

**TOWN OF MOUNTAIN VILLAGE
REGULAR DESIGN REVIEW BOARD MEETING
THURSDAY NOVEMBER 7, 2019 10:00 AM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
REVISED AGENDA**

	Time	Min.	Presenter	Type	
1.	10:00		Chair		Call to Order
2.	10:00	5	Starr	Action	Reading and Approval of Summary of Motions of the of the October 3, 2019 and October 16, 2019 Design Review Board Meetings.
3.	10:05	5	Starr	Public Hearing Quasi-Judicial	Consideration of a Design Review: Final Review Application for a new single-family residence on Lot AR-53R2, 125 Adams Way (APPLICANT HAS REQUESTED THIS ITEM BE CONTINUED TO 12.5.19 DESIGN REVIEW BOARD MEETING).
4.	10:10	90	Miller	Public Hearing Quasi-Judicial	A review and recommendation to Town Council Regarding A Major Planned Unit Development (PUD) Amendment to Lots 126R and 152R Planned Unit Development (formerly referred to as the Rosewood PUD and now known as La Montage) including but not limited to, a density transfer and rezone in accordance with CDC Sections 17.3.8 and 17.4.12, and; Consideration of a concurrent Design Review Application for 18 condominium units associated with the above referenced Major PUD Amendment and associated amenity space on Lot 152R pursuant to CDC Section 17.4.11.
5.	11:40	20	Starr	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a Conditional Use Permit for a Real Estate Office in a Primary Pedestrian Area on Lot 65, 618 Mountain Village Boulevard.
6.	12:00	30			LUNCH
7.	12:30	30	Haynes	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge (Lot 42B) Units 30A and 30B from two (2) efficiency lodge zoning designation units to one (1) Lodge zoning designation unit
8.	1:00	30	Starr	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a Rezone and Density Transfer to rezone Blue Mesa Lodge (Lot 42B), Unit 41A from one (1) Efficiency Lodge zoning designation unit to one (1) Lodge zoning designation unit.
9.	1:30	45	Starr	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a Conditional Use Permit for a Public Art Installation on Lot OSP-49.

Please note that this Agenda is subject to change. (Times are approximate and subject to change)
455 Mountain Village Blvd., Suite A, Mountain Village, Colorado 81435
Phone: (970) 369-8242 Fax: (970) 728-4342

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at the above numbers or email: cd@mntvillage.org We would appreciate it if you would contact us at least 48 hours in advance of the scheduled event so arrangements can be made to locate requested auxiliary aid(s).

**DESIGN REVIEW BOARD MEETING
REVISED AGENDA FOR NOVEMBER 7, 2019**

10.	2:15	30	Starr	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge (Lot 42B) Units 33A and 33B from two (2) Efficiency Lodge zoning designation units to one (1) Lodge zoning designation unit
11.	2:45	30	Miller	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge (Lot 42B) Unit 21A & 21B from two (2) Efficiency Lodge zoning designation to one (1) Lodge zoning designation.
12.	3:15	30	Miller	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge (Lot 42B) Unit 41B from an Efficiency lodge zoning designation to Lodge zoning designation.
13.	3:45	30	Miller	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge (Lot 42B) Unit 21C from an Efficiency lodge zoning designation to Lodge zoning designation. Concurrent review and recommendation to Town Council regarding a variance for parking requirements.
14.	4:15	30	Miller	Public Hearing Quasi-Judicial	A review and recommendation to Town Council regarding a rezone and density transfer application at Lot 640A, 306 Adams Ranch Rd, to increase employee apartment density by 12 units from 30 to 42 units.
15.	4:45				Adjourn

Please note that this Agenda is subject to change. (Times are approximate and subject to change)

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**SUMMARY OF MOTIONS
TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD MEETING
THURSDAY OCTOBER 3, 2019**

Call to Order

Vice Chairman David Craige called the meeting of the Design Review Board of the Town of Mountain Village to order at 10:00AM on October 3rd, 2019 in the Town Hall Conference Room at 415 Mountain Village Boulevard Mountain Village, CO 81435.

Attendance

The following Board members were present and acting:

Cath Jett
Keith Brown
David Craige
Adam Miller (1st alternate)
Ellen Kramer (2nd alternate)

The following Board members were absent:

Banks Brown
Dave Eckman
Liz Caton
Greer Garner

Town Staff in attendance:

Michelle Haynes, Planning & Development Services Director
Sam Starr, Planner
John Miller, Senior Planner

Public in attendance:

Chris Hawkins
Robert Stenhammer
David Ballode
Claire Ricks
Susan Conger Austin
Jim Austin

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rstenhammer@telski.com
dballode@msn.com
claire@fortenberry.com
conger@iit.edu
austinh60610@yahoo.com

Reading and Approval of Summary of Motions of the September 5th, 2019 Design Review Board Meeting

On a **Motion** made by Keith Brown and Seconded by Cath Jett, the Design Review Board voted 5-0 to approve the September 5th, 2019 Summary of Motions.

A review and recommendation to Town Council Regarding A Major Planned Unit Development (PUD)

Amendment to Lots 126R and 152R Planned Unit Development (formerly referred to as the Rosewood PUD and now known as La Montage) including but not limited to, a density transfer and rezone in accordance with CDC Sections 17.3.8 and 17.4.12, and; Consideration of a concurrent Design Review Application for 18 condominium units associated with the above referenced Major PUD Amendment and associated amenity space on Lot 152R pursuant to CDC Section 17.4.11.

Planner John Miller presented the review and recommendation to Town Council Regarding A Major Planned Unit Development (PUD) Amendment to Lots 126R and 152R Planned Unit Development (formerly referred to as the Rosewood PUD and now known as La Montage) including but not limited to, a density transfer and rezone in accordance with CDC Sections 17.3.8 and 17.4.12, and; Consideration of a concurrent Design Review Application for 18 condominium units associated with the above referenced Major PUD Amendment and associated amenity space on Lot 152R pursuant to CDC Section 17.4.11.

There was no public comment.

On a **Motion** made by Cath Jett and seconded by Ellen Kramer the DRB voted 4-0, with Keith Brown abstaining, to **continue** the review and recommendation to Town Council Regarding A Major Planned Unit Development (PUD) Amendment to Lots 126R and 152R Planned Unit Development (formerly referred to as the Rosewood PUD and now known as La Montage) including but not limited to, a density transfer and rezone in accordance with CDC Sections 17.3.8 and 17.4.12, and; Consideration of a concurrent Design Review Application for 18 condominium units associated with the above referenced Major PUD Amendment and associated amenity space on Lot 152R pursuant to CDC Section 17.4.11., to the November 7th 2019 Design Review Board Meeting.

Class 1 Sign Application raised to a class 3 Design Review Application for the consideration of a new LED sign in the Town of Mountain Village Road Right of Way.

Planner Sam Starr presented the Class 1 Sign Application raised to a class 3 Design Review Application for the consideration of a new LED sign in the Town of Mountain Village Road Right of Way. Chief of Police Chris Broady presented on behalf of the applicant.

There was no public comment.

On a **Motion** made by Cath Jett, and seconded by Keith Brown, the DRB voted 5-0 to approve the Class 1 Sign Application raised to a class 3 Design Review Application for the consideration of a new LED sign in the Town of Mountain Village Road Right of Way, with the following specific approvals, findings and conditions:

Specific Approvals

- *LED Sign that exceeds the 2 square foot requirement for a LED Sign.*

Conditions:

- 1) *That the lighting levels are set to a minimal level.*
- 2) *That the LED colors remain contextually compatible and of a textual nature.*
- 3) *That when not in use, the sign is turned off.*

Findings:

- 1) *The Design Review Board finds that the sign meets the purpose and intent of the Community Development Code Sign Regulations in Section 17.5.13.*
- 2) *The Design Review Board finds that the sign meets the Town Design Theme.*
- 3) *The replaced sign is more aesthetic and provides greater messaging flexibility for the town*

Consideration for a Design Review: Final Architecture and Site Review Application for a new single-family residence on Lot BC105, 114 Lawson Overlook.

Planner Sam Starr presented the Consideration for a Design Review: Final Architecture and Site Review Application for a new single-family residence on Lot BC105, 114 Lawson Overlook. Jack Wesson of Jack Wesson Architects presented on behalf of the applicant.

There was no public comment.

On a **Motion** made by Cath Jett, and seconded by Adam Miller, the DRB voted 5-0 to approve the Consideration for a Design Review: Final Architecture and Site Review Application for a new single-family residence on Lot BC105, 114 Lawson Overlook, with the following conditions:

- 1) *A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 2) *A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 3) *Consistent with town building codes, unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber, or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.*
- 4) *Applicant shall submit an exterior lighting plan prepared by a licensed professional that includes an isometric foot-candle diagram, and dimmer/lighting management system information to be reviewed by staff and DRB Chairperson or DRB Chairperson designate. The updated lighting plan will have to omit the two lower sconces as discussed during the 10.3.19 DRB Meeting.*
- 5) *Applicant shall revise their address monument plan to provide downlighting, remove board form as a material, and to correct the number to 114 Lawson Overlook.*
- 6) *Should the state of the General Easements be disturbed during construction, the applicant must revegetate the area to its prior condition using the native seed mix.*
- 7) *Applicant shall revise the building plans to include a fire sprinkler system per the direction of the TFPD Fire Chief.*
- 8) *All retaining walls, with the exception of the lower retaining wall as shown on A305, shall be allowed to have board form as a material.*

Consideration for a Design Review: Initial Architecture and Site Review Application for a new single-family residence on Lot AR-53R2, 125 Adams Way.

Planner Sam Starr presented the Consideration for a Design Review: Initial Architecture and Site Review Application for a new single-family residence on Lot AR-53R2, 125 Adams Way. Susan Conger-Austin represented herself in this matter.

There was no public comment.

On a **Motion** made by Keith Brown, and seconded by Adam Miller, the DRB voted 4-1, with Cath Jett opposing, to approve the Consideration for a Design Review: Initial Architecture and Site Review Application for a new single-family residence on Lot AR-53R2, 125 Adams Way, with the following stated variations, specific approvals, findings and conditions:

Stated variations and specific approvals:

- *Stone percentage under CDC required 35.00%*
- *8" Vertical Siding*

Findings:

- 1) *The Design Review Board finds that this application for a Design Review: Initial Architectural Site Review for a new single-family residence is a complete application and requires DRB Review.*
- 2) *The Design Review Board finds that this proposed architectural proposal meets the Town Design Theme.*

Conditions:

- 1) *A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 2) *A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 3) *Applicant shall demonstrate the exact square footage of snowmelt proposed for this project.*
- 4) *Prior to Final Review, the applicant shall provide a revised lighting plan that contains updated recessed lighting fixtures that do not exceed 850 Lumens and does not contain landscape lighting.*
- 5) *Prior to Final Review, Applicant shall provide a revised address identification sign schematic that contains downlighting and numbers coated in a reflective paint.*
- 6) *Applicant shall revise the construction mitigation plan prior to Final Review to include construction fencing around the entirety of the site and outside of the setbacks except for areas that are already devoid of vegetation and otherwise disturbed such as the proposed driveway area.*

Adjourn

On a unanimous **Motion**, the Design Review Board voted 5-0 to adjourn the October 3rd, 2019 meeting of the Mountain Village Design Review Board at 12:40 P.M.

Prepared and Submitted by,

Sam Starr, AICP
Planner
Town of Mountain Village

**SUMMARY OF MOTIONS
TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD MEETING
WEDNESDAY OCTOBER 16, 2019**

Call to Order

Chairman Banks Brown called the special meeting of the Design Review Board of the Town of Mountain Village to order at 9:00AM on October 16th, 2019 in the Town Hall Conference Room at 415 Mountain Village Boulevard Mountain Village, CO 81435.

Attendance

The following Board members were present and acting:

Cath Jett
Greer Garner
Keith Brown
Liz Caton
Banks Brown
Ellen Kramer (2nd alternate)
David Craige
Adam Miller (1st alternate)
Dave Eckman

The following Board members were absent:

Town Staff in attendance:

Michelle Haynes, Planning & Development Services Director
Sam Starr, Planner

Public in attendance:

Anton Benitez
Garrett Brafford

anton@tmvoa.org
garrett@tmvoa.org

Executive Session for the Purpose of Receiving Legal Advise Pursuant to C.R.S. 24-6-402(4)(b).

On a **Motion** made by Cath Jett and Seconded by Greer Garner, the Design Review Board voted unanimously to enter into Executive Session for the purpose of receiving legal advise pursuant to C.R.S. 24-6-402(4)(b) at 9:03AM.

The Board returned to regular session at 9:55AM

Board Member Liz Caton left the meeting at 9:55AM

Consideration of a Design Review Process Application for a design variation to 17.5.6, Exterior Wall Materials, to allow for a reduced stone percentage on Lot 1003R-2A, 455 Mountain Village Boulevard.

Planner Sam Starr presented the Design Review Process Application for a design variation to 17.5.6, Exterior Wall Materials, to allow for a reduced stone percentage on Lot 1003R-2A, 455 Mountain Village Boulevard.

Anton Benitez and Garrett Brafford of Telluride Mountain Village Owners Association presented on their own behalf.

There was no public comment.

On a **Motion** made by Greer Garner and seconded by David Eckman the DRB voted 6-1, with David Craige opposing, to approve the Design Review Process Application for a design variation to 17.5.6, Exterior Wall Materials, to allow for a reduced stone percentage on Lot 1003R-2A, 455 Mountain Village Boulevard, with the following findings:

Findings:

- 1) *The Design Review Board finds that the proposed elevation meets the Town Design Theme.*
- 2) *The Design Review Board finds that the proposed application meets the 7 criteria for a design variation approval as outlined in CDC Section 17.4.11(E)5 Design Variation Process.*

Adjourn

On a unanimous **Motion**, the Design Review Board voted 7-0 to adjourn the October 16, 2019 meeting of the Mountain Village Design Review Board at 10:43 A.M.

Prepared and Submitted by,

Sam Starr, AICP
Planner
Town of Mountain Village



Agenda Item #3
PLANNING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

TO: Design Review Board
FROM: Sam Starr, Planner
FOR: Meeting of November 7, 2019
DATE: October 29, 2019
RE: Design Review: Final Review for a new single-family home on Lot AR-53R2, 125 Adams Way

BACKGROUND AND RECOMMENDATION:

The applicants Susan Conger-Austin and Jim Austin have requested the Design Review: Final Review for a new single-family home on Lot AR-53R2, 125 Adams Way be continued to the **December 5, 2019** Design Review Board meeting. Planning and Development Services staff support this request, as it will give the applicant more time to refine their proposal. This memo is being provided solely for the purpose of the DRB providing a motion to continue to the December meeting date.

RECOMMENDED MOTION:

I move to continue the proposed Design Review: Final Review for a new single-family home on Lot AR-53R2, 125 Adams Way to the Design Review Board's regular meeting on December 5th, 2019.

/STCS



Agenda Item No. 4
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Design Review Board

FROM: John Miller, Senior Planner

FOR: Meeting of November 7, 2019

DATE: September 29, 2019

RE: A review and recommendation to Town Council Regarding A Major Planned Unit Development (PUD) Amendment to Lots 126R and 152R Planned Unit Development (formerly referred to as the Rosewood PUD and now known as La Montage) including but not limited to, a density transfer and rezone in accordance with CDC Sections 17.3.8 and 17.4.12, and; Consideration of a concurrent Initial Architectural Design Review Application for 18 condominium units associated with the above referenced Major PUD Amendment and associated amenity space on Lot 152R pursuant to CDC Section 17.4.11.

APPLICATION OVERVIEW:

PROJECT GEOGRAPHY

Legal Description: Lot 126R, Lot 152R, Tract OSP-126, Tract OSP-118, Telluride Mountain Village, Filing 1 at Reception Number 397455

Address: 200, 208, 221, 223 & 225 Country Club Drive

Applicant/Agent: Alpine Planning, LLC / Chris Hawkins, AICP

Owner: MV Holdings, a WY LLC.

Zoning: Multi-Family / Open Space

Existing Use: Vacant Lands

Proposed Use: Multi-Family

Lot Size: 5.49 Acres

Adjacent Land Uses:

- **North:** Passive OS
- **South:** Active OS
- **East:** Active OS/
Single-Family
- **West:** Single-Family

Attachments:

- Exhibit A: Narrative
- Exhibit B: Plan Set
- Exhibit C: Public and Staff Comments



Case Summary:

Alpine Planning (Applicant), working on behalf of MV Holdings, LLC (Owner) of Lot 126R, Lot 152R, Tract OSP-126 and Tract-118 (Properties) is requesting Design Review Board (DRB) recommendation to Town Council for the following items: (1) a Major Planned Unit Development (PUD) Amendment that includes a Rezone and Density Transfer, and (3) Initial Architecture and Site Review (IASR) for development of Lot 152R per the amended PUD standards.

Prior to this hearing, the applicant held work sessions with both the DRB and the Town Council, initially with a proposal to revoke or rescind the existing site-specific PUD, allowing Lot 126R and 152R to revert to the multi-family zoning designations that existing prior to the PUD approval. Town Council felt that the PUD amendment process afforded the town more opportunity for an open public process, allowances for public benefits and creative design; thus, Town Council gave direction to the applicant that the preferred option would be for the applicant to resubmit an application proposing to amend the existing PUD on the site. Based on the substantial changes of such an application, this requires a Major PUD amendment per the Community Development Code (CDC).

With the feedback provided at the Town Council work session, the applicant has revised their application and is now proposing to amend the existing Lot 126R and 152R PUD. For this PUD amendment, it is important to note that per the Community Development Code (CDC) "the DRB shall focus its review and comments on design-related issues pursuant to the Design Regulations". Comparatively, the Town Council "shall focus its review on the other issues associated with [the PUD], such as mass and scale, public benefits, density, and general conformance with the Comprehensive Plan. This provision will guide the formatting of this memo with a focus placed on the design regulations for the proposed development while recognizing that mass and scale and site density play a role in design related issues; thus, there is some overlap.

The applicant has provided architectural designs for Lot 152R and as part of the public hearing process would like to discuss higher-level conceptual plans for the entirety of the properties as required for the PUD amendment and density transfer/rezone. It should be noted that any approval of a PUD amendment will result in the underlying zoning of the properties converting to PUD Zone District. Although Lots 126R and 152R will be developed separately, the design of the overall project will be coordinated between the two lots throughout the design review process.

Project Discussion:

Staff Note: In order to maintain clarity between the staff memo and the applicant's submitted narrative, staff will refer to the development concept as the "La Montagne Plan" with Lot 126R being the "North Site" and 152R being the "South Site".

1. Design Review:

The IASR portion of this memo discusses the south site only. The applicant has submitted architectural plans per the CDC requirements and within their narrative discuss the design concept related to things such as site context and constraints, specific building designs, pedestrian flow, and parking. There are a total of six buildings proposed for Lot 152R, each with slight design differences. For practical purposes, this review will discuss either the entirety of the development or the individual buildings numbered H-M.

The La Montagne concept could best be described architecturally as a mountain modern vernacular with elements that are reminiscent of existing styles and buildings within the town. The proposed design is largely framed by flat/shed roof forms with minor slope variations and large

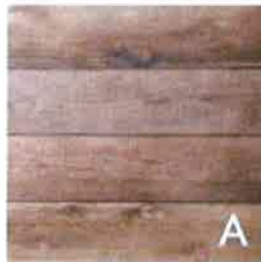
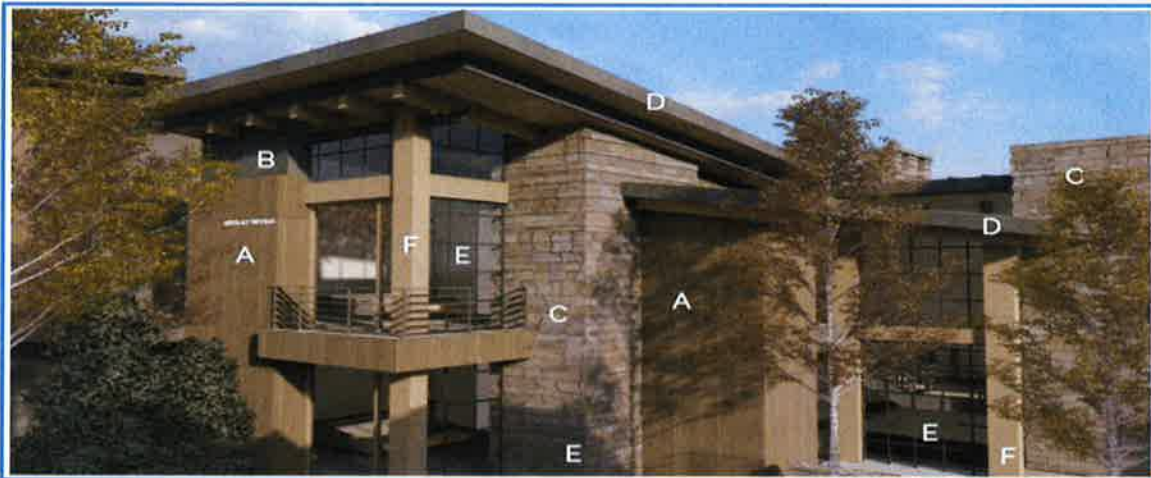
glazing areas. Generally speaking, the roof form could be categorized as a reverse gable roof or a variation of the traditional shed type roof form. Although we don't traditionally see many flat or low sloping roofs, they are becoming more prevalent in the mountain modern vernacular seen in the Mountain Village. The designers have proposed a material palette consisting of stone, wood, and metal. The relatively low pitch of the roof allows for the elements of the architecture to appear as a natural outgrowth of the rolling landscape surrounding the golf course – blending elements of the ground, the hillside, and the mountains in the distance. As proposed, there are a total of six buildings containing 18 condominium units for a total gross square footage of 48,820 square feet of livable space.

Table 1: Building Height, Lot Coverage, Setbacks and Roof Pitch

Geography and Zoning Requirements		
	Existing/Requirement	Proposed
Lot Size	North Site: 3.11 acres South Site: 1.47 acres	No Change
Zone District	Multi-family Zone District	No Change
Existing + Proposed Density	67 Condominium Units 56 Hotel Units 19 Hotel Efficiency Units 17 Employee Dorm Units 5 Employee Apartments 38,656 sq. ft. Commercial Space	54 Condominium Units 4 Employee Apartments
Maximum Building Height	53 feet for gabled roofs 68' Maximum Height for Building A	48 feet
Average Building Height	48 feet + 5 feet for gabled roofs	48 feet
Lot Coverage	65%	North Site: 40% South Site: 54.8%
Setbacks North Site		
Front - South	16 feet (General Easement)	16 feet
Rear - North	None Per PUD Development Plan	Approx. 1' to 9'-3"
Side - East	None Per PUD Development Plan	Approx. 70 feet
Side - West	16 feet (General Easement)	19'-4" to 32'
Setbacks South Site		
Front - North	16 feet (General Easement)	16' for buildings; <16 feet for limited roof overhangs as PUD variation
Rear - South	None Per PUD Development Plan	0'
Side - East	None Per PUD Development Plan	> 16'
Side - West	None Per PUD Development Plan	10'-8"
Parking North Site		
Zoning Designation	Parking Requirement	Provided Parking
Condominium	34 x 1.5 = 51 spaces	51 spaces
Employee Apts.	4 x 1.5 = 6 spaces	6 spaces
Service Parking	1-5 spaces	4 spaces
Total Parking	58 spaces	61 spaces
Parking South Site		
Zoning Designation	Parking Requirement	Provided Parking
Condominium	18 x 1.5 = 27 spaces	27 spaces
Service Parking	1-5 spaces	2 spaces
Total Parking	28 spaces	38 spaces total (9 extra spaces)

Table 2: Materials, Requirements, Variations

Exterior Materials	Percentage
Stone Veneer	35.77% (35% requirement)
8" Cedar Siding	28.64%
Mill Scale Steel Panels	18.79%
Glazing	16.81%
Roof Pitch Primary	1:12 Secondary: 2:12, 1,3/8:12 1½:12
Proposed Specific Approvals and Design Variations:	
Road/Driveway Standards	Retaining walls over 4 feet in height
Maximum Number of Curb Cuts	More than one curb cut for a driveway accessing a lot from the main road
GE Encroachments	Roof Dripline encroachments in GE on Lot 152R
Exterior Materials	Use of exterior metals



Chapter 17.3: ZONING AND LAND USE REGULATIONS

17.3.12: Building Height Limits

The Maximum Building Height for the underlying zone district is 48'-0" from the most restrictive adjacent grade. The applicant has provided a parallel slope analysis for most restrictive grades for the proposed buildings on Lot 152R. In addition, the applicant has shown the max height for Buildings H-M with the heights ranging from 47'-5" to 48'-0".

On buildings with complex rooflines, a maximum average roof height calculation is required. Per the applicant's submitted materials, the average heights of buildings H-M are all below the 48'-0" maximum requirement. The applicant has provided an average height analysis demonstrating points above the most restrictive grade, along with elevations demonstrating the height analysis. There are no proposed chimneys.

When a proposed development is approved that is five (5) feet or less from the maximum building height or maximum average building height, the review authority approval shall include a condition that a monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height. This shall be done prior to the Building Division conducting the required framing inspection.

17.3.13: Maximum Lot Coverage

The CDC allows for 65% lot coverage for in Multi-Family Zone. As proposed, the cumulative footprint of the development of Lot 152R is 54.8% coverage. Although the design of Lot 126R has not been addressed other than conceptually, the proposed footprint would not exceed 40% and otherwise could be proposed up to 65%.

17.3.14: General Easement Setbacks

Although the Rosewood PUD was never realized, the properties still maintain some remnants of the previous PUD. In this case, there were a number of General Easement (GE) modifications that were recorded for both the north and south sites. Lot 152R is burdened by a 16'-0" GE only on the front or north lot line. Lot 126R retains its GE on only the south and west lot lines.

The CDC provides that the GE shall be maintained in a natural, undisturbed state to provide buffering to surrounding land uses. The CDC does provide for some development activity within the GE such as Ski Access, Utilities, Address Monuments, and Fire Mitigation. All encroachments into the GE that do not fall into the above category will require encroachment agreements between the property owner and the Town.

The proposal may include several GE encroachments that fall into the above category of permitted GE development activity including the following:

Utilities: Currently infrastructure within Country Club Drive and the adjacent General Easement for Lot 152R may need to be relocated. This includes sanitary sewer, gas regulation devices, etc. It's unclear the impacts of these relocations at this time, but it is understood that the GE will need to be disturbed for this work. Any activity on TSG property needs proper approvals and documentation prior to commencing work.

Address Monument: It appears that the address monument for the project is located adjacent to the GE, but it would be helpful to understand if the foundation elements of this monument will encroach into the GE during construction.

Ski Access: There have been discussions in the past regarding ski access, and it's unclear at this time if these conversations are still being pursued by the developer and TSG. Ski access from 152R will not encroach into the GE, but any future access from Lot 126R may require GE encroachments or pedestrian access.

In addition to the GE encroachments that are permitted per the CDC, the applicant is requesting a portion of the roof overhang be located within a vertical encroachment of the General Easement. This is due to the limited depth of the lot and geographical wetland constraints that will be discussed in more detail below.

As a note, any foundation walls or structural elements that are within 5' of GE will require a footer survey prior to pouring concrete to ensure there are no encroachments into the General Easement area.

Chapter 17.5: DESIGN REGULATIONS

17.5.4: Town Design Theme

The Town of Mountain Village has established design themes aimed at creating a strong image and sense of place for the community. Due to the fragile high alpine environment, architecture and landscaping shall be respectful and responsive to the tradition of alpine design – reflecting elements of alpine regions while blending influences that visually tie the town to mountain buildings. The town recognizes that architecture will continue to evolve and create a regionally unique mountain vernacular, but these evolutions must continue to embrace nature and traditional style in a way that respects the design context of the neighborhoods surrounding the site.

The CDC provides design themes characteristics which have been addressed by the applicant within the provided narrative. Specifically, the applicant has worked to “create an organic mountain modern design that is expressed through stone-veneered foundation elements, vertical wood siding, mill scale steel porcelain panels, and low reflectivity standing seam metal roofing”.

The applicant has aimed to denote compliance with things such as the unique site sensitive building location, access, views, solar gain, landscape screening, building materials, and colors. The design team has worked to emulate the “indigenous architecture” which is described as “tectonic [in] nature with its exposed beams, purlins, and wood ceilings”.

The proposed structure and exterior materials largely reflect the contemporary rustic designs recently seen within the Town, incorporating a mix of contemporary shed roof forms with vertical wood siding elements over a stone pedestal. Although the materials as proposed are mixture of modern and traditional style elements, there seems to be a balance between these elements that fit well into the existing mountain village vernacular.

17.5.5: Building Siting Design

The CDC requires that any proposed development blend into the existing landforms and vegetation. Because Lot 152 is very linear in shape and has delineated wetlands on the site, there are limited areas that can be developed on the site. The site slopes to the south from Country Club Drive and the applicant is proposing to utilize this slope to build the proposed structures into the hillside. This allows for the parking areas to be sub-grade and limits the overall height of the structure. By incorporating linear townhouses along the frontage of Country Club Drive, the project appears to have maximized golf course frontage and view corridors from the site, while minimizing access points and turning movements along the road. Although the project site is relatively flat, there are some sloped portions – particularly along the road frontage as it slopes towards the golf course. The project design proposes to build into this hillside in order to minimize cuts and fills post-development. By incorporating the building's foundations into the sloping hillside of Lot 152R,

the project appears to minimize viewshed impacts as seen from Country Club Drive and adjacent homes within the vicinity.

17.5.6: Building Design

The building form and exterior wall form portray a mass that is thick and strong with a heavy grounded foundation largely being demonstrated using stone veneer and vertical wood siding. The stone elements not only function as a pedestal for the residences but also projects vertically to the roof forms in a columnar design. This appears to frame the glazing and compliments the vertical wood siding and metal elements.

The roof form for the residence consists of multiple low pitches (1:12 & 2:12) shed roofs with additional flat roofing areas used minimally throughout. The proposed roofing material is a low-reflectivity metal standing seam roof. It's unclear to staff if this standing seam material is also proposed for the flat roof areas. This will need to be clarified by the applicant prior to any Final Architectural Review.

The exterior wall composition is proposed to consist of 35.77% stone veneer (Olympia Ledger Random Arrangement, dry-stacked), 28.64% 8" Channel Cedar Siding, 16.81% glazing (Dark Bronze Windows), and 18.79% Mill Scale Steel Panels. The DRB will need to grant specific approvals for the use of metal panels. The applicant has not indicated the exterior materials proposed for the parking garage doors and will need to address compliance prior to final approval.

The applicant has not at this time indicated the amount of exterior snowmelt that will be proposed and will also need to address prior to final.

17.5.7: Grading and Drainage Design

The applicant has provided a conceptual grading and drainage plan prepared by Uncompahgre Engineering, LLC. The proposal provides positive drainage for residences and driveway. As required by the CDC, all disturbed areas are to have final grades of 2:1 or less. It should be noted that projects exceeding one acre of disturbance area will be required to work with the Colorado Department of Public Health and Environment, Water Quality Control Division to limit any stormwater discharge.

17.5.8: Parking Regulations

The CDC requires 1.5 parking spaces per unit for a total requirement of 27 units for lot 152R. The applicant is proposing a total of 38 spaces to include 3 surface parking spaces, 14 spaces in the west garage, and 21 spaces in the east garage. This meets the parking requirements for Lot 152R. Lot 126R will be required to provide parking for any future development within its lot boundaries.

17.5.9: Landscaping Regulations

The applicant has submitted a conceptual landscaping plan for Lot 152R. The main driver of the landscaping plan has been to create a buffer to reduce instances of errant golf balls. As the applicant moves towards final design, they will need to address additional information on the landscaping plan such as tree sizes, irrigation, wetland landscaping, and other standards required at the final review.

17.5.11: Utilities

Generally speaking, the utilities required for the project are currently available at the lot and will not require any extensions of service. The project may require some sewer infrastructure to be relocated, and additional private infrastructure will be required to connect into the town's services. The applicant has been working with the Natural Gas provider to determine if the regulator station

located adjacent to the site will need to be relocated as part of this project. Prior to final, a final utilities plan must be submitted addressing these details.

17.5.13: Sign Regulations

The applicant has indicated the location of the project sign on the site plan but has not provided any details related to individual unit signage or illumination for the signage on the property. All numbering shall be required to be a minimum of 4" and coated with reflective material in case of power outage.

Chapter 17.6: SUPPLEMENTARY REGULATIONS

17.6.1: Environmental Regulations

Fire Mitigation and Forestry Management: The applicant has provided a site plan delineating fire protection zones on the plans. Per the CDC, the applicant has included some landscaping within this footprint and will work with staff to ensure the final placement of the landscaping meets the fire mitigation requirements.

Steep Slopes: The majority of the steep slopes are located on Lot 126R and the development of Lot 152R will not have impacts on these slopes.

Wetlands: The applicant has provided a wetland delineation report from a wetland specialist. The plan attempts to supplement existing low-quality wetlands with storm-water from the development in order to possibly increase the quality of the wetlands on the site.

17.6.6: Roads and Driveway Standards

Because of the proximity of the development to Country Club Drive, the driveway lengths are rather small. At the intersections of the parking garages, the applicant is proposing a 5% grade for visibility. It should be noted that the applicant is proposing to have more than one curb cut on Lot 152R and will need specific approval from the DRB and the Town's Public Works Department. Due to the grade at the access, the applicant is proposing a retaining wall over 4'-0" in height and this will require specific approval from the DRB.

17.6.8: Solid Fuel Burning Device Regulations

There are no fireplaces indicated on the plans at this time with the exception of an exterior gas fire pit.

Chapter 17.7: BUILDING REGULATIONS

17.7.19: Construction Mitigation

The construction mitigation plan will be provided at final review per the CDC.

Staff Analysis: With the exception of the Specific Variations documented in this report, the applicant meets the requirements of the Design Regulations provided in the CDC. The code allows for the DRB to vary some design requirements when it results in improved architecture and design that otherwise meets the requirements of the code.

The remainder of this page has been left blank intentionally.

2. Major PUD Amendment

The proposed plan serves to replace the existing PUD in its entirety. Many of the modifications deal with the overall intensity of the development and a reduction in density particularly the hotel and commercial densities on the properties. Because the DRB's focus on PUD Amendments is design, any recommendation for PUD amendment shall be limited to findings based on the architectural appropriateness of the project as proposed.

3. Density Transfer and Rezone

The CDC requires that any PUD application must request the rezoning to PUD Zone District. Under the Land Use Development Code, there was no requirement to rezone – hence the underlying zone districts of Multi-family and Open-Space. If this application is approved, the zoning map will be modified to reflect the PUD District for the associated properties. The applicant is proposing to eliminate the following densities from the site:

Proposed Amended PUD Density						
126R	3.11	Multi-family	Condominium Units	36	3	108
			Employee Apartments	4	3	12
152R	1.47	Multi-family	Condominium Units	18	3	54
OSP-118	0.65	Active OS	Open Space			
OSP-126	0.26	Passive OS	Open Space			
Total Proposed Density for the Property			Condominium Units	54	3	162
			Employee Apartments	4	3	12
			Total Person Equivalent Density		174	
PUD Amendment Density Reduction						
			Condominium	13	3	39
			Hotel	56	1.5	84
			Hotel Efficiency	19	2	38
			Employee Dorm	17	1	17
			Employee Apartment	1	3	3
			Commercial Area	38,656 sq. ft.		
			Total Person Equivalent Density			181

The proposed density transfer will reduce the density on the site tremendously, with the finished product substantially less impactful than the previous iteration of Rosewood. It should also be noted that the applicant has revised the proposal since the work sessions to include 4 employee apartments for a total employee person equivalent of 12.

CRITERIA FOR DECISION

Major PUD Amendment Criteria:

The following criteria shall be met for the review authority to approve a rezoning to the PUD Zone District, along with the associated PUD development agreement:

1. The proposed PUD is in general conformity with the policies, principles and standards set forth in the Comprehensive Plan;
2. The proposed PUD is consistent with the underlying zone district and zoning designations on the site or to be applied to the site unless the PUD is proposing a variation to such standards;

3. The development proposed for the PUD represents a creative approach to the development, use of land and related facilities to produce a better development than would otherwise be possible and will provide amenities for residents of the PUD and the public in general;
4. The proposed PUD is consistent with and furthers the PUD purposes and intent;
5. The PUD meets the PUD general standards;
6. The PUD provides adequate community benefits;
7. Adequate public facilities and services are or will be available to serve the intended land uses;
8. The proposed PUD shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
9. The proposed PUD meets all applicable Town regulations and standards unless a PUD is proposing a variation to such standards.

Rezoning Criteria:

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.

Density Transfer Criteria:

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.

STAFF ANALYSIS

The PUD amendment is consistent with the underlying zoning and is primarily reducing the density on the property. The property functions as a transition lot from Village Center zoning to single family residential. The DRB's review criteria as it relates to the PUD amendment and the initial architectural review is exclusively limited to design issues (town design theme, materials, context).

STAFF RECOMMENDATION

Staff recommends the Design Review Board recommend the Town Council approve the proposed major PUD amendment, rezoning and transfer, and Initial Architecture and Site Review for Lot 126R and 152R and the associated open-space tracts.

If the DRB deems this application to be appropriate for approval, Staff requests said approval condition the items listed below in the suggested motion.

PROPOSED MOTION

Staff Note: It should be noted that reasons for approval or rejection should be stated in the findings of fact and motion.

I move to approve the Initial Architecture and Site Review Application for a Multi-Family Development located at Lot 152R, consisting of a total of six (18) new condominium units, and, move to recommend to Town Council, approval of an Ordinance for a Major PUD Amendment, Density Transfer and Rezone amending the Lot 126R and 152R PUD, based on the evidence provided within the Staff Report of record dated September 29, 2019 and with the following conditions:

- 1) Prior to submitting for the Final Architectural Review, the Owner shall either (A) obtain Town Council approval for the Major PUD Amendment, Rezoning Process and Density Transfer Process development applications.
- 2) Prior to Final Architectural Review, the applicant shall provide a total calculation of exterior areas to have snowmelt systems, and revise the plan set.
- 3) Prior to the Final Architectural Review, the applicant must submit a complete grading and erosion control plan documenting all cuts, fills, stormwater mitigation and drainage plans. The civil plans for the development of the site must be prepared by a Colorado PE.
- 4) Prior to Final Architectural Review, the applicant must provide additional information related to the address monument for the project, including location, illumination methods, heights, and any other requirements that may be applicable for addressing.
- 5) Prior to Final Architectural Review, the applicant will be required to update the landscaping plan in order to demonstrate irrigation system design, methods to preserve existing trees which are to remain, along with specific planting schedules for all proposed shrubs and plantings on the site.
- 6) Prior to Final Architectural Review, the applicant must address the HOA parking requirements of no less than one (1) and no more than five (5) spaces reserved for HOA uses.
- 7) Prior to Final Architectural Review, staff is recommending that the applicant provide a full lighting plan including an iso-metric foot-candle study along with full cut sheets for all the proposed lighting fixtures for the site. The iso-metric foot candle study should specifically address light spill into the wetlands / riparian areas of lot 152R.
- 8) Prior to Final Architectural approval, staff is requesting a full Construction Mitigation Plan that addresses but is not limited to the following items: construction fencing, material stockpiling, construction parking, crane staging, tree protection, storm water mitigation, and project phasing.

- 9) Prior to issuance of a CO the property owner will enter in to a General Easement Encroachment Agreement with the Town of Mountain Village for the subterranean soil nail encroachments to the south of the development.
- 10) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.
- 11) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.
- 12) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.

/JJM



DESIGN REVIEW PROCESS APPLICATION

PLANNING & DEVELOPMENT SERVICES
 455 Mountain Village Blvd. Suite A
 Mountain Village, CO 81435
 970-728-1392
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 cd@mtnvillage.org

DESIGN REVIEW PROCESS APPLICATION
APPLICANT INFORMATION

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Mailing Address: P.O. Box 654		Phone: (970) 964-7927	
City: Ridgway	State: CO	Zip Code: 81432	
Mountain Village Business License Number: 005758			

PROPERTY INFORMATION

Physical Address: 221, 223 and 225 Country Club Drive		Acreage: 1.47 acres
Zone District: Multi-family Zone District	Zoning Designations: Please refer to narrative	Density Assigned to the Lot or Site: Please refer to narrative.
Legal Description: Lot 152R Telluride Mountain Village Filing 1 at Reception Number 397455		
Existing Land Uses: Vacant		
Proposed Land Uses: 18 multi-family condominium uses and association amenity space		

OWNER INFORMATION

Property Owner: MV Holdings, LLC a Wyoming limited liability company		E-mail Address: dylan@saltarchitect.com	
Mailing Address: 1001 SW Emkay Drive, Ste. 100		Phone: (970) 708-4927	
City: Bend	State: OR	Zip Code: 97702	

DESCRIPTION OF REQUEST

1. Design Review Process application for 15 multi-family condominium units and Association amenity space
2. Lot 126R and 152R Major PUD Amendment



La Montagne



Major PUD Amendment, Rezoning and Density Transfer

Updated October 29, 2019

TABLE OF CONTENTS

1. Consultant Team	2
2. Project Overview	3
3. Property History	7
4. Site Context	9
5. Development Plan Changes	9
6. Building + Site Design	12
7. PUD Amendment	14
8. Rezoning and Density Transfer	22



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Real Estate

SECTION 2 PROJECT OVERVIEW

MV Holdings, LLC (“Owner”) is the owner of Lot 126R (“North Site”), Lot 152R (“South Site”), Tract OSP-126; and Tract OSP-118, Telluride Mountain Village Filing 1 as recorded in the office of the San Miguel County Clerk and Recorder at Reception Number 397455 (“Property”) as shown in Figure 1. The Owner bought the Property in 2018 with the goal of revisiting the previously approved development plans for the Rosewood Hotel (“Rosewood PUD Plan”) to create an entirely new plan that is based on the land uses envisioned in the Mountain Village Comprehensive Plan (“Comprehensive Plan”); town input, community input and neighbor comments based on several individual meetings and a neighbor meeting.

The new concept being pursued by the Owner under the name “La Montagne” (“La Montagne Project”) that effectively replaces and supersedes the Rosewood PUD Plan in its entirety. The La Montagne Project contemplates a significant reduction in the previously assigned and approved density for the Property; focuses on transitional residential development; and greatly reduced building mass/scale on a “use by right” order, without the need for seeking PUD waivers/variances for building size or height. The goal of the La Montagne Project is to create a premier modern townhome development that provides the perfect retreat for golf, trail, mountain and ski enthusiasts. The La Montagne Project includes the following objectives:

1. Design and plan for a transitional multi-family project based on the underlying Multi-family Zone District that fits within the development pattern of the area, with higher density at See Forever, The Peaks, Lots 122 and 123 and the La Montagne Project transitioning to single-family properties in the area.
2. Participate in the planning and design for safety improvements to Country Club Drive working with the Town and property owners with new sidewalk that could include an uphill bike lane, speed humps, cross-walk, and lower speed limits as allowed by the right-of-way and general easement site condition.
4. Create a “by right” development with height, scale and mass per the Multi-family Zone District, PUD Zone District, and Community Development Code (“CDC”) requirements and allowances as approved and shaped by the PUD Amendment, Rezoning, Density Transfer and Design Review processes.
5. Work and participate with stakeholders to improve the trail system, pedestrian walkways and connectivity to the Mountain Village Center from the site.
6. Cooperate with neighbors to identify and attempt to mitigate visual and other impacts.
7. Keep the current subdivision platting and Property easements generally in place or modify as needed.
8. Facilitate a significant downzoning of the Property and create a new transitional plan by the removal of 75 hotel units, 18 condominium units, 17 employee dorms units, one employee apartment, and elimination of all commercial uses:
 - Decrease the actual unit density from 164 to 53 units (68% reduction)
 - Eliminate commercial density by 38,656 sq. ft. (100% reduction)
 - Reduce the number of employees by approximately 203 employees (92% reduction)
 - Reduce gross square footage and above grade floor area (scale and mass) by over 50%
 - Reduce vehicle trip generation
 - Eliminate all of the Rosewood PUD Plan PUD waivers/variations from the Property



The La Montagne Project is planned with a maximum of 49 condominium units as two distinct phases with the North Site and South Site designed and developed separately, although careful attention will be given with respect to the design of both lots to allow for the orderly coordination between both projects for things like pedestrian flow, through access, utility distributions and the like. The Owner has no immediate plans to develop the North Site.

The South Site is programmed for the development of 15 condominium units, indoor amenity space for a ski and golf lounge, and an outdoor amenity area with deck, fire pit and hot tub. The North Site is planned for 34 condominium units and an amenity building that includes a lobby with concierge, small spa and gym and an outdoor pool area. The Owner contemplates a rental management and operation structure for both the North Site and the South Site that will allow property owners to place their units in a centrally managed and marketed rental pool. The North Site is also required by the Town zoning rules to provide for some work-force housing with four (4) employee apartments planned as discussed in Sections 7 and 8. Table 1 shows the current and proposed density on the Property while Table 2 shows the Property geography and zoning requirements.

The La Montagne Project plans for an integrated trails and sidewalk plan with a new Village Center Trail connecting the Big Billies Trail to the Village Center with a sidewalk along Country Club Drive all the way to the Mountain Village Boulevard crosswalk to the Village Center east of The Peaks. Trail connectivity will be provided to Boomerang Trail, Jurassic Trail and the proposed Stegosaurus Trail. The project will also provide a new alignment of the proposed Stegosaurus Trail onto TSG Ski and Golf, LLC (“TSG”) land that currently trespasses onto Lot 126R provided the Town successfully negotiates an easement for the Stegosaurus Trail with TSG.

The Owner, in pursuing the La Montagne Project, is proposing to submit applications with the Town, seeking to secure Town approvals for this development proposal, which would be reviewed by the Town in the manner prescribed in the CDC, which actions would occur in the context of various noticed public meetings, open



Table 1. Current and Proposed Land Use and Density

Lot	Acreage	Zone District	Zoning Designation	Actual Units	Density Per Unit	Equiv. Units
Current PUD Density						
126R	3.11	Multi-family	Condominium Units	44	3	132
			Hotel Units	56	1.5	84
			Hotel Efficiency Units	19	2	38
			Employee Dorm Units	17	1	17
			Employee Apartments	5	3	15
			Commercial Area	34,001 sq. ft.		
152R	1.47	Multi-family	Condominium Units	23	3	69
			Commercial Area	4,655 sq. ft.		355
OSP-118	0.65	Active OS	Open Space			
OSP-126	0.26	Passive OS	Open Space			
Total Current Density for the Property				67	3	201
				56	1.5	84
				19	2	38
				17	1	17
				5	3	15
				38,656 sq. ft.		
				Total Person Equivalent Density		355
Proposed Amended PUD Density						
126R	3.11	Multi-family	Condominium Units	34	3	102
			Employee Apartments	4	3	12
152R	1.47	Multi-family	Condominium Units	15	3	45
OSP-118	0.65	Active OS	Open Space			
OSP-126	0.26	Passive OS	Open Space			
Total Proposed Density for the Property				49	3	147
				4	3	12
				Total Person Equivalent Density		159
PUD Amendment Density Reduction						
			Condominium	18	3	54
			Hotel	56	1.5	84
			Hotel Efficiency	19	2	38
			Employee Dorm	17	1	17
			Employee Apartment	1	3	3
			Commercial Area	38,656 sq. ft.		
			Total Person Equivalent Density		196	

to the further public for comments.

The development applications for the La Montagne Project include:

- A. PUD Amendment application to eliminate the Rosewood PUD Plan and establish the La Montagne Project;
- B. Rezoning Process and Density Transfer Process development applications to change and reduce the uses and densities allowed on Lot 126R and Lot 152R under the Rosewood PUD Approvals, and to rezone to the PUD Zone District; and
- C. Concurrent Design Review Process for the South Site with the Initial Architecture and Site Review (“Initial Review”) evaluated with the PUD Amendment, Rezoning Process applications.

CDC Section 17.4.12(I)(5) states:

“Rezoning Ordinance Required. Any PUD application shall be required to request rezoning to the PUD Zone District as a part of the PUD Process. The PUD development review process is a Rezoning Process, and a concurrent rezoning development application shall not be required. Because a PUD results in a rezoning to the PUD Zone District, any PUD approval shall be by ordinance.”

The La Montagne Project proposes to rezone Lot 126R and Lot 152R to the PUD Zone District consistent with PUD Regulation policies. CDC Section 17.4.12(N) classifies the PUD Amendment as a “major PUD Amendment” with such applications processed as a class 4 development application per Section 17.4.12(O). While the PUD Regulations state a Rezoning Process development application shall not be required, the development team is erring on the side of caution to request a concurrent rezoning and density transfer to ensure due process.

The Property is located in the Multi-family and open space zone districts and contains 5.49 acres broken out as follows:

Lot 126R:	3.11 acres
Lot 152R:	1.47 acres
OSP-126:	0.26 acres
<u>OSP-118:</u>	<u>0.65 acres</u>
Total	5.49 acres

The lot configuration for Lot 126R and Lot 152R as depicted on the Lot 126R/152R Subdivision Plat (Exhibit A) is not currently contemplated by the Owner as needing to be changed to accommodate the La Montagne Project, therefore, the Lot 126R/152R Subdivision Plat would not be modified, nor is the Owner proposing to modify or terminate the Lot 126R/152R Beneficial Easements at this time, although, some of these easements could be modified or terminated. The development team will be working closely with TSG staff in the planning and design of the La Montagne Project per the Lot 126R/152R Beneficial Easements. The La Montagne Project is designed to leave Boomerang Trail in its current location on Lot 126R and provide an easement for the trail to the Town since no easement is currently provided. The PUD Agreement contemplated the eventual conveyance of tracts OSP-118 and OSP-126 to the Town, which has not yet occurred. The Owner will convey title to Tracts OSP-118 and OSP-126 to the Town concurrent with the recording of a new La Montagne Project PUD agreement.



SECTION 3 PROPERTY HISTORY

Prior owners of the Property secured certain land use approvals from the Town concerning various uses, densities, buildings and other improvements that could be developed on the property, which approvals were reflected in various documents, including, without limitation, the following (“**Town Approval Documents**”):

1. Resolution of the Town Council of the Town of Mountain Village, Colorado Approval of Final Planned Unit Development Application as recorded at Reception Number 391879 (“**PUD Approving Resolution**”).
2. Development Agreement Lot 126R and Lot 152R Town of Mountain Village Planned Unit Development recorded a Reception No 397458 (“**PUD Agreement**”), as amended.
3. The subdivision of the Property that is tied to the PUD Agreement and PUD Approving Resolution as recorded at Reception Number 397455 (“**Lot 126R/152R Subdivision Plat**”).
4. Various easements reflected on the Subdivision Plat granted by the Town of Mountain Village (“**Town**”) and TSG (collectively, the “**Lot 126R/152R Beneficial Easements**”).

The PUD Agreement establishes the land uses and density as well as the siting and mass/scale of buildings and other improvements allowed to be developed on the Property. The uses and densities approved by the Town and reflected in the PUD Agreement allow for the development 67 condominium units; 56 hotel units; 19 hotel efficiency units; 17 employee dorms; 5 employee apartments; and 38,656 sq. ft. of commercial area as detailed in Table 1, which shows the respective uses and densities allowed on Lot 126R and 152R and the proposed density for the La Montagne Project. The PUD Agreement is tied to a detailed site specific development plan for the Property that was created for the Rosewood PUD Plan.

Prior to the Town’s approval of the Rosewood PUD Plan, the Property had been assigned the following land uses and densities: 1 single-family unit, 57 condominium units, 70 hotel units, 2 employee apartments, 16 dorm units and an unspecified amount of commercial area. The PUD Agreement added approximately 48 person equivalents to the Property consisting of 10 condominium units, 5 hotel-type units, 1 employee dorm, 3 employee apartments, and also established the amount of permitted commercial area.

It is important to note that the original zoning on Lot 126 at the time of the Town’s incorporation in 1995 permitted 200 hotel units, 26 condominium units and an unspecified amount of commercial area per the Official Land Use and Density Allocation List at the (“**First Lot List**”). The First Lot List also permitted Lot 130 with 10 condominium units, Lot 118 with 1 single-family unit; and Lots 152A, Lot 152B and Lot 152C with 22 condominium units. Thus, the Property has been permitted to have high density, commercial land uses since the Town’s incorporation. The Comprehensive Plan continues to envision and the Property with multi-family and commercial land uses as discussed in this narrative.



Table 2. Project Summary

Geography and Zoning Requirements		
	Existing/Requirement	Proposed
Lot Size	North Site: 3.11 acres South Site: 1.47 acres	No Change
Zone District	Multi-family Zone District	No Change
Existing + Proposed Density	67 Condominium Units 56 Hotel Units 19 Hotel Efficiency Units 17 Employee Dorm Units 5 Employee Apartments 38,656 sq. ft. Commercial Space	49 Condominium Units 4 Employee Apartments
Maximum Building Height	53 feet for gabled roofs 68' Maximum Height for Building A	48 feet
Average Building Height	48 feet + 5 feet for gabled roofs	48 feet
Lot Coverage	65%	North Site: 40% South Site: <54.8%
Setbacks North Site		
Front - South	16 feet (General Easement)	16 feet
Rear - North	None Per PUD Development Plan	Approx. 1' to 9'-3"
Side - East	None Per PUD Development Plan	Approx. 70 feet
Side - West	16 feet (General Easement)	19'-4" to 32'
Setbacks South Site		
Front - North	16 feet (General Easement)	16' for buildings; <16 feet for limited roof overhangs as PUD variation
Rear - South	None Per PUD Development Plan	0'
Side - East	None Per PUD Development Plan	> 16'
Side - West	None Per PUD Development Plan	10'-8"
Parking North Site		
Zoning Designation	Parking Requirement	Provided Parking
Condominium	32 x 1.5 = 48 spaces	48 spaces
Employee Apts.	4 x 1.5 = 6 spaces	6 spaces
Service Parking	1-5 spaces	4 spaces
Total Parking	58 spaces	58 spaces
Parking South Site		
Zoning Designation	Parking Requirement	Provided Parking
Condominium	15 x 1.5 = 23 spaces	23 spaces
Service Parking	1-5 spaces	2 spaces
Total Parking	28 spaces	25 spaces total



SECTION 4 SITE CONTEXT

Lot 126R is a vacant, open hillside property that is located at the confluence of Boomerang Trail, the Jurassic Trail and an unauthorized social trail on the lot. The Town Trails Master Plan is proposing to remove this unauthorized trail from Lot 126R and create a new Stegosaurus Trail on TSG open space to the north of Lot 126R that can also utilize part of OSP-126 for switchbacks down the hillside to the Jurassic Trail. Lot 126R has a high USGS elevation of 9462 on the north side and a low elevation of 9370 on the southwest side for an overall change of 92 feet over 312 feet and a slope grade of approximately 29.5%. Lot 126R contains slopes that are 30% or greater as shown in Figure 2.

Lot 152R is a very open and vacant site located north of Hole 1 of the Telluride Golf Course. Lot 152R does not have any trails or other improvements except for some natural gas infrastructure as shown on the existing conditions survey. Lot 152R contains modest slopes with a high USGS elevation of 9408 and a low elevation of 9350 for an overall change of 58 feet over a distance of 613 feet and a slope grade of approximately 9.5%. The Lot 152 grade has been shaped by the grading for Country Club Drive and the golf course.

Lot 152R has two wetlands areas that were not identified with the creation of the Rosewood PUD Plan. These wetland areas have been delineated by a qualified wetland consultant as shown on the existing conditions survey. The wetland delineation has been reviewed and approved by the United States Army Corps of Engineers as shown in Exhibit B (please refer to wetland section).

A portion of a gas regulator station is located on both Lot 126R and Lot 152R. The project team will work with Black Hills Energy on a plan for potentially combining and screening the regulator station. It appears that a portion of the gas line infrastructure may be located outside easements shown on the existing conditions survey.

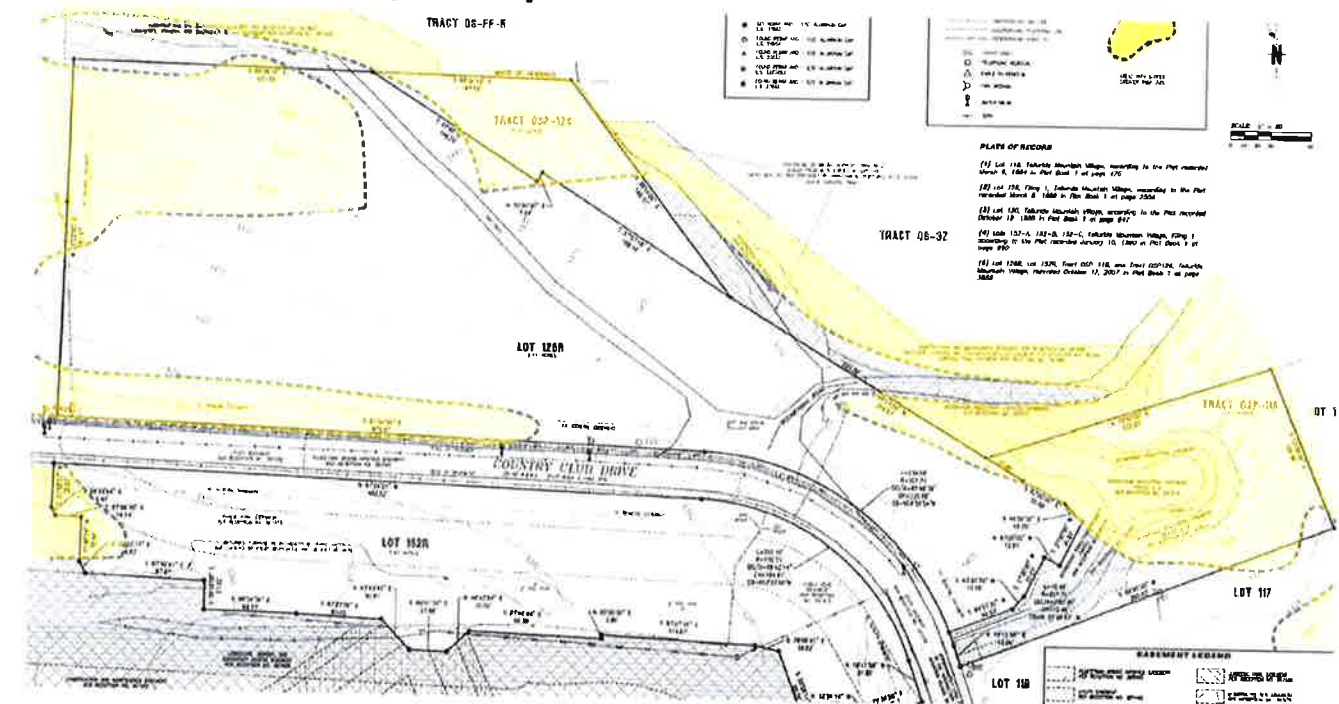
SECTION 5 DEVELOPMENT PLAN CHANGES

Work sessions for the La Montagne Project were held with the Mountain Village Town Council and DRB in July that provided great input to help shape the project. The development team has also conducted additional meeting with area neighbors and key stakeholders. All of this input has been very helpful for the project team to revise the La Montagne Project, with the following key changes:

1. Detailed safety improvement plans have been developed for Country Club Drive from Big Billies Trail to Mountain Village Boulevard with improved markings and signage, a six (6) foot sidewalk along the road, an uphill four (4) foot bike lane, crosswalk to Boomerang Road and Jurassic Trail, and speed humps if desired.
2. The condominium density has been reduced by 18 units to reduce scale and mass and provide a better transitional development.
3. All commercial uses have been eliminated from the Property to create a better transitional development, with the 3,000 sq. ft. of planned commercial area eliminated from the project.



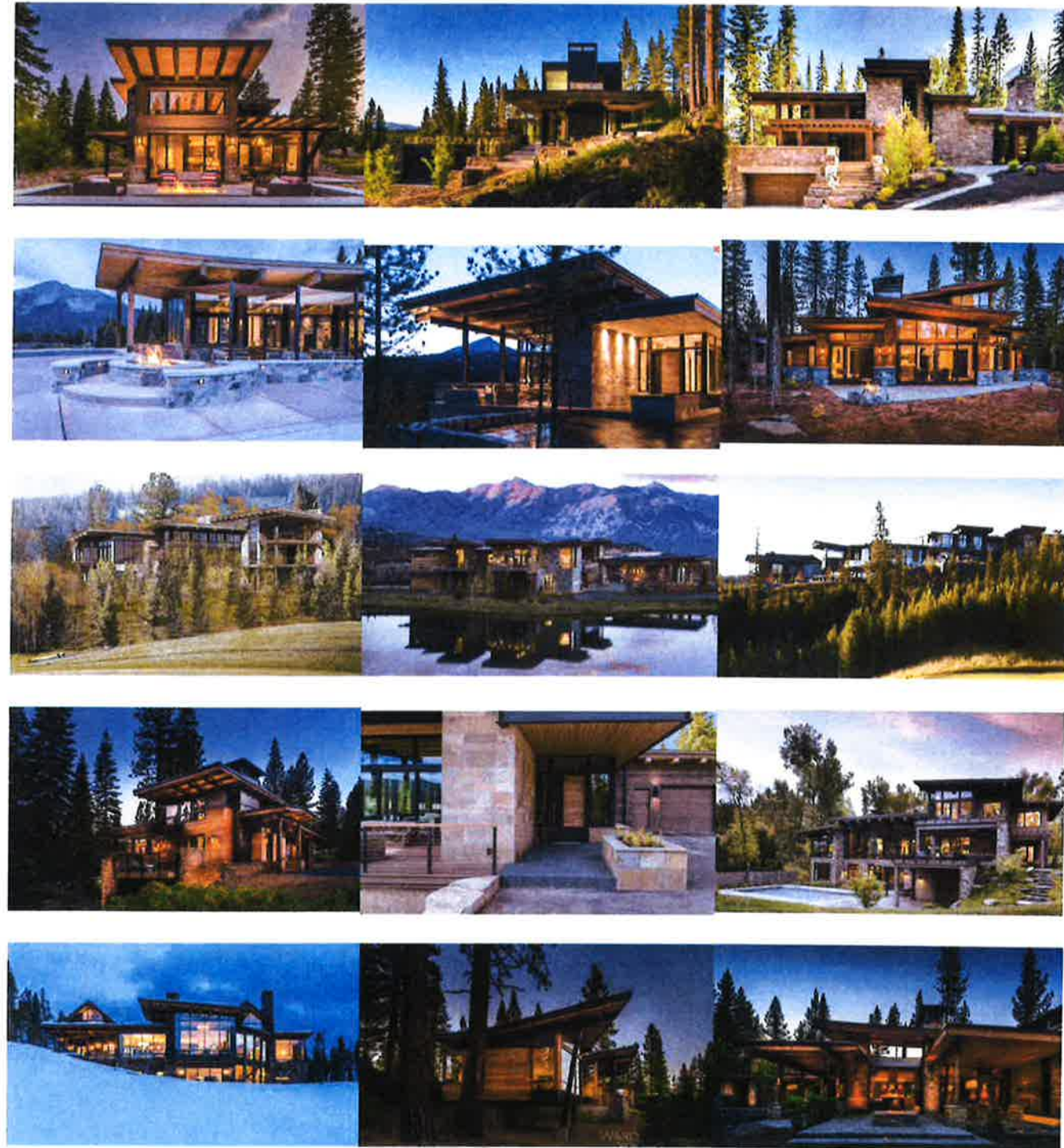
Figure 2. Steep Slopes Map



4. The North Site conceptual plan has been amended to reduce the number of condominium units from 46 to 34 units (26 percent reduction), reduce the floor area from 109,400 to 88,340 sq. ft. for a reduction of 21,060 sq. ft. (19 percent reduction). The North Site lot coverage has been slightly increased from approximately 36 percent to 40 percent.
5. The South Site conceptual plan has been amended to reduce the number of condominium units from 21 to 15 units (29 percent reduction); and to reduce the floor area from 58,200 sq. ft. to sq. ft. by 43,500 sq. ft. for a reduction of 14,700 sq. ft. (25 percent reduction). The South Site lot coverage has by reduced from approximately 65 percent to less than 54.8 percent (>16 percent reduction).
6. A significant building setback has been added to the east side of the South Site to preserve desired views for the Lot 119 property owner, and to provide a much better setback and buffer to the Hole 1 tees with more open space and the aspen trees preserved in this area.
7. Buildings A and B on the North Site have been moved away from the western general easement and the homes on Lots 143A and 143D with the setback increased from 16'-4" to 19'-1" for Building A, and the setback for Building B increased from 16'-5" to 32'.



Design Inspiration



SECTION 6 BUILDING SITING + DESIGN

La Montagne buildings have been carefully sited and designed based on several considerations, including adjacent property owner views, surrounding land use and density, site topography, project views, golf course design, and existing and planned trail connections. Drewett Works Architecture completed detailed visual evaluations for Lot 143A (Hintermeister), Lot 177 (Safdi), and Lot 119 (Krister) to ensure that proposed buildings are sensitively sited to protect views to the extent possible. The Comprehensive Plan and the CDC Comprehensive Plan Project Standards recognizes that visual impacts will occur with development, with the goal to minimize and mitigate visual impacts.

The project is designed to maximize open space on the North Site with only 40% lot coverage when 65% lot coverage is allowed which is a 38% percent reduction in allowed lot coverage. Development on the North Site has been clustered with six (6) buildings in the center of the lot with open space areas in between the buildings, around the main Boomerang and Jurassic trail corridors through the lot and on the edges of the buildings. Development on the North Site steps down towards the east with over a 90 foot setback to the home on Lot 119.

Development on the South Site has also been designed to provide additional open space with the lot coverage of less than 54.8% when 65% is allowed. The gently sloping topography of the South Site allows for the buildings to step up the site following the natural grade. The proposed buildings on the North Site are also designed to step up with the topography of the site and to use the uphill wall of the buildings to retain grades that allows for development to fit into the topography with grading and exterior retaining walls minimized. The South Site has been designed to provide for a landscaped buffer and errant golf ball protection to Hole 1 with landscaping on-site and within a landscaping easement that is granted for Lot 152R.

Organic mountain modern architecture is expressed through stone-veneered foundation elements, vertical wood siding, mill-scale steel porcelain panels, and low reflective standing seam metal roofing. The indigenous architecture additionally has a tectonic nature with its exposed beams, purlins, and wood ceilings. The sloping shed roof forms afford remarkable shade, shadow, and visual layering.

The ample overhangs bolstered with large timbers provide for glass protection and an iconic mountain vernacular design. The overall composition is intended to provide a mountain modern aesthetic with a horizontal nature. This allows the composition to blend harmoniously into the existing fabric of Mountain Village, thus allowing a low visual impact to neighboring properties.

Landscaping has been carefully designed to provide six distinct zones including the golf course buffer planting zone, the high interest pedestrian zone, highly organized drift planting zone, the transitional planting zone, low impact zone and the wildfire mitigation zone. Each zone has specific design and landscaping goals as outlined on the PUD landscaping plan.



Figure 3. Future Land Use Plan for the Property

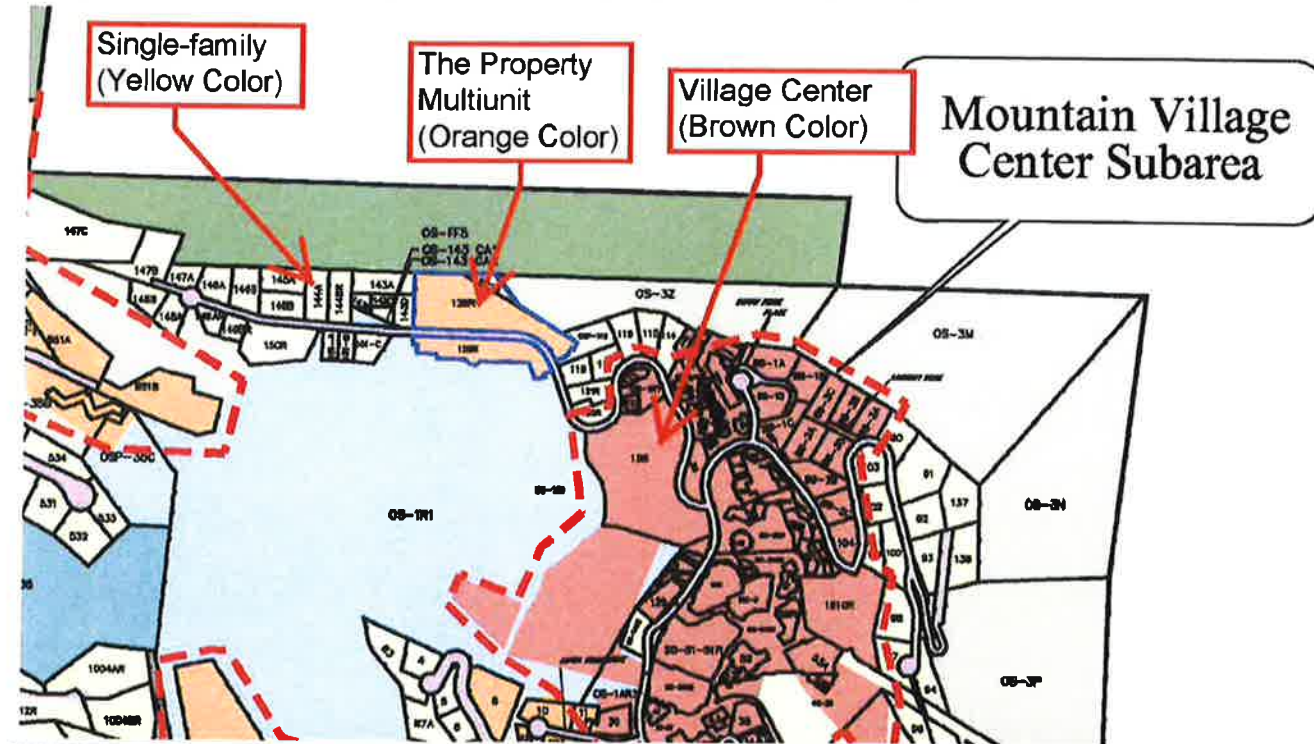
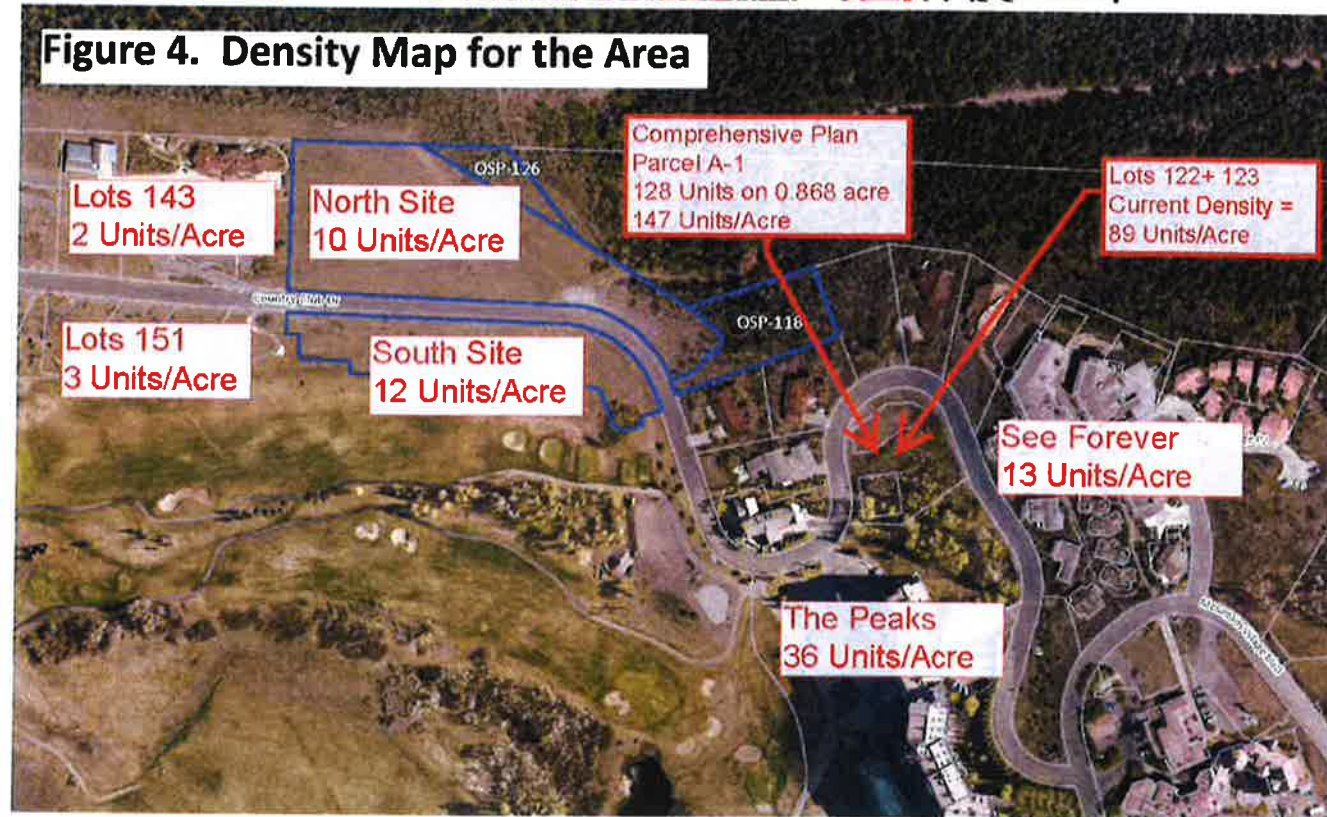


Figure 4. Density Map for the Area



Section 7 PUD Amendment

PUD Amendment Criteria for Decision

The proposed rezoning complies with the Rezoning Process Criteria for Decision set forth in CDC Section 17.4.12(E) as outlined in the following sections:

General Conformance with the Mountain Village Comprehensive Plan

CDC Section 17.4.12(E)(1) requires that the proposed PUD Amendment be "...in general conformity with the policies, principles and standards set forth in the Comprehensive Plan". The proposed rezoning and density transfer are in general conformance with the Comprehensive Plan's Future Land Use Plan as shown in Figure 3 that clearly envisions Lot 126R and Lot 152R as "Multiunit" with the area east of Lot 126R a small single-family area that is surrounded by high density development at The Peaks and See Forever and the Village Center Subarea located just to the east. The Future Land Use Plan envisions single-family development to the west of the Property along Country Club Blvd. Tracts OS-118 and OS-126 are shown as Passive Open Space on the Future Land Use Plan consistent with the La Montagne Project.

The Comprehensive Plan states the following regarding the multiunit classification:

"Multiunit: Provide higher density condominium development for deed restricted housing, hotbeds, second homes and similar uses."

Land Use Principle I, Policy B.2.a states:

"Allow mixed-use commercial development in multiunit projects in appropriate locations in Meadows, the Ridge, Lot 126, Mountainside Lodge and other locations where Town Council determines, in its sole discretion, that commercial development is appropriate and necessary to serve the project or the neighborhood."

There are several Comprehensive Plan policies under the Multiunit section that directed changes to the Town's land use regulations which were incorporated into the CDC in 2013, with the Multi-family Zone District created and based on the Multiunit policies. The Comprehensive Plan's Multiunit policies were also incorporated into the CDC's Subdivision Regulations, Design Regulations and Supplementary Regulations to ensure appropriate uses, design considerations and infrastructure.

Land Use Principle I, Policy B.2.c states:

"Consider minimizing environmental impacts and ensure development fits into and blends with the existing environment and character of the area."

The La Montagne Project has been designed and planned with a transitional density that fits into the area consistent with the envisioned Comprehensive Plan land uses. The single-family area to the east is an island of lower density development that is surrounded by existing and planned higher density development. Figure 4 shows the density of surrounding development with the La Montagne Project providing a transitional density of approximately 9.7 units per acre.



The Peaks density is approximately 36 units per acre and the See Forever density is approximately 14 units per acre. The Comprehensive Plan envisions high density infill development in the area of Lots 122 and Lot 123 with 89 units per acre allowed today and over 100 units per acre envisioned on Parcel A-1 per the Comprehensive Plan's Village Center Subarea Plan. Sensitive siting and building design for the La Montagne Project combined with landscape buffering further ensures this low, transitional density development fits into the Country Club Drive neighborhood.

The La Montagne Project also conforms to the following policies because multi-family development is envisioned by the Future Land Use Plan.

Land Use Principles, Policies and Actions

I. "Mountain Village promotes a land use pattern, as envisioned by the Comprehensive Plan, that provides economic and social vibrancy, maintains a minimum of 60% open space, and better protects and preserves open space areas as shown on the Land Use Plan..."

1.A "Implement the Comprehensive Plan's principles, policies and actions."

1.B "Require rezoning, Planned Unit Developments (PUD), subdivisions, special use permits, density transfers, and other discretionary land use applications to be in general conformance with the Land Use Plan, the Subarea Plans and their associated principles and policies, and the applicable policies of the Comprehensive Plan."

1.C "Permit development applications in general conformance with the Comprehensive Plan per the applicable criteria for decisionmaking."

The Property is located outside of all of the Comprehensive Plan's subarea plans and just outside the Village Center Subarea so there are no specific Comprehensive Plan targeted densities, building heights, hotbed mix requirements and no recommended public benefits for the Property.

Deed Restricted Housing

The La Montagne Project will provide four (4) deed restricted employee apartments on the Property. The significant downzoning and elimination of approximately 203 employees from the Property represents a 92 percent decrease in the employment generation. This significant decrease in the number of employees generated for the Property warrants a reduction in the current 17 employee dorm units and five employee apartments that are required by the PUD Agreement. The PUD Agreement added one (1) employee dorm and three (3) employee apartments to the Property as one of the public benefits that justified the numerous variations under the Rosewood Hotel. The base employee housing requirement for the Property is therefore 16 employee dorms and two (2) employee apartments for a total of 22 person equivalents of density ("**Base Employee Housing Requirement**"). The reduction in employee housing for the La Montagne Project should be evaluated on the Base Employee Housing Requirement. A 92 percent reduction in employment applied to the 22 person equivalents leaves approximately two (2) person equivalents on the Property which roughly equates to one employee apartment. The La Montagne Project is proposing four (4) employee apartments to provide deed restricted housing as envisioned in the Comprehensive Plan, and to continue to provide a community benefit as required by the PUD Regulations.



Natural Environment

The La Montagne Project avoids disturbance to wetland areas consistent with Comprehensive Plan Policy I.A of the Natural Environment section. The La Montagne Project is also consistent with the CDC Wetland Regulations as discussed in this narrative. Water quality will be protected and stormwater detention is provided consistent with Comprehensive Plan Policy I.D. Forest areas on Tract OSP-118 and a small aspen area on Lot 126R will be protected and preserved consistent with Comprehensive Plan policies. Development constraints on the Property include wetland areas and steep slopes that are 30 percent or greater that are being avoided, minimized and mitigated as outlined in this narrative.

Open Space and Recreation

The La Montagne Project is consistent with the Comprehensive Plan's Open Space and Recreation principles, policies and actions for several reasons. The La Montagne Project will reroute the unauthorized social trail from Lot 126R to Tract OS-FF-5 for the Stegosaurus Trail as envisioned in the Potential Recreation Projects Plan Map ("**Recreation Plan**") and the Town Trails Master Plan. This reroute assumes that the Town obtains and easement from TSG for the Stegosaurus Trail prior to the development of the North Site.

The La Montagne Project will also facilitate the planing and provision of a new six (6) foot sidewalk from the Big Billies Trail-Country Club Drive intersection to The Village Center crosswalk east of The Peaks with the sidewalk running on the south side of the road. The La Montagne Project will also facilitate the construction of a new four (4) foot wide uphill bike lane along Country Club Drive to Mountain Village Blvd.

Tracts OSP-126 and OSP-118 are included in the overall design and planning for the La Montagne Project. These open space parcels will be dedicated to the Town as one of the PUD community benefits, with the dedication occurring concurrent with the recording of a new PUD development agreement for the Property.

Consistency with the Underlying Zoning and Zoning Designations

CDC Section 17.4.12(E)(2) requires that the proposed PUD Amendment "...be consistent with the underlying zone district and zoning designations on the site or to be applied to the site unless the PUD is proposing a variation to such standards." The La Montagne Project is consistent with the proposed PUD Zone District and the current Multi-family Zone District. The new PUD agreement for the Property will include dimensional limitations that are based on the current Multi-family Zone District, including maximum height, maximum average height, and lot coverage. The PUD Amendment is also consistent with the PUD Zone District that has the following description and land uses as set forth in CDC Section 17.3.2(B)(9):

"PUD Zone District. The Planned Unit Development ("PUD") Zone District is intended to provide for a development to achieve the new land uses envisioned in the Comprehensive Plan and/or the PUD purposes set forth in the PUD Regulations, with a variety of land uses as envisioned in the Comprehensive Plan."

The PUD Zone District will allow for the Owner to achieve the PUD purposes as provided for herein, with multi-family land uses as envisioned by the Comprehensive Plan.



CDC Section 17.3.4(I) establishes the specific zone district requirements for the PUD Zone District. Permitted uses include all of the land uses envisioned in the Comprehensive Plan including the proposed multi-family condominiums. The PUD Zone District also allows for accessory buildings and structures such as hot tubs, saunas, swimming pools and similar uses. The La Montagne Project provides for these types of accessory structures. Accessory uses in the PUD Zone District include home occupations and similar uses. No plaza areas are planned for this development as allowed for the PUD Zone District. All land uses will be kept primarily in buildings except for uses that are typically outside, such as a swimming pool, hot tubs, fire pits and deck areas. Required public improvements include the new sidewalk, uphill bike lane, relocated Stegosaurus Trail, and other road and safety improvements that will be based on the proportional cost of the La Montagne Project relative to other users.

Creative Approach for a Better Development Plan

CDC Section 17.4.12(E)(3) requires that “the development proposed for the PUD represents a creative approach to the development, use of land and related facilities to produce a better development than would otherwise be possible and will provide amenities for residents of the PUD and the public in general”. The La Montagne Project provides a creative approach that will produce a better development that would be otherwise possible under the Multi-family Zone District, and will provide for private and public amenities. The La Montagne Project clusters development onto Lot 152R, the central portion of Lot 126R which allows for large areas of both public and private open space with less lot coverage than allowed under the Multi-family Zone District. The PUD Amendment also allows for the current platting and certain community benefits to be retained while allowing for reasonable use of the Property. The PUD Amendment process also allows the community to have more control over the development due to the application of the PUD Regulations. The PUD Amendment allows for the Owner to: provide for the dedication of Tracts OSP-118 and OSP-126; re-route the Stegosaurus Trail as envisioned in the Recreation Plan; provide an easement for Boomerang Road; facilitate the planning and design of major safety improvements for Country Club Drive including a new sidewalk, uphill bike lane, speed humps and speed control; and provide additional employee housing than would otherwise be required for a 54 unit condominium project in Mountain Village. The PUD Amendment also allows for the creation of a transitional development plan as described in this narrative.

The La Montagne Project is only seeking a variation to allow for roof setbacks in the South Site to occur in the front 16 foot general easement as shown on the conceptual site plan. The conceptual plans show limited roof eaves encroaching into the front general easement for Buildings H, I, K, L and M with the largest encroachment setback approximately 13’ for Buildings . The roof eaves are over 25 feet in the air and will not interfere with the surface or underground use of the general easement. These variations allow for the project to better fit the narrow Lot 152R width with the desired roof form design than would be allowed if the general easement encroachments were not permitted. While the roof eaves could be designed to avoid the general easement, we believe the roof plans as submitted provide for a much better design. The CDC PUD Regulations allow for the Town to approve variations to the general easement “in order to allow flexibility, creativity and innovation in land use planning and project design”.

Consistency with PUD Purposes and Intent

CDC Section 17.4.12(E)(4) requires that the PUD Amendment be “...consistent with and furthers the PUD purposes and intent”. The La Montagne Project is consistent with the PUD Regulations Purpose and Intent as outlined in CDC Section 17.4.12(A), with project team comments on consistency shown in *italics*:



1. Permit variations from the strict application of certain standards of the CDC in order to allow for flexibility, creativity and innovation in land use planning and project design. *The PUD Amendment allows for flexibility, creativity and innovation in land use planning and design with clustered development, public open space, less lot coverage, private open space, retention of the current platting, and the provision of significant public benefits. The only variations sought at this time are the roof dripline encroachments into the general easement on Lot 152R as discussed above.*
2. Allow for a creative planning approach to the development and use of land and related physical facilities to produce a better development. *The PUD Amendment allows for the current platting for the Property to be retained while significantly reducing the impacts to the Country Club Drive neighborhood, with reduced mass and scale; reduced building heights; significantly reduced activity levels and traffic; and a new development plan that has been designed to better fit into the neighborhood as a use by right plan, with the only variation sought for limited roof encroachments into the 16 foot General Easement for the South Site. The PUD Amendment allows for the creation of a transitional development with higher density at The Peaks, See Forever, and Lots 122 and 123 transition to low density multi-family development on the Property and single family development to the west. The PUD allows for clustering development on the center area of Lot 126R and the provision of both public and private open space on the edges to buffer surrounding development.*
3. Provide for community benefits. *The PUD Amendment provides for significant public benefits with the rerouting of the Stegosaurus Trail; more employee housing than would be required for a similar project in the town; and facilitating and participating in major safety improvements for Country Club Drive such as a new sidewalk to the Village Center, a new uphill bike lane, and speed humps, if desired.*
4. Promote and implement the Comprehensive Plan. *The PUD Amendment promotes and implements the Comprehensive Plan as outlined in this narrative.*
5. Promote more efficient use of land, public facilities and governmental services. *The PUD Amendment promotes the efficient use of land because it allows for the Owner to realize reasonable use of the Property while providing a transitional development that fits the site with approximately 9.7 units per acre. The average density for built projects in the Multi-family Zone District is approximately 20 units per acre, with the La Montagne Project transitioning from high density built and envisioned development to the east. The Owner has been paying property taxes on the current Property density as provided for in the PUD Agreement, and is willing to significantly downzone the Property via the PUD Amendment, rezoning and density transfer processes to provide for an efficient and transitional development that still provides for reasonable use of the Property. This represents a great planning compromise for the efficient development of the Property.*
6. Encourage integrated planning in order to achieve the above purposes. *The PUD Amendment provides for integrated planning between the North Site and South Site to ensure safe vehicular and pedestrian access and coordinated utility planning. The La Montagne Project also plans for integrated trails; a new sidewalk along Country Club Drive and other safety improvements. The La Montagne Project provides for an integrated land use plan with a transitional density of 9.7 units per acre with higher density projects building and planned to the east that range from 14 to over 100 units per acre.*



PUD General Standards Compliance

CDC Section 17.4.12(E)(5) requires that “The PUD meets the PUD general standards”. The PUD Amendment complies with the applicable General Standards in CDC Section 17.4.12(I). The Owner of the Property has the authority to initiate a PUD Amendment consistent with CDC Section 17.4.12(I)(1). The PUD Amendment, Rezoning Process and Density Transfer Process will require an ordinance per CDC Section 17.4.12(I)(5). The PUD Agreement remains valid and the Owner may propose a PUD Amendment per CDC Section 17.4.12(I)(6). The Density Transfer request is evaluated under Section 8 below and is consistent with the Density Limitation per CDC Section 17.4.12(I)(7). The PUD Amendment provides for landscape buffering to minimize adverse impacts and create attractive public spaces consistent with the surrounding area as required by CDC Section 17.4.12(I)(8). The PUD Amendment provides for adequate public services as required by CDC Section 17.4.12(I)(9) as presented in this narrative. Each phase of the PUD will be self-sufficient and not dependent upon latter phases as required by CDC Section 17.4.12(i)(10).

Adequacy of Community Benefits

CDC Section 17.4.12(E)(6) requires that “The PUD provides adequate community benefits”. The PUD provides for the following community benefits:

1. Twice as much public open space than existed prior to the adoption of the PUD Agreement. This community benefit will continue under the amended PUD for the Property and is due to the creation and future dedication of Tracts OS-126 and OSP-118.
2. Provision of four (4) employee apartments with the development of Lot 126R. This is one more apartment than existed prior to the adoption of the current PUD Agreement and is three more than warranted based on a 92 percent reduction in the number of employees generated on the Property due to the downzoning.
3. Rerouting of the unauthorized social trail on Lot 126R to the Stegosaurus Trail as envisioned in the Town Trails Master Plan if the Town obtains an easement for this trail from TSG.
4. Facilitation, planning and participation in significant Country Club Drive improvements including new sidewalk from Big Billies Trail to the Village Center crosswalk east of The Peaks, an uphill bike lane, and speed humps/speed limits based on the design of the road. The Owner will construct and improve all of the improvements through the Property. The Owner has paid for a survey of Country Club Drive and the adjoining general easement,s and is paying for the safety improvement engineering. The Town is budgeting for major improvements to Country Club Drive as a part of the 2020 budget process in coordination with the La Montange Project.

Public Facilities and Services

CDC Section 17.4.12(E)(7) requires “Adequate public facilities and services are or will be available to serve the intended land uses”. Water and sewer services, police protection and broadband are available from the Town. The Telluride Fire Protection District will provide emergency and fire services. Black Hills Energy natural gas infrastructure is located on the Property. San Miguel Power Association will provide electric service. Telecommunications is also available from Century Link.

The development team heard very clearly that the number one issue for the La Montagne Project to address



is public safety associated with the vehicular, pedestrian and bike use of Country Club Drive. To this end the team has prepared a survey of the Country Club Drive Right-of-Way and the general easement along the road. This survey information is the foundation to the proposed civil plan improvements for Country Club Drive that were created to significantly improve public safety. LSC Transportation Consultants, Inc., Uncompahgre Engineering and the development team have created a new plan for Country Club drive to improve safety that includes:

1. Required travel lanes for vehicular traffic;
2. A new four (4) foot wide uphill bike lane
3. A grade separated six (6) foot wide sidewalk on the south side of the road from Big Billies Trail to the Village Center-Mountain Village Boulevard crosswalk east of The Peaks
4. Speed humps at designed locations to slow traffic if desired by the community
5. Speed limits based on the design of the road (or as desired by the community);
6. New crosswalks to provide trail and La Montagne Project connectivity;
7. Downhill traffic share the road program for bicycle traffic;
8. An overall sign plan to improve safety; and
9. Traffic calming as needed to slow down traffic as needed as it enters and passes through the project.

It is important to note that Country Club Drive as designed meets the Town’s Road and Bridge Standards including but not limited to travel lane width, shoulders, grade and centerline curvature. Even though Country Club Drive complies with the Town Road Standards it is critically important to provide a grade-separated sidewalk, and other safety improvements. A cross section of the proposed road design is shown in Figure 5 and the civil plans are in the PUD Amendment plan set. Some of the safety improvements may require an easement from TSG if such cannot be located in the Country Club Right-of-Way and no general easement exists on TSG property.

Intermodal Circulation and Public Safety

CDC Section 17.4.12(E)(8) requires that “The proposed PUD shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion. Vehicular, pedestrian and bicycle safety improvements to Country Club Drive are discussed above. Access to the North Site and South Site have been coordinated and minimized to limit vehicular and pedestrian/bicycle interactions. Access ramp driveways have grades of approximately 5 percent at the road intersections which allow for great visibility and meet the required CDC sight distance. Parking areas are designed within garages that are accessed from the proposed driveways. Short-term, service and delivery parking is planned for both the North Site and South Site. Trash and recycling facilities will be provided on the North Site and South Site.

Compliance with Applicable Town Regulations and Standards

CDC Section 17.4.12(E)(9) requires the PUD Amendment to meet “...all applicable Town regulations and standards unless a PUD is proposing a variation to such standards”. Other Town regulations and standards are discussed in Section 8.



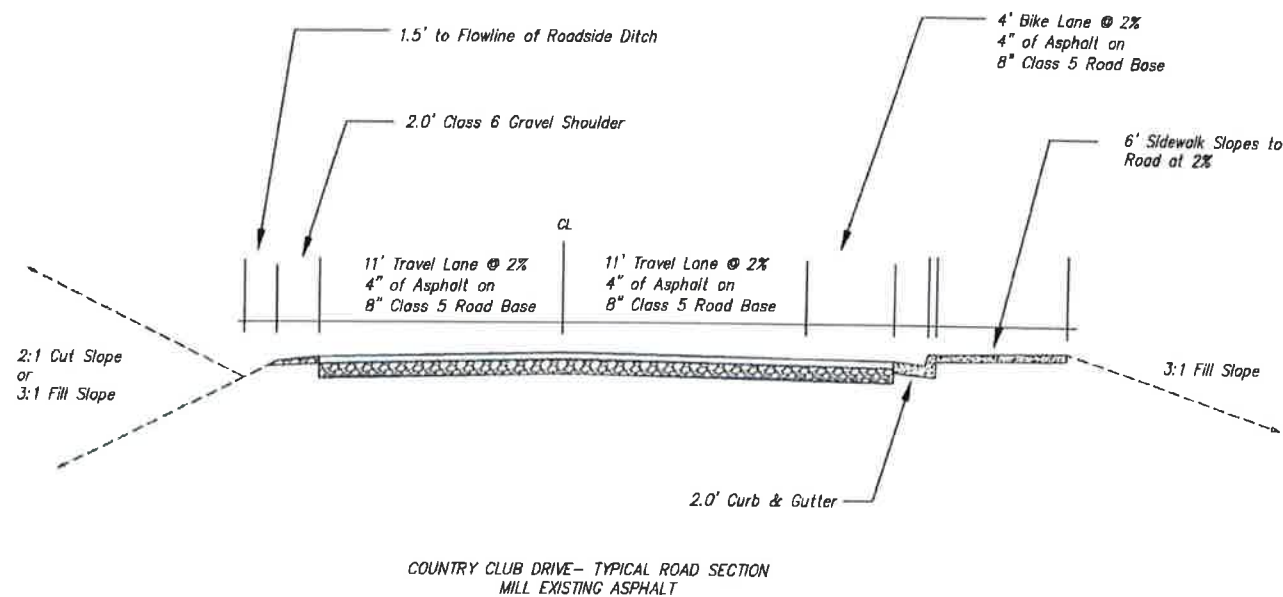


Figure 5. Proposed Country Club Drive Cross Section

Comprehensive Plan Project Standards

CDC Section 17.4.12(H) states establishes the Comprehensive Plan Project Standards as follows with the project teams comments shown in *italics*:

1. Visual impacts shall be minimized and mitigated to the extent practical, while also providing the targeted density identified in each subarea plan development table. It is understood that visual impacts will occur with development. *Visual impacts have been minimized and mitigated. Building massing has been significantly pulled back from the eastern property line of Lot 152R to open up desired views for the Lot 119 owner and reduce the building massing on the Hole 1 tees. Building heights could be up to five (5) feet taller if gable roof forms were used, with the shed roof design reducing visual impacts. Significant landscape buffering will be provided as shown on the landscaping plan for development to the west and east of the Property. Building massing on the North Site has been designed to reduce visual impacts to Lots 143A and 143D to the west. Building roof forms on the west side of the North Site have been designed to be very low profile to mitigate visual impacts to Lot 143A.*
2. Appropriate scale and mass that fits the site(s) under review shall be provided. *The La Montagne Project provides appropriate scale and mass that fits the Property with a very low multi-family density of approximately 11 units per acre. The planning and design for the La Montagne Project provides a transitional land use plan as shown in Figure 4 with high density in the Village Center Subarea that is located to east and the single-family development to the west. The density transitions from approximately 36 units per acre at The Peaks, 13 units per acre at See Forever and over 80 units per acre on Lots 122 and 123 and as envisioned on Parcel A-1 of the Village Center Subarea Plan to 9.7 units per acre at La Montagne. The*



single-family area to the east of the Property in Lots 114 through 121R is an island of single-family density surrounded by high density multi-family resort development. The single-family development to the west of the La Montagne Project has been planned and designed to be located next to high density development with the original County PUD and Town incorporation showing high density development on the Property next to single-family development. There are lots of areas in Mountain Village where high density development is planned and built next to single-family development, with all property owners aware of this planning and zoning when they bought the Property. This development pattern with high density scale and mass next to low density single-family development is also envisioned by the Comprehensive Plan Future Land Use Map.

3. Environmental and geotechnical impacts shall be avoided, minimized and mitigated, to the extent practical, consistent with the Comprehensive Plan, while also providing the target density identified in each subarea plan development table. *Wetlands will be avoided and enhanced with routing of drainage into wetland areas and wetland plantings to provide higher functional values. The La Montagne Project meets the CDC Steep Slope Regulations as discussed in this narrative. Geotechnical analyses prepared by a qualified Colorado Professional Engineer will be provided to the Town as a part of the building permit process. The Property is not located in a Comprehensive Plan subarea so there are no target densities for the North Site or South Site.*
4. Site-specific issues such as, but not limited to the location of trash facilities, grease trap cleanouts, restaurant vents and access points shall be addressed to the satisfaction of the Town. *The Design Review Process development applications will address site specific issues such as trash and recycling, wetlands and grading and drainage, golf course integration, and similar topics. A concurrent Design Review Process application has been submitted for the South Site so these site specific issues for Lot 152R will be addressed with the PUD Amendment, rezoning and density transfer. The PUD agreement for the Property will require a Design Review Process application for the North Site that will address site specific issues.*
5. The skier experience shall not be adversely affected, and any ski run width reductions or grade changes shall be within industry standards. *There are currently no ski runs available adjacent to the Property. The Owner is working with TSG to determine if ski-in/ski-out access and snow making can be provided to Lot 152R and the La Montagne Project. The ski-in/ ski out access is proposed within the existing ski easement to Lot 152R. A future Design Review Process application will be required for this ski access and any snow-making improvements if the Owner successfully negotiates a new easement with TSG.*

Section 8

REZONING + DENSITY TRANSFER

The Owner is requesting a Rezoning Process for the Property from the current Multi-family Zone District to the PUD Zone District as required by the PUD Regulations in Section 17.4.12(I)(5). The rezoning is also needed to transfer density to the Town Density Bank per CDC Section 17.3.8(B):

"Density may be transferred from one lot to another lot or to the density bank provided the density transfer is approved pursuant to the density transfer and rezoning processes as concurrent development applications..."



The PUD Agreement density, the La Montagne Project density and the net effect of the proposed Density Transfer are shown in Table 1. The proposed Rezoning and Density Transfer result in the elimination of 56 hotel units, 19 hotel efficiency units; 18 condominium units; 1 employee apartment; and 17 employee dorms units. The Owner is requesting that all of this density be transferred to the Density Bank except for the employee dorms and employee apartment because the Town can create this density and not violate the Density Limitation. Thus, there is no need to preserve the employee housing density in the Density Bank.

Employee Housing Rezoning Change

The zoning history concerning the Property has consistently contemplated the development of a sizable amount of hotel and commercial development as outlined in the Section 3. The Base Employee Housing Requirement is directly related to and offset/mitigate the 70 units of hotel density and the commercial density that have been historically zoned on the Property.

CDC Section 17.3.9(C) states:

“Certain lots are required to construct and provide workforce housing units concurrent with the free-market development allowed on a lot. Such lots with workforce housing are designated on the official land use and density allocation list.

1. Workforce housing density assigned to a lot on the official land use and density allocation list or by an effective resolution shall be built concurrent with any free-market units on that lot, and workforce housing density cannot be transferred to the density bank or to another lot unless the Town Council determines, in its sole discretion, that the workforce housing density cannot be built on a site due to a practical hardship.
 - a. If the Town Council determines a practical hardship exists, the applicant shall be required to transfer the unbuilt workforce housing density to the density bank pursuant to the rezoning and density transfer processes.”

The Owner is aware of the issues and concerns of the neighbors to the Property who have appeared before the Town in recent years and expressed their considerable concern with the mass/scale and zoning and density assigned to the site, and resulting impacts associated with visual impacts, traffic, noise, etc. when prior owners of the property were endeavoring to develop the property in line with these land use allocations. In response to these concerns and changes in market conditions and land use development patterns in the Mountain Village since the Rosewood PUD was approved, the Owner is proposing a significant reduction in the overall land use mix, density and mass and scale being pursued (including the elimination of the hotel density/uses and sizable reduction in commercial density/uses).

As discussed in the application, the proposed rezoning and density transfer and overall reduction in mass/scale will eliminate 75 hotel units, 18 condominium units and 38,656 sq. ft. of commercial area that reduces the free market actual unit density from 142 units to 49 units (66% density reduction). The free market commercial density is reduced by 38,656 sq. ft. (100% reduction). The estimated number of employees being generated from the development is also being reduced by approximately 203 employees (92% reduction).

To make the project viable in light of these changes and to maintain the goal of reducing the overall mass/scale and density for the site, the Owner must likewise modify the Base Employee Housing Requirement; the amount of zoning and density for the Property; and related mass/scale assigned to the site, which would result in a reduction from 16 dorm units and two employee apartments to four (4) employee apartments. The



applicant believes this reduction in the number of employee housing units in the Property from 22 person to 12 person equivalents (4 employee apartments) is proportionate to and is in balance with the reduced free market zoning and density proposed for the La Montagne Project.

The Applicant's efforts to reduce the overall mass/scale and zoning/density from the Property in response to neighbor concerns and evolving land use patterns would be significantly frustrated if the Town mandated the placement and development of the full extent of the Base Employee Requirement. In order to sustain a functional and viable project, it would not be practical for the applicant to pursue an overall downzoning of the site without a corresponding reduction in the employee housing zoning.

Rezoning and Density Transfer Criteria for Decision

The proposed rezoning complies with the Rezoning Process Criteria for Decision set forth in CDC Section 17.4.9(C)(3) as outlined in the following sections:

General Conformance with the Mountain Village Comprehensive Plan

The proposed rezoning generally conforms to the Comprehensive Plan as set forth in the PUD Amendment section.

Consistency with Zoning and Land Use Regulations

The proposed rezoning and density transfer applications are consistent with the Zoning and Land Use Regulations contained in CDC Section 17.3. Multi-family condominium dwellings and employee apartments are permitted uses in the Multi-family Zone District and the proposed PUD Zone District. The La Montagne Project complies with the maximum height, maximum average height, and lot coverage for the Multi-family Zone District as shown in Table 2. There are no dimensional limitations for the PUD Zone District so the La Montagne Project contemplates the new PUD agreement for the Property will establish dimensional limitations based on the Multi-family Zone District.

The La Montagne Project complies with the Density Limitation since no density is being transferred to the Property and all unused density will be transferred to the Density Bank, except for the employee housing which the Town can freely create and is not subject to the Density Limitation. The Owner intends to transfer 18 condominium units; 56 hotel units; and 19 hotel efficiency units to the Density Bank as provided for in this narrative. Four (4) workforce housing units are proposed that will meet the CDC requirements set forth in Section 17.3.9. The project will meet the CDC Platted Open Space requirements in Section 17.3.10 since Tracts OSP-118 and OSP-126 will be maintained and dedicated to the Town concurrent with the recording of a new PUD agreement for the Property.

Comprehensive Plan Project Standards

The proposed rezoning complies with the Comprehensive Plan Project Standards in CDC Section 17.4.12 (H) as presented in Section 7 of this narrative.

Consistency with Public Health, Safety and Welfare + Efficiency and Economy of Land and its Resources

The proposed rezoning is consistent with the public health, safety and welfare. The proposed development is designed in accordance with the dimensional limitations of the underlying Multi-family Zone District.



Adequate infrastructure and public services are available to the Property as outlined in this narrative. The multi-family land uses in the La Montagne Development are envisioned by the Comprehensive Plan. The La Montagne Project will facilitate needed safety improvements to Country Club Drive, including a new grade separated sidewalk, uphill bike lane, crosswalk and other safety improvements.

Rezoning Justification

The proposed rezoning is justified by specific policies in the Comprehensive Plan with multi-family condominium development envisioned on Lot 126R and Lot 152R. The rezoning to the PUD Zone District is also justified because it is required by the PUD Regulations in Section 17.4.12(I)(5). The rezoning is also justified by changes in the conditions in the Town and vicinity. A hotel and large commercial areas are no longer viable on the Property, and area neighbors desire to significantly downzone the Property with a reduced scale and mass and less intensive land uses. The Town's CDC rezoning and density transfer policies also recognize the ability to transfer density to the Density Bank or convert density on a development site.

Adequate Public Facilities and Services

The Telluride Fire Protection District will provide fire protection and emergency response services. The Mountain Village Police Department will provide police services. Water and sewer are available from the Town of Mountain Village. Gas and electric services will be provided by Black Hills Energy and SMPA, respectively. Broadband and telecommunications are available from the Town, Century Link and area cellular providers. Driveways within La Montagne will be privately maintained, including snow plowing and snow removal. The Big Billies Trail, Jurassic Trail, Boomerang Trail, the Village Center Trail and the planned Stegosaurus Trail provide unparalleled trail and pedestrian access. The La Montagne Project will provide a shuttle to transport owners and guests to key areas in Mountain Village (Village Center, Town Hall, etc.)

Project Circulation, Parking, Trash and Deliveries

Vehicular, pedestrian and bicycle safety improvements to Country Club Drive are discussed above. Access to the North Site and South Site has been coordinated and minimized to limit vehicular and pedestrian/bicycle interactions. Access ramp and driveways have grades of approximately five (5) percent at the road intersections which allow for great visibility and meet the required CDC sight distance. Parking areas are designed within garages that are accessed from the three proposed driveways. Short-term, service and delivery parking is planned for both the North Site and South Site. Trash and recycling areas will be provided on the North Site and South Site.

Compliance with Other Town Regulations

The proposed development will comply with the requirements of the CDC and any applicable requirements of the Municipal Code.

Wetland Regulations

There are two wetland areas on the South Site that were not identified for the Rosewood PUD Plans. A review of the Rosewood PUD Plans shows that buildings were located on top of the newly identified wetland areas.

CDC Section 17.6.1(B) establishes the Wetland Regulations that are applicable to the Property. Section



17.6.1(B)(2) establishes the following standards with project team comments are shown in *italics*:

- a. Avoid disturbance to wetland areas to the extent practicable, and minimize and mitigate impacts where site conditions preclude the ability to avoid wetland impacts. *The development of the South Site will avoid any disturbance to the wetland areas. The wetland areas will be protected by sturdy fencing, matting or boards during construction. All building walls are setback from the wetland areas with no wetland fill. A few cantilevered decks are proposed over the wetland areas that are elevated 10 feet above the wetland area. The wetland areas are low quality wetlands with low functional values. The project team will provide a detailed wetland enhancement plan to add wetland plants and improve the functional values of the wetlands on the South Site as a part of the required Design Review Process Final Review. The Terra Firm has provided a letter on the South Site wetland areas as shown in Exhibit C.*
- b. Provide appropriate setbacks to wetland areas to the extent practicable. There will be situations where wetland fill or no wetland setbacks are appropriate to implement the Comprehensive Plan, allow for reasonable use, or for site-specific issues or project needs. *It is not practicable to provide setbacks to the wetland areas given the narrow width of Lot 152R and the underlying zoning that allows for up to 23 condominium units. Lot 152R is only 80 to 100 feet in depth which is very shallow for a multi-family lot in Mountain Village. The front 16 foot general easement reduces the functional width to approximately 65 to 84 feet at the narrowest points. The development is avoiding the wetland areas which further limits the developable areas of the South Site. Lot 152R has been replatted approximately three times without any general easement on the golf course which the project team believes is due, in part, to the narrow width. This narrow width combined with the underlying density necessitate that development be located as close as possible to the wetland areas to allow for reasonable use of Lot 152R, with the decks of Buildings H and K proposed to slightly cantilever over the wetland areas with approximately ten feet of clearance. Detailed construction mitigation plans will be provided with the required Final Review to ensure the wetland areas will not have any soil disturbance.*
- c. If a developer proposes to cause disturbance or fill to a wetland area, the CDC required development application shall include a thorough, written evaluation of practical alternatives to avoiding any fill, excavation or disturbance of any wetland. *This standard is not applicable since no wetland disturbance is proposed.*
- d. The review authority shall only allow for wetland disturbance or fill if it is demonstrated that there is not a practicable alternative to avoiding such activities and if the following criteria are met. *This standard is not applicable since no wetland disturbance is proposed.*
- e. The review authority should allow for the reconfiguration of a lot with surrounding lots by the Subdivision Process to avoid wetland impacts if practicable. *It is not practicable to reconfigure the lot due to the golf course design and layout with TSG owning all of the land on the east, west and south sides of Lot 152R.*
- f. All development applications for lots that contain wetlands or that are in close to proximity of wetlands on adjoining lots shall, as a part of the applicable development application, submit a wetlands delineation performed by a USACE qualified consultant. *The wetland delineation for the South Site has been approved by the United States Army Corps of Engineers as shown in Exhibit B.*



Steep Slope Regulations

The Property contains steep slopes that are 30 percent or greater as shown in Figure 4. Section 17.6.1(C)(2) (a) of the CDC states that:

“Building and development shall be located off slopes that are thirty percent (30%) or greater to the extent practical.

i. In evaluating practicable alternatives, the Town recognizes that it may be necessary to permit disturbance of slopes that are 30% or greater on a lot to allow access to key viewsheds, avoid other environmental issues, buffer development and similar site-specific design considerations.”

It is not practicable to avoid all steep slope areas because the Property contains large areas of slopes that are 30 percent or greater. Lot 126R and Lot 152R were platted and zoned for high density development with full knowledge of the steeper slopes that existed on the Property. Avoiding the steep slope areas on Lot 126R and Lot 152R would not allow for the historic or current density assigned to the Property, and would deny the owner reasonable use. The development of steep slopes allows for clustering in the central location of Lot 126R while also providing accesses to key viewsheds. Lot 126R is located immediately next to an extensive open space buffer for all of Mountain Village that leads down to the Valley Floor. It should also be noted that Lot 143A to the west is entirely located in a steep slope area that leads into the North Site with development already approved higher on the hillside in this area of the town.

The purpose of the Steep Slope Regulations “...is to prevent the development of steep slopes that are thirty percent (30%) or greater to the extent practicable in order to protect water quality, visual resources and slope stability.” Plans for the North Site and South Site will include a thorough engineered plan that will protect water quality and slope stability. The Town zoning has always contemplated development on the south facing hillside of Lot 126R with extensive open space located to the North of the Property. Development has been designed to fit the topography of the North Site and South Site with extensive landscaping, and natural colors and materials to mitigate visual impacts. Large areas of private open space will further mitigate visual impacts.

CDC Section 17.6.1(C)(2)(c) states the review authority will only allow for steep slope disturbance if the following criteria are met, with the project team comments shown in *italics*:

- i. The proposed steep slope disturbance is in general conformance with the Comprehensive Plan. *The proposed steep slope disturbance is envisioned by the Comprehensive Plan’s Future Land Use Map that shows multi-family development on the North Site and South Site.*
- ii. The proposed disturbance is minimized to the extent practical. *Soil disturbance in undisturbed areas will be minimized to the extent practical.*
- iii. A Colorado professional engineer or geologist has provided:
 - (a) A soils report or, for a subdivision, a geologic report; or
 - (b) An engineered civil plan for the lot, including grading and drainage plans.

And the proposal provides mitigation for the steep slope development in accordance with the engineered plans. *A geotechnical soils report will be provided with the building permits for the North Site and South Site.*



A Colorado PE has prepared engineered civil plan for the Property.

General Easement and Setbacks

CDC Section 17.3.14 establishes the provisions related to general easements and setbacks. The only platted general easements are located on the north side of Lot 152R along Country Club Drive; on the south side of Lot 126R along Country Club Drive; and along the west side of Lot 126R adjacent to the single-family development to the west.

La Montagne avoids locating any buildings in the platted general easements except for some limited roof eaves as shown on the Lot 152R site plan. These roof eaves are located over 25 feet above the ground surface of the General Easement that will not interfere with the surface or underground use of the easement. We are seeking the use of the General Easement for roof eaves as the only PUD variation as discussed above.

Grading work in the general easement will be needed for project grading (including retaining walls), sidewalks, trail connectivity, landscaping and similar site improvements. Project signage and address monuments will also be proposed in the front general easements.

There are no general easement along the western, eastern and southern lot lines of Lot 152R or along the northern and eastern side of Lot 126R. CDC Section 17.3.14(B) states:

“For lots outside the Village Center Zone District where a general easement does not exist and lots where the general easement has been vacated, the review authority may require the establishment of a building setback as determined by the DRB at the time of review of a development application.”

We are seeking to obtain the Design Review Board’s approval of the following setbacks for areas that do not have a general easement as shown on the PUD Site Plan on Sheet:

Lot 126R

- Building B: Approximately 14’-4” to northern property line
- Building C: Approximately 3’ - 3” to northern property line
- Building D: Approximately 7’ - 2” to northern property line
- Building E: Approximately 1’ to northern property line
- Building F: Approximately 7’-11” to northern property line

One the main purposes of the 16 foot general easement is to provide a buffer area that is free from development when lots are in close proximity to one another outside the Village Center (Village Center lots do not have general easements or setbacks in most instances). The proposed northern setbacks for the North Site are justified by the fact that a large open space tract exists to the north of Lot 126R (Tract OS-FF-5). Buildings heights on the northern side of Lot 126R will be minimized to the extent practical. Buildings C, D and E are located on the downhill side of a geographic ridge to the north of the development area. The project team does not believe that Buildings C, D, E or G will be visible from the Valley Floor and will erect story poles of the northern facades for the formal rezoning and density transfer public hearings.



Lot 152R

Building G: Approximately 10'-8" to western property line and 0' to southern property line

Building H: Approximately 11' - 4" to southern property line

Building I: Approximately 0' for spa pool and amenity deck to southern property line

Building J: Approximately 17' - 9" to southern property line

Building K: Approximately 3'-3" to southern property line

Building L: Approximately 0' to southern property line

The setbacks on Lot 152R are warranted due to the narrow lot width and the front general easement of 16' that leaves approximately 65 feet to 84 feet for the development of a multi-family townhouse project. The wetland areas on Lot 152R further constrain development from the central area of the Property which necessitates the setbacks as shown in order to allow for reasonable use. The setbacks on Lot 152R are also justified by the large open space tract to the south (Tract OS-1R-1) with the closest development at The Peaks located over 450 feet away.

The Town has never required a the platting of a 16 foot general easement or setback on the western, southern or eastern lot lines of the South Site. This allows for zero lot line development which is needed in order to achieve the permitted density. The Rosewood PUD Plan reflects this zero lot line development. The TSG landscape easement and other Lot 152 beneficial easements further support the intended zero lot line development with easements for construction, maintenance, drainage, utilities and landscaping needed in order to successfully achieve the envisioned density on the South Site. These easements provide room to construct and maintain the project, and to provide a good transitional landscape buffer to Hole 1 and the associated tee boxes.

Ridgeline Lots

Lot 126R is a Ridgeline Lot per CDC Section 17.5.6 subject to the following regulations, with our comments shown in *italics*:

1. All structures shall have varied facades to reduce the apparent mass. *The building mass on the North Site will be broken up by the use of several smaller buildings instead of one large building. Each building on the North Site will have varied facades.*
2. To the extent practical, foundations shall be stepped down the hillsides to minimize cut, fill and vegetation removal. *The North Site development will be designed with individual buildings with foundations that step down the hillside.*
3. Building and roofing materials and colors shall blend with the hillside. *The color of the building and roofing materials on the North Site will blend with the surrounding hillside and mountainside colors.*
4. Colors and textures shall be used that are found naturally in the hillside. *North Site buildings will be designed with colors and textures that are found naturally in the hillside and mountainside areas.*
5. Reflective materials, such as mirrored glass or polished metals, shall not be used. *Reflective materials will not be used.*
6. To the extent practical, no exterior lights shall be installed on the east side of buildings. Any required exterior lighting shall be shielded, recessed, or reflected so that no lighting is oriented towards the east side of the building. *Any required lighting on the east and north sides of the buildings will be minimized, shielded or recessed.*





La Montagne



La Montagne

TELLURIDE, COLORADO



DREWETT WORKS // ARCHITECTURE
DESIGN ARCHITECT



LOCAL ARCHITECT



LANDSCAPE ARCHITECT



PLANNING



DEVELOPMENT GROUP



CIVIL ENGINEERING



FINBRO CONSTRUCTION

GENERAL CONTRACTOR

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

UNIT COUNTS		NOTES	
BUILDING A (7)	17,800 SF	LOT 126R = 172,559 SF	
BUILDING B (8)	15,500 SF	HEIGHTS = MAX HEIGHT 48' - MAX AVERAGE HEIGHT 48'	
BUILDING C (7)	17,540 SF	ZONE DISTRICT = MULTIFAMILY OUTSIDE VILLAGE CORE	
BUILDING D (7)	10,950 SF	ALLOWABLE SITE COVERAGE = 65% 65% = 112,163 SF	
BUILDING E (6)	14,500 SF		
BUILDING F (1)	4,500 SF	CURRENT LOT COVERAGE = 70,408 SF = 40%	
(34) UNITS	88,430 SF	PARKING REGULATIONS (1.5 PER UNIT MIN) 56 REQUIRED	
CLUBHOUSE	2,500 SF	EMPLOYEE HOUSING 4 UNITS (1.5 PER UNIT)	6
AMENITY SPACE (SPA - GYM)	2,000 SF	SERVICE PARKING	4
EMPLOYEE HOUSING APARTMENTS (4)	2,500 SF	TOTAL = 68 PARKING SPOTS	32,000 SF

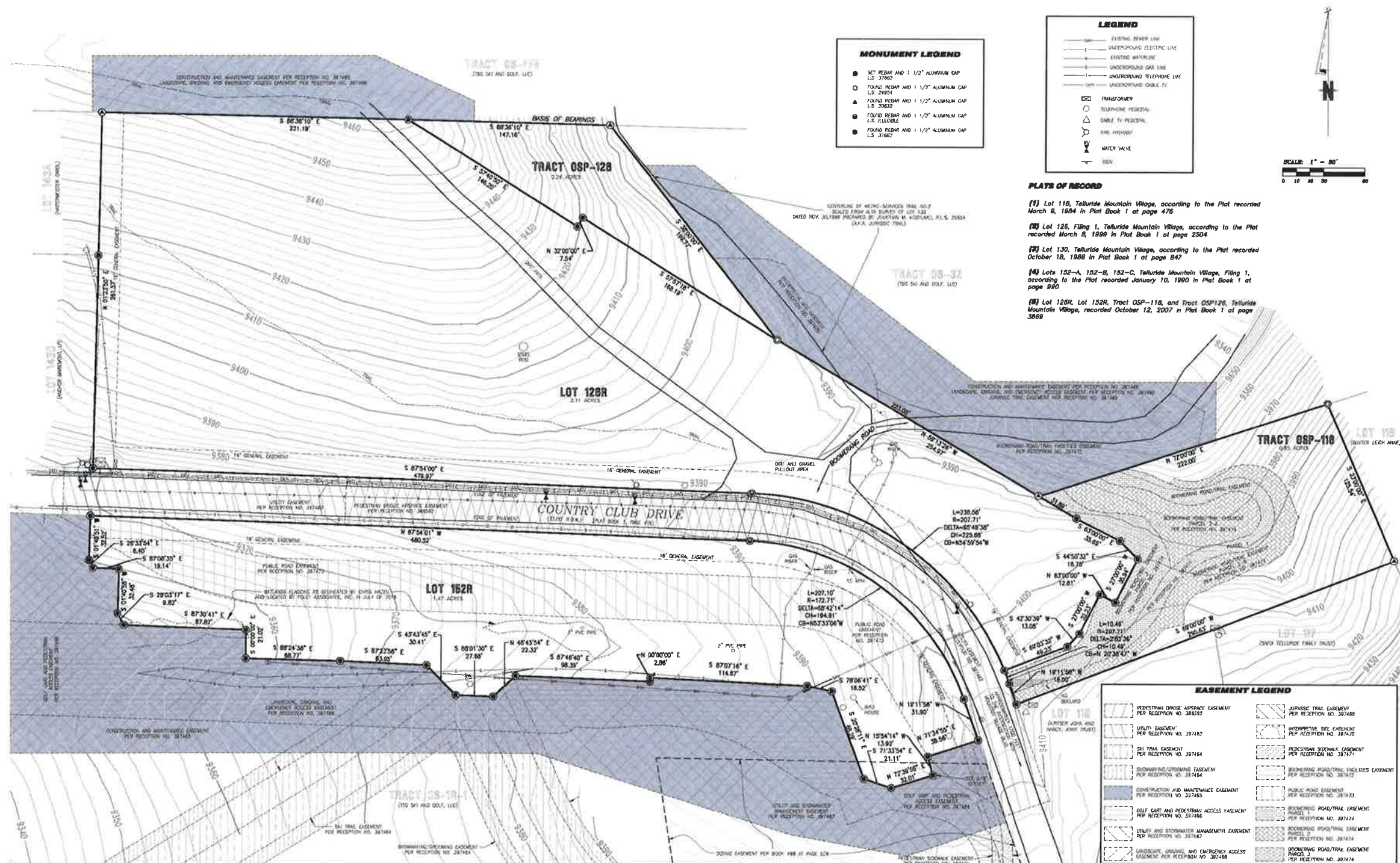
UNIT COUNTS		NOTES	
BUILDING H (7)	6,540 SF	LOT SIZE = 64,152 SF	
BUILDING I (7)	8,300 SF	HEIGHTS = MAX HEIGHT 48' - MAX AVERAGE HEIGHT 48'	
BUILDING J (7)	5,550 SF	ZONE DISTRICT = MULTIFAMILY OUTSIDE VILLAGE CORE	
BUILDING K (7)	6,040 SF	ALLOWABLE SITE COVERAGE = 65% 65% = 41,698 SF	
BUILDING L (7)	6,350 SF		
BUILDING M (7)	6,200 SF	PROPOSED LOT COVERAGE = 35,165 SF = 54.8%	
(11) UNITS	43,350 SF		
SKI LOUNGE	3,300 SF	PARKING REGULATIONS (1.5 PER UNIT MIN) 22.5 REQUIRED	
		(SURFACE PARKING) - 3 PARKING SPOTS	
		(BEST GARAGES) - 14 PARKING SPOTS	11,000 SF
		(EAST GARAGES) - 24 PARKING SPOTS	17,000 SF
		TOTAL =	38 PARKING SPOTS

SHEET INDEX

- PUD1.0 PUD LOT 152R-126R
- PUD1.1 SURVEY
- PUD1.2 SLOPE ANALYSIS
- PUD1.3 SITE PLAN
- PUD1.3.1 SITE COVERAGE DIAGRAM
- PUD1.4 CIVIL - OVERALL SITE PLAN
- PUD1.4.1 CIVIL C2.1 COUNTRY CLUB DR. IMPROVEMENTS
- PUD1.4.2 CIVIL C2.2 COUNTRY CLUB DR. IMPROVEMENTS
- PUD1.5 CONCEPTUAL LANDSCAPING PLAN
- PUD1.6 HEIGHT ANALYSIS - ROOF PLAN
- PUD1.7 CONCEPTUAL SITE SECTIONS
- PUD1.8 CONCEPTUAL SITE SECTIONS
- PUD4.1 CONCEPTUAL VIEW - GOLF COURSE
- PUD4.2 CONCEPTUAL VIEW - GOLF COURSE
- PUD4.3 CONCEPTUAL VIEW - GOLF COURSE
- PUD4.4 CONCEPTUAL VIEW - CC ROAD ENTRY
- PUD4.5 CONCEPTUAL VIEW - VIEW NORTH
- PUD4.6 CONCEPTUAL VIEW - CC ROAD VIEW EAST
- PUD4.7 CONCEPTUAL VIEW - SOUTH @ CLUB
- PUD4.8 CONCEPTUAL VIEW - NORTH @ CLUB
- PUD4.9 CONCEPTUAL VIEW - CC ROAD VIEW WEST
- PUD4.10 CONCEPTUAL VIEW - CLUB VIEW NORTH
- PUD4.11 CONCEPTUAL VIEW - NORTH PROPERTY
- PUD4.12 CONCEPTUAL VIEW - WESTERN PROPERTY
- PUD4.13 CONCEPTUAL VIEW - AERIAL @ CORE
- PUD4.14 CONCEPTUAL VIEW - AERIAL
- PUD4.15 CONCEPTUAL VIEW - AERIAL

PUD LOT 152R-126R

PUDI.0



MONUMENT LEGEND

- SET REBAR AND 1 1/2" ALUMINUM CAP I.S. 37862
- FOUND REBAR AND 1 1/2" ALUMINUM CAP I.S. 24624
- ▲ FOUND REBAR AND 1 1/2" ALUMINUM CAP I.S. 20632
- FOUND REBAR AND 1 1/2" ALUMINUM CAP I.S. ELLEORLE
- FOUND REBAR AND 1 1/2" ALUMINUM CAP I.S. 37862

LEGEND

- EXISTING SEWER LINE
- UNDERGROUND ELECTRIC LINE
- EXISTING WATERLINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND CABLE TV
- ⊠ TRANSFORMER
- TELEPHONE PEDestal
- CABLE TV PEDestal
- ⊠ FIRE HYDRANT
- ⊠ WATER VALVE
- BOX



- PLATS OF RECORD**
- (1) Lot 118, Telluride Mountain Village, according to the Plat recorded March 8, 1964 in Plat Book 1 at page 476
 - (2) Lot 125, Filing 1, Telluride Mountain Village, according to the Plat recorded March 8, 1968 in Plat Book 1 at page 2504
 - (3) Lot 130, Telluride Mountain Village, according to the Plat recorded October 18, 1988 in Plat Book 1 at page 847
 - (4) Lots 152-A, 152-B, 152-C, Telluride Mountain Village, Filing 1, according to the Plat recorded January 10, 1990 in Plat Book 1 at page 990
 - (5) Lot 126R, Lot 152R, Tract OSP-118, and Tract OSP-126, Telluride Mountain Village, recorded October 12, 2007 in Plat Book 1 at page 3669

EASEMENT LEGEND

- PEDESTRIAN DRIVE APPOINCE EASEMENT PER RECEIPTION NO. 387483
- UTILITY EASEMENT PER RECEIPTION NO. 387482
- SAI TRAIL EASEMENT PER RECEIPTION NO. 387484
- SHOWING/ROADWAY EASEMENT PER RECEIPTION NO. 387484
- CONSTRUCTION AND MAINTENANCE EASEMENT PER RECEIPTION NO. 387485
- UTILITY AND EROSION CONTROL ACCESS EASEMENT PER RECEIPTION NO. 387486
- UTILITY AND EROSION CONTROL MANAGEMENT EASEMENT PER RECEIPTION NO. 387487
- LANDSCAPE ORNAMENT AND EMERGENCY ACCESS EASEMENT PER RECEIPTION NO. 387488
- ADJACENT TRAIL EASEMENT PER RECEIPTION NO. 387489
- INTERPRETIVE SITE EASEMENT PER RECEIPTION NO. 387470
- PEDESTRIAN SIDEWALK EASEMENT PER RECEIPTION NO. 387471
- SHOWING/ROADWAY TRACKS EASEMENT PER RECEIPTION NO. 387472
- PUBLIC ROAD EASEMENT PER RECEIPTION NO. 387423
- SHOWING/ROADWAY EASEMENT PARCEL 1 PER RECEIPTION NO. 387474
- SHOWING/ROADWAY EASEMENT PARCEL 2 PER RECEIPTION NO. 387478
- SHOWING/ROADWAY EASEMENT PARCEL 3 PER RECEIPTION NO. 387474

ALTA/NSPS Land Title Survey
Lots 126R and 152R and Tracts OSP-118 and OSP-126, Town of Mountain Village

Project No.	08	DATE	02/01/2019
Technician	MC		
Checked by			

FOLEY ASSOCIATES, INC.
 970-728-8153 970-728-6050 Fax
 P.O. BOX 1385
 125 W. PACIFIC, SUITE B-1
 TELLURIDE, COLORADO 81435

Sheet: 3 of 3 Project #: 01028

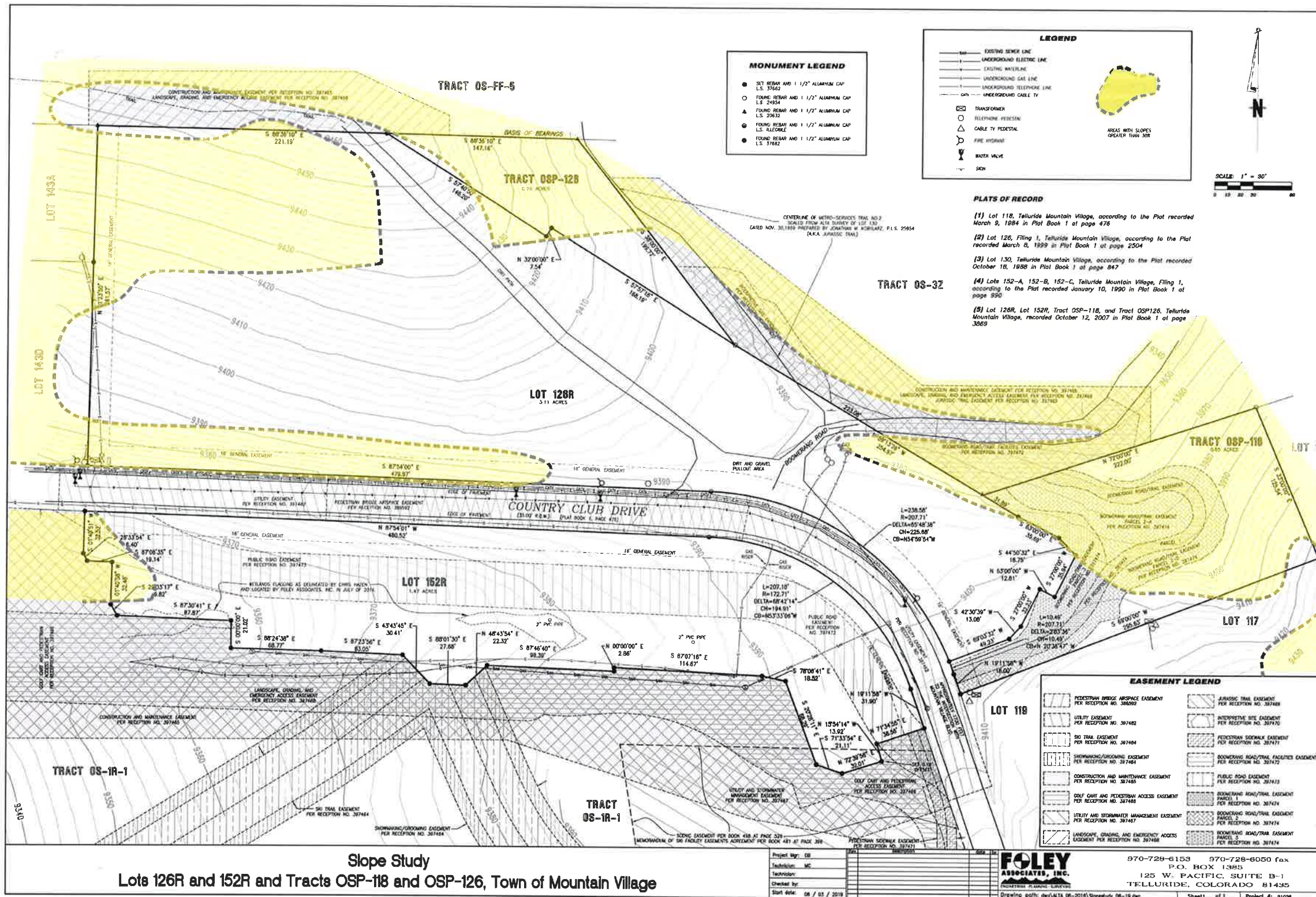


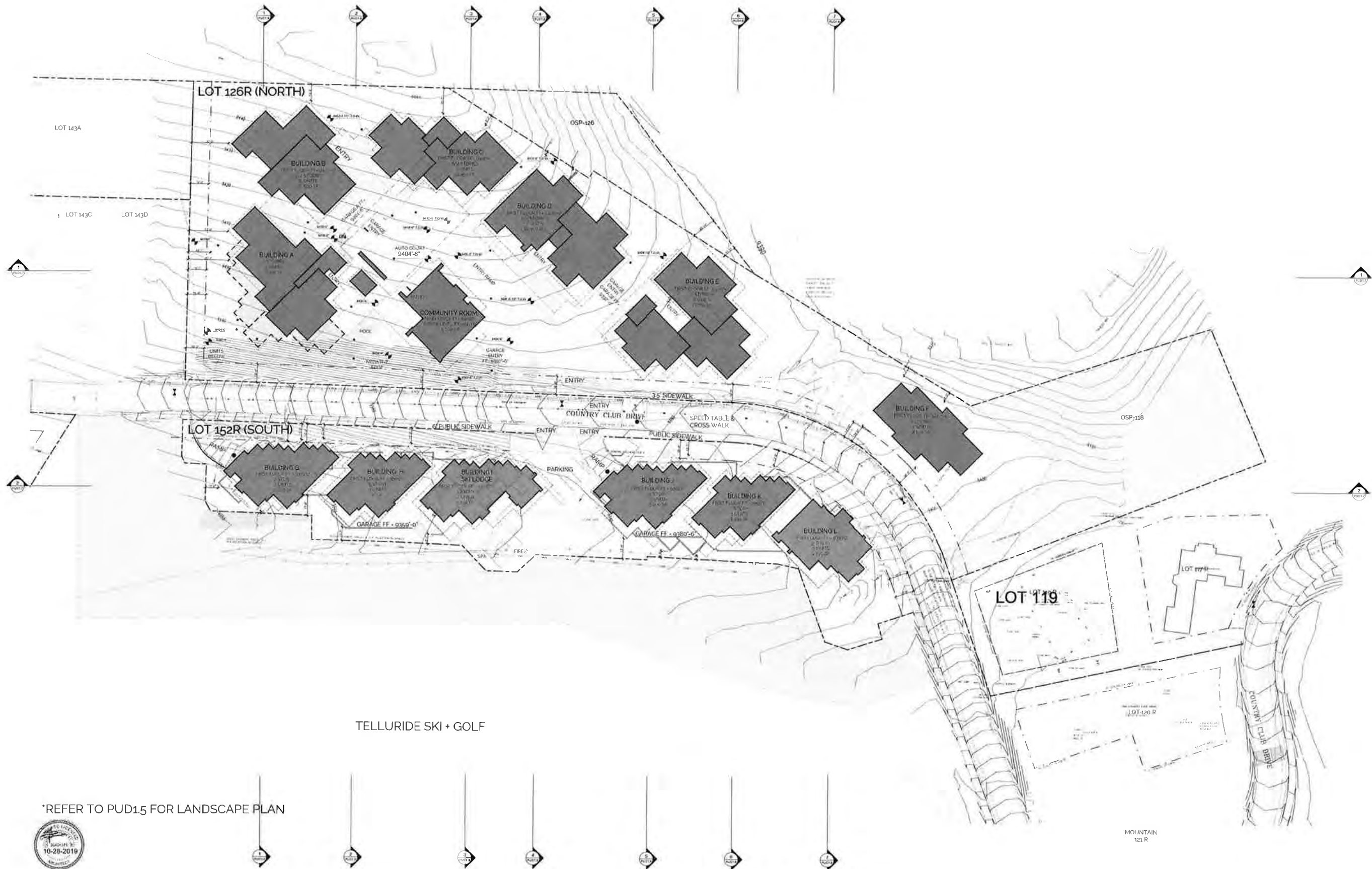
LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
 PROJECT: 18-32

SURVEY

PUDI.1





*REFER TO PUD1.5 FOR LANDSCAPE PLAN



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

SITE COLOR LEGEND

- GREENSPACE
- 10' EASEMENT/RETRICK
- ADJACENT EASEMENTS
- PROPOSED BUILDING FOOTPRINT

UNIT COUNTS

ROOM COUNT	6,040 SF
BUILDING H (2)	8,360 SF
BUILDING J (2)	5,500 SF
BUILDING K (2)	6,040 SF
BUILDING L (3)	8,360 SF
BUILDING M (4)	8,360 SF
TOTAL UNITS	41,500 SF
SKI LOCKER	3,500 SF

LOT 152R SUMMARY

NOTES

LOT SIZE = 64,162 SF
 HEIGHTS = MAX HEIGHT 48 - MAX AVERAGE HEIGHT 48
 ZONE DISTRICT = MULTIFAMILY OUTSIDE VILLAGE CORE
 ALLOWABLE SITE COVERAGE = 65% 80% = 41,605 SF
 PROPOSED LOT COVERAGE = 35,165 SF = 54.8%

PARKING REGULATIONS (1.5 PER UNIT MIN) 22.5 REQUIRED
 (SURFACE PARKING) - 3 PARKING SPOTS
 (WEST GARAGE) - 14 PARKING SPOTS 11,000 SF
 (EAST GARAGE) - 21 PARKING SPOTS 17,000 SF
TOTAL = 38 PARKING SPOTS 28,000 SF

UNIT COUNTS

BUILDING A (7)	17,800 SF
BUILDING B (6)	10,550 SF
BUILDING C (7)	17,540 SF
BUILDING D (7)	18,900 SF
BUILDING E (6)	14,500 SF
BUILDING F (7)	4,100 SF
TOTAL UNITS	98,430 SF
CLUBHOUSE	2,500 SF
AMENITY SPACE (SPA - GYM)	7,900 SF
EMPLOYEE RESURFAS	
APARTMENTS (4)	2,500 SF

LOT 126R

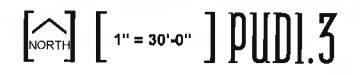
NOTES

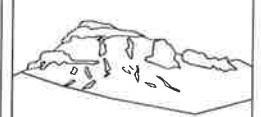
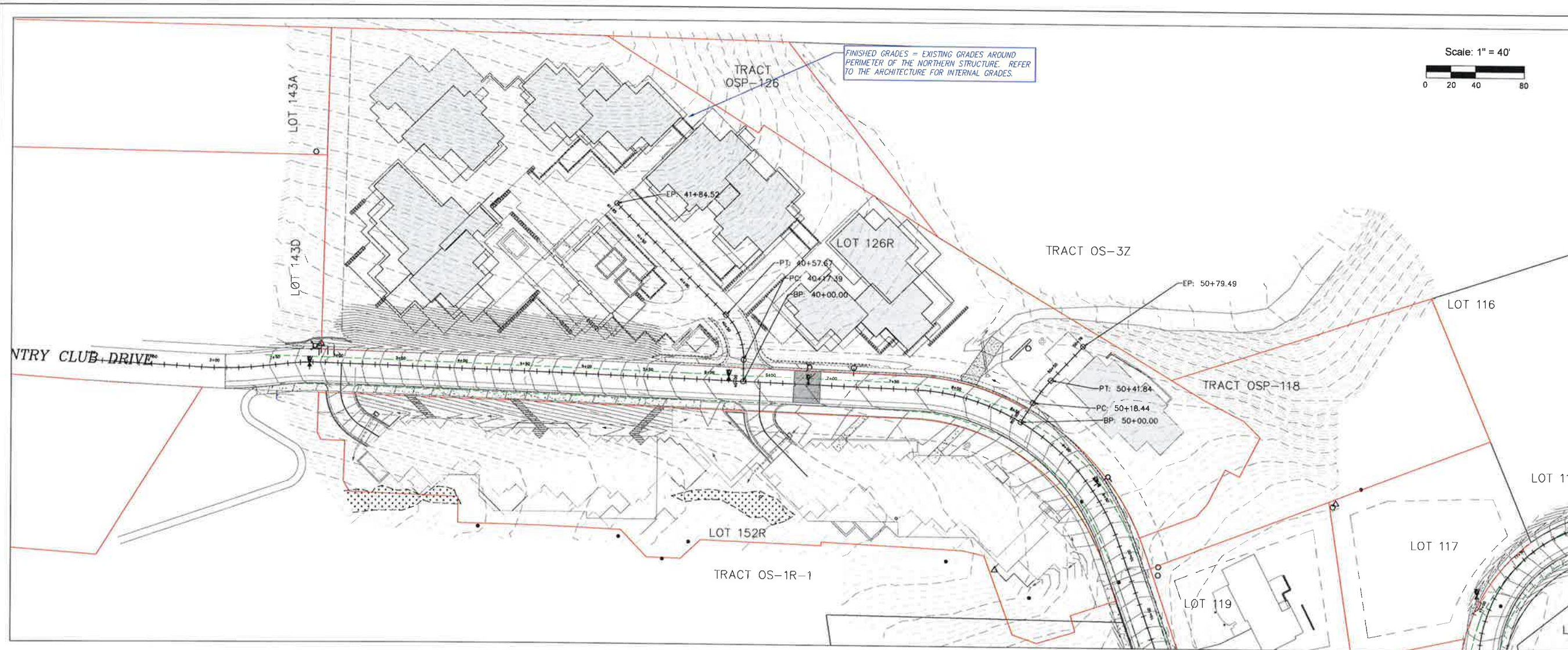
LOT SIZE = 125,526 SF
 HEIGHTS = MAX HEIGHT 48 - MAX AVERAGE HEIGHT 48
 ZONE DISTRICT = MULTIFAMILY OUTSIDE VILLAGE CORE
 ALLOWABLE SITE COVERAGE = 65% 80% = 114,113 SF
 CURRENT LOT COVERAGE = 76,488 SF = 60%

PARKING REGULATIONS (1.5 PER UNIT MIN) 56 REQUIRED
 (SURFACE PARKING) - 4 UNITS (1.5 PER UNIT) 6
 (SERVICE PARKING) (1-5) 4

TOTAL = 66 PARKING SPOTS 32,000 SF

SITE PLAN





Uncompahgre Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
 PUD SUBMITTAL 2019-06-22
 Rev. Bldg 2019-10-28

La Montagne
Lot 152R and 126R
Country Club Dr.
Mtn. Village, CO

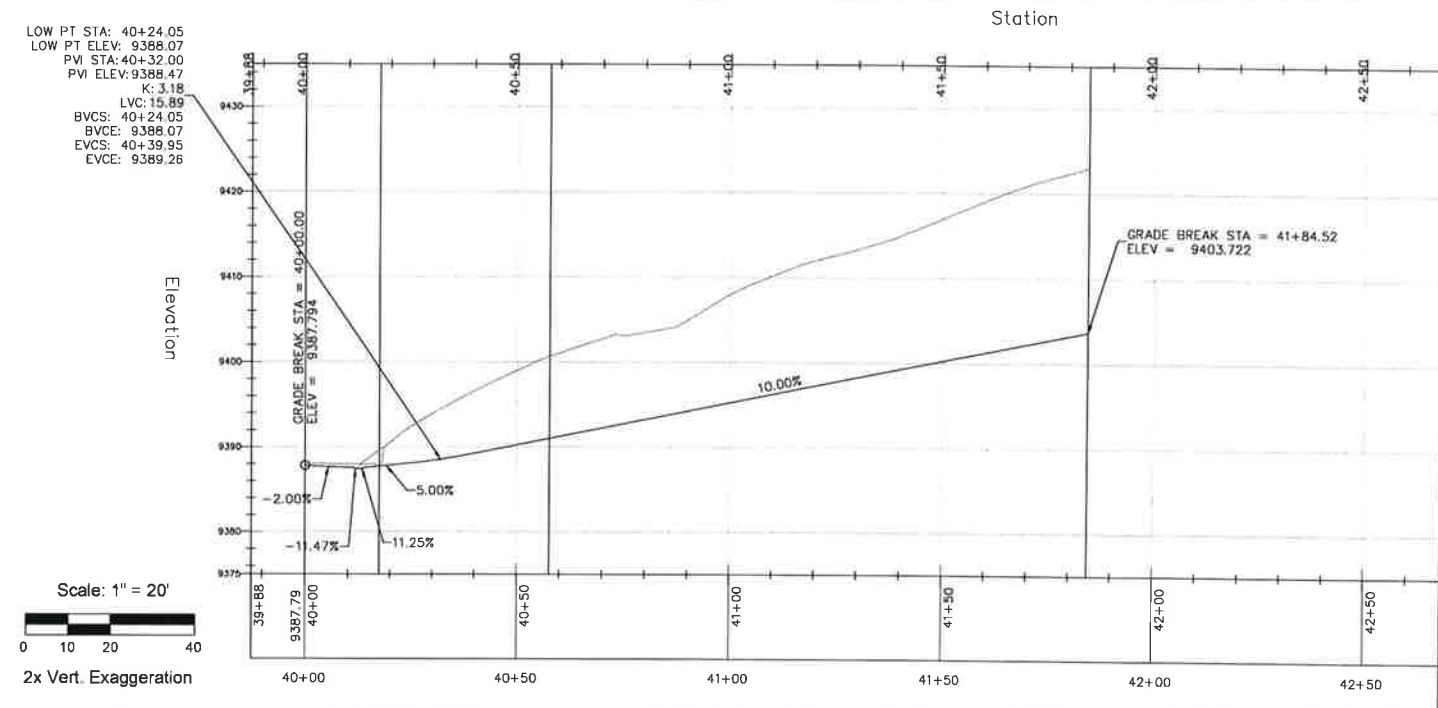


CONTRACTOR TO REVIEW AND COMPARE ALL CHANGES AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELDWORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

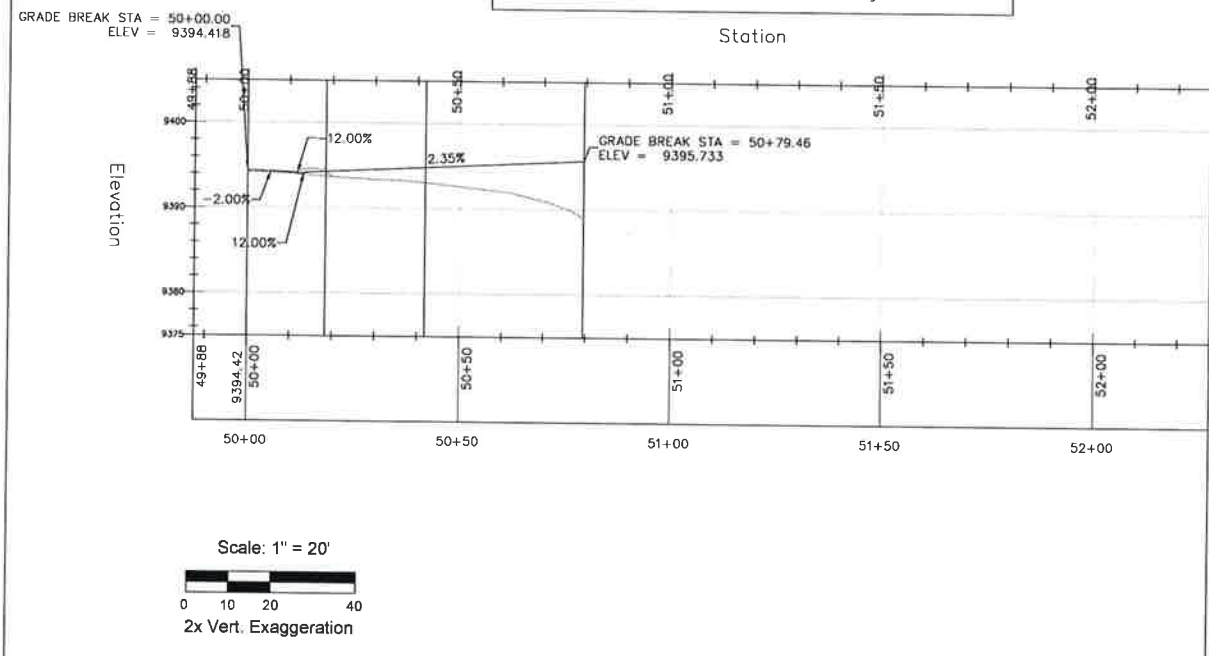
Over-All Site Plan
for
PUD

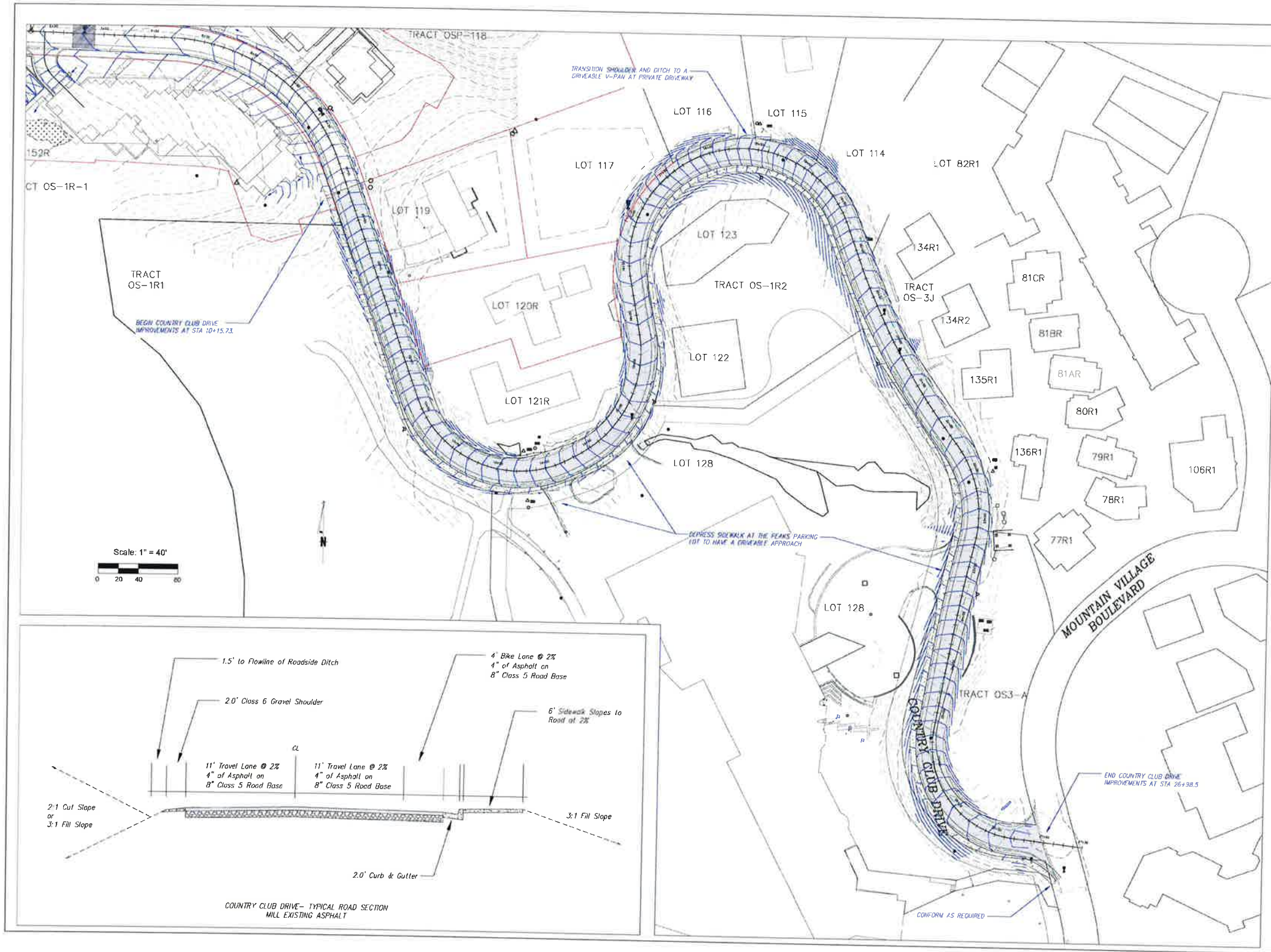
C1.0

Main Northern Driveway Access Profile



Detached Unit Driveway Profile





Uncompahgre Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
SUBMITTAL 2019-08-23

Le Montant
Lot 152
Country Club Dr.
Mtn. Village, CO

NOT FOR CONSTRUCTION
09-22-19
PROFESSIONAL ENGINEER

CONTRACTOR TO REVIEW AND CORRECT ALL CONFLICTS AND DISCREPANCIES TO THE PROJECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH ALL DOCUMENTS AND

Conceptual
Country Club Dr.
Improvements
Plan View

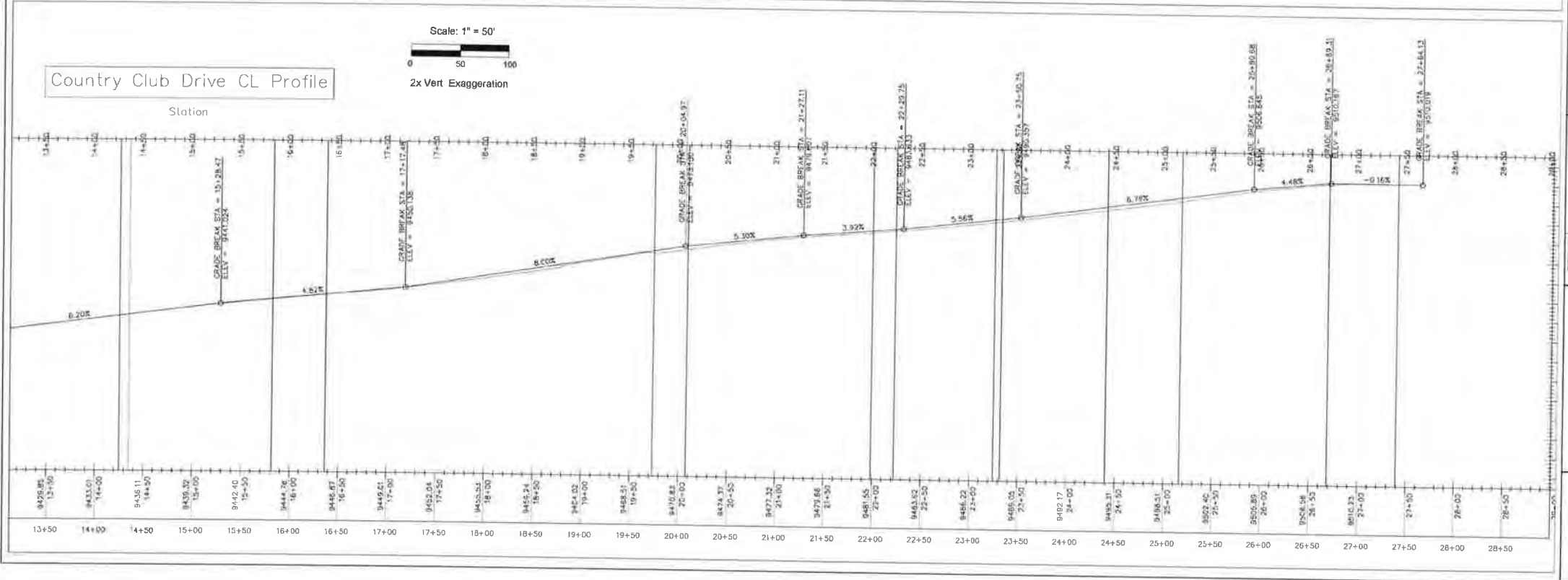
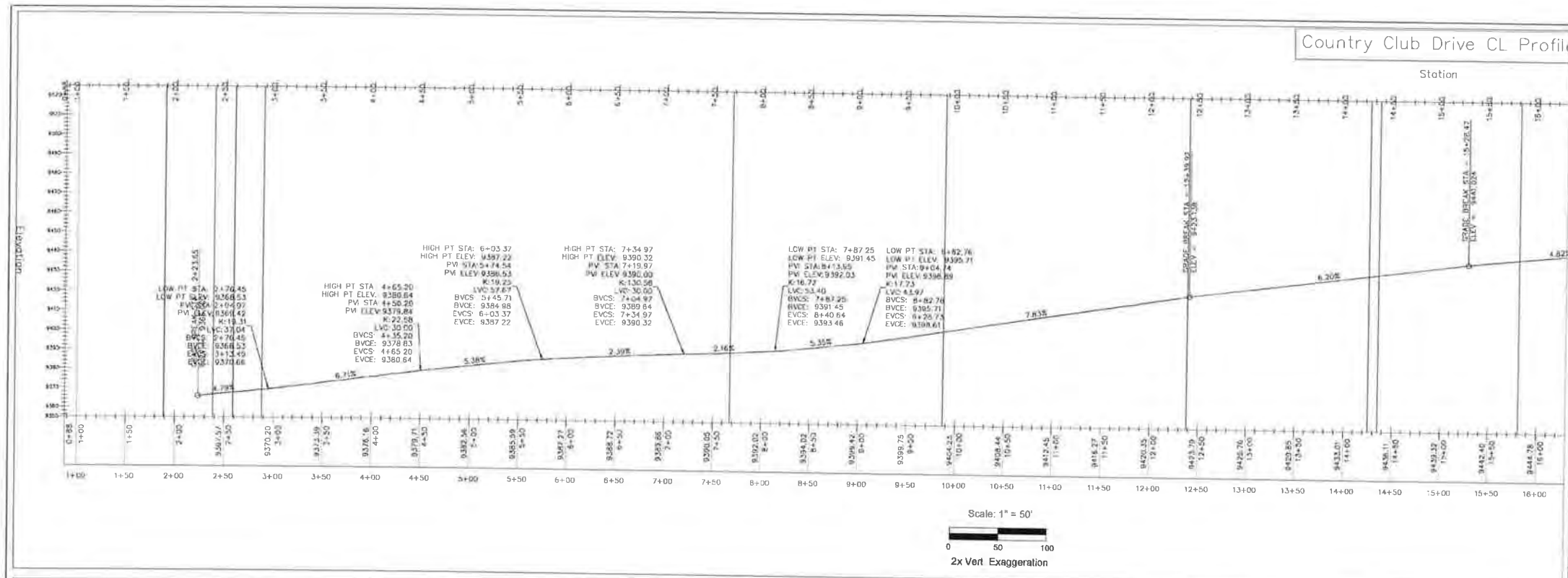
C2.1

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CIVIL C2.1 COUNTRY CLUB DR. IMPROVEMENTS

PUDI.4.1



Uncompahgre Engineering, LLC
P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
SUBMITAL 2019-08-21

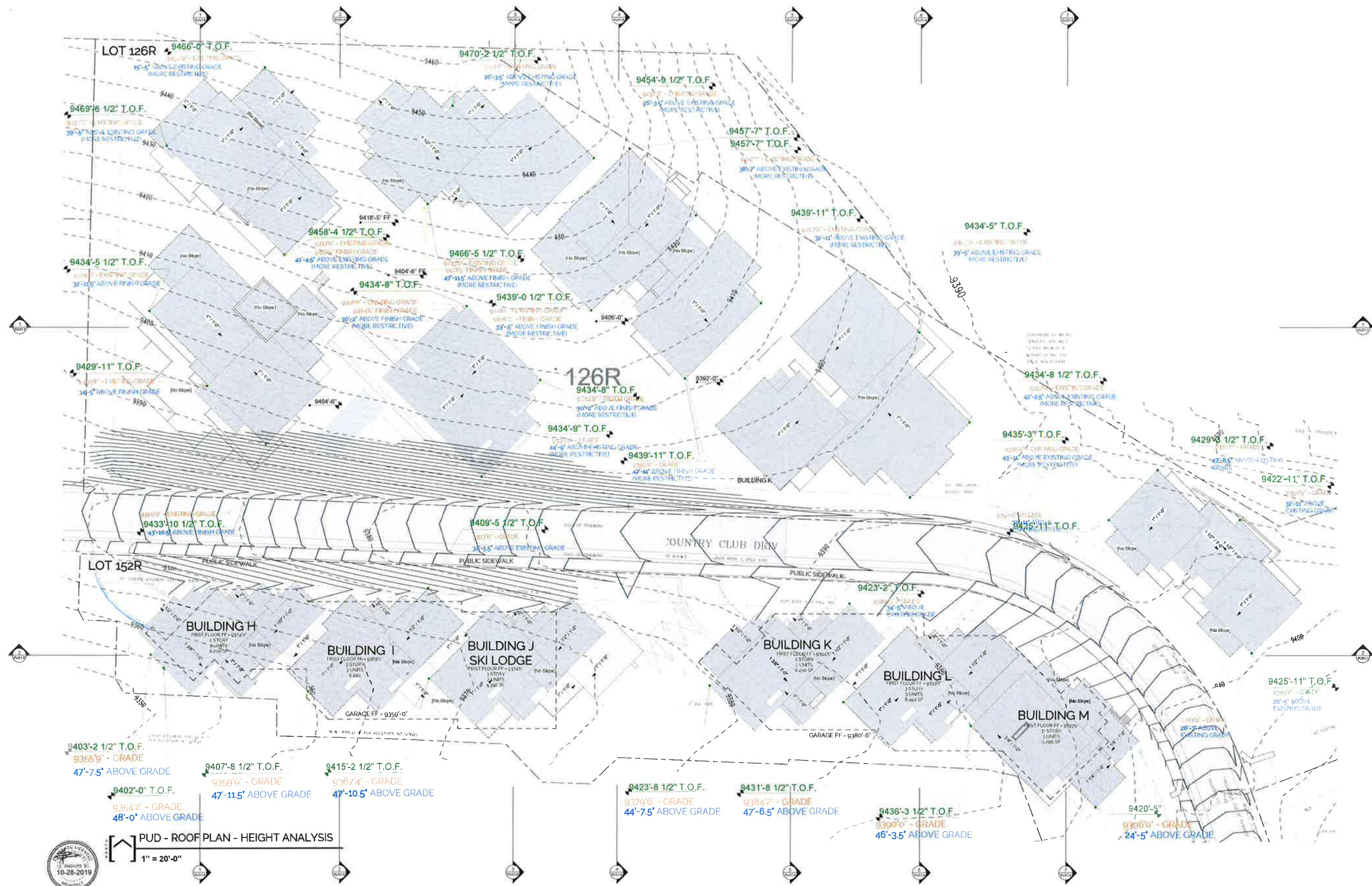
Le Montant
Lot 152
Country Club Dr.
Mtn. Village, CO



CONTRACTOR TO REVIEW AND CORRECT ALL CHANGES AND NOTIFICATION OF CHANGES. ENGINEER AND ARCHITECT ARE NOT RESPONSIBLE FOR THE ACCURACY OF THIS INFORMATION UNLESS THEY HAVE BEEN ADVISED IN WRITING BY THE ARCHITECT.

Conceptual
Country Club Dr.
Improvements
Profile

C2.2



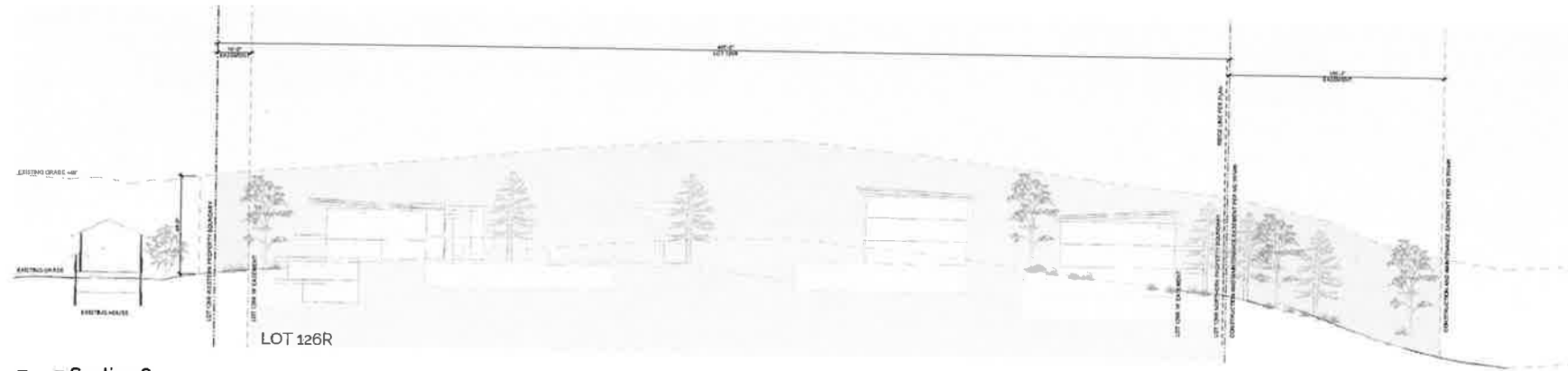
LA MONTAGNE CONDOMINIUMS

HEIGHT ANALYSIS - ROOF PLAN

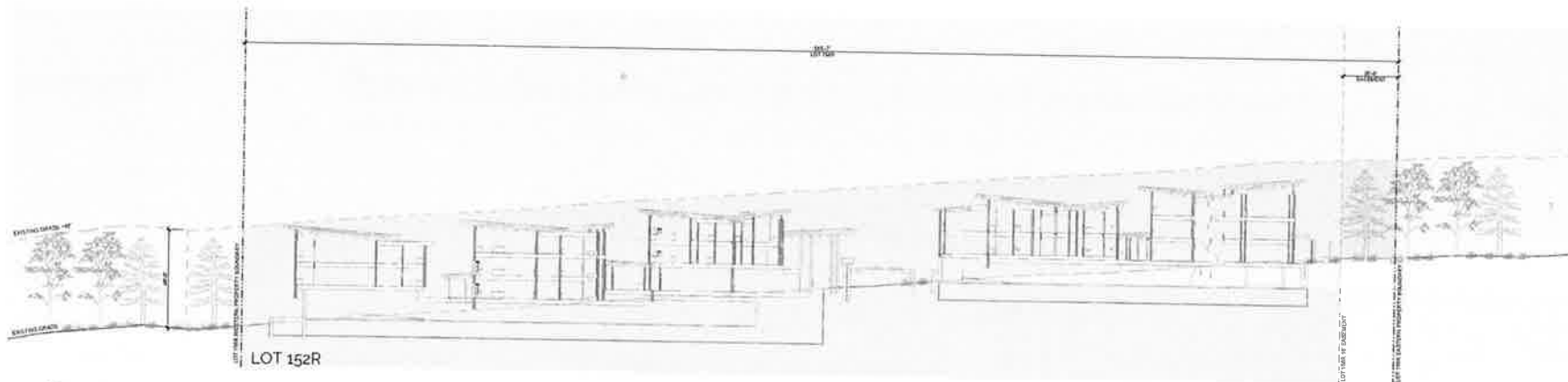
DATE: 10-28-2019
PROJECT: 18-32

TOF - TOP OF FASCIA

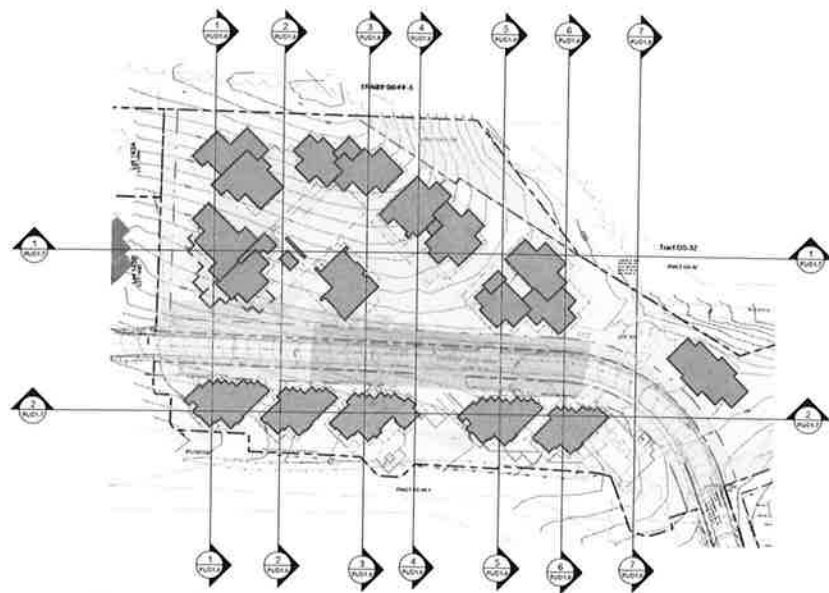
PUDI.6



[1] Section 8
1" = 30'-0"



[2] Section 9
1" = 30'-0"



[3] SITE SECTION KEY
1" = 80'-0"

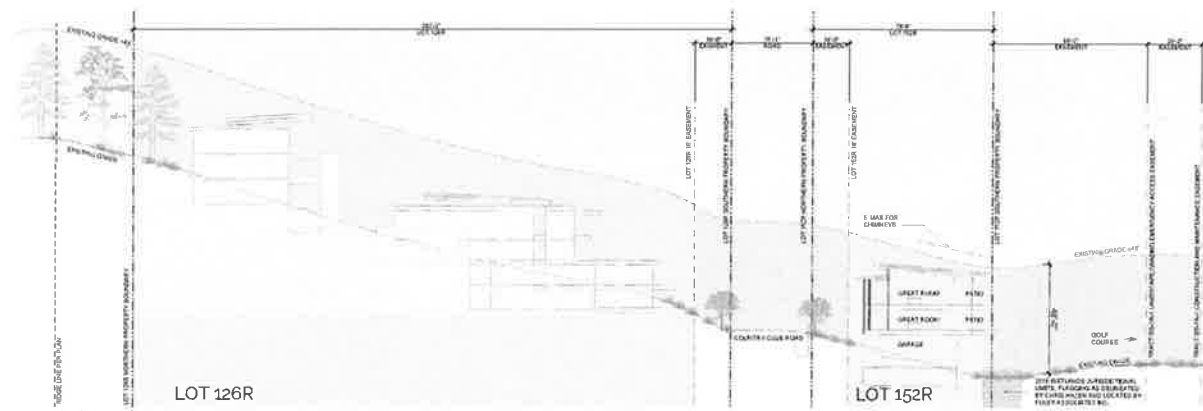


LA MONTAGNE CONDOMINIUMS

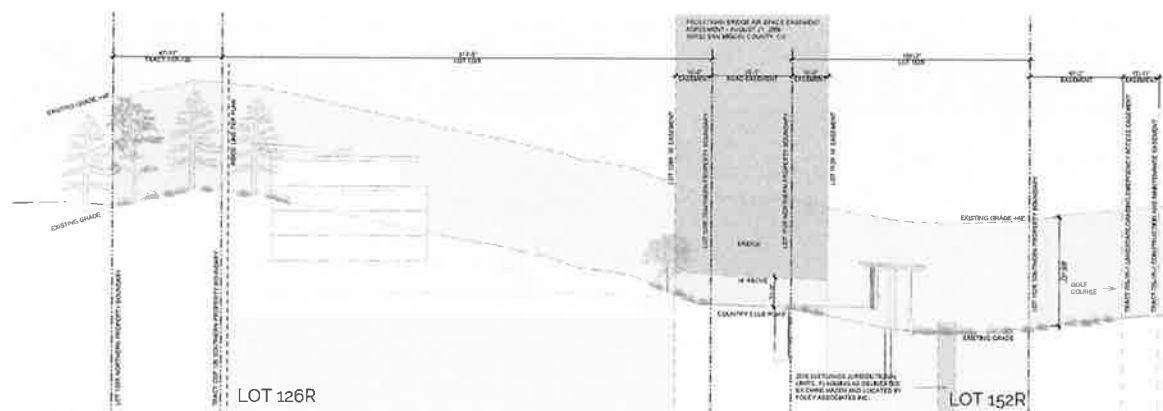
DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL SITE SECTIONS

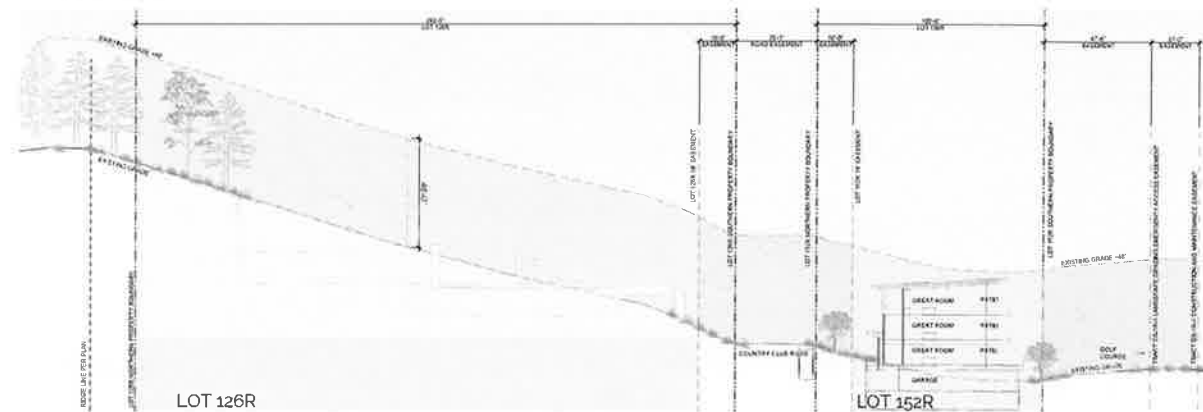
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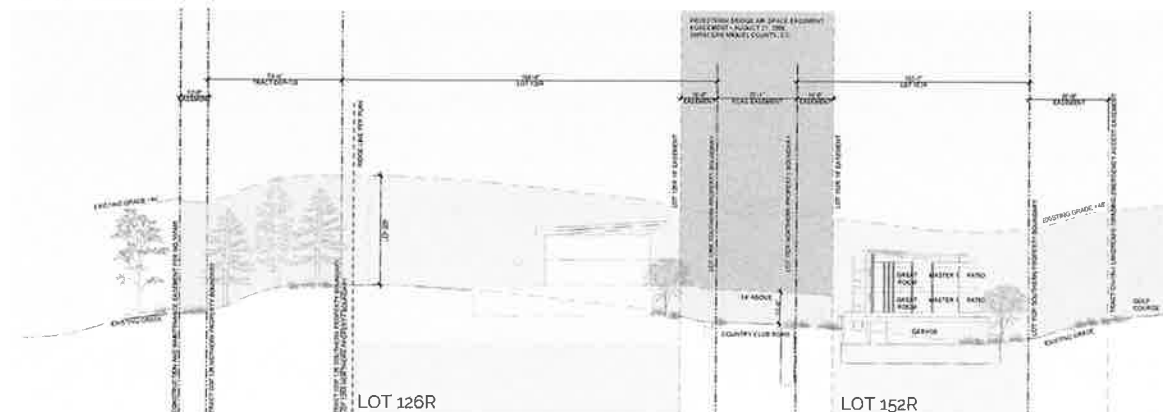
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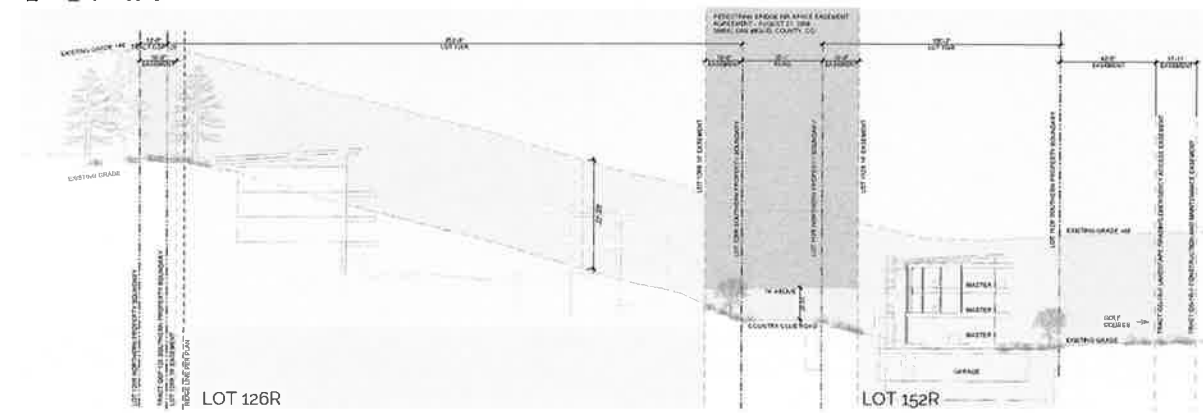
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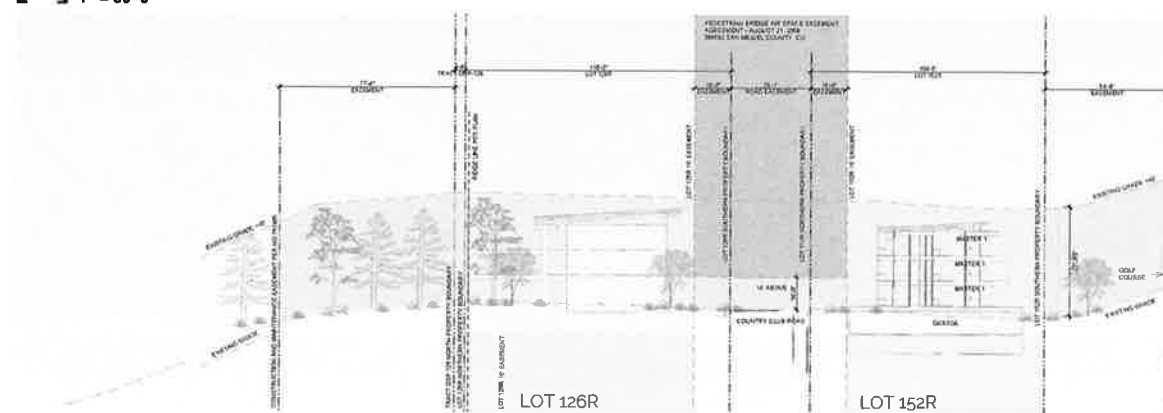
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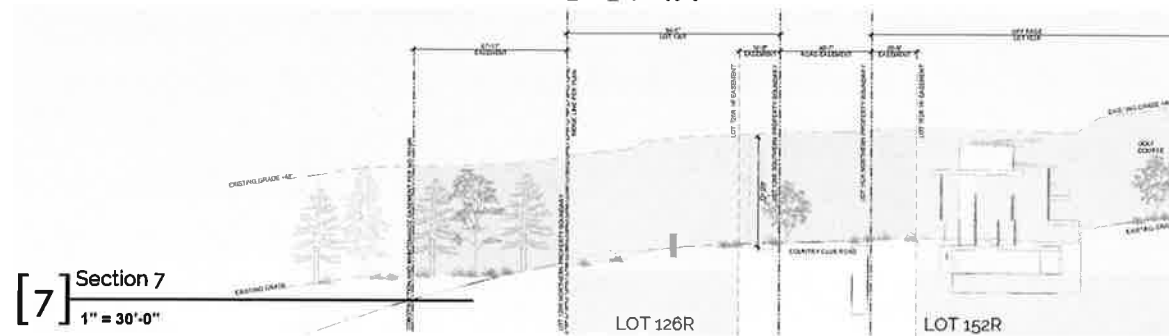
5 Section 5
1" = 30'-0"



3 Section 3
1" = 30'-0"



6 Section 6
1" = 30'-0"



7 Section 7
1" = 30'-0"



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL SITE SECTIONS

PUDI.8



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

PUD4.1



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

PUD4.2



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

PUD4.3



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - CC ROAD ENTRY

PUD4.4



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - VIEW NORTH

PUD4.5



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - CC ROAD VIEW EAST

PUD4.6



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - SOUTH @ CLUB

PUD4.7



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - NORTH @ CLUB

PUD4.8



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - CC ROAD VIEW WEST

PUD4.9



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - CLUB VIEW NORTH

PUD4.10



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - NORTH PROPERTY

PUD4.11



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - WESTERN PROPERTY

PUD4.12



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - AERIAL @ CORE

PUD4.13

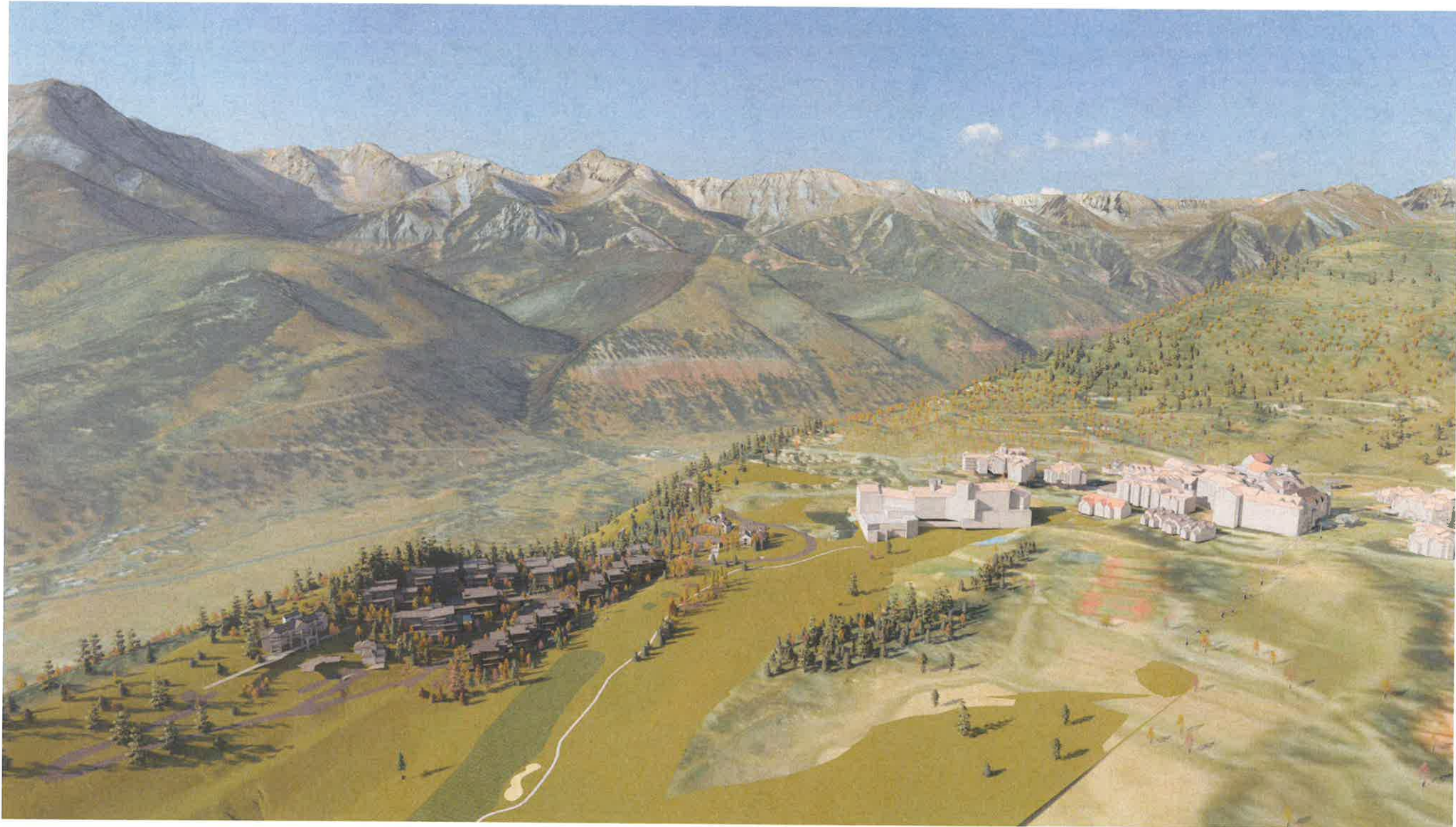


LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - AERIAL

PUD4.14



LA MONTAGNE CONDOMINIUMS

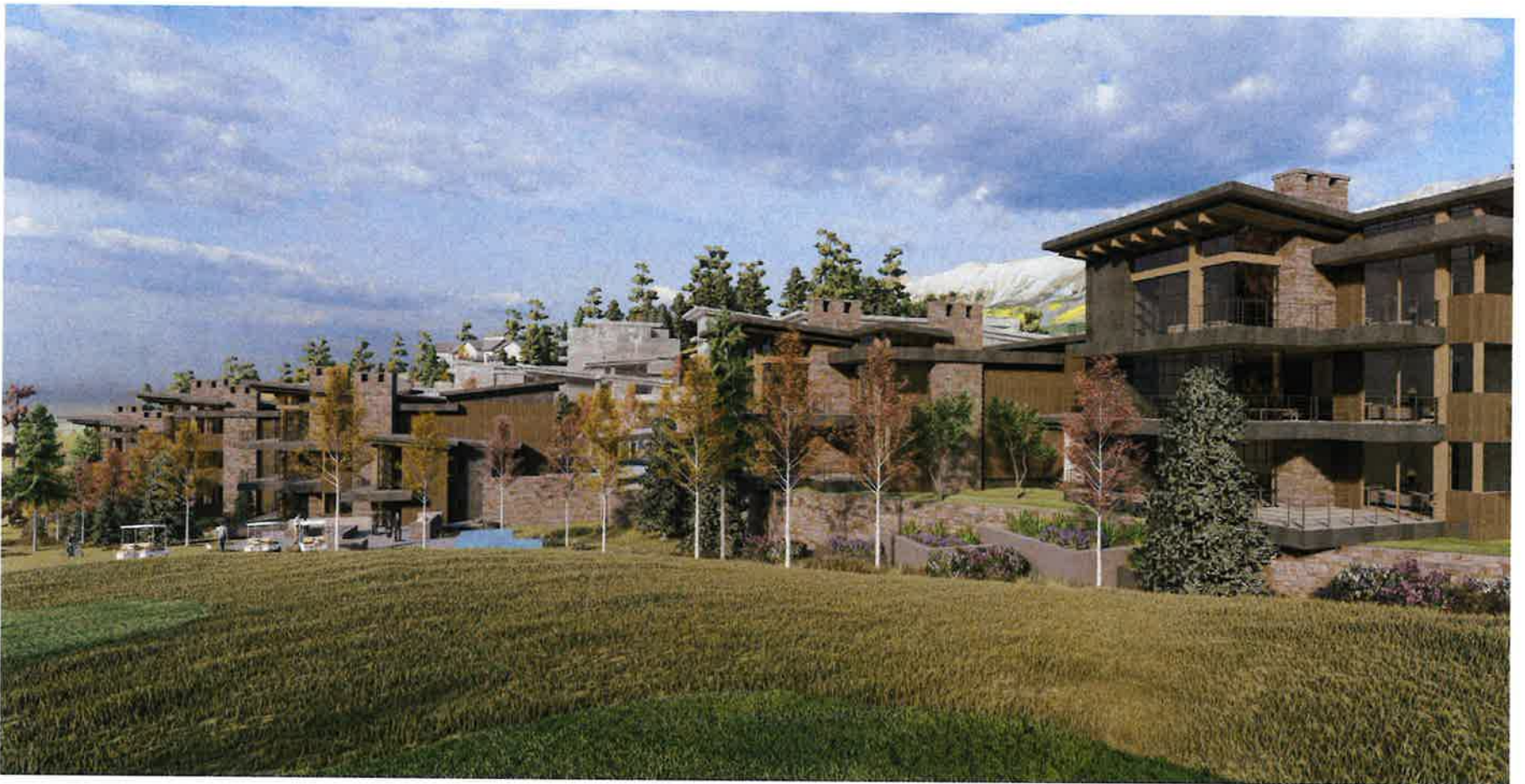
DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - AERIAL

PUD4.15



La Montagne

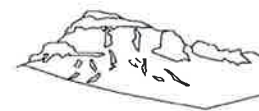


Design Review Process
Initial Architecture & Site Review

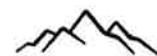
September 18, 2019

TABLE OF CONTENTS

1. Consultant Team	2
2. Project Overview	3
3. Property History	7
4. Site Context	9
5. Development Plan Changes	9
6. Building + Site Design	12
7. PUD Amendment	14
8. Rezoning and Density Transfer	22



Uncompahgre
Engineering, LLC



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Sales and Marketing
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Real Estate

SECTION 2 PROJECT OVERVIEW

The Design Review Board (“DRB”) should refer to the project narrative for the concurrent PUD Amendment, Rezoning Process and Density Transfer development applications (collectively “Applications”) that provides an overview of the La Montagne Project. MV Holdings, LLC (“Owner”) is the owner of Lot 126R (“North Site”), Lot 152R (“South Site”), Tract OSP-126; and Tract OSP-118, Telluride Mountain Village Filing 1 as recorded in the office of the San Miguel County Clerk and Recorder at Reception Number 397455 (“Property”) as shown in Figure 1. The Owner is submitting this Design Review Process development application for the South Site to run concurrently with the Applications.

The La Montagne Project for the South Site consists of 18 condominium units on 1.47 acres. The South Site has been designed in accordance with the Community Development Code (“CDC”) dimensional limitations for the Multi-family Zone District as shown in Table 1.

SECTION 3 SOUTH SITE CONTEXT

The South Site is a vacant and very open property that is located north of Hole 1 of the Telluride Golf Course. Lot 152R does not have any trails or other improvements except for some natural gas infrastructure as shown on the existing conditions survey. Lot 152R contains modest slopes with a high USGS elevation of 9408 and a low elevation of 9350 for an overall change of 58 feet over a distance of 613 feet and a slope grade of approximately 9.5 percent. The Lot 152 grade has been shaped by the grading for Country Club Drive and the golf course.

Lot 152R has two wetlands areas that were not identified with the creation of the Rosewood PUD Plan. These wetland areas have been delineated by a qualified wetland consultant as shown on the existing conditions survey. The wetland delineation has been reviewed and approved by the United States Army Corps of Engineers as shown in the Applications. South Site development will avoid wetland fill as discussed in the PUD Amendment and Rezoning project narrative.

A portion of a gas regulator station is located on both Lot 126R and Lot 152R. The project team will work with Black Hills Energy on a plan for potentially combining and screening the regulator station. It appears that a portion of the gas line infrastructure may be located outside easements shown on the existing condition survey.



SECTION 4 ZONING COMPLIANCE

The South Site has been designed in accordance with the dimensional standards and Parking Regulations for the Multi-family Zone District as shown in Table 1.

General Easement and Setbacks

CDC Section 17.3.14 establishes the provisions related to general easements and setbacks. The only platted general easement for the South Site is located on the north side of Lot 152R along Country Club Drive.

La Montagne avoids locating any buildings in the platted general easements except for some limited roof eaves as shown on the site plan. These roof eaves are located over ___ feet above the General Easement so will not interfere with the surface or underground use of the easement. We are seeking the use of the General Easement for roof eaves as the only PUD variation as discussed in the Applications’ project narrative.

Grading work in the South Site general easement will be needed for project grading (including retaining walls), sidewalks, landscaping and similar site improvements as shown on the plans. CDC Section 17.3.14(E) (1) states that the following development and activities are permitted in the general easement subject to DRB review and approval, with the project team comments shown in *italics*:

1. Access ways for direct access, including driveways and walkways. *The walkways, stairs and associated grading to the condominium units and associated grading and retaining for such access are permitted.*
2. Utilities. *Utilities are proposed to be located in the South Site general easement.*



Table 1. Project Summary

Geography and Zoning Requirements		
	Existing/Requirement	Proposed
Lot Size	1.47 acres	No Change
Zone District	Multi-family Zone District	No Change
Existing + Proposed Density	67 Condominium Units 56 Hotel Units 19 Hotel Efficiency Units 17 Employee Dorm Units 5 Employee Apartments 38,656 sq. ft. Commercial Space	18 Condominium Units on the South Site. Please refer to the Applications' project narrative.
Maximum Building Height	53 feet for gabled roofs 68' Maximum Height for Building A	48 feet
Average Building Height	48 feet + 5 feet for gabled roofs	48 feet
Lot Coverage	65%	54.8%
Setbacks		
Front - North	16 feet (General Easement)	16 feet for buildings; <16 feet for limited roof overhangs as PUD variation
Rear - South	None Per PUD Development Plan	0 feet
Side - East	None Per PUD Development Plan	> 16 feet
Side - West	None Per PUD Development Plan	10'-8"
Parking South Site		
Zoning Designation	Parking Requirement	Provided Parking
Condominium	18 x 1.5 = 27 spaces	27 spaces
Service Parking	1-5 spaces	2 spaces
Total Parking	28 spaces	38 spaces total (9 extra spaces)



3. Address monuments. *Address monuments for the buildings may be proposed in the general easement as a part of the Final Review.*
4. Natural landscaping without man made materials or hardscape. *The project proposes significant natural landscaping in the general easement as shown on the landscaping plan.*
5. Fire mitigation and forestry management. *No fire mitigation or forestry management is needed for the South Site.*
6. Construction staging. *Construction staging will be proposed in the South Site general easement as a part of the Final Review.*
7. Other uses that fit the definition of the general easement. *No other uses are proposed in the South Site general easement at this time. We will revisit this if needed for the Final Review.*

There are no general easement along the western, eastern and southern lot lines of the South Site. CDC Section 17.3.14(B) states:

“For lots outside the Village Center Zone District where a general easement does not exist and lots where the general easement has been vacated, the review authority may require the establishment of a building setback as determined by the DRB at the time of review of a development application.”

We are seeking to obtain the Design Review Board’s approval of the following setbacks for areas that do not have a general easement as shown on the site plan:

Building H: 10'-8" to western property line and 0' to southern property line

Building I: 11'-7" to southern property line

Building J: 0' to southern property line

Building K: 17' - 9" to southern property line

Building L: 3' - 3" to southern property line

Building M: 0' to southern and eastern property lines and greater than 16 feet to eastern property line

The setbacks on Lot 152R are warranted due to the narrow lot width and the front general easement of 16' that leaves approximately 65 feet to 84 feet for the development of a multi-family townhouse project. The wetland areas on Lot 152R further constrain development in the central area of the Property which necessitates the setbacks as shown in order to allow for reasonable use. The setbacks on Lot 152R are also justified by the large open space tract to the south (Tract OS-1R-1) with the closest development at The Peaks located over 450 feet away.

The Town has never required a the platting of a 16 foot general easement or setback on the western, southern or eastern lot lines of the South Site. This allows for zero lot line development which is needed in order to achieve the permitted density. The Rosewood PUD Plan reflects this zero lot line development. The TSG landscape easement and other Lot 152 beneficial easements further support the intended zero lot line development with easements for construction, maintenance, drainage, utilities and landscaping needed in order to successfully achieve the envisioned density on the South Site. These easements provide room to construct and maintain the project, and to provide a good transitional landscape buffer to Hole 1 and the associated tee boxes.



SECTION 5 DESIGN REGULATION COMPLIANCE

The design intent of the project architect, Drewett Works, is to create an organic mountain modern design that is expressed through stone-veneered foundation elements, vertical wood siding, mill-scale steel porcelain panels, and low reflective standing seam metal roofing. The indigenous architecture additionally has a tectonic nature with its exposed beams, purlins, and wood ceilings. The sloping shed roof forms afford remarkable shade, shadow, and visual layering. The ample overhangs bolstered with large timbers provide for glass protection and an iconic mountain vernacular design. The overall composition is intended to provide a mountain modern aesthetic with a horizontal nature. This allows the composition to blend harmoniously into the existing fabric of Mountain Village, thus allowing a low visual impact to neighboring properties.

The South Site has been designed in accordance with the CDC Design Regulations. The La Montagne Project provides a strong image and sense of place for the area based on mountain modern yet vernacular design that compliments existing development in the area. The design is also respectful and responsive to the tradition of alpine design and building forms common to the area. The development plan protects significant natural features. The building forms are simple and step with the natural topography with strong grounded bases and natural materials.

The project has been designed to fit the landscaping with buildings stepping up the site and the use of existing and new landscaping with significant plantings to blend the development into the site and area. The buildings have been sited to take advantage of Mount Wilson views and extensive solar access.

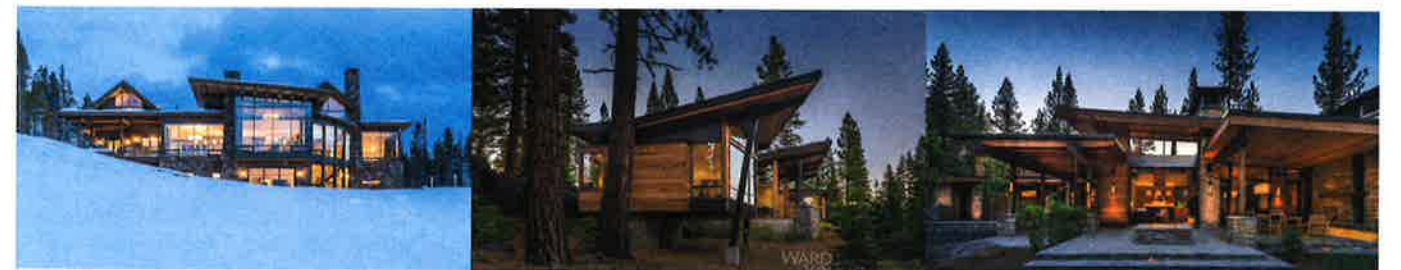
The Owner and its project team are working closely with TSG on the development adjacent to open space and Hole 1 with several beneficial easements utilized for the development, including but not limited to a landscaping easement, construction easement, emergency access easement, stormwater easement. All of these beneficial easements will be evaluated to determine if any modifications are needed for the La Montagne Project.

The platting and development of Lot 152R has been approved by the Town in light of the proximity to Hole 1 and the associated tees and fairway. The landscaping plan was developed to mitigate the potential impacts of errant golf balls. The South Site is actually subject to an errant golf ball acknowledgment since it is likely that the buildings and outdoor spaces will be hit by balls on occasion.

The buildings have been designed with a substantially grounded form to withstand high alpine conditions. Windows in stone wall areas will be recessed by a minimum of five (5) inches. Exterior wall forms are simple in design. Roofs have been designed to be a composition of forms that emphasize sloped planes, varied ridgelines and vertical offsets. Roof and site drainage will be directed towards pervious areas and the wetland areas where possible.



Design Inspiration



The following exterior materials are proposed for the South Site:

Exterior Material	Percent (If Applicable)
Stone Veneer	35.77%
8" Channel Cedar Siding	28.64%
Mill Scale Steel Panels	18.79%
Glazing	16.81%

The project's grading and drainage, parking and landscaping have been designed in accordance with the Design Regulations. Lighting plans will be submitted with the Final Review as required by the Town.

SECTION 6

SUPPLEMENTARY REGULATION COMPLIANCE

There DRB should review the PUD Amendment and Rezoning project narrative on how the proposed development complies with the Wetland Regulations and the Steep Slope Regulations.

Driveway Standards

The driveways have been designed in accordance with the requirements of CDC Section 17.6.6(B) with the exceptions of that the retaining wall for the parking garage ramps and the exterior parking area have heights greater than five (5) feet, with 11 feet of height for the parking area retaining wall north of the wetlands. CDC Section 17.6.6(B)(7)(a) that the maximum retaining wall height shall be five (5) feet with a minimum step of four (4) feet to allow for landscaping to soften the walls. There is no way to limit the wall height and provide this step due to the wetland area immediately to the south. It is also common for garage ramp retaining walls for underground garages to be higher than five (5) feet.

The Owner is therefore seeking a variation as allowed by CDC Section 17.6.6(B)(23):

"The review authority may grant a variation to the roadway standards provided the review authority finds such exemption will not adversely affect public health, safety and welfare."

The development team does not believe there will be any adverse impacts to the public health, safety or welfare due to the higher access and parking retaining walls. Railings will be provided to protect the public as needed consistent with the Towns Building Regulations.





La Montagne




La Montagne
 TELLURIDE, COLORADO



DREWETT WORKS // ARCHITECTURE
DESIGN ARCHITECT



LOCAL ARCHITECT



LANDSCAPE ARCHITECT



PLANNING



STRATEGIC
REAL ESTATE PARTNERS
DEVELOPMENT GROUP



Uncompahgre
Engineering, LLC
CIVIL ENGINEERING



FINBRO CONSTRUCTION
GENERAL CONTRACTOR

UNIT COUNTS

ROOM COUNT	
BUILDING H (2)	6,040 SF
BUILDING I (2)	8,360 SF
BUILDING J (2)	5,500 SF
BUILDING K (2)	9,040 SF
BUILDING L (3)	8,360 SF
BUILDING M (2)	8,360 SF
116 UNITS	42,560 SF
SKI LOUNGE	3,500 SF

LOT 152R SUMMARY

NOTES

LOT SIZE = 64,122 SF
 HEIGHTS = MAX HEIGHT 46' - MAX AVERAGE HEIGHT 46'
 ZONE DISTRICT = MULTIFAMILY OUTSIDE VILLAGE CORE
 ALLOWABLE SITE COVERAGE = 65% 62% = 41,698 SF
 PROPOSED LOT COVERAGE = 35,165 SF = 54.8%

PARKING REGULATIONS (1.5 PER UNIT MIN) 22.5 REQUIRED
 (SURFACE PARKING) - 3 PARKING SPOTS 11,000 SF
 (WEST GARAGE) - 14 PARKING SPOTS 12,000 SF
 (EAST GARAGE) - 11 PARKING SPOTS 12,000 SF
TOTAL = 38 PARKING SPOTS 23,000 SF



SHEET INDEX

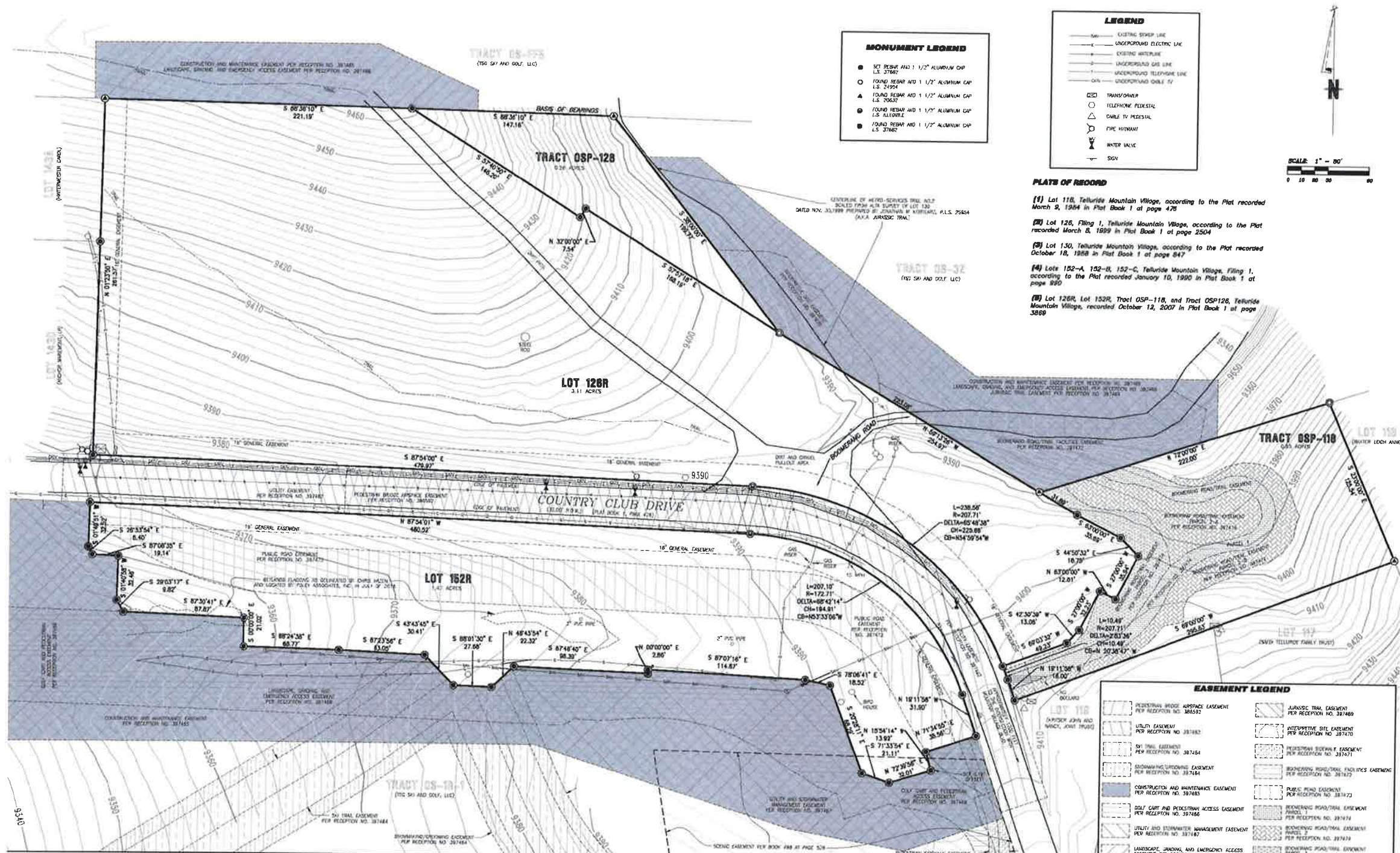
- DRB1.0 LOT 152R DESIGN REVIEW
- DRB1.1 SURVEY
- DRB1.2 SLOPE ANALYSIS
- DRB1.3 SITE PLAN
- DRB1.4 CIVIL - C1
- DRB1.5 CIVIL - C2.1
- DRB1.6 CIVIL C2.2
- DRB1.7 CIVIL - C2.3
- DRB1.8 CIVIL - C3
- DRB1.9 LANDSCAPE PLAN
- DRB1.10 SITE COVERAGE
- DRB2.1 FLOOR PLANS
- DRB2.2 FLOOR PLANS
- DRB2.3 FLOOR PLANS
- DRB2.4 ROOF PLAN - HEIGHT ANALYSIS
- DRB2.5 ROOF PLAN - HEIGHT ANALYSIS
- DRB2.6 ROOF PLAN - HEIGHT ANALYSIS
- DRB2.7 OVERHANG EXHIBIT
- DRB2.8 WETLAND EXHIBIT
- DRB3.2 BUILDING ELEVATIONS
- DRB3.3 MATERIAL BOARD
- DRB3.4 EXTERIOR MATERIAL TAKE-OFF
- DRB3.5 EXTERIOR MATERIAL TAKE-OFF
- DRB4.0 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.1 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.2 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.3 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.4 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.5 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.6 CONCEPTUAL VIEW - GOLF COURSE
- DRB4.7 CONCEPTUAL VIEW - COUNTRY CLUB DR
- DRB4.8 CONCEPTUAL VIEW - COUNTRY CLUB DR
- DRB4.9 CONCEPTUAL VIEW - COUNTRY CLUB DR

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

LOT 152R DESIGN REVIEW

DRB1.0



- MONUMENT LEGEND**
- SET REBAR AND 1 1/2" ALUMINUM CAP U.S. 37862
 - FOUND REBAR AND 1 1/2" ALUMINUM CAP U.S. 24924
 - ▲ FOUND REBAR AND 1 1/2" ALUMINUM CAP U.S. 20632
 - FOUND REBAR AND 1 1/2" ALUMINUM CAP U.S. 44006E
 - FOUND REBAR AND 1 1/2" ALUMINUM CAP U.S. 37862

- LEGEND**
- EXISTING STREEP LINE
 - UNDERGROUND ELECTRIC LINE
 - EXISTING WATERLINE
 - UNDERGROUND GAS LINE
 - UNDERGROUND TELEPHONE LINE
 - UNDERGROUND CABLE TV
 - TRANSFORMER
 - TELEPHONE PEDestal
 - △ CABLE TV PEDestal
 - ⊕ FIRE HYDRANT
 - ⊕ WATER VALVE
 - SDV



PLATS OF RECORD

- [1] Lot 118, Telluride Mountain Village, according to the Plat recorded March 9, 1984 in Plat Book 1 at page 476
- [2] Lot 126, Filing 1, Telluride Mountain Village, according to the Plat recorded March 8, 1999 in Plat Book 1 at page 2504
- [3] Lot 130, Telluride Mountain Village, according to the Plat recorded October 18, 1988 in Plat Book 1 at page 847
- [4] Lots 152-A, 152-B, 152-C, Telluride Mountain Village, Filing 1, according to the Plat recorded January 10, 1990 in Plat Book 1 at page 990
- [5] Lot 126R, Lot 152R, Tract OSP-118, and Tract OSP-126, Telluride Mountain Village, recorded October 12, 2007 in Plat Book 1 at page 3809

- EASEMENT LEGEND**
- ▨ EASEMENT BRIDGE AIRSPACE EASEMENT PER RECEPTION NO. 387469
 - ▨ UTILITY EASEMENT PER RECEPTION NO. 387469
 - ▨ DR. TRAIL EASEMENT PER RECEPTION NO. 387464
 - ▨ OCCUPANCY/IMPROVEMENT EASEMENT PER RECEPTION NO. 387464
 - ▨ CONSTRUCTION AND MAINTENANCE EASEMENT PER RECEPTION NO. 387468
 - ▨ GOLF CART AND PEDESTRIAN ACCESS EASEMENT PER RECEPTION NO. 387466
 - ▨ UTILITY AND STOPSMOKE MANAGEMENT EASEMENT PER RECEPTION NO. 387467
 - ▨ LANDSCAPE, IRONING, AND EMERGENCY ACCESS EASEMENT PER RECEPTION NO. 387466
 - ▨ JURASSIC TRAIL EASEMENT PER RECEPTION NO. 387469
 - ▨ ADAPTIVE SITE EASEMENT PER RECEPTION NO. 387470
 - ▨ PEDESTRIAN BIWAY EASEMENT PER RECEPTION NO. 387471
 - ▨ BIODESIGNING INFRASTRUCTURE FACILITIES EASEMENT PER RECEPTION NO. 387472
 - ▨ PUBLIC RENO EASEMENT PER RECEPTION NO. 387473
 - ▨ BIODESIGNING ROAD/TRAIL EASEMENT PER RECEPTION NO. 387474
 - ▨ BIODESIGNING ROAD/TRAIL EASEMENT PER RECEPTION NO. 387475
 - ▨ BIODESIGNING ROAD/TRAIL EASEMENT PER RECEPTION NO. 387476

ALTA/NSPS Land Title Survey
Lots 126R and 152R and Tracts OSP-118 and OSP-126, Town of Mountain Village

Project No:	DB	DATE:	02/07/2018
Draftsman:	MC	DATE:	02/07/2018
Checked by:		DATE:	02/07/2018
Drawn by:		DATE:	02/07/2018

FOLEY ASSOCIATES, INC.
 970-728-6153 970-728-6050 fax
 P.O. BOX 1385
 125 W. PACIFIC, SUITE B-1
 TELLURIDE, COLORADO 81435

Sheet: of 3 Project #: 01028

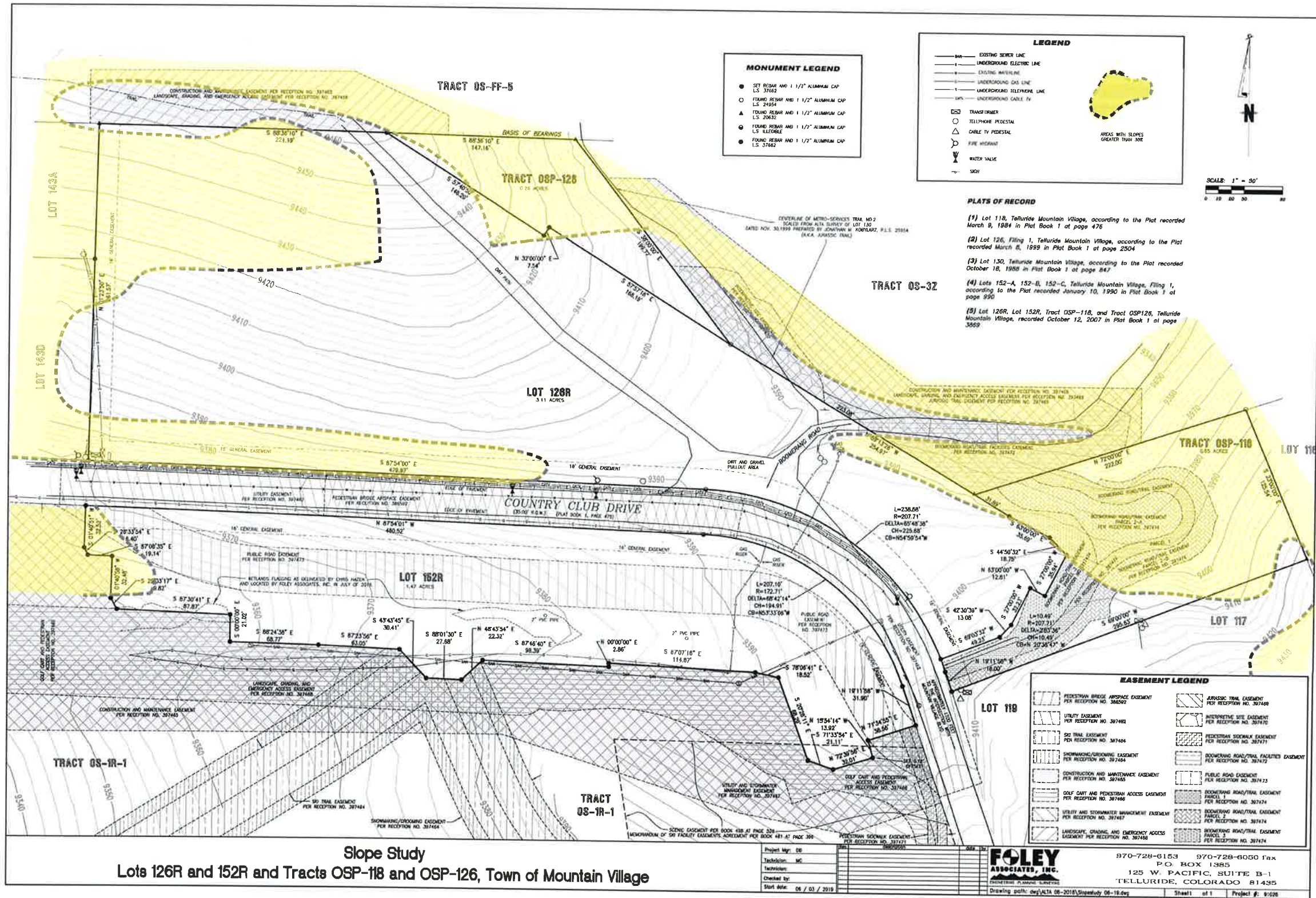
LA MONTAGNE CONDOMINIUMS

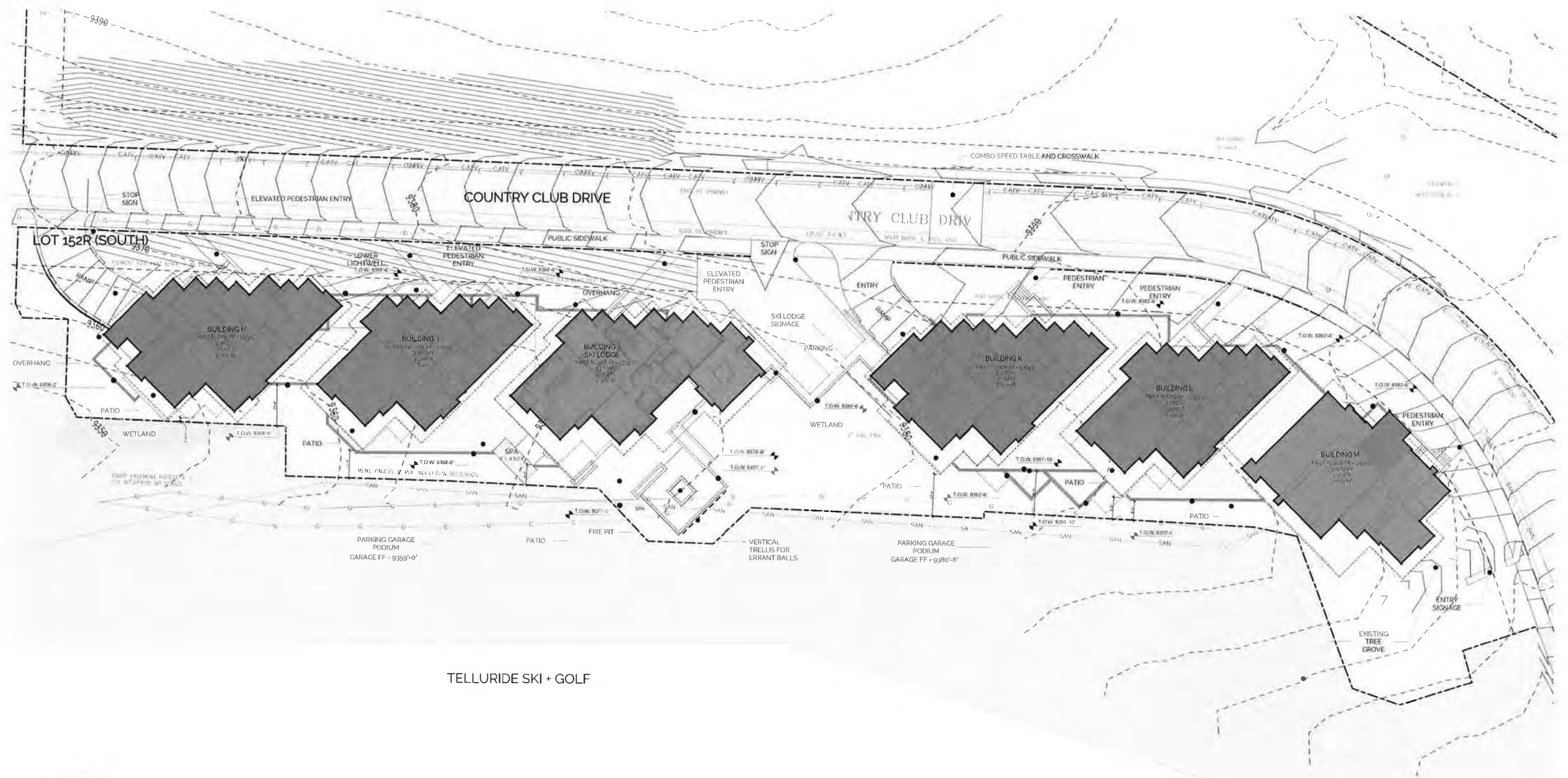
DATE: 10-28-2019
 PROJECT: 18-32

1" = 30'-0"

SURVEY

DRBLI





TELLURIDE SKI + GOLF



*REFER TO DRB1.6 FOR LANDSCAPE PLAN

LA MONTAGNE CONDOMINIUMS

SITE PLAN

DATE: 10-28-2019
PROJECT: 18-32

SITE COLOR LEGEND

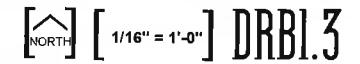
- OPEN SPACE
- 10' EASEMENT/RETRUCK
- ADJACENT EASEMENTS
- PROPOSED BUILDING OUTLINE

ROOM COUNT	UNIT COUNTS
BUILDING H (2)	6,040 SF
BUILDING I (2)	8,380 SF
BUILDING J (2)	5,500 SF
BUILDING K (2)	6,040 SF
BUILDING L (2)	8,380 SF
BUILDING M (2)	8,380 SF
(10) UNITS	43,800 SF
RECREATION	3,000 SF

LOT 152R SUMMARY

NOTES
 LOT SIZE = 64,152 SF
 HEIGHTS = MAX HEIGHT 48 - MAX AVERAGE HEIGHT 46
 ZONE DISTRICT = MULTI-FAMILY OUTSIDE VILLAGE CORE
 ALLOWABLE SITE COVERAGE = 65% 65% = 41,698 SF
 PROPOSED LOT COVERAGE = 35,165 SF = 54.8%

PARKING REGULATIONS (1.5 PER UNIT MIN) 22.5 REQUIRED
 (SURFACE PARKING) - 3 PARKING SPOTS - 11,000 SF
 (DECK GARAGE) - 14 PARKING SPOTS - 11,000 SF
 (HEAVY GARAGE) - 21 PARKING SPOTS - 11,000 SF
 TOTAL = 38 PARKING SPOTS 23,000 SF



GENERAL CIVIL ENGINEERING NOTES:

1. THE EXISTING UTILITY LINES SHOWN ON THE PLANS ARE APPROXIMATE. AT LEAST TWO (2) FULL WORKING DAYS PRIOR TO COMMENCING CONSTRUCTION, THE CONTRACTOR SHALL CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO @ 1-800-922-1987 OR 811 TO GET ALL UTILITIES LOCATED. IF ANY OF THESE UNDERGROUND UTILITIES ARE IN CONFLICT WITH THE CONSTRUCTION PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND WORK WITH THE ENGINEER TO FIND A SOLUTION BEFORE THE START OF CONSTRUCTION.

INSTALLATION AND SEPARATION REQUIREMENTS SHALL BE COORDINATED WITH THE INDIVIDUAL UTILITY PROVIDERS.

THE UTILITY PROVIDERS ARE:
SEWER, WATER, AND CABLE TV: TOWN OF MOUNTAIN VILLAGE
NATURAL GAS: BLACK HILLS ENERGY
POWER: SAN MIGUEL POWER
TELEPHONE: CENTURY LINK

2. PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ALL PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITIES ALL NECESSARY PERMITS SHALL BE OBTAINED BY THE OWNER OR CONTRACTOR.

3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT EXCAVATED SLOPES ARE SAFE AND COMPLY WITH OSHA REQUIREMENTS. REFER TO THE SITE-SPECIFIC REPORT FOR THIS PROJECT FOR ADDITIONAL INFORMATION.

4. ALL TRENCHES SHALL BE ADEQUATELY SUPPORTED OR LAID BACK PER OSHA REGULATIONS.

5. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ALL MATERIALS AND CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE TOWN OF MOUNTAIN VILLAGE DESIGN STANDARDS LATEST EDITION. ALL CONSTRUCTION WITHIN EXISTING STREET OR ALLEY RIGHT-OF-WAY SHALL BE SUBJECT TO TOWN OF MOUNTAIN VILLAGE INSPECTION.

6. THE CONTRACTOR SHALL HAVE ONE COPY OF THE STAMPED PLANS ON THE JOB SITE AT ALL TIMES.

7. THE CONTRACTOR SHALL NOTIFY THE TOWN 48 HOURS PRIOR TO THE START OF CONSTRUCTION.

8. THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING EROSION AND SEDIMENT CONTROL MEASURES AT ALL TIMES DURING CONSTRUCTION. THE ADJOINING ROADWAYS SHALL BE FREE OF DEBRIS AT THE END OF CONSTRUCTION ACTIVITIES EACH DAY.

9. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN PROPER TRAFFIC CONTROL DEVICES UNTIL THE SITE IS OPEN TO TRAFFIC. ANY TRAFFIC CLOSURES MUST BE COORDINATED WITH THE TOWN OF MOUNTAIN VILLAGE.

10. ALL DAMAGE TO PUBLIC STREETS AND ROADS, INCLUDING HAUL ROUTES, TRAILS, OR STREET IMPROVEMENTS, OR TO PRIVATE PROPERTY, SHALL BE REPAIRED AT THE SOLE EXPENSE OF THE CONTRACTOR TO THE ORIGINAL CONDITIONS.

11. WHEN AN EXISTING ASPHALT STREET IS CUT, THE STREET MUST BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN ITS ORIGINAL CONDITION. THE FINISHED PATCH SHALL BLEND SMOOTHLY INTO THE EXISTING SURFACE. ALL LARGE PATCHES SHALL BE PAVED WITH AN ASPHALT LAY-DOWN MACHINE.

12. IF DEWATERING IS REQUIRED, THE CONTRACTOR SHALL COORDINATE THE DISCHARGE REQUIREMENTS WITH THE TOWN OF MOUNTAIN VILLAGE.

13. CONTRACTOR SHALL NOTIFY ALL RESIDENTS IN WRITING 24 HOURS PRIOR TO ANY SHUT-OFF IN SERVICE. THE NOTICES MUST HAVE CONTRACTOR'S PHONE NUMBER AND NAME OF CONTACT PERSON, AND EMERGENCY PHONE NUMBER FOR AFTER HOURS CALLS. ALL SHUT-OFFS MUST BE APPROVED BY THE TOWN AND TOWN VALVES AND APPURTENANCES SHALL BE OPERATED BY TOWN PERSONNEL.

14. CONTRACTOR SHALL KEEP SITE CLEAN AND LITTER FREE (INCLUDING CIGARETTE BUTTS) BY PROVIDING A CONSTRUCTION DEBRIS TRASH CONTAINER AND A BEAR-PROOF POLY-CART TRASH CONTAINER, WHICH IS TO BE LOCKED AT ALL TIMES.

15. CONTRACTOR MUST BE AWARE OF ALL TREES TO REMAIN PER THE DESIGN AND APPROVAL PROCESS AND PROTECT THEM ACCORDINGLY.

16. THE CONTRACTOR SHALL PROVIDE UNDERGROUND UTILITY AS-BUILTS TO THE TOWN.

17. ALL STRUCTURAL FILL UNDER HARDSCAPE OR ROADS MUST BE COMPACTED TO 95% MODIFIED PROCTOR (MIN.) AT PLUS OR MINUS 2% OF THE OPTIMUM MOISTURE CONTENT. NON-STRUCTURAL FILL SHALL BE PLACED AT 90% (MIN.) MODIFIED PROCTOR.

18. UNSUITABLE MATERIAL SHALL BE REMOVED AS REQUIRED BY THE SOILS ENGINEER. ALL MATERIALS SUCH AS LUMBER, LOGS, BRUSH, TOPSOIL OR ORGANIC MATERIALS OR RUBBISH SHALL BE REMOVED FROM ALL AREAS TO RECEIVE COMPACTED FILL.

19. NO MATERIAL SHALL BE COMPACTED WHEN FROZEN.

20. NATIVE TOPSOIL SHALL BE STOCKPILED TO THE EXTENT FEASIBLE ON THE SITE FOR USE ON AREAS TO BE REVEGETATED.

21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DUST ABATEMENT AND EROSION CONTROL MEASURES DEEMED NECESSARY BY THE TOWN, IF CONDITIONS WARRANT THEM.

22. ALL DISTURBED GROUND SHALL BE RE-SEEDED WITH A TOWN-APPROVED SEED MIX. REFER TO THE LANDSCAPE PLAN.

23. THE CONTRACTOR IS REQUIRED TO PROTECT ALL EXISTING SURVEY MONUMENTATION AND PROPERTY CORNERS DURING GRADING AND CONSTRUCTION.

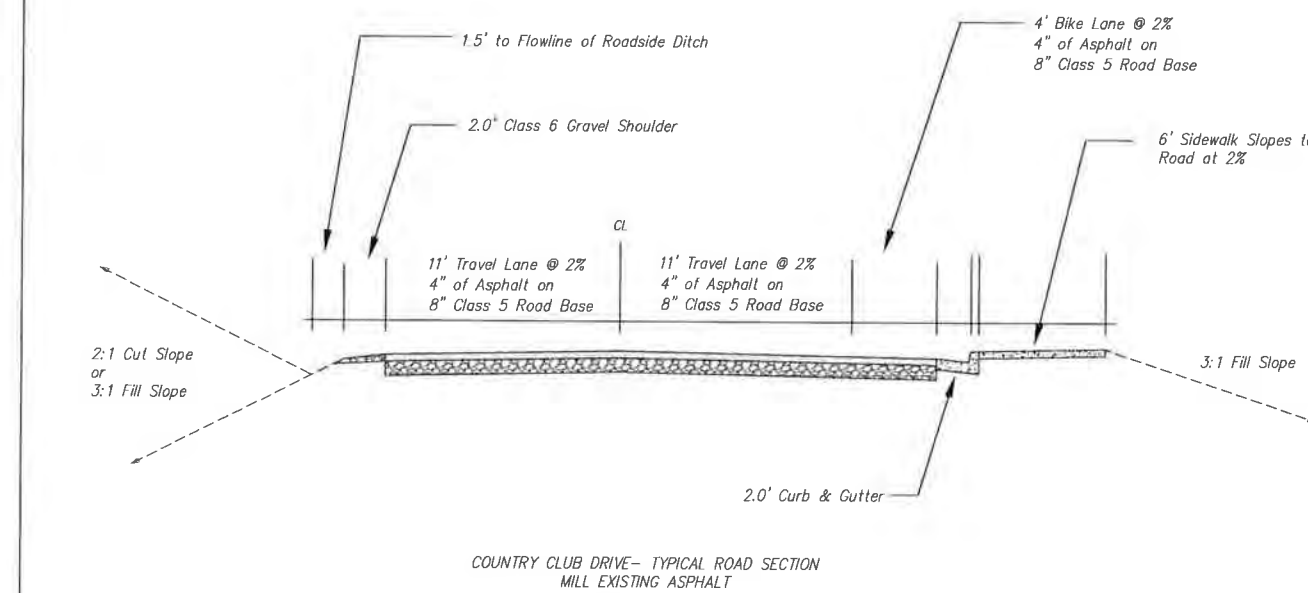
24. PROPOSED WATER AND SANITARY SEWER ARE TO MAINTAIN A MINIMUM TEN FEET (10') HORIZONTAL SEPARATION (OUTSIDE OF PIPE TO OUTSIDE OF PIPE) AND A MINIMUM VERTICAL SEPARATION OF EIGHTEEN INCHES (18").

25. ALL UNDERGROUND PIPE SHALL BE PROTECTED WITH BEDDING TO PROTECT THE PIPE FROM BEING DAMAGED.

26. HOT TUB DRAINS CANNOT BE CONNECTED TO THE SANITARY SEWER SYSTEM.

27. JOINTS IN SEWER MAINS THAT ARE WITHIN 18 INCHES VERTICALLY AND 10 FEET HORIZONTALLY SHALL BE ENCASED IN CONCRETE.

28. THE UTILITY PLAN DEPICTS FINAL UTILITY LOCATIONS BUT HAS BEEN COMPLETED AT A PRELIMINARY STAGE. CONTRACTOR SHALL VERIFY ALIGNMENTS WITH THE ARCHITECT PRIOR TO CONSTRUCTION.



Uncompahgre
Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:

DRG SUBMITTAL	2019-08-22
Rev. Bldgs	2019-10-28

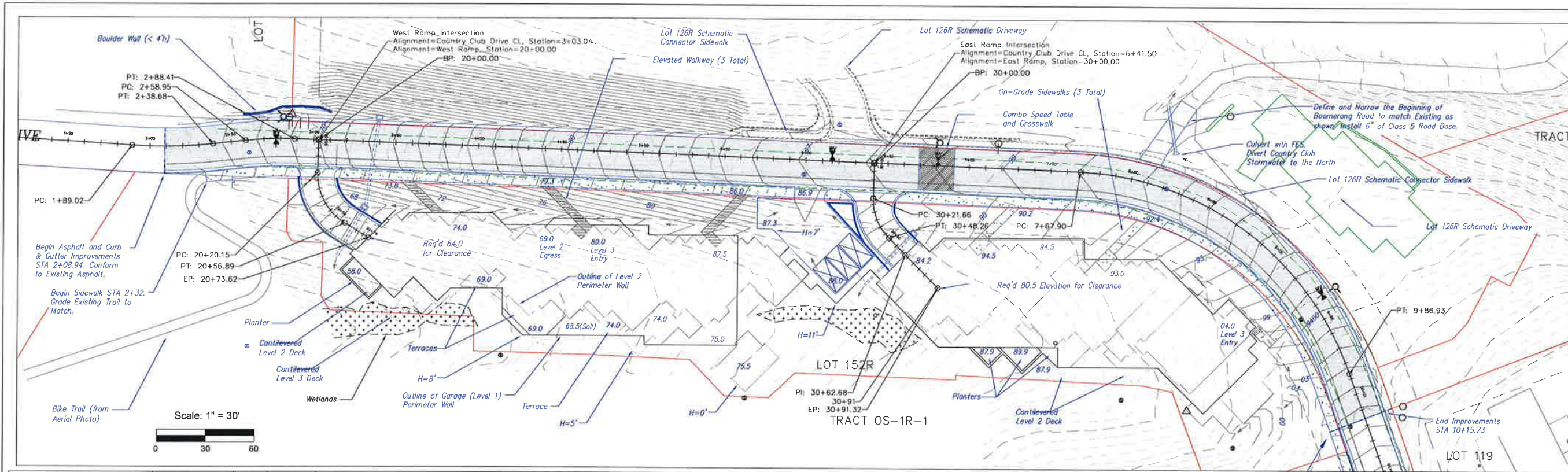
La Montagne
Lot 152 R
Country Club Dr.
Mtn. Village, CO



CONTRACTOR TO REVIEW AND COMPARE ALL CHANGES AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Civil
Engineering
Notes

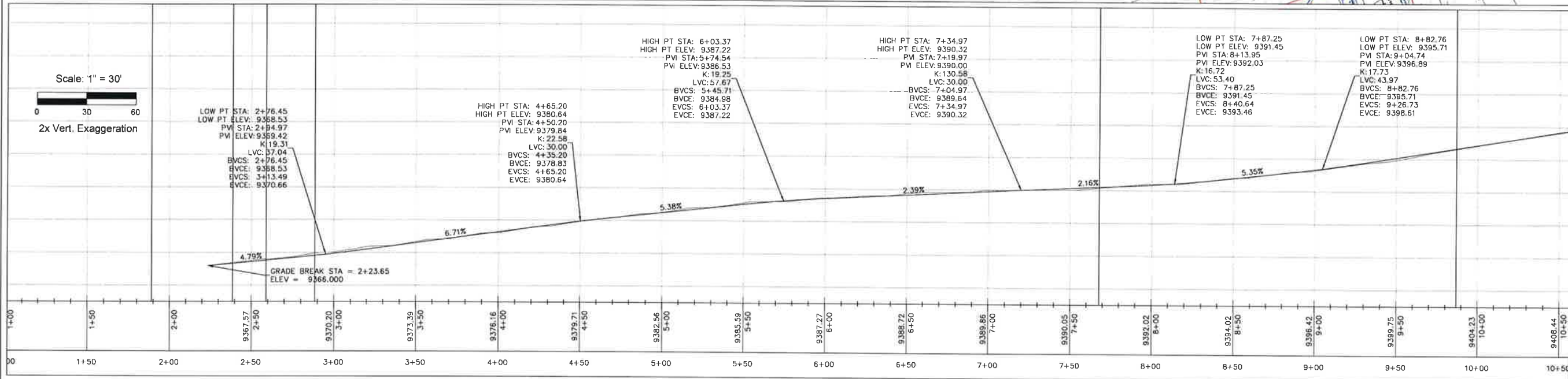
C1



Uncompahgre
Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

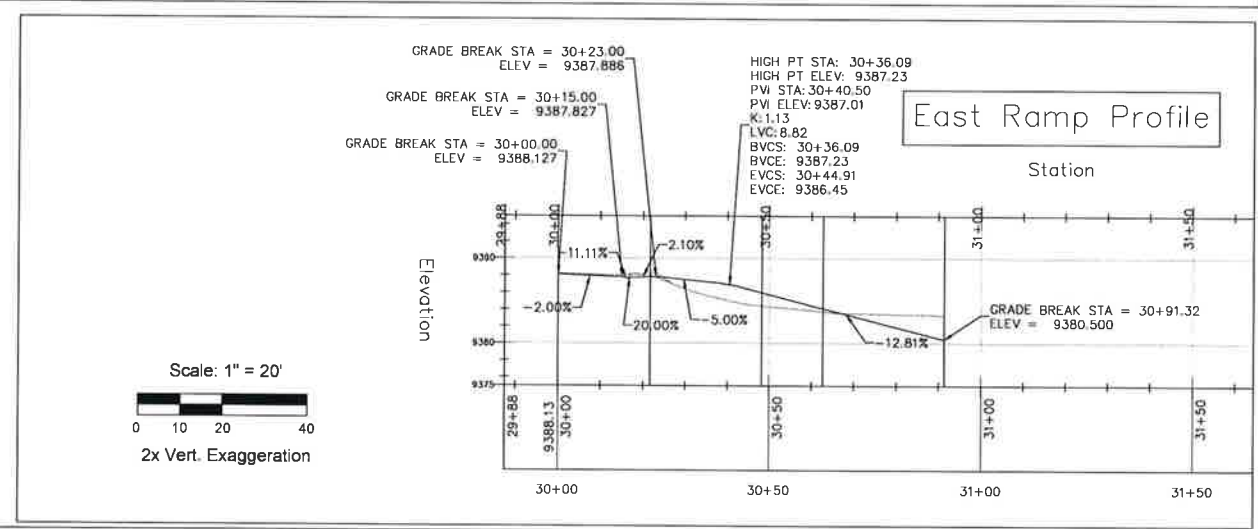
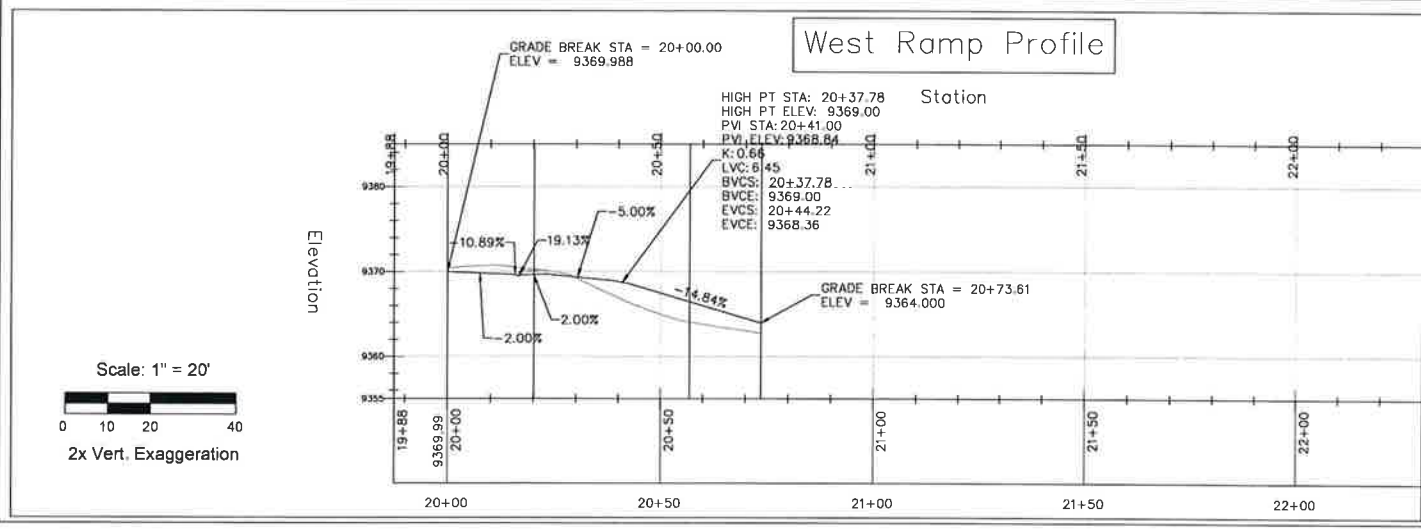
SUBMISSIONS:
DRB SUBMITTAL 2018-08-22
Rev. Bldgs 2018-10-28



La Montagne
Lot 152R
Country Club Dr.
Mtn. Village, CO

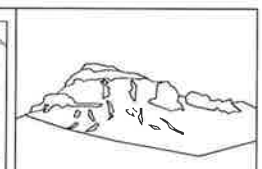
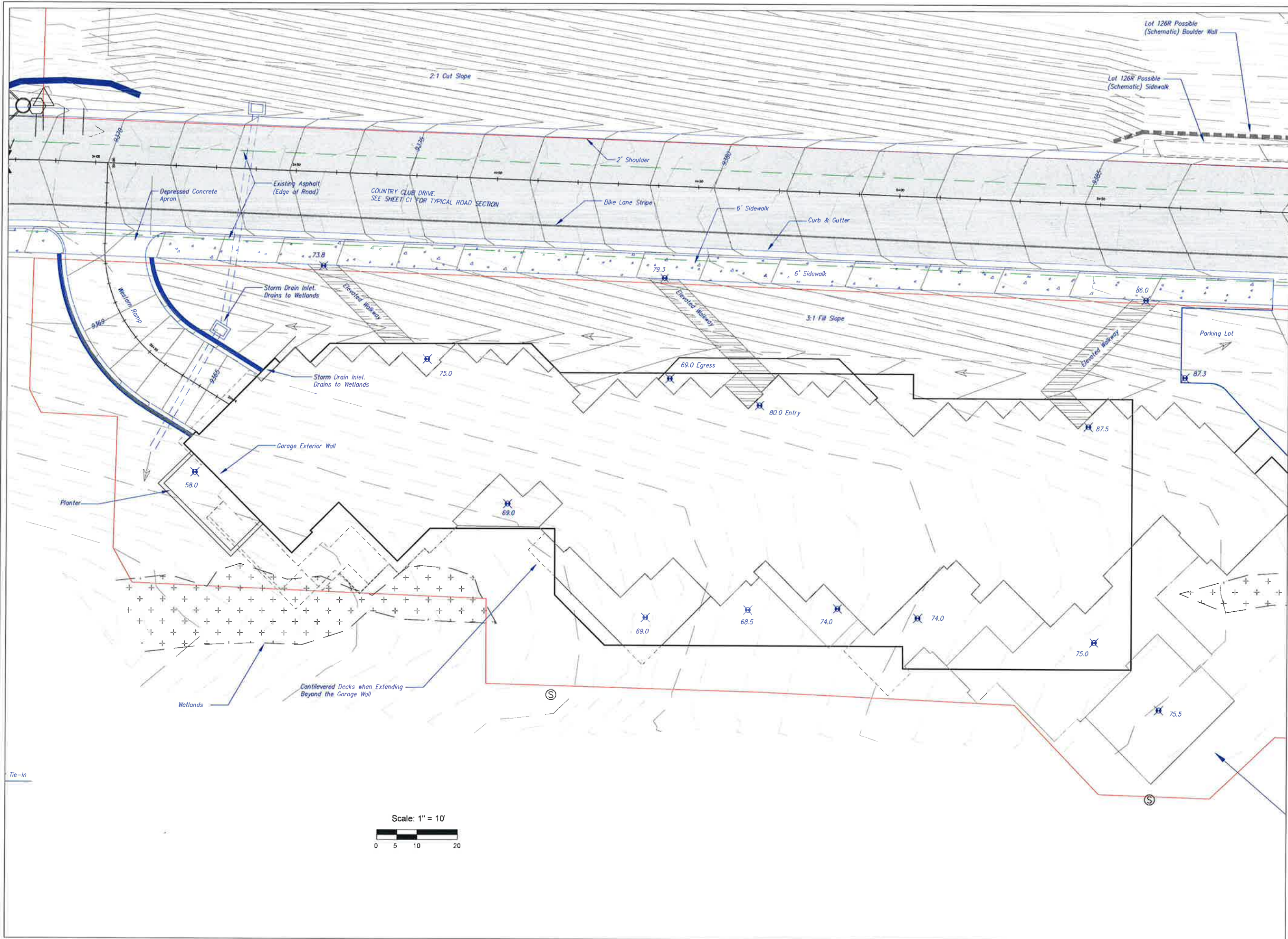


CONTRACTOR TO REVIEW AND COMPARE ALL
CHAPTERS AND INTERDISCIPLINARY DRAWINGS
AND REPORT ANY DISCREPANCIES TO THE
ARCHITECT PRIOR TO ANY FIELD WORK BEING
DONE IN ACCORDANCE WITH AIA DOCUMENT A201



Over-All
Site Plan

C2.1



Uncompahgre
Engineering, LLC

P.O. Box 3945
Telluride, CO 81435
970-729-0683

SUBMISSIONS:
DRB 2019-08-22
Rev. Bldgs 2019-10-28

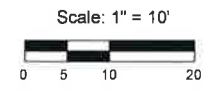
La Montagne
Lot 152R
Country Club Dr.
Mtn. Village, CO



CONTRACTOR TO REVIEW AND COMPARE ALL
CHANGES AND INTERDISCIPLINARY DRAWINGS
AND REPORT ANY DISCREPANCIES TO THE
ARCHITECT PRIOR TO ANY FIELD WORK BEING
DONE. IN ACCORDANCE WITH AN DOCUMENT ADD1

Site Plan
West Building
Detail

C2.2



Tie-In



Uncompahgre Engineering, LLC
 P.O. Box 3945
 Telluride, CO 81435
 970-729-0683

SUBMISSIONS:

DSB 2019-08-22
 Rev. Bldg. New Sewer, 2018-10-28
 Gas Meter/Valve Re-Location

TRACT OSP-118
 Re-locate Gas Regulator Station, coordinate final location with Black Hills Gas.
 Re-locate Emergency Gas Valve
 Re-locate FH as Necessary
 Remove MH
 Abandon B Sewer

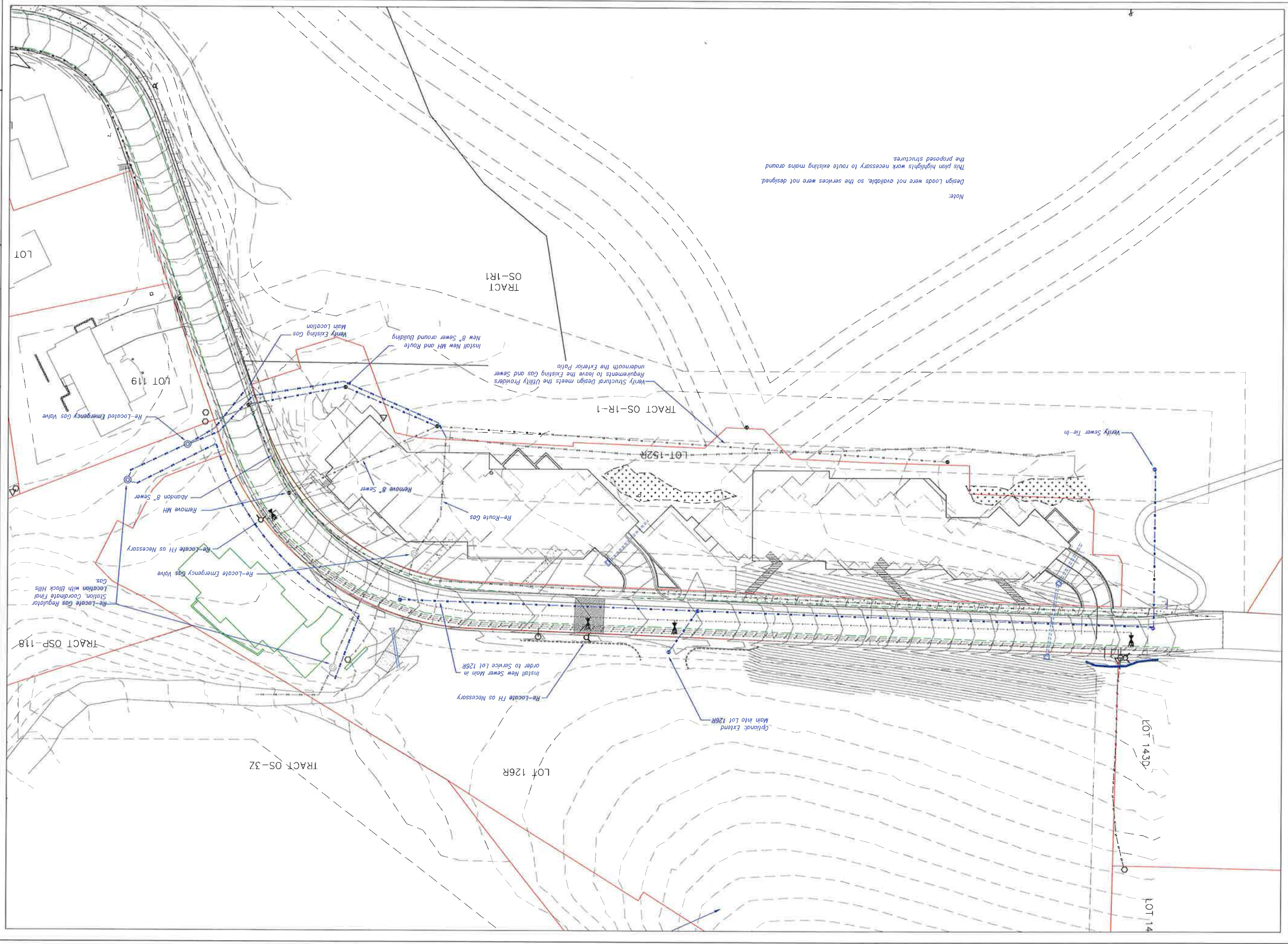
La Montagne Country Club Dr. Lot 152R
 Mtn. Village, CO

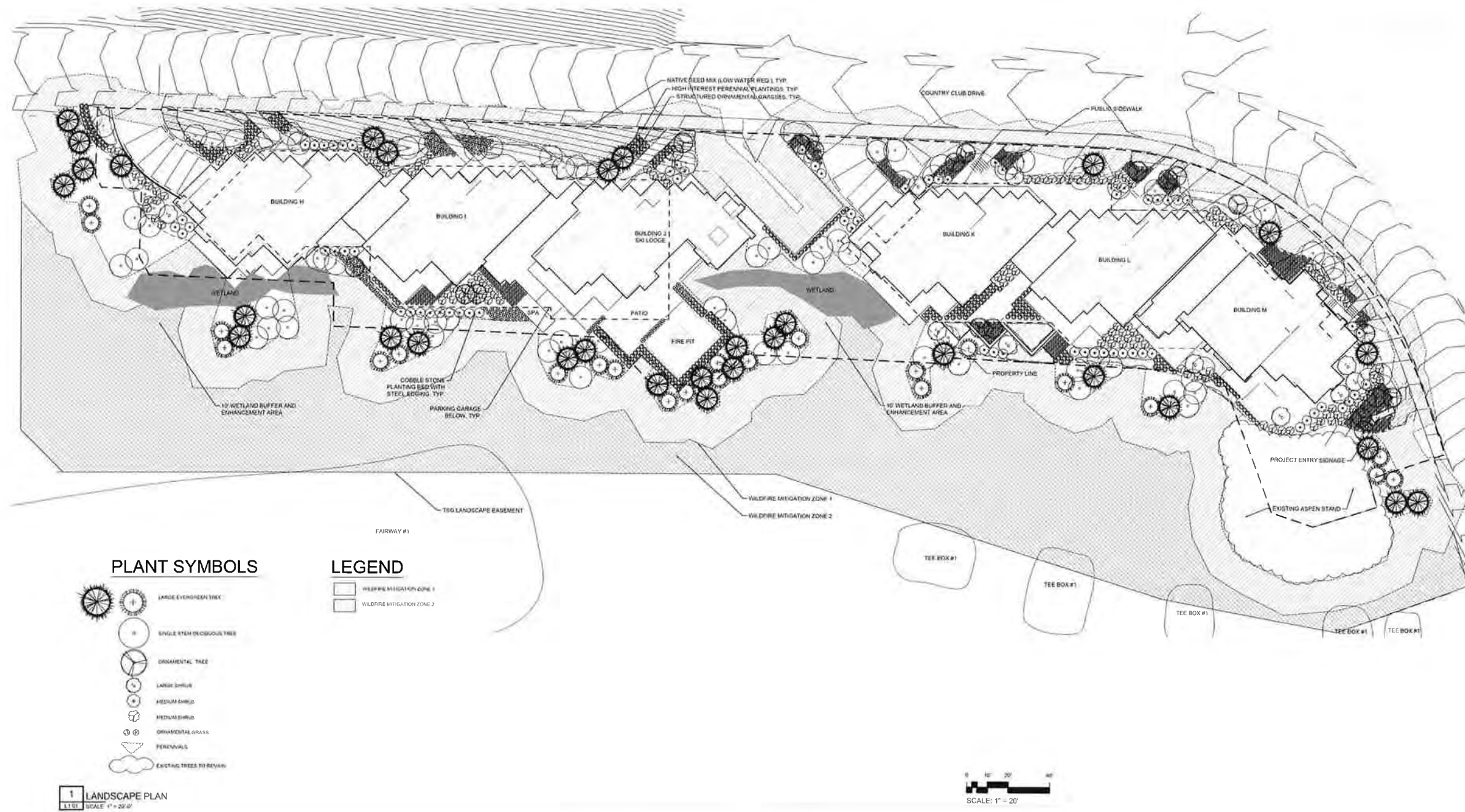


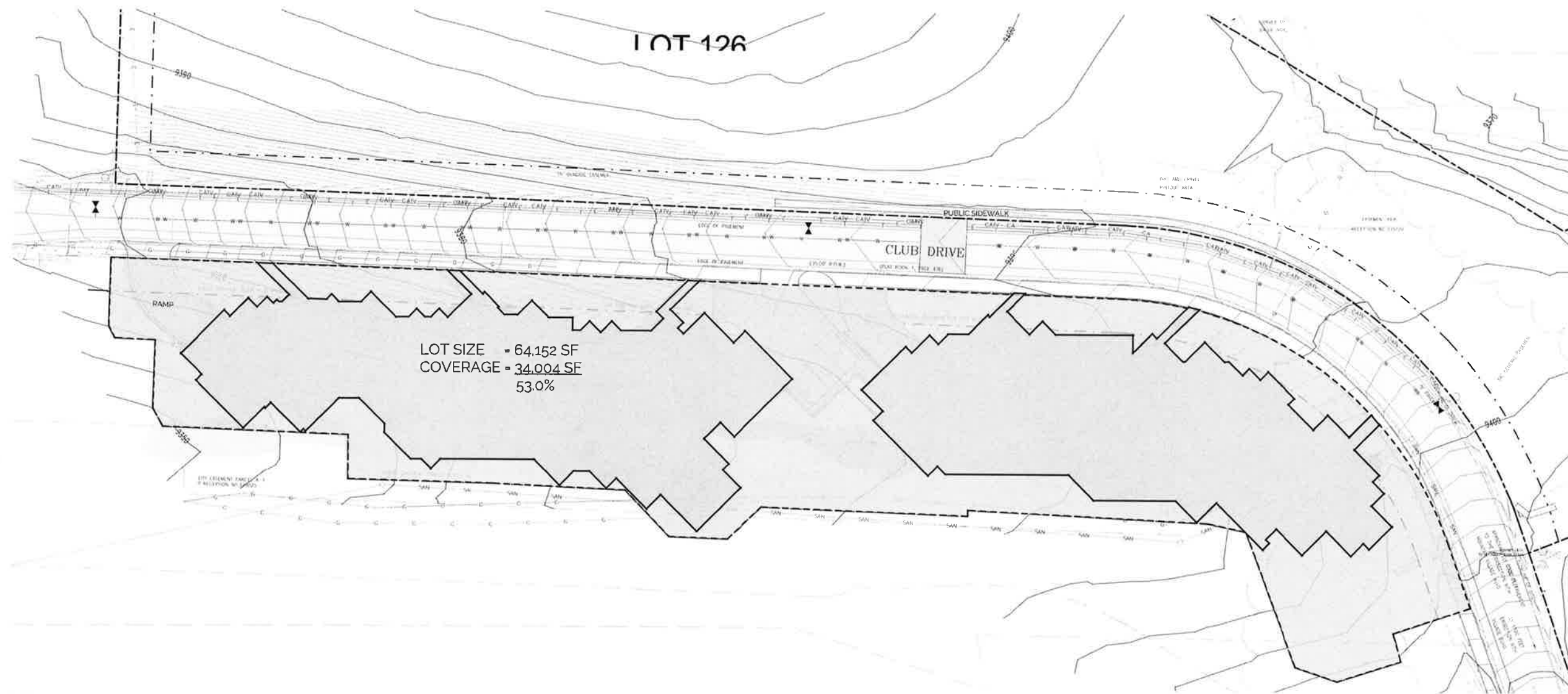
CONTRACTOR TO REVIEW AND CORRECT ALL CHANGES AND REVISIONS. ALL CHANGES AND REVISIONS TO THE PROJECT PRIOR TO ANY FIELDWORK BEING DONE IN ACCORDANCE WITH AN ORDER FROM A201

Utility Main Plan

C3







NOT INCLUDED:
 DRIVEWAYS
 PUBLIC SIDEWALK
 SITE WALLS REQUIRED FOR PUBLIC SIDEWALK



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
 PROJECT: 18-32

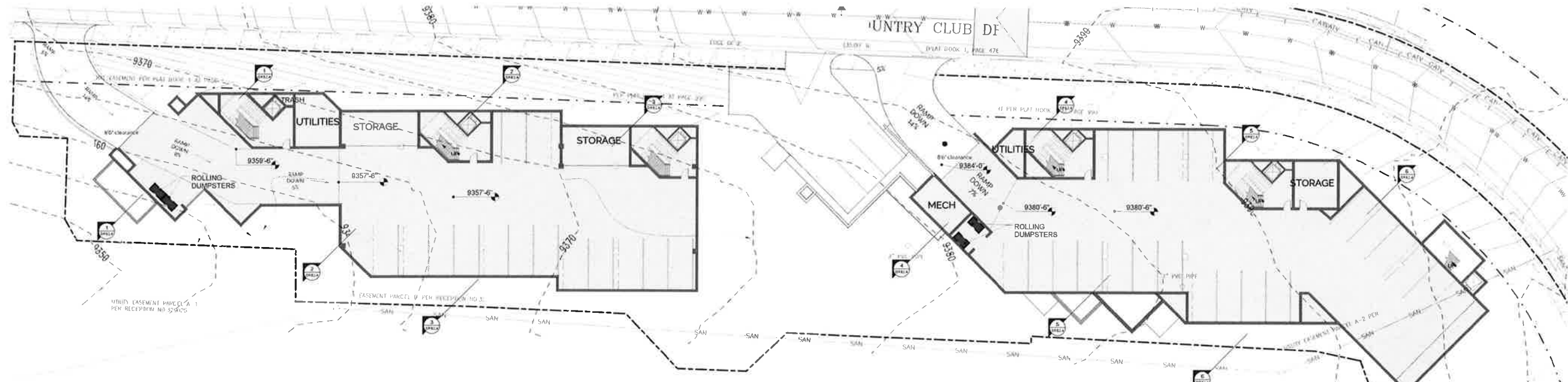
1" = 20'-0"

SITE COVERAGE

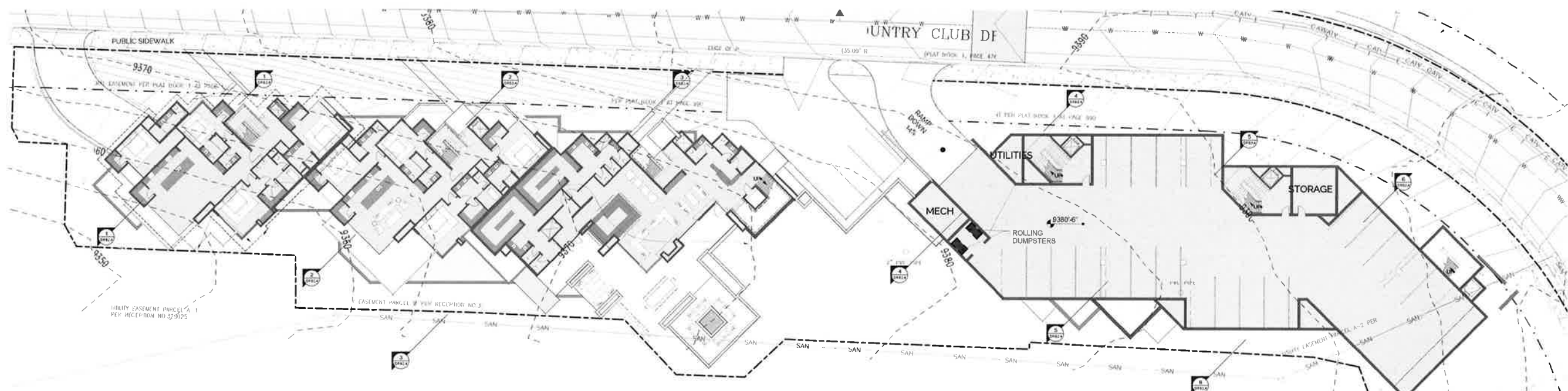
UNIT COUNTS		NOTES	
BUILDING H (2)	6,040 SF	LOT SIZE = 64,152 SF	NOTE COVERAGE: THE TOTAL HORIZONTAL AREA OF ANY BUILDING, GARAGE, PORTE-COCHERE OR ARCADE AND SHALL ALSO INCLUDE WALKWAYS, ROOF OVERHANGS, DECKS, COVERED PORCHES, TERRACES AND PATIOS. SUCH HORIZONTAL MEASUREMENT SHALL BE FROM THE DRILLINES OF BUILDINGS AND FROM THE EXTERIOR SURFACE OF THE TOTAL WALL ASSEMBLY.
BUILDING I (2)	6,300 SF	HEIGHTS - MAX HEIGHT 48' - MAX AVERAGE HEIGHT 48'	
BUILDING J (2)	5,500 SF	ZONE DISTRICT - MULTIFAMILY OUTSIDE VILLAGE CORE	
BUILDING K (2)	6,040 SF	ALLOWABLE SITE COVERAGE = 65% 65% = 41,698 SF	
BUILDING L (2)	6,300 SF	PROPOSED LOT COVERAGE = 35,165 SF = 54.8%	
BUILDING M (2)	6,300 SF		
(16) UNITS	= 43,600 SF		
SKI LOUNGE	3,500 SF		
		PARKING REGULATIONS (1.5 PER UNIT MIN) 22.5 REQUIRED (SURFACE PARKING) - 3 PARKING SPOTS (WEST GARAGE) - 14 PARKING SPOTS 11,000 SF (EAST GARAGE) - 11 PARKING SPOTS 12,000 SF TOTAL = 28 PARKING SPOTS 23,000 SF	



DRBI.IO



FLOOR PLAN - LEVEL 1
1/16" = 1'-0"



FLOOR PLAN - LEVEL 2
1/16" = 1'-0"

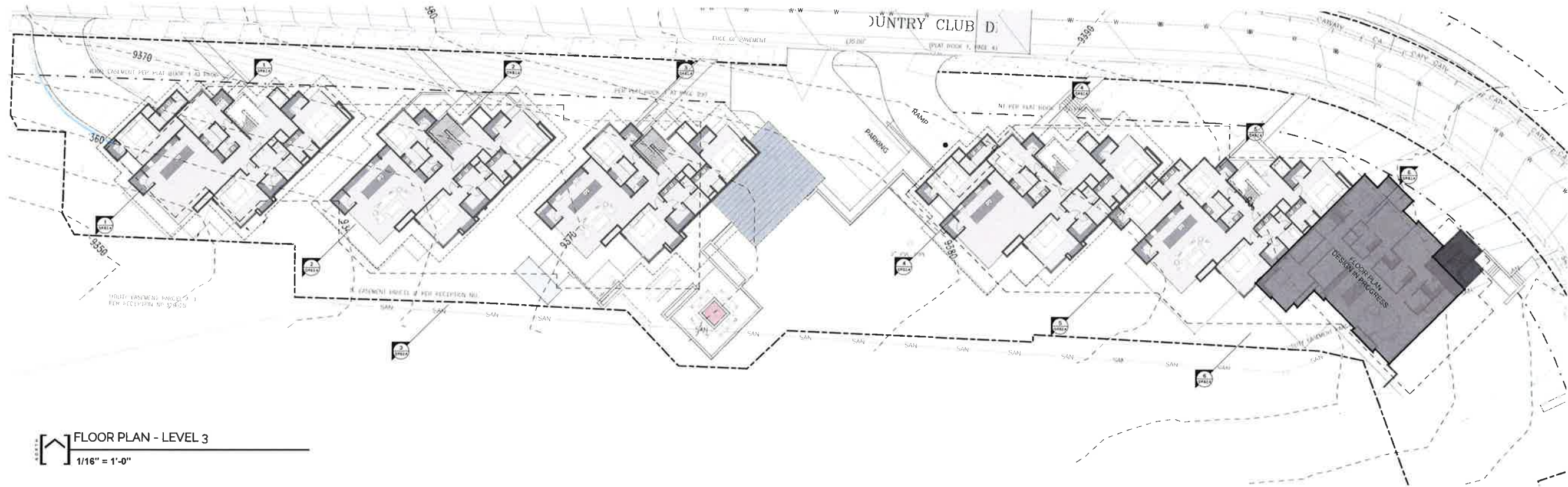


LA MONTAGNE CONDOMINIUMS

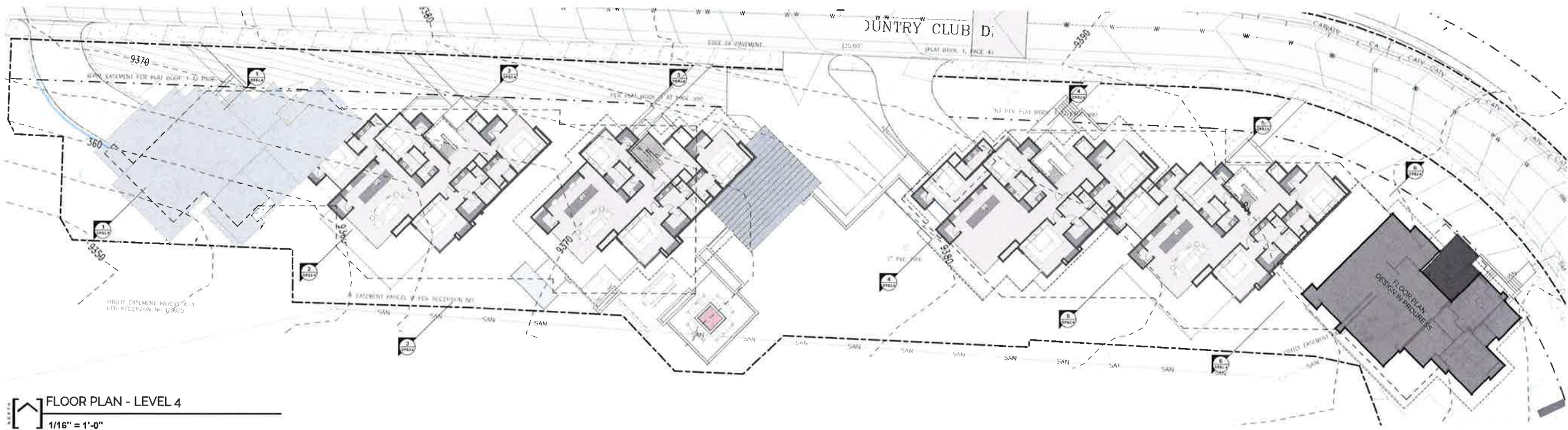
DATE: 10-28-2019
PROJECT: 18-32

FLOOR PLANS

DRB2.1



FLOOR PLAN - LEVEL 3
1/16" = 1'-0"



FLOOR PLAN - LEVEL 4
1/16" = 1'-0"

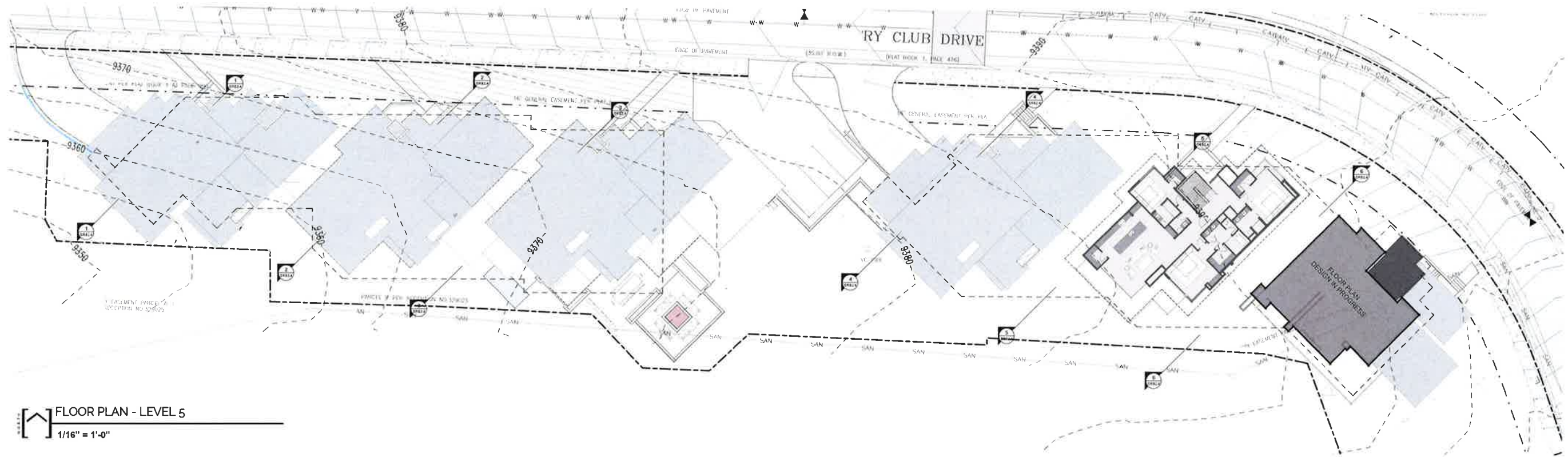


LA MONTAGNE CONDOMINIUMS

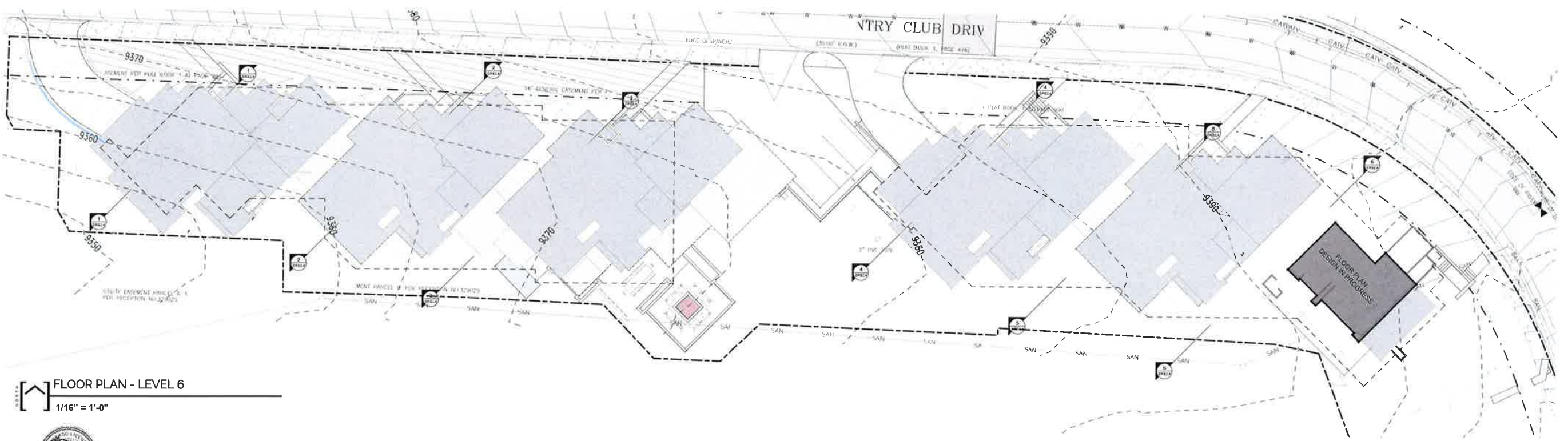
DATE: 10-28-2019
PROJECT: 18-32

FLOOR PLANS

DRB2.2



FLOOR PLAN - LEVEL 5
1/16" = 1'-0"



FLOOR PLAN - LEVEL 6
1/16" = 1'-0"



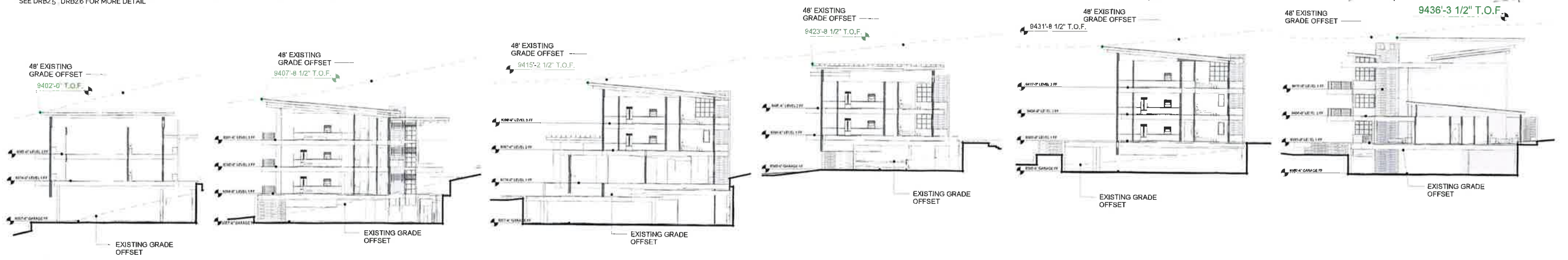
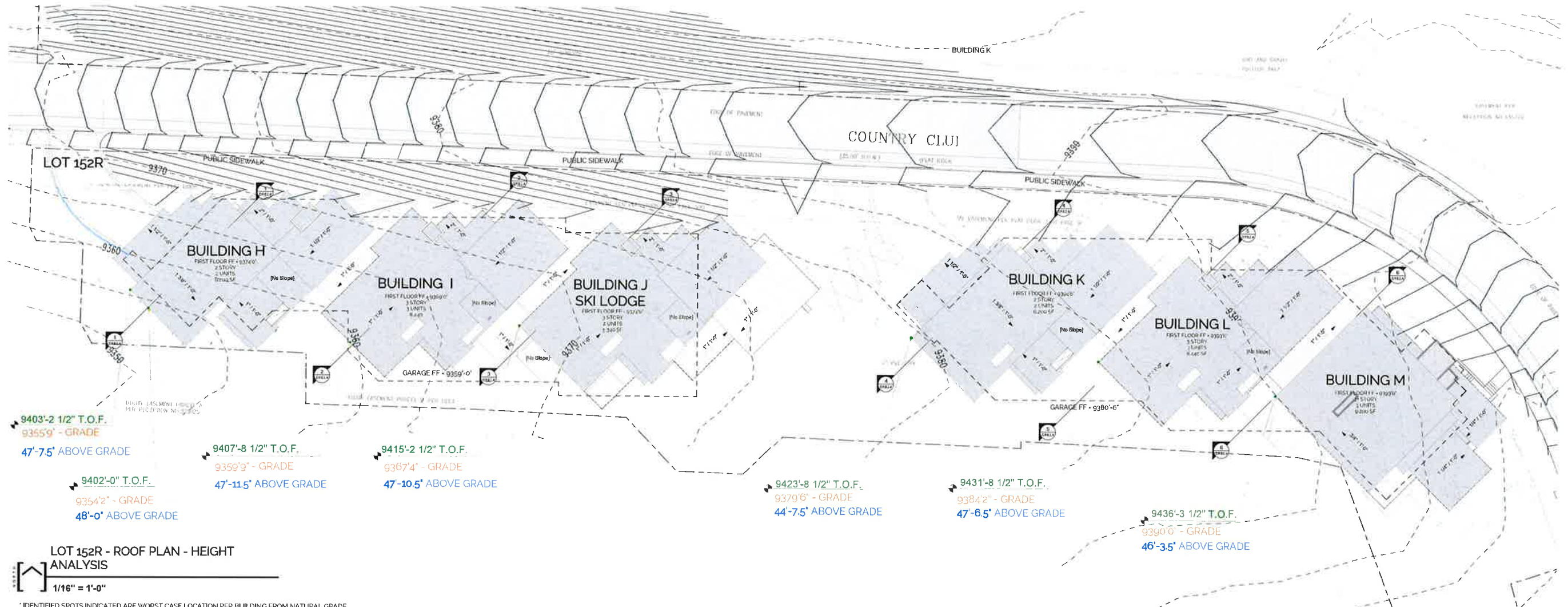
LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

FLOOR PLANS

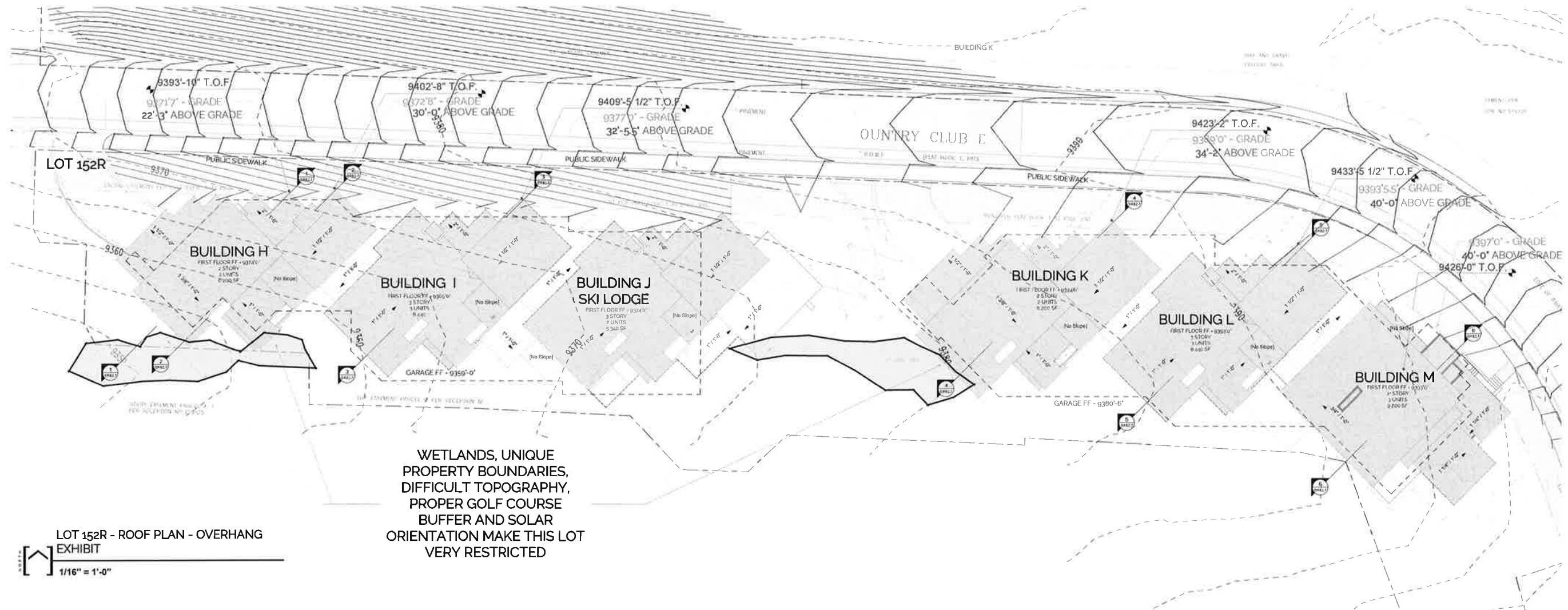
DRB2.3

MAX ALLOWABLE HEIGHT = 48'

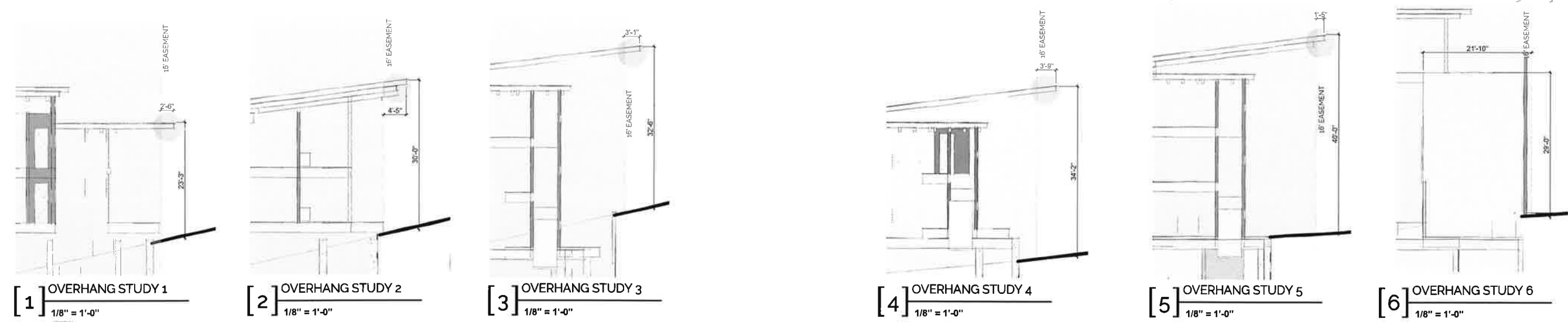


- [1] **HEIGHT STUDY 1**
1/16" = 1'-0"
- [2] **HEIGHT STUDY 2**
1/16" = 1'-0"
- [3] **HEIGHT STUDY 3**
1/16" = 1'-0"
- [4] **HEIGHT STUDY 4**
1/16" = 1'-0"
- [5] **HEIGHT STUDY 5**
1/16" = 1'-0"
- [6] **HEIGHT STUDY 6**
1/16" = 1'-0"

LA MONTAGNE CONDOMINIUMS **ROOF PLAN - HEIGHT ANALYSIS**



LOT 152R - ROOF PLAN - OVERHANG EXHIBIT
1/16" = 1'-0"

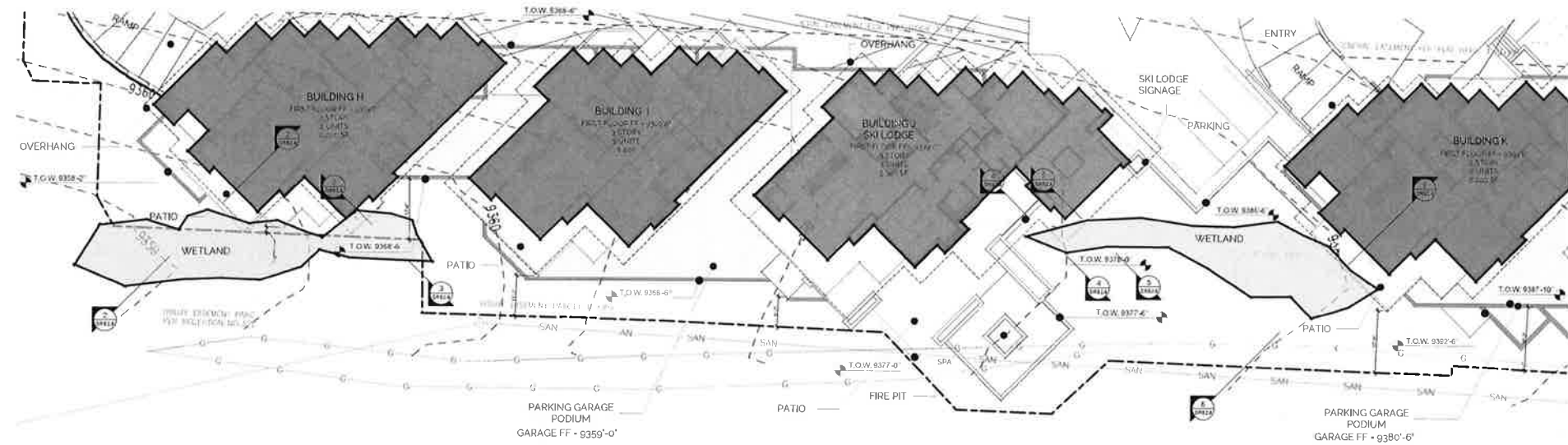


LA MONTAGNE CONDOMINIUMS

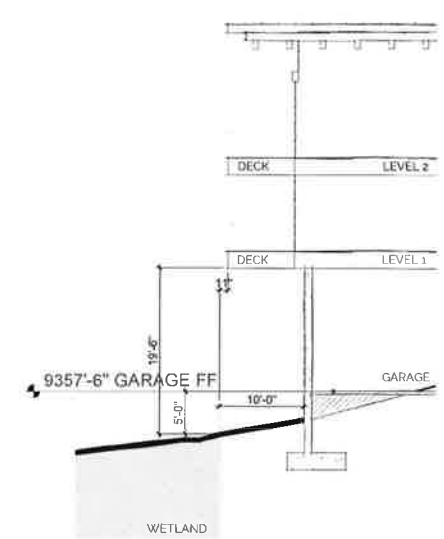
DATE: 10-28-2019
PROJECT: 18-32

OVERHANG EXHIBIT

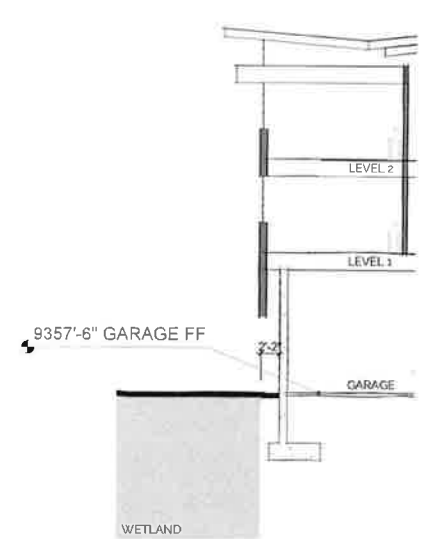
DRB2.7



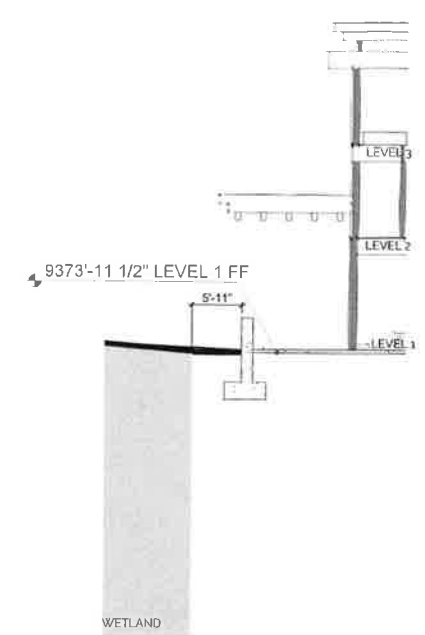
LOT 152R WETLAND EXHIBIT
 1/16" = 1'-0"



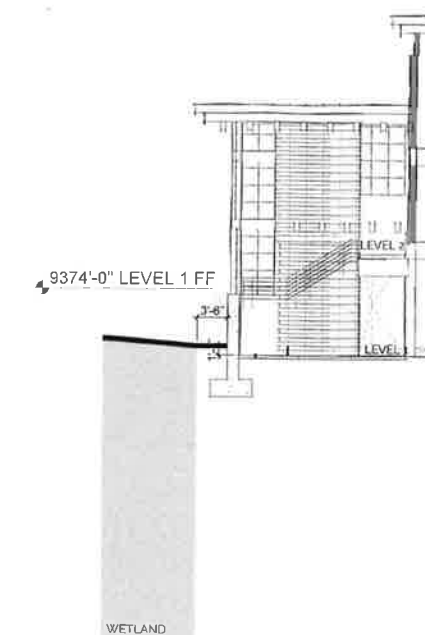
[2] WETLAND SECTION 1
 1/8" = 1'-0"



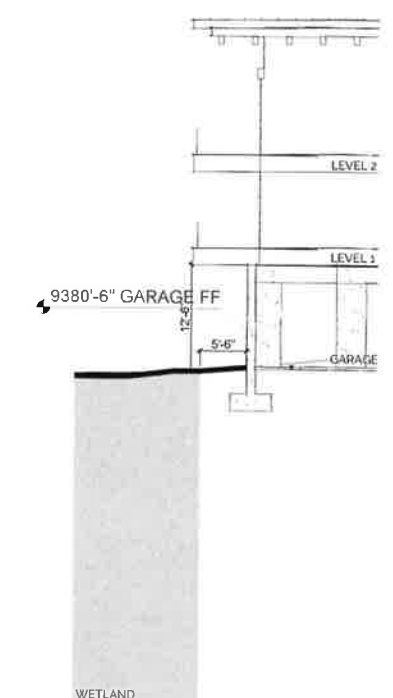
[3] WETLAND SECTION 2
 1/8" = 1'-0"



[4] WETLAND SECTION 3
 1/8" = 1'-0"



[5] WETLAND SECTION 4
 1/8" = 1'-0"



[6] WETLAND SECTION 6
 1/8" = 1'-0"

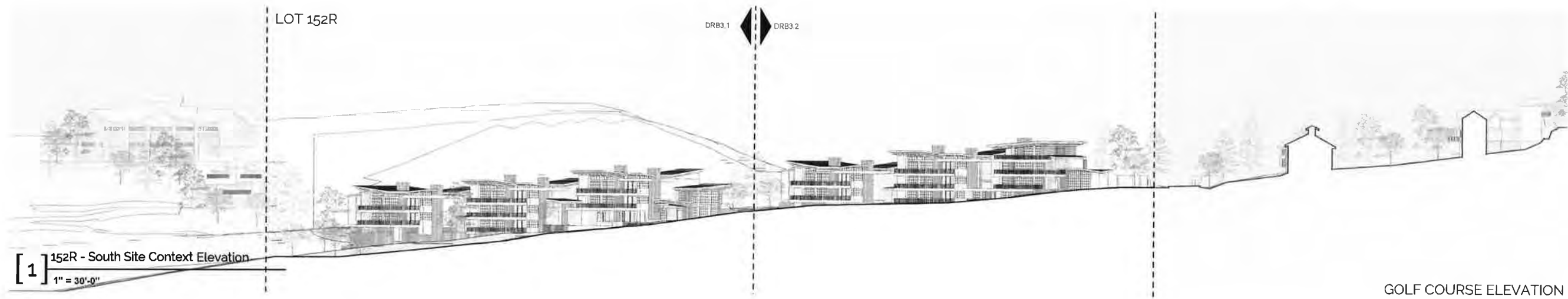


LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
 PROJECT: 18-32

WETLAND EXHIBIT

DRB2.8



[1] 152R - South Site Context Elevation
1" = 30'-0"

GOLF COURSE ELEVATION



[2] 152R - Southwest Site Context Elevation
1" = 30'-0"

GOLF COURSE ELEVATION



[3] 152R - North Site Context Elevation
1" = 30'-0"

COUNTRY CLUB ELEVATION



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

SITE CONTEXT ELEVATIONS

DRB3.0



[1] 152R - Building W - Southwest Elevation
1/16" = 1'-0"



[3] 152R - Building W - Northeast Elevation
1/16" = 1'-0"



[2] 152R - Building W - Northwest Elevation
1/16" = 1'-0"



[4] 152R - Building W - Southeast Elevation
1/16" = 1'-0"

MILL SCALE STEEL LARGE
FORMAT PORCELAIN



EXTERIOR COLOR : IRON GREY
MANUFACTURER : NEOLITH

WOOD SIDING



8" FIRE TREATED, STAINED, CHANNEL CEDAR SIDING
COLOR: BEECHWOOD GRAY, SEMI TRANSPARENT
MANUFACTURER: CABOT

EXPOSED WOOD TIMBERS

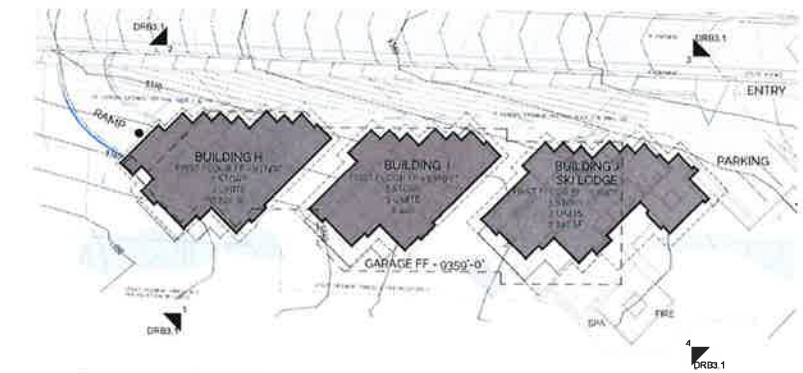


RE-SAWN TIMBERS
BEECHWOOD GRAY, SEMI TRANSPARENT

STONE VENEER



STONE : OLYMPIA LEDGER
MANUFACTURER : SOLSTICE STONE



[5] W BUILDING KEY
1/32" = 1'-0"

BUILDING ELEVATIONS

DRB3.1



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32



[1] 152R - Building E - Southwest Elevation
1/16" = 1'-0"



[3] 152R - Building E - Northeast Elevation
1/16" = 1'-0"



[2] 152R - Building E - Northwest Elevation
1/16" = 1'-0"



[4] 152R - Building E - Southeast Elevation
1/16" = 1'-0"

MILL SCALE STEEL LARGE
FORMAT PORCELAIN



WOOD SIDING



EXPOSED WOOD TIMBERS



STONE VENEER

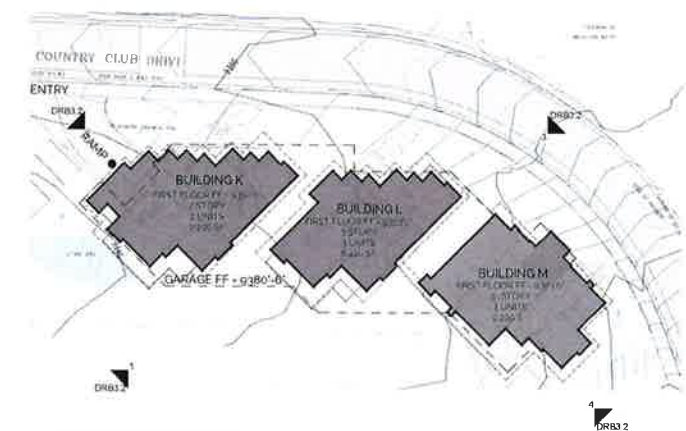


EXTERIOR COLOR : IRON GREY
MANUFACTURER : NEOLITH

8" FIRE TREATED, STAINED, CHANNEL CEDAR SIDING
COLOR: BEECHWOOD GRAY, SEMI TRANSPARENT
MANUFACTURER: CABOT

RE-SAWN TIMBERS
BEECHWOOD GRAY, SEMI TRANSPARENT

STONE : OLYMPIA LEDGER
MANUFACTURER : SOLSTICE STONE



[5] E BUILDING KEY
1/32" = 1'-0"

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

BUILDING ELEVATIONS

DRB3.2

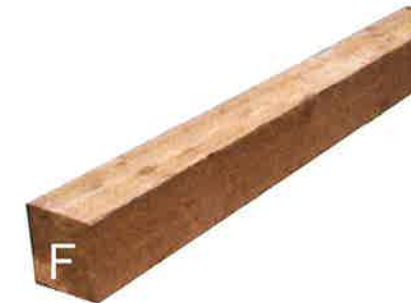


EXTERIOR PAVERS



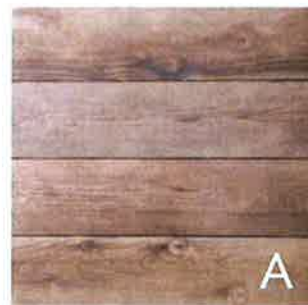
LARGE FORMAT PORCELAIN TILE
EXTERIOR COLOR : SLATE GREY
MANUFACTURER : ERGON - CORNERSTONE

EXPOSED WOOD TIMBERS



RE-SAWN TIMBERS
BEECHWOOD GRAY, SEMI TRANSPARENT

WOOD SIDING



8" FIRE TREATED, STAINED, CHANNEL CEDAR SIDING
COLOR: BEECHWOOD GRAY, SEMI TRANSPARENT
MANUFACTURER: CABOT

MILL SCALE STEEL LARGE
FORMAT PORCELAIN



EXTERIOR COLOR : IRON GREY
MANUFACTURER : NEOLITH

STONE VENEER



STONE : OLYMPIA LEDGER
MANUFACTURER : SOLSTICE STONE

METAL ROOF



METAL STANDING SEEM ROOF : Azurite Ore Matte
MANUFACTURER : OCM, OLD COUNTRY MILLWORD

WINDOW/DOORS



EXTERIOR COLOR : DARK BRONZE
MANUFACTURER : WESTERN WINDOWS



LA MONTAGNE CONDOMINIUMS

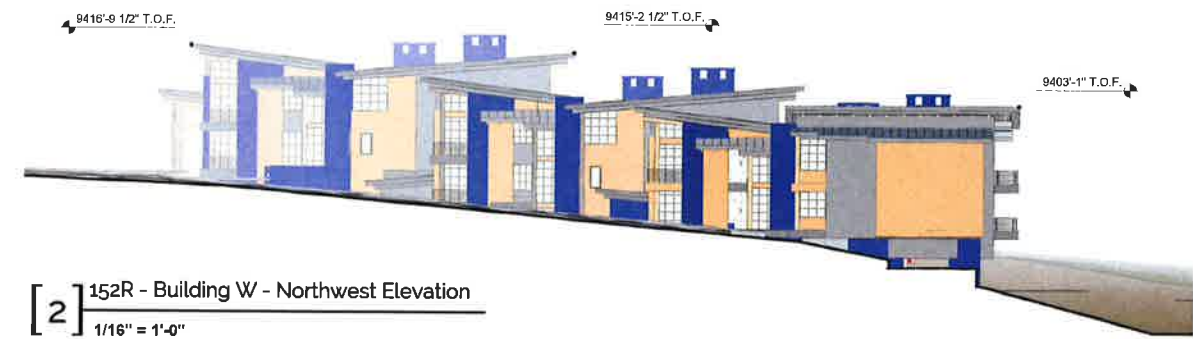
DATE: 10-28-2019
PROJECT: 18-32

MATERIAL BOARD

DRB3.3



[1] 152R - Building W - Northeast Elevation
1/16" = 1'-0"



[2] 152R - Building W - Northwest Elevation
1/16" = 1'-0"



[3] 152R - Building W - Southeast Elevation
1/16" = 1'-0"



[4] 152R - Building W - Southwest Elevation
1/16" = 1'-0"

MATERIAL TAKE OFF CHART

Material	Identification Elevation	Area (Sq. Ft.)	% of Total
Stone	NE	3201	
	NW	3149	
	SE	4603	
	SW	2051	
	Total Stone		13004
Wood	NE	1934	
	NW	2919	
	SE	4328	
	SW	1571	
	Total Wood		11052
Glazing	NE	1200	
	NW	1135	
	SE	1531	
	SW	2042	
	Total Glazing		6408
Steel	NE	1022	
	NW	2308	
	SE	1882	
	SW	2039	
	Total Steel		7251
Total SF Material		38595	100

MILL SCALE STEEL LARGE
FORMAT PORCELAIN



STONE VENEER



WOOD SIDING



EXTERIOR COLOR : IRON GREY
MANUFACTURER : NEOLITH

STONE : OLYMPIA LEDGER
MANUFACTURER : SOLSTICE STONE

8" FIRE TREATED, STAINED, CHANNEL CEDAR SIDING
COLOR: BEECHWOOD GRAY, SEMI TRANSPARENT
MANUFACTURER: CABOT

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

MATERIAL LEGEND



EXTERIOR MATERIAL TAKE-OFF

DRB3.4



[1] 152R - Building E - Northeast Elevation
1/16" = 1'-0"



[2] 152R - Building E - Northwest Elevation
1/16" = 1'-0"



[3] 152R - Building E - Southeast Elevation
1/16" = 1'-0"



[4] 152R - Building E - Southwest Elevation
1/16" = 1'-0"

MATERIAL TAKE OFF CHART

Material	Identification Elevation	Area (Sq. Ft.)	% of Total
Stone	NE	2923	
	NW	3417	
	SE	4913	
	SW	2991	
	Total Stone		14244
Wood	NE	2709	
	NW	4310	
	SE	3239	
	SW	1396	
	Total Wood		11654
Glazing	NE	1297	
	NW	732	
	SE	1151	
	SW	3191	
	Total Glazing		6371
Steel	NE	1419	
	NW	1785	
	SE	2276	
	SW	2070	
	Total Steel		7550
Total SF Material		39519	100

MILL SCALE STEEL LARGE
FORMAT PORCELAIN



STONE VENEER



WOOD SIDING



EXTERIOR COLOR : IRON GREY
MANUFACTURER : NEOLITH

STONE : OLYMPIA LEDGER
MANUFACTURER : SOLSTICE STONE

8" FIRE TREATED, STAINED, CHANNEL CEDAR SIDING
COLOR: BEECHWOOD GRAY, SEMI TRANSPARENT
MANUFACTURER: CABOT

LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

MATERIAL LEGEND



EXTERIOR MATERIAL TAKE-OFF

DRB3.5



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.0



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.1



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.2



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.3



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.4



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.5



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - GOLF COURSE

DRB4.6



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - COUNTRY CLUB DR.

DRB4.7



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - COUNTRY CLUB DR.

DRB4.8



LA MONTAGNE CONDOMINIUMS

DATE: 10-28-2019
PROJECT: 18-32

CONCEPTUAL VIEW - COUNTRY CLUB DR.

DRB4.9



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

March 23, 2018

Regulatory Division (SPK-2005-75621)

Northside Trust I
Attn: Mr. Dave Gertner
64 Wall Street, STE 212
Norwalk, CT 06850

Dear Mr. Gertner:

We are responding to your request for a preliminary jurisdictional determination (JD) for the Mountain Village Lot 152R project site. The approximately 1.5-acre project site is located along the south side of Country Club Drive, approximately 0.4 mile east of Prospect Creek, at Latitude 37.940375°, Longitude -107.850703°, Town of Mountain Village, San Miguel County, Colorado.

Based on available information, we concur with your aquatic resources delineation for the site as depicted on the enclosed January 19, 2018, Wetland Delineation Lot 152R, Mountain Village, CO, map prepared by Foley Associates, Incorporated (enclosure 1). The approximately 0.06 acre (~2,600 square feet) of palustrine emergent wetlands present within the survey area represents the extent of aquatic resources ("waters of the United States") that may potentially be considered jurisdictional under Section 404 of the Clean Water Act.

Per your request, we have completed a preliminary JD for the site. Enclosed find a copy of the *Preliminary Jurisdictional Determination Form* (enclosure 2). Please sign and return the completed form to this office, at the address listed below, within 30 days of the date of this letter. If you do not return the signed form within 30 days, we will presume concurrence and finalize the preliminary JD. If you believe that certain of the aquatic resources are not within the Corps' jurisdiction, you may request an approved JD for this site at any time prior to starting work within aquatic resources, including after a permit decision is made. We recommend you provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This preliminary JD has been conducted to identify the potential limits of wetlands and other aquatic resources at the project site which may be subject to U.S. Army Corps of Engineers regulation under Section 404 of the Clean Water Act. A *Notification of Appeal Process and Request for Appeal Form* is enclosed to notify you of your options with this determination (enclosure 3).

Please refer to identification number SPK-2005-75621 in any correspondence concerning this project. If you have any questions, please contact me at the Colorado West Regulatory Section, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at Benjamin.R.Wilson@usace.army.mil, or telephone at 970-243-1199 ext. 1012.

Sincerely,

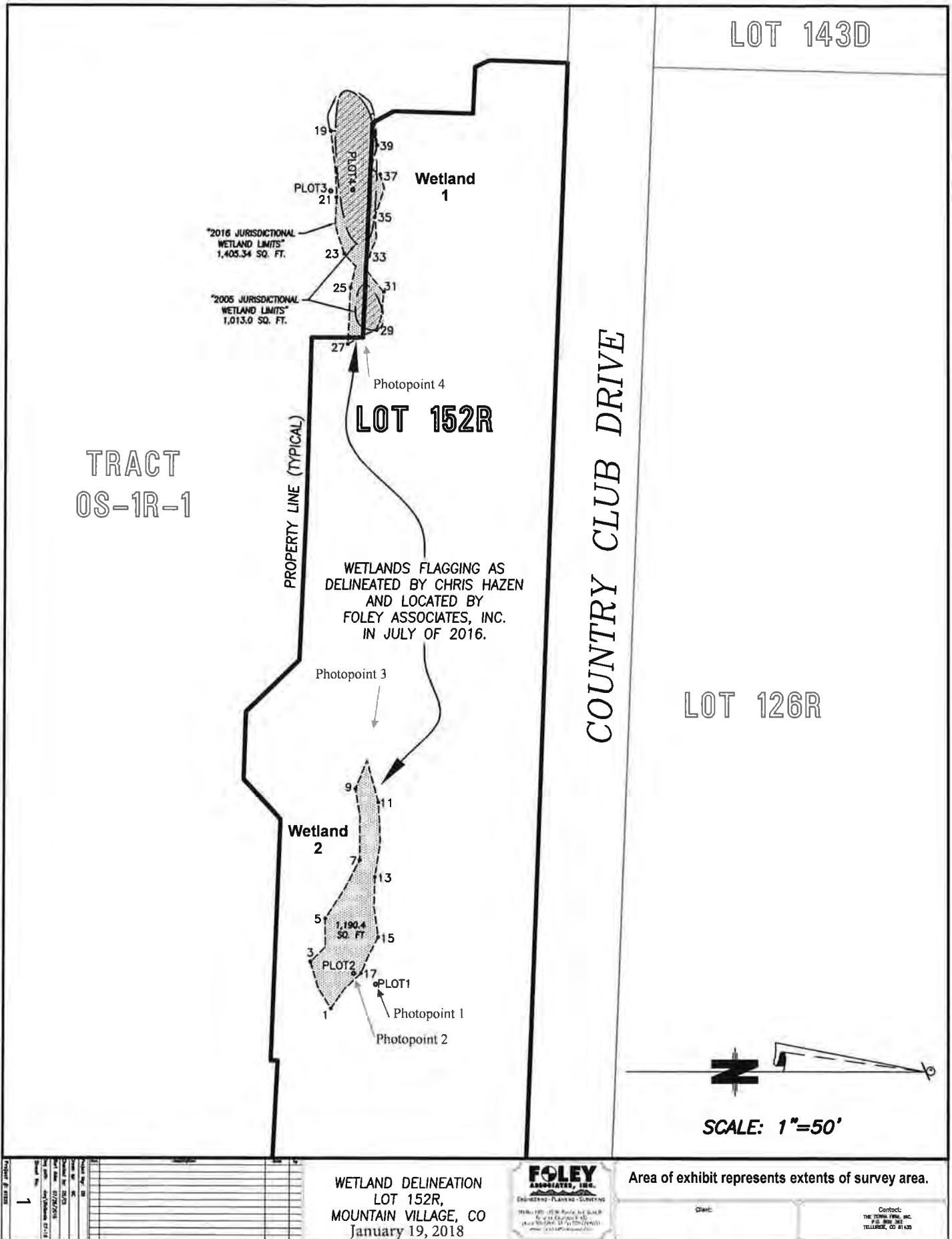
Benjamin R. Wilson
Project Manager
Colorado West Section

Enclosures (3)

cc:

Mr. Chris Hazen, The Terra Firm, Incorporated, chrishazen@gmail.com

Ms. Michelle Haynes, Planning and Development Services Director, Town of Mountain Village, mhaynes@mtnvillage.org



DATE	BY	REVISION
1/19/18	CH	1

WETLAND DELINEATION
LOT 152R,
MOUNTAIN VILLAGE, CO
January 19, 2018



Area of exhibit represents extents of survey area.

Contact:
THE TERRY FIRM, INC.
P.O. Box 263
TULSA, OK 74103

**PRELIMINARY JURISDICTIONAL DETERMINATION FORM
Sacramento District**

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

Regulatory Branch: **Colorado West** File/ORM #: **SPK-2005-75621** PJD Date: **March 23, 2018**

State: CO City/County: Mountain Village, San Miguel County Nearest Waterbody: Prospect Creek Location (Lat/Long): 37.940556°, -107.85° Size of Review Area: 1.5 acres	Name/Address Of Property: Northside Trust I Attn: Mr. Dave Gertner 64 Wall Street, STE 212 Norwalk, CT 06850 Owner/Potential Applicant
---	--

Identify (Estimate) Amount of Waters in the Review Area Non-Wetland Waters: linear feet ft wide acre(s) Stream Flow: N/A Wetlands: 0.06 acre(s) Cowardin Class: Palustrine, emergent	Name of any Water Bodies Tidal: on the site identified as Section 10 Waters: Non-Tidal: <input checked="" type="checkbox"/> Office (Desk) Determination <input type="checkbox"/> Field Determination: Date(s) of Site Visit(s):
--	---

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply – checked items should be included in case file and, where checked and requested, appropriately reference sources below)

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Data sheets prepared by the Corps.
 Corps navigable waters' study.
 U.S. Geological Survey Hydrologic Atlas:
 USGS NHD data.
 USGS HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: **1:24K; Telluride**
 USDA Natural Resources Conservation Service Soil Survey.
 National wetlands inventory map(s).
 State/Local wetland inventory map(s).
 FEMA/FIRM maps.
 100-year Floodplain Elevation (if known):
 Photographs: Aerial
 Other
 Previous determination(s). File no. and date of response letter:
 Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

_____ Signature and Date of Regulatory Project Manager (REQUIRED)	_____ Signature and Date of Person Requesting Preliminary JD (REQUIRED, unless obtaining the signature is impracticable)
---	--

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Mr. Dave Gertner	File No.: SPK-2005-75621	Date: March 23, 2018
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
→	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/cecw/pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
Ben Wilson
Project Manager, Colorado West Branch, Regulatory Division
U.S. Army Corps of Engineers
Colorado West Regulatory Section
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
Phone: 970-243-1199 X1012, FAX 970-241-2358
Email: Benjamin.R.Wilson@usace.army.mil

If you only have questions regarding the appeal process you may also contact:
Thomas J. Cavanaugh
Administrative Appeal Review Officer
U.S. Army Corps of Engineers
South Pacific Division
1455 Market Street, 2052B
San Francisco, California 94103-1399
Phone: 415-503-6574, FAX 415-503-6646
Email: Thomas.J.Cavanaugh@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date: _____

Telephone number: _____

August 22, 2019

Michael R. Kettell
Strategic Real Estate Partners

RE: Wetlands/Lot 152R

Mike I wanted to provide additional information to you concerning the wetlands at Lot 152R, their origins, and how they have evolved over the past 20 years – hopefully the supporting facts contained here-in help to establish a common narrative going forward concerning the wetlands and their history at Lot 152R.

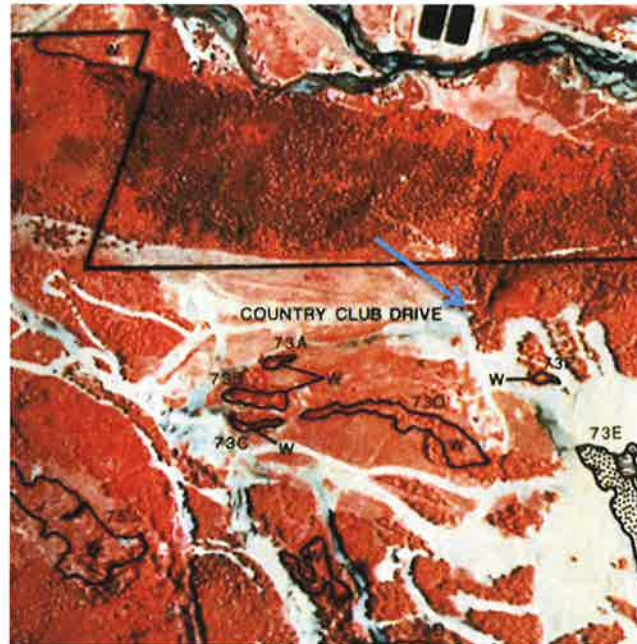
In October of 1990, the Environmental Protection Agency (EPA) published a report titled Aerial Photographic Analysis of Wetland Conversion Activity, Telluride Mountain Village, Colorado. This report (commonly referred to as the “Finkbeiner Report”) cataloged the wetlands of the Mountain Village using aerial photography collected between 1979-1989, and quantified impacts resulting from ski run/golf course/roadway construction and development of ponds. The report’s comprehensive index identified 65 individual wetlands within the greater study area of the Mountain Village.

Photo analysis from October 1, 1979 (the oldest photos used in the Finkbeiner Report) does not identify any wetland areas adjacent to, or on the location of Lot 152R. Similarly, the photos from July 27th, 1986; September 24th, 1988; and, November 7th, 1989 did not have any identified wetlands near present day Lot 152R.



1979 - blue arrow to top of Boomerang Road.

In the 1979 imagery, Boomerang Road and the service road, which became Country Club Drive, can be seen clearly, and wetlands were identified in the Gorrano Creek drainage and other downslope locations, west of the top of Boomerang Road. Wetland areas are identified with polygons drawn around their perimeter and by a naming system developed by the report's author.



1986 - Infrared photography.

Photography used from 1986 relied on color-infrared film, where healthy vegetation is depicted as red because of its high levels of reflectivity in the near-infrared portion of the light spectrum. Disturbed ground appears as white, and significant disturbance can be seen near the top of Boomerang Road. Additionally, Country Club Drive has been identified on the 1986 photography. No disturbance to identified wetlands is shown in 1986.



1988



1989

The 1988 and 1989 photoset show the golf course hole 1 tee boxes, and significant disturbance in the vicinity of Lot 152R. Other wetlands areas identified on the 1979 photograph can be seen and those that were impacted prior to 1988/89 are identified with fill patterns inside the wetland polygons.

The wetlands that exist on Lot 152R presently, were not historic wetlands that predate construction activities in Mountain Village. The wetlands on Lot 152R have evolved since the development of the Mountain Village, and it is likely that the source water seen on Lot 152R is groundwater that has been brought to the surface due to grading activities, or it is water that is following pipes/trench backfill downslope and emerging on Lot 152R.

As such, the wetland area on Lot 152R will benefit from additional hydrologic input, and the functions and values of the wetland habitat can be improved through direct measures such as: 1. Routing water from hardscape elements to improve saturated conditions in the wetlands (provided run-off is not potentially polluted by hydrocarbons); 2. Diversifying the plant community to include a broader range of plant types; and, 3. Improve down slope water quality by routing waters through improved wetlands where natural infiltration minimizes overland flow and sediment transport/erosion.

Feel free to contact me with questions concerning my findings or my suggestions for improving the wetland habitat at Lot 152R.

Respectfully,

Chris Hazen (*via email*)
Principal

John A. Miller

From: Finn Kjome
Sent: Thursday, October 10, 2019 11:17 AM
To: John A. Miller
Subject: RE: Referrals for La Montagne (Lots 126R and 152R)

Hi John,
Here are the Public Works comments:

No issues with the road realignment. All road-right-of-way widths and 16ft General Easements along the road must remain. It is expected that the G E will be used for snow storage. Landscaping should consider this.
No issues with the sewer realignment. Public Works will need the proper easements and access to maintain the sewer. There is no sewer main in Country Club Drive to serve the north side of the road. This must be installed with the road realignment. Please provide a plan.
All water taps needed for this project should be stubbed out from under Country Club Drive while the road is being realigned. Please provide a plan.
More detail is needed to show how the drainage is being handled along Country Club Drive. Please provide more detail. Sidewalk maintenance responsibility will need to be defined.
No issues with the retaining wall. Retaining walls should be clearly called out that it will be the responsibility of the HOA to keep them maintained.
A cross walk at Boomerang should be explored for the trail system.
Irrigation water calculations will need to be provided.
Finn

Finn Kjome
Public Works Director
Town of Mountain Village

From: John A. Miller <JohnMiller@mtnvillage.org>
Sent: Thursday, September 12, 2019 4:00 PM
To: John A. Miller <JohnMiller@mtnvillage.org>
Cc: Finn Kjome <FKjome@mtnvillage.org>; Steven LeHane <SLeHane@mtnvillage.org>; Jim Loebe <JLoebe@mtnvillage.org>; Chris Broady <CBroady@mtnvillage.org>; jim.telfire@montrose.net; jeremy@smpa.com; brien.gardner@blackhillscorp.com; kirby.bryant@centurylink.com; Forward jim.telluridefire.com <jim@telluridefire.com>
Subject: Referrals for La Montagne (Lots 126R and 152R)

Afternoon all,

The following links will take you to the plans for the proposed La Montagne project at the former Rosewood PUD site. The proposal includes the following:

1. PUD Amendment and Density Transfer / Rezone <https://townofmountainvillage.com/media/10.3.19-DRB-Lots-126R-and-152R-PUD-Amendment-Density-Transfer-and-Rezone-Formally-Rosewood-PUD.pdf>
2. Design Review for Lot 152R ONLY. <https://townofmountainvillage.com/media/10.3.19-DRB-Lot-152R-Initial-Architecture-and-Site-Review.pdf>

John A. Miller

From: Jim Boeckel <jim@telluridefire.com>
Sent: Tuesday, September 17, 2019 3:02 PM
To: John A. Miller
Subject: Re: Referrals for La Montagne (Lots 126R and 152R)

John,

Don't have any problem with the PUD amendment and density transfer. For Lot 1252R I have the following comments and questions

1. Buildings shall have fire sprinkler system installed. System shall be NFPA 13 due to accessibility issues. Fire department connection shall be freestanding type accessible from Country Club Dr.
2. Buildings shall have fire alarm systems installed and system shall be monitored.
3. Standpipes shall be installed in the buildings
4. A dry horizontal standpipe shall be installed accessible with 2 -2-1/2 inch hose valve connections at front and rear of each building. Fire Department Connection for the Dry Horizontal standpipe shall be a freestanding type accessible from Country Club Dr.

Questions

1. Distance from edge of Country Club Dr. to balcony's/ windows for rescue purposes?
2. Are decks/walkways snow melted?

Locations for hose valves, Fire Department Connections, shall be coordinated with the Fire District prior to bidding of project(s).

If you have any questions please contact me.

On Thu, Sep 12, 2019 at 3:59 PM John A. Miller <JohnMiller@mtnvillage.org> wrote:

Afternoon all,

The following links will take you to the plans for the proposed La Montagne project at the former Rosewood PUD site. The proposal includes the following:

1. PUD Amendment and Density Transfer / Rezone <https://townofmountainvillage.com/media/10.3.19-DRB-Lots-126R-and-152R-PUD-Amendment-Density-Transfer-and-Rezone-Formally-Rosewood-PUD.pdf>
2. Design Review for Lot 152R ONLY. <https://townofmountainvillage.com/media/10.3.19-DRB-Lot-152R-Initial-Architecture-and-Site-Review.pdf>



**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Design Review Board Members
FROM: John Miller, Senior Planner
FOR: Design Review Board Meeting, November 7, 2019
DATE: October 29, 2019
RE: Public Comments

The public comments within this packet relate to the applicant's request for a Major PUD Amendment. It should be noted that prior to this application, there were several comments provided to staff pertaining to the previous two work sessions and the requested PUD Revocation. Although staff maintains a record of these comments, this application specifically pertains to the Major PUD Amendment request and the public comments included have been received by staff subsequent to the application and public notice for the PUD Amendment.

The town received a total of 5 comments from the public opposing the project from the following members of the public:

1. Greg and Milly Martin; September 11, 2019
2. Curtis Laub; September 23, 2019
3. Herman Klemick; September 27, 2019
4. Alan Safdi; September 27, 2019
5. Nancy Orr; October 29, 2019

There were no letters of support provided to town staff for this request.

John A. Miller

From: Alan Safdi <alansafdi@gmail.com>
Sent: Friday, September 27, 2019 5:00 PM
To: John A. Miller
Cc: Michelle Haynes; Kim Montgomery
Subject: Re: FW: Design Review Board / Town Council Work Sessions in July, to Consider La Montagne (Historically known as Rosewood) Proposed Development

A project of this magnitude should not only have all DRB members in attendance but also be scheduled at a time when a significant number of locals will be able to attend. This is probably the worst month and I already changed my schedule to be at the October meeting. Having a meeting in November will definitely decrease the number of people testifying in person that oppose the project in some respects. There are a number of Mtn Village residents that were going to come that will be out of town in November. Thanks for your time and consideration. Alan Safdi

On Fri, Sep 27, 2019 at 11:37 AM John A. Miller <JohnMiller@mtnvillage.org> wrote:

Dear Concerned Citizens:

This email is to notify you of changes in the upcoming Design Review Board (DRB) meeting that was previously scheduled to occur in October for Lots 126R and 152R, La Montagne.

Due to unforeseen scheduling conflicts with members of the Design Review Board (DRB), the public hearings for the Lot 126R and 152R PUD Amendment are to be continued to the regularly scheduled November 7, 2019 meeting of the DRB. Although we anticipate there will be a quorum of DRB members in attendance on October 3, the complex nature and magnitude of the project have led the Town's Legal Counsel, DRB Chair and Staff to recommend continuance of the item until a time we have full membership of the DRB in attendance. The Town believes that a delayed process benefits not just the public, but all the stakeholders involved in the project.

The DRB will move to continue the DRB hearing at their October meeting to the November 7, 2019 DRB meeting date. This continuance may affect the schedule moving forward with future meeting dates to be adjusted accordingly as needed. This notice primarily serves to provide context to the continuation and aims to notify interested members of the public that the hearing will not be opened on October 3rd and instead all public comment and applicant testimony will be postponed. Anyone wishing to speak in support or opposition to the project should anticipate this continuance and prepare their comments for the November 7 meeting. In the interim, comments may still be mailed or sent by email to the staff contact provided within the attached document or to my contact information in my signature below.

Warmest regards,

J

John A Miller III, CFM

John A. Miller

From: curtlaub@gmail.com
Sent: Monday, September 23, 2019 2:42 PM
To: John A. Miller
Subject: RE: PPS

Hello!

I have a few thoughts about this proposed development.

As a long-time owner in the Terraces neighborhood, I am not thrilled about the idea of developing this parcel, but I guess it had to happen sometime.

Assuming that development is inevitable, is it possible to design it so it fits in with the existing buildings along Country Club Drive? This is a relatively huge development and will dominate the visuals of this area. The flat roofs and modern, non-rustic, materials are completely different than, and foreign to, anything presently extant.

The See Forever development is also huge and visually dominating, but the peaked roofs and rustic materials allow it to blend in very appealingly.

The current visuals of La Montagne, by comparison, look like the cheap dormitories quickly thrown up by the mid-western college my son attended.

We are turning a potential asset into a distinct liability here.

As an aside, in recent years I have been totally mystified by the trend in new construction in the Village. New homes have been approved that completely fly in the face of the existing styles. Flat, oddly-shaped roofs and weirdly angular buildings are joltingly unpleasant to behold.

I just realized that what I wrote above is not totally accurate. There are a couple of these modern monstrosities on the hillside way above my condo, but I don't have to look at them if I don't want to....and I don't. My opinion of the dormitory-esque appearance of the development on offer stands.

Thanks for your attention!

Curtis H. Laub, MD
Terraces 302

From: John A. Miller <JohnMiller@mtnvillage.org>
Sent: Monday, September 23, 2019 3:02 PM
To: curtlaub@gmail.com
Subject: RE: PPS

Curt,

Thanks for your comments. I would be happy to add them to the record and forward to the DRB and Town Council. Would you like to resubmit a single comment or would you like me to use the two that I currently have?

Thanks,
J

John A Miller III, CFM
Senior Planner
Planning & Development Services
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8203
C :: 970.417.1789



From: curtlaub@gmail.com <curtlaub@gmail.com>
Sent: Friday, September 20, 2019 3:24 PM
To: John A. Miller <JohnMiller@mtnvillage.org>
Subject: PPS

John,

I guess my very recent email is not totally accurate. There are a couple of these modern monstrosities on the hillside way above my condo, but I don't have to look at them if I don't want to....and I don't. My opinion of the dormitory-esque appearance of the development on offer stands.

Curt



Virus-free. www.avast.com

John A. Miller

From: Molly Martin <molly.mollymartin.martin@gmail.com>
Sent: Wednesday, September 11, 2019 7:35 AM
To: John A. Miller
Subject: La Montagne Project

Dear Mr. Miller,

The project proposed on Country Club Drive is concerning to say the least. The density proposed in an already built-out neighborhood will forever impact the livability for this currently well-balanced neighborhood. The traffic on Country Club Drive will be unacceptable and out of character for what is now a quiet setting.

Another concern is the noise and staging of materials during construction. Many, including Peaks and See Forever owners and guests will be impacted for the entire, lengthy process. I would hope the council will reconsider the density of such a project.

Gregg and Molly Martin

Peaks owners

Sent from my iPad

John A. Miller

From: John A. Miller
Sent: Friday, September 27, 2019 2:12 PM
To: Herman KLEMICK
Subject: RE: Rosewood and other large developments in or past the core.

Thanks Mr. and Mrs. Klemick,
I will ensure a copy of this email is included in the packet for DRB.

Thanks,
J

John A Miller III, CFM
Senior Planner
Planning & Development Services
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8203
C :: 970.417.1789

-----Original Message-----

From: Herman KLEMICK <hklemick@hotmail.com>
Sent: Friday, September 27, 2019 1:59 PM
To: John A. Miller <JohnMiller@mtnvillage.org>
Subject: Rosewood and other large developments in or past the core.

Mr. Miller, My name is Herman Klemick. My wife, Diane, and I own #23 in Aspen Ridge and once built and owned a home on Pole Cat. We have been coming to the Village for over 25 years. The new Rosewood development and lot 161 or any other projects will be a huge nightmare to all businesses and property owners on Mountain Village Blvd. because of the construction traffic for years. The Opra project had hundreds of concrete trucks every day going up and down the road starting at 7 AM. This disturbed the homeowners day in and day out for over a year. MV Blvd. was not constructed or designed for heavy construction over several years which these proposed projects will take. Think of the disruption of the businesses in the Village. Think of the noise, dirt, damage to the road itself and the huge inconvenience to the homeowners. These projects should not be approved. I am a friend of Tim, Kunda, Jim Royer, Lela and her husband Antón. I have told them of my feelings that we do not need any more major projects in the core.! Thank you for reading this and please read it at the DRB meeting. Herman and Diane

Sent from my iPhone

John A. Miller

From: John A. Miller
Sent: Tuesday, October 29, 2019 10:25 AM
To: John A. Miller
Subject: RE: REVISED Public notice of proposed La Montagne hearings

Yes. Nancy Orr

Sent from my iPad

From: John A. Miller
Sent: Friday, September 27, 2019 5:06 PM
To: Nancy Orr <nancy.b.orr@gmail.com>
Subject: RE: REVISED Public notice of proposed La Montagne hearings

I appreciate the comment, Ms. Orr. Would you like me to add it to the public record and provide to DRB and Town Council?

Thanks,
J

John A Miller III, CFM
Senior Planner
Planning & Development Services
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8203
C :: 970.417.1789



From: Nancy Orr <nancy.b.orr@gmail.com>
Sent: Friday, September 27, 2019 12:42 PM
To: John A. Miller <JohnMiller@mtnvillage.org>
Subject: Re: REVISED Public notice of proposed La Montagne hearings

Just when everyone leaves!!! Nancy Orr

Sent from my iPad

On Sep 27, 2019, at 10:18 AM, Town of Mountain Village Planning Department <JohnMiller@mtnvillage.org> wrote:



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

TO: Design Review Board
FROM: Sam Starr
FOR: Meeting of November 7, 2019
DATE: October 22, 2019
RE: Review and recommendation to Town Council regarding a Conditional Use Permit for an Office in a Primary Pedestrian Area on Lot 65, 618 Mountain Village Boulevard.

PROJECT GEOGRAPHY

Legal Description: Commercial Unit 107, Lot 65 the Centrum a Common Interest Community according to Plat book 1 PG 2295, Mountain Village.
Address: 618 Mountain Village Blvd.
Applicant/Agent: Peaks Property Management.
Owner: Madeline Property Owner, LLC, dba Northview Hotel Group
Zoning: Village Center
Existing Use: Commercial retail store
Proposed Use: Property management office fronting a primary pedestrian area.
Lot Size: .12 Acres
Adjacent Land Uses:

- **North:** Village Center, multi-family
- **South:** Village Center, multi-family
- **East:** Village Center, multi-family
- **West:** Village Center, multi-family

ATTACHMENTS

- Map indicating primary pedestrian areas
- Applicant's narrative
- TMV compliance letter dated July 3, 2019
- Public Comment Letter



Figure 1: Location of Lot 65, 618 Mountain Village Boulevard.

BACKGROUND

On July 3rd, 2019 The Town of Mountain Village (TMV) Planning and Development Services Department issued Peaks Property Management a compliance letter to bring their business into conformance with the Community Development Code (CDC) regarding offices fronting primary pedestrian and plaza areas. Peaks Property Management, located in the building colloquially known as “the Centrum”, fronts a Primary Plaza Area in the pond plaza area of the Village Center. Peaks Property Management has been operating at this location since July of 2018. While the Village Center Zone District allows for commercial uses, The Plaza Level Use Limitations clearly prohibit offices of any kind to be located in a plaza level space that fronts a primary pedestrian route unless a conditional use permit is approved for the use for a limited duration. The applicant has provided a narrative addressing their request for a conditional use permit.

RELEVANT CODE SECTIONS

17.3.4 Specific Zone District Requirements

H. Village Center Zone District

1. Permitted Uses. Lots in the Village Center Zone District shall be used for the construction of multi-family dwellings, including lodge units, efficiency lodge units, condominium units, workforce housing units, hotel units, hotel efficiency units, commercial uses, resort support uses, conference uses, plaza uses, special events, tramways, ski resort uses and other similar uses. Lots may also be used for a surface parking lot pursuant to the Conditional Use Permit Process.

2. Accessory Buildings or Structures. Permitted accessory buildings or structures include hot tubs, saunas, swimming pools, plaza uses and other similar uses. Storage buildings are expressly prohibited.

3. Accessory Uses. Permitted accessory uses include home occupations pursuant to the Home Occupation Regulations, and other similar uses.

4. Plaza Level Use Limitations.

a. Limitations:

i. The following are the only uses permitted to be fronting onto the plaza level in a primary plaza area or a primary pedestrian route:

- (a) Retail stores and establishments;
- (b) Restaurants and bars; and
- (c) Multi-family or mixed-use entrance areas and lobbies.

ii. *No offices or dwelling unit shall be operated or located in a plaza level space that is fronting onto a primary plaza area or a primary pedestrian route unless:*

(a) A conditional use permit development application is approved that allows an office use for a limited duration; or

(b) The Town approves a PUD that allows for either an office or a dwelling.

iii. *For all other plaza areas in the Village Center, commercial and office uses are allowed on the plaza level, and dwelling units are only permitted by requesting such as part of a PUD or a conditional use permit development application.*

iv. All offices, businesses and services permitted by this section shall be operated and conducted entirely within a building, except for permitted unenclosed parking or loading areas, and plaza uses permitted by the Public Works Department.

v. When less than 50% of a building façade on plaza level space is not directly abutting a primary plaza area or a primary pedestrian path, and the main door of such space is located outside one of these areas, the space may be used for other permitted commercial uses.

Staff Note: The applicant's office undeniably fronts a primary pedestrian route, and the applicant has submitted a conditional use permit application pursuant to the compliance letter dated July 3rd, 2019.

17.4.14.D Criteria for Decision

1. The following criteria shall be met for the review authority to approve a conditional use permit:
 - a. The proposed conditional use is in general conformity with the policies of the principles, policies and actions set forth in the Comprehensive Plan;
 - b. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
 - c. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
 - d. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;
 - e. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space, or the purposes of the facilities owned by the Town;
 - f. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
 - g. The design, development and operation of the proposed conditional use shall provide adequate infrastructure;
 - h. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
 - i. The proposed conditional use permit 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 conditional use permit review criteria.

Staff Note: The Comprehensive Plan's Land Use Principles Policies & Actions state that "Mountain Village encourages development and redevelopment activities represented by the Subarea Plans to promote and focus economic and social vibrancy for visitors and residents." The presence of a property management office does not meet the comprehensive plan criteria on the basis that the Village Center subarea plan did not call for additional ground floor offices. The burden will fall on the applicant to demonstrate that the submittal material and proposed activity substantially comply with the remaining Conditional Use Permit criteria listed above at section a-i.

ANALYSIS

To meet the regulations set forth by the Community Development Code the applicant has submitted a complete application to obtain a Conditional Use Permit. The Town of Mountain Village has seen a similar request in 2017, where Real Estate Agent JJ Ossola applied for a conditional use permit for Sotheby's Realty to use an office on the ground floor fronting a primary pedestrian route. Town Council denied the application. During the proceedings the Town Council was also explicitly clear that offices in primary pedestrian areas would be an impediment to achieving the desired vibrancy for the Mountain Village Center.

Other real estate sales and property management offices do exist in the core. Both Berkshire Hathaway Home Services and Latitude 38 operate on the ground floor in the same plaza as Peaks Property Management. However, these offices do not front a primary pedestrian area.

STAFF RECOMMENDATION

The Planning and Development Services Department is not recommending either approval or denial of this application. Peaks Property Management's presence at a ground floor fronting a primary pedestrian route may or may not meet the intended goals of the primary pedestrian routes and plaza area and such a determination should be made by the review authority. The review authority should also consider the fact that their existing presence constitutes a current zoning violation in determining a recommendation of a Conditional Use Permit Application. Staff have provided two recommended motions for your consideration below:

Motion for Denial:

"I move to recommend denial of the application by Peaks Property Management for a Conditional Use Permit to allow a Property Management Office in a Primary Pedestrian Area on Lot 65 Unit 107, 618 Mountain Village Boulevard, with the following Findings:

Findings:

- 1) The Design Review Board finds that the proposed application does NOT meet the 9 criteria for a Conditional Use Permit approval as outlined in CDC Section 17.4.14(D) Conditional Use Permits Criteria for Decision.*

Conditions:

- 1) Pursuant to CDC Section 17.1.8 Violations and Penalties, the applicant shall be fined each day up to \$5,000 for their zoning violation. The appropriate fee will be determined by Planning and Development Staff immediately following the 11.7.19 DRB regular hearing."*

Motion for Approval:

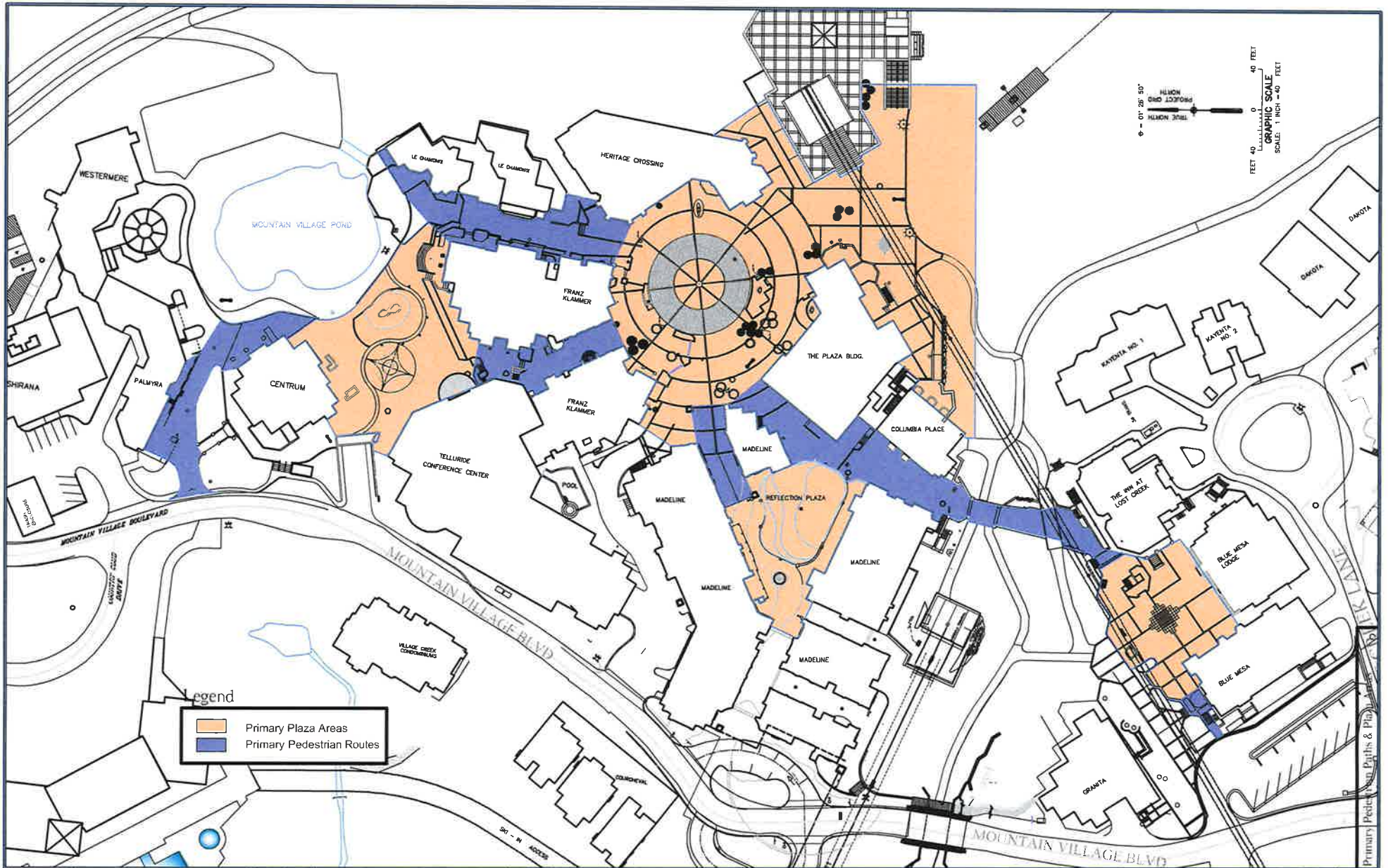
"I move to approve the application by Peaks Property Management for a Conditional Use Permit to allow a Real Estate Office in a Primary Pedestrian Area on Lot 65 Unit 107, 618 Mountain Village Boulevard, with the following Findings and Conditions:

Findings:

- 1) The Design Review Board finds that the proposed application meets the 9 criteria for a Conditional Use Permit approval as outlined in CDC Section 17.4.14(D) Conditional Use Permits Criteria for Decision.*

Conditions:

- 1) The Conditional Use Permit shall be valid for a period of three years (3) with an annual review by the Town Council thereafter, with the applicant responding to any valid issues as they arise during operation or the annual review.*
- 2) Any additional deviations, modifications or alterations to the business operations described in this approval will require the applicant to submit a new application for Conditional Use Permit Review."*



Legend

- Primary Plaza Areas
- Primary Pedestrian Routes

DRAWN BY: RBC	DATE:	DESCRIPTION:	BY:	CHK:
DESIGNED BY:				
CHECKED BY: CH				

REVISION	DATE	DESCRIPTION	BY	CHK



Mountain Village
 10000 Mountain Village
 Telluride, Colorado 81435
 719.253.4100

Primary Pedestrian Routes & Plaza Areas

Mountain Village Center

SCALE: 1" = 40'	JOB NO: 1-9-12	DATE: 1-9-12
PHEET NO:		

Primary Pedestrian Paths & Plaza Areas



To Whom it My Concern at the Town of Mountain Village,

I am the owner of Peak Property Management & Maintenance Inc. and we are a full-service home caretaking and HOA co-management maintenance company.

First Impression is a Welcome Impression.

We are a property management and caretaking company that serves several HOA's and private residences in the Telluride/Mountain Village area. Our goal is to make sure that owners, whether they live here year-round or visit part time, can rest easy knowing their property is being looked after and maintained by professionals at all times. We will be celebrating our 20th anniversary of business in May 2020.

When working with an HOA, it is important to us to keep the property well maintained and up to code, all while staying within the desired budget. We work closely with an Accountant of record for all of the accounting process with each HOA. We find it a conflict of interests to include accounting in our services.

Services we provide include, but are not limited to, site checks, general maintenance, spa/pool maintenance, janitorial, snow removal ground/roof, landscaping and minor plumbing, electrical. In addition, we schedule/manage construction and remodeling projects performed by other subcontractors while on property. We also have a general contractor license for smaller in-house projects to be convenient for owners and HOA's.

Our previous office location was 100 Aspen Ridge Dr. (Lot 30) and with all that was going on with that location and needing to have an office, we decided in March of 2018 that it was time to start looking for another office location. We found one of the only locations available in the Mountain Village at that time which was the Centrum Building located on Lot 65 and being a ground level unit, which is important with all the deliveries we receive on a weekly basis. It was a great location at a good price. We found the location in April 2018, but it needed extensive remodeling as it was a ski tuning shop prior. We performed a \$25,000 remodel and moved in July 2018.

A short list of some properties managed:

Home Owners Association's:

Granita Home Owners Association
Aspen Ridge Phase 1 Home Owners Association
Lodges on Sundance Owners Association
Kayenta Legend House Owners Association
Belvedere Park Phase 2 Home Owners Association

Private Residence's:

120 Lodges Lane

111 Benchmark

106 Gold Hill Court

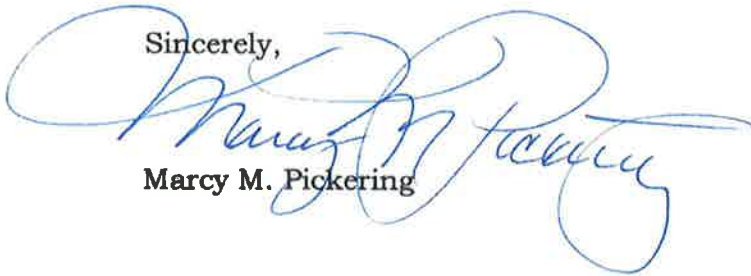
105 Lupine Lane

194 San Joaquin

Please find this Conditional Use Permit necessary for us to continue to operate our business in the Mountain Village and continue for years to come.

If you have any questions, please don't hesitate to ask.

Sincerely,



Marcy M. Pickering



PLANNING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

July 3, 2019

Peaks Property Management
C/O Marcy Pickering
618 Mountain Village Blvd
Mountain Village, CO
81435

Re: Peaks Property Management and Maintenance Zoning Compliance

Ms. Pickering:

On June 20, 2019, it was brought to the town's attention that your business, Peak Property Management and Maintenance Inc., has relocated to a ground floor location in the Village Center Zone District. We are writing to make you aware that in order for a real estate office to be located in the specific location you have chosen, it requires a Conditional Use Permit from the Town Council. Below is the specific language from the Community Development Code (emphasis added in bold):

H. Village Center Zone District:

1. Permitted Uses. Lots in the Village Center Zone District shall be used for the construction of multi-family dwellings, including lodge units, efficiency lodge units, condominium units, workforce housing units, hotel units, hotel efficiency units, commercial uses, resort support uses, conference uses, plaza uses, special events, tramways, ski resort uses and other similar uses. Lots may also be used for a surface parking lot pursuant to the Conditional Use Permit Process.

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- (b) Restaurants and bars; and

(c) Multi-family or mixed-use entrance areas and lobbies.

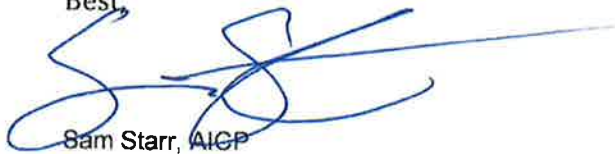
ii. **No offices or dwelling unit shall be operated or located in a plaza level space that is fronting onto a primary plaza area or a primary pedestrian route unless:**

- (a) A conditional use permit development application is approved that allows an office use for a limited duration; or**
- (b) The Town approves a PUD that allows for either an office or a dwelling.**

If you wish to continue to be located in your current location, you will need to apply for a Conditional Use Permit. The Development Application is attached, a \$1,000.00 fee is due, and a noticed public hearing is required before the Design Review Board and Town Council. You may continue to use your Centrum building floor unit for office space as long as you have an open and active application for a Conditional Use Permit to bring your business into compliance.

Thank you for your attention to this matter. The intent of our Community Development Code is to the community and visitor experience. If you have any questions about the Town of Mountain Village zone district requirements, please feel free to reach out at any time. The intent of this letter is to garner voluntary compliance with town regulations within a short period of time. Please call to discuss compliance once you have had an opportunity to review the letter.

Best,



Sam Starr, AICP
Planner

**Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8248
M :: 970.708.4326**

Sam Starr

From: Sam Starr
Sent: Tuesday, September 24, 2019 12:48 PM
To: George Harvey; 'Marcy Pickering'
Subject: RE: Peak Property Zoning Variance

George,

Thank you for sending this my way. Once I receive a complete application from Marcy I will include this in the materials presented to DRB and Town Council.

Best,

Sam Starr, AICP
Planner
Town of Mountain Village
455 Mountain Village Blvd, Suite A
Mountain Village, CO 81435
O :: 970.369.8248
M :: 970.708.4326

From: George Harvey <george@theharveyteam.net>
Sent: Monday, September 23, 2019 12:28 PM
To: 'Marcy Pickering' <marcy@peakpropertytelluride.com>
Cc: Sam Starr <SStarr@mtnvillage.org>
Subject: Peak Property Zoning Variance

To Whom It May Concern,

The Centrum Building Commercial Owners K2/R2, want to fully support Peak Property Management Company application for a zoning variance per their current location in the Centrum Building. The owners and myself as their representative are very pleased to have them as tenants in their current location in the Centrum Building. As K2/R2 Centrum Commercial representative for eleven years, we tried to bring as much retail and restaurant livelihood to that area of the Mountain Village for the last eleven years. When my clients bought 14,450 square feet of commercial space in the Centrum in 2008, ninety per cent of that space was empty, including the restaurant space and all of the retail pedestrian spaces too. About half of the pedestrian space had to be completely remodeled to make it leasable and we had to offer leases that were significantly below main street Telluride rent/lease rates. Those lease rates have remained significantly below a rate that would make the cash flow of the commercial property attractive to any investor. In other words, my clients have had to subsidized the Centrum lease rates to get tenants. In our opinion, it will be years before the lease rates can improve to make their investment have a chance to be attractive to a future investor. In fact, we could not get a retail business to lease the current space that Peak Property leases. The five year lessee before Peak Property was Bootdoctors which only used the space to tune skis at night.

We asked you to give a variance to Peak Property for the length of their lease and lease options because they are a long time vital company in the Mountain Village and we would like them to thrive.

Sincerely, K2/R2 Centrum Building Commercial Representative,

George R. Harvey, Jr.

Chair Global Business and Alliances Committee, National Association of REALTORS® - 2019

Region XI Vice President, National Association of REALTORS® - 2017

Realtor of the Year, Colorado Association of REALTORS® - 2015

President, Colorado Association of REALTORS® - 2010

Owner/Broker, The Harvey Team

P.O. Box 2283, Telluride, CO 81435

970-729-0111 cell

970-728-5058 e-fax

<http://www.TheHarveyTeam.net>

[Click here to view George's credentials](#)

ALERT! The Harvey Team will never send you wiring information via email or request that you send us personal financial information by email.

If you receive an email message like this concerning any transaction involving The Harvey Team, **do not respond** to the email and **immediately contact George Harvey via phone.**



Agenda Item No. 7
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Town Council
FROM: Michelle Haynes, Planning and Development Services Director
FOR: Design Review Board Meeting, November 7, 2019
DATE: October 15, 2019
RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge units 30A and 30B from two (2) efficiency lodge zoning designation units to one (1) Lodge zoning designation unit.

PROJECT GEOGRAPHY

Legal Description: Condominium Units 30A and 30B, Blue Mesa Lodge Condominiums
Address: 117 Lost Creek Lane
Owner: Steven M. Weiler 2000 Trust
Zoning: Village Center
Existing Use: Accommodations and Commercial
Proposed Use: Multi-Family Residential and Commercial
Lot Size: 0.16 Acres

Adjacent Land Uses:

- **North:** Village Center
- **South:** Village Center
- **East:** Village Center
- **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative

CASE SUMMARY:

Steven M. Weiler 2000 Trust requests to rezone Blue Mesa Lodge Units 30A & 30B from two efficiency lodge units to one lodge unit.



A lodge unit is defined as a two room space plus a mezzanine with up to two separate baths and a full kitchen. These units may be in a condominium community.

BLUE MESA LODGES HISTORY

Zoning Designation History of Blue Mesa Lodges

Lot 42B (Blue Mesa Lodges) were originally platted by the 1992 zoning map and preliminary PUD plat for eight (8) condominiums and (4) hotels (with a total person equivalent of 30 persons) at reception no. 282099.

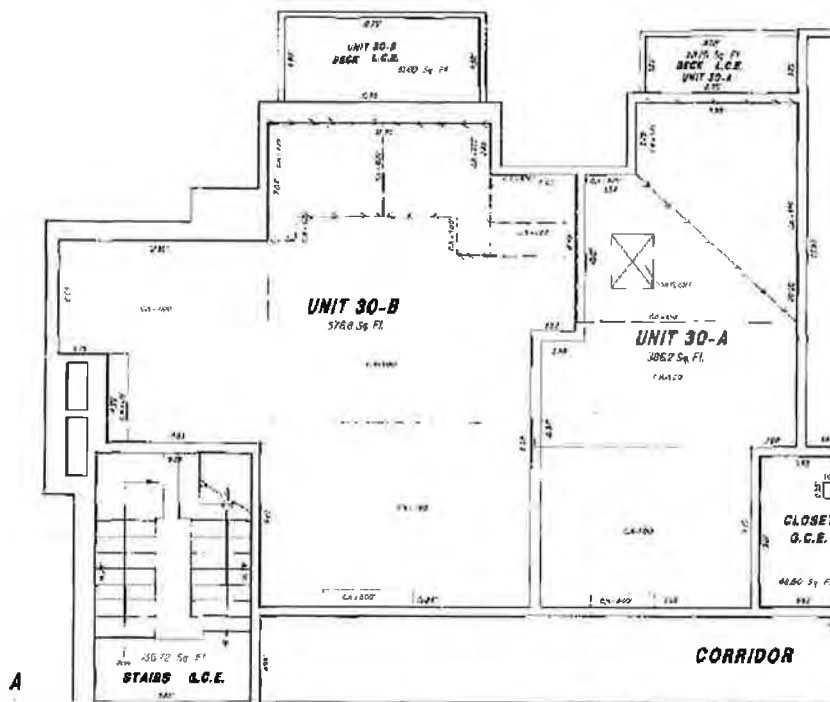
In 1997, by Resolution No. 1997-0923-23, Lot 42B rezoned from 10 condominiums including 18 lock offs (the lock-offs carried no zoning designation or person equivalent, they were considered bedrooms to the condominium units), to 28 efficiency lodge units with a total of 14-person equivalent density. The Town allowed for parking to remain at 10 spaces, as a pre-existing condition and waived the additional 4 parking space requirement. The town approved of the rezone for the building as is, meaning that no interior or exterior alterations were required.

The condominium map unit configuration illustrates the units were labeled as Units A, B & C, for example 20A, 20B and 20C. These units had doors that connected the units between them. Each unit also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. In two cases, the 1998 condominium map only illustrated a unit A & B suite (no C unit). The Weiler application is just such a unit configuration of an A & B unit only with an interior connecting door and separate doors to the exterior.

Rezone History of Units 30A & 30B

The Weiler's purchased efficiency lodge units 30A & 30B along with one parking space in 2004. The properties are listed on their deed as one property (unit 30 A and 30B), although they are zoned as two separate efficiency lodge units. As evidenced by the condominium map reference below, unit 30B is a larger unit (approx. 576.8 square feet) with a full kitchen and 30A is the smaller unit (approx. 386.2 square feet). There is no associated unit C in this case.

Figure 1. Blue Mesa Lodge Condominium Map dated October 5, 1998, Units 30A & 30B



CRITERIA, ANALYSIS AND FINDINGS

The criteria for decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (*)**

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;

Blue Mesa Lodge is not contemplated for redevelopment or future visioning in the Comprehensive Plan.

The application conforms with Mountain Village Center Subarea Plan Principles, Policies and Actions L., "Encourage deed restricted units and full-time residency in Mountain Village Center, with provisions such as smaller units, the creation of a better sense of community, and other creative options."

- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;

Affirmed.

- c. The proposed rezoning meets the Comprehensive Plan project standards;

Not applicable.

- 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;

Affirmed.

- e. The proposed rezoning is justified because there is an error in the current zoning, [and/or] there have been changes in conditions in the vicinity [and/] or there are specific policies in the Comprehensive Plan that contemplate the rezoning;

The proposed rezone is due to a change in condition in the vicinity, namely recent education and voluntary compliance regarding efficiency lodge zoning designations.

- f. Adequate public facilities and services are available to serve the intended land uses;

Affirmed.

- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and

No change or negative impact.

- h. The proposed rezoning meets all applicable Town regulations and standards.

Affirmed.

17.4.10: Density Transfer Process

(***)

D. Criteria for Decision

(***)

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.

Affirmed.

DESIGN REVIEW BOARD CRITERIA FOR REVIEW:

The Design Review Boards purview relates specifically to how density transfer and rezone applications may have design related implications. There would be no substantive change to these units and no design review implications.

STAFF ANALYSIS

Combining two one room efficiency lodge units into one 2 room, 2 bath lodge unit meets the definition of a lodge unit. The applications have a total of one person equivalent. They are selling .25 person equivalents to another Blue Mesa Lodge unit owner who is deficient. Therefore, they also will have the necessary density of .75 person equivalents to rezone from two efficiency lodge units to one lodge unit. During multiple Town Council discussions, the Town Council recognized that Blue Mesa Lodges have never had onsite property management or amenities that would indicate accommodations use like a hotel. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning two efficiency lodge units to one lodge unit meets the town criteria for a rezone application and will bring the units into compliance with town laws.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodges units 30A and 30B to rezone aforementioned units from two (2) efficiency lodge zoning designations to one (1) Lodge zoning designation with the following findings and conditions as noted in the staff report of record dated August 2, 2019 and with the following findings:

- 1. *The applicant has the requisite required density of .75 person equivalents to execute a rezone from efficiency lodge to lodge zoning designation*
- 2. *The applicant has met or exceeded the parking requirement of .5 parking spaces*
- 3. *Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*

Conditions:

- 1. *The applicant shall submit a condo map amendment and associated declarations, to the Town for review and approval showing the Units 30A and 30B as one renumbered Lodge*

unit.

2. *The Lot list shall be updated to reflect the rezone from two efficiency lodge units to one lodge unit.*

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019 with notice of such hearing as required by the Community Development Code.

Narrative for Application of Rezone for Blue Mesa 30A and 30B to be Combined to a single Lodge Unit

Criteria for a Decision to Rezone: The following criteria shall be met for the review authority to approve a rezoning development application:

1. The proposed rezoning is in general conformance with the goals, policies, provisions, and standards of the Comprehensive Plan
 - a. The Blue Mesa Lodge Condominiums are not referenced in the Comprehensive Plan.
 - b. The location in the Town of Mountain Village Core appeals to individual use as a permanent residence and can improve TMV core ambience as a real town center.
2. The proposed rezoning is consistent with the Zoning and Land Use Regulations
 - a. The two properties 30A and 30B have strictly been used as one combined unit since purchase in 2004
 - b. The layout of the combined unit conforms with the specifications which define a Lodge unit (a bedroom which is a separate room from the other living quarters, a full-size kitchen with full size appliances).
 - c. The property includes a parking space in the Blue Mesa Lodge complex
 - d. The property has the appropriate density units associated with a Lodge unit (0.75 density units).
3. 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
 - a. The infrastructure already exists to meet public health, safety and welfare, the proposed rezone will not create an additional burden.
 - b. No additional hazards will be created by this proposed rezone. No additional burden of trash or parking as underground parking is available to residents of this unit and sufficient method of trash disposal is in place.
 - c. The unit is either used by the owner or rented during the most population dense times in the Town of Mountain Village and therefore the proposed rezone will not contribute to an increase in vehicular or pedestrian circulation.
4. The applicant is submitting appropriate documentation.
 - a. Title commitment with legal description of the property
 - b. Copy of Deed that includes proof of ownership of parking space
 - c. Map amendment of the property showing layout of the property
 - d. Post a public notice of the proposed rezone
 - e. Bill of sale of the additional 0.25 density units



Agenda Item No. 8
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board
FROM: Sam Starr, Planner
FOR: Design Review Board Meeting, November 7, 2019
DATE: October 23, 2019
RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge units 41A from one (1) efficiency lodge zoning designation units to one (1) lodge zoning designation unit.

PROJECT GEOGRAPHY

Legal Description: *Condominium Unit 41A, Blue Mesa Lodge Condominiums*
Address: 117 Lost Creek Lane
Owner: Keith Brown
Zoning: Village Center
Existing Use: Accommodations/Commercial
Proposed Use: Multi-Family Residential/Commercial
Lot Size: 0.16 Acres
Adjacent Land Uses:

- o **North:** Village Center
- o **South:** Village Center
- o **East:** Village Center
- o **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative
- Exhibit B: 41A Unit Photos and Map

BLUE MESA LODGES HISTORY

Zoning Designations and History of Blue Mesa Lodges



Figure 1: Blue Mesa Condominiums Location

Lot 42B (Blue Mesa Lodges) was originally platted by the 1992 zoning map and preliminary PUD plat for eight (8) condominiums and (4) hotel units (with a total person equivalent of 30 persons) at reception no. 282099.

In 1997, by Resolution No. 1997-0923-23, Lot 42B was rezoned from 10 condominiums with 18 lock-offs to 28 efficiency lodge units with a total of 14-person equivalent density. Lock-offs carried no zoning designation or person equivalent since they were considered bedrooms to condominium units). During this process the Town allowed for parking to remain at 10 spaces

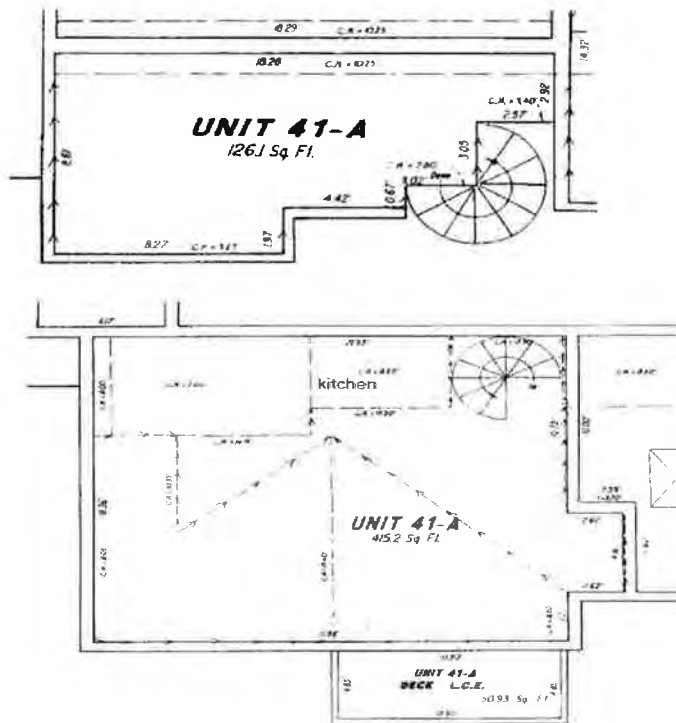
and waived the requirement to add an additional 4 parking spaces. The town approved of the rezone for the building as is, meaning that no interior or exterior alterations were required.

The condominium map unit configuration illustrates the units were labeled as Units A, B & C (ex. 20A, 20B and 20C). These units had doors that connected the units between them. Each unit also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. For the fourth floor, all units have the A, B, and C designation, as well as a mezzanine loft accessible by stairs. Unit 41A and the associated mezzanine are owned by the applicant, Keith Brown. Units 41-B and 41-C have sperate owners that are not party to any rezone and density transfer applications at this time.

Rezone History of Units 41A

The applicant, Keith Brown purchased efficiency lodge unit 41A along with parking space P41 in 2006. As evidenced by the condominium map referenced below, the unit is 465 square feet (L.C.E deck included) and the mezzanine is 126 square feet, for a total of 591 square feet.

Figure 2: Blue Mesa Lodge Condominium Map dated October 5, 1998, Unit 41A



The CDC defines a lodge unit as, "A zoning designation that allows for a two (2) room space plus a mezzanine with up to two separate baths and a full kitchen". Because Unit 41A has an existing loft area, the unit meets the CDC definition for the lodge zoning designation.

CRITERIA, ANALYSIS AND FINDINGS

The criteria for decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (***)

- 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, [and/or] there have been changes in conditions in the vicinity [and/] 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
- 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.

STAFF NOTE: The proposed rezone is justified, as the applicant is voluntarily bringing his unit into compliance based on efficiency lodge unit zoning designation codes. Moreover, the rezoning is in compliance with the goals policies and provisions of the comprehensive plan. There will be no vehicular impact as the applicant possesses sufficient parking, and all other town regulations and standards will be met by this rezoning.

17.4.10: Density Transfer Process

(***)

D. Criteria for Decision

(***)

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.

Staff Note: The applicant has demonstrated that he has the adequate density to meet the standards put forth in 17.4.10(D), Criteria for Decision on a Density Transfer Process.

STAFF ANALYSIS

Rezoning a one room efficiency lodge unit into one lodge unit for long-term living meets the definition of a lodge unit and will assist in bringing the Blue Mesa Lodges into compliance with the Community Development Code. The applicant is receiving .5 person equivalents of density from the owner of Lot 33A and 33B, who needs to remove density from his unit complete his rezone and density transfer application, which only facilitates greater conformance. There are no exterior changes that require Design review Board specific approval, and the criteria listed above for

decisions on rezoning and density transfers have been demonstrated by the applicant. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning two efficiency lodge units to one lodge unit meets the town criteria for a rezone application. Staff recommends approval of this Rezone and Density Transfer Application.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodges unit 41A to rezone unit 41A from one (1) efficiency lodge zoning designations to one (1) Lodge zoning designation with the following findings and conditions as noted in the staff report of record dated October 23, 2019 and with the following findings and conditions:

Findings:

1. *The applicant has the requisite required density of .75 person equivalents to execute a rezone from efficiency lodge to lodge zoning designation.*
2. *The applicant has met or exceeded the parking requirement of .5 parking spaces.*
3. *Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*

Conditions:

1. *The applicant must renumber the Lodge unit to a singular unit number on the door, to be integrated into a future condominium map and associated declarations.*
2. *The declarations must be updated to recognize Units 41A as one Lodge unit in zoning designation.*
3. *The Lot list shall be updated to reflect the rezone from one efficiency lodge unit to one lodge unit.*

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019 with notice of such hearing as required by the Community Development Code.

Keith Brown, Tyco Zeletineanu
117 Lost Creek Lane, Apt 41-A
Mountain Village, CO 81435 (970) 417-9513 keithtelluride@gmail.com

August 30, 2019

Development Narrative for the Rezone and Density Transfer Application to a Lodge designation of Apt. 41-A, 117 Lost Creek Lane, Lot 42-B, Mountain Village, CO 81435

My wife Tyco and I purchased our 41-A condo in 2006 as our primary residence. We have resided there full-time since our purchase. We seek a Rezone and Density Transfer to a Lodge designation so the designation is in conformance with use. We also seek a Lodge designation so we may proceed with a permitted renovation. Before we purchased 41-A, we had an attorney review title and HOA documents. We also attended a HOA board meeting where we stated our intent to reside full-time at 41-A. We understood 41-A to be a Residential Condominium. We would not have purchased 41-A if an Efficiency Lodge designation had been disclosed. We first learned our condo had an Efficiency Lodge designation only on May 14, 2019.

41-A is a top floor condo with Loft. The existing full kitchen is original, based on appliances which have manufacturing dates of 1992 and 1994 and from the appliances and kitchen cabinets being the same as other non-renovated units in the building. The 41-A floor plan is attached. There is one full parking space for 41-A. The parking space is designated as 41 parking space. We believe the original kitchen and parking indicates the developer planned 41-A for residential use.

This application meets the applicable criteria for a Rezone to a Lodge designation as follows:

A. The proposed rezoning is in General Conformance with the goals, policies and provisions of the Comprehensive Plan (CP) because:

- A Lodge designation of 41-A will help promote a rich social fabric within the community (page 9 CP) by allowing for the varied use of the property as a short-term rental and as a long-term residence. As an example of the promotion of a rich social fabric that a Lodge designation can give, the current 41-A owner is an involved, active citizen. Keith serves on the Town DRB, has been the chairperson of local, non-profit organizations and actively promotes and generates economic activity as a Realtor and Interior Designer. This is in keeping with the Community Character Vision (page 18 CP) which is for Mountain Village to be a "community where small-town values are important and people can make social and emotional connections."
- A Lodge designation of 41-A is in compliance with the intended mixed-use of the Village Center Zone District which includes (page 51 CP) "...full-time residency in the Mountain Village Center, with provisions such as smaller units, the creation of a better sense of Community, and other creative options."

B. The proposed rezoning is consistent with the Zoning and Land Use Regulations because:

- 41-A physically meets the definition of Lodge (page 91 CP) by having a Loft/Mezzanine, full parking and full kitchen.
- The continued use of 41-A as an owner's residence is allowed under a Lodge designation.
- The Lodge designation is in keeping with the Land Use Plan Policy (page 39 CP) for a Mixed-Use Center.

C. The proposed rezoning meets the Comprehensive Plan project standards because:

- The 41-A building was designed, approved, built and managed as a Residential Condominium property.

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 because:

- The 41-A building is physically suitable for Lodge use.
- A Lodge designation provides for a higher property valuation and range of use. That in turn helps create pride of ownership and a willingness to upgrade and improve the property beyond interior condo renovations.

The 41-A owner, along with the other owners of the property made substantial financial and personal contributions in upgrading and maintaining not only condominium interiors but also the building and plaza infrastructure. A partial list of infrastructure improvements includes garage fireproofing (2019), roof drainage, a snow melt system, heat tape safety circuit breakers (2009-2017), extensive waterproofing and plaza repairs (2016) and building structural repairs from snow melt salt damage (2009-10). Additionally the property owners allowed the town an easement to install the Sunset Plaza snow melt system and another easement allowing the town to use delivery vehicles across HOA property.

The 41-A owner (Keith) was project manager for most of the mentioned infrastructure projects and his participation would have been difficult if he did not reside at the property.

- There are benefits for safety and welfare of short and long term occupants by a Lodge designation allowing for a resident owner, given the building is without a manager, front desk or other on-site supervision.

E. The proposed rezoning is justified because there are the following errors in the current zoning:

- The 41-A condo as well as other units in the property have been used as long-term residences since the original construction. The history of the property is mixed-use, with long-term residential occupancy in multiple units, including 41-A. 41-A has been the full-time residence of the applicant since his 2006 purchase. Before purchase in 2006 41-A was also a full time residence, as were other units in the building. The current zoning was not enforced since the 1998 Town Resolution changed the condominiums to Efficiency Lodge designation.

- There was no removal of full kitchens and no enforcement of the parking obligations (for other units at the property) so the current zoning obligations have never been required, enforced or met.
- The 41-A condo was purchased with and has an original full kitchen, which is in error to the current Efficiency Lodge designation.
- The 1997 application for conversion to Efficiency Lodge was at the request of the developer/declarant and not by a properly constituted HOA on behalf of Owners. The developer/declarant then recorded a misleading amended declaration (recording 321574) as part of the HOA governing documents. The amended declaration stated the conversion was from Residential Condo to Residential Studio Apartments, which is a designation that did not and does not exist. The full chain of buyers (23 past & present owners contacted) thought they had purchased Residential use properties. The rezone to Efficiency Lodge appears in error because the purchases and uses were for Residential Condos.

G. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion because:

- 41-A has a full parking space (41 parking space) at the property.

H. The proposed rezoning meets all applicable Town regulations and standards because:

- The subject property was constructed to a Residential Condo standard.
- The Lodge designation allows for the intended use.
- The 41-A renovation is by permit and does not change the physical properties beyond what is allowed for Lodge

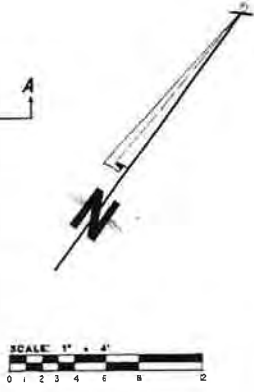
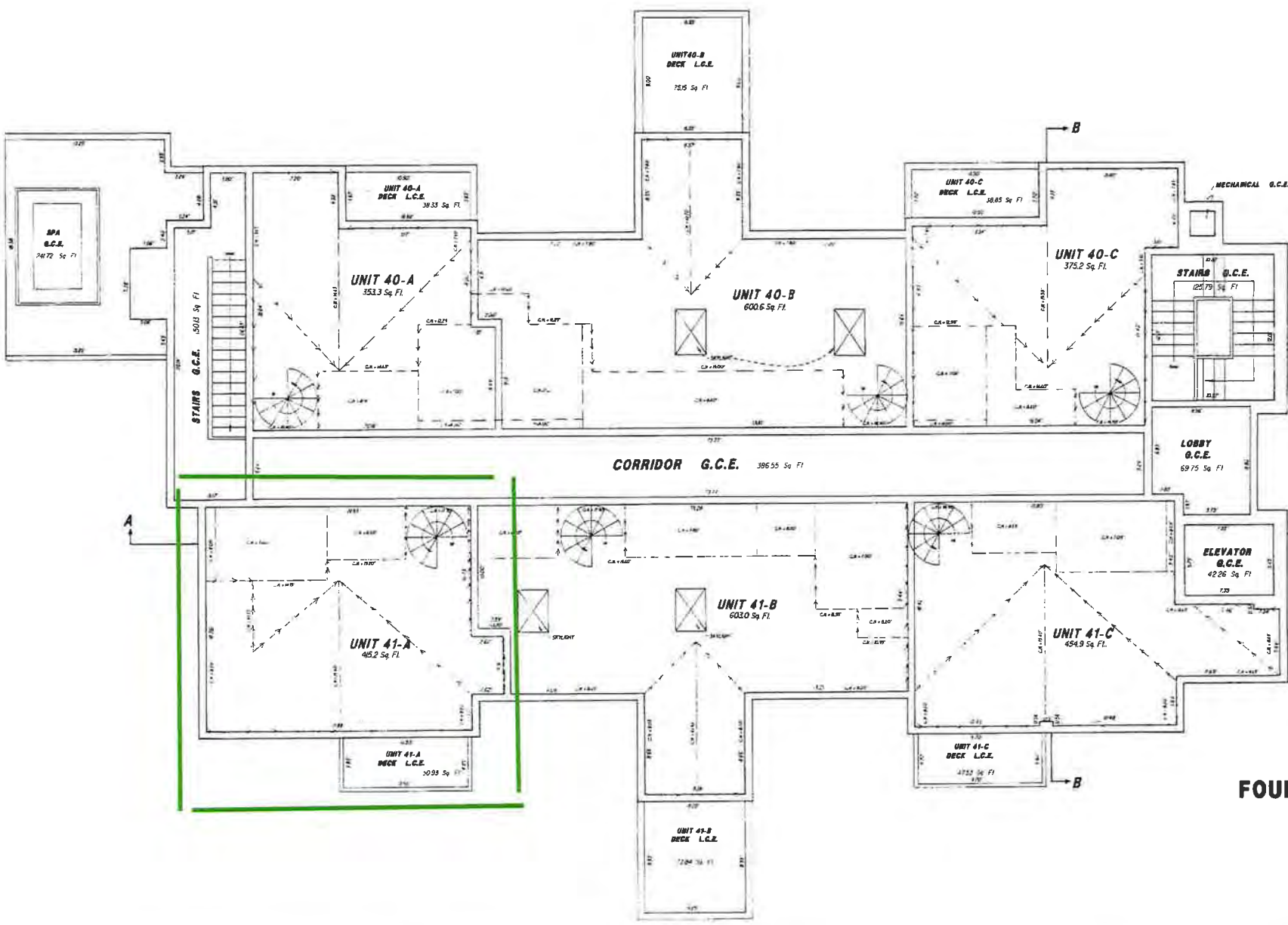
We want to thank town Planning and Town Council for considering this application and for the Council direction to the town to consider waiving related application fees.

Submitted as separate files:

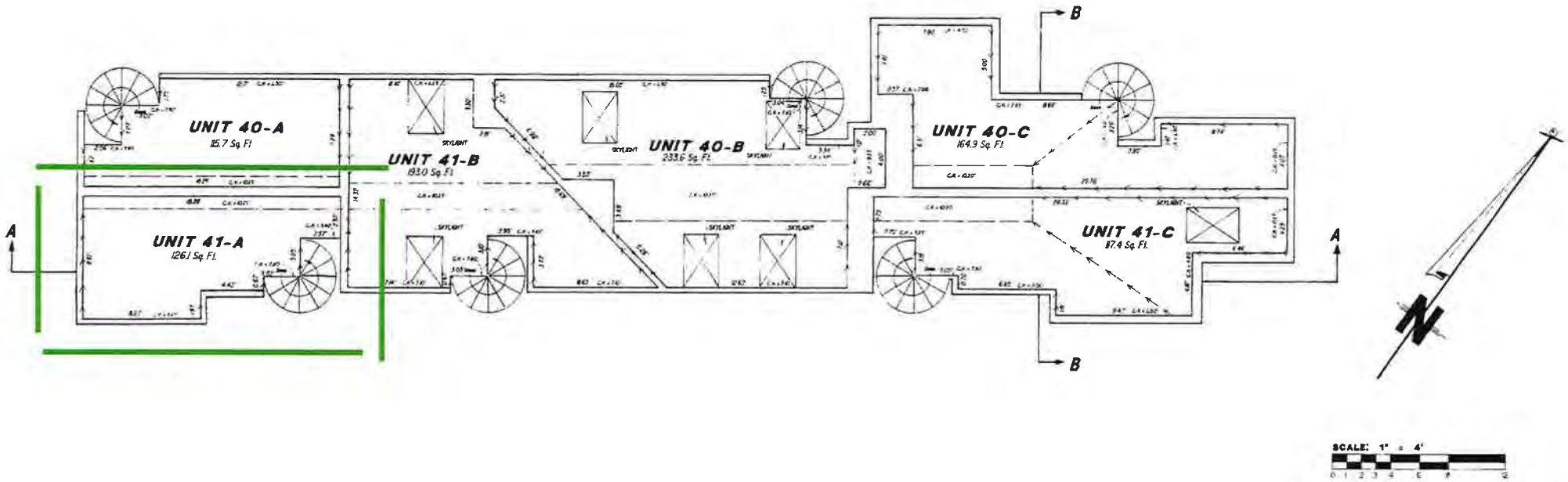
- 41-A floor plan and current condition photos
- 41-A building department Residential Remodel Permit (pending) and Electrical permit
- Summary of Recorded Documents for Blue Mesa Lodge Condominiums, Lot 42-B

Thank you, Keith Brown and Tyco Zeletineanu, owners and full time residents at 41-A.

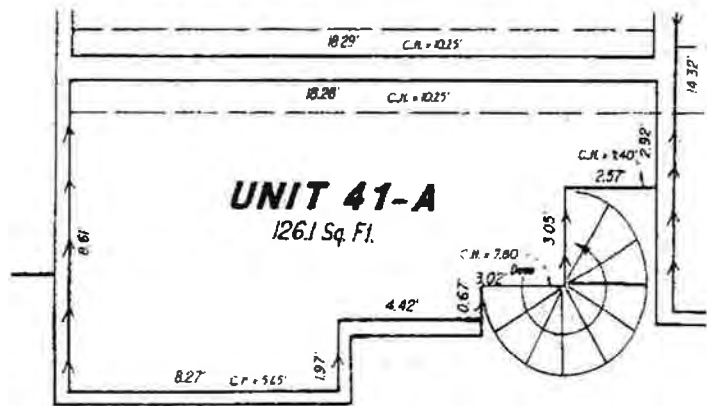
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FOURTH FLOOR PLAN



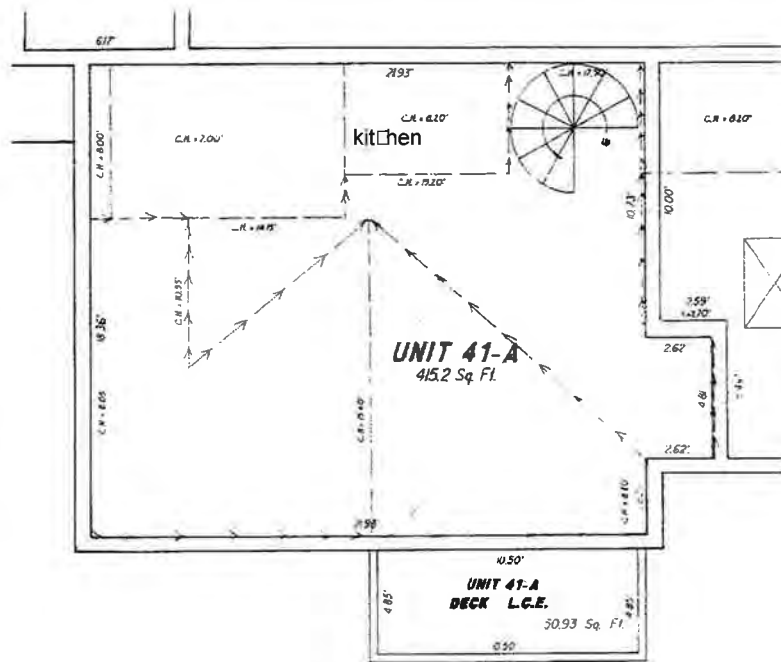
FOURTH FLOOR LOFT



Unit 41-A Floor Plans

The Loft is 126.1 Square Feet with one window.
The Loft functions as the bedroom.

The Loft includes an open area that is 8.27 Feet by 8.61 Feet, which exceeds the requirement for a room.



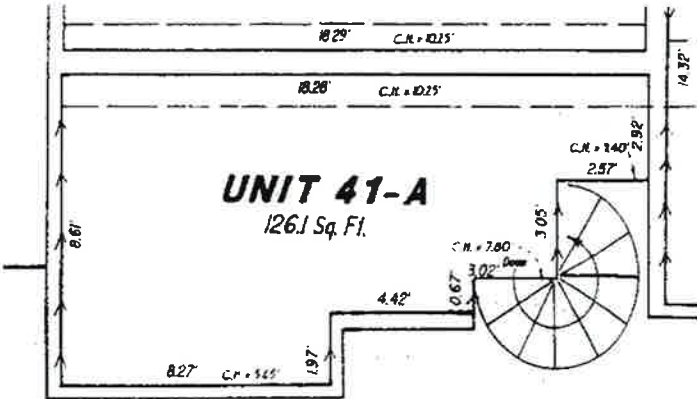
The lower level is 415.2 Square Feet, with deck, bathroom, full kitchen, and living room area.

There are 6 windows and 2 deck doors.

The bathroom measures 6 Feet by 10 Feet.

The deck is 50.93 Square Feet

41-A Loft Photos

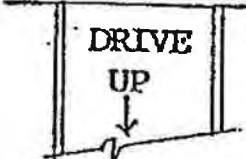


Blue
Mesa
Condo
Lot 42-A

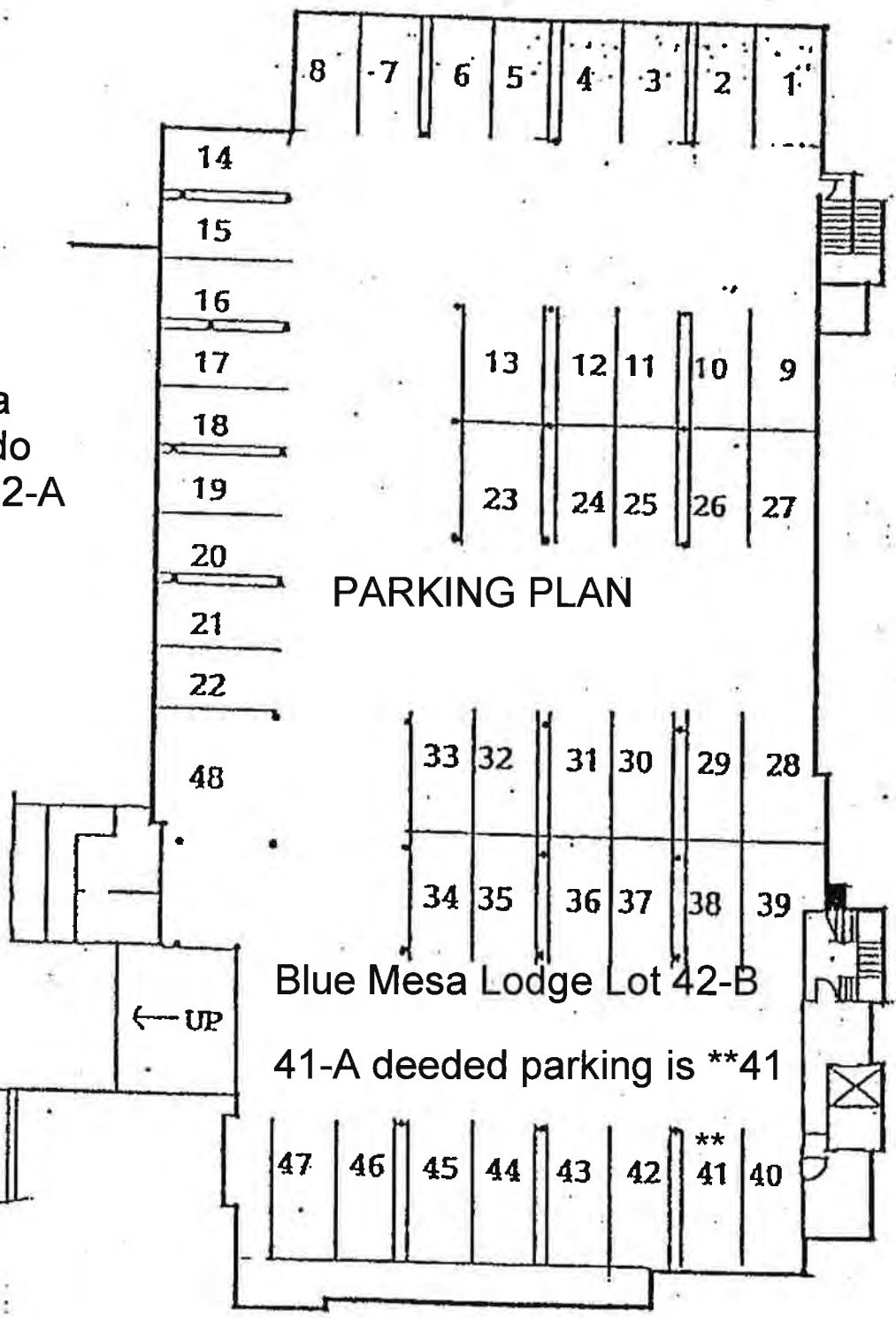
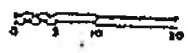
PARKING PLAN

Blue Mesa Lodge Lot 42-B

41-A deeded parking is **41



← UP





**PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

TO: Design Review Board
FROM: Sam Starr
FOR: Meeting of November 7, 2019
DATE: October 23, 2019
RE: Review and recommendation to Town Council regarding a Conditional Use Permit for a Public Art Installation on Lot OSP 49R.

PROJECT GEOGRAPHY

Legal Description: Tract OSP 49R, According to Mountain Village Plat Book 1, Page 2758 recorded July 14, 200.

Address: N/A

Applicant/Agent: Ah Haa School for the Arts/Telluride Foundation.

Owner: Telluride Ski and Golf, LLC

Zoning: Active Open Space

Existing Use: Ski Resort Uses

Proposed Use: Public Art Display

Lot Size: 98 Acres

Adjacent Land Uses:

- o **North:** Open Space
- o **South:** USFS Land
- o **East:** Open Space
- o **West:** Open Space

ATTACHMENTS

- Applicant's narrative
- Location Map
- Installation Detail
- Lighting Study
- Wetlands Study



Figure 1: Lot OSP 49R Location Map

CASE SUMMARY

The Ah-Haa School for the Arts, in conjunction with internationally renowned artist Tavares Strachan seek a Design Review Board review and recommendation to Town Council for a conditional use permit to allow for a public art installation on Lot OSP-49R. This art piece will be visible by the Gondola and will consist of 5 separate pieces that, when viewed in its entirety, will read "We are in this together". The 5 separate pieces will consist of 20 fluorescent lights and will be anchored by a lattice structure with concrete footers. Each lattice structure will sit on top of 6-8 small concrete footers. Each structure will rise between 10 - 20 feet off the ground. The proposed installation will be visible starting in early May 2020, and is proposed to remain for 18 months, until November 2021. The applicant has stated that this project will only be visibly lit when the gondola is running; the lights will not be on during off-season or after gondola hours of operation.

The zoning designation for Lot OSP-49R is Class 3 Full Use Active Open Space. While this specific lot is owned by TSG, the installation, maintenance, and removal of the art display will be contracted out to a third party. No grading will be necessary for installation; however, a mini excavator and auger will be required for the construction of the lattice structure. During the deconstruction of the installation, all footer holes will be backfilled and revegetated to its natural state. The Ah-Haa school received the necessary consent by TSG to submit the application to the Town.

RELEVANT CODE SECTIONS

The applicable requirements cited may not be exhaustive or all inclusive. The applicant is required to follow all requirements even if an applicable section of the CDC is not cited. Please note that staff findings will be indicated by **emboldened text**.

13.3.3(D) Uses Not Listed in Use Table

1. No development permit or building permit shall be issued for a use not listed in the Use Schedule unless the Director of Community Development determines that the proposed use either:
 - a. Similar to, or is closely related to, a land use classification set forth above and does not have greater impacts; or
 - b. The proposed use falls within the zone district descriptions and general uses section set forth above or the specific zone district requirements sets forth below.
2. For uses that are clearly not listed as a permitted, accessory, or conditional use by the Zoning and Land Use Regulations, the Director of Community Development shall make determination of whether the use is allowed as a code interpretation.

Staff Note: Although public art is allowed as a use by right according to the Land Use Schedule found in Community Development Code Section 17.3.3, there are other elements of this art installation that would constitute above ground infrastructure which requires a conditional use permit for class 3 Active Open Space. Moreover the visibility, community-wide impact, and limited duration make this proposal difficult to fit into any one definition of uses from the CDC. Accordingly, staff have determined that the best way forward for this project is a class 4 Conditional Use Permit Application. Findings have been included in proposed motions that *the applicant's submittal requires Review of the Design Review Board for Conditional Use Permit approval.*

17.4.14.D Criteria for Decision

1. The following criteria shall be met for the review authority to approve a conditional use permit:

- a. The proposed conditional use is in general conformity with the policies of the principles, policies and actions set forth in the Comprehensive Plan;

The section of the Mountain Village Comprehensive Plan titled "Cultural Enhancement" recommends that the town create outdoor spaces and display spaces for public art. The plan also recognizes that partnerships with local organizations that bolster improvements such as public art, are integral to forming a successful mountain community. This display, and the associated programming that Ah-Haa will provide certainly meet those plans and principles.

- b. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;

The public art display will not create a substantial adverse impact on the services or infrastructure associated with this lot. The applicant has worked diligently with Transit Director and Director of Parks and Recreation Jim Loebe to ensure that there are no concerns from a gondola operations standpoint, and that all tram board easements are respected. There are a few homes located at the planned community of the Ridge at Telluride, and the owners on the northern portion of this development may be impacted by the lighting.

- c. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;

The installation of the art project will be subject to Building Department inspections and there is no inherent hazard created by the presence of fluorescent lighting. Staff finds that with a limited duration and restricted hours of viewing, this condition is met by the applicant's proposal.

- d. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;

As mentioned in criteria 1.b, there are a few homes located at The Ridge at Telluride, and some owners may receive a faint glow from the lighting. The Design review Board will need to weigh in on the appropriateness of the lumens output and impact to neighboring property owners.

- e. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;

There will not be a significant adverse effect on open space or the purposes of the facilities owned by the town.

- f. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;

The applicant has provided a lighting cutsheet and lumens study which demonstrates the extent to which this public art display will have a visual impact. The Design Review Board will need to weigh in on the appropriateness of the brightness. The applicant does propose having the lights on only during the hours of gondola operation, which cuts back substantially on any visual impact.

- g. The design, development and operation of the proposed conditional use shall provide adequate infrastructure;

Affirmed. To further guarantee the quality of infrastructure, a condition of approval has been added that requires the applicant to receive a building permit from the Building Division to ensure that the lattice structure and lighting system meet all relevant town building codes.

- h. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and

This installation will not impact water supplies in any way. The applicant has also received confirmation from Chris Hazen of Terra Firma that jurisdictional wetlands are not impacted by or located near the lattice structures.

- i. The proposed conditional use permit meets all applicable Town regulations and standards.

This application constituted a complete Conditional Use Permit Application submittal. The applicant needs to demonstrate that the submittal material and proposed use substantially comply with the criteria listed above at section 1a-I in order to meet the applicable standards.

- 2. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the conditional use permit review criteria.

REFERRAL COMMENT

Public Works

Public Works Director Finn Kjome stated in his referral comment that he would need to see the art installation superimposed with existing utilities to ensure that no damage to infrastructure would occur with this project. A condition of approval has been added to address this prior to Town Council Review.

Transit, Parks and Recreation

Transit Director and Director of Parks and Recreation Jim Loebe has been in communication with the applicant and is generally supportive of the application, and indicated in his referral comment that there would not be interference with gondola operations during the display period. Mr. Loebe has requested that the applicant have continued coordination with gondola management during construction. Staff have made this a condition of approval.

Building Official

The Town of Mountain Village Building Official, Drew Harrington has indicated that the structural aspects of the lattices will need to be engineered and stamped by a licensed Colorado professional engineer. Mr. Harrington also expressed concern about neon lights being exposed to the colder temperatures and the high amperage they operate at. A condition of approval has been added that requires the applicant to submit for a building permit should they receive approval of the conditional use permit.

ANALYSIS AND STAFF RECOMMENDATION

The application submitted by Ah Haa School for the Arts to obtain a conditional use permit on Lot OSP-49R does conform with the policies of the principles, policies and actions set forth in the Comprehensive Plan by adding to the cultural enhancement of the Town of Mountain Village. The limited hours of operation and proposed 18 month viewing window will limit any impacts to the surrounding properties. However, the Design Review Board will need to determine if proposal *substantially complies* with the conditional use permit review criteria prior to making a recommendation to Town Council. If the Design Review Board deems this application to be appropriate for recommendation to Town Council, Staff request said recommendation condition the items listed below in the suggested motion and the findings contained above within the Staff Memo.

PROPOSED MOTIONS

Motion for Approval:

*"I move to **approve** the application by Ah Haa School for the Arts for a Conditional Use Permit to allow a public art display Lot OSP-49R with the following Findings and Conditions:*

Findings:

- 1) *The Design Review Board finds that the applicants submittal requires Review of the Design Review Board for Conditional Use Permit approval*
- 2) *The Design Review Board finds that the proposed application meets the 9 criteria for a Conditional Use Permit approval as outlined in CDC Section 17.4.14(D) Conditional Use Permits Criteria for Decision.*

Conditions:

- 1) *Prior to installation, the applicant shall receive a building permit from the Building Division to ensure that the lattice structure and lighting system meet all relevant town building codes.*
- 2) *Per the request of the Public Works Director, the applicant shall submit a revised cutsheet prior to the December 12, 2019 Town Council meeting indicating overlaying the We are in this together installation with existing utilities to determine there will not be any damage to the infrastructure nearby.*

- 3) *Per the request of the Transit Director, the applicant shall work with gondola management during construction and removal phases to ensure there are no impacts to gondola infrastructure or operations.*
- 4) *The art installation shall only be visible and lit during the gondola hours of operation.*
- 5) *The art installation shall be in full working order and a maintenance and/or repair expectation determined so that all lighting is operational or repaired within a short period of time.*
- 6) *The Conditional Use Permit shall be valid for a period of 18 months with a bi-annual review by the Planning Division Staff, with the applicant responding to any valid issues as they arise during the operation or annual review. Should, in the Planning Division Staff's sole discretion, significant issues arise concerning the Conditional Use Permit and the activities permitted thereunder arise, the bi-annual review may be elevated to the Town Council. The applicant shall in writing inform Planning Division Staff of any minor operational changes which shall be processed by Planning Staff as a Class 1 or 2 permit with the possibility to elevate to Class 4.*
- 7) *Staff has the authority to suspend operations if it is determined that the applicant or operator has failed to meet the conditions of approval.*
- 8) *Applicant shall solely utilize the alternate corral location as presented at the November 7, 2019 Design Review Board Meeting.*
- 9) *The applicant shall, as needed, revegetate the site of the art display to a natural pre-disturbed state. This includes revegetating after the lattice structures have been removed at the end of the conditional use permit term.*

Motion for Denial:

*I move to **deny** the application by Ah Haa School for the Arts for a Conditional Use Permit to allow a public art display Lot OSP-49R with the following Findings:*

Findings:

- 1) *The Design Review Board finds that the applicant's submittal requires Review of the Design Review Board for Conditional Use Permit approval*
- 2) *The Design Review Board finds that the proposed application does NOT meet the 9 criteria for a Conditional Use Permit approval as outlined in CDC Section 17.4.14(D) Conditional Use Permits Criteria for Decision.*

#7 Development Narrative:

Summary: The Ah Haa School for the Arts is requesting a Conditional Use permit to install a contemporary landscape art installation underneath the gondola. The installation will fall entirely within the boundary of Lot OSP-49R (lot map attached) which is owned by the Telluride Ski and Golf Company, "TSG". TSG is in support of this project and has given permission for the Ah Haa School to proceed with this application (see signed Owner Agent Authorization form included with this application).

The location of the proposed installation is toward the top of the gondola line just below Station San Sophia (on the Mountain Village side) between Towers 8 + 10 and is meant to be viewed as you ride the gondola from the Mountain Village station up to Station San Sophia.

The Artist: Tavares Strachan is a conceptual artist whose multi-media installation and performative practice investigates a wide range of themes including history, science, technology, mythology, climatology and exploration.

Strachan was born in 1979 in Nassau, Bahamas and currently lives and works between New York City and Nassau, Bahamas. He received a BFA in Glass from the Rhode Island School of Design in 2003 and an MFA in Sculpture from Yale University in 2006. Strachan's work has been featured in numerous solo exhibitions. He has also been the recipient of numerous awards including the 2018 Inaugural Allen Institute Artist in Residency Recipient, 2018 Frontier Art Prize, 2014 LACMA Art + Technology Lab Artist Grant, 2008 Tiffany Foundation Grant, 2007 Grand Arts Residency Fellowship and 2006 Alice B. Kimball Fellowship.

Mr. Strachan is committed to creating art that is catalyst for positive social change. His works' purpose is to shine a light on many of today's most pressing issues including climate change, income equality, food insecurity, population density and social justice.

Please visit the Artist's studio <https://isolatedlabs.com/> to learn more about Mr. Strachan.

Why Here? Mr. Strachan has been an Artist in Residence in the region for the past 5 years. During his time here he has met with many business owners, non-profit leaders and community members. He has developed a number of personal connections with many of us in the community and after riding the gondola numerous times, an idea began to form around an installation that everyone riding the gondola would experience; an inspiring and unifying message to be viewed and contemplated, not only by all of us that call the region home, but by the millions of visitors who ride the gondola every year as well as thousands of contemporary art enthusiasts who will travel to the region for the sole purpose of experiencing this unique place-based art.

The Art: The Installation consists of 5 lattice structures, each displaying one neon word on top (5 words total): **we are in this together** "WAITT". Each lattice structure will sit on top of 6-8 small concrete footers. Each structure will rise between 10 - 20 feet off the ground. The infrastructure is being engineered to withstand the high alpine environment in which it will live. The installation does not create a substantial adverse impact, nor does it pose a physical hazard to any adjacent property. Please see the attached Artist Rendering for more details on the installation and visit this box link to view a computerized massing model <https://isolatedlabsinc.box.com/s/mkenxe3xh85ygpp45axrj709t9mj2s37>

Timeline: If approved, the installation of WAITT will commence in early May 2020, as soon as the ground has thawed and is free of snow. Construction will take between 3 and 4 weeks to complete. We hope to “light” the neon by the end of June. The installation will remain for 18 months and will be removed prior to the 2022 ski season.

Installation Equipment: A small bobcat and excavator with a mini auger will be used to dig 4-ft holes in the earth to house small diameter sonotubes that will ultimately be filled with concrete to create the foundation for each lattice structure. The remainder of the supplies (concrete, lumber & neon tubes) will be driven by pickup truck as close as possible to the site then carried in by hand.

Grading for the Installation: The installation requires no grading.

Access for Installation: Access to the site will be via the tunnel above and the maintenance road below (see attached site plan for exact locations).

Hours of Operation: WAITT will be lit only during standard gondola operating hours.

Neon Lighting/Lumens: Please see attached detailed lighting study conducted by SENSE Lighting.

Electricity: The electricity to power the installation will be accessed from an existing power junction box located above tower 9 just to the north of the installation (see diagram). A meter will be installed at this junction box to monitor the electricity used and the cost of the power will be paid for from the installation budget. The town of MV will not incur any power costs associated with this installation. It is our goal to power the installation with 100% renewable power from SMPA (through the purchase of green blocks). Appropriate conduit will be laid from the junction box to each of the 5 lattice structures to power each word (see attached site plan – conduit lines are noted in blue). We will hire a local electric contractor to do all electrical work.

Safety: The installation area (beneath the gondola) is already restricted to the public, and any attempts to approach or interfere with the installation would place individuals in violation of MV rules. In the winter months, it is “out of bounds” of ski area terrain and not near any summer mountain bike trails.

The materials utilized in the installation are designed to withstand a variety of weather conditions and natural elements. With this in mind, damaging the structure would require significant effort, both in terms of outright force coupled with malicious intent. We believe that these are relatively low risk issues.

Wildlife: The installation is tucked underneath the gondola between two significant groves of trees so will be shielded from the flight of birds. There is nothing on the ground that would interfere with Deer or Elk crossing its path. Past neon installations of similar size have not had any adverse wildlife interaction.

Wetlands: The installation does not disrupt any existing wetlands areas (see Wetlands statement from THE TERRA FIRM).

Maintenance: Each individual neon word consists of a maximum of 20 individual pieces of neon tubing that are stitched together. Should any piece of the neon fail (or be damaged) during the 18-month installation, the entire piece (all 5 words) will be turned off until that one piece can be replaced. The

repair of a faulty or damaged piece of neon takes approximately 3 days to repair. To expedite the process, a local maintenance firm will be contracted to perform this maintenance.

Snow: The installation has been designed to ensure that nature will take its course and snow accumulation on the piece itself will not be an issue.

De-Construction/Revegetation: The construction of WAITT will have minimal environmental impact. When removed, all traces of the installation (30-40 small 4ft holes in the earth to house the concrete footers) will be revegetated and the area returned to its original, natural state.

Programming: In addition to the installation of WAITT, in-depth programming to allow all of those that experience WAITT the opportunity to study the message, will occur both locally and throughout the region. Many non-profits and educational institutions have already expressed interest in collaborating with us on a number of creative programming ideas. Below is a list of ideas discussed thus far.

- Educational material will be available at both entrances of the gondola to provide information about the installation and help promote connections and conversations among gondola riders.
- Podcasts: The gondola will provide the stage for “strike up a conversation with someone you don’t know,” the results of which will be produced into multiple podcasts.
- Lectures, Artist Talks and Community Conversations on a variety of topics from: “What is Art” to “What does it mean to be a ‘local’”, to “Who is the ‘We’”, and “What is the ‘this’” in the installation?
- An original Theater production
- Poetry workshops
- Original Dance piece
- Master Classes and other educational opportunities at the Ah Haa School for both students and adults
- Curriculum guides will be created for regional school groups and teachers.
- Native American communities will be hosted throughout the life of the project to participate in a number of the programs specifically created to honor their heritage and historical stewardship of the land.

Economic Development: No art installation of this magnitude has happened in our region, ever! In addition to the positive social impact we feel WAITT will have on our local community, it will also attract thousands of contemporary art enthusiasts from around the globe as well as garner both national and international press—which will drive increased tourism to our region.

Since the programming surrounding the installation is set to cover a variety of time periods, the economic impact of the installation should be substantial in both total dollars brought to Mountain Village as well as its ability to increase economic activity during what has traditionally been slower seasons. Our planning team will work closely with the town to host events that complement, rather than compete with the town’s existing special event schedule. As such, the added benefits of the installation on businesses comes at very little cost or disruption.

Marketing: Once approved, a comprehensive marketing and public relations plan will be developed to help promote the installation and drive new visitors to the area to experience it. In addition to our own

marketing efforts, it is our goal to also tap into the strengths of existing regional marketing efforts through collaboration with the Telluride Ski & Golf Company, Visit Telluride, the Town of Mountain Village and the Mountain Village Homeowners Association.

WE ARE IN THIS TOGETHER
MOUNTAIN VILLAGE & TELLURIDE, CO

SITE PLAN 10.01.19

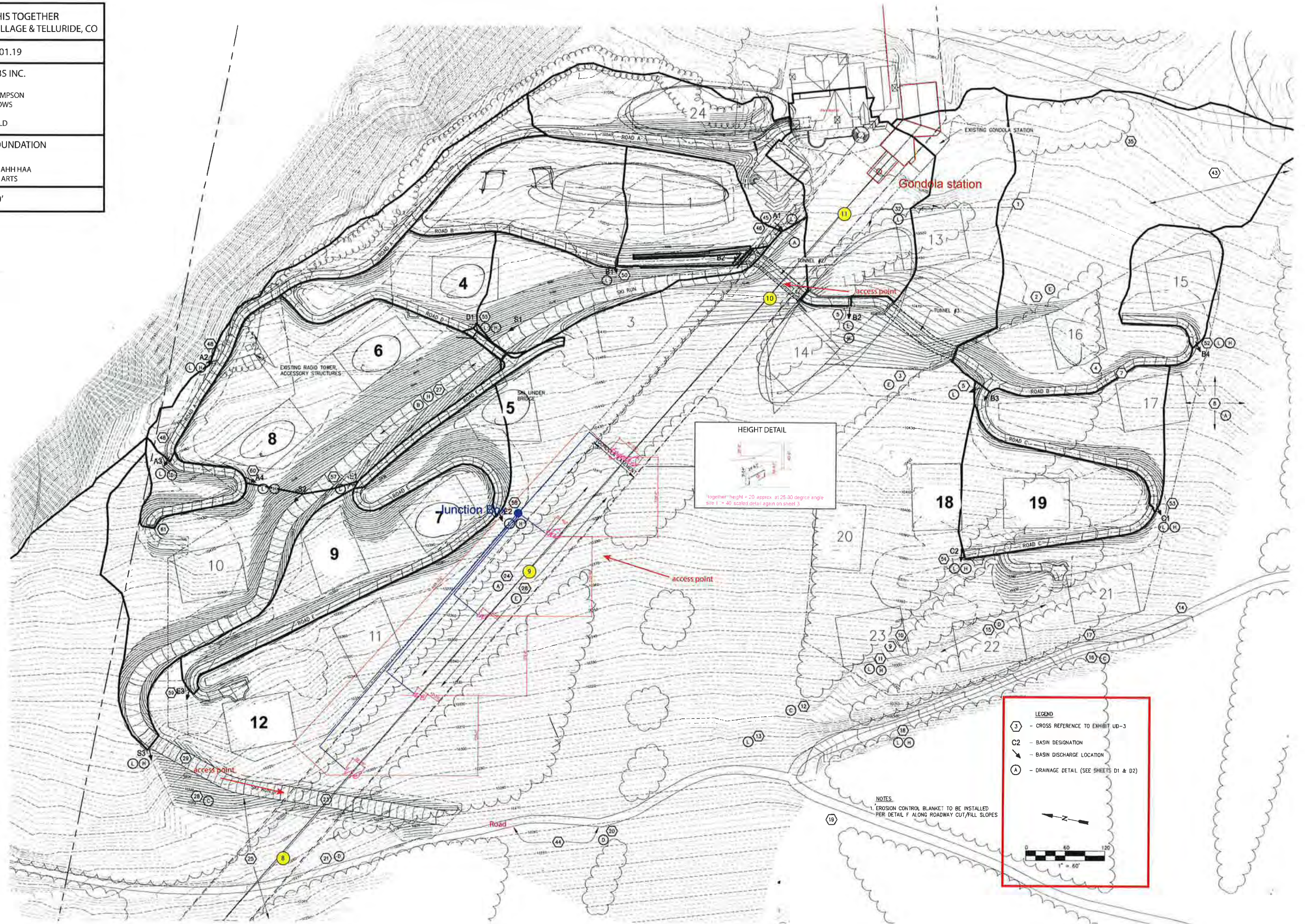
ISOLATED LABS INC.

CHRISTOPHE THOMPSON
ARISTOTLE BURROWS
ERICA SELLERS
NEVILLE WAKEFIELD

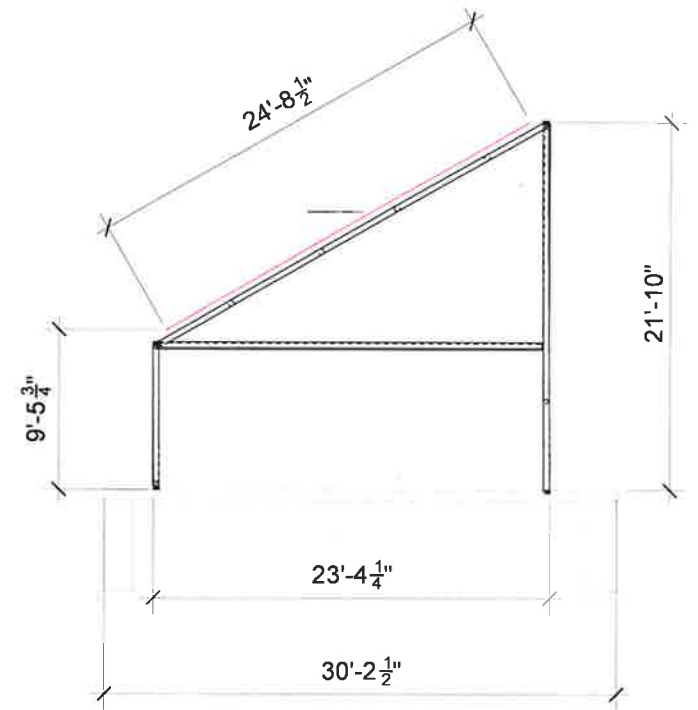
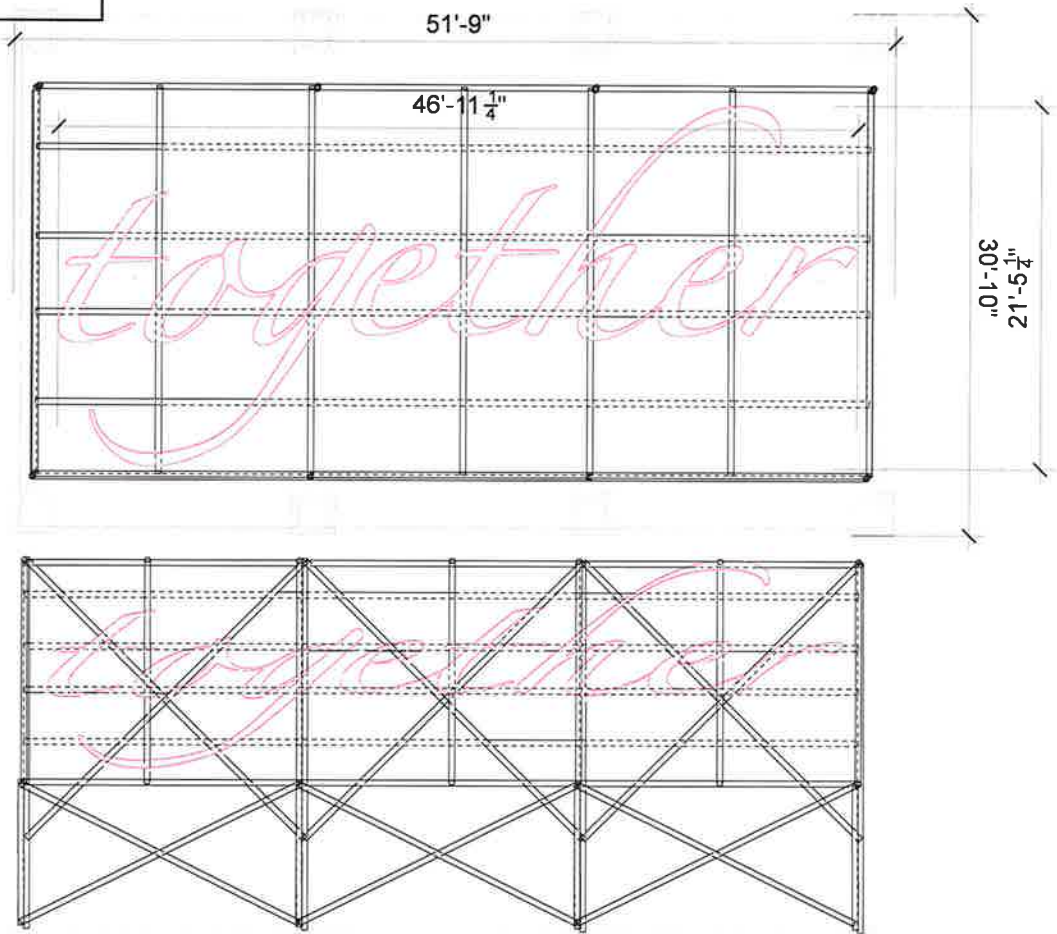
TELLURIDE FOUNDATION

JUDY KOHIN/THE AHH HAA
SCHOOL FOR THE ARTS

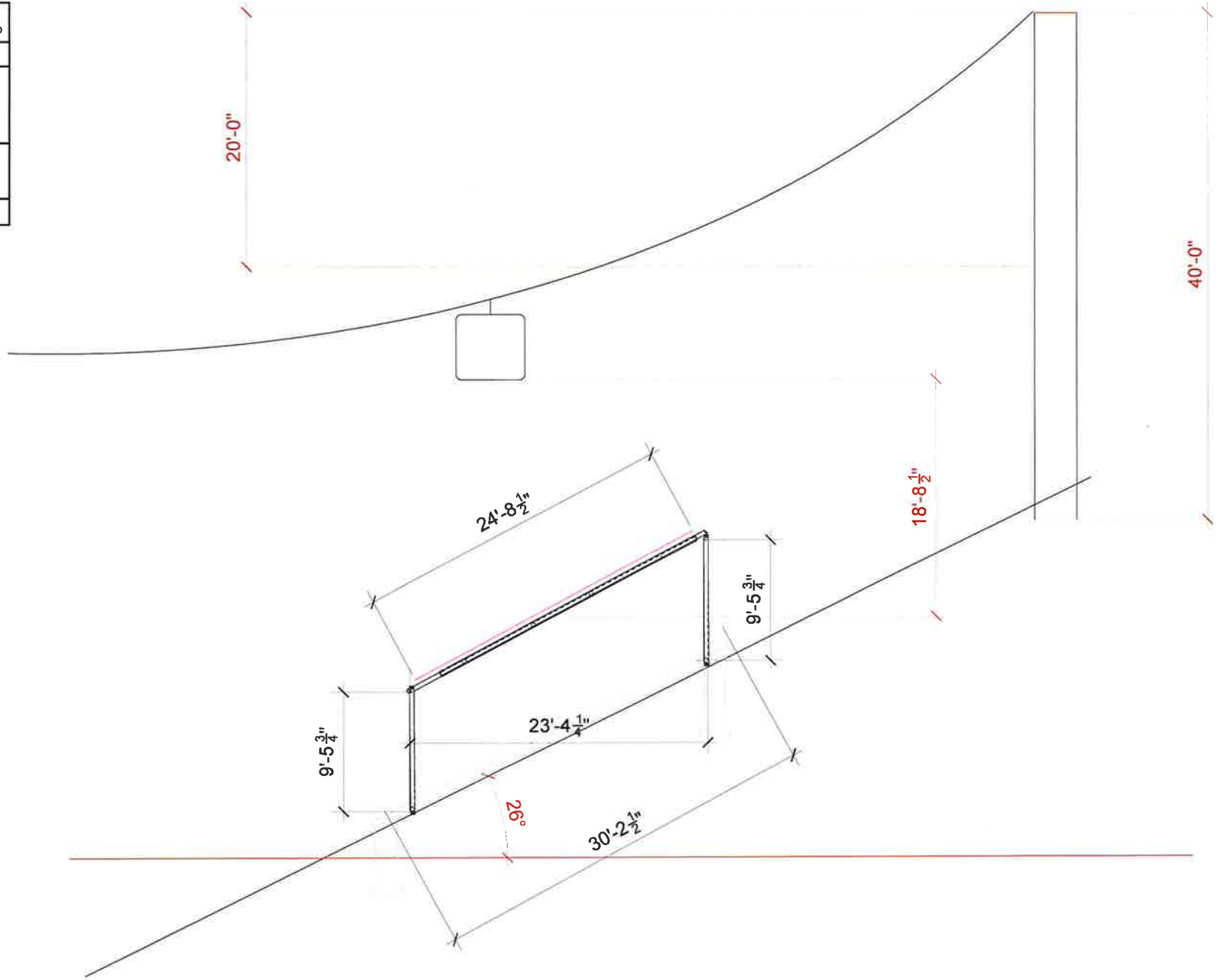
SCALE: 1" = 60'



WE ARE IN THIS TOGETHER MOUNTAIN VILLAGE & TELLURIDE, CO
TOGETHER PLAN 10.01.19
ISOLATED LABS INC. CHRISTOPHER THOMPSON ARISTOTLE BURROWS ERICA SELLERS NEVILLE WAKEFIELD
TELLURIDE FOUNDATION JUDY KOHIN/THE AHH HAA SCHOOL FOR THE ARTS
SCALE: 1" = 3'

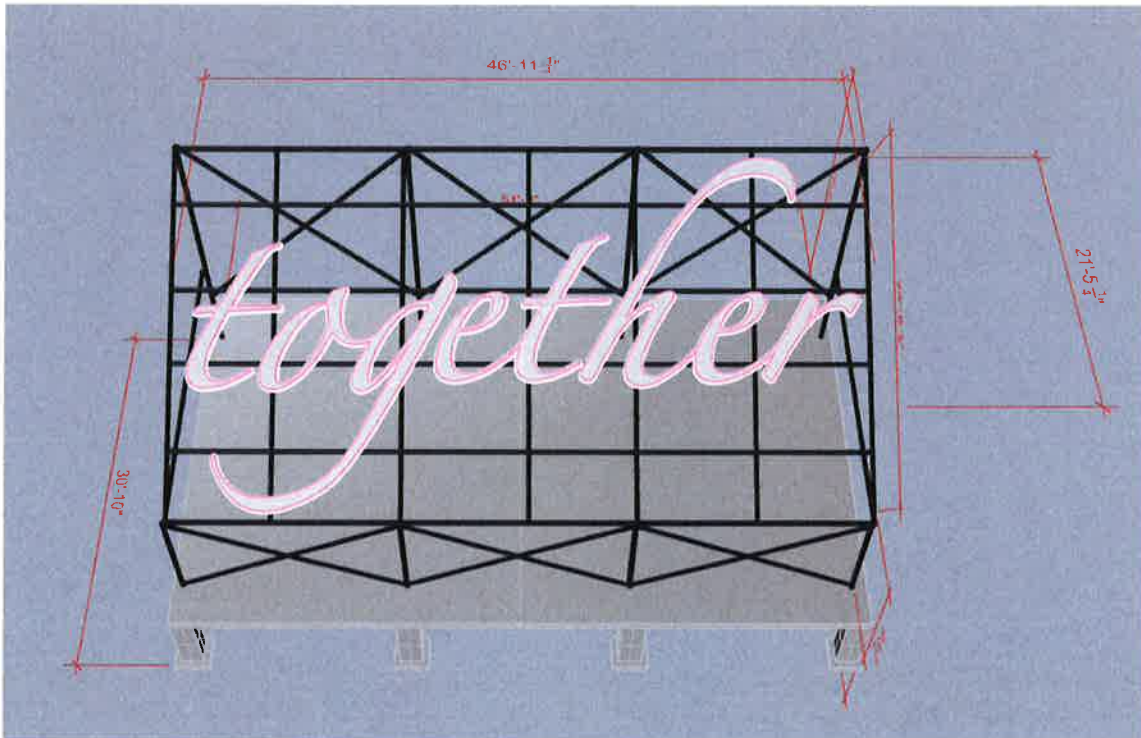
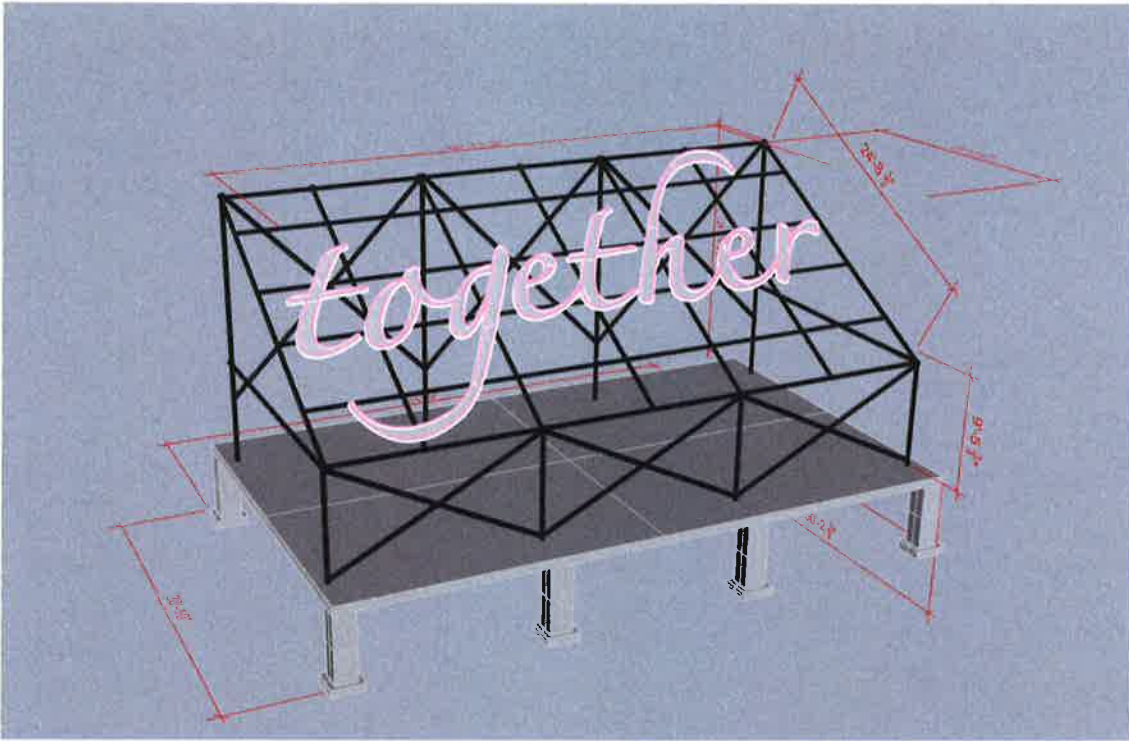


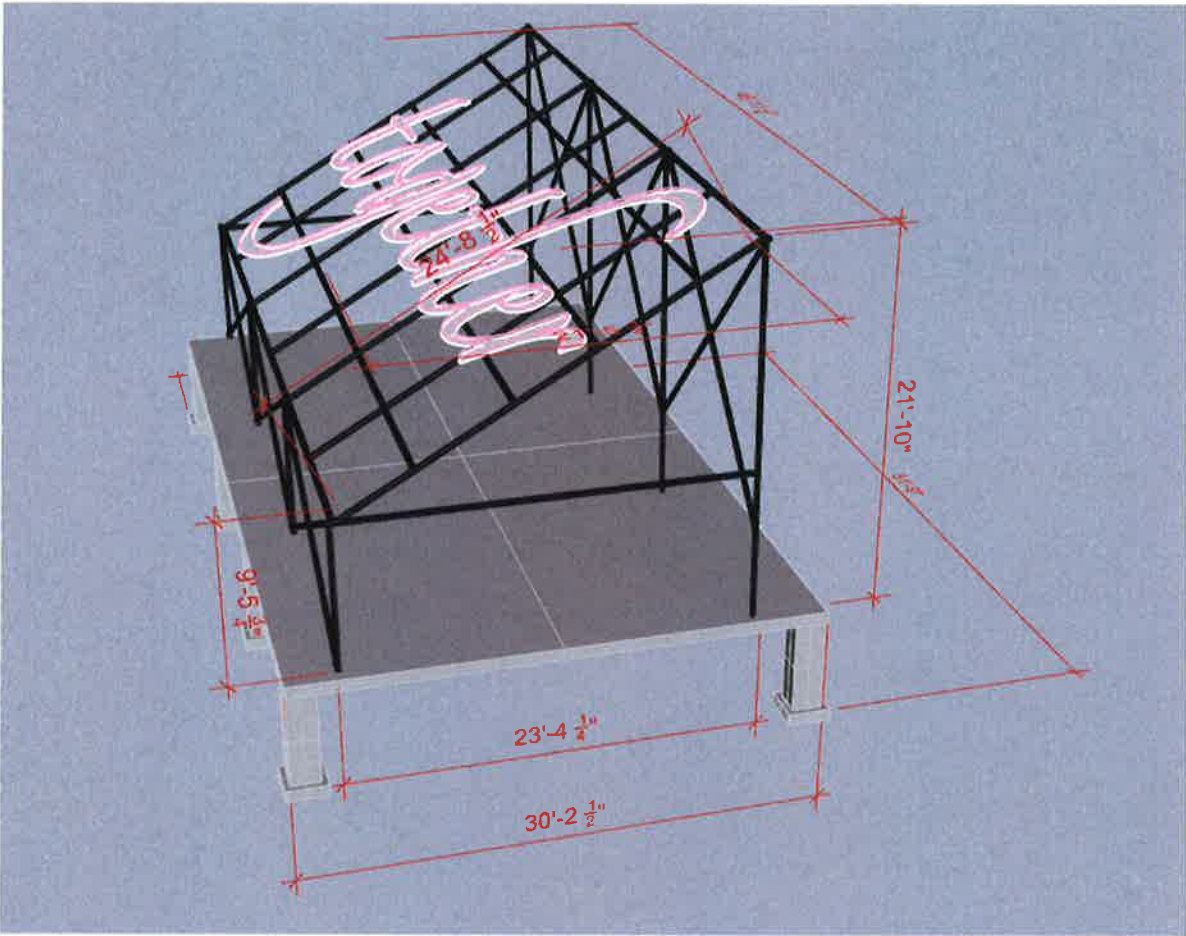
WE ARE IN THIS TOGETHER MOUNTAIN VILLAGE & TELLURIDE, CO
HEIGHT DETAIL 10.01.19
ISOLATED LABS INC.
CHRISTOPHE THOMPSON ARISTOTLE BURROWS ERICA SELLERS NEVILLE WAKEFIELD
TELLURIDE FOUNDATION
JUDY KOPIN/THE AHH HAA SCHOOL FOR THE ARTS
SCALE: 1" = 3'



Together

The Largest word of the 5 in the Installation





"WE ARE IN THIS TOGETHER", MOUNTAIN VILLAGE, CO
LIGHTING INFORMATION AND BRIGHTNESS METER



The word "together" is written in a cursive, pink neon font. It is enclosed in a black rectangular box.

369ft linear footage of neon for "together"
39,852 lm @ 100% brightness
= 175x 250W HPS streetlamp



The word "this" is written in a cursive, pink neon font. It is enclosed in a black rectangular box.

164ft linear footage of neon for "together"
17,712 lm @ 100% brightness
= 2/3 brightness of 250W HPS streetlamp



The word "in" is written in a cursive, pink neon font. It is enclosed in a black rectangular box.

77ft linear footage of neon for "together"
8,316 lm @ 100% brightness
= 1/3 brightness of 250W HPS streetlamp



The word "are" is written in a cursive, pink neon font. It is enclosed in a black rectangular box.

115ft linear footage of neon for "together"
12,420 lm @ 100% brightness
= 1/3 brightness of 250W HPS streetlamp



The word "We" is written in a cursive, pink neon font. It is enclosed in a black rectangular box.

157ft linear footage of neon for "together"
16,956 lm @ 100% brightness
= 2/3 brightness of 250W HPS streetlamp

882ft linear footage of neon overall

Based on the 15-20mm warm Fuchsia color that has been selected for this installation, the following projected brightness levels have been estimated for each word in the installation. Carl Everett, a lighting expert from Sense lighting <https://www.senselighting.com>, determined these estimates.

Word	Lumens emitted	As compared to 60W household bulb	As compared to 250W HPS streetlamp
Together	39,852	25x as bright	1.5 x 250W
this	17,712	12x as bright	2/3 as bright
in	8,316	5x as bright	1/3 as bright
are	12,420	8x as bright	1/2 as bright
We	16,956	10x as bright	2/3 as bright

As the data shows, each word in the installation is brighter than a normal household lamp, but when compared to a commercial reference, most of the words in the installation (except for 'together') are much dimmer than a standard streetlamp.

As a point of reference, in the attached photo of the Madeline Hotel, please notice the streetlights near the porte cochere. Although it is not possible to know from the photo exactly what light bulbs are being used in these lamps, our estimate is that each light fixture (there are two per lamp post) uses a standard 250W high-pressure sodium lamp.

Imagine this streetlamp, on the hill far away from the context of the Madeline to illustrate that fewer lumens would be created by the neon from each word in the installation, as would be from the street post.

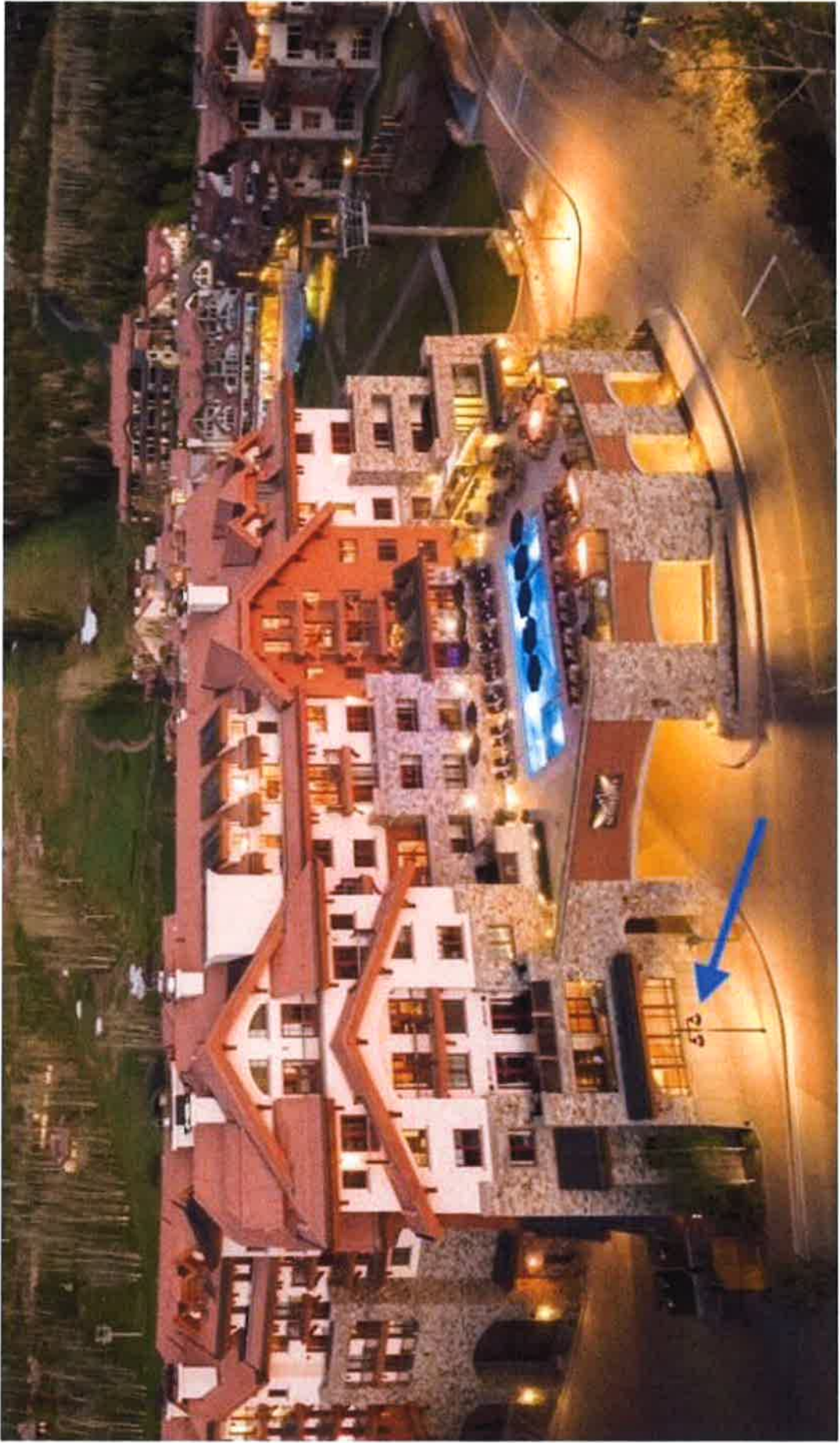
Another important aspect of this installation is that the lumens emitted from this installation do not project from a "point source" like in the case of a streetlamp, but rather from a diffused area spread over hundreds of feet. The distances involved inherently reduce the apparent brightness of the neon light source.

Conclusion:

Because most words in the installation will be no brighter than a standard streetlight and since the lumens emitted are diffused over a large service area, this neon installation will not create unwanted residual lighting effects on the surrounding area. This installation is designed to be viewed specifically while riding the gondola.

A series of dimmers will further control the lumen output by managing the desired light for daylight viewing vs. night viewing as well as summer viewing vs. winter viewing (snow present).

An on/off switch will align with the gondola operating hours but can manually turn the installation off and on when desired.



September 30, 2019

Elaine Demas
Vice President Initiatives
Telluride Foundation

RE: OSP-49R Wetland review

Lanie,

Thank you for taking the time with me on September 27 to review the portion of OSP-49R where the conceptual art installation is proposed.

Based on my observations in the field, I do not believe that there are any wetland areas or other hydrologic resources that will be directly or indirectly impacted by the proposed installation. The locations for the footer/foundation bases of the proposed scaffolding are all located under the gondola line – a corridor that has seen somewhat heavy disturbance in the past. Presently, the corridor between Gondola towers 8 and 10 is dominated by a mix of herbaceous species and grasses that are typical of revegetation completed with a seed blend called “mountain mix” which was used for many years on the ski area. It is dominated by grasses (brome, fescue, and redtop) and herbs (clover and yarrow) which are all considered upland species. These species of grass and herbs do not typically occur in wetland environments, and are not considered indicators of wetland habitat.

Additionally, we looked at the location where the electrical utility will be accessed – this location is north of the gondola line where an electrical transformer presently exists. The corridor between the existing transformer and gondola line does not contain any wetland areas either, and trenching for the buried electrical line should not have an impact on groundwater in the vicinity of the proposed art installation.

If you have any questions concerning my observations or the opinions I have shared with you in this memo, please feel free to contact me via email at chris.hazen@gmail.com or via telephone at 970.708.1221.

Respectfully,



Christopher Hazen
Principal, The Terra Firm, Inc.



Agenda Item No. 10
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board
FROM: Sam Starr, Planner
FOR: Design Review Board Meeting, November 7, 2019
DATE: October 23, 2019
RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge units 33A and 33B from two (2) efficiency lodge zoning designation units to one (1) Lodge zoning designation unit.

PROJECT GEOGRAPHY

Legal Description: *Condominium Units 33A and 33B, Blue Mesa Lodge Condominiums*
Address: 117 Lost Creek Lane
Owner: Jose Alcantara
Zoning: Village Center
Existing Use: Accommodations/Commercial
Proposed Use: Multi-Family Residential/Commercial
Lot Size: 0.16 Acres

Adjacent Land Uses:

- **North:** Village Center
- **South:** Village Center
- **East:** Village Center
- **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative
- Exhibit B: 33AB Unit Photos and Map

BLUE MESA LODGES HISTORY

Zoning Designation History of Blue Mesa Lodges

Lot 42B (Blue Mesa Lodges) was originally platted by the 1992 zoning map and preliminary PUD plat for eight (8) condominiums and (4) hotel units (with a total person equivalent of 30 persons) at reception no. 282099.

In 1997, by Resolution No. 1997-0923-23, Lot 42B was rezoned from 10 condominiums with 18 lock-offs to 28 efficiency lodge units with a total of 14-person equivalent density. Lock-offs carried no zoning designation or person equivalent since they were considered bedrooms to



Figure 1: Blue Mesa Condominiums Location

condominium units). During this process the Town allowed for parking to remain at 10 spaces and waived the requirement to add an additional 4 parking spaces. The town approved of the rezone for the building as is, meaning that no interior or exterior alterations were required.

The condominium map unit configuration illustrates the units were labeled as Units A, B & C (ex. 20A, 20B and 20C). These units had doors that connected the units between them. Each unit also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. Unit 33C is owned by a separate individual who is not party to this rezone and density transfer application.

Rezone History of Units 33A & 33B

The applicant, Jose Alcantara purchased efficiency lodge units 33A & 33B along with parking space P34 in 2015. The properties are listed on their deed as one property (unit 33A and 33B), although they are zoned as two separate efficiency lodge units. As evidenced by the condominium map referenced below, both units are roughly the same size; unit 33A is 423.5 square feet, while unit 33B is 424 square feet.

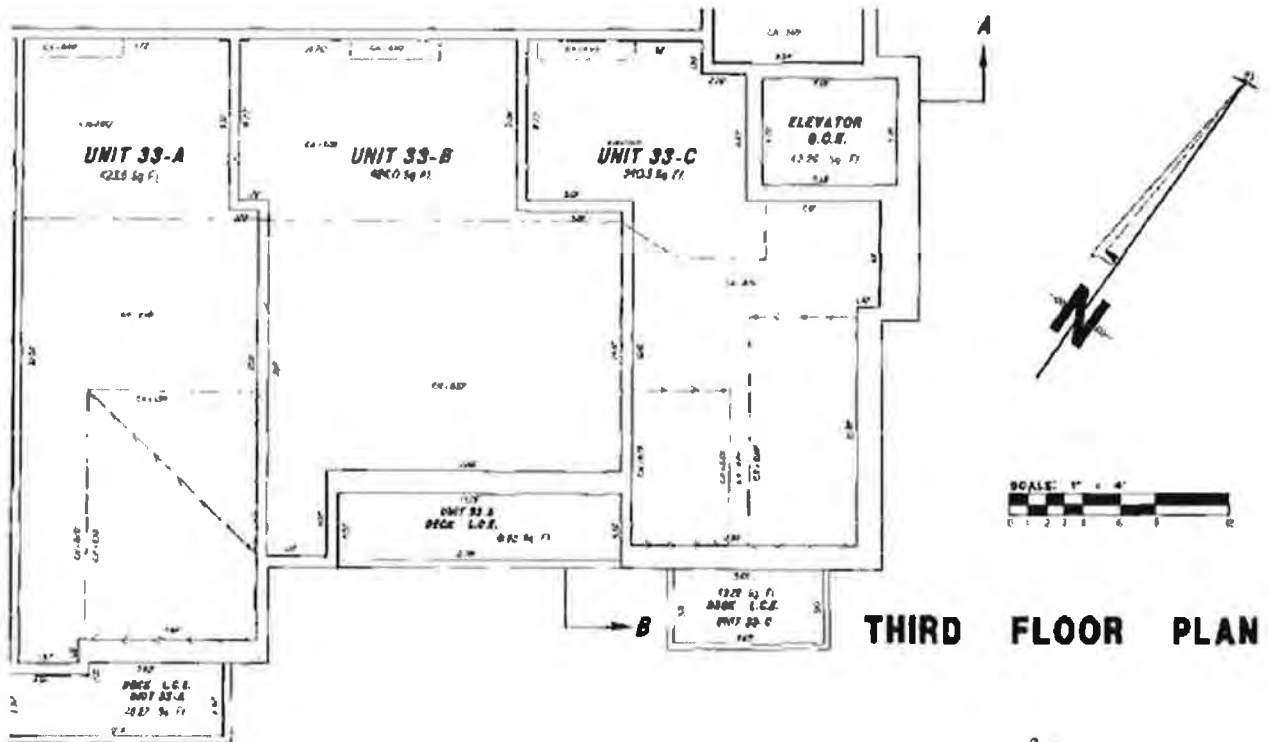


Figure 2: Blue Mesa Lodge Condominium Map dated October 5, 1998, Units 33A & 33B

A lodge unit is defined as, "A zoning designation that allows for a two (2) room space plus a mezzanine with up to two separate baths and a full kitchen". Combining units 33A and 33B will meet the CDC definition for the lodge zoning designation.

CRITERIA, ANALYSIS AND FINDINGS

The criteria for decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (***)

- 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, [and/or] there have been changes in conditions in the vicinity [and/] 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
- 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.

STAFF NOTE: The proposed rezone is justified, as the applicant is voluntarily bringing his unit into compliance based on efficiency lodge unit zoning designation codes. Moreover, the rezoning is in compliance with the goals policies and provisions of the comprehensive plan. There will be no vehicular impact as the applicant possesses sufficient parking, and all other town regulations and standards will be met by this rezoning.

17.4.10: Density Transfer Process

(***)

D. Criteria for Decision

(***)

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.

Staff Note: The applicant has demonstrated that he has the adequate density to meet the standards put forth in 17.4.10(D), Criteria for Decision on a Density Transfer Process.

STAFF ANALYSIS

Combining two one room efficiency lodge units into one lodge units meets the definition of a lodge unit and will assist in bringing the Blue Mesa Lodges into compliance with the Community Development Code. The applicant is selling .25 person equivalents to the owner of Lot 41A, who needs the density to complete his rezone and density transfer application, which only facilitates greater conformance. There are no exterior changes that require Design review Board specific approval, and the criteria listed above for decisions on rezoning and density transfers have been demonstrated by the applicant. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning two efficiency lodge units to one lodge unit

meets the town criteria for a rezone application. Staff recommends approval of this Rezone and Density Transfer Application.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodges units 33A and 33B to rezone units 33A and 33B from two (2) efficiency lodge zoning designations to one (1) Lodge zoning designation with the following findings and conditions as noted in the staff report of record dated October 23, 2019 and with the following findings and conditions:

Findings:

1. *The applicant has the requisite required density of .75 person equivalents to execute a rezone from efficiency lodge to lodge zoning designation.*
2. *The applicant has met or exceeded the parking requirement of .5 parking spaces.*
3. *Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*

Conditions:

1. *The applicant shall submit a condo map amendment and associated declarations, to the Town for review and approval showing the Units 33A and 33B as one renumbered lodge unit.*
2. *The Lot list shall be updated to reflect the rezone from two efficiency lodge units to one lodge unit.*

Keith Brown
117 Lost Creek Lane, Apt 41-A
Mountain Village, CO 81435 (970) 417-9513

August 30, 2019

Development Narrative for the Rezone and Density Transfer Application to a Lodge designation of Apt. 33-AB, 117 Lost Creek Lane, Lot 42-B, Mountain Village, CO 81435

I am the Owner Agent for the Rezone and Density Transfer Application of Apt 33-AB for Paula and José Carlos Alcântara, the owners.

The Alcântaras' seek a Rezone and Density Transfer to a Lodge designation so the designation is in conformance with the physical attributes and intended uses of the property. Paula and José Carlos had an attorney review title and HOA documents of 33-AB before purchase and became owners on the basis the property was a Residential Condo. The Alcântaras' would not have purchased if an Efficiency Lodge designation had been known. Paula and José Carlos first learned their condo had an Efficiency Lodge designation on May 14, 2019.

33-AB condo is 848 square feet with one bedroom, one living room and 2 bathrooms, a full kitchen and a full parking space. The 33-A and 33-B rooms have a connecting door and both rooms have exit doors to the hallway. A floor plan is attached.

The Alcântaras' are the 3rd owners of the property.

33-AB was purchased from the developer in 2002. It was used as the primary residence by the first owner until she sold in 2012. 33-A was the first owner's bedroom and 33-B was living and full kitchen.

The 2nd owner renovated 33-AB in 2012 under town permit, replacing the kitchen and making a substantial upgrade to the entire property. The building permit is enclosed.

Paula and José Carlos purchased 33-AB in 2015 and have used the property for their personal use and for renting, both short-term and long-term when they do not use.

33-AB is now for sale but buyers have been stalled by the Efficiency Lodge designation and the uncertainty of future use.

The application meets the applicable criteria for a Rezone to a Lodge designation as follows:

A. The proposed rezoning is in General Conformance with the goals, policies and provisions of the Comprehensive Plan (CP) because:

- A Lodge designation of 33-AB will help promote a rich social fabric within the community (page 9 CP) by allowing for continued, varied use of the property, including short-term rentals, long-term rentals and owner occupancy. This is in keeping with the Community

Character Vision (page 18 CP) which is for Mountain Village to be a "community where small-town values are important and people can make social and emotional connections."

- A Lodge designation of 33-AB is in compliance with the intended mixed-use of the Village Center Zone District which includes (page 51 CP) "...full-time residency in the Mountain Village Center, with provisions such as smaller units, the creation of a better sense of Community, and other creative options."

B. The proposed rezoning is consistent with the Zoning and Land Use Regulations because:

- 33-AB physically meets the definition of Lodge (page 91 CP) by having 2 rooms, full parking and a full kitchen.
- The Lodge designation is in keeping with the Land Use Plan Policy (page 39 CP) for a Mixed-Use Center.

C. The proposed rezoning meets the Comprehensive Plan project standards because:

- The 33-AB building was designed, approved, built and managed as a Residential Condominium property.

D. The proposed rezoning is consistent with public health, safety and welfare as well as the efficiency and economy in the use of land and its resources because:

- The 33-AB building is physically suitable for Lodge use.
- A Lodge designation provides for a higher property valuation and range of use. That in turn helps create pride of ownership and a willingness to upgrade and improve the property beyond interior condo renovations.

The 41-A owner, along with the other owners of the property made substantial financial and personal contributions in upgrading and maintaining not only condominium interiors but also the building and plaza infrastructure. A partial list of infrastructure improvements includes garage fireproofing (2019), roof drainage, a snow melt system, heat tape safety circuit breakers (2009-2017), extensive waterproofing and plaza repairs (2016) and building structural repairs from snow melt salt damage (2009-10). Additionally the property owners allowed the town an easement to install the Sunset Plaza snow melt system and another easement allowing the town to use delivery vehicles across HOA property.

E. The proposed rezoning is justified because there are the following errors in the current zoning:

- 33-AB condo as well as other units in the property have been used as long-term residences since the original construction. The history of the property is mixed-use, with long-term occupancy in multiple units, including 33-AB. The original Lot 42 plat was for Condominium-Commercial, not Efficiency Lodge-Commercial use. Blue Mesa Lodge Lot 42-B had Residential Condominium designation for the first decade, until the 1998 Town resolution that changed the condominiums to Efficiency Lodge designation. There was no

removal of full kitchens and no enforcement of the parking obligations (for units other than 33-AB) in 1998 or afterwards.

- The 33-AB condo had an original full kitchen and the permitted 2012 renovation upgraded the kitchen, which is in error to an Efficiency Lodge designation.
- The 1997 application for conversion to Efficiency Lodge was at the request of the developer/declarant and not by a properly constituted HOA on behalf of Owners. The developer/declarant then recorded a misleading amended declaration (recording nbr 321574) as part of the HOA governing documents. The amended declaration stated the conversion was from a Residential Condo designation to a 'Residential Studio Apartment' designation 'for Residential use', which is a designation that did not and does not exist. The full chain of buyers (23 past & present owners contacted) thinking they had purchased Residential Condos. For 33-AB the first sale was to a buyer who occupied the condo as her primary residence for almost 10 years. In sum, the rezone to Efficiency Lodge appears in error because the purchases and uses were for Residential Condos.

F. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion because:

- 33-AB has a full parking space (33 parking space) at the property.

G. The proposed rezoning meets all applicable Town regulations and standards because:

- The subject property was constructed to a Residential Condo standard.
- The Lodge designation allows for the intended use.
- The 33-AB 2012 renovation was by town permit for uses allowed by a Lodge designation.

We want to thank town Planning and Town Council for considering this application and for the Council direction for the town to consider waiving related application fees.

Submitted as separate files:

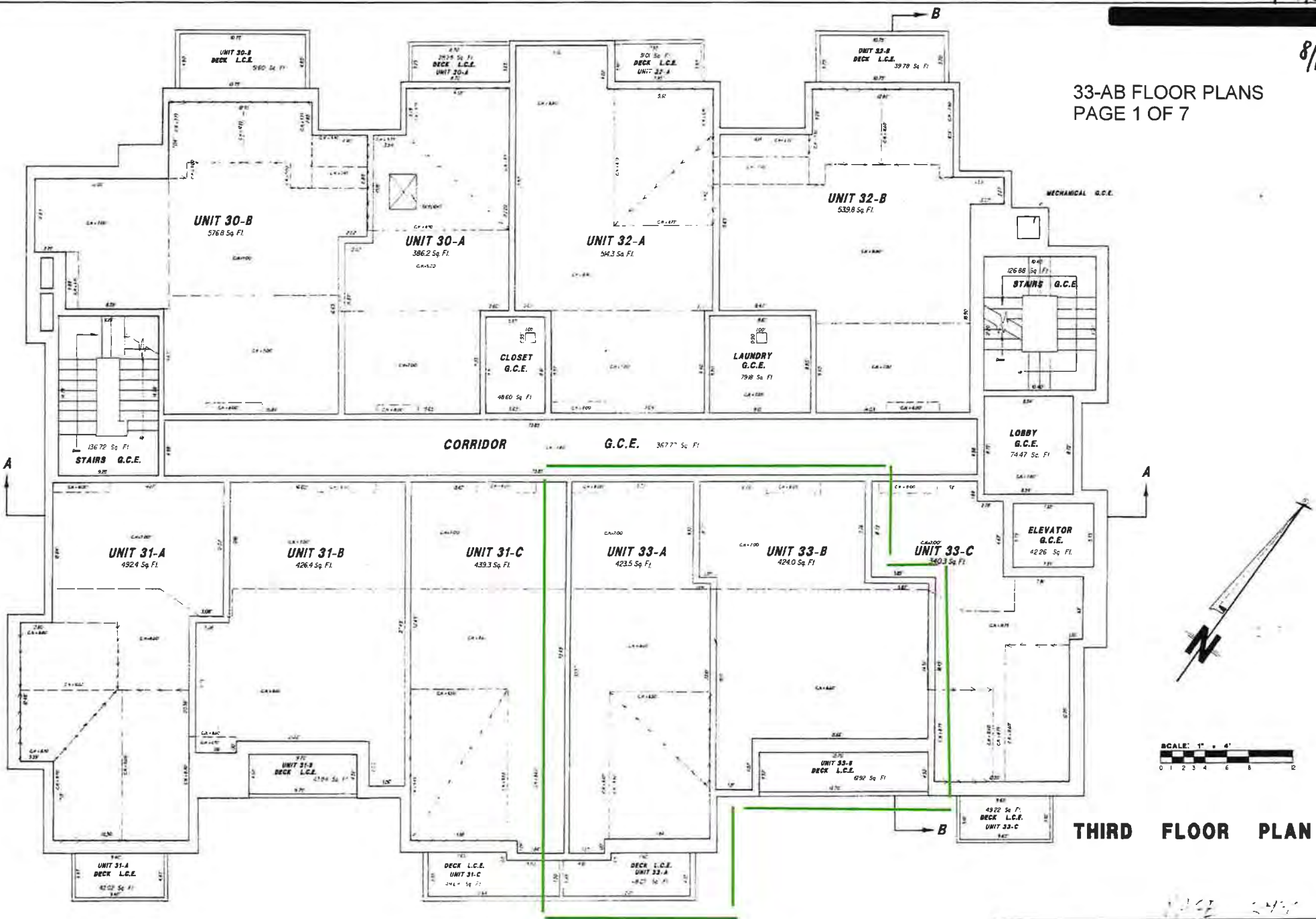
- 33-AB floor plan and current condition photos
- 33-AB building department Residential Remodel permit
- Summary of Recorded Documents for Blue Mesa Lodge Condominiums, Lot 42-B

Thank you,

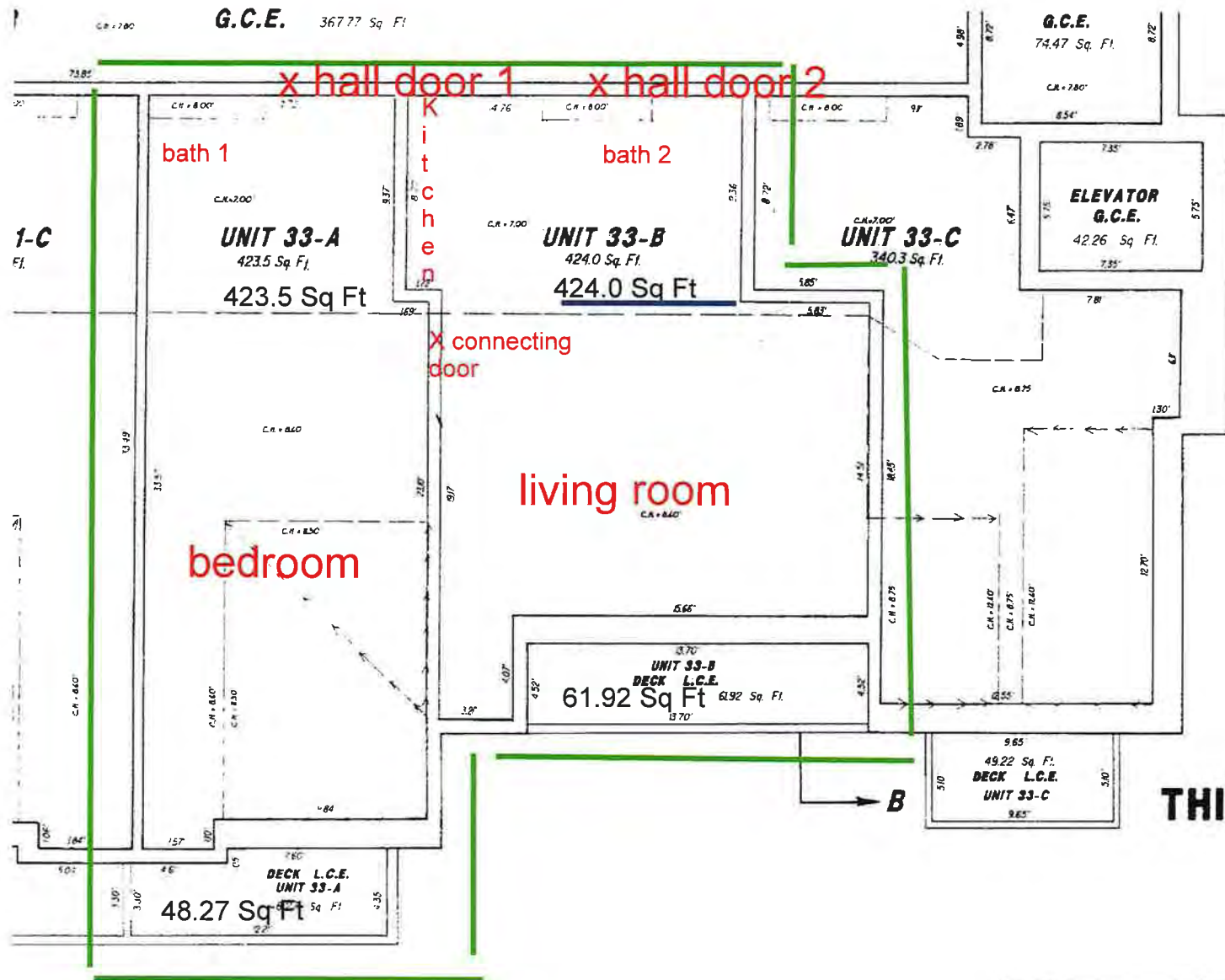
Most Sincerely, Keith Brown, for Paula and José Carlos Alcântara

8/12

33-AB FLOOR PLANS
PAGE 1 OF 7



THIRD FLOOR PLAN



Existing Condition
of 33-AB 8.28.19

33-AB FLOOR PLANS
PAGE 2 OF 7



THIRD FLOOR PLAN

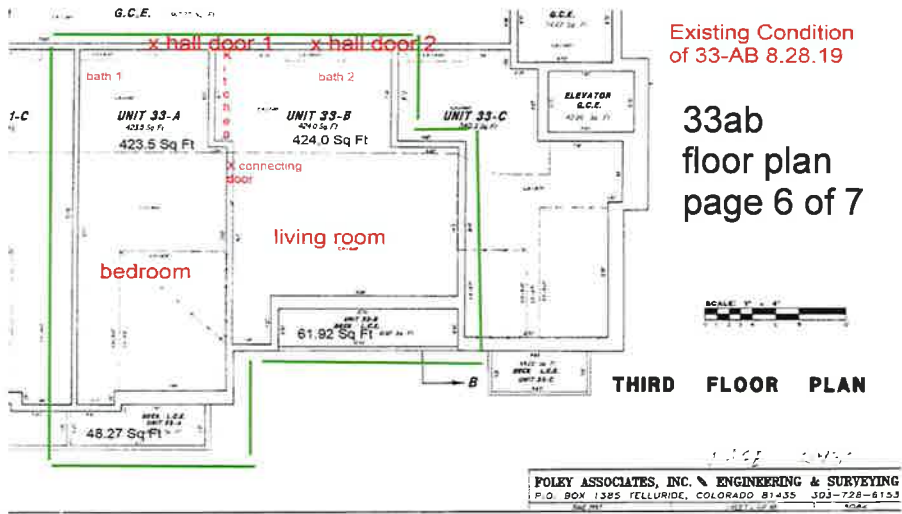
175E 243E

FOLEY ASSOCIATES, INC. ENGINEERING & SURVEYING
P.O. BOX 1385 TELLURIDE, COLORADO 81435 303-728-6153

JUNE 1997

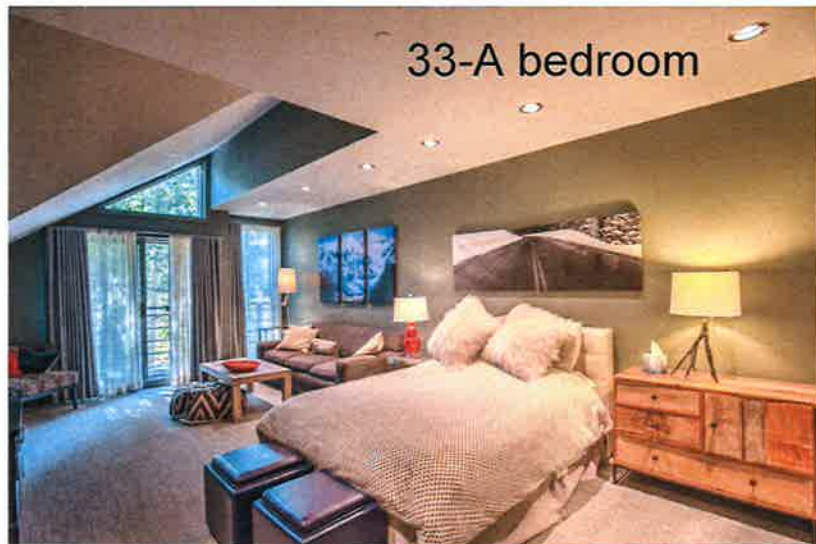
SHEET 6 OF 10

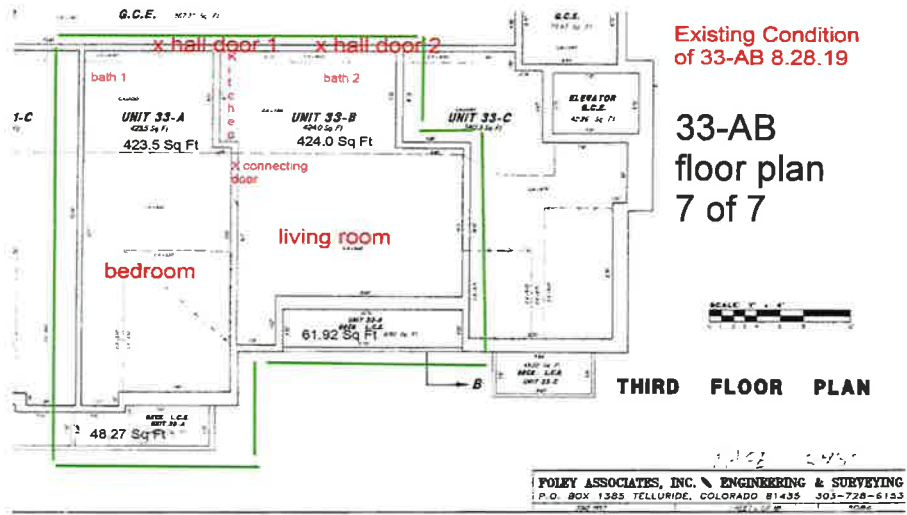
9084



Existing Condition
of 33-AB 8.28.19

33ab
floor plan
page 6 of 7





Blue
Mesa
Condos
Lot 42-A

33-AB FLOOR
PLANS PAGE 3
OF 7

PARKING PLAN

** #34 is 33-AB deeded
parking

BLUE MESA LODGE CONDOS LOT 42-B

BASEMENT FLOOR PLAN





Agenda Item No. 11
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board
FROM: John Miller, Senior Planner
FOR: Design Review Board Meeting, November 7, 2019
DATE: October 17, 2019
RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge units 21-A and 21-B from two (2) efficiency lodge zoning designation units to one (1) Lodge zoning designation unit.

PROJECT GEOGRAPHY

Legal Description: *Condominium Units 21A and 21B, Blue Mesa Lodge Condominiums*
Address: 117 Lost Creek Lane
Owner: Todd A. Pistorese and Lee Margaret Ayers
Zoning: Village Center
Existing Use: Accommodations and Commercial
Proposed Use: Multi-Family Residential and Commercial
Lot Size: 0.16 Acres

Adjacent Land Uses:

- **North:** Village Center
- **South:** Village Center
- **East:** Village Center
- **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative



CASE SUMMARY:

Todd A. Pistorese and Lee Margaret Ayers are requesting to rezone Blue Mesa Lodge Units 21-A and 21-B from two efficiency lodge unit zoning designations to one lodge unit zoning designations. In order to accomplish this request, the unit in question must meet the rezoning criteria, must fit within the definition of a lodge unit per the Community Development Code (CDC), and must acquire the requisite density for the increase in personal equivalents. A lodge unit is defined as a two-room space plus a mezzanine with up to two separate baths and a full kitchen

BLUE MESA LODGES HISTORY

Zoning Designation History of Blue Mesa Lodges

Lot 42B (Blue Mesa Lodges) were originally platted by the 1992 zoning map and preliminary PUD plat for eight (8) condominiums and (4) hotels (with a total person equivalent of 30 persons) at reception no. 282099.

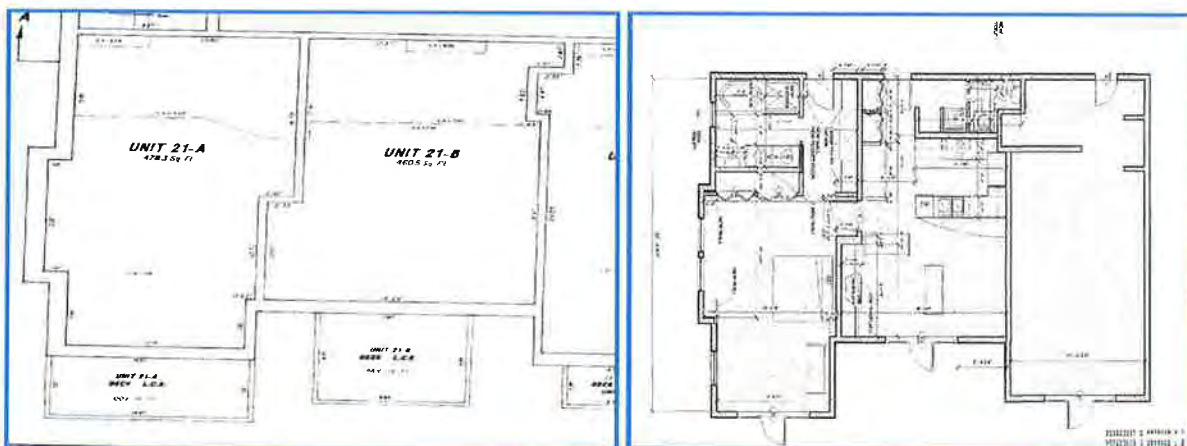
In 1997, by Resolution No. 1997-0923-23, Lot 42B rezoned from 10 condominiums including 18 lock offs (the lock-offs carried no zoning designation or person equivalent, they were considered bedrooms to the condominium units), to 28 efficiency lodge units with a total of 14-person equivalent density. The Town allowed for parking to remain at 10 spaces, as a pre-existing condition and waive the additional 4 parking space requirements. The town approved of the rezone for the building as is, meaning that no interior or exterior alterations were required.

The condominium map unit configuration illustrates the units were labeled as Units A, B & C, units, for example, 20A, 20B, and 20C. These units had doors that connected the units between them. Each unit also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. In two cases, the 1998 condominium map only illustrated a unit A & B suite (no C unit).

Rezone History of Units 21-A & 21-B

The applicants' purchased efficiency lodge units 21-A and 21-B along with one parking space in 2015. The properties are listed on their deed as one property (unit 21-A and 21-B), although they are zoned as two separate efficiency lodge units. The condo map of the units has been provided demonstrating the size and arrangement of the units in question, and it should be noted that the town issued a building permit in 2007 which allowed for the combination of the two units. As evidenced by the condominium map shown below, Unit 21-A was a slightly larger unit than 21-B. Currently, as configured they are cumulatively approximately 940 sq. ft. and meet the definition of a lodge unit given the full kitchen, living area, separate bedroom, and full bathrooms. It may be preferable to remove one of the doorways from the units to the hallway so that the units function as one lodge unit in the future.

Figure 1. Blue Mesa Lodge Condominium Map dated October 5, 1998, Units 21A & 21B along with approved building permit plans from 2007.



CRITERIA, ANALYSIS, AND FINDINGS

The criteria for the decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (*)**

- a. The proposed rezoning is in general conformance with the goals, policies, and provisions of the Comprehensive Plan;

Blue Mesa Lodge is not contemplated for redevelopment or future visioning in the Comprehensive Plan and is simply mapped as within the Village Center Zone District which allows for broad uses. The application conforms with Mountain Village Center Subarea Plan Principles, Policies and Actions L., "Encourage deed restricted units and full-time residency in Mountain Village Center, with provisions such as smaller units, the creation of a better sense of community, and other creative options."

- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;

The Zoning and Land Use Regulations allow for a rezone from efficiency lodge to lodge provided these criteria are met and the unit meets the definition of a lodge unit. The Village Center Zoning allows for broad uses including lodge units.

- c. The proposed rezoning meets the Comprehensive Plan project standards;

There are no specific Comprehensive Plan project standards for Blue Mesa Lodge, thus, these criteria are not applicable.

- 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;

The proposed rezoning presents no public health, safety or welfare issues and is an efficient use of what is a mixed-use building carrying residential attributes.

- e. The proposed rezoning is justified because there is an error in the current zoning, [and/or] there have been changes in conditions in the vicinity [and/] or there are specific policies in the Comprehensive Plan that contemplate the rezoning;

The proposed rezone is due to a change in condition in the vicinity, namely recent education and voluntary compliance regarding efficiency lodge zoning designations.

- f. Adequate public facilities and services are available to serve the intended land uses;

No additional public facilities are needed for the rezone thus, they are adequate.

- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and

No change or negative impact.

- h. The proposed rezoning meets all applicable Town regulations and standards.

Affirmed.

17.4.10: Density Transfer Process

(***)

- D. Criteria for Decision

(***)

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.

Affirmed. See the criteria for rezoning.

DESIGN REVIEW BOARD CRITERIA FOR REVIEW:

The Design Review Board's purview relates specifically to how density transfers and rezone applications may have design-related implications. There would be no substantive change to these units and no design review implications.

STAFF ANALYSIS

The existing configuration of the efficiency lodges meets the definition of a lodge unit per the CDC given the 2007 renovation to the space. This application would more formally combine the two one-room efficiency lodge units into one lodge unit. The applicants' have a total of one person equivalent density associated with the units. Therefore, they have the necessary density of .75 person equivalents to rezone from two efficiency lodge units to one efficiency lodge unit. During multiple Town Council discussions, the Town Council recognized that Blue Mesa Lodges have never had onsite property management or amenities that would indicate accommodations use like a hotel. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning two efficiency lodge units to one lodge unit meet the town criteria for a rezone application.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodges units 21-A and 21-B to rezone the subject units from two (2) efficiency lodge zoning designations to one (1) Lodge zoning designation with the following findings and conditions as noted in the staff report of record dated October 17, 2019 and with the following findings:

- 1. *The applicant has the requisite required density of .75 person equivalents to execute a rezone from efficiency lodge to lodge zoning designation*

2. *The applicant has met or exceeded the parking requirement of .5 parking spaces*
3. *Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*

Conditions:

1. *The applicant shall submit a condo map amendment to the Town for review and approval showing the Units 21-A and 21-B as one renumbered Lodge unit.*
2. *The applicant should work with the Blue Mesa HOA to update the declarations to recognize Unit 21-A and 21-B as one Lodge unit.*
3. *The Lot list shall be updated to reflect the rezone from two efficiency lodge units to one lodge unit.*

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019 with notice of such hearing as required by the Community Development Code.

/jjm



Revised 2.26.18

REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
455 Mountain Village Blvd.
Mountain Village, CO 81435
970-728-1392
970-728-4342 Fax
cd@mtnvillage.org

REZONING/DENSITY TRANSFER APPLICATION

APPLICANT INFORMATION

Name: Todd A. Pistorese & Lee Margaret Ayers		E-mail Address: pistorese@msn.com	
Mailing Address: 1726 Alki Ave SW		Phone: (206) 399-3815	
City: Seattle	State: WA	Zip Code: 98116	
Mountain Village Business License Number:			

PROPERTY INFORMATION

Physical Address: 117 Lost Creek Ln, BML Units 21 A & B		Acreage:
Zone District: Village Center	Zoning Designations: Efficiency Lodge(s)	Density Assigned to the Lot or Site: .5 Density P.E. per unit, one P.E. total
Legal Description: 117 Lost Creek Ln, Blue Mesa Lodge Condominiums Unit 21A and Unit 21B		
Existing Land Uses: Two Efficiency Lodge		
Proposed Land Uses: One Lodge		

OWNER INFORMATION

Property Owner: Todd Pistorese & Lee Margaret Ayers		E-mail Address: pistorese@msn.com	
Mailing Address: 1726 Alki Ave SW		Phone: (206) 399-3815	
City: Seattle	State: WA	Zip Code: 98116	

DESCRIPTION OF REQUEST

We own Units 21 A & B in Blue Mesa Lodge Condos. It has come to our attention recently that our property in Blue Mesa Lodge is incorrectly zoned for our intended use. These two units were combined by the previous owner per an approved building permit issued by the TMV (Permit #17-07-42A-21). Because of the remodel, these two units operate as a single Lodge (approx. 940 square feet in total) with one full kitchen, one full bath, a partial bath/utility area, entryway and two rooms. The property is as can be seen in architectural drawings included in the building permit. We hold one person equivalent density and we own one parking space for the combined units. At this time we request the designation be changed from two Efficiency Lodges to one Lodge.



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
455 Mountain Village Blvd.
Mountain Village, CO 81435
970-728-1392
970-728-4342 Fax
cd@mntnvillage.org

Revised 2.26.18

**OWNER/APPLICANT
ACKNOWLEDGEMENT
OF RESPONSIBILITIES**

I, Todd A Pistorese, the owner of Lot BML Units 21A&B (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.

Todd A. Pistorese 8/26/2019
Signature of Owner Date

Todd A. Pistorese 8/26/2019
Signature of Applicant/Agent Date

OFFICE USE ONLY	
Fee Paid:	By:
	Planner:



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
455 Mountain Village Blvd.
Mountain Village, CO 81435
970-728-1392
970-728-4342 Fax
cd@mtnvillage.org

Revised 2.26.18

OWNER AGENT AUTHORIZATION FORM

I have reviewed the application and hereby authorize _____ of
_____ 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.

(Signature)

(Date)

(Printed name)



Revised 2.26.18

REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
455 Mountain Village Blvd.
Mountain Village, CO 81435
970-728-1392
970-728-4342 Fax
cd@mtnvillage.org

HOA APPROVAL LETTER

I, *(print name)* _____, the HOA president of property located at _____, provide this letter as written approval of the plans dated _____ 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)*:

We own Units 21 A & B in Blue Mesa Lodge Condos. It has come to our attention recently that our property in Blue Mesa Lodge is incorrectly zoned for our intended use. These two units were combined by the previous owner per an approved building permit issued by the TMV (Permit #17-07-42A-21). Because of the remodel, these two units operate as a single Lodge (approx. 940 square feet in total) with one full kitchen, one full bath, a partial bath/utility area, entryway and two rooms. The property is as can be seen in architectural drawings included in the building permit. We hold one person equivalent density and we own one parking space for the combined units. At this time we request the designation be changed from two Efficiency Lodges to one Lodge.

(Signature)

(Date)

(Title)



Agenda Item No. 12
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board

FROM: John Miller, Senior Planner

FOR: Design Review Board Meeting, November 7, 2019

DATE: October 17, 2019

RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge unit 41B from an efficiency lodge zoning designation unit to a Lodge zoning designation unit.

PROJECT GEOGRAPHY

Legal Description: *Condominium Unit 41B, Blue Mesa Lodge Condominiums*
Address: 117 Lost Creek Lane
Owner: David and Carla Mackown
Zoning: Village Center
Existing Use: Accommodations and Commercial
Proposed Use: Multi-Family Residential and Commercial
Lot Size: 0.16 Acres

Adjacent Land Uses:

- **North:** Village Center
- **South:** Village Center
- **East:** Village Center
- **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative



CASE SUMMARY:

David and Carla Mackown are requesting to rezone Blue Mesa Lodge Unit 41B from an efficiency lodge zoning designation to a lodge zoning designation. In order to accomplish this request, the unit in question must meet the rezoning criteria, must fit within the definition of a lodge unit per the Community Development Code (CDC) and acquire the requisite density for the increase in personal equivalents. A lodge unit is defined as a two-room space plus a mezzanine with up to two separate baths and a full kitchen.

BLUE MESA LODGES HISTORY

Zoning Designation History of Blue Mesa Lodges:

Blue Mesa Lodges (Lot 42B) were originally platted by the 1992 zoning map and preliminary PUD plat for eight condominiums and four hotels with a total person equivalent of 30 persons.

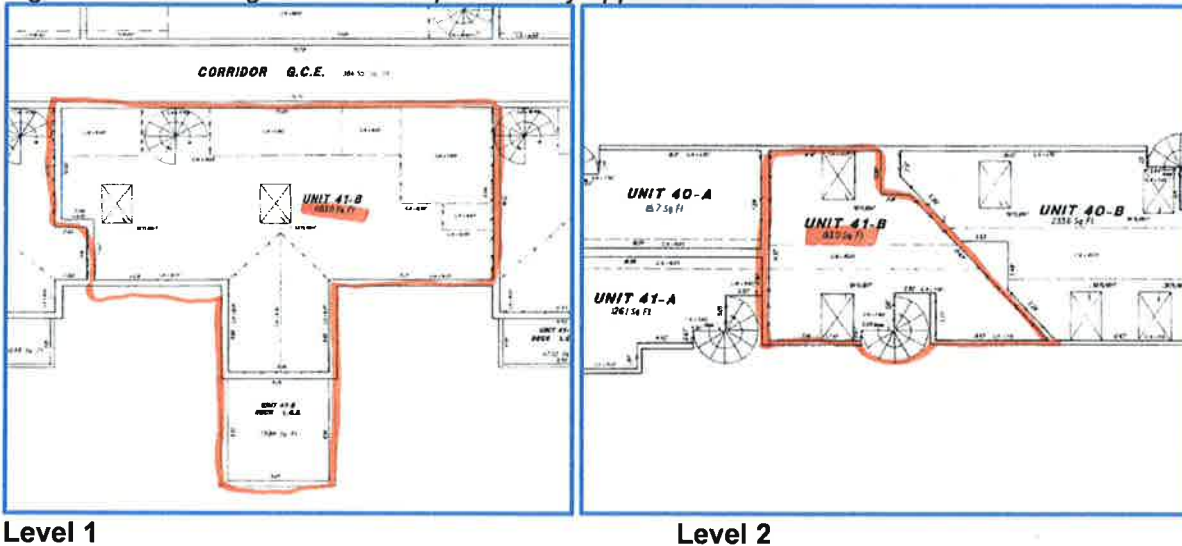
In 1997, Resolution No. 1997-0923-23 rezoned Lot 42B from 10 condominiums which included 18 lock-offs (the lock-offs carried no zoning designation or person equivalent, they were considered bedrooms to the condominium units), to 28 efficiency lodge units with a total of 14-person equivalent density. The Town allowed for parking to remain at 10 spaces, as a pre-existing condition and waived the additional four required parking spaces. The town approved of the rezoning for the building as is, meaning that no interior or exterior alterations were required.

The condominium map unit configuration illustrates the units were labeled as Units A, B & C, units, for example, 20A, 20B, and 20C. These units had doors that connected the units between them. Each these also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. In two cases, the 1998 condominium map only illustrated a unit A & B suite (no C unit).

Rezone History of Units 41B:

The Mackown's purchased efficiency lodge Unit 41B along with one parking space in 2019. Generally speaking, the units located on the 4th floor of Blue Mesa Lodge are atypical of the units on floors 1-3, with larger floor plans and a lofted room above the living area. The applicants describe the unit within their provided narrative as "800 sq. ft.", "with 2 baths, a full kitchen, an 80 sq. ft. patio deck, and a lofted bedroom".

Figure 1. Unit Configuration 41B – provided by applicant



CRITERIA, ANALYSIS, AND FINDINGS

The criteria for the decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (***)

- a. The proposed rezoning is in general conformance with the goals, policies, and provisions of the Comprehensive Plan;

Blue Mesa Lodge is not contemplated for redevelopment or future visioning in the Comprehensive Plan and is simply mapped as within the Village Center Zone District which allows for broad uses. The application conforms with Mountain Village Center Subarea Plan Principles, Policies and Actions L., "Encourage deed restricted units and full-time residency in Mountain Village Center, with provisions such as smaller units, the creation of a better sense of community, and other creative options."

- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;

The Zoning and Land Use Regulations allow for a rezone from efficiency lodge to lodge provided these criteria are met and the unit meets the definition of a lodge unit. The Village Center Zoning allows for broad uses including lodge units.

- c. The proposed rezoning meets the Comprehensive Plan project standards;

There are no specific Comprehensive Plan project standards for Blue Mesa Lodge, thus, these criteria are not applicable.

- 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;

The proposed rezoning presents no public health, safety or welfare issues and is an efficient use of what is a mixed-use building carrying residential attributes.

- e. The proposed rezoning is justified because there is an error in the current zoning, [and/or] there have been changes in conditions in the vicinity [and/] or there are specific policies in the Comprehensive Plan that contemplate the rezoning;

The proposed rezone is due to a change in condition in the vicinity, namely recent education and voluntary compliance regarding efficiency lodge zoning designations.

- f. Adequate public facilities and services are available to serve the intended land uses;

No additional public facilities are needed for the rezone thus, they are adequate.

- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and

No change or negative impact.

- h. The proposed rezoning meets all applicable Town regulations and standards.

The application will be compliant with all applicable town regulations and standards at the time that the additional 0.25-person equivalent density units are purchased and the sale is finalized. Staff is requesting that any approval condition this requirement prior to recordation of the associated ordinance rezoning the unit.

17.4.10: Density Transfer Process

(***)

- D. Criteria for Decision

(***)

- 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.

Affirmed. See the criteria for rezoning.

DESIGN REVIEW BOARD CRITERIA FOR REVIEW:

The Design Review Board's purview relates specifically to how density transfers and rezone applications may have design-related implications. There would be no substantive change to these units and no design review implications.

STAFF ANALYSIS

The existing configuration of the efficiency lodge unit meets the definition of a lodge unit per the CDC. The applicants have a total of 0.5-person equivalent density for Unit 41-B and will be required to purchase an additional 0.25-person equivalents in order to comply with the 0.75 person equivalent density requirements for a lodge unit prior to any finalization of the rezone request. During multiple Town Council discussions, the Town Council recognized that Blue Mesa Lodges have never had onsite property management or amenities that would indicate accommodations use like a hotel. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning the efficiency lodge unit to one lodge unit meets the town criteria for a rezone application.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodges Unit 41-B to rezone from an efficiency lodge zoning designation to lodge zoning designation with the following findings and conditions as noted in the staff report of record dated October 17, 2019, and with the following findings:

1. *At the time the requisite required density of .25 person equivalents is acquired, the applicant will meet the density required to execute a rezone from efficiency lodge to lodge zoning designation*
2. *The applicant has met or exceeded the parking requirement of .5 parking spaces*
3. *Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*

Conditions:

1. *The applicant should work with the Blue Mesa HOA to update the declarations to recognize Unit 41-B as one Lodge unit.*
2. *The Lot list shall be updated to reflect the rezone from one efficiency lodge unit to one lodge unit.*
3. *The applicant shall demonstrate the required requisite density has been acquired prior to recording the associated ordinance rezoning Unit 41-B from efficiency lodge to lodge unit.*

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019, with notice of such hearing as required by the Community Development Code.

/jjm

David & Carla Mackown
Box 8, Placerville, CO 81430
(970) 728-6932 carla.bouthillier@gmail.com

August 30, 2019

Development narrative for the rezone and density transfer application from efficiency lodge to Lodge designation of Unit 41B, 117 Lost Creek Lane, Lot 42-B, Mountain Village, Colo 81435

Carla and I are long term residents of San Miguel County, having owned property here since the early 80's. I have resided for the past 30 years on a 277 acre parcel of land which includes the original Finnegan Ranch Homestead, at the junction of Alder and Leopard Creeks, where county road 56 V meets Highway 62.

Looking forward to retiring from all the work on our ranch, we purchased unit 41B in the Blue Mesa Lodge Condominium complex, on May 3, 2019. Our intention was to move into this condominium as our full time residence in the Mountain Village. As we were assured by our Buyers Agency Realtor, that the units in the Blue Mesa Lodge Condominiums, unlike those in the Peaks, had no use restrictions and could be owner occupied full time, and upon seeing the Blue Mesa Lodge Condominium HOA declarations describing the BML Condos as "residential condo apartments" intended for "individual ownership for residential use", we proceeded with our purchase of unit 41B.

We first became aware of the efficiency Lodge designation for the BML Condominiums when we saw the May 16, 2019 letter from the Mountain Village Planning staff to the town council. Had we been aware of this efficiency lodge designation, and its associated implications, we would not have closed on our unit 41B.

Our unit 41B is an 800 sq ft unit with 2 baths, a full kitchen, an 80 sq ft patio deck, and a loft bedroom with a full bath. The 41B floor plan is attached as exhibit A. The unit includes a full parking space described as parking unit 24 of the Gondola Plaza Parking Condominium.

Our unit 41B meets the criteria of the CDC section 17.4.9 subsection 3 as follows:

3.a The proposed rezoning is in general conformance with the goals, policies and provisions of the comprehensive plan, as follows: Lodge designation of 41B will help create a vibrant year-round economy (pg 9 of CP), by allowing year-round residency of a couple who will contribute to the year-round (including shoulder seasons) economy of local restaurants and retail stores.

Lodge designation of 41B would be in compliance with pg 51-L of the CP which encourages full time residency in the mountain village center, with provisions such as smaller units, the creation of a better sense of community, and other creative options.

3.b The proposed rezoning is consistent with with the Zoning and land use regulations because:41B meets the physical definition of lodge as it has a loft, full kitchen, and twice the required parking, Our proposed full time use as owners is allowed under lodge designation. Lodge designation would follow land use plan policy (pg 39-3.a) for a mixed use center.

3.c The proposed rezoning meets the comprehensive plan project standards because: The entire BML Condominium project which includes the subject unit 41B was designed, approved,built and managed as a residential condominium property.

3.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 because:The BMLCondominium building is physically suitable for lodge designation use. Upgrades to the garage fireproofing, roof drainage, waterproofing, plaza repairs,and creation of town easements to install sunset plaza snow melt, and creation of an easement for town delivery vehicles are all examples of the BML Condos contribution to the public health, safety, welfare, and efficiencies of use of the HOA property.

3.e The proposed rezoning is justified because there are the following errors in the current zoning: Numerous units in the BMLCondo building have been used as full time residences ,or used solely by the owner , since the original construction. Unit 41B was used by its previous owner for his exclusive use for the past 13 years. The history of the building is mixed use, with long term residency in multiple units. Current zoning has not been enforced since the 1998 resolution changed the zoning from residential condos to efficiency lodge units. There was no enforcement of parking obligations and there was no requirement to remove full kitchens from up to ten of the original units (in order to bring those units into compliance with lodge efficiency definitions).

Unit 41B was purchased with a full kitchen, which would be in error with efficiency lodge designation. The 1997 application for conversion to efficiency lodge was at the request of the developer/declarant and not by a properly constituted HOA on behalf of the owners. The developer/declarant further recorded a misleading amended declaration, stating the conversion was from residential condo to "residential studio apartments", which is a designation that did not and does not exist. The developer/declarant then sold efficiency lodges represented as residential studio apartments, with the full chain of buyers (23 past and present owners contacted) thinking they had purchased residential

condos. In sum, the rezone to efficiency lodge appears in error and occurred from a lack of adequate diligence and review.

3.g The proposed rezoning meets all applicable town regulations and standards because:

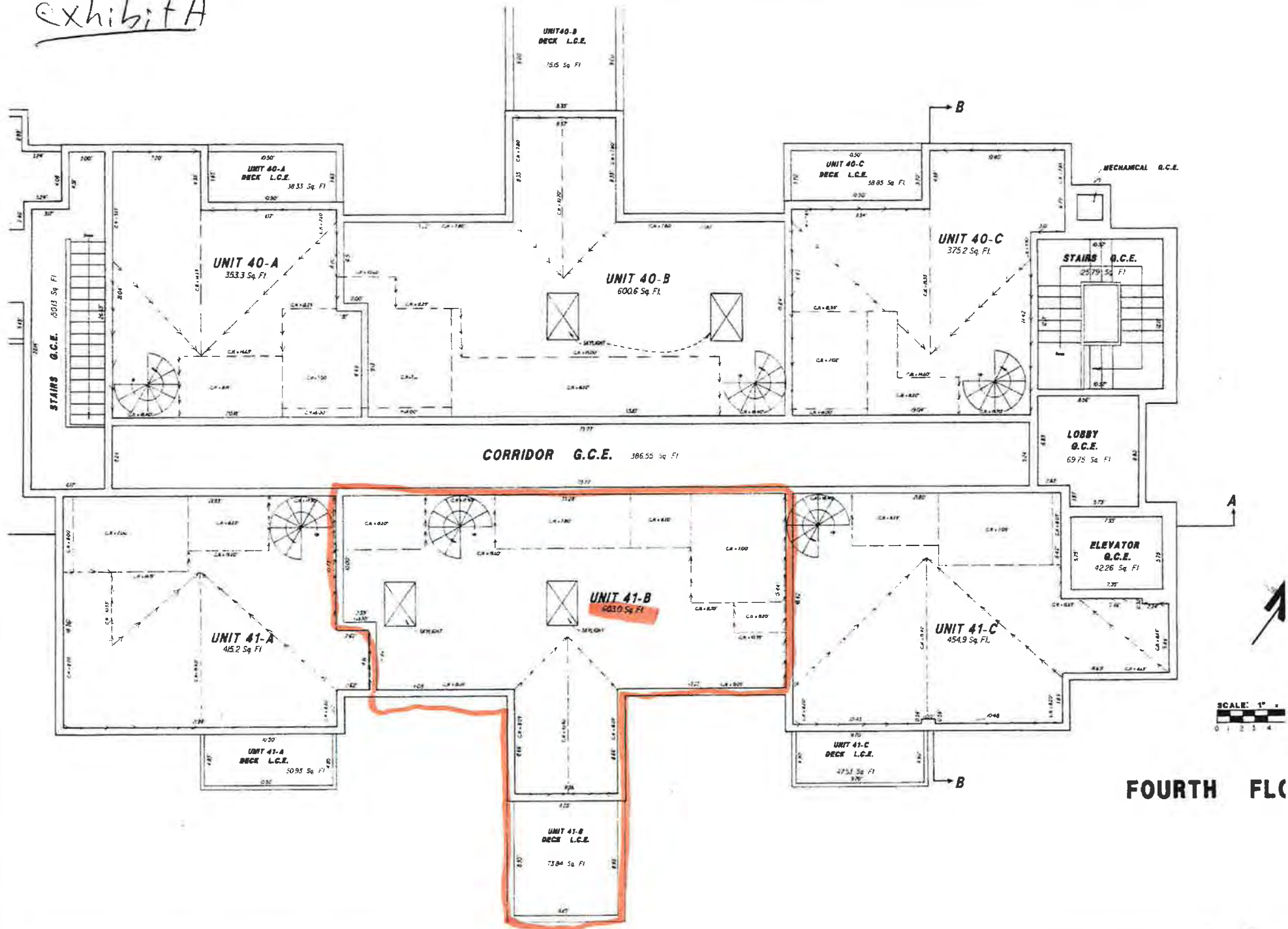
The subject property was constructed to a residential condo standard. The lodge designation allows for the original intended use.

We want to thank Town Staff for considering our application and to Town Council for recommended the town consider waiving the application fees.

Most Sincerely,

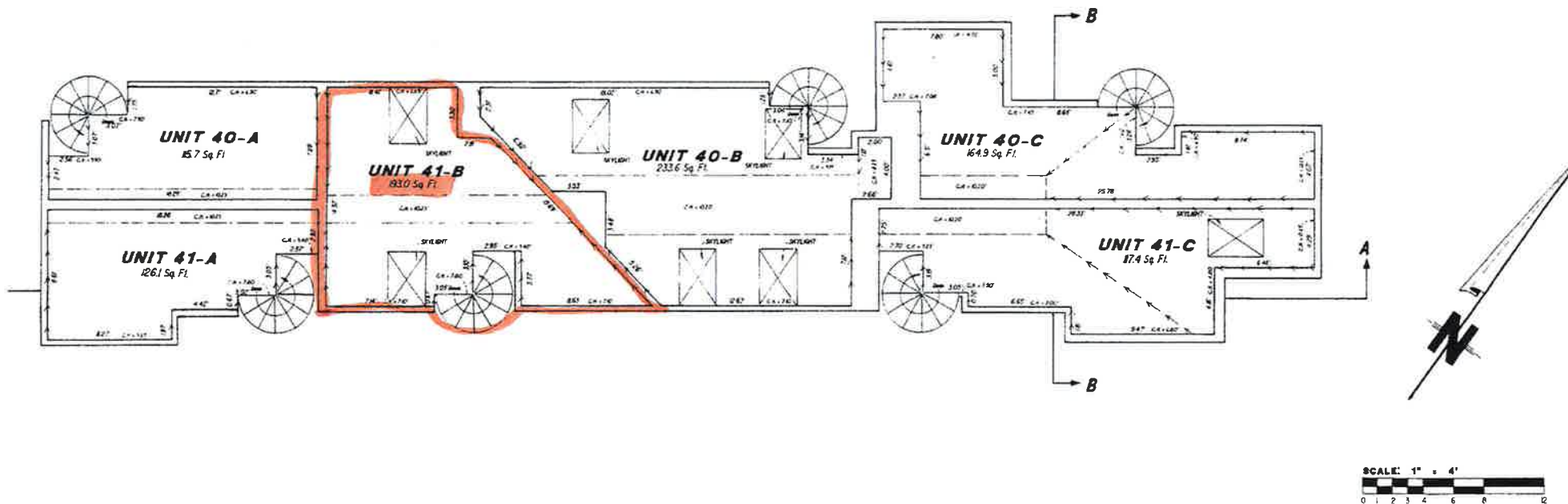
David and Carl Mackown

Exhibit A



FOURTH FLO

Exhibit A



FOURTH FLOOR LOFT

Living Area



Kitchen



Dining



From Loft



Bedroom



Loft Area



Upstairs Bath



Living Area



Master Bath

Deck View

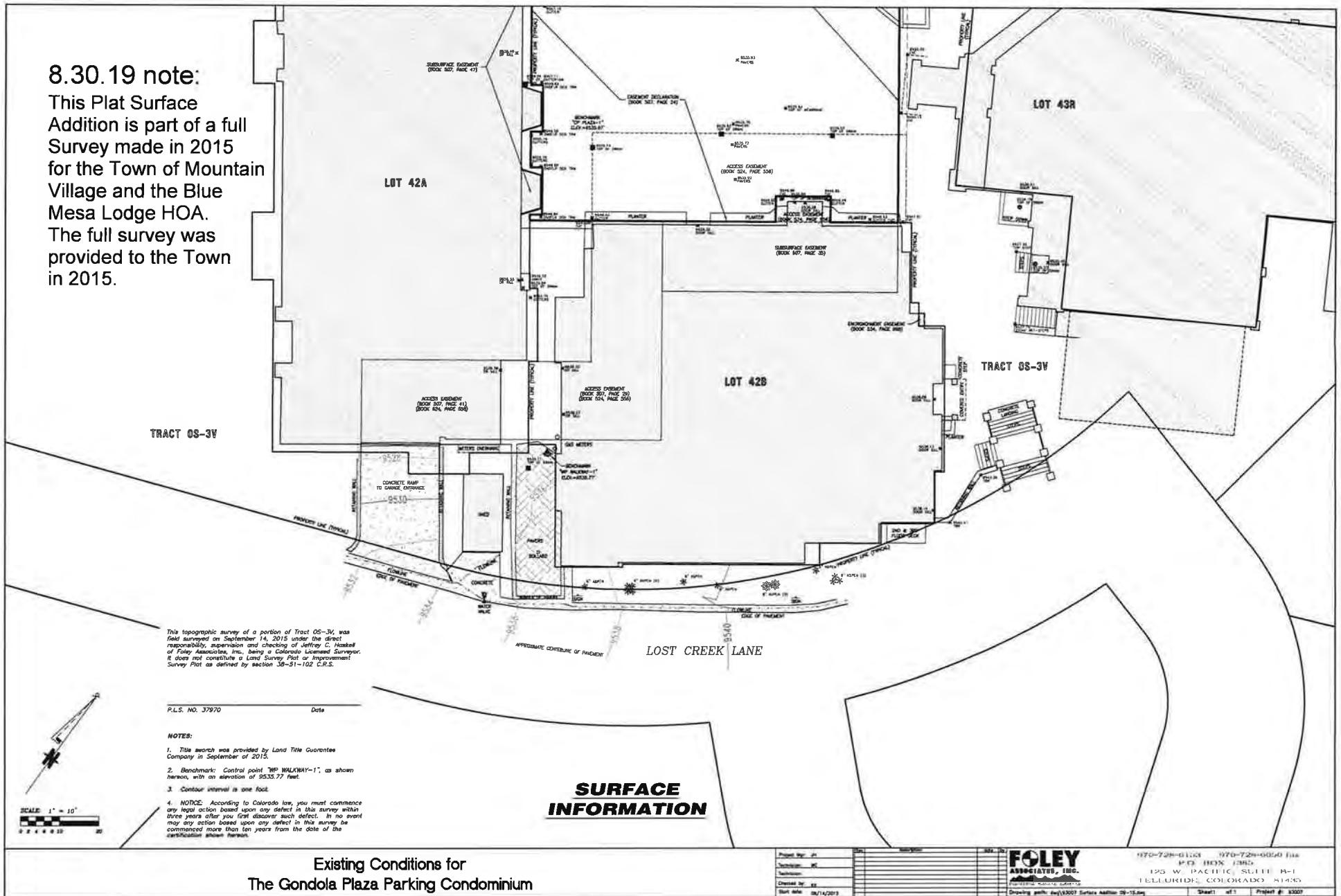


Blue Mesa Entry



8.30.19 note:

This Plat Surface Addition is part of a full Survey made in 2015 for the Town of Mountain Village and the Blue Mesa Lodge HOA. The full survey was provided to the Town in 2015.



This topographic survey of a portion of Tract OS-3V, was field surveyed on September 14, 2015 under the direct responsibility, supervision and checking of Jeffrey C. Hassell of Foley Associates, Inc., being a Colorado Licensed Surveyor. It does not constitute a Land Survey Plat or Improvement Survey Plat as defined by section 38-31-102 C.R.S.

P.L.S. NO. 37970 Date

- NOTES:**
1. Title search was provided by Land Title Guarantee Company in September of 2015.
 2. Benchmark: Control point "WP WALKWAY-1", as shown hereon, with an elevation of 9533.77 feet.
 3. Contour interval is one foot.
 4. NOTICE: According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

SURFACE INFORMATION

**Existing Conditions for
The Gondola Plaza Parking Condominium**

Project No. 21	DATE	10/14/2019	FOLEY ASSOCIATES, INC. 170-728-0104 170-728-0050 FAX P.O. BOX 1365 125 W. PACIFIC SUIITE B-1 TELLURIDE, COLORADO 81420 Drawing path: dwg\2009 Series Address 08-15.dwg	Sheet 1 of 1 Project # 3307
Technician: ME				
Checked by: ee				
Drawn by: ee				



Agenda Item No. 13
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board

FROM: John Miller, Senior Planner

FOR: Design Review Board Meeting, November 7, 2019

DATE: October 17, 2019

RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to rezone Blue Mesa Lodge unit 21-C from an efficiency lodge zoning designation unit to a lodge zoning designation unit. Concurrent Review and Recommendation to Town Council regarding a Resolution approving a variance to the Community Development Code (CDC) to allow deviations from parking requirements.

PROJECT GEOGRAPHY

Legal Description: *Condominium Unit 21-C, Blue Mesa Lodge Condominiums*

Address: 117 Lost Creek Lane

Owner: Gold Hill Holding, LLC

Zoning: Village Center

Existing Use: Accommodations and Commercial

Proposed Use: Multi-Family Residential and Commercial

Lot Size: 0.16 Acres

Adjacent Land Uses:

- **North:** Village Center
- **South:** Village Center
- **East:** Village Center
- **West:** Village Center

ATTACHMENTS

- Exhibit A: Applicant's narrative



CASE SUMMARY:

Gold Hill Holding, LLC is requesting to rezone Blue Mesa Lodge Unit 21-C from an efficiency lodge zoning designation to a lodge zoning designation. In order to accomplish this request, the unit in question must meet the rezoning criteria, must fit within the definition of a lodge unit per the Community Development Code (CDC) and acquire the requisite density for the increase in personal equivalents. A lodge unit is defined as a two-room space plus a mezzanine with up to

two separate baths and a full kitchen. In addition, the applicant is requesting to obtain a variance from the parking requirements of the CDC.

BLUE MESA LODGES HISTORY

Zoning Designation History of Blue Mesa Lodges:

Blue Mesa Lodges (Lot 42B) were originally platted by the 1992 zoning map and preliminary PUD plat for eight condominiums and four hotels with a total person equivalent of 30 persons.

In 1997, Resolution No. 1997-0923-23 rezoned Lot 42B from 10 condominiums which included 18 lock-offs (the lock-offs carried no zoning designation or person equivalent, they were considered bedrooms to the condominium units), to 28 efficiency lodge units with a total of 14-person equivalent density. The Town allowed for parking to remain at 10 spaces, as a pre-existing condition and waived the additional four required parking spaces. The town approved of the rezoning for the building as is, meaning that no interior or exterior alterations were required.

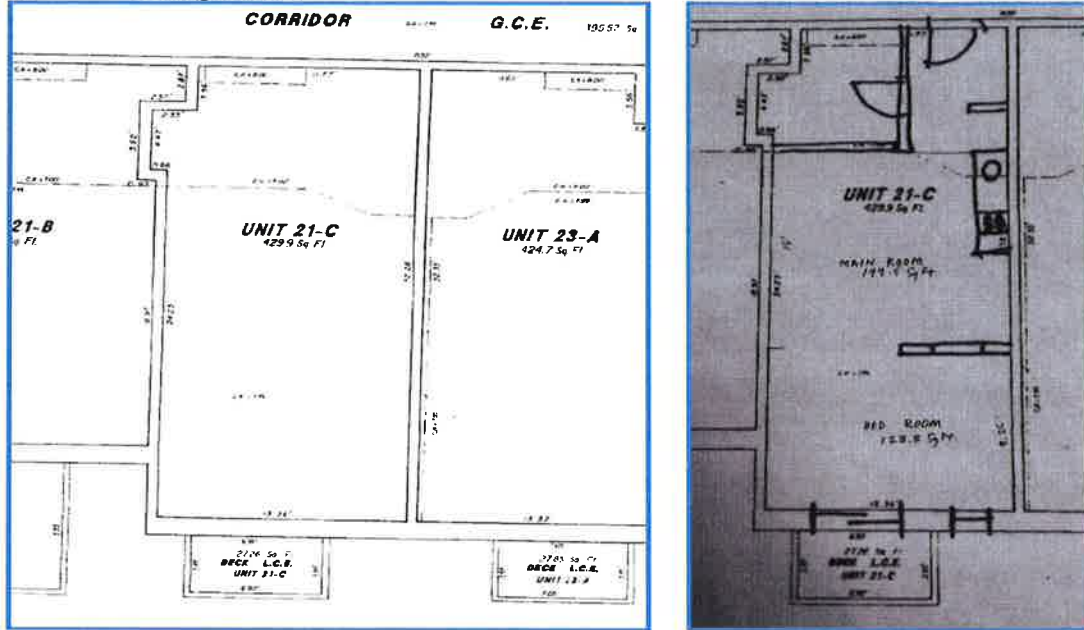
The condominium map unit configuration illustrates the units were labeled as Units A, B & C, units, for example, 20A, 20B, and 20C. These units had doors that connected the units between them. Each unit also had a door to the hallway so that they could be rented separately or used together. The most typical configuration was a former condominium unit and two lock-off bedrooms. In two cases, the 1998 condominium map only illustrated a unit A & B suite (no C unit).

Rezone and Parking History of Unit 21-C:

Unit 21-C was purchased by Gold Hill Holdings, LLC in 2012. When the property transferred ownership there was no associated parking space dedicated to the unit. Because a rezone application requires that the application conform with land use and zoning regulations, a rezone to a lodge unit requires that the applicant meeting the parking requirement of .5 parking spaces, or otherwise obtain a variance to parking requirements to meet this requirement. The condominium map for Blue Mesa Lodge demonstrates the overall floor area of the unit at 429.9 sq. ft. According to the applicant, this includes a “[living room, bedroom,] one full bath, one full bath, a galley kitchen with appliances including an oven with 4 burner range, full-size microwave, and 13 [cubic feet] refrigerator/freezer”.

The remainder of this page has been left intentionally blank.

Figure 1. Unit Configuration 21-C



CRITERIA, ANALYSIS, AND FINDINGS

The criteria for the decision to evaluate a variance and/or rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve the applications:

Chapter 17.4: DEVELOPMENT REVIEW PROCEDURES

17.4.16: Variance Procedure:

Staff has evaluated the following standards (1-8) as the criteria that must be met for Town Council to approve the variance:

1. The strict development application of the CDC regulations would result in exceptional and undue hardship upon the property owner in the development of property lot because of special circumstances applicable to the lot such as size, shape, topography or other extraordinary or exceptional physical conditions;

Staff: Blue Mesa Lodge has an existing variance from 1997 of four parking spaces, or a parking requirement associated with eight efficiency lodge units. The unique history of Blue Mesa Lodge related to the parking waiver issued by the town for the 0.5 parking space requirement, as referenced above, may warrant the issuance of a variance due to extraordinary existing conditions.

2. The variance can be granted without substantial detriment to the public health, safety, and welfare;

Staff: The proposed variance would not permit any additional changes in the current use of the parking facilities. No impact or substantial detriment.

3. *The variance can be granted without substantial impairment of the intent of the CDC;*

Staff: Although the code intends to bring properties into compliance over time, this is an exceptional case given the property was granted a warrant for a reduction in four parking spaces. Due to this, staff believes there would be no substantial impairment of the intent of the CDC.

4. *Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district;*

Staff: The parking arrangement for Blue Mesa Lodge would have no changes resulting from the granting of this variance. Due to the parking waiver issued by the town, staff does not believe this would constitute a grant of special privilege.

5. *Reasonable use of the property is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;*

Staff: There is no adequate available parking located on-site due to the number of units in relation to the number of parking spaces. Failure to grant the variance would result in an instance of the applicant being unable to achieve compliance with the current requirements and therefore possibly unable to occupy the unit in a reasonable manner compared to similar units within Blue Mesa Lodge.

6. *The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;*

Staff: The lot is within a legally created subdivision and Unit 21-C is within a legally created condominium community.

7. *The variance is not solely based on economic hardship alone; and*

Staff: The variance is based on the issuance of the parking waiver by the town and limited on-site parking within the Blue Mesa Lodge parking garage.

8. *The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.*

Staff: Staff believes that this request meets all applicable Town Regulations and Standards.

17.4.9: Rezoning Process

(***)

3. **Criteria for Decision: (***)**

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;

Blue Mesa Lodge is not contemplated for redevelopment or future visioning in the Comprehensive Plan and is simply mapped as within the Village Center Zone District which allows for broad uses. The application conforms with Mountain Village Center Subarea Plan Principles, Policies and Actions L., "Encourage deed restricted units and full-time residency in Mountain Village Center, with provisions

such as smaller units, the creation of a better sense of community, and other creative options.”

- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;

The Zoning and Land Use Regulations allow for a rezone from efficiency lodge to lodge provided these criteria are met and the unit meets the definition of a lodge unit. The Village Center Zoning allows for broad uses including lodge units. The special requirements of a lodge unit are the biggest issue related to consistency. This is the town's first application to rezone an efficiency lodge unit that has functioned as one room. There is a 2/3 partition wall between spaces that function as the living room from a space that functions as a bedroom. There are no definitions of a room in the CDC other than in the building code which defines a room area as no less than 120 square feet of net floor area. Other habitable rooms shall have a net floor area of no less than 70 square feet. A door is not required for the purposes of defining a room. On the other hand, a curtain, for example is not enough to define a room area. Differentiation between rooms, for example, can be a hallway that transitions a kitchen to a bedroom or living room space. The rooms must be separate and defined. Staff recommends the board determine whether a 2/3 wall defines one room from another. Should the board determine that this is approvable as it relates to meeting the definition of a lodge unit, then this criteria can be met.

- c. The proposed rezoning meets the Comprehensive Plan project standards;

There are no specific Comprehensive Plan project standards for Blue Mesa Lodge, thus, this criterion is not applicable.

- 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;

The proposed rezoning presents no public health, safety or welfare issues and is and is an efficient use of what is a mixed-use building carrying residential attributes.

- e. The proposed rezoning is justified because there is an error in the current zoning, [and/or] there have been changes in conditions in the vicinity [and/] or there are specific policies in the Comprehensive Plan that contemplate the rezoning;

The proposed rezone is due to a change in condition in the vicinity, namely recent education and voluntary compliance regarding efficiency lodge zoning designations.

- f. Adequate public facilities and services are available to serve the intended land uses;

No additional public facilities are needed for the rezone thus, they are adequate.

- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and

No change or negative impact.

- h. The proposed rezoning meets all applicable Town regulations and standards.

The application will be compliant with all applicable town regulations and standards at the time that the parking variance is obtained, and the additional 0.25-person equivalent density units are purchased, and the sale is finalized. Staff is requesting that any approval condition that requisite density has been obtained prior to the recordation of the associated ordinance rezoning the unit.

17.4.10: Density Transfer Process

(***)

- D. Criteria for Decision

(***)

- 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.

Affirmed.

DESIGN REVIEW BOARD CRITERIA FOR REVIEW:

The Design Review Board's purview relates specifically to how density transfers and rezone applications may have design-related implications. There would be no substantive change to these units and no design review implications.

Similarly, the proposed variance would result in no design-related implications given the existing parking situation has been in place for years. There would be no substantive change to the existing situation and no design review implications.

STAFF ANALYSIS

The existing configuration of the efficiency lodge unit meets the definition of a lodge unit per the CDC so long as the boards determine that a 2/3 wall defines one room from another room in this application. The applicants have a total of 0.5-person equivalent density for Unit 21-C and will be required to purchase an additional 0.25-person equivalents in order to comply with the 0.75-person equivalent density requirements for a lodge unit prior to any finalization of the rezone request. During multiple Town Council discussions, the Town Council recognized that Blue Mesa Lodges have never had onsite property management or amenities that would indicate accommodations use like a hotel. Since Blue Mesa Lodges is also not identified in the Comprehensive Plan for redevelopment, rezoning the efficiency lodge unit to one lodge unit meets the town criteria for a rezone application.

Staff recommends the board consider the prior parking variance that was granted for Blue Mesa Lodge and approve a parking variance for this unit.

RECOMMENDED MOTION:

I move to recommend the Town Council approve the rezone and density transfer application for Lot 42B, Blue Mesa Lodge Unit 21-C to rezone from an efficiency lodge zoning designation to lodge zoning designation;

In addition, I move to recommend Town Council approval of a resolution to allow a variance to the CDC parking requirement standards granting deviations to the required 0.5 parking spaces for Unit 21-C.

These recommendations are based on the following findings and conditions as noted in the staff report of record dated October 17, 2019:

Findings:

- 1. At the time the requisite required density of .25 person equivalents is acquired, the applicant will meet the density required to execute a rezone from efficiency lodge to lodge zoning designation.*
- 2. If Town Council determines the variance request meets the requirements of the CDC, then the parking requirement for Unit 21-C will be met.*
- 3. Blue Mesa Lodge is not identified in the Comprehensive Plan for redevelopment.*
- 4. A 2/3 partition wall is adequate to interpret that the unit consists of two rooms, comporting with the definition of a lodge zoning designation unit.*

Conditions:

- 1. The applicant should work with the Blue Mesa HOA to update the declarations to recognize Unit 21-C as one Lodge unit.*
- 2. The Lot list shall be updated to reflect the rezone from one efficiency lodge unit to one lodge unit.*
- 3. The applicant shall demonstrate the required requisite density has been acquired prior to recording the associated ordinance rezoning Unit 21-C from efficiency lodge to lodge unit.*

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019, with notice of such hearing as required by the Community Development Code.

/jjm



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
455 Mountain Village Blvd.
Mountain Village, CO 81435
970-728-1392
970-728-4342 Fax
cd@mtnvillage.org

Revised 2.26.18

REZONING/DENSITY TRANSFER APPLICATION			
APPLICANT INFORMATION			
Name: Thomas J. Scruton, Gold Hill Holding, LLC		E-mail Address: scrutonize@gmail.com	
Mailing Address: 322 Quail Drive		Phone: (970) 589-7883	
City: Grand Junction	State: Colorado	Zip Code: 81507	
Mountain Village Business License Number: 005164			
PROPERTY INFORMATION			
Physical Address: 117 Lost Creek Lane unit 21C, Lot 42B		Acreage: 429.9 square feet	
Zone District: Village Center	Zoning Designations: Efficiency Lodge	Density Assigned to the Lot or Site: 0.5 person equivalents	
Legal Description: Condominium unit 21C, Blue Mesa Lodge Condominium, according to the condominium map recorded October 5, 1998 in plat book 1 at page 2423 and as described in the condominium declaration recorded August 29, 1997 in book 586 at page 258, County of San Miguel, State of Colorado			
Existing Land Uses: Commercial and residential condominiums, sublevel parking garage			
Proposed Land Uses: Same			
OWNER INFORMATION			
Property Owner: Gold Hill Holding, LLC		E-mail Address: scrutonize@gmail.com	
Mailing Address: 322 Quail Drive		Phone: (970) 589-7883	
City: Grand Junction	State: Colorado	Zip Code: 81507	
DESCRIPTION OF REQUEST			
Rezoning and density transfer from 'efficiency lodge' to 'lodge'.			



VARIANCE PROCESS APPLICATION

Planning & Development Services
 455 Mountain Village Blvd. Suite A
 Mountain Village, CO 81435
 970-728-1392
 970-728-4342 Fax
 cd@mtnvillage.org

Revised 2.26.18

VARIANCE PROCESS APPLICATION			
APPLICANT INFORMATION			
Name: Thomas J. Scruton, Gold Hill Holding, LLC		E-mail Address: scrutonize@gmail.com	
Mailing Address: 322 Quail Drive		Phone: (970) 589-7883	
City: Grand Junction	State: Colorado	Zip Code: 81507	
Mountain Village Business License Number: 005164			
PROPERTY INFORMATION			
Physical Address: 117 Lost Creek Lane unit 21C, Lot 42B		Acreage: 429.9 square feet	
Zone District: Village Center	Zoning Designations: Efficiency Lodge	Density Assigned to the Lot or Site: 0.5 person equivalents	
Legal Description: Condominium unit 21C, Blue Mesa Lodge Condominium, according to the condominium map recorded October 5, 1998 in plat book 1 at page 2423 and as described in the condominium declaration recorded August 29, 1997 in book 586 at page 258, County of San Miguel, State of Colorado			
Existing Land Uses: Commercial and residential condominiums, sublevel parking garage			
Proposed Land Uses: Same			
OWNER INFORMATION			
Property Owner: Gold Hill Holding, LLC		E-mail Address: scrutonize@gmail.com	
Mailing Address: 322 Quail Drive		Phone: (970) 589-7883	
City: Grand Junction	State: Colorado	Zip Code: 81507	
DESCRIPTION OF REQUEST			
<p>Variance to CDC parking requirement for conversion to lodge zoning. Parking was not deeded to this property by waiver recorded in rezone resolution 1997-0923-23.</p>			

Narrative for Application of Rezone for Blue Mesa Lodge Condominiums lot 42B, Unit 21C

Criteria for a Decision to Rezone: The following criteria shall be met for the review authority to approve a rezoning application:

1. The proposed rezoning is in general conformance with the goals, policies, provisions, and standards of the Comprehensive Plan
 - a. The Blue Mesa Lodge Condominiums are not referenced in the Comprehensive Plan.
 - b. The location in the Town of Mountain Village Core appeals to individual use, long and short term rentals and can improve TMV core economic development with more consistent occupancy.
2. The proposed rezoning is consistent with the Zoning and Land Use Regulations
 - a. The 21C property has been used for both long and short term rentals as since purchased in 2012. Prior to purchase the unit was used for long term rentals.
 - b. The layout of the combined unit conforms with the specifications which define a Lodge unit (two separated rooms with net floor area of 199.5 square feet in the main room and bedroom with 123.3 square feet, one full bath, a galley kitchen with appliances including an oven with 4 burner range, full size microwave and 13 Cft. refrigerator/freezer).
 - c. This property (and several others at Blue Mesa Lodge Condominiums) was platted by waiver without deeded parking, adequate spaces are available for rent in the Blue Mesa Garage.
 - d. The property will have the appropriate density units associated with a Lodge unit (0.75 density units, sale pending from other conversion).
3. 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
 - a. The infrastructure already exists to meet public health, safety and welfare, the proposed rezone will not create an additional burden.
 - b. No additional hazards will be created by this proposed rezone. No additional burden of trash or parking as underground parking is available to residents of this unit and sufficient method of trash disposable is in place.
 - c. The unit is either used by the owner or rented, consistent with existing use therefore the proposed rezone will not contribute to an increase in vehicular or pedestrian circulation.
4. The applicant is submitting appropriate documentation.
 - a. Copy of Deed that includes legal description of the property
 - b. Variance application to parking space requirement
 - c. Post a public notice of the proposed rezone
 - d. Map amendment of the property showing layout of the property (pending approval)

e. Bill of sale to acquire additional 0.25 density units (pending approval)

Narrative for Variance Application for Blue Mesa Lodge Condominiums lot 42B, Unit 21C

We are applying for rezoning and density transfer to convert this property from efficiency lodge to lodge, and therefore are also requesting a variance to the usual parking requirement for lodge zoning.

The following criteria shall be met for the review authority to approve a variance:

- A. The strict application of the CDC regulations for 0.5 parking space requirement imposes an unreasonable hardship as no parking was deeded to this property by waiver recorded in the past rezone resolution 1997-0923-23.
- B. This variance poses no substantial detriment to the public health, safety and welfare and does not constitute any change in the current property use.
- C. The same 0.5 parking space requirement exists for both efficiency lodge and lodge zoning; allowing the property to be rezoned with continued waiver to the parking requirement does not impair the intent of the CDC.
- D. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district; the waiver was given for 4 full parking spaces leaving multiple units of Blue Mesa Lodge Condominiums without deeded parking.
- E. Rezoning the property is necessary to allow reasonable use of the property due to restrictions being imposed on efficiency lodge units. Granting of this parking variance for rezoning is the minimum necessary to allow for reasonable use.
- F. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created.
- G. This variance is not based on economic hardship, it is based on a previously approved waiver of parking requirements for development in the Village Center.
- H. The proposed variance is sought for Town regulations requiring 0.5 parking spaces for a property to be zoned as a lodge unit.

UNIT 23-A
DECK LGE
2726 SQ FT
705

UNIT 21-C
DECK LGE
2726 SQ FT
630

13.32

13.36

9.25

123.3 SQ FT
BED ROOM

12.25

199.5 SQ FT
MAIN ROOM

24.25

18.97

15'

UNIT 23-A
4247 SQ FT

UNIT 21-C
4299 SQ FT

UNIT 21-B
4625 SQ FT

CL-1208

CL-1780

CL-1208

CL-1780

0.96

4.47

5.80

2.35

2.00

3.38

4.87

CL-1800

HPS

1.77

CL-1800

CL-1800

NW

395.57 SQ

G.C.E.

CL-1780

CORRIDOR



Agenda Item No. 14
PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Design Review Board

FROM: John Miller, Senior Planner

FOR: Design Review Board Meeting, November 7, 2019

DATE: October 19, 2019

RE: A Review and Recommendation to Town Council regarding a rezone and density transfer application to transfer an addition 12 units of employee apartment density to Lot 640A. The applicant is requesting that the Town Council create the subject employee apartment density.

PROJECT GEOGRAPHY

Legal Description: Lot 640A, Telluride Mountain Village
Address: 306 Adams Ranch Road
Owner: Telluride Ski and Golf
Zoning: Multi-Family
Existing Use: Employee Apartments
Proposed Use: Multi-Family
Lot Size: 2.56 Acres

Adjacent Land Uses:

- **North:** Multi-Family / Open Space
- **South:** Multi-Family / Open Space
- **East:** Multi-Family / Open Space
- **West:** Multi-Family

ATTACHMENTS

- Exhibit A: Applicant's narrative
- Exhibit B: Ordinance 2015-8A



CASE SUMMARY:

Telluride Ski and Golf (TSG) is proposing to construct one additional apartment building in the existing Mountain View Apartment Complex to allow for a total of 12 new employee apartment units for a total of 42 employee apartment units. In order to proceed with this request, the applicant will first need to transfer the 12 units of employee apartment density to the site followed by a subsequent application for a design review process for any proposed building. At this point, the applicant has only submitted conceptual architectural design plans based on the current request per the density transfer and rezone requirements. As part of the application, TSG is requesting

that the 12 additional units of employee apartment density be created by the town, as the town is able to create additional density for employee and workforce housing that does not impact the Town of Mountain Village density limitation.

Lot 640A is discussed within the Comprehensive Plan's Meadows Subarea Plan and is described as Parcel G / Telluride Apartments. Within the 2014 plan, Parcel G is described as having a target density of 91 deed-restricted units. It should be noted that subsequent to the adoption of the Comprehensive Plan, there was a citizen-initiated ordinance that was adopted that limited the maximum number of units on Lot 640A to 45 total employee apartments which supersedes the Comp Plan as such ordinance is law. The current proposal is within those parameters with 42 units as shown.

As per the Community Development Code (CDC), the density transfer and rezoning processes are being processed as concurrent development applications. Prior to submittal for design review of the proposed apartment building, the DRB and Town Council will need to determine that the application for density transfer and rezone is appropriate.

Table 1: Existing and Proposed Zoning/Densities

Lot	Acreage	Zone District	Zoning Designation	Actual Units	Person Equivalent per Actual Unit	Total Person Equivalent Density
Zoned Density						
640A	2.56	Multi-Family	Employee Apt.	30	3	90
Built Density			Employee Apt.	30	3	90
Unbuilt Density			Employee Apt.	0	0	0
Unbuilt Density after Transfer and Rezone			Employee Apt.	12	3	36
TOTAL DENSITY			Employee Apt	42	3	126

Staff Note: The proposal will result in a net increase of 12 Employee Apartment Units within the on Lot 640A and an overall person equivalent increase of 36. The total density on Lot 640A after the rezone and density transfer would be 42 Employee Apartment Units for a total person equivalent of 126 persons.

CRITERIA, ANALYSIS, AND FINDINGS

The criteria for the decision to evaluate a rezone that changes the zoning designation and/or density allocation assigned to a lot is listed below. The following criteria must be met for the review authority to approve a rezoning application:

17.4.9: Rezoning Process

(***)

3. Criteria for Decision: (***)

- a. The proposed rezoning is in general conformance with the goals, policies, and provisions of the Comprehensive Plan;

Staff Finding: In addition to the standards discussed above related to Parcel G described in the 2014 Comprehensive Plan, the plan also provides guidance and considerations to other issues such as minimizing environmental impacts and

ensuring that development fits and blends into the existing environment and character of the area.

Because 640A has a target density of 45 total apartment units, the proposal is within substantial conformance with the comp plan. The proposed location of the additional units has largely been driven by a desire to minimize impacts to the existing open space area that has been informally used a park over recent years. In addition, careful consideration has been given to the location of wetlands within Lot 640A to limit all impacts to those locations. The conceptual design of the proposed addition would blend in with the existing apartment buildings on site.

The proposed density transfer and rezone would allow an additional 12 units of employee apartment density which would help meet the community's needs given the occupancy rates and waitlists within the community.

- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;

Staff Finding: The proposed rezone and density transfer meets the requirements of the CDC. The Multi-Family Zone is intended to provide higher density multi-family uses limited to multi-family dwellings, hotbed development, recreational trails, workforce housing, and similar uses. Given the shortage of employee housing within the region, and the close proximity of the project to transit and recreational amenities – and additional 12 density units would enhance this project and overall would meet the intent of the Zoning and Land Use Regulations for the types of desired development in Multi-Family Zone.

- c. The proposed rezoning meets the Comprehensive Plan project standards;

Staff Finding: As mentioned above, Parcel G is specifically described in the Comprehensive Plan – Meadows Subarea Plan as a site for additional development of employee apartments. The Subarea Plan originally called for a total of 91 employee apartments but as discussed was later limited to a maximum of 45 units. This request meets those standards at 42 total units.

- 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;

Staff Finding: The project is located within the current Meadow View Apartment development and will provide a needed housing option for the local workforce. The rezoning of the additional 12 units will have a minimal effect on the overall impact of the complex but will reduce the need to utilize additional land in other areas. By maximizing the use of Lot 640A, we are efficiently providing housing and limiting the overall impact of land and available resources. There are very few potential impacts that could arise related to public health, safety, and the welfare of adjacent uses. By clustering the development within the existing Meadow View Apartments Complex, it limits future development needs in other areas that could potentially have higher impacts than the proposed location.

- e. The proposed rezoning is justified because there is an error in the current zoning, [and/or] there have been changes in conditions in the vicinity [and/] or there are specific policies in the Comprehensive Plan that contemplate the rezoning;

Staff Finding: The comprehensive plan and subsequent citizen-led initiative contemplated a total of 45 employee apartment units on Lot 640A. This specific policy within the plan and later action justify the proposed rezoning.

- f. Adequate public facilities and services are available to serve the intended land uses;

Staff Finding: The existing lines for all utilities serving the project are currently located within Lot 640A and would only require minor extensions. At this point, staff is working through determining if there are any infrastructure upgrades needed specifically related to the sanitary sewer for the project and adjacent users.

- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and

Staff Finding: The rezoning will not create vehicular or pedestrian circulation hazards due to the unique location of the complex within the Meadows Subarea. There is adequate transit options available year-round in this location, but the applicant is proposing to increase parking areas per the CDC requirements for 42 Employee Apartments. Other services such as trash will remain generally unchanged with the additional 12 units.

- h. The proposed rezoning meets all applicable Town regulations and standards.

Staff Finding: The application meets all applicable regulations and standards.

17.4.10: Density Transfer Process

(***)

- D. Criteria for Decision

(***)

- 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 rezoning are met since such density transfer must be processed concurrently with a rezoning development application (except for MPUD development applications);

Staff Finding: The applicant has met the criteria for the decision for rezoning as provided above.

- b. The density transfer meets the density transfer and density bank policies; and

Staff Finding: The application meets all applicable density transfer and density bank policies. The town may create density for workforce housing not subject to density limitations as per CDC Section 17.3.7 which provides "New workforce housing density created by the Town subject to the workforce housing restriction is not included in the Density Limitation calculation".

- c. The proposed density transfer meets all applicable Town regulations and standards.

Staff Finding: The application meets all applicable regulations and standards.

DESIGN REVIEW BOARD CRITERIA FOR REVIEW:

The Design Review Board's purview relates specifically to how density transfers and rezone applications may have design-related implications. The DRB must determine if the proposed location, design, and other applicable standards have been met.

RECOMMENDATION: If DRB determines that the application to create and transfer density to Lot 640A meets the criteria for decision listed within this staff memo, then staff has provided the following suggested motion:

I move to recommend to Town Council, an Ordinance regarding the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lot 640A and transfer 12 employee apartment density units (36-person equivalent density) to the subject lot based on the evidence provided within the Staff Report of record dated October 19, 2019 and with the following conditions:

1. The owner of record of density shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.
2. The final location and design of any buildings, grading, landscaping, parking areas, and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC.

This motion is based on the evidence and testimony provided at a public hearing held on November 7, 2019 with notice of such hearing as required by the Community Development Code.

/jjm



REZONING/DENSITY TRANSFER APPLICATION

Planning & Development Services
 455 Mountain Village Blvd.
 Mountain Village, CO 81435
 970-728-1392
 970-728-4342 Fax
 cd@mtnvillage.org

Revised 2.26.18

REZONING/DENSITY TRANSFER APPLICATION

APPLICANT INFORMATION

Name: TSG Ski & Golf, LLC		E-mail Address: jeff@telski.com	
Mailing Address: 565 Mountain Village Boulevard		Phone: 970 728-7444	
City: Mountain Village	State: Colorado	Zip Code: 81435	
Mountain Village Business License Number:			

PROPERTY INFORMATION

Physical Address: 306 Adams Ranch Road		Acreage: 2.56 Acres
Zone District:	Zoning Designations: Employee Housing	Density Assigned to the Lot or Site: 30 Employee Apartments
Legal Description: Lot 640A, TELLURIDE MOUNTAIN VILLAGE		
Existing Land Uses: Employee Housing		
Proposed Land Uses: Employee Housing		

OWNER INFORMATION

Property Owner: TSG Ski & Golf, LLC		E-mail Address: jeff@telski.com	
Mailing Address: 565 Mountain Village Boulevard		Phone: 970 728-7444	
City: Mountain Village	State: Colorado	Zip Code: 81435	

DESCRIPTION OF REQUEST

TSG Ski & Golf LLC is requesting to add 12 additional employee apartment units (24 bedrooms). These units will be located in an additional building on the 640A lot. Additional parking spaces will be included as required. This lot in the Mountain Village Comprehensive Plan as Meadows Subarea Parcel G, has a target of 91 units. We believe that the proposed total of 42 units will accommodate for adequate parking and open space. We have provided 4 site plan concept alternatives (A-D). Two of the concepts A & C, show minor encroachments into Active Open Space. Either of these options would allow for maximizing the opportunity for park space. Our preference is Concept A.

Development Narrative.

Proposal

TSG Ski & Golf LLC ("TSG") is requesting to add 12 additional employee apartment units of density (24 bedrooms) to lot 640 A. These units will be located in a new building to be built on Lot 640A. A total of 63 parking spaces will be provided as required. The building architecture and exterior materials will match the existing building on the lot. (See conceptual elevation).

With the existing 30 Units on Lot 640A, TSG's proposal consists of a total of 42 units on Lot 640A, which will allow sufficient undeveloped land on the Lot for adequate parking and open space for a park. As part of the density transfer/rezoning application, we are providing four (4) conceptual site plan alternatives (A-D). Two of the concepts, A & C, show minor encroachments into adjacent Active Open Space. TSG owns this adjacent Active Open Space, and employee housing is an allowed use on Active Open Space. Either of these options, A or C, would maximize the opportunity for a larger park space. TSG's preference is Concept A. Further building, site plan, and landscaping details will be provided as part of the Sketch Plan and Final Plan design review process.

Consistent with Mountain Village Comprehensive Plan (Comp Plan).

TSG's Application for a density transfer to allow additional deed restricted units to be built on Lot 640A is in general conformance with the Principles, Policies and Actions discussed in the Meadows Subarea Plan chapter of the Mountain Village Comprehensive Plan. The Meadows Subarea is envisioned to continue as the main area for deed restricted housing and will continue to be the main focal point for year-round residents.

Lot 640A is designated in the Comp Plan Meadows Subarea as Parcel G and also referred to as the Telluride Apartments. Although the Comp Plan envisioned Parcel G as having a target of 91 deed restricted units, in 2015, a citizen initiated ordinance was voted upon and approved, and resolved that the maximum number of units on Lot 640A would be 45. Thereafter, in 2015, the Town of Mountain Village passed an ordinance (see attached ORDINANCE NO. 2015-8A) to allow an increase in density on lot 640A from 30 (current density) to 45 units of density. In the RECITALS of the Ordinance it states that "Section 1. Increase of Density: The density on lot 640A may be increased from its current allowed density, but shall be limited to 45 units." As previously stated. TSG's proposal is for a total of 42 units which complies with the Ordinance that was voted on, and approved by registered electors of the Town of Mountain Village at the regular municipal election held on June 30, 2015. The ordinance went into effect on July 30, 2015.

Consistent with Community Development Code

TSG's Application is consistent with the CDC for the following reasons:

1. Multi-Family Zone District: Lot 640A is zoned as multi-family zone district. The CDC, at Section 17.3.2.B.4, provides for a multi-family zone district, which is intended to provide higher density, multi-family uses limited to multi-family dwellings, hotbed development, recreational trails, workforce housing and similar uses. Therefore, TSG's intended use and development is consistent with the CDC as TSG is proposing additional density for workforce housing.
2. Creation of Workforce Housing Density. The CDC at Section 17.3.7 also provides for density transfers, and allows for the creation by the Town of new workforce housing. New workforce housing density created by the Town subject to the workforce housing restriction is not included in the Town's Density Limitation calculation. TSG is requesting the Town create twelve (12) units of employee apartment density pursuant to this Application.
3. Workforce Housing Restrictions. Employee Apartments zoning designations ("workforce housing") are restricted to occupancy exclusively by persons who are employed within the Telluride R-1 District and their spouses and children. TSG Ski & Golf understands that it will be required to enter into a workforce housing restriction on use, zoning and occupancy with the Town that will constitute a covenant that runs in perpetuity as a burden thereon and shall be binding on the owner and on the heirs, personal representatives, assigns, lessees, licensees and any transferee of the owner. A workforce housing restriction will be executed and recorded prior to any issuance of any Certificate of Occupancy.
4. Workforce Housing Requirements. In addition to the above, TSG's Application further complies with the CDC requirements for workforce housing set forth in Section 17.3.9. TSG's Application shows we are developing workforce housing in accordance with the Comp Plan policies and workforce housing restrictions.



565 Mountain Village Blvd
Telluride, CO 81435
tel: (970) 728-7418
fax: (970) 728-7582
www.tellurideski.com

**TSG - LOT 640 A MOUNTAIN VIEW
APTS - PHASE 2**

Telluride Ski and Golf
LOT 640 A

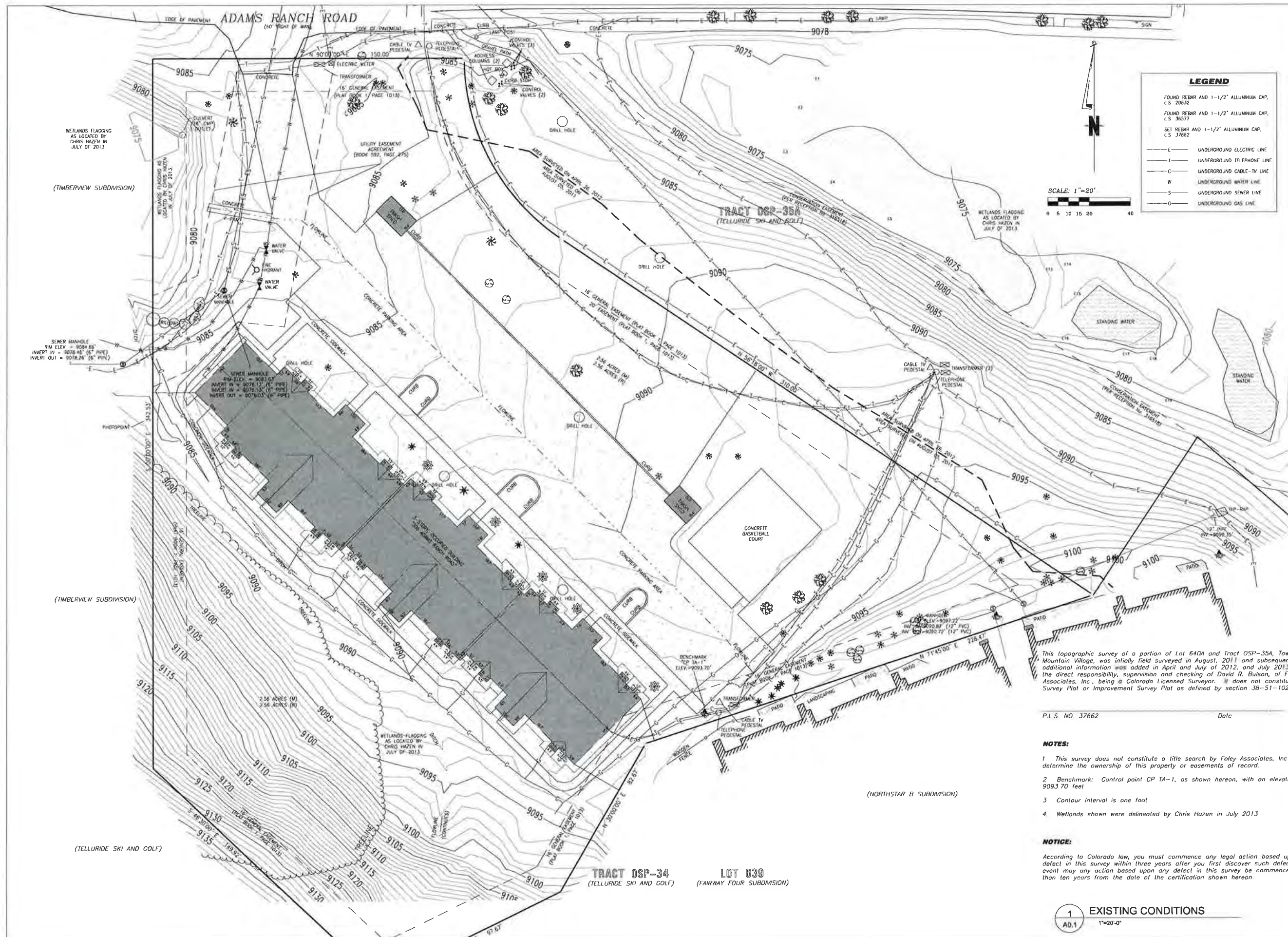
Document Date:
Sept. 30, 2019

Document Phase:
Schematic Design

REV.	DATE	REMARK
1	9/19	CONCEPTUAL SITE
2	9/12/15	CONCEPTUAL SITE ALTS
3	9/30/19	DENSITY TRANSFER
4		
5		
6		
7		
8		
9		

EXISTING
CONDITIONS

A0.1



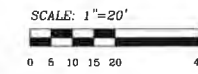
LEGEND

FOUND REBAR AND 1-1/2" ALLUMINIUM CAP.
L.S. 20632

FOUND REBAR AND 1-1/2" ALLUMINIUM CAP.
L.S. 36577

SET REBAR AND 1-1/2" ALLUMINIUM CAP.
L.S. 37662

— E — UNDERGROUND ELECTRIC LINE
— T — UNDERGROUND TELEPHONE LINE
— C — UNDERGROUND CABLE-TV LINE
— W — UNDERGROUND WATER LINE
— S — UNDERGROUND SEWER LINE
— G — UNDERGROUND GAS LINE



This topographic survey of a portion of Lot 640A and Tract OSP-35A, Town of Mountain Village, was initially field surveyed in August, 2011 and subsequently additional information was added in April and July of 2012, and July 2013 and the direct responsibility, supervision and checking of David R. Bulson, of Foley Associates, Inc. being a Colorado Licensed Surveyor. It does not constitute a Survey Plat or Improvement Survey Plat as defined by section 38-51-102 C.M.S.

P.L.S. NO. 37662

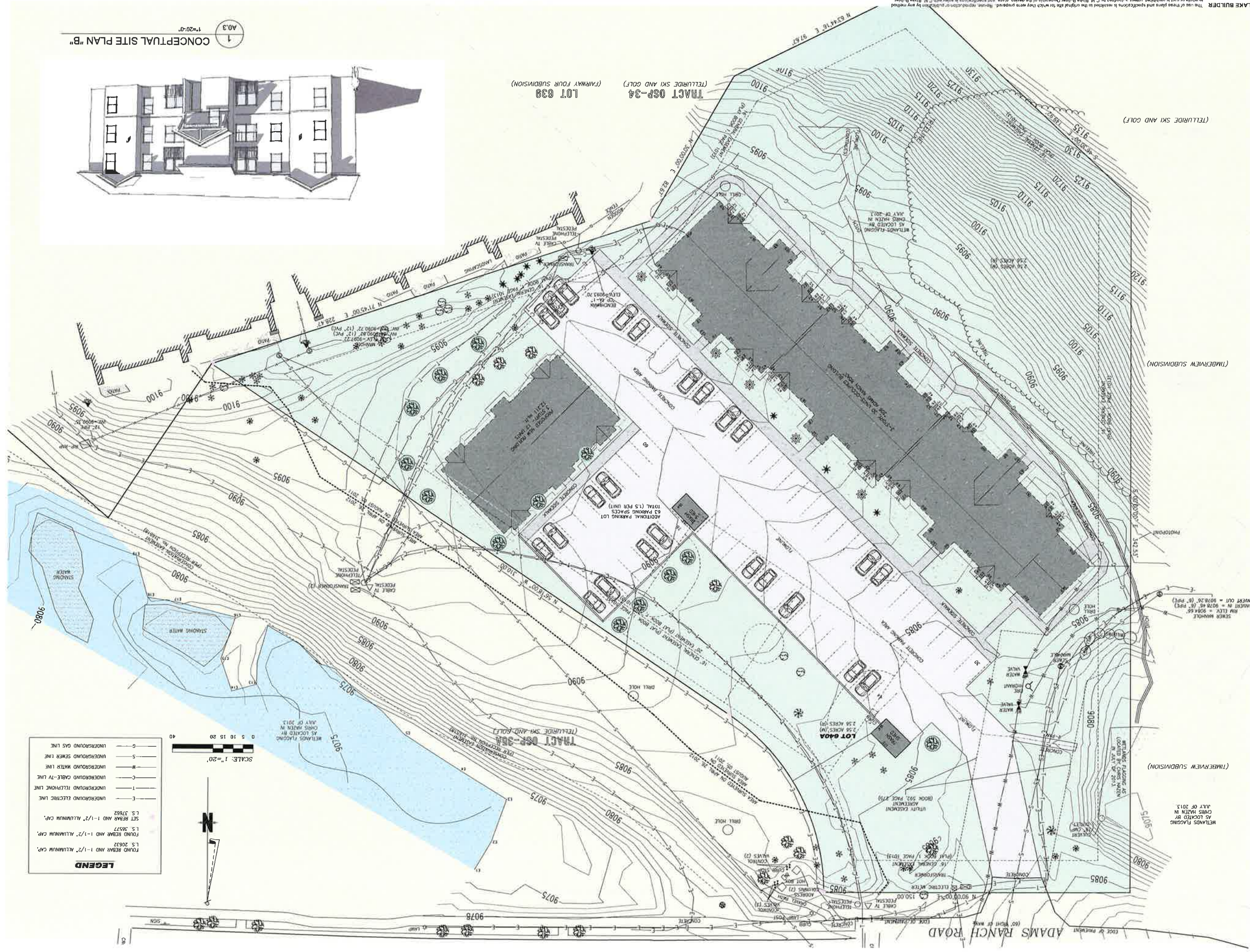
Date

- NOTES:**
- This survey does not constitute a title search by Foley Associates, Inc to determine the ownership of this property or easements of record.
 - Benchmark: Control point CP TA-1, as shown hereon, with an elevation of 9093.70 feet
 - Contour interval is one foot
 - Wetlands shown were delineated by Chris Hazen in July 2013

NOTICE:

According to Colorado law, you must commence any legal action based upon defect in this survey within three years after you first discover such defect, even may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon

1 EXISTING CONDITIONS
A0.1 1"=20'-0"



1" = 20'-0"
 A0.3
 CONCEPTUAL SITE PLAN "B"



TRACT OSP-34 (TELLURIDE SKI AND GOLF)
 LOT 639 (FAIRWAY FOUR SUBDIVISION)

LEGEND

—	UNDERGROUND GAS LINE
—	UNDERGROUND SEWER LINE
—	UNDERGROUND WATER LINE
—	UNDERGROUND CABLE-TV LINE
—	UNDERGROUND TELEPHONE LINE
—	UNDERGROUND ELECTRIC LINE
—	FOUND REBAR AND 1-1/2" ALUMINUM CAP, L.S. 3657
—	FOUND REBAR AND 1-1/2" ALUMINUM CAP, L.S. 2632
—	FOUND REBAR AND 1-1/2" ALUMINUM CAP, L.S. 3762



Document Date: Sept. 30, 2019
 Document Phase: Schematic Design
 REV, DATE REMARK
 1 8.18 CONCEPTUAL SITE
 2 8.12 CONCEPTUAL SITE ALTS
 3 8.20 DENSITY TRANSMISSION
 4
 5
 6
 7
 8
 9

**TSG - LOT 640 A MOUNTAIN VIEW
 APTS - PHASE 2**
 Telluride Ski and Golf
 LOT 640 A

565 Mountain Village Blvd
 Telluride, CO 81435
 tel: (970) 728-7418
 fax: (970) 728-7582
 www.tellurideskiresort.com



A0.3
 CONCEPTUAL
 SITE PLAN "B"

**TSG - LOT 640 A MOUNTAIN VIEW
APTS - PHASE 2**

Telluride Ski and Golf
LOT 640 A

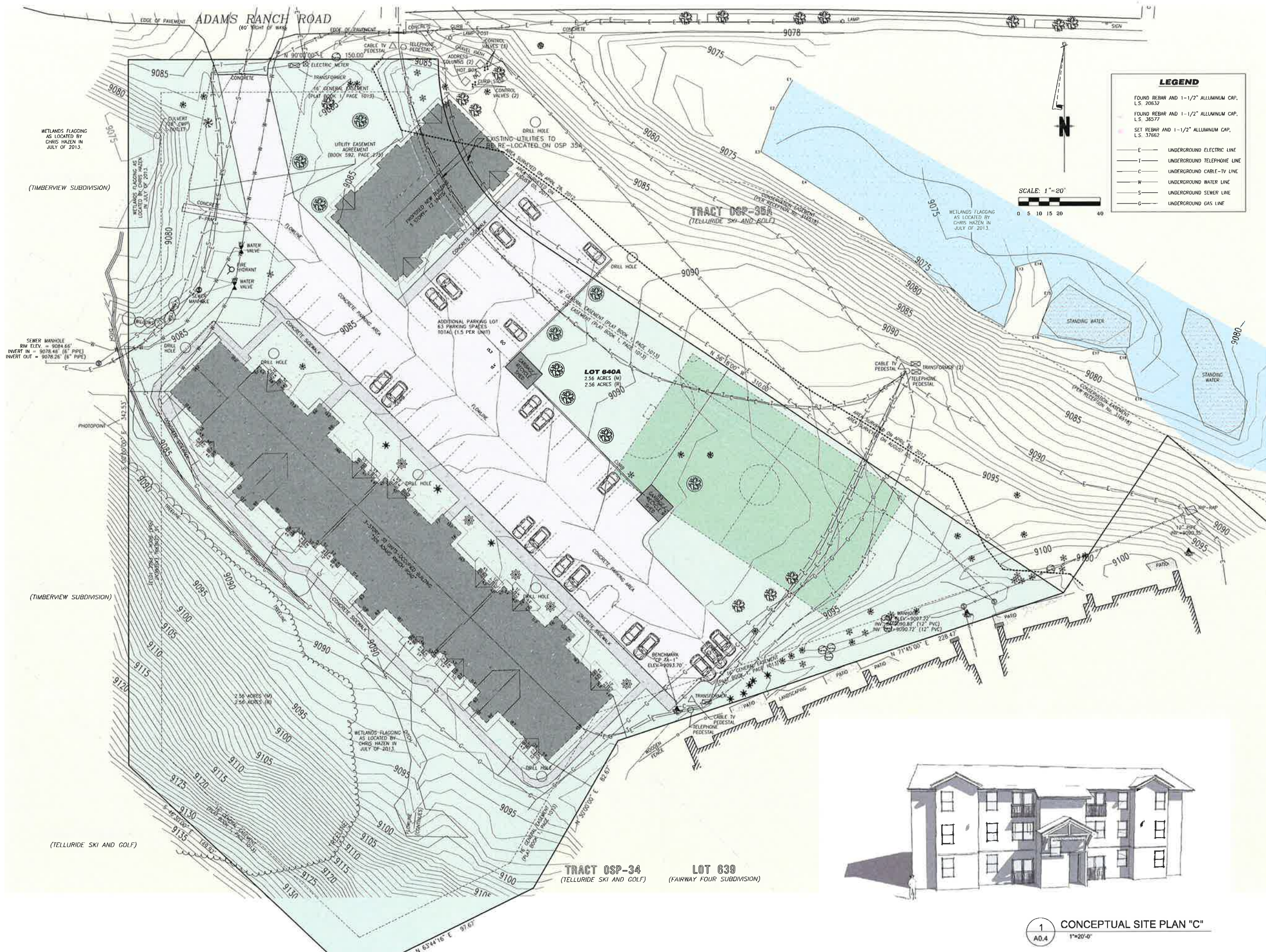
Document Date:
Sept. 30, 2019

Document Phase:
Schematic Design

REV.	DATE	REMARK
1	9.1.19	CONCEPTUAL SITE
2	9.12.19	CONCEPTUAL SITE ALTS
3	9.30.19	DENSITY TRANSFER
4		
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7		
8		
9		

CONCEPTUAL
SITE PLAN "C"

A0.4



1
A0.4 CONCEPTUAL SITE PLAN "C"
1"=20'-0"

**TSG - LOT 640 A MOUNTAIN VIEW
APTS - PHASE 2**

Telluride Ski and Golf
LOT 640 A

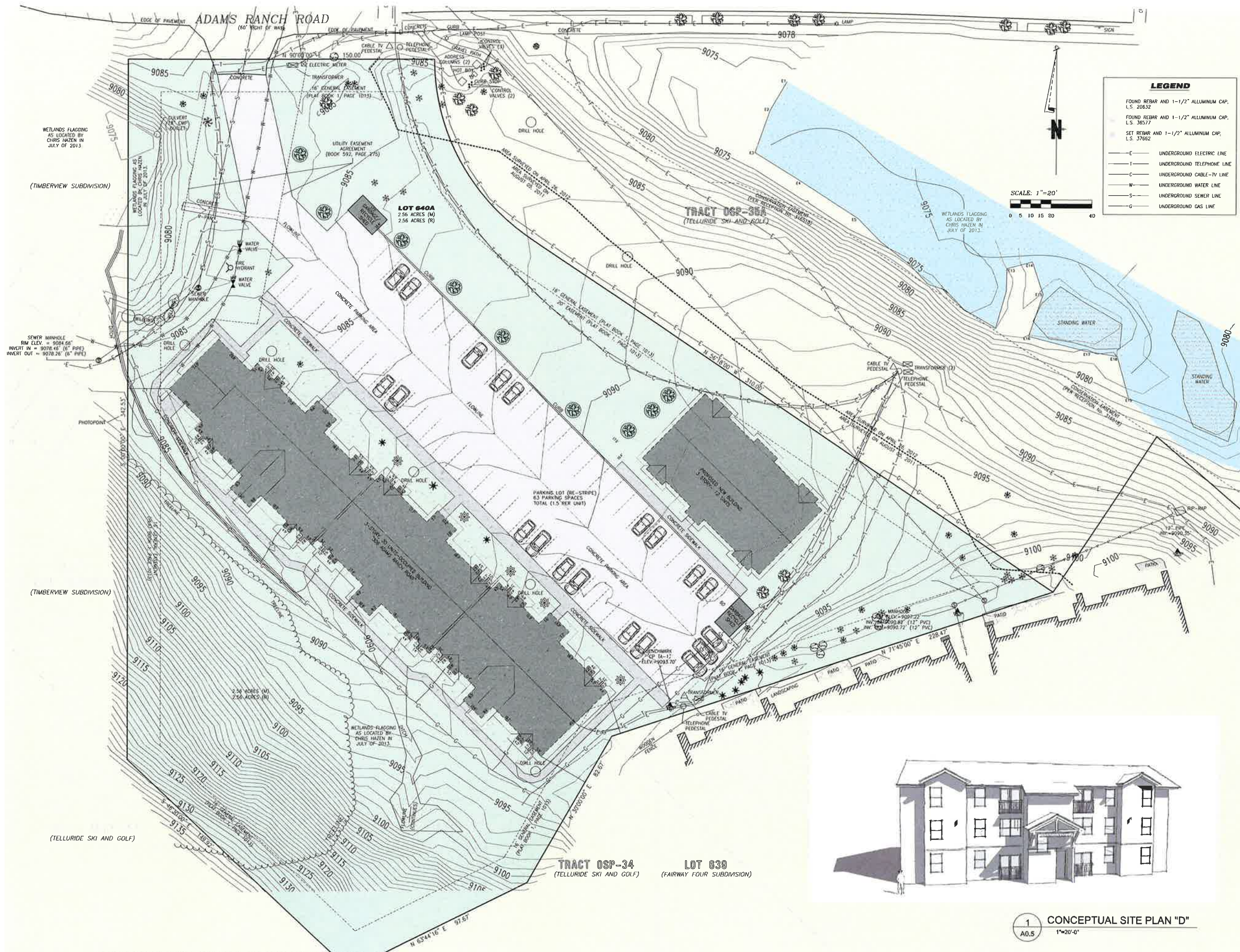
Document Date:
Sept. 30, 2019

Document Phase:
Schematic Design

REV.	DATE	REMARK
1	9.1.19	CONCEPTUAL SITE
2	9.12.19	CONCEPTUAL SITE ALTS
3	9.30.19	DENSITY TRANSFER
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9		

CONCEPTUAL
SITE PLAN "D"

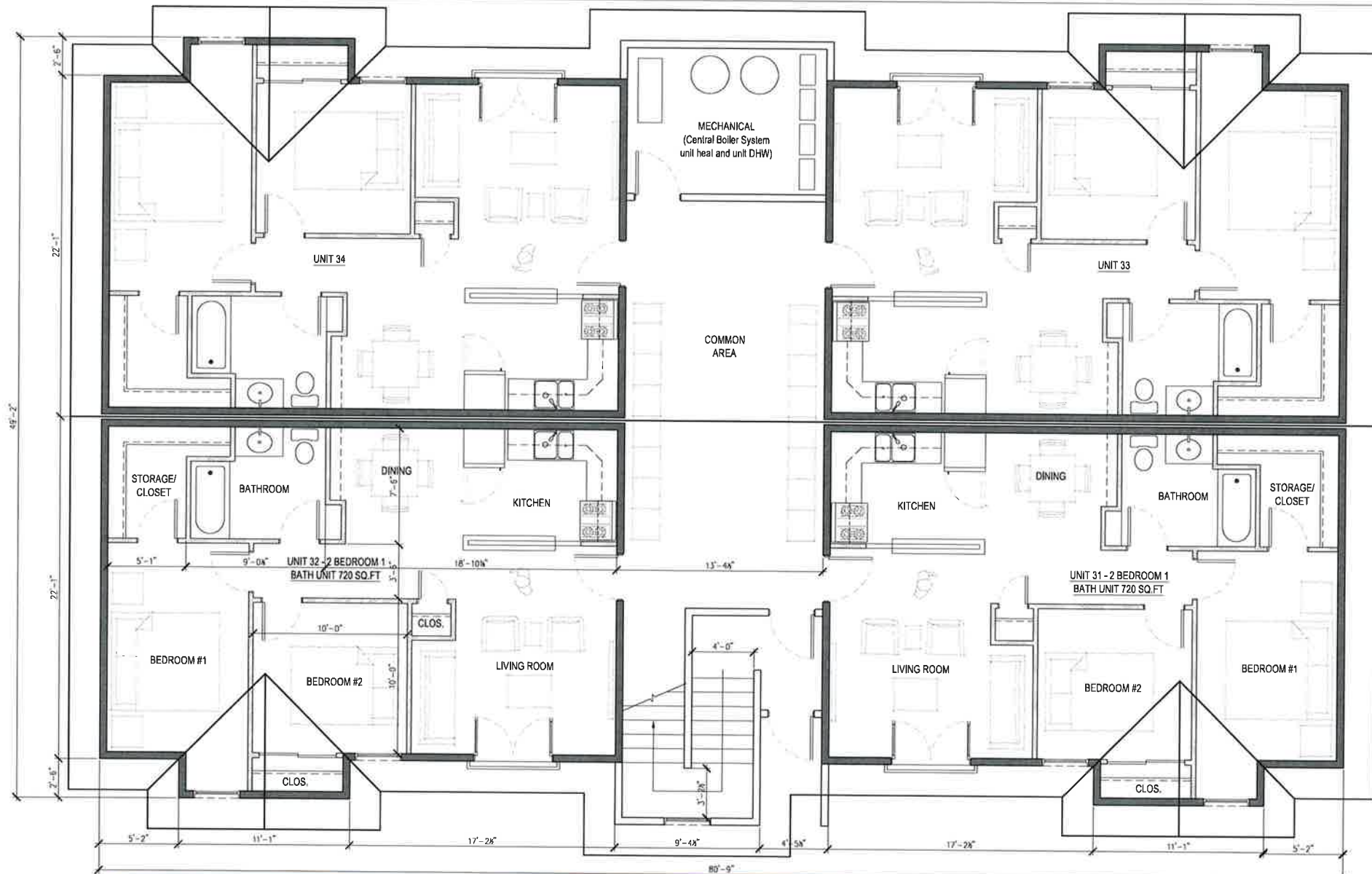
A0.5



1
A0.5 CONCEPTUAL SITE PLAN "D"
1"=20'-0"

**TSG - LOT 640 A MOUNTAIN VIEW
APTS - PHASE 2**

Telluride Ski and Golf
LOT 640 A



1 CONCEPTUAL FLOOR PLAN
A0.6 1/4" = 1'-0"



Document Date:
Sept. 30, 2019

Document Phase:
Schematic Design

REV.	DATE	REMARK
1	8.1.19	CONCEPTUAL SITE
2	9.12.19	CONCEPTUAL SITE ALTS
3	9.30.19	DENSITY TRANSFER
4		
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9		

CONCEPTUAL
FLOOR PLAN
and ELEVATION

A0.6

**TOWN OF MOUNTAIN VILLAGE, COLORADO
ORDINANCE NO. 2015 -8A**

**A CITIZEN INITIATED ORDINANCE TO ALLOW AN INCREASE IN DENSITY ON LOT 640A
FROM ITS CURRENT ALLOWED DENSITY BUT LIMITING DENSITY TO 45**

RECITALS

Section 1. Increase of Density:

The density on Lot 640A may be increased from its current allowed density, but shall be limited to 45 units.

*This Ordinance 2015-8A was initiated by the citizens of the Town of Mountain Village and voted on and approved by the registered electors of the Town of Mountain Village at the regular municipal election held on June 30, 2015, to become effective on July 30, 2015. The format of this Ordinance was, by legal requirement, accepted as presented by the citizens, and therefore is not consistent with the formatting used for other Town of Mountain Village ordinances.