

**SUMMARY OF MOTIONS
TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD MEETING
THURSDAY, JANUARY 4, 2018**

Call to Order

Chairman Banks Brown called the meeting of the Design Review Board of the Town of Mountain Village to order at 10:03 a.m. on Thursday, January 4th, 2018 in the Conference Room at 455 Mountain Village Boulevard Mountain Village, CO 81435.

Attendance

The following Board/Alternate members were present and acting:

Banks Brown
Keith Brown
Liz Caton (Alternate)
David Craige
Dave Eckman
Phil Evans
Greer Garner
Jean Vatter (Alternate)

The following Board members were absent:

Luke Trujillo

Town Staff in attendance:

Michelle Haynes, Planning & Development Services Director
Dave Bangert, Senior Planner/Forester
Sam Starr, Planner

Public in attendance:

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|------------------|--|
| Reiner Brasch | Rbrasch@easternpartners.com |
| Cath Jett | cathjett@gmail.com |
| Dylan Henderson | dylanh12@hotmail.com |
| Billy Meredith | ross@rossimage.com |
| Patrick Berry | pberry@mtnvillage.org |
| Jim Royer | jamesroyer@gmail.com |
| Daniel Zemke | daniel@dzemkelaw.com |
| Tom Kennedy | tom@tklaw.net |
| Chris Hawkins | chris@alpineplanningllc.com |
| Alan Safdi | alansafdi@gmail.com |
| Anton Benitez | anton@tmvoa.org |
| Stefanie Solomon | ssolomon@telski.com |
| Matt Lynch | mattlynch@tommyhein.com |
| Tommy Hein | tommyhein@mac.com |
| Jeff Koenig | Jeff@Koenigconstructionservices.com |
| Doug Tueller | |
| Pete Mitchell | |
| David Cohen | |
| Theresa Cox | |
| Sherri Mitchell | |

Reading and Approval of Summary of Motions for the December 7, 2017 Joint Town Council and Design Review Board Meetings

On a **Motion** made by Greer Garner and seconded by Keith Brown, the DRB voted 7-0 to approve the October 5, 2017 Joint Town Council and Design Review Summary of Motions.

Consideration of a Minor Revisions application for changes to the driveway retaining walls on Lot 166AR2-8, 7 Stonegate Drive.

Dave Bangert presented the Consideration of a Minor Revisions application for changes to the driveway retaining walls on Lot 166AR2-8, 7 Stonegate Drive. Dylan Henderson of Dylan Henderson Architects presented on behalf of the owner.

No public comment was provided.

On a **Motion** made by David Craige and seconded by Phil Evans, the DRB voted 7-0 to approve the minor revisions application for Lot 166AR2-8 with the following conditions:

- 1) *Stonegate drive grades will be readjusted to the satisfaction of the town Public Works Director*
- 2) *Increase height of platted trees on landscape drawings by another two feet to provide increased shielding between lots 166AR2-7 and 166AR2-8.*

A Recommendation to Town Council regarding a proposed density transfer and rezone application for Lot 304, 317 Benchmark Drive, to transfer one density unit (four-person equivalent density) into the Density Bank.

Michelle Haynes presented the consideration of a recommendation to Town Council regarding a proposed density transfer and rezone application for Lot 304, 317 Benchmark Drive. Daniel Zemke of the Law Offices of Daniel Zemke presented on behalf of the owner.

There was no public comment.

On a **Motion** made by Keith Brown and seconded by Dave Eckman, the DRB voted 7-0 to recommend that Town Council approve the rezone and transfer application pursuant to CDC Sections 17.4.9 and 17.4.10 to transfer one density unit (four-person equivalent density) to the Density Bank for Lot 304, with the following conditions:

- 1) *The owner of record of density in the density bank shall be responsible for all dues, fees and any taxes associated with the assigned density and zoning until such time as the density is either transferred to another lot, or person or entity.*
- 2) *The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.*

A recommendation to the Town Council regarding a Major PUD Amendment to extend the Development Agreement and the associated Vested Property Rights on Lots 126R and 152R, Country Club Drive, for a two-year period.

Michelle Haynes presented the consideration of a recommendation to Town Council regarding a Major PUD Amendment to extend the Development Agreement and associated Vested Property Rights on Lots 126R and

152R. Chris Hawkins of Alpine Planning LLC. And Tom Kennedy, of the Law Offices of Tom Kennedy presented on behalf of the owner.

Haynes noted that public comment was provided in the packet, by email and hard copies were provided at their desk at the meeting. She also noted that some public comment was provided directly to the board members. The board members were notified to not respond directly to the public comment as it would otherwise constitute a public meeting, and the public who provided comment directly were notified that the DRB would not engage with them directly regarding their comments, their comments would be distributed by email and at the meeting.

Banks Brown, Phil Evans, Keith Brown, David Eckman and Greer Garner disclosed a variety of scenarios in which ex-parte communications could be construed. Each circumstance was deemed to be either prior to the filing of an application and/or did not delve into the substance of the application; thus, none were considered actual ex-parte communications. Each member also felt that in each scenario and subsequent to it, that they were each capable of evaluating the merits of the request and provide an unbiased and fair decision.

Chairperson Brown asked that staff notify the board as soon as an application is received so that they can avoid future ex-parte communication issues with pending applications. Staff agreed to provide notification.

Public comment: Alan Safdi Stefanie Solomon, Sheri Mitchell, Cath Jett, Billy Ross Meredith, Doug Tueller, John Horn, Pete Mitchell

On a **Motion** made by Phil Evans and seconded by David Craige, the DRB voted 6-1, Eckman dissenting, to recommend that town council deny the Major PUD Amendment to extend the Development Agreement and the associated Vested Property Rights on Lots 126R and 152R.

Consideration of a Class 3 Application for Initial Architectural and Site review for a new single-family home on Lot 416A, 206 Wilson Peak Drive.

Dave Bangert presented the Consideration of a Class 3 Application for Initial Architectural and Site review for a new single-family home on Lot 416A, 206 Wilson Peak Drive. Chris Hawkins of Alpine Planning LLC and Tommy Hein of Tommy Hein Architects presented on behalf of the owner.

No public comment was provided.

On a **Motion** made by Phil Evans and seconded by Phil Evans, the DRB voted 7-0 to approve Initial Architecture Site Review application with the stated variations and specific approvals for Lot 416A with the following conditions:

- 1) *A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 2) *A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE. This condition shall be carried over to any Final Review Approval as it is a construction condition.*
- 3) *Architect look carefully at the chimney, relative to the height of the building prior to Final Review.*

Other Business

Planning and Development Services Director Michelle Haynes provided the board with a reminder for submitting letters of interest and resumes for Board Members whose term is up in 2018. Dave Eckman asked

for clarification on the 2018 DRB schedule.

Adjourn

On a Unanimous **Motion**, DRB voted 7-0 to adjourn the January 4th, 2018 meeting of the Mountain Village Design Review Board at 2:08 p.m.

Prepared and Submitted by,

A handwritten signature in black ink, appearing to read "S Starr".

Sam Starr

Planner

Town of Mountain Village