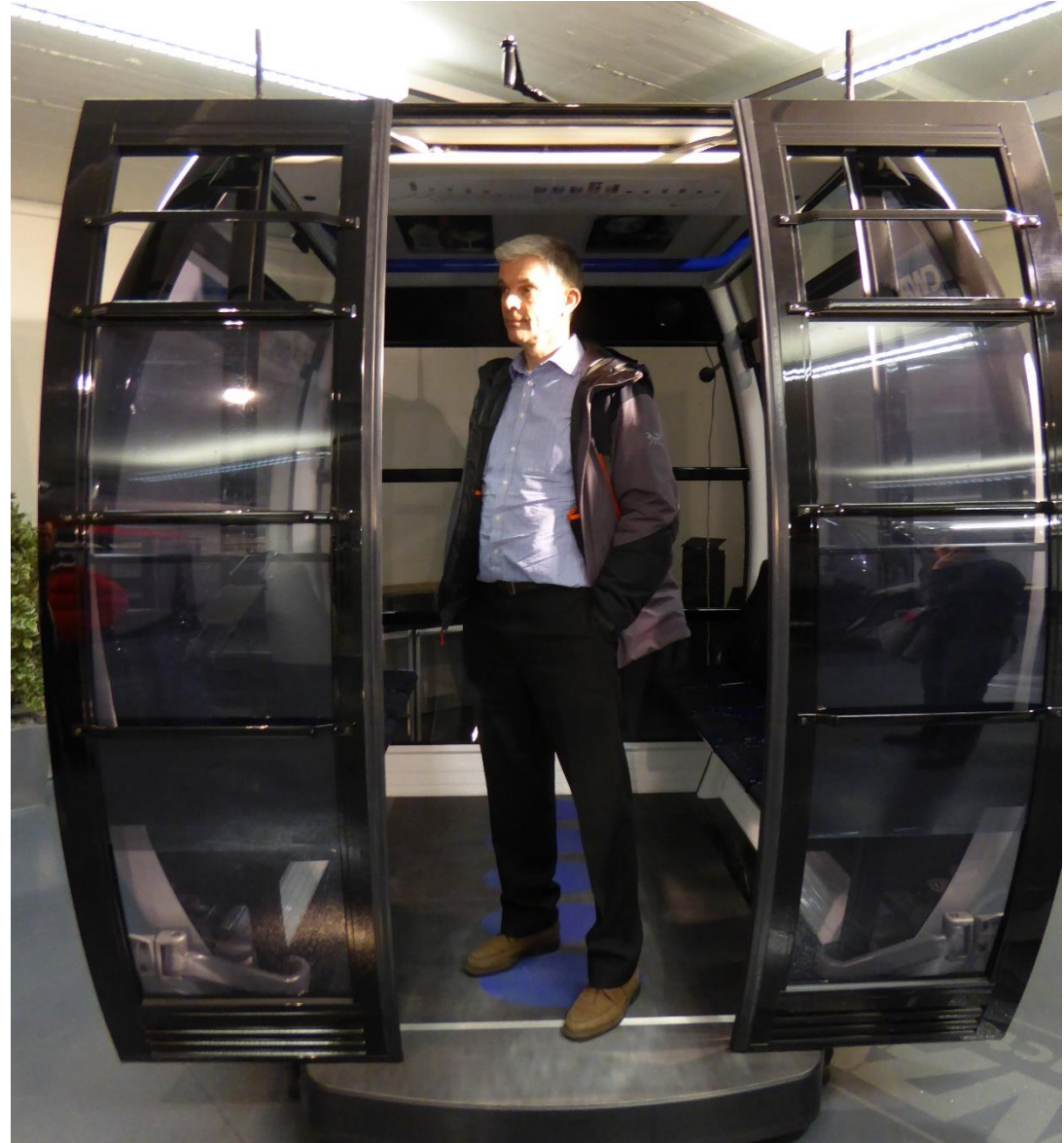
# SAFETY: Level Walk-In (LWI)





# SAFETY: Headroom

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# SAFETY: Headroom

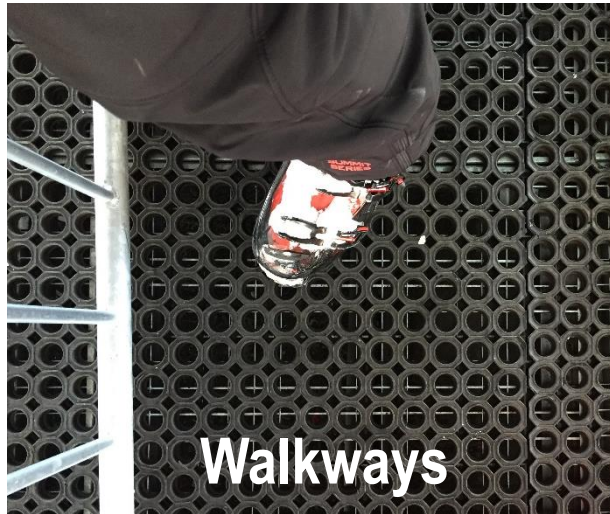
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# SAFETY: Non-Slip Surfaces

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# SAFETY: Non-Slip Surfaces

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High traffic  
walkways





# Observations & Challenges

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# EXPERIENCE: Cabins



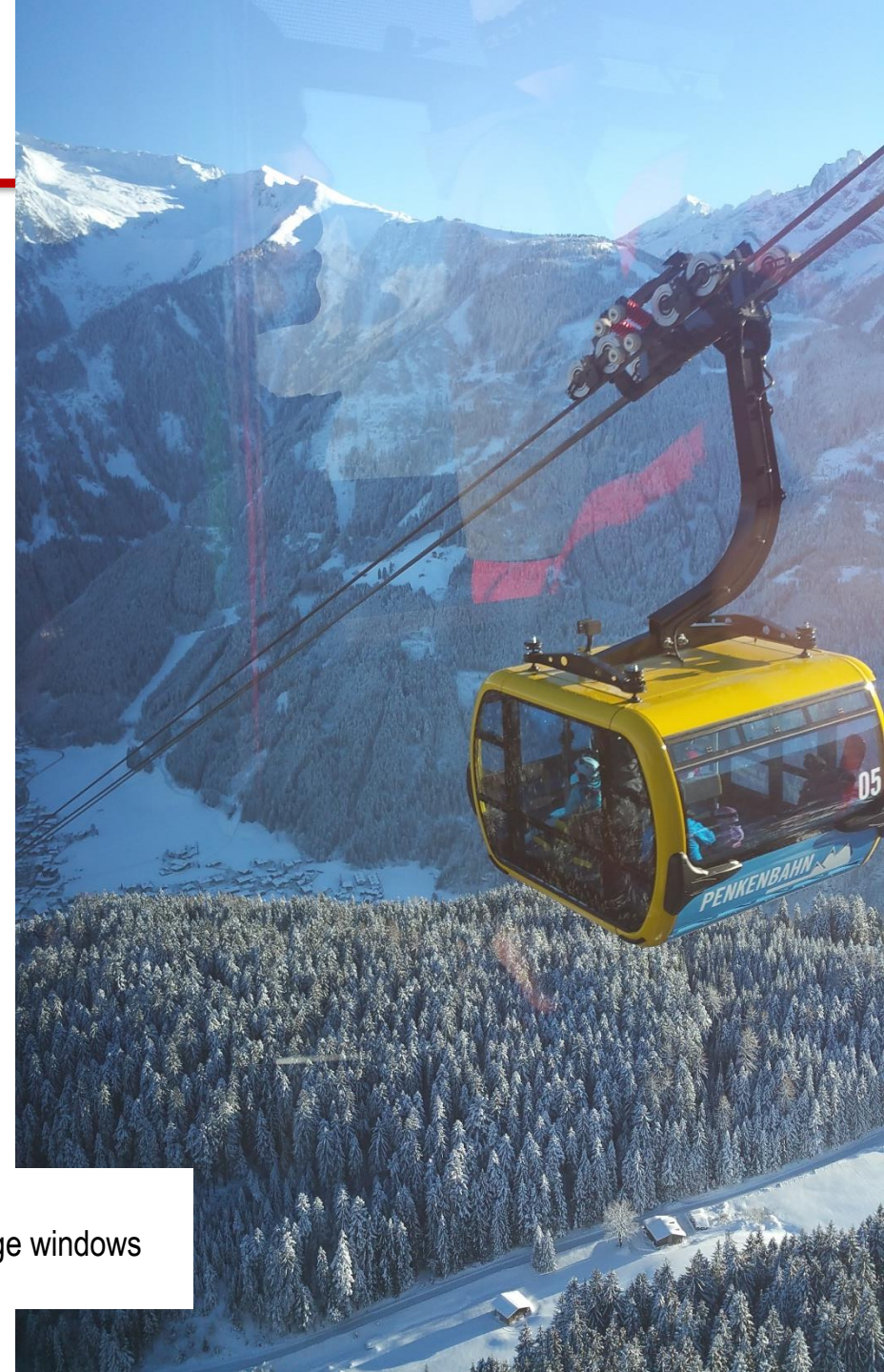
- Roomy cabins
- Panoramic effect / large windows



# EXPERIENCE: Cabins



- Roomy cabins
- Panoramic effect / large windows
- Ventilation





# EXPERIENCE: **Ventilation**

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# EXPERIENCE: **Ventilation**

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• Ventilation (bottom)



# EXPERIENCE: Seating

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- Individual seats
- Heated
- Easy to clean, repair, replace



# EXPERIENCE: Seating

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- Park bench
- Primarily for summer



# EXPERIENCE: Seating

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- Seating with branding



# EXPERIENCE: Racks



• Ski

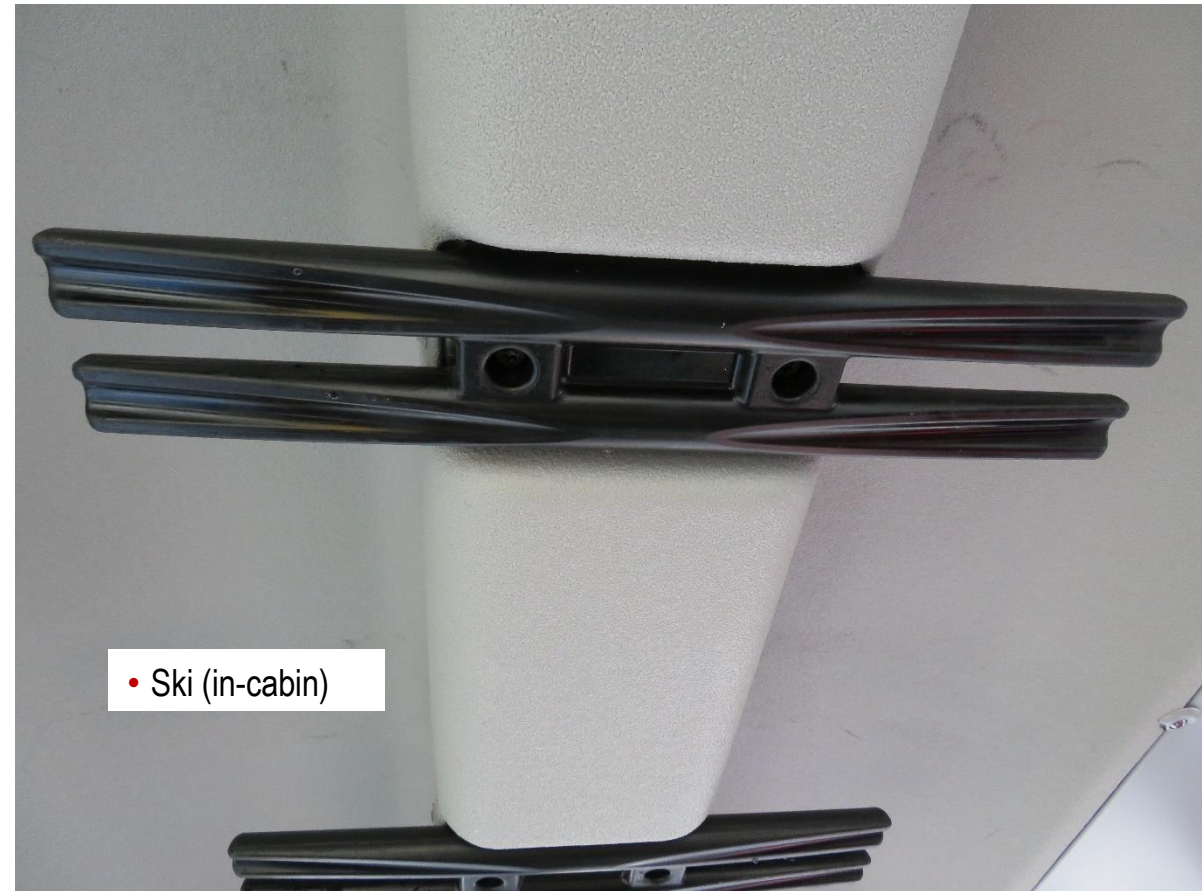
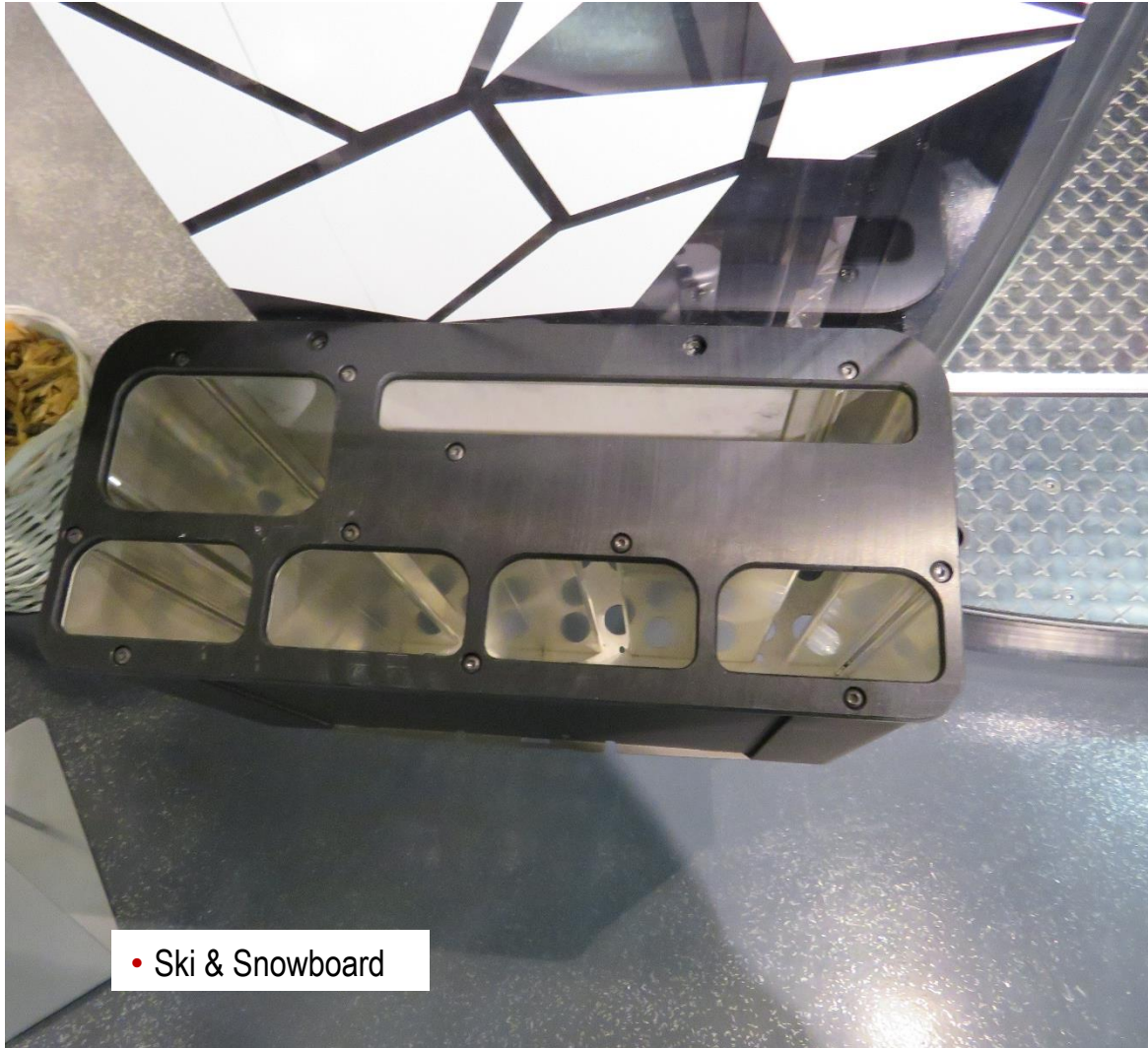


• Bike



# EXPERIENCE: Racks

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# EXPERIENCE: Flexibility – Cabin & Chair



- 10 passenger cabin



# EXPERIENCE: Flexibility – Cabin & Chairs





# Observations & Challenges

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# Next Steps

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## **Economic Impact Study**

- BBC Research & Consulting selected to perform study
- Committee to finalize contract by end of March
- Study timeline to include summer '17 and winter'17-18

## **Project Tracking & Resource Library**

- TMVOA is in progress of updating website to include key project tracking & update pages
- Gondola to be included
  - Roadmap
  - Project tracking & status
  - Comprehensive database of materials & resources
    - Agreements
    - Historical data
    - Presentations
    - Studies



**TOWN OF MOUNTAIN VILLAGE  
MINUTES OF THE FEBRUARY 16, 2017  
REGULAR TOWN COUNCIL MEETING**

**AGENDA ITEM #5**

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:31 a.m. on Thursday, February 16, 2017 in the Mountain Village Town Hall, 455 Mountain Village Town Hall Boulevard, Mountain Village, Colorado.

**Attendance:**

**The following Town Council members were present and acting:**

Dan Jansen, Mayor  
Marty McKinley, Mayor Pro-Tem  
Dan Caton  
Laila Benitez  
Michelle Sherry  
Bruce MacIntire

**The following Town Council members were absent:**

Cath Jett

Also in attendance were:

Kim Montgomery, Town Manager  
Jackie Kennefick, Director of Administration/Town Clerk  
Susan Johnston, Deputy Town Clerk  
Christina Meilander, Administrative Services Coordinator  
David Reed, Town Attorney  
Jim Mahoney, Assistant Town Attorney  
Cecilia Curry, VCA Property Manager  
Kevin Swain, Finance Director  
Chris Broady, Police Chief  
Glen Van Nimwegen, Dir. of Planning & Development Services  
Deanna Drew, Director of Plazas & Environmental Services  
Finn Kjome, Director of Public Works  
Sam Starr, Planner  
Dawn Katz, Director of Mountain Munchkins  
Steve Lehane, Director of Cable & Broadband Services  
Rob Johnson, Transit Operations Manager  
Jessica Kutz  
Erica Guillen  
Joanna MacDonald  
Marina Esquivel  
Jose Escobar  
Angela Pashayan  
David Robinson  
Yolanda Gamez  
Brian Napin  
Mike Rozycki  
Kristin Meucci  
Michael Lynch  
Brian Kanaga

Tim Johnson  
Robert Stenhammer  
Luke Trujillo  
Liz Caton  
Phil Evans  
Banks Brown  
Bertha Guererro  
Arturo Talavera  
Alex Brown  
Stephen Roth  
Greer Garner  
Robyn Pale  
Kris Bartosiak  
Harper Meek  
Mark McGarey  
Kathryn Shasha  
Juan Diego Flores  
Ursula Cristol  
Pedro Maquera  
Stacy Currito  
Devin Morris  
Lanier Nelson  
Alfredo Barriga  
Antonio Romero  
Lidia Garcia  
Chris Hawkins  
Casey Ryder  
Doug Tueller



**Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402 (b) and for the Purpose of Negotiations Pursuant to C.R.S.24-6-402(4)e (2)**

On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 8:32 a.m.

Council returned to regular session at 10:11 a.m.

**Public Comment for Non-Agenda Items (3)**

No public comment was received.

**Consideration of Approval of Minutes of the January 19, 2017 Regular Town Council Meeting (4)**

Deputy Town Clerk Susan Johnston presented. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted unanimously to approve the January 19, 2017 meeting minutes as presented.

**Liquor Licensing Authority: (5)**

**Consideration of an Application by Telski Food & Beverage Services DBA Tomboy Tavern for a Temporary Modification of Premises on the Hotel & Restaurant with Optional Premises Liquor License for an Event on April 2, 2017 to Celebrate Closing Day of the 2016-2017 Ski Season**

Susan Johnston presented the application stating that it was reviewed by Assistant Town Attorney Jim Mahoney, Director of Plazas & Environmental Services Deanna Drew and Police Chief Chris Broady with no adverse findings. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted unanimously to approve the temporary modification of premises for Telski Food & Beverage Services DBA Tomboy Tavern for a closing day celebration on April 2, 2017.

**Council moved to item 7**

**Finance: (6)**

**a. Presentation of the January 31, 2017 Business & Government Activity Report (BAGAR)**

Director of Finance Kevin Swain presented the BAGAR. Council discussion ensued.

**b. Consideration of the December 2016 Financials**

Mr. Swain presented the financials stating that the Town reached a sales tax milestone in 2016, collecting over 4 million dollars. Council discussion ensued. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted unanimously to approve the December 31, 2016 financials.

**c. Consideration and Ratification of the 2018 Budget Process**

Mr. Swain stated that a schedule has been drafted, similar to the previous year's schedule. The budget process will begin in April and be finalized in December. Council discussion ensued about the date of the April budget committee meeting and the idea of a Council retreat. Council consensus was to hold a Council retreat after the election in June. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted unanimously to accept the 2018 Proposed Budget Process calendar subject to the budget and finance committee determining the April budget committee meeting date.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Regarding the Following Proposed Actions for Lot 640A, 306 Adams Ranch Road: (7)**

- a. The Proposed Rezoning of the Southern .55 Acres of Lot 640A (2.56 Acres) from Multi-Family Zone District to Class 2 Active Open Space and the Remaining 2.01 Acres to Class 3 Active Open Space; and**
- b. The Transfer of 15 units of Employee Apartment or Condominium Units (45 Person Equivalent Density) from the Density Bank to Lot 640A for a Total of 45 Units of Employee Apartment or Condominium Units (135 person Equivalent Density).**

*(The Applicant has Requested that this Item be Tabled and Understands that in Order to be Placed on a Future Agenda, the Noticing Process will Start Over)*

On a **MOTION** by Laila Benitez and seconded by Dan Caton, Council voted unanimously to table this item.



**Consideration of a Resolution Approving a Conditional Use Permit for 45 Employee Apartments or Condominium Units on the Central 1.41 Acres of Lot 640A. The Address of the Property is 306 Adams Ranch Road (8)** *(The Applicant has Requested that this Item be Tabled and Understands that in Order to be Placed on a Future Agenda, the Noticing Process will Start Over)*

On a **MOTION** by Laila Benitez and seconded by Dan Caton, Council voted unanimously to table this item.

**First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Amend Chapter 17.4 Development Review Procedures of the CDC (Community Development Code) Regarding Establishing a Two-step Design Review Process (9)**

Director of Planning and Development Services Glen Van Nimwegen presented the above item stating that the Ordinance will amend the CDC and return to a two-step approval process for design review projects. Council discussion ensued. On February 2, 2017, the DRB (Design Review Board) voted unanimously in favor of recommending approval for amending the process. The process was originally modified with the adoption of the CDC which made it optional to hold a work session with the DRB prior to formal approval. With the proposed changes to the design regulations, a DRB work session will be required. The two step design review process will add two weeks to the application process for a 10 week approval period. The Mayor opened the public hearing. Public comment was received by Luke Trujillo. The Mayor closed the public hearing. On a **MOTION** by Laila Benitez and seconded by Michelle Sherry, Council voted 6-0 (with Cath Jett absent), to approve on first reading, an Ordinance amending Chapter 17.4 Development Review procedures of the CDC regarding establishing a two-step design review process and to set a second reading, public hearing and final vote for March 16, 2017.

**Second Reading, Public Hearing and Council Vote on an Ordinance to Amend Chapter 17.5 Design Regulations of the Community Development Code (10)**

Glen Van Nimwegen presented the above Ordinance stating that the proposed amendments are an effort to increase flexibility in the design standards and to emphasize the importance of creating a comprehensive design that will address the Mountain Village design theme. The Mayor opened the public hearing. Public comment was received by Phil Evans. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Marty McKinley and seconded by Laila Benitez, Council voted 6-0 (Cath Jett was absent) to approve an Ordinance amending Chapter 17.5 design regulations of the Community Development Code.

Council returned to agenda item 6.

**Consideration of a Resolution to Reduce Light from the Second Story of the St. Sophia Gondola Station (11)**

Glen Van Nimwegen presented the above item stating that on January 17<sup>th</sup>, 2017 a demonstration was held at the St. Sophia Station to determine the impact of eliminating the upper level lighting on the station. Representatives from Mountain Village, the Town of Telluride and San Miguel County attended the demonstration and confirmed that there was a significantly visible difference from Telluride when the lights were turned off on the upper levels of the San Sophia Gondola Station. Director of Transit Jim Loebe determined that the safety of staff and the public will not be affected and energy savings will be realized. On a **MOTION** by Bruce MacIntire and seconded by Dan Caton, Council voted unanimously to adopt a Resolution to reduce the light from the second story of the St. Sophia Gondola Station.

Council moved to item 14

**Discussion Regarding Village Court Apartments Rental Eligibility Requirements (12)**

The Mayor opened the discussion and introduced translator Caroline Grew. He explained that the lawful presence statute requires municipalities and other governmental entities, such as the Town of Mountain Village and the Mountain Village Housing Authority, to verify the lawful presence in the United States of each person eighteen years of age or older who applies for federal, state or local public benefits such as housing at the Village Court Apartments. The verification process is a three-step procedure that includes the following:



1. The person applying for the public benefit must complete a sworn affidavit attesting they are a United States citizen, a legal permanent resident or otherwise lawfully present in the United States pursuant to federal law; and

2. The person applying must present acceptable photo identification to verify their identity and their lawful presence.

Such acceptable documents include:

- A Colorado Driver's License or Colorado Identification Card;
- U.S. Military ID;
- Coast Guard Mariner document;
- Native American Tribal Document;
- Certificate verifying naturalized status with photo and embossed seal of issuing agency;
- Certificate verifying United States citizenship with photo and embossed seal of issuing agency;
- Valid driver's license or ID card with photo issued by a state that verifies lawful presence; or
- Valid immigration documents demonstrating lawful presence verified through the SAVE

(Systematic Alien Verification for Entitlements) Program operated by the U.S. Department of Homeland Security.

3. For an individual claiming to be an alien lawfully present in the United States and presenting immigration documents; the Mountain Village Housing Authority must verify such lawful presence using the SAVE program.

The Mayor stated that the enforcement of these rules had lapsed as a result of a VCA employee that was present for the last 3 years. The Town has hired a new manager and is working through the records to determine what units do not have the appropriate documentation. VCA Manager Cecilia Curry has identified seventy-four situations where the records are not complete and efforts are under way to rectify this. The Mayor stated that the Town is sympathetic to the fact that some residents may not be able to establish lawful presence and will be impacted the hardest by the Federal compliance requirements. He explained that the Federal funds received by the Town help to keep the rents at a lower rate. This funding would be in jeopardy if the requirements are not satisfied. The Mayor added that the Town is attempting to follow the law in the most compassionate way, adding that the Town will not penalize a tenant for breaking their lease if other accommodations can be found before their lease term ends. Staff is working with the San Miguel Resource Center to find resources and options for these families. Chris Broady stated that a criminal investigation is underway, however; he noted that the investigation requires solid evidence, and urged affected residents to come forward and share their experiences. He reiterated that the Town does not enforce immigration. Jim Mahoney and Glen Van Nimwegen will be available to consult with tenants affected by this action. Public comment was received by Jessica Kutz, Ursula Crystal, Joanna McDonald, Kathryn Shasha, Angela Pashayan, Lanier Nelson, Bertha Guererro, and Antonio Romero. The Mayor spoke to the difficulty of this situation and stated that he understands the emotions and anger, but stressed that the Town is working very hard to find positive options for the residents affected. Laila Benitez has been working with the Multicultural Advisory Council and they will provide a bi-lingual resource directory to assist with these challenges. The Mayor thanked the public for coming and participating.

**Council took lunch from 12:45 p.m. to 1:02 p.m.**

**Consideration of a Resolution Approving an Amendment to a Previously Approved Conditional Use Permit for a 100 foot Communication Tower to be Located in Tract OSP 49-R (Resolution No. 2015-0423-08) to Remove the Condition that Prohibited the Tower from Including Lights. The Request is to Allow a Red Beacon as Required by the Federal Aviation Administration (13)**

Glen Van Nimwegen stated that the communication tower had been previously approved in this location at the one hundred foot height. The proposed amendment is only to allow for the mandated red beacon (Alternative Lighting System). With this type of system, the beacon will remain on only when an aircraft is within three miles of the tower. The Alternative Lighting System is approved by the FAA and the system will be maintained in a working condition according the FAA requirements. Council discussion ensued. Public comment was received by Mark McGarey, Devin Morris, Mike Rozycki, and Harper Meek. Mr. Meek posed a question as to how the light will be maintained and the procedure for addressing a situation such as a failed or improperly working light. Crown Castle is required to maintain the light and monitor it daily per the FAA



requirements. On a **MOTION** by Dan Caton and seconded by Laila Benitez, Council voted unanimously to adopt a Resolution approving an amendment to a previously approved conditional use permit for a 100 foot communication tower to be located in Tract OSP 49-R (Resolution No. 2015-0423-08) removing the condition that prohibited the tower from including lights. A red beacon as required by the Federal Aviation Administration shall be allowed and Crown Castle shall notify the Town of any planned or unplanned temporary stoppage of the aircraft detection lighting system that would then cause the red beacon to be lit steadily from dusk till dawn. The Owner will make any repairs to the lighting system within fifteen (15) days of occurrence. Any repairs to the aircraft detection system that impact the lighting and that require certified radar technicians to diagnose and/or repair shall be made within forty-five (45) days.

**Consideration of Approval of a Letter of Support to the Colorado Department of Public Health and Environment for Two Grant Applications; one Regarding a Regional Composting Facility in Olathe and one to be Submitted by EcoAction Partners (EAP) for Regional Composting Infrastructure (14)**

Planner Sam Starr presented a letter of support stating that Eco Action Partners is seeking a letter of support for a Recycling Resources Economic Opportunity Grant to bolster regional composting infrastructure. Council discussion ensued on distance to Olathe and that the regional facility is where festival compost goes now. The facility is much larger than what is being proposed locally. EAP has not provided a copy of their grant application so the letter simply confirms broad support. Mr. Starr noted there are multiple places where a composting facility would work including VCA. He added that Telluride Ski & Golf is looking into composting for their restaurant waste and would consider providing the land, power and cover for the station if the grant is received. On a **MOTION** by Dan Caton and seconded by Marty McKinley, Council voted unanimously to endorse a letter of support to the Colorado Department of Public Health and Environment for the two grant applications as discussed.

Council returned to item 12

**Consideration of a Letter of Support to DOLA (Department of Local Affairs) for a Jail Remodel and Expansion to Include Hold Units at the San Miguel County Facility in Ilium (15)**

Town Manager Kim Montgomery stated that San Miguel County has asked the Town to write a letter of support for the jail remodel and detox facility. Council discussion ensued. On a **MOTION** by Laila Benitez and seconded by Dan Caton, Council voted unanimously to endorse a letter of support.

**Discussion Regarding Insurance Requirements Related to Open Burn Applications (16)**

Jim Mahoney presented the above item stating that this item was discussed with the most recent Fire Festival application and Council asked to revisit insurance requirements and consider if reducing them makes sense. San Miguel County's insurance requirements are two million dollars in aggregate and one million dollars for each occurrence. One option is to require different insurance amounts for different seasons, however; there are variables to consider based on the uncertainty of weather. To date there have been no issues with controlled burns. Council discussion ensued and consensus was to keep the required insurance at five million dollars in aggregate and the appropriateness of the amount of insurance required may be reevaluated on a case by case basis if necessary.

**Discussion on Benchmarking Study and Potential Implementation of a Compensation and Benefits Study in Lieu (17)**

Kim Montgomery presented the above item stating that the original RFP (Request for Proposal) was included in the packet materials. Brandon Young of MSEC (Mountain States Employers Council) collected some data but the data could not be evaluated the way Council had requested. In December, the Town sent notice of termination of the contract to Mr. Young. Discussion ensued on whether or not to reissue another RFP (Request for Proposal) or go in another direction. Council consensus was to instead, conduct a compensation study specifying individual departments and compare only those departments to other similar communities and issue a new RFP for this purpose. Public comment was received by Brian Kanaga.



**Staff Reports: (18)**

**a. Human Resources**

**i. Bi-annual Report**

The employee survey received great feedback with forty-three employees completing the survey and ninety percent reporting that they are very satisfied in their positions. Ms. Kunz will be responding to specific comments made by employees in the newsletter, however; since the survey was conducted anonymously it is difficult to address specific questions. Council discussion ensued regarding the statistic that forty percent of Town employees are over the age of fifty, and how succession plans are being developed.

**ii. Consideration of Approval of the 2017 Employee Handbook**

On a **MOTION** by Bruce MacIntire and seconded by Michelle Sherry, Council voted unanimously to approve the 2017 Employee Handbook.

**b. Town Manager**

Ms. Montgomery stated that Administrative Services Coordinator Christina Meilander received the *Great Services Award* for stepping up when Nichole Zangara left the position of Director of Marketing & Business Development and for helping all departments with website, advertising and other marketing needs. The new grant program has been launched and direction from Council was to proceed with formal notice to the following recipients that they will be required to submit a formal grant application in 2017 for 2018 funding:

- Juvenile Diversion
- San Miguel Watershed Coalition
- San Miguel Resource Center
- Eco Action Partners

Mayor Jansen suggested that the grant committee determine a process for assigning the amount of funding provided for each approved applicant as he has received comments regarding the differences in funding amounts.

**Council Boards and Commissions Updates: (19)**

**a. San Miguel Watershed Coalition (SMWC)– Jett**

There was no report.

**b. Colorado Flights Alliance (CFA) – Jansen**

The Mayor stated that CFA is initiating a regional economic study to understand the regional value of the Montrose Airport. The C and D approaches at Telluride Airport are in the process of being approved. CFA is working with the Telluride Tourism Board to track population growth in the region. David Reed added that a record number of passengers went through Montrose Airport this past week.

**c. Transportation & Parking- Benitez/MacIntire**

Bruce MacIntire stated that the Park Mobile App is easy to use.

**d. Budget & Finance Committee – McKinley/Caton**

There was no report.

**e. Gondola Committee – McKinley/Caton**

Dan Caton stated that the gondola economic impact study will help to determine how much the gondola is utilized and who uses it most frequently. The information collected in the study will help the Town to make decisions about the future of the gondola. The study will take some time to complete and the decision will be made in the next few weeks as to who will conduct the study. In January eight representatives from Mountain Village, Town of Telluride, TMVOA and San Miguel County (Todd Brown, Joan May, Dan Caton, Jim Loebe, Anton Benitez, Garret Brafford, Duncan Hogarth and Jeff Proteau), traveled to Austria to study various gondola systems. A presentation will be scheduled for the March Council meeting.

**f. Colorado Communities for Climate Action (CC4CA)- Jett**

There was no report.

**g. San Miguel Authority for Regional Transportation (SMART)-Benitez**

Laila Benitez stated that SMART has hired a recruiter to move forward with the search for an executive director/administrator. They will also be advertising for two members from each community to serve on the board. The application can be found at [www.smarttelluride.com](http://www.smarttelluride.com)



**h. Eco Action Partners(EAP) –Sherry**

Ms. Sherry stated that the Board discussed the Town’s new grant process and how it will affect their organization. Conservation Colorado will be coming to Mountain Village Friday, March 3<sup>rd</sup> to present their post-election strategies for clean energy and fighting climate change. They will be hosted by *Stalk It* in Mountain Village.

**i. Telluride Historical Museum-Sherry**

Ms. Sherry provided information on upcoming events including: *Craft of Cocktails of the Past*, Historical Snow Shoe Tour, and *Foods from the Woods*. She also mentioned that the museum is partnering with The Telluride Jazz Festival. Festival attendees will receive free access to the museum with the purchase of festival tickets.

**j. Mayor’s Update-Jansen**

The Mayor stated that Mountain Village will host a Colorado Association of Ski Towns, Colorado Summit meeting in 2017. The 2016 Summit was a success with 15 different mountain towns represented.

**Second Reading, Public Hearing and Council Vote on an Ordinance Regarding (1) A Major Amendment to the See Forever Planned Unit Development to Convert the Proposed Restaurant and Related Space, Known as COM-1 per the See Forever Village at The Peaks Subdivision Plat Recorded At Reception Number 379984, to Residential Condominium; (2) Rezoning of Approximately 500 Square Feet of Town Owned Open Space, Parcel OS-3J that is Located Directly Below the Deck of Unit A101 of the See Forever Condominium Plat from Full Use Active Open Space to Village Center; and (3) Rezone and Transfer of a Condominium Unit of Density (3 Person Equivalent) to the See Forever PUD (Planned Unit Development). The address of the property is 117 Sunny Ridge Place (20)**

Glen Van Nimwegen presented the above item stating that the Ordinance was approved on first reading at the December 8, 2016 meeting subject to a number of conditions, including the resolution of technical and legal issues between the applicant and the HOA (Home Owner’s Association) prior to the public hearing. The proposed agreement between the applicant and the HOA includes:

- Two of the four parking spaces will be sold to the HOA;
- The COM-1 space owned by the applicant and located within the Lobby space will be sold to the HOA; and
- The COM-1 space will become part of the Lobby for use by the HOA for a concierge and gathering space for members, and as such will have its commercial zoning removed with no commercial uses to be allowed.

The proposed public benefits:

- \$60,000 cash payment to the Town to be used for additional plaza improvement, landscape maintenance or wayfinding
- Unit will be placed in a unit management agreement for short term rentals
- Charge a 1% rental fee to the new condo unit that will be used to offset Town landscape maintenance expenses
- Reduce the snow melt area by approximately 5%

Representative for the applicant, Chris Hawkins stated that an agreement had been reached between the HOA and the applicant but with some changes to the designation of the parking spaces. Council discussion ensued. Public comment was received by Doug Tueller, attorney for the See Forever HOA. On a **MOTION** by Marty McKinley and seconded by Dan Caton, Council voted unanimously to approve the Ordinance with the following changes:

1. The applicant shall address the technical and legal issues between the HOA and the Applicant regarding incorporation of the garden level restaurant and the COM-1 space into the Condominium Community.
2. The Mayor is authorized to review and approve the final PUD Development Agreement and other

legal instruments as set forth in the final PUD Development Agreement which may be required to be amended concurrently with the PUD.

3. Owner shall provide a certificate to the Town of ownership of the density unit prior to executing the PUD Development Agreement.
4. The Owner shall implement the conditions of the resolution of the Association, approved February 16, 2017 and effectuate any of the approvals set forth herein and to execute any of the legal instruments which **must** are contemplated to be amended by the PUD Development Agreement.

**(Remove the word “must” from # 4)**

**(Remove # 5)**

- ~~5. When either ceiling or wall studs are in place, or when drywall is complete on the new residential unit, Owner shall cause to be prepared a condominium map amendment by a Colorado licensed surveyor which incorporates the new residential unit and re-allocation of parking spaces into the See Forever Village at the Peaks Homeowners Association. Owner shall submit and obtain approval from the Town for such map amendment prior to issuance of a certificate of occupancy for such residential unit.~~
6. Once the deed restriction termination for Exhibit E of the Agreement is executed by the Town, Owner shall provide a fully executed deed restriction termination by TSG, which is also a party to the deed restriction set forth in Exhibit E of the Agreement, to the Town prior to recordation in the Official Records.”
7. Owner shall provide for staff approval an easement in a form acceptable to the Town Attorney’s office, for the exclusive use of the upper Observation Area as described per Reception No. 346331; and relocate the telescope to the public plaza as approved by staff. Such easement shall include the obligation of the Owner to pay for all maintenance of the upper Observation Area including but not limited to snowmelt and related costs.
8. The condominium map amendment required herein, shall designate the four parking spaces currently designated as commercial general common elements as follows: one parking space designated for the new residential unit, one parking space designated as general common elements for the HOA’s benefit and two individual parking units.
9. The Owner shall be responsible for obtaining an agreement in a form acceptable to the Town Attorney’s office requiring the owner of Lot 114 to pay for all costs associated with the 442 square feet of snow melted walkway leading to Lot 114.”

On a **MOTION** by Laila Benitez and seconded by Marty McKinley, Council voted unanimously to extend the meeting beyond 6 hours.

### **Consideration of a Resolution to Approve the See Forever Plaza III – Replat No. 3 Minor Subdivision (21)**

Glen Van Nimwegen presented the above Resolution. This minor subdivision is related to the major PUD amendment, rezoning and density transfer for the See Forever Village PUD actions. The replat reconfigures Lot 105R1 to include the area located below the deck of Unit A101 which will be included in a new condominium unit. This area is town open space in Tracts OS3J and OS3L. The replat increases Lot 105R1 by 0.012 acres and the total open space is reduced by an equal amount. The perimeter of the building is surrounded by a number of easements that will have to be reconfigured and re-recorded. On a **MOTION** by Dan Caton and seconded by Bruce MacIntire, Council voted unanimously to adopt a Resolution approving the See Forever Plaza III-Replat No. 3 minor subdivision.

### **Other Business (22)**

Director of Administration/Town Clerk Jackie Kennefick discussed moving the June meeting date due to schedule conflicts. Council consensus was to move the meeting to Tuesday, June 20<sup>th</sup>.



There being no further business, on a **MOTION** by Michelle Sherry and seconded by Laila Benitez, Council unanimously agreed to adjourn the meeting at 3:54 p.m.

Respectfully prepared,

Susan Johnston  
Deputy Town Clerk

Respectfully submitted,

Jackie Kennefick  
Town Clerk

DRAFT



## **Invitation for Bid**

### **2017 Compensation and Benefits Study**

#### **Purpose**

The purpose of this invitation for bid (IFB) is to engage the services of a qualified consulting firm or individual to enter into a contract for the purpose of conducting a compensation and benefits review and analysis.

#### **Scope of Work**

The Town of Mountain Village, Colorado (the “Town”) has an estimated 4,400 combined residents and visitors. The Town is located at the base of the Telluride Ski Area in southwest Colorado at an average elevation of 9,500 feet. The Town government has approximately 100 full-time employees who are eligible for benefits and additionally 50 seasonal and part time employees. The Town’s current classification and salary plan was developed in 2008 by an outside consultant. The FY16 operating budget is approximately Twenty Million Dollars.

The Town is composed of the following departments:

- Legislative including Mayor and Town Council
- Town Manager
- Legal (outside legal counsel fills this role)
- Finance
- Planning & Development, including planning & zoning, design review, building, and housing (200 unit apartment complex)
- Public Works including streets, water/sewer, plaza services and vehicle maintenance
- Police Department
- Human Resources
- Transit, which operates a free public gondola transportation system connecting the Towns of Mountain Village & Telluride, an employee shuttle system, as well as a seasonal and backup bus system
- Marketing & Business Development



- Administrative Services/ Town Clerk
- Parking, Trails & Recreation
- Broadband Services and Building Maintenance
- Day Care & Preschool

The Contractor would be engaged to provide the following services:

1. Conduct a total compensation and benefits survey, analyze the information and develop recommendations for compensation and benefits specific to similarly situated municipalities including Aspen, Avon/ Beaver Creek, Breckenridge, Crested Butte, Snowmass Village, Steamboat Springs, Telluride & Vail. The recommended total compensation and benefits should support the Town's objectives and strategic priorities.
2. Conduct a comprehensive review of the current system used for external competitiveness including, but not limited to:
  - a. Compare actual salaries (or average salaries) and salary ranges for all employees performing the same or similar functions from the comparator employers (listed above)
  - b. Identify the positions that have a greater need to be competitively paid. Conduct an internal equity review and analysis. Develop cost estimate with recommendations for resolving any inconsistencies between internal equity and external competitiveness.
  - c. Identify where the current compensation plan is appropriate and total compensation is market competitive.
  - d. Review the current compensation plan including the number of salary ranges and classification and make recommendations
  - e. Review Fair Labor Standards Act (FLSA) designation for each job title/classification
  - f. Recommend a methodology for implementation and a system for compensation and benefits plan maintenance.
  - g. Develop a comprehensive employee communications plan to explain the process and final recommendations.
  - h. Review and make recommendations on the following compensation alternatives and issues:
    - i. Design of alternative compensation programs if appropriate
    - ii. Modification of market and merit increases
    - iii. Review the effects of all other non-salary compensation and benefits
3. Conduct a thorough review of all current compensation policies and practices and recommend changes or additions as necessary to areas such as, but not limited to:
  - a. Hiring rates for new employees
  - b. Hiring rates for existing employees to be promoted internally
  - c. Temporary compensation adjustments for employees fulfilling higher-level job duties for a short period of time
  - d. Best practices regarding paying for certain levels of education or certifications
  - e. Performance merit based increases
  - f. Employees currently at the maximum salary for their position range
  - g. Bi-lingual compensation
  - h. On-call and/or standby compensation

- i. Seasonal employee compensation and end of season bonuses
  - j. Rehire rates of compensation
  - k. Market adjustments
  - l. Compensation trends (width of ranges, comparison to others, best practices)
4. Conduct a market analysis of the Town's benefits in comparable jurisdictions,
    - a. Benefits should include medical, dental, vision, life, short-term disability, long-term disability, paid time off (including holidays, sick days, personal days, and vacation)
    - b. Town matches to employee deferred compensation contributions
    - c. Best practices and benefits in regards to not paying into social security
    - d. Conduct a general analysis of other benefits such as flexible spending, EAP, AFLAC, tuition reimbursement, wellness programs and employee recognition/ superior performance awards
  5. Prepare a recommended implementation plan that is feasible with our current economic climate that includes an employee communication plan
  6. Recommend a schedule to allow Human Resources to update and maintain the total compensation and benefits including an estimate of resources and staff required to perform these tasks
  7. Submit preliminary report by no later than July 10, 2017 with the work product to included recommendations on modifications to the Town's Total Compensation and Benefits, a Transition Plan for such modifications, and an analysis of emerging trends and total compensation for the Town to consider.
  8. Submit final report to include an executive summary and all supplementary materials by no later than August 7, 2017.

**Specific Responsibilities of Town:**

- Provide the Contractor with any and all information in the Town's possession necessary to conduct the scope of work.

**Insurance and Indemnification:**

The contractor shall be required to provide general commercial liability insurance, naming the Town as an additional insured in the amounts of \$1,000,000 per occurrence and \$2,000,000 in aggregate. The contractor shall also be required to indemnify and hold the Town harmless. The Town does not provide mutual indemnity of third party contractors.

**Inquiries**

This invitation for bid (IFB) is issued by the Town of Mountain Village, Colorado. All questions related to this IFB must be submitted no later than April 10, 2017 and will be a part of the public record. All questions and answers will be made available to all bidders and shall be answered by April 14, 2017. All questions and proposals should be delivered via email to [kmontgomery@mtnvillage.org](mailto:kmontgomery@mtnvillage.org) Town of Mountain Village:

455 Mountain Village Blvd, Suite A



Mountain Village, Colorado 81435  
Attention: Sue Kunz, Human Resources Director  
skunz@mtnvillage.org  
(970) 369-6412

## Proposal Content

Contractors are requested to present the following information:

- Experience and qualifications of the contractor
- References of like work
- Other information the contractor believes would assist the Town in its evaluation process, i.e. professional recommendations from industry professionals
- Proposed cost of performing the scope of work.

## Proposal Schedule

Day	Date	Deadline
Thursday - Wednesday	March 22-29, 2017	Public Notice Published in <i>The Watch</i> Newspaper
Monday	April 10, 2017	Pre-Bid Questions Deadline
Friday	April 14, 2017	Response to Questions Available
Monday	April 24, 2017	Sealed Bids Due/Bid Opening
Thursday	April 27, 2017	Memo of Recommendation from HR submitted to Town Manager and Mayor
Thursday	May 4, 2017	Town Manager and Mayor Award
Thursday	May 11, 2017	Complete Contract Signed
Friday	May 12, 2017	Contract Begins

## Evaluation Process

The Town will judge the merits of proposals received in accordance with the criteria discussed below. The bidder is responsible for providing all information requested in this IFB and failure to do so may result in disqualification of the proposal. During the evaluation process, the Town may contact the interested parties to discuss any items that may need further clarification. The Town will award the contract to the bidder who represents the best value based on the needs and objectives of the Town and IFB, not necessarily the low bid.

## Criteria

1. The contractor is deemed to be reputable in the industry for the work to be performed
2. The adequacy and completeness of the proposal

3. The experience of the contractor
4. The proposed cost of the project (cost alone will not be the sole factor in awarding the bid)
5. The best bid for achieving the desired goals and the interests of the Town (best value).

**Right to Reject**

The Town reserves the right to reject any or all proposals and accepts no responsibility for the cost of proposal preparation.



To: Town Council

From: Director of Administration/Town Clerk Jackie Kennefick

Date: 03/10/2017

Re: Consideration of Appointments to the Grant Committee and Multi-Cultural Advisory Council

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**Appointments to the Grant Committee**

At the January 19, 2017 Town Council meeting, Council approved the Mountain Village Community Grant Committee Bylaws and adopted program guidelines, however; appointments to the Grant Committee were discussed but no motion was made. Council appointments discussed were Laila Benitez and Marty McKinley. Staff appointments discussed were Kim Montgomery and Deanna Drew. However, in light of Deanna's resignation, Ms. Montgomery suggests Jackie Kennefick be appointed as the other staff member. The resident positions will be advertised in the coming months. From the Bylaws:

**ARTICLE IV  
Membership**

**Section 1. Appointments.**

- A. *The Committee shall consist of no less than six members, each of whom shall be appointed by Town Council and reflect the following membership:*
  - 1. *Two Councilors*
  - 2. *Two Town Department Directors*
  - 3. *Two residents of the town.*
- B. *Town Council may interview all candidates prior to appointing the Committee as an action at any regular or special meeting.*

**Motion:** I move to appoint Laila Benitez and Marty McKinley as Council members and Kim Montgomery and Jackie Kennefick as staff members to the Mountain Village Community Grant Committee.

### Appointments to the Multi-Cultural Advisory Council

At the February 16, 2017 Town Council meeting, during the discussion regarding Village Court Apartments rental eligibility requirements, Laila Benitez expressed an interest in serving as a Mountain Village representative on the Multi-cultural Advisory Board.

**Motion:** I move to appoint Laila Benitez to serve on the Multicultural Advisory Board.





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To: Town Council  
From: Bill Kight, marketing and business development director  
For: March 16, 2017 Town Council Meeting  
Date: March 9, 2017  
Re: Region 10 Appointment

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[Region 10](#) was established in 1972 and is a 501C3 non-profit organization offering public programs in support of 18 local communities and six counties in western Colorado.

According to Region 10's website, the organization's mission is to provide programs and services that meet the needs of the people in the region, are cost-effective, reduce the burden of the governments, leverage available resources, and support charitable status.

Traditionally, a member of Town Council serves, by appointment, on the Region 10 Board of Directors, which meets quarterly (February, May, August and November).

During the 2014/2015 EDDI process, Town Council appointed Bob Delves to serve, and subsequently Bob accepted. But his work obligations grew and he was no longer able to serve. At the 2015 September Town Council meeting, Council appointed former Marketing and Business Development Director Nichole Zangara Riley to serve on the Region 10 Board of Directors. Due to Riley's resignation, Town Council will need to appoint a new director to the board. It is the recommendation of Town Manager Kim Montgomery to appoint the new Marketing and Business Development Director Bill Kight to server in this role.

With that, if no other Council member is interested in serving on Region 10, I would gladly accept the appointment.



PLANNING & DEVELOPMENT SERVICES  
455 Mountain Village Blvd. Ste. A  
Mountain Village, CO 80135  
(970) 369-8250

**Agenda Item # 7d.**

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**TO:** Town Council  
**FROM:** Glen Van Nimwegen, Director  
**FOR:** Town Council Meeting on March 16, 2017  
**DATE:** March 8, 2017  
**RE:** Consideration of Three Regular and Two Alternate Seats on the Design Review Board

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**ATTACHMENTS**

- Exhibit A: Excerpt from the CDC Regarding Appointments to the DRB
- Exhibit B: Letter of Interest from Existing DRB Members
- Exhibit C: Letters of Interest from New Applicants
- Exhibit D: Sample Questions for New Applicants

**BACKGROUND**

The Design Review Board (DRB) consists of seven regular full-time members and two alternate members appointed by Town Council. The term for a DRB member is two years.

Three regular DRB members' terms are expiring in April 2017: David Eckman, Greer Garner and Luke Trujillo. In addition the two alternate positions expire next month held by Liz Caton and Jean Vatter. Liz was appointed by the Town Council just last year to fill the remaining time of David Craig who moved to a regular member. All of the members whose terms are expiring have requested to be reappointed. Their letters of interest are attached.

Staff advertised for the open positions as required. We received new applications from Charlie Colwell, Christell Kee, Jonathan Augello and Andy Montalvo. Their letters of interest are attached as well.

Community Development Code Section 17.2.3.E states that the Council shall strive to appoint at least three (3) or more members of the DRB who are lot owners or residents of Mountain Village; however, residency is not a requirement for appointment. The new applicants have been asked to attend the Town Council meeting.

**DRB RECOMMENDATION**

The Board did not interview the new applicants, or make an recommendation to the Town Council per Section 17.2.3 (D) 3 which states:



“If an existing DRB member does not wish to seek reappointment, resigns or is removed by the Town Council as provided for in section F below, the DRB shall interview all first-time applicants for such position at a meeting. The DRB shall provide a recommendation of appointment to the Town Council. The Town Council may elect to interview any or all applicants prior to making an appointment to the DRB.”

### **PROPOSED MOTION**

The following motion reappoints members to the DRB as requested by the members:

“I move to appoint David Eckman, Greer Garner and Luke Trujillo as regular members; and Jean Vatter and Liz Caton as alternate members of the Design Review Board.”

EXHIBIT A: Excerpt from Section 17.2.3 Design Review Board

- B.** Seven (7) regular members to the DRB shall be appointed by the Town Council. The maximum number of years that a member may serve shall be twelve (12) consecutive years, subject to reappointment by the Council pursuant to section D below. In accordance with the provisions of the Town Charter, three (3) members are to be appointed in odd numbered years, and four (4) members are to be appointed in even numbered years. Up to two (2) alternate members may be appointed by the Town Council for two (2) year terms. Alternate members shall only vote when one of the seven (7) regular members cannot vote due to a prohibition in the Town's Code of Ethics or when a regular member is absent from a meeting. Any appointed alternate members shall actively participate in the discussion of agenda items, site visits and other DRB activities.
- C.** The Council shall strive to appoint at least three (3) or more members of the DRB who are lot owners or residents of Mountain Village; however, residency is not a requirement for appointment but is preferred. The term for a DRB member shall be for two (2) years.
- D.** Vacancies that may occur on the DRB shall be filled by appointment of the Town Council pursuant to the following procedures:
- 1. Solicitation for DRB Members:** Upon the occurrence of a vacancy and prior to the expiration of a term, the Planning Division shall advertise the position at least one (1) time in a newspaper of general circulation or provide notice of such vacancy by electronic means.
  - 2. Advising Applicants During Selection Process:** It shall be the responsibility of the Planning Division to advise DRB applicants of the time commitment required for DRB membership. Applicants shall indicate their ability to meet this commitment prior to consideration of their candidacy by the Town Council.
  - 3. Interviews:** If an existing DRB member does not wish to seek reappointment, resigns or is removed by the Town Council as provided for in section F below, the DRB shall interview all first-time applicants for such position at a meeting. The DRB shall provide a recommendation of appointment to the Town Council. The Town Council may elect to interview any or all applicants prior to making an appointment to the DRB.
  - 4. Town Council Appointment of Members:** The Town Council shall make an appointment as soon as practicable after the close of the application period. The Town Council shall strive to select individuals with varying professional and civic backgrounds that represent a cross section of the community, such as architects, laypersons-residents, merchants, hoteliers-property managers, landscape architects, civil engineers and contractors. The Town Council shall also consider DRB members based on willingness to be active participants, a desire to fulfill DRB duties and the ability to positively interact with fellow DRB members, staff, the Town Council, other applicants and the public in a thoughtful and respectful manner.
  - 5. Annual Review of Membership:** All DRB members whose terms are expiring shall be notified in writing prior to the expiration of the term and extended an invitation to re-apply.
  - 6. Oath of Office:** Each appointed DRB member shall take the Oath of Office for a DRB member.
- E.** DRB members shall serve without compensation, except reasonable out-of-pocket expenses, provided the Town has budgeted for said expenses and such expenses are approved in advance by the Town.
- F.** DRB members serve at the pleasure of the Town Council and may be removed from office upon a majority vote of the Town Council. A DRB member may also be removed by the Town Council, upon recommendation from the DRB, for failure to attend three (3) consecutive meetings in any one (1) year without justification or for failure to carry out the duties of a DRB member.



EXHIBIT B: Letters of Interest for Existing DRB Members

**Jane Marinoff**

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**From:** Phil Evans <cathphil@aol.com>  
**Sent:** Wednesday, January 04, 2017 10:43 AM  
**To:** Glen Van Nimwegen  
**Cc:** Jane Marinoff  
**Subject:** New DRB Term  
**Attachments:** Phil Evans - Resume.doc

Hi Glen,

I would like to submit my name for another term as a Regular DRB member. My resume is attached.

We are now in the final stages of important revisions to the design standards of the CDC, and I would like to play a role in obtaining Town Council approval of the changes, and the first year or two of the review process under these new rules.

Please submit my name to the DRB and Town Council for their consideration.

Thank you.

Philip Evans



## Resume for Philip B. Evans

Phil Evans has been a full-time resident of Mountain Village since the summer of 1998. He and his wife, Cathie, moved here from Connecticut following his retirement from Avon Products, Inc., a Fortune 500 company, where he was a senior executive.

In 1999 Phil was appointed to the Mountain Village Design Review Board. He served on the DRB for six years (three as chairman) until his resignation in March 2005

He was appointed to the Mountain Village Metro District Board in June of 2001, and elected to a full term in June of 2003. He served on the Board until its merger into the Town.

In 2005, Phil was elected to Town Council. He served one term, and did not run for re-election in 2009.

In 2014, Phil applied for an open seat on the Design Review Board, and was appointed as an alternate. Town Council appointed Phil to a Regular DRB seat in 2015.

In addition, Phil very actively worked to try to encourage the Telluride Science and Research Center to select Mountain Village as the site for their future permanent home. While this effort was ultimately unsuccessful, it confirmed resident and second home owner support for a diversification of our economic and cultural base.

In 2016 Phil was a member of the leadership group which solicited signatures in support of the Telluride Medical Center Board of Directors, and its strategy to find a suitable home for an expanded Medical Facility. Over 650 signatures were obtained.

Phil and his wife Cathie are avid skiers, golfers and hikers. They have two grown children and four grandchildren, all of whom visit Mountain Village as often as possible.

# Dr. Greer T. Garner

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253 Adams Ranch Road  
Telluride, Colorado 81435  
(970) 728-1447  
(970) 797-1448 fax  
(970) 708-0154 cell  
Garnerdr64@gmail.com

January 5, 2017

Mountain Village Town Council  
Town of Mountain Village, Colorado

Dear Mountain Village Town Council,

I am sending this letter to express my interest in remaining on the Design Review Board. I have been a homeowner in Mountain Village for almost 20 years and, as such, have witnessed the changes and challenges the town has experienced with regards to economic vitality and sustainability. Additionally, I am invested in addressing how best to incorporate the evolution of building design so that it reflects the changing times and desires of new homeowners as well as assuring that the newer designs fit into the current context, an important issue the DRB is currently addressing.

Having participated on the DRB both as chair and board member for many years as well as being a participant in formulating the Comprehensive Plan, I believe my experience can be of help as Mountain Village continues to grow and thrive.

Thank you for your consideration.

Sincerely,  
Greer Garner



# Greer Garner, PhD

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253 Adams Ranch Road  
Telluride, Colorado 81435  
(970) 728-1447  
(970) 797-1448 fax  
(970) 708-0154 cell  
Garnerdr64@gmail.com

## **Education:**

BA, Psychology  
MA, Counseling Psychology  
PhD, Counseling Psychology

Currently Licensed Psychologist in Colorado; formerly licensed in Texas

## **Work History:**

Co-owned and managed three wine tasting shops in Dallas, Ft. Worth Texas area

Counseling Internship at Salesmanship Club Family Counseling Center, Dallas, TX

University of Texas Southwest Medical Center/ VA Hospital post doctoral position, Dallas, TX

Counseling Practice, Telluride, CO

## **Volunteer History:**

American Women's Club in Germany, President  
Telluride Women's Network, President  
The San Miguel Resource Center, Clinical Consultant  
Design Review Board, Board Member and Chair  
Angel Baskets, Board Member

## **Awards:**

Domestic Violence Service Award Professional of the Year  
Citizen of the Year Award

From The Desk of: David Dale Eckman

120 Alexander Overlook  
Telluride, CO 81435  
Cell: 970-708-9336

Via: Email

Mountain Village Town Council  
455 Mountain Village Blvd. Suite A  
Mountain Village, CO 81435

**RE: DRB position intent to renew**

Monday, January 09, 2017

Dear Council Members:

I would like to express my interest to renew my position on the Design Review Board with the Town of Mountain Village.

I would like to believe that I bring a plethora of knowledge to the board and have assisted in ensuring that the community is developed in keeping with the vision and the standards established. I find much pride and enjoyment in my commitment to this community and hope my actions have appeased your group.

With this said, please consider my future membership with this board.

Thank you for your time and attention to this matter.

Respectfully Yours,



David D Eckman

cc: File



# DAVID DALE ECKMAN

[david@eckmancm.com](mailto:david@eckmancm.com)

970.708.9336

120 Alexander Overlook  
Telluride, CO 81435

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## SUMMARY

Project development and management professional with experience in the development and / or construction of resort, hotel, restaurant, multi-family office, industrial, medical, airport, and sport facility property. This experience spans working in the capacity of an owner, consultant, and contractor representative. A foundation of US Army experience provided essential leadership skills coupled with a graduate education.

## WORK EXPERIENCE

### **ECKMAN CONSULTING & MANAGEMENT**, Telluride, Colorado ***Owner Representation and Project Manager Services***

April 2009 – Current

Started Eckman Consulting & Development to provide owner representation and project management services regionally for high alpine resort development.

- Telluride School District R-1 Owner Rep for 66,144 SF addition / remodel LEED accredited project from approvals to completion. Design Build. Assist District in FF&E and Technologies implementation.
- Mixed use hotel Owner Rep / Project Management of facility improvements, retro commissioning, and build out of unfinished commercial spaces.
- Participate with Executive Committee in sales process for flagship hotel asset
- Due diligence, design development, and construction of Starbucks in 5 star hotel property
- Assist with Design and Construction for startup restaurant in Town of Telluride
- Developed program, designed, and RFP for Town of Mountain Village owned multifamily property.
- Retained as Owner Representative for several luxury estate homes in Telluride and Mountain Village
- Luxury estate home with stopped work due to quality and cost control. Negotiated new contract and oversaw completion of work by GC to satisfaction of owner.
- Retained by Town of Mountain Village to consult on energy initiatives on proposed projects.

### **BUCKENDORF MANAGEMENT INC**, Mountain Village, Colorado ***Project & Preconstruction Manager***

June 2008 – March 2009

BMI is a builder founded by the COO of RA Nelson & Associates with a focus on luxury homes and multifamily projects in the Telluride region. BMI emphasizes green building techniques deployed with critical path scheduling of the work.

- Developed standard forms and protocol for operations.
- Business development within region Preconstruction for multifamily, single-family, and athletic facilities. Some highlighted projects are:
  - Elkstone 21 – 38 million, Greyhead Tennis Barn – 7 million, Graysill Condos – 1 million
- Consulting Town of Mountain Village – develop scope and manage RFP for Village Court Apartments.

### **RA NELSON & ASSOCIATES**, Telluride, Colorado ***Project Manager***

June 2006 – June 2008

RA Nelson is a builder in the Vail, Aspen, Mammoth and Telluride regions. Focus is high-end construction in commercial, multi-family, and single family. 150 Million / Yr. Organization

- Fast track project with 25% scope change in less than 6 months from foundation.
- Commercial and multifamily project preconstruction assistance / management.
- Fire and smoke restoration project.
- Close out multiple projects Conduct business development and work on special committees for organization standardization.

**TOWN OF MOUNTAIN VILLAGE**, Telluride, Colorado

Oct 2007 – Current

**Board Member**

Design Review Board – Co-chair / board member for Planning, Zoning, and Design Review for the Town of Mountain Village. Special appointment by Mayor, Director of Development, and Chairman of Board.

**DELWEST HOLDINGS LLC**, Denver, Colorado

Mar 2004 – Nov 2005

**Development Manager, Project Manager**

Delwest is a multifamily developer / builder in the Denver region. Product is an entry-level town home and condo in communities with typically 2 – 3 year build out projections.

- Performed contract and budget audits on projects during transitional term, reviewed departmental organizational structure and mediated subcontractor disputes
- Commenced or completed over 218 multifamily units and 3 land development projects.
- Daily responsibilities included management of design teams for pre-development, securing necessary entitlements or regulatory approvals, and assembly of construction documents. Developed / managed land development, indirect, and vertical construction budgets, wrote subcontractor contracts, created schedules, managed staff, and reported on project progress for communities.

**ECKMAN PROJECT MANAGEMENT SERVICES**, Frisco, Colorado

Oct 2002 – Mar 2004

**President**

Provide services in construction management to assist clientele achieve development to completion of projects without the liability of retaining the necessary expertise in house.

- Centex Destination Properties – deployed to Palm Springs, CA to assist site managers in fast tracking land development through scheduling with SIPS principals to achieve fiscal goals.
- Intrawest US Holdings – manage team in the completion of projects after corporate lay off. Continued representation on Eagles Nest Design Review Committee.
- MWA Builders, LLC – joint venture and business development. Provided management services.

**INTRAWEST US HOLDINGS**, Three Peaks Resort Development Group, Dillon, Colorado

2001-2002

**Construction Manager**

Responsible for the construction of vertical products on the Three Peaks resort in Silverthorne, Colorado and performed a tenant improvement at Copper Mountain.

- Eagles Nest Design Review Committee Chairperson – recognized for achievement in restructuring the committee, executed the duties of review, approval, and monitoring residential projects.
- Assembled design teams for development of project, secured necessary entitlements or regulatory approvals while maintaining schedule, and assembled construction documents to proceed to the construction phase, all within budget.
- Selected qualified general contractors to perform work, ensured compliance of construction budget, delivered quality, meeting or exceeding expectations while maintaining schedule to the close-out.
- Reported timely and concisely to corporate, the partnership, as well as senior management on project progress.

**OZ ARCHITECTURE**, Summit County Studio, Dillon, Colorado

2000-2001

**Construction Administrator**

Functioned as construction representative of the architect in the mountain region for Boulder and Denver studios.

- Realized confidence of owner and acted as primary contact between Owner/Contractor
- Successfully administered Owner-Architect-Contractor meetings and other project manager duties
- Under own initiative identified need to implement quality control program and reported field progress on Intrawest projects at Copper Mountain with satisfaction of owner.
- Compiled concise as-built information for new construction concerns of mechanical, electrical, plumbing and architectural coordination.
- Generated thorough deficiency reports and punch lists for Copper Mountain projects.



**NORTH STAR CONSTRUCTION MANAGEMENT, INC.**, Allentown, Pennsylvania***Project Development, Operations, & IT Management***

1997-2000

- Solicited proposals and completed conceptual estimates for projects.
- Assisted with conceptual schedules and design for Design-Build proposals.
- Involvement with sports complex, hotel, fitness facility, medical, manufacturing, and office facilities
- IT Support - administered computer network system, consulted management on available technology.
- Acquired, integrated, and instructed usage of new technology for operations.
- Researched OSHA standard and developed a company safety program.
- Conducted plan review and design meeting coordination.

**DANIEL, MANN, JOHNSON, & MENDENHALL, INC.**, Denver, Colorado

1998

***Project Inspector at Denver International Airport (Summer Position)***

- Responsible for scheduling, cost tracking, and quality assurance of subcontractors.
- Without disruption to operations, successfully coordinated runway closures and planned the construction operations directly with airport operations officer, control tower, and airline operations officer.
- Oversaw subcontractors performing specialty concrete processes with assurance to compliance of the specifications.

**EDUCATION / TRAINING / CERTIFICATIONS****MS, Architectural Engineering, Pennsylvania State University,**

University Park, Pennsylvania, 1999

Advanced studies in Design Build Construction Management,  
Organizational Design, Contract Law, Productivity Analysis**BS, Architectural Engineering, Pennsylvania State University**

University Park, Pennsylvania, 1999

ABET accredited degree program,  
Construction Management emphasis, Deans List**CETC 150, Stormwater Management and Erosion Control**

CDOT certification course

**Intrawest Development School**

Whistler, Canada, 2002

Seminar with Senior Corporate Management  
Intrawest Delivery Methodology, Organizational Design and Behavior**OSHA Construction Safety Certification****Denver Building Contractor Class B Supervisor Certificate**

Certified Class B under 2003 IBC &amp; IRC by International Code Council

**Building Contractor Class B Supervisor Certificate**

Certified Class B under 2009 IBC &amp; IRC by International Code Council

**Scheduling Seminar** – Scheduling Consultants private seminar**LEED Accredited Professional**

**COMPUTER SKILLS**

**Software:** Scheduling – Primavera P3, Suretrack, and Microsoft Project  
Project Management – Expedition 10 & 8.5  
Estimating – Timberline, Precision Estimating, and Win Est Pro  
Takeoff – On Screen Takeoff  
Design – AutoCAD  
MS Office – all modules

**Special skills:** Proficient in the upgrade, assembly, and diagnosing of PC problems  
Experienced in the administration and troubleshooting of networks.

**MILITARY EXPERIENCE**

SERVED IN US ARMY AS A SCOUT, Germany & Fort Knox, Kentucky

1990-1993

- Leadership position, managed 6 personnel.
- Served as the Squadron's Operations Officer's Assistant.
- Recipient of Army Achievement, National Defense, and Good Conduct medals.
- Three years service with Honorable Discharge.



ELIZABETH CATON  
226 ADAMS RANCH ROAD  
P.O. Box 1889  
MOUNTAIN VILLAGE CO 81435  
HOME: 970-728-2947  
CELL: 646-280-9340

January 12, 2017

TO: Mountain Village Town Council

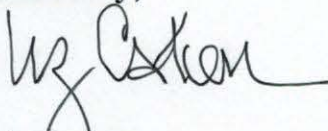
FROM: Liz Caton

RE: Design Review Board

Please consider this as my request to remain on the Design Review Board for the town of Mountain Village. I have served as an alternate for the past seven month and would like to continue in that position.

A copy of my resume is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Caton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Liz Caton

## ELIZABETH CATON

226 ADAMS RANCH ROAD  
P.O. BOX 1889  
MOUNTAIN VILLAGE, CO 81435  
HOME: 970-728-2947  
CELL: 646-280-9340  
[LIZ.CATON@GMAIL.COM](mailto:LIZ.CATON@GMAIL.COM)

### OVERVIEW

Sixteen year management of real estate partnership.  
Certificate in Interior Design, specializing in Kitchen and Bath design

Eighteen years experience as retail buyer for childrens' clothing for major department and specialty childrens' stores. Eleven years experience as financial manager for interior design and general contracting firms.

### EXPERIENCE

Bullocks Department Store, Los Angeles, CA

1972-1978 Management trainee, department manager, and assistant buyer for Girls' 7-14. As department manager responsible for all children's departments infants through boys 8-20. As assistant buyer for girls' 7-14, responsible for sales plans and implementing orders for seventeen stores.

John A. Brown, Oklahoma city, OK

1978-1980 Responsible for buying, management, and planning of three departments of Boy's 8-20. Responsible for sales and gross margins for those departments.

Abigail's Children's Boutique, Wellesley, MA

1985-1990 Boys' clothing buyer for infants through size 14. Developed and merchandised accessory department.

Ruth Soforenko Associates, Palo Alto, CA

1993-2000 Part-time office manager for residential interior design firm. Responsible for accounts payable, accounts receivable, payroll, client billing, merchandise research, purchase orders and delivery.

Nationwide Floor & Window Coverings, West Orange, NJ

2004-2005 Part-time office manager for national franchise selling floor and window coverings. Responsible for scheduling, invoicing, accounts payable, and client appointments.



The Goldsmith Company, Mountain Lakes, NJ

2005-2007 Part-time office manager for general contracting company. Responsible for customer invoicing, accounts payable, banking, and payroll taxes.

#### OTHER ACTIVITIES

Volunteer for Telluride Adaptive Sports Program during ski season.

Membership chair and secretary for Telluride Women's' Network.

Past volunteer for San Miguel Resource Center.

President Emeritus of Web of Benefit, a non-profit organization providing financial aid to survivors of domestic violence.

Past finance chair for Web of Benefit

#### EDUCATION

Pitzer College, Claremont, CA – B.A. Literature

Canada College, Redwood City, CA – Certificate in Interior Design

## Jane Marinoff

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**From:** Jean Vatter <jean@telluridevillagerealestate.com>  
**Sent:** Saturday, January 28, 2017 8:21 AM  
**To:** Jane Marinoff  
**Subject:** DRB possible renewal of seat~

Hello all,

I am willing to serve on the MV DRB for another period as an alternate board member. I have served a two year period and have learned a great amount about the code, the other board members and staff and the nature of the position.

It is a fairly steep learning curb for a community member. Two years of experience is a very good start. I'd like to continue to hone my knowledge of the code and apply it to the applications forthcoming. My experience of 15 years as a Realtor is beneficial as I can speak to the demand and marketability of certain styles etc.

Further, I have enjoyed working with the current board to achieve a more current and expressive code or our incoming homeowners.

I am assuming you have my prior application which should outline my education and most recent experience but in case not, the basics are as follows:

- ~4 year degree in Mathematics Potsdam College/ New York
- ~MBA, honors Lemoyne College/Syracuse University/ New York
- ~12 years owning and operating Village Real Estate which handles the sale and marketing of The FKL shares as well as all types of regional real estate
- ~16 years of watching MV grow and develop

Thank you for the opportunity and my best to you~

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Best,

**JEAN M. VATTER**  
**Broker, VILLAGE REAL ESTATE, LLC**

Authorized agents for:  
**Fairmont Heritage Place Franz Klammer Lodge**  
**Experts in all Telluride regional real estate**

Telluride, CO 81435  
C + 970 596 6398  
O + 970 728 2330

[www.telluridevillagerealestate.com](http://www.telluridevillagerealestate.com)



Jean M Vatter  
PO BOX 1184  
Telluride, CO 81435

1-26-2015

Dear DRB and Town Council,

I am writing to you to notify you of my interest in participating on the Design Review Board for the Town of Mountain Village.

I have been the President and recording Secretary for my HOA where I reside. I am familiar with running meetings, motions etc and complying with bylaws and rules and regs etc. I also am familiar with working with other board members of both like mindedness and also of differing opinions. I have served on that board for 5 years.

My education includes a Mathematics degree and MBA with a marketing focus, a Realtor's license, a negotiations expert and to top it off have much education in the areas of massage. I am a business owner in the Town of Mountain Village that primarily focuses on the sale and marketing of the Fairmont Heritage Place interests. I am in contact with a plethora of Mountain Village businesses, visitors and property owners.

I have infinity for Mountain Village and have worked in MV for the last 12 years and have seen many changes both in the Town itself and ski area. I am a property owner in the Hillside area, Ophir and also have a share at the Franz Klammer lodge.

I have an almost-13 year old who participates in several sports in the area and as a result spend quite a bit of time volunteering for both the sports program, specifically baseball and I have worked quite a bit in within the school district to help students with reading and math.

As for my passions, they revolve around skiing, yoga, running, the love of nature and working with our guests from around the world who make Telluride their destination and have a love for architecture and design. I would describe myself as a 'can do, get it done, problem solver with a mathematical mind who can get along with a variety of personalities'.

I look forward to a response as to the possibility of my participation on the board.

Sincerely,

Jean M Vatter

EXHIBIT C: Letters of Interest from New Applicants



January 31, 2017

Jane Marinoff  
Administrative Assistant  
Town of Mountain Village  
Mountain Village, CO 81435

Dear Ms./Mrs. Marinoff,

My name is Charlie Colwell, and I am writing to express interest for the position on the DRB Board.

I live in Aldasoro and my offices have been in Mountain Village since 1999. I designed my own home in Aldasoro and have overseen the design and remodeling of multiple personal properties, a process that I love.

With over 20 years of professional experience in Mountain Village, I believe I would be a strong candidate for this position. I graduated with a Bachelor's Degree in Radio Television and Film from Sam Houston State University in 1994. Since graduating, I have worked in multiple professional capacities including Audio Engineer at NASA Johnson Space Center, Professional Musician and Recording Engineer at Sugarhill Studios as well as 25 years in the Custom Electronics Industry. My most recent position, as the President of Artistic Systems Telluride gave me a great deal of experience that I feel would directly benefit the DRB process and the Town of Mountain Village. I, and my staff, have worked closely with Builders, Architects, Owner's Representatives, Sub-Contractors and Clients to design, sell, install, program and service state of the Art Electronics Systems for hundreds of projects in the Telluride area. We are often involved in the design phase of projects and work with both aesthetic and functional considerations to achieve a goal.

If you would like to discuss my qualifications further, please don't hesitate to call me at (970) 729-0310. I can also be reached by email at [ccolwell@artisticsystems.net](mailto:ccolwell@artisticsystems.net).

Sincerely,

Charlie Colwell

## Christell Kee

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46 Lupine Ln., Ridgway, CO 81432

Phone: 970-316-1814

E-mail: [crsridgway@gmail.com](mailto:crsridgway@gmail.com)

To Whom It May Concern,

My name is Christell Kee and I am extremely interested in filling an open position on the Design Review Board (DRB) for the Town of Mountain Village. With over 20 years of professional interior design experience, I believe that I would be a perfect fit for this position. Team collaboration and the development and implementation of creative ideas are at the core of my passion for design. I graduated with a Bachelor of Arts degree in Interior Design from Purdue University in 1995.

I think that my design skills, attention to detail, and eye for on-trend exterior and interior design would be very beneficial to the DRB. I can learn the local standards and codes required for compliance with the aesthetic standards that I have been established for the Town of Mountain Village.

If you would like to discuss my qualifications further, please don't hesitate to call me at (970) 316-1814. I can also be reached by e-mail at [crsridgway@gmail.com](mailto:crsridgway@gmail.com).

Thank you for your consideration.

Sincerely,

Christell Kee, NCIDQ



# Christell Kee

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46 Lupine Ln., Ridgway, CO 81432

Phone: 970-316-1814

E-mail: [crsridgway@gmail.com](mailto:crsridgway@gmail.com)

## Interior Design experience:

### Ohlson Lavoie Collaborative (Oct. 1995 – Dec. 2016)

616 E. Speer Blvd., Denver, CO 80203

- Senior Interior Designer with over 20 years of ID experience
- Design beautiful, on-trend interior spaces for large-scale national and international projects, including hospitality, recreational facilities, day spas, and healthcare.
- Manage interiors through all phases of project design: Conceptual/Schematic Design, Design Development, Construction Documentation, Construction Administration, and Owner Occupancy.
- Consult with clients on factors such as purpose, function, architectural and interior design preferences, and budget.
- Produce excellent hand-drawn renderings.
- Create interior presentations with interior finish boards, interior elevations, 3D renderings; and then verbally present project to client.
- Design custom millwork, lighting, and furniture.
- Collaborate with other professionals, such as architects, contractors, designers and engineers to ensure project success.
- Develop and document F.F.&E. packages for many projects to include: furniture and artwork layouts, selection of furniture, upholstery, artwork, accessories, window treatments, appliances, and miscellaneous fixtures.

### Claus Heppner & Assoc. (May 1995 – Oct. 1995)

6540 E. Bayaud, Unit B, Denver, CO 80224

- Drafted interior elevations, millwork details, tile patterns, and other architectural details
- Space-planned interior lay-outs for hospitality environments to include restaurants, and casinos.

### Lee Architects (Co-op Student) (May-Aug. 1994, Jan.-May 1995)

2525 S. Wadsworth, Suite 21, Lakewood, CO 80227

- Managed resource and sample library
- Placed sample orders and gathered information

### Interprise (Co-op Student) (May – Dec. 1993)

Chicago, IL

- Assisted designers with projects and clients
- Communicated and met with interior finish sales representatives

Design 31 (Designers' Assistant) (May – Aug. 1992)

Edmonds, WA

- Promoted and sold store merchandise at retail store
- Designed and set up retail displays
- Organized sample library

Draperies Ltd. (Seamstress) (May – Aug. 1991)

West Lafayette, IN

- Created window treatments for custom drapery shop

Other Work Experience:

U.S. Army (linguist – military intelligence) (Aug. 1986 – Aug. 1990)

Various military bases in the U.S. and Germany

- Developed teamwork and leadership skills
- Attained rank of Sergeant (E-5) with Honorable Discharge in 1990

Lifeguard – Winifred Public Swimming Pool (Summers 1983 – 1986)

Winifred, MT

- Insured a safe environment for all users of the public swimming pool during summer breaks of my high school years.

Education:

Purdue University, West Lafayette, IN

B.A. Interior Design, May 1995

G.P.A.: 3.8 out of 4.0

University of Maryland, European Division (Germany)

Completed classes while serving overseas in the U.S. Army in Germany

G.P.A.: 3.6 out of 4.0

Computer Skills:

Proficient in:

- Microsoft Office/Word/Excel
- Adobe PDF
- AutoCAD – REVIT

Special Accomplishments:

- Distinguished Honor Student all semesters at Purdue University
- Army Commendation Medal – 1990; Army Achievement Medal – 1988; Good Conduct Medal – 1989, 1990



Town of Mountain Village D.R.B. - Letter of Interest / quick Bio

Dear Jane,

This letter is to inform you of my interest in joining the Mountain Village Design Review Board as an alternate member.

I have been a resident of Telluride since the summer of 2004. I am an architectural designer and have experience with local projects across our area. Relative experience to this application include my service on BOZAR (Board of Zoning and Architectural Review) in Crested Butte, prior to living in Telluride. More recently I helped write the Historic Shed Rehabilitation Guidelines with Mike Davenport from the Town of Telluride Planning Dept. This book was distributed statewide and it the standard for building requirements for secondary structures. A few years ago I also volunteered for the Mt. Village Comprehensive Plan workshops and helped organize groups and information.

I have a strong understanding of architecture and environmental responsibility as well as a belief in the importance of context as it pertains to governing local construction and design projects. My passion is making the build environment as cohesive, environmentally responsible, and successful as possible.

I am happy to provide further information at your request and look forward to speaking with the Board and Town Council as you process your applicants.

Cordially,

Jonathan Augello

# Andy Montalvo

PO Box 401  
Placerville, CO 81430

C 970 708-9030  
andy@telluridewoodfloors.com

Dear Mountain Village Design Review Board,

This letter is to express my interest in becoming a member of the Design Review Board. The opportunity presented in this listing is very appealing, and I believe that my experience and education will make me a competitive candidate for this position.

I have been a wood flooring contractor in the Telluride area for 15 years. Our company has performed jobs in many of the finest homes in our area. We have had the opportunity to be involved with some of the best architects, builders, and designers in the region. I believe this experience will be very helpful in evaluating current and future projects in Mountain Village.

The key strengths that I possess for success in this position include, but are not limited to, the following:

- Provide exceptional contributions to customer service for all customers.
- Excellent Multi-tasker who can manage at many different levels.
- Strong communication skills.
- Adept and competent with computer technology.
- Strive for continued excellence.
- I am a self-starter.
- Eager to learn new things.

You will find me to be well-spoken, energetic, confident, and personable, the type of person who will fit into the Design Review Board. I also have a variety of experiences that gives you the versatility to place me in a number of contexts with confidence at the level of excellence you expect. Please see my resume for additional information on my experience.

I hope that you'll find my qualifications and interests intriguing enough to warrant a face-to-face meeting, as I am confident that I could provide value to your staff as a member of your team. I can be reached anytime via cell phone, 970-708-9030. Thank you for your time and consideration. I look forward to speaking with you about this opportunity.

Sincerely,

Andy Montalvo



# Andy Montalvo

PO Box 401  
Placerville, CO 81439  
970-708-9030  
andy@telluridewoodfloors.com

## Summary

Owner of a successful wood flooring sales and installation company in the Telluride region. Focused on building loyalty and long-term relationships with clients in order to achieve top sales and growth.

## Highlights

- Project and account management
- Proven sales track record
- Customer relations
- Employee management
- Ability to function efficiently under time constraints
- Reliable self-starter
- Adept at procuring contracts
- Highly efficient problem solver
- Job estimates

## Accomplishments

Created a business with sales increasing from \$150,000 in 2002 to \$800,000 in top gross years.

Served over 2000 clients in the Western Slope region over the past      years.

## Experience

The Wood Floor Guys, LLC

May 2002 to Current

### Owner/President

Telluride, CO

Founded The Wood Floor Guys, LLC 15 years ago and helped develop it into a well-respected and profitable brand within the local region. Have taken the company successfully through the recent economic crisis by paying close attention to details, keeping cost and overhead under control, and savvy marketing skills, while still providing our clients with an exceptional product. Net annual profits have averaged 40%, exceeding industry averages by 15%.

## Education

University of Georgia

2000

Bachelor of Arts: Political science

Athens, GA

EXHIBIT D: Sample Questions for New Applicants



## Sample DRB Interview Questions

1. What interests you about serving on the DRB?
2. Are you familiar with the TMV DRB and the review process?
3. Do you have any experience serving on a similar board?
4. What qualities do you feel are important for a DRB member to possess?
5. What important qualities do you believe you will bring to the DRB?
6. Do you see yourself having potential conflicts of interest?
7. Are you able to commit the necessary time to the DRB?



**Business and Government Activity Report**  
**For the month ending: February 28th**

Activity	2017		2016		Variance		
	MONTH	YTD	MONTH	YTD	Variance	Variance %	
<b>Cable/Internet</b>							
# Residential & Bulk Basic Cable	961		943		18	1.9%	
# Premium Channel Residential & Bulk Subscribers	553		479		74	15.4%	
# Digital Subscribers	267		293		(26)	-8.9%	
# Internet Subscribers	1,891		1,780		111	6.2%	
Average # Phone Subscribers	111		96		15	15.6%	
<b>Village Court Apartments</b>							
Occupancy Rate %	98.00%	98.00%	99.00%	99.50%	-1.50%	-1.5%	
# Vacated Units	3	6	2	3	3	100.0%	
# Work Orders Completed	36	70	32	68	2	2.9%	
# on Waiting List	77		70		7	10.0%	
<b>Public Works</b>							
Service Calls	300	615	413	778	(163)	-21.0%	
Snow Fall Inches	39	131	22	73	58	79.5%	
Snow Removal - Streets & Prkg Lots Hours	792	1,889	591	1,644	245	14.9%	
Roadway Maintenance Hours	82	88	89	101	(13)	-12.9%	
Water Billed Consumption Gal.	9,215,000	42,943,000	8,988,000	33,081,000	9,862,000	29.8%	
Sewage Treatment Gal.	7,819,000	15,621,000	9,127,000	17,820,000	(2,199,000)	-12.3%	
<b>Child Development Fund</b>							
# Infants & Toddlers Actual Occupancy	21.72	44.68	21.10	42.90	1.78	4.1%	
# Preschoolers Actual Occupancy	14.45	28.63	14.86	29.66	(1.03)	-3.5%	
<b>Transportation and Parking</b>							
GPG (noon snapshot)	6,427	13,907	7,329	14,450	(543)	-3.8%	
GPG Parking Utilization (% of total # of spaces occupied)	46.6%	50.4%	53.1%	52.4%	-2.0%	-3.8%	
HPG (noon snapshot)	1,817	2,272	2,272	4,748	(2,476)	-52.1%	
HPG Parking Utilization (% of total # of spaces occupied)	57.1%	59.8%	71.4%	74.7%	-14.9%	-19.9%	
Total Parking (noon snapshot)	12,682	27,016	14,106	28,652	(1,636)	-5.7%	
Parking Utilization (% of total # of spaces occupied)	52.3%	55.7%	58.1%	59.0%	-3.3%	-5.6%	
Paid Parking Revenues	\$31,457	\$64,832	\$23,227	\$44,296	\$20,536	46.4%	
Bus Routes # of Passengers	0	0	860	860	(860)	-100.0%	
Employee Shuttle # of Passengers	1,258	2,749	1,451	3,028	(279)	-9.2%	
Employee Shuttle Utilization Rate %	50.8%	51.7%	48.7%	49.7%	2.00%	4.0%	
Inbound (Vehicle) Traffic (Entrance) # of Cars	63,311	129,461	65,224	132,472	(3,011)	-2.3%	
TEMPORARY: 7 police officers PART TIME: 7 council, 1 judge, 12 child care SEASONAL: rec, plazas, shop NEW HIRES: 2 child care, 4 gondola operators, 1 Dir Mktg & Bus Devel TERMS: 3 gops, 1 police officer, 1 child care TEMPORARY: 7 police officers PART TIME: 7 ncil, 1 judge, 12 child care SEASONAL: rec, plazas, shop							
<b>Human Resources</b>							
FT Year Round Head Count	79		80		(1)	-1.3%	
Seasonal Head Count (FT & PT)	3		3		0	0.0%	
PT Year Round Head Count	28		19		9	47.4%	
Gondola FT YR, Seasonal, PT YR Head Count	65		61		4	6.6%	
Total Employees	175		163		12	7.4%	
Gondola Overtime Paid Hours	157	321	85	321	0	0.0%	
Other Employee Overtime Paid	42	115	119	258	(143)	-55.3%	
# New Hires Total New Hires	7	14	5	123	(109)	-88.6%	
# Terminations	1	6	11	98	(92)	-93.9%	
# Workmen Comp Claims	1	3	0	15	(12)	-80.0%	
Workmen Comp Claims Costs	\$3,488	\$4,665	\$3,671	\$4,867	(\$202)	-4.2%	
<b>Marketing &amp; Business Development</b>							
Town Hosted Meetings	4	8	8	13	(5)	-38.5%	
Email Correspondence Sent	4	10	6	9	1	11.1%	
E-mail List #	3,956		na		#VALUE!	#VALUE!	
Wifi Subscribers	15,540		na		#VALUE!	#VALUE!	
Press Releases Sent	1	1	1	3	(2)	-66.7%	
<b>Gondola and RETA</b> <i>Current RETA revenues are unaudited</i>							
Gondola # of Passengers	314,887	642,675	316,273	632,587	10,088	1.6%	
Chondola # of Passengers	28,297	59,669	24,765	55,659	4,010	7.2%	
RETA fees collected by TMOVA	\$751,650	\$1,419,452	\$553,872	\$930,747	\$488,705	52.5%	

Activity	2017		2016		Variance		
	MONTH	YTD	MONTH	YTD	Variance	Variance %	
<b>Police</b>							
Calls for Service	#	335	737	396	832	(95)	-11.4%
Investigations	#	21	40	13	35	5	14.3%
Alarms	#	15	42	34	56	(14)	-25.0%
Arrests	#	0	2	2	6	(4)	-66.7%
Traffic Contacts	#	10	17	12	23	(6)	-26.1%
Traffic Tickets Written	#	4	7	1	3	4	133.3%
Parking Tickets Written	#	377	747	462	773	(26)	-3.4%
Administrative Dismissals	#	5	7	12	19	(12)	-63.2%
<b>Building/Planning</b>							
Community Development Revenues		\$33,618	\$56,848	\$17,821	\$49,298	\$7,550	15.3%
# Permits Issued		3	8	5	10	(2)	-20.0%
Valuation of Building Permits Issued		\$33,473	\$1,236,225	\$198,760	\$478,131	\$758,094	158.6%
# Inspections Completed		203	502	127	262	240	91.6%
# Design Review/Zoning Agenda Items		12	23	0	1	22	2200.0%
# Staff Review Approvals		14	33	10	26	7	26.9%
<b>Recreation</b>							
Mile of Trails Maintained		14.7	29.4	14.7	29.4	0.00	0.0%
Platform Tennis Registrations		75	168	60	101	67	66.3%
Ice Rink Skaters		686	1472	497	1740	(268)	-15.4%
Snow Cat Hours		131	307	87	231	76	32.7%
<b>Plaza Services</b> Due to the timing of the packet, trash diversion rates are for the previous month.							
Snow Removal Plaza	Hours	407	1,306	449.5	1133	174	15.3%
Plaza Maintenance	Hours	356	537	371.75	554	(17)	-3.1%
Lawn Care	Hours	2	2	13.5	14	(12)	-85.2%
Plant Care	Hours	35	35	17.75	18	17	95.8%
Irrigation	Hours	0	0	1	1	(1)	-100.0%
TMV Trash Collection	Hours	101	187	109.5	221	(34)	-15.3%
Christmas Decorations	Hours	290	436	165.25	329	107	32.5%
<b>Vehicle Maintenance</b>							
# Preventive Maintenance Performed		26	44	21	46	(2)	-4.3%
# Repairs Completed		32	56	24	67	(11)	-16.4%
Special Projects		0	4	4	6	(2)	-33.3%
# Roadside Assists		1	3	1	1	2	200.0%
<b>Finance</b>							
# Employee Based Business Licenses Issued		29	665	34	621	44	7.1%
# Privately Licensed Rentals		2	66	2	71	(5)	-7.0%
# Property Management Licensed Rentals		2	378	74	341	37	10.9%
# VRBO Listings for MV		443		383		60	15.7%
# Paperless Billing Accts (YTD is total paperless customers)		13	698	11	565	133	23.5%
# of TMV AR Bills Processed		2,175	4,284	2,114	4,192	92	2.2%
<b>Accounts Receivable - Total Bad Debt Reserve/Allowance: \$12,819</b>							
Current 30+ Days 60+ Days 90+ Days over 120 days Total	<b>TMV Operating Receivables (includes Gondola funding)</b>	<b>Utilities - Cable and Water/Sewer</b>		<b>VCA - Village Court Apartments</b>		<b>General Fund Investment Activity</b>	
	\$ 781,278	93.1%	\$ 165,755	85.8%	\$ (32,114)	99.0%	Change in Value \$1,182
	87	0.0%	17,749	9.2%	(790)	2.4%	Ending Balance \$4,242,137
	20,012	2.4%	4,127	2.1%	41	-0.1%	Investment Income \$5,319
	493	0.1%	2,731	1.4%	430	-1.3%	Portfolio Yield 1.03%
	37,736	4.5%	2,785	1.4%	-	0.0%	
	\$ 839,606	100.0%	\$ 193,148	100.0%	\$ (32,433)	100.0%	
Current 30+ Days 60+ Days 90+ Days over 120 days Total	<b>Other Billings - CDF, Construction Parking, Commercial Trash</b>	<b>Total All AR</b>		<b>Change Since Last Month - Increase (Decrease) in AR</b>		<b>Other Statistics</b>	
	\$ 13,250	38.5%	\$ 928,168	89.7%	\$ (390,681)	100.3%	Population (estimated) 1,393
	5,595	16.2%	22,642	2.2%	(15,675)	4.0%	(Active) Registered Voters 821
	3,679	10.7%	27,859	2.7%	12,026	-3.1%	Property Valuation 294,011,170
	3,535	10.3%	7,190	0.7%	943	-0.2%	
	8,396	24.4%	48,917	4.7%	3,730	-1.0%	
	\$ 34,455	100.0%	\$ 1,034,776	100.0%	\$ (389,657)	100.0%	



**2016 ANNUAL REPORT  
TELLURIDE HISTORICAL MUSEUM, INC.**

**MISSION STATEMENT**

The mission of the Telluride Historical Museum is to preserve the rich, colorful, and diverse history of the region and to bring history to life through exhibits, programs, and education.

**VISION**

We envision a museum that is an indispensable cultural asset which reaches beyond its walls to engage people by bringing history to life.

**2016 EXECUTIVE SUMMARY**

2016 marked the 50<sup>th</sup> Anniversary of the Telluride Historical Museum. The Museum commemorated this landmark occasion with its 50<sup>th</sup> Anniversary Golden Gala Fundraiser in July. Nearly 100 people came out to the Peaks Resort and Spa to celebrate. In addition, the Museum also unveiled its *50 Artifacts for 50 Years* social media campaign. The year-long program highlighted some of the Museum's best collections pieces through Facebook, Instagram, and bi-monthly emails. A week-long offering of free admission to the Museum from June 13<sup>th</sup> to June 17<sup>th</sup> rounded out the anniversary festivities.

2016 also proved to be another year of record-breaking attendance at THM. 8,231 people visited the museum in 2016, a 9.5% increase over 2015. That said, both overall program participation and total number of children served decreased in 2016, breaking a four-year trend of growth.

In June, the Museum opened its new annual exhibit, *Treasure Maps: Cartography of the American Southwest* to the second-largest exhibition opening reception ever. The new exhibit also served as a departure point for a number of programs including lectures, school programs, and After School at the Library programs.

The Museum also continued its tradition of collaborative partnerships in 2016. In January, the Museum once again partnered with Rocky Mountain PBS to present a special screening of the *Colorado Experience* episode, "Ladies of the Mines", a viewer's choice-winning entry submitted by Museum board member Rudy Davison. The Museum entered into a number of additional collaborative partnerships throughout the year for the purposes of programming and event support. Additional Museum partners included: The Telluride Adventure Center, The Pinhead Institute, Telluride Mountain School, The Telluride Institute, Telluride Ski and Golf, Alpine Bank, Wilkinson Public Library, Telluride Arts, Schmid Ranch, Cornerhouse Grille, Oak, The Sheridan Bar, The Last Dollar Saloon, and O'Bannon's Irish Pub among others.

With regard to programming, the Museum continued to offer a variety of familiar favorites such as the Old Fashioned Christmas at Schmid Ranch, “An Evening with Ken Burns,” and a host of historical walking tours, hikes, snowshoe tours, and cemetery tours. In addition, THM also unveiled some new programs such as a walking tour revolving around the Red Light District and a walking tour focused on photography. Finally, the Museum also brought back a few programs that had not been offered in several years including historical pub crawls and an architecture-focused walking tour led by George Greenbank.

Financially, the Museum witnessed a significant turnaround from 2015. By year’s end the Museum had cut its operating deficit by over \$68,000. This rebound was due in large part to an increase in Mill Levy revenue, combined with better budget oversight and difficult, but necessary cutbacks, including some affecting staffing. The overall result is an institution that is in a far better financial position than it was twelve months prior.

## EXHIBITS & COLLECTIONS

The Museum’s annual exhibit, *Treasure Maps: Cartography of the American Southwest*, uses rare and historic maps and artifacts to tell the story of the mapmakers who first charted this region, and details the riches- both real and imagined- for which they were searching. The maps, which are on loan from local map collector Dirk de Pagter, are some of the finest examples of southwest cartography in existence, and the exhibit provides a unique opportunity for public interaction with this otherwise private collection.

One of the highlights of *Treasure Maps* is the interactive augmented reality sandbox. The project, which came to fruition via partnerships with the Pinhead Institute, the Telluride Institute, Telluride Mountain School, Alpine Lumber, and the Hub, is designed to teach visitors about topographic maps. When visitors shift the sand in the sandbox, the program interprets the sand’s surface and projects topographic contour lines representative of elevation planes back onto the guests’ newly-formed sandy “landscape”. As visitors continue to sculpt the sand the program reacts in turn and the meaning of the various topographic lines and corresponding colors becomes clear.

In addition to its onsite galleries, the Museum also maintains seven off-site exhibits installed throughout San Miguel County, including The Peaks Resort and Spa, the Mountain Village Market, the San Miguel County Sheriff’s Office, Mountain Village Town Hall, and the Telluride Medical Center. In 2016, the Museum worked with the Wilkinson Public Library to replace the exhibit in the library’s Telluride Room. The new display focuses on how to conduct genealogical research with particular emphasis on the most useful historic records, documents, and resources for such tasks.

The Museum also continued to review its permanent collection, including checks for accuracy and condition reporting throughout the year. This process included the

regularly scheduled, annual cleaning of THM's offsite collection's storage facility in Montrose.

The physical structure of the Museum building once again proved to be fairly sound in 2016. The only major project undertaken during the year was a repair to the building's heating system, which was completed with substantial help from the Town of Telluride. In addition, the Museum identified gutters and downspouts as the most pressing concern for the coming year.

## VISITORS

8,231 members, residents, and tourists visited the Museum in 2016, an increase of 9.5% from the previous year. This rather significant increase can likely be attributed to a few different factors. First, the Museum continued its efforts to increase visitation numbers by creating and distributing rack cards and posters to hotels and other local businesses. Second, there was likely an uptick in enthusiasm for the Museum stemming from its 50<sup>th</sup> Anniversary celebration- including a week of free admission in June- and the corresponding social media campaign surrounding the festivities. Finally, the annual exhibit seemed particularly resonant to the local population, and likely helped drive visitor traffic to the Museum.

To highlight some specific audiences, the Museum served 1,890 children and students aged 3-17 in 2016. This amounts to a 12% decrease from the previous year and breaks a recent growth trend. That said, the number of residents and guests who took advantage of the Museum's various free admission opportunities increased significantly from 2015 to 2016. 1,142 people visited the Museum for free during the year, a 151% increase over the previous year.

## PROGRAMMING

2,962 visitors and residents participated in Museum programs and events in 2016. This represents a 19% decrease compared to 2015. While the overall number of participants dropped in 2016, the number of students taking part in educational programs actually increased. 756 students participated in 32 of the Museum's curriculum-gear school programs during the year. This amounts to an increase of 5.8% over 2015. In addition, the Museum continued programmatic partnerships with several different organizations in a number of communities including Telluride, Mountain Village, and Norwood.

The Museum once again hosted a number of lectures and chats during 2016. In the beginning of the year, the Museum presented two lectures on paleontology in conjunction with the closing months of the *Forces of Nature: Telluride's Prehistoric Journey* exhibit. In January, Dr. Julia McHugh, curator of paleontology at the Dinosaur Journey Museum in Fruita, discussed the fossil record of western Colorado during the



"Age of Dinosaurs," or Mesozoic Era. In February, Fort Lewis College paleontologist, Dr. Jon Powell, explored the dinosaurs that called the Telluride region home millions of years ago.

Following the unveiling of the new annual exhibit in June, the Museum once again launched its yearly exhibit lecture series. This year's series focused on maps, map-making, and exploration and featured local map collector Dirk de Pagter providing an overview of the maps on loan from his collection, local National Geographic Young Explorer Alec Jacobsen discussing exploration in the modern age, and surveyor John Christy and map-maker Gabe Lucisano detailing how map-making and surveying are done in the present day.

In August, the Museum also presented its long-running Fireside Chats series. This year's speakers included local poet Kierstin Bridger who discussed her latest poetry collection, *Demimonde*, which was inspired by Telluride's Red Light District; Kent Nelson who detailed stories from his recent book *Rescues and Tragedies in the San Juans*; and Jill Jonnes who presented on her 2003 book, *Empires of Light: Edison, Tesla, Westinghouse, and the Race to Electrify the World*.

In addition to hosting chats and lectures, the Museum also offered its usual array of walking, hiking, snowshoe, and cemetery tours during the course of 2016. While many of these tours were reminiscent of what the Museum has generally offered over the course of the past several years, THM also unveiled a suite of special walking tours during October. These included a photography workshop and walking tour highlighting Telluride's alleyways, a walking tour revolving around Telluride's Red Light District, and a walking tour spotlighting Telluride's architectural heritage. The Museum also brought back its series of Historic Pub Crawls during 2016. Offered in February, March, August, and December, these tours featured local storytellers such as George Greenbank, Dick Unruh, Ingrid Lundahl, Johnny Stevens, Peter Chapman, and Carly Shaw telling tales of Telluride's past at such local drinking establishments as Oak, the Cornerhouse Grille, The Sheridan Bar, The Last Dollar Saloon, and O'Bannon's Irish Pub.

The Museum rounded out its programmatic year with its Haunted Hospital event on Halloween, which witnessed record-breaking attendance, and Old Fashioned Christmas at Schmid Ranch in early December.

Below is a summary of the range of the Museum's 2016 programs, community partners, and attendance:

Program/Series	Location	Partners/Collaborators	Attendees
"Ladies of the Mines" screening	Sheridan Opera House	Rocky Mountain PBS	102
Historic Snowshoe Tours (3 programs)	Mountain Village	Telluride Adventure Center	38
School programs/field trips/school outreach events/After School at the Library (32 programs)	THM	Telluride School District, Telluride Academy, Telluride Mountain School, Dolores School District, Norwood School District, Wilkinson Library, Southwest School	756
Lectures (5 programs)	THM	Dr. Julia McHugh, Dr. Jon Powell, Dirk de Pagter, Alec Jacobsen, John Christy, Gabe Lucisano	70
Historic Pub Crawls (4 programs)	Telluride/Mountain Village	Cornerhouse Grille, The Sheridan Bar, Honga's, The Last Dollar Saloon, The Peaks, Poachers, Tomboy Tavern, Tracks, Oak, O'Bannon's	72
Exhibit Opening Reception	THM		109
Historic Walking Tours (15 programs)	Telluride	Ashley Boling, Mining History Association	225
4 <sup>th</sup> of July Festivities	THM	Smuggler Brew Pub, San Miguel County Store	327
Hike into History (3 programs)	Telluride		31
50 <sup>th</sup> Anniversary Gala	Peaks Resort and Spa	Telluride Ski & Golf, Alpine Bank	96
Fireside Chats (6 programs)	Norwood, Mountain Village	Hotel Madeline, Norwood Parks and Rec	140
An Evening With Ken Burns	Palm Theatre	Palm Theatre, Florentine Films	279
Lone Tree Cemetery Tours (8 programs)	Lone Tree Cemetery		61
Haunted Hospital	THM		310

Special Walking Tours (3 programs)	Telluride	Audrey Mann, Kierstin Bridger, George Greenbank	23
Old Fashioned Christmas	Schmid Ranch	Schmid Ranch, Ukeladies, True North Youth Program	253
Assorted Additional Programs (4 programs)	THM, Cornerhouse Grille	Cornerhouse Grille, Telluride Foundation, Steve Lee	70
		<b>TOTAL</b>	<b>2,962</b>

### **MEMBERSHIP**

Memberships increased slightly in 2016 with 72% of members renewing their membership during the year. This is up from a 69% renewal rate during 2015. In addition, the number of new members joining the Museum also rose during the year, from 47 in 2015 to 51 in 2016. Increases in members joining at a number of the upper echelon membership levels including Zinc (\$150), Silver (\$500), and Historian (\$2,500), during 2016 contributed to the Museum generating the second-highest amount of membership revenue in its history.

### **LEADERSHIP AND STAFF**

Executive Director Kiernan Lannon led the Museum in 2016. A thirteen-member board of directors, which includes both resident and government representatives, provided guidance and oversight.

Beyond executive leadership, there was significant transition with regard to the Museum's staff in 2016. Anne Gerhard, formerly the Museum's Director of Programs and Exhibits, departed the Museum in June. Coordinator of Programs and Exhibits Lucas Fredericks stepped up to fill the vacancy on an interim basis while the search for Anne's replacement commenced. In September, the Museum hired Theresa Koenigsknecht from the Johnson County Museum of History outside of Indianapolis to fill the Director of Programs and Exhibits post. Shortly after Theresa's arrival, Lucas left the Museum to pursue an opportunity in Washington D.C. His position was left vacant for the remainder of the year.



## **BOARD**

### **Executive Committee:**

Danny Craft, *President*  
Todd Brown, *Treasurer*

Paula Malone, *Vice-President*  
Shari Mitchell Seay, *Secretary*

### **Directors:**

Greg Anesi  
Rudy Davison  
Vicki Eidsmo

Carol Hintermeister  
Susan Oupadia  
John Shields

### **Government Representatives:**

Michelle Sherry/Laila Benitez, *Mountain Village*  
Elaine Fischer, *San Miguel County*  
Todd Brown, *Town of Telluride*

### **Emeriti:**

Deborah Freedman  
Richard Betts  
Carol Kammer  
Jack Harrison

Dan Garner  
John S. Pillsbury III  
Sheila Wald

## **STAFF**

Kiernan Lannon, *Executive Director*  
Theresa Koenigsknecht, *Director of Programs and Exhibits*  
Adrienne Christy, *Director of Development*  
Kathy Rohrer, *Collections Manager*  
Leslie Crane, *Visitor Services Coordinator*  
Jackie Ritter, *Visitor Services Coordinator*

Telluride Historical Museum  
Balance Sheet as of 12/31/16

Assets

Current Assets

Checking and Savings Accounts	\$ 138,144
Gift Shop Inventory	\$ 32,250
Total Current Assets	<u>\$ 170,395</u>

Fixed Assets

Amortize Computer Software	\$ 7,609
Less Acc Amortization	\$ (4,321)
Leasehold Improvements	\$ 16,828
Building - Town of Telluride	\$ 1
Exhibits & Presentations	\$ 1,129,122
Museum Collection at FMV	\$ 1,268,960
Other Fixed Assets	\$ 98,086
Less Acc. Depreciation	<u>\$ (996,791)</u> Not updated by CPA for 2016
Total fixed Assets	\$ 1,519,494
Total Assets	<u><u>\$ 1,689,889</u></u>

Liabilities and Equity

Accounts Payable	\$ 5,659
Credit Card	\$ 1,942
Sales Tax Payable	\$ 55
Total Liabilities	<u>\$ 7,656</u>

Total Equity \$ 1,694,308

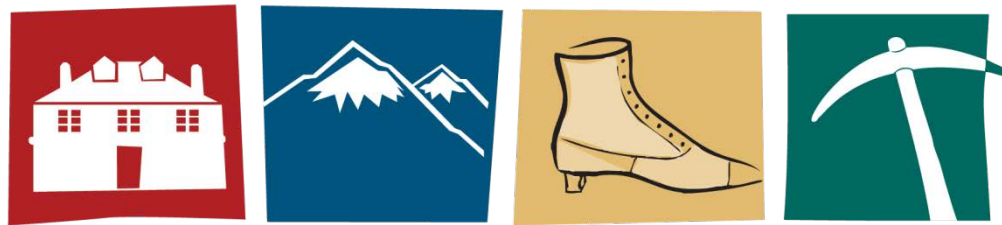
Total Liabilities and Equity \$ 1,701,965

Telluride Historical Museum  
2016 Statement of Operations for all Funds

Revenue	
Admissions	\$ 31,013
Gifts and Donations	\$ 13,523
Memberships	\$ 54,063
Programing	\$ 8,377
Special Event	\$ 51,859
Town of Telluride - Mill Levy	\$ 82,489
Mountain Village - Mill Levy	\$ 94,195
Investment Income	\$ 134
Store & Web Income	\$ 20,720
Total Revenue	<u>\$ 356,372</u>
Cost of Goods Sold	<u>\$ 12,257</u>
<b>Gross Profit</b>	<u><u>\$ 344,115</u></u>
<b>Expenses</b>	
General & Administrative	\$ 43,576
Building	\$ 8,157
Payroll	\$ 236,498
Utilities	\$ 10,183
Programing	\$ 11,197
Special Events	\$ 30,203
Promotion & Sales	\$ 12,807
Collection and Exhibits	\$ 12,819
Total Expenses	<u>\$ 365,440</u>
<b>Operating Income (Loss)</b>	<u><u>\$ (21,325)</u></u>



*Telluride*  
Historical Museum



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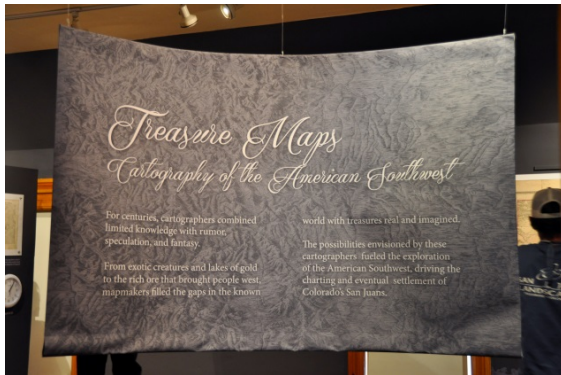
In association with the Smithsonian Institution

Annual Report

# Major Programs & Events



# Annual Exhibit: *Treasure Maps: Cartography of the American Southwest*



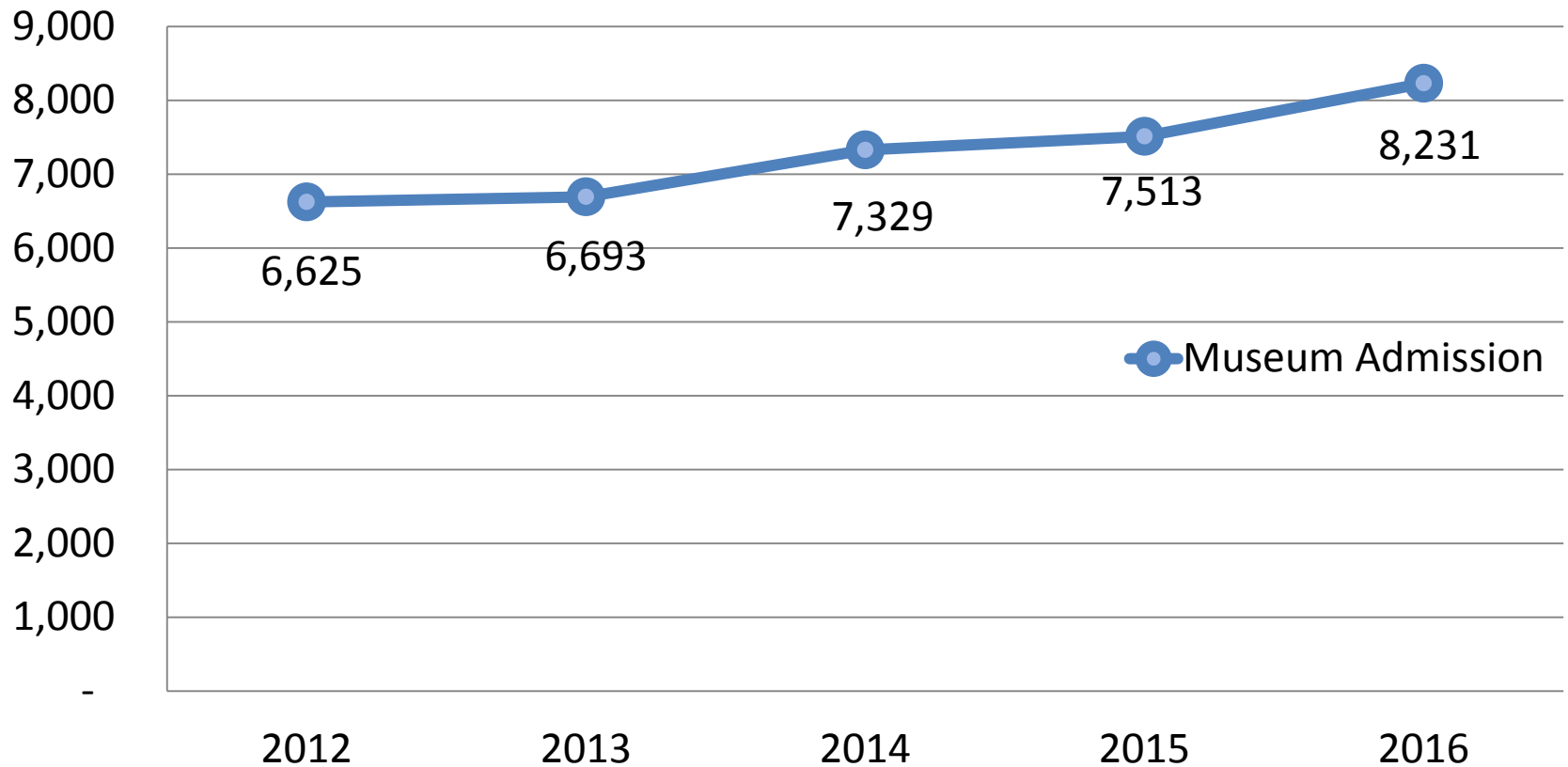
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# Museum Admissions Trend

Museum Admission

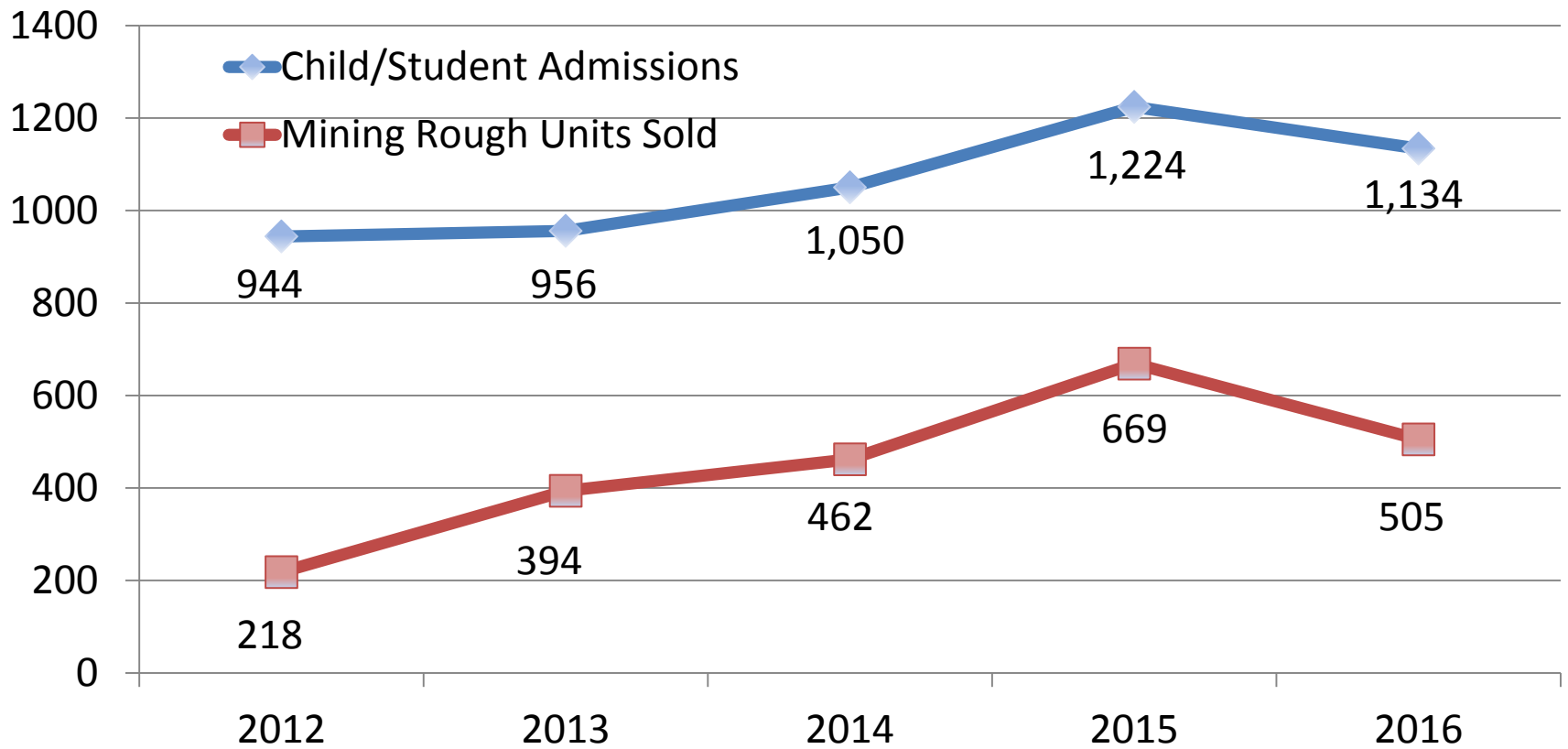


# Mining Rough Comparison

Year	Units Sold	Revenue
2016	505	\$2,994
2015	669	\$3,990
2014	462.5	\$2,715
2013	394	\$2,300
2012	218	\$1,251

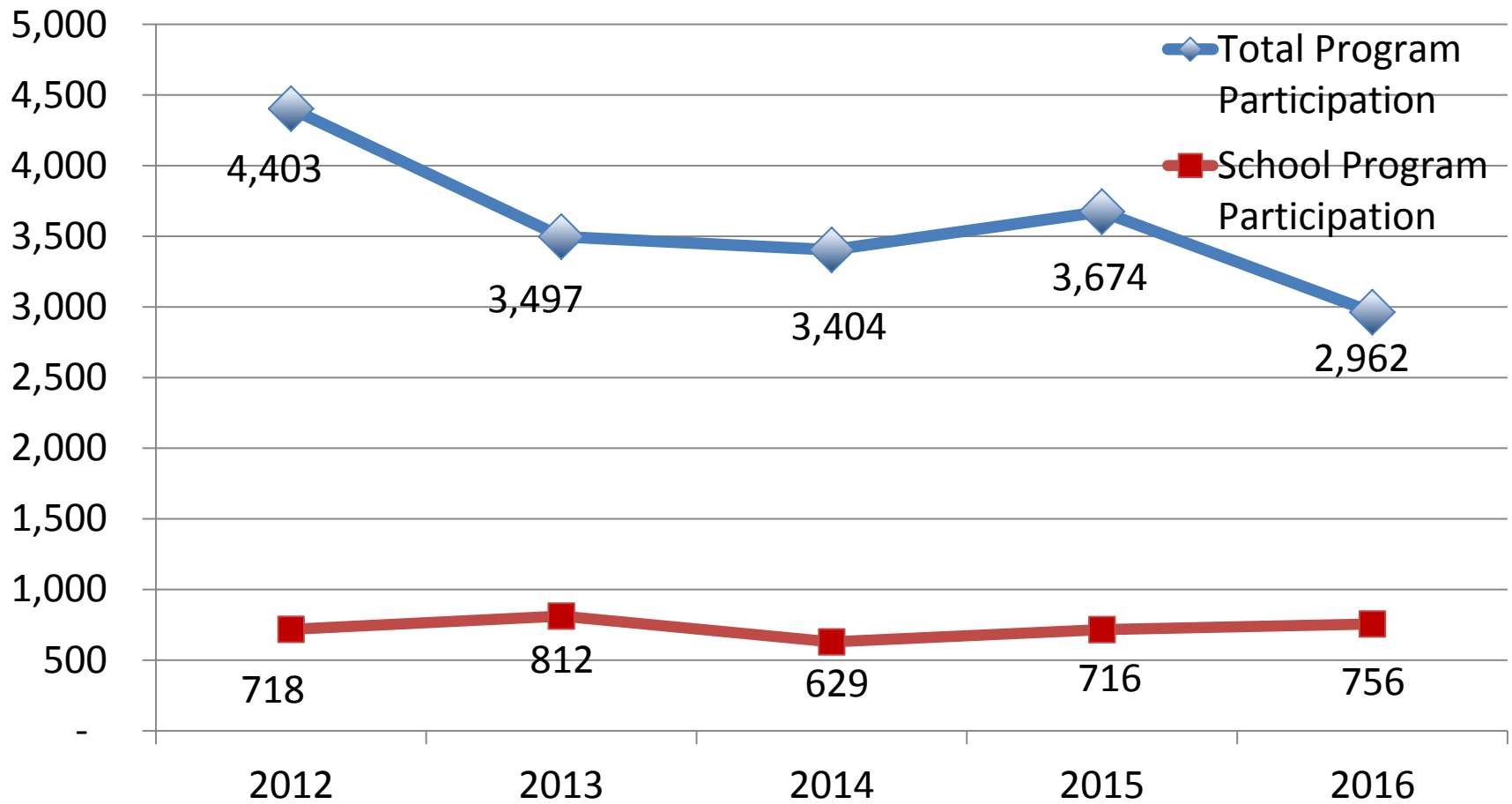
Month	2016 (units)	2015 (units)
June	112	96
July	230	316.5
August	148	224.5
September	15	32

# Children/Student Admissions



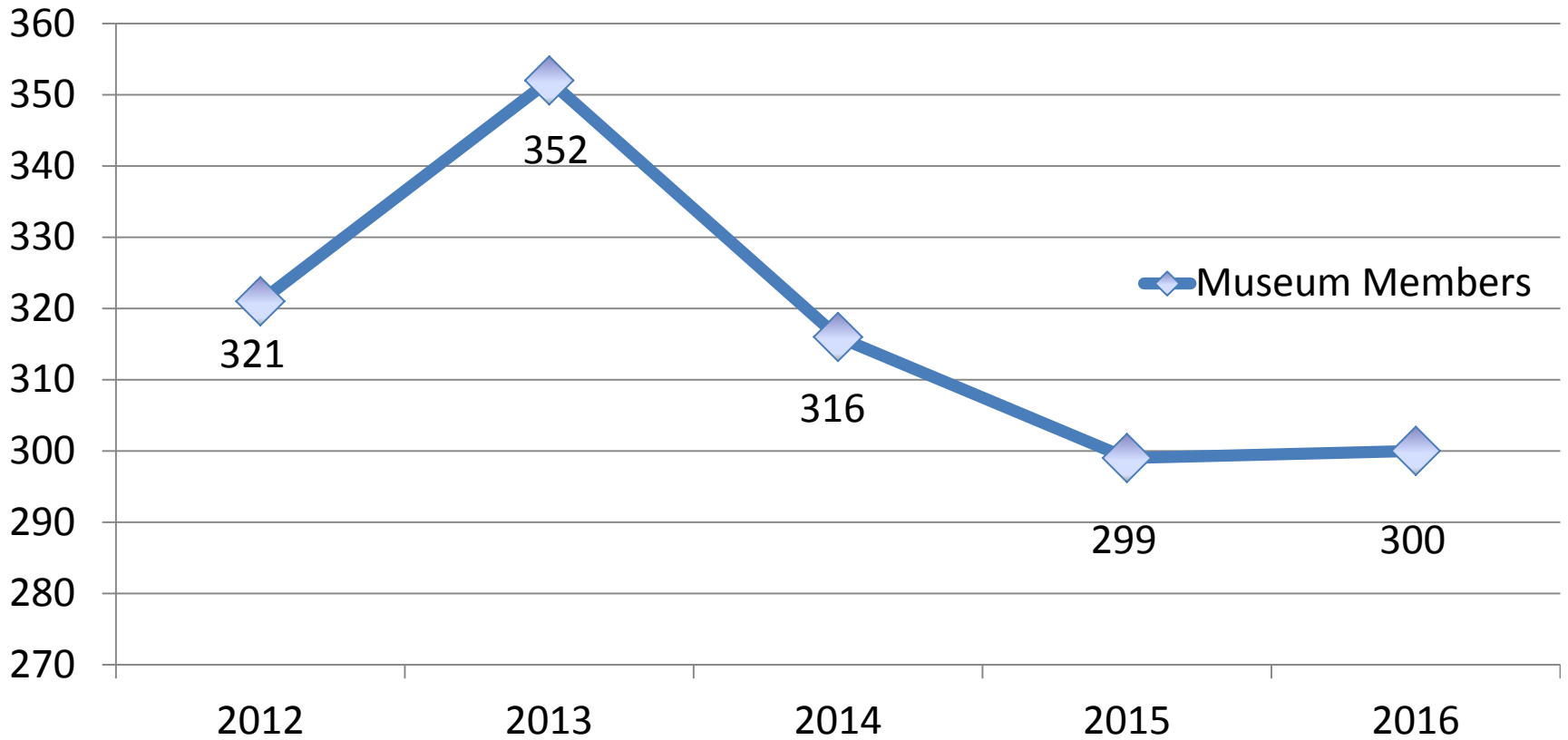


# Program Participation



# Membership

## Museum Members



# 2017 Focus



- Membership
- Staff Continuity
- Artifact Storage
- Programming
- Budget





**PLANNING AND DEVELOPMENT SERVICES  
DEPARTMENT**

455 Mountain Village Blvd.  
Mountain Village, CO 81435  
(970) 369-8250

**Agenda Item #10**

**TO:** Town Council

**FROM:** Glen Van Nimwegen, AICP  
Director

**FOR:** Meeting of March 16, 2017

**DATE:** March 6, 2017

**RE:** **Second Reading, Public Hearing and Council Vote on an Ordinance to Amend Chapter 17.4 Development Review Procedures of the Community Development Code Regarding Establishing a Two-Step Design Review Process**

---

**Update**

On March 2, 2017 the DRB held a study session to discuss application requirements for each phase of the process. The Board stated that "Initial Architecture and Site Review" better describes the first step than "Sketch Review". Therefore, staff made this change to the draft ordinance since the first reading. These changes are shown in yellow highlight.

**Background**

On July 7, 2016 the Council held a joint work session with the Design Review Board to discuss returning to a two-step approval process for design review projects. This was the process when the town was under the Land Use Ordinance. The process was modified with the adoption of the CDC which made it an option to have a work session with the Board prior to formal approval. With the proposed changes to the design regulations, the Board believes the additional review is necessary and warranted.

The major points of the proposed draft are:

- Requires the DRB to approve Sketch Review plans before moving forward to the Final Review step for approval of all Class 3 applications. The Final Review must occur on a subsequent agenda from the Sketch Review.
- The Sketch and Final Review meetings must be noticed by mailing letters to property owners within 400 feet of the site; and a sign must be posted on the site.
- Staff has changed the notice time to 15 days from 30 days. Therefore every project will have at least a thirty day notice. We are also allowing an applicant to provide notice for

both steps at one time, which would mean the notice period will be approximately 45 days.

- Extended the time for staff to send written outcomes of Class 3 applications from seven days to 14 days. This not only helps us complete this step, but it also coincides with the timeframe of when we are completing the minutes of the previous meeting.
- Established the intent of the Sketch Review as an opportunity for the DRB to consider the overall composition of the design; determine whether it fits the Design Theme; fits within the context of the neighborhood and identify the appropriateness of potential variations.
- Added an additional criterion for approval of a variation that it must support the Design Theme tenets.

The proposed changes will extend the timeframe for approval an additional 30 days. However, many applicants have chosen voluntarily to have a work session with the Board. In the last year 11 of the design applicants utilized the work session for their project, five did not. The work session also adds 30 days to the process.

### **Staff Recommendation**

Staff recommends approval of the proposed changes to Chapter 17.4 as presented.

### **Design Review Board Recommendation**

On February 2, 2017 the DRB recommended Town Council adopt the proposed changes to Chapter 17.4 Development Review Procedures of the CDC by a vote of 7-0.

### **PROPOSED MOTION**

“I move to approve on second reading an ordinance amending Chapter 17.4 Development Review Procedures of the Community Development Code.”

#### Attachments:

- Proposed Ordinance amending Section 17.4 Development Review Procedures

**ORDINANCE NO. 2017-\_\_**

**AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC) AT CHAPTER 17.4 DEVELOPMENT REVIEW PROCEDURES TO ACCOMPLISH THE FOREGOING**

**RECITALS**

- A. The Town of Mountain Village (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado (the “Constitution”) and the Home Rule Charter of the Town (the “Charter”).
- B. Pursuant to the Constitution, the Charter, the Colorado Revised Statutes and the common law, the Town has the authority to regulate the use and development of land and to adopt ordinances and regulations in furtherance thereof.
- C. The Town Council may amend the CDC from time-to-time to address CDC interpretations, planning matters, clarify and refine the Town’s land use regulations; or to address issues or policy matters.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:**

**Section 1. Amendment of Community Development Code**

- A. The Town of Mountain Village Community Development Code is hereby amended as set forth in Exhibit A which is attached hereto and incorporated herein.
- B. The Planning Division is directed to codify the amendments in Exhibit A into the CDC.
- C. The Planning Division may correct typographical and formatting errors in the amendments or the adopted CDC.

**Section 2. Ordinance Effect**

- D. This Ordinance shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.
- E. All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

**Section 3. Severability**

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

**Section 4. Effective Date**

This Ordinance shall become effective on \_\_\_\_\_, 2017.

**Section 5. Public Hearing**



A public hearing on this Ordinance was held on the \_\_\_\_\_ day of March, 2017 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

**INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 16<sup>th</sup> day of February, 2017.**

**TOWN OF MOUNTAIN VILLAGE**

**TOWN OF MOUNTAIN VILLAGE,  
COLORADO, A HOME-RULE  
MUNICIPALITY**

By: \_\_\_\_\_

Dan Jansen, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this \_\_\_\_\_ day of March, 2017.**

**TOWN OF MOUNTAIN VILLAGE**

**TOWN OF MOUNTAIN VILLAGE,  
COLORADO, A HOME-RULE  
MUNICIPALITY**

By: \_\_\_\_\_

Dan Jansen, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

Approved As To Form:

\_\_\_\_\_  
Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. \_\_\_\_\_ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on \_\_\_\_\_, 2017, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett				
Laila Benitez				
Dan Caton				
Michelle Sherry				
Martin McKinley, Mayor Pro-Tem				
Bruce MacIntire				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on \_\_\_\_\_, 2017 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on \_\_\_\_\_, 2017. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett				
Laila Benitez				
Dan Caton				
Michelle Sherry				
Martin McKinley, Mayor Pro-Tem				
Bruce MacIntire				

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

(SEAL)

**Exhibit A: Amendments to Chapter 17.4 DEVELOPMENT REVIEW PROCEDURES**



**CHAPTER 17.4 DEVELOPMENT REVIEW PROCEDURES AMENDMENTS**

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17.4.1	Purpose	1
17.4.2	Overview of Development Review Processes	1
17.4.3	Development Review Procedures	2
17.4.4	General Provisions Applicable to All Development Application Classes	14
17.4.5	Appeals	22
17.4.6	Conceptual Worksession Process	24
17.4.7	Minor Revision Process	25
17.4.8	Renewals	26
17.4.9	Rezoning Process	27
17.4.10	Density Transfer Process	30
17.4.11	Design Review Process	31

Sections shown in red have proposed revisions.

Highlighted areas denote changes made after first reading.

## CHAPTER 17.4 DEVELOPMENT REVIEW PROCEDURES

### 17.4.1 PURPOSE

The purpose of the Development Review Procedures is to provide a clear, transparent, consistent, predictable and efficient review process for certain development activities within Mountain Village that are governed by this CDC.

### 17.4.2 OVERVIEW OF DEVELOPMENT REVIEW PROCESSES

- A. There are five (5) development review processes that are used for evaluating land use development applications governed by the CDC:
1. **Class 1 application:** Staff development application review process;
  2. **Class 2 application:** Staff-DRB chair development application review process;
  3. **Class 3 application:** DRB development application review process;
  4. **Class 4 application:** DRB-Town Council development application review process; and
  5. **Class 5 application:** Town Council development application review process.
- B. Table 4-1 summarizes the types of development applications that fall under each class of application and associated review authority:

**Table 4-1, Development Application Classes**

Development Application Type	Application Class	Review Authority
Minor revision Process	Class 1	Planning Division Staff
Renewals	Class 1	Planning Division Staff
Rezoning Process	Class 4	DRB Recommendation & Town Council Action
Density Transfer Process		
From lot, or density bank, to a lot	Class 4	DRB Recommendation & Town Council Action
Within the density bank	Class 1	Planning Division Staff
Design Review Process		
	Class 1	Planning Division Staff
	Class 2	DRB Chair
	Class 3	DRB
Site Specific PUD (SPUD)	Class 4	DRB Recommendation & Town Council Action
Conceptual PUD	Class 4	DRB Recommendation & Town Council Action
Sketch PUD	Class 3	DRB
Final PUD	Class 4	DRB Recommendation & Town Council Action
Master PUD (MPUD)		
Outline PUD	Class 5	Town Council
Final PUD	Class 4	DRB Recommendation & Town Council Action
Subdivision		
Major Subdivisions	Class 4	DRB Recommendation & Town Council Action
Minor Subdivisions	Class 5	Town Council
Staff Subdivisions	Class 1	Planning Division Staff
Conditional Use Permits	Class 4	DRB Recommendation & Town Council Action
Variance Process	Class 4	DRB Recommendation & Town Council Action
Vested Property Right	Class 4	DRB Recommendation & Town Council Action
Special Events	Class 1	Planning Division Staff
Vending Permits	Class 1	Planning Division Staff

Development Application Type	Application Class	Review Authority
Home Occupations	Class 1	Planning Division Staff
Telecommunication Regulation		
New Freestanding Antenna	Class 4	DRB Recommendation & Town Council Action
Attached to structure	Class 1	Planning Division Staff
Cell on Wheels (COW)	Class 1	Planning Division Staff
Busking Permits	Class 1	Planning Division Staff

- C. Certain development applications are not associated with an application class, and have their Alternative Review Process outlined in a specific section of the CDC, such as the Alternative Review Process for governmental projects, appeals and worksessions.
- D. In the event a development application is submitted and can be processed pursuant to the provisions of this CDC, but the application class is not listed in the development application table or set forth in the CDC as a development application class or alternative review, the Director of Community Development shall determine the application class such application shall follow.

**17.4.3 DEVELOPMENT REVIEW PROCEDURES**

The following Development Review Procedures shall apply to all classes of development applications except where a section of this CDC has a unique development process contained therein. The following Development Review Procedures shall be in addition to any specific review procedures that may be required for a specific type of development application outlined in this CDC.

**A. Step 1: Presubmittal Meeting**

The purpose of a presubmittal meeting is to provide an applicant with a list of required information and plans that must be submitted with a development application and to discuss potential opportunities and issues with CDC regulations prior to a formal submittal.

1. **Class 1 and 2 Applications.** Presubmittal meetings are not required for class 1 or 2 development applications; however, an applicant or the Planning Division may request such a meeting based on the nature and scope of a development application.
2. **Class 3, 4 or 5 Applications.** Prior to submitting a class 3, 4 or 5 development application, a presubmittal meeting shall be scheduled with the Planning Division to review the submittal documents, information and studies that must be submitted and to discuss potential issues with CDC regulations. This meeting may, at the discretion of the Planning Division, require a conceptual site plan showing key plan elements (building layout, parking area layout, access, lot layout, etc.). The applicant will be provided with a development application submittal information packet and a checklist of submittal requirements at the presubmittal meeting.
3. **Waiver of Presubmittal Meeting.** The Planning Division may waive the presubmittal meeting requirement based upon the nature and scope of a proposed development application.



**B. Step 2: Development Application Submittal for All Application Classes.** A development application may be submitted to the Planning Division following the presubmittal meeting for class 3, 4 and 5 development applications unless a presubmittal meeting was waived by the Planning Division, in which case the application may be submitted at any time. A development application for class 1 and 2 applications may be submitted at any time unless a presubmittal meeting was required by the Planning Division. The application shall include all the submittal requirements of the development application submittal form, including but not limited to all applicable fees, required plans and other submittal documents required by the CDC.

**C. Step 3: Development Application Completeness Check**

1. **Completeness and Compliance Review.** The Planning Division shall determine the completeness of a development application according to the submittal requirements of this CDC [and the application requirements of the Department](#) within seven (7) calendar days following the submittal of an application ("Completeness Check Deadline").
2. **Advisement of Development Application Status.** If an application is determined to be complete, it shall be accepted by the Planning Division as a complete development application and the formal review process shall commence. If the application is determined incomplete, the applicant shall be notified in writing of the specific deficiencies and the review process shall not commence until all noted deficiencies are corrected. [No public notice shall be issued for a public hearing as required below until an application has been deemed complete.](#) The Planning Division shall provide written notification of either the acceptance or rejection due to incompleteness of an application by the Completeness Check Deadline. An incomplete application may be returned to an applicant if an application is not made complete within twenty-one (21) calendar days following the original submission date.

**D. Step 4: Development Application Referral and Review**

1. **Class 1 and 2 Applications.** The formal review process for a development application shall commence with the Referral and Review Process. The Referral and Review Process shall be a fifteen (15) calendar day process from the date of a complete development application. The Referral and Review Process may be compressed by the Planning Division if responses to all referrals are received and the Planning Division also completes its development application review prior to the end of the fifteen (15) day review period.
  - a. Referral agency comments shall be forwarded to the applicant.
  - b. Within the first five (5) calendar days of the review period a referral agency may request an extension of time to review a development application for good cause. The Planning Division shall determine if any requested extension is warranted and notify the referral agency and applicant of its decision and the number of days allowed for the extended review time, if any, within three (3) business days of such request.
2. **Class 3, 4 and 5 Applications.** The formal review process for a development application shall commence with the Referral and Review Process. The Referral and Review Process shall be a twenty-one (21) calendar day process from the date of a complete development application.
  - a. Within the first ten (10) calendar days of the review period a referral agency may

request an extension of time to review a development application for good cause. The Planning Division shall determine if any requested extension is warranted and notify the referral agency and applicant of its decision and the number of days allowed for the extended review time, if any, within three (3) business days of such request.

b. Referral agency comments shall be forwarded to the applicant.

3. **Additional Review Time for All Development Application Classes.** The Planning Division has the authority to determine, based on the complexity of a development application and staffing demands related thereto, if additional review time is required for the Referral and Review Process for all development application classes. The Planning Division shall inform an applicant if additional time is required within seven (7) calendar days from the date of a complete development application for class 1 and 2 applications, and within fourteen (14) calendar days for class 3, 4 and 5 applications.

4. **Referral Agencies.** The Planning Division shall be responsible for referring development applications to the agencies listed in the referral agency table, Table 4-2, below unless the Planning Division determines a referral is not necessary based on the nature of the development application.

a. **No Comment.** If a referral agency fails to respond by the date requested on the referral form, its failure to respond shall be interpreted as “no comment” in which case it shall be presumed that such referral agency does not take issue with the development application.

b. **Use of Referral Agency Comments.** Concerns raised by referral agencies related to specific regulatory requirements shall be considered by the review authority in making a decision. Referral agency recommendations not related to specific regulatory requirements of an agency may be addressed provided such recommendations are within the criteria for decision used by the review authority when considering a development application.

**Referral Agency Table 4-2**

<b>Referral Agency</b>	<b>Class 1</b>	<b>Class 2</b>	<b>Class 3</b>	<b>Class 4</b>	<b>Class 5</b>
Town Public Works	X	X	X	X	X
Town Plazas and Environmental Services Dept.	XEP	XEP	XEP	XEP	XEP
Town Attorney	XL	XL	XL	XL	XL
Mountain Village Cable	X	X	X	X	X
Transportation Department	XT	XT	XT	XT	XT
Recreation Department	XR	XR	XR	XR	XR
Telluride Fire Protection District	X	X	X	X	X
San Miguel Power Association	X	X	X	X	X
Source Gas	X	X	X	X	X
Qwest	X	X	X	X	X
Colorado Geologic Survey					X
San Miguel County				XMR	XMOS
Town of Telluride				XMR	
San Miguel Regional Housing Authority					
Colorado State Forest Service					
United States Army Corps of Engineers					
United States Forest Service					

XEP: Mandatory referral for a determination of the existence of wetlands on or adjacent to the site or lot related to development applications that involve grading or exterior construction activity and comments if there are wetlands in the area of the site or lot.

XL: Referrals for development applications with legal agreements or issues.  
XT: Referrals for development applications with transportation impacts.  
XR: Referrals for development applications with recreation impacts.  
XMR: Mandatory referral for Design Review Process development applications on ridgeline lots.  
XMOS: Mandatory referral for rezonings, subdivisions and lot line vacations that affect active or passive open space.

**E. Step 5: Planning Division Follow-up Communication**

**All Development Application Classes.** Within seven (7) calendar days following the completion of the Referral and Review Process in step 4, the Planning Division shall provide the applicant with a written communication summarizing the comments of the referral agencies received by the Planning Division during, and, if warranted by the conclusions of the review, may provide guidance and suggestions to the applicant regarding staff's analysis of measures necessary to attain compliance with the applicable criteria for decision and requirements of the CDC. The Planning Division's written correspondence to an applicant represents only an administrative review of the development application through the Referral and Review Process. Staff may identify additional issues at any time prior to final approval.

**F. Step 6: Applicant Plan Revisions**

1. **Plan Revisions.** If upon conclusion of the Referral and Review Process in step 4 it is determined that revisions to a development application are necessary in order to comply with the requirements of the CDC, the applicant shall be provided with an opportunity to revise the development application.
  - a. **Required Plan Revisions.** An applicant shall revise the development application to address the requirements of the CDC unless a variance or a PUD is being requested as a part of the development application (required plan revisions). Examples of such requirements include but are not limited to setbacks, general easements, building height, lot coverage and permitted uses. [The subsequent public hearing shall not be scheduled until required plan revisions are made and submitted to the planning division.](#)
  - b. **Discretionary Plan Revisions.** Certain requirements and criteria of the CDC are more discretionary and subject to individual opinion and judgment, such as the need to provide adequate buffering, minimize visual impacts or minimize wetland impacts (discretionary plan revisions). An applicant will be encouraged by the Planning Division to amend the development application to address the discretionary plan revisions in order to be compliant with the requirements and criteria of the CDC.
2. **Progression to Step 7.** A development application shall not progress to step 7 or other subsequent steps until all the required plan revisions have been addressed by an applicant, and the applicant has either revised the plans to address the required discretionary plan revisions, or provided a written narrative on why the development application either does not need to be amended to address a discretionary requirement of the CDC, or a written explanation of how the development application meets the discretionary requirements.

**G. Step 7: Schedule Review Authority Public Hearing**

1. **Class 1 and Class 2 Applications.** Class 1 and 2 development applications do not



require a formal public hearing with the review authority. Therefore, no public hearing is required.

**2. Class 3, 4 and 5 Applications.**

a. A public hearing shall be scheduled with the review authority in accordance with this section if the Planning Division determines that a class 3, 4 or 5 development application has met the following public hearing threshold requirements:

- i. The development application has addressed any required plan revisions;
- ii. The applicant has amended the development application to address any discretionary plan revisions or provided a written narrative why the development application does not need to be amended to address such discretionary requirements; and
- iii. The development application contains sufficient detail to allow a thorough review of the proposal by the review authority per the applicable requirements of this CDC and the applicable criteria for decision.
- iii.iv. For Class 3 applications, an Initial Architecture and Site Review process has been completed hearing has been scheduled prior to the scheduled date for the Final Review public hearing.

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b. Certain class 5 applications are exempt from the need to conduct a public hearing as outlined in step 10 and the public hearing noticing requirements.

b-c. Class 3 applications will require a two-step process consisting of an Initial Architecture and Site Review process hearing, followed by a public hearing for final approval at a subsequent Design Review Board meeting agenda.

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**3. Scheduling Development Application on Agenda.** A development application shall be scheduled before the review authority at its next regular meeting, considering the required notice period, where adequate time is available on the agenda to conduct a public meeting or hearing, as applicable. Notwithstanding the foregoing, scheduling of the meeting or public hearing, whichever situation applies, shall occur within 60 calendar days after the Planning Division determines that the public hearing threshold requirements have been met.

**H. Step 8: Public Noticing**

- 1. **Class 1 and 2 Applications.** Class 1 and 2 development applications do not require public noticing.
- 2. **Class 3, 4 and 5 Applications.** Noticing of class 3, 4 and 5 development application public hearings shall be in accordance with the public hearing noticing requirements.

a. Certain class 5 development applications as outlined in step 10 are exempt from the public noticing requirements because a public hearing is not required.

a-b. The Initial Architecture and Site Review hearing of the Class 3 Design Review process are exempt from the public noticing requirements because a public hearing is not required may be noticed concurrently with the Final Review public hearing - on a Class 3 Design Review application.

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**I. Step 9: Preparation of Staff Report**

1. **Class 1 and 2 Applications.** Class 1 and 2 development applications do not require the preparation of a formal staff report. Notwithstanding the foregoing, the Planning Division may elect to prepare a report on such development applications.
2. **Class 3, 4 and 5 Applications.** The Planning Division shall prepare a staff report for the review authority for class 3, 4 and 5 development applications that analyzes the development application as per the applicable requirements and criteria for decision of this CDC. Such staff report shall be included as part of the application packet materials for the review authority.

**J. Step 10: Review Authority Public Hearing or Meeting**

1. **Class 1 and 2 Applications.** No public hearing or meeting is required for class 1 or 2 development applications prior to taking action.
2. **Class 3 Applications.** Prior to taking any action on a class 3 development application, the DRB shall hold at least one (1) Initial Architecture and Site Review hearing and at least one (1) Final Review public hearing held at a subsequent DRB agenda for the purpose of considering recommendations from the Planning Division, the Design Review Board, other agencies and testimony from the applicant and the public.
3. **Class 4 Applications.** A class 4 development application shall first be reviewed by the DRB, which shall make a recommendation to the Town Council. Thereafter, the Town Council shall render a final decision on such development applications.
  - a. Prior to taking any action and making a recommendation on a class 4 development application, the DRB shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, other agencies and testimony from the applicant and the public.
  - b. Prior to taking any action on a class 4 development application, the Town Council shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, DRB, other agencies and testimony from the applicant and the public.
4. **Class 5 Applications That Require a Public Hearing.** Prior to taking any action on the following class 5 development application, the review authority shall hold at least one (1) public hearing for the purpose of considering recommendations from the Planning Division, other agencies and testimony from the applicant and the public:
  - a. Outline MPUD development applications;
5. **Other Class 5 Applications.** Minor subdivision and other class 5 development applications do not require a public hearing.

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**K. Step 11: Review Authority Action on a Development Application**

1. **Class 1 or Class 2 Applications.**
  - a. The Planning Division shall issue a written decision on class 1 or 2 development applications within seven (7) calendar days after the Planning Division determines a development application can proceed to step 7 as outlined under step 6 above.
  - b. The Planning Division's action on class 1 or 2 development applications shall be

based on a finding of compliance with the specific requirements of this CDC for the type of development application under review and shall be for approval, conditional approval or denial.

- c. Approval of class 1 or class 2 development applications may include conditions of approval.

2. **Class 3, 4 and 5 Applications.** The following options are available to the review authority when acting on class 3, 4 or 5 development applications:

a. **Initial Architecture and Site Review.** The Design Review Board shall review and approve an Initial Architecture and Site Review application before the application is allowed to proceed to a subsequent agenda for a public hearing and Final Review. However, the public hearing and final review may be noticed concurrently with the Sketch Review initial architecture and site review application and such public hearing shall be continued in the event the Sketch Review application hearing is not approved before the noticed date for the Final Review public hearing

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b. **Final Review/Public Hearing.** After the DRB approves the Initial Architecture and Site Review application a public hearing shall be held on a subsequent agenda. The DRB shall have the following options for action:

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a.i. **Approval.** The review authority DRB shall approve a proposed Class 3, 4 or 5 development applications if it determines that it meets the applicable requirements and criteria of the CDC.

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i. The review authority's approval of a class 3, 4 or 5 development application shall be made by resolution, and such resolution may be recorded in the records of the San Miguel County Clerk and Recorder at the discretion of the Town Attorney.

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ii.(a) The DRB's recommendation of approval of a class 43 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

iii.(b) The review authority may attach conditions of approval.

b.i. **Denial.** The review authority DRB shall deny a proposed class 3, 4 or 5 development application if it determines that it does not meet the applicable requirements and criteria of the CDC.

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i.(a) The review authority DRB's denial of a class 3, 4 or 5 Final Review development application shall be made by resolution.

ii.(b) The DRB's recommendation of denial of a class 43 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

e-iii. **Continuance.**

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i.(a) The public hearing may identify additional issues that relate to applicable requirements or criteria for decisions set forth in this CDC, and the applicant may be required by the review authority to address such new issues prior to taking formal action on a development application. Where development application

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revisions are required by the review authority, the review authority shall determine, at its public hearing or meeting, the timeline for submitting such revisions or new information to the Planning Division and continue the public hearing or meeting to a date certain, which will allow sufficient time for proper analysis and preparation of a supplemental staff report by the Planning Division.

~~ii.~~(b) If a hearing is continued, the applicant shall submit, at least ~~30~~ 14 calendar days prior to the continued hearing (unless otherwise specified by the review authority provided there is enough time to review the revised plans and prepare a staff report), any additional required submittal documents or new information to address the review authority's concerns per the applicable requirements and criteria for decision set forth in this CDC. Failure to address such requirements in the required timeframe shall result in a further continuance of the application.

~~iii.~~(c) A public hearing continued to a certain date, time and location is not required to be noticed.

iv. **Tabling.** If continuance is not appropriate or if more than two months are needed to address development issues or questions, the ~~review authority~~ **DRB** may table a development application for good cause or to allow additional information and materials to be submitted that will allow for a comprehensive review. Tabled development applications require noticing in accordance with the public hearing noticing requirements prior to recommending the public hearing process.

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3. Class 4 and 5 Applications. The following options are available to the review authority when acting on Class 4 or 5 development applications:

a. Approval. The review authority shall approve a proposed Class 4 or 5 development applications if it determines that it meets the applicable requirements and criteria of the CDC.

i. The review authority's approval of a Class 4 or 5 development application shall be made by resolution, and such resolution may be recorded in the records of the San Miguel County Clerk and Recorder at the discretion of the Town Attorney.

ii. The DRB's recommendation of approval of a Class 4 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

iii. The review authority may attach conditions of approval.

b. Denial. The review authority shall deny a proposed Class 4 or 5 development application if it determines that it does not meet the applicable requirements and criteria of the CDC.

i. The review authority's denial of a Class 4 or 5 development application shall be made by resolution.

ii. The DRB's recommendation of denial of a Class 4 development application shall be made by motion, approved by a majority vote of the DRB and recorded in the DRB summary of motions.

c. Continuanuce.

- i. The public hearing may identify additional issues that relate to applicable requirements or criteria for decisions set forth in this CDC, and the applicant may be required by the review authority to address such new issues prior to taking formal action on a development application. Where development application revisions are required by the review authority, the review authority shall determine, at its public hearing or meeting, the timeline for submitting such revisions or new information to the Planning Division and continue the public hearing or meeting to a date certain, which will allow sufficient time for proper analysis and preparation of a supplemental staff report by the Planning Division.
- ii. If a hearing is continued, the applicant shall submit, at least 14 calendar days prior to the continued hearing (unless otherwise specified by the review authority provided there is enough time to review the revised plans and prepare a staff report), any additional required submittal documents or new information to address the review authority's concerns per the applicable requirements and criteria for decision set forth in this CDC. Failure to address such requirements in the required timeframe shall result in a further continuance of the application.
- iii. A public hearing continued to a certain date, time and location is not required to be renoticed.

d. **Tabling.** If continuance is not appropriate or if more than two months are needed to address development issues or questions, the review authority may table a development application for good cause or to allow additional information and materials to be submitted that will allow for a comprehensive review. Tabled development applications require renoticing in accordance with the public hearing noticing requirements prior to recommending the public hearing process.

**L. Step 12: Notice of Action**

- 1. Class 1 and 2 Applications.** With respect to Class 1 and 2 applications, the Planning Division shall send written notice of its decision to the applicant within five (5) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial. Failure to send written notice within five (5) calendar days shall not invalidate the action taken, but shall extend the period in which the applicant may submit an appeal by the number of days that giving of notice is delayed beyond five (5) calendar days.
- 2. Class 3 Applications.** The Planning Division shall send written notice of the DRB's decision to either approve or deny a **Final Review** development application to the applicant within ~~seven-fourteen~~ (7/14) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial. Failure to give notice within seven (7) calendar days shall not invalidate the action taken, but shall extend the period in which the applicant may submit an appeal by the number of days that giving of notice is delayed beyond seven (7) calendar days.
- 3. Class 4 and 5 Applications.** The Planning Division shall send written notice of the Town Council's decision to either approve or deny a development application to the applicant within ~~seven-fourteen~~ (7/14) calendar days after the date action is taken. Notice to the applicant shall include any conditions of approval or findings for denial.

**M. Step 13: Effective Date and Appeal**

1. **Class 1 and 2 Applications.** Action on class 1 and 2 applications shall become effective on the date a decision is rendered unless an appeal is filed within seven (7) calendar days.
2. **Class 3 Applications.** Action on class 3 applications shall become effective seven (7) calendar days from the date a decision is rendered unless an appeal is filed in accordance with the appeal procedures within this seven (7) day period.
3. **Class 4 and 5 Applications.** The Town Council's action on Class 4 and 5 applications shall become effective on the date a decision is rendered.
  - i. In certain instances which require the recording of a legal instrument, the Town Council action shall not be effective until any required resolution or other required legal instruments are recorded. Recording shall occur as soon as practicable after the Council hearing approving the development application.
  - b. Decisions of the Town Council shall be final, subject only to judicial review by a court of competent jurisdiction in accordance with the Colorado Rules of Civil Procedure.
4. **Appeal and No Issuance of Permits**
  - a. Appeals to the Town Council on Class 1, 2 and 3 applications shall be filed, and hearings thereon shall be conducted in accordance with the appeal procedures.
    - i. If a decision to approve a class 1, 2 or 3 application is appealed pursuant to the appeal procedures, building permits or other development permits shall not be issued until the appeal is heard by the Town Council and it takes action to uphold or modify the approval.
    - ii. If the appeal results in a denial of a development application, a new and substantially modified development application must be submitted if an applicant desires to continue pursuing the development of a property absent a change in the CDC regulations or Comprehensive Plan policies.
  - b. The Town Council's approval or denial of class 4 or 5 development applications, or appeals of class 1, 2 or 3 development applications shall constitute final administrative Town action on a development application.
    - i. If the Town Council denies a development application, a new and substantially modified development application shall be submitted if an applicant desires to continue pursuing the development of a property absent a change in the CDC regulations or Comprehensive Plan policies.
      - (a) An applicant cannot submit the same development application that was denied by the Town Council for a period of three (3) years from the date of denial.

**N. Step 14: Length of Validity**

1. **Class 1, 2 and 3 Applications.** Approval of class 1, 2 and 3 applications shall lapse eighteen (18) months from the effective date of the approval (except for renewals as



outlined below) unless a development permit is issued by the Town and either: (a) a building permit is issued, and the Director of Community Development determines substantial construction has occurred on the project; (b) a certificate of occupancy or certificate of completion is obtained; or (c) the development application resulted in a final action that does not expire, such as a density transfer. If a certificate of occupancy or certificate of completion is obtained on a class 1, 2 or 3 development application, the approval shall remain valid for the life of the project provided the use continues to comply with the requirements of the CDC in effect when the project was completed, unless the development application is amended or revoked in accordance with the procedures outlined in this CDC.

- a. An applicant may seek one (1), six (6) month renewal prior to lapse of the approval in accordance with the renewal procedures. If a renewal development application is approved by the Town, the approval shall lapse six (6) months after the expiration date of the original approval.
- b. Class 1, 2 or 3 development applications that have lapsed shall be required to submit a new development application, which shall be governed by the requirements of this CDC in effect at the time of the new submittal.
- c. If construction ceases on a development leaving a partially finished project, the Town may initiate the revocation procedure.
  - i. During the revocation procedure, the Town may apply conditions to mitigate adverse impacts in conjunction with relief provided by the CDC and the Building Codes.

**2. Class 4 Applications.**

- a. **Class 4 Applications General.** The Town Council's approval of a class 4 application shall lapse after eighteen (18) months from the date of approval unless one (1) of the following actions occurs within said time period:
  - i. Any required plat, development agreement or other legal instruments are executed and recorded; or
    - (a) A PUD development agreement shall set forth the length of validity for such agreement and any associated vested property rights according to the PUD Process.
  - ii. The activity and/or use described in the development application has substantially commenced or been constructed, whichever situation applies in accordance with development application and the associated approval.

Once one of these actions occurs, the class 4 application shall remain valid for length stated in the approving resolution or associated development agreement unless it is amended or revoked in accordance with the procedures outlined in this CDC.

- b. **Length of Validity for Conditional Use Permits.**
  - i. If no time period is stated in a resolution approving a conditional use

- permit, the permit shall be valid for five (5) years unless a development agreement or resolution has been approved in accordance with the CDC, which may specify a longer period of approval.
- ii. The Town Council may limit the maximum length of validity for all conditional use permits to allow for periodic reviews of such uses per the requirements and criteria for decision of this CDC.
  - iii. If activities allowed by a conditional use permit have ceased for at least one (1) year, such permits shall expire and these activities cannot resume unless a development application is filed and approved in accordance with the procedures for review of new conditional use permits.
  - iv. A conditional use permit shall remain valid for length stated in the approving resolution or associated development agreement unless the approval is amended or revoked in accordance with the procedures outlined in this CDC.

**3. Class 4 or 5 Applications.**

- a. Approval of a class 4 or 5 application shall lapse after eighteen (18) months unless one of the following ~~have~~has occurred:
  - i. The required legal instruments have been executed and recorded, such as the required resolution, ordinance, density transfer, subdivision plat, PUD development agreement, development agreement or any other legal instruments required by the Town as a part of the development application approvals; or
    - (a) A PUD development agreement shall set forth the length of validity for such agreement and any associated vested property rights according to the PUD Process.
  - ii. The approving ordinance is subject to a petition and referendum and is revoked by a vote in accordance with the Town Charter.
- b. Once the required actions occur, the approval shall remain valid as stated in the legal instruments unless the approval is amended or revoked in accordance with the procedures outlined in this CDC.
  - i. Subdivision plats and associated resolutions, and rezoning and ordinances shall be valid in perpetuity unless the approvals are amended or revoked in accordance with the procedures outlined in the CDC.

**17.4.4 GENERAL PROVISIONS APPLICABLE TO ALL DEVELOPMENT APPLICATION CLASSES**

**A. Merits of Each Development Application**

Every development application as set forth in the CDC shall be reviewed on its individual merits in relation to the criteria for decision and the applicable requirements of the CDC. Therefore, no precedence is set by the approval of a development application.

**B. Authority to Initiate a Development Application**

Any owner or anyone who has written permission from an owner in a form deemed acceptable by the Planning Division may submit a development application. Special rules apply to submitting a PUD development application and for PUD amendments.

**C. Communication**

Written notice or communication of any matters as provided for in this CDC for any purpose, including without limitation notice of action, and follow up communication on a development application shall adhere to the standards as set forth in this section. Communication may be provided by either surface mail, e-mail or other electronic communication. The time period for any such notice process shall be as set forth in the provisions of this CDC related to such particular process, and receipt of such notice shall be presumed to be the date of such electronic transmission unless conclusively established to the contrary.

**D. Conditions of Approval**

1. The review authority may impose or attach any reasonable conditions to the approval of a development application to ensure a project will be developed in the manner indicated in the development application and will be in compliance with the standards and criteria established within this CDC.
  - a. Conditions for class 1 and 2 applications shall be related to outstanding technical requirements of this CDC or referral agency comments not adequately addressed by the initial development application.
  - b. Class 3, 4 and 5 applications may also include, in addition to technical conditions to address specific requirements of this CDC, conditions to ensure that a development application meets the criteria for decision, mitigates adverse impacts of the use or protects public health, safety and welfare.
2. Conditions shall be tied to the applicable criteria for decision, applicable legal requirements and may consist of one (1) or more but are not limited to the following:
  - a. **Development Schedule.** If the review authority determines that a development schedule is warranted, the conditions may place a reasonable time limit on any activities associated with the proposed development or any portion thereof. Upon good cause shown by the applicant, the Town may allow for administrative amendments to any development schedule and the associated legal instruments. Notwithstanding the foregoing, some development schedules are integral to the review authority's approval, and, if so determined by the Planning Division with respect to a proposed amendment to a development schedule, only the review authority that took action on the original approval may approve an amendment to



- such development schedule.
- b. **Use.** The conditions may restrict the future use of the proposed development to that indicated in the development application and other similar uses.
- c. **Dedications.** The conditions may require conveyances of title or easements to the Town, public utilities, a homeowners association or other appropriate entity for purposes related to ensuring general conformance with the Comprehensive Plan and the public health, safety and welfare, which may include but not be limited to land and/or easements for parks, utilities, pedestrian/bikeways, schools, trails, roads, transportation and other similar uses. The Town may also require construction of all facilities to public standards and the dedication of public facilities necessary to serve the development.
- d. **Homeowner's Association.** A condition may require the creation of a homeowners association to hold and maintain common property or common improvements in a condominium community.
- e. **Public Improvements, Improvements Agreement and Public Improvements Guarantee.** When public improvements are involved in a development application, conditions shall require the public improvements, an improvements agreement consistent with the public improvements policy, and a financial guarantee in an amount to be determined by the Town to ensure that all public improvements and related infrastructure are completed as approved.
- f. **Indemnification/Covenants.** The conditions may require the recording of covenants and/or deed restrictions on the subject property or the indemnification of the Town in certain instances.
- g. **Additional Plans.** The conditions may require that additional plans or engineered revisions to site, drainage or utility plans be submitted to the Town and approved prior to issuance of building permits or issuance of a certificate of occupancy, whichever is applicable.
- h. **Other Conditions.** Other conditions may be required, as determined by the Town to be necessary to ensure that the development is constructed in compliance with applicable Town regulations and standards.

#### E. Revocation of Approval

**Class 1, 2, 3, 4 and 5 Applications.** The Planning Division, in consultation with the Town Attorney's Office, may revoke a class 1, 2, 3, 4 or 5 application approval if construction or activities authorized by a development application cease for at least eighteen (18) months or for failure to comply with conditions of approval, or for a threat to the public health safety or welfare provided, however, prior to any such revocation, the developer shall receive a thirty (30) day written notice of the pending revocation stating the grounds for revocation, during which time the developer shall have the opportunity to either cure the violation to the satisfaction of the Town, default or appeal the administrative decision. The Revocation Process in this section shall not apply to a legally recorded PUD development agreement, plat or executed rezoning ordinance.

#### F. Maximum Time Limits for Development Application Processing

1. **Class 1, 2, 3, 4 and 5 Applications.** Unless an extension is granted, class 1, 2, 3, 4 and 5 applications shall receive a final decision from the review authority within one (1) year from the date such an application is filed and accepted by the Planning Division as a complete development application unless the development application is withdrawn.
2. **Failure to Amend Development Application.** If an applicant fails to amend the application to address required plan revisions, discretionary plan revisions or to address a

review authority's continuance or tabling conditions, the Planning Division shall schedule the development application for review and action by the appropriate review authority and provide the appropriate notice as required by this CDC.

3. **Extension.** The Director of Community Development may extend the one (1) year review period for any development application upon a determination that good cause exists for such extension due to: 1) the complexity, size or other extraordinary physical characteristics of the proposed development, or 2) other exceptional circumstances applicable to the particular development application.

#### **G. Revisions**

1. Certain class 1, 2, 3, 4 or 5 application approvals may be granted an administrative minor revision or modification by the Planning Division subject to the Revision Process.
2. Revisions or modifications that are found by the Planning Division to not be minor per the Revision Process shall be considered a new proposal and be evaluated in accordance with the applicable development review process outlined in this CDC.

#### **H. Expiration of Preexisting Approvals and Development Applications**

1. **Expired Development Applications.** Development application approvals that have expired shall have to resubmit a new development application following the requirements of this CDC and be subject to the applicable requirements of this CDC in effect at the time of submittal or as otherwise provided for by law.
2. **Preexisting, Inactive Development Applications.** Inactive development applications that were submitted prior to March 25, 2012, that have not had final action by the review authority are considered null and void.

#### **I. Public Hearing Noticing Requirements**

This section sets forth the public hearing noticing requirements for various public hearings as provided for in this CDC.

##### **1. General Provisions**

- a. Adjacent property owner address lists and PUD owner address lists for PUD amendments shall be obtained from either San Miguel County's Geographic Information System ("GIS") or from the records of the San Miguel County Clerk and Recorder within thirty (30) calendar days of the date of the required mailing. If more than sixty (60) calendar days have passed after the date an adjacent property owner list was provided to the Planning Division as required by this section, an applicant shall provide an updated list to the Planning Division based on the most recent GIS records.
- b. Adjacent property owner lists shall be compiled by measuring a set radial distance from all the property boundaries of a project as set forth in the public noticing requirements set forth below.
- c. Where there are multiple owners of a property, such as a timeshare, notification shall only be required to be sent to the manager of the timeshare or to the primary contact of record according to the GIS records.
- d. Notice of public hearings shall be deemed given and effective upon substantial compliance with the requirements for notice as set forth in this section, including without limitation the procedural requirements for mailing notice and the

substantive requirements regarding the information to be contained in such notices. Upon substantial compliance with the requirement for notice as set forth in this section, any failure of the Town, applicant or other party to strictly comply with the noticing requirement set forth in this section for any public hearing shall not deprive the review authority of jurisdiction to hear the matter at such public hearing or in any other manner invalidate actions taken by such review authority at such meeting.

- e. Notwithstanding the foregoing, the requirements for the timing of the notice and for specifying the time, date and place of a hearing or other public review shall be strictly construed. The description of the property shall be sufficiently accurate to allow a reasonable person to determine the location of the property in question.
- f. If questions arise at a review authority's hearing regarding the adequacy of notice in relationship to specific requirements of this CDC, the review authority shall make a formal finding regarding whether there was substantial compliance with the notice requirements of the CDC before proceeding with the hearing or other public review. All objections to such noticing provisions shall be made at the commencement of any such hearing or else shall be deemed waived.
- g. Failure of a party to receive written notice after it is mailed in accordance with the provisions of this CDC shall not invalidate any subsequent action taken by a review authority.
- h. The required legal notice of a vested property right may be combined with the notice for any other required, concurrent hearing to be held on the site-specific development plan for the subject site or lot.

2. **Public Noticing Requirements.** Notice as required by this section shall be given at least thirty (30) calendar days as prescribed below prior to the initial public hearing held by the review authority. Development applications shall be noticed in substantial compliance with the following provisions:

- a. **Class 1 and 2 Applications.** No legal notice of these administrative development application processes is required.
- b. **Class 3 and 4 Applications.** Notice of the Sketch Initial Architecture and Site Review hearing and Final Review public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundaries in accordance with the public hearing noticing requirements and the mailing notice details at least fifteen (15) days prior to the Sketch Initial Architecture and Site Review hearing and Final Review public hearing with such notices able to be noticed concurrently; 2) posted in accordance with the posted notice details, and 3) listed on the review authority agenda.
  - ~~b. No mailed or posted notice is required for Sketch Review.~~
  - ~~i. If the Director of Community Development determines that a final MPUD or major PUD amendment development application affects only a portion of the property within a MPUD, SPUD or PUD, then, notwithstanding any other provisions of this section, notice shall be mailed to owners within 400 feet of the affected site or to those owners that are determined to be potentially affected.~~
- c. **Class 4 Applications.** Notice of the public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundaries in accordance with the public hearing noticing requirements and the mailing notice details at least

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thirty (30) days prior to the initial public hearing, 2) posted in accordance with the posted notice details, and 3) listed on the review authority agenda.

i. If the Director of Community Development determines that a final MPUD or major PUD amendment development application affects only a portion of the property within a MPUD, SPUD or PUD, then, notwithstanding any other provisions of this section, notice shall be mailed to owners within 400 feet of the affected site or to those owners that are determined to be potentially affected.

e-d. **Class 5 Applications.** Notice of the following development application public hearing(s) shall be: 1) sent to all property owners within 400 feet of the property boundary in accordance with the public noticing requirements and the mailing notice details, 2) posted in accordance with posted notice details, and 3) listed on the review authority agenda:

- i. Outline MPUD development applications;
- ii. No legal notice is required for the following class 5 development applications:
  - (a) Minor subdivisions.
  - (b) Other class 5 applications.

e-e. **Mineral Estate Notification:** An applicant, for any application outside of the Original PUD Boundary, shall provide notice to mineral estate owners as required by C.R.S. § 24-65.5-100, et seq., as currently enacted or hereinafter amended.

### 3. **Additional Public Notice Requirements for Specific Development Review Applications**

- a. **Vested Property Right.** Notice of the review authority's public hearing for a vested property right may be combined with the notice for any other required, concurrent hearing to be held on the site-specific development plan for the subject site or lot.
- b. **CDC Amendments.** Notice of the review authority's public hearing for the proposed CDC amendment shall be: 1) listed on the review authority agenda, and 2) listed as a public notice on the Town's website at least fifteen (15) calendar days prior to the initial public meeting.
- c. **Adoption or Amendments to Master Plans.** Notice of the Town Council's public hearing for the proposed adoption of or amendments to the Comprehensive Plan shall be: 1) listed on the Council's agenda, and 2) published as a legal advertisement at least once in a newspaper of general circulation in the town at least fifteen (15) calendar days prior to the initial public meeting.

### 4. **Mailing Notice Details**

- a. Mailing of the property owner notice is the responsibility of the applicant who shall obtain a copy of the adjacent property owner letter form from the Planning Division.
- b. The mailing of all notices shall be by first-class mail, postage prepaid.

- c. If a condominium development is located within the prescribed distance of the subject property, the applicant shall provide notice to the condominium association and every condominium unit property owner or part owner who owns at least a fifty percent (50%) interest in a condominium unit.
- d. Prior to the mailing of notice, the applicant shall deliver to the Planning Division a copy of the notice for review and approval.
- e. If for any reason a development application is not placed on the agenda for the date noticed, the applicant shall re-notice the revised scheduled meeting date at least fifteen (15) days prior to the revised meeting date.
- f. The applicant shall execute an affidavit of mailing in a form provided by the Planning Division with a copy of the notice and the property owner mailing list attached thereto.
- g. If notice required by this section is determined to be improper or incomplete, the applicant shall be required to re-notice adjacent owners at least thirty (30) days prior to a revised scheduled meeting date.
- h. Notices shall be deemed delivered when deposited for delivery with the United States Postal Service.
- i. Notices shall include, at a minimum, the following information:
  - i. Name and address of the applicant;
  - ii. Type of development application(s);
  - iii. Address and legal description of the subject property;
  - iv. Date, time and place of the DRB and/or Town Council meeting;
  - v. Detail summary of the development application under consideration;
  - vi. Description of any requested variations to the standard requirements of the CDC;
  - vii. Vicinity map;
  - viii. Identification of the review authority that will conduct the public hearing; and
  - ix. Such other information deemed necessary by the Planning Division in order to inform the public of the nature of the development application.

**5. Posted Notice Details**

- a. At least ~~fifteen-fifteen-fifteen~~ (1515) days prior to the meeting date, the applicant shall post a public notice sign on the property that is the subject of the development application.
- b. The public notice sign shall be provided by the Planning Division and shall be posted on the property by the applicant in a visible location adjacent to public rights-of-way or public space.
- c. The posted notice shall only indicate that the property is the subject of a pending land use development application before the Town and shall provide a contact phone number with the Town to obtain information regarding the development application.
- d. More than one notice may be required to be posted on the property affected by the development application if the Planning Division determines that because of the size, orientation or other characteristics of the property additional posted notice is necessary.
- e. The applicant shall be responsible for returning the sign to the Planning Division following the meeting date.
- f. The Planning Division may require a security deposit for the sign.

- g. The applicant shall execute an affidavit of posting the notice in a form provided by the Planning Division.

**J. Submittal Requirements**

1. The Planning Division shall publish submittal requirements for each type of development review process as provided for by this CDC. Submittal requirements shall be based on the requirements of this CDC and criteria for decision.
  - a. The Planning Division may amend the submittal requirements from time to time by publishing new submittal requirements.
2. Situations will occur when all of the listed submittal requirements will not be needed and situations when items not listed as submittal requirements will be needed in order for the Town to have sufficient information to fully evaluate the impacts of a development application. The Planning Division is therefore authorized to determine, based on the nature of a development application, whether to waive submittal requirements or require additional submittal requirements that are not addressed in the published submittal requirements.

**K. Concurrent Processing**

Applicants with developments that require the submittal of more than one (1) type of development application may request concurrent processing. A determination on a request for concurrent processing shall be made by the Director of Community Development based on administrative efficiency and the complexity of the development proposal. In the instance of concurrent processing, the applicant's submittal shall meet the submittal requirements for each class of development application submitted. Fee adjustments in the case of a concurrent submittal may be authorized by the Director of Community Development.

**L. Fees**

1. **Fee Schedule.** The Town Council shall, from time to time, adopt a fee resolution setting forth all development application fees and associated permit fees. Fees for submittals not listed in the fee schedule resolution shall be determined by the Director of Community Development on a case-by-case basis determined by the similarity between the submittal and the development applications listed on the fee schedule together with the estimated number of hours of staff time the review of the submittal will require. No development application shall be processed, nor any development or building permits shall be issued until all outstanding fees or moneys owed by the applicant, lot owner, developer or related entity, as defined by the Municipal Code, to the Town, in any amount for any purpose, including but not limited to any fees, delinquent taxes, required Town licenses, permit fees, court fines, costs, judgments, surcharges, assessments, parking fines or attorney's fees are paid to the Town.
2. **Town Attorney Fees.** The applicant shall be responsible for all legal fees incurred by the Town in the processing and review of any development application or other submittal, including but not limited to any Town Attorney fees and expenses incurred by the Town in the legal review of a development application together with the legal review of any associated legal documents or issues. Legal expenses so incurred shall be paid for by the applicant prior to the issuance of any permits.
3. **Property or Development Inquiries.** The Town requires that Town Attorney legal fees



and expenses be paid for all development or property inquiries where a legal review is deemed necessary by the Town. The developer or person making the inquiry, whichever the case may be, shall be informed of this obligation and execute a written agreement to pay such legal expenses prior to the Town Attorney conducting any legal review. A deposit may be required by the Director of Community Development prior to the commencement of the legal review.

4. **Other Fees.** The applicant shall be responsible for all other fees associated with the review of a development application or other submittal conducted by any outside professional consultant, engineer, agency or organization and which are deemed necessary by the Town for a proper review.
5. **Recordation Fees.** The Community Development Department will record all final plats, development agreements and other legal instruments. The applicant shall be responsible for the fees associated with the recording of all legal instruments.

**M. Requirement and Cost for Special Studies**

The Town Council, DRB or Director of Community Development shall have the authority to require special studies, as deemed necessary, to be prepared for all development applications to address a requirement or a criteria for decision under this CDC. Examples of such studies include, but are not limited to analyses for traffic impacts, wetlands, steep slopes or visual impacts. The applicant may cause such studies to be prepared by a third-party consultant engaged directly by the applicant; however, the Director of Community Development may require in his or her sole discretion that an independent third-party consultant be hired by the Town to conduct or review the required studies. The cost of said independent study shall be paid for by the applicant proposing the project.

**17.4.5 APPEALS**

**A. Purpose and Intent**

The purpose and intent of this section is to provide a process for the appeal of class 1, 2 and 3 applications and for certain administrative decisions as set forth in the CDC.

**B. Applicability**

The Appeals Process is applicable to an administrative decision on class 1 or 2 applications, administrative decisions as authorized by this CDC (excepting the Building Codes that have a specific appeal procedure), and for DRB action on class 3 applications.

**C. Standing to Appeal**

The following persons shall be deemed to have standing to appeal a decision:

1. The applicant or the owner of the property of the subject development application;
2. Any party in interest who testified at any required public hearing on the development application;
3. Any party in interest who submitted written comments on the application before final action was taken, excluding persons who only signed petitions or form letters;
4. Any person who was entitled to receive the required public notice, if any;

**D. Appeal Procedures**

1. **Deadline to File Appeal.** In order to initiate an appeal pursuant to this section, a “notice of appeal” shall be filed with the Planning Division within seven (7) calendar days following one of the following events, as applicable:
  - a. **Administrative Decisions.** The appeal of a final, administrative decision as authorized by the CDC, including but not limited to action on class 1 and 2 applications and zoning violations, shall be made within seven (7) calendar days of the date of receiving notice of the written decision. A written decision shall be deemed to have been delivered when it is either emailed or deposited in the U.S. mail.
  - b. **DRB Decisions.** The appeal of a final decision of the DRB shall be made within seven (7) calendar days of the date the DRB made the final decision.
2. **Required Contents of the Notice of Appeal.** The notice of appeal shall describe the

contested action, contain the appellant's name, address and telephone number; and specify the grounds for the appeal as it relates to the applicable criteria for decision and/or requirements of this CDC. Failure to specify a ground for appeal in the notice of appeal shall bar consideration of the appeal by Town Council. The notice of appeal shall be accompanied by a fee as set forth in the fee resolution.

3. **Effect of Appeal.** The proper and timely filing of a notice of appeal shall temporarily stay the subject administrative decision or decision of the DRB, pending the determination of the appeal, unless the Town administrative official or the DRB, as applicable, certifies in writing to the Town Manager that a stay will pose an immediate threat to the health, safety or welfare of persons or property or defeat the lawful purpose of the decision; in which event, a stay shall not enter, and such order shall be subject to immediate enforcement according to its terms. Notwithstanding the foregoing, the timely filing of a notice of appeal shall under no circumstances stay a stop work order.
4. **Scheduling Hearing.** Upon receipt of a notice of appeal, the Planning Division shall schedule a hearing before the Town Council on the appeal within a reasonable period of time but not more than sixty (60) days following receipt of the notice of appeal and the required fee. Public notice of the appeal shall be done in accordance with the public hearing noticing requirements.
5. **Disclosure.** In order to ensure adequate notice to all parties to an appeal and for the efficient presentation of evidence, the parties to the appeal shall exchange a list of witnesses who may be called upon to offer testimony at the hearing, with copies thereof delivered to the Planning Division at least twenty (20) days prior to the hearing date. This disclosure shall include the name, address and telephone number of each witness and a brief summary of the subject matter of each witness's testimony. Also, at least twenty (20) days prior to the hearing date, the parties to the appeal shall exchange a brief which outlines the legal basis such party relies upon for their appeal and list of documents that may be offered into evidence to support such appeal and shall deliver copies thereof to the Town. Not less than ten (10) days prior to the hearing date, the parties may update their respective list of witnesses and documents by exchanging such updates with each other and delivering such updated list to the Community Development Department. The failure to make the required disclosure of a witness or document shall exclude the testimony of the undisclosed witness and the introduction into evidence of the undisclosed document at the hearing.
6. **Appellant Notice.** The Town Council shall hear all appeals at a public meeting with no less than thirty (30) days' prior written notice to the appellant and any other affected party.
7. **Town Council Hearing.** The burden shall be on the appellant to demonstrate by clear and convincing evidence that the action of the DRB, the building Official or the Town administrative official was in error, unjustified, an abuse of discretion or otherwise not in accordance with the terms of the CDC.
  - a. Unexcused failure on the part of the appellant or the appellant's representative to appear at the scheduled hearing shall result in a dismissal of the appeal and an affirmation of the decision.
  - b. Any appeal heard pursuant to this section shall be an evidentiary hearing with appellant and appellee being given an opportunity to present oral and documentary evidence previously disclosed in accordance with the CDC. Unless otherwise extended by the Town Council, appellant shall have thirty (30) minutes for the presentation of evidence and may reserve ten (10) minutes of the allotted thirty (30) minutes for rebuttal. Likewise, unless otherwise extended by the Town Council, the appellee shall have thirty (30) minutes for the presentation of



evidence and may reserve ten (10) minutes of the allotted thirty (30) minutes for rebuttal. Town Council shall then be permitted to examine the appellant and appellee for such period of time as it deems reasonable and necessary and shall thereafter discuss the evidence presented amongst themselves.

- c. The appellant shall be responsible for securing the attendance of a court reporter at the hearing at appellant's sole cost and expense. The transcript prepared by the court reporter, the documents introduced into evidence by appellant and appellee and the findings of fact and conclusions of law rendered by the Town Council shall constitute the record on appeal from this final administrative decision. Any party wishing to obtain a copy of the transcript shall do so at their own expense.

**8. Town Council Decision.** Not more than thirty (30) days following the conclusion of the hearing, the Town Council shall issue written findings of fact and conclusions of law.

- a. The Town Council may reverse, affirm or modify the appealed decision, and Town Council shall have all powers vested in the DRB or Town administrative officials to impose reasonable conditions to be complied with by the appellant as part of the decision. A copy of the Town Council's decision shall be mailed to the appellant.
- b. Decisions of the Town Council shall be final, subject only to judicial review by a court of competent jurisdiction in accordance with the Colorado Rules of Civil Procedure.

#### **17.4.6 CONCEPTUAL WORKSESSION PROCESS**

##### **A. Purpose and Intent**

The purpose and intent of this section is to provide a process for both the DRB and the Town Council to have an informal, non-binding review of a conceptual development proposal. The conceptual worksession is further intended to provide venue for the analysis of potential issues, areas of concern and to evaluate possible development alternatives.

##### **B. Applicability**

The Conceptual Worksession Process is applicable to any developer who desires to present conceptual plans to the DRB or Town Council. The Conceptual Worksession Process is also a required step in certain development review processes prior to submitting a formal development application.

##### **C. Review Process**

- 1. The Conceptual Worksession Process shall consist of the following steps:
  - a. Pre-submittal meeting;
  - b. Conceptual worksession submittal;
  - c. Planning Division completeness check;
  - d. Referral and review;
  - e. Planning Division follow-up communication;
  - f. Applicant plan revisions;
  - g. Schedule public meeting;
  - h. Publish review authority agenda; and
  - i. Conduct public conceptual worksession(s)

2. The steps outlined above shall generally follow the similar steps outlined in the Development Review Procedures.

**D. Criteria for Decision**

The review authority for a conceptual worksession shall evaluate the proposed concept plans based on the applicable criteria for decision for the future, formal development application(s) that will need to be submitted.

**E. General Standards**

1. **Legislative Process.** The Conceptual Worksession Process is not considered a land use development application under the CDC, since this process is to evaluate a conceptual development proposal prior to a developer or owner submitting a formal development application. As such, conceptual worksessions are considered a legislative matter and not a pending land use development application, with the DRB and the Town Council free to discuss the conceptual worksession development application outside of the public meetings.
2. **Action.** No formal action is taken by the DRB or the Town Council on conceptual worksessions because such provide informal opportunities for developers to obtain input.
3. **Worksession Disclaimer.** Any comments or general direction by the DRB or the Town Council shall not be considered binding or represent any promises, warranties, guarantees and/or approvals in any manner or form. A conceptual worksession shall not be construed as a comprehensive review of the proposal under discussion, and as such, additional issues and/or concerns will most likely arise as part of the formal development review process.

**17.4.7 MINOR REVISION PROCESS**

**A. Purpose and Intent**

The purpose and intent of this section is to provide an administrative process for minor plan revisions for approved class 1, 2, 3, 4 and 5 development applications.

**B. Applicability**

The Minor Revision Process is applicable to any approved class 1, 2, 3, 4 and 5 development application where the developer requests a minor revision of the approved plans.

**C. Review Process**

Minor Revision Process development applications shall be processed as class 1 applications.

**D. Criteria for Decision**

1. The following criteria shall be met for the review authority to approve minor revisions to an approved development application:
  - a. The proposed revision does not increase the amount of originally approved, gross building floor area more than ten percent (10%) of the total approved by the

- review authority;
  - b. The proposed revision does not materially alter the bulk and massing of buildings, increase the visual impact of the development or materially alter a project's design;
  - c. The proposed revision does not significantly change the location of uses, the layout of streets or driveways, parking areas, trails or pathways or other improvements;
  - d. The proposed revision does not significantly increase the level of environmental impact caused by the proposed development, including but not limited to increasing the amount of slope disturbance or impact wetlands;
  - e. The proposed revision does not significantly alter the development application or plans reviewed and approved by the review authority or any conditions or findings made by such review authority in approving the development application; and
  - f. The proposed revision meets all applicable Town regulations and standards.
- 2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the revision review criteria.
- 3. If the Planning Division is unable to find that the proposed revision meets the applicable criteria listed above, such revision shall be considered a new proposal and shall be evaluated in accordance with the applicable development review process outlined in this CDC.
- 4. A proposed revision may not be approved by the Planning Division if it seeks to revise:
  - 1) PUD text or exhibits, excepting scrivener's errors;
  - 2) a development agreement, excepting scrivener's errors;
  - 3) a site-specific development plan;
  - 4) a rezoning;
  - 5) an official plat approved by the Town Council, or other revisions that are determined by the Director of Community Development to be significant.

**17.4.8 RENEWALS**

**A. Purpose and Intent**

The purpose and intent of this section is to provide an administrative process for renewals of approved class 1, 2, 3, 4 and 5 development applications.

**B. Applicability**

The Renewal Process is applicable to any approved class 1, 2, 3, 4 or 5 development application that has not yet lapsed and the developer seeks to extend the approval.

**C. Review Process**

Renewal of development applications shall be processed as a class 1 development application.

**D. Criteria for Decision and Related Requirements**

- 1. The following criteria shall be met for the review authority to approve the renewal of an approved development application:
  - a. The renewal is for a currently valid review authority approval, and the approval will expire within three (3) months. Renewals shall not be granted for

- development applications that have more than three (3) months until their expiration unless good cause is shown to warrant an early renewal;
- b. If new CDC provisions applicable to the project have been adopted since the original approval or new issues are found per CDC regulations, the Planning Division may impose additional conditions at the time of renewal necessary to satisfy such new requirements and criteria for decision of the CDC. If such CDC regulations require plan revisions, then such revisions shall be evaluated in accordance with the minor Revision Process; and
  - c. The proposed renewal meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the renewal review criteria.
  3. If the Planning Division is unable to find that the proposed revision meets the applicable criteria listed above, such revision shall be considered a new proposal and shall be evaluated in accordance with the applicable development review process outlined in this CDC.

**E. General Standards**

1. **Number of Renewals.** Only one (1), six (6) month renewal shall be permitted. Upon expiration of the renewal, the applicant must submit a new development application and follow the required development review process as provided for by this CDC.
2. **Length of Validity.** If a renewal development application is approved by the Town, the approval shall lapse six (6) months after the expiration date of the original approval.

**17.4.9 REZONING PROCESS**

**A. Purpose and Intent**

The purpose and intent of this section is to provide procedures and policies for a rezoning development application to change either the zone district or the zoning designation(s) of a lot.

**B. Applicability**

The Rezoning Process is applicable to any development application that proposes to change the zone district, zoning designation and/or the density allocation assigned to a lot.

**C. Review Process**

1. **Step 1: Conceptual Worksession.** A conceptual worksession application shall be submitted prior to submitting a formal rezoning development application.
  - a. The Director of Community Development may waive the requirement to submit a conceptual worksession due to limited size, scale or other matters that limit the issues associated with a rezoning development application.
2. **Step 2: Rezoning Development Application.** Rezoning development applications shall be processed as class 4 applications.



**D. Criteria for Decision**

1. The following criteria shall be met for the review authority to approve a rezoning development application:
  - a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
  - b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
  - c. The proposed rezoning meets the Comprehensive Plan project standards;
  - d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
  - e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
  - f. Adequate public facilities and services are available to serve the intended land uses;
  - g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
  - h. The proposed rezoning meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the rezoning review criteria.

**E. General Standards**

1. **Ordinance Required for Zone District Amendment.** Any change to the zone district, on a lot shall be by duly adopted ordinance.
  - a. All ordinances for a rezoning shall include a map reflecting the new zoning and associated boundaries.
  - b. A rezoning shall not become effective until thirty (30) days following the adoption of the rezoning ordinance.
2. **Ordinance Required for Change in Density or Zoning Designation.** Any change to the density or zoning designation assigned to a lot shall be by duly adopted ordinance that shall be recorded in the records of the San Miguel County Clerk and Recorder.
  - a. To the extent multiple recorded resolutions and/or ordinances exist with respect to the zoning designation of a lot, the most recently recorded resolution or ordinance shall prevail and shall have the effect of voiding all prior recorded resolutions and ordinances.
  - b. **Zoning on Plats.** If the current, recorded plat for the lot(s) affected by the rezoning lists either the zone district, zoning designation and/or associated density, the rezoning ordinance shall include a statement that the zoning set forth in the rezoning ordinance shall prevail over any inconsistent plat notations on all validly recorded plats for the lots affected by such rezoning.
3. **Official Zoning Map Amendment.** Rezonings affecting the zone district boundaries shall be shown by the Town on the Official Zoning Map as soon as reasonably practicable following the effective date of a rezoning. The Official Zoning Map, as amended by the rezoning, shall be signed by the Town Mayor and attested by the Town

Clerk.

4. **Official Land Use and Density Allocation List Amendment.** Rezoning that change the zoning designations or density allocations on a lot shall be reflected on the official land use and density allocation list as soon as reasonably practicable following the effective date of a rezoning.

5. **Density Transfer**

- a. Density may be transferred from one lot to another within the Town, provided that the existing or proposed zone district of both lots allows for the increase or decrease in density, and provided that the density transfer is approved pursuant to the Rezoning Process, PUD Process or the MPUD Process.
- b. Density may be increased or decreased on a lot by transferring density to or from the density bank, or by transferring density to or from another lot if such transferor lot is made a part of the Rezoning Process, PUD Process or the MPUD Process.

6. **Rezoning Limitations**

- a. Zoning designations assigned to density within the density bank may be changed to another zoning designation during the Rezoning Process when it is being transferred to a lot.
- b. Workforce housing density may not be rezoned to free market units except when the WHR is lost as provided for in the Zoning and Land Use Regulations.
- c. Workforce housing density assigned to a lot or property has specific requirements as set forth in the workforce housing requirements.
- d. Lots or units subject to the workforce housing restriction may only request a rezoning to change the zoning designation to either: (1) employee apartment, employee single-family, employee condominium or employee dorm; or (2) for whole lots only, the PUD Zone District to allow for a mix of workforce housing and free-market dwellings.
- e. Single-family zoning designations within the density bank may be rezoned to any zoning designation as a part of a rezoning and density transfer development application where the density is being transferred from the density bank to a lot.
- f. Lodge, efficiency lodge, hotel and hotel efficiency zoning designations may not be rezoned to condominium zoning designations.
- g. Rezoning of a condominium unit from residential to commercial, or vice-versa, whether or not there is any change to the exterior of the building, requires a rezoning of the affected unit(s).
- h. Lots outside the Village Center rezoning to any zoning designation with multi-family dwellings may be required to have a transportation plan and may be required to provide certain amenities on site, such as outdoor spa facilities, playgrounds, fitness facilities and/or a common area gathering place as conditions of approval.
- i. In development applications that propose removing density from a Village Center and multi-family lot, the applicant must prove the existence of a practical difficulty that prohibits the build out of the platted density. Financial hardship or expense shall not be considered a practical difficulty for the purpose of this section.
- j. Commercial and industrial density and/or zoning designations shall not be rezoned or converted to any other density since such a change would increase the Density Limitation.

## **7. Town Initiated Rezonings**

The Town Council may initiate the rezoning of private property by passing a motion directing staff to prepare and process a rezoning development application for specifically identified lots, following the Rezoning Process established by this section as a class 4 application.

### **17.4.10 DENSITY TRANSFER PROCESS**

#### **A. Purpose and Intent**

The purpose and intent of this section is to provide procedures and policies for a density transfer development application to transfer density from:

1. A lot to another lot in the town;
2. A lot to the density bank;
3. The density bank to a lot; or
4. Within the density bank, from one entity to another entity.

#### **B. Applicability**

The density transfer process is applicable to any owner or developer that proposes to conduct one of the activities outlined above.

#### **C. Review Process**

Density transfers shall be processed as follows:

1. **Class 1 Application.** A density transfer within the density bank, from one entity to another entity, shall be processed as a class 1 application.
2. **Class 4 Application.** Density transfers from a lot to another lot, a lot to the density bank or the density bank to a lot shall be processed as class 4 applications, concurrent with the required Rezoning Process.

#### **D. Criteria for Decision**

1. **Class 1 Applications.** The following criteria shall be met for the review authority to approve a transfer within the density bank:
  - a. The applicant has submitted a copy of the effective and valid official density bank certificate;
  - b. The density bank certificate contains the density sought to be transferred;
  - c. The applicant has provided a copy of the properly recorded density conveyance document to the Planning Division showing the conveyance of the density;
  - d. The density transfer meets the density transfer and density bank policies; and
  - e. The proposed transfer within the density bank meets all applicable Town regulations and standards.
2. **Class 4 Applications.** The following criteria shall be met for the Review Authority to approve a density transfer:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application (except for MPUD development applications);
  - b. The density transfer meets the density transfer and density bank policies; and
  - c. The proposed density transfer meets all applicable Town regulations and standards.
3. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the density transfer review criteria.

**E. General Standards**

1. **Density as a Property Interest.** Density in the density bank is considered a property interest by the Town, and may be bought or sold subject to meeting the applicable requirements of the CDC.
2. **Density Bank Certificate.** Upon the approval of a density transfer within the density bank, the Town shall issue a new density bank certificate to the new owner and to the original owner if the transfer does not involve all of the density shown on the density transfer certificate.
3. **Official Land Use and Density Allocation List.** The Planning Division shall update the official land use and density allocation list upon the approval and effective date of a density transfer.

**17.4.11 DESIGN REVIEW PROCESS**

**A.** The purpose and intent of the Design Review Process is to ensure that development is planned and designed to fit within the overall design context of the town. These regulations are also intended to:

1. Promote public health, safety and welfare;
2. Require quality building, landscaping and site design that enhances the character of the town;
3. Ensure development meets the Zoning and Land Use Regulations and other applicable requirements of this CDC;
4. Foster a sense of community;
5. Promote the economic vitality of the town;
6. Promote the resort nature and tourism trade of the town; and
7. Protect property values within the town.

**B. Applicability and Exemptions**

1. **Applicability.** The Design Review Process is applicable to any developer, owner, agent or person that plans on conducting one of the following activities:
  - a. The construction or alteration of a building or structure;
  - b. New landscaping or alterations to existing landscaping;
  - c. Any clearing, grading or other movement of land;
  - d. Any dredging, filling, grading, paving or excavation;
  - e. The improvement or alteration of any lot, property or open space, whether temporary or permanent;
  - f. New development;



- g. All exterior modifications to existing development; or
- h. The application of new paint or stain on a building or structure.

**2. Exemptions.**

- a. The following activities are exempt from the need to submit to a Design Review Process:
  - i. Landscaping to replace dead or diseased vegetation that was already approved by a previous Design Review Process development application;
  - ii. Landscaping that involves the planting of flowers without any expansion of the irrigation system;
  - iii. The placement of play equipment and similar uses in the rear yard that are not custom built on site, such as a swing set or a trampoline; and
  - iv. Any activity or building permitted by another development review process that has the same detail as the Design Review Process, including but not limited to conditional use development applications and site-specific PUD development applications.
    - (a) The Planning Division shall determine if an activity or building is approved via another development review process that has the same detail as the Design Review Process prior to an activity being exempt from the Design Review Process.
    - (b) Such written determinations shall be made either concurrent with the non-Design Review Process development application or by a separate written request after a development application has been approved.
    - (c) Examples of this include a facility that has detailed plans (grading, landscaping, floor plans, elevations, etc.) approved via the Conditional Use Permit Process and, therefore, would not be required to also conduct a Design Review Process.
  - v. Seasonal decorations that comply with any limitations in the CDC, such as the Lighting Regulations and be installed for no more than 60 days for all events except for winter seasonal decorations that may be installed for no longer than five (5) consecutive months.
- b. Even though an activity may be exempt from the Design Review Process, such activities shall still comply with the applicable requirements of the Design Regulations and this CDC.
- c. Even if an activity is exempt from the Design Review Process, it shall be the responsibility of the owner, developer or agent of a lot or property to ensure the activity, development, structure or improvements are constructed in compliance with the Design Regulations and the CDC.

**C. Review Process**

**1. Class 1 Applications.**

- a. The following types of Design Review Process development applications shall be processed as class 1 applications:

- i. Design revisions or remodeling that are minor in nature, does not alter the massing of the structure and does not compromise the intent of the Design Regulations or approved plans provided the developer provides a courtesy notice to all property owners within 400 feet of the lot affected by the redevelopment;
  - ii. Roofing replacement;
  - iii. Insubstantial landscaping and grading development applications;
  - iv. Sign permits;
  - v. Bridges for recreational or pedestrian paths;
  - vi. Fire mitigation and forestry management projects;
  - vii. New or modified lighting on all buildings and structures;
  - viii. The replacement of a lift with a new lift provided the capacity of the lift is not changing;
  - ix. Minor golf course improvements or landscaping, such green or tee replacements; and
  - x. Minor ski resort improvements such as replacing or installing a snowmaking line.
- b. If any is design variation is sought pursuant to Design Variation Process for one of the development applications set forth above, such development application shall be processed as a class 3 application.
  - c. The review authority may elect to elevate a Design Review Process development application to either a class 2 or 3 application based on complicating factors, complex design or other similar considerations.
    - i. If the review authority elects to elevate a Design Review Process development application to a class 3 application, no public notice of such application is required.

**2. Class 2 Development Applications:**

- a. The following types of Design Review Process development applications shall be processed as class 2 applications:
  - i. Building additions that do not increase the floor area by more than twenty-five percent (25%) of the primary structure;
  - ii. Design revisions or remodeling that are more significant in nature, minimally alters the massing of the structure and does not compromise the intent of the Design Regulations or approved plans provided the developer provides a courtesy notice to all property owners within 400 feet of the lot affected by the redevelopment;
  - iii. New or remodeled, non-residential buildings or structures with less than 2,500 sq. ft. of floor area; and
  - iv. Substantial landscaping and grading development applications;
- b. If any is design variation is sought pursuant to Design Variation Process for one of the development applications set forth above, such development application shall be processed as a class 3 application.
- c. The review authority may elect to elevate a Design Review Process development application to a class 3 application based on complicating factors, complex

design or other similar considerations.

- i. If the review authority elects to elevate a Design Review Process development application to a class 3 application, no public notice of such application is required.

**3. Class 3 Development Applications.** All other Design Review Process development applications not listed above shall be processed as class 3 applications. Class 3 applications consist of two steps as outlined below.

a. **Initial Architecture and Site Review.** The intent of the **Initial Architecture and Site Review** is to allow the DRB a preliminary review of the composition of the project architecturally and its relation to the site to determine whether it is responsive to the Town Design Theme; fits within the context of the existing neighborhood and to identify the appropriateness of potential variations. ~~The review is not a public hearing and does not constitute a final action. no action will be taken.~~

i. **Initial Architecture and Site Review Disclaimer.** Any comments, ~~or general direction, warranties, guarantees and/or approvals in any manner or form by the DRB shall not be considered a final action at Sketch Review~~ **Initial Architecture and Site Review** ~~binding or represent any promises, warranties, guarantees and/or approvals in any manner or form.~~ An **initial architecture and site review** shall not be construed as a comprehensive review of the proposal under discussion, and as such, additional issues and/or concerns will most likely arise as part of the final review process.

~~3-b.~~ **Final Review.** Held on a subsequent agenda after the **Initial Architecture and Site Review** is approved, the Final Review is a public hearing to determine the project's consistency with the Town Design Theme and compliance with the CDC.

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**D. Criteria for Decision**

1. The following criteria shall be met for the review authority to approve a Design Review Process development application:
  - a. The proposed development meets the Design Regulations;
  - b. The proposed development is in compliance with the Zoning and Land Use Regulations;
  - c. The proposed development complies with the road and driveway standards;
  - d. The proposed development is in compliance with the other applicable regulations of this CDC;
  - e. The development application complies with any previous plans approved for the site still in effect;
  - f. The development application complies with any conditions imposed on development of the site through previous approvals; and
  - g. The proposed development meets all applicable Town regulations and standards.
2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the Design Regulations.

**E. General Standards**

1. **Licensed Architect Required.** All development applications for a structure or building to be constructed, altered or modified within the town are required to be stamped by a Colorado licensed architect.
  - a. If allowed by the CRS 12-25-301 et seq, the Director of Community Development may exempt a remodeling development application from this requirement if he/she determines that such remodeling is minor in nature and without any modification to a building's mass, or for a remodeling that is simply proposing the replacement of exterior materials and associated minor alterations.
2. **Master Development Plan.** Development applications with several phases are required to receive approval of a master development plan pursuant to the class 3 application process. Each phase will require review per the applicable Design Review Process set forth above and the Design Regulations. Design review development applications for each phase will conform to the approved master development plan.
  - a. The master development plan shall be used as a guide for the subsequent development of sites and the design and location of buildings and grounds within the project. All plans subsequently approved by the DRB in accordance with the Design Regulations shall substantially conform to the master development plan approved by the DRB.
3. **DRB Design Review Prior to Building Permit.** A building permit for a project that requires Design Review Process shall not be issued unless such project has been reviewed and approved pursuant to the Design Review Process and the Design Regulations.
4. **Non-Conforming Lots or Buildings:** A Design Review Process development application shall require the applicant to bring the existing building(s), structure(s), landscaping and other site elements into compliance with the current Design Regulations and CDC requirements. The Town shall only seek to bring a lot, site or building into compliance with the CDC in direct proportion to the development application to ensure that the costs of compliance are fair and balanced to the level of originally requested improvements.
5. **Design Variation Process.**
  - a. The DRB may grant design variations to the following Design Regulations sections:
    - i. Building siting design;
    - ii. Grading and drainage design;
    - iii. Building design;
    - iv. Landscaping regulations;
    - v. Trash, recycling and storage areas;
    - vi. Lighting regulations;
    - vii. Sign regulations; and
    - viii. Commercial, ground level and plaza area regulations.
  - b. A design variation request shall be processed concurrently with the applicable Design Review Process development application.
  - c. A design variation request shall outline the specific variations requested and



- include the section number.
- d. A design variation request shall provide a narrative on how the variation request meets the design variation criteria for decision.
- e. The following criteria shall be met for the review authority to approve a design variation development:
  - i. The design variation is compatible with the design context of the surrounding area, and provides for a strong mountain vernacular design.
  - ii. The design variation is consistent with the town design theme;
  - iii. The strict development application of the Design Regulations(s) would prevent the applicant or owner from achieving its intended design objectives for a project;
  - iv. The design variation is the minimum necessary to allow for the achievement of the intended design objectives;
  - v. The design variation is consistent with purpose and intent of the Design Regulations;
  - vi. The design variation does not have an unreasonable negative impact on the surrounding neighborhood; ~~and~~
  - ~~vii.~~ vii. The proposed design variation meets all applicable Town regulations and standards; ~~and~~
  - ~~viii.~~ viii. The variation supports a design interpretation that embraces nature, recalls the past, interprets our current time, and moves the town into the future while respecting the design context of the neighborhood surrounding a site.
- f. Cost or inconvenience alone shall not be sufficient grounds to grant a design variation.
- g. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the design variation process.

**6. DRB Compliance Inspection.** No owner, lessee or their agent or assignee shall apply for a certificate of occupancy (CO), temporary certificate of occupancy (TCO), final building approval or other similar occupancy approvals from the Building Division unless the applicant has received final inspections for compliance conducted by the Planning Division staff, and staff has signed the Building Division inspection card.

- a. In the event that paving and/or landscaping cannot be constructed without unreasonable delay, a TCO may be issued, if the applicant complies with the landscape completion policy in the Design Regulations.

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**PLANNING AND DEVELOPMENT SERVICES  
DEPARTMENT**

455 Mountain Village Blvd.  
Mountain Village, CO 81435  
(970) 369-8250

**Agenda Item No.11**

**TO:** Town Council

**FROM:** Dave Bangert, Senior Planner

**FOR:** Meeting of March 16, 2017

**DATE:** February 28, 2017

**RE:** **First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Rezone and Transfer Density on Lot 128, The Peaks to combine condominium Units 736 and 740 to create one condominium unit and Transfer One Density Unit (three person equivalent density) to the Density Bank.**

---

**PROJECT GEOGRAPHY**

**Legal Description:** Lot 128, The Peaks Units 736 and 740  
**Address:** 136 Country Club Drive  
**Applicant/Agent:** Kris Perpar, Shift Architects  
**Owner:** Robert and Charlotte Kettler  
**Zoning:** Village Center  
**Existing Use:** Condominium  
**Proposed Use:** Condominium  
**Lot Size:** 5.56 Acres

**Adjacent Land Uses:**

- **North:** Village Center and Residential – Single Family
- **South:** Active Open Space and Village Center
- **East:** Village Center
- **West:** Active Open Space

**ATTACHMENTS**

- Exhibit A: Site plans and Condominium map
- Exhibit B: Rezoning and Density Transfer application

**BACKGROUND**

The applicant, Kris Perpar/Shift Architects, represents owners of units 736 and 740, Lot 128, The Peaks. The owners desire to combine their two condominium units, unit 736 (3222 S.F.) and unit 740 (872 S.F.) The rezoning is required to move the density on unit 740 (three person equivalent) to the Density Bank under the owner's name.

The density currently assigned to Lot 128 by the Official Land Use and Density Allocation List as per Ordinance No. 2015-10 includes:

<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent Units</b>
Hotel	3	4.5
Condo	25	75
Lodge Unit	32	24
Efficiency Lodge Unit	142	71
Totals	202	174.5

**DISCUSSION**

To transfer density to the Density Bank the rezoning process must be followed, which includes a recommendation by the Design Review Board and final action by the Town Council. The following criteria must be met for the review authority to approve a rezoning application:

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
- c. The proposed rezoning meets the Comprehensive Plan project standards;
- d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
- f. Adequate public facilities and services are available to serve the intended land uses;
- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
- h. The proposed rezoning meets all applicable Town regulations and standards.

The Mountain Village Center Subarea Plan of the Comprehensive Plan provides principles, policies and actions for this important core of the town. The specific recommendations for The Peaks parcel states:

“The Peaks provided an overall plan for the following parcels of land that are based solely on the provision of hotbeds, without any condominiums. Therefore, any future development review that requires general conformance with the Comprehensive Plan only requires the provision of hotbed units and dorm units as outlined in the Mountain Village Center Subarea Development Table, with the minimum sizes for the hotbed units in accordance with the hotbed policies.”

The proposal to reduce one condominium unit by transferring it to the Density Bank is consistent with the plan because it does not change the current number of hotbeds or dorm units. Also, because the proposal is transferring density to the Bank, versus increasing the intensity of development of Lot 128, the project standards of the Comprehensive Plan, and the decision criteria related to adequate facilities and infrastructure does not apply. Staff finds the application meets the above criteria.

**Proposed Change**

<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent Units</b>
Hotel	3	4.5
Condo	24	72
Lodge Unit	32	24
Efficiency Lodge Unit	142	71
Totals	201	171.5

The following criteria must be met for the Town Council to approve the transfer of density to the density bank:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application;
- b. The density transfer meets the density transfer and density bank policies; and
- c. The proposed density transfer meets all applicable Town regulations and standards.

The proposed density transfer meets the above criteria.

**RECOMMENDATION**

Staff recommends the Town Council approve the rezoning and density transfer application on Lot 128 with the following motion:

“I move to approve the first reading of an ordinance approving the rezoning of Lot 128, Units 736 and 740, and to transfer 3 person equivalents of density to the density bank with direction to the Town Clerk to set the public hearing on April 20, 2017.”





# REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services  
Department  
Planning Division  
455 Mountain Village Blvd.  
Mountain Village, CO 81435

REZONING/DENSITY TRANSFER APPLICATION		
<b>APPLICANT INFORMATION</b>		
<b>Name:</b> Kristine Perpar; Shift Architects		<b>E-mail Address:</b> kristine@shift-architects.com
<b>Mailing Address:</b> P.O. Box 3206		<b>Phone:</b> 9707288145
<b>City:</b> Telluride	<b>State:</b> CO	<b>Zip Code:</b> 81435
<b>Mountain Village Business License Number:</b> 1732		
<b>PROPERTY INFORMATION</b>		
<b>Physical Address:</b> 136 Country Club Drive		<b>Acreage:</b>
<b>Zone District:</b> Multi Unit	<b>Zoning Designations:</b> Multi Unit	<b>Density Assigned to the Lot or Site:</b>
<b>Legal Description:</b> Lot 126 Unit 736 & 740		
<b>Existing Land Uses:</b> Multi Unit		
<b>Proposed Land Uses:</b> Multi Unit		
<b>OWNER INFORMATION</b>		
<b>Property Owner:</b> Robert Kettler		<b>E-mail Address:</b> bob@kettler.com
<b>Mailing Address:</b> 1751 Pinnacle Drive; Suite 700		<b>Phone:</b> 703 6415300
<b>City:</b> McLean	<b>State:</b> VA	<b>Zip Code:</b> 22102
<b>DESCRIPTION OF REQUEST</b>		
Combining of 2 Peak Units. Unit 736; 3222 S.F. & Unit 740 872 S.F.		



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services Department Planning Division 455 Mountain Village Blvd. Mountain Village, CO 81435

OWNER/APPLICANT ACKNOWLEDGEMENT OF RESPONSIBILITIES

I, Robert Kettler, the owner of Lot 128; unit 736 & 740 (the "Property") hereby certify that the statements made by myself and my agents on this application are true and correct. I acknowledge that any misrepresentation of any information on the application submittal may be grounds for denial of the development application or the imposition of penalties and/or fines pursuant to the Community Development Code. We have familiarized ourselves with the rules, regulations and procedures with respect to preparing and filing the development application. We agree to allow access to the proposed development site at all times by member of Town staff, DRB members and the Town Council. We agree that if this request is approved, it is issued on the representations made in the development application submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval. By signing this acknowledgement, I understand and agree that I am responsible for the completion of all required on-site and off-site improvements as shown and approved on the final plan(s) (including but not limited to: landscaping, paving, lighting, etc.). We further understand that I (we) are responsible for paying Town legal fees and other fees as set forth in the Community Development Code.

[Signature: R. Kettler (CK)] 1 10 17
Signature of Owner Date

[Signature] 1 10 17
Signature of Applicant/Agent Date

OFFICE USE ONLY
Fee Paid: By:
Planner:



REZONING/DENSITY TRANSFER  
APPLICATION

Planning & Development Services  
Department  
Planning Division  
455 Mountain Village Blvd.  
Mountain Village, CO 81435

OWNER AGENT AUTHORIZATION FORM

I have reviewed the application and hereby authorize Kristine Perpar of  
Shift Architects to be and to act as my designated representative and represent the development  
application through all aspects of the development review process with the Town of Mountain Village.

RC Kettler (ck)

(Signature)

1 10 17

(Date)

Robert Kettler

(Printed name)

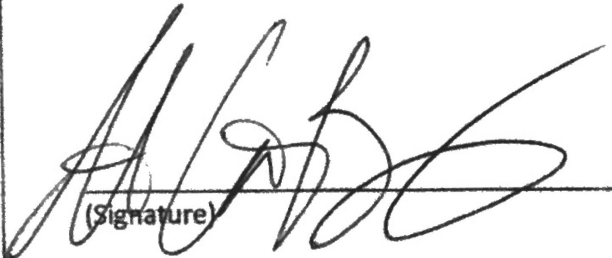


REZONING/DENSITY TRANSFER  
APPLICATION

Planning & Development Services  
Department  
Planning Division  
455 Mountain Village Blvd.  
Mountain Village, CO 81435

HOA APPROVAL LETTER

I, (print name) Curtis Brunjes, the HOA president of property located at  
Lot 128, provide this letter as  
written approval of the plans dated 1.9.2017 which have been submitted to the  
Town of Mountain Village Planning & Development Services Department for the proposed improvements to be  
completed at the address noted above. I understand that the proposed improvements include (indicate below):

  
(Signature)

1 10 17  
(Date)

HOA President  
(Title)



**GENERAL NOTES:**

**CONTRACT DOCUMENTS:**  
 CONTRACT DOCUMENTS CONSIST OF THE AGREEMENT, GENERAL CONDITIONS, SPECIFICATIONS, DETAIL BOOK AND DRAWINGS, WHICH ARE COOPERATIVE AND CONTINUOUS. WORK INDICATED OR REASONABLY IMPLIED IN ANY ONE OF THE DOCUMENTS SHALL BE SUPPLIED AS THOUGH FULLY COVERED IN ALL. ANY DISCREPANCIES BETWEEN THE PARTS SHALL BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF WORK. THESE DRAWINGS ARE PART OF THE CONTRACT DOCUMENTS FOR THIS PROJECT. THESE DRAWINGS ARE THE GRAPHIC ILLUSTRATION OF THE WORK TO BE ACCOMPLISHED. ALL DIMENSIONS NOTED TAKE PRECEDENCE OVER SCALED DIMENSIONS. DIMENSIONS NOTES WITH "N.T.S." DENOTES NOT TO SCALE.

**ORGANIZATION:**  
 THE DRAWINGS FOLLOW A LOGICAL, INTERDISCIPLINARY FORMAT: ARCHITECTURAL DRAWINGS (A SHEETS), CIVIL DRAWINGS (C SHEETS), STRUCTURAL (S SHEETS), MECHANICAL AND PLUMBING (M SHEETS), ELECTRICAL (E SHEETS) AND LIGHTING (LTG SHEETS).

**CODE COMPLIANCE:**  
 ALL WORK, MATERIALS AND ASSEMBLIES SHALL COMPLY WITH APPLICABLE STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS. THE CONTRACTOR, SUBCONTRACTORS AND JOURNEYMEN OF THE APPROPRIATE TRADES SHALL PERFORM WORK TO THE HIGHEST STANDARDS OF CRAFTSMANSHIP AND IN ACCORDANCE WITH AIA DOCUMENT A201-SECTION 3. THE BUILDING INSPECTOR SHALL BE NOTIFIED BY THE CONTRACTOR WHEN THERE IS NEED OF INSPECTION AS REQUIRED BY THE INTERNATIONAL BUILDING CODE OR ANY LOCAL CODE OR ORDINANCE.

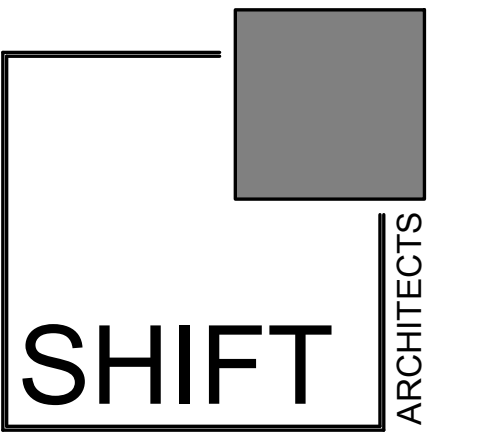
**INTENT:**  
 THESE DOCUMENTS ARE INTENDED TO INCLUDE ALL LABOR, MATERIALS, EQUIPMENT AND SERVICES REQUIRED TO COMPLETE THE WORK DESCRIBED HEREIN.

**COORDINATION:**  
 THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE DOCUMENTS, VERIFY ACTUAL CONDITIONS AND REPORT ANY DISCREPANCIES, ERRORS OR OMISSIONS TO THE ARCHITECT IN A TIMELY MANNER. THE ARCHITECT SHALL CLARIFY OR PROVIDE REASONABLE ADDITIONAL INFORMATION REQUIRED FOR SUCCESSFUL EXECUTION. THE CONTRACTOR SHALL VERIFY AND COORDINATE ALL OPENINGS THROUGH FLOORS, CEILINGS AND WALLS WITH ALL ARCHITECTURAL, INTERIOR, STRUCTURAL, MECHANICAL AND PLUMBING, ELECTRICAL AND LIGHTING DRAWINGS. CONTRACTOR WILL ASSUME RESPONSIBILITY OF ITEMS REQUIRING COORDINATION AND RESOLUTION DURING THE BIDDING PROCESS.

**SUBSTITUTIONS:**  
 ANY MATERIALS PROPOSED FOR SUBSTITUTION OF THOSE SPECIFIED OR THE CALLED-OUT-BY-TRADE-NAME IN THESE DOCUMENTS SHALL BE PRESENTED TO THE ARCHITECT FOR REVIEW. THE CONTRACTOR SHALL SUBMIT SAMPLES WHEN REQUIRED BY THE ARCHITECT AND SUCH SAMPLES SHALL BE REVIEWED BY THE ARCHITECT BEFORE THE WORK IS PERFORMED. WORK MUST CONFORM TO THE REVIEWED SAMPLES. ANY WORK WHICH DOES NOT CONFORM SHALL BE REMOVED AND REPLACED WITH WORK WHICH CONFORMS AT THE CONTRACTOR'S EXPENSE. SUBCONTRACTORS SHALL SUBMIT REQUESTS FOR REVIEW THROUGH THE GENERAL CONTRACTOR WHEN WORK IS LET THROUGH HIM OR HER. REQUIRED VERIFICATION AND SUBMITTALS TO BE MADE IN ADEQUATE TIME AS NOT TO DELAY WORK IN PROGRESS.

**SHOP DRAWINGS:**  
 SHOP DRAWINGS SHALL BE SUBMITTED TO THE ARCHITECT FOR HIS OR HER REVIEW WHERE CALLED FOR ANYWHERE IN THESE DOCUMENTS. REVIEW SHALL BE MADE BY THE ARCHITECT BEFORE WORK IS BEGUN, AND WORK SHALL CONFORM TO THE REVIEWED SHOP DRAWINGS, SUBJECT TO REPLACEMENT AS REQUIRED IN PARAGRAPH "SUBSTITUTIONS" ABOVE.

**SAFETY & PROTECTION OF WORK:**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY AND CARE OF ADJACENT PROPERTIES DURING CONSTRUCTION FOR COMPLIANCE WITH FEDERAL AND STATE O.S.H.A. REGULATIONS, AND FOR THE PROTECTION OF ALL WORK UNTIL IT IS DELIVERED COMPLETED TO THE OWNER.



P.O. Box 3206  
 100 W. Colorado Suite 211  
 Telluride, Colorado 81435  
 p 970-728-8145  
 kristine@shift-architects.com  
 www.shift-architects.com

PROJECT ISSUE DATE:  
 01.09.17 DRB MINOR SUBDIVISION

**PROJECT CODE INFORMATION**

ZONING  
 BUILDING CODE IRC 2012 AND ALL APPLICABLE CODES AS REQUIRED BY THE TOWN OF MOUNTAIN VILLAGE  
 DESCRIPTION  
 OCCUPANCY CLASSIFICATION  
 AUTOMATIC FIRE SPRINKLER  
 FIRE RESISTIVE RATING

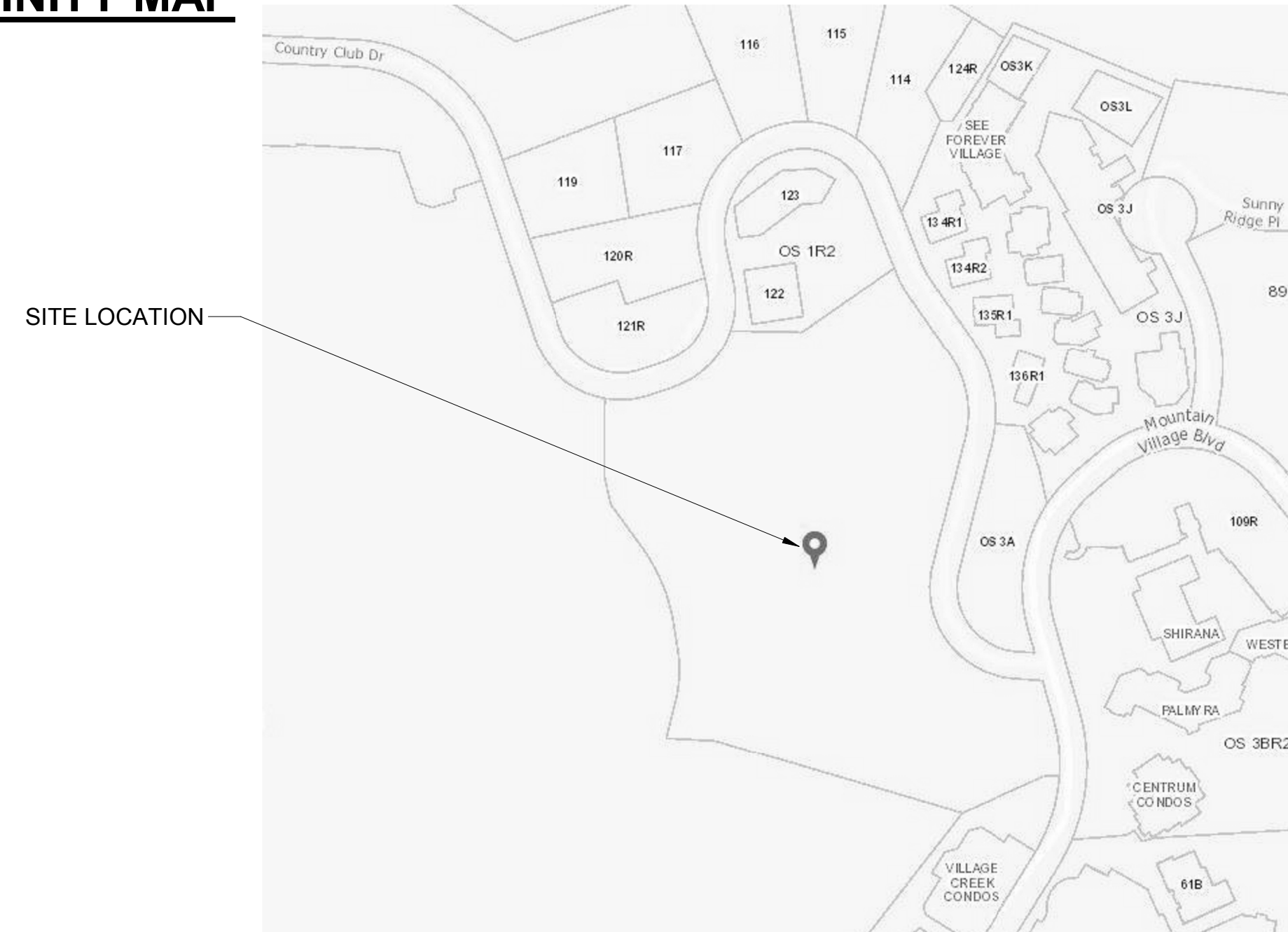
**PROJECT INFORMATION**

TYPE: REMODEL OF EXISTING CONDOMINIUM  
 PROPERTY ADDRESS: 136 COUNTRY CLUB DRIVE, MOUNTAIN VILLAGE, CO 81435  
 TAX AREA: 108  
 SUBDIVISION: DORAL HOTEL  
 FLOOR AREA CALCULATION:  
 UNIT 736  
 LEVEL 7 1,761 SF  
 LEVEL 8 675 SF  
 LEVEL 9 786 SF  
 TOTAL 3,222 SF  
 UNIT 740  
 LEVEL 7 872 SF  
 TOTAL: 4,094 SF

**SHEET INDEX**

**GENERAL**  
 G1.0 COVER SHEET  
**ARCHITECTURAL**  
 A2.1 EXISTING / DEMO PLANS  
 A2.2 EXISTING / DEMO PLANS  
 A2.4 EXISTING ELEVATIONS  
 A2.5 EXISTING ELEVATIONS  
 A3.1 FLOOR PLANS  
 A3.2 FLOOR PLANS  
 A4.1 EXTERIOR ELEVATIONS  
 A4.2 EXTERIOR ELEVATIONS

**VICINITY MAP**



**PROJECT TEAM**

**OWNER:**  
 ROBERT C. KETTLER  
 P. 703.641.5300  
 bob@kettler.com  
**ARCHITECT:**  
 SHIFT ARCHITECTS  
 KRISTINE PERPAR, AIA - ARCHITECT  
 100 WEST COLORADO STE. 211  
 TELLURIDE, CO 81435  
 P. 970.275.0263  
 kristine@shift-architects.com  
**GENERAL CONTRACTOR:**  
 TBD  
**STRUCTURAL:**  
 JESSE PEKKALA, LLC  
 PO BOX 688  
 TELLURIDE, CO 81435  
 C. 970.728.5013  
 jesse@pekkalaeng.com

KETTLER RESIDENCE- UNIT 736

136 COUNTRY CLUB DRIVE UNIT 736  
 MOUNTAIN VILLAGE, CO 81435

COVER SHEET

SHEET NUMBER

**G1.0**

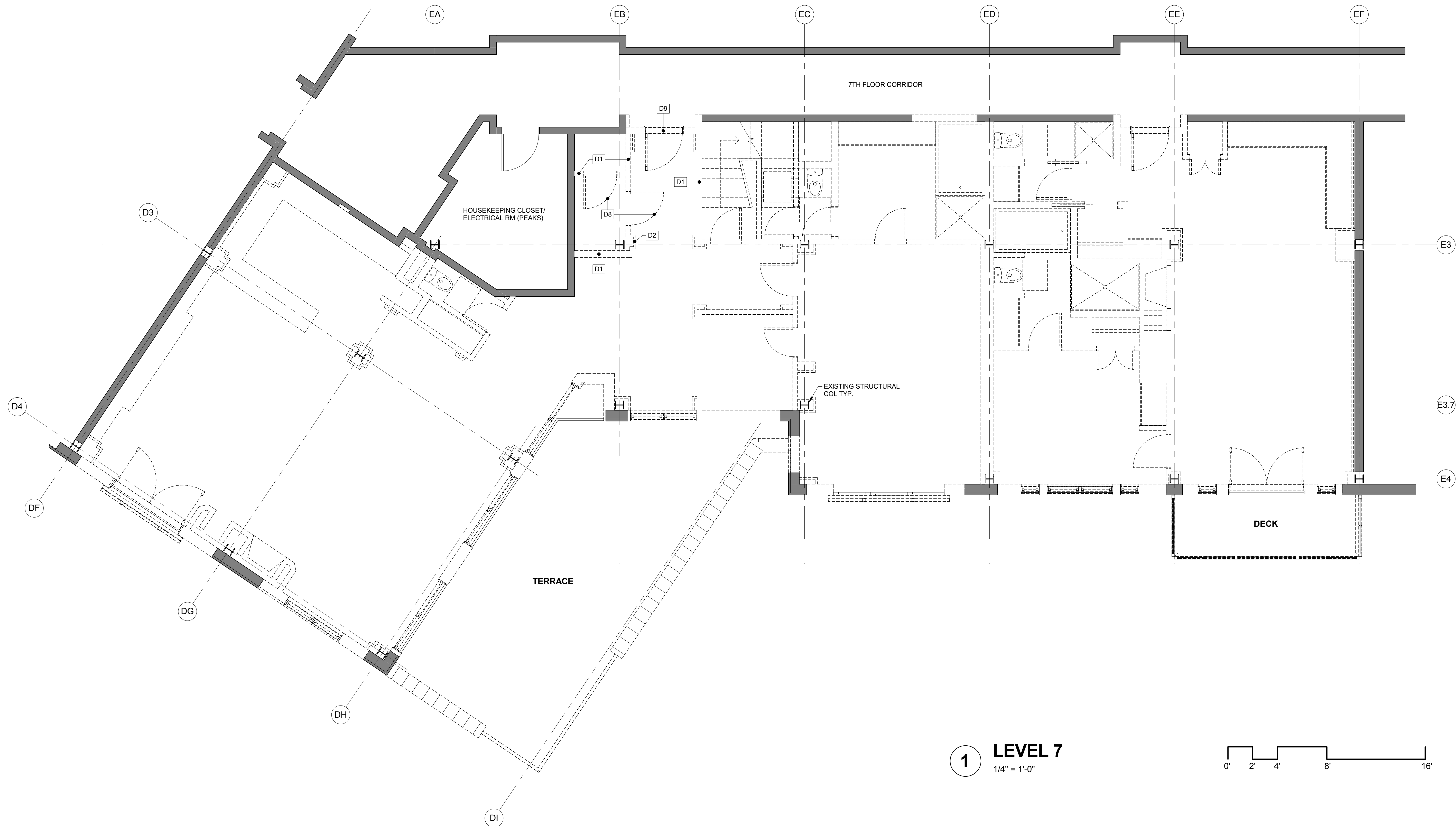
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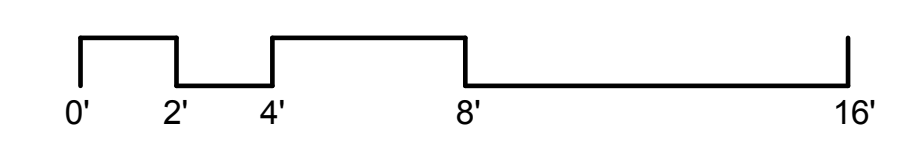
**GENERAL DEMOLITION NOTES:**

1. DEMOLITION INDICATED IS FOR GENERAL REFERENCE PURPOSES ONLY AND IS NOT INTENDED TO IDENTIFY ALL OF THE DEMOLITION, REMOVAL OF FINISHES, ETC. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION NECESSARY TO ACCOMMODATE NEW WORK WHETHER INDICATED OR NOT.
2. THE CONTRACTOR MUST ADHERE TO THE SCOPE OF WORK SHOWN ON THE DRAWINGS. NO WORK IS AUTHORIZED IF IT EXPANDS THE ORIGINAL SCOPE OF WORK UNLESS IT IS APPROVED IN WRITING BY THE OWNER/ARCHITECT. ANY WORK UNDERTAKEN BY THE CONTRACTOR AND ANY ADDITIONAL REQUIRED DOCUMENTATION OR COST TO THE PROJECT WITHOUT PRIOR WRITTEN APPROVAL IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
3. VERIFY EXISTING STRUCTURE PRIOR TO DEMOLITION.
4. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
5. PROTECT ALL AREAS OF EXTERIOR FINISH ADJACENT TO DEMOLISHED ELEMENTS. PATCH AND REPAIR TO MATCH EXISTING CONDITIONS IF AFFECTED DURING CONSTRUCTION.
6. COORDINATE REMOVAL OF EXISTING FLOOR FINISHES TO ACCOMMODATE NEW PROPOSED FLOORING. ADJUST UNDERLAYMENT AS NECESSARY TO ENSURE SMOOTH/LEVEL TRANSITIONS BETWEEN DIFFERENT MATERIALS AND NEW AND EXISTING WORK.

--- DASHED LINES INDICATE REMOVAL OF EXISTING



**1 LEVEL 7**  
1/4" = 1'-0"



**KETTLER RESIDENCE- UNIT 736**

136 COUNTRY CLUB DRIVE UNIT 736  
MOUNTAIN VILLAGE, CO 81435

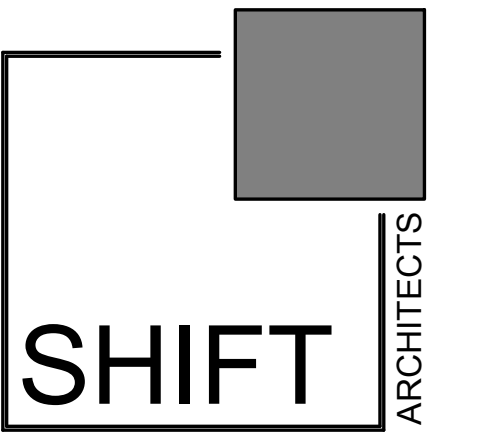
EXISTING / DEMO  
PLANS

SHEET NUMBER

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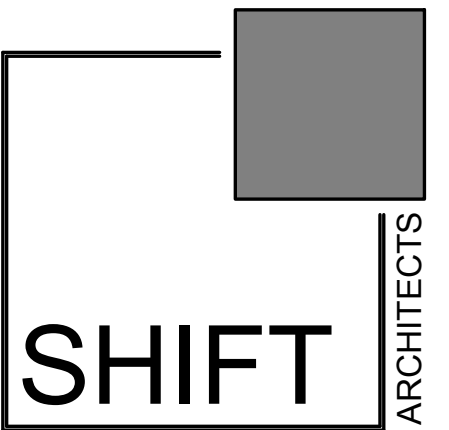
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PROJECT ISSUE DATE:  
01.09.17 DRB MINOR SUBDIVISION

**GENERAL DEMOLITION NOTES:**

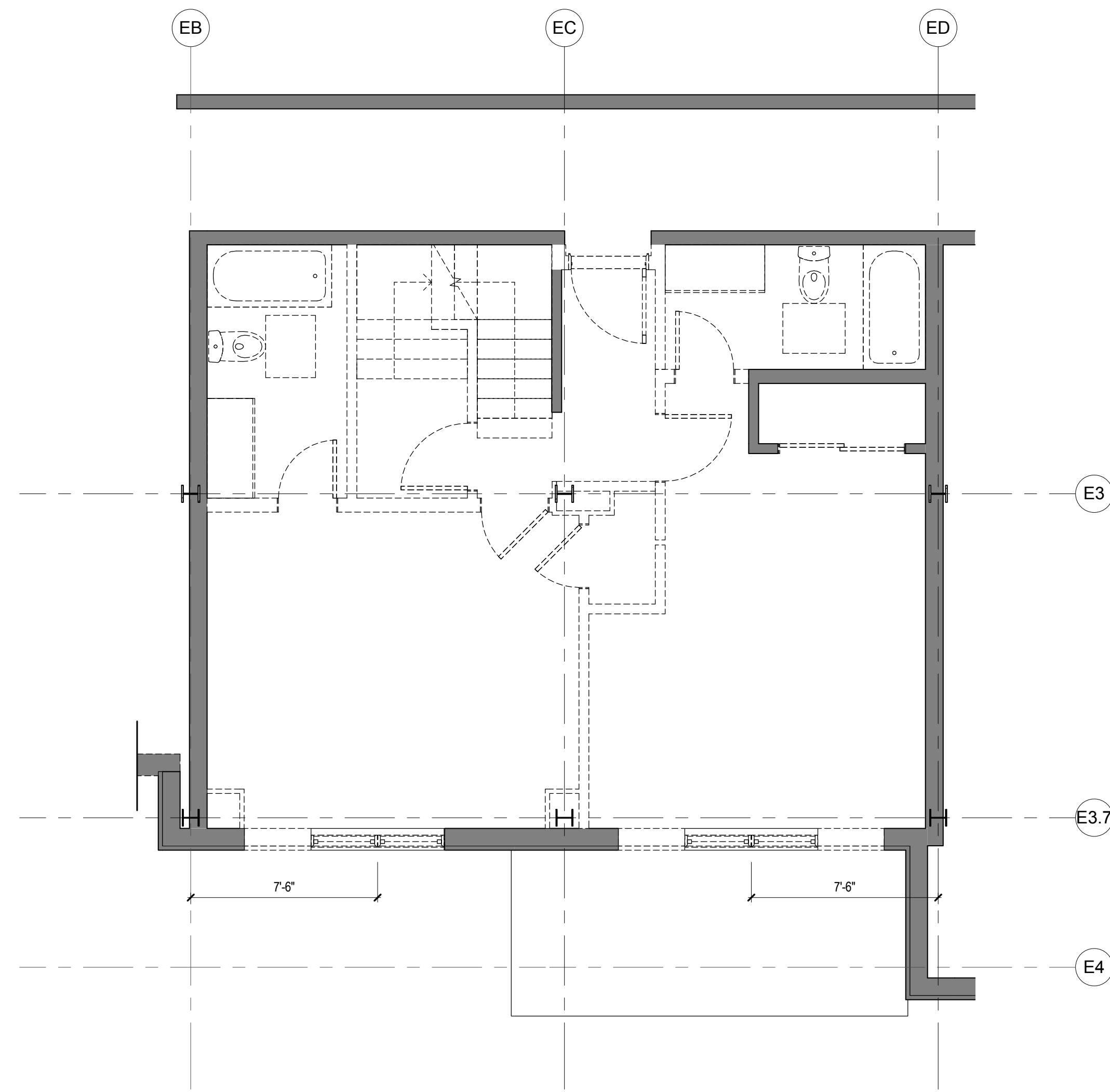
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6. COORDINATE REMOVAL OF EXISTING FLOOR FINISHES TO ACCOMMODATE NEW PROPOSED FLOORING. ADJUST UNDERLAYMENT AS NECESSARY TO ENSURE SMOOTH/LEVEL TRANSITIONS BETWEEN DIFFERENT MATERIALS AND NEW AND EXISTING WORK.

--- DASHED LINES INDICATE REMOVAL OF EXISTING

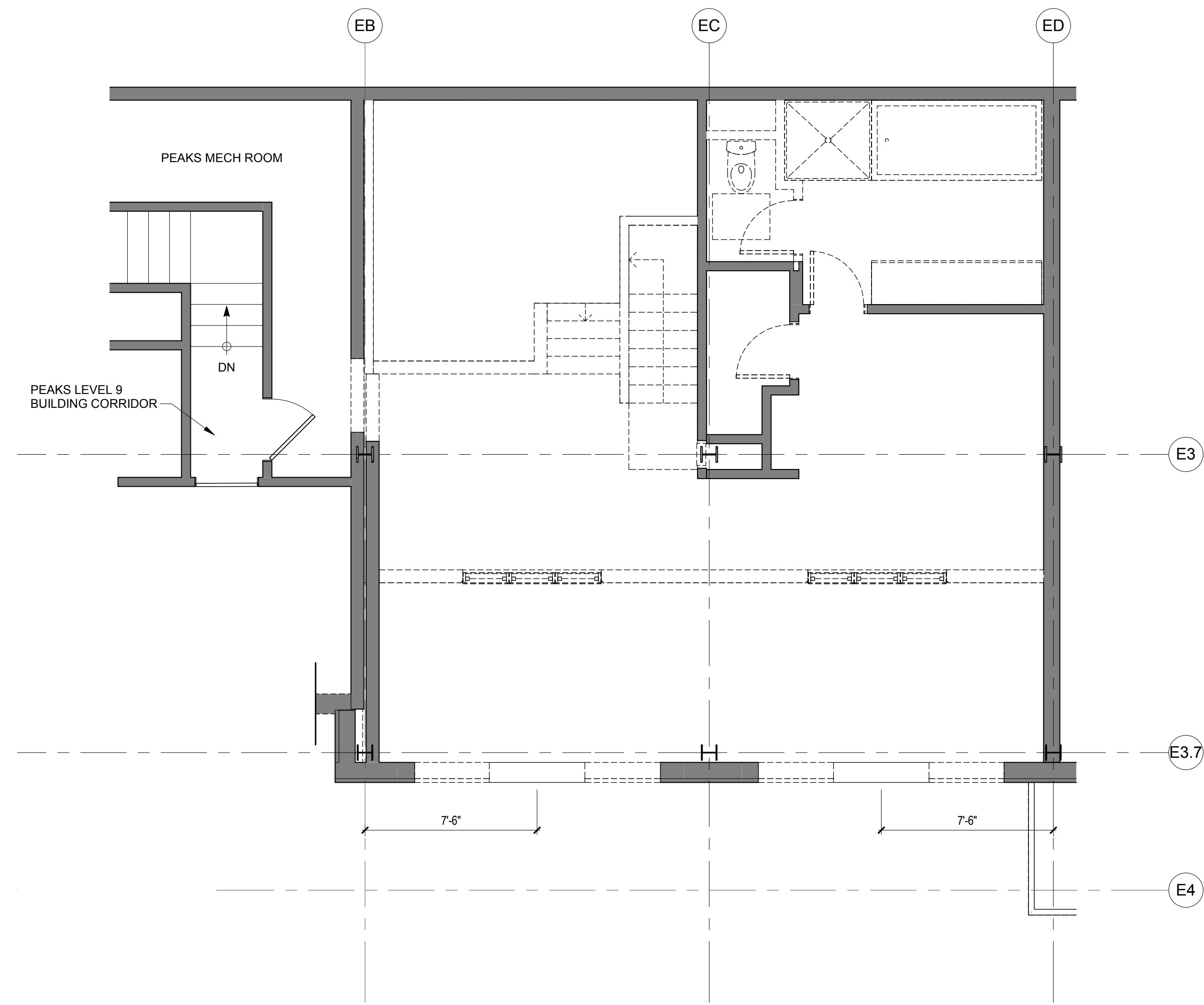


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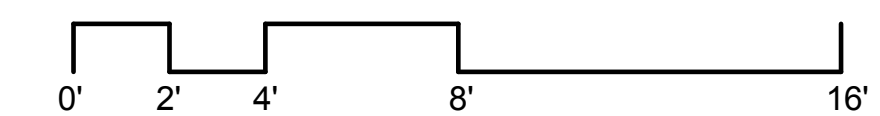
PROJECT ISSUE DATE:  
01.09.17 DRB MINOR SUBDIVISION



**1 LEVEL 8**  
1/4" = 1'-0"



**2 LEVEL 9**  
1/4" = 1'-0"



KETTLER RESIDENCE- UNIT 736

136 COUNTRY CLUB DRIVE UNIT 736  
MOUNTAIN VILLAGE, CO 81435

EXISTING / DEMO  
PLANS

SHEET NUMBER

**A2.2**

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**KETTLER RESIDENCE- UNIT 736**

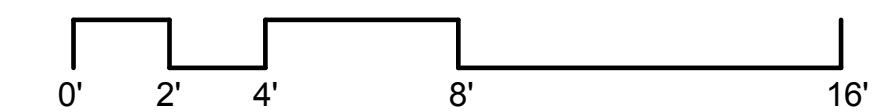
136 COUNTRY CLUB DRIVE UNIT 736  
MOUNTAIN VILLAGE, CO 81435

EXISTING  
ELEVATIONS

SHEET NUMBER

**A2.4**

**1** EXISTING SOUTH ELEVATION  
1/4" = 1'-0"



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© shift architects

**NOT FOR CONSTRUCTION**





T.O. Slab Lvl 9 (E)  
 9575'-0"

T.O. Slab Lvl 8 (E)  
 9565'-0"

T.O. Slab Lvl 7 (E)  
 9555'-0"

**2** EXISTING ELEVATION AT TERRACE  
 1/4" = 1'-0"

T.O. Slab Lvl 10 (E)  
 9585'-0"

T.O. Slab Lvl 9 (E)  
 9575'-0"

T.O. Slab Lvl 8 (E)  
 9565'-0"

T.O. Slab Lvl 7 (E)  
 9555'-0"

**1** EXISTING WEST ELEVATION  
 1/4" = 1'-0"

**KETTLER RESIDENCE- UNIT 736**

136 COUNTRY CLUB DRIVE UNIT 736  
 MOUNTAIN VILLAGE, CO 81435

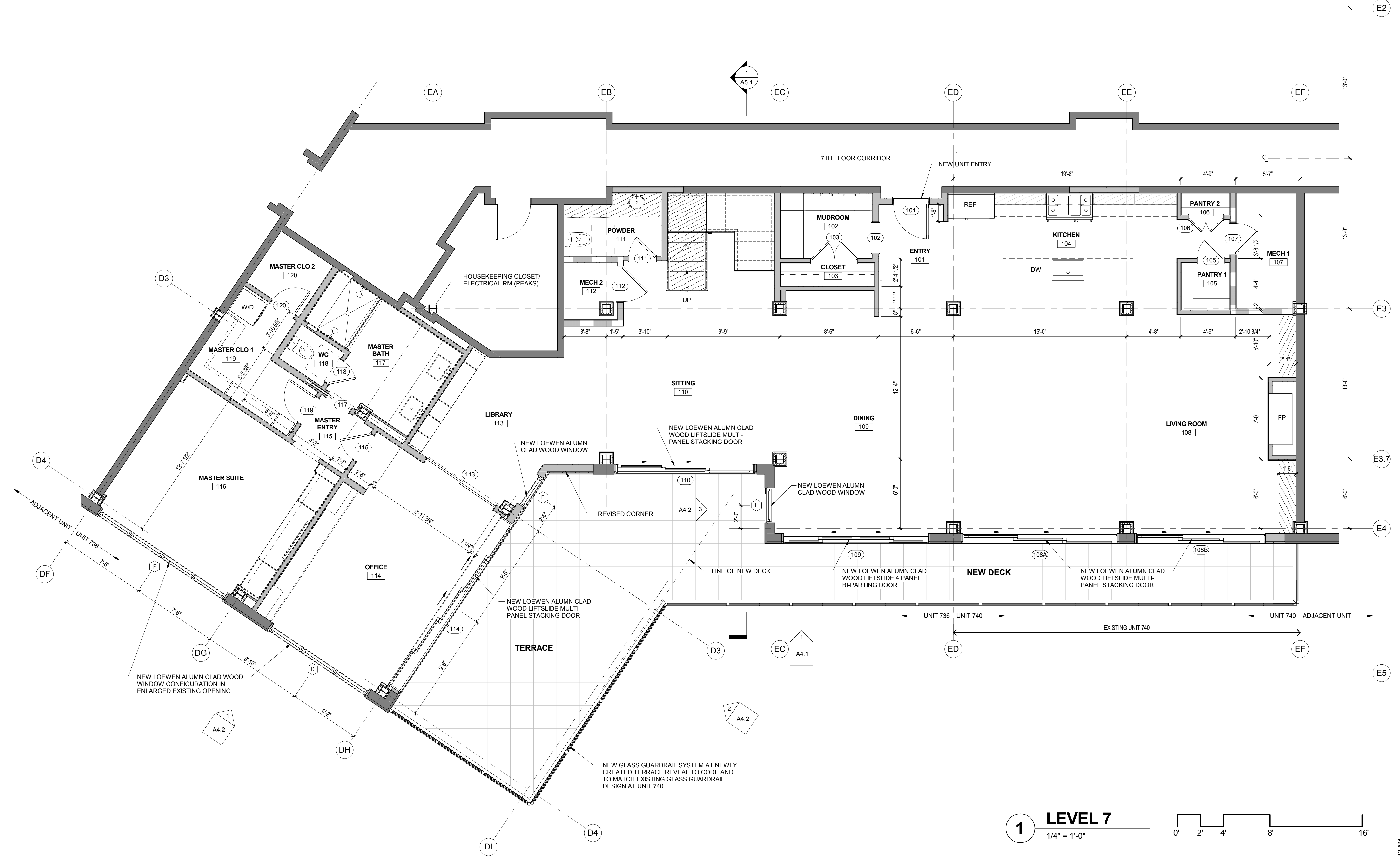
FLOOR PLANS

SHEET NUMBER

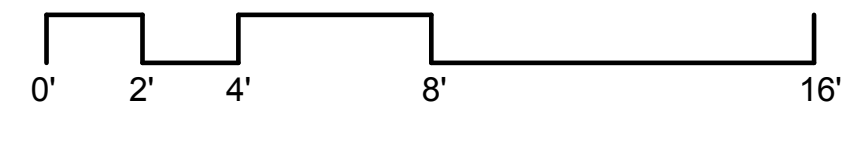
**A3.1**

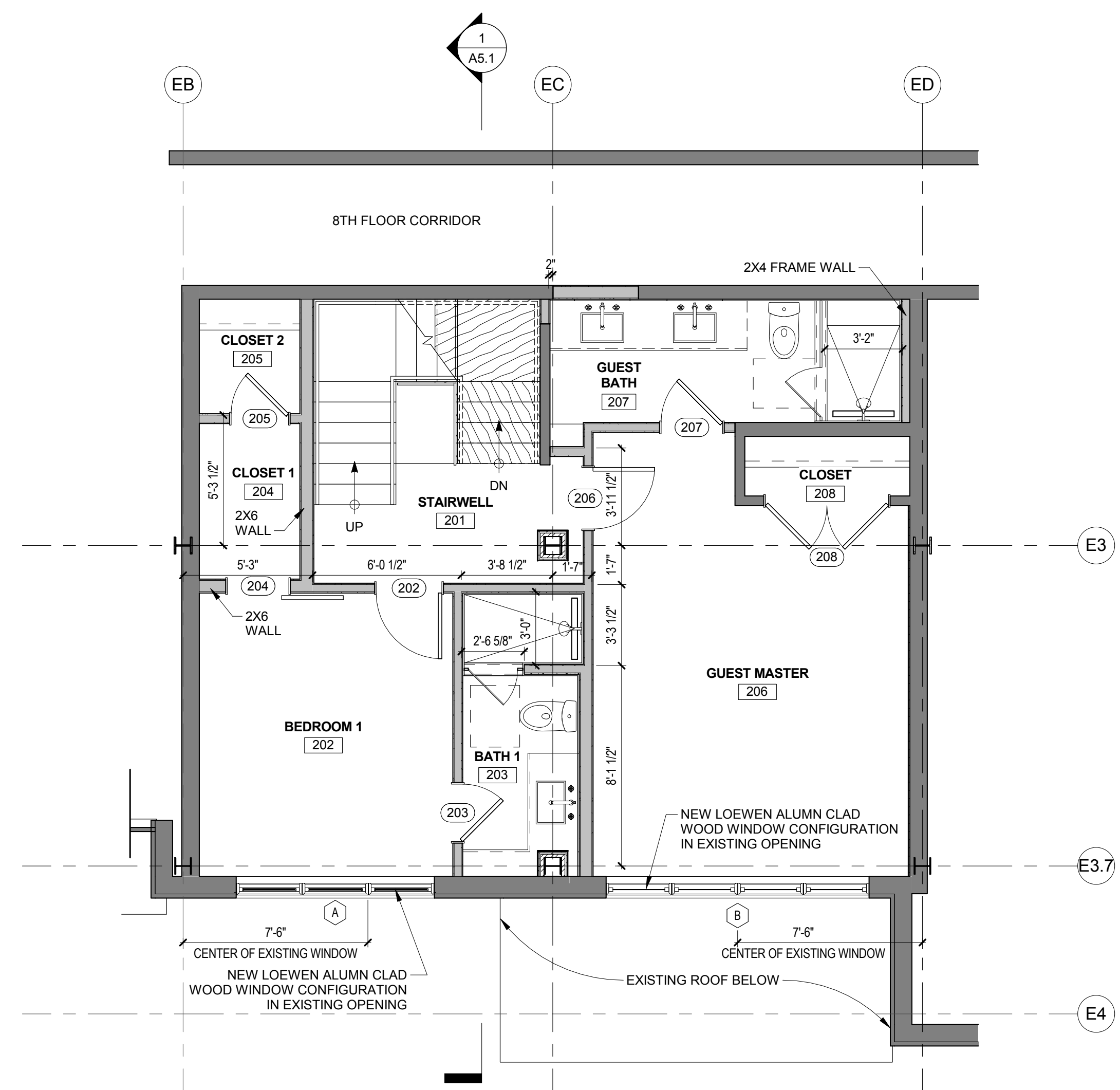
1/9/2017 11:11:13 AM

**NOT FOR CONSTRUCTION**

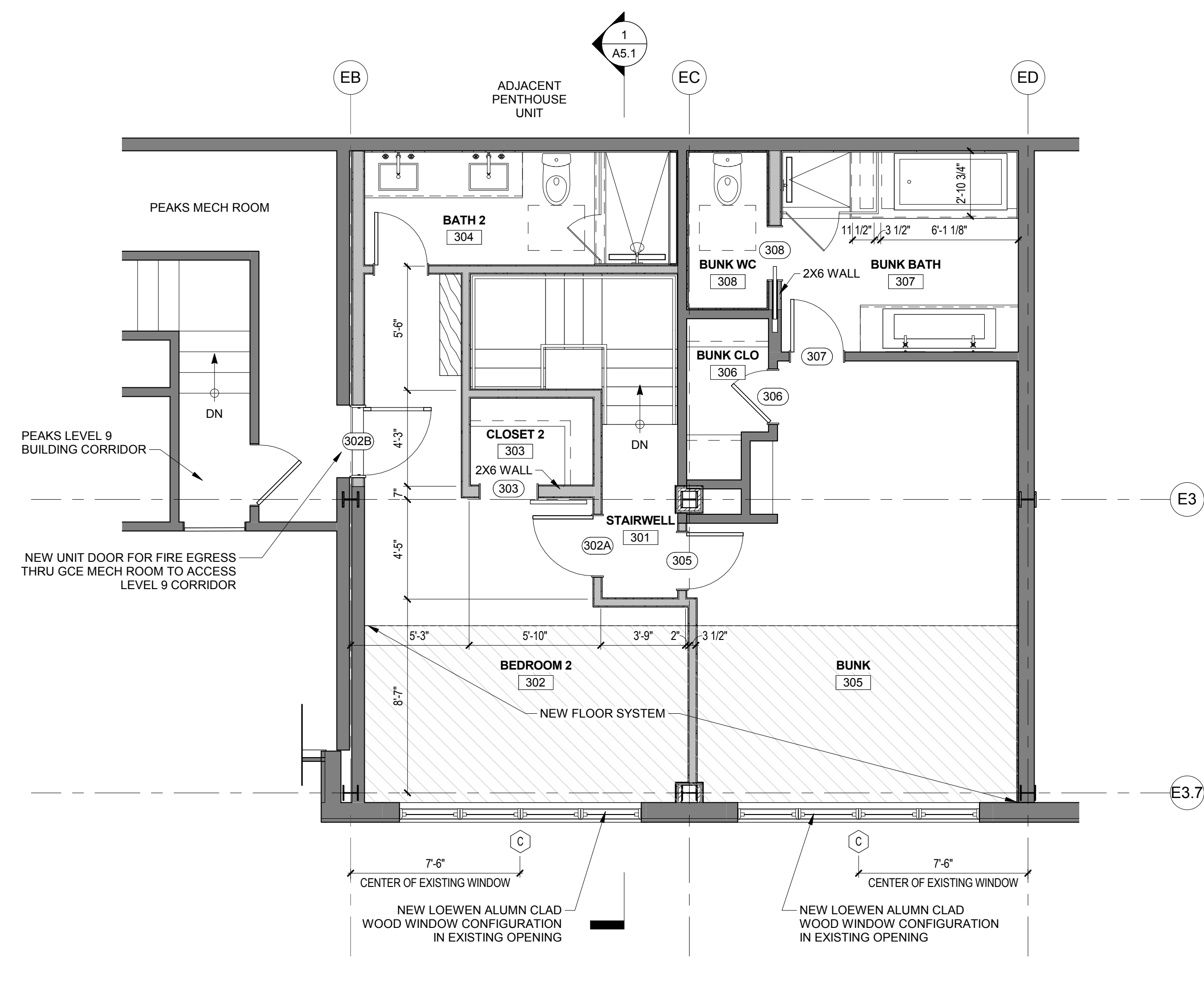


**1 LEVEL 7**  
 1/4" = 1'-0"

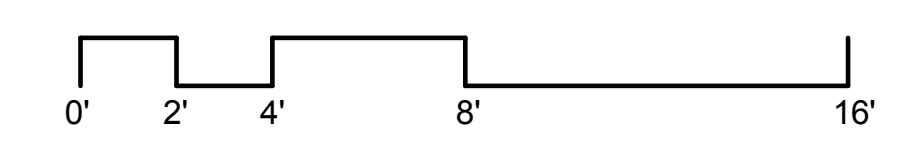




**1 LEVEL 8**  
 1/4" = 1'-0"



**2 LEVEL 9**  
 1/4" = 1'-0"



KETTLER RESIDENCE- UNIT 736

136 COUNTRY CLUB DRIVE UNIT 736  
 MOUNTAIN VILLAGE, CO 81435

FLOOR PLANS

SHEET NUMBER

**A3.2**

NOT FOR CONSTRUCTION

1/9/2017 11:11:14 AM



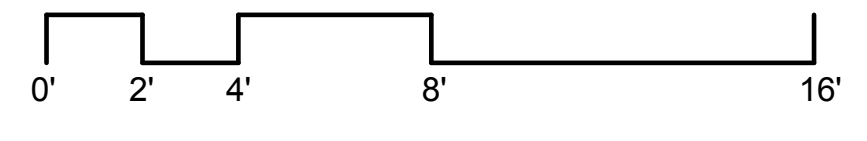
**KETTLER RESIDENCE- UNIT 736**

136 COUNTRY CLUB DRIVE UNIT 736  
 MOUNTAIN VILLAGE, CO 81435

EXTERIOR ELEVATIONS

SHEET NUMBER

**1 SOUTH ELEVATION**  
 1/4" = 1'-0"

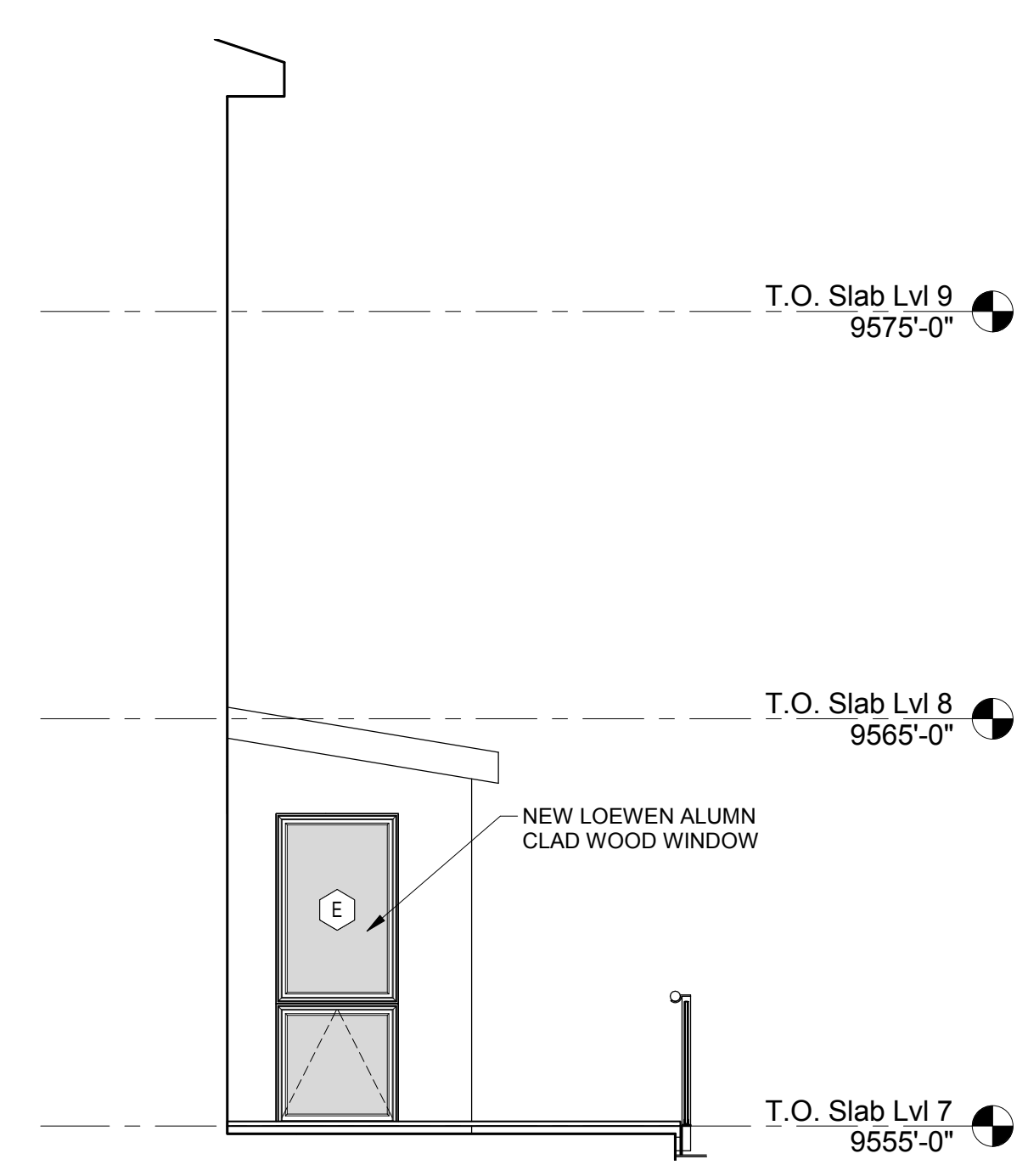


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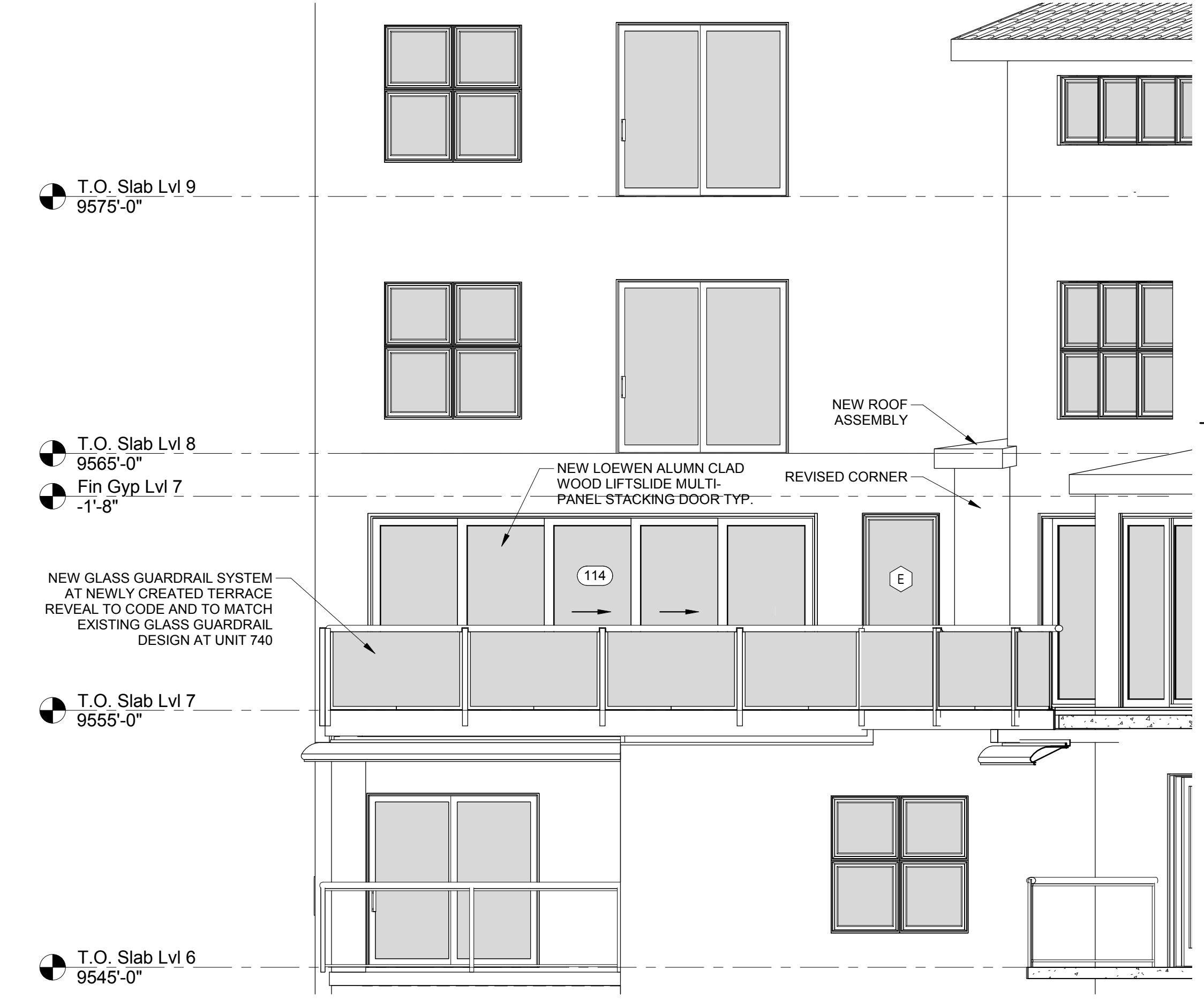
**A4.1**

**NOT FOR CONSTRUCTION**





**3 PARTIAL ELEVATION AT DINING WINDOW**  
1/4" = 1'-0"



**2 PARTIAL ELEVATION AT TERRACE**  
1/4" = 1'-0"



**1 PARTIAL WEST ELEVATION**  
1/4" = 1'-0"

KETTLER RESIDENCE- UNIT 736

136 COUNTRY CLUB DRIVE UNIT 736  
MOUNTAIN VILLAGE, CO 81435

EXTERIOR  
ELEVATIONS

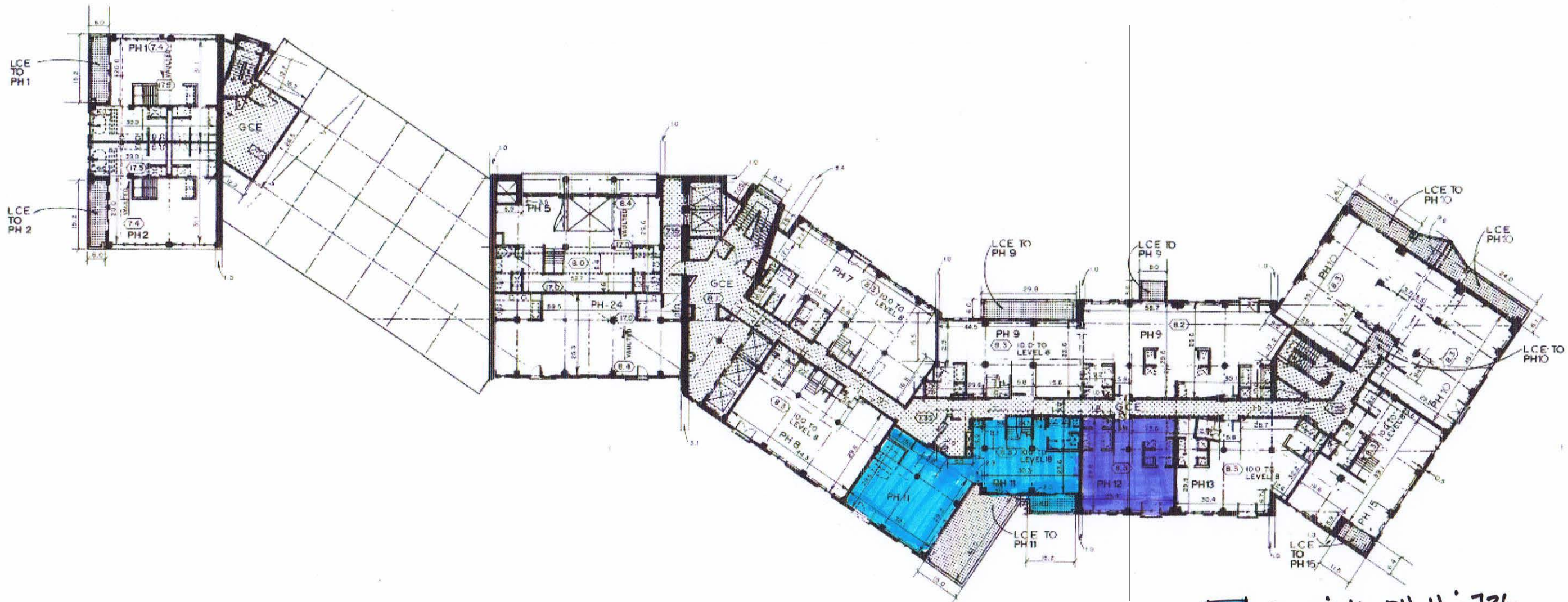
SHEET NUMBER

**A4.2**

1/9/2017 11:11:18 AM

© shift architects

NOT FOR CONSTRUCTION



EXISTING PH 11; 736  
 EXISTING PH 12; 740

NOTE: ALL INTERIOR WALLS ARE 0.5" THICK UNLESS OTHERWISE NOTED.

- LEGEND**
- GCE General Common Element
  - LCE Limited Common Element
  - 8.2 Room Height (horizontal boundary)
  - Height Change

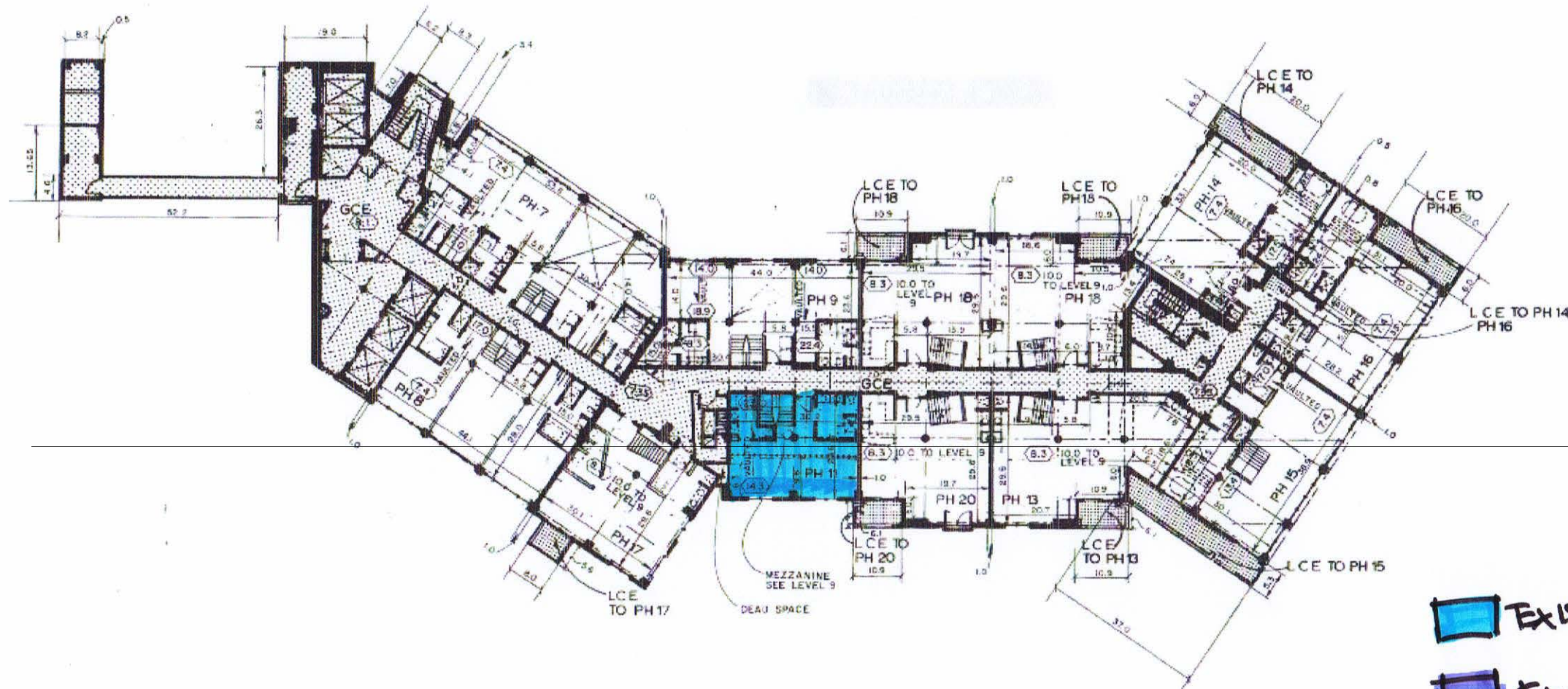
**Doral Telluride**  
RESORT & SPA

**GREENHORNE & O'MARA, INC.**  
Engineers / Architects / Planners / Scientists / Surveyors  
3121 South Vaughn Way Suite 428 Aurora, Colorado 80014 (303)-755-9000

LEVEL SEVEN







EXISTING PH 11; 736  
 EXISTING PH 12; 740

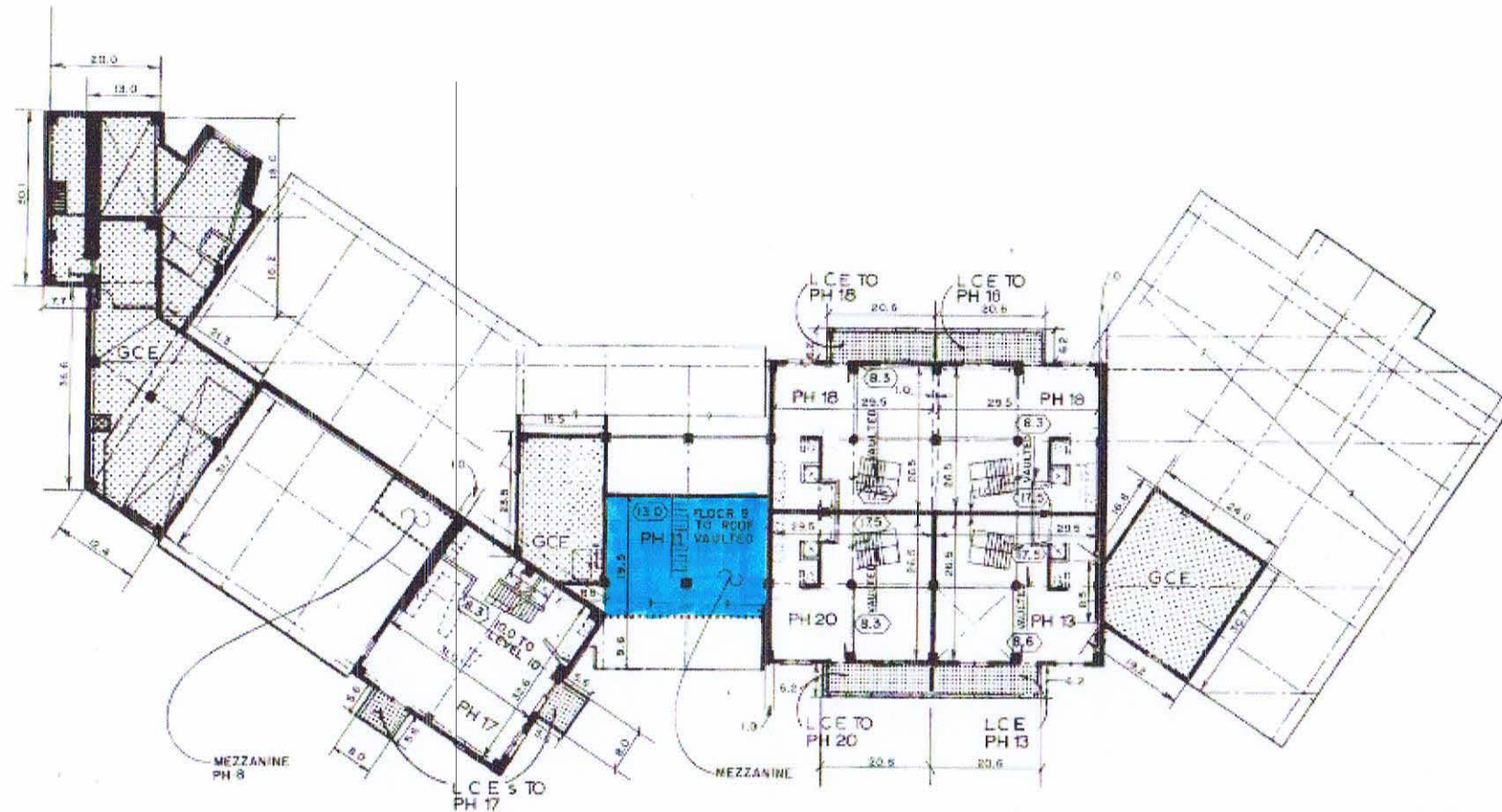
NOTE: ALL INTERIOR WALLS  
 ARE 0.5" THICK  
 UNLESS OTHERWISE  
 NOTED.

LEVEL EIGHT

- LEGEND**
- GCE General Common Element
  - LCE Limited Common Element
  - Room Height (horizontal boundary)
  - Height Change

**Doral Telluride**  
 RESORT & SPA

**GREENHORNE & O'MARA, INC.**  
 Engineers / Architects / Planners / Scientists / Surveyors  
 5131 South Foothill Way Suite 428 Aurora, Colorado 80014 (303)-755-9000



EXISTING PH 11; 736  
 EXISTING PH 12; 740

NOTE: ALL INTERIOR WALLS ARE 0.5" THICK UNLESS OTHERWISE NOTED.

- LEGEND**
- GCE General Common Element
  - LCE Limited Common Element
  - 8.2 Room Height (horizontal boundary)
  - ..... Height Change

**Doral Telluride**  
RESORT & SPA

**GREENHORNE & O'MARA, INC.**  
 Engineers / Architects / Planners / Scientists / Surveyors  
 3131 South Yaughn Way Suite 428 Aurora, Colorado 80014 (303)-755-9000

LEVEL NINE



**ORDINANCE NO. 2017-\_\_\_**

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,  
COLORADO APPROVING: (1) REZONING AND (2) DENSITY TRANSFER ON LOT 128.**

**RECITALS**

- A. The applicant and owner’s representative, Kris Perpar/Shift Architects, has submitted an application for a rezoning and density transfer for Lot 128. The proposed rezoning is proposing to combine Condominium Units 736 and 740 and transfer 3 Person Equivalent Units to the density bank. (“**Applications**”) pursuant to the requirements of the Community Development Code (“**CDC**”).
- B. Robert and Charlotte Kettler are the owners of Lot 128, Units 736 and 740.
- C. Lot 128, Filing 1, Town of Mountain Village is referred to as the “**Property**”.
- D. The Property has the following zoning designations pursuant to the Official Land Use and Density Allocation List as per Ordinance No. 2015-10:

<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent Units</b>
Hotel	3	4.5
Condo	25	75
Lodge Unit	32	24
Efficiency Lodge Unit	142	71
Totals	202	174.5

- E. At a public hearing held on March 2, 2017, the DRB considered the Applications, testimony and public comment and recommended to the Town Council that the Applications be approved with conditions pursuant to the requirement of the CDC.
- F. At its regularly scheduled meeting held on March 16, 2017, the Town Council conducted a public hearing pursuant to the CDC and after receiving testimony and public comment, closed the hearing and approved this Ordinance on first reading and set a further public hearing on April 20, 2017.
- G. At its regularly scheduled meeting held on April 20, 2017, the Town Council conducted a public hearing on this Ordinance, pursuant to the Town Charter and after receiving testimony and public comment, closed the hearing and approved the Applications and this Ordinance on second reading.
- H. This Ordinance rezones the Property as follows:

<b>Zoning Designation</b>	<b>Actual Units</b>	<b>Person Equivalent Units</b>
Hotel	3	4.5
Condo	24	72
Lodge Unit	32	24
Efficiency Lodge Unit	142	71
Totals	201	171.5

- I. The meeting held on March 16, 2017 and the public hearing held on April 20, 2017 were duly publically noticed as required by the CDC Public Hearing Noticing Requirements, including but not limited to notification of all property owners within 400 feet of the Property, posting of a sign and posting on the respective agendas.
- J. The Town Council hereby finds and determines that the Applications meet the Rezoning Process Criteria for Decision as provided in CDC Section 17.4.9(D) as follows:

Rezoning Findings

- 1. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan.
- 2. The proposed rezoning is consistent with the Zoning and Land Use Regulations.
- 3. The proposed rezoning meets the Comprehensive Plan.
- 4. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
- 5. The proposed rezoning is justified because of the specific policies in the Comprehensive Plan that contemplate the rezoning as applied for.
- 6. Adequate public facilities and services are available to serve the intended land uses.
- 7. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion.
- 8. The proposed rezoning meets all applicable Town regulations and standards.
- K. The Town Council finds that the Applications meet the Rezoning Density Transfer Process criteria for decision contained in CDC Section 17.4.10(D)(2) as follows:
  - 1. The criteria for decision for a rezoning are met.
  - 2. The density transfer meets the density transfer and density bank policies.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council approves the Applications.

**Section 1. Conditions of Approval**

- 1. The Applicant shall work with Staff to complete the required Ordinance with Town Council and Submit appropriate fees to Staff for recordation with the San Miguel County Assessor’s office within six months of approval.

**Section 2. Effect on Zoning Designations**

There will be no change to the zone district. Lot 128 will remain a Village Center Zone District.

### **Section 3. Ordinance Effect**

All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

### **Section 4. Severability**

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

### **Section 5. Effective Date**

This Ordinance shall become effective on May 20, 2017, following the public hearing and approval by Council on second reading.

### **Section 6. Public Hearing**

A public hearing on this Ordinance was held on the 20th day of April, 2017 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

**INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 2nd day of March, 2017.**

**TOWN OF MOUNTAIN VILLAGE**

**TOWN OF MOUNTAIN VILLAGE,  
COLORADO, A HOME-RULE  
MUNICIPALITY**

By: \_\_\_\_\_  
Dan Jansen, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 20<sup>th</sup> day of April, 2017.**

**TOWN OF MOUNTAIN VILLAGE**

**TOWN OF MOUNTAIN VILLAGE,  
COLORADO, A HOME-RULE  
MUNICIPALITY**

By: \_\_\_\_\_  
Dan Jansen, Mayor

ATTEST:

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

Approved As To Form:

\_\_\_\_\_  
James Mahoney, /Assistant Town Attorney



I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. \_\_\_\_\_ ("Ordinance") is a true, correct and complete copy thereof.

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on March 16, 2017, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Laila Benitez				
Dan Caton				
Michelle Sherry				
Martin McKinley				
Bruce MacIntire				

3. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on April 20, 2017. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Laila Benitez				
Dan Caton				
Michelle Sherry				
Martin McKinley				
Bruce MacIntire				

4. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Town this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jackie Kennefick, Town Clerk

(SEAL)

**TO: MOUNTAIN VILLAGE MAYOR AND TOWN COUNCIL**  
**FROM: DEANNA DREW, ENVIRONMENTAL SERVICES**  
**SUBJECT: 2016 ENERGY USE AND GREENHOUSE GAS REPORT**  
**DATE: MARCH 16, 2017**

## **BACKGROUND**

In 2009 the Town of Mountain Village along with Telluride and San Miguel County adopted a resolution to achieve a 20% reduction in greenhouse gas emissions by the year 2020.

The town is currently using 2010 as the baseline year for achieving this goal. All three local governments are calculating GHG emissions by converting total electricity, natural gas, and fuel consumed by government operations to pounds of Carbon Dioxide, a primary greenhouse gas, using a standardized EPA conversion. Note: this is a simplified greenhouse gas calculation and analysis.

## **2016 TMV GOVERNMENT ENERGY USE and GHG EMISSIONS SUMMARY**

- Overall, 2016 total government CO<sub>2</sub> emissions were slightly less (<1%) than 2015 levels; down 6% from our 7-year average; **and down 16% from 2010 baseline** emission levels.
- CO<sub>2</sub> emissions from **natural gas were down 10%** from 2010 baseline levels; CO<sub>2</sub> emissions from **electricity were down 16%** from 2010 baseline levels; and CO<sub>2</sub> emissions from **fuel were down 25%** from 2010 baseline levels.
- **Natural gas** use was 12% lower in 2016 than 2015, and was 10% lower than the 2010 baseline. Most of the 2016 decrease came from plaza snowmelt systems (-22,736 therms/-270,104 lbs. CO<sub>2</sub>) where the facility maintenance staff has been working to improve efficiencies with controls during the past few years. However, there was a small increase in gas used for town buildings (+2,233 therms/+26,528 lbs. CO<sub>2</sub>).

Note: The rise and fall of natural gas use closely correlates with weather temperatures and snowfall amounts in our region.

- **Electricity use** in government facilities went up 3% in 2016 (+127,973 kwh/+254,666 lbs. CO2) from 2015 levels. Overall, 2016 total electricity remained 7% below 2010 baseline levels. All town systems experienced a slight increase in electricity use from 2015 levels except gondola, water, and town hall facilities.
- **Village Court Apartments (VCA)** electricity use in 2016 was up 2% from 2015 levels, and was approximately 5% below 2010 baseline levels. Occupancy at VCA remained approximately the same in 2015 and 2016. VCA staff is conducting an inventory of their appliances to begin to develop a phased plan for efficiency upgrades throughout the housing complex.

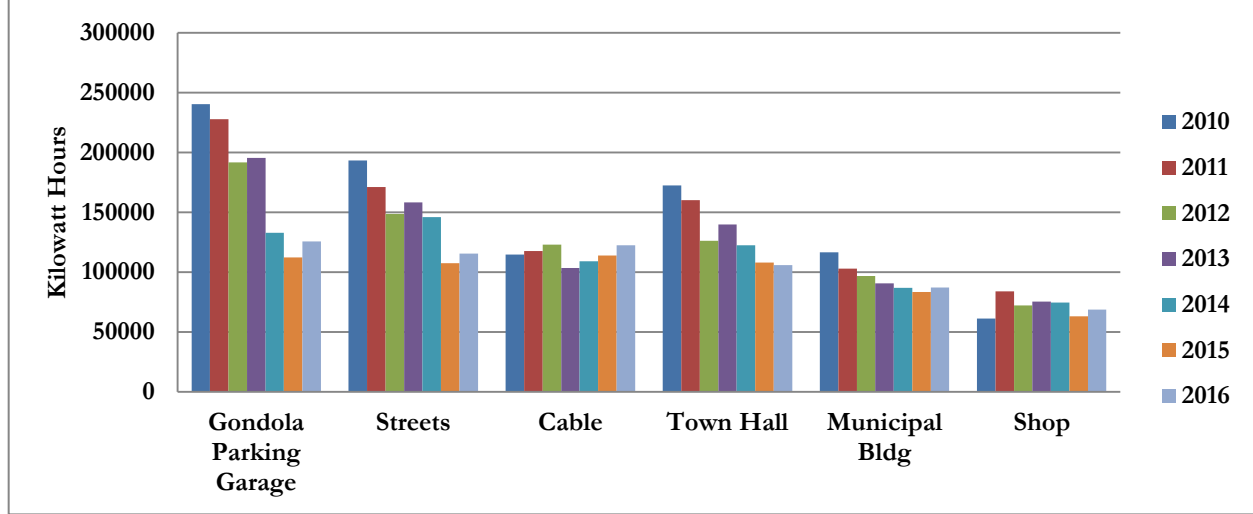
**Note: VCA is not included in overall government emissions totals.**

- **Fuel use** was overall lower in 2016 (55,368 total gallons used) than 2015 with a decrease in both unleaded fuel (-2,564 gal) and diesel fuel (-1,493 gal). This resulted in a 25% decrease in total annual fuel used compared to 2010 baseline levels.
- The **gondola** electricity use decreased about 2% (28,495 kwh) from 2015 to 2016, and this could be attributed to the additional solar panels installed in fall 2015. However, the additional morning run time of the gondola could cause this number to rise again in 2017. The gondola electricity use remains 13% below 2010 baseline levels.

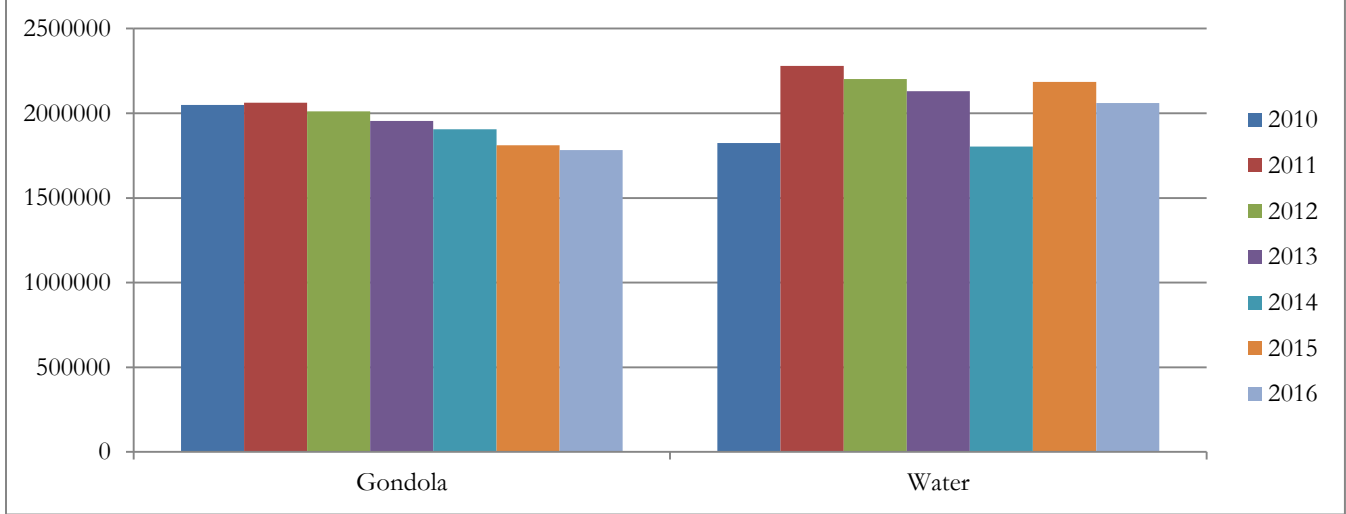
And, TMVOA continues to offset 100% of its traditional electricity use through the purchase of **Green Blocks**, renewable energy credits from SMPA.

- The **water department** experienced a 6% decrease in electricity (-124,629 kwh/-248,011 lbs. CO2) compared to 2015 usage. However, 2016 water department electricity remains up 12% from 2010 baseline levels.
- The **emissions factor** of our electricity from SMPA remained the same in 2016 as 2015. The emissions factor for 2016 was 1.99 lbs. CO2 per kilowatt hour of electricity used; down from the emissions factor of 2.2 lbs. CO2/kwh for the baseline year of 2010. According to the EPA, the national average is about 1.22 lbs. CO2 per kwh.

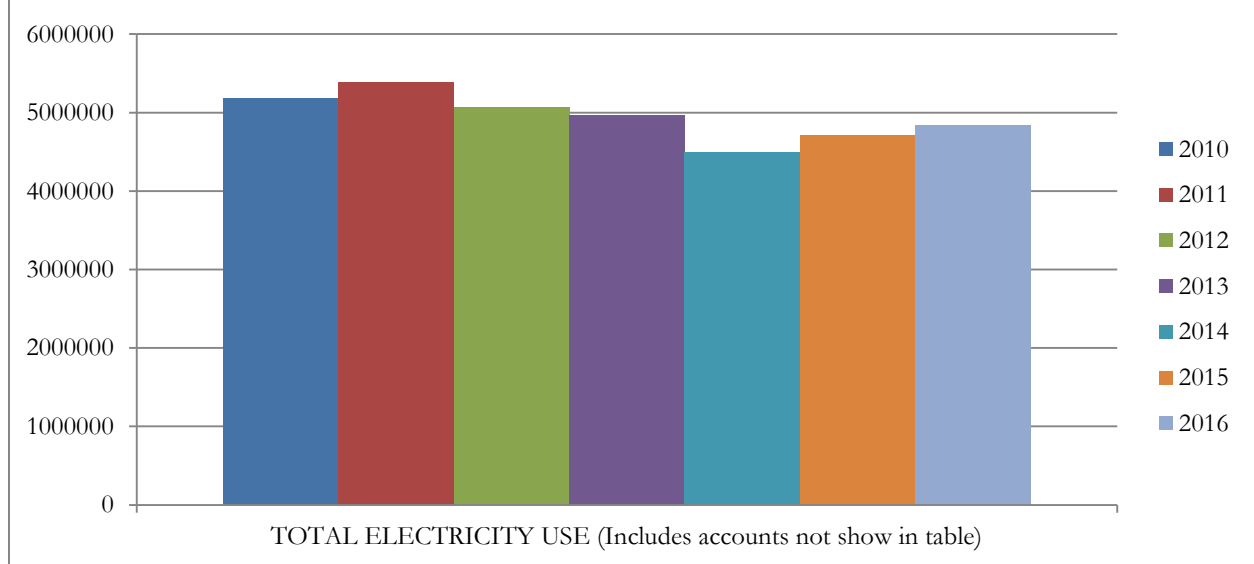
### TMV Electricity Use 2010-2016



### TMV Electricity Use 2010-2016

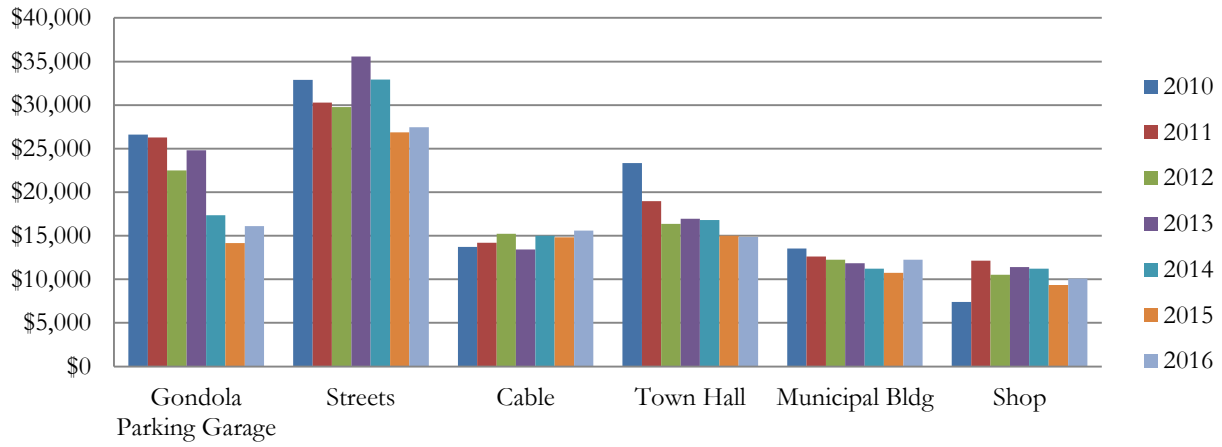


### Total TMV Electricity Use 2010-2016

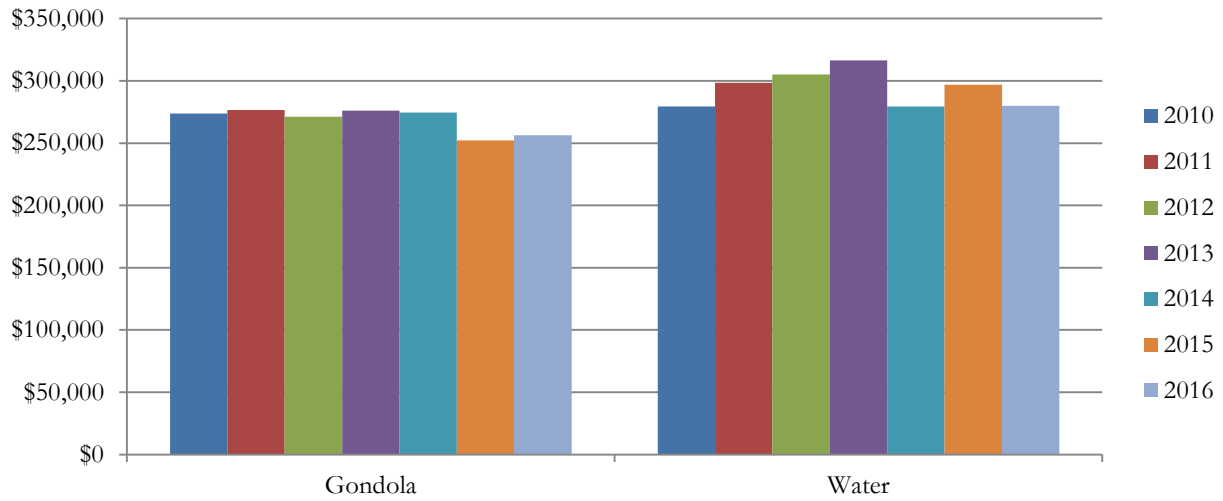




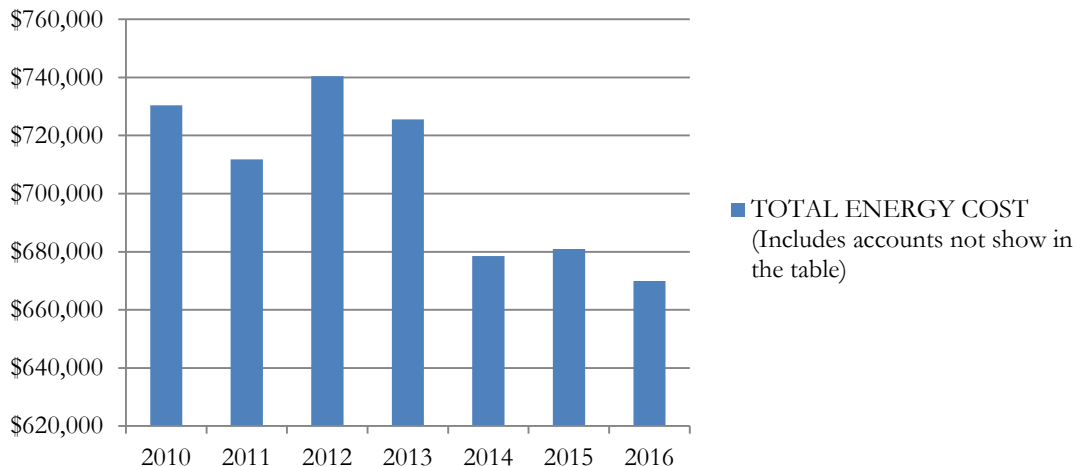
### TMV Electricity Cost 2010-2016

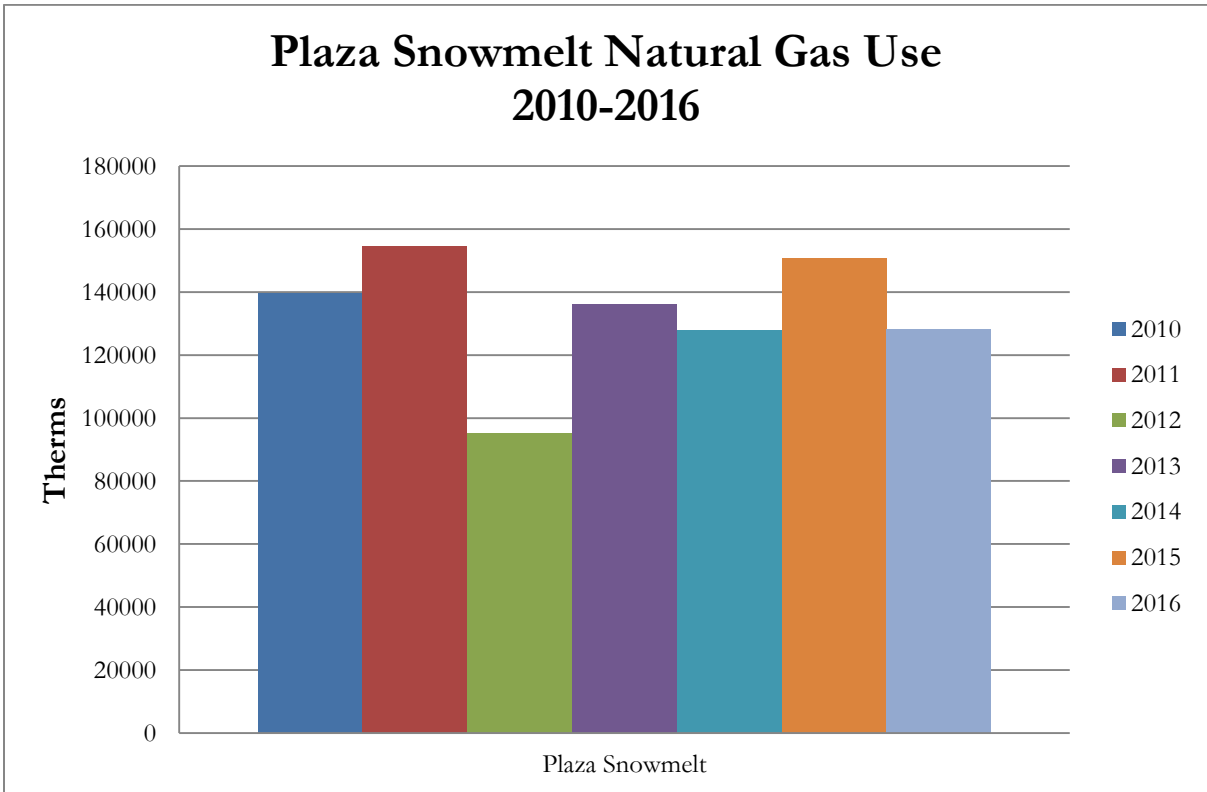
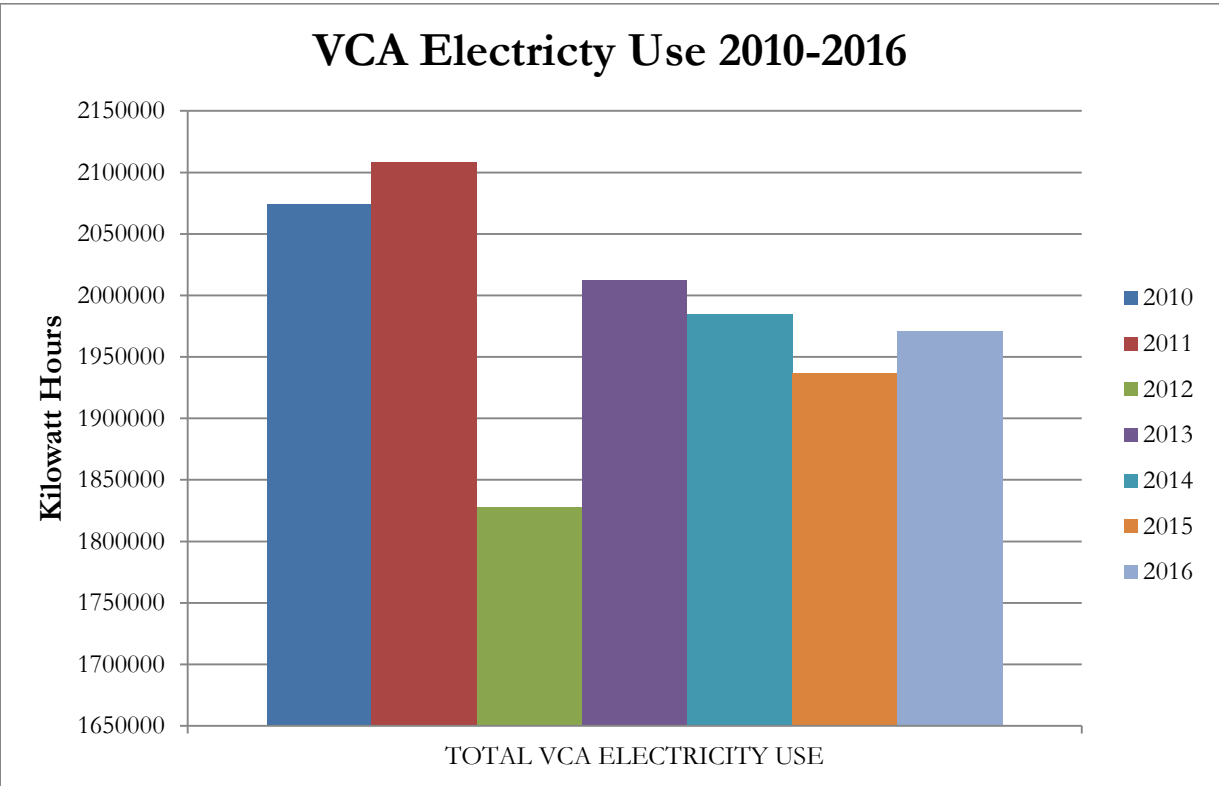


### TMV Electricity Cost 2010-2016

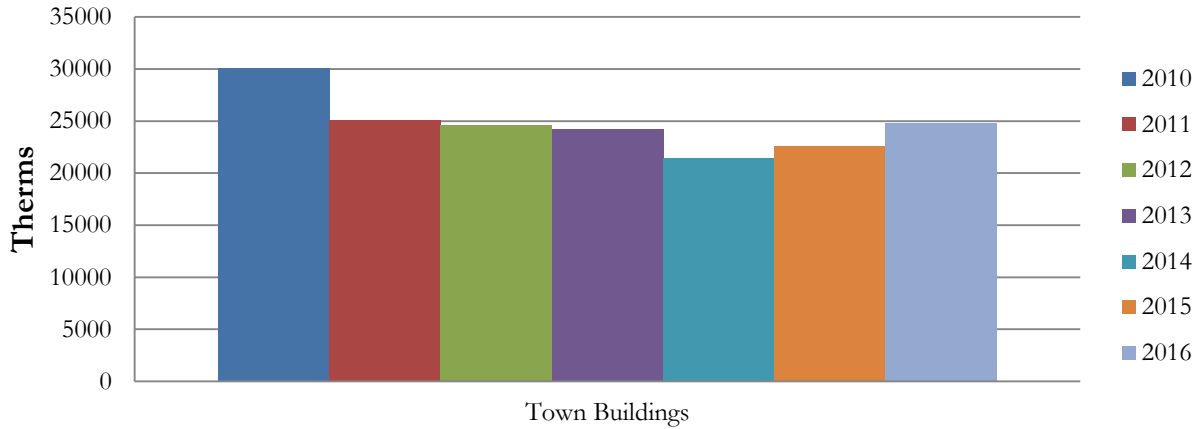


### TOTAL TMV ELECTRICITY COST 2010-2016

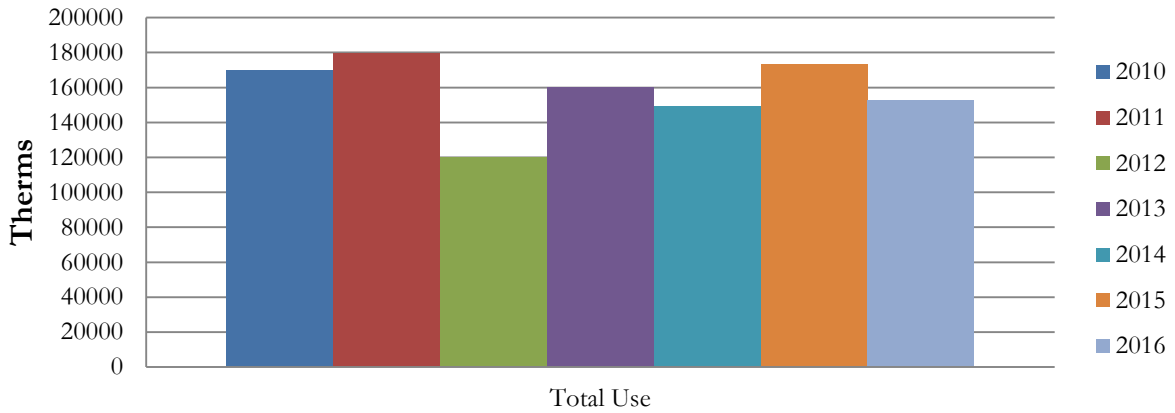




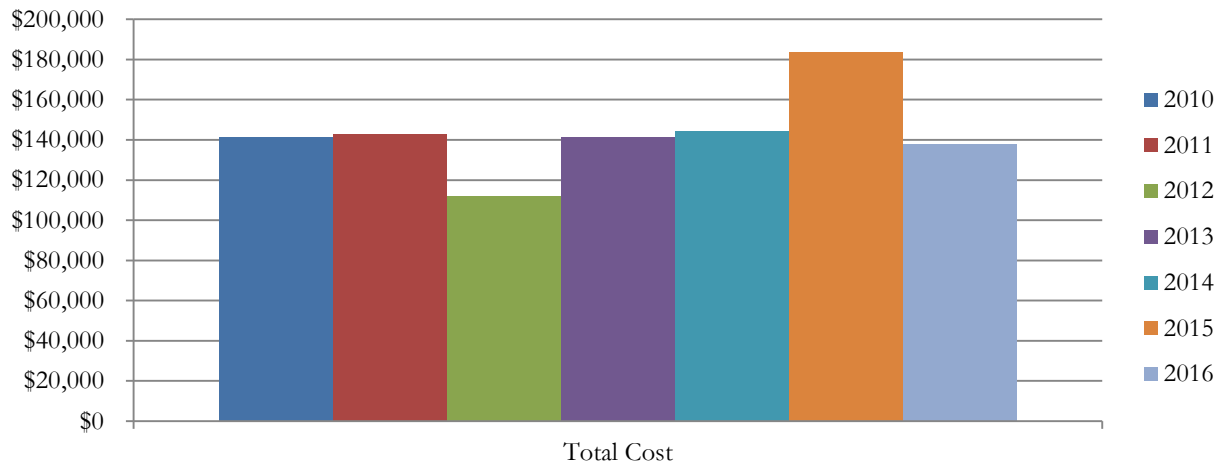
## TMV Government Buildings Natural Gas Use 2010-2016



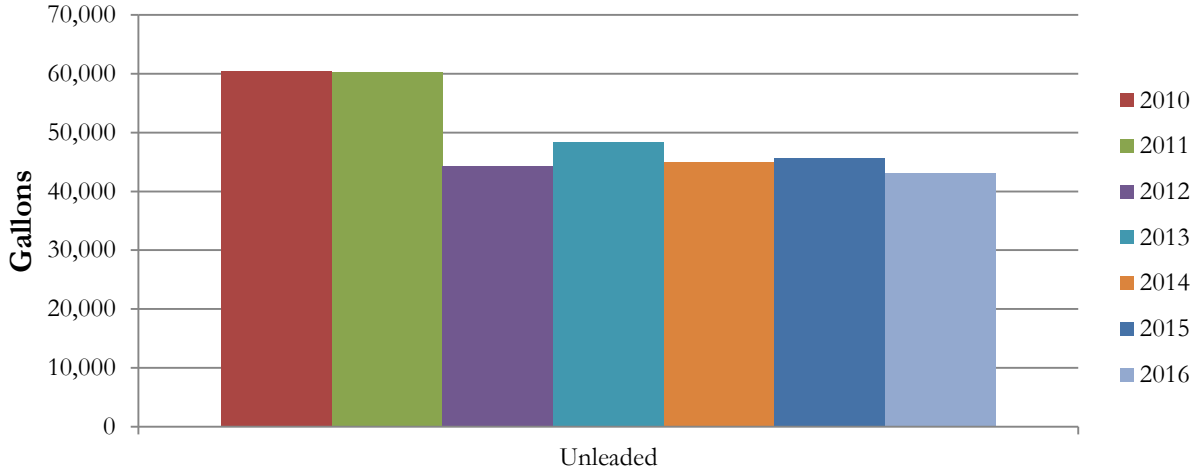
## TMV Government Natural Gas Use 2010-2016



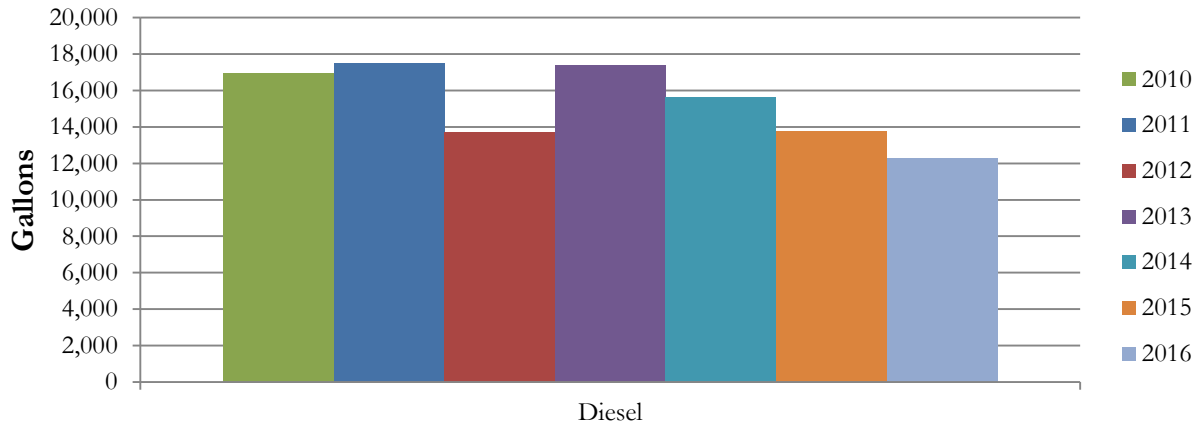
## TMV Government Natural Gas Cost 2010-2016



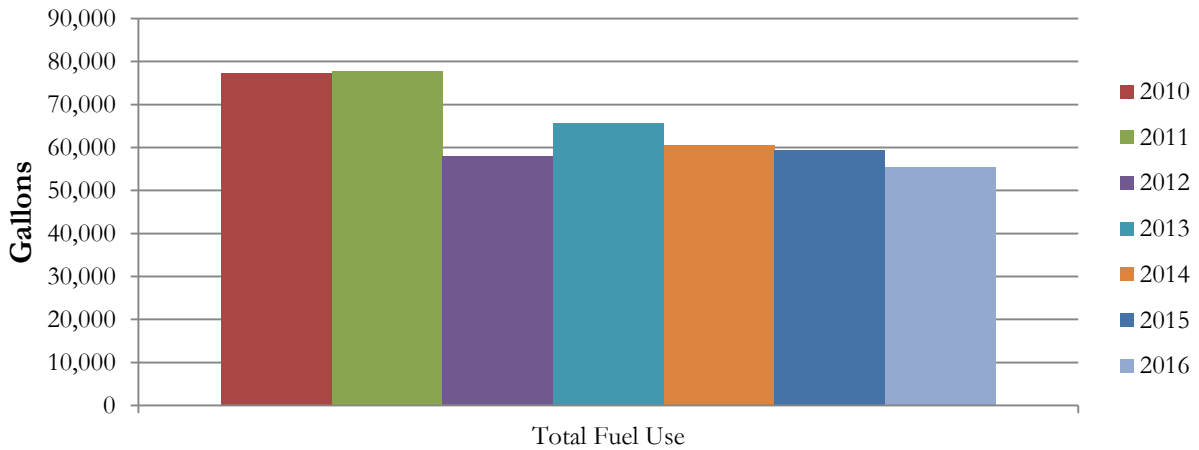
### TMV Gasoline Use 2010-2016



### TMV Diesel Use 2010-2016

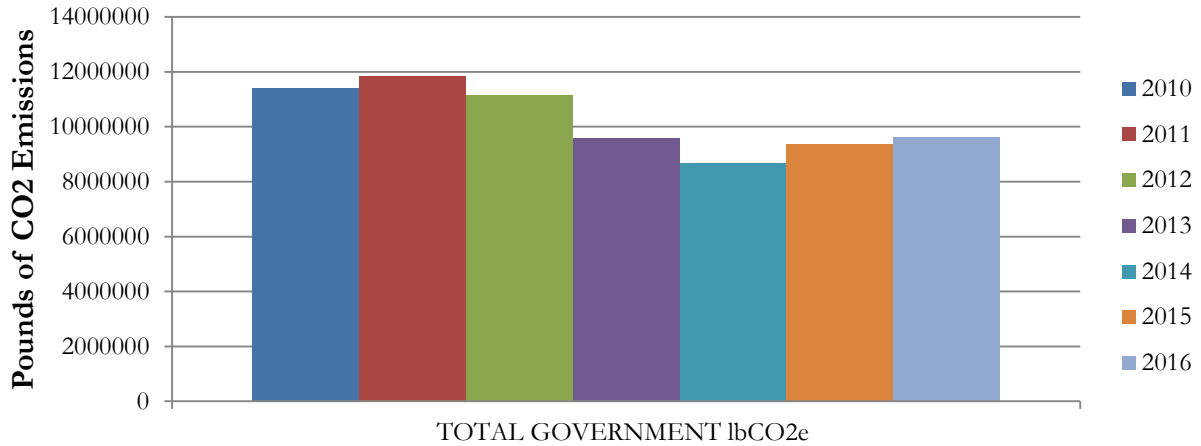


### TMV TOTAL FUEL USE 2010-2016

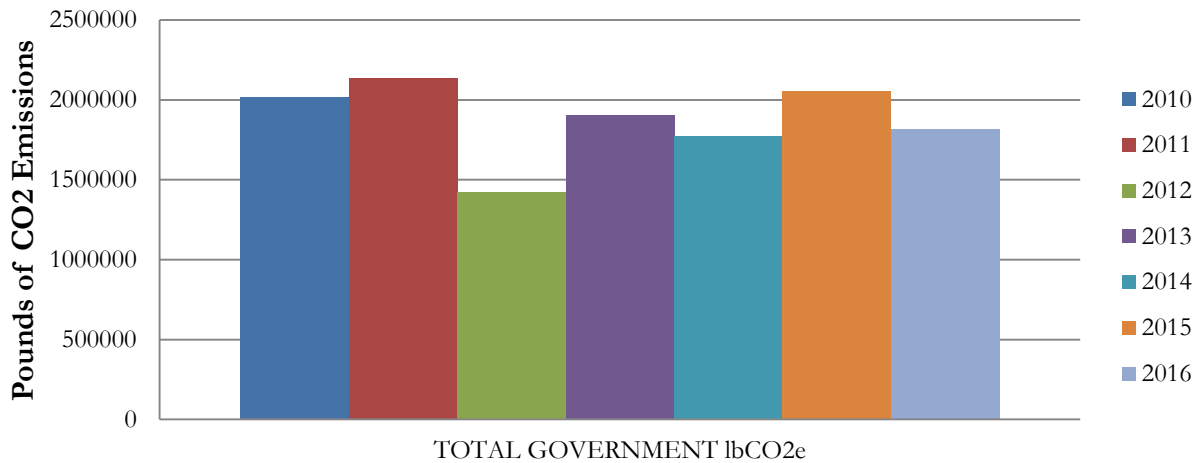




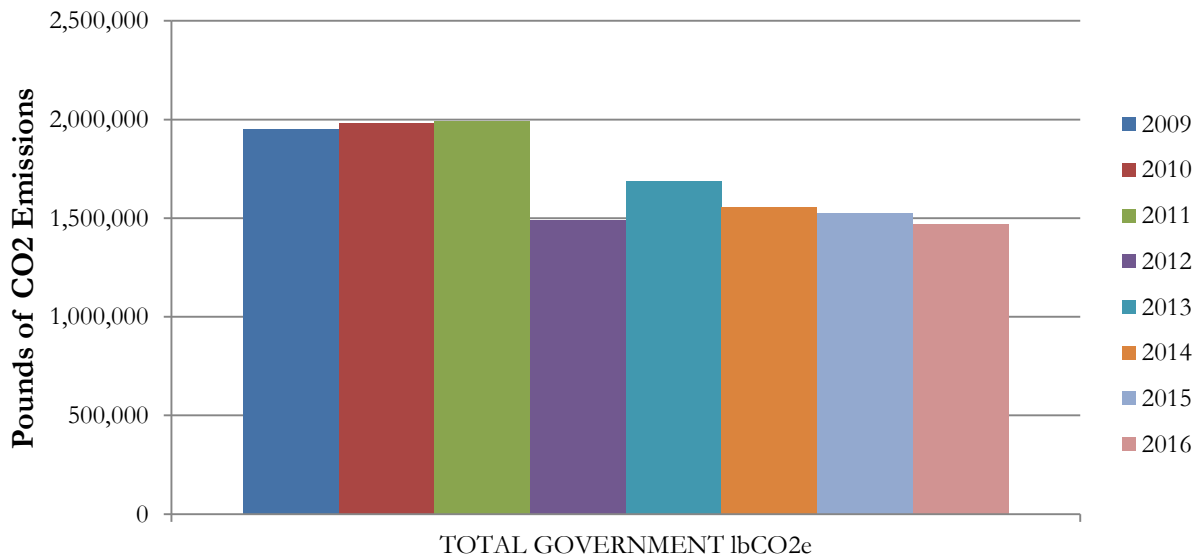
## Government Electricity CO2 Emissions 2010-2016



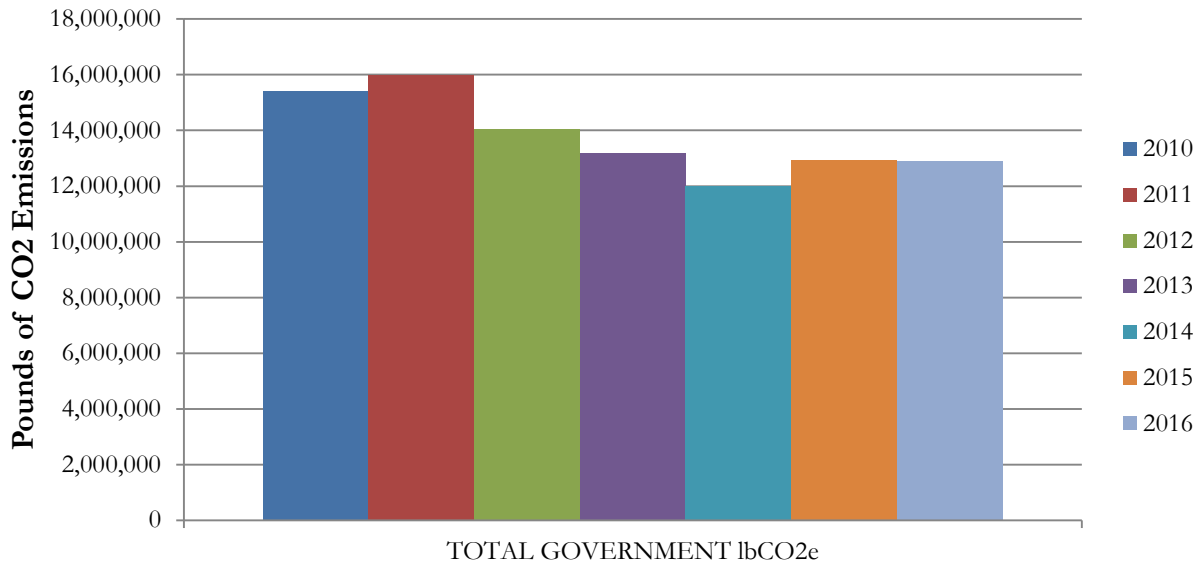
## Government Natural Gas CO2 Emissions 2010-2016



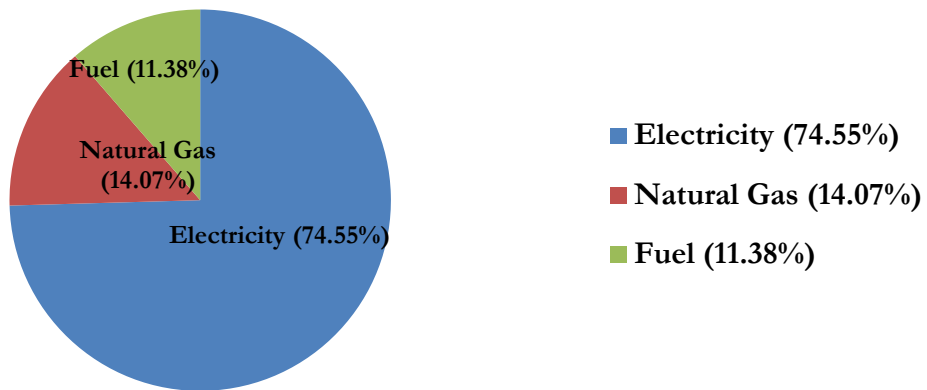
## Government Fuel CO2 Emissions 2009-2016



## TOTAL Government CO2 Emissions 2010-2016



## Total Town CO2 Emissions 2016



### Conversion Factors Used:

**TriState (SMPA):** 2.2 lb CO<sub>2</sub>e/kWh (through 2012)    1.93 lbCO<sub>2</sub>e/kWh (2013-2014)    1.99 lbCO<sub>2</sub>e/kWh (2015-2016)

**Black Hills Energy:** 11.88 lbCO<sub>2</sub>e/therm

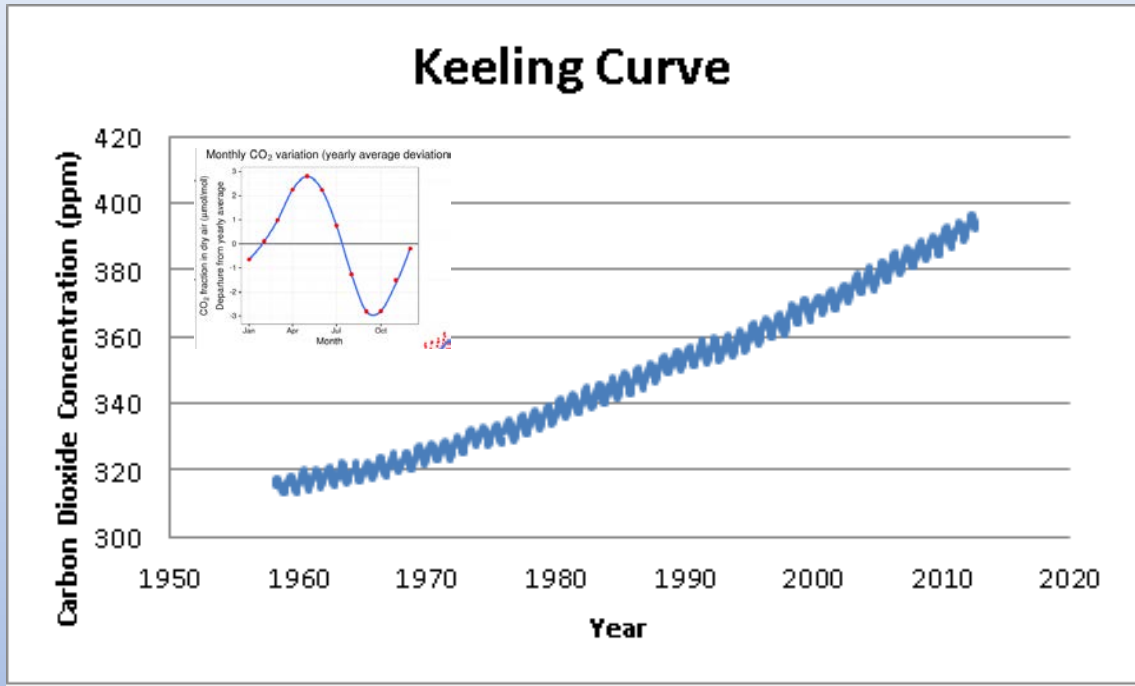
**Gasoline:** 25.08 lbCO<sub>2</sub>e/gallon (includes both tail-pipe and well-to-pump emissions)

**Diesel:** 27.5 lb CO<sub>2</sub>e/gallon (includes both tail-pipe and well-to-pump emissions)

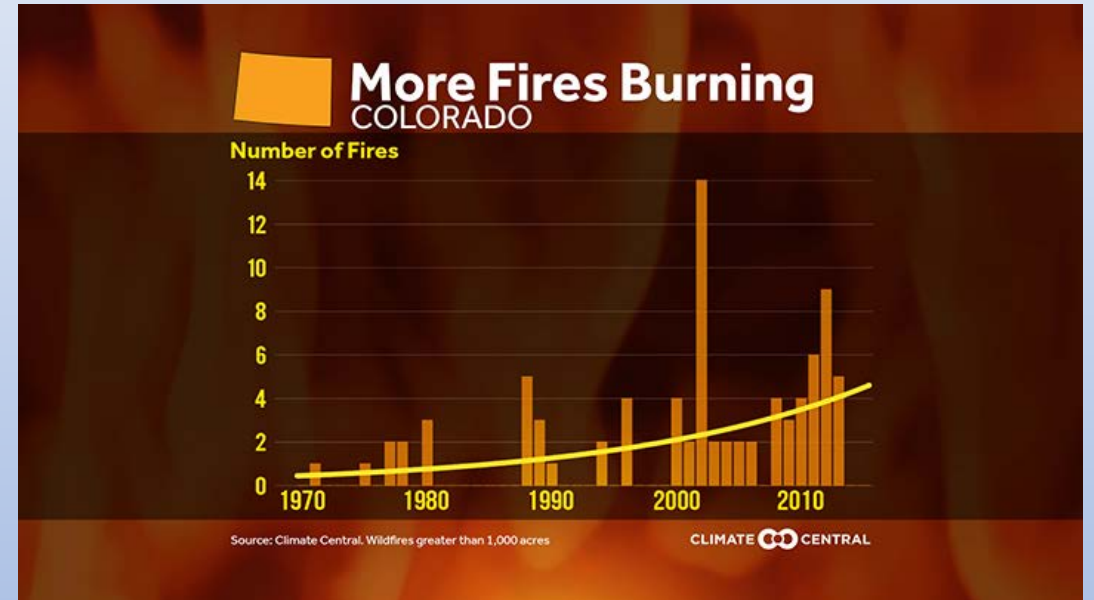
**Presentation to Mountain Village –  
Leveraging Analytics and Emissions  
Tracking to Take Actions that Reduce  
Emissions Our Carbon Footprint and  
Address Climate Change**

Dr. Adam Chambers  
Pinhead Climate Institute

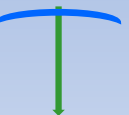
# Carbon Pollution Is Radically Changing our Climate



Global Effects

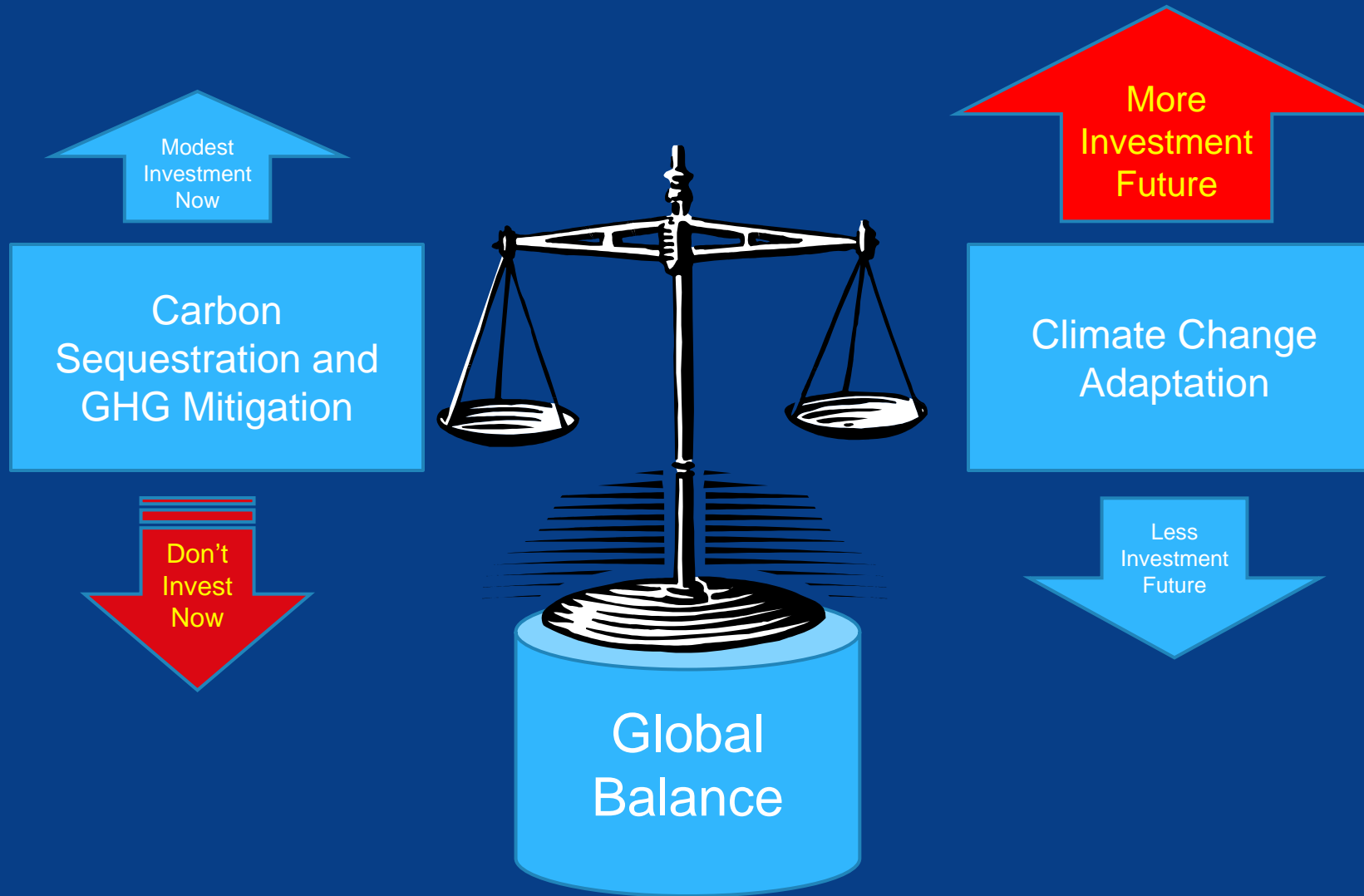


Local Effects

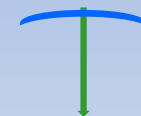
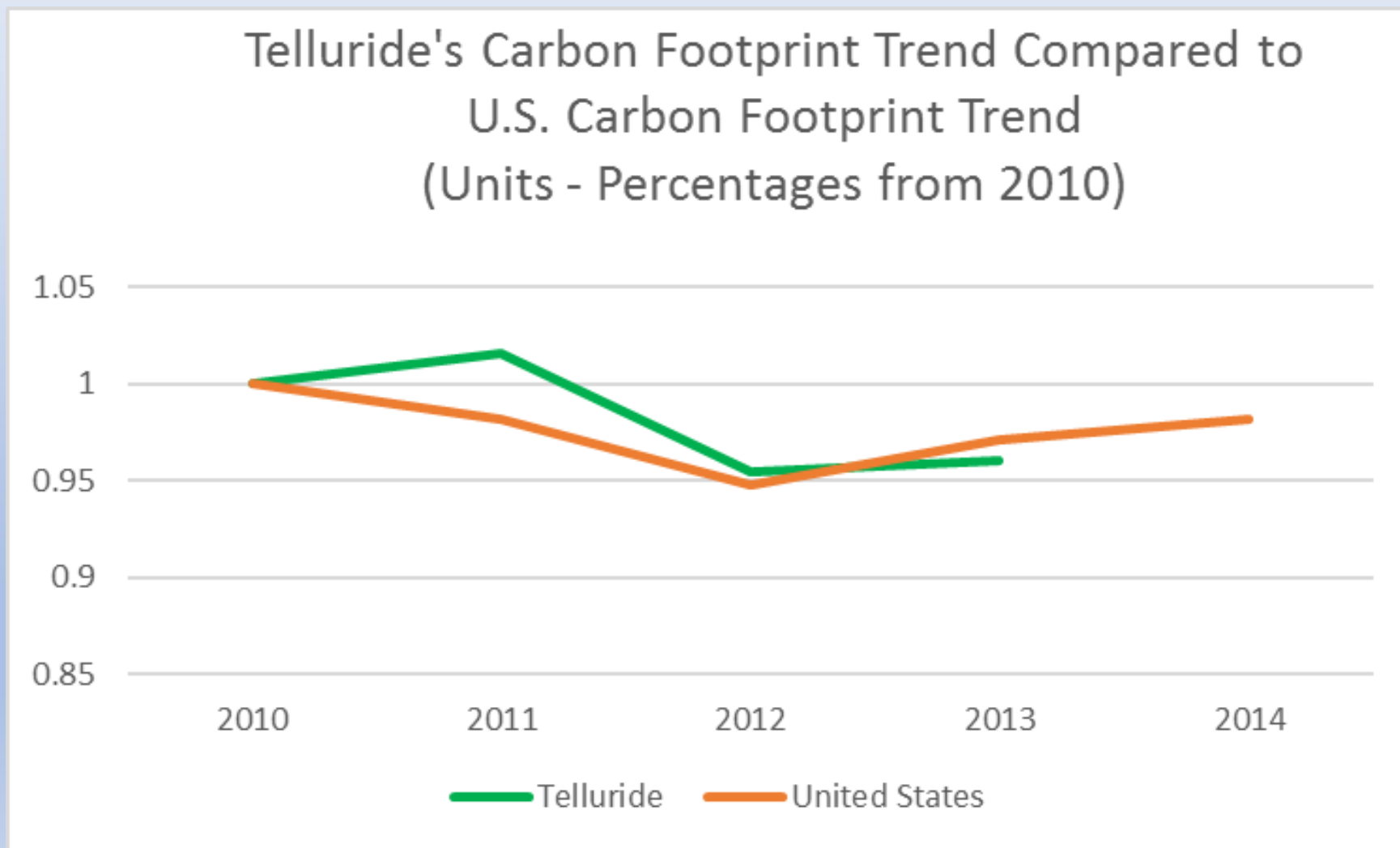




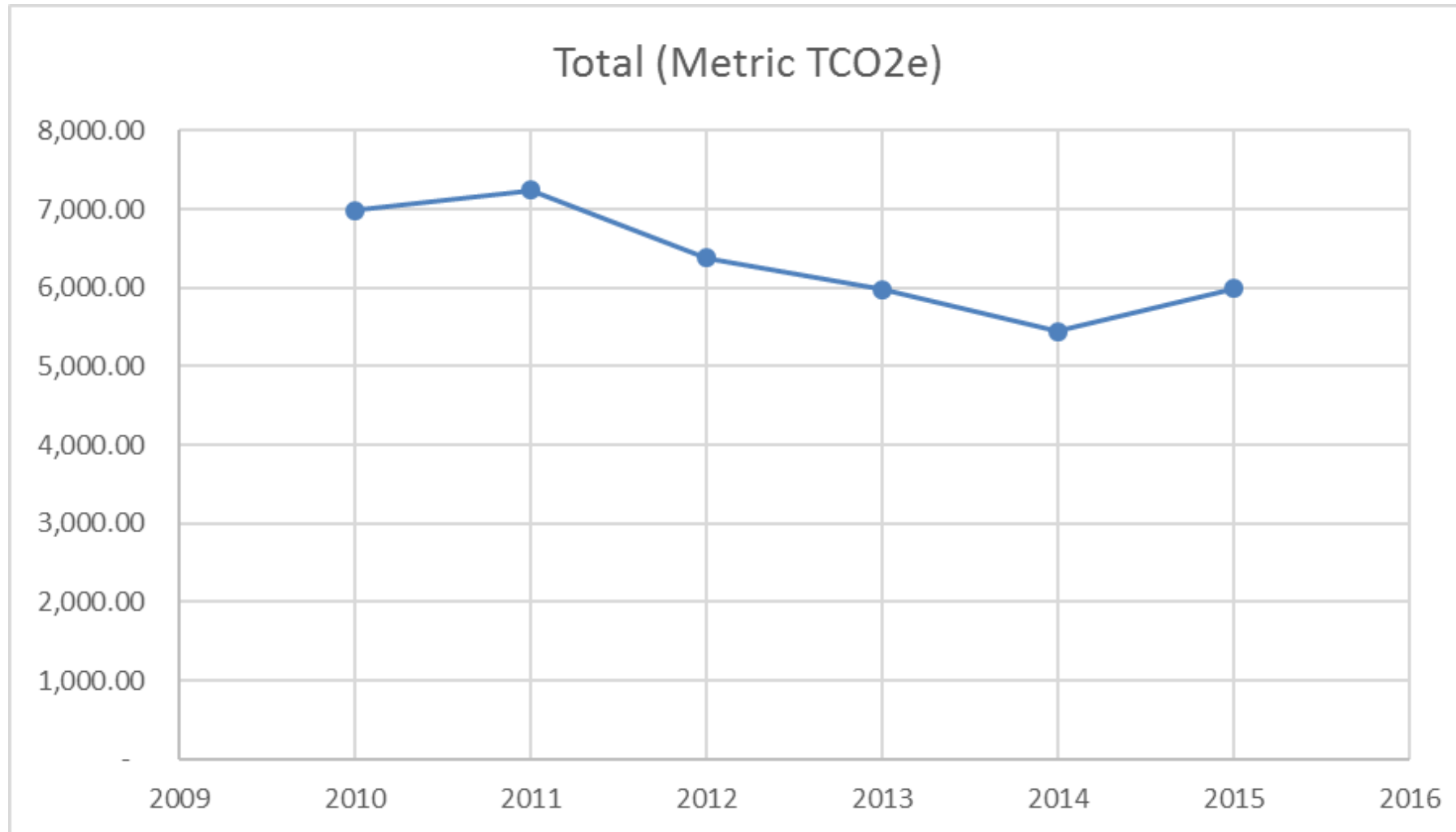
# Alpine Environment, Ag and Forestry – 2 x Exposed



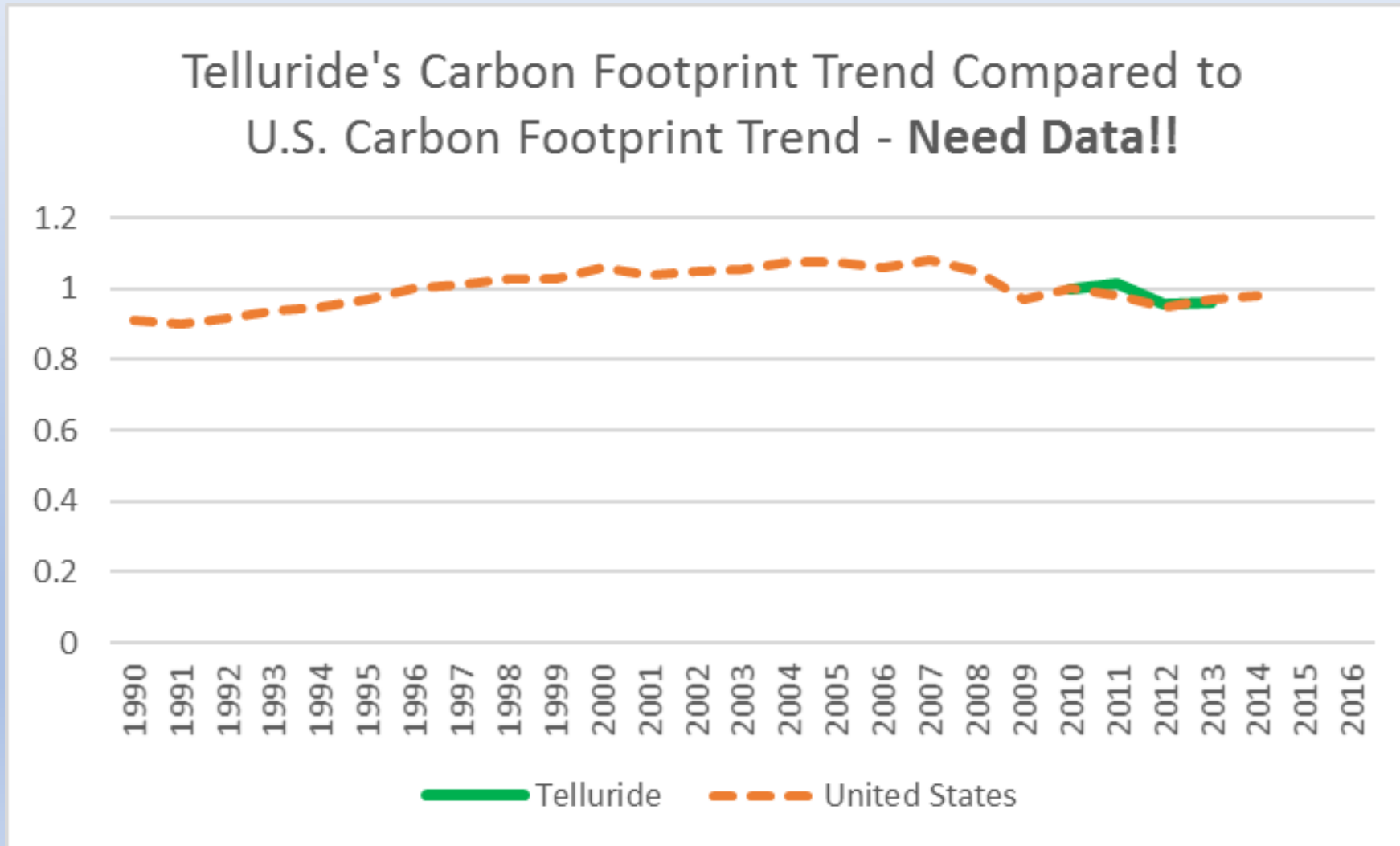
# Telluride's Emissions Resemble the U.S. Trends



# Mountain Village Investment in Tracking – kudos!

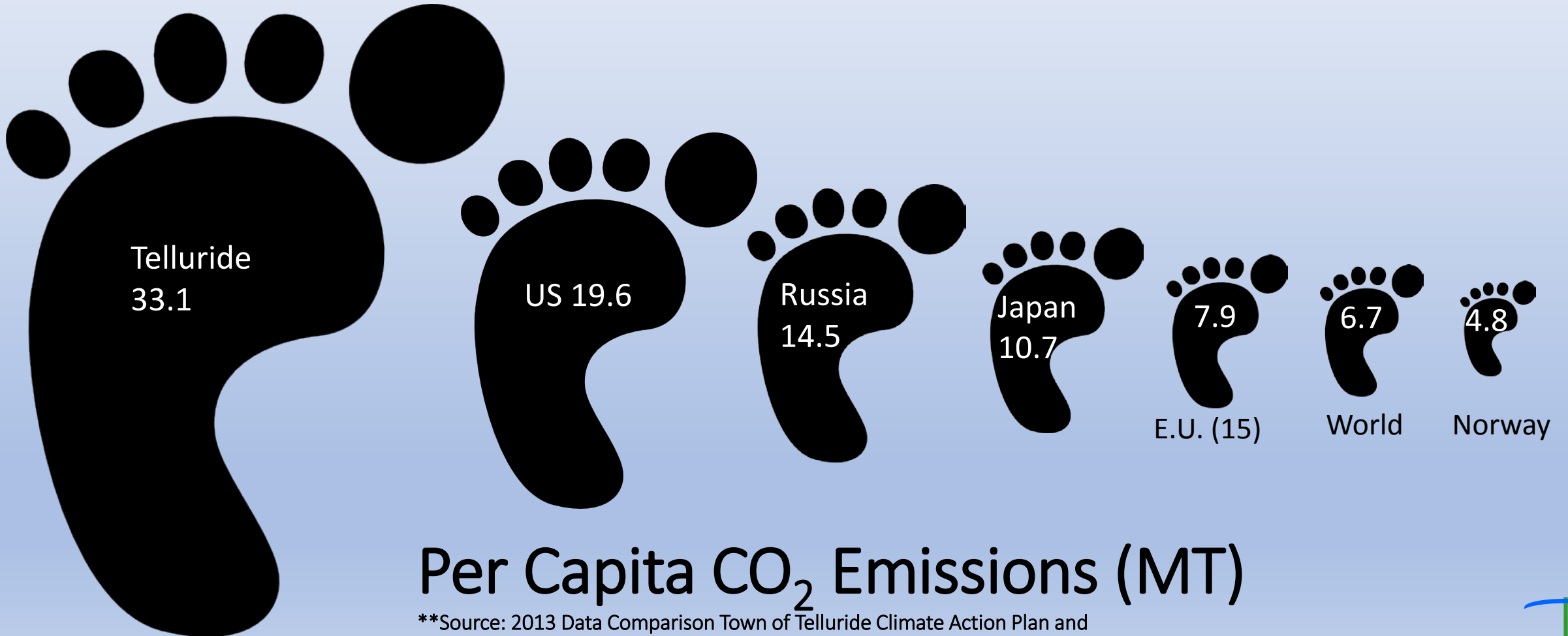


# Telluride's Emissions Resemble the U.S. Trends but we need to continue tracking





We are part of the problem so let's develop a solution.



## Per Capita CO<sub>2</sub> Emissions (MT)

\*\*Source: 2013 Data Comparison Town of Telluride Climate Action Plan and World Resources Institute CAIT Climate Data Explorer



## We will continue to be part of the problem:

- Emissions are flat, not declining
- No *local model* to accelerate clean economy solutions that are becoming more practical every day



# Where will we find the carbon offsets?

**Telluride Values** will work with regional partners to create a local carbon offset market.

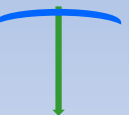
Keep working lands working:  
Lands grazed and hayed –  
soil is undisturbed, storing  
carbon.



Creating easements:  
Ranchers place lands under  
permanent conservation  
easements to prevent  
tilling.



Measuring carbon and  
selling credits: Carbon  
stored in soil is quantified  
and converted to carbon  
credits.



## Carbon offset program produces co-benefits to participating farmers and ranchers:

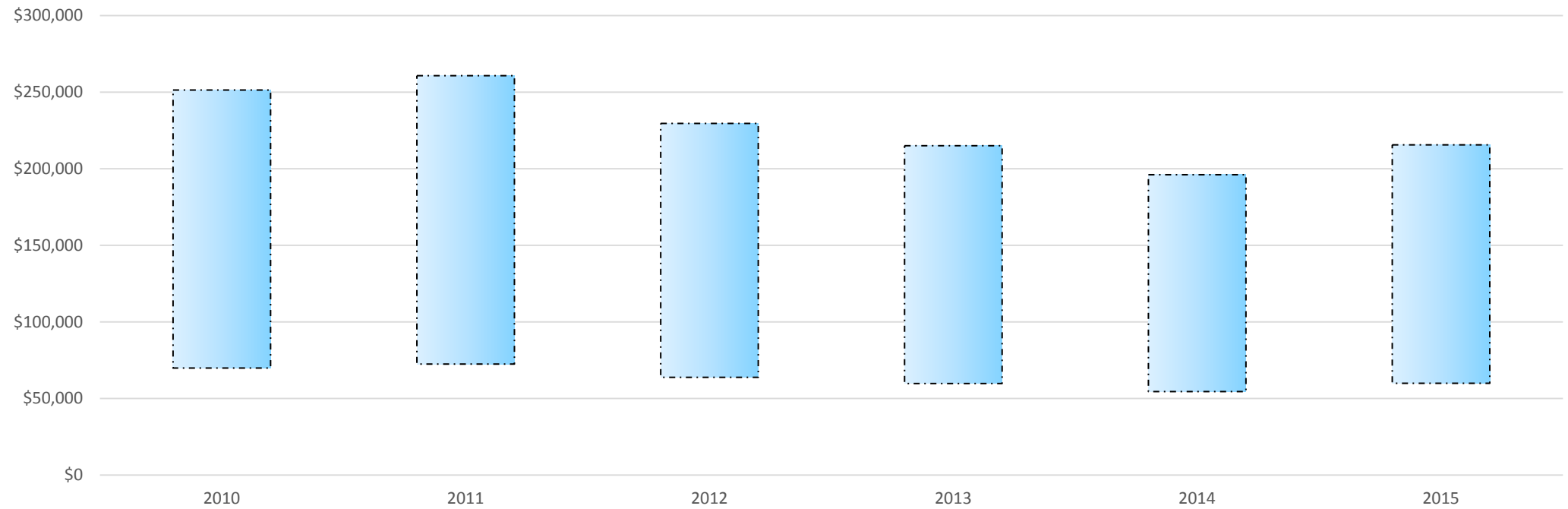
- Carbon-rich soil that is more productive
- Carbon-rich soil that retains more moisture
- Farmers have new revenue stream





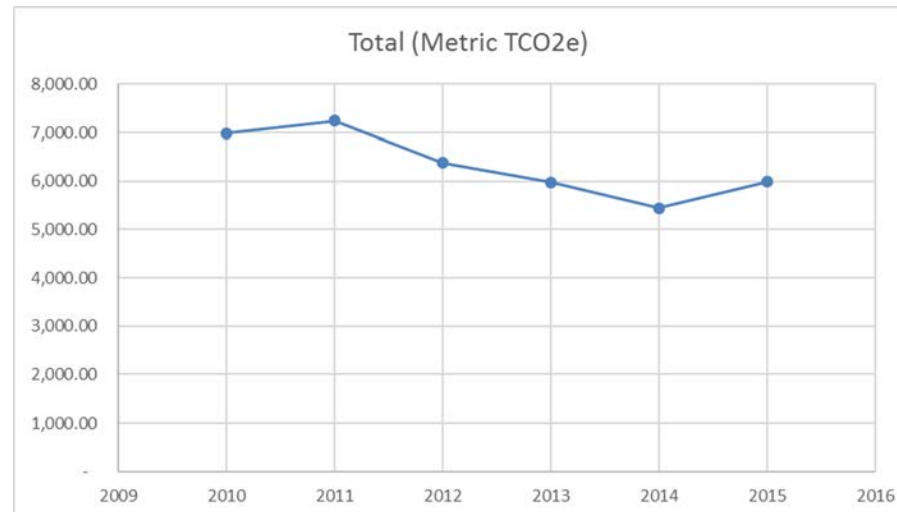
# What will this cost?

Cost of Offsetting TMV Carbon Footprint Annually  
(Cost per tonne CO<sub>2</sub>e \$10-\$36)



# Let's start small and grow

- Can we identify a project or two similar to the Galloping Goose to analyze and offset?
- Can we dig deeper into clean energy purchases and apply benefits to the Mountain Village Inventory?
- Can we begin to bend the emissions curve? It is trending up...



# Discussion and Next Steps



**TO: MAYOR JANSEN AND TOWN COUNCIL**  
**FROM: DEANNA DREW, DIRECTOR PLAZA AND ENVIRONMENTAL SERVICES**  
**SUBJECT: 2017 BI-ANNUAL REPORT**  
**DATE: MARCH 16, 2017**

**Plaza Services** is responsible for:

- the maintenance and upkeep of the Town's plazas (268,000 sf), lawns (8 acres), irrigation systems, flower beds (140), hanging flower baskets (40) and flower pots (76);
- snow and ice removal in public plazas;
- permitting plaza vehicle access and providing plaza assistance;
- performing public trash/recycling removal in the common areas;
- monitoring and enforcing plaza rules and regulations;
- permitting and management of all special events using public property;
- production and management of Market on the Plaza;
- all while providing high quality Guest Services at all times.

**Environmental Services** is responsible for:

- planning and implementing conservation projects and programs within the town government as well as throughout the community;
- tracking and reporting government energy use including electricity, natural gas, fuel;
- assisting town departments, residents and businesses to operate in an environmentally-sensitive manner;
- supporting and participating in regional environmental organizations, partnerships and projects.

## **2017 DEPARTMENTAL GOALS and bi-annual progress report**

1. **Maintain the town's public plazas, lawns and gardens to a high standard of care, safety and guest service in a manner least destructive to the environment.**
  - With town shop staff, fabricated and installed a **new and improved fire pit** in Heritage Plaza.
  - Assisting with installation of new plaza snowmelt system and decorative plaza lighting in **Sunset Plaza**.
  - Researching the potential to improve **Village Pond** in Village Center by removing accumulated sediment and enhancing aquatic habitat
  - Removing approximately ½ acre (21,000 sf) of ornamental turf at entrance and **replace with native grasses** to enhance appearance and reduce irrigation watering
  - Planning to install 3 **smart irrigation controllers** on town property to evaluate their effectiveness for water conservation.
  - Planning several Village Center **plaza paver and stone repair** projects in spring.
  - Preparing for **retirement of long-time, valuable head gardener/horticulturist** in department.



2. **Manage third party public plaza uses including Plaza Vehicle Access Permits, Plaza Motorized Cart Permits, Plaza Special Events, Plaza License Agreements, Market on the Plaza and various Plaza HOA and merchant activities with great attention to detail and a high level of customer service.**
  - Managing an increasing number of special events in the town including a **new running race series in May**.
  - Gearing up for the production and management of **2017 Market on the Plaza**, where ten outdoor markets will be held from June- August on Wednesday afternoons from 11-4 in Heritage Plaza.
  - Tracking hours of **in-kind donations of staff labor** for special events such as trash/recycling collection for TMVOA Sunset Concerts, Fire Festival equipment operation, etc.
  
3. **Educate and assist the staff and community regarding responsible and sustainable use of energy, waste, and natural resources.**
  - Implementing year #2 of **defensible space wildfire mitigation** incentive program in existing residential community with a total of \$80,000 in pool. In 2016, 45 properties were engaged, 27 residential properties were treated and incentivized using \$70,000 in program funds from Town and TMVOA.
  - Financially supporting and participating in **Regional Forest Health Landscape Assessment** with partners Town of Telluride, San Miguel County, TSG Ski & Golf Resort, and forest professionals and stakeholders, to analyze the condition and trends of our forests on a large scale to better inform resource allocations, management decisions, and forest health projects.
  - Implementing new Smart Irrigation Controls **water conservation incentive program**, to reward the purchase and installation of EPA- approved weather-based irrigation controllers on residential properties.
  - Continuing \$.40/watt incentive program for installation of **rooftop solar energy systems** in community with \$12,500 in funds remaining for 2017.
  - Continuing rooftop **HeatTrace incentive program** in 2017 with approximately \$10,000 funds remaining.
  - Assisting TMVOA and Eco Action Partners with consideration of switch to **reusable souvenir cups at Sunset Concerts**.
  
4. **Seek financial support for departmental programs and projects.**
  - Town has saved **\$14,412 in miscellaneous electricity rebates** from San Miguel Power Association/TriState to be re-spent on energy projects in town facilities.
  - The building department has collected **\$25,130 in energy mitigation fees** to be spent on renewable energy offsets on public facilities.
  - **TMVOA rolled over \$30,000** in leftover 2016 funds to wildfire mitigation incentives in 2017.
  - 2017 grant funds are available from Colorado Energy Office for **electric vehicle charging stations**. Our current charging station is a Level I slow charge we will consider a grant application for adding a fast charging Level II or Level III station for our guests.

**5. Operate department within adopted budget.**

- We ended the 2016 year approximately **6 percent** under budget while making improvements to the services currently offered.
- The **resignation of the department director** and redistribution of the duties amongst existing staff should save the town money and streamline staff responsibilities.

**As always, input is welcome and appreciated.**

**Thank you.**



**TOWN OF MOUNTAIN VILLAGE  
TOWN MANAGER  
CURRENT ISSUES AND STATUS REPORT  
MARCH 2017**

**1. Great Services Award Program**

- **Great Services Award –February**
  - **Steven Lehane – Broadband** – the toddler and preschool playgrounds were a disaster due to all the snow received in January - February! The snow was so high the kids could walk right over the fence. After a discussion during the directors meeting, Steven made sure the snow was removed immediately. He stepped up and took charge of a situation that really has no association with his department and we are so grateful!
  - **Jessica Quinn – Plazas & Environmental Services** – nominated by John Cohn from TSG, guest awareness and safety while driving the snow removal vehicle on the plaza - **WINNER**
  - **Mike Hartig – Gondola Operations** – for always checking gondola stations

**2. TMV's New Grant Program Beginning 2018**

- **Laila Benitez, Mary McKinley, Glenn Van Nimwegen, Jackie Kennefick, Deanna Drew and I met with April Montgomery and Paul Major of the Telluride Foundation to discuss their assistance with the administration of the grant program**
- The Foundation reviewed our grant guidelines, bylaws and application form and made some very compelling arguments for a few changes. They have redlined these documents and returned them to us
- Paul Major will also develop a proposal for how they would participate and assist us in administering our grant program
- **Discussion of the proposed changes to the guidelines, bylaws and application together with the proposal from Paul Major will be agendaized for consideration at the April Council meeting**

**3. Telluride Conference Center (TCC) Evaluation Committee**

- Met with the Telluride Conference Center Evaluation Committee (Marty McKinley, Bruce MacIntire, Kevin Swain, Jim Mahoney and Kim Montgomery) on February 21<sup>st</sup>
- **Immediate actions were to have staff gather financial performance information from TSG, prepare an executive summary of the current contract for operation of the facility and prepare historical operation (subsidy) information over the course of the facilities operation**
- Jim Mahoney was also asked to reach out to the firm that prepared the Lot 640A appraisal to determine what type of methodology would likely be employed in appraising a facility like TCC

- The Committee also appointed Officers of the Committee with Kim Montgomery as Chairperson and Kevin Swain as Vice-Chairperson
- The next meeting is scheduled for March 21<sup>st</sup>

#### 4. Miscellaneous

- Met with Deanna Drew to discuss her desire to resign her position. Subsequently I met with department heads to strategize solutions. We have begun the transition as I described in my email to all of you on February 23<sup>rd</sup>. Deanna's last day is scheduled for May 1<sup>st</sup> but she will be available on an as needed basis for consultation. I'd like to again thank her for her outstanding services to this community and recognize that she will be greatly missed
- Met with Marty McKinley, Glen Van Nimwegen, Jim Mahoney, Sally Field and Mr. McCrea to discuss Mr. McCrea's continued interest in pursuing the purchase of Village Court Apartments. While no compelling new information emerged from the meeting, Mr. McCrea indicated he would discuss ways to offset our concerns about foreclosure effects with his attorneys and get back to us with any suggestions they may offer
- Jim Loebe and I met with the GovHR recruiters Chrisi Musser and Sarah McKee for SMART's Executive Director position to provide our insights and perspective on the hiring process. Our Board representatives Laila Benitez and Dan Caton also met with them for the same purposes
- Our new Marketing and Business Development Director Bill Kight started with us on February 20<sup>th</sup> and we are very excited to have him on board
- Finn Kjome and I participated in a 3.5 hour conference call with the Town of Telluride and Gabe Racz with Boulder attorney firm Vranesh and Raisch, LLP to discuss legal options relative to the new water quality issues relative to the Waste Water Treatment Plant. The most pressing issue identified was the need to apply for a permit modification request regarding Copper levels and the drop dead date for that (if needed) is the end of August 2017



**TOWN OF MOUNTAIN VILLAGE**  
**Town Council Regular Meeting**  
**March 16, 2017**  
**8:30 a.m.**

During Mountain Village government meetings and forums, there will be an opportunity for the public to speak. If you would like to address the board(s), we ask that you approach the podium, state your name and affiliation, and speak into the microphone. Meetings are filmed and archived and the audio is recorded, so it is necessary to speak loud and clear for the listening audience. If you provide your email address below, we will add you to our distribution list ensuring you will receive timely and important news and information about the Town of Mountain Village. Thank you for your cooperation.

**NAME: (PLEASE PRINT!!)**

Jacule Kennefick	EMAIL:
Kim Montgomery	EMAIL:
Susan Johnston	EMAIL:
Tim Johnson	EMAIL:
David Reed	EMAIL:
Jim Mahoney	EMAIL:
Laila Benitez	EMAIL:
Dan Caton	EMAIL:
Dan Jansen	EMAIL:
Marty McKinley	EMAIL:
Michelle Sherry	EMAIL:
Bruce MacIntire	EMAIL:
Jim Loebe	EMAIL:
Sue Kunz	EMAIL:
Glen Van Nimwegen	EMAIL:
Kevin Swain	EMAIL:
Dave Bangert	EMAIL:
Deanna Drew	EMAIL:
Gene Duckwaish	EMAIL:
Jack Gilbride	EMAIL:
R STEVHAMMEN	EMAIL:
TODD BROWW	EMAIL:
Anton Denitet	EMAIL:
Garrett Briffard	EMAIL:
Carly Shaw	EMAIL:

