

**TOWN OF MOUNTAIN VILLAGE
TOWN COUNCIL SPECIAL MEETING
THURSDAY, JULY 21, 2022, 3:00 PM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
AGENDA**

https://us06web.zoom.us/webinar/register/WN_aYRE8niFRoyCERb7Bg3_MQ

Please note that times are approximate and subject to change.

	Time	Min	Presenter	Type	
1.	3:00				Call to Order
2.	3:00	30	McConaughy	Legal	Executive Session for the Purpose of: a. Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations Developing Strategy for Negotiations and/or Instructing Negotiators in Connection with Ski Ranches Water System, Pursuant to CRS 24-6-402(4)(b) and (e)
3.	3:30	5			Public Comment on Non-Agenda Items
4.	3:35	5	Wisor Broady	Informational	Recognition of Police Officer Erika Moir
5.	3:40	5	Johnston	Action	Consent Agenda: All matters in the Consent Agenda are considered to be routine by the Town Council and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately: a. Consideration of Approval of the June 9, 2022 Special Town Council Meeting Minutes b. Consideration of Approval of the June 16, 2022 Town Council Meeting Minutes c. Consideration of Approval of the June 30, 2022 Special Town Council Meeting Minutes
6.	3:45	30	Lemley Vergari	Informational	Finance: a. Presentation of the June 30, 2022 Business & Government Activity Report (BAGAR) b. Consideration of Approval of the May 31, 2022 Financials
7.	4:15	90	Ward Haynes	Action <i>Quasi-Judicial</i>	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Considering a Final Site-Specific Planned Unit Development for Lot 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y and Portions of OS-3BR2 and OS-3XRR for a Mixed-Use Hotel/Resort Development Including Plaza, Commercial and Residential Uses According to CDC Section 17.4.12. Approval of a Final SPUD by Town Council may Constitute a Site-Specific Development Plan and a Vested Property Right in Accordance with C.R.S. Section 24-68-103
8.	5:45	15			Dinner
9.	6:00	20	Haynes	Action <i>Quasi-Judicial</i>	Consideration of a Resolution Regarding a Major Subdivision Application for Lots 161CR, Lot 67, Lot 69R2, Lot 71R, OS-3Y and Portion of Town Owned OS-3BR-2 and OS-3XRR to Create Lot 161CRR with Combined Lot Acreage of 4.437 Acres as Proposed to be Replatted Consistent with CDC Section 17.4.13
10.	6:20	30	Haynes	Action	First Reading, Setting of a Public Hearing and Council Vote on an

				<i>Quasi-Judicial</i>	Ordinance Regarding Lot 164A, Winterleaf, A Condominium Community, to Rezone from the Multi-Family Zone District to the Single-Family Common Interest Community Zone District Consistent with CDC Section 17.4.9 and CDC Section 17.3.4.G
11.	6:50	15	Haynes	Action <i>Quasi-Judicial</i>	Consideration of a Resolution Regarding a Minor Subdivision of Lot 164A, Winterleaf Condominiums, to Adjust Lot Lines Between Properties, the Private Drive and Addressing Existing General Easement Encroachments with No Change to Density or the Overall Area of the Condominium Community Consistent with CDC Section 17.4.13
12.	7:05	5	Ward	Action <i>Quasi-Judicial</i>	Consideration of a Resolution Regarding a Variance Request for Heights up to 46.58' for a New Single-Family Home on Lot 927R2, 125 Sundance Lane, Pursuant to CDC Sections 17.5.6 and 17.4.16. – <i>To be Continued to the Regular Town Council Meeting on August 18, 2022</i>
13.	7:10	20	Haynes	Action	Consideration of a Bid Award Regarding VCA Phase IV for Development Services
14.	7:30	15	Broady Warren	Informational	Fire Evacuation Tabletop Exercise Update
15.	7:45	10	Dohnal	Informational	Staff Reports: a. Business Development, Communications & Sustainability
16.	7:55	5		Informational	Other Business
17.	8:00				Adjourn

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Town Hall at 970-369-6429 or email: mvclerk@mtnvillage.org. A minimum notice of 48 hours is required so arrangements can be made to locate requested auxiliary aid(s).

<https://bit.ly/WatchMVMeetings>

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https://us06web.zoom.us/webinar/register/WN_aYRE8niFRoyCERb7Bq3_MO

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Public Comment Policy:

- All public commenters must sign in on the public comment sign in sheet and indicate which item(s) they intend to give public comment on
- Speakers shall wait to be recognized by the Mayor and shall give public comment at the public comment microphone when recognized by the Mayor
- Speakers shall state their full name and affiliation with the Town of Mountain Village if any
- Speakers shall be limited to three minutes with no aggregating of time through the representation of additional people
- Speakers shall refrain from personal attacks and shall keep comments to that of a civil tone
- No presentation of materials through the AV system shall be allowed for non-agendized speakers
- Written materials must be submitted 48 hours prior to the meeting date to be included in the meeting packet and of record. Written comment submitted within 48 hours will be accepted, but shall not be included in the packet or be deemed of record

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JUNE 9, 2022
SPECIAL TOWN COUNCIL MEETING
DRAFT**

Agenda Item 5a

The meeting of the Town Council was called to order by Mayor Laila Benitez at 1:00 pm on Thursday, June 9, 2022. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Harvey Mogenson
Jack Gilbride

The following Town Council members were absent:

Marti Prohaska
Patrick Berry
Pete Duprey

Also in attendance were:

Paul Wisor, Town Manager
Susan Johnston, Town Clerk
Michelle Haynes, Director of Planning and Development
David McConaughy, Town Attorney

Executive Session:

Conference with the Town Attorney for the Purpose of Receiving Legal Advice on Specific Legal Questions, to Determine Positions Relative to Matters that may be Subject to Negotiations Developing Strategy for Negotiations and/or Instructing Negotiators, and to Discuss the Purchase or Acquisition of Real Property, Pursuant to CRS 24-6-402(4)(a), (b), and (e) (2)

On a **MOTION** by Harvey Mogenson and seconded by Jack Gilbride, Council voted unanimously to move into Executive Session for the purpose of receiving legal advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase or acquisition of real property, pursuant to CRS 24-6-402(4)(a), (b), and (e) at 1:00 p.m.

There being no further business, on a **MOTION** by Dan Caton and seconded Harvey Mogenson, Council voted unanimously to adjourn the meeting at 1:35 p.m.

Respectfully prepared,

Kim Schooley
Deputy Town Clerk

Respectfully submitted,

Susan Johnston
Town Clerk

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JUNE 16, 2022
REGULAR TOWN COUNCIL MEETING**

Agenda Item 5b

The meeting of the Town Council was called to order by Mayor Laila Benitez at 2:00 pm on Thursday, June 16, 2022. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Patrick Berry
Harvey Mogenson
Marti Prohaska
Pete Duprey
Jack Gilbride

Also in attendance were:

Paul Wisor, Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
David McConaughy, Town Attorney
Christine Gazda, Assistant Town Attorney
Chris Broady, Police Chief
Zoe Dohnal, Director of Operations and Development
Kathrine Warren, Public Information Officer
Lauren Kirn, Environmental Efficiencies and Grant Coordinator
Michelle Haynes, Planning and Development Services Director
John Miller, Principal Planner
Amy Ward, Senior Planner
Jim Loebe, Transit & Recreation Director
Jim Soukup, Chief Technology Officer
Finn Kjome, Public Works Director
Kate Burns, Controller
Rob Johnston, Transportation Manager
Ankur Patel
Avani Patel
Dale Reed
Laura Vallo
Natalie Binder
Brandi Rice
Gretchen Koitz
J. Rodriguez
Jon Solomon
Jason Smith
Cyndi
Jean Nictakis

Sean DeLand
Kenny Maenpa
Sarah Landeryou
Matthew Shear
Nikoleta Angelova
Jim Austin
Yvette Rauff
Henry Hardy
Mark Mai
Alline Arguelles
David Eckman
Matthew Noe
Kristin Decker
Alan Kadin
Jackie Kadin
Stephanie Fanos
Allison Miller
Andrew Rostek
John Howe
Matthew Hintermeister
Karen Kirby
Winston Kelly
Sofia Bolio Hernandez
Adam Raiffe
John Burchmore
Tami Richardson
Katsia Lord
David Jaleski
Mickey Galloway

On a **MOTION** by Patrick Berry and seconded by Pete Duprey, Council voted unanimously to amend the agenda to add an additional Executive Session for the following purpose:

- a. To receive advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase of Lots 7 & 8, Spring Creek, pursuant to CRS 24-6-402(4)(a), (b), and (e)

Executive Session for the Purpose of Determining Positions Relative to Matters that may be Subject to Negotiations, Developing Strategies for (2)

- a. **Negotiations, and/or Instructing Negotiators, and to Discuss the Purchase or Acquisition of Real Property, all Specifically Regarding Lot 615-1CR and the Meadows Trail, Pursuant to CRS 24-6-402(4)(a), (b), and (e)**
- b. **Advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase of Lots 7 & 8, Spring Creek, pursuant to CRS 24-6-402(4)(a), (b), and (e)**

On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to move into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, developing strategies for negotiations, and/or instructing negotiators, and to discuss the purchase or acquisition of real property, all specifically regarding lot 615-1CR and the Meadows Trail, pursuant to CRS 24-6-402(4)(a), (b), and (e) and b) Advice on specific legal questions, to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and/or instructing negotiators, and to discuss the purchase of Lots 7 & 8, Spring Creek, pursuant to CRS 24-6-402(4)(a), (b), and (e) at 2:03 p.m.

Marti Prohaska arrived at 2:03 p.m.

Council resumed regular session at 2:29 p.m.

Public Comment on Non-Agenda Items (3)

No public comment was received.

Liquor Licensing Authority (4)

Consideration of a Report of Changes from the Mountain Village Promotional Association to Include One Additional Liquor Licensed Premise

Town Clerk Susan Johnston presented. The Mayor opened a public hearing. No comment was received. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to approve the Report of Changes from the Mountain Village Promotional Association to include one additional liquor licensed premise.

Consideration of a Design Review Board (DRB) Appointment of One Alternate Design Review Board Seat (5)

Principal Planner John Miller presented. Council discussion ensued. Applicants Jim Austin and David Eckman made comments. On a **MOTION** by Dan Caton and seconded by Jack Gilbride, Council voted to approve the appointment of Jim Austin as the second alternate seat on the Design Review Board (DRB).

Consideration of a Waiver for Coyote Court Unit 10 Price Cap (6)

Council member Marti Prohaska recused herself as she lives in Coyote Court. Town Manager Paul Wisor presented. Council discussion ensued. The Mayor opened a public hearing. No comment was received. The Mayor closed the public hearing. On a **MOTION** by Pete Duprey and seconded by Patrick Berry, Council

voted unanimously to approve the request to waive the 4% appreciation cap associated with Coyote Court Unit 10.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding Amendments to the Municipal Code and Community Development Code; Creation of Chapter 2.18: Public Art Commission, and Amending Sections 17.5 and 17.8, Concerning the Creation of a Public Art Commission (7)

John Miller presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Pete Duprey and seconded by Dan Caton, Council voted 7-0 to adopt an Ordinance amending the Municipal Code and Community Development Code; creation of Chapter 2.18: Public Art Commission, and amending sections 17.5 and 17.8, concerning the creation of a Public Art Commission.

Second Reading, Public Hearing and Council Vote on an Ordinance Amending the Municipal Code, Appendix A, Code of Ethics (8)

Town Attorney David McConaughy presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Harvey Mogenson and seconded by Marti Prohaska, Council voted 7-0 to adopt an Ordinance amending the Municipal Code, Appendix A, Code of Ethics.

Council moved to agenda item 13.

Consideration of First Reading of an Ordinance Regarding a Major Planned Unit Development (PUD) Amendment to the Formerly Named Mountain Village Hotel PUD, to Consider Amendments to the Existing PUD for Lot 109R for a Mixed-Use Hotel/Resort Development Including Plaza, Commercial, Hotel and Residential Use with a Maximum Height Request up to 96'8" (9)

Planning and Development Services Director Michelle Haynes and Senior Planner Amy Ward presented followed by applicants Matthew Shear, David Jaskel and Katsia Lord with Vault Home Design and Cyndi Stovall with Sherman & Howard representing the applicants. The Mayor opened a public hearing. Public Comment was received from Jolana Vanek, Joe Solomon, Tami Richardson, Joseph Coleman, Alan Kadin, Kristin Decker, Winston Kelly, and Matthew Hintermeister. The Mayor closed public comment. Council discussion ensued. On a **MOTION** by Dan Caton and seconded by Patrick Berry, Council voted to continue the item to the August 18, 2022 Regular Town Council meeting.

Council took a break from 4:10 to 4:18 p.m.

Consideration to Authorize the Inclusion of Town-Owned Property, Portions of OS-3BR-2 in a Subdivision Application Connected with Lot 109R Resulting in a Net Increase in OS-3BR-2 of 360 Square Feet and a Net Decrease of Lot 109R of 360 Square Feet (10)

Michelle Haynes and Amy Ward presented. Council discussion ensued. On a **MOTION** by Patrick Berry and seconded by Jack Gilbride, Council voted unanimously to authorize the inclusion of town-owned property in open space parcel OS-3BR-2 in a subdivision application provided that 1) This motion does not guarantee approval of the application and 2) The developer of lot 109R, and not the Town, shall be responsible for all costs related to the subdivision application.

Council took a break from 6:23 to 6:38 p.m.

Second Reading, Public Hearing and Council Vote on an Ordinance Regarding Single-Use Plastic Reduction (12)

Environmental Efficiencies and Grant Coordinator Lauren Kirn presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued.

On a **MOTION** by Marti Prohaska and seconded by Jack Gilbride, Council voted 7-0 to adopt an Ordinance adding Chapter 8.03 to Title 8 of the Municipal Code to establish single-use plastic reduction.

Discussion Regarding the Timing of Adoption of Comprehensive Plan Amendments (13)

Town Manager Paul Wisor and Michelle Haynes presented. Council will consider the Meadows Resident Advisory Board recommendations at a meeting in the future.

Upper San Miguel Watershed Coalition - Community Wildfire Resiliency Project, (Boomerang Road) Update (14)

Paul Wisor presented. Council discussion ensued.

Council moved back to agenda item 9.

Telluride Regional Airport Authority Bi-Annual Report (15)

Telluride Airport/FBO Manager Kenny Maenpa presented. Council discussion ensued.

Wilkinson Library Update (16)

Library Director Sarah Landeryou presented. Council discussion ensued.

Consideration of Approval of a Resolution Ratifying the Contracts for Lots 7 and 8, Spring Creek (17)

Paul Wisor presented. The Mayor opened a public hearing. There was no public comment. The Mayor closed the public hearing. Council discussion ensued. On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to deny a Resolution ratifying the contracts for Lots 7 and 8, Spring Creek.

Other Business (18)

Paul Wisor thanked Kathrine Warren for her efforts with the Fire & Ice outreach event. Pete Duprey reminded Council that the Telluride Mountain Village Owner's Association (TMVOA) Board meeting is scheduled Tuesday, June 21st at 2:00 p.m. and encourage Council to attend. Mayor Benitez shared that there will be a Celebration of Life for Abbott Smith in Sunset Plaza on Tuesday, June 21st at 4:00 p.m. There was no other business.

There being no further business, on a **MOTION** by Patrick Berry and seconded Harvey Mogenson, Council voted unanimously to adjourn the meeting at 7:03 p.m.

Respectfully prepared,

Kim Schooley
Deputy Town Clerk

Respectfully submitted,

Susan Johnston
Town Clerk

**TOWN OF MOUNTAIN VILLAGE
MINUTES OF THE JUNE 30, 2022
SPECIAL TOWN COUNCIL MEETING
DRAFT**

Agenda Item 5c

The meeting of the Town Council was called to order by Council Member Patrick Berry at 3:00 pm on Thursday, June 30, 2022. Due to the Town's Disaster Declaration of March 19, 2020 related to the COVID-19 virus, the meeting was held in person and with virtual access provided through Zoom.

Attendance:

The following Town Council members were present and acting:

Patrick Berry
Harvey Mogenson
Marti Prohaska
Jack Gilbride

The following Town Council members were absent:

Laila Benitez, Mayor
Dan Caton, Mayor Pro Tem
Pete Duprey

Also in attendance were:

Paul Wisor, Town Manager
Susan Johnston, Town Clerk
Kim Schooley, Deputy Town Clerk
Zoe Dohnal, Director of Operations and Development
Kathrine Warren, Public Information Officer

Bryan Thames
Sasha Cucciniello

Consideration of Approval for a Special Events Permit by Telluride Theatre in Conjunction with Wagner Skis and the Wine Merchant for an Event on July 2, 2022 (2)

Town Clerk Susan Johnston presented. Council discussion ensued. Council Member Patrick Berry opened a public hearing. No comment was received. Mr. Berry closed the public hearing. On a **MOTION** by Jack Gilbride and seconded by Harvey Mogenson, Council voted unanimously to approve the Special Events Permit by Telluride Theatre in conjunction with Wagner Skis and the Wine Merchant for an event on July 2, 2022.

There being no further business, on a **MOTION** by Marti Prohaska and seconded Harvey Mogenson, Council voted unanimously to adjourn the meeting at 3:05 p.m.

Respectfully prepared,

Respectfully submitted,

Kim Schooley
Deputy Town Clerk

Susan Johnston
Town Clerk



Business and Government Activity Report
For the month ending: June 30th

Activity	2022			2021			YTD or MTD Variance		
	MONTH	Monthly Change	YTD	MONTH	Monthly Change	YTD	Variance	Variance %	
Cable/Internet *Fiber Video was transitioned over from TV Residential Subscribers over the course of the 2021 calendar year									
TV Residential Subscribers	0	0		469	4		(469)	-100.0%	
Fiber Video *	660	12		141	15		519	368.1%	
TV Bulk Subscribers	567	0		612	0		(45)	-7.4%	
Fiber Commercial *	20	0		14	2		6	42.9%	
TV Inactive Subscribers	7	0		69	(33)		(62)	-89.9%	
Cable Modem Residential Cable Modem Subscribers	639	0		788	13		(149)	-18.9%	
Cable Modem Business Net Service Subscribers	26	(2)		32	(1)		(6)	-18.8%	
Cable Modem Hospitality Subscribers	229	(16)		272	0		(43)	-15.8%	
Dark Fiber Transport	8	0		8	0		0	0.0%	
Fiber Hospitality Subscribers	8	0		8	0		0	0.0%	
Fiber Residential Subscribers	568	11		365	24		203	55.6%	
Phone Subscribers	45	0		66	0		(21)	-31.82%	
Village Court Apartments									
Occupancy Rate	%	99.09%	-0.46%	99.02%	99.55%	0.00%	99.70%	-0.68%	-0.7%
# Vacated Units		2	0	14	2	0	12	2	16.7%
# Work Orders Completed		19	(2)	115	20	8	88	27	30.7%
# on Waiting List		193	(7)		237	(3)		(44)	-18.6%
Public Works June sewer numbers were unavailable at the time of publishing									
Service Calls		1,320	317	4,773	808	(217)	5,020	(247)	-4.9%
Truck Rolls		738	99	1,991	544	120	1,706	285	16.7%
Snow Fall	Inches	0	0	117	0	0	188	(71)	-37.8%
Snow Removal - Streets & Prkg Lots	Hours	0	0	2,352	0	0	2,396	(44)	-1.8%
Roadway Maintenance	Hours	220	23	803	449	89	1,248	(445)	-35.7%
Water Billed Consumption	Gal.	21,916,000	15,744,000	105,733,000	19,717,000	14,798,000	78,942,000	26,791,000	33.9%
Sewage Treatment	Gal.	na	NA	#VALUE!	7,359,000	375,000	40,732,000	NA	NA
Child Development Fund									
# Infants Actual Occupancy		6.17	2.41		6.11	0.23		0.06	1.1%
# Toddlers Actual Occupancy		10.83	0.65		14.22	1.22		(3.39)	-23.9%
# Preschoolers Actual Occupancy		16.94	1.29		14.72	(0.47)		2.22	15.1%
Transportation and Parking 2022 Parking revenues includes \$40,000 for special event parking, not contracted in 2021									
GPG Parking Utilization (% of total # of spaces occupied)		47.8%	33.20%	52.4%	42.00%	28.30%	47.9%	4.5%	9.4%
HPG Parking Utilization (% of total # of spaces occupied)		37.4%	24.90%	51.7%	32.10%	17.90%	51.1%	0.6%	1.2%
Parking Utilization (% of total # of spaces occupied)		54.5%	33.40%	55.0%	43.20%	24.10%	49.4%	5.6%	11.3%
Bus Routes	# of Passengers	11,200	9,812	12,972	4,966	1,567	10,616	2,356	22.2%
Paid Parking Revenues		\$70,175	\$68,403	\$279,813	\$48,114	\$39,488	\$223,698	\$56,115	25.1%
Part Time EE's: Council (7), Judge (1), Child Care (6), IT Tech Help, Market Manager, GIS Administrator (1) MARRS: 7 employees Seasonal EE's: Gondola Ops, Groundskeepers New Hires: 1 Parks& Rec Tech, 1 Market Manager, 1 GIS Administrator, 2 Seasonal Plaza Mtn Specialists, 3 Seasonal Gondola Ops Terms: 1 involuntary termination, 1 moved out of area									
Human Resources									
FT Year Round Head Count		77	(1)		76	(4)		1	1.3%
Seasonal Head Count (FT & PT)		5	(1)		4	0		1	25.0%
PT Year Round Head Count		17	2		15	1		2	13.3%
Gondola FT YR, Seasonal, PT YR Head Count		50	4		49	3		1	2.0%
Total Employees		157	6		144	0		13	9.0%
Gondola Overtime Paid	Hours	364	(168)	1,067	616	314	1,637	(570)	-34.8%
Other Employee Overtime Paid		95	13	555	60	0	382	173	45.3%
# New Hires Total New Hires		8	(14)	41	4	(8)	29	12	41.4%
# Terminations		2	(3)	37	3	0	34	3	8.8%
# Workmen Comp Claims		0	0	5	0	0	4	1	25.0%
Workmen Comp Claims Costs		\$0	\$0	\$9,851	\$0	\$0	\$12,377	(\$2,526)	-20.4%
Communications & Business Development									
Town Hosted Meetings		6	(2)	41	4	0	31	10	32.3%
Email Correspondence Sent		22	(2)	118	28	15	97	21	21.6%
E-mail List	#	8,379	288		8,314	(59)		65	0.8%
Ready-Op Subscribers		2,005	1		1,987	0		18	0.9%
News Articles		20	4	116	23	0	154	(38)	-24.7%
Press Releases Sent		5	1	30	7	3	21	9	42.9%
Gondola and RETA									
Gondola	# of Passengers	341,259	292,073	1,502,552	346,746	303,608	1,200,641	301,911	25.1%
Chondola	# of Passengers	0	0	92,867	0	0	77,388	15,479	20.0%
RETA fees collected by TMVOA		\$ 1,202,187	\$ 21,441	\$ 7,182,075	\$ 606,690	\$ (1,312,056)	\$ 8,356,422	(\$1,174,347)	-14.1%



Business and Government Activity Report
For the month ending: June 30th

Activity	2022			2021			YTD or MTD Variance	
	MONTH	Monthly Change	YTD	MONTH	Monthly Change	YTD	Variance	Variance %

Police									
Calls for Service	#	381	23	2,690	496	81	2,878	(188)	-6.5%
Investigations	#	14	1	79	7	0	89	(10)	-11.2%
Alarms	#	16	0	94	14	4	113	(19)	-16.8%
Arrests	#	2	0	8	1	1	9	(1)	-11.1%
Summons	#	4	3	16	0	(1)	7	9	128.6%
Traffic Contacts	#	3	2	20	7	0	77	(57)	-74.0%
Traffic Tickets Written	#	0	0	4	2	2	3	1	33.3%
Parking Tickets Written	#	223	96	2,260	401	198	2,157	103	4.8%
Administrative Dismissals	#	1	0	31	3	2	25	6	24.0%

Building/Planning									
Community Development Revenues		\$96,570	(\$70,844)	\$834,589	\$115,626	(\$28,137)	\$1,093,547	(\$258,958)	-23.7%
# Permits Issued		42	21	170	30	(33)	231	(61)	-26.4%
Valuation of Mtn Village Remodel/New/Additions Permits		\$7,429,906	\$1,339,732	\$28,337,462	\$1,737,065	(\$3,504,859)	\$29,782,655	(\$1,445,192)	-4.9%
Valuation Mtn Village Electric/Plumbing/Other Permits		\$418,977	\$59,677	\$2,815,092	\$357,567	(\$661,871)	\$2,331,697	\$483,395	20.7%
Valuation Telluride Electric/Plumbing Permits		\$609,820	\$360,485	\$2,225,798	\$139,200	(\$333,343)	\$1,683,722	\$542,076	32.2%
# Inspections Completed		448	9	2,218	399	(170)	2,306	(88)	-3.8%
# Design Review/Zoning Agenda Items		51	23	161	22	8	98	63	64.3%
# Staff Review Approvals		27	(16)	218	68	13	219	(1)	-0.5%

Plaza Services									
Snow Removal Plaza	Hours	0	0	560	0	0	795	(235)	-29.6%
Plaza Maintenance	Hours	370	29	2,184	463	21	3,382	(1,198)	-35.4%
Lawn Care	Hours	274	208	364	208	159	301	63	20.8%
Plant Care	Hours	503	250	809	835	243	1,713	(904)	-52.8%
Irrigation	Hours	124	75	173	128	(48)	417	(244)	-58.5%
TMV Trash Collection	Hours	122	79	419	93	10	596	(177)	-29.6%
Christmas Decorations	Hours	2	(109)	319	0	(9)	464	(145)	-31.3%
Residential Trash	Pound	120,227	NA	458,031	82,614	6,262	478,121	(20,090)	-4.2%
Residential Recycle	Pound	45,923	NA	169,948	31,841	1,747	185,730	(15,782)	-8.5%
Diversion Rate	%	27.64%	NA	27.06%	27.82%	-0.45%	27.98%	-0.91%	-3.3%

Vehicle Maintenance									
# Preventive Maintenance Performed		21	5	114	24	8	113	1	0.9%
# Repairs Completed		22	6	138	29	10	138	0	0.0%
Special Projects		5	3	16	3	3	7	9	128.6%
# Roadside Assists		1	1	6	0	(1)	1	5	500.0%

Finance									
<i>Business License totals include zero fee licenses created for sales tax remittances only</i>									
# Other Business Licenses Issued		44	(4)	1,272	24	(23)	1,086	186	17.1%
# Privately Licensed Rentals		3	1	104	4	2	88	16	18.2%
# Property Management Licensed Rentals		1	(1)	427	2	(6)	442	(15)	-3.4%
# Unique VRBO Property Advertisements Listings for MV		533	21	512	512	8	512	21	4.1%
% of Paperless Billing Customers		60.68%	0.59%	52.69%	52.69%	1.28%	8.0%	15.2%	
# of TMV AR Bills Processed		2,289	34	13,543	2,230	40	13,093	450	3.4%

Accounts Receivable									
		TMV Operating Receivables (includes Gondola funding)		Utilities - Broadband and Water/Sewer		VCA - Village Court Apartments			
Current		\$1,750,984	95.3%	\$549,068	93.2%	\$3,939	50.0%		
30+ Days		13,960	0.8%	23,136	3.9%	2,002	25.4%		
60+ Days		75	0.0%	7,231	1.2%	1,647	20.9%		
90+ Days		30,942	1.7%	6,208	1.1%	291	3.7%		
over 120 days		41,422	2.3%	3,487	0.6%	-	0.0%		
Total		\$ 1,837,383	100.0%	\$ 589,130	100.0%	\$ 7,879	100.0%		
		Other Billings - CDF, Construction Parking		Total All AR		Change Since Last Month - Increase (Decrease) in AR			
Current		\$21,121	76.5%	\$ 2,325,112	94.4%	\$314,973	98.6%		
30+ Days		1,100	4.0%	40,198	1.6%	12,891	4.0%		
60+ Days		196	0.7%	9,149	0.4%	(32,027)	-10.0%		
90+ Days		13	0.0%	37,454	1.5%	4,754	1.5%		
over 120 days		5,197	18.8%	50,106	2.0%	18,949	5.9%		
Total		\$27,627	100.0%	\$ 2,462,019	100.0%	\$ 319,540	100.0%		

Other Statistics

Population (estimated)	1,434
(Active) Registered Voters	873
Assessed Property Valuation	326,965,182



Memorandum

To: Town Council
From: Lizbeth Lemley, Julie Vergari
Date: July 12, 2022
Re: Town of Mountain Village Financial Statements through May 2022

Mountain Village Financials Statements through May 2022

General Fund Summary

The May financial statements as presented reflect the 2022 adopted budget prorated through May 2022. Also included are 2021, 2020 and 2019 actuals for comparison.

As of May 31, 2022, general fund revenues of \$9.4 million exceeded budget by nearly \$1.9 Million or 26%. Revenues surpassed 2021, 2020 and 2019 revenues by 22%, 52% and 44% respectively. These increases continue to be the result of significant growth in sales tax collections. Sales taxes collected through May 2022 were 60% over budget and 52% over 2021 collections.

General Fund operating expenditures through May totaled \$4.1 million and were \$368,600 or 8% under budget. We are seeing savings due to unfilled positions as well as variances due to the timing of budgeted expenditures. Additional discussion of these variances is included on the General Fund Revenue and Expenditure Report in this packet.

Year to date, the General Fund Revenue and Expenditure report reflects a surplus of \$4.7 million and unreserved fund balance of \$14.5 million.

Transfers to other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Capital Projects Fund (From GF)	\$ 6,648	\$ 43,000	\$ 42,981	(19)
Child Development Fund	\$ 22,517	\$ 474	\$ 54,598	54,124
Conference Center Subsidy	\$ -	\$ 76,736	\$ 98,166	21,430
Affordable Housing Development Fund (Monthly Sales Tax Allocation)	\$ 20,975	\$ 293,107	\$ 478,249	185,142
Vehicle & Equipment Acquisition Fund	\$ 9,009	\$ 154,000	\$ 163,420	9,420

Income transfers from other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Overhead allocation from Broadband, W/S, Gondola, VCA and Parking Services	\$ 62,118	\$ 170,908	\$ 310,725	139,817
*Tourism Fund	\$ 4,112	\$ 31,866	\$ 63,696	31,829
*This transfer is comprised of administrative fees, interest, and penalties collected.				
Debt Service Fund (Specific Ownership Taxes)	\$ 1,915	\$ 10,370	\$ 8,569	(1,801)

Vehicle and Equipment Acquisition Fund – No Fund Income Statement Attached

The sale of 5 shuttle vehicles has been recorded and a Plaza Sweeper was purchased. The vehicle maintenance shop scanner was also updated.

Capital Projects Fund – No Fund Income Statement Attached

There has been \$32,982 spent to date for safety improvements and \$10,000 has been spent on the maintenance shop remodel.

Historical Museum Fund – No Fund Income Statement Attached

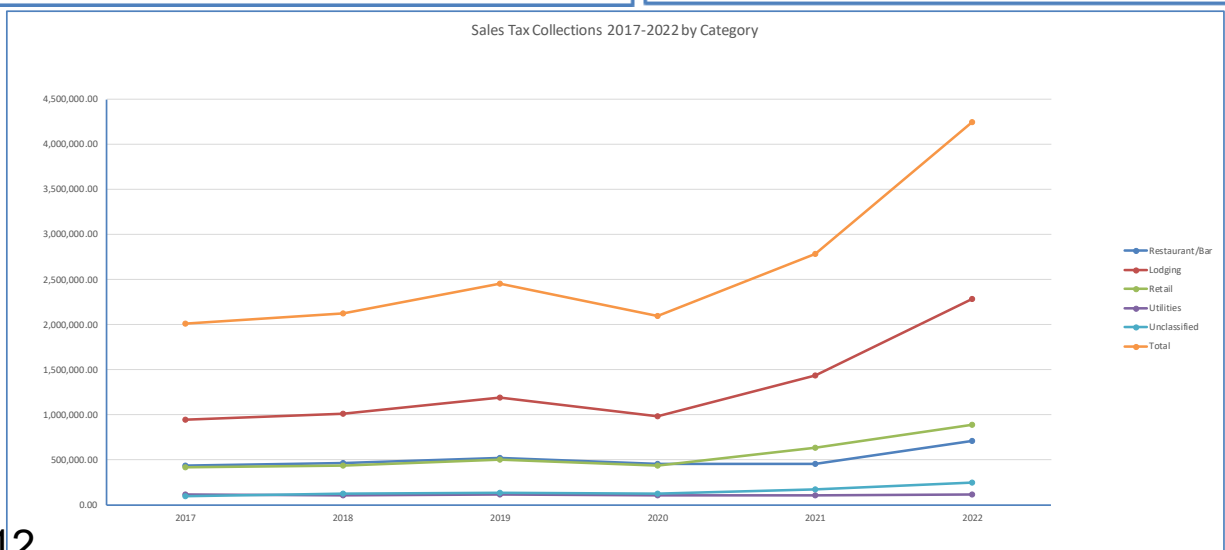
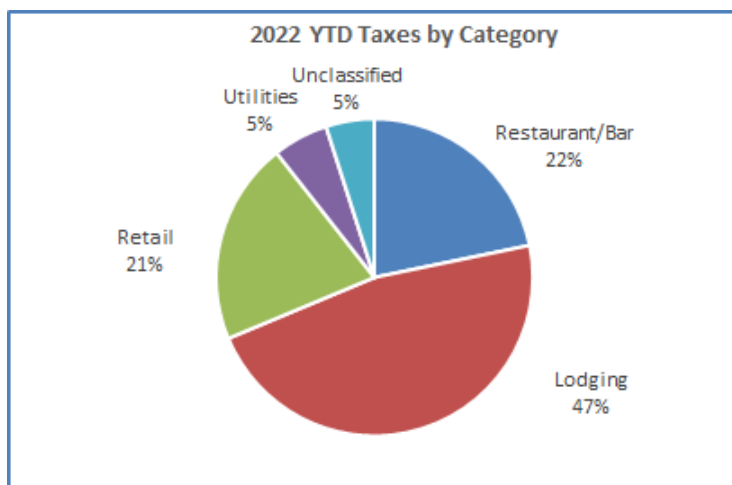
\$91,073 in property taxes were collected and \$89,251 has been tendered to the historical museum. The county treasurer retained \$1,822 in treasurer’s fees.

Mortgage Assistance Fund – No Fund Income Statement Attached

A note of \$44,000 was repaid and an appreciation share of \$17,025 were received through this period.

Sales Tax

Sales taxes of \$4.2 million are 52% over 2021 through this period and are over budget 60%.



Tax Collection Summary								
4.5% Tax	May 2017	May 2018	May 2019	May 2020	May 2021	May 2022	2022-2021 % change	2022-2017 % change
Restaurant/Bar	10,022.88	10,885.36	9,729.27	1,149.89	13,939.97	12,778.80	-8.33%	27.50%
Lodging	14,106.26	20,405.86	27,421.77	856.11	59,687.77	69,820.26	16.98%	394.96%
Retail	10,433.62	13,943.81	22,597.98	21,681.62	41,553.78	76,034.64	82.98%	628.75%
Utilities	16,396.38	13,158.13	15,803.40	12,728.06	12,949.53	14,137.05	9.17%	-13.78%
Unclassified	9,184.85	9,962.82	14,978.97	6,614.72	11,818.22	12,506.75	5.83%	36.17%
Total	60,143.99	68,355.98	90,531.39	43,030.40	139,949.27	185,277.50	32.39%	208.06%
4.5% Tax	YTD 2017	YTD 2018	YTD 2019	YTD 2020	YTD 2021	YTD 2022	2022-2021 % change	2022-2017 % change
Restaurant/Bar	438,154.27	467,060.09	517,447.79	455,139.51	449,933.76	711,498.86	58.13%	62.39%
Lodging	944,875.00	1,006,321.28	1,186,562.09	986,064.35	1,431,173.23	2,285,127.42	59.67%	141.84%
Retail	416,452.97	431,382.64	504,357.09	431,549.50	628,546.42	884,012.37	40.64%	112.27%
Utilities	114,062.39	103,666.80	114,399.35	102,552.20	102,683.96	115,304.79	12.29%	1.09%
Unclassified	99,561.23	119,565.90	134,512.02	123,411.90	171,995.99	248,496.70	44.48%	149.59%
Total	2,013,105.86	2,127,996.71	2,457,278.34	2,098,717.46	2,784,333.36	4,244,440.14	52.44%	110.84%

Tourism Fund

Business license fees of \$331,097 are over budget (8%). Penalties of \$16,037 were collected and transferred to the General Fund.

2022 restaurant taxes totaling \$316,134 have been collected and \$309,811 has been tendered to the airline guarantee program. \$2 million in lodging taxes have been collected and \$1 million has been tendered to the airline guarantee program.

Lodging taxes are over prior year by 68.9% and over budget by 45.3%. Restaurant taxes are over prior year and budget by 58.3% and 36.8%, respectively.

Town of Mountain Village Colorado Lodging Tax Summary									
	2018	2019	2020	2021	2022		2021	2022	Budget
	Activity (4%)	Activity (4%)	Activity (4%)	Activity (4%)	Activity (4%)		Var %	Budget (1)	Var %
January	273,707	300,246	325,337	271,522	511,382		88.34%	250,802	50.96%
February	262,096	310,947	334,936	358,131	681,869		90.40%	331,169	51.43%
March	322,588	401,256	212,698	475,919	734,584		54.35%	439,981	40.10%
April	18,205	17,822	855	40,874	32,911		-19.48%	37,576	-14.18%
May	18,134	24,335	784	51,474	62,055		20.56%	47,508	23.44%
June	137,760	139,428	55,426	229,731	-		-100.00%	212,798	NA
July	170,730	196,062	242,927	412,650	-		-100.00%	379,704	NA
August	136,080	160,993	226,805	336,701	-		-100.00%	311,581	NA
September	171,040	158,287	173,096	323,557	-		-100.00%	299,873	NA
October	34,696	46,789	94,985	133,675	-		-100.00%	123,766	NA
November	17,307	14,761	38,597	71,435	-		-100.00%	65,773	NA
December	283,658	295,803	266,888	547,894	-		-100.00%	504,328	NA
Total	1,846,001	2,066,729	1,973,334	3,253,561	2,022,801		-37.83%	3,004,859	-48.55%
Tax Base	46,150,032	51,668,223	49,333,357	81,339,036	50,570,022			75,121,475	

Town of Mountain Village Colorado Restaurant/Bar Tax Summary									
	2018	2019	2020	2021	2022		2021	2022	Budget
	Activity (2%)	Activity (2%)	Activity (2%)	Activity (2%)	Activity (2%)		Var %	Budget (1)	Var %
January	57,188	62,864	73,576	45,706	76,251		66.83%	45,731	40.03%
February	63,140	66,720	76,476	59,659	104,437		75.06%	59,692	42.84%
March	75,202	87,671	50,565	82,463	125,572		52.28%	82,509	34.29%
April	7,119	7,364	85	5,733	4,195		-26.83%	5,736	-36.74%
May	4,838	4,299	553	6,196	5,679		-8.33%	6,199	-9.15%
June	39,048	38,614	9,040	55,585	-		-100.00%	55,616	NA
July	46,603	60,113	37,654	66,892	-		-100.00%	66,929	NA
August	39,031	44,673	37,777	61,744	-		-100.00%	61,778	NA
September	36,920	42,922	32,718	62,708	-		-100.00%	62,455	NA
October	12,695	17,657	19,674	25,593	-		-100.00%	25,458	NA
November	7,221	3,503	8,215	8,777	-		-100.00%	8,693	NA
December	53,383	57,178	39,959	72,532	-		-100.00%	70,391	NA
Total	442,390	493,579	386,293	553,588	316,134		-42.89%	551,187	-74.35%
Tax Base	22,119,524	24,678,936	19,314,627	27,679,382	15,806,717			27,559,350	

**Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022**

	2022					2021	2020	2019	
	Actual YTD	Budget YTD	Budget Variance	Budget Variance	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
			(\$)	(%)					
General Fund									
Revenues									
Charges for Services	\$ 268,404	\$ 161,286	\$ 107,118	66.41%	\$ 399,961	\$ 131,557	\$ 291,656	\$ 44,888	\$ 83,824
Contributions	35,456	28,583	6,873	24.05%	123,340	87,884	20,359	25,487	1,036
Fines and Forfeits	83,400	470	82,930	17644.68%	11,841	(71,559)	200	2,730	5,784
Interest Income	23,930	52,179	(28,249)	-54.14%	100,000	76,070	(62)	140,991	138,496
Intergovernmental	291,404	259,611	31,793	12.25%	420,500	129,096	278,541	290,123	283,083
Licenses and Permits	192,414	162,180	30,234	18.64%	412,328	219,914	256,482	44,691	67,495
Miscellaneous Revenues	29,489	14,064	15,425	109.68%	55,464	25,975	22,561	54,342	46,028
Taxes and Assessments	8,454,541	6,756,137	1,698,404	25.14%	12,387,391	3,932,850	6,810,886	5,581,716	5,876,491
Total Revenues	9,379,038	7,434,510	1,944,528	26.16%	13,910,825	4,531,787	7,680,623	6,184,968	6,502,237
Operating Expenses									
Legislation & Council	60,133	42,309	17,824	42.13%	148,465	88,332	33,683	26,847	27,487
Town Manager	141,865	139,311	2,554	1.83%	364,280	222,415	121,368	155,387	104,706
Town Clerk's Office	115,148	146,698	(31,550)	-21.51%	340,150	225,002	124,911	158,819	159,303
Finance	530,184	527,692	2,492	0.47%	1,033,384	503,200	452,698	442,929	433,666
Technical	263,141	290,096	(26,955)	-9.29%	722,314	459,173	229,161	246,507	173,985
Human Resources	156,989	171,164	(14,175)	-8.28%	395,844	238,855	146,760	136,405	146,867
Town Attorney	174,021	187,201	(13,180)	-7.04%	559,263	385,242	132,671	139,995	189,604
Communications and Business Development	194,661	223,130	(28,469)	-12.76%	625,232	430,571	197,677	176,671	187,694
Municipal Court	13,558	15,762	(2,204)	-13.98%	36,888	23,330	11,855	11,440	12,659
Police Department	460,569	477,417	(16,848)	-3.53%	1,136,852	676,283	417,695	398,413	374,388
Community Services	25,844	26,051	(207)	-0.79%	64,973	39,129	22,983	21,995	22,488
Community Grants and Contributions	109,650	106,550	3,100	2.91%	130,550	20,900	53,838	84,293	73,363
Roads and Bridges	289,699	332,749	(43,050)	-12.94%	1,177,102	887,403	250,570	319,511	280,096
Vehicle Maintenance	196,693	202,754	(6,061)	-2.99%	524,079	327,386	167,173	163,141	185,106
Municipal Bus	54,235	117,702	(63,467)	-53.92%	312,823	258,588	75,265	111,782	73,708
Employee Shuttle	-	-	-	NA	-	-	12,160	23,799	19,187
Parks & Recreation	200,336	219,357	(19,021)	-8.67%	554,641	354,305	170,710	168,938	187,640
Plaza Services	548,879	628,296	(79,417)	-12.64%	1,626,689	1,077,810	504,327	492,755	581,759
Public Refuse Removal	18,135	27,768	(9,633)	-34.69%	68,300	50,165	25,392	21,206	23,587
Building/Facility Maintenance	109,134	120,380	(11,246)	-9.34%	310,572	201,438	107,853	97,131	84,327
Building Division	162,324	171,971	(9,647)	-5.61%	602,994	440,670	111,853	118,504	83,625
Housing Division Office	31,639	32,048	(409)	-1.28%	171,960	140,321	9,162	8,331	8,160
Planning and Zoning Division	271,390	290,374	(18,984)	-6.54%	807,685	536,295	174,750	98,509	136,877
Contingency	-	-	-	NA	95,000	95,000	-	-	-
Total Operating Expenses	4,128,227	4,496,780	(368,553)	-8.20%	11,810,040	7,681,813	3,554,515	3,623,308	3,570,282
Surplus / Deficit	5,250,811	2,937,730	2,313,081	78.74%	2,100,785	(3,150,026)	4,126,108	2,561,660	2,931,955
Capital Outlay	63,674	113,698	(50,024)	-44.00%	398,500	334,826	58,529	142	44,084
Surplus / Deficit	5,187,137	2,824,032	2,363,105	83.68%	1,702,285	(3,484,852)	4,067,579	2,561,518	2,887,871
Other Sources and Uses									
Sale of Assets	113	-	113	NA	-	(113)	-	-	12,496
Insurance Claim Proceeds	1,327	-	1,327	NA	-	(1,327)	-	-	-
Transfer (To) From Affordable Housing	(478,249)	(293,107)	(185,142)	63.17%	(761,301)	(283,052)	(309,499)	(232,404)	(273,679)
Transfer (To) From Affordable Housing-Housing Off	-	-	-	NA	171,960	171,960	-	-	-
Transfer (To) From Broadband	-	-	-	NA	-	-	-	-	-
Transfer (To) From Child Development	(54,598)	(474)	(54,124)	11418.57%	(197,812)	(143,214)	-	-	-
Transfer (To) From Capital Projects	(42,981)	(43,000)	19	-0.04%	(1,983,546)	(1,940,565)	(674)	(35,068)	-
Transfer (To) From Debt Service	8,569	10,370	(1,801)	-17.37%	32,000	23,431	7,770	8,452	11,810
Transfer (To) From Overhead Allocation	310,725	170,908	139,817	81.81%	648,200	337,475	281,409	279,140	291,231
Transfer (To) From Parking Services	-	-	-	NA	-	-	-	-	-
Transfer (To) From Conference Center	(98,166)	(76,736)	(21,430)	27.93%	(159,565)	(61,399)	(65,691)	(113,803)	(104,849)
Transfer (To) From Tourism	64,398	31,866	32,532	102.09%	405,948	341,551	52,976	42,900	18,690
Transfer (To) From Vehicle/Equipment	(163,420)	(154,000)	(9,420)	6.12%	(423,171)	(259,751)	(13,181)	(62,402)	(14,602)
Transfer (To) From Water/Sewer	-	-	-	NA	-	-	-	-	-
Total Other Sources and Uses	(452,282)	(354,173)	(98,109)	27.70%	(2,267,287)	(1,815,004)	(46,890)	(113,185)	(58,903)

	2022					2021	2020	2019	
	Actual YTD	Budget YTD	Budget Variance	Budget Variance	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
			(\$)	(%)					
General Fund									
Surplus / Deficit	\$ 4,734,855	\$ 2,469,859	\$ 2,264,996	91.71%	\$ (565,002)	\$ (5,299,856)	\$ 4,020,689	\$ 2,448,333	\$ 2,828,968
Beginning Fund Balance Components	Actual YTD				Annual Budget				
Emergency Reserve	\$ 4,133,514				\$ 4,133,514				
Unreserved	10,386,110				11,615,858				
Beginning Fund Balance	\$ 14,519,624				\$ 15,749,372				
YTD Ending Fund Balance Components									
Emergency Reserve	\$ 4,133,514				\$ 4,133,514				
Unreserved	15,120,965				11,050,856				
Ending Fund Balance	\$ 19,254,479				\$ 15,184,370				

Revenues

Taxes & Assessments - Property taxes are over budget due to the timing of collections. Specific Ownership taxes are over budget \$21,300 and are \$13,700 more than prior year. Sales tax is 60% over budget. Construction use tax collections are 5% under budget 36% behind last years collections, but this is catching up with the increase in permit activity.

Licenses & Permits - Construction permits are over budget through May by \$4,400. Other permit revenue is over budget by \$14,300. Construction parking fees through this period have been strong, coming in \$9,100 over budget.

Intergovernmental - Intergovernmental revenues are over budget in Road & Bridge taxes due to the timing of receipts.

Charges for Services - Development DRB fees of \$82,900 exceed budget by \$55,300 year to date.

Fines & Forfeitures - Fines are well over budget due to a significant building fine.

Investment Income - Investment income is increasing due to increasing interest rates, but is still behind budget. This is expected to catch up through the remainder of the year.

Miscellaneous Revenues - Plaza and vending carts rents are over budget \$6,800 and grant revenues over budget \$7,400.

Contributions - TMVOA roof rebate contributions received exceed budget. This trend will continue through the year as TMVOA and the Town have agreed to expand this program in 2022.

Top Ten Budget Variances

Over Budget

Legislation & Council - \$17,824 Over budget due to appraisal fees.

Community Grants and Contributions- \$3,100 Over budget due to mis-calculated Foundation fees and an unbudgeted miscellaneous contribution.

Town Manager - \$52,554 Over budget in salaries and wages.

Finance - \$2,492 Over budget in property insurance premiums.

Under Budget

Plaza Services - \$79,417 Under budget due to savings in Covid related expenses, paver/planter repair, and employee expenses.

Municipal Bus Service - \$63,467 Employee wages and benefits are under budget.

Road & Bridge - \$43,050 Under budget in employee expenses.

Town Clerk's Office - \$31,550 Under budget in personnel expenses.

Communications and Business Development - \$28,469 Under budget mainly due to consulting fees and environmental efficiencies.

Technical - \$26,955 Under budget due to the timing of expenditures of certain software support fees.

**Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022**

	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Tourism Fund									
Revenues									
Business License Fees	\$ 331,097	\$ 307,419	\$ 23,678	8%	\$ 335,000	\$ 3,903	\$ 321,941	\$ 301,429	\$ 295,952
Lodging Taxes - Condos/Homes	1,459,568	776,845	682,723	88%	2,056,090	596,522	847,979	519,489	615,719
Lodging Taxes - Hotels	563,326	330,192	233,134	71%	948,768	385,442	349,907	354,880	438,845
Lodging Taxes - Prior Year	4,041	-	4,041	NA	-	(4,041)	6,678	1,555	2,955
Penalties and Interest	17,891	5,728	12,163	212%	10,500	(7,391)	11,594	7,645	4,831
Restaurant Taxes	315,875	199,867	116,008	58%	551,187	235,312	199,756	201,171	228,918
Restaurant Taxes - Prior Year	2,707	-	2,707	NA	-	(2,707)	84	348	1,779
Total Revenues	2,694,505	1,620,051	1,074,454	66%	3,901,545	1,207,040	1,737,939	1,386,517	1,588,999
Tourism Funding									
Additional Funding	-	-	-	NA	-	-	-	-	24,375
Airline Guaranty Funding	1,305,409	738,318	567,091	77%	2,012,544	707,135	786,080	626,691	744,267
Marketing Funding	272,207	272,207	-	0%	1,480,553	1,208,346	-	-	-
MTI Funding	-	-	-	NA	-	-	898,884	716,926	801,667
Total Tourism Funding	1,577,616	1,010,525	567,091	56%	3,493,097	1,915,481	1,684,963	1,343,617	1,570,309
Surplus / Deficit	1,116,889	609,526	507,363	83%	408,448	(708,441)	52,976	42,900	18,690
Administrative Fees									
Audit Fees	-	-	-	NA	2,500	2,500	-	-	-
Total Administrative Fees	-	-	-	NA	2,500	2,500	-	-	-
Surplus / Deficit	1,116,889	405,948	507,363	125%	405,948	(710,941)	52,976	42,900	18,690
Other Sources and Uses									
Transfer (To) From Other Funds	(64,398)	(31,866)	(32,532)	102%	(405,948)	(341,551)	(52,976)	(42,900)	(18,690)
Total Other Sources and Uses	(64,398)	(31,866)	(32,532)	102%	(405,948)	(341,551)	(52,976)	(42,900)	(18,690)
Surplus / Deficit	\$ 1,052,491	\$ 374,082	\$ -		\$ -	\$ (1,052,491)	\$ -	\$ -	\$ -

	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Parking Services Fund									
Revenues									
Fines and Forfeits	31,230	17,227	14,003	81%	45,000	23,450	21,395	13,400	23,450
Gondola Parking Garage	60,126	33,291	26,835	81%	118,000	20,665	36,543	36,235	20,665
Heritage Parking Garage	126,624	110,920	15,704	14%	249,000	106,374	118,987	71,518	106,374
Parking in Lieu Buyouts	62,500	-	62,500	NA	-	-	-	-	-
Parking Meter Revenues	17,623	10,313	7,310	71%	30,000	10,390	13,729	8,258	10,390
Parking Permits	5,265	6,869	(1,604)	-23%	12,000	6,390	6,325	4,125	6,390
Special Event Parking	-	-	-	NA	-	-	-	-	-
Total Revenues	303,368	178,620	124,748	70%	454,000	167,269	196,979	133,536	167,269
Operating Expenses									
Other Operating Expenses	3,430	2,065	1,365	66%	8,208	4,778	1,920	2,485	1,782
Personnel Expenses	72,477	64,907	7,570	12%	157,438	84,961	59,373	55,238	59,866
Gondola Parking Garage	26,468	21,327	5,141	24%	72,234	45,766	24,050	14,995	29,538
Surface Lots	7,351	13,084	(5,733)	-44%	29,900	22,549	9,560	8,105	1,946
Heritage Parking Garage	43,195	42,219	976	2%	94,130	50,935	37,483	32,621	31,946
Meadows Parking	-	-	-	NA	1,000	1,000	-	-	-
Total Operating Expenses	152,921	143,602	9,319	6%	362,910	209,989	132,386	113,444	125,078
Surplus / Deficit	150,447	91,090	115,429	127%	91,090	(42,720)	64,593	20,092	42,191
Capital									
Capital	57,917	29,000	28,917	100%	344,800	286,883	14,961	5,415	2,920
Surplus / Deficit	92,530	62,090	86,512	139%	(253,710)	(329,603)	49,632	14,677	39,271
Other Sources and Uses									
Sale of Assets	-	-	-	NA	-	-	-	-	-
Insurance Proceeds	-	-	-	NA	-	-	15,345	-	-
Overhead Allocation	(19,760)	(19,760)	-	0%	(39,519)	(19,759)	(16,039)	(16,810)	(20,669)
Transfer (To) From General Fund	-	-	-	NA	-	-	-	-	-
Total Other Sources and Uses	(19,760)	(39,519)	-	0%	(39,519)	(19,759)	(694)	(16,810)	(20,669)
Surplus / Deficit	\$ 72,770	\$ 22,571	\$ -	0%	\$ (293,229)	\$ (349,362)	\$ 48,938	\$ (2,133)	\$ 18,602
Beginning Fund Balance	\$ 521,492	\$ 451,037	\$ 70,455						
Ending Fund Balance	\$ 594,262	\$ 473,608	\$ 120,654						

Parking revenues are over budget \$124,700. HPG revenues are over budget 14% and prior year 6.4%. Parking meter (surface lots) revenues are over budget 71% and over prior year 28.3%. GPG is over budget and prior year 81% and 46% respectively. This is due in part to the timing of the purchase of bulk valet tickets. Parking fines are over budget and prior year. General expenses are over budget in personnel costs. GPG is over budget due to maintenance. Surface lots are under budget in maintenance and lot leases due to the timing of lease payments. HPG has budget savings in tech support but is over in dues and maintenance. Capital costs are over budget because of unbudgeted EV charging station expenditures. Other capital costs are for GPG consulting for the proposed expansion. The 2022 transfer to the General Fund is \$19,760, which is the overhead allocation.

**Town of Mountain Village Monthly Revenue and Expenditure Report
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	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Gondola Fund									
Revenues									
Event Operations Funding	\$ 5,128	\$ -	\$ 5,128	NA	\$ -	\$ (5,128)	\$ -	\$ 6,831	\$ 1,896
Event Operations Funding - TOT	-	-	-	NA	36,000	36,000	-	-	-
Operations Grant Funding	-	-	-	NA	133,000	133,000	-	39,740	68,635
Capital/MR&R Grant Funding	6,460	-	6,460	NA	-	(6,460)	-	-	580,770
Miscellaneous Revenues	95	-	95	NA	-	(95)	-	-	-
Sale of Assets	-	-	-	NA	-	-	-	-	-
TSG 1% Lift Sales	208,487	166,271	42,216	25.39%	200,000	(8,487)	179,491	146,951	183,520
TMVOA Operating Contributions	1,656,229	1,812,181	(155,952)	-8.61%	4,536,008	2,879,779	1,573,630	1,417,021	1,569,821
TMVOA Capital/MR&R Contributions	161,379	171,033	(9,654)	-5.64%	418,000	256,621	268,506	7,782	283,413
Total Revenues	2,037,778	2,149,485	(111,707)	-5.20%	5,323,008	3,285,230	2,021,627	1,618,325	2,619,420
Operating Expenses									
Overhead Allocation Transfer	14,125	22,917	(8,792)	-38.36%	55,000	40,875	13,412	12,468	18,227
MAARS	23,643	30,069	(6,426)	-21.37%	79,417	55,774	24,477	22,787	24,845
Chondola	98,447	112,603	(14,156)	-12.57%	254,443	155,996	88,299	90,512	100,617
Grant Success Fees	-	-	-	NA	-	-	-	-	-
Operations	890,738	939,067	(48,329)	-5.15%	2,429,145	1,538,407	829,796	670,955	762,865
Maintenance	611,806	621,190	(9,384)	-1.51%	1,497,697	885,891	564,359	618,533	612,080
FGOA	231,180	252,606	(21,426)	-8.48%	469,306	238,126	232,778	195,288	236,603
Major Repairs and Replacements	130,062	121,033	9,029	7.46%	300,000	169,938	119,840	7,782	859,183
Contingency	-	-	-	NA	120,000	120,000	-	-	-
Total Operating Expenses	2,000,001	2,099,485	(99,484)	-4.74%	5,205,008	3,205,007	1,872,961	1,618,325	2,614,420
Surplus / Deficit	37,777	50,000	(12,223)	-24.45%	118,000	80,223	148,666	-	5,000
Capital									
Capital Outlay	37,777	50,000	(12,223)	-24.45%	118,000	80,223	148,666	-	5,000
Surplus / Deficit	\$ -	\$ -	\$ -	NA	\$ -	\$ -	\$ -	\$ -	\$ -

The gondola fund is \$111,707 under in budgeted expenditures. MARRS operating expenditures are under budget with savings primarily in worker's compensation insurance expense and wages. Chondola expenses are under budget due mainly to operations personnel costs, utilities, and parts and supplies. Gondola operations is under budget in employee costs due mainly to end of season bonuses and worker's compensation. Maintenance is under budget with savings in worker's compensation but over in other employee costs and under budget in parts and supplies. FGOA costs are under budget mainly in dues and fees, legal, and shuttle expenses. MR&R expenditures were for cabin refurb, window buffing, and station upgrades and is over budget due to bull wheel replacement. Capital expense was for grant funded conveyor rebuilds.

**Town of Mountain Village Monthly Revenue and Expenditure Report
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	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Child Development Fund									
Revenues									
Infant Care Fees	\$ 20,128	\$ 30,439	(10,311)	-33.87%	\$ 82,104	\$ 61,976	\$ 24,920	\$ 19,888	\$ -
Toddler Care Fees	40,050	91,128	(51,078)	-56.05%	193,752	153,702	51,305	43,356	106,451
Preschool Fees	56,174	79,235	(23,061)	-29.10%	176,772	120,598	59,202	41,268	79,396
Fundraising Revenues - Infant	-	1,479	(1,479)	-100.00%	3,550	3,550	-	-	-
Fundraising Revenues - Preschool	-	2,083	(2,083)	-100.00%	5,000	5,000	-	-	650
Fundraising Revenues - Toddler	-	-	-	NA	8,450	8,450	-	-	265
Grant Revenues - Infant	15,000	8,481	6,519	76.87%	9,500	(5,500)	45,579	48,567	-
Grant Revenues - Preschool	20,000	19,000	1,000	5.26%	19,000	(1,000)	33,079	27,467	33,443
Grant Revenues - Toddler	35,000	36,210	(1,210)	-3.34%	36,500	1,500	53,906	56,820	46,375
Total Revenues	186,352	280,555	(94,203)	-33.58%	564,628	378,276	267,991	237,366	266,580
Operating Expenses									
Toddler Care Other Expense	18,731	26,878	(8,147)	-30.31%	54,306	35,575	17,221	16,971	31,752
Toddler Care Personnel Expense	85,461	96,084	(10,623)	-11.06%	259,259	173,798	91,264	90,519	149,128
Infant Care Other Expense	7,372	8,197	(825)	-10.06%	19,806	12,434	8,573	5,015	-
Infant Care Personnel Expense	44,855	63,073	(18,218)	-28.88%	180,825	135,970	41,828	43,585	-
Preschool Other Expense	20,137	16,577	3,560	21.48%	39,838	19,701	21,432	10,349	18,788
Preschool Personnel Expense	64,394	70,220	(5,826)	-8.30%	208,406	144,012	44,615	50,353	61,468
Total Operating Expenses	240,950	281,029	(40,079)	-14.26%	762,440	521,490	224,933	216,792	261,136
Surplus / Deficit	(54,598)	(474)	(54,124)	11418.57%	(197,812)	(143,214)	43,058	20,574	5,444
Other Sources and Uses									
Contributions	-	-	-	NA	-	-	-	-	-
Transfer (To) From General Fund	54,598	474	(54,124)	-11418.57%	197,812	143,214	-	-	-
Total Other Sources and Uses	54,598	474	(54,124)	-11418.57%	197,812	143,214	-	-	-
Surplus / Deficit	\$ -	\$ -	\$ -	NA	\$ -	\$ 143,214	\$ 43,058	\$ 20,574	\$ 5,444

Child Development revenues are \$94,200 under budget. Child care fees are under projections due in part to continued COVID related closures. Operating expenses are \$40,100 under budget primarily due to being understaffed and scholarships provided to families have been less than budgeted. The program has required funding of \$54,598 from the General Fund in 2022.

**Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022**

	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Water & Sewer Fund									
Revenues									
Mountain Village Water and Sewer	\$ 1,374,824	\$ 1,270,902	\$ 103,922	8.18%	\$ 3,459,145	\$ 2,084,321	\$ 1,177,419	\$ 1,082,793	\$ 1,033,012
Other Revenues	3,285	3,057	228	7.46%	8,650	5,365	4,254	1,285	3,470
Ski Ranches Water	135,321	130,186	5,135	3.94%	318,378	183,057	113,605	99,402	75,842
Skyfield Water	11,261	11,850	(589)	-4.97%	37,544	26,283	9,800	8,800	9,488
Total Revenues	1,524,691	1,415,995	108,696	7.68%	3,823,717	2,299,026	1,305,078	1,192,280	1,121,812
Operating Expenses									
Mountain Village Sewer	290,985	313,355	(22,370)	-7.14%	713,089	422,104	282,113	224,824	178,981
Mountain Village Water	398,655	405,265	(6,610)	-1.63%	1,118,007	719,352	312,926	390,411	338,881
Ski Ranches Water	21,678	19,886	1,792	9.01%	39,708	18,030	12,434	3,078	13,531
Contingency	-	-	-	NA	35,000	35,000	-	-	-
Total Operating Expenses	711,318	738,506	(27,188)	-3.68%	1,905,804	1,194,486	607,473	618,313	531,393
Surplus / Deficit	813,373	677,489	135,884	20.06%	1,917,913	1,104,540	697,605	573,967	590,419
Capital									
Capital Outlay	92,417	114,071	(21,654)	-18.98%	2,497,000	2,404,583	167,575	60,555	102,895
Surplus / Deficit	720,956	563,418	157,538	27.96%	(579,087)	(1,300,043)	530,030	513,412	487,524
Other Sources and Uses									
Overhead Allocation Transfer	(103,766)	(103,766)	-	0.00%	(207,531)	(103,765)	(93,653)	(87,256)	(85,488)
Mountain Village Tap Fees	45,500	26,583	18,917	71.16%	100,000	54,500	74,536	-	-
Grants	-	-	-	NA	-	-	-	-	-
Ski Ranches Tap Fees	-	-	-	NA	5,000	5,000	-	-	-
Skyfield Tap Fees	-	-	-	NA	2,000	2,000	-	-	-
Sale of Assets	-	-	-	NA	-	-	-	-	-
Transfer (To) From General Fund	-	-	-	NA	-	-	-	-	-
Total Other Sources and Uses	(58,266)	(77,183)	18,917	-24.51%	(100,531)	(42,265)	(19,117)	(87,256)	(85,488)
Surplus / Deficit	\$ 662,690	\$ 486,235	\$ 176,455	36.29%	\$ (679,618)	\$ (1,342,308)	\$ 510,913	\$ 426,156	\$ 402,036
Beginning (Available) Fund Balance	\$ 6,467,477	\$ 6,692,459	\$ (224,982)						
Ending (Available) Fund Balance	\$ 7,130,167	\$ 7,178,694	\$ (48,527)						

Mountain Village water revenues are over budget in excess usage fees and snowmaking fees. Ski Ranch water is over budget due to excess water fees. Other revenues are over budget in maintenance fees. Skyfield revenues are slightly under budget. Sewer expenditures are under budget 7.1% due to savings in TOT sewer expense. Mountain Village water expenses are under budget in personnel expenses which offset overages in electricity due to snowmaking, pump replacement, and legal. Ski Ranch operations are over budget because of repair and maintenance, legal, and personnel expenses. Capital costs are for Ski Ranches, regional sewer shared expenses, and costs related to the new Yellow Brick Road well.

**Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022**

	2022				2021	2020	2019			
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD	
Broadband Fund										
Revenues										
Cable TV User Fees	\$ 239,498	\$ 247,039	\$ (7,541)	-3.05%	\$ 615,000	\$ 375,502	\$ 391,560	\$ 415,678	\$ 419,891	
Internet User Fees	601,653	584,647	17,006	2.91%	1,471,860	870,207	541,565	469,705	460,376	
Other Revenues	7,209	29,341	(22,132)	-75.43%	70,540	63,222	11,173	16,924	20,107	
Phone Service Fees	7,318	15,736	(8,418)	-53.50%	35,000	27,791	12,062	15,845	17,398	
Total Revenues	855,678	876,763	(21,085)	-2.40%	2,192,400	1,336,722	956,360	918,152	917,772	
Operating Expenses										
Cable TV Direct Costs	169,341	172,200	(2,859)	-1.66%	451,200	281,859	343,827	381,537	357,751	
Phone Service Costs	4,955	10,977	(6,022)	-54.86%	25,200	20,245	7,301	8,596	9,546	
Internet Direct Costs	102,094	104,648	(2,554)	-2.44%	258,000	155,906	65,071	104,941	89,046	
Broadband Operations	294,414	303,580	(9,166)	-3.02%	806,688	512,274	308,009	298,975	232,261	
Contingency	-	-	-	NA	3,000	3,000	-	-	-	
Total Operating Expenses	570,804	591,405	(20,601)	-3.48%	1,544,088	973,284	724,208	794,049	688,604	
Surplus / Deficit	284,874	285,358	(484)	-0.17%	648,312	363,438	232,152	124,103	229,168	
Capital										
Capital Outlay	66,344	71,108	(4,764)	-6.70%	353,000	286,656	70,167	523,611	5,338	
Surplus / Deficit	218,530	214,250	4,280	2.00%	295,312	76,782	161,985	(399,508)	223,830	
Other Sources and Uses										
Sale of Assets	-	-	-	NA	-	-	-	-	-	
Transfer from General Fund	-	-	-	NA	-	-	-	-	-	
Transfer (To) From General Fund	-	-	-	NA	-	-	-	-	-	
Overhead Allocation Transfer	(84,072)	(84,072)	-	0.00%	(168,143)	(84,071)	(85,573)	(88,625)	(85,368)	
Total Other Sources and Uses	(84,072)	(84,072)	-	0.00%	(168,143)	(84,071)	(85,573)	(88,625)	(85,368)	
Surplus / Deficit	\$ 134,458	\$ 130,178	\$ 4,280	3.29%	\$ 127,169	\$ (7,289)	\$ 76,412	\$ (488,133)	\$ 138,462	

Fiber Video revenues are under budget and accounts are being phased in as installs are completed. Internet revenues are over budget 2.9% and over prior year 11.1%. Other revenues are under budget 75.4% due primarily to fewer connection fees and equipment rental which is affected by the conversion to fiber video. Direct costs for cable are under budget 1.7% and under prior year 50.8%. Prior year variance is primarily due to the transition from traditional cable services to fiber video. Internet costs are over budget 2.4%. Phone service revenues are under budget by 53.5%, while phone service expenses are under budget by 54.9%. Broadband operating expenses are over budget in head end maintenance, facility expenses, and gasoline but are offset by the savings in personnel costs. Capital expenses are related to the fiber project and software upgrades

**Town of Mountain Village Monthly Revenue and Expenditure Report
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	2022				Annual Budget	Budget Balance	2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Telluride Conference Center Fund									
Revenues									
Beverage Revenues	\$ -	\$ -	\$ -	NA	\$ -	\$ -	\$ -	\$ -	\$ -
Catering Revenues	-	-	-	NA	-	-	-	-	-
Facility Rental	-	-	-	NA	-	-	-	-	-
Operating/Other Revenues	-	-	-	NA	-	-	-	-	-
Total Revenues	-	-	-	NA	-	-	-	-	-
Operating Expenses									
General Operations	-	-	-	NA	-	-	-	4,600	-
Administration	73,166	76,736	(3,570)	-4.65%	139,565	66,399	65,691	59,203	48,378
Marketing	25,000	-	25,000	NA	-	(25,000)	-	50,000	50,000
Contingency	-	-	-	NA	-	-	-	-	-
Total Operating Expenses	98,166	76,736	21,430	27.93%	139,565	41,399	65,691	113,803	98,378
Surplus / Deficit	(98,166)	(76,736)	(21,430)	27.93%	(139,565)	(41,399)	(65,691)	(113,803)	(98,378)
Capital Outlay/ Major R&R	-	-	-	NA	20,000	20,000	-	-	6,471
Surplus / Deficit	(98,166)	(76,736)	(21,430)	27.93%	(159,565)	(61,399)	(65,691)	(113,803)	(104,849)
Other Sources and Uses									
Damage Receipts	-	-	-	NA	-	-	-	-	-
Insurance Proceeds	-	-	-	NA	-	-	-	-	-
Sale of Assets	-	-	-	NA	-	-	-	-	-
Transfer (To) From General Fund	98,166	76,736	21,430	27.93%	159,565	61,399	65,691	113,803	104,849
Overhead Allocation Transfer	-	-	-	NA	-	-	-	-	-
Total Other Sources and Uses	98,166	76,736	21,430	27.93%	159,565	61,399	65,691	113,803	104,849
Surplus / Deficit	\$ -	\$ -	\$ -	NA	\$ -	\$ -	\$ -	\$ -	\$ -

Expenses for the year are HOA dues and contracted marketing \$'s.

Town of Mountain Village Monthly Revenue and Expenditure Report
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	2022				Annual Budget	Budget Balance	2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Affordable Housing Development Fund									
Revenues									
Contributions	\$ -	\$ -	\$ -	NA	\$ -	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	-	-	-	NA	-	-	-	-	-
Rental Income	22,435	5,368	17,067	317.94%	12,480	(9,955)	15,015	14,600	12,500
Housing Application Fees	500	-	500	NA	-	(500)	-	-	-
Sales Proceeds	-	-	-	NA	-	-	-	-	-
Total Revenues	22,935	5,368	17,567	327.25%	12,480	(10,455)	15,015	14,600	12,500
Operating Expenses									
Community Garden	-	-	-	NA	-	-	-	74	487
Property Purchase Expenses	54,187	50,000	4,187	8.37%	500,000	445,814	-	-	-
Leased Properties	3,780	-	3,780	NA	-	(3,780)	9,450	8,400	8,129
HA Consultant	-	-	-	NA	-	-	-	-	-
RHA Funding	-	-	-	NA	-	-	46,625	46,625	50,000
Town Owned Properties	9,211	8,752	459	5.24%	11,006	1,795	11,538	6,648	13,741
Density Bank	-	-	-	NA	-	-	16,086	16,475	14,580
Total Operating Expenses	67,177	58,752	8,425	14.34%	511,006	443,829	83,699	78,222	86,937
Surplus / Deficit	(44,242)	(53,384)	(9,142)	17.12%	(498,526)	(454,284)	(68,684)	(63,622)	(74,437)
Other Sources and Uses									
Transfer (To) From MAP	-	-	-	NA	(60,000)	(60,000)	-	-	-
Gain or Loss on Sale of Assets	-	-	-	NA	-	-	11,154	-	(500,141)
Transfer (To) From General Fund - Sales Tax	478,249	293,107	185,142	63.17%	761,301	283,052	309,499	232,404	273,679
Transfer (To) From VCA	-	-	-	NA	-	-	-	-	-
Transfer (To) From General Fund Housing Office	-	-	-	NA	(171,960)	(171,960)	-	-	-
Total Other Sources and Uses	478,249	293,107	185,142	63.17%	529,341	51,092	320,653	232,404	(226,462)
Surplus / Deficit	\$ 434,007	\$ 239,723	\$ (194,284)	-81.05%	\$ 30,815	\$ (403,192)	\$ 251,969	\$ 168,782	\$ (300,899)
Beginning Fund Equity Balance	\$ 3,127,401	\$ 2,120,294	\$ 1,007,107						
Ending Equity Fund Balance	\$ 3,561,407	\$ 2,360,017	\$ 1,201,390						

Rental income will continue to exceed budget due to rents related to existing leases on the Norwood property. Expenses consist of HOA dues, lease payments for a rental unit, and maintenance and utilities on town owned properties.

**Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022**

	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Var (\$)	Budget Var (%)	Annual Budget	Budget Balance	Actual	Actual	Actual
Village Court Apartments									
Operating Revenues									
Rental Income	\$ 944,536	\$ 965,923	\$ (21,387)	-2.21%	\$ 2,318,214	\$ 1,373,678	\$ 850,536	\$ 750,947	\$ 947,693
Other Operating Income	39,731	35,338	4,393	12.43%	118,060	78,329	40,709	54,573	50,551
Total Operating Revenue	984,267	1,001,261	(16,994)	-1.70%	2,436,274	1,452,007	891,245	805,520	998,244
Operating Expenses									
Office Operations	75,648	96,001	(20,353)	-21.20%	234,523	158,875	82,099	83,436	85,403
General and Administrative	120,127	130,106	(9,979)	-7.67%	166,679	46,552	116,043	130,593	95,632
Utilities	142,473	133,990	8,483	6.33%	321,171	178,698	134,535	146,000	179,532
Repair and Maintenance	195,592	263,293	(67,701)	-25.71%	678,798	483,206	235,429	223,720	179,034
Major Repairs and Replacement	17,538	45,920	(28,382)	-61.81%	219,000	201,462	30,028	48,865	129,976
Contingency	-	-	-	NA	14,500	14,500	-	-	-
Total Operating Expenses	551,378	669,310	(117,932)	-17.62%	1,634,671	1,083,293	598,134	632,614	669,577
Surplus / (Deficit) After Operations	432,889	331,951	100,938	30%	801,603	368,714	293,111	172,906	328,667
Non-Operating (Income) / Expense									
Investment Earning	-	(20)	20	-100.00%	(50)	(50)	(11)	(1,458)	(3,500)
Debt Service, Interest	140,765	140,765	-	0.00%	345,198	204,433	177,200	180,198	190,419
Debt Service, Fees (Cost of Issuance)	-	-	-	NA	135,000	135,000	-	-	-
Debt Service, Principal	-	-	-	NA	443,079	443,079	-	-	-
Total Non-Operating (Income) / Expense	140,765	140,745	(20)	-0.01%	923,227	782,462	177,189	178,740	186,919
Surplus / (Deficit) Before Capital	292,124	191,206	(413,748)	-216.39%	(121,624)	(413,748)	115,922	(5,834)	141,749
Capital Spending	60,823	60,000	(823)	-1.37%	15,000,000	14,939,177	-	3,835	148,839
Surplus / (Deficit)	231,301	131,206	100,095	76.29%	(15,121,624)	(15,352,925)	115,922	(9,669)	(7,090)
Other Sources / (Uses)									
Transfer (To)/From General Fund	(89,004)	(89,004)	-	0.00%	(178,007)	(89,003)	(72,733)	(74,674)	(81,480)
New Loan Proceeds	-	-	-	NA	20,000,000	20,000,000	-	-	-
Sale of Assets	-	-	-	NA	-	-	-	-	-
Grant Revenues	-	-	-	NA	-	-	-	-	-
Transfer From AHDF	-	-	-	NA	-	-	-	-	-
Total Other Sources / (Uses)	(89,004)	(89,004)	19,910,997	-22370.90%	19,821,993	19,910,997	(72,733)	(74,674)	(81,480)
Surplus / (Deficit)	142,297	42,202	100,095	237.18%	4,700,369	4,558,072	43,189	(84,343)	(88,570)

Rent revenues are under budget 2.2%. Rent revenues exceed 2021 revenues by 11% due to the 2021 rent waiver. Other revenues are over budget 12.4% due mainly to laundry revenues and an SMPA dividend. Office operations are under budget 21.2% primarily due to personnel expenses coming in under budget and the timing of software support fees. General and administrative is under budget mainly in legal expenses. Utilities are 6.3% over budget. The overage is in electricity due of the timing of receipts from the electric submetering company which offset the expense. Maintenance is under budget 25.7% due to employee expenses coming in under budget, as well as supplies, and no roof snow removal for the season. MR&R expenses include carpet replacement and appliance and hot water heater replacements. Capital expenditures consist of soft costs related to Phase IV.

Town of Mountain Village Monthly Revenue and Expenditure Report
May 2022

	2022						2021	2020	2019
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Debt Service Fund									
Revenues									
Abatements	\$ -	\$ -	\$ -	NA	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions	35,400	35,400	-	0.00%	1,805,400	1,770,000	38,000	39,800	41,600
Miscellaneous Revenue	-	-	-	NA	-	-	-	-	-
Property Taxes	401,927	405,064	(3,137)	-0.77%	477,760	75,833	388,383	448,381	467,211
Reserve/Capital/Liquidity Interest	189	834	(645)	-77.34%	2,000	1,811	168	1,390	2,180
Specific Ownership Taxes	8,569	10,370	(1,801)	-17.37%	32,000	23,431	7,770	8,452	11,810
Total Revenues	446,085	451,668	(5,583)	-1.24%	2,317,160	1,871,075	434,321	498,023	522,801
Debt Service									
2001/2011 Bonds - Gondola - Paid by contributions from TMVOA and TSG									
2001/2011 Bond Issue - Interest	35,400	35,400	-	0.00%	35,400	-	38,000	39,800	41,600
2001/2011 Bond Issue - Principal	-	-	-	NA	1,770,000	1,770,000	-	-	-
2006/2014/2020 Bonds - Heritage Parking									
2014 Bond Issue - Interest	61,318	61,318	-	0.00%	116,841	55,523	78,037	-	-
2014 Bond Issue - Principal	-	-	-	NA	345,000	345,000	-	-	-
Total Debt Service	96,718	96,718	-	0.00%	2,267,241	2,170,523	116,037	39,800	41,600
Surplus / (Deficit)	349,367	354,950	(5,583)	-1.57%	49,919	(299,448)	318,284	458,223	481,201
Operating Expenses									
Administrative Fees	681	725	(44)	-6.07%	3,182	2,501	495	289	348
County Treasurer Collection Fees	11,991	12,059	(68)	-0.56%	14,732	2,741	11,656	13,454	14,030
Total Operating Expenses	12,672	12,784	(112)	-0.88%	17,914	5,242	12,151	13,743	14,378
Surplus / (Deficit)	336,695	342,166	(5,471)	-1.60%	32,005	(304,690)	306,133	444,480	466,823
Other Sources and Uses									
Transfer (To) From General Fund	(8,569)	(10,370)	1,801	-17.37%	(32,000)	(23,431)	(7,770)	(8,452)	(11,810)
Transfer (To) From Other Funds	-	-	-	NA	-	-	-	-	-
Payment to Refunding Bonds Escrow	-	-	-	NA	-	-	-	-	-
Proceeds From Bond Issuance	-	-	-	NA	-	-	-	-	-
Total Other Sources and Uses	(8,569)	(10,370)	1,801	-17.37%	(32,000)	(23,431)	(7,770)	(8,452)	(11,810)
Surplus / (Deficit)	\$ 328,126	\$ 331,796	\$ (3,670)		\$ 5	\$ (328,121)	\$ 298,363	\$ 436,028	\$ 455,013
Beginning Fund Balance	\$ 351,594	\$ 369,490	\$ (17,896)						
Ending Fund Balance	\$ 679,720	\$ 701,286	\$ (21,566)						

Agenda Item 7

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Considering a Final Site-Specific Planned Unit Development for Lot 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y and Portions of OS-3BR2 and OS-3XRR for a Mixed-Use Hotel/Resort Development Including Plaza, Commercial and Residential Uses According to CDC Section 17.4.12. Approval of a Final SPUD by Town Council may Constitute a Site-Specific Development Plan and a Vested Property Right in Accordance with C.R.S. Section 24-68-103

Due to the size of this item, please use the following link to download the documents associated with this item.

<https://mtnvillage.exavault.com/p/TC%20Packet%20Item%207%2C%20Lot%20161CR%20Final%20SPUD>



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

TO: Town Council

FROM: Michelle Haynes, Director of Planning and Development Services and Housing Director

FOR: Public Hearing July 21, 2022

DATE: July 6, 2022

RE: Consideration of a Resolution Regarding a Major Subdivision for Lots 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y (commonly called the Pond Lots)(and a request to incorporate portions of OS-3BR2 and OS-3XRR owned by the Town of Mountain Village in the amount of .478 acres to replat into Lot 166CR-R with a total acreage of 4.437 acres.

BACKGROUND

The 161CR major subdivision requires one meeting and consideration by resolution. Given the Final SPUD requires a first reading and a second reading, staff requests this item to be continued to the August 25, 2022 special Town Council meeting to be considered at the same time as the proposed second reading hearing for the 161CR/Pond Lots Site Specific Planned Unit Development application.

RECOMMENDED MOTION

I move to continue consideration of a Resolution Regarding a Major Subdivision for Lots 161CR, Lot 67, Lot 69R-2, Lot 71R, OS-3Y (commonly called the Pond Lots)(and a request to incorporate portions of OS-3BR2 and OS-3XRR owned by the Town of Mountain Village in the amount of .478 acres to replat into Lot 166CR-R with a total acreage of 4.437 acres to the August 25, 2022 Special Town Council meeting to the August 25, 2022 special Town Council meeting.

/mbh



Item No. 10 & 11

TO: Mountain Village Town Council

FROM: Michelle Haynes, Housing, Planning and Development Services Director

FOR: Meeting of July 21, 2022

DATE: May 31, 2022

RE: 1) Consideration on First Reading of An Ordinance a Rezoning of Lot 614A, Winterleaf, A Condominium Community from the Multi-Family Zone District to Single Family Common Interest Zone District.

2) Consideration of a Resolution regarding a minor subdivision to convert the land condominium units to separately platted, subdivided lots.

PROJECT GEOGRAPHY

Application Overview: Consideration of a rezone of Lot 614A, Winterleaf from the Multi-family Zone District to a Single-family Common Interest Community Zone District. Consideration of a minor subdivision plat to relabel condominium units to lots, adjust lot lines between proposed lots, align the private drive with the as-built and execute general easements encroachments associated with lots 3, 4 & 5.

Address: Various, Winterleaf Drive
Applicant/Agent: The Law Offices of Thomas G. Kennedy and Dave Bulson
Owner: The Winterleaf Homeowners Association, Inc.
Legal Description: Units 1,2,3,4,5 and 6, and Open Space Parcels, Winterleaf
Existing Zoning: Multi-family
Proposed Zoning: Single-family Common Interest Community Zone District
Site Area: Lots range between 4,711 and 10,557 square feet
Existing Use: Units 3,4,5 & 6 improved with existing residences. 1 & 2 are vacant.

Adjacent Land Uses:
North: Multi-Family
South: Single-Family
East: Open Space
West: Open Space

ATTACHMENTS

1. Ordinance
2. Resolution
3. Applicant Narrative



4. Existing Conditions
5. Proposed minor subdivision plat
6. Referral Comments
 - a. Public Works
 - b. 911 Addressing/Broadway
7. Gaffney, public comment 6.24.22

RECORD DOCUMENTS

- Town of Mountain Village Community Development Code (as amended)
- Town of Mountain Village Home Rule Charter (as amended)
- Design Review Application as maintained by the Community Development Department.

BACKGROUND

Lot 164A, The Winterleaf Condominiums, is an existing condominium community created on Lot 164A, that was formed in 1990. The property is zoned Multi-Family and developed as six detached condominium units, common open space and a private drive called Winterleaf Drive. There are four developed lots within this condominium community and two vacant lots. The purpose of this application is to rezone the property from the existing Multi-family Zone District to the Single-family Common Interest Community Zone District. In conjunction to this application a minor subdivision application will be considered by Town Council to replat the project in order to convert the land condominium units into separately platted lots.

The purpose of the rezoning is to allow for Winterleaf Condominium, which was developed as a land condominium community, to convert to a more conventional planned community. This change in zoning will facilitate financing, conveyancing and insuring the properties. It also provides certainty in the Town of Mountain Village’s design review and permitting process.

No density transfer is required or being applied for in connection with this application. There is no change to the density or underlying land uses.

Community Development Code Zoning Definitions

The Zoning designations are defined as follows in the Community Development Code:

Multi-family Zone District: The Multi-family Zone District (“MF”) is intended to provide higher density multi-family uses limited to multi-family dwellings, hotbed development, recreational trails, workforce housing and similar uses.

Single-Family Common Interest Community Zone District: The Single-family Common Interest Community Zone District (“SFCI”) is intended to provide lower density, single-family residential areas limited to single-family dwellings that are platted as single-family lots subject to limitations set forth in the Subdivision Regulations, and similar uses.

Single-Family Common Interest Community Zone District

1. **Permitted Uses.** Detached single-family dwellings are permitted in the Single-family Common Interest Community Zone District provided:
 - a) The official land use and density allocation list shows the lot to currently have condominium density, and such area has already been platted as a condominium community with owners now desiring to convert to a common interest community;
 - b) Three (3) or more single-family units are located in the same common interest

- community;
- c) The detached single-family condominium dwellings are located in a common interest community;
- d) The common interest community contains common elements such as parking areas, roads, tennis courts, driveways or amenity areas;
- e) The Town has reviewed and approved concurrent rezoning and subdivision plat development applications to create the single-family common interest community, with 100% of all owners participating in the subdivision and rezoning processes;
- f) The detached single-family dwellings meet the Design Regulations for single-family dwellings; and
- g) A plat note and development agreement related to the concurrent subdivision approval prohibiting lot line vacations and lot line adjustments that would allow for a larger home than the original condominium subdivision would have allowed based on the application of the requirements of the CDC.

2. Accessory Buildings. Permitted accessory buildings or structures include hot tubs, saunas, swimming pools, gazebos, art, outdoor kitchens, play equipment, fire pits, tennis courts and typical court fencing, ski tramways approved pursuant to the Conditional Use Permit Process, fenced dog areas and other similar uses. Storage buildings are expressly prohibited.

- a) All accessory buildings or structures shall be located in the rear yard to the extent practical.
- b) Accessory buildings or structures shall not exceed 500 sq. ft. in size or floor area, as applicable.
- c) Buffering is provided for high activity level buildings or structures, such as hot tubs, swimming pools and tennis courts to mitigate the adverse visual and noise impacts.

3 Accessory Uses. Permitted accessory uses include home occupations pursuant to the Home Occupation Regulations, firewood storage in the rear yard when a valid fireplace permit is held, surface parking to meet the Parking Regulations, private outdoor projection system onto the wall of a building to show movies or other media that is not visible from a public way or adjoining lot (buffering required), and other similar uses. Accessory dwelling units are expressly prohibited.

REZONING IMPLICATIONS

Rezoning to SFCI will create more stringent design requirements for the two (2) remaining vacant lots than the prior properties that are constructed such as limiting heights to 35 feet and site coverage to 40%. The rezone and replat process will be cleaning up a number of housekeeping matters related to easements, access, lot size and encroachments which will benefit the HOA, owners and the town at large.

The town adopted the SFCI zone district regulations in 2013 and there has been one other application the rezoned from Multi-Family to SFCI since that time specifically Lots 617 A,B, & C in 2015.

REFERRAL COMMENTS

- 2) Public works had no issue with the application but via the replat document wants water and sewer lines are owned and maintained by the HOA within the property boundary.
- 3) Chief Broady noted we had an addressing issue that relates to 911 and emergency response. The owners have agreed to correcting this, and the properties will be readdressed.

REZONING CRITERIA

1. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
2. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
3. The proposed rezoning meets the Comprehensive Plan project standards;
4. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
5. The proposed rezoning is justified because 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;
6. Adequate public facilities and services are available to serve the intended land uses;
7. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
8. The proposed rezoning meets all applicable Town regulations and standards.

Part II: MINOR SUBDIVISION

The minor subdivision, in addition to converting units to lots, is also cleaning up a series of shared issues.

- Utility easements were granted where needed.
- The private drive is being slightly realigned to conform to its existing condition.
- Easements with TSG related to units 3-6 were granted.
- General Easement encroachments were identified, and we can execute the associated agreements concurrent with recordation of the plat. See existing conditions plat for GE encroachment agreements that would be executed for Lots 3,4, & 5
- The existing homes were constructed, and each received certificate of occupancies assuring they were built to the design and building code standards established at the time of construction.

New construction on the vacant properties given the rezone is approved, is subject to the CDC as written with 40% site coverage and 35' heights which are less than allowed pursuant to the multi-family zone district as interpreted in the 1990's. To the extent that the existing homes have existing non-conforming elements, the town will have a plat note on the plat citing the CDC language found at CDC section 17.3.18. Essentially existing non-conforming buildings cannot increase the non-conformity and would need to comply with the CDC in the event of a fire or redeveloped consistent with CDC Section 17.3.18.

DESIGN REVIEW BOARD RECOMMENDATION

At their regular meeting on July 7, 2022, the DRB provided a unanimous recommendation on the rezone application to Town Council.

STAFF ANALYSIS

The SFCI zone district was created specifically for condominium communities like the Winterleaf condominium community, in mind. The applicants have undertaken a multi-year process to bring this application to fruition working through a number of land use issues along the way. Staff supports the application. The primary drivers allow financing, conveyancing and insurance simpler, along with cleaning up a number of issues that evolved since the first map recordation in 1990.

RECOMMENDATION REZONE APPLICATION – MOTION #1

I move to approve on first reading of an ordinance, a rezone application for Lot 164A, Winterleaf Condominiums, to rezone from the multi-family zone district to the single family common interest community zone district and to ask the Town Clerk to set a public hearing for August 18, 2022, with the following findings and conditions as stated in the staff memo of record:

Findings:

- 1. The application meets the SFCI criteria found at CDC Section CDC Section 17.3.4.F*
- 2. The application meets the rezone criteria for decision found at Section 17.4.9.C.3.*
- 3. The applicants have agreed to readdress the properties for 911 emergency response purposes.*

Conditions:

- 1. That the associated minor subdivision plat is approved by Town Council.*
- 2. The applicant is responsible for associated recording fees at the clerk and recorder's office related to recordation of the ordinance.*
- 3. That the associated rezoning application is also approved.*
- 4. Direct staff to update the Official Zoning Map for Lot 164A from Multi-Family to Single Family Common Interest Zone District.*

This motion is based on evidence and testimony provided at a public hearing held on July 21, 2022 with notice of such meeting as provided for in the Community Development Code.

RECOMMENDATION MINOR SUBDIVISION APPLICATION – MOTION #2

I move to approve a Resolution regarding a minor subdivision application of Lot 164A, Winterleaf Condominium with the following findings and conditions:

Findings:

- 1. That the replat application meets the criteria for review found at CDC Section*
- 2. That the Town Council is also approving the existing general easement encroachments regarding lots 3, 4 & 5 and the associated general easement encroachment agreements will be recorded concurrently with the minor subdivision plat.*
- 3. The replat is in general conformance with the comprehensive plan.*
- 4. The replat is consistent with the subdivision regulations.*
- 5. The town will help facilitate readdressing the subdivision properties in cooperation with the 911 coordinator.*

Conditions:

- 1. The length of validity is 18 months in which the replat should be recorded.*
- 2. Ministerial redline amendments be incorporated by staff prior to recordation.*
- 3. That the associated rezone is approved.*
- 4. The applicant pay the recordation fees.*
- 5. A plat note be added related to the HOA's responsibility for upkeep and maintenance of the water and sewer lines consistent with the public work director's referral comments.*
- 6. A plat note and development agreement related to the concurrent subdivision approval prohibiting lot line vacations and lot line adjustments that would allow for a larger home than the original condominium subdivision would have allowed based on the application of the requirements of the CDC.*
- 7. All associated legal instruments will be recorded concurrently with the subdivision map, resolution and rezone ordinance.*

/mbh

ORDINANCE NO. 2022-___

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
COLORADO APPROVING A REZONING OF WINDERLEAF CONDOMINIUMS, LOT 164A
FROM THE MULTI-FAMILY ZONE DISTRICT TO THE SINGLE FAMILY COMMON INTEREST
ZONE DISTRICT.**

RECITALS

- A. The applicant and owner’s representative, The Law Offices of Thomas G. Kennedy, have submitted an application for rezoning Lot 164A, Winterleaf Condominiums. (“Application”) pursuant to the requirements of the Community Development Code (“CDC”)
- B. Iuvo Construction is the owners ("Owners") of record of real property described as Winterleaf Condominiums, Unit 1, Lot 164A.
- C. Cohen 1991 Family Trust, Martin & Sharleen Cohen, Trustees are the owner (“Owners”) of record of real property described as Winterleaf Condominiums Unit 2, Lot 164A.
- D. The Cohen Family Trust of 1991, Marati L Cohen, Trustee and Sharleen Cooper Cohen, Trustee are the owners (“Owners”) of record of real property described Winterleaf Condominiums, Unit 3, Lot 164A.
- E. Frank M. Orson and Lillian W. Orson are the owner (“Owners”) of record of real property described as Winterleaf Condominiums, Unit 4, Lot 164A.
- F. Raymond Von Drehle and Ronnie Von Drehle are the owner (“Owners”) of record of real property described as Winterleaf Condominiums, Unit 5, Lot 164A.
- G. David O’Brien and Amy O’Brien are the owner (“Owners”) of record of real property described as Winterleaf Condominiums, Unit 6, Lot 164A.
- H. The Owners have authorized the Law Offices of Thomas G. Kennedy to pursue the approval of a rezoning application to replat Lot 164A land condominiums units 1-6 into separately platted Lots 164-1, 164-2, 164-3, 164-4, 164-5, 164-6 (“Application”).
- I. The Property has a Multi-family Zoning Designation pursuant to the Official Land Use and Density Allocation List as recorded at Reception Number 301133 and zoning as set forth on the Town Official Zoning Map.
- J. The Design Review Board provided a unanimous recommendation to the Town Council on July 7, 2022.
- K. The Town Council considered this Application, along with evidence and testimony, at a public meeting held on July 21, 2022
- L. The Town Council considered on Second reading of an Ordinance with evidence and testimony, at a public hearing held on August 18, 2022.

- M. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- N. This Ordinance rezones the Property to a Single-family Common Interest Community Zone District.
- O. The Town Council hereby finds and determines that the Application meets the Rezoning Process Criteria for Decision as provided in CDC Section 17.4.9(D).

Rezoning Findings and Conditions:

Findings:

- 1. The application meets the SFCI criteria found at CDC Section CDC Section 17.3.4.F
- 2. The application meets the rezone criteria for decision found at Section 17.4.9.C.3.
- 3. The applicants have agreed to readdress the properties for 911 emergency response purposes.

Conditions:

- 1. That the associated minor subdivision plat is approved by Town Council.
- 2. The applicant is responsible for associated recording fees at the clerk and recorder’s office related to recordation of the ordinance.
- 3. That the associated rezoning application is also approved.
- 4. Direct staff to update the Official Zoning Map for Lot 164A from Multi-Family to Single Family Common Interest Zone District.

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

Section 1. Effect on Zoning Designation

Table 1 – ZONING FOR THE PROPERTY:

Lot	General Description	Zone District
164A	Land Condo Units	Multi-Family

TABLE 2 - PROPOSED ZONING FOR THE PROPERTY:

Lot	General Description	Zone District
164A	Land Condo Lots	Single-family Common Interest Community

Section 2. Ordinance Effect

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

Section 3. Severability

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

Section 4. Effective Date

This Ordinance shall become effective on _____ 2022 following public hearing and approval by Council on second reading.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the _____, 2022 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to a public hearing before the Town Council of the Town of Mountain Village, Colorado on the _____.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Laila Benitez, Mayor

ATTEST:

Susan Johnston, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this _____ of 2022.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Laila Benitez, Mayor

ATTEST:

Susan Johnston, Town Clerk

Approved As To Form:

David McConaughy, Town Attorney

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

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

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2022 by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Pete Duprey				
Patrick Berry				
Jack Gilbride				
Martinique Prohaska				
Harvey Mogenson				

3. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, _____, 2022. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Laila Benitez, Mayor				
Dan Caton, Mayor Pro-Tem				
Pete Duprey				
Patrick Berry				
Jack Gilbride				
Martinique Prohaska				
Harvey Mogenson				

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2022.

Susan Johnston, Town Clerk

(SEAL)

**RESOLUTION OF THE TOWN COUNCIL
OF MOUNTAIN VILLAGE, RESOLUTION APPROVING A MINOR SUBDIVISION TO REPLAT
WINTERLEAF CONDOMINIUMS, LOT 164A LAND CONDO UNITS 1-6 INTO SEPARATELY
PLATTED LOTS 164A-1, 164A-2, 164A-3, 164A-4, 164A-5, 164A-6.**

RESOLUTION NO. 2022

- A. Iuvo Construction the owners ("Owners") of record of real property described as Winterleaf Condominium Unit 1, Lot 164A
- B. Cohen 1991 Family Trust, Martin & Sharleen Cohen, Trustee is the owner ("Owners") of record of real property described as Winterleaf Condominium Unit 2, Lot 164A.
- C. The Cohen Family Trust of 1991, Martin L. Cohen, Trustee and Sharleen Cooper Cohen, Trustee are the owners ("Owners") of record of real property described as Winterleaf Condominium Unit 3, Lot 164A
- D. Frank M. Orson and Lillian W. Orson the owners ("Owners") of record of real property described as Winterleaf Condominium Unit 4, Lot 164A
- E. Raymond Von Drehle and Ronnie Von Drehle the owner ("Owners") of record of real property described as Winterleaf Condominium Unit 5, Lot 164A.
- F. David O'Brien and Amy O'Brien the owners ("Owners") of record of real property described as Winterleaf Condominium Unit 6, Lot 164A
- G. The Owners have authorized the Law Offices of Thomas G. Kennedy to pursue the approval of the minor subdivision application to replat Lot 164A, Winterleaf land condominium units 1-6 into separately platted Lots 164A-1, 164A-2, 164A-3, 164A-4, 164A-5, 164A-6 and ("Application") ("Application").
- H. The Application is in compliance with the provisions of the Subdivision Regulations contained in Community Development Code ("CDC") Section 17.4.13.
- I. The Town Council considered this Application, along with evidence and testimony, at a public meeting held on July 21, 2022
- J. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- K. The Town Council finds that the minor subdivision meets the criteria for decision set forth in Section 17.4.13 of the CDC.
 - 1. The lots resulting from the adjustment or vacation are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations, because without limitation the lot area and zoning or zoning designations are not changing, open space is not being impacted, and the lot coverage will remain unchanged;
 - 2. The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan because the lot and the surrounding area will remain primarily single-family in nature;

3. General Easements and setbacks are not affected, or have been relocated to the satisfaction of the utility companies and/or the benefited party under the easement or, in the case of vacated easements, the easement is no longer necessary due to changed conditions, and the easement vacation has been consented to by the benefited party under the easement, because without limitations the General Easements are not being affected by this minor subdivision; and
4. The proposed subdivision meets all applicable Town regulations and standards.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES THE MINOR SUBDIVISION AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO THE FOLLOWING FINDINGS AND CONDITIONS:

Findings:

1. That the replat application meets the criteria for review found at CDC Section
2. That the Town Council is also approving the existing general easement encroachments regarding lots 3, 4 & 5 and the associated general easement encroachment agreements will be recorded concurrently with the minor subdivision plat.
3. The replat is in general conformance with the comprehensive plan.
4. The replat is consistent with the subdivision regulations.
5. The town will help facilitate readdressing the subdivision properties in cooperation with the 911 coordinator.

Conditions:

1. The length of validity is 18 months in which the replat should be recorded.
2. Ministerial redline amendments be incorporated by staff prior to recordation.
3. That the associated rezone is approved.
4. The applicant pay the recordation fees.
5. A plat note be added related to the HOA's responsibility for upkeep and maintenance of the water and sewer lines consistent with the public work director's referral comments.
6. A plat note and development agreement related to the concurrent subdivision approval prohibiting lot line vacations and lot line adjustments that would allow for a larger home than the original condominium subdivision would have allowed based on the application of the requirements of the CDC.
7. All associated legal instruments will be recorded concurrently with the subdivision map, resolution and rezone ordinance.

Be It Further Resolved Lot 164A Condo Units 1-6 may be replatted as submitted in accordance with Resolution NO. 2022-_____.

Section 1. Resolution Effect

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

Section 2. Severability

The provisions of this Resolution are severable and the invalidity of any section, phrase, clause or portion of

this Resolution as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Resolution.

Section 3. Effective Date

This Resolution shall become effective on July 21, 2022 (the “Effective Date”) as herein referenced throughout this Resolution.

Section 4. Public Meeting

A public meeting on this Resolution was held on the July 21, 2022 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public meeting held on July 21, 2022.

Town of Mountain Village, Town Council

By: _____
Laila Benitez, Mayor

Attest:

By: _____
Susan Johnston, Town Clerk

Approved as to Form:

David McConaughy, Town Attorney

AMENDED/RESTATED
WINTERLEAF ADDENDUM TO REZONE/REPLAT NARRATIVE

February 3, 2022
Updated May 26, 2022

Applicant/Owner: The Winterleaf Homeowners Association, Inc., a Colorado nonprofit corporation (“**Association**”) for itself and for the individual owners (“**Owners**”) of units in Winterleaf, a Condominium.

Unit	Owner
Unit 1	Iuvo Construction
Unit 2	Cohen 1991 Family Trust, Martin & Sharleen Cohen, Trustees
Unit 3	The Cohen Family Trust Of 1991, Martin L. Cohen, Trustee and Sharleen Cooper Cohen, Trustee
Unit 4	Frank M. Orson and Lillian W. Orson
Unit 5	Raymond Von Drehle and Ronnie Von Drehle
Unit 6	David O’Brien and Amy O’Brien

A copy of a Property Report from Land Title Guarantee Company for each Unit confirms this current ownership (see attached **Exhibit “A”**).

Winterleaf, a Condominium (“**Community**”) is an existing condominium community created on Lot 164A, Telluride Mountain Village, San Miguel County, Colorado (“**Lot 164A**”). The Community was formed by Winterleaf Properties, a California general partnership in 1990 pursuant to the following described documents, as the same may be further amended and/or supplemented from time to time (“**Governing Documents**”): (a) Declaration of Condominium for Winterleaf, a Condominium recorded on October 26, 1990 in Reception No. 268104, as amended by instrument recorded on May 12, 2021 in Reception 470065 (collectively the “**Declaration**”); and (b) Plat of Winterleaf, a Condominium recorded on October 26, 1990 in Plat Book 1, Page 1087 (“**Plat**”), as the same may be amended and/or supplemented from time to time. An electronic copy of the Plat and Declaration have been provided to the Community Development Department/Planning Division.

The property is currently zoned Multi-Family and developed as six detached condominium units. Each Unit has been assigned one unit of condominium density (with three person density equivalency for each unit). Units 3, 4, 5 and 6 have each been improved with a residence, which are not proposed for any change by this Application. Units 1 and 2 have not yet been improved, but any and all rights to develop and improve these lots are reserved, subject to compliance with applicable regulations, codes and requirements of the Town of Mountain Village and the Governing Documents.

The purpose of this “Application” is to: (a) rezone the property from its current Multi-Family zoning to the Single-family Common Interest Community Zone District (“**SFCI**”), which was included in the Community Development Code to accommodate the conversion of land condominium projects like Winterleaf; and (b) replat the project to convert the land condo units into separately platted, subdivided lots. The Application also seeks Town approval of and for certain existing improvements that have been placed within the 16’ General Easement located on Units 3, 4 and 5, as depicted on the existing conditions survey attached **Exhibit “D”**. It is noted that the Town and the Owner of Unit 6 have recently executed a General Easement Encroachment Agreement for improvements associated with Unit 6

The Owners have authorized the Association to pursue this Application on their behalf, as evidenced by the Owners Authorizations and Consents, appended as **Exhibit “B”**. The Owners

Authorizations and Consents also authorize Martin Cohen to execute documents on behalf of the Association and the Owners.

The Association has authorized The Law Offices of Thomas G. Kennedy and Dave Bulson/Bulson Surveying to pursue this Application with the Town, which authorization is appended as **Exhibit “C”**.

In connection with the processing of this Application, the Association is amending the Plat (“**Plat Amendment**”) and Declaration (“**Declaration Amendment**”) to show the conversion of Winterleaf project from a land condominium community (consisting of six existing detached condominium units) to a planned common interest ownership community as recognized under the Colorado Common Interest Ownership Act. A copy of the Plat Amendment is appended as **Exhibit “E”**

Upon the approval of the Application, the Association will prepare the Declaration Amendment and submit it to the Town staff for its review and approval, which Declaration Amendment along with the Plat Amendment would reflect the conversion to a single-family CIOA community and other issues of relevant to the Unit Owners, which the Association.

In connection with the Town’s review and approval of this Application, it is important to note that the overall density of the project and the underlying land uses are not changing as a result of this Application. The Zoning Designation Density for a Multifamily/Condominium Unit is 3.0 persons/unit, which is the same Zoning Designation Density for a Unit in a Single-family Common Interest Community Zone District, namely 3.0 persons/unit, thus no density transfer is required in connection with this Application.

When creating the Single-family Common Interest Community Zone, the Town indicated that the purpose is to allow projects which have developed as a land condominium community to convert to a more conventional planned community as recognized under the Colorado Common Interest Ownership Act. The status of the Community as a land condominium makes financing, conveyancing and insurance challenging. As noted in the CDC, the stated purpose of the Common Interest Community Zone District is “to provide lower density, single-family residential areas limited to single-family dwellings that are platted as single-family lots subject to limitations set forth in the Subdivision Regulations, and similar uses.”

The development standards under the CDC for property included in the Common Interest Community Zone District are as follows:

Permitted Uses. Detached single-family dwellings are permitted in the Single-family Common Interest Community Zone District provided:

a. The official land use and density allocation list shows the lot to currently have condominium density, and such area has already been platted as a condominium community with owners now desiring to convert to a common interest community;

Discussion: The Winterleaf condominium was platted for condominium and each Unit has been assigned condominium density on the Official Town Lot List. As indicated in the description of the governing documents, Winterleaf was formed as a condominium community consisting of six condominium units. All six Owners have consented, authorized and directed this Application to be processed with the Town.

b. Three (3) or more single-family units are located in the same common interest community;

Discussion: Winterleaf project consists of six condominium units, each of which units have been sold to and are currently owned by different ownership persons or parties.

c. The detached single-family condominium dwellings are located in a common interest community;

Discussion: As indicated in the description of the governing documents, Winterleaf was formed as a condominium community consisting of six units.

d. The common interest community contains common elements such as parking areas, roads, tennis courts, driveways or amenity areas;

Discussion: The Winterleaf condominium has a series of shared facilities (shared access road and utilities), which benefit and burden the project.

Utilities. The utilities were installed and distributed to each Unit through the Community by the original developer, although in preparing this Application, the Association determined that the actual location of some of the utilities crossed unit boundaries and were not covered by easements. To address this condition, the Association located the actual location of the utilities and established and recorded a certain Master Utility Easement Agreement, which was recorded on March 31, 2020 in Rec. 462845.

Road/Driveway. A common access road (Winterleaf Drive), which connects to San Joaquin Road, had been installed in 1990 when the Community was 1990 and intended to serve and provide access to each Unit. Winterleaf Drive was intended to be located within the area of an Association owned Common Element although portions were located within portion of the platted unit boundaries; this condition is being corrected with the Replat covered this Application. Winterleaf Drive is owned and maintained by the Association. On information and belief, the access road was initially installed and extended to serve Unit 1 through Unit 4; thereafter, it was extended as a common driveway to serve and access Unit 5 and Unit 6. The maximum grade of Winterleaf Road is 8.5% and the average grade is 7.5%. The width of the initial segment of the road (through Unit 4) is 20'; the width of the Unit 5 and Unit 6 driveway is 12'. Winterleaf Driveway was designed and permitted in accordance with applicable codes and regulations and the Mountain Village PUD approved by San Miguel County in or about 1990, which would have been San Miguel County oversight at the time, as the work occurred prior to the formation and incorporation of the Town of Mountain Village. No changes to the physical location or condition of Winterleaf Drive is proposed by this Application; except that the paved alignment of Winterleaf Drive is being situated on the Replat such that it falls within the proposed boundaries of a platted Common Area, which would be owned by the Association.

Parking. Parking is required to be accommodated within the boundaries of each Unit; parking is not accommodated along Winterleaf Drive.

Encroachments. The Community backs to the Telluride Ski Area. Over time, owners of the Units had installed certain improvements to accommodate access to the ski area; Telluride Ski and Golf (TSG) have granted easements or licenses to Units 3-6 to accommodate these improvements.

There are no amenities developed in the Community.

e. The Town has reviewed and approved concurrent rezoning and subdivision plat development Applications to create the single-family common interest community, with 100% of all owners participating in the subdivision and rezoning processes;

Discussion: The within Application seeks the requisite approvals from the Town to facilitate the conversion of Winterleaf project from a detached condominium project to a more conventional planned unit common ownership interest community. With the approval of the Application, henceforth, the "Units" would be redesignated and referred to as "Lots" and the "Common Elements" would be redesignated and referred to as "Common Areas."

f. The detached single-family dwellings meet the Design Regulations for single-family dwellings.

Discussion: As part of the original formation of Winterleaf, certain Winterleaf Residences Neighborhood Regulations were established and approved by Mountain Village DRB and are appended to the Governing Documents. A copy has been provided to the Town. The existing residences have each been constructed in accordance with the Winterleaf Residences Neighborhood Regulations.

Status of the Existing Dwellings under the CDC.

Based upon the Association’s review of records maintain by the Town, Units 3, 4 and 6 in the Winterleaf community were designed, permitted and constructed between 1990 and 1995 under the jurisdiction and review of San Miguel County and the County PUD approval for the Mt Village.

The Town records reflect that Unit 5 was designed and permitted in or about 1998, which would have been under the jurisdiction and review of the Town of Mountain Village. The permitting process appears to have been occurring between 1996-1998. At the time, the Mt Village LUO designated Lot 164A (the lot upon which Winterleaf was developed) as a “Multi-unit Transition Lot”, with the Maximum Allowable and Maximum Average Height being 48’.

Units 1 and 2 have not been developed.

Building Height.

At the time that development of improvements on Units 3, 4, and 6 was being designed, permitted and constructed (between 1990 and 1995), the review process was occurring under San Miguel County land use review authority. This predated the adoption of the initial Mt Village Land Use Ordinance and the operative land use development document was the Mt Village PUD for Land Use matters. Section 6(f) of the Development Agreement provided that 164A (the lot upon which Winterleaf was developed) was designated as a “Multi-unit Transition Lot”, with the Maximum Allowable Height being 48’.

At the time that development on Unit 5 was being designed and permitted under the Town of Mountain Village (between 1996-1998) and constructed in or about 1998, the Mt Village had formed as a municipality and development was guided by the Mt Village Land Use Ordinance, which was adopted in 1995 and became the operative land use development document. At the time, the Mt Village LUO designated Lot 164A (the lot upon which Winterleaf was developed) as a “Multi-unit Transition Lot”, with the Maximum Allowable and Maximum Average Height being 48’. This carried forward the allowances that had been contained in the Mt Village PUD and the Development Agreement.

So, when Units 3, 4, 5 and 6 we reviewed, permitted and constructed, the allowable maximum height was 48’.

It does appear that the Land Use Ordinance that was adopted and took effect in 1998 established a new and different Maximum Building Height standard of 35’ and is 35’ and an allowable Maximum Average Building Height is 30’ for detached condominium units; Units in Winterleaf were deemed to be detached condominium units and the lower building height standards were made applicable to all Winterleaf Units.

Units 3, 4, 5 and 6 were built as follows, in compliance with the LUO or PUD development standards in effect at that time of constructions:

Table One
Existing Heights - Winterleaf Residential Improvements

Unit	Existing Maximum Height	Existing Average Height
Unit 1	n/a (vacant lot)	n/a (vacant lot)

Unit 2	n/a (vacant lot)	n/a (vacant lot)
Unit 3	41'	32.5'
Unit 4	42'	31.5'
Unit 5	49'*	33.5'
Unit 6	42'	32'

The current allowable Maximum Building Height for development in the Multi-Family zone (when footnote #4 is applied) for detached condominium units is 35' and the allowable Maximum Average Building Height is 30'. The new zoning - Single-family Common Interest Community Zone District – proposed for Winterleaf also establishes an allowable Maximum Building Height for detached condominium units of 35' and an allowable Maximum Average Building Height of 30', which is the same height standard under existing zoning.

Since Units 3, 4, and 6 were built in compliance with the LUO or PUD development standards in effect at that time of their constructions, the structures – to the extent that they exceed current maximum and/or average building height, are deemed to be lawful Nonconforming structures under the CDC (see Section 17.3.18). The change in zoning is not increasing any non-conformity and is allowable under the CDC. The Association and Winterleaf owners expect that the Town, in connection with its review of these Applications, would confirm their understanding that the existing structures are lawful Nonconforming structures under the CDC and would henceforth be accorded the treatment and status provided for in Section 17.3.18.

With respect to Unit 5, the existing maximum height of the residence located on Unit 5 appears to be 49', slightly higher than the allowable Maximum Height of 48' in effect when the residence was constructed. The existing residence complied with the allowable Average Height. In reviewing the Town records, it appears that the plans reviewed for the residence were reviewed and approved by the Town and when the improvements were completed, it was inspected by the Town and determined to be in compliance with the approved plans and codes by the issuance of a certificate of occupancy. In measuring the existing residence for this Application, the Association undertook good faith efforts to measure the maximum and average height of the Unit 5 residence using information obtained by arial imagery. It is not known the actual location where the height measurements of the Unit 5 residence occurred back when the Town inspected and approved the home back in 1998; neither is it known if any regrading has occurred on Unit 5 or adjacent property since the residence was completed, which could result in a different height measurement. The Association and the owner of Unit 5 also request that the Town, in connection with its review of these Applications, would confirm that the existing residence on Unit 5 is also a lawful Nonconforming structure under the CDC and would henceforth be accorded the treatment and status provided for in Section 17.3.18.

Site Coverage.

The current site coverage for the property in the Multi-Family is 65%. With the rezone to the SFCI Zone, the site coverage would be reduced to 40%. Table Two below shows the status of the site coverages on the existing improvements located on Units 3, 4, 5 and 6.

Table Two
Existing Site Coverages - Winterleaf Residential Improvements

Unit	Existing Site Coverage
Unit 1	n/a (vacant lot)
Unit 2	n/a (vacant lot)
Unit 3	40%

Unit 4	18%
Unit 5	40%
Unit 6	30%

Table Two demonstrates that Units 3, 4, 5 and 6 each comply with the existing 65% site coverage requirements and would likewise comply with the 40% site coverage requirements following the rezoning.

REZONING PROCESS REVIEW CRITERIA

The Association and the Owners are proposing to rezone Units 1 through 6 from the current Multi-Family Zone District to the Single-family Common Interest Community Zone District (“SFCI”). The existing condominium density assigned to each of the six Winterleaf units, equates to 3 density points per unit. Per the CDC, a lot zoned SFCI requires 3 density points per lot. With the rezoning, the overall amount of density would not change and no density transfer is required to complete the conversion of the Winterleaf units from a land condominium to a lot in a SFCI, just a rezone

Rezoning 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 is in general conformance with the Comprehensive Plan. Effectively, the underlying use of the land is not changing; namely, six single family residences are currently allowed within the Community and the same land uses would continue to be allowed under the CDC following the rezoning. The residential density assigned to Winterleaf will be preserved, the lots remain clustered, retaining substantial amounts of surrounding open space to be retained. The resulting lot sizes are in keeping with the size original units under the existing Winterleaf map.

Consistency with Zoning and Land Use Regulations

As discussed above, the use and development of the Winterleaf residences would comply with the development standards and requirements of the CDC for property zoned SFCI.

The use and development of the proposed residential lots and open space parcels will conform to the requirements of the CDC.

A single-family residence is permitted under the SFCI.

The approval of the Application does not impact the CDC Platted Open Space requirements.

Scale and Mass

The existing improvements on Units 3-6 are currently existing improvements. Development of improvements on Units 1 and 2 in the future would be reviewed by the Town DRB and need to comply with applicable provisions of the CDC, Town Design Guidelines and the Winterleaf Governing Documents.

Environmental and Geotechnical Impacts

There are not any environmental conditions that impact the portions of Winterleaf where development is contemplated.

Consistency with Public Health, Safety and Welfare

Winterleaf is an existing subdivision, with roads and infrastructure installed. The existing and future development is consistent with the public health, safety and welfare.

The proposed rezoning of the Winterleaf Property is consistent with the public health, safety and welfare, as well as the efficient and economical use of lots in Winterleaf.

The clustered nature of the development allows for the shared usage of infrastructure, reducing overall project needs.

The clustered nature of the development enhances the ability to preserve and protect important environmental features on the Winterleaf Property.

The use and development of the proposed residential lots and open space parcels will conform to the requirements of the CDC.

Rezoning Justification

The proposed rezoning is justified in that the proposal would implement and adhere to specific changes included in the CDC for precisely this type of development (e.g. The conversion of a land condominium to a single-family Colorado common interest community).

Public Facilities and Services

The conversion of the land uses from a land condominium containing six condominium units to a single-family Colorado common interest community containing six lots, each accommodating one residence would not change or require enhancements to the existing public facilities originally installed within Winterleaf.

There are adequate public facilities serving the proposed development of the Winterleaf Property.

Project Circulation, Parking, Trash and Deliveries

Nothing in this application would change the manner, method, siting or operation of the vehicular and pedestrian circulation in the Winterleaf community; nor would parking, trash or deliveries change from what the Town had approved in the past and upon which the Community has been operating since the Winterleaf was platted in the 1990's.

Compliance with Other Town Regulations

The proposed development will comply with the requirements of the CDC and any applicable requirements of the Municipal Code. Site specific development and design plans will be submitted to the Town and acted upon before any improvements can be undertaken on the vacant Lots (Lots 1 and 2, as would any future redevelopment on Lots 3,4,5 and 6). The proposed zoning of the Winterleaf Property is contemplated to be able to accommodate the contemplated uses and activities proposed by the Owner. The proposed rezoning does not violate any rezoning limitations set forth in the CDC.

REPLATTING PROCESS REVIEW CRITERIA

In addition to the criteria for reviewing and acting upon a Rezoning and compliance with the SFCI zone standards as discussed above, the components of the Application relating to the replating of the property complies with the CDC. The replat involves converting the designation of the land condominium units included in Winterleaf from a Unit to a Lot and the Common Elements to Common Areas and adjusting the boundary lines to reflect existing conditions of the residences on Units 3-6 and the Common Areas adjacent to all of the Units as well as the location of Winterleaf Drive and utilities serving the Community. The replating meets all applicable Town regulations and standards.

Note that the replat does have two site specific areas that are reflected on the Replat and are being highlighted in this application:

1. On the original plat of Winterleaf a certain 45' no build zone was established over the shared boundary lines between Unit 1 and Unit 2. At the joint request of the owners of Unit 1 and Unit 2, the parties are proposing to reduce the 45' no build zone to an overall width of 20', with 10' on newly configured Lot 1 and 10' on newly configured Lot 2. There does not seem to be any other purpose for this No Build Zone, such as any access or utility corridor and not easements for such usage have been established in connection with the prior development of Winterleaf.
2. As indicated on the Existing Conditions mapping, the manner in which the residential improvements on Unit 5 and Unit 6 occurred resulted in both structures encroaching across the platted boundary line. The replat shows a jogged line, which is intended to shadow the position of the building. The owners of Unit 5 and Unit 6 will be executing a boundary line agreement that would be recorded with the replat.

The Association contends that the proposed replating of the Winterleaf Property, for reasons stated above, meets the standards for replating property in the Mountain Village as required by the CDC, including Section 17.4.13 and compliance with the SFCI zone standards as discussed above. The replat involves converting the designation of the land condominium units included in Winterleaf from a Unit to a Lot and the Common Elements to Common Areas and adjusting the boundary lines to reflect existing conditions of the residences on Units 3-6 and the Common Areas adjacent to all of the Units as well as the location of Winterleaf Drive and utilities serving the Community. Of note, the Owner contends as follows:

The proposed subdivision of the Winterleaf Property is in general conformance with the Comprehensive Plan for the following reasons:

- It preserves the residential density assigned to the Winterleaf Property, while establishing substantial amounts of surrounding open space.
- The resulting lot sizes are in keeping with the size of other platted residential lots in the vicinity of the Winterleaf Property.

The proposed subdivision of the Winterleaf Property is consistent with the Zoning and Land Use Regulations. The use and development of the proposed residential lots will conform to the requirements of the CDC.

- The Winterleaf Property is zoned for six condominiums and the requisite density is assigned to the property to accommodate the uses and activities proposed by the subdivision. No additional density is required to be transferred to the Winterleaf Property to accommodate the proposed uses. As such, no density transfer is proposed or required.

- The proposed subdivision of the Winterleaf Property is consistent with the Subdivision Regulations. In particular:
 - The residential lots each front directly to Winterleaf Drive, with a frontage of not less than 50'. IS THIS TRUE, WHAT ARE THE SETBACKS
 - The existing siting of the residences will be capable of accommodating solar access as is practical for the site.
 - The original design, width and shape of the lots were laid out to take advantage of topographic features and is generally being preserved and were suitably designed to accommodate the proposed development activities and are logically arranged to be able to be served by shared utilities and access.
 - The subdivision is currently being served by water, sewer and other utilities in accordance with applicable Town standards.

GENERAL EASEMENT ENCROACHMENT AGREEMENT

The draft Replat shows and establishes a 16' General Easement around the outer perimeter of the Lots (but not between the lots given the placement of completed residence within the Community. The original platting did not show 16" GE's between lots. The proposed platting carries forward the location of the GE's established original platting. The placement of the 16' setback area will allow for the maintenance of the setback area in a natural, undisturbed state to provide buffering to surrounding land uses.

The Association is seeking Town approval to allow certain existing encroachments located on Units 3, 4 and 5 to remain in place and be covered by a General Easement Encroachment Agreement with the Town.

Conclusion

The Association believes that the Application complies with the requirements of the CDC relative to the requested rezoning/replatting and respectfully requests that the Town approve the Application.

Respectfully Submitted

By: 
 Thomas G. Kennedy, Applicant/Authorized Agent

EXHIBITS

The below described documents are appended to and incorporated into the Application.

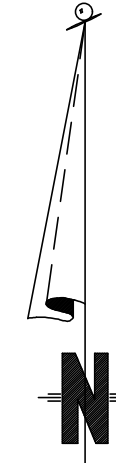
Exhibit	Description of Document
A	Title Property Reports
B	Owner Authorizations
C	Association Authorization
D	Existing Conditions Map/Survey
E	Plat Amendment

Existing Conditions

Winterleaf, a Condominium

Lot 164A, Town of Mountain Village

TRACT OSP-26
(TSG SKI AND GOLF, LLC)



SCALE: 1"=20'
0 5 10 15 20 40

LEGEND	
	FIRE HYDRANT
	SEWER MANHOLE
	SATELLITE DISH
	TELEPHONE PEDESTAL
	CABLE-TV PEDESTAL
	TRANSFORMER
	ELECTRIC METER
	LIGHT
	WATER VALVE
	EXISTING UNIT BOUNDARY
	FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 20632
	FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 28652
	FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 24954
	FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 37903
	SET 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 37662
	UNDERGROUND ELECTRIC AND TELEPHONE LINES

This Existing Conditions/Improvement Survey of Lot 164A Telluride Mountain Village, was field surveyed on January 4, 2021 under the direct responsibility, supervision and checking of David R. Bulson. It is not a Land Survey Plat or Improvement Survey Plat as defined by Colorado State Statute.

P.L.S. NO. 37662
Date

- NOTES:**
- Easement research provided by Land Title Guaranty Company. Commitments as noted below:
 - Unit 1 - TLR86011412 03/23/2021
 - Unit 2 - TLR86009758 02/12/2020
 - Unit 3 - TLR86009758 02/12/2020
 - Unit 4 - TLR86009759 02/12/2020
 - Unit 5 - TLR86009760 02/12/2020
 - Unit 6 - TLR86006875 03/16/2017
 - According to FEMA Flood Insurance Rate Map 08113C0291-D, Panel Number 0286 C, dated September 30, 1992, this parcel is within Zone X; Areas determined to be outside the 100 year flood plain
 - Lineal units represented hereon are shown in U.S. Survey Feet or a decimal portion thereof.
 - This survey is valid only if a print or electronic copy has a seal and signature of the surveyor noted within the statement above.
 - WINTERLEAF DRIVE:**
 - Maximum grade 8.5%
 - Average grade 7.5%
 - Width 12'-20' (asphalt)
 - Minimum Centerline Turning Radius 28'
 - WINTERLEAF BURIED UTILITIES**
 - Utilities shown hereon are based upon the base available record evidence of location. They are not to be relied upon for construction. Call 811 prior to any earthwork.
 - The easement agreement recorded at reception 462845 provides for the joint use of the utilities located within Lot 164A
 - The word certify as used hereon means an expression of professional opinion regarding the facts of this survey and does not constitute a warranty or guarantee, expressed or implied.
- 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.

Existing Heights - Winterleaf Residential Improvements

Unit Number	Existing Max Height (1)	Existing Average Height (2)
Unit 1	vacant	
Unit 2	vacant	
Unit 3	41'	32.5'
Unit 4	42'	31.5'
Unit 5	49'	33.5'
Unit 6	42'	32'

Existing Site Coverages - Winterleaf Residential Improvements

Unit Number	Existing Site Coverage (3)
Unit 1	vacant
Unit 2	vacant
Unit 3	40%
Unit 4	18%
Unit 5	45%
Unit 6	30%

(1) Existing Maximum Height calculated using methodology described in Town of Mountain Village Community Development Code (Amended August 20, 2020) section 17.3.11(B)
 (2) Existing Average Height calculated using methodology described in Town of Mountain Village Community Development Code (Amended August 20, 2020) section 17.3.11(C)
 (3) Existing Site Coverage calculated using methodology described in Town of Mountain Village Community Development Code (Amended August 20, 2020) section 17.3.13(A)

TRACT OSP-26
(TSG SKI AND GOLF, LLC)

TRACT OSP-26
(TSG SKI AND GOLF, LLC)

Winterleaf HOA Winterleaf Drive Town of Mt. Village, CO, 81435	Winterleaf Subdivision Section T42N R9W NMPM
July 13, 2021	BULSON SURVEYING
PROJECT NUMBER 21059	

Winterleaf Subdivision

A replat of Lot 164A, Town of Mountain Village, San Miguel County, Colorado,
located within the SE1/4 of Section 3, T.42N., R.9W., N.M.P.M.

CONDOMINIUM MAP CERTIFICATIONS

1. Winterleaf, a Condominium ("Community") is an existing condominium community created on Lot 164A, Telluride Mountain Village, San Miguel County, Colorado ("Lot 164A"). The Community was formed by Winterleaf Properties, a California general partnership in 1990 pursuant to the following described documents, as the same may be further amended and/or supplemented from time to time ("Governing Documents"): (a) Declaration of Condominium for Winterleaf, a Condominium recorded on October 26, 1990 in Reception No. 268104, as amended by instrument recorded on May 12, 2021 in Reception 470065 (collectively the Declaration); and (b) Condominium Map of Winterleaf, a Condominium recorded on October 26, 1990 in Condominium Map Book 1, Page 1087 (Condominium Map), as the same may be amended and/or supplemented from time to time. In connection with the formation of the Community, the Developer organized The Owners Association for Winterleaf, an unincorporated nonprofit association ("Association") to administer affairs of the Community.

2. The Community, as originally formed, was created as a Colorado Condominium common ownership interest community, which consists of certain "Condominium Units" as well as certain "Common Elements"; all of which were established pursuant to the Governing Documents. The boundaries of each of the Condominium Units and the Common Elements were as depicted and described on the Condominium Map. The respective Condominium Units are each separately owned and titled in the names of various "Owners" as the same appear of record. Certain of the Condominium Units have each been improved with certain residential improvements (each a "Residence"), which were deemed to be part of the Condominium Units; the other Condominium Units remain vacant and unimproved.

3. The Association for itself and for the Owners have submitted their application ("Town Land Use Applications") with the Town of Mountain Village, San Miguel County, Colorado ("Town"), seeking to: (a) rezone Lot 164A from Multi-family zoning with Condominium density to the Single-family Common Interest Community Zone District ("SFCI Zone"); (b) redivide the Community and Lot 164A into certain "Lots," "Parcels" and an "Access Tract" as the same are depicted and described on Plat of the Winterleaf Subdivision ("Subdivision Plat") (it being noted that the resulting number of 6 Lots corresponds to the number of Condominium Units (six) originally created in the Community by the Governing Documents), and (c) convert the Condominium Units to Lots and the Common Elements to "Common Areas." Each of the Lots would be improved with a residential structure, some of which are currently existing and others of which the owner of the Lot would have the right to construct in the future. The Town has approved the Town Land Use Applications ("Town Approvals"). The Town Approvals are being pursued and have been obtained consistent with the Town of Mountain Village Community Development Code ("CDC").

4. The purpose of this Subdivision Plat and the corresponding amendment to the Declaration recorded simultaneously with this Map Amendment in the Official Records on _____, 2022, in Reception No. _____ ("Companion Declaration Amendment") is to accomplish the stated objectives noted below and in the Companion Declaration Amendment. All capitalized terms used in this Subdivision Plat shall have the same meaning subscribed to those terms in the Declaration, including the Companion Declaration Amendment.

5. Each Owner has executed and delivered its written consent ("Owner Consents") to the Association authorizing and consenting to the Association preparing, processing and pursuing the Town Land Use Applications, the Companion Declaration Amendment, this Subdivision Plat, which Owner Consents are appended to the Companion Declaration Amendment. The Owner Consents authorize and direct the Association to execute and record this Subdivision Plat and the Companion Declaration Amendment for all of the stated purposes, including, but not limited to any conveyancing of land under their ownership conveyed to another owner or the Association as provided for below in Plat note #6.

6. By, through and with the execution and recordation of this Subdivision Plat and the Companion Declaration Amendment, the Association and each Owner do hereby state, acknowledge, confirm and agree as follows:

(a) The respective boundaries of the Lots, Parcels and Access Tract as depicted and described on this Subdivision Plat shall replace and supersede the designations of the Condominium Units and Common Elements indicated on the Condominium Map, specifically, Condominium Unit 1 is being re-platted and redesignated as Lot 164-1 and shall henceforth be referred to as Lot 164-1, Condominium Unit 2 is being re-platted and redesignated as Lot 164-2 and shall henceforth be referred to as Lot 164-2, Condominium Unit 3 is being re-platted and redesignated as Lot 164-3 and shall henceforth be referred to as Lot 164-3, Condominium Unit 4 is being re-platted and redesignated as Lot 164-4 and shall henceforth be referred to as Lot 164-4, Condominium Unit 5 is being re-platted and redesignated as Lot 164-5 and shall henceforth be referred to as Lot 164-5 and Condominium Unit 6 is being re-platted and redesignated as Lot 164-6 and shall henceforth be referred to as Lot 164-6;

(b) The modifications to the Lots, Parcels and Access Tract shown on this Subdivision Plat are being made to accommodate and address existing conditions relating to the encroachment of certain portions of a residence and other improvements as currently developed that cross over unit or common element boundary lines as originally established on the Condominium Map. Similarly, adjustments are being to boundaries of unit or common element to accommodate encroachments of facilities owned and maintained by the Association such as the shared access road. To accomplish these adjustments, land previously assigned to the Owner of a different Condominium Unit or areas designated as Common Elements are being incorporated into certain of the Lots, as the same are shown on this Subdivision Plat, which is approved, consented to and authorized by the Lot Owners and the Association.

(c) By consenting to this Subdivision Plat and executing the Companion Declaration Amendment, each Owner (as the particular case may be) grants, conveys and quit claims title to any portion of the land previously associated with the Owner's designated Condominium Unit on the Condominium Map which is now specifically shown as being incorporated into a different Lot (which conveyance is being made to that particular Owner of the Lot) or as a portion of the Common Areas (which conveyance is being made to the Association) as a result of and to accommodate the improvement Encroachments.

(d) By executing this Subdivision Plat and the Companion Declaration Amendment, the Association hereby grants, conveys and quit claims title to any portion of the land previously designated as a portion of the Common Elements as depicted on the

Condominium Map which is now specifically shown as being incorporated into a different Lot as a result of and to accommodate the improvement Encroachments.

(e) Common Elements are re-designated as Common Areas and consist of Parcel OS164-1, Parcel OS164-2, and Parcel OS164-3, title, ownership, control and management of which vest in the Association.

(f) The area of ROW associated with Winterleaf Drive is designated as "Access Tract 164" and is deemed to be a Common Area to be owned, managed and maintained by the Association.

(g) Designation of a Limited Common Area at the termination of Winterleaf Drive for the use and benefit of Lot 164-5 and Lot 164-6 to use as a private driveway serving both Lots. The Association shall have the right to use the private driveway to access adjacent areas to be used for snow storage.

(h) Certain "No Build Areas" have been identified on the Subdivision Plat, which were originally established in the Community Documents, which restrictions are being retained with the Subdivision Plat. No Residences or related improvements may be built within the No Build Area.

(i) The Association and each Owner do further state, acknowledge and confirm that: (i) the Condominium Map is hereby forever terminated and extinguished and is hereby modified, amended, superseded and replaced by the terms, conditions, depictions and other information contained in this Subdivision Plat; (ii) future conveyances of Lots shall refer to this Subdivision Plat; and (iii) the designation of "Lots" and "Common Areas" as the same are depicted, measured, described and designated on this Subdivision Plat shall control and shall replace and supersede all prior designations of "Units," "General Common Elements" and "Limited Common Elements" indicated on the Condominium Map.

(k) The Association and each of the Owners acknowledge and agree that no new Lots are being created in the Community as a result of this Subdivision Plat and the Companion Declaration Amendment.

(l) The Association for itself and for each of the Owners and as further provided for in the Declaration, hereby submits the property in the Community to separate and common ownership and use as a Planned Community in accordance with (i) Applicable Colorado Law and (ii) the CDC and the Town Approvals, for the purpose of exercising the functions of the planned community owners' association and creating a planned community on the property the name of which is "The Winterleaf Subdivision" consisting of the Lots, Parcels and Access Tracts, as depicted on this Subdivision Plat and as may be further defined by the Declaration, including the Companion Declaration Amendment.

7. Development on Lots is restricted to the uses and activities stated in the Governing Documents, the CDC and the Town Approvals.

8. The Association for itself and on behalf of the Unit Owner (pursuant to Owner Consents) and in accordance with the requirements contained in the Governing Documents, do hereby consent to and approve the within terms, conditions and provisions of this Subdivision Plat, as the same are depicted, contained and set forth herein.

9. Through the recordation of the Companion Declaration Amendment, the Association is causing the Table of Fractional/Allocated Ownership Interests to be modified to reflect the allocation of interests for each Lot based upon the revisions to the size of each Unit as depicted and described in this Map Amendment.

10. Except as amended by the terms of this Subdivision Plat and/or in the Companion Declaration Amendment, the Declaration shall otherwise remain in full force and effect, without further amendment or modification.

11. The Owner of each Lot has obtained any required lender consent either by a separate instrument or through the procedures provided for in C.R.S. 38-33.3-217.

IN WITNESS WHEREOF, the Association has executed this Subdivision Plat effective as of _____, 2022.

ASSOCIATION:

The Owners Association for Winterleaf,
an unincorporated association

By: _____
Printed Name: _____
Title: _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing Declaration was acknowledged before me on _____, 2022, by _____, as the _____ of the Owners Association for Winterleaf, an unincorporated association.

WITNESS My hand and official seal.

By: _____
My commission expires: _____
Notary Public

TOWN OF MOUNTAIN VILLAGE APPROVAL CERTIFICATES

MAYOR'S CERTIFICATE

I, _____, as Mayor of the Town of Mountain Village, Colorado, do hereby certify that this Plat has been approved by the Town Council in the same resolution that has authorized and directed me to execute this document. I also certify that the undersigned, being the beneficiaries of record of those portions of land labeled as "16' General Easement" as established on the property as shown hereon by the plat of record filed in the Office of the Clerk and Recorder of San Miguel County, do hereby vacate and relinquish that portion of said easements as shown vacated on this plat.

_____ Date
as Mayor.

ACKNOWLEDGMENT

State of _____)
County of _____) ss.

The foregoing signature was acknowledged before me this _____ day of _____, A.D. 201____, as Mayor of the Town of Mountain Village.

Witness my hand and seal.

_____ My commission expires _____
Notary Public

COMMUNITY DEVELOPMENT DIRECTOR CERTIFICATE

I, _____, as the Community Development Director of Mountain Village, Colorado, do hereby certify that this Plat has been approved by the Town in accordance with the Community Development Code as a staff subdivision.

_____ as Community Development Director, Date _____

NOTES

1. Approval of this plan may create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.

2. Title Research - Easements, Ownership and Encumbrances shown hereon are based on research by Land Title Guarantee Company Commitment Number TL88012390 dated November 30, 2021

3. BASIS OF BEARINGS. The bearing on the Western boundary of Lot 164A assumed as the record bearing of N 24°19'09" W according to the plat of Winterleaf, A Condominium located on Lot 164A, Telluride Mountain Village recorded in Plat Book 1 at page 1087. Endpoints of this line are monumented and described as indicated hereon.

4. Notice is hereby given that the area included in the plat described herein is subject to the regulations of the Community Development Code, March 2012 as amended.

NOTES OF CLARIFICATION

a. The configuration of the following lots, tracts, and right-of-way have been modified by this Subdivision Plat: Lot 164

b. The following Lots, Parcels and Access Tracts have been created by this Subdivision Plat: Lots 164-1, 164-2, 164-3, 164-4, 164-5, 164-6, OS 164-1, OS 164-2, OS 164-3, Access Tract 164

c. The following lots have been deleted by this Subdivision Plat: Lot 164A

6. Zoning and land use designations are as set forth on the Town's Official Zoning Map, Official Land Use and Density Allocation List and any duly adopted resolutions or ordinances governing the property which is the subject of this Subdivision Plat.

7. The approval of this Subdivision Plat vacates all prior plats for the area described in the legal description as shown hereon in the certificate of ownership.

8. 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. 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.

9. There exists for the benefit of the Town of Mountain Village a perpetual easement, 16 feet in width over, across and under all areas designated as "16' General Easement" on this plat for any and all used, improvements and activities deemed necessary by the Town of Mountain Village, for the safe and efficient operation of the Telluride Ski Area, Telluride Golf Course, and the Town, which include but are not limited to the following: utilities, drainage, electrical services, communication service, ski slope maintenance, bicycle access, skier access, roadway access, equestrian access, pedestrian access, golf cart access, snow making, waterways, slope maintenance, snow storage, retaining walls, snowmobile access, snow removal, snowcut access, water, sanitary sewer and storm sewer.

LEGAL DESCRIPTION

CONDOMINIUM UNITS 1, 2, 3, 5 AND 6, WINTERLEAF, A CONDOMINIUM, ACCORDING TO THE PLAT RECORDED OCTOBER 26, 1990 IN PLAT BOOK 1 AT PAGE 1087, AND AS DEFINED AND DESCRIBED IN THE CONDOMINIUM DECLARATION RECORDED OCTOBER 26, 1990 IN BOOK 471 AT PAGE 522 AND AS AMENDED IN INSTRUMENT RECORDED MAY 12, 2021 UNDER RECEPTION NO. 470065, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

CONDOMINIUM UNIT 4, WINTERLEAF, A CONDOMINIUM, ACCORDING TO THE PLAT RECORDED OCTOBER 26, 1990 IN PLAT BOOK 1 AT PAGE 1087, AND AS AMENDED BY FIRST SUPPLEMENT TO WINTERLEAF, A CONDOMINIUM, (UNIT 4), ACCORDING TO THE PLAT RECORDED DECEMBER 27, 1991 IN PLAT BOOK 1 AT PAGE 1224, AND AS DEFINED AND DESCRIBED IN THE CONDOMINIUM DECLARATION RECORDED OCTOBER 26, 1990 IN BOOK 471 AT PAGE 522 AND AS AMENDED IN INSTRUMENT RECORDED MAY 12, 2021 UNDER RECEPTION NO. 470065, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

OWNERSHIP (AS OF DATE OF THIS PLAT)

UNIT 1 : IUVO CONSTRUCTUM, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY,
UNIT 2 : COHEN 1991 FAMILY TRUST, MARTIN L. COHEN, TRUSTEE,
UNIT 3 : THE COHEN FAMILY TRUST OF 1991, MARTIN L. COHEN, TRUSTEE AND SHARLEEN COOPER COHEN, TRUSTEE,
UNIT 4 : FRANK M. ORSON AND LILLIAN M. ORSON
UNIT 5 : RAYMOND VON DREHLE AND RONNIE VON DREHLE
UNIT 6 : DAVID O'BRIEN AND AMY O'BRIEN

SURVEYOR'S CERTIFICATE

I, David R. Bulson a Professional Land Surveyor licensed under the laws of the State of Colorado for, and on behalf of, Bulson Surveying, do hereby certify that the Winterleaf Subdivision shown hereon has been prepared under my direct responsibility and checking and accurately represents a survey conducted under my direct supervision. This survey complies with applicable provisions of Title 38, Article 51, C.R.S. to the best of my knowledge and belief. I further certify that all monuments and markers were set as required by the Town of Mountain Village Community Development Code Articles 50 and 51 of Title 38, C.R.S.

IN WITNESS WHEREOF, I hereunto affix my hand and official seal this _____ day of _____, A.D. 201____.

P.L.S. No. 37682 Date _____

TITLE INSURANCE COMPANY CERTIFICATE

Land Title Guarantee Company does hereby certify that we have examined the title to the lands herein shown on this Subdivision Plat and that the title to this land is in the names noted hereon and is free and clear of all encumbrances, liens, taxes, and special assessments except as follows:

Title Insurance Company Representative _____

COUNTY TREASURER'S CERTIFICATE

I certify that according to the records in the San Miguel County Treasurer's office, there are no liens against the property included in the subdivision, or any part thereof, for unpaid State, county or municipal valorem taxes or special assessments certified to the County Treasurer for collection that are due and payable.

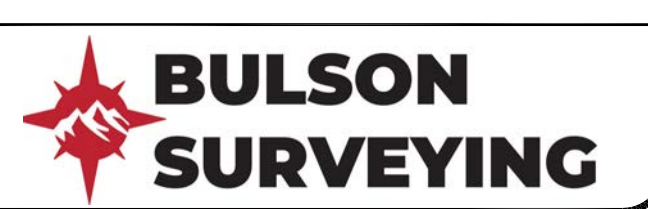
County Treasurer _____ Date _____

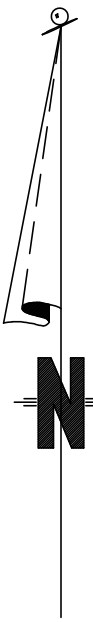
RECORDER'S CERTIFICATE

This Subdivision Plat was filed for record in the office of the San Miguel County Clerk and Recorder on this _____ day of _____, 20____, at _____.

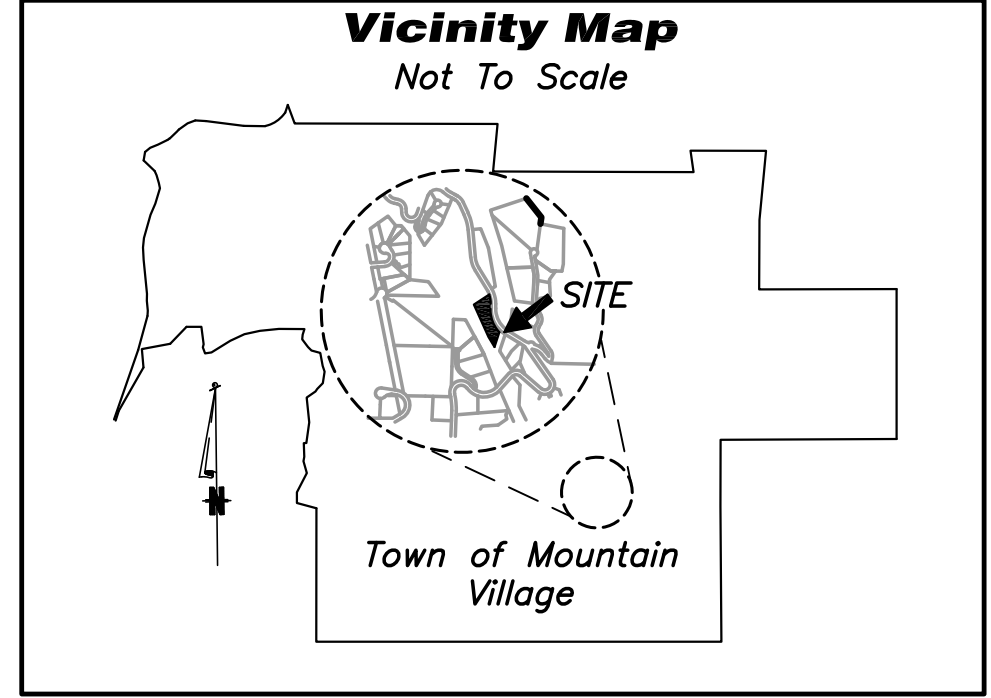
Reception No. _____
Time _____

San Miguel County Clerk

Winterleaf HOA Winterleaf Drive Town of Mt. Village, CO, 81435	Winterleaf Subdivision Section T42N R9W NMPM
July 13, 2021	 BULSON SURVEYING
PROJECT NUMBER 21059	



SCALE: 1"=20'
0 5 10 15 20 40



TRACT
OSP-26
(TSG SKI AND GOLF, LLC)

LOT 164-1
(10,557 SQ. FT.)

LOT 164-2
(5,575 SQ. FT.)

LOT 164-3
(4,711 SQ. FT.)

LOT 164-4
(8,498 SQ. FT.)

TRACT
OSP-26
(TSG SKI AND GOLF, LLC)

OS 164-1
(16,515 SQ. FT.)

OS 164-3
(2,268 SQ. FT.)

LOT 164-5
(5,730 SQ. FT.)

LOT 164-6
(5,783 SQ. FT.)

TRACT
OSP-48
(TSG SKI AND GOLF, LLC)

TRACT
OSP-26
(TSG SKI AND GOLF, LLC)

LEGEND

- FIRE HYDRANT
- SEWER MANHOLE
- SATELLITE DISH
- TELEPHONE PEDESTAL
- CABLE-TV PEDESTAL
- TRANSFORMER
- ELECTRIC METER
- LIGHT
- WATER VALVE
- VACATED UNIT BOUNDARY
- FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 20632
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- FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 24954
- FOUND 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 37903
- SET 1-1/2" ALUMINUM CAP ON #5 REBAR, L.S. 37662
- UNDERGROUND ELECTRIC AND TELEPHONE LINES

BURIED UTILITIES SHOWN HEREON ARE SUBJECT TO MASTER UTILITY EASEMENT AGREEMENT RECORDED AT RECEPTION NO. 462845

LINE TABLE

LINE	BEARING	LENGTH
L4	S 65°40'51" W	12.44'
L5	S 65°40'51" W	6.68'
L6	S 05°54'01" E	29.85'
L7	S 75°11'41" W	15.74'
L8	S 55°22'54" W	16.95'
L9	N 31°04'07" E	19.83'
L10	N 69°00'09" E	22.67'
L11	S 87°31'50" E	22.24'
L14	S 59°16'16" W	21.64'
L15	N 19°08'23" E	18.58'
L16	S 69°35'48" E	13.30'
L18	S 69°35'48" E	2.08'
L19	S 59°16'16" W	32.45'
L20	N 71°25'41" W	26.49'
L21	N 59°08'44" E	3.26'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA ANG.	CHORD	CHORD BEARING
C1	92.78'	39.94'	133°05'23"	73.28'	S 80°29'50" W
C2	42.57'	114.61'	21°16'49"	42.32'	N 26°03'28" W
C3	40.32'	208.39'	11°05'10"	40.26'	S 32°17'48" E
C4	38.61'	94.61'	23°22'53"	38.34'	N 27°06'30" W
C5	30.10'	44.13'	39°05'00"	29.52'	S 07°12'43" E
C6	44.59'	19.82'	128°52'17"	35.77'	S 76°45'55" W
C7	44.19'	228.39'	11°05'10"	44.12'	S 32°17'48" E
C8	76.20'	182.65'	23°54'07"	75.64'	N 25°53'20" W
C9	106.46'	162.65'	37°30'12"	104.57'	N 19°05'17" W
C12	124.90'	954.69'	7°29'45"	124.81'	S 13°59'31" E
C15	16.07'	163.67'	5°37'35"	16.07'	S 13°31'30" E
C16	4.59'	92.80'	2°49'56"	4.59'	S 20°02'16" E
C17	14.56'	90.00'	9°16'13"	14.55'	S 35°21'43" E
C18	16.57'	90.00'	10°33'03"	16.55'	S 34°43'25" E

Winterleaf HOA Winterleaf Drive Town of Mt. Village, CO, 81435	Winterleaf Subdivision Section T42N R9W NMPM
July 13, 2021	
PROJECT NUMBER 21059	

From: [Finn KJome](#)
To: [Michelle Haynes](#)
Subject: RE: Winterleaf Condominium Rezone and Replat Referral
Date: Thursday, June 9, 2022 8:55:49 AM

Hi Michelle,

Public Works has no issue with what Winterleaf is doing with this application. That being said I did not see in the plat notes that the utilizes in lot 164A are clearly called out that they are owned and maintained by the HOA. I'm talking about the water and sewer. I would like to see a note added. I don't want this to turn into the next Cortina in the future.

Thanks Finn

From: Michelle Haynes <MHaynes@mtnvillage.org>
Sent: Saturday, June 4, 2022 1:26 PM
To: Finn KJome <FKJome@mtnvillage.org>; jwise@mtnvillage.org; ddrew@mtnvillage.org; dmconnaughy@garfieldhecht.com; jsoukup@mtnvillage.org; Jim Loebe <JLoebe@mtnvillage.org>; Jim Loebe <JLoebe@mtnvillage.org>; Chris Broady <CBroady@mtnvillage.org>; sheidergott@telluridefire.com; Drew Harrington <DHarrington@mtnvillage.org>
Cc: Amy Ward <award@mtnvillage.org>; Samuel Quinn-Jacobs <squinn-jacobs@mtnvillage.org>
Subject: Winterleaf Condominium Rezone and Replat Referral

Please see the attached rezone and replat for Winterleaf Condominiums. There are no changes proposed to density or development. Please provide referral comments by June 25, 2022

Thank you!

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

O :: [970.239.4061](tel:970.239.4061)

M :: [970.417.6976](tel:970.417.6976)

[LinkedIn](#) | [Email Signup](#) | [Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

Michelle Haynes

To: Chris Broady
Cc: Heather Widlund (heatherw@sanmiguelcountyco.gov)
Subject: RE: phone and winterleaf

From: Chris Broady <CBroady@mtnvillage.org>
Sent: Tuesday, June 14, 2022 11:37 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Cc: Heather Widlund (heatherw@sanmiguelcountyco.gov) <heatherw@sanmiguelcountyco.gov>
Subject: RE: phone and winterleaf

Michelle,

For Winter Leaf, attached are some maps that Heather did for us. This really is getting into the Geospatial addressing issues. As heather describes below – all the residences “pinpoint” to a single location of San Joaquin and not to an individual address for each residence. WE were both thinking that 100 series addressing would be the best i.e 102 Winter Leaf Drive, 104 Winter Leaf Drive, etc as these are all on the same side of the road they should be sequenced as even numbers

Heathers e-mail in reference to the attached images -- Here are a few images. All of Winterleaf now "codes" to one place on San Joaquin as the numbers are all the same. This prevents the dispatcher from assisting a responder to distinguish the units. An alternate "good" example is Trails Edge Ln, where numbers are given to each house on its separate road, they are odd/even opposite sides, and in order. They each code to a spot near their driveway.

I copied Heather on this in case she has any further comments. I am happy to complete the referral once we all agree what that will look like.

Chris Broady
Chief of Police
Town of Mountain Village
24 hour Dispatch:: 970-249-9110
O:: 970.728.9281
F:: 970.728.9283

[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Email Signup](#)

From: [Cory Gaffney](#)
To: [cd](#)
Cc: [Cory Gaffney](#)
Subject: Notice of Pending Development Application: The Winterleaf Homeowners Association, Inc.
Date: Friday, June 24, 2022 1:28:00 PM
Attachments: [DOC.pdf](#)

DRB & Town Council:

As the trustee for the homeowners of lots 162a and 162b, The Caitlin Gaffney Irrevocable Trust and the Evelyn Gaffney Irrevocable Trust, we object to the attached rezoning application.

Thank you,

Cory

Cory Gaffney
The Anderson Group LLC
2151 Central Avenue
St. Petersburg, FL 33713
W: (727) 897-5635
F: (727) 897-5631
C: (617) 549-7678
cory@andersongroup.com



Agenda Item No. 12
**PLANNING AND DEVELOPMENT SERVICES
DEPARTMENT**
455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 369-8250

TO: Mountain Village Town Council
FROM: Amy Ward, Senior Planner
FOR: Town Council Meeting, July 21, 2022
DATE: July 14, 2022
RE: Variance request for heights up to 46.58' for a new Single-Family home on Lot 927R2, 125 Sundance Lane, pursuant to CDC Sections 17.5.6 and 17.4.16.

BACKGROUND: Staff is requesting a continuation of a Variance request for heights up to 46.58' to the August 18, 2022 Regular Meeting. This memo is being provided not to open the public hearing but solely for the purpose of the Town Council providing a motion to continue to the Regular August 18 meeting date.

RECOMMENDED MOTION

I move to continue, the Variance request for a new Single-Family on Lot 927R2, 125 Sundance Lane, pursuant to CDC Sections 17.5.6 and 17.4.16. to the Regular Town Council Meeting on August 18, 2022.

/AW

TO: Mountain Village Town Council
FROM: Michelle Haynes, Planning and Development Services Director; J.D. Wise, Assistant Public Works Director
DATE: 07/13/2022
RE: Consideration of a Bid Award Regarding VCA Phase IV Development Services
RE: Committee Recommendation

Executive Summary

On June 6, 2022, the Town issued a Request for Proposal (RFP) for Village Court Apartments (VCA) Phase IV for Development Services to manage and construct the addition. One response was received from the team of Triumph Development West & SHAW Construction. The VCA Phase IV Interview Committee met on 7/12/2022 to discuss the sole bid submittal and to interview the respondents. The Selection Committee recommends contracting with Triumph Development West & SHAW Construction to provide development services as outlined below.

Background

In 2019 Town staff was directed to begin constructing VCA Phase IV. Design work and construction plans were developed but construction was ultimately put on hold in August of 2019 to pursue for sale or for rent options that would otherwise affect the construction timeline. In 2022 the Town issued a new RFP for VCA Phase IV Construction and received one bid. Due to the cost of construction, among other considerations, Town Council did not move forward with hiring a contractor and directed staff to issue restructured RFP for VCA Phase IV Development Services as an alternate path toward developing Phase IV.

The VCA Phase IV Interview Committee met on January 12, 2022, to interview the sole respondent - the team of Triumph Development West & SHAW Construction. The committee included the following members: Pete Duprey, Town Council; Dan Caton, Town Council; Trevor Browning, VCA Resident Committee; Matt Lewis, VCA Resident Committee; Michelle Haynes, TMV Planning and Development Services Director and Housing Director; Lizbeth Lemley, TMV Finance Director; Finn Kjome, TMV Public Works Director; and J.D. Wise, TMV Assistant Public Works Director.

Discussion

Below is a summary of the primary discussion points during the interview and review process:

- Both the Town and Triumph/SHAW recognize that time is of the essence and an aggressive timeline is needed to achieve the Town's goal of beginning construction in late 2022/early 2023. Securing a modular manufacturer is also a critical path item.
- Triumph/SHAW proposes utilizing modular construction on this project and recognize opportunities for significant cost saving through various value engineering options, including rethinking the HVAC system, removing natural gas from the project and utilizing

only electric energy, rethinking shoring concepts, and others.

- Triumph/SHAW proposes redesigning one of the buildings to consist of “shared living” units that would provide 4 or 5 bedrooms with a shared kitchen/living space and bathrooms. This redesign would result in 7 less units, but 11 additional bedrooms, and would reduce the building footprint by ~2200 sq ft. This would result in both a cost savings and a more efficient layout. The committee was in favor of exploring this concept in one building and continuing with the original 2-bedroom 1 ³/₄ bathroom layout in the other building as originally designed.
- Providing laundry in each unit should be explored as it provides a significant improvement to the livability of the units primarily within the 2 bedroom units but could be considered in the larger apartment units as well.
- Significant cost savings need to be realized for this project to be feasible. In addition to value engineering opportunities, securing grant funds will be crucial. The Town's Grant Coordinator, Lauren Kirn, is actively exploring grant opportunities.
- Should the Town decide to move forward and hire Triumph, the immediate first step would be to schedule a design charette to discuss cost saving measures. The expectation is that Triumph come to the table with their top 10 items for discussion/cost savings and for the committee to make decisions on these cost saving measures. This would then allow Triumph/SHAW to incorporate these decisions into the project design before they take the plans to market and seek bids from 3rd party contractors to provide the Town with a Guaranteed Maximum Price for construction.

Financial Implications

Should Council give direction to move forward, staff anticipates the Town would enter into a contract with Triumph Development West for development services. Triumph's proposed fee for all personnel, office overhead, and profit is 4% of total project costs managed by Triumph, excluding contingency. Triumph proposes structuring that fee as a monthly retainer of \$20,000/month for 16 months plus milestone payments of \$150,000 at two key milestones – signing the Guaranteed Maximum Price Contracts and receiving the building permits. The remaining balance would be due when the Temporary Certificate of Occupancy is issued.

Once bidding is complete, Triumph's proposal outlines that the hard costs would be shared with the Town on an open book basis and a Guaranteed Maximum Price would be provided. Should the Town elect to move forward, Town would enter into a contract with SHAW Construction and the selected modular company, and Triumph would continue to manage the project as the Development Manager.

The committee anticipates needing to reduce overhead by +/- \$6 million through a combination of cost savings and grant funding.

The proposed pricing provided based upon the provided plan set was 22.3 million dollars and roughly \$544.27 a square foot. The goal would be to bring the pricing into the \$450 dollar a square foot range and secure additional grant or gift funding to make this project work from a financial basis.

Recommendation

The Phase IV VCA Interview Committee recommends moving forward with hiring Triumph Development West to provide development services for the Phase IV VCA Development and immediately scheduling a design charrette. Given there may be some redesign, we could structure service contract and then once a GMP can be established or similar threshold, we executed a contract for development services.

/jd/mh



Agenda Item No. 14

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 729-2654

TO: Mountain Village Town Council
FROM: Chris Broady, Mountain Village Police Chief
Kathrine Warren, Public Information Officer
DATE: July 13, 2022
RE: Mountain Village/Telluride Evacuation Tabletop Exercise

Executive Summary

On June 28, 2022 the San Miguel County Sheriff's Office/Office of Emergency Management held an evacuation table top exercise with stakeholders to walk through a mock wildfire and associated evacuation operations in such a scenario. The exercise included representatives from San Miguel County, Telluride Fire Protection District, Telluride Marshal's Office, Town of Telluride and Town of Mountain Village and Mountain Village Police Department.

Overview

After a successful tabletop exercise in Norwood earlier this year, The San Miguel County Office of Emergency Management held a tabletop exercise focused on a mock wildfire incident south of the Town of Mountain Village. The exercise was facilitated by San Miguel County Shannon Armstrong and together the group walked through a mock scenario where evacuation of Town of Mountain Village is being considered.

Scenario: *a fire that started just west of Preserve Drive off of Highway 145 has crossed the highway and is pushed by a 30 mph east northeast wind up the Turkey Creek drainage. It is approximately 200 acres in size at the time of this exercise. Unified command has been established between the San Miguel Sheriff's Office, State of Colorado DFPC and the United States Forest Service.*

Together the group discussed what triggers would lead to evacuation orders, who would order the evacuations and what would those look like. Considerations for discussion:

- What areas or facilities are at risk and should be evacuated?
- How will the public be advised of what to do?
- What do evacuees need to take with them? What travel routes should be used for evacuation?
- What transportation support is needed?
- Can the gondola be used for evacuation without burdening the Town of Telluride?
- What needs/assistance does the access and functional needs (AFN) population require?
- Does the anticipated duration of the evacuation make it necessary to activate shelter and mass care facilities? Where are possible areas for shelters?
- How will jurisdictions declare a disaster?
- What resources are needed to conduct the evacuation?
- How will evacuation areas be secured?
- What resources will be needed to conduct the evacuation?

- Who sends out the CodeRed and PAWS? Who crafts the messaging? How are lines of communication maintained between Incident Command, PIO and Emergency Manager?
- Where is the Emergency Operations Center set up if the fire is south of Mountain Village?

The group held a very lengthy and in-depth conversation going through the steps of what would trigger an evacuation of Mountain Village and it was concluded that depending on location of a wildfire, we would attempt to evacuate different parts of the town at different times to alleviate congestion, if conditions permitted. The Mountain Village Evacuation Guide has determined that anything within five miles of a wildfire is considered pre-evacuation and any home within three miles of the fire would be under evacuation order.

The Mountain Village Police Department would rely on the Telluride Fire Protection District to make an evacuation decision and work with partners to notice and facilitate the evacuation.

The group was also able to identify an alternate location for an emergency operation center that would be an excellent location if both Telluride and Mountain Village were impacted. The county's GIS department was able to update a public information map on the fly to discuss elements that should be included on it to illustrate evacuation messaging.

Law enforcement operations was discussed at length as a coordinated effort between the San Miguel County Sheriff, MVPD and Telluride Marshal's. However, lack of staff was a concern, and the OEM will work on backup staffing opportunities from regional jurisdictions. Jurisdictions will continue to train other department staff personnel to assist in any emergency as needed.

The group also discussed what would happen after an order is lifted, what would happen if homes are lost to wildfire and additional roles and responsibilities.

The training proved to be an excellent opportunity for different jurisdictions to walk through what their role would look like in an emergency and how they would work together.

The County's OEM hopes to continue training to work toward full functional evacuation drill within the next year.

Follow up discussions to hold with Town Council include the following:

- National Incident Management System (NIMS) / Incident Command System (ICS) Training – • G-402: ICS Overview for Executives and Senior Officials • IS-800b: Intro to the National Response Framework • IS-801 to IS-814 on Emergency Support Functions appropriate to their responsibilities
- Discussing the implications/economic impacts of evacuating lodging/short-term rentals when pre-evacuation notice is issued?



To: Town Council

From: Zoe Dohnal, Director of Operations and Development
Kathrine Warren, Public Information Officer
Lauren Kirn, Environmental Efficiencies and Grant Coordinator

For: Meeting, July 21, 2022

Date: July 8, 2022

Re: Business Development and Communications Biannual Report

SUMMARY:

The department narrative for Business Development and Communications is broken into five sections: public information, economic development (marketing and tourism, business development and Telluride Conference Center), environmental efficiencies, grant administration and geographic information systems (GIS). This report summarizes how key performance measures were accomplished as of July 1, 2022, compared to the previous year over year (YOY) and provides a summary of department focuses for the second half of 2022.

SECTION I: PUBLIC INFORMATION

1. Email marketing and media messaging
 - a. Email correspondence **grew 21% YOY** from 2021 for first half of 2022, with an **18.5%** increase of average open rate and a **2.9%** increase in click-through rates.
 - b. Saw a **.78% growth** in our business, community and visitor email lists YOY. Staff continues to maintain a list of active and engaged email subscribers each year as evidenced by increased open and click through rates.
 - c. **Grew** all Town social media platform followers (Facebook, Twitter and Instagram) by **18%** YOY.
2. Public, staff and council inquiries
 - a. **102** website question submissions were received and answered as of July 1, 2022. This is a 27.6 percent decrease from 2021 YOY and a 40% increase over 2020.
 - b. Inquiries are also received through individual phone lines and general town line, direct and general marketing emails, social media messages and thread comments.
3. Emergency management/communication
 - a. Approximately **43** public service announcements (PSA) were posted/shared across TMV platforms as of July 1, 2022, while this is a **58% decrease YOY** from 2021, it's an **80% increase YOY** from 2020.
 - b. **Slightly grew** ReadyOp subscribers by **.9%** to a total of **2005** as of June 30, with 30 ReadyOp messages sent in the first half of 2022. This list decreased slightly in its size in April after staff de-duplicated many subscribers and asked subscribers to update contact information.
4. Campaign development
 - a. Responded to and completed approximately **230** [internal departmental communication requests](#) in 2022, a **15% increase** from 2021 YOY.
5. Public relations outreach



- a. A total of **21** press releases were sent as of July 1, 2022, a **5% increase** from 2021 YOY.
 - b. Additionally, this year thus far, we saw **122** media articles mentioning the Town of Mountain Village.
6. Website management
- a. Website users and sessions saw a **decrease of 11.8% for users** and **8% for sessions** compared to 2021, however the average session duration (time spent on a page) **increased 7.1%** and the number of sessions per user (page visits by an individual) **increased by 2.7%**.
 - b. Website users and sessions are up from 2020 analytics YOY however (70% increase for web users and **80% increase** in website sessions).

LOOKING INTO THE SECOND HALF OF 2022

Upon analyzing the first six months of 2022 to 2021, we found that 2022 presented a number of key performance indicators are down from 2021, but still up significantly from 2020. 2021 proved to be a tumultuous year with the pandemic, vaccines, mask orders being lifted and then reinstated and the increase in variants. This sharp increase in 2021 is reflective of the fact that in times of crisis, the public relied heavily on Town channels for accurate and up-to-date information.

We are also in the process of implementing our website accessibility plan in accordance with the Colorado law HB-21-1100 which requires government entities to be meet Web Content Accessibility Guidelines (WCAG) 2.1 by July 1, 2024.

We preemptively chose to enable Accessibe, a widget that offers a multitude of accessible changes to our website depending on the user's needs/abilities to help meet WCAG requirements prior to this deadline.

SECTION II: ECONOMIC DEVELOPMENT (marketing and tourism, business development and Telluride Conference Center)

OVERVIEW

1. Business Development Advisory Committee (BDAC)
 - a. The committee has completed **three** of the quarterly meetings committing to a work plan with a focus on:
 - Optimizing the potential for the **Telluride Conference Center** (TCC) infrastructure. Per the direction of BDAC, staff has issued an RFP to determine the best model for the current TCC to increase the destination's tax base while taking into consideration the infrastructure investment, sales tax revenue potential and operating cost. The winning consultant bid will be chosen in August.
 - Enhancing public art within our community through a **Public Arts Commission**. In June, Council amended the Community Development Code to create a Mountain Village Public Arts Commission to encourage public art within the community. Members will be appointed at the August council meeting. Staff is currently working with the Wilkinson Public Library for a story walk installation along Mountain Village Boulevard for 2023.
 - Increasing sales and lodging tax during the months of May, October and January (off-season). Staff is creating an **off-season economic stimulus plan**. BDAC will offer input on funding and program direction at the July 19 meeting.
2. Telluride Conference Center
 - a. TSG lost Lauren Gibbons as the Director of Conference Center Sales on April 15, this dedicated position to concentrate on TCC sales and strategy was recently filled by John



Billingsley who will begin July 25. John comes from managing sales at Pepperdine’s 17 NCAA Division I teams.

- b. Revenue totals are \$668,582 as of July 1, 2022. This is a **1596% increase** over last year’s \$39,417 YOY and a 968% over 2019’s \$62,573 revenue totals YOY.

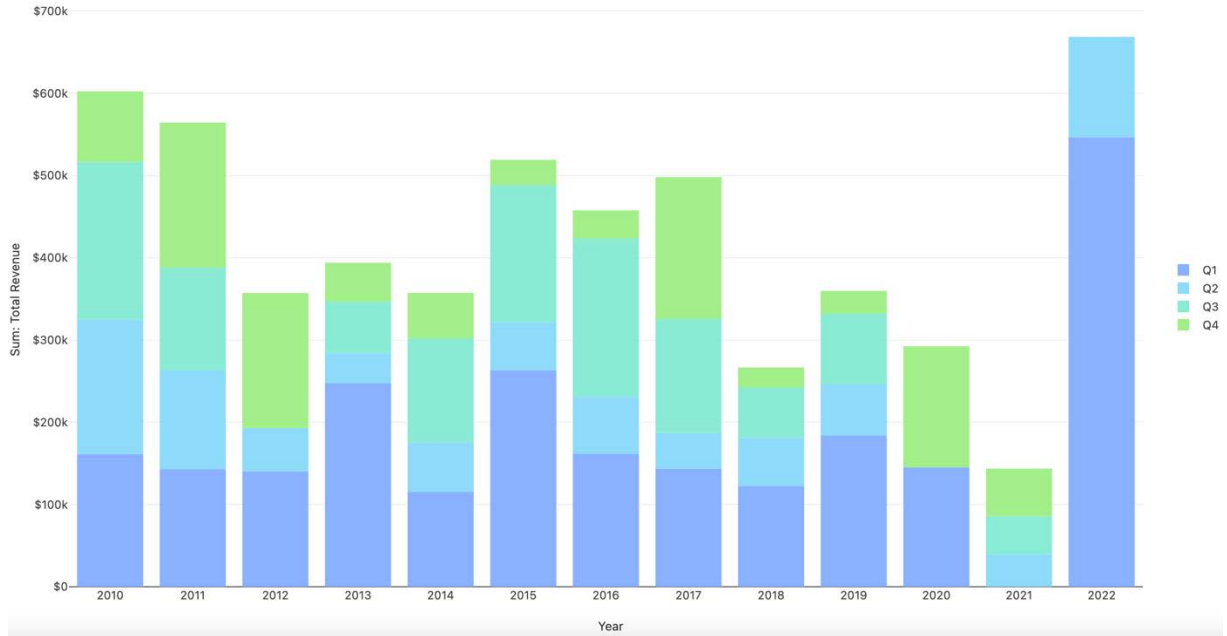


Figure 1.1 TCC annual revenue totals broken down quarterly

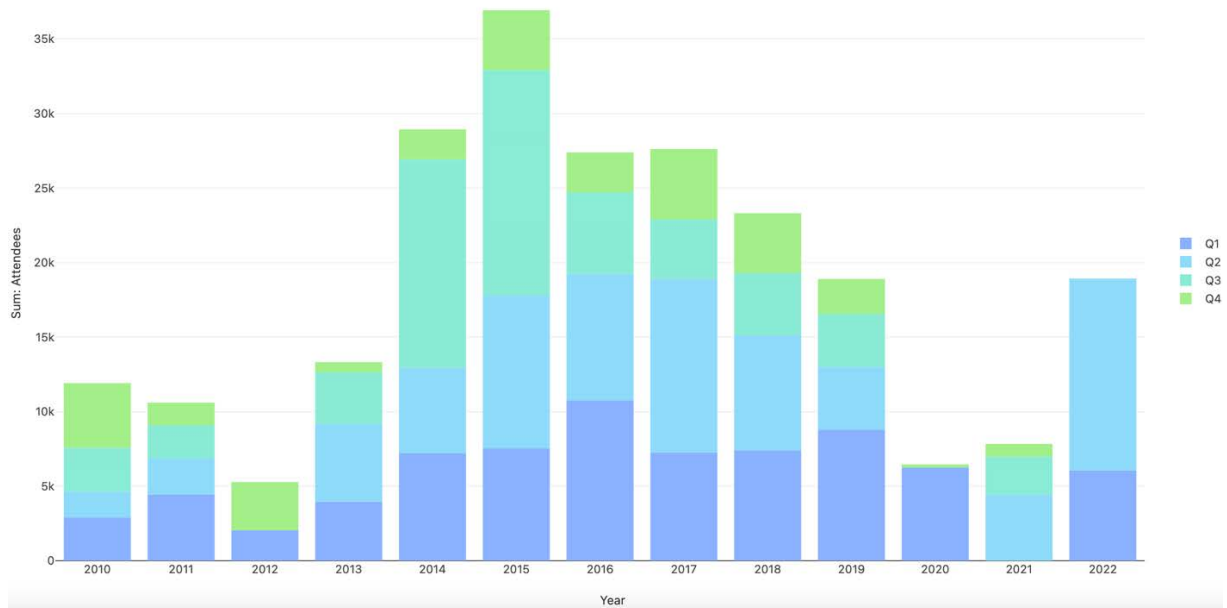


Figure 1.2 TCC annual attendance totals broken down quarterly

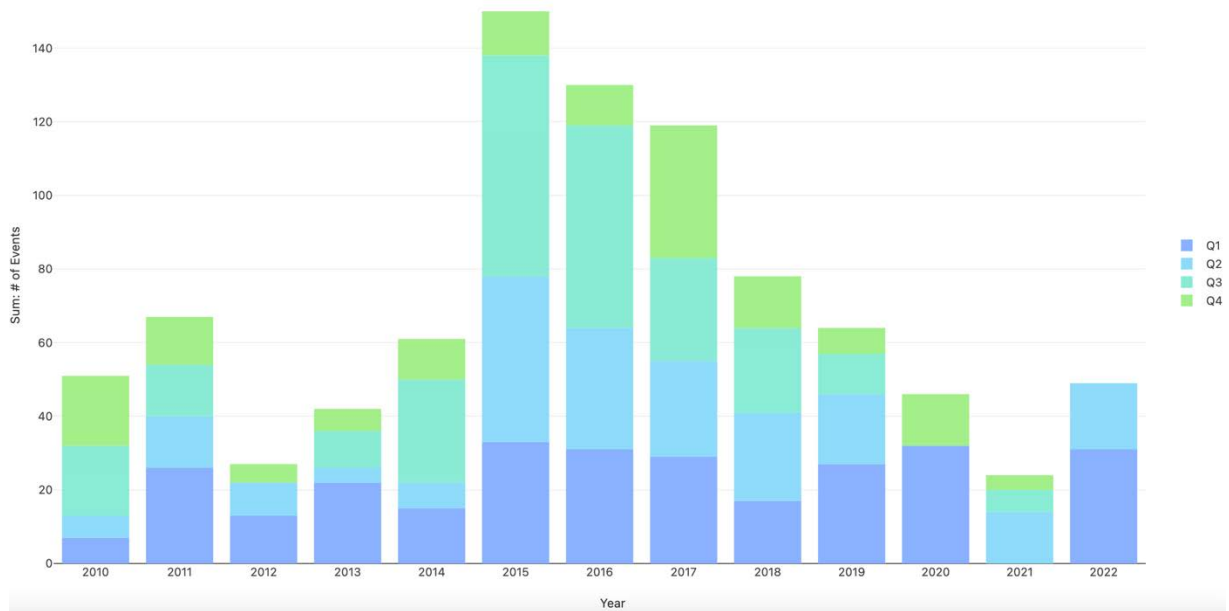


Figure 1.3 TCC annual event totals broken down quarterly

3. Plaza use
 - a. Maintained and executed three-year plaza license agreements (PLA) with a 100% completion of new/renewal requests with a total of **34** active agreements as of July 1, 2022.
 - b. The Town has **2** summer season vending carts and **6** winter carts approved found in Heritage and Sunset plazas. In addition, the Town has the assisted in the relocation of the **Coffee Cowboy** to Oak Street Plaza. The Cowboy staff is assisting in Mountain Village guest services as well.
 - c. In 2021, TMV permitted **43** special events, this is a **34% increase** YOY.
 - d. The Market on the Plaza has **47** participating vendors this year, this is a **38% increase** over last year. June total sales tax collections showed the average daily sales per vendor **increasing by 2%**.
4. Business directory/wayfinding
 - a. In collaboration with our GIS specialist, Snow Mappy and VentureWeb, our website developers, the Town and TMVOA are currently creating a digital interactive map for our business directory and dedicated Town of Mountain Village phone application.
5. Tourism and marketing
 - a. Staff is overseeing the Telluride Tourism Bureau (TTB)'s shift in the region's marketing messaging to create an individual brand identity for Mountain Village. TTB will be providing their bi-annual council update in the August meeting.

LOOKING INTO THE SECOND HALF OF 2022

The business development department is hiring for the position of Community Engagement Coordinator to undertake all plaza use permitting responsibilities, Market on the Plaza execution and other Village Center vitalization and enforcement efforts.

Staff will focus on executing the 2022 BDAC workplan initiatives when this position is filled.

**SECTION III: ENVIRONMENTAL EFFICIENCIES
 OVERVIEW**



1. Environmental policy and regional collaboration
 - a. Town Council approved the **San Miguel Watershed Coalition’s** request for **\$10,000** to develop a **hydrologic forecasting model** of the San Miguel Watershed, pending matching commitments from both San Miguel County and Town of Telluride.
2. Zero waste by 2030
 - a. Farm to Community Program is serving **85 families** a weekly CSA share for 14 consecutive weeks through September 14.
 - b. Community Clean-Up Day is scheduled for **Saturday, August 6.**
 - c. Recycling
 - i. Residential and commercial recycling rates in Mountain Village surpass the 2021 Colorado combined recycling and composting rate of **15%**. Mountain Village’s **residential recycling** is tracking at **27%** for 2022. This is on par with 2021. **Commercial recycling** is tracking around **20%** for 2022. This is a **3% increase** from 2021. The Town’s residents have avoided **111 metric tons CO2e** and commercial properties have avoided **178.87 metric tons CO2e** in 2022 to date.
 - ii. The Town began recording metrics for **plastic film recycling** mid-March 2022. The community has recycled **49 pounds** in 2022 since mid-March.

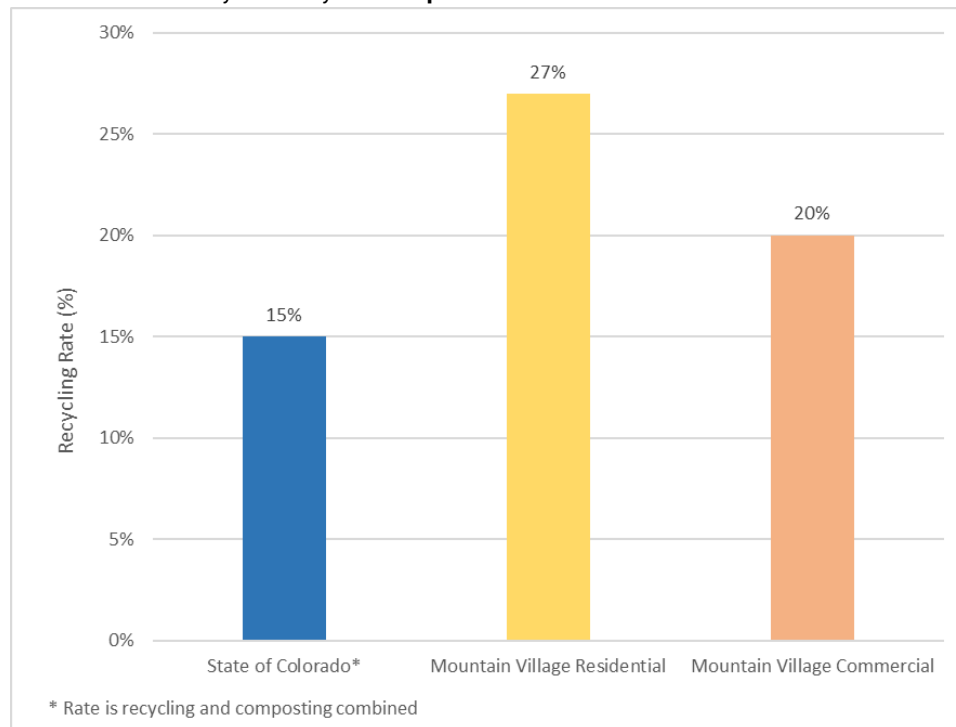


Figure 2. Mountain Village’s 2022 residential and commercial recycling rates compared to the State of Colorado’s 2021 combined recycling and composting rate.

- d. Composting
 - i. The **Village Court Apartments Composting Pilot Program** diverted **70 lbs** of food and yard waste in its first two weeks. Residents have recorded **146 lbs** of at-home diversion in 2022 to date. The Town is on track to exceed its 2021 organic waste diversion through these programs and public composting events.
 - ii. The Town continues to explore and pursue opportunities for **expanding composting options** and availability through discussions with **local waste haulers.**



- e. Single-Use Plastic Reduction Ordinance
 - i. Town Council unanimously passed the second reading of the **Single-Use Plastics Reduction Ordinance**. It goes into effect on January 1, 2023. Town staff is developing an ordinance implementation plan to engage and prepare businesses.
- 3. Carbon neutral by 2050, using 2010 as a benchmark.
 - a. Alternative energy
 - i. Building off the 2021 Solar Co-op, the Town partnered with **San Miguel County** to make affordable solar energy accessible to all SMC residents in 2022. The 2022 Solar Co-Op has 14 members, **2 signed contracts**, 2 outstanding proposals and 1 site visit scheduled for Mountain Village to date.
 - b. Building incentives
 - i. Staff is researching and evaluating opportunities for improved building efficiencies, including **retrofits, renewable energy and net zero construction**. A new Building Incentive Program is being developed for launch in 2023.
 - c. Electric vehicle (EV) charging stations
 - i. The Town has **11 EV charging stations** available for public use; two more than 2021. The ChargePoint stations have avoided **18,092kg** of greenhouse gas emissions to date, an increase of **2,890kg** of GHG emissions from 2021.
 - ii. Two, new Level 2 EV charging stations were installed through a **Charge Ahead Colorado** grant. One is located in Heritage Parking Garage and the second is in the Meadows Parking Lot.
 - iii. The Town now charges for electricity at EV charging stations. The cost is **\$0.20/kWh**.

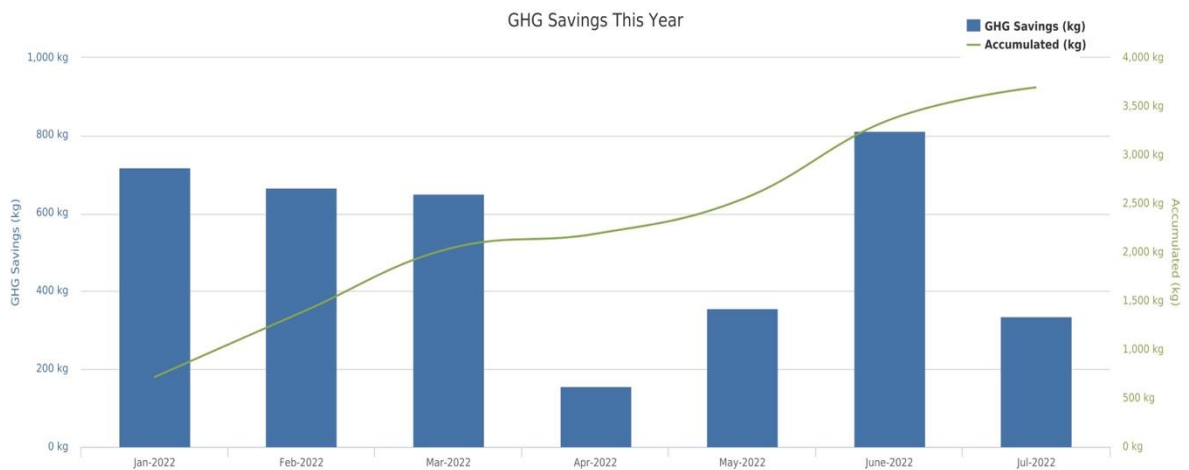


Figure 3. Greenhouse gas emissions savings per month from ChargePoint electric vehicle charging stations in 2022.

- 4. Water conservation and water loss prevention
 - a. As in 2021, the Town of Mountain Village is **restricting outdoor water use** during the 2022 summer months, effective June 1.
 - b. The Town was awarded **Colorado Water Conservation Board’s Engagement & Innovation Grant** for the Smart Irrigation Controls Incentive Program and for irrigation assessments. Residents and business owners may receive a **rebate up to \$300** for completing an irrigation assessment and associated survey.
- 5. Wildfire mitigation
 - a. The Town has hired Rodney Walters as the **new Forester**. Rodney has a Master’s in forestry



and starts full-time July 25.

LOOKING INTO THE SECOND HALF OF 2022

Town staff is implementing new programs, like the irrigation assessments and VCA Composting Pilot Program. With these new and existing programs comes data and metrics that can be used to inform strategies and actions moving forward. Prior to the Single-Use Plastic Reduction Ordinance going into effect on January 1, 2023, staff will work with businesses to ensure understanding of and compliance with the ordinance. Additionally, staff is evaluating opportunities to address building inefficiencies, both residentially and commercially. On a larger scale, staff will be attending the MT2030 Summit in Breckenridge in September 2022. This Summit focuses on mountain and outdoor communities achieving zero carbon emissions.

SECTION IV: GRANT ADMINISTRATION

OVERVIEW

1. Grant administration
 - a. Staff is currently tracking **64 funding opportunities** and **66 projects** across **12 departments**.
2. Grant research, writing and execution
 - a. For 2022, Staff applied for **14 grants** and **1 rebate** as of July 1, 2022. This is a **10% increase** YOY. A total of **\$3,811,301** in funds was requested through these applications.
 - b. The Town has been awarded **\$206,636** in **2022** through **8 grant applications**.
 - c. The Town has **6 outstanding applications** under review for award in 2022.
 - d. The Town is actively pursuing funding opportunities for housing developments, water metering, gondola planning, wastewater treatment, broadband and multimodal transit.

LOOKING INTO THE SECOND HALF OF 2022

With the direction for the future of the community as provided in the Comprehensive Plan, the Town has a wide variety of projects coming down the pipeline. Our team will continue to work with departments to understand project needs, identify grant opportunities, engage stakeholders for support and apply for funding. Furthermore, staff will continue to keep open communication with funding agencies on Town projects, grant opportunities and awards.

Of most recent note, the Town was awarded **\$525,945** in funding for the San Joaquin and Mountain Village Boulevard safety improvements on July 14.

Our team is working with the Community Housing Department to apply for grant funding for the Norwood and Lot 644 affordable housing development projects. Staff is also working with the Transit team and GBSM to explore funding options for the gondola system.

SECTION VI: GEOGRAPHIC INFORMATION SYSTEMS

OVERVIEW

1. Build GIS infrastructure
 - a. Lauren Tyler has recently been hired as the Town's GIS Administrator and begins full time July 20.

LOOKING INTO THE SECOND HALF OF 2022

Staff is in the starting phases of working with the Public Works department to develop ground penetrating radio plan that accurately captures the Town's utility infrastructure.



Staff also continues to meet with departments regarding migrating their information into the GIS database with a current focus on the Planning and Development Services department's parcel and zoning data/mapping.

TOWN OF MOUNTAIN VILLAGE
Town Council Meeting
July 21, 2022
3:00 p.m.

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

NAME: (PLEASE PRINT!!)

Kirsten Murray	EMAIL: KIRSTEN@OLSONKUNDIG.COM
Jodi Miller	EMAIL:
Matt Moir	EMAIL:
Erika Moir	EMAIL:
Mark Martin MVPD	EMAIL:
Dale Reed	EMAIL:
Brian O'Neill	EMAIL: Brian@oneillstetina.com
Bill Farnoz	EMAIL: billfarnoz@gmail.com
Ana Bowling	EMAIL: ana.bowling@gmail.com
Jay Miller	EMAIL: jaymiller@monteprincipe.com
JOSH CORTE	EMAIL: JCORTE@MUNICIPALITY.COM
Baker Gentry	EMAIL: bakergentry@gmail.com
J. Miller	EMAIL: johnmiller@tekst.com
Stephanes Fano	EMAIL:
Karen Kirby	EMAIL: kmk1604@cancast.net
Martha Prioleau	EMAIL: martha@prioleau.com
	EMAIL: Ron Allen
Frost Prioleau	EMAIL: frost@prioleau.com
Jeff Kirby	EMAIL: jkirby@broadbandcapital.com
Jim Royer	EMAIL: jimroyer@gmail.com
DUEITIA	EMAIL: DUEITIA@comcast.com
Estee Portnoy	EMAIL: Estee.Portnoy@jumpdc.com
JEFF ZIMMERMAN	EMAIL: JZIMMERMAN@DESIGNWORKSHOP.COM
Linda Pallas	EMAIL: linda@orgsuccess.com
Mickie Soltow	EMAIL: MickieSoltow@Gmail.com
Jolana Vanele	on file

TOWN OF MOUNTAIN VILLAGE
Town Council Meeting
July 21, 2022
3:00 p.m.

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

NAME: (PLEASE PRINT!!)

Dan Jansen

EMAIL:

jansendan@me.com

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DRB Conditions of Approval:

- 1. Prior to building permit the applicant will revise the landscape plans to include details of green roof plantings, to indicate the required seed mix specifications for both native grass and riparian zones, and to indicate any areas of low grow fescue planting for staff review.
 - 1. Final irrigation calculations will be provided with the building permit submittal for staff review.**
- 2. Within six months of this approval, the applicant will work with the Town and a wetlands consultant to provide a detailed plan for the Gorrone Creek Riparian corridor and pond edge, that addresses the proposed recirculation system, creek bed liner, and enhanced pond outlet installation, and proposed planting and revegetation for both the riparian corridor and pond edge. This plan will be for staff review (inclusive of plaza and public works staff as it relates to village center continuity).*
- 3. Requirements of a delivery management/flagger system will be memorialized in the development agreement*
- 4. Construction mitigation plans will continue to be updated in coordination with the Town, as well as the State of Colorado regarding storm water mitigation, and the Tram board regarding any gondola impacts. Final Construction mitigation plans will be approved by Town staff prior to building permit and recommended to begin six months prior to anticipated submittal of the building permit. This includes a phased and staged construction mitigation plan, ongoing communications plan and an update to the interim utilities plan.*
- 5. Any necessary tram board approvals for sub grade gondola encroachments must be obtained prior to building permit issuance.*
- 6. Applicant will work with the Town to determine necessary and appropriate lighting at the proposed sidewalk along Mountain Village Boulevard, this additional lighting will be reviewed by staff prior to building permit.*
- 7. Town staff will evaluate whether additional plantings for screening is necessary to screen the gas regulator station prior to issuance of a Certificate of Occupancy.*

Conditions 8-13:

8. *Agreements, easements and public access will be addressed as part of the final PUD development agreement and have been identified via the Town Council review process and associated staff memo.*
9. *Prior to Certificate of Occupancy the applicant will enter into a revocable Encroachment Agreement with the Town for any approved encroachments in the general easement. This includes any encroachments that already exist on the property as well as any new encroachments.*
10. *A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the setbacks.*
11. *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.*
12. *Prior to the Building Division conducting the required framing inspection, a four foot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:*
 - a. *The stone, setting pattern and any grouting with the minimum size of four*
 - b. *feet (4') by four feet (4');*
 - c. *Wood that is stained in the approved color(s);*
 - d. *Any approved metal exterior material;*
 - e. *Roofing material(s); and*
 - f. *Any other approved exterior materials*
 - g. *Include paver samples for public plazas and pathways.*
13. *It is incumbent upon an owner to understand whether above grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way or general easement, are placed in an area that may encumber access to their lot. Relocation of such above grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (fire department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.*

Public Benefits Table

Because Telluride Ski and Golf, the current owner of Village Center OS-3Y and the Village Center open space is being rezoned for hotbed development, the application triggers Table 6. Public Benefits table in the Comprehensive Plan.

There are five (5) public benefits offered by the applicant as part of the public benefits table. (a 5th was identified between memo writing and today)

The Comprehensive Plan indicates that a future Town Council can change the proposed public benefits and the associated timing triggers during a future development review process. Town Council can decide to initiate additional triggers, defer triggers or change triggers as needed. Town Council can otherwise note that five (5) public benefits are being satisfied with this application and revisit the remaining triggers with a TSG future development application.



Public Benefits

These are public benefits being provided with this application. Public benefits support both general conformance with the Comprehensive Plan and are considered Community Benefits pursuant to the Comprehensive Plan. It is discretionary whether Town Council considers these monetary values contributing to the overall Community Benefits.

	Value
#1. Hot beds.	\$1.8-\$2.4 million annually lodging tax
#12. Utility extensions are being provided to Parcel G Gondola Station	TBD
#13. Coordinated development between Parcel D and Parcel F & F1 and at grade development between the project and the gondola station	\$350,000
#14. A vehicular delivery and pedestrian access from Mountain Village Boulevard to La Chamonix and neighbors (also considered a public improvement)	\$12,000
#17. Enhanced riparian corridor (additional pedestrian bridge, expanded wetland, snow-melted path)	\$808,000
TOTAL	\$1,170,000



Community Benefits List

Community Benefits	Value
Contribution to Village Pond Improvements	\$500,000
Design services for Village Pond Improvements	\$150,000
Contribution to the community housing fund or land of equivalent value	\$2,200,000
Construction of a public bathroom that will be owned and operated by the town of approx. 500 square feet	\$250,000
Construction of a town storage space of 600 square feet	\$150,000
Two parking spaces dedicated for town use (approx. 324 feet of parking)	\$300,000
Public Plazas, paths, trails inclusive of landscaping and snowmelt beyond the CDC Requirement (improved areas beyond 30' of the driplines of the buildings)	\$1,500,000
Improvements to alleyway between Trax and Gondola Plaza	\$50,000
A trash compacting facility	\$80,000
Waiving HOA dues regarding the storage area, parking spaces and public bathroom	TBD
Pedestrian Trail from Ridge Trail to Après Ski Area	\$25,000
SUBTOTAL	\$5,205,000



Public Improvements

Public Improvements - These are required pursuant to the subdivision and development and do not count as community benefits

A snow-melted sidewalk/pedestrian along Mountain Village Boulevard inclusive of safety lighting that connections the port cochere along Mountain Village Boulevard to the Pond Plaza (stairs from MV Blvd)	\$162,500
Repaving Mountain Village Boulevard	\$125,000







MOUNTAIN VILLAGE CENTER
STATION







MOUNTAIN VIEW
& Development
Development & Construction
(970) 728-1392





Kimberly Schooley

From: Paul Wisor
Sent: Thursday, July 21, 2022 11:58 AM
To: council
Cc: Michelle Haynes; Amy Ward
Subject: FW: Lot 161 Four Seasons Support

Categories: Add to Packet After Meeting

Council,

Please see below the additional public comment from Winston Kelly regarding 161-CR.

Thanks,

Paul

From: Dev Motwani <Dev@merrimacventures.com>
Sent: Thursday, July 21, 2022 11:55 AM
To: Paul Wisor <pwisor@mtnvillage.org>
Subject: Fwd: Lot 161 Four Seasons Support

----- Forwarded message -----

From: **Winston Kelly** <winstonkelly@gmail.com>
Date: Thu, Jul 21, 2022 at 11:40 AM
Subject: Lot 161 Four Seasons Support
To: Michelle Haynes <mhaynes@mtnvillage.org>, Dev Motwani <Dev@merrimacventures.com>

Michelle and Dev,

I write this email in a good faith show of support for the development of the Four Seasons Project on lot 161CR. The developer has come a long way in addressing my concerns, and while I would like to see continued progress in the height/privacy consideration for my neighbors, I have seen enough progress by Dev and his team to give my support to this project at this time.

The developer made these changes which helped me get behind the project:

- eliminated 2 stories from the project, one story on the North Hotel Building and one from the South Residence Building
- added a public pedestrian connection from MVB to the Pond Plaza as well as a sidewalk along MVB from our Port Cocherre to those stairs
- agreed to give all property owners around and above the project along MVB the first right to purchase ski lockers which will provide both valet parking and access through the property to the gondola or heritage plaza

- internalized all mechanical equipment so none is on the roof to eliminate any sound
- ensured our restaurants and spa will be open to the public and not just our guests
- Lowered the average height and maximum height of the entire project, so we are below what's permitted under the Comp Plan and our average height is below what's currently approved for Lot 109
- maintained over 50% open space along the project including lots of landscaping and open plazas and more setbacks from neighbors
- Reduced balconies and added shutters to create more privacy between our guests and neighbors
- updated the architecture, roof line, access points etc per the DRB comments

I would hope that development on lot 109 would follow the example of bringing down the height and working with the neighborhood as Dev and his team did.

Thanks,

Winston Kelly

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender.

--

Dev Motwani
Managing Partner, Merrimac Ventures
Dev@merrimacventures.com
954-522-6556 (o)
917-319-3090 (m)

Kimberly Schooley

From: Michelle Haynes
Sent: Tuesday, July 19, 2022 8:20 PM
To: Adam Miller; Banks Brown; Caton Liz; David Craige; Ellen Kramer; garnerdr64@gmail.com; Scott Bennett; Shane Jordan; council; jim@jh-austin.com
Cc: dmconnaughy@garfieldhecht.com; Paul Wisor; Amy Ward
Subject: FW: Lot 161CR Hotel PUD application July 20 & 21
Attachments: Peaks height B level.jpg; Peaks height unit 830, above B level.jpg

Categories: Add to Packet After Meeting

From: Latcham, Patrick <platcham@tellurideskiresort.com>
Sent: Tuesday, July 19, 2022 7:47 PM
To: cd <cd@mtnvillage.org>
Subject: Lot 161CR Hotel PUD application July 20 & 21

Greetings DRB and Town Council,

I am writing to express my personal support and the support of the ski resort for the Lot 161CR Hotel PUD application.

I believe that the applicant has listened closely to the feedback of staff, town council, DRB, and our community. A few items that I would like to highlight:

- Reduced Height
 - I was pleased to see the reduction of one floor on two of the buildings. We are now at a healthy compromise that does not jeopardize the feasibility, integrity, or quality of the final product.
 - I would be concerned about any additional height restrictions as that does not align with the comp plan and would result in a product that does not meet that standards for a 5 star property.
 - This PUD is subject to the comp plan and is aligned with the comp plan vision, especially when it comes to open space corridors.
 - The project fits well into the slope and addressed concerns for the vast majority of neighboring lots, several of which are now expressing support for the project.
 - I was unable to find detailed info on the height of the Peaks online. I did a little flight with my drone this afternoon and was surprised to see a max height of approximately 141 feet on the west facing side. I am sure town records are more accurate but I wanted to share as the proposed height from the applicant is much lower (images attached for reference).
- Affordable Housing
 - 10 additional work force housing units and \$2.2MM towards the housing fund.
 - These funds will be instrumental in developing additional housing, especially when we are face with increased cost concerns for projects like the next phase for VCA.
- New exterior materials that allow the structure to blend in more with the surroundings.
 - The Peaks really sticks out, especially when compared to See Forever. I think that the new color scheme is a better fit for mtn village and allows the property to blend in while still being different.

In short, the applicant has listened to feedback and I hope that DRB and town council provide approval for the next steps. This would be an amazing asset for our future guests and community.

Also, my apologies for the late email. I imagine I am too late for the DRB packet, but I will attend in person, and I hope that this feedback can be included in the Town Council packet.

Please let me know if there are any questions.

Thank you to everyone for the hard work that has gone into this process.

-Patrick

--

Patrick Latcham

VICE PRESIDENT | SALES & MARKETING

Telluride Ski & Golf

O: (970)728-7388

C: (313)268-1621

Disclaimer

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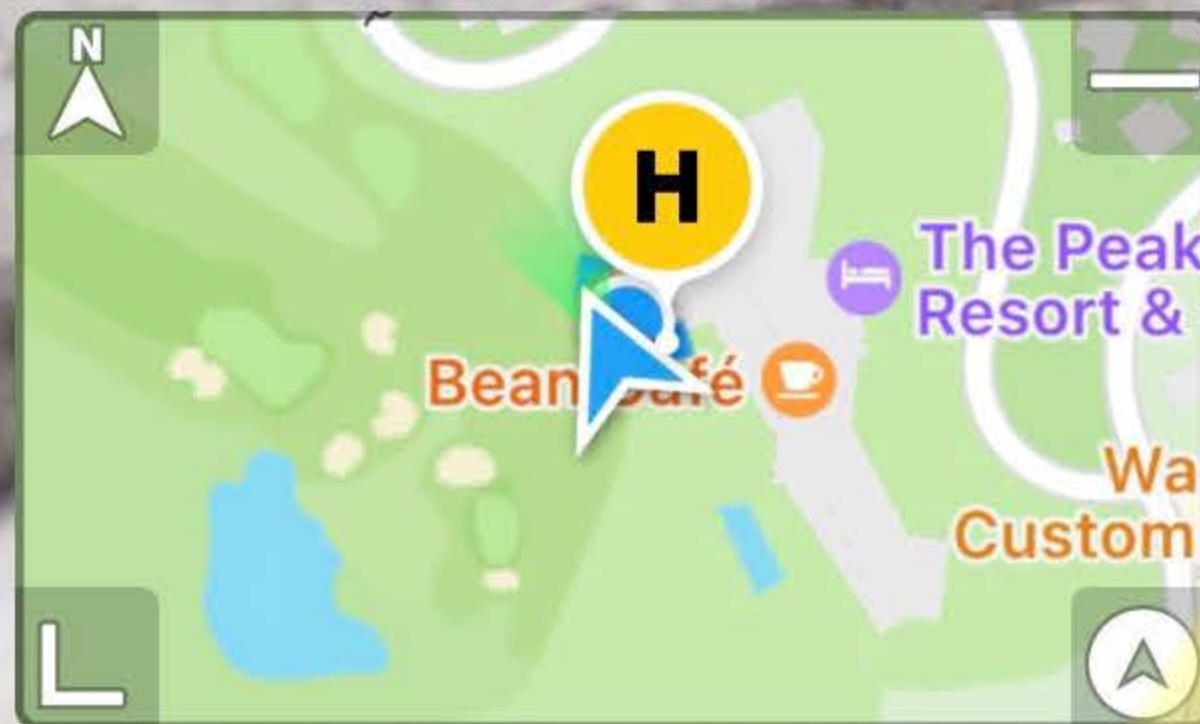
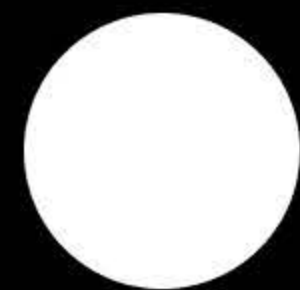
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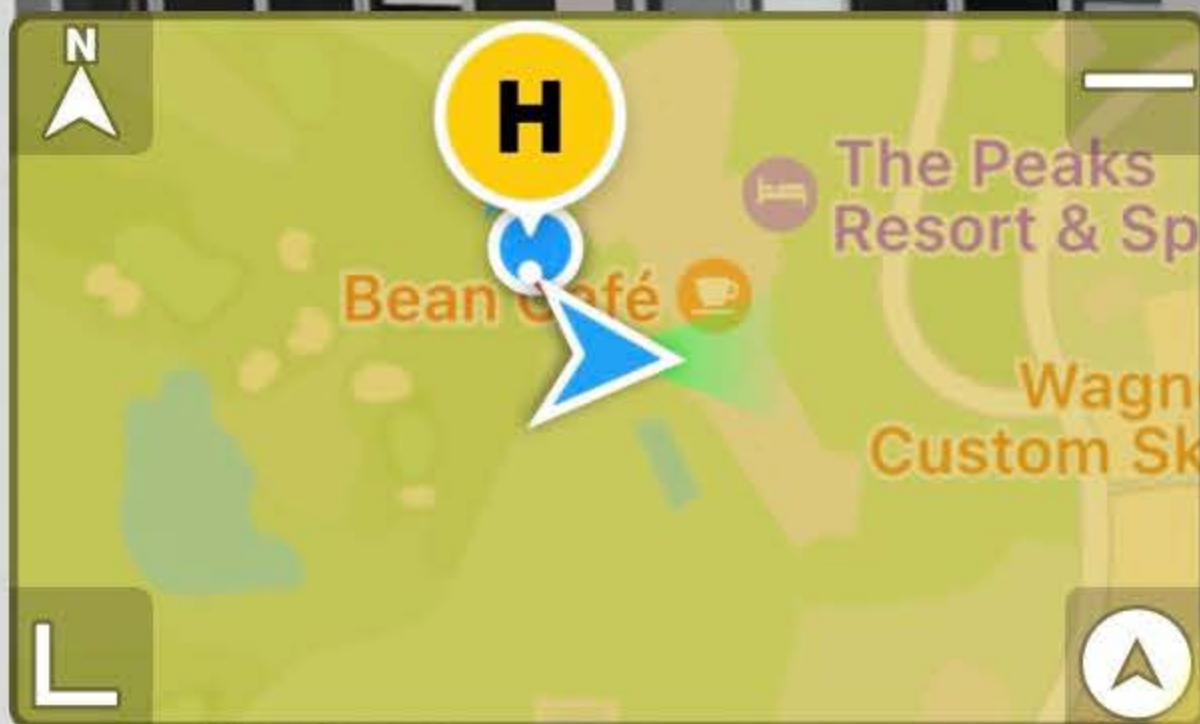
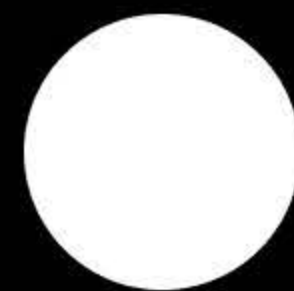
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RC



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Storage
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Kimberly Schooley

From: Michelle Haynes
Sent: Tuesday, July 19, 2022 8:17 PM
To: council; Adam Miller; Banks Brown; Caton Liz; David Craige; Ellen Kramer; garnerdr64@gmail.com; Scott Bennett; Shane Jordan; jim@jh-austin.com
Cc: dmconnaughy@garfieldhecht.com; Paul Wisor; Amy Ward
Subject: FW: Support for the Merrimac Ventures World Class Hotel

Categories: Add to Packet After Meeting

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

From: shannon swyka <shannonswyka@sbcglobal.net>
Sent: Tuesday, July 19, 2022 5:21 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Support for the Merrimac Ventures World Class Hotel

To the members of the Mountain Village DRB and Town Council:

My husband and I are supporters of the Merrimac Ventures luxury hotel and residences project on lot 161-CR in Mountain Village. We feel like having a world class hotel and residences in our community would be a big plus. Merrimac Ventures has done a good job of adapting their project renderings to address the concerns of the public and various entities without diluting the world class quality of the project. Their plans for open space, plazas, and connecting the space to other areas in the Mountain Village Core will also enhance the area. The lot will be built on at some time in the future, why would we not choose one of such high quality and environmental sensitivity?

How exciting would it be to have a Four Seasons (or a hotel of similar quality) in our community!

Thank you for your time today and everyday, Shannon and Nick Swyka
123 Rocky Road

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons
Date: Monday, July 18, 2022 2:38:03 PM

From: Kevin O'Connor <koconnor@oconnorventures.com>
Sent: Monday, July 18, 2022 2:36 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons

To the DRB and Town Council:

I've been a resident of MV for about 25 years now. I'm a HUGE supporter of the new Four Seasons. Four Seasons is one of the greatest hospitality brands in the world and will attract a large number of affluent visitors. These visitors will support our businesses and generate great tax revenues.

Please be reasonable, we don't want to scare them away!

Best,
Kevin O'Connor
109 Polecat Ln

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: New four seasons project.
Date: Monday, July 18, 2022 8:37:04 AM

From: PHILIP/SUE SMITH <thoeny1@comcast.net>
Sent: Saturday, July 16, 2022 5:02 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: New four seasons project.

To whom it may concern:

I have been a home owner in Mountain Village for over 30 years and have seen a lot of positive changes. I feel like the Four Seasons will be an awesome addition to Mountain Village. The renderings look amazing. I personally will be interested in being a part of this project in some way and look forward to its presence in Mountain Village.

Sincerely
Susan A Smith

218 Adams Ranch Road.
Mountain Village, CO

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: 161 CR
Date: Monday, July 18, 2022 8:37:39 AM

From: Jbingham <jbingham44@gmail.com>
Sent: Sunday, July 17, 2022 7:21 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Fwd: 161 CR

Sent from my iPhone

Begin forwarded message:

From: Jbingham <jbingham44@gmail.com>
Date: July 17, 2022 at 6:09:45 PM PDT
To: jbingham44@gmail.com
Subject: 161 CR

We would like to appeal to the town council and the design review board to look at the impact of allowing a variance to the code for a high restriction on 161 CR.

Height restrictions for the Village were put in place with the idea of creating a European style village which previous projects in Mountain Village have adhered to.

The new proposed height variance for 161 CR infringes on the rights of the people who have invested in the Town of Mountain Village. We have developed our properties both residential and commercial based on the codes now in place which were designed to protect us from exactly this situation.

Your neighbors and the people who invested in Mountain Village, bought their property in good faith. These people trusted that the code restrictions in place would be continued.

We wish to point out that financial gain to the developer is at the heart of this proposed height variance. If this project proceeds with this height variance as proposed it will be a disgrace for the town and the people who allowed it. This action will not only affect what happens today but also will set a precedent for this type of disregard for regulations in the future it makes the codes meaningless.

Submitted by:
Stuart and Jackie Bingham

July 15, 2022

Members of Mountain Village Town Council

Members of Mountain Village Design and Review Board

Michelle Haynes, Mountain Village Town Planner

R.E. Development Plans and application for SPUD designation for Lot 161 CR, Lot 67, Lot 69R-2, Lot 71R and OSP 3Y, Town of Mountain Village, by Merrimac Fort Partners, LLC ("Applicant")

Dear Council members, Board members and Michelle Haynes,

I am writing to communicate that I agree with the perspectives and facts presented in the July 6, 2022 letters presented by Frost and Martha Prioleau and Daniel Zemke. Given this, I will not repeat points already made.

As you review this application I do want to stress the importance of

- Protecting property values
- Protecting constituents and taxpayers given the environmental issues and geotechnical concerns in this area
- Applicant providing ample employee housing for their project and protecting residential taxpayers from paying the bill
- Protecting public safety

Thank you.

Sally Field

Longtime local realtor and resident

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: 161CR: Letter of Support. {FROM MICKEY SALLOWAY}
Date: Monday, July 18, 2022 10:51:22 AM

From: Anton Benitez <anton.benitez@hotmail.com>
Sent: Monday, July 18, 2022 10:49 AM
To: Anton Benitez <anton.benitez@hotmail.com>; Mickey Salloway <mickskiandgolf1@gmail.com>; Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Re: 161CR: Letter of Support. {FROM MICKEY SALLOWAY}

Michelle,

Mickey Salloway has asked me to send you this email of support on this behalf. He stated that his feedback and support on consistent with mine below.

Thank you.

From: Anton Benitez <anton.benitez@hotmail.com>
Sent: Monday, July 18, 2022 10:46 AM
To: MHaynes@mtnvillage.org <mhaynes@mtnvillage.org>
Cc: Anton Benitez <anton.benitez@hotmail.com>
Subject: 161CR: Letter of Support.

Michelle,

Please accept this letter of support of the overall development by Merrimac Ventures. This project is aligned with the Town of Mountain Village's Comprehensive Plan, specifically as discussed as a critical action on page 30.

The development will bring a proven and branded hotel to Mountain Village that will help achieve the needed hotbeds to create a vibrant and sustainable economy. On a more personal level, I am very excited about the new high-end restaurants the hotel will include.

Sincerely,
Anton

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: 161CR: Letter of Support.
Date: Monday, July 18, 2022 10:47:30 AM

From: Anton Benitez <anton.benitez@hotmail.com>
Sent: Monday, July 18, 2022 10:46 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Cc: Anton Benitez <anton.benitez@hotmail.com>
Subject: 161CR: Letter of Support.

Michelle,

Please accept this letter of support of the overall development by Merrimac Ventures. This project is aligned with the Town of Mountain Village's Comprehensive Plan, specifically as discussed as a critical action on page 30.

The development will bring a proven and branded hotel to Mountain Village that will help achieve the needed hotbeds to create a vibrant and sustainable economy. On a more personal level, I am very excited about the new high-end restaurants the hotel will include.

Sincerely,
Anton

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Development Plans and Application for SPUD designation by Merrimac Fort Partners, LLC
Date: Monday, July 18, 2022 4:34:49 PM

From: Rob Bodnar <rbodnar777@gmail.com>
Sent: Monday, July 18, 2022 4:27 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Development Plans and Application for SPUD designation by Merrimac Fort Partners, LLC

Dear Michelle,

I am writing to the Mountain Village Town Council and Design Review Board regarding continuing concerns relating to the development plans submitted by Merrimac Fort Partners, LLC on Lot 161C-R, Lot 67, Lot 69R-2, Lot 71R and OSP-3Y, Town of Mountain Village. My wife and I are part owners in the residence at 692 Mountain Village Boulevard, or Lot 101, which is the lot adjacent to Lot 161C-R.

While we continue to be supportive and see the benefits of bringing a "4 star" resort to Mountain Village, we have numerous ongoing concerns relating to the plans submitted by the applicant. This being said, for the sake of expediency, I will limit my comments to our single most significant concern.

Proposed Heights of Residence Buildings

The applicant continues to request a height variance of almost 50% more than the maximum building height limit per the Community Development Code for the North Residence Tower, with a slightly lesser variance requested for the South Residence Tower. Not only will these massive excess heights have significant negative impacts on the views from our residence and homes of our surrounding neighbors, which will negatively impact our property values, they also will permanently alter the skyline of Mountain Village and views from Village Plaza and Gondola Plaza. These structures will become eyesores to the village, towering over every other building in the area due to the combination of their proposed heights coupled with the increased elevation of Lot 161C-R.

It was clear from comments made during the May 17, 2022 Design Review Board meeting that many residents and committee members share these concerns. To this end, the Design Review Board included a condition to the applicant to erect story poles on the lot to give the community an opportunity to visualize the proposed heights of these buildings and their impacts on the skyline and neighboring views. Specifically, the following condition was included in your letter to Dale Reed of Merrimac Fort Partners, LLC on May 20, 2022:

"13. Approval of the overall design, including variation requests, is subject to further review of all applicable criteria based on story poles to be erected by the applicant to demonstrate the building heights"

It is my understanding that the applicant has yet to erect the story poles on the lot due to the size, effort and cost it would take to build and secure them at the proposed building heights. The fact that the applicant is unwilling to attempt to satisfy this condition is telling...these two residence towers are massive relative to all neighboring homes and buildings in Village Plaza. A 3D rendering of the proposed structures simply does not provide the necessary visual impacts required for the Town Council and Design Review Board to make informed decisions relative to the requested height variances for the residence buildings. We respectfully request this condition remain in effect, and that the applicant erect story poles on the lot for a minimum of one week, prior to the grant of any requested height variances. To the extent that the applicant is unwilling to meet this condition, we respectfully request that the Town Council and Design Review Board work with the applicant to modify the design and height of the proposed residence buildings in compliance with the 60' maximum height requirements outlined in the Community Development Code.

We very much thank you for your time and consideration.

Respectfully,

Rob & Susie Bodnar

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Season's Mountain Village Project
Date: Monday, July 18, 2022 8:37:08 AM

From: Tobin Cobb <tobin.cobb@gmail.com>
Sent: Saturday, July 16, 2022 5:42 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Season's Mountain Village Project

Dear Michelle Haynes,

My family has been a home owner in Telluride for 42 years and we love the character of Telluride. We believe the new Four Seasons project is completely within that character. We have seen the drawings, and understand the scale and believe it will be a great fit for the Mountain Village.

Sincerely,

Tobin T. Cobb
One Riverwatch
Telluride, CO

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons Lot 161CR
Date: Monday, July 18, 2022 8:37:20 AM

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

From: Karen Kirby <kmk604@comcast.net>
Sent: Sunday, July 17, 2022 10:44 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons Lot 161CR

Dear Michelle,

I am writing to express concern over the proposed scale and height for the hotel and residences on Lot 161CR. My husband Jeff and I have been homeowners in Mountain Village since 2005. We had visited many other ski resorts before choosing to buy in Telluride....not Vail, not Aspen, not Beaver Creek. I often hear the same reason why others came and stayed in Telluride...it's not those other resorts. We have seen a lot a growth over the years...and we fully support continued growth that's in keeping with the character of Mountain Village. A Four Seasons hotel would be great on Lot 161CR...if size and height are consistent with neighboring buildings. I hope as stewards for the town, you and other members of the council and DRB, will keep that in mind before allowing a project to be built that will be an eyesore and change the character of our wonderful town. I am also concerned about the hotel cutting off direct access to the gondola for upper Mountain Village Boulevard residents. I would hope and encourage the developers to have a friendly relationship with the neighbors to be able to access the new plaza and gondola at the entrance to the hotel and residences. A side path/entrance to the left or right of the lobby...or an underground tunnel feeding into the plaza/gondola entrance seems to be a workable solution. Mountain Village residents have been subsidizing the gondola and it would be wrong to deny us direct access now.

Thank you for taking time to read this and for serving on the council.

Regards,

Karen Kirby
702 Mountain Village Blvd.

Sent from my iPhone
Karen Kirby
(973)668-0926
Kmk604@comcast.net

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons project for Lot 161-CR
Date: Monday, July 18, 2022 8:37:31 AM

From: Mark Salter <msalter@natalliance.com>
Sent: Sunday, July 17, 2022 1:32 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons project for Lot 161-CR

Dear Michelle,

I am writing to you to pledge my extremely Strong Support for the Four Seasons project for lot 161-CR in Mountain Village. I have had a chance to see the latest renderings of the project and I think the developers have listened to DRB and many of the neighbors and other residents of the community. They have incorporated many of the requests of all the stakeholders. It's time for this project to move forward with the full approval and support of the DRB and Mountain Village town council. I know there are a few residents that will do anything to stop this project. That is just not right. When those neighbors purchased their homes and lots, they knew that this property was designated for a flagship 5-star Resort Brand. After all these years (I have been a second homeowner in Mountain Village since 1995) we finally have an amazing development team that is willing and able to deliver a 5-star product with the Four Seasons brand. We can't screw this up. This project clearly has benefits for all the stakeholders in Telluride and Mountain Village. This project not only provides many needed hot beds for the community and its businesses, the project also creates many public benefits including: additional parking, employee housing, new restaurants, a spa open to the public, a connection from the gondola plaza to both Heritage Plaza and the Pond Plaza. It also provides significant open spaces and connectivity to the entire Mountain Village Core. Please pass my note on to the decision makers. It's time to get shovels in the ground and move forward with this amazing and exciting project for Mountain Village.

Sincerely,
Mark Salter
121 Touchdown Drive
Mountain Village, CO
81435

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons Project
Date: Monday, July 18, 2022 8:37:25 AM

From: Steve Cram <stevecram@verizon.net>
Sent: Sunday, July 17, 2022 1:08 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons Project

Dear Mountain Village DRB and Town Council members,

I am writing today in support of the Four Seasons project that is the subject of your meetings this coming week.

Through St Sophia Partners I am the original developer of the Ridge and the previous owner of Lot 161CR.

The original vision Ron Allred and I had for Lot 161CR was it would be developed as a Four Seasons.

In the mid 90's Ron and I and our architect Jack Zehren, traveled to Toronto to meet with the chairman of Four Seasons, Isadore Sharp, to pitch Jack's design for a Four Seasons on 161CR.

Mr Sharpe loved the design and gave us the go ahead to seek Mountain Village approval for the project which Four Seasons would manage. We received the necessary approvals but sadly we could not get the project financed.

As in 1994, as today, Four Seasons embodies quality in the hospitality industry like no other brand in the world.

Simply put I believe it will set a new standard for quality and service for Telluride and perhaps all of Colorado.

As the project will be both the front door to the Ridge as well as the location of our parking, I have closely followed the evolution of the changes and enhancements the developer has made to accommodate the various Town interests. The result is a project worthy of the strategic location and importance to Mountain Village. It is just an incredible opportunity.

As a long term investor in Mountain Village and a current Ridge HOA Board Member I urge you to approve the project before you. Let's not wait another 25 years to bring a Four Seasons in Mountain Village.

Respectfully,

Steve Cram
703.408.3261

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons/Lot 161 Project
Date: Monday, July 18, 2022 12:38:59 PM

From: Rob Petrie <rcpetrie@gmail.com>
Sent: Monday, July 18, 2022 12:38 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons/Lot 161 Project

Michelle,

I hope all is well. I am just writing you this letter to voice my support for the development of lot 161CR and the Four Season Hotel project.

I feel that this project is a once in a lifetime opportunity for the Mountain Village and surrounding Telluride area. It is exciting to see a renowned company such as The Four Seasons wanting to bring a true 5 star amenity to the Mountain Village and Telluride.

The site is a perfect fit for a company and facility of this magnitude and from my research it appears that the team at Four Seasons is doing their best to work within the confines of the space and the community's requests.

Looking forward to this project's completion and can't wait to see and experience the finished product some day!

Best Regards,

Rob Petrie
Telluride Properties
Broker Associate
(970) 708-3778 Cell
(970) 728-5407 Fax
rcpetrie@gmail.com
Rob.SearchTellurideRealEstate.com
<https://www.zillow.com/profile/rcpetrie>

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161 CR...Letter of Support
Date: Monday, July 18, 2022 10:17:05 AM

From: Damon Demas <damondemas@gmail.com>
Sent: Monday, July 18, 2022 10:15 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Lot 161 CR...Letter of Support

Good morning Michelle, members of DRB and Town Council,

Your very important role in keeping our community on course and maintaining a vigilant eye on the numerous contentious issues of the day is not lost on me. I recognize the difficulties you face doing your jobs in our ever changing landscape....whether it be related to politics, recreation, business development or infrastructure, it is all done to and for the benefit of our most important assets; our residents, second homeowners and visitors. So thank you for stepping up.

I have been around for 32 years and seen a lot of development in the Village (both residential and commercial) that has not stood the test of time and wish I could make much of it disappear. That is the nature of trying to balance the (then) current design regulations and trends versus the costs to build.....always a tough calculation (then and now) and even more so in today's fraught economic and political environment.

The scrutiny applied to the Lot 161 CR development has been

rigorous and appropriate for the prominent location the project will inhabit. In reviewing the current design put forth and concessions made by the developer, I believe the project is ready to be put in the oven and baked to perfection! I voice my support for approval of this seminal project- a touchstone against which future efforts will be measured...

Onward and forward!

Damon Demas
Telluride Properties LLC
Broker Associate

970-369-5324 o
970-708-2148 c



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: lot 161
Date: Monday, July 18, 2022 8:37:16 AM

From: Albert Roer <albertroer@gmail.com>
Sent: Saturday, July 16, 2022 5:53 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: lot 161

Dear Michelle,

As a long time resident, multiple business owner, and multiple property owner in Telluride and Mountain Village, I am writing in to give my full support for the development being planned for lot 161CR.

This major project is an incredible economic opportunity for the region.

It's exciting to see a project of this size and scope being planned for imminent development.

Respectfully,

Albert Roer
Managing Partner
Telluride Properties

[970-708-5527](tel:970-708-5527) Cell
[970-728-0808](tel:970-728-0808) Office
[970-728-5407](tel:970-728-5407) Fax
www.tellurideproperties.com



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161-CR Support
Date: Monday, July 18, 2022 12:30:26 PM

From: Adam Black <abtelluride@gmail.com>
Sent: Monday, July 18, 2022 12:29 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Lot 161-CR Support

To the Mountain Village DRB and Town Council,

I am writing this letter in support of the proposed project on 161-CR. As a Mountain Village property owner and business owner, I understand that we have an incredible opportunity to work with a top tier 5 star brand which is what the MV has been waiting for. If not approved it will be perceived as a resort destination that is not willing to work with a sophisticated developer/project. The revised design looks stylish and blends well with the neighboring properties. We are lucky to have this developer working on the project and look forward to seeing it fully constructed.

Thank you

Adam & Nicky Black

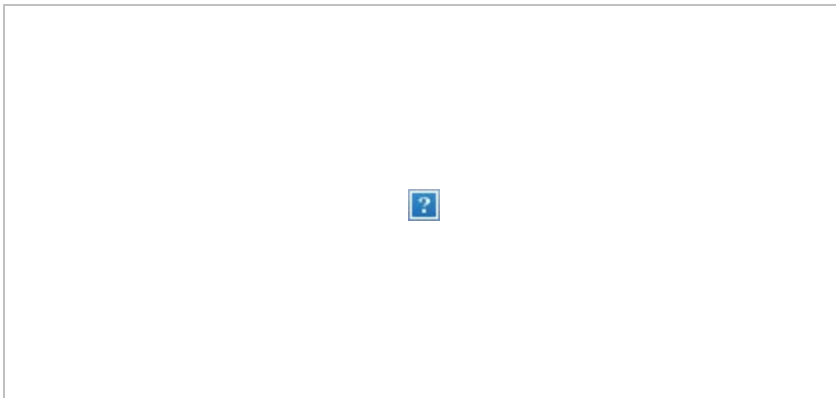
Adam Black

Broker Associate

Telluride Properties, LLC

ABtelluride@gmail.com

Cell Phone: 970-729-0568



TellurideRealEstateSearch.com

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[Mountain Village Homes](#)

[Mountain Village Condos](#)

[Mountain Village Land](#)

www.telluridrealestatesearch.com

adam.searchtelluridrealestate.com

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161-CR
Date: Monday, July 18, 2022 8:37:47 AM
Attachments: [image002.png](#)

From: Brian Poulin <bpoulin@evergreenpartnershousing.com>
Sent: Monday, July 18, 2022 8:16 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Lot 161-CR

Michele, Ingrid and I have been in Mountain Village for 15 years. We were long term renters for the first 10 years and acquired our home 5 years ago. We love it here. I am writing in support of the proposed Four Seasons Development on Lot 161-CR. I think the quality of the design, the thought put into the open spaces and the addition of a 5 star hotel are all important factors in the decision to allow the project to move forward. Unfortunately I will be unable to attend the meetings this week but both Ingrid and I fully support the proposal and I hope you can share our thoughts with both the DRB and Town Council

Brian Poulin
Evergreen Partners
560 NE 44th Street
Oakland Park, FL 33334
954-332-1433 (O)
207-450-3297 (M)
www.evergreenpartnershousing.com



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Resident Input - Lot 161CR (4 Seasons)
Date: Monday, July 18, 2022 8:36:08 AM

From: Bill Davis <Billdavishome@hotmail.com>
Sent: Friday, July 15, 2022 7:35 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Resident Input - Lot 161CR (4 Seasons)

Dear Ms. Haynes,

Our family has owned a home in Mountain Village since 2012, and I have been monitoring the proposals for the hotel project on Lot 161CR and the Pond Lots.

While I welcome the addition of a luxury hotel to Mountain Village, I believe that the scale and mass of the proposed design is not appropriate for this site, which is sandwiched between lower buildings in the Mountain Village Core and single family homes. In particular, the residential buildings are very tall, and their height is exacerbated by their placement on the highest portions of the lot. They will create a negative visual impact for the community that will endure for years to come.

I respectfully request that the DRB work with the developer to come up with a design that that incorporates lower heights and is more appropriate for the site and our community.

Regards,
Bill Davis

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Support for Lot 161-CR Development
Date: Monday, July 18, 2022 9:56:27 AM

From: Anna Wilson <annatelluride@gmail.com>
Sent: Monday, July 18, 2022 9:55 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Support for Lot 161-CR Development

Dear Town of Mountain Village Design Review Board and Town Council,

As a long-time resident, business owner, festival owner, and property owner in Telluride, I am writing in to give my full support for the development being planned for Lot 161CR.

This major project is an incredible economic opportunity for the region.

It's exciting to see a project of this size and scope being planned for imminent development. This site has always been the site where the town's most important project would reside and we have all always expected something of significance here. Please do not mute its stature to the ordinary.

Thank you,
Anna Wilson

ANNA WILSON | Broker Associate

Telluride Properties, LLC

(970) 708-7159

237 S. Oak St. | Telluride, CO 81435

annatelluride.com



To Michelle Haynes, DRB, and Town Council

The Lot 161CR site has always been intended to be developed as a luxury hotel, ideally a Four Seasons, and the Town is finally getting it. This is the missing link in Mountain Village and is aligned with the vision, and finally this Council has the chance to make it a reality.

This is the best site ever proposed for a luxury hotel and the site and current plan not only creates connectivity throughout the village, but amenities that are open to the public which will elevate the experience for all residents and guests in Mountain Village. This development and hotel will be the Crown Jewel of Mountain Village.

On another note, we should not let a few interested naysayers ruin this opportunity for the community long term. The public has known about the hotel plan for this site as laid out in the Town of Mountain Village's Comprehensive Plan for a decade. As such, let's not ruin it over a couple people complaining about a few feet or losing access across the site, which isn't even they're right as it's private property.

Ron Allred

From: [Bill Fandel](#)
To: [cd](#); [Michelle Haynes](#)
Subject: Continued Support for Four Seasons
Date: Tuesday, July 19, 2022 4:51:06 PM

Good afternoon to all Members of the Design Review Board, the Mayor, Mountain Village Town Council & Mountain Village's Planning Director & Staff:

I'm writing to you all today to voice my continued support for the Four Seasons project under active consideration on Lot 161CR in the Core of Mountain Village. Having attended each of the previous public DRB meetings involving the project and in reviewing each subsequent packet circulated by the MV planning department, I feel well-briefed on the project's progress and the enormous evolution of its design, mass & scale since the original iteration went before you all for review. I feel in many ways this has shown the best of the Village's public process with thoughtful participation between the governing bodies & applicants throughout.

As I've mentioned in previous public comment, I've known the applicants Dev Motwani & Nadim Ashi, for over 16 years combined. Individually & as partners, they are considered absolute "Blue Chip" resort hotel developers in each of the markets in which they've chosen to operate. In turn, I've been fortunate to have visited and stayed (on my own dime) at each of the Four Seasons which Fort Partners owns and operates and would consider them among the best run and highest quality resort hotels. In fact the Four Seasons Surf Club in Miami is consistently recognized as the finest Four Seasons in North America by travelers & industry people alike. Separately, the project's architects, Olson Kundig, are considered among the most sought-after firms in the world with several of my clients presently working with them in the design of single family projects within the region.

Having been a resident of the Telluride region for over 31 years that maintained offices (and at one point my primary residence) within the Village for more than a third of that time, I feel well-suited to speak to the importance of the 161CR project relative to the Village's continued growth & vitality. Of that time, over 28 years of my career has been immersed in the real estate development sector and has been directly associated with projects in the Village; these included the Peaks Resort & Spa, Franz Klammer Lodge, See Forever Village, Mountain Lodge, Pine Meadows, Hotel Madeline among others. As a result, like a number of others with a similar vantage point, I have seen the great successes and profound failures of projects navigating the public approval process over that time. Most notably, the denial by MV's town council of a requested height variance on the Hotel Madeline proved a short-sighted decision that dramatically and negatively shaped the project's success, ultimately stalling sales of the project causing the businesses of surrounding retail & restaurant operators around Heritage Plaza to wither after that fateful decision.

In watching the design process unfold on this project, I believe the applicants have done a tremendous job incorporating and accommodating the comments & directions of staff. They have dramatically downzone the project in terms of site coverage, mass/ scale & density. They have incorporated recommended changes in materials, rooflines, fenestration, public areas, parking, public access and view corridors. They have reduced the height of buildings and reconfigured them to optimize the experience for Village residents, visitors, hotel guests and neighbors alike. They have created beautiful landscaped public walkways and sun-washed sitting areas in immediate proximity to the Gondola plaza, making this a true cornerstone of a guest's experience arriving by Gondola, as a pedestrian or skier into the Heart

of the Village Core.

I have also listened closely to the continued drumbeat of criticism from uphill residents claiming they were never aware of the project's planned development and the undue hardship of its present design. As a real estate broker who was directly or indirectly involved with multiples sales of lots and homes within that neighborhood, I find these assertions self-serving and somewhat disingenuous. Going back decades through the Mountain Village Comp Plan, previous zoning maps, the previous approved Silverline condo-hotel project on the site and previously conceived Hotel concepts circulated for that location, it has always been understood that the mass & scale of that project would be in line with the concepts we're seeing in front of us today. In fact, a case could be made that pricing for the acquisition of those assets contemplated these specific discussions. In the brokerage community the presence of a larger-scale five-star resort hotel on the 161-CR lot was a tremendous value add for that neighborhood. It is my belief from a professional perspective that once the hotel is simply approved, the value of those residential assets in immediate proximity to the project will climb notably over time, with projects like the Chamonix likely to see values climb dramatically in the years after its completion.

The idea that public access should be granted through the private hotel spaces by these same neighbors by default, also seems far-fetched to those of us aware of the development plan. Just as you wouldn't anticipate walking through your neighbor's house or front yard once they build a single-family home on a vacant lot, so too should neighbors have measured expectations about what spaces should be public on privately held property.

Those matters aside, I think this is an exceptional project born of the "best-in-class" developers going through a rigorous public process resulting in a cornerstone project the community will be proud of and benefit from for decades to come.

I once again offer a resounding vote of support for its approval at DRB and presentation to the Mountain Village's Town Council moving forward.

Thank you all for your consideration & best regards -

Bill Fandel
Founding Broker
Compass
205 W Colorado Avenue(FedEx/UPS)
P.O. Box 1125 (USPS)
Telluride, Colorado 81435
970.708.4141
www.TellurideLuxuryProperties.com

From: [Bill Jensen](#)
To: [cd](#)
Subject: Lot 161 CR hotel put application
Date: Tuesday, July 19, 2022 2:58:31 PM

Town of Mountain Village Design Review Board and Town Council Members;

As a homeowner in Mountain Village I support the development of 161 CR and the associated lots in the vicinity as a five star luxury hotel and encourage the Town and the developer to continue to work together to achieve the goals of the comprehensive plan for this site.

The SPUD approval is the next step in that process and I believe the PUD package is an example of the Town's, the developer's, and the community's collaboration to achieving a long held vision for the core of Mountain Village.

I strongly encourage the SPUD approval at this week's meeting(s).

Thank you for your consideration.

Bill Jensen
136 San Joaquin A 102
Mountain Village

From: [Jewel Murray](#)
To: [Michelle Haynes](#)
Subject: Four seasons
Date: Tuesday, July 19, 2022 3:00:10 PM

Hi Michelle

It's Jewel

- I've been living here in Telluride for 10 years now , and love being part of the community

I'm friends w Dev and Nitin Motwani , the developer for the four seasons.

I'm so sorry I can't make it to the town meeting, but just wanted to say how excited I am of the prospect.

I reviewed their plans and they are beautiful amd thoughtfully done.

I sure hope the city shows their support

Xx j

(We are not in the business of fighting the darkness. We are farmers of light.)



FOSTER GRAHAM MILSTEIN & CALISHER, LLP
ATTORNEYS AT LAW

360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

fostergraham.com

July 19, 2022

Via Electronic Mail:

Design Review Board
Town of Mountain Village
455 Mountain Village Blvd.
Mountain Village, CO

Re: Opposition to Final SPUD Application for Lot 161CR

Dear Members of the Design Review Board:

Foster Graham Milstein & Calisher, LLP (“FGMC”) represents Winston Kelly regarding his properties and home on Mountain Village Boulevard, which are directly across from Lot 161CR, the property under consideration for the proposed final Site-Specific Planned Unit Development (“SPUD”). On behalf of Mr. Kelly, we respectfully request that the Design Review Board (“DRB”) recommend denial of the SPUD application.

I. SUMMARY

The SPUD fails to comply with the criteria for approval of a SPUD in Community Development Code (“CDC”) Section 17.14.12.E(1), related to conformity with the Comprehensive Plan, Section 17.14.12.E(2), related to consistency with the underlying Village Center zone district, and Section 17.14.12.E(9), related to compliance with all applicable Town regulations and standards.

II. Non-Compliance with Comprehensive Plan, CDC Section 17.14.12.E(1)

The SPUD is not in general conformity with the Comprehensive Plan, as it violates certain Land Use Values and Land Use Principles, Policies and Actions (“Principles”) cited in the Comprehensive Plan. Because conformity with the Comprehensive Plan is included as one of the approval criteria, mandatory compliance is required.

The SPUD is not in conformity with the following Land Use Values:

Land Use Value 7 – Gateways states, “Protecting public viewsheds, the natural corridor surrounding Mountain Village Boulevard, improving wayfinding and identifying gateways is paramount to preserving this sense of arrival and reinforcing the Town’s identity”.¹ Lot 161CR is one of the most prominent parcels on Mountain Village Boulevard. As stated in the Comprehensive Plan, protecting the public viewshed from Mountain Village Boulevard is “paramount” to reinforcing the Town’s identity. Also, from the Gondola Plaza, which is intended to serve as a gateway, the buildings will stand 130.8 feet above ground level. The mass and scale of this project will impede the sense of arrival envisioned in the Comprehensive Plan and is not consistent with Land Use Value 7.

¹ Comprehensive Plan, Pg. 35

Land Use Value 8 - Appropriateness and Fit of Land Uses states, “Land uses envisioned by the Comprehensive Plan are designed to fit into the surrounding neighborhood to ensure appropriate scale and context to their surrounding natural and built environments”.² The SPUD would allow for a building height that does not encompass this value and will result in a reduction to the prominence of the natural environment.

The SPUD is not in conformity with the following Principle:

The Principles require that the SPUD “Minimize and mitigate a project’s visual impacts, to the extent practical, while also providing the targeted density identified in each Subarea Plan Development Table”.³ The targeted density of this parcel can be met at a lower height. The applicant has presented lower levels of lot coverage as a benefit to the community, which results in the towers being taller than necessary. Even a modest increase in lot coverage would allow this project to achieve the envisioned density.

III. Non-Compliance with Village Center Zone District, CDC Section 17.14.12.E(2)

The maximum building height limit of 89.8’ (Lot 161CR) and 78.2’ (Pond Lots) in the SPUD exceeds the maximum height of 60’ required in the CDC. The average building height limit of 59.7 (Lot 161CR) and 66.9’ (Pond Lots) in the SPUD exceeds the average building height limit of 48’ required in the CDC. While the Mountain Village Center Development Table 7 in the Mountain Village Center Subarea Plan allows Lot 161 a higher targeted maximum building height than the CDC, Section 1.B also states that the Development Table is not intended to set in stone the maximum building height, and an applicant may propose a different height provided such height “fits” on the site per the applicable criteria for decision making. The building heights in the SPUD do not fit compared with the neighboring properties, as required. Also, Table 7 does not include a higher targeted average building height limit than the CDC for Lot 161; therefore, the CDC average building height limit of 48’ should be the baseline for the variation request. Lastly, pursuant to Section 6.g of the Mountain Village Center Subarea Plan, the development of Lot 161 should “strive to provide a significant viewshed for Lot 97 across Parcel F-1 to the extent practicable”. It’s unclear whether this requirement has been met by the applicant.

IV. Non-Compliance with Town Regulations and Standards, CDC Section 17.14.12.E(9)

In 2013, the Town and San Miguel County entered into an intergovernmental agreement as a condition of a 1999 settlement between the parties that governs the way open space may be rezoned and was codified in CDC Section 17.3.10. There are 3 types of open space shown in the 2012 Open Space Map: active, passive and village core. It is the village core open space that is proposed to be eliminated and replaced with development. When referencing the open space in the CDC, it is always preceded by one of the 3 types of open space. Such as, Section 17.3.10.B states that active and passive open space within the Original PUD Boundary as depicted on the 2012 Open Space Map shall not be less than 60% of the total acreage within the Original PUD Boundary, excluding village core open space. The applicant is correct in stating that the core open space is not part of the 60% minimum active and passive open space requirement, but that is only a minimum requirement. The core open space is in addition to the 60% minimum of active and passive open space. CDC Section 17.3.10.H states that lot line adjustments that affect open space are permitted, subject to the approval of the Town, but only to the extent that there is no net loss of open space as required herein. This general reference to “open space” indicates that it applies to all 3 types of open space; consequently, core open space cannot be eliminated without replacement. This position is consistent

² Comprehensive Plan Pg. 35

³ Comprehensive Plan Pg. 40.

with the February 10, 2022 referral letter on the SPUD from the Board of Commissioners of San Miguel County to Town Council.

The SPUD is also not consistent with the design regulations, specifically CDC Sections 17.5.6 C.1 and 17.5.6 C.3, related to the roof design and material, and the applicant seeks variations from both. The roof of this project has a flat appearance and increases the sense of scale for neighbors as well as people looking at Mountain Village from the surrounding mountains. Also, the SPUD includes roof green areas and roof materials that do not comply with the design regulations. These proposed design elements make the project stand out in appearance and are incompatible with the surrounding buildings.

VI. CONCLUSION

Because the SPUD fails to comply with the above criteria, it should not be recommended for approval to Town Council in its current form.

Sincerely,

FOSTER, GRAHAM, MILSTEIN & CALISHER LLP



David Wm. Foster



Kristin Decker

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: 161 CR
Date: Tuesday, July 19, 2022 12:49:58 PM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

O :: [970.239.4061](#)

M :: [970.417.6976](#)

[LinkedIn](#) | [Email Signup](#) | [Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

From: Horning, Chad
Sent: Tuesday, July 19, 2022 12:49 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: 161 CR

Michelle, it goes without saying that I am in support of this project. Both as a full time resident and on behalf of Telski.

Having a Four Seasons on this site has been planned for many years and we are now in a position to see this done and done right.

Thank you to Town Counsel and DRB for getting this done properly without compromising this world class property.

Chad Horning
Telluride Ski Resort

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From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: 161 cr
Date: Tuesday, July 19, 2022 3:46:19 PM

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

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From: Tim Kunda <tim.kunda@gmail.com>
Sent: Tuesday, July 19, 2022 3:39 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: 161 cr

Hi Michelle,

I would like to register my support for the Four Seasons project on lot 161 cr and adjoining lots. A 5 star branded hotel will be a benefit to the residents of Mountain Village.

Tim Kunda
311 Fairway Drive
Telluride, CO 81435
610-999-2242
888-909-6492 fax
tim.kunda@gmail.com

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Dev Motwani and the proposed Four Seasons Mountain Village
Date: Monday, July 18, 2022 5:03:10 PM

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

From: Ish McLaughlin <aloysius3@me.com>
Sent: Monday, July 18, 2022 4:52 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Cc: Nora McLaughlin <nsdm70@gmail.com>
Subject: Dev Motwani and the proposed Four Seasons Mountain Village

Dear Ms Hayes and the Design Review Board,

A quick note on behalf of Dev Motwani, the developer behind the proposed Four Season Mountain Village.

While I have known Dev for a relatively short time (only since 2021), I have been very impressed with how he has gone about rallying support for this project. I have found him to be very grass-roots, working hard initially to ensure that he had popular local and government focus, and further listening to feedback to design his operations to ensure that the project has even broader support. And while we all know there are always those who don't believe "new" is "progress", I am confident that this project will bring additional activity and economic tourism to the area year-round.

By the way, for those who have not experienced Dev's vision for such a property, I can speak to Dev's success as an actual Four Seasons operator, as I just spent 5 days at his newest property, the Four Seasons Surfside in Miami Beach. In a town chock-full of high end luxury hotels and experiences, it was, by a lot, the best hotel experience of my life; unreal service, great property, and incredibly well-run. An exceptional experience; we should all feel lucky if he brings a fraction of that to Telluride.

As such, I am very supportive of this project, and would love to see it get the needed support to proceed to completion.

Thank you,

Ish and Nora McLaughlin
Element 52
398 South Davis, Unit S1B
Telluride, CO, 81435

(Note, the above is our permanent address, we are year-round Colorado residents)

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons Development
Date: Tuesday, July 19, 2022 10:57:38 AM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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[LinkedIn](#) | [Email Signup](#) | [Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

From: Mike Weist <mweist@tellurideproperties.com>
Sent: Tuesday, July 19, 2022 10:55 AM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: Four Seasons Development

To whom it may concern,

As a long-time area resident, business owner, and property owner in Mountain Village, I am writing in to give my full support for the development being planned for lot 161CR. I believe this major project is an incredible economic opportunity for the region and if we pass this one up, it may be a very long time until another developer of this caliber presents themselves. We know what a struggle it is to make a development of this size and stature economically feasible and the current applicant has exhibited their willingness to do what it takes to make this significant investment into our community a reality.

It's exciting to see a project of this size and scope being planned for imminent development. This site has always been where the town's most important project would reside, and we have all always expected something of significance here.

Thank you for your time and consideration,

Mike Weist
Broker Associate
O'NEILL STETINA GROUP
Telluride Properties, LLC

Cell (970) 708-0011



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons Hotel - Lot 161 CR
Date: Tuesday, July 19, 2022 8:51:56 AM

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: kckaissi@aol.com <kckaissi@aol.com>
Sent: Tuesday, July 19, 2022 4:09 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Cc: carolkaissi@aol.com
Subject: Four Seasons Hotel - Lot 161 CR

Dear Michelle,

Thank you for all your and the Council's efforts to develop the Four Season's Hotel/Residences which will bring Telluride national and international exposure.

The following are two of our major concerns that we urge you to take into consideration in your decision-making process:

- Although major improvement has been made on the architectural design, it still does not conform to the current Mountain Village European architectural "**CHARM**" that the council have strived to keep over the past years. The design proposed and the height proposed will be a major eyesore not just for the residences around the Gondola but for all the residents and visitors to Mountain village. The elevation must be compatible with other heights of other structures around.
- We bought our house in Dec 2020 on the basis that we will have some walking access to the Gondola, thinking that the council will be consistent with the previous design access decisions made like the Madeline, and the Fairmont.
With all respect to the developer's argument that it is a matter of security, that is totally not true; I have been involved in many hotel projects and all residences and hotel guests are issued security access cards.
Also, for every major real estate project I have been involved in we strive to have a heart for the project where people can gather; the reception area should be it. It must be larger with multiple income generating functions the likes of a Bar, café lounge, boutique shop, etc.. accommodating all types of foot traffic from residents, hotel guests, and visitors.
Thus, with all respect I suggest that the residences side could have an elevated corridor

passage from the reception and have a path under it so all residents and visitors can have access to the Gondola.

We hope you will take all the above into consideration thanking you for your understanding.

Sincerely yours,

KC – Assem Kaissi

705 Mountain Village Blvd

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons
Date: Tuesday, July 19, 2022 1:54:51 PM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: Tracy Boyce <tracy@tracytelluride.com>
Sent: Tuesday, July 19, 2022 1:51 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Cc: Tracy Boyce <Tracy.Boyce@sothebysrealty.com>
Subject: Four Seasons

Michelle:

I hope this finds you well! I wanted to write a letter in support of the Four Seasons project in Mountain Village. I am excited to see this project come to fruition for the vitality of the Mountain Village. This location has long been slated to be a project exactly like this. Frankly ,the fact that we got a team of this caliber with a flag like the Four Seasons is what we always hoped for. I urge you to support this project moving forward.

Thank you for your consideration,

Tracy L Boyce

Broker Associate

Telluride Association of Realtors Board Member 2019-Present

President Elect Telluride Association of Realtors 2021-2022

Education Chair Telluride Association of Realtors 2019-2021

Education Committee Member 2015-2019

Community Realtor of the Year 2014

LIV Sotheby's International Realty

215 San Juan Avenue C-3(FedEx/UPS Delivery)

Post Office Box 845(USPS Delivery)

Telluride, Colorado 81435

m.970.708.0737

tracy.boyce@sothebysrealty.com



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Four Seasons
Date: Tuesday, July 19, 2022 11:09:46 AM

From: Diego Veitia <dveitia@gmail.com>
Sent: Tuesday, July 19, 2022 11:04 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Four Seasons

Hi Michelle...

I am in full support of the Four Seasons in MV...When I built my house here over 30 years ago, we had The Blue Mesa Building and another one behind The WellsFargo...No Peaks and only about 20 houses in the MV...Since then we all know how our town has grown...The Peaks motivated many to move in and build houses...Then The Madeline was another shot in the arm...both contributed much to our controlled growth..

Now with the Four Seasons another great step towards the charm and upscale growth of our little town..

Step by Step this has been a wonderful 30+ years...and we are excited for our DRB and Council to support this great project..

Warm Regards...

--

Diego J.Veitia &
Marsha Lewis Veitia.

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: FW: Dev Motwani and the proposed Four Seasons Mountain Village
Date: Tuesday, July 19, 2022 8:33:51 AM

Can you pdf this for both boards? Thank you,

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: Jim Austin <jim@jh-austin.com>
Sent: Monday, July 18, 2022 7:15 PM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Cc: Banks Brown <banks@rmi.net>; Amy Ward <award@mtnvillage.org>; Samuel Quinn-Jacobs <squinn-jacobs@mtnvillage.org>
Subject: Re: FW: Dev Motwani and the proposed Four Seasons Mountain Village

Michelle:

Thanks for sending out these comments. As I understand the comments submitted:

- Negative: 9. Issues:
 - Height: The planning dept comments indicate that the heights conform to code. And the architect did reduce the height of the north end of the hotel building ("***Applicant reduced the north end of the hotel building, allowing for a better transition with the Westemere building.***")
 - Style/Aesthetic: It looks like "a dorm". Not every building is equally appreciated by everyone.
 - Property Values will Decline/Density: I would think property values would increase given the high quality both of the hotel brand and the architect responsible for the project.
 - "Cutting off access to the Gondola for upper Mt. Village Blvd residents"--not sure I understand this comment but it seemed there were several access points.

- Positive: 16.

I strongly support the project. My wife and I just walked the site and the proposed massing of the project seemed to be both sensitive to the adjacent building and to the environment. Specifically:

- EV charging stations in the garage at 75% of slots. I think in the next several years we will

see a major shift to electric/hybrid automobiles.

- No Stucco. There is room for an evolution of materials that can coexist with Mountain Village stucco and stone language on the facades.
- New public trails/links--much supported.
- Creation of a new "campus" beside the gondola, that right now is parking and underdeveloped landscape. And this campus will enhance and tie together the areas around both the Heritage Plaza, Gondala Plaza and the pond area.
- Design --Olson Kundig is a well respected and experienced architectural firm with a regional modernist approach. And they are sensitive to not only the big picture but down to the details as well - Highly sophisticated work.

I wish I could attend the meetings on 7/20 and 7/21. Happy to discuss further if my comments are not helpful or unclear.

--Jim

On Mon, Jul 18, 2022 at 5:09 PM Michelle Haynes <MHaynes@mtnvillage.org> wrote:

One more this evening.

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

From: Michelle Haynes <MHaynes@mtnvillage.org>

Sent: Monday, July 18, 2022 5:03 PM

To: cd <cd@mtnvillage.org>

Subject: FW: Dev Motwani and the proposed Four Seasons Mountain Village

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

From: Ish McLaughlin <aloyusius3@me.com>

Sent: Monday, July 18, 2022 4:52 PM

To: Michelle Haynes <MHaynes@mtnvillage.org>

Cc: Nora McLaughlin <nsdm70@gmail.com>

Subject: Dev Motwani and the proposed Four Seasons Mountain Village

Dear Ms Hayes and the Design Review Board,

A quick note on behalf of Dev Motwani, the developer behind the proposed Four Season Mountain Village.

While I have known Dev for a relatively short time (only since 2021), I have been very impressed with how he has gone about rallying support for this project. I have found him to be very grass-roots, working hard initially to ensure that he had popular local and government focus, and further listening to feedback to design his operations to ensure that the project has even broader support. And while we all know there are always those who don't believe "new" is "progress", I am confident that this project will bring additional activity and economic tourism to the area year-round.

By the way, for those who have not experienced Dev's vision for such a property, I can speak to Dev's success as an actual Four Seasons operator, as I just spent 5 days at his newest property, the Four Seasons Surfside in Miami Beach. In a town chock-full of high end luxury hotels and experiences, it was, by a lot, the best hotel experience of my life; unreal service, great property, and incredibly well-run. An exceptional experience; we should all feel lucky if he brings a fraction of that to Telluride.

As such, I am very supportive of this project, and would love to see it get the needed support to proceed to completion.

Thank you,

Ish and Nora McLaughlin

Element 52

398 South Davis, Unit S1B

Telluride, CO, 81435

(Note, the above is our permanent address, we are year-round Colorado residents)

--

Jim Austin

Strategy Executive Education

t: 312-388-2750

www.jh-austin.com

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161 CR
Date: Tuesday, July 19, 2022 3:46:28 PM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: Baker Gentry <bakergentry@gmail.com>
Sent: Tuesday, July 19, 2022 3:46 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: Lot 161 CR

Dear Michelle, can you please distribute this to DRB & Council as appropriate.

As long-term seasonal residents of Mountain Village, my wife and I would like to add our voices to the discussion surrounding the prospective development of Lot 161CR. First, we would like to state unequivocally that broadly, we are excited by the prospect of such a high profile, quality name like The Four Seasons becoming part of our community. However, we have some specific concerns with the proposal as presented.

1. As a matter of practice, we believe that variances, particularly height variances as proposed here, should be avoided. We believe it is in the long-term benefit of our community for all parties to have the rules applied equally; equal treatment under the rules will promote long-term harmony and avoid creating two classes of community members, specifically those who receive special consideration, and those who don't.
2. We believe that granting a variance while litigation is occurring between Friends of TMVOA/Town of Mountain Village and TMVOA, et al is unwise and risks complicating an already messy situation, particularly since TMVOA is a party to the transaction as currently contemplated. To be clear, we think it's reasonable for routine business to be conducted even when litigation is occurring, but given the closeness of the parties involved, and the optics associated with the appearance of some overlap between parties, granting of variances

invites problems.

We hope this is received in the constructive tone it is intended to be. We appreciate all the work that everyone does to make our community so special.

Also, I think it's appropriate to disclose that I am a member of the Audit and Compliance Committee of TMVOA.

Sarah and Baker Gentry

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161
Date: Tuesday, July 19, 2022 11:56:04 AM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: Brian O'Neill <brian@oneillstetina.com>
Sent: Tuesday, July 19, 2022 11:47 AM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: Lot 161

Michelle,

Thank you and Amy for all the hard work here!

As a 33 year resident, a long time property owner in MV and a realtor who has worked with many developers, I have waited a very long time for a sophisticated hospitality developer of the caliber of Merrimac Fort Partners to attempt to join our community and bring a true Five Star property. We have all seen their portfolio and I have the advantage of actually touring their two Four Seasons projects in Florida. It is unfortunate that others in our community have never been to Merrimac Fort projects because if they had I truly believe that they too would be as eager as I am to have them in our community. I encourage you all to research their projects, past and future, it is very exciting!

I would like to point out that this site has been planned as a luxury hotel site for many years. All of the immediate neighbors purchased their properties with this knowledge. They will now benefit greatly from this property and its improvements, such as a luxury brand hotel, open spaces, plazas and landscaping, all of which requires the buildings to be tall, as opposed to acres of building and roof. Additionally, these neighbors' properties will experience the greatest property value increases which likely factored into their purchase. It should also be noted that Lot 161 has always been a private property, like the neighbors, so the access across it should be well understood.

It is my hope that you all can get through this entitlement process now and without further

muting this project so as to avoid us risking losing a tremendous developer, because time kills all projects. This is supposed to be the entire region's greatest hospitality site and we now finally have an internationally known development team that will assuredly deliver us the greatest property in any ski town in North America, despite the difficult development environment in ski towns.

Please approve this project now so that the town professionals and developer can continue to collaborate on what promises to be a true legacy property that will separate Telluride from the rest.

--

Sincerely,

Brian F. O'Neill
Telluride Properties
Director

m. 970-708-5367

<https://www.oneillstetinagroup.com/>

To search the Telluride market: [Telluride Real Estate Market Search](#)



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Lot 161CR (4 Seasons)
Date: Tuesday, July 19, 2022 9:24:40 AM
Attachments: [image001.png](#)

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: John Benefield <jbenefield@argentalp.com>

Sent: Tuesday, July 19, 2022 9:24 AM

To: Michelle Haynes <MHaynes@mtnvillage.org>

Subject: FW: Lot 161CR (4 Seasons)

Dear Michelle,

I am a long-time vacation visitor to Telluride and part owner of 692 Mountain Village Blvd. We love Telluride. Unfortunately, our house is the house most impacted by the proposed Four Seasons hotel.

Our primary concerns regarding the project are as follows:

- Size and height. Today we have spectacular views out of our living room, kitchen, and patios. The proposed height of this project will eliminate virtually all of our views of the mountains and village. It devastates much of the appeal of the property due to the increased height from Mountain Village Blvd. Also, the size of the project just seems excessive unless Telluride is trying to transition to a Vail type of environment which has little appeal to most of the people who come to Telluride because it is NOT Vail.
-
- The proposed design is inconsistent with most of the architecture that exists in the village today
- One of the attractions to this house when we purchased was that we had walking access to the Gondola. Eliminating this access for the neighbors seems unnecessary.

We hope you will take all the above into consideration thanking you for your understanding.

Sincerely yours,

John Benefield

692 Mountain Village Blvd

John Benefield

Argenta Partners LP

jbenefield@ArgentaLP.com

1900 N. Pearl Street, Suite 1740

Dallas, TX 75201

Direct 214.644.2207



From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Support for Four Seasons Development
Date: Tuesday, July 19, 2022 8:34:41 AM

Michelle Haynes, MPA
Planning and Development Services Director
Housing Director
Town of Mountain Village
455 Mountain Village Blvd. Suite A
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M :: 970.417.6976
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-----Original Message-----

From: Charles Harris <charris@stoneworthfinancial.com>
Sent: Tuesday, July 19, 2022 8:28 AM
To: Michelle Haynes <MHaynes@mtnvillage.org>
Subject: Support for Four Seasons Development

Support for Four Seasons on Lot 161C-R

Michelle, I write in support of the proposed Four Seasons Hotel.

I first came to Telluride in 2001 and have since owned two properties in Mountain Village. My wife and I and our two children have enjoyed the beauty of the area and the community over the years. I have been pleased to see Mountain Village continue to grow but still get depressed when I see a shop or restaurant go out of business in MV. I believe the proposed Four Seasons will add significantly to the continued success of the area and that we are fortunate to have this opportunity.

I wanted to highlight a few other points for your consideration:

- I grew up in Costa Rica and have seen the positive impact a Four Seasons hotel can have on a community. I credit the development of the Costa Rica Four Seasons with being one of the most significant milestones that helped Costa Rica become a leading high-end eco-tourist destination. The town in the area of the hotel thrived while the town maintained its Costa Rican natural and friendly feel. I welcome that same kind of impact on MV.
- We should work to keep MV as a top notch resort destination. Resort Towns' popularity comes and goes and towns can easily become dated and fall out of fashion. I know some people never like seeing change; however, I think in terms of what my children would like and the direction MV visitors want. The design and feel of this development is a needed boost to MV. I have several friends already favoring other comparable destinations because there is no recognized high-end hotel in Telluride.
- Lot 161C-R is an eye sore as an undeveloped flat gravel yard in one of the most visible places in Mountain Village. The proposed plan has an impressive amount of open green space and the structure will add to the landscape in a positive way.

I know you are probably already hearing, and are well aware of, the economic benefits to MV and hope that you will take into account these other considerations.

Regards,
Charles Harris

Charles Harris
Principal
Stoneworth
Direct (713) 429-1215
Cell (713) 553-9942

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Support for Lot 161CR development
Date: Tuesday, July 19, 2022 8:33:34 AM

[Michelle Haynes](#), MPA

Planning and Development Services Director

Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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From: Kiki Froberg <kiki@kikifroberg.com>
Sent: Monday, July 18, 2022 7:13 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: Support for Lot 161CR development

Dear Mountain Village DRB and Town Council,

As a long time resident and business owner in the Telluride area I am writing to express my support for the proposed development on Mountain Village lot 161CR.

My family bought a home in Telluride before Mountain Village was even developed. I've seen so many changes here including the development of the Mountain Village Core, construction of the Peaks, the addition of the Gondola and the construction of the Madeline Hotel. All of these have helped to build a thriving Mountain Village core, but in my mind the core won't be complete until lot 161CR is developed.

With its base of the Gondola location Lot 161CR is really THE premier location in the Mountain Village core and as such, any development there MUST be FANTASTIC. From what I've seen of the renderings this proposal is just that. It's so exciting that a project of such a high caliber is finally nearing the finish line in the MV approval process. It will finally complete the Mountain Village Core, and in such an exceptional way.

Warm regards,

Kiki Froberg
(full time local since 2000, part time local since 1979)

Kiki Froberg

Broker Associate

Telluride Properties, LLC

kiki@kikifroberg.com

970.708.0575

From: [Michelle Haynes](#)
To: [cd](#)
Subject: FW: Support of Four Seasons Project
Date: Tuesday, July 19, 2022 2:02:13 PM

[Michelle Haynes](#), MPA

Planning and Development Services Director
Housing Director

Town of Mountain Village

[455 Mountain Village Blvd. Suite A](#)

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[LinkedIn](#) | [Email Signup](#) | [Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

From: Estee Portnoy
Sent: Tuesday, July 19, 2022 2:01 PM
To: Michelle Haynes <MHaynes@mntvillage.org>
Subject: Support of Four Seasons Project

Michelle,

Please send this to DRB and MV Town Council.

Dear DRB & Members of Mountain Village Town Council,

From the moment we came to Telluride in 1991, we were captivated and knew we had found a special place. We have watched Mountain Village grow from a spot for a large pastel-colored Doral Hotel (now the Peaks!) to the wonderful hub and center of many hotels, condos and our beloved Ski Resort. We have owned properties at the Fairmont Franz Klammer Lodge, See Forever Village at the Peaks and most recently the penthouse of the Auberge Madeline. Today, we are under construction on a house on AJ Drive, and can not wait to make Mountain Village our full time home.

We could not be more excited to watch the development of Lot 161-CR, and fully support the development as a new Four Seasons Hotel – one which will continue to add life to the MV Core, more hot beds for our friends and family to visit, and a luxury hotel that will align with the cache and beauty of Mountain Village.

More importantly, we know Dev Motwani personally, and have frequented his other Four Seasons properties in Florida. Dev is a wonderful person – smart, humble, capable and enthusiastic. I have watched with admiration how he has patiently worked with locals and the DRB to meet every challenge thrown his way – whether it be a commitment to improving the esthetics of the project,

lowering the height to protect views, and also a making a commitment to increased employee housing.

Mountain Village needs this project. This lot has always been planned for a 5-Star project, and there is no better partner than the Four Seasons. We urge you to vote yes on this project, and take Mountain Village to the next level.

Estee & Elliott Portnoy

Estee R. Portnoy | Senior Vice-President
JUMP.DC, a division of **Live Nation**

5335 Wisconsin Avenue, NW, Suite 720 | Washington DC | 20015

From: [Michelle Haynes](#)
To: [cd](#)
Subject: Fwd: Four seasons
Date: Tuesday, July 19, 2022 3:01:38 PM

Sent from my iPhone

Begin forwarded message:

From: Jewel Murray <jk234@mac.com>
Date: July 19, 2022 at 3:00:09 PM MDT
To: Michelle Haynes <mhaynes@mtnvillage.org>
Subject: **Four seasons**

Hi Michelle

It's Jewel

- I've been living here in Telluride for 10 years now , and love being part of the community

I'm friends w Dev and Nitin Motwani , the developer for the four seasons.

I'm so sorry I can't make it to the town meeting, but just wanted to say how excited I am of the prospect.

I reviewed their plans and they are beautiful amd thoughtfully done.

I sure hope the city shows their support

Xx j

(We are not in the business of fighting the darkness. We are farmers of light.)

From: [Michelle Haynes](#)
To: [cd](#)
Subject: Fwd: Lot 161
Date: Tuesday, July 19, 2022 3:24:27 PM

Sent from my iPhone

Begin forwarded message:

From: Carl Carter <carlc@hiberniaresources.com>
Date: July 19, 2022 at 3:18:14 PM MDT
To: Michelle Haynes <mhaynes@mtnvillage.org>
Subject: Lot 161

Michelle,

I have followed the progress of the proposed hotel development on Lot 161CR and the Pond Lots, along with the many comments and concerns from the community regarding the design. I am supportive of adding hotbeds and a luxury hotel to Mountain Village and have voiced my support of development in general as Mountain Village continues to evolve. However, I am concerned that the proposed height variances are not being adequately considered. And to be more specific, I am concerned about the precedent that will result if the height variance is granted as it is an *extreme departure* from what is allowed per the Community Development Code (CDC) and associated Design Review Board (DRB) guidelines.

In July 2020 we completed building our house on Adams Ranch Road so I've been through the DRB process and have continued to follow all projects that make it to the DRB website. During my own diligence several years ago, I spent a tremendous amount of time studying neighboring lots, Open Space and the Telski owned real estate around my location *with a specific focus on height restrictions as per code*. While my house isn't directly affected by this specific outcome, I have a vested interest as resident of Mountain Village. Again, I am concerned about the precedent that the proposed variance, if granted as outlined, will set.

The CDC exists to protect Mountain Village and its property owners from development that is not appropriate, or worse yet, harmful to surrounding neighborhoods. We should ensure that any variances requested take into account any potential damage to surrounding properties, and also meet all the criteria as outlined in the CDC. Conforming to the CDC is vitally important to all property owners in Mountain Village, *as we all rely on the CDC to preserve the value of our properties*. This is particularly important for a proposed project with the scale of the one proposed for Lot 161CR.

Please take these comments under consideration as you prepare for your next meeting and I am always free for a call if you or anyone else would like to discuss this in more detail. Thanks for all you do for the Town of Mountain Village.

Regards,
Carl

Carl M. Carter III
cell 713.504.0963

From: [Michelle Haynes](#)
To: [cd](#)
Subject: Fwd: MTV Four Seasons MV
Date: Tuesday, July 19, 2022 3:24:45 PM

Sent from my iPhone

Begin forwarded message:

From: Rosie Cusack <rosie@rosiecusack.com>
Date: July 19, 2022 at 3:23:09 PM MDT
To: Michelle Haynes <mhaynes@mtnvillage.org>
Subject: **MTV Four Seasons MV**

Michelle and MTV DRB BOD,

Good Afternoon!! I hope you are doing great!

I wanted to write to you today to show my support of this new hotel proposal, the Four Season project in MTV. I am so excited about the project and really impressed with the team that has been gathered to build such a beautiful and important hotel. This project is amazing... design is on point and it will suit and enhance the MTV core. How exciting for all of us.

All the best to you all. I look forward to watching the process!

Best,
Rosie

Rosie Cusack

GRI Broker/Owner



tellurideluxury.co | **Mobile: (970) 729-0567**

It really is ALL about where you Live!

From: [Michelle Haynes](#)
To: [cd](#)
Subject: Fwd: Support for Four Seasons Project
Date: Monday, July 18, 2022 5:19:31 PM

Sent from my iPhone

Begin forwarded message:

From: Stephen Ciecich <steveciecich@gmail.com>
Date: July 18, 2022 at 5:17:44 PM MDT
To: Michelle Haynes <mhaynes@mtnvillage.org>
Subject: **Support for Four Seasons Project**
Reply-To: steveciecich@gmail.com

Dear Michelle,

I hope this email finds you well. I'm sending this email to you in full support of the Four Seasons project on Lot 161. Having been with Telluride Properties since 1987 our firm has worked diligently over the years to bring a five-star hotel to the region. In fact, my partner Steve Butts made the multi-density lot sale in the Mountain Village core that triggered the construction of the gondola and it was always his dream to have a high-quality hotel in Mountain Village.

The Merrimac Ventures development team along with Olson Kundig Architects represents an A+ team in my opinion and will ultimately prove to be the right team to develop this unique site. I urge the Mountain Village Planning and Design Review Board to approve this project as it will be a legacy for the Mountain Village, one that I'm sure in hindsight will prove to be the right decision.

Respectfully,

Steve

Stephen Ciecich (Chet-chu)
Director
970-369-5322 direct
970-708-2338 cell
stevec@tellurideproperties.com
www.TellurideAreaRealEstate.com





TO: MOUNTAIN VILLAGE TOWN COUNCIL.
MOUNTAIN VILLAGE DESIGN REVIEW BOARD

JULY 17, 2022

VIA MICHELLE HAYNES, MHAYNES@MTNVILLAGE.ORG

RE: DEVELOPMENT.APPROVAL LOT 161-CR

PLEASE ACCEPT THIS LETTER REQUESTING APPROVAL OF THE ABOVE-NAMED PROJECT AT THE BASE OF THE GONDOLA IN TELLURIDE MOUNTAIN VILLAGE.

ASPECTS OF PARTICULAR APPEAL AT THIS CRITICAL LOCATION ARE:

- IMMEDIATE PROXIMITY TO THE BASE OF THE GONDOLA:
- ADDITIONAL PARKING IN MOUNTAIN VILLAGE:
- ELEGANT HIGHER CEILINGS
- ADDITIONAL EMPLOYEE HOUSING
- A TRUE FIVE STAR LUXURY RESORT WITH THE FOUR SEASONS BRAND

AS WELL AS THE MANY OTHER BENEFITS OF HAVING A MORE COMPLETE MOUNTAIN VILLAGE CORE.

AS A 30-PLUS YEAR-ROUND RESIDENT I BELIEVE THIS PROJECT WILL HELP MOUNTAIN VILLAGE TO FINALLY REACH ITS FULL POTENTIAL, AND SHOULD BE APPROVED

SINCERELY,



POLLY LEACH-LYCHEE
BROKER/OWNER
TELLURIDE PROPERTIES, LLC

PLYCHEE@TELLURIDEPROPERTIES.COM



100 West. Colorado Ave, Suite 240D (UPS and FedEx)
P.O. Box 2603 (U.S. Mail)
Telluride, CO 81435
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E: daniel@dzemkelaw.com
Web: www.dzemkelaw.com

Strong relationships. Reliable representation.

July 19, 2022

Via Email Only to:

Michelle Haynes
Telluride Mountain Village Planning Dept
455 Mountain Village Blvd. Mountain Village
Mountain Village, CO 81435
mhaynes@mtnvillage.org

And to:

Banks Brown, Chair
Design Review Board
of Mountain Village
455 Mountain Village, CO 81435
Mountain Village, CO 81435

And to:

Mayor Laila Benitez
Mayor of Mountain Village
455 Mountain Village Blvd.
Mountain Village, CO 81435
lailabenitez@mtnvillage.org

Re: Final SPUD designation

Dear Planning Dept., Design Review Board, and Mayor Benitez:

As you are well aware by now, this firm represents ASIGS, LLC with respect to ownership of Lots 97 and Lot 98.

As you may need a reminder, everyone wants this project. The issue that is pertinent is at what form and at what cost.

The Town of Mountain Village has more going on now than perhaps in any other time since Mountain Village's inception. Because of that, respectfully, it does not seem that the Planning Department, DRB and Town Council are giving the proper time for a thorough review of this project, which is leading to mistakes that are both potentially illegal and unsafe.

Here is an example of one important mistake (although we have seen multiple mistakes in the applicant's Final SPUD Review):

Merrimac is making it appear that they have lowered the maximum height for the Final SPUD on 161CR from 95.5 to 89.8 and the average building height from 71.8 to 59.7, misleading us to think they have made height concessions. **But this is not correct.**

Merrimac used the average height of the ENTIRE LOT, not the average height of the two residential towers. The CDC specifically forbids combining heights of low buildings (such as the lobby and connector buildings), stating Maximum Average Height "does not intend to allow strategies to circumvent the intention of the maximum average height limitation through such relationships as high-rise structures surrounded by low secondary roofs." (CDC Section 17.3.11 D.)

Yet this is exactly what Merrimac did.

And, respectfully, the Planning Department not only did not notice, but then used those exact Merrimac figures in its Final PUD Summary and Background dated July 13, 2022, thereby circumventing its very own laws.

Another issue of legality:

Section 17.4.16 D of the CDC sets the “criteria for decision which shall be met for the review authority to approve a variance.” Note the use of shall, which is defined as “mandatory” in section 17.1.10 of the CDC.

As outlined in this firm’s July 6, 2022 letter to the planning department, DRB and Mayor Benitez, six out of eight criteria have not been met by the applicant, even though it “shall be the burden of the applicant to demonstrate that submittal material and the proposed development substantially comply with the variance review criteria.” (CDC Section 17.4.7 D.2.)

In the Executive Summary of the same July 13, 2022 Final PUD Summary, the Planning Department states that the variances will be in exchange for the community benefits offered by the applicant:

“Community benefits, which includes public benefits and public improvements are offered in exchange for the five variations requested from the Community Development Code (CDC) the essence of the PUD process.”

But the community benefits were already a condition of the entire sale of Lot 161CR to Merrimac, so they cannot now be used in exchange for the variances.

Specifically, the September 17, 2020 PSA between CO LOT 161C-R MOUNTAIN VILLAGE, LLC, and RAMESH ACQUISITIONS, LLC (now Merrimac) states:

“In recognition of the benefits the Town, TMVOA and the community will realize from the development of the Property **in accordance with the Minimum Requirements, and as a material condition of Buyer’s purchase of the Property**, Seller and TMVOA agree that TMVOA will contribute up to Seven Million and No/100 Dollars (\$7,000,000.00) towards “public improvements” and/or “public benefits” to be provided by the development on Lot 161CR.” (emphasis added.)

Therefore, the public benefits were already a material condition of TMVOA’s willingness to sell Lot 161CR to Merrimac. The public benefits were also cited multiple times in emails with TMVOA as a reason that TMVOA agreed to the relatively very low purchase price of 9 million dollars for Lot 161CR.

So again, the public benefits cannot be a condition of the entire sale and then be “double-dipped” as an exchange for the variances.

Especially because, in the same Purchase Agreement, another one of the Minimum Requirements for the sale to Merrimac to occur is compliance with the CDC Building Height Limit:

“(iv) compliance with the Building Height Limits set forth in Table 3-3 in Section 17.3.12 of the CDC for the Village Center zone district. No height variances may be proposed or granted for the development of the Property without the prior written consent of Seller.”

So right now the Planning Department is stating that Merrimac can use the required public benefits as a means to receive a height variance, even though Merrimac could only purchase Lot 161CR if it complied with the height variance and if it offered 7 million dollars in public benefits.

The Applicant wants to gloss over the importance of height, and is misleading the Planning Department, DRB, and the Town of Mountain Village to do the same.

Finally, moving forward with this Final SPUD plan is unsafe given there are so many unknowns regarding the unsafe building conditions of Lot 161C-R.

As more thoroughly covered in this firm’s July 6, 2022 letter to you, the geotechnical report so far submitted for this project states that “excavation for the gondola terminal complex on the southwest side of the site ... destabilized the slope directly above the gondola and directly below the residence on Lot 97.” The report further states that “it is imperative that there is a review of the events associated with the slope failure prior to assessing the impacts of the structure on development plans for Lot 161C-R.”

There has not been a review of the events associated with the slope failure and a final geotechnical report available until mid-October.

Given the unknowns caused by the lack of an updated geotechnical report specific to the proposed design, and the unsafe conditions that are outlined in the current geotechnical report, it is simply not prudent to move forward with this project at this time.

We therefore once more request that no further approvals of this project be granted until a more thorough review of the application has been made.

Respectfully yours,

THE LAW OFFICE OF DANIEL T. ZEMKE, P.C.

/s/ Teri Steinberg

Teri Steinberg, Esq.

CC: Frost Prioleau
Daniel Zemke, Esq.

From: [Mark Twain](#)
To: [cd](#)
Subject: Four seasons project.
Date: Wednesday, July 20, 2022 6:40:27 AM

I oppose this project based on the fact that it's 50% taller than the guidelines for buildings in mountain village. Mountain village should be conforming to the regulations that were created to make a community that fits in with the mountains.

We don't need another ostentatious Peaks eyesore that is a blight when looked upon from surrounding vistas.

This project proposal sucks.

From: [Latcham, Patrick](#)
To: [cd](#)
Subject: Lot 161CR Hotel PUD application July 20 & 21
Date: Tuesday, July 19, 2022 7:47:13 PM

Greetings DRB and Town Council,

I am writing to express my personal support and the support of the ski resort for the Lot 161CR Hotel PUD application.

I believe that the applicant has listened closely to the feedback of staff, town council, DRB, and our community. A few items that I would like to highlight:

- Reduced Height
 - I was pleased to see the reduction of one floor on two of the buildings. We are now at a healthy compromise that does not jeopardize the feasibility, integrity, or quality of the final product.
 - I would be concerned about any additional height restrictions as that does not align with the comp plan and would result in a product that does not meet that standards for a 5 star property.
 - This PUD is subject to the comp plan and is aligned with the comp plan vision, especially when it comes to open space corridors.
 - The project fits well into the slope and addressed concerns for the vast majority of neighboring lots, several of which are now expressing support for the project.
 - I was unable to find detailed info on the height of the Peaks online. I did a little flight with my drone this afternoon and was surprised to see a max height of approximately 141 feet on the west facing side. I am sure town records are more accurate but I wanted to share as the proposed height from the applicant is much lower (images attached for reference).
- Affordable Housing
 - 10 additional work force housing units and \$2.2MM towards the housing fund.
 - These funds will be instrumental in developing additional housing, especially when we are face with increased cost concerns for projects like the next phase for VCA.
- New exterior materials that allow the structure to blend in more with the surroundings.
 - The Peaks really sticks out, especially when compared to See Forever. I think that the new color scheme is a better fit for mtn village and allows the property to blend in while still being different.

In short, the applicant has listened to feedback and I hope that DRB and town council provide approval for the next steps. This would be an amazing asset for our future guests and community.

Also, my apologies for the late email. I imagine I am too late for the DRB packet, but I will attend in person, and I hope that this feedback can be included in the Town Council packet.

Please let me know if there are any questions.

Thank you to everyone for the hard work that has gone into this process.

-Patrick

--

Patrick Latcham

VICE PRESIDENT | SALES & MARKETING

Telluride Ski & Golf

O: (970)728-7388

C: (313)268-1621

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Wetherill Associates Inc.
3300 Corporate Way
Miramar, FL 33025 USA
1.954.308.4880 | www.waiglobal.com

July 19, 2022

To: Design Review Board and Town Council
Michelle Haynes mhaynes@mtnvillage.org

Subject: Four Seasons Mountain Village

To whom it might concern:

I have owned a home in Mountain Village for over 3 years. Mountain Village and Telluride have become a wonderful retreat for my wife and 4 children, usually visiting during the Holiday Season, Spring Break, and a more extended stay in the summer.

I would like to thank the DRB and TC for all of their efforts to make MV a great place to call our second home.

I would also like to voice my support for the Four Seasons Development on lot 161-CR. I am in favor of the project because I believe it will bring continued investment into our town which will support local businesses and staff that make the community what it is today. While there are always tradeoffs, as a whole, I believe the project will be an extremely positive addition to the MV core.

Sincerely,
Ryan Moul
Chief Executive Officer
WAI

From: [Frost Prioleau](#)
To: [Michelle Haynes](#)
Cc: [Daniel Zemke](#); [Teri Steinberg](#); [Martha Prioleau](#)
Subject: Letter to the Design Review Board regarding the Proposed Development on Lot 161CR and the Pond Lots
Date: Tuesday, July 19, 2022 2:10:37 PM
Attachments: [May 2022 meeting resolution - FinalNoticeActionDRB05172022.pdf](#)
[Umcompahgre Engra - Story Poles Letter July 2022.pdf](#)

Michelle- Can you please distribute this letter to the members of the Design Review Board, the Mayor, and the members of the Town Council? Thank you.

=====
To: Members of the Mountain Village Design Review Board
CC: Michelle Haynes, Mayor Benitez, Members of the Mountain Village Town Council

Dear Members of the Mountain Village Design Review Board,

I truly apologize for sending yet another long email, but there are new issues that have arisen from the meeting packet for the upcoming DRB meeting on July 20th, 2022.

As you know, the Design Review Board passed a motion (attached below) at the meeting on May 17, 2022 approving the Sketch Site Specific SPUD application for Lot 161CR and the Pond Lots. The motion included several conditions that were added to address the strong concerns expressed by DRB members regarding the height, visual impact, and scale of the proposed project. Based on my observation, the motion, which passed on a 4-3 vote, would not have passed without the added conditions (numbers 12, 13, and 15) around the height.

Unfortunately, it appears that conditions that were added to address the concerns around height are being largely ignored in the Final Application now being considered:

- There is no mention of conditions numbers 12, 13, and 15 (the conditions regarding height, listed below) in the July 13th memo from the Town Planning Division prepared for the July 20th meeting.
 - Note that all the other conditions are listed on pages 6 and 7 of this memo.
 - No reason is provided by the Planning Department on why these conditions concerning height were not included in the memo.
- Condition 12 states *“Approval of the overall design, including variation requests, is subject to further review of all applicable criteria based on a workable 3D model to be provided by the applicant.”*
 - While the 3D model has been improved, it remains inaccurate and incomplete regarding surrounding properties, and cannot be relied upon to make design decisions of this scale that will impact the community for generations to come.

- For example, our home at 730 Mountain Village Blvd is shown at a higher elevation than it actually is, which minimizes the impact of the proposed buildings.
 - The model doesn't include the full lots of bordering properties to the west.
 - The model doesn't allow for setting views from specific elevations, which are critical when evaluating viewsapes.
- Condition 13 states *“Approval of the overall design, including variation requests, is subject to further review of all applicable criteria based on story poles to be erected by the applicant to demonstrate the building heights.”*
 - Instead of complying with this condition, the developer provided a letter from Uncompahgre Engineering (attached) stating that constructing story poles would be unreasonable because, in addition to other reasons, they would be “huge” and “expensive”.
 - The fact that the story poles would be “huge” speaks to the fact that the proposed buildings are huge, and is precisely why the story poles are needed.
 - I have attached the letter below because, while it was included in the Final SPUD review packet posted on the town website in early July, the letter was not included in the information package for the July 20, 2022 meeting.
- Condition 15 states: *“Approval of the overall design, including variation requests, is subject to further review of all applicable criteria based on a view corridor analysis from Heritage Plaza and the Gondola Plaza to be provided by the applicant.”*
 - The applicant has provided a single screenshot from the 3D model of views from Heritage Plaza and Gondola Plaza.
 - A single screenshot does not constitute a “view corridor analysis”, as required by this condition.
 - The narrative that is included in the meeting packet and application that excessive building heights are required to "preserve view corridors" is complete fiction. The excessive heights of the buildings are precisely what is blocking the view corridors of neighboring properties.
- The average heights, when calculated in accordance with the CDC, exceed the variation request allowed in the May 17 DRB motion.
 - The planning department memo and the developers application refer to "Average Lot Heights". However, there is no concept of "Average Lot Heights" in either the CDC or the Comprehensive Plan.
 - The CDC sets limits for "Maximum Average Building Height", which for this lot (in the "Village Center") is set at 48 feet. The CDC also specifically forbids combining heights of low buildings (such as the lobby and connector buildings) with taller buildings to reduce the average height calculation.
 - The "average heights" referenced in the meeting packet also include points on the floor of the penthouse levels, which are not roofs, and artificially lower the average height calculation.
 - The proposed residential buildings have Maximum Average Building Heights which far exceed those allowed by both the CDC and the May 17 motion.

The fact that the required conditions of the May 17 motion are not being addressed (let alone met) continues a disturbing pattern in which concerns

regarding the proposed heights, as expressed repeatedly by members of the community and the DRB, are not being taken seriously. Instead, these concerns are being ignored and/or “kicked down the road” to be dealt with at a later date.

Based on the above, the Final Application now under review clearly has failed to meet the conditions required by the DRB motion passed on May 17th, and therefore should not be approved at this time.

We respectfully reiterate our request that no further approvals be granted for this project until the concerns of the community around the heights are dealt with in a serious way, with design changes that either bring the design into compliance with the CDC or that eliminate the damage caused to the community and neighborhood.

Thank you for your service and for your ongoing efforts on behalf of the community.

Best regards,

Frost Prioleau
730 Mountain Village Blvd.

P.S. Note that the above concerns are in addition to the issues outlined in my letter dated July 6th, which outlines how the proposed development does not meet 3 of the 5 criteria for Final SPUD approval outlined in CDC section 17.4.12.H:

- Visual impacts have not been mitigated
 - Scale and mass are not appropriate for the site
 - GeoTechnical impacts cannot be assessed, as there is no final geotechnical report.
-
- We note with interest that the 2007 geotechnical report, which was included in the Final SPUD application posted in early July, has been eliminated from the materials for the July 20

meeting.

- The 2007 report highlighted many geotechnical issues regarding the instability of the site, as well as the shoring requirements that would extend under neighboring lots.

Kimberly Schooley

From: johnedwardhowe3@gmail.com
Sent: Thursday, July 21, 2022 10:56 AM
To: council
Subject: Mountain Village Lot 644 July 21 2022
Attachments: July 21 2022.docx

Categories: Add to Packet After Meeting

What is the big rush for Workforce Housing? July 21 2022

I realize that after negotiating with TSG for over a year the frustration has mounted with a desire to do something now. I would ask the Council to take the time to do a little more planning.

Public and private employers are having a difficult time hiring qualified employees. This is nothing new in a resort community. It was true 20 years ago when I lived on Longboat Key Florida and it remains true today, especially after the pandemic, and it will be true 20 years from now. Most service personnel simply cannot afford housing and living in high-end resort communities, wages do not meet housing/living costs. I saw long lines of vehicles coming onto Longboat Key each morning as we see coming into Telluride/Mountain Village. Service wages will not equal housing costs in our communities.

I spoke with a TSG employee who has not received a pay increase in five years. Is the MV obligated to fund workforce housing to keep wages low while meeting an increased demand for exceptional staff members? Businesses are way behind in providing workforce housing. I am not picking on TSG, but as the largest employer they have a significant impact on housing. TSG hires about 800+, part time, winter seasonal employees or 71% of their total staff. The summer staffing represents about 52% of total staff. We see these employees come and go each season as with many other employers in our communities.

The lot 644 project will not have a significant impact this housing demand. Another Big Billies type project would better serve our seasonal workforce, but that should not be the Town's responsibility. The cost of building a like project or any workforce housing in Telluride/MV becomes extremely expensive, and it is arguably not the highest best use of that land. One could argue the highest best use of that land is a solar array. Build more cost effectively out of town like is being done in Norwood and Ridgeway. SMART can fill the transportation needs. The daily cost of living in the MV far exceeds the cost in these communities mentioned above, the higher cost of groceries alone is a significant impact.

Now is the time for planning not building. Global labor restraints, material shortages, interest rates, inflated prices and concerns of a recession has seen many corporations

pull back their growth plans until things stabilize. Planning and starting a project now does not seem logical.

Hire an Owners Representative

Triumph, is a for-profit corporation, by its very definition it is focused on their bottom line of maximizing and their return on investment. They do not represent the Town's best interest. The Council may want to consider hiring a part time *qualified* Owners Representative to oversee the project and make regular written reports to the Town. To have the Council, the manager or any other town employee fill this role would be very shortsighted. Such a rep would be responsible for reviewing the entire project making recommendations for the long-term benefit of the town and unit occupants. Triumph is not interested in the lifetime costs of operating and living in these structures, that is not their role an owners' rep could be charged with that responsibility and goal.

At the last Council meeting a community member asked Triumph what roofing material would be used, the answer was corrugated metal. The cheapest metal roofing, a standing seam roof is the state of the art for a roof in our community, just look around, nobody is installing a corrugated roof they are all doing a standing seam. To install solar panels on a corrugated roof you must *drill holes in the roof* not so with a standing seam roof. An owner's rep would immediately see through this folly. I did not hear any concerns raised by the Council or the manager on Triumphs answer as that is simply not your area of knowledge base or expertise.

<https://www.youtube.com/watch?v=YgF4tgg7pT0> corrugated metal solar installation

<https://www.youtube.com/watch?v=mgq1kELORZ0> standing seam solar installation

Many in our community and on the Council would like to see this project as energy neutral an admirable goal. A complete solar array on each of the four buildings may take us closer to that goal. This should be installed during construction as one unit and thereafter under the management of the Association to offset the Associations energy and management costs. The economies of scale and ROI will far exceed each unit having their own heat pump. An owner's rep would logically seek advice from one of many solar companies in Colorado to measure the potential solar gain and express that in a return to the Association.

Heating and Cooling Systems

Electricity is the only energy source currently available on this lot. Much can be done to reduce the energy load on the buildings and in the units. This does not fall within the developer's role.

A state-of-the-art heating/cooling system is an essential first start. Larger common systems can provide economies of scale and ease of operation and management not available on smaller systems. There are some amazing newer systems in use today that save energy, costs and provide for better comfort.

There are many companies, like Johnstone Supply that are willing to investigate and make recommendations on how best to provide a positive living environment within these buildings. The newer systems may be more expensive up front but the ROI

provides a positive incentive, reduces the carbon footprint and significantly reduces the utility and maintenance costs over the 100+ year life of the buildings.

Respectfully John Howe, johndwardhowe3@gmail.com 970-596-6254

John E. Howe
PO Box 1890, Telluride, CO 81435
302 Adams Ranch Road #7. Mountain Village, CO 81435
970-596-6254 johndwardhowe3@gmail.com

Kimberly Schooley

From: Peter Mitchell <petergmitchell45@gmail.com>
Sent: Thursday, July 21, 2022 6:30 PM
To: johnedwardhowe3@gmail.com
Cc: council
Subject: Re: Mountain Village Lot 644 July 21 2022
Attachments: July 21 2022.docx

Categories: Add to Packet After Meeting

Right on!!!! Thankyou speaking up and reaching out. Pete Mitchell

Sent from my iPhone

On Jul 21, 2022, at 10:56 AM, johnedwardhowe3@gmail.com wrote:

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