

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF MOUNTAIN VILLAGE,
MOUNTAIN VILLAGE, COLORADO
APPROVING A CONDITIONAL USE PERMIT FOR THE INSTALLATION OF A
TEMPORARY ROPES COURSE STRUCTURE ON ACTIVE OPEN SPACE, OS-3U**

Resolution No. 2017-0518-09

- A. TSG Ski & Golf, LLC is the owner of record of real property described as Tract OS-3U, Town of Mountain Village (Owner); and
- B. The Owner has authorized Scott Butler (Applicant) to pursue the approval of the Conditional Use Permit to allow for the installation of a temporary ropes course structure on Tract OS-3U, and the Applicant has submitted such application requesting approval of the Conditional Use Permit; and
- C. The proposed development is in compliance with the provisions of Section 14.4.14 of the Community Development Code (CDC); and
- D. The Design Review Board (DRB) considered this application, along with evidence and testimony, at a public meeting held on May 4, 2017. Upon concluding their review, the DRB voted in favor of the Conditional Use Permit and recommended approval to the Town Council subject to certain conditions as set forth in this resolution; and
- E. The Town Council considered and approved this application, along with evidence and testimony, at a public meeting held on May 18, 2017; and
- F. The public hearings referred to above were preceded by publication of public notice of such hearings on such dates and/or dates from which such hearings were continued by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the CDC; and
- G. After the public hearings referred to above, the DRB and the Town Council each individually considered the Application submittal materials, and all other relevant materials, public letters and public testimony, and approved the Application with conditions as set forth in this Resolution; and
- H. The Applicant has addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council based upon a recommendation for approval by the DRB; and
- I. The Town Council finds the Application meets the Conditional Use Permit requirements contained in CDC Section 17.4.14 as follows:
 - 1. The proposed conditional use is in general conformity with the policies of the principles, policies and actions set forth in the Comprehensive Plan;
 - 2. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
 - 3. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;

4. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;
5. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;
6. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
7. The design, development and operation of the proposed conditional use shall provide adequate infrastructure;
8. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
9. The proposed conditional use permit meets all applicable Town regulations and standards.


NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES A CONDITIONAL USE PERMIT TO ALLOW FOR THE INSTALLATION OF A TEMPORARY ROPES COURSE STRUCTURE ON OS-3U AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

1. The Applicant shall maintain adequate bike traffic access from the bottom of the bike park to the Village Center plazas by working with plaza services to explore the option of rerouting mountain bicyclists for the safety of ropes course attendees and trail users. Additional options include exploring a range of fencing materials.
2. The Applicant shall secure the structure, including, without limitation, the pool, ladders, and other elements that might attract public access when closed.
3. In the event of water limitations or restrictions, the Applicant shall close the pool portion of the ropes course structure.
4. The Applicant shall re-surface all disturbed areas with landscaping and provide seating for spectators.
5. The Applicant shall provide an erosion control and drainage plan to ensure protection of the wetlands in the surrounding area.
6. The applicant shall revise the site and grading plan to have appropriate finished grade material, benches and simple landscaping to improve the appearance of the ropes course, site grading and the existing condition of the site.
7. The Conditional Use Permit shall be valid for a period of three years (3) with an annual review by the Planning Division staff, with the applicant responding to any valid issues as they arise during operation or the annual review.
8. Pending input from future plaza plans, applicant shall remain flexible to move additional programming into Sunset Plaza and/or Telluride Conference Center Plaza.


Be It Further Resolved that OS-3U may be developed as submitted in accordance with Resolution NO. 2017-0518-09

Approved by the Town Council at a public meeting May 18, 2017.

Town of Mountain Village, Town Council

By: 
Dan Jansen, Mayor

Attest:

By: 
Jackie Kennefick, Town Clerk

Approved as to Form:


James Mahoney, Assistant Town Attorney

[Faint, illegible handwriting]

James O. James