

**TOWN OF MOUNTAIN VILLAGE
TOWN COUNCIL REGULAR MEETING
THURSDAY, APRIL 23, 2015, 11:00 AM
2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL
455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO
AGENDA **REVISED****

	Time	Min	Presenter	Type	
1.	11:00				Call to Order
2.	11:00	5			Public Comment on Non-Agenda Items
3.	11:05	10	Swain Vergari	Presentation	Finance: a. Presentation of the March 31, 2015 Business & Government Activity Report (BAGAR) b. Consideration of the February 2015 Financials
4.	11:15	10	Reed	Action	Consideration of an Amendment to the Agreement to Convey a Portion of Lot 1003R-1, the Medical Center Site, to the Telluride Hospital District Originally Approved January 15, 2015
5.	11:25	60	Hawkins	Public Hearing <i>Quasi-Judicial</i> Action	Joint Public Hearing Between Town Council and Design Review Board (DRB): Consideration of a Resolution Approving a Conditional Use Permit for Medical Center Heliport to be Located on Lot 1003R-1
6.	12:25	5			Break
7.	12:30	30	Reed Mahoney	Legal	Executive Session for the Purpose of Receiving Legal Advice Pursuant to C.R.S. 24-6-402(b), and for the Purpose of Negotiations Pursuant to C.R.S. 24-6-402(4)e
8.	1:00	30			Lunch Break
9.	1:30	10	Reed	Action	Consideration of an Amendment to the Contract to Buy and Sell Real Estate for a Portion of Lot 1003R-1, the Lofts at Mountain Village, to Belem Properties Co., LLC Originally Approved January 15, 2015
10.	1:40	5	Kennefick	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 would be removed from the Consent Agenda and considered separately: a. Approval of Minutes of the March 26, 2015 Regular Town Council Meeting b. Approval of a Correction Resolution to Correct an Error on the Lot Number Identified in the Previously Approved Resolution No. 2015-0326-05
11.	1:45	15	Kjome	Action	Consideration of Implementation of Water Restrictions for Conservation Purposes
12.	2:00	20	Kunz	Action	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance Establishing Town Council Compensation Package
13.	2:20	45	Hawkins	Public Hearing <i>Quasi-Judicial</i> Action	Consideration of a Resolution Approving a Conditional Use Permit for a New 100' Tall Telecommunications Tower Located Next to the Existing Tower; and a Variance to Allow for the Proposed 100' Tower Structure Height on OSP-49R
14.	3:05	10	Hawkins	Legislative Action	Second Reading, Public Hearing and Council Vote on an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.2.12 to Allow the Conditional Use Permit Process to Establish the Allowed Height for Freestanding Antennas; and (B) Section 17.4.9(E)(2)-(3) to Correct an Omission, and Not Require a Concurrent Replat with Rezoning; and (C) Miscellaneous Amendments to the CDC to Accomplish the Foregoing

15.	3:15	30	Hawkins	Legislative Action	First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.4.14(F)(3) to Revise the Criteria for Allowing Ski Lifts on Private Lots; and (B) Section 17.6.9 to Meet or Exceed San Miguel County Open Burning Regulations; (C) Section 17.3.4(F)(4) to Allow for the Re-subdivision and Rezoning of Single-Family Lots Subject to Modified Criteria; and (D) Miscellaneous Amendments to the CDC to Accomplish the Foregoing
16.	3:45	5	Hawkins	Action	Consideration of a Resolution Approving a Minor Subdivision to Vacate and Relocate the General Easement and Establish Building Setbacks on Lot 147A
17.	3:50	10	Council Members	Informational	Council Boards and Commissions Updates: a. Eco Action Partners – Howe/Sherry b. Telluride Historical Museum – Bronson c. San Miguel Watershed Coalition – Jett d. Colorado Flights Alliance – Jansen e. Plaza Use Committee – Jett f. Transportation & Parking - Howe/Schillaci g. Budget & Finance Committee – Jansen/McKinley h. Mayor's Update - Jansen
18.	4:00	30	Hawkins Montgomery	Informational	Staff Reports: a. Community Development b. Town Manager
19.	4:30	10	Kennefick	Action	Consideration of a Resolution Setting the June 30, 2015 Election by Mail Ballot and Consideration of Appointment of the Town Clerk as the Designated Election Official
20.	4:40	5	Kennefick	Informational	Other Business
21.	4:45	45	Jansen Hawkins	Work Session	Discussion Regarding the Density Envisioned in the Meadows Subarea Set Forth in the Comprehensive Plan
22.	5:30	45	Reed	Action <i>Quasi-Judicial</i>	First Reading, Setting of a Public Hearing and Council Vote on a Town Initiated Ordinance to Place Restrictions on the Maximum Density and Other Requirements on Lot 640A
23.	6:15	5	Reed	Action	Consideration of a Resolution Placing a Citizen Initiated Ordinance to Allow an Increase in Density on Lot 640A from its Current Allowed Density but Limiting Density to 45 Units on the Ballot for the June 30, 2015 Regular Municipal Election
24.	6:20				Adjourn

Please note that times are approximate and subject to change.

4/16/2015

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Business and Government Activity Report
For the month ending: March 31st

Activity	2015		2014		Variance	
	MONTH	YTD	MONTH	YTD	Variance	Variance %
Cable/Internet						
# Residential & Bulk Basic Cable	931		955		(24)	-2.5%
# Premium Channel Residential & Bulk Subscribers	489		481		8	1.7%
# Digital Subscribers	319		320		(1)	-0.3%
# Internet Subscribers	1,621		1,627		(6)	-0.4%
Average # Phone Subscribers	94		92		2	2.2%
Village Court Apartments						
Occupancy Rate %	100.00%	100.00%	92.79%	96.70%	3.30%	3.4%
# Vacated Units	0	2	3	12	(10)	-83.3%
# Work Orders Completed	40	102	42	104	(2)	-1.9%
# on Waiting List	128		24		104	433.3%
Public Works						
Service Calls	387	1,138	338	986	152	15.4%
Snow Fall Inches	20	82	43	142	(60)	-42.3%
Snow Removal - Streets & Prkg Lots Hours	382	1,637	413	2,034	(397)	-19.5%
Roadway Maintenance Hours	150	315	151	288	27	9.4%
Water Billed Consumption Gal.	8,640,000	47,098,000	7,898,000	36,685,000	10,413,000	28.4%
Sewage Treatment Gal.	10,265,000	25,953,000	9,317,000	24,655,000	1,298,000	5.3%
Child Development Fund						
# Infants & Toddlers Actual Occupancy	20.02	56.51	18.79	56.69	(0.18)	-0.3%
# Preschoolers Actual Occupancy	14.93	45.03	14.01	41.45	3.58	8.6%
Transportation and Parking						
GPG (noon snapshot)	3,354	8,600	3,562	8,984	(384)	-4.3%
HPG (noon snapshot)	2,376	6,611	2,453	7,007	(396)	-5.7%
Total Parking (noon snapshot)	11,244	30,994	11,760	32,720	(1,726)	-5.3%
Parking Utilization (% of total # of spaces occupied)	46.3%	42.6%	48.5%	44.9%	-2.3%	-5.1%
Paid Parking Revenues	\$69,053	\$142,620	\$37,919	\$123,636	\$18,984	15.4%
Bus Routes # of Passengers	31	88	16	65	23	35.4%
Employee Shuttle # of Passengers	1,672	5,174	1,360	4,441	733	16.5%
Employee Shuttle Utilization Rate %	49.0%	52.5%	62.4%	64.6%	-12.10%	-18.7%
Inbound (Vehicle) Traffic (Entrance) # of Cars	69,618	194,210	64,021	183,166	11,044	6.0%
Human Resources						
FT Year Round Head Count	76		76		0	0.0%
Seasonal Head Count (FT & PT)	2		4		(2)	-50.0%
PT Year Round Head Count	21		13		8	61.5%
Gondola FT YR, Seasonal, PT YR Head Count	60		60		0	0.0%
Total Employees	159		153		6	3.9%
Gondola Overtime Paid Hours	56	351	124	335	16	4.7%
Other Employee Overtime Paid	51	241	31	112	130	115.9%
# New Hires Total New Hires	3	15	1	1	14	1400.0%
# Terminations	4	9	4	4	5	125.0%
# Workmen Comp Claims	0	0	2	2	(2)	-100.0%
Workmen Comp Claims Costs	\$0	\$0	\$2	\$1,858	-\$1,858	-100.0%
Community Relations						
Total Users/Total Sessions	1,675/2,242	4,223/5,923	897/1,441	1,170/2,009	3053/3914	260%/194%
Town Hosted Meetings	4	13	4	13	0	0.0%
Email Correspondence Sent	14	26	6	16	10	62.5%
E-mail List #	6174		990		5,184	523.6%
Press Releases Sent	3	6	1	2	4	200.0%
Gondola and RETA						
<i>RETA revenues are unaudited</i>						
Gondola # of Passengers	333,699	905,213	312,115	841,480	63,733	7.6%
Chondola # of Passengers	29,384	83,615	27,707	79,663	3,952	5.0%
RETA fees collected by TMVOA	\$394,092	\$1,105,209	\$713,415	\$1,099,989	\$5,220	0.5%

Activity	2015		2014		Variance					
	MONTH	YTD	MONTH	YTD	Variance	Variance %				
Police										
Calls for Service	#	571	1,521	342	1,035	486	47.0%			
Investigations	#	30	59	15	77	(18)	-23.4%			
Alarms	#	26	62	13	37	25	67.6%			
Arrests	#	1	4	2	6	(2)	-33.3%			
Traffic Contacts	#	40	58	9	25	33	132.0%			
Traffic Tickets Written	#	9	9	1	10	(1)	-10.0%			
Parking Tickets Written	#	439	1,090	153	437	653	149.4%			
Administrative Dismissals	#	13	41	25	81	(40)	-49.4%			
Building/Planning										
Community Development Revenues		\$21,301	\$67,692	\$47,192	\$103,414	(\$35,722)	-34.5%			
# Permits Issued		4	9	4	8	1	12.5%			
Valuation of Building Permits Issued		\$111,500	\$661,471	\$783,780	\$1,492,119	(\$830,648)	-55.7%			
# Inspections Completed		177	481	56	227	254	111.9%			
# Design Review/Zoning Agenda Items		3	12	0	8	4	50.0%			
# Staff Review Approvals		8	13	3	16	(3)	-18.8%			
Recreation										
Mile of Trails Maintained		14.7	44.1	14.7	44.1	0	0.0%			
Platform Tennis Registrations		65	182	37	127	55	43.3%			
Ice Rink Skaters		239	2813	220	2855	(42)	-1.5%			
Snow Cat Hours		58	295	95	248	47	19.1%			
Plaza Services Due to the timing of the packet, trash diversion rates are for the previous month.										
Snow Removal Plaza	Hours	189	788	130.25	942	(154)	-16.3%			
Plaza Maintenance	Hours	459	1,204	352	775	429	55.4%			
Lawn Care	Hours	102	102	32	32	70	218.8%			
Plant Care	Hours	39	88	18.75	48	41	84.8%			
Irrigation	Hours	1	1	0	0	1	#DIV/0!			
TMV Trash Collection	Hours	146	387	107	292	94	32.2%			
Christmas Decorations	Hours	18	384	21.5	369	15	3.9%			
Residential Trash	Pound	14,250	32,400	17,100	33,450	(1,050)	-3.1%			
Residential Recycle	Pound	27,000	50,246	11,310	36,490	13,756	37.7%			
Diversion Rate	%	65.45%	60.80%	39.81%	52.17%	8.62%	16.5%			
Vehicle Maintenance										
# Preventive Maintenance Performed		25	61	13	54	7	13.0%			
# Repairs Completed		23	77	29	107	(30)	-28.0%			
Special Projects		0	7	7	13	(6)	-46.2%			
# Roadside Assists		2	2	3	5	(3)	-60.0%			
Finance										
# Employee Based Business Licenses Issued		21	550	16	530	20	3.8%			
# Privately Licensed Rentals		1	52	1	54	(2)	-3.7%			
# Property Management Licensed Rentals		29	320	6	312	8	2.6%			
# VRBO Listings for MV		362		257		105	40.9%			
# Paperless Billing Accts (YTD is total paperless customers)		6	507	13	295	212	71.9%			
# of TMV AR Bills Processed		1,985	6,035	1,955	5,831	204	3.5%			
Accounts Receivable - Total Bad Debt Reserve/Allowance: \$8,692										
	TMV Operating Receivables (includes Gondola funding)				Utilities - Cable and Water/Sewer		VCA - Village Court Apartments		General Fund Investment Activity	
	Current	\$ 435,595	91.6%	\$ 131,966	82.7%	\$ (43,773)	120.2%	Change in Value	\$259,699	
	30+ Days	426	0.1%	25,188	15.8%	265	-0.7%	Ending Balance	\$5,921,199	
	60+ Days	36,399	7.7%	1,035	0.6%	285	-0.8%	Investment Income	\$6,951	
	90+ Days	579	0.1%	1,304	0.8%	6,792	-18.6%	Portfolio Yield	0.957	
	over 120 days	2,454	0.5%	-	0.0%	-	0.0%			
Total	\$ 475,452	100.0%	\$ 159,493	100.0%	\$ (36,430)	100.0%				
	Other Billings - CDF, Construction Parking, Commercial Trash				Total All AR		Change Since Last Month - Increase (Decrease) in AR		Other Statistics	
	Current	28,768	59.1%	\$ 552,555	85.4%	\$ (388,224)	105.1%	Population (estimated)	1,340	
	30+ Days	13,218	27.2%	39,098	6.0%	\$ (19,786)	5.4%	Registered Voters	1,016	
	60+ Days	4,258	8.8%	41,978	6.5%	\$ 38,103	-10.3%	Property Valuation	266,407,970	
	90+ Days	1,459	3.0%	10,134	1.6%	\$ 2,068	-0.6%			
	over 120 days	936	1.9%	3,390	0.5%	\$ (1,425)	0.4%			
Total	\$ 48,639	100.0%	\$ 647,154	100.0%	\$ (369,264)	100.0%				



Memorandum

To: Town Council
From: Kevin Swain, Finance Director
Date: April 9, 2015
Re: Town of Mountain Village Financial Statements through February 2015

Mountain Village Financials Statements through February, 2015

General Fund Summary

The General Fund currently reflects a surplus of \$1 million. Development related revenues have declined from prior year and budget; however it is very early in the fiscal year. Sales taxes show an increase of 23% over prior year and are over budget by 26%. Revenues of \$2.3 million were over budget by \$142,000 due mainly to sales tax collections.

Total operating expenditures of \$1.3 million were under budget by \$88,200. Capital outlay through this period was for environmental projects.

Transfers to other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Child Development Fund	\$ (10,464)	\$ 1,056	\$ (6,646)	(7,702)
Affordable Housing Development Fund (Monthly Sales Tax Allocation)	\$ 59,568	\$ 91,556	\$ 115,463	23,907
Conference Center Subsidy	\$ -	\$ 24,275	\$ 24,227	(48)
Vehicle & Equipment Acquisition Fund	\$ -	\$ 17,115	\$ 17,115	-

Income transfers from other funds include:

Fund	This Month	YTD Budget	YTD Actual	Budget Variance
Parking Services	\$ 26,711	\$ (34,793)	\$ 37,169	71,962
Overhead allocation from Cable, W/S, Gondola, VCA and Parking Services	\$ 34,467	\$ 72,424	\$ 69,199	(3,225)
Debt Service Fund (Specific ownership taxes)	\$ 11,130	\$ 14,643	\$ 25,178	10,535
*Tourism Fund	\$ 11,362	\$ 20,299	\$ 26,868	6,568

*This transfer is comprised of administrative fees and penalties collected.

Vehicle and Equipment Acquisition Fund – No Fund Income Statement Attached

A snow blower attachment was purchased and the bobcat leases have been paid.

Capital Projects Fund – No Fund Income Statement Attached

There has been no activity in this fund to date.

Historical Museum Fund – No Fund Income Statement Attached

\$26,950 in property taxes were collected and \$26,411 was tendered to the historical museum. The county treasurer retained \$539 in treasurer’s fees.

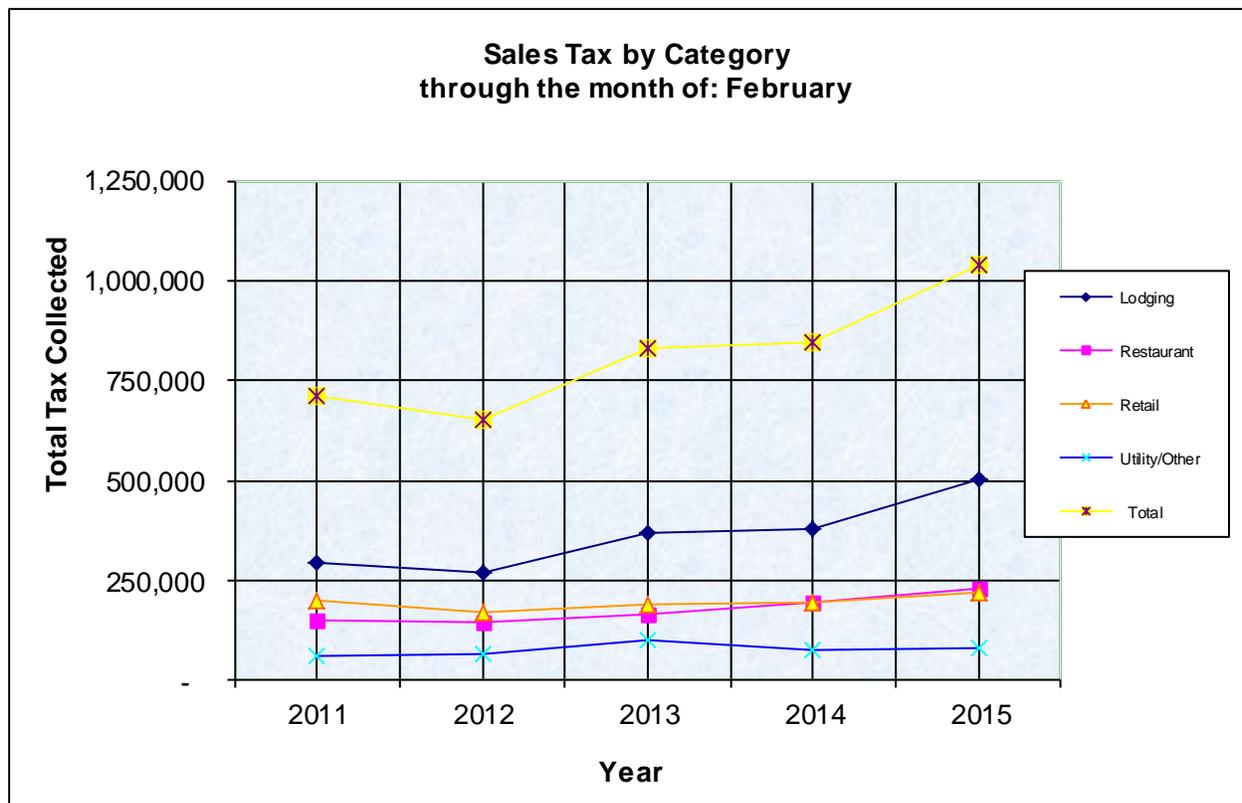
Mortgage Assistance Fund – No Fund Income Statement Attached

There has been no activity in this fund to date.

Sales Tax

Sales taxes of \$1 million are 23% over 2014 through this period and are over budget by 26%. Lodging shows the highest growth of 34% followed by restaurant at 18.5%.

Actual Sales Tax Base By Class, Through February 2015										
Category	Actual 2011	Actual 2012	PY % Increase	Actual 2013	PY % Increase	Actual 2014	PY % Increase	Actual 2015	PY \$ Variance	PY % Increase
	4.5%	4.5%	2011 to 2012	4.5%	2012 to 2013	4.5%	2013 to 2014	4.5%	2014 to 2015	2013 to 2014
Lodging	6,584,411	5,992,843	-9%	8,198,080	37%	8,376,832	2%	11,220,936	2,844,104	33.95%
Restaurant	3,398,890	3,216,739	-5%	3,733,177	16%	4,317,265	16%	5,118,386	801,122	18.56%
Retail	4,428,844	3,774,164	-15%	4,256,498	13%	4,399,869	3%	4,883,966	484,097	11.00%
Utility/Other	1,372,505	1,430,209	4%	2,201,163	54%	1,675,650	-24%	1,842,922	167,273	9.98%
Total	15,784,650	14,413,954	-9%	18,388,918	28%	18,769,615	2%	23,066,211	4,296,596	22.89%



Tourism Fund

2015 restaurant taxes totaling \$99,922 have been collected and \$97,924 was tendered to the airline guarantee program. \$448,100 in lodging taxes were collected and \$441,379 was tendered to the airline guarantee program and to MTL. The Town retained \$8,719 in administrative fees, and penalties and interest of \$409.

Lodging taxes exceeded prior year by 36% and are exceeding budget by 35%. Restaurant taxes are also ahead of prior year and budget by 15% and 25%, respectively. For the month of February, restaurant taxes are 12% over February 2014 and lodging taxes are 36% over February 2014.

Town of Mountain Village Colorado Lodging Tax Summary								
	2011	2012	2013	2014	2015	2014	2015	Budget
	Activity	Activity	Activity	Activity	Activity	Var %	Budget	Var %
	(4%)	(4%)	(4%)	(4%)	(4%)			
January	123,204	105,787	167,378	159,264	216,728	36.08%	140,324	35.25%
February	137,579	135,434	151,727	170,098	231,371	36.02%	149,232	35.50%
March	179,223	150,548	203,235	248,285	-	-100.00%	222,035	#DIV/0!
April	5,006	7,619	9,382	7,291	-	-100.00%	6,101	#DIV/0!
May	6,665	8,673	10,684	10,627	-	-100.00%	8,935	#DIV/0!
June	50,466	55,581	77,013	74,275	-	-100.00%	64,744	#DIV/0!
July	64,340	77,661	93,602	109,838	-	-100.00%	96,286	#DIV/0!
August	52,153	74,889	84,727	88,929	-	-100.00%	77,851	#DIV/0!
September	61,547	62,057	69,349	82,891	-	-100.00%	73,095	#DIV/0!
October	12,532	16,867	16,450	17,383	-	-100.00%	15,158	#DIV/0!
November	6,206	6,618	6,761	11,840	-	-100.00%	10,632	#DIV/0!
December	171,797	164,045	191,249	221,667	-	-100.00%	201,696	#DIV/0!
Total	870,717	865,780	1,081,555	1,202,388	448,100	-62.73%	1,066,088	-137.91%
Tax Base	21,767,932	21,644,491	27,038,867	30,059,708	11,202,495		26,652,197	

Town of Mountain Village Colorado Restaurant Tax Summary								
	2011	2012	2013	2014	2015	2014	2015	Budget
	Activity	Activity	Activity (2%)	Activity (2%)	Activity (2%)	Var %	Budget	Var %
	(2%)	(2%)						
January	31,256	28,754	34,448	38,239	45,591	19.23%	33,193	27.19%
February	37,572	34,996	41,121	48,466	54,331	12.10%	42,070	22.57%
March	45,498	42,723	47,045	53,516	-	-100.00%	46,453	#DIV/0!
April	1,368	3,506	2,518	1,995	-	-100.00%	1,732	#DIV/0!
May	3,402	2,469	3,913	5,154	-	-100.00%	4,474	#DIV/0!
June	18,235	17,098	19,116	25,366	-	-100.00%	22,019	#DIV/0!
July	22,524	25,929	27,921	32,661	-	-100.00%	28,351	#DIV/0!
August	20,044	20,958	25,645	25,017	-	-100.00%	21,716	#DIV/0!
September	17,272	17,813	19,982	23,831	-	-100.00%	20,686	#DIV/0!
October	6,355	7,258	5,468	5,369	-	-100.00%	4,661	#DIV/0!
November	3,487	4,524	4,668	5,765	-	-100.00%	5,004	#DIV/0!
December	37,737	39,565	42,983	49,923	-	-100.00%	42,842	#DIV/0!
Total	244,750	245,593	274,828	315,303	99,922	-68.31%	273,200	-173.41%
Tax Base	12,237,496	12,279,634	13,741,420	15,765,152	4,996,095		13,659,997	

Business license fees of \$215,539 are under budget by \$19,100 due to late renewals and under prior year \$16,000. \$202,607 was remitted to MTI and \$17,733 in admin fees and penalties were transferred to the General Fund.

**TOWN OF MOUNTAIN VILLAGE
GENERAL FUND INVESTMENTS
03/31/2015**

CUSIP	DESCRIPTION	MATURITY	DAYS TO	COUPON	PAR	PURCHASE PRICE	YTM(CALL)	MARKET PRICE	MARKET VALUE
3130A3Y32	FEDERAL HOME LOAN BANK BOND	02/22/2016	328	0.27	\$ 250,000.00	\$ 250,000.00	0.27	99.953	249,882.50
313378RR4	FEDERAL HOME LOAN BANK BOND	04/28/2016	393	1	250,000.00	252,267.50	0.77	100.6081	251,520.25
912833KH2	US TREASURY NOTE	05/15/2016	410	0	250,000.00	246,627.50	0.493	99.6911	249,227.75
3133EDF31	FEDERAL FARM CREDIT BANK	08/11/2016	498	0.57	250,000.00	250,000.00	0.57	100.0042	250,010.50
3136G1KS7	FANNIE MAE	08/15/2016	502	0.5	250,000.00	250,000.00	0.5	99.9917	249,979.25
3135GOWL3	FANNIE MAE	10/25/2016	573	0.625	250,000.00	250,000.00	0.625	100.0319	250,079.75
3136G04R9	FANNIE MAE	02/21/2017	692	0.75	250,000.00	250,000.00	0.75	100.0837	250,209.25
313378PN5	FEDERAL HOME LOAN BANK BOND	03/02/2017	701	1.27	250,000.00	251,392.50	1.153	101.1722	252,930.50
3134G3K82	FREDDIE MAC UNNT	03/27/2017	726	0.75	250,000.00	250,000.00	0.75	100.3222	250,805.50
3130A4JN3	FEDERAL HOME LOAN BANK BOND	03/30/2017	729	0.85	250,000.00	250,000.00	0.85	100.2033	250,508.25
3133ECKL7	FED FARM CREDIT BANK BOND	04/03/2017	733	0.78	250,000.00	250,562.50	0.541	100.0068	250,017.00
3130A4CM2	FEDERAL HOME LOAN BANK BOND	05/18/2017	778	0.93	250,000.00	250,000.00	0.93	100.1885	250,471.25
3136G25J2	FANNIE MAE	09/18/2017	901	1.125	250,000.00	250,000.00	1.125	100.1925	250,481.25
3134G4Z68	FREDDIE MAC	10/16/2017	929	1.25	250,000.00	250,000.00	1.25	99.9488	249,872.00
3130A2CZ7	FEDERAL HOME LOAN BANK BOND	12/26/2017	1000	1.25	250,000.00	250,000.00	1.25	100.1979	250,494.75
3133EDQ39	FEDERAL FARM CREDIT BANK	01/08/2018	1013	1.27	250,000.00	250,000.00	1.27	100.0124	250,031.00
3134G5BKO	FREDDIE MAC	01/17/2018	1022	1.35	250,000.00	250,000.00	1.349	100.0438	250,109.50
3130A45L2	FEDERAL HOME LOAN BANK BOND	02/27/2018	1063	1.2	250,000.00	250,000.00	1.2	100.1111	250,277.75
3136G1GU7	FANNIE MAE	03/27/2018	1091	1.05	250,000.00	250,000.00	1.05	99.5708	248,927.00
3134G43V8	FREDDIE MAC UNNT	05/15/2018	1140	1.05	250,000.00	250,000.00	1.05	99.8764	249,691.00
313382Y98	FED HOME LOAN BANK BOND	05/16/2018	1141	1	250,000.00	250,000.00	1	99.5269	248,817.25
313383AW1	FED HOME LOAN BANK BOND	06/13/2018	1169	1.15	250,000.00	250,000.00	1.15	99.8206	249,551.50
3130A15C8	FED HOME LOAN BANK BOND	06/20/2018	1176	1.45	166,666.67	166,666.67	1.45	100.0129	166,688.17
3134G5QZ1	FREDDIE MAC	09/18/2018	1266	1.55	250,000.00	250,000.00	1.55	100.2464	250,616.00
TOTALS					\$ 5,666,666.67	\$ 5,667,516.67			\$ 5,921,198.92
AVERAGE			832.25	0.96	\$ 236,111.11	\$ 236,146.53	0.95	100.0757167	236,847.96
BENCHMARK 2 YEAR TREASURY YIELD CURVE RATE 03/31/2017				0.56			0.56		

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015					2014	2013	2012	
	Actual YTD	Budget YTD	Budget Variance	Budget Variance	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
			(\$)	(%)					
General Fund									
Revenues									
Charges for Services	\$ 28,050	\$ 20,651	\$ 7,399	35.83%	\$ 251,440	\$ 223,390	\$ 22,591	\$ 153,395	\$ 55,391
Contributions	21,796	24,382	(2,586)	-10.61%	266,788	244,992	1,586	3,844	1,892
Fines and Forfeits	627	774	(147)	-18.99%	6,077	5,450	375	(23)	(2,280)
Interest Income	25,284	1,266	24,018	1897.16%	13,770	(11,514)	21,643	15,878	(7)
Intergovernmental	86,666	91,079	(4,413)	-4.85%	373,597	286,931	87,459	95,940	90,277
Licenses and Permits	28,571	19,594	8,977	45.82%	260,736	232,165	20,669	116,328	16,468
Miscellaneous Revenues	11,579	11,489	90	0.78%	77,877	66,298	10,691	13,448	16,035
Taxes and Assessments	2,143,092	2,034,575	108,517	5.33%	7,576,336	5,433,244	1,971,270	2,427,808	1,876,506
Total Revenues	2,345,665	2,203,810	141,855	6.44%	8,826,621	6,480,956	2,136,284	2,826,618	2,054,282
Operating Expenses									
Legislation & Council	1,802	2,275	(473)	-20.79%	30,129	28,327	1,206	994	1,608
Town Manager	41,857	44,193	(2,337)	-5.29%	272,912	231,055	38,559	32,122	31,605
Administrative Services	54,305	60,675	(6,370)	-10.50%	380,065	325,760	52,730	48,645	40,145
Finance	231,440	228,964	2,476	1.08%	784,912	553,472	212,948	194,321	194,407
Technical	59,304	74,374	(15,070)	-20.26%	179,555	120,251	57,558	62,439	70,005
Human Resources	36,610	43,997	(7,387)	-16.79%	293,455	256,845	42,322	39,149	41,188
Town Attorney	85,667	86,540	(873)	-1.01%	469,199	383,532	56,541	72,260	73,538
Community Relations	30,956	31,076	(120)	-0.39%	235,486	204,530	27,462	26,764	24,434
Municipal Court	4,319	4,636	(317)	-6.84%	30,204	25,885	4,350	2,790	3,722
Police Department	135,035	141,325	(6,290)	-4.45%	792,158	657,123	118,724	118,191	103,478
Community Services	8,543	9,576	(1,033)	-10.79%	52,720	44,177	8,061	7,027	5,438
Community Grants and Contributions	4,000	5,000	(1,000)	-20.00%	66,500	62,500	55,000	15,000	35,000
Roads and Bridges	123,190	137,598	(14,408)	-10.47%	1,038,197	915,007	112,361	98,268	110,166
Vehicle Maintenance	74,137	81,217	(7,080)	-8.72%	478,958	404,821	74,273	68,106	66,262
Municipal Bus/Dial-A-Ride	10,190	12,501	(2,311)	-18.49%	168,914	158,724	6,279	76,063	103,567
Employee Shuttle	11,274	13,840	(2,566)	-18.54%	100,252	88,978	12,646	14,663	16,365
Parks & Recreation	71,153	74,132	(2,979)	-4.02%	478,793	407,640	70,558	33,256	58,823
Plaza and Environmental Services	217,906	214,049	3,857	1.80%	1,540,998	1,323,092	158,940	142,991	136,965
Public Refuse Removal and Residential Trash Billing Services	8,417	7,205	1,212	16.82%	47,307	38,890	6,641	36,164	39,136
Building/Facility Maintenance	26,897	33,889	(6,992)	-20.63%	196,753	169,856	21,917	26,980	30,616
Community Development	912	1,400	(488)	-34.86%	9,149	8,237	837	472	910
Building Division	27,749	36,024	(8,275)	-22.97%	245,446	217,697	28,478	18,687	21,748
Housing Division Office	2,824	2,887	(63)	-2.18%	19,823	16,999	2,792	2,109	34,786
Planning and Zoning Division	35,920	45,261	(9,341)	-20.64%	470,452	469,540	47,464	31,138	31,564
Contingency	-	-	-	#DIV/0!	83,523	80,699	-	-	-
Total Operating Expenses	1,304,407	1,392,634	(88,228)	-6.34%	8,465,860	7,193,637	1,218,647	1,168,599	1,275,476
Surplus / Deficit	1,041,258	811,176	230,083	28.36%	360,761	(712,681)	917,637	1,658,019	778,806
Capital Outlay	49,300	49,300	-	0.00%	431,235	381,935	37,774	19,215	13,737
Surplus / Deficit	991,959	761,876	230,083	30.20%	(70,474)	(1,062,433)	879,863	1,638,804	765,069
Other Sources and Uses									
Sale of Assets	11,408	-	11,408	#DIV/0!	-	(11,408)	-	-	-
Transfer (To) From Affordable Housing	(115,463)	(91,556)	(23,907)	26.11%	(339,889)	(224,426)	(93,851)	(92,872)	(71,030)
Transfer (To) From Cable	-	-	-	#DIV/0!	229,295	229,295	(15,535)	54,412	(998)
Transfer (To) From Child Development	6,646	(1,056)	7,702	-729.36%	(121,208)	(96,981)	(499)	5,069	(2,775)
Transfer (To) From Communications	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From Capital Projects	-	-	-	#DIV/0!	-	(26,875)	-	-	-
Transfer (To) From Debt Service	25,178	14,643	10,535	71.95%	81,251	12,052	25,887	19,809	17,084
Transfer (To) From Mortgage Assistance	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From Overhead Allocation	69,199	72,424	(3,225)	-4.45%	426,900	357,701	75,218	71,568	69,339
Transfer (To) From Parking Services	37,169	(34,793)	71,962	-206.83%	(80,783)	(87,429)	33,883	34,739	32,425
Transfer (To) From Conference Center	(24,227)	(24,275)	48	-0.20%	(167,729)	(167,729)	(24,342)	(18,373)	(35,519)
Transfer (To) From Tourism	26,875	20,299	6,575	32.39%	12,387	(12,791)	22,259	27,358	18,942
Transfer (To) From Vehicle/Equipment	(17,115)	(17,115)	-	0.00%	(352,061)	(334,947)	(63,264)	-	-
Transfer (To) From Water/Sewer	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	19,671	(61,428)	81,099	-132.02%	(311,837)	(363,538)	(40,244)	101,710	27,468

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				Annual Budget	Budget Balance	2014	2013	2012
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Tourism Fund									
Revenues									
Business Licenses Fees	\$ 215,539	\$ 234,645	\$ (19,106)	-8%	\$ 273,856	\$ 58,317	\$ 231,831	\$ 230,255	\$ 192,820
Lodging Taxes - Condos/Homes (1)	235,884	132,076	103,808	79%	542,639	306,755	137,160	154,288	110,121
Lodging Taxes - Hotels/Condos (1)	212,216	157,480	54,736	35%	523,449	311,233	192,201	164,817	131,120
Lodging Taxes - Prior Year	-	-	-	#DIV/0!	-	-	360	870	7,044
Penalties and Interest	5,211	372	4,839	1301%	3,000	(2,211)	1,669	5,629	1,123
Restaurant Taxes	99,922	75,263	24,659	33%	273,200	173,278	86,706	75,569	63,750
Restaurant Taxes - Prior Year	568	-	568	#DIV/0!	-	(568)	-	164	453
Total Revenues	769,340	599,836	169,504	28%	1,616,144	846,804	649,927	631,592	506,431
Tourism Funding									
Additional Funding	-	-	-	#DIV/0!	26,000	26,000	-	-	-
Airline Guaranty Funding	318,049	215,640	102,409	47%	790,119	472,070	246,535	231,006	184,579
MTI Funding	424,416	363,897	60,520	17%	785,138	360,722	381,133	373,227	302,910
Total Tourism Funding	742,465	579,537	162,929	78%	1,601,257	858,792	627,668	604,234	487,489
Surplus / Deficit	26,875	20,299	6,575	32%	14,887	(11,988)	22,259	27,358	18,942
Administrative Fees									
Audit Fees	-	-	-	#DIV/0!	2,500	2,500	-	-	-
Total Administrative Fees	-	-	-	#DIV/0!	2,500	2,500	-	-	-
Surplus / Deficit	26,875	20,299	162,929	803%	12,387	(14,488)	22,259	27,358	18,942
Other Sources and Uses									
Transfer (To) From Other Funds	(26,875)	(20,299)	(6,575)	32%	(12,387)	14,488	(22,259)	(27,358)	(18,942)
Total Other Sources and Uses	(26,875)	(20,299)	(6,575)	32%	(12,387)	14,488	(22,259)	(27,358)	(18,942)
Surplus / Deficit	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -

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**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				2014	2013	2012		
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Parking Services Fund									
Revenues									
Contributions/Shared Facility Expenses	\$ -	\$ -	\$ -	#DIV/0!	\$ 18,500	\$ 18,500	\$ -	\$ -	\$ -
Fines and Forfeits	9,315	3,034	6,281	207%	7,900	(1,415)	3,570	1,205	2,795
Gondola Parking Garage	30,108	18,709	11,399	61%	95,200	65,092	27,548	34,216	26,909
Heritage Parking Garage	42,648	48,074	(5,426)	-11%	131,000	88,352	51,338	40,887	30,661
Parking Meter Revenues	1,266	2,907	(1,641)	-56%	9,500	8,234	3,291	2,468	3,047
Parking Permits	3,170	2,835	335	12%	12,000	8,830	3,540	2,975	2,160
Special Event Parking	-	-	-	#DIV/0!	38,250	38,250	-	-	-
Total Revenues	86,507	75,559	10,948	14%	312,350	225,843	89,287	81,751	65,572
Operating Expenses									
Other Operating Expenses	298	999	(701)	-70%	4,630	4,332	129	-	663
Personnel Expenses	21,903	29,549	(7,646)	-26%	149,742	127,839	25,069	22,216	22,107
Gondola Parking Garage	4,093	9,910	(5,817)	-59%	66,405	62,312	14,124	11,867	5,757
Surface Lots	4,599	3,356	1,243	37%	22,260	17,661	1,785	1,559	2,162
Heritage Parking Garage	6,008	7,825	(1,817)	-23%	98,325	92,317	4,698	5,265	17,458
Contingency	-	-	-	#DIV/0!	-	-	-	-	(22,019)
Meadows Parking	-	-	-	#DIV/0!	-	-	-	-	-
Total Operating Expenses	36,901	51,639	(14,738)	-29%	341,362	304,461	45,805	40,907	26,128
Surplus / Deficit	49,606	23,920	25,686	107%	(29,012)	(78,618)	43,482	40,844	39,444
Capital									
Capital	10,895	10,800	95	1%	22,800	11,905	4,342		
Surplus / Deficit	38,711	13,120	25,591	195%	(51,812)	(90,523)	39,140	40,844	39,444
Other Sources and Uses									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Overhead Allocation	(4,829)	(4,829)	-	0%	(28,971)	(24,142)	(5,257)	(6,105)	(7,019)
Transfer (To) From General Fund	(37,169)	(34,793)	(2,376)	7%	80,783	117,952	(33,883)	(34,739)	(32,425)
Total Other Sources and Uses	(41,998)	(39,622)	(2,376)	6%	51,812	93,810	(39,140)	(40,844)	(39,444)
Surplus / Deficit	\$ -	\$ (26,502)	\$ -	0%	\$ -	\$ -	\$ -	\$ -	\$ -

Parking revenues are over budget \$10,948. HPG revenues are lagging budget but are offset by GPG and fines.

Expenditures are under budget primarily due to personnel and utilities. The net transfer to the General Fund is \$41,998.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015					2014	2013	2012	
	Actual YTD	Budget YTD	Budget Variance	Budget Variance	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
			(\$)	(%)					
Gondola Fund									
Revenues									
Event Operations Funding	\$ 5,425	\$ -	\$ 5,425	#DIV/0!	\$ -	\$ (5,425)	\$ 3,825	\$ 5,499	\$ -
Event Operations Funding - SMC/TOT	-	-	-	#DIV/0!	36,000	36,000	-	-	-
Grant Funding	-	-	-	#DIV/0!	326,837	326,837	-	-	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Miscellaneous Revenues	100	-	100	#DIV/0!	-	(100)	-	-	509
Sale of Assets	15,000	-	15,000	#DIV/0!	-	(15,000)	-	-	-
TMVOA Operating Contributions	587,700	-	587,700	#DIV/0!	5,157,543	4,569,843	676,754	560,244	594,410
TMVOA Capital Contributions	15,000	-	15,000	#DIV/0!	544,259	529,259	-	-	3,585
TSG 1% Lift Sales	80,362	58,491	21,871	37.39%	135,572	55,210	68,405	58,567	57,304
Total Revenues	703,587	58,491	645,096	1102.90%	6,200,211	5,496,624	748,984	624,310	655,808
Operating Expenses									
MAARS	10,605	11,752	(1,147)	-9.76%	76,965	66,360	10,540	8,930	8,552
Chondola	45,533	48,995	(3,462)	-7.07%	1,877,056	1,831,523	44,296	37,273	69,133
Grant Success Fees	-	-	-	#DIV/0!	-	-	-	-	-
Operations	310,402	337,772	(27,370)	-8.10%	1,735,835	1,425,433	316,172	266,279	251,910
Maintenance	204,285	261,836	(57,551)	-21.98%	1,216,984	1,012,699	248,049	178,325	202,844
FGOA	117,762	149,312	(31,550)	-21.13%	572,371	454,609	129,927	133,503	119,784
Major Repairs and Replacements	15,000	17,500	(2,500)	-14.29%	200,000	185,000	-	-	-
Contingency	-	-	-	#DIV/0!	-	-	-	-	-
Total Operating Expenses	703,587	827,167	(123,580)	-14.94%	5,679,211	4,975,624	748,984	624,310	652,223
Surplus / Deficit	-	(768,676)	768,676	-100.00%	521,000	-	-	-	3,585
Capital									
Capital Outlay	-	-	-	#DIV/0!	521,000	521,000	-	-	3,585
Surplus / Deficit	\$ -	\$ (768,676)	\$ 768,676	-100.00%	\$ -	\$ -	\$ -	\$ -	\$ -

The gondola fund is \$123,580 under budgeted expenditures.

MARRS is under budget with savings in employee costs. Chondola expenses are under budget due to utilities savings. Gondola operations is under budget in employee costs. Maintenance is under budget with savings in parts. FGOA costs are under budget with savings in utilities, communications, and insurance. MR&R expense is for station entrance modifications.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				Annual Budget	Budget Balance	2014	2013	2012
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Child Development Fund									
Revenues									
Daycare Fees	\$ 41,564	\$ 43,613	(2,049)	-4.70%	\$ 250,068	\$ 208,504	\$ 42,647	\$ 45,382	\$ 36,703
Fundraising Revenues - Daycare	374	287	87	30.31%	6,000	5,626	485	-	-
Fundraising Revenues - Preschool	374	-	374	1.21%	6,000	(23,080)	-	-	-
Grant Revenues - Daycare	9,323	8,133	1,190	14.63%	30,000	20,677	7,057	5,502	5,680
Grant Revenues - Preschool	4,381	2,549	1,832	71.87%	10,000	5,619	2,404	-	2,320
Preschool Fees	29,080	30,927	(1,847)	#DIV/0!	181,475	181,101	29,046	28,153	30,937
Total Revenues	85,096	85,509	(413)	-0.48%	483,543	398,447	81,639	79,037	75,640
Operating Expenses									
Daycare Contingency	-	-	-	#DIV/0!	-	-	-	-	-
Daycare Other Expense	8,550	14,023	(5,473)	-39.03%	74,752	66,202	9,868	10,878	11,086
Daycare Personnel Expense	45,557	47,138	(1,581)	-3.35%	347,487	301,930	43,412	42,827	45,558
Preschool Contingency	-	-	-	#DIV/0!	-	-	-	-	-
Preschool Other Expense	5,215	4,476	739	16.51%	39,898	34,683	3,647	5,963	5,137
Preschool Personnel Expense	19,128	24,991	(5,863)	-23.46%	142,614	123,486	25,211	14,300	16,634
Total Operating Expenses	78,450	90,628	(12,178)	-13.44%	604,751	526,301	82,138	73,968	78,415
Surplus / Deficit	6,646	(5,119)	11,765	-229.83%	(121,208)		(499)	5,069	(2,775)
Capital									
Preschool Capital Outlay	-	-	-	#DIV/0!	-	-	-	-	-
Total Capital	-	-	-	#DIV/0!	-	-	-	-	-
Surplus / Deficit	6,646	(5,119)	11,765	-229.83%	(121,208)		(499)	5,069	(2,775)
Other Sources and Uses									
Contributions	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	(6,646)	1,056	7,702	729.36%	121,208	127,854	499	(5,069)	2,775
Total Other Sources and Uses	(6,646)	1,056	7,702	729.36%	121,208	127,854	499	(5,069)	2,775
Surplus / Deficit	\$ -	\$ (4,063)	\$ (4,063)	100.00%	\$ -		\$ -	\$ -	\$ -

Child Development revenues are \$413 under budget but are offset by operating budget savings. Grant revenues came in ahead of expectations due to timing. Operating expenses are \$12,200 under budget due mainly to daycare personnel costs. Other savings are in the scholarship program, which is grant funded. The fund has returned \$6,646 in funding to the General Fund. Funding will be required as expenses increase.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				Annual Budget	Budget Balance	2014	2013	2012
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Water & Sewer Fund									
Revenues									
Mountain Village Water and Sewer	\$ 372,362	\$ 318,430	\$ 53,932	16.94%	\$ 2,083,474	\$ 1,711,112	\$ 328,295	\$ 405,491	\$ 353,640
Other Revenues	1,364	2,392	(1,028)	-42.98%	24,050	22,686	1,914	1,429	2,980
Ski Ranches Water	21,332	19,735	1,597	8.09%	126,699	105,367	21,202	21,742	20,246
Skyfield Water	3,578	2,698	880	32.62%	18,769	15,191	2,850	2,967	2,754
Total Revenues	398,636	343,255	55,381	16.13%	2,252,992	1,854,356	354,261	431,629	379,620
Operating Expenses									
Mountain Village Sewer	51,680	51,762	(82)	-0.16%	380,264	328,584	53,462	50,136	43,663
Mountain Village Water	160,669	167,235	(6,566)	-3.93%	1,022,052	861,383	138,083	151,428	158,795
Ski Ranches Water	3,683	12,311	(8,628)	-70.08%	49,589	45,906	5,599	6,375	10,389
Contingency	-	-	-	#DIV/0!	29,038	29,038	-	-	-
Total Operating Expenses	216,032	231,308	(15,276)	-6.60%	1,480,943	1,264,911	197,144	207,939	212,847
Surplus / Deficit	182,604	111,947	70,657	63.12%	772,049		157,117	223,690	166,773
Capital									
Capital Outlay	2,252	2,252	-	0.00%	2,824,383	2,822,131	32,471	28,428	30,650
Surplus / Deficit	180,352	109,695	70,657	64.41%	(2,052,334)		124,646	195,262	136,123
Other Sources and Uses									
Overhead Allocation Transfer	(20,357)	(20,357)	-	0.00%	(122,143)	(101,786)	(22,125)	(20,732)	(20,072)
Mountain Village Tap Fees	-	-	-	#DIV/0!	33,075	33,075	2,863	-	4,892
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Ski Ranches Tap Fees	-	-	-	#DIV/0!	5,000	5,000	5,000	-	-
Skyfield Tap Fees	-	-	-	#DIV/0!	2,000	2,000	-	-	-
Telski Tap Fee/Water Credit	-	-	-	#DIV/0!	(121,432)	(121,432)	-	-	-
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	(20,357)	(20,357)	-	0.00%	(203,500)	(183,143)	(14,262)	(20,732)	(15,180)
Surplus / Deficit	\$ 159,995	\$ 89,338	\$ 70,657	79.09%	\$ (2,255,834)		\$ 110,384	\$ 174,530	\$ 120,943

Water and sewer base fees and snow making fees are exceeded budget (2% and 90%), snowmaking is 72% higher than last year Excess water fees are over budget (83%). Ski Ranches revenues are over budget due to base fees. Skyfield revenues are over budget in excess water and standby fees. Other revenues are under budget in late fees and maintenance revenues. Sewer expenditures are meeting budget. MV water is under budget due to legal costs. Ski Ranches water costs are under budget with savings in R&M and electric. Capital costs are for water rights acquisition.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015					2014	2013	2012	
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Cable Fund									
Revenues									
Cable User Fees	\$ 141,151	\$ 147,379	\$ (6,228)	-4.23%	\$ 843,443	\$ 702,292	\$ 138,475	\$ 145,118	\$ 143,943
Channel Revenues	67	157	(90)	-57.32%	420	353	87	61	70
Internet User Fees	132,221	119,787	12,434	10.38%	713,265	581,044	118,782	101,732	99,352
Other Revenues	12,349	13,376	(1,027)	-7.68%	95,557	89,343	12,756	13,359	16,838
Phone Service Fees	6,214	5,553	661	11.90%	33,911	21,562	5,876	5,405	5,039
Total Revenues	292,002	286,252	5,750	2.01%	1,686,596	1,394,594	275,976	265,675	265,242
Operating Expenses									
Cable Direct Costs	104,049	105,906	(1,857)	-1.75%	630,747	526,698	96,781	97,079	92,778
Phone Service Costs	4,552	2,850	1,702	59.72%	23,788	19,236	2,789	3,387	3,293
Internet Direct Costs	18,000	18,000	-	0.00%	108,000	90,000	18,000	15,212	15,212
Cable Operations	78,032	101,979	(23,947)	-23.48%	579,564	501,532	104,808	96,369	102,705
Contingency	-	-	-	#DIV/0!	3,000	3,000	-	-	-
Total Operating Expenses	204,633	228,735	(24,102)	-10.54%	1,345,099	1,140,466	222,378	212,047	213,988
Surplus / Deficit	87,369	57,517	29,852	51.90%	341,497		53,598	53,628	51,254
Capital									
Capital Outlay	-	-	-	#DIV/0!	52,500	52,500	-	6,700	-
Surplus / Deficit	87,369	57,517	29,852	51.90%	288,997		53,598	46,928	51,254
Other Sources and Uses									
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	-	-	-	#DIV/0!	-	-	15,535	(54,412)	998
Overhead Allocation Transfer	(18,284)	(18,284)	-	0.00%	(109,702)	(91,418)	(19,133)	(17,516)	(17,252)
Total Other Sources and Uses	(18,284)	(18,284)	-	0.00%	(109,702)	(91,418)	(3,598)	(71,928)	(16,254)
Surplus / Deficit	\$ 69,085	\$ 39,233	\$ -	0.00%	\$ 179,295		\$ 50,000	\$ (25,000)	\$ 35,000
Beginning (Available) Fund Balance	\$ 110,000	\$ 110,000	\$ -						
Ending (Available) Fund Balance	\$ 179,085	\$ 149,233	\$ -						

Cable user revenues are under budget (4%) and are over prior year (2%). Residential basic, premium and digital fees are under budget. Internet revenues are over budget 10% and 11% over prior year. Other revenues are under budget 8% due mainly to connection fees and equipment rental. Direct costs for cable are over budget and over prior year due to increasing and additional programming costs. Internet costs are on budget and prior year. Phone service revenues are over budget by 12%, while phone service expenses are over budget by 60%. This is due to certain fees, previously not charged, being added to our service costs after the budget was adopted. Cable operating expenses are under budget with savings in head end R&M, tech support, and insurance.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015					2014	2013	2012	
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD
Telluride Conference Center Fund									
Revenues									
Beverage Revenues	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Catering Revenues	-	-	-	#DIV/0!	-	-	-	-	-
Facility Rental	-	-	-	#DIV/0!	-	-	-	-	-
Operating/Other Revenues	-	-	-	#DIV/0!	-	-	900	-	-
Total Revenues	-	-	-	#DIV/0!	-	-	900	-	-
Operating Expenses									
Wait Staff	-	-	-	#DIV/0!	-	-	-	-	-
Food Operations	-	-	-	#DIV/0!	-	-	-	-	-
Beverage Operations	-	-	-	#DIV/0!	-	-	-	-	-
General Operations	-	-	-	#DIV/0!	-	-	-	-	1,160
Administration	24,227	24,275	(48)	-0.20%	82,729	58,502	23,242	18,373	22,321
Marketing	-	-	-	#DIV/0!	65,000	65,000	2,000	-	12,038
Contingency	-	-	-	#DIV/0!	-	-	-	-	-
Total Operating Expenses	24,227	24,275	(48)	-0.20%	147,729	123,502	25,242	18,373	35,519
Surplus / Deficit	(24,227)	(24,275)	48	-0.20%	(147,729)		(24,342)	(18,373)	(35,519)
Capital Outlay/ Major R&R	-	-	-	#DIV/0!	20,000	20,000	-	-	-
Surplus / Deficit	(24,227)	(24,275)	48	-0.20%	(167,729)		(24,342)	(18,373)	(35,519)
Other Sources and Uses									
Damage Receipts	-	-	-	#DIV/0!	-	-	-	-	-
Insurance Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Sale of Assets	-	-	-	#DIV/0!	-	-	-	-	-
Transfer (To) From General Fund	24,227	24,275	(48)	-0.20%	167,729	143,502	24,342	18,373	35,519
Overhead Allocation Transfer	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	24,227	24,275	(48)	74.00%	167,729	143,502	24,342	18,373	35,519
Surplus / Deficit	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -

Expenses to date are HOA dues.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				Annual Budget	Budget Balance	2014	2013	2012
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Affordable Housing Development Fund									
Revenues									
Contributions	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Rental Income	1,529	1,529	-	0.00%	12,228	10,700	1,456	5,648	3,408
Sales Proceeds	-	-	-	#DIV/0!	-	-	-	-	-
Total Revenues	1,529	1,529	-	0.00%	12,228	10,700	1,456	5,648	3,408
Operating Expenses									
Coyote Court	-	-	-	#DIV/0!	-	-	-	1,895	336
RHA Funding - Moved in 2014 from the GF	-	-	-	#DIV/0!	82,138	82,138	34,640	-	-
Timberview	-	-	-	#DIV/0!	-	-	-	-	-
Sunshine Valley	-	-	-	#DIV/0!	-	-	9,111	2,974	5,796
Foreclosure Properties	3,204	-	3,204	#DIV/0!	-	(3,204)	8,856	8,856	11,664
Density bank	8,856	5,000	3,856	77.12%	5,000	(3,856)	-	-	-
Fairway Four	-	-	-	#DIV/0!	-	-	-	-	-
Total Operating Expenses	12,060	5,000	7,060	141.20%	87,138	75,078	52,607	13,725	17,796
Surplus / Deficit	(10,532)	(3,472)	7,060	-203.37%	(74,910)	(64,379)	(51,151)	(8,077)	(14,388)
Other Sources and Uses									
Transfer (To) From MAP	-	-	-	#DIV/0!	(30,000)	-	-	-	-
Transfer (To) From General Fund - Sales Tax	115,463	91,556	(23,907)	-26.11%	339,889	224,426	93,851	92,872	71,030
Transfer (To) From Capital Projects Fund (1)	-	-	-	#DIV/0!	(438,430)	(438,430)	-	-	-
Transfer (To) From VCA (2)	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	115,463	91,556	(23,907)	-26.11%	(128,541)	(214,004)	93,851	92,872	71,030
Surplus / Deficit	\$ 104,931	\$ 88,085	\$ 30,967	35.16%	\$ (203,451)	\$ (278,382)	\$ 42,700	\$ 84,795	\$ 56,642
Beginning Fund Equity Balance	\$ 948,827	\$ 948,827	\$ -						
Ending Equity Fund Balance	\$ 1,053,758	\$ 1,036,911	\$ 16,847						

Expenses consist of HOA dues on town owned property.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015						2014	2013	2012
	Actual YTD	Budget YTD	Budget Vary (\$)	Budget Var (%)	Annual Budget	Budget Balance	Actual	Actual	Actual
Village Court Apartments									
Operating Revenues									
Rental Income	\$ 377,621	\$ 370,991	\$ 6,630	2%	\$ 2,225,944	\$ 1,848,323	\$ 334,119	\$ 320,303	\$ 310,767
Other Operating Income	13,765	13,505	261	2%	89,225	75,460	67,829	66,473	57,258
Less: Allowance for Bad Debt	(1,662)	(1,819)	157	-9%	(10,914)	(9,252)	(1,671)	(806)	(1,554)
Total Operating Revenue	389,724	382,676	7,048	2%	2,304,255	1,914,531	400,277	385,970	366,471
Operating Expenses									
Office Operations	25,873	31,047	5,175	17%	186,435	160,562	28,657	22,761	22,354
General and Administrative	89,290	104,380	15,090	14%	144,277	54,987	96,829	79,760	94,296
Utilities	70,164	70,587	423	1%	423,523	353,359	77,710	80,057	76,030
Repair and Maintenance	56,892	62,947	6,055	10%	374,354	317,462	65,462	57,699	60,427
Major Repairs and Replacement	12,542	12,542	-	0%	218,021	205,479	72,328	9,060	13,736
Contingency	-	-	-	0%	13,575	13,575	-	-	-
Total Operating Expenses	254,760	281,503	26,743	10%	1,360,185	1,105,425	340,986	249,338	266,843
Surplus / (Deficit) After Operations	134,964	101,173	33,791	33%	944,070		59,291	136,632	99,628
Non-Operating (Income) / Expense									
Investment Earning	(6)	(250)	(244)	-98%	(1,500)	(1,494)	(48)	(112)	(164)
Debt Service, Interest	106,185	66,102	(40,083)	-61%	396,611	290,426	43,842	44,553	43,057
Debt Service, Fees	-	-	-	#DIV/0!	-	-	3,050	2,800	5,354
Debt Service, Principal	-	-	-	#DIV/0!	390,863	390,863	4,375	4,182	3,851
Total Non-Operating (Income) / Expense	106,179	65,852	(40,327)	-61%	785,974	679,795	51,219	51,423	52,098
Surplus / (Deficit) Before Capital	28,785	35,321	(6,536)	-19%	158,096		8,072	85,209	47,530
Capital Spending	-	-	-	#DIV/0!	-	-	-	-	-
Surplus / (Deficit)	28,785	35,321	(6,536)	-19%	158,096		8,072	85,209	47,530
Other Sources / (Uses)									
Transfer (To)/From General Fund	(18,847)	(18,847)	-	0%	(113,084)	(113,084)	(20,654)	(17,857)	(19,167)
Sale of Assets	-	-	-	0%	-	-	-	-	-
Grant Revenues	-	-	-	0%	-	-	-	-	-
Transfer From AHDF	-	-	-	0%	-	18,847	-	-	-
Total Other Sources / (Uses)	(18,847)	(18,847)	-	0%	(113,084)	18,847	(20,654)	(17,857)	(19,167)
Surplus / (Deficit)	9,938	16,474	(6,536)	-40%	45,012		(12,581)	67,352	28,362
Beginning Working Capital	-	-	-	#DIV/0!	-				
Ending Working Capital	\$ 9,938	\$ 16,474	\$ (6,536)	-40%	\$ 45,012				

Rent revenues are over budget 2%, and over prior year 13% due in large part to the re-allocation of utility charges. Other revenues are over budget 2% and over prior year 5% due mainly to laundry revenues. Office operations are under budget 17%. Telephone and credit check fees are under budget. General and administrative is under budget due mainly to property insurance coming in under budget. Utilities are slightly under budget (1%). Maintenance is under in snow removal and salaries and wages. MR&R is meeting budget. Expenses include carpet replacement and cabinet replacement. Operating expenditures of \$254,800 were \$27,000 under budget.

**Town of Mountain Village
Monthly Revenue and Expenditure Report
February 2015**

	2015				Annual Budget	Budget Balance	2014	2013	2012
	Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)			Actual YTD	Actual YTD	Actual YTD
Debt Service Fund									
Revenues									
Abatements	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions	-	-	-	#DIV/0!	206,215	206,215	-	-	-
Miscellaneous Revenue	-	-	-	#DIV/0!	-	-	-	-	235
Property Taxes	1,056,294	945,660	110,634	11.70%	3,477,157	2,420,863	1,088,733	999,959	925,217
Reserve/Capital/Liquidity Interest	213	998	(785)	-78.66%	6,010	5,797	433	360	344
Specific Ownership Taxes	25,178	14,643	10,535	71.95%	80,651	55,473	25,887	19,809	17,084
Total Revenues	1,081,685	961,301	120,384	140.00%	3,770,033	2,688,348	1,115,053	1,020,128	942,880
Debt Service									
2001/2011 Bonds - Gondola - Paid by contributions from TMVOA and TSG									
2001/2011 Bond Issue - Interest	-	-	-	#DIV/0!	96,275	96,275	-	-	-
2001/2011 Bond Issue - Principal	-	-	-	#DIV/0!	110,000	110,000	-	-	-
2002 Bonds - Water/Sewer/Parking (refunding 1992) - 77.5% Water/Sewer - 22.5% Parking									
2002 Bond Issue - Interest	-	-	-	#DIV/0!	-	-	-	-	-
2002 Bond Issue - Principal	-	-	-	#DIV/0!	-	-	-	-	-
2005 Bonds - Telluride Conference Center - (refunding portion of 1998)									
2005 Bond Issue - Interest	-	-	-	#DIV/0!	97,000	97,000	-	-	-
2005 Bond Issue - Principal	-	-	-	#DIV/0!	615,000	615,000	-	-	-
2006B/2014 Bonds - Heritage Parking									
2014 Bond Issue - Interest	-	-	-	#DIV/0!	298,416	298,416	-	-	-
2014 Bond Issue - Principal	-	-	-	#DIV/0!	230,000	230,000	-	-	-
2007 Bonds - Water/Sewer (refunding 1997)									
2007 Bond Issue - Interest	-	-	-	#DIV/0!	244,800	244,800	-	-	-
2007 Bond Issue - Principal	-	-	-	#DIV/0!	1,555,000	1,555,000	-	-	-
2009 Bonds - Telluride Conference Center (refunding 1998 bonds)									
2009 Bond Issue - Interest	-	-	-	#DIV/0!	32,900	32,900	-	-	-
2009 Bond Issue - Principal	-	-	-	#DIV/0!	290,000	290,000	-	-	-
Total Debt Service	-	-	-	#DIV/0!	3,569,391	3,569,391	-	-	-
Surplus / (Deficit)	1,081,685	961,301	120,384	12.52%	200,642		1,115,053	1,020,128	942,880
Operating Expenses									
Administrative Fees	900	900	-	0.00%	17,000	16,100	-	-	-
County Treasurer Collection Fees	31,689	31,414	275	0.88%	102,228	70,539	32,662	30,000	27,822
Total Operating Expenses	32,589	32,314	275	0.85%	119,228	86,639	32,662	30,000	27,822
Surplus / (Deficit)	1,049,096	928,987	120,109	12.93%	81,414		1,082,391	990,128	915,058

**Town of Mountain Village
 Monthly Revenue and Expenditure Report
 February 2015**

		2015				2014	2013	2012	
Actual YTD	Budget YTD	Budget Variance (\$)	Budget Variance (%)	Annual Budget	Budget Balance	Actual YTD	Actual YTD	Actual YTD	
Debt Service Fund									
Other Sources and Uses									
Transfer (To) From General Fund	(25,178)	(14,643)	(10,535)	71.95%	(81,251)	(56,073)	(25,887)	(19,809)	(17,084)
Transfer (To) From Other Funds	-	-	-	#DIV/0!	-	-	-	-	-
Bond Premiums	-	-	-	#DIV/0!	-	-	-	-	-
Proceeds From Bond Issuance	-	-	-	#DIV/0!	-	-	-	-	-
Total Other Sources and Uses	(25,178)	(14,643)	(10,535)	71.95%	(81,251)	(56,073)	(25,887)	(19,809)	(17,084)
Surplus / (Deficit)	\$ 1,023,918	\$ 914,344	\$ 109,574	11.98%	\$ 163	\$ 1,056,504	\$ 970,319	\$ 897,974	
Beginning Fund Balance	\$ 734,652	\$ 737,976	\$ (3,324)						
Ending Fund Balance	\$ 1,758,570	\$ 1,652,320	\$ 106,250						

Memo

Agenda Item #4

To: Mayor Jansen and Town Council
From: J. David Reed
CC: Chris Hawkins, Jackie Kennefick
Date: April 15, 2015
Re: Amendment To Land Acquisition and Conveyance Agreement (Telluride Hospital District)

On January 23, 2015, the Town and the Telluride Hospital District (the “District”) entered into the Land Acquisition and Conveyance Agreement.

The District is proposing the First Amendment to Land Acquisition and Conveyance Agreement (the “First Amendment”). The First Amendment seeks *inter alia*, to extend the Study Period to May 29, 2015 and to extend the Closing date to June 17, 2015.

Susan Johnston

From: Tom Kennedy <Tom@tklaw.net>
Sent: Wednesday, April 15, 2015 3:37 PM
To: J.. David Reed
Cc: Gordon Reichard
Subject: Telluride Hospital District - Buyer Objections/Proposed Contract Amendment
Attachments: First Contract Amendment.1c.doc

David

Attached is a draft Contract Amendment prepared by the Buyer, which proposes that the Parties: (1) extend the Buyer's Study Period and the Closing Date, (2) defer certain pre-closing undertakings by the Town, notably the Wetland, Permitting and Wetland Mitigation until after closing, and (3) to provide that the Parties would enter into a mutually agreeable Post Closing Agreement at Closing, which agreement would address the issues outlined above and other matters of relevance to the parties.

Buyer's Study Period expires April 17, 2015 @ 5PM. The Buyer is objecting to the above stated issues and, as its resolution, is requesting that the Buyer and Seller execute a mutually agreeable contract amendment addressing the above issues and such other issues and matters as noted in the draft Contract Amendment attached hereto. Buyer recognizes that the Contract Amendment will need to be on mutually agreeable terms and conditions. In the event that the Town elects to not execute the Contract Amendment in a form mutually agreeable to both parties, then Buyer reserves the right to terminate the purchase contract and obtain a refund of the earnest money.

Thank You
Tom Kennedy

The Law Offices of Thomas G. Kennedy
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The Willow Professional Building
307 East Colorado Avenue, Suite 203
Telluride, Colorado 81435
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Email Address tom@tklaw.net

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**FIRST AMENDMENT TO
LAND ACQUISITION AND CONVEYANCE AGREEMENT**

This First Amendment To Land Acquisition and Conveyance Agreement (“**Amendment**”) is entered into and made effective by the Seller and Buyer (defined below) as of April __, 2015 (“**Effective Date**”).

Defined Terms:

Buyer or District	means and The Telluride Hospital District a political subdivision of the State of Colorado
Purchase Agreement	means the Land Acquisition and Conveyance Agreement dated January 23, 2015
Acquisition Property	means the property described in the Purchase Agreement
Seller or Town	means the Town of Mountain Village
Title Company	means Land Title Guarantee Company

Capitalized terms not otherwise defined in this Amendment shall be given the same meaning ascribed to the term in the Purchase Agreement. The Parties hereby agree to the following modifications and amendments to the Purchase Agreement.

RECITALS

A. District and Town entered into the Purchase Agreement, which concerned the purchase and sale of the Property in accordance with the terms and conditions of the Purchase Agreement.

B. The Purchase Agreement contemplated that the District and Town would each perform certain undertakings prior to closing. Circumstances beyond the reasonable control of the parties have delayed the achievement of the Town’s Pre-Closing Undertakings, including the securing of the Offsite Easements.

C. Other terms and conditions contemplated by the Purchase Agreement in the form of certain Post-Closing Undertakings by District and Town and other obligations provided for in the Purchase Agreement were contemplated to be addressed by the Parties after Closing in the course of the Town’s review of District’s land use applications for the development of the Acquisition Property.

D. District desires that some of the Town’s Pre-Closing Undertakings continue to be completed by the Town prior to the expiration of District’s Study Period and Closing Date, which will necessitate an extension of these dates under the current terms and conditions of the Purchase Agreement.

E. The Parties are willing to defer other of the District’s Pre-Closing Undertakings and Town’s Pre-Closing Undertakings to after Closing and agree to proceed with Closing, provided that the remaining District’s Pre-Closing Undertakings and Town’s Pre-Closing Undertakings would be completed after Closing.

F. The Parties wish to enter into a certain Closing Agreement at Closing that addresses the manner and means that the District’s Pre-Closing and Post Closing Undertakings and Town’s Pre-Closing and Post Closing Undertakings as well as any other issues the Parties may identify, would be handled following Closing.

AGREEMENT

NOW, THEREFORE, in consideration of the above recited premises and the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree that the Purchase Agreement is modified and amended as
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provided for herein:

1. **Extensions of Times.** The Parties acknowledge and agree as follows:

- 1.1. The Study Period Deadline is extended to May 29, 2015.
- 1.2. The Closing Date is extended to June 17, 2015.

2. **Timing of Town and District Pre-Closing Obligations.**

2.1. The Parties acknowledge and agree that Town's requirement to complete the requisite formation of the Land Condominium, obtain Offsite Easements, provide the Helipad Easement and assist in securing Consent to Helipad Operation will remain a Town Pre-Closing Undertaking.

2.2. The Parties further acknowledge and agree that Town's requirement to obtain the Wetland Permit and undertake and complete the required wetland mitigation will occur after closing.

3. **Closing Agreement.** Prior to Closing, the Parties agree to negotiate the terms of a mutually agreeable Closing Agreement, which they shall undertake in good faith, which shall be executed at Closing. A draft of the Closing Agreement shall be submitted to the Town Council for its review and approval prior to its execution, which will not be unreasonably withheld. In the event the parties cannot agree to a mutually acceptable Closing Agreement prior to the expiration of the Study Period, the Parties shall extend the Study Period and Closing Date for a period not to exceed thirty (30) days to allow the Parties the opportunity to address unresolved issues with the goal of generating a mutually agreeable Closing Agreement. If the event the Parties cannot come to a mutually agreeable Closing Agreement by the end of the applicable Study Period, the District may elect to either proceed to closing without the Closing Agreement or terminate the Purchase Agreement.

3.1. The Closing Agreement will further outline required and anticipated terms and conditions of the required Town/District Development Cost Agreement, which terms and conditions will be included in a certain "Development Agreement" to be entered into by the Town and District following the design review process and approval of the project by the Town.

3.2. The Closing Agreement and ultimately the Development Agreement will further address such other issues mutually agreeable to the Parties.

4. **Assignment of Declarant Rights.** Town shall transfer and assign to District any and all reserved declarant rights specifically allocated and assigned to the Acquisition Property under the Land Condominium documents.

5. **No Further Agreements.** The Parties agree that there are no further agreements, understandings, Purchase Agreements and the like concerning the subject matter stated in this Amendment, other than the Purchase Agreement, such other written and signed amendments to the Purchase Agreement and this Amendment.

6. **Counterparts and Facsimiles.** This Amendment may be executed in multiple counterparts, each of which shall constitute an original, but all of which, taken together, shall constitute one and the same instrument. The scanned/mailed or facsimile transmission of a signed copy hereof shall be considered valid and constitute a signed original.

Accepted and agreed to by the Parties as of the Effective Date.

TOWN:

Town of Mountain Village, a Colorado
Home Rule Municipality and Political
Subdivision of the State of Colorado

By: _____
Dan Jansen, Mayor

Date: _____

Attest: _____

By: _____
Kim Montgomery, Town Manager

Date: _____

DISTRICT:

By: _____

Date: _____

Printed Name: _____

Title: _____



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #5

TO: Town Council
Design Review Board

FROM: Chris Hawkins, Director of Community Development

FOR: April 23, 2015 Meeting

DATE: April 15, 2015

RE: Consideration of a Resolution Approving a Conditional Use Permit for Medical Center Heliport to be Located on Lot 1003R-1

PROJECT GEOGRAPHY

Legal Description: Lot 1003R-1

Address: No Address Assigned

Applicant: Telluride Hospital District

Agents: McAllister Architects, Inc
Mahlum Architects
Law Offices of Thomas G. Kennedy

Owner: Town of Mountain Village

Zoning: Civic Zone District

Existing Use: Gondola Parking Garage (GPG)

Proposed Use: Medical Center Heliport on Top of GPG

Adjacent Land Uses:

- **North:** Open Space & Village Court Apartments
- **South:** New Medical Center site & Town Hall
- **East:** Open Space/Double Cabin Ski Run & Mountain Lodge
- **West:** Open Space/Chair 10 and Lot 1007

ATTACHMENTS

Exhibit A: Applicant Narrative (Exhibit A)

Exhibit C: Heliport Plans (Exhibit B)

RECORD DOCUMENTS

- Town of Mountain Village Community Development Code (as adopted March 2013)
- Town of Mountain Village Home Rule Charter (as amended on June 28, 2005)
- Design Review Application as maintained by the Community Development Department.

BACKGROUND

The Telluride Hospital District (“District”) selected the Mountain Village site on Lot 1003R-1 as the only practicable alternative for siting the needed, new regional medical center. Based on this selection, the Town and the District have entered into the Land Acquisition and Land Conveyance Agreement dated January 23, 2015, as amended (“Land Conveyance Agreement”) concerning the District’s acquisition of a portion of Lot 1003R-1 (“Property”). The Land Conveyance Agreement authorizes the District to apply for a conditional use permit for a medical center heliport as one of the many steps in moving forward with the construction of a new regional medical center.

The District has indicated that it is critically important for the new regional medical center to have a heliport in close proximity because it will save lives and improve medical outcomes by providing safe, direct and quicker access to regional tertiary hospitals. It is very important to rapidly transport critical patients to a tertiary hospital, with an adjacent heliport reducing travel times to the Telluride Airport by approximately 30 to 60 minutes depending upon patient needs and weather conditions. This 30 to 60 minute reduction means that more patients will be treated within the first hour of an emergent situation which will improve outcomes and save lives.

The heliport is proposed to be located on the Gondola Parking Garage (“GPG”) with two scenarios presented in the attached plans. The first scenario is the current constructed condition of the GPG, with the heliport located over the ramp leading up to the upper level. The second scenario is shown with the build-out of the GPG that has two floors added over the current level. Under this scenario, the helipad would remain constructed over the ramp leading to and from the roof of the GPG, with the height lower than the approved elevator shaft height. The Town obtained a vested property right to construct the remaining levels and areas of the GPG for a period of 10 years that will expire in 2021.

The heliport is a prefabricated aluminum structure that will be set of steel columns to match the existing columns of the GPG. The heliport and part of the walkway leading to the landing area are required to provide safety nets in case of an accidental fall off the platform or walkway. The bridge connection will be designed to match the color of the GPG.

Drainage from the heliport will need some further refinement to ensure the snowmelt system is integrated into the existing garage drainage, and to ensure that icicles from snow melting on the netting, helipad or bridge connection do not fall onto vehicles below. Staff has added a condition to ensure proper drainage and vehicle protection.

The Federal Aviation Administration (“FAA”) requires landing lights that are turned on remotely by the air ambulance pilots. These lights cannot be screened and are on only during takeoff and landing. Since the lighting is required by the FAA, the Town’s lighting regulations are superseded by the Federal requirements. The resolution includes a condition recognizing this situation.

The District is required to submit heliport designs to the FAA ensure compliance with its heliport regulations, with an emphasis on ensuring a safe flight path to and from the heliport and landing area safety. Staff has added a condition that requires this FAA approval prior to operating the heliport. The Town’s Building Regulations and National Fire Protection Association (“NFPA”) codes will also ensure heliport safety, with a condition to recognize that a building permit is needed.

Staff is recommending a five year length of validity for the conditional use permit approval, and once constructed the conditional use permit would be valid for the life of the medical center provided the conditions of approval are met. Other conditions in the resolution address:

1. Design alterations through the Minor Revision Process or the Design Review Process, as applicable.
2. The ability to relocate the heliport on the GPG roof if one or two floors are added over time.
3. Recognition that a Design Review Process application is not required for the heliport as presented in the conditional use permit application as allowed by CDC Section 17.4.11(B)(2)(a)(iv).
4. Limiting air ambulance flights to critical care patients as solely determined by the attending physicians.
5. A requirement that air ambulance pilots be trained in the Fly Neighborly Guide produced by the Helicopter Association International with the goal to minimize the amount of helicopter noise during flight arrival and departures.
6. Requiring the District to close on the medical center site.
7. The provision of adequate insurance for the Town.

The Town Council and DRB should refer to the attached applicant narrative and plan set for additional background information.

CRITERIA FOR DECISION

- A. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan;
- B. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
- C. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
- D. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;
- E. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;
- F. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
- G. The design, development and operation of the proposed conditional use shall provide adequate infrastructure;
- H. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
- I. The proposed conditional use permit meets all applicable Town regulations and standards.

ANALYSIS

The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Mountain Village Comprehensive Plan ("Comprehensive Plan") because the Town Hall Center Subarea Plan envisions a medical center and associated heliport. The medical center and associated heliport will allow for the Town to promote the medical center as envisioned in the Comprehensive Plan. In addition, the medical center will generate activity, vitality and economic development as envisioned in the Comprehensive Plan.

Staff believes that 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 for several reasons. First, the Comprehensive Plan envisions the medical facility and heliport. The siting of the heliport also provides for reasonable separation from surrounding land uses. Third, visual impacts of the heliport are minimized by locating it behind Town Hall. Moreover, the number of critical patients transported by helicopter air ambulance is estimated to be very low on an annual basis. Fifth, Helitrax currently operates a heliport in the Village Center with numerous flights during the ski season so helicopter flights and noise are already experienced within the town. Noise impacts will also be mitigated by the location of the helipad behind Town Hall and the required FAA flight path as shown in the approved plans. Noise impacts will be further minimized by the helicopter pilots being trained and practicing the Fly Neighborly Program that emphasizes flight techniques to minimize noise and flight impacts, such as quick landings and shut downs of helicopter motors. Last, a sound study completed by the District and the Town showed that the impact of normal medical flight resulted in sound levels similar to human speech, a lawn mower, and snowplows at roughly the same decibel level of a helicopter.

Staff further believes that the design, development and operation of the proposed conditional use will not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space. Heliports are commonly located at hospitals and medical centers that are there to ensure public health and are designed with public safety protections. In addition, the heliport has been designed to meet FAA regulatory standards. The heliport will also be designed to meet the CDC Building Regulations. Safety is furthered by the fact that medical helicopter pilots are highly trained and competent professionals. Moreover, the heliport will not be used when weather conditions do not allow for landing. Heliports are also commonly located in high density population centers. Staff would also note that helicopters commonly fly at high altitudes with adjustments made as needed based on weather conditions. Safety is further assured because the FAA, helicopter operators and the medical community promote a positive safety culture that ensures the safety of passengers, flight crews, medical professionals and the public. It should also be noted that in February of 2014, the FAA issued new regulations requiring air ambulances to have stricter flight rules and procedures, improved communications, training and on-board safety equipment to reduce the risk of accidents. Medical center heliports also have a very low accident rate.

Staff believes that the design, development and operation of the proposed conditional use will not have a significant adverse effect on open space or the purposes of the facilities owned by the Town. There will be no net loss of parking due to the heliport. The operation of the heliport will not impact Town Hall or the surrounding public rights-of-way. The heliport is being designed and will be operated with safety as the number one priority. The gondola will also not be impacted by flight operations, with helicopters flying over and landing by public transit systems on a very common basis.

RECOMMENDATION

Staff recommends that the DRB pass a motion to recommend the Town Council approve the conditional use permit for the medical center heliport with the following motion:

"I move to recommend the Town Council approve a resolution approving a conditional use permit for a medical center heliport to be located on Lot 1003R-1".

Staff recommends that the Town Council approve the conditional use permit for the medical center heliport with the following motion:

"I move to approve a resolution approving a conditional use permit for a medical center heliport to be located on Lot 1003R-1".

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR MEDICAL CENTER
HELIPORT TO BE LOCATED ON LOT 1003R-1**

Resolution No. 2015-0423-__

- A. The Town of Mountain Village (“Town”) is the owner of record of real property described as Lot 1003R-1 (“Lot 1003R-1”).
- B. The Town and the Telluride Hospital District (“District”) have entered into a certain Land Acquisition and Land Conveyance Agreement dated January 23, 2015, as amended (“Land Conveyance Agreement”) concerning the District’s acquisition of a portion of Lot 1003R-1 (“Property”) covered by the Land Conveyance Agreement.
- C. Consistent with the Land Conveyance Agreement, the Town has authorized the District to apply for a conditional use permit for a medical center heliport on Lot 1003R-1 (“Application”).
- D. The Town’s review of the Application is governed by the applicable provisions of the Community Development Code (“CDC”), including Section 17.4.14 which governs the consideration of a Conditional Use Permit.
- E. The Design Review Board (“DRB”) and Town Council considered the Application, along with evidence and testimony, at a public hearing held on April 23, 2015. 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 on the Town website, and by mailing of public notice to property owners within four hundred feet (400’) of the Property, as required by the public hearing noticing requirements of the CDC.
- F. After closing the public hearings referred to above, the DRB carefully considered the Application and supporting submittal materials submitted by the District, and all other relevant materials, public letters and public testimony placed into the record. Thereupon, the DRB determined that the Application and the uses and activities proposed by the District complied with the controlling provisions of the CDC and, therefore voted to recommend approval of the Application by a vote of __ to __ and recommended that the Town Council approve the Application, subject to certain conditions as set forth in this Resolution.
- G. After closing the public hearings referred to above, the Town Council carefully considered the Application and supporting submittal materials submitted by the District, and all other relevant materials, public letters and public testimony placed into the record. Thereupon, the Town Council determined that the Application and the uses and activities proposed by the District complied with the controlling provisions of the CDC and, therefore voted to approve the Application by a vote of __ to __, subject to certain conditions as set forth in this Resolution.
- H. The District has addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- I. In approving the Application, the Town Council finds and determines the Application specifically meet the conditional use permit criteria for decision contained in CDC Section 17.4.14(D) as follows:

1. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Mountain Village Comprehensive Plan (“Comprehensive Plan”) because, without limitation:
 - 1.1. The Comprehensive Plan’s Town Hall Center Subarea Plan envisions a medical center and associated heliport;
 - 1.2. The medical center and associated heliport will allow for the Town to promote the medical center as envisioned in the Comprehensive Plan as set forth in Land Use Principle, Policy and Action I; and
 - 1.3. The medical center will generate activity, vitality and economic development as envisioned 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 because without limitation:
 - 2.1. The Comprehensive Plan envisions the medical facility and heliport;
 - 2.2. The siting of the heliport provides for reasonable separation from surrounding land uses;
 - 2.3. Visual impacts of the heliport are minimized by locating it behind Town Hall;
 - 2.4. The number of critical patients transported by helicopter air ambulance is estimated to be very low on an annual basis;
 - 2.5. Helitrax currently operates a heliport in the Village Center with numerous flights during the ski season so helicopter flights and noise are already experienced within the town;
 - 2.6. Noise impacts are mitigated by the location of the helipad behind Town Hall and the required FAA flight path as shown in the approved plans;
 - 2.7. Noise impacts will be further minimized by the helicopter pilots being trained and practicing the Fly Neighborly Program that emphasizes flight techniques to minimize noise and flight impacts, such as quick landings and shut downs of helicopter motors; and
 - 2.8. A sound study completed by the District and the Town showed that the impact of normal medical flight resulted in sound levels similar to human speech, a lawn mower, and snowplows at roughly the same decibel level of a helicopter.
3. The design, development and operation of the proposed conditional use will not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space because, without limitation:
 - 3.1. Heliports are commonly located at hospitals and medical centers that are there to ensure public health and are designed with public safety protections;
 - 3.2. The heliport has been designed to meet FAA regulatory standards;
 - 3.3. The heliport will be designed to meet the CDC Building Regulations;
 - 3.4. Medical helicopter pilots are highly trained and competent professionals;
 - 3.5. The heliport will not be used when weather conditions do not allow for landing;
 - 3.6. Heliports are commonly located in high density population centers;
 - 3.7. Helicopters commonly fly at high altitudes with adjustments made as needed based on weather conditions;
 - 3.8. The FAA, helicopter operators and the medical community promote a positive safety culture that ensures the safety of passengers, flight crews, medical professionals and the public;
 - 3.9. In February of 2014, the FAA issued new regulations requiring air ambulances to have stricter flight rules and procedures, improved communications, training and on-board safety equipment to reduce the risk of accidents; and
 - 3.10. Medical center heliports have a very low accident rate.

4. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses because, without limitation:
 - 4.1. The siting of the heliport provides for reasonable separation from surrounding land uses;
 - 4.2. Visual impacts of the heliport are minimized by locating it behind Town Hall.
 - 4.3. The number of critical patients transported by helicopter is estimated to be very low on an annual basis;
 - 4.4. Helitrax currently operates a heliport in the Village Center with numerous flights during the ski season so helicopter flights and noise are already experienced within the town;
 - 4.5. Noise impacts will be mitigated by the location of the helipad behind Town Hall and the required FAA flight path as shown in the approved plans;
 - 4.6. Noise impacts will be further minimized by the helicopter pilots being trained and practicing the Fly Neighborly Program that emphasizes flight techniques to minimize noise and flight impacts, such as quick landings and shut downs of helicopter motors; and
 - 4.7. The sound generated by a helicopter landing will be about the same as noise from snowplowing, a lawn mower or people speaking.
 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 because, without limitation:
 - 5.1. There will be no net loss of parking due to the heliport;
 - 5.2. The operation of the heliport will not impact Town Hall or the surrounding public rights-of-way;
 - 5.3. The heliport is being designed and will be operated with safety as the number one priority; and
 - 5.4. The gondola will not be impacted by flight operations, with helicopters flying over and landing by transit systems on a very common basis.
 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 for the reasons outlined under criteria number 2, number 3 and number 4 above.
 7. The design, development and operation of the proposed conditional use shall provide adequate infrastructure because, without limitation:
 - 7.1. Access to the heliport to the medical center will be provided by an elevated walkway and elevator systems;
 - 7.2. Drainage will be designed to fit into the existing Gondola Parking Garage drainage system; and
 - 7.3. Fire protection will have to meet the requirements of the adopted Building Regulations and applicable NFPA Codes.
 8. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source because no refueling is proposed and drainage will be accommodated within the existing garage drainage system; and
 9. The proposed conditional use permit meets all applicable Town regulations and standards.
- J. The Town finds that it is critically important for the medical center to have a heliport in close proximity because it will save lives and improve medical outcomes by providing safe, direct and quicker access to regional tertiary hospitals.

- K. The Town finds that it is critically important to rapidly transport critical patients to a tertiary hospital, with an adjacent heliport reducing travel times to the Telluride Airport by approximately 30 to 60 minutes depending upon patient needs and weather conditions.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES A CONDITIONAL USE PERMIT FOR A MEDICAL CENTER HELIPORT ON LOT 1003R-1 AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

Be It Further Resolved that Lot 1003R-1 may be developed as submitted in accordance with Resolution No. 2015-0423-___.

Section 1. Conditions of Approval

1. The District shall submit an application to the Federal Aviation Administration (“FAA”) for the heliport for review and action in accordance with FAA Guidelines prior to the operation of the heliport.
2. The proposed lighting for the heliport is required by the FAA to ensure air ambulance safety during night flights, therefore these Federal regulations supersede over the Town’s Lighting Regulations in the CDC and are hereby permitted to ensure safety.
3. A building permit is required to construct the heliport facility when it will be evaluated against the applicable CDC Building Regulations.
4. This conditional use permit approval is valid for five (5) years from the Effective Date and will be valid for the life of the medical center once the heliport is constructed.
5. If the Gondola Parking Garage adds one or two floors as allowed by the current vested property rights, the heliport shall be allowed to locate on the garage roof along with the installation of an elevator and connection to the medical facility as needed.
6. The design of the heliport may be altered from the approved plans through a Minor Revisions Process or by the Design Review Process, as applicable, per the requirements of the CDC. An amendment to the conditional use permit is not required for design alterations, including movement from the existing garage level to an upper level with the expansion of the garage.
7. An easement for the heliport and associated access to the District, including air easements related to the flight patterns and the FATO zones created with the helipad, shall be provided prior to the issuance of any building permits.
8. Prior to issuing a building permit, the applicant shall submit final drainage plans for the snowmelted heliport and associated walkway, including drainage and ice from dripping snow melting off the required netting to ensure that vehicles traveling or parked below are not damaged by falling ice or icicles.
9. The heliport is exempt from the need to submit a Design Review Process development application as provided for in CDC Section 17.4.11(B)(2)(a)(iv) since the conditional use permit application same level of detail as required for a design review process application.
10. The use of the heliport is limited to flights for critical care patients as determined solely by the attending physicians.
11. Helicopter pilots landing at the helipad shall be trained and practice the Fly Neighborly Guide produced by the Helicopter Association International.
12. The District shall close on the Property consistent with the Land Conveyance Agreement.
13. The owner of the helipad shall obtain, prior to allowing any use being made of the heliport under this permit, and shall maintain in effect during the continuance of this permit, one or more policies of liability insurance covering all helicopter flights to and from the helipad as required by the Town in the heliport easement.

Section 2. 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 3. 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 4. Effective Date

This Resolution shall become effective on April 23, 2015 (the "Effective Date") as herein referenced throughout this Resolution.

Section 5. Public Hearing

A public meeting on this Resolution was held on the 23rd day of April, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public hearing held on April 23, 2015.

Town of Mountain Village, Town Council

By: _____
Dan Jansen, Mayor

Attest:

By: _____
Jackie Kennefick, Town Clerk

Approved as to Form:

Jim Mahoney, Assistant Town Attorney

SUPPLEMENT/NARRATIVE
CONDITIONAL USE PERMIT APPLICATION FOR HELIPAD

April 14, 2015

INTRODUCTION/BACKGROUND

The Telluride Hospital District.

The Telluride Hospital District (“**Applicant**” or “**District**”) a political subdivision of the State of Colorado is a duly formed Colorado special district established in 1978 in accordance with applicable Colorado Law. The District generally covers a geographic area consisting of the Towns of Telluride and Mountain Village as well as those portions of San Miguel County extending from Lizard Head Pass to the south, Dallas Divide to the north, and Placerville to the west. The District is the sole provider of Primary Care and emergency high quality patient health care services to residents and guests living in or visiting within the District, with special attention given to family and preventative medicine, emergency and orthopedic care, high altitude medicine, sports medicine as well as the provision and operation of facilities enabling CT scans, ultrasound and laboratory services.

The Regional Medical Center.

The District currently operates the Medical Center, located in the Town of Telluride, which on land and in a building that it is being sublet through Town of Telluride from the Idarado Mining Company. The District determined that the long term needs of its patients necessitate substantial infrastructure upgrades to its physical facilities to allow the District to serve the continually increasing demands on its facilities and services generated by consistently expanding regional population growth and also to enable the District to take advantage of ever increasing advances in medical technology, which expansions and advances are restricted because of current space and site constraints. To that end, the District has contracted to acquire a portion of Lot 1003R, Mountain Village (“**Acquisition Property**”) from the Town of Mountain Village (“**Town**”).

The Acquisition Property is located between and to the north of the Grocery Store/Town Hall structure and south of the Gondola Parking Garage, owned by the Town. The Acquisition Property will be utilized by the District to design, develop, construct, use and operate certain structures, buildings and facilities, including, without limitation, a Medical Helipad in connection with an expanded Regional Medical Center (“**Regional Medical Center**”) which will enable the District to maximize its ability to offer regional health care services and facilities, which the District is charged with providing for the current and long term health and wellness needs of the members of the District.

The development of the Regional Medical Center on the Acquisition Property will necessitate the submission of detailed applications and supporting materials by the Applicant, which will be carefully considered and reviewed by the Town Design Review Board (“**DRB**”) and Town Council following duly noticed and held public meetings and public hearings.

The within application does not cover the design review of the Regional Medical Center, rather, this Application is limited to consideration of the requirements of the CDC relating to the District’s request for approval of a Conditional Use Permit to enable the District to install, maintain, use and otherwise operate the Medical Helipad at the Medical Helipad Location.

The Medical Helipad.

The Medical Helipad is an important facility that is being integrated into the Regional Medical Center, which will be designed, installed, operated, maintained and repaired by the District.

The Medical Helipad will be located on a portion of the top level of the Gondola Parking Garage, within an area of a perpetual easement granted to the District by the Town to enable this usage. The siting of the proposed Medical Helipad (“**Medical Helipad Location**”) and its proximity to the proposed siting of the Regional Medical Center is as indicated on the Site Plan (see Sheet A-1). The design of the Medical Helipad will enable it to be lifted, set aside and reset should the Town elect to add additional levels to the Gondola Parking Garage.

The improvements associated with the Medical Helipad will be owned and operated by the District, subject to and in accordance with the terms and conditions of the Helipad Easement and available for its exclusive use and operation to allow for helicopter air ambulance services in connection and coordination with the operation of the Regional Medical Center. The Helipad shall be designed and operated in a manner so as to comply with the Town’s Community Development Code (“**CDC**”) and the current Helipad Advisory Circular guidelines 150/5390-2C dated 4/24/2012 of the Federal Aviation Administration as well as an applicable code criterion from the National Fire Protection Association NFPA-418 Helipad Standard, International Fire Code and International Building Code.

The critical importance of having a Medical Helipad in close proximity to the Regional Medical Center cannot be understated. Currently critical patients are transported by ambulance to the Telluride Airport. This not only adds a delay to time sensitive patient care but also exposes patients to increased risk due to environmental and transport factors. **The proposed siting of the Medical Helipad at the immediately adjacent Medical Helipad Location will save lives and improve medical outcomes of patients by providing safe direct access to regional tertiary hospitals by air medical transport.** This is the single most important goal and objective of the inclusion of the Medical Helipad as part of the Regional Medical Center. When medically necessary, patients suffering from conditions such as (but not necessarily limited to) trauma, cardiac, respiratory, stroke, high risk OB and neonatal patients will be airlifted to specialized medical centers like St Mary’s Hospital, Montrose Memorial Hospital, Mercy Regional Medical Center and San Juan Regional Medical Center among others. When these critical cases arise the presence of the Medical Helipad being collocated immediately adjacent to the Regional Medical Center is of paramount importance and will eliminate the need to use an ambulance to transfer a patient from the Emergency Department to the airport, which adds time (approx. 30-60 minutes depending on patient needs and weather conditions) and exposes the patient to additional risks.

The preference of Regional Medical Center when transporting emergency or urgent care patients from the facility to other regional medical facilities is to utilize the Telluride Fire Protection District (TFPD) ambulance whenever possible. When dealing with the time-sensitive, critical care needs of patients (noted above), the Regional Medical Center will use air medical transport, which currently occurs out of the Telluride Regional Airport, with a preference for fixed wing aircraft. The determination as to the means for transporting patients to other regional facilities is confined to the decision-making authority of the attending physicians, in their professional judgment, with the care of the patient being the sole, guiding factor, when and where seconds can save lives and affect medical outcomes. For those few critical cases the Regional Medical Center will use the on-site Medical Helipad.

The usage of the Medical Helipad will be limited and restricted to the “critical care” patient needs of the Regional Medical Center, as determined by the attending physicians. All patients judged “non-critical,” but otherwise in need of medical evacuation will be transported by ambulance or, if necessary and appropriate, will be transported to the airport and evacuated from that location. The structure will not be used as a commercial or recreational helicopter base location, nor will fueling services be provided.

DESCRIPTION AND DISCUSSION OF HELIPAD

Description of Helipad Design.

The Medical Helipad is designed in accordance with the latest FAA Advisory Circular Guidelines described in the AC 150/5390-2C revised in April 2012 as well as all applicable code criterion from the National Fire Protection Association NFPA-418 Heliport Standard, International Fire Code and International Building Code. The Medical Helipad will be elevated above the existing parking structure adjacent to the Regional Medical Center. The Medical Helipad landing surface will be concrete and/or aluminum with integrated snowmelt for the landing surface and the walkway. This surface will be built atop a steel structure attached to the structural columns of the parking structure. In addition the Medical Helipad will have the recommended perimeter lights around the facility along with all recommended obstruction lighting to ensure safe landings in night time and low light conditions. These lights will be the newest LED design which use very low energy and put out only the required light for the helipad.

Location of the Helipad.

The siting of the Medical Helipad on the Gondola Parking Garage has been carefully evaluated with all relevant factors for the placement of the structure in an alignment best suited to safely and efficiently accommodate the arrival and departure flight paths of the helicopters, while being sensitive to neighborhood impacts attributable to lighting and noise associated with medical flight operations. To assist in this evaluation, the District has retained the services of HeliExperts International LLC (a recognized International expert in the field of siting, permitting, designing and developing helipads for medical facilities and other uses). The District has consulted with Air Methods, the organization who provides the aircraft and pilots for our regional hospitals and the hospital flight crews to evaluate the siting of the Medical Helipad. The District has also reached out to the Town Gondola Operations and TSG Ski and Golf for their comments and input. These professionals have determined the proposed siting of the Medical Helipad on the Gondola Parking Garage is the superior location based on the following considerations and criteria:

- The optimal proximity of the Medical Helipad to Regional Medical Center's new Emergency Department.
- Safe flight paths that meet or exceed aeronautical and regulatory standards
- A safe Touchdown & Liftoff (TLOF) area that meets FAA regulatory standards
- The location that balances flight safety considerations with possible impact on neighbors.
- The location with the least possible impact on ski lift and gondola operations.
- The location with maximum benefit for our patients.

Mitigation of Operational Impacts to Flight Operations.

The siting of the Medical Helipad resulted in the identification of certain existing conditions that could potentially interfere with the safe operations of flights to and from the pad, which are being address to comply with safety and FAA regulations and recommended practices:

- Existing light poles on the Gondola Parking Garage that interfere with flight paths requirements specified by the FAA will be lowered slightly.
- Trees interfering with FAA regulated landing and take off zones will be trimmed.

- Structural support for the Medical Helipad will be integrated into the existing parking structure and be adaptable to future parking structure growth.
- Access walks will connect the pad to both the new emergency department and the parking structure.
- A suitable location for a windsock will be located based upon the guidance and direction of the Helipad Consultant and Air Methods. Location will be specified to ensure easy visibility and maximum safety for helicopter operations.
- Electric utility connections will be brought to the helipad for snowmelt of the helipad and limited lighting. Connections will be direct from the Medical Center via the pedestrian walkway.

Safety Considerations Arising in Connection with the Design and Operation of the Medical Helipad.

In contemplating the siting, design and operation of the Medical Helipad, the District is cognizant of the following factors and considerations.

- The modern helicopters that service the Telluride Region are equipped with advanced safety equipment including night vision devices, terrain avoidance, traffic avoidance, satellite tracking along with excellent high altitude performance capabilities and a high reliability record.
- Altitude and weather play a role in flight safety, so pilots approved to fly into TMC are highly trained and qualified and will not fly if weather does not permit.
- The proposed location of the helipad meets or exceeds the recognized safety standards of the Federal Aviation Administration (FAA) and the aviation and air medical industries in general. This includes compliance with the Federal, state and local building codes and standards.
- Fire suppression equipment, materials and supplies will be located in the vicinity of the Medical Helipad, as required by NFPA codes. Trained first responders will populate the District staff.
- Integration of an onsite weather reporting station will be investigated and installed as a part of the future medical facility design.

Site Impacts Associated with the Medical Helipad.

In identifying the location of the Medical Helipad, consideration was given to a siting that would be mindful of the potential impacts to the surrounding area as much as possible, which would be addressed and mitigated with the design and operation of the facility. This, of course, requires a balancing of the critical life/health needs of a critical care patient with the occasional and short-lived impact of a helicopter arriving and departing with the patient. The siting of the Medical Helipad on the Gondola Parking Garage and the operational flight patterns provides a reasonable separation from neighboring residential land uses.

Noise Impacts.

The siting of the Medical Helipad on the Gondola Garage and its design have considered impacts from noise generated from the occasional operation of Life-Flight helicopters, with the following factors and considerations being noted by the District:

- Any potential effects upon neighboring residential, office and educational areas are mitigated by the vertical location of the heliport-landing pad and are further minimized by the flight path, which is designed to overfly open space properties.
- Sound abatement procedures will minimize the less than 45 seconds of takeoff and landing per the Helicopter Association International.
- A sound study was conducted by the District, reviewing the impact of a normal medical flight, matching standard altitudes and speeds at various properties surrounding the proposed pad. The results ranged from a sound level similar to human speech to that of a residential lawnmower. The sound durations were no more than 20 seconds except at the pad where times are expected to be 45 seconds. See attached study results, attached as Exhibit “A”.

Lighting.

The siting of the Medical Helipad on the Gondola Garage and its design have considered impacts from light generated from the occasional operation of life-flight helicopters, with the following factors and considerations being noted by the District:

- There are no lights associated with the helipad that would cast any “beams” into the neighborhood or night sky.
- The Helipad will be equipped with TMC or Pilot controlled lighting. This technology will allow lighting to be on ONLY when flight operations and patient transfers are occurring.
- Lighting specifications will be the latest LED science, using very low energy and emitting only the required light for helipad safety.

Wind Blast.

The flight operations to and from the Medical Helipad on the Gondola Parking Garage was reviewed and considered for potential impacts to Lift 10 and the Gondola from helicopter operations. In particular, the District tested wind speeds as an effect of the rotor wash created by the test helicopter with TSG and the Town of Mountain Village Gondola Operations staffing. The resulting wind was reported at 10 – 17 mph directly at the landing pad but readings in the close vicinity were minor so as to not be reported. TSG Lift operations conducted their own readings during the test flights and reported little to no movement of chairs on lift 10 as a result.

DISCUSSION OF CONDITIONAL USE PERMIT APPLICATION

The Acquisition Property is classified in the Civic Zone District (“CV”), as defined by the CDC. A Heliport is an authorized use and activity for property zoned CV. The proposed Medical Helipad constitutes a heliport and its use therefore necessitates the securing of a Conditional Use Permit from the Town pursuant to Section 17.4.14 of the CDC. The process for reviewing a CUP is a three step review, initially consisting of a conceptual worksession before the DRB and Town Council, then a review and recommendation of the formal CUP application by the DRB, with the final decision resting with the Town Council.

The District is submitting for Town review and approval of its Conditional Use Permit to enable the design, placement and operation of the Medical Helipad on the indicated location on the Gondola Parking

Garage.

The District requests that the CUP be approved for 7 years, meaning that the District must commence construction of the Medical Helipad within 7 years from the approval of the CUP. Once constructed, the CUP for the Helipad would be perpetual in nature and not expire, unless the Medical Helipad is permanently removed.

In accordance with the provisions of the CDC, the following review standards guide the Town's review and action on a CUP, including the CUP for the Medical Helipad.

D. Criteria for Decision

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

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

District Comments. The Acquisition Property is located within the Town Hall Center Subarea which was studied as part of the Mountain Village Comprehensive Plan (“**Comp Plan**”), duly adopted in 2011. The Comp Plan specifically identified the siting, development and operation of the Regional Medical Center within the Town Hall Center Subarea. The Comp Plan also provided for the provision of a heliport to the extent that emergency services are being provided. If not located on the building developed for the Regional Medical Center, the Comp Plan noted that the heliport could be located on adjoining lands. The proposed integration of the Medical Helipad into the overall design and development of the Regional Medical Center and its location on the adjacent Gondola Parking Garage conform to the recommendations contained in the Comp Plan.

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

District Comments. The Comp Plan contemplates the presence of a heliport with the placement and operation of the Regional Medical Center within the Town Hall Center Subarea, which will be used in connection with the transport of critical care patients. The siting of the Medical Helipad on the upper level of the Gondola Parking Garage will provide a reasonable separation from surrounding uses. The fact that the structure is located on top of the garage facility will create further visual attenuation, see attached drawings. As discussed above, from time to time, there will be some lighting and some noise associated with the occasional flight operations that will occur for brief periods of time. Lighting necessary for flight operations, as best possible, will be turned on only when the Medical Helipad is being used, otherwise, the lighting would not be turned on. The noise generated by flight operations will be in line with the sound generated by a lawnmower, which is not particularly loud, but the duration of the noise will be limited to the brief period of time that the helicopter is landing and taking off (approximately 45 seconds). There have been safe and successful helicopter flight operations, utilizing the identical helicopter, occurring in the Mountain Village for a number of years associated with the Helitrax operations in and about the Peaks Hotel, which utilizes much of the same flight paths and altitudes proposed for these operations. There does not seem to be much opposition to these activities which occur much more often than the operations contemplated for the Regional Medical Center. When balancing the needs and interests of the patient requiring critical care and the modest and brief impact to the area, the District believes that the proposed operation of the Medical Helipad at this site is compatible with the adjacent properties.

The operation of the Medical Helipad at this location will not have any foreseeable impact on services and infrastructure, which electrical service will be extended to the site through the new Medical Center via the pedestrian bridge.

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

District Comments. The District has addressed safety considerations in its discussion above. The District contends that the operation of the Medical Helipad and occasional flight operations will be undertaken by highly trained professionals who will be provided very detailed information along recommended flight paths and utilizing facilities approved by the FAA.

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

District Comments. See above discussion under CUP Review Criteria 1.b.

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

District Comments. See above discussion under CUP Review Criteria 1.b.

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

District Comments. See above discussion under CUP Review Criteria 1.b.

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

District Comments. The operation of the Medical Helipad will require minor infrastructure service, which will generally consist of vertical structure, electricity and storm water drainage. These services are currently available to the Gondola Parking Garage and will be extended to the proposed location of the Medical Helipad. The Gondola Parking Garage is currently designed and constructed to accommodate the carrying load of the Medical Helipad and a helicopter and the operation of the Medical Helipad and no further structural support or enhancements to the Gondola Parking Garage will be required.

The helipad has been sited on the steel structure associated with the second phase of garage development. As such there will be no net loss in the number of parking spaces associated with the Gondola Parking Garage and no impact on vertical clearance or uses within the parking structure.

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

District Comments. The placement of the Medical Helipad on the top level of the Gondola Parking Garage separates the facility from any nearby wetland or riparian areas and all storm water drainage will be directed into the existing garage drainage. The design of the Medical Helipad will incorporate containment devices that would capture any fuel from the helicopter should an unforeseen accident occur. Fueling will not occur on the Medical Helipad or the Gondola Parking Garage. Fueling services will take place at the Telluride Regional Airport as needed.

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

District Comments.

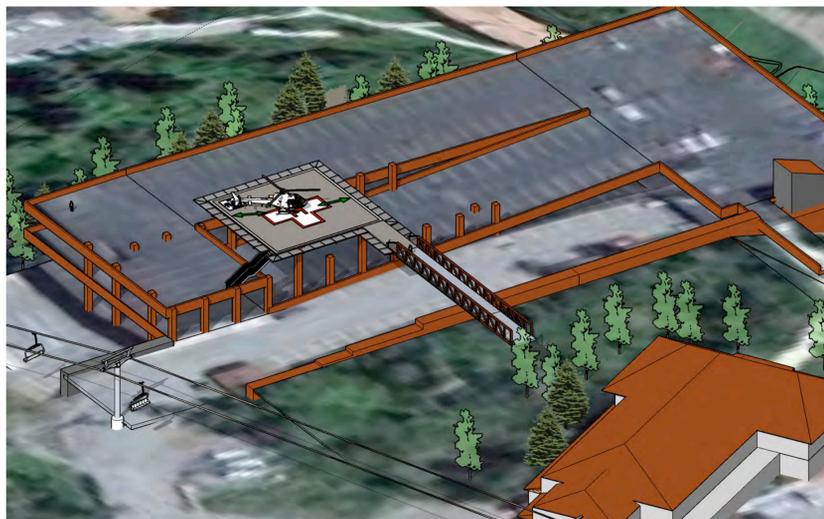
As evidenced by the materials submitted in support of this application and the discussions set forth in this narrative, the proposed use and operation of the Medical Helipad at the proposed location complies with applicable requirements of the CDC.

E. General Standards for Review

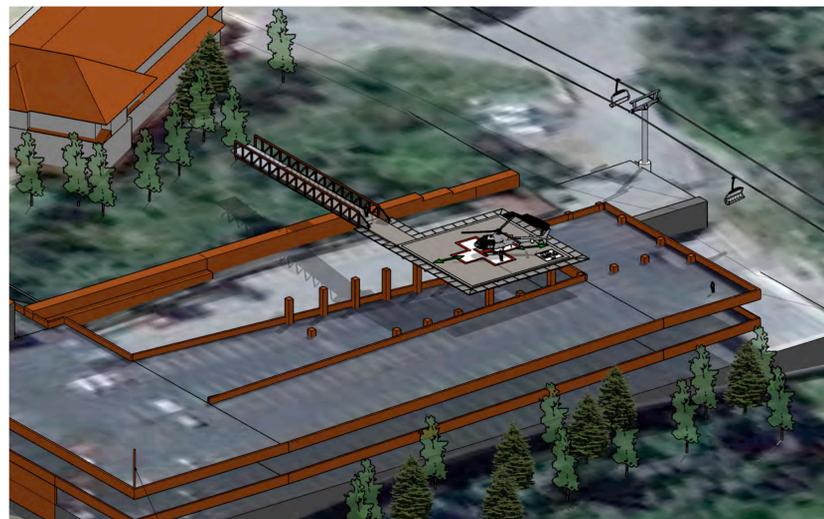
1. Location Determination. The location of a conditional use shall be determined by a selection process by the review authority designed to identify a location that best serves the proposed use while minimizing potential adverse impacts.

District Comments.

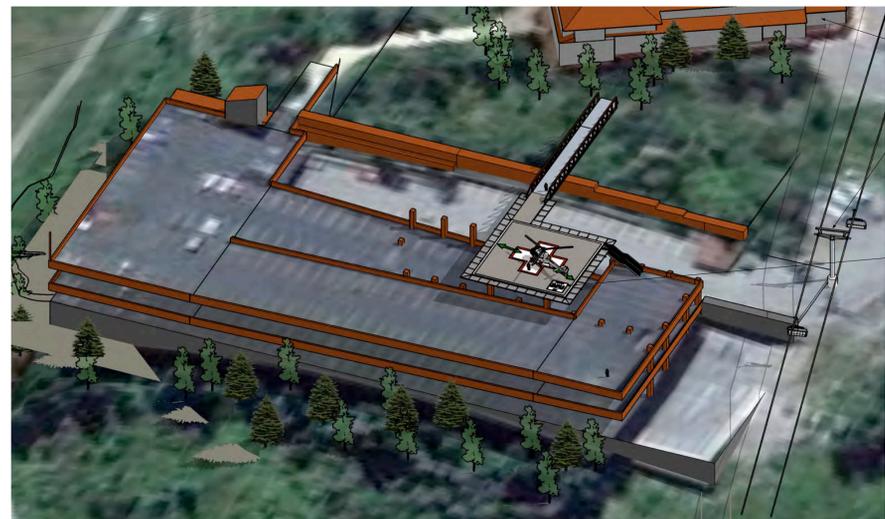
As evidenced by the materials submitted in support of this application and the discussions set forth in this narrative, the proposed location of the Medical Helipad was carefully considered and evaluated by the District and its professional consultants. The selection process balanced the critical needs of patient care and the occasional, very brief impacts on surrounding land uses, with the resulting location for the Medical Helipad by the most appropriate siting for the facility.



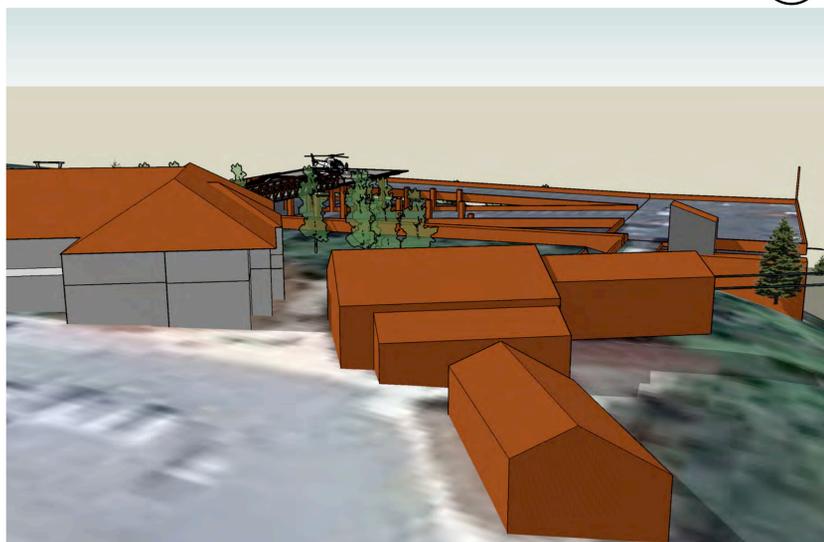
Looking South
Scale = 1" = 40'
3
A1



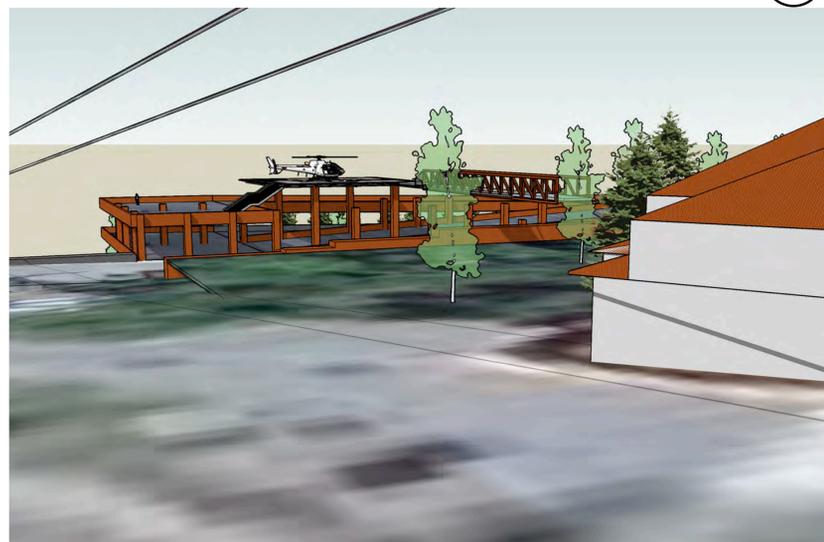
Looking South
Scale = 1" = 40'
2
A1
Wind Sock location. See sheet A3



Looking South East
Scale = 1" = 50'
1
A1
Mountain Village Town Hall and Market
Lift 10
Elevated Medical Helipad
14'-0" above top parking deck



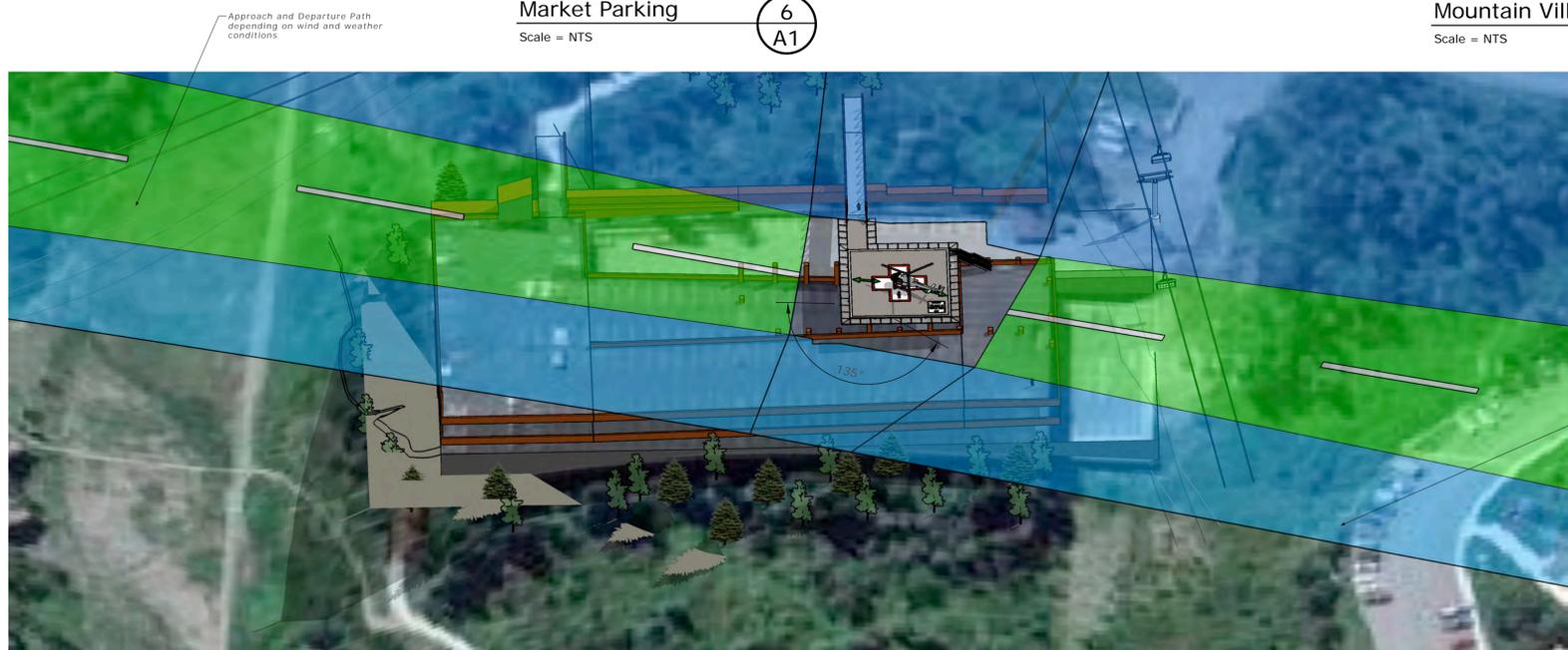
Market Parking
Scale = NTS
6
A1



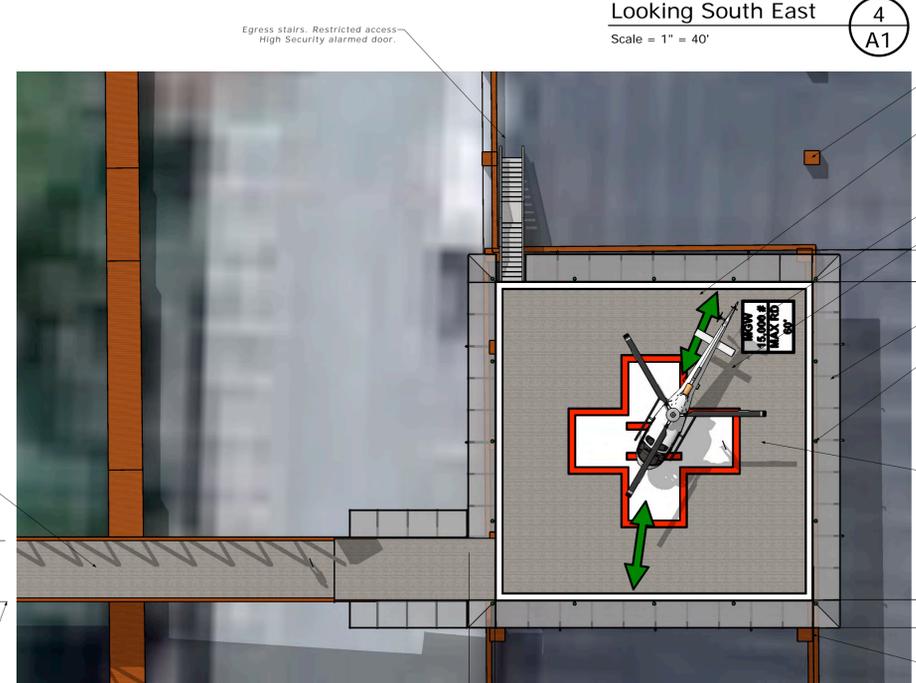
Mountain Village Blvd
Scale = NTS
5
A1



Looking South East
Scale = 1" = 40'
4
A1



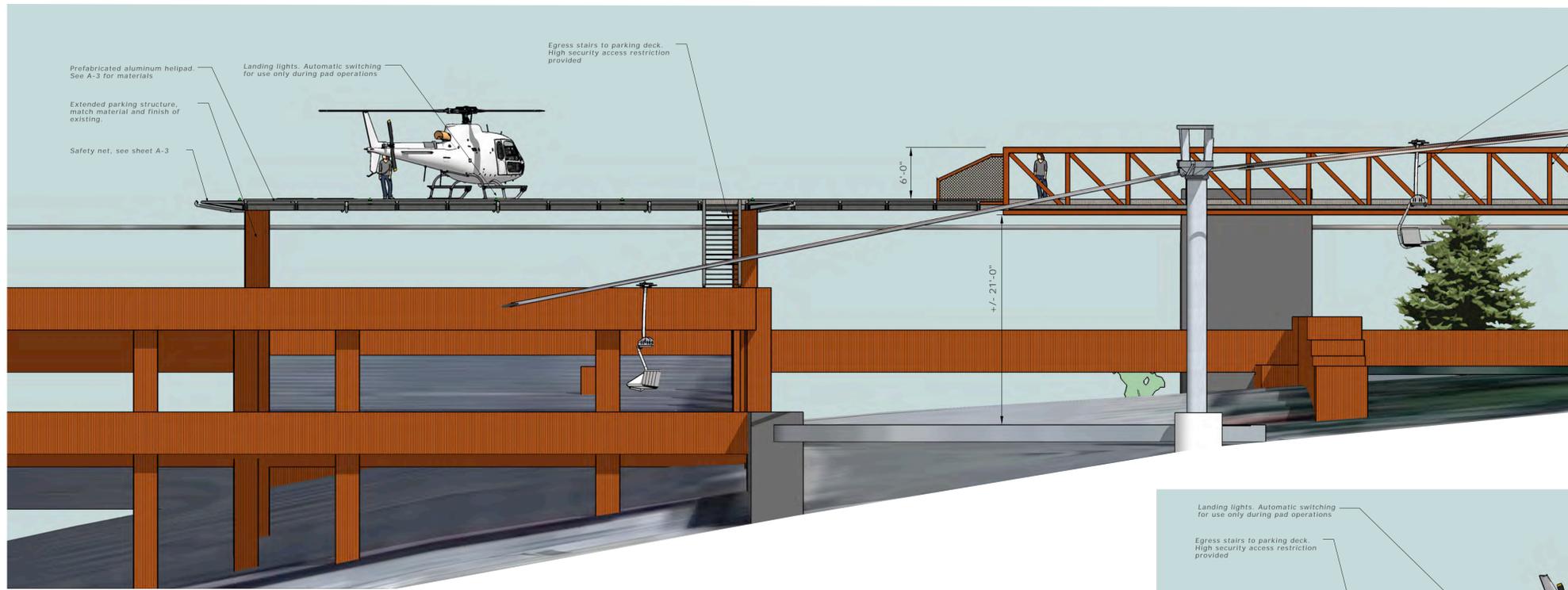
FAA Flight Paths
Scale = 1" = 50'-0"
8
A1
Approach and Departure Path depending on wind and weather conditions



Helipad plan
Scale = 1/16" = 1'-0"
7
A1
Egress stairs. Restricted access. High Security alarmed door.
Existing Parking Structure. Helipad Mounted to existing Structure per Engineer.
Prefabricated Helipad with integrated Snowmelt and drainage. Tie drainage into existing parking structure storm water.
Maximum weight callout
Maximum Rotor Diameter callout 40'
Safety Net
Green TLOF Perimeter lighting. Max spacing of 25'-0"
Telluride Medical Center Name and Radio Frequency for communication and Pilot controlled Lighting
Remove existing light poles remount below flight FATD



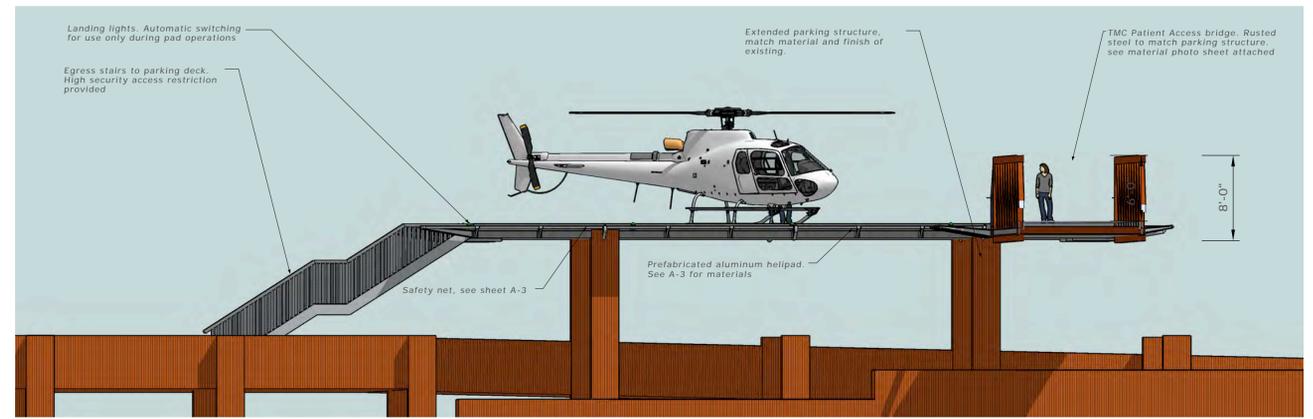
Planning Review
Not For Construction



West Elevation
Scale = 1/8" = 1'-0"

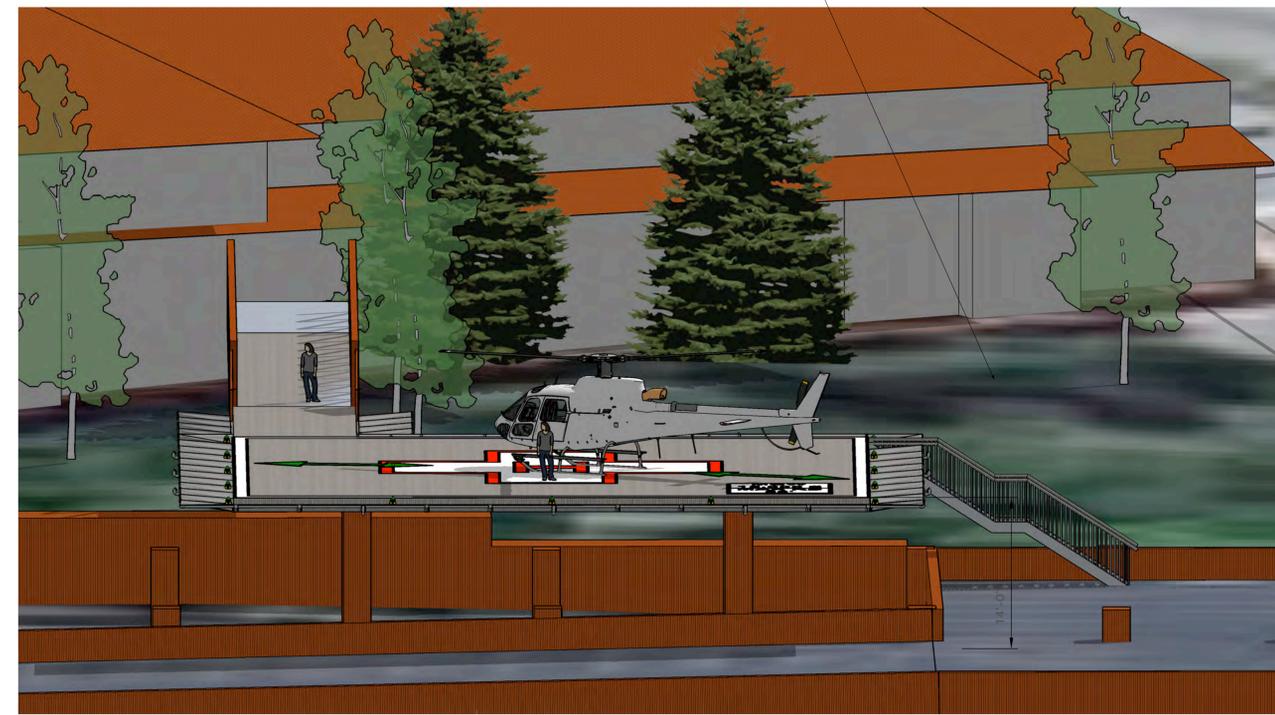
2
A2

Lift 10.
TMC Patient Access bridge. Rusted steel to match parking structure. see material photo sheet attached



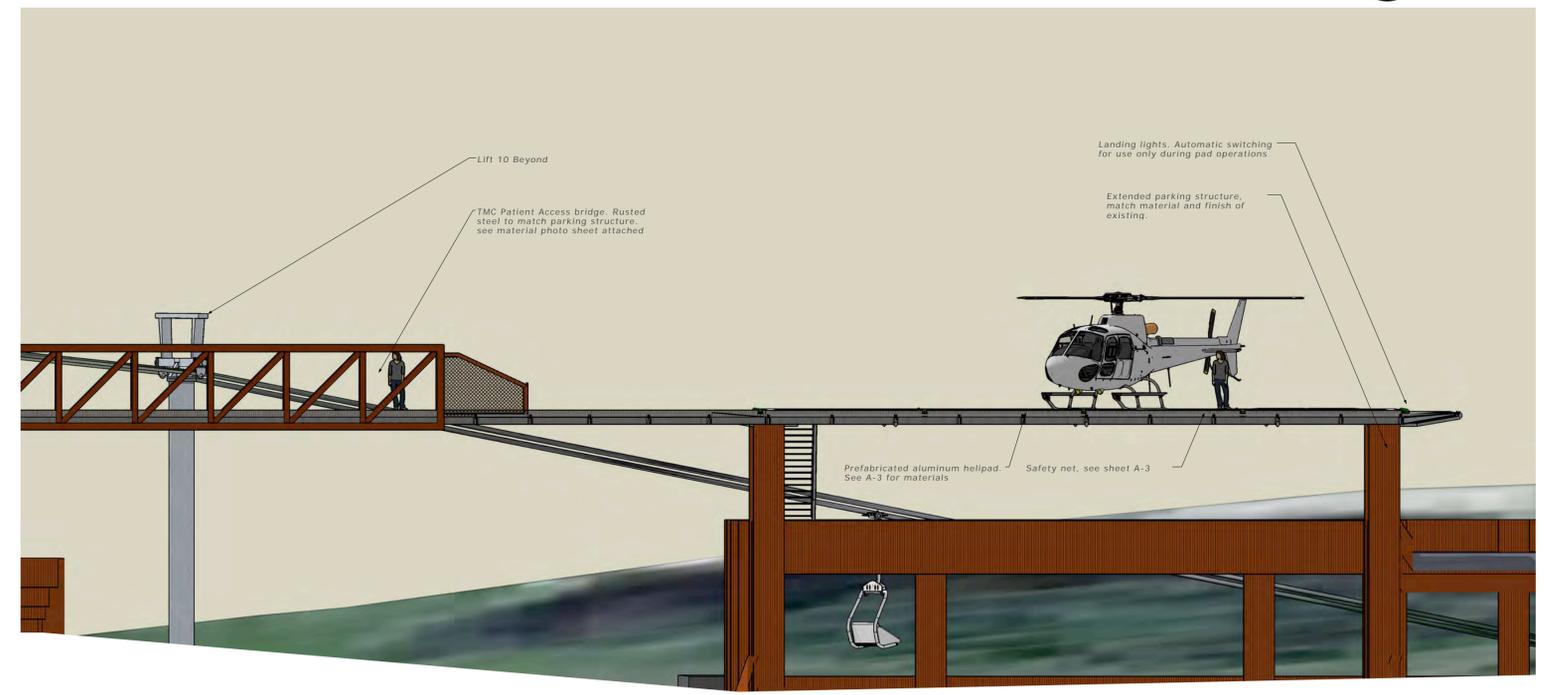
South Elevation
Scale = 1/8" = 1'-0"

1
A2



North Elevation
Scale = 1/8" = 1'-0"

4
A2



East Elevation
Scale = 1/8" = 1'-0"

3
A2





Pilot Controller
Scale = N.T.S.

4
A3

Not Used
Scale = N.T.S.

3
A3

Perimeter Lighting
Scale = N.T.S.

2
A3



Wind Sock w/ lighting
Scale = N.T.S.

1
A3



Similar pad design
Scale = N.T.S.

7
A3



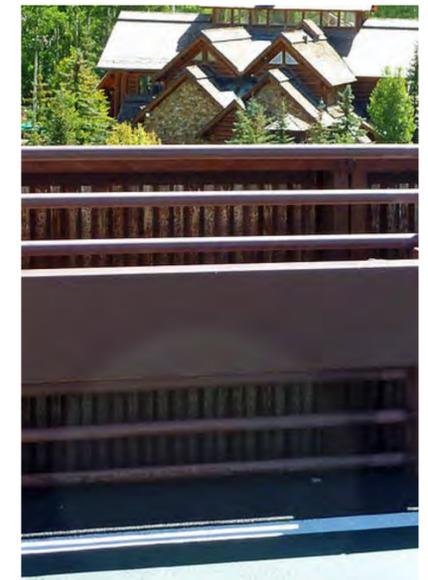
Similar pad design
Scale = N.T.S.

6
A3



Safety Netting
Scale = N.T.S.

5
A3



Existing Parking Deck
Match Material and Finish

8
A3



4 Looking Southwest
A4 Scale = 1" = 50'-0"



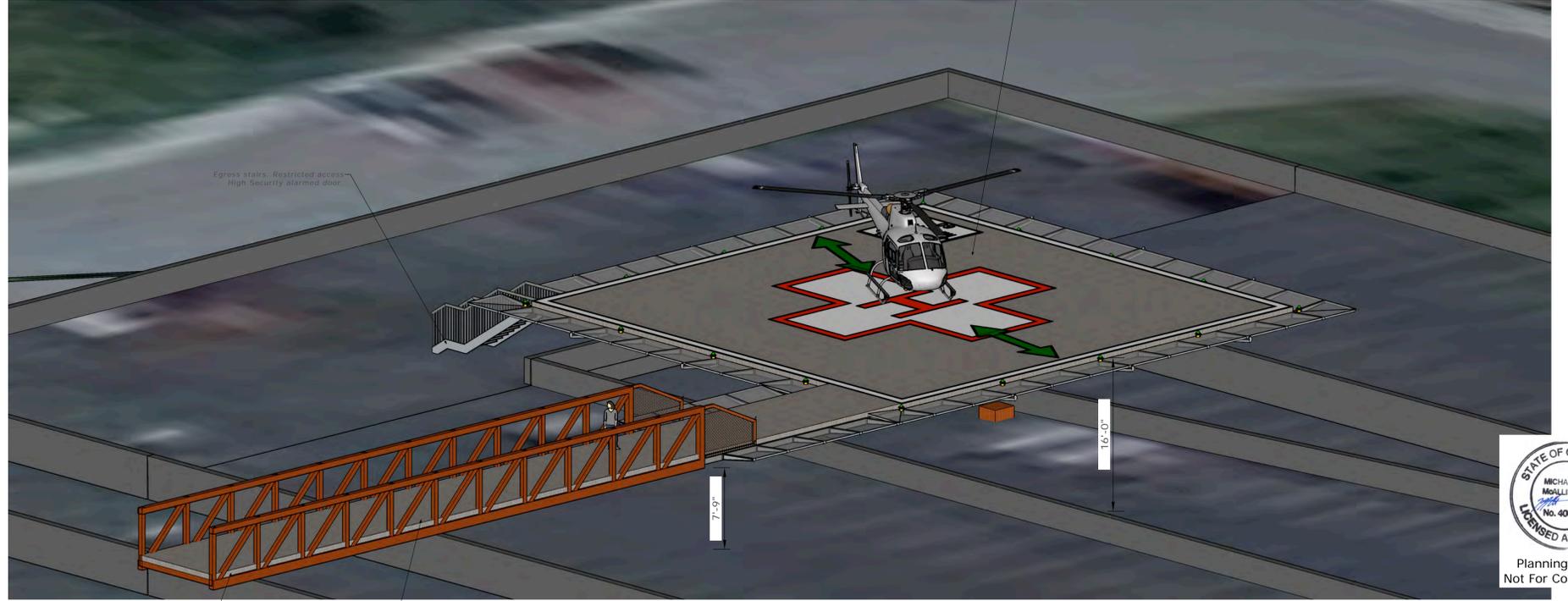
5 Looking Northwest
A4 Scale = 1" = 50'-0"



6 Looking Northeast
A4 Scale = 1" = 50'-0"



7 Helipad Clearances
A4 Scale = 1/16" = 1'-0"



steel bridge, connection to TMC to be determined
Egress stairs, Restricted access, High Security alarm door
Electricity and snowmelt connected to Helipad from Medical Center under pedestrian access bridge

HELIPAD AT PARKING BUILD OUT
Scale = 1/8" = 1'-0"

1 A4

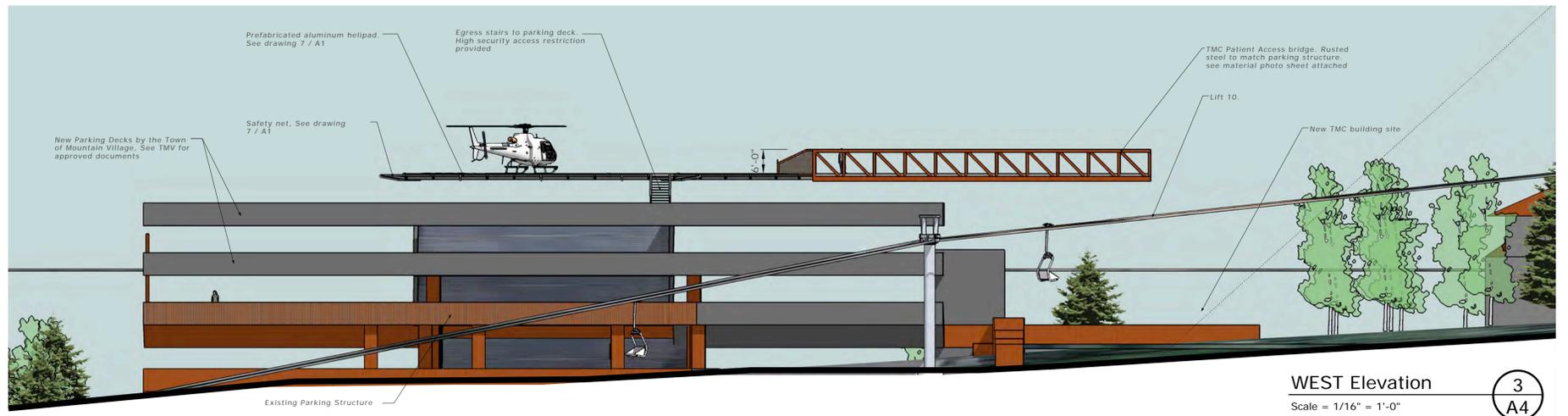


Approach and Departure Path depending on wind and weather conditions

Approach and Departure Path depending on wind and weather conditions

FLIGHT PATHS
Scale = NTS

2 A4



Prefabricated aluminum helipad. See drawing 7 / A1
Egress stairs to parking deck. High security access restriction provided
Safety net. See drawing 7 / A1
New Parking Decks by the Town of Mountain Village. See TMV for approved documents

TMC Patient Access bridge. Rusted steel to match parking structure. see material photo sheet attached

Lift 10

New TMC building site

Existing Parking Structure

WEST Elevation
Scale = 1/16" = 1'-0"

3 A4

Memo

Agenda Item #9

To: Mayor Jansen and Town Council
From: J. David Reed
CC: File
Date: April 15, 2015
Re: Amendment To Contract to Buy and Sell Real Estate (The Lofts at Mountain Village)

On January 15, 2015, the Town and Belem Properties, CO, LLC (“Belem”) entered into the Contract to Buy and Sell Real Estate (the “Contract”).

Belem is proposing the First Amendment to the Contract (the “First Amendment”). The First Amendment proposes to extend the Study Period to May 29, 2015, and the Closing Date to June 10, 2015. It further proposes that at Closing the parties enter into a Closing Agreement which would provide, *inter alia*, that, at Closing the Developer tender the Purchase Price into Escrow to be held by the Escrow Agent and released to the Town upon the achievement of the Developer Post Closing Undertakings by Developer and the Town Post Closing Undertakings by the Town and the issuance of a building permit to the Developer.

Susan Johnston

From: Tom Kennedy <Tom@tklaw.net>
Sent: Wednesday, April 15, 2015 3:38 PM
To: J.. David Reed
Cc: Eric Wells
Subject: FW: Lofts Project - Buyer Objections/Proposed Contract Amendment
Attachments: First Contract Amendment.1c.doc

Importance: High

David

Attached is a draft Contract Amendment proposing that the Parties: (1) extend the Buyer's Study Period and the Closing Date, (2) defer certain pre-closing undertakings by the Town, notably the Offsite Easements, until after closing, (3) close into escrow to enable certain post-closing conditions be addressed and if they fail to happen, provide for the conveyance of the land back to the town and the return of the purchase price to buyer, and (4) to provide that the Parties would enter into a mutually agreeable Post Closing Agreement at Closing, which agreement would address the issues outlined above and other matters of relevance to the parties.

Buyer's Study Period expires (today) April 15, 2015 @ 5PM. The Buyer is objecting to the above stated issues and, as its resolution, is requesting that the Buyer and Seller execute a mutually agreeable contract amendment addressing the above issues and such other issues and matters as noted in the draft Contract Amendment attached hereto. Buyer recognizes that the Contract Amendment will need to be on mutually agreeable terms and conditions. In the event that the Town elects to not execute the Contract Amendment in a form mutually agreeable to both parties, then Buyer reserves the right to terminate the purchase contract and obtain a refund of the earnest money.

Thank You
Tom Kennedy

The Law Offices of Thomas G. Kennedy
P.O. Box 3081 (Mailing Address)
The Willow Professional Building
307 East Colorado Avenue, Suite 203
Telluride, Colorado 81435
Voice: (970)728-2424
Fax: (970)728-9439
Email Address tom@tklaw.net

CONFIDENTIALITY NOTICE:

This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please do not open any attachment and then notify the sender that you have erroneously received this message and delete this email message and any attachments. Thank you.

**FIRST AMENDMENT TO
LAND ACQUISITION AND CONVEYANCE AGREEMENT**

This First Amendment to Land Acquisition and Conveyance Agreement (“**Amendment**”) is entered into and made effective by the Seller and Buyer (defined below) as of April __, 2015 (“**Effective Date**”).

Defined Terms:

Buyer	means and Belem Properties CO, LLC, a Colorado limited liability company
Purchase Agreement	means the Contract to Buy and Sell Real Estate dated January 15, 2015
Acquisition Property	means the property described in the Purchase Agreement
Seller or Town	means the Town of Mountain Village
Title Company	means Land Title Guarantee Company

Capitalized terms not otherwise defined in this Amendment shall be given the same meaning ascribed to the term in the Purchase Agreement. The Parties hereby agree to the following modifications and amendments to the Purchase Agreement.

RECITALS

A. Buyer and Seller entered into the Purchase Agreement, which concerned the purchase and sale of the Acquisition Property in accordance with the terms and conditions of the Purchase Agreement.

B. The Purchase Agreement contemplated that the Buyer and Seller would each perform certain undertakings prior to closing. Circumstances beyond the reasonable control of the parties have delayed the achievement of certain of the Town’s Pre-Closing Undertakings, including the preparation of the Land Condominium Documents and the securing of the Offsite Easements.

C. The Buyer needs additional time to study the Acquisition Property with respect to its due diligence that cannot be completed until the summer season.

D. Therefore, the Parties have agreed to extend the Buyer’s Study Period and the Closing Date to enable the Town to complete its drafting of the Land Condominium Documents and for Buyer to review and approve the drafts and further study of the Acquisition Property.

AGREEMENT

NOW, THEREFORE, in consideration of the above recited premises and the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree that the Purchase Agreement is modified and amended as provided for herein:

1. **Extensions of Times.** The Parties acknowledge and agree as follows:

1.1. The Study Period Deadline is extended to October 22, 2015.

1.2. The Closing Date is extended to October 30, 2015.

1.3. The parties may agree to close prior to the Closing Date if mutually agreed upon

by the parties.

2. **No Further Agreements.** The Parties agree that there are no further agreements, understandings, Purchase Agreements and the like concerning the subject matter stated in this Amendment, other than the Purchase Agreement, such other written and signed amendments to the
C:\Users\SJohnston\Desktop\Packets Monthly\2015 Packet Materials\04 April\Word Documents\Replacement 9b 20150420 First Contract Amendment (Study Period Closing Amendment).doc

Purchase Agreement and this Amendment.

3. **Counterparts and Facsimiles.** This Amendment may be executed in multiple counterparts, each of which shall constitute an original, but all of which, taken together, shall constitute one and the same instrument. The scanned/mailed or facsimile transmission of a signed copy hereof shall be considered valid and constitute a signed original.

Accepted and agreed to by the Parties as of the Effective Date.

TOWN:

Town of Mountain Village, a Colorado
Home Rule Municipality and Political
Subdivision of the State of Colorado

By: _____
Dan Jansen, Mayor

Date: _____

Attest: _____

By: _____
Kim Montgomery, Town Manager

Date: _____

BUYER:

Belem Properties CO, LLC,
a Colorado limited liability company

By: _____

Date: _____

Printed Name: _____

Title: _____

Subject: FW: The Lofts/Submission for inclusion in Town Council Packet

To: Town Council

From: Suse Connolly, Esq.

Re: The Lofts/First Amendment to Land Acquisition and Conveyance Agreement

It is time for members of the Town Council to start asking the hard questions regarding The Lofts' deal and to review and analyze (i) the Land Acquisition and Conveyance Agreement, (ii) the opinion letter signed by Eric Wells and published in the Telluride Daily Planet on April 3rd (copy attached) and (iii) the opinion letter signed by Richard Child, David Gray, FAIA, Kim Hewson, M.D., Peter Mitchell, Donald Perrotta, Nelson Sharp, Diego Veitia and me and published in the Telluride Daily Planet on April 8th (copy attached). At a minimum, Town Council should go through each and every statement and point set forth in the April 8th opinion letter and ask Mayor Jansen what he agrees with and what he disagrees with. As Mayor Jansen negotiated The Lofts' transaction personally, he should be able to provide Town Council with answers. If Mayor Jansen disagrees with any of the statements in the letter, he should provide Town Council with actual factual answers that support his position, as opposed to hiding beyond his standard arguments that (a) the public is misinformed and/or (b) being proactive and acting in an entrepreneurial manner outweighs all other concerns. I am a practicing commercial real estate lawyer and have actual experience with public/private transactions. I can assure you that I am not misinformed with respect to this transaction.

As noted in the April 8th opinion letter, this deal has truly limited benefits for the residents of Mountain Village. The developer anticipates rents will be \$1,500-2,2200 for 2-3 bedroom units (50-90% more than VCA rents for 2-3 bedroom apartments) but ultimately the developer can charge any rents he wants without any restrictions whatsoever. The VCA rents are \$1,040-1,215 for most of the VCA 2-3 bedrooms. The Town has given the developer a parking subsidy of approximately \$3.74 million. Starting in January, 2029, the developer can sell the units as condominiums at prices solely determined by the developer.

If Town Council denies the developer's request to execute the First Amendment to Land Acquisition and Conveyance Agreement (which Town Council has the right to do in its sole and absolute discretion), Town Council could walk away from the current deal, issue an RFP and properly conduct its first Public/Private transaction.

In the event Town Council decides to go forward, I have the following comments to the First Amendment:

1. What is the basis for extending the due diligence period by 6 weeks? Developer has already had approximately 10 weeks for conducting due diligence, which is more than sufficient time to conduct due diligence of the Gondola Parking Garage and land located adjacent thereto. Mayor Jansen's primary defense for this project is that it could possibly be completed by November, 2015 so how does granting an extension further this goal? One of the purported reasons for an extension of the due diligence period is that the land condominium documents have not yet been prepared by the Town. However, if you actually review the Contract (See Sections 2.1 and 6 of the Contract), the

parties never contemplated that the land condominium documents would be prepared and approved before the due diligence period expired. The land condominium documents are to be prepared after the due diligence period expires but before the closing date.

2. What are the mystery “Open Issues” referred to in the First Amendment (see 4th paragraph in the “Recitals” provisions)? What new problems and issues surfaced during the due diligence period? The time to disclose material Open Issues is now and not after a closing has occurred. Town Council should strive for transparency to its constituents on all matters, especially when it is selling public property.

3. Belem Properties Co. LLC is assigning the Contract to a new entity "Lofts at Mountain Village LLC", a Colorado LLC. As of April 14th, a review of the Colorado Secretary of State website shows that this entity had not even been formed. I highly doubt that Lofts at Mountain Village LLC has any assets. Does this entity have any assets and if the entity doesn't have any assets, did anyone disclose this fact to the Town Council? If no, this is both a material oversight and unethical.

If Lofts at Mountain Village LLC is a shell corporation with no assets, then Town Council should require a full completion guaranty be executed by Mr. Wells. As Town Council did not request Mr. Wells' financials prior to execution of the Land Acquisition and Conveyance Agreement, Town Council should correct this material error and require Mr. Wells' to submit his audited financial statements now and a qualified person should review Mr. Wells' financial statements before the First Amendment is signed. All construction lenders will require a full completion guaranty be signed by Mr. Wells and will likely require financial statements showing at least \$3-5 million in liquid assets. As Mr. Wells is paying a nominal amount for public property (\$100,000) and is being given a \$3.75 million parking subsidy from the Town, Town Council has a fiduciary obligation to review Mr. Wells' financial statements so that the Town does not get stuck with a ½ built building in a highly visible public area.

4. It is ridiculous to transfer the property to the developer but hold the purchase price proceeds in escrow as requested by the developer in Section 4 of the First Amendment. The terms and conditions of when the purchase price proceeds are to be delivered to the Town and when the purchase price proceeds are to be returned to the developer should be publicly disclosed now and not hidden away in a document that the public cannot see until after the property has been transferred to the developer

Thank you for taking the time to review this memo.

S.M.C.

April 8th Opinion Letter

Opinions of The Lofts at Mountain Village — A unique perspective and deal

Published: Wednesday, April 8, 2015 6:05 AM CDT

Guest Commentary

Richard Child, Suse Connolly, Esq., David Gray, FAIA, Kim Hewson, M.D., Peter Mitchell, Donald Perrotta and Diego Veitia

Most people agree that more affordable and workforce housing is needed in the region. However, most people would agree that the process undertaken to build affordable and workforce housing should be transparent, rigorous, fair and open.

Interestingly enough, the process undertaken by the Town of Mountain Village falls far short of that. What was supposed to be a nine-month project has now stretched to at least 18 months, with the Town taking some unique steps and shortcuts along the way.

This letter is written in response to Eric Wells' opinion letter regarding The Lofts' project. Set forth below are a few of the things we are troubled by about this project.

- There was no RFP process nor an appraisal.

Mayor Dan Jansen explained no RFPs were issued as there was a lack of interest in the developer community, which lead the Town to sell the project to the only interested party, Belem Development, whose CEO is Mr. Eric Wells, with the understanding and multiple public announcements by Mayor Jansen, that the project would be ready by November 2015. However, it has recently been known that the project will most likely not be completed until November 2016.

The Town is selling the land for \$100,000 without any appraisal. Per the San Miguel County appraiser, the appraised value of the land (dirt) of the total lot 1003R (4.415 acres) is \$6,538,792 without improvements. Therefore, one-third of an acre is valued at between \$0 and \$444,000. The value of the land increases significantly once it is zoned for 43-45 residential units. The only way to know the true value of the land is by having an appraisal prepared. This is the fairest and most transparent route possible left and an appraisal can be prepared in fewer than 15 days. Mayor Jansen refuses to have the land appraised.

- The Lofts' Rent: The sky is the limit.

The developer is not bound by any governmental restrictions with respect to rents. The rents as anticipated by the developer are to be \$1,500-2,200 — 50-90 percent more expensive than the VCA rents, but ultimately the developer can charge any rents he wants without any restrictions whatsoever and is accountable to no one. VCA rental rates are \$1,040-\$1,215 for 2-3 bedroom units. The Lofts' cheapest anticipated rent is \$1,500.

Further, the developer's comparison of The Lofts to VCA is both disingenuous and absurd. The town council is responsible for setting the rents for most of the 2-3 bedroom units at VCA. MV residents can and have protested when the VCA rent or the rent increases have been excessive. In 2014, town council proposed rent increases of 7-10 percent. After much public complaint, town council ultimately increased rents by only 2 percent. The only thing that VCA and The Lofts have in common is that they are both in Mountain Village.

- A great parking deal like no other deal.

Unlike other projects, this developer will not be required to build any parking spaces. Instead the town is licensing the use of 86-90 spaces in the Gondola Parking Garage to the developer at an effective discounted rate of \$11,250 per parking space (the developer pays \$15,000 per space but gets two spaces for the cost of one-and-a-half spaces). First of all, these prices are below market value and second, it would cost the town approximately \$55,000 to build each new space. The developer is getting a parking subsidy of roughly \$3.75 million.

- Request for Proposals were issued.

At the March 26 town council meeting, Mayor Jansen mentioned that a number of RFPs had been sent to developers for the Lofts. Under the Colorado Open Records Act, we requested copies of the RFPs the mayor made reference to but the town clerk responded that such documents did not exist. We are still awaiting clarification from the mayor.

- Sale of units by the developer.

The developer can sell the units starting in 2029 at prices determined solely by the developer. MV residents will have the benefit of rental apartments for 13 years.

We strongly believe Mayor Jansen should have taken into more rigorous consideration the interests of the town's taxpayers and constituents by undertaking an open RFP process and not given away public land and parking to a private for-profit developer for minimal public benefits. We are in favor of being proactive in developing affordable and workforce housing but not in this manner, which will provide MV taxpayers with truly minimal benefits.

If additional developers had been offered this deal, it is very likely there would have been a stronger and more

positive response from the developer community.

April 3rd Opinion Letter

About The Lofts at Mountain Village

Published: Friday, April 3, 2015 6:05 AM CDT

Guest Commentary

Eric Wells

CEO, Belem Development Co.

That the Telluride region is crying out for workforce housing is something I think we all can agree on. Sometimes we differ on where we should build, what we should build and how we should pay for it. But in general, it's clear that consensus exists on the urgent need for more housing for the people who live and work here.

In October 2014, Mountain Village Town Council, in an effort to avoid using taxpayer money to build and manage more units, responded to this need by asking private developers to find solutions to the housing crunch. [Lofts@Mountain Village LLC](#) answered this call and we think we've found a pretty good solution in The Lofts project.

This project will use remnant land left over from construction of the Gondola Parking Garage in Mountain Village. It's a slim parcel that skirts two sides of the existing parking structure and is zoned as active open space, a designation that allows for the construction of workforce housing, but not free-market housing.

The Lofts project proposes 40-plus two-and three-bedroom for-rent units of professional workforce housing that will be deed-restricted and can only be rented to those who live and work in the Telluride R-1 School District.

In this way, the Lofts will be similar to the majority of units in the Town of Mountain Village-owned Village Court Apartments. A 220-unit property, VCA has 132 units that do not have a rent restriction — they are priced at free-market rates — but are still deed-restricted and thus, like The Lofts, are only available to those working and living in the school district.

Currently, we see an enormous need for rental properties so The Lofts are proposed as for-rent units. In the future, there may be a greater need for for-sale units. So an option exists, in 2029, for a public process with the Town of Mountain Village whereby we could seek to modify zoning to permit the sale of the units. They would remain deed-restricted and therefore stay part of the region's affordable housing stock.

There are some aspects of this project that we really like:

Lofts residents will have access to spaces in the parking garage.

Project construction will not impede any future expansion of the garage.

Because The Lofts will be adjacent to the gondola, residents can commute via this unique — and green — transportation system.

The brand-new units at The Lofts will have their own washers and dryers so residents won't have to share a communal laundry room with coin-operated machines.

The locals who live at The Lofts will enjoy amazing views and ski-in/ski-out.

We think The Lofts will appeal to professional and management-level locals earning the median income for San Miguel County of \$87,400 per household, or higher. A typical working couple would spend about 25 percent of their income — or \$1,820 per month — in rent at The Lofts. This compares favorably to the average Colorado resort community where the typical couple spends about 30 percent of their income on rent.

In the region, there are existing and proposed units for seasonal and non-professional workers. There is little affordable housing stock, however, for professionals and managers. It's time — past time — to address this.

Kris Holstrom and her grassroots movement Creative Housing Solutions seek to address the lack of workforce housing. Holstrom points out that affordable housing needs to be looked at as a ladder with many rungs so that housing is built that addresses the needs of different types of workers.

"There's this whole idea of a ladder of opportunity housing," Holstrom says. "It's the opportunity for people to come into housing that fits them. There are gaps at pretty much every level of housing in our region and these need to be addressed."

Holstrom also says that creativity is necessary. "We need to get way out of the box if we are going to chip away at this problem."

Telluride Foundation's Paul Major has also been looking at the issue, in particular at ways to efficiently and effectively use land within the existing land-use code and master plans while incentivizing public-private partnerships to get workforce housing built.

"We're interested in monitoring The Lofts as a model for public-private partnerships to solve the crisis in workforce housing," Major says. "If private markets can come forward to meet that need, it provides zero risk for governments and solves a community problem. If your workforce can't live where they earn a living, you have a problem."

We agree with Kris and Paul, and feel that creatively using the slim envelope of land surrounding the Gondola Parking Garage in the way we are proposing is a positive, crucial step toward alleviating the region's lack of affordable housing.



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Agenda Item # 10a

TOWN OF MOUNTAIN VILLAGE MINUTES OF THE MARCH 26, 2015 REGULAR TOWN COUNCIL MEETING

The meeting of the Town Council was called to order by Mayor Dan Jansen at 8:34 a.m. on Thursday, March 26, 2015 in the Mountain Village Town Hall, 455 Mountain Village Town Hall Boulevard, Mountain Village, Colorado.

Attendance:

The following Town Council members were present and acting:

Dan Jansen, Mayor
Cath Jett, Mayor Pro-Tem
Dave Schillaci
John Howe
Michelle Sherry
Marty McKinley
Jonette Bronson

Also in attendance were:

Kim Montgomery, Town Manager
Jackie Kennefick, Director of Administration/Town Clerk
Susan Johnston, Deputy Town Clerk
Nichole Zangara, Community Relations Manager
Laila Benitez, Community Relations Assistant
David Reed, Town Attorney
Jim Mahoney, Assistant Town Attorney
Chris Hawkins, Director of Community Development
Kevin Swain, Finance Director
Julie Vergari, Chief Accountant
Chris Broady, Police Chief
Sue Kunz, Human Resources Director
Corrie McMills, Human Resources Coordinator
Steven Lehane, Director of Cable & Broadband Services
Randy Kee, Building Official
Jodi Miller, Office Manager/Court Clerk
Finn Kjome, Public Works Director
Deanna Drew, Director of Plazas & Environmental Services
Rachelle Redmond, MVPD Lieutenant
Dave Bangert, Forester
Krysten Guttmen, MVPD
Matt Mitchell
Richard Child
Heather Young
Jolana Vanek
Mark Martin
Anne Gerhard
Danny Craft

Aurelie Cannella
Tami Huntsman
Roz Strong
Bob Delves (by phone)
Erica Kinias
John Camper
Penelope Gleason
Shirley Diaz
Deb Gesmundo
David Eckman
Phil Evans
Greer Garner
Dan Zemke
Keith Brown
Eric Wells
Steve Morton
Brian Kanaga
Jeffrey Fasolo
Tim Cannon
Kris Holstrom
Jonathan Greenspan
Mark Martin
Joe Solomon
John Camper
Ron Zaccari
Lucas Fredricks
David Craige

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

On a **MOTION** by John Howe and seconded by Michelle Sherry, Council agreed to enter into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402(b), and for the purpose of negotiations pursuant to C.R.S. 24-6-402(4)e at 8:34 a.m.

Dave Schillaci arrived at 8:37 a.m.

Council returned to regular session at 9:42 a.m.

Public Comment for Non-Agenda Items (3)

No public comment was received.

Presentation of Colorado Association of Chief of Police (CACP) Law Enforcement Executive Certificate to Town of Mountain Village Police Chief Chris Broady by Chief John Camper, Grand Junction Police Department (4)

Chief John Camper of the Grand Junction Police Department presented Mountain Village Police Chief Chris Broady the Colorado Association of Chief of Police (CACP) Law Enforcement Executive Certificate.

Council congratulated Chief Broady on his accomplishment.

Consideration of Approval of Minutes of the February 19, 2015 Regular Town Council Meeting (5)

On a **MOTION** by John Howe and seconded by Jonette Bronson, Council voted unanimously to approve the February 19, 2015 Regular Town Council meeting minutes.

Liquor Licensing Authority: (6)

a. Consideration of an Application by NVHG Hotel Madeline Operator, LLC DBA Hotel Madeline Telluride for a Temporary Modification of Premises on the H&R Resort Complex Liquor License for the Addition of the Ice Rink from May 1- October 31, 2015

Director of Administration/Town Clerk Jackie Kennefick presented the above item. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by Jonette Bronson, Council voted unanimously to approve the application by NVHG Hotel Madeline Operator, LLC for a temporary modification of premises on the H&R resort complex liquor license for the addition of the ice rink from May 1-October 31, 2015 subject to executing a license agreement giving the applicant sufficient possession of the ice rink area.

b. Consideration of an Application by Telski Food & Beverage Services, LLC for a Temporary Modification of Premises at Allred's Restaurant to Include The Ridge Club for a Wedding on July 3, 2015

Jackie Kennefick presented the above item. On a **MOTION** by Cath Jett and seconded by Jonette Bronson, Council voted unanimously to approve the application by Telski Food & Beverage Services, LLC for a temporary modification of premises at Allred's Restaurant to include The Ridge Club for a wedding on July 3, 2015.

Consideration of an Amendment to the Board of Appeals Bylaws (7)

Chief Building Official Randy Kee presented the above item stating that staff is recommending the bylaws be amended to allow for email approval of the board meeting minutes due to the infrequent nature of the meetings. Council discussion ensued. On a **MOTION** by Michelle Sherry and seconded by John Howe, Council voted unanimously to approve the amendment to the Board of Appeals Bylaws.

Council Boards and Commissions Updates: (22)

- a. **Eco Action Partners (EAP)– Howe/Sherry**
There was no update.
- b. **Telluride Historical Museum – Bronson**

The Museum Director will be presenting the annual report later in the meeting.

c. **San Miguel Watershed Coalition – Jett**

There was no update.

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

Mayor Jansen stated that flights are loading very well for the summer with bookings up 20% from last year. A joint meeting with the Telluride Tourism Board (TTB) and CFA has been scheduled to address Telluride area flight issues in a combined effort.

e. **Plaza Use Committee – Jett**

There was no update.

f. **Transportation & Parking – Howe/Schillaci**

There was no update.

g. **Budget & Finance Committee – Jansen/McKinley**

Marty McKinley stated that 2014 was a very good year in sales tax and revenue.

h. **Mayor's Update**

TSG will be holding the Mountain Town Get Down March 27-29, 2015. There will be an Inter-Governmental meeting on April 1st at 2:00 p.m. at the Wilkinson Library, to discuss workforce housing. The Town Hall Subarea Task Force will be hosting design charrettes for the Medical Center on March 31st and April 1st.

Other Business: (19)

a. **Council Candidate Ad to Begin March 27**

The Council members up for election are Dave Schillaci, John Howe, Dan Jansen and Jonette Bronson. The election is June 30, 2015 and the deadline for applications is May 8th.

b. **Special Meetings Reminder April 1 & 2**

c. **Discussion on April 23rd Council Meeting Start Time**

Council discussion ensued and it was decided to schedule the 640A item for later in the day and work backwards on the agenda to then determine the meeting start time.

d. **Trifecta Dinner to be Scheduled in July – MV Hosting**

Staff will send out a Doodle poll in early July to determine the date.

Finance: (18)

Finance Director Kevin Swain presented:

a. **February 28, 2015 Business & Government Activity Report (BAGAR)**

Council discussion ensued.

Presentation of the Town Hall Subarea Task Force Recommendation and Conceptual Work Session with the Design Review Board (DRB) for the Lofts Professional Workforce Housing Project Consisting of Approximately 45 units Around the Gondola Parking Garage on Lot 1003R-1 (8)

DRB members Greer Garner, Phil Evans, Keith Brown, Dan Zemke and David Eckman joined the meeting. Assistant Town Attorney Jim Mahoney presented the above item explaining that the Task Force, which is comprised of Bob Delves, Pete Mitchell, Martinique Prohaska, Penelope Gleason (Chair), Lyn Gruss, Steve Togni, Marcy Pickering, Bruce MacIntire, and Elizabeth Barth, was created to provide feedback to the developer and the DRB. He stated that the Town Hall Subarea Task Force met on March 3rd and 4th to review the proposed plans for The Lofts at Mountain Village project. Task Force Chair Penelope Gleason stated that the Task Force process was a great opportunity for the public to be involved and provide input. The developer was very responsive to the group's ideas. Ms. Gleason presented the following recommendations to Town Council and DRB:

1. The DRB and Council should consider the impacts of staging and construction on the Town, including such issues as quality of life, traffic, parking and impact on businesses and residences.
2. The DRB and Town Council should consider the aesthetics of the building pursuant to the Design Regulations to ensure that the building fits within the design of the area and Mountain Village. Being a visible building on a ski run, the DRB should ensure that the Design Regulations are followed especially for most visible elements of the project.

3. The DRB and Council should consider improved trail access throughout the area including ski-in/ski-out access. The DRB and Council should also address the maintenance of the main ski-in/ski-out access to the parking garage.
4. The Town should explore the provision of the current or a new trail alignment from VCA and Town property to the existing sidewalk along Mountain Village Boulevard.
5. The DRB and Town Council should consider addressing shared responsibilities and costs at the parking structure and surrounding areas impacted or used by the development; especially aesthetics and safety issues which impact the development.
6. Require a provision for a landscaping buffer on the east side in between the development and the Double Cabin Ski Run. The applicant should work with TSG for an easement or other permission for added landscaping on TSG owned land.
7. The preservation of the existing vegetation in the surrounding area to the extent possible. The applicant should also work with the Town and surrounding land owners to install pocket parks or other usable spaces.
8. The provision for shielded exterior storage areas for bikes and other equipment. *The applicant has incorporated this into the application.*
9. The provision of a more detailed short-term and long term bear-proof trash/recycling plan that explores a combined facility with the new medical center. *This is also being considered by the applicant.*
10. The provision of a park for residents either on Town land or an expanded park at VCA.
11. The provision of adequate storage spaces for the units.
12. The provision for an onsite manager for the future management of the property to enforce maintenance, aesthetics and occupancy.
13. The evaluation of wetlands pursuant to the Wetland Regulations for the north building and the fire access through VCA.
14. The Town should carefully craft a development agreement to look at oversight of occupancy, and other issues affected by the development.

Staff noted that these recommendations address most of the big picture issues for the project. Staff would add the need to obtain an as-built survey of existing conditions at Village Court Apartments so the planned ski patrol emergency access and construction route can be designed and evaluated. Council discussion ensued regarding parking which will most likely be limited to two permits per unit. The units will be rented and managed by the developer through 2029 at which time they can be sold in the open market by the developer. DRB member Phil Evans asked Council to inform them of any agreements that have already been approved by Council when an application is filed. The Mayor addressed the issue of the Town not issuing a Request for Proposal (RFP) for the project. He explained that he had challenged the developer community and asked for creative proposals verbally. The result was this developer coming forward and proposing “the wrap” idea which could provide significant public benefit on an otherwise difficult building site. The Mayor stated that the next step is for the developer to submit an application, go through the DRB process and then present to Council. He added that there will be multiple opportunities for public comment throughout this process.

First Reading, Setting of a Public Hearing and Council Vote on a Citizen Initiated Ordinance to Allow an Increase in Density on Lot 640A from its Current Allowed Density but Limiting Density to 60 Units Quasi- Judicial (9)

Town Attorney David Reed introduced the citizen initiated Ordinance stating that the Town Clerk has certified the petition and that this is the first reading of the Ordinance. This Ordinance is the same as the last Ordinance presented at the February meeting except for the number of units. Mr. Reed noted that Town Council member John Howe will not be able to participate in discussions or vote on this agenda item since he owns a housing unit adjacent to the project and therefore has a conflict of interest according to the Mountain Village Ethics Code. Tami Huntsman explained that the intent of this process was to poll the community to determine the number of units desired, and that it was their opinion that all workforce housing

should not be located in the Meadows. Ms. Huntsman stated that housing is a regional issue and should be addressed as such. Roz Strong stated that they wanted to withdraw the petition for 60 units and intend to move forward with a ballot issue for the June 30th election calling for a limit of 45 on the number of units. David Reed pointed out that if the Ordinance on the agenda is withdrawn at this time, then Council has nothing to vote on and there would be no further discussion. Mr. Reed informed the petitioners that if they wished to reconsider withdrawing the 60 unit ordinance, then it may be re-agendized for consideration and a discussion would result. Roz Strong reconsidered the withdrawal at that time and extensive Council discussion ensued. Council proposed that the petitioners allow the Town to create an Ordinance that would include:

- A requirement for a park of the same or greater size
- A cap on population
- A limit on the number of pets
- A limit on the number of vehicles
- A limit on the bedroom mix

Council discussion ensued regarding the Town's willingness to assist in the funding of the park as well as maintenance. Public comment was received by Jolana Vanek, Deb Gesmundo, Tim Cannon, and Tom Kennedy. Mr. Kennedy (speaking for the 640A lot owner) indicated that the applicant (Randy Edwards) would be willing to pull the pending application if the Town were to initiate and draft an Ordinance limiting the density to 60 units with a population of approximately 200. Council directed staff to draft an Ordinance that will address the items listed above for the April Town Council meeting. Mr. Reed stated that discussions could begin when the developer pulls his pending application. Ms. Strong and Ms. Huntsman requested that the Ordinance before the Council be withdrawn and no action was taken. Council directed the Town Manager and the Town Attorney to drive a process to find middle ground in the event the applicant pulls their application.

On a **MOTION** by Dave Schillaci and seconded by Cath Jett, Council voted unanimously to convene as the Town of Mountain Village Housing Authority Board of Directors.

Town of Mountain Village Housing Authority:

Consideration of a Request from Steven and Loren Kornreich to Extend Their Exception to Not Owner Occupy Coyote Court #2 and Continue to Rent to the Current Occupants Until June 30, 2015(10)

San Miguel Regional Housing Authority Executive Director Shirley Diaz presented the above item stating that the owners of Coyote Court Unit #2 (Kornreich) have requested permission to extend the rental of their unit until July 1, 2015. They would like to allow time for their renters to find other housing since one adult is a school teacher. This extension would afford them some time to search once school is out of session. Council discussion ensued. Council directed staff to agendize an item discussing the various deed restrictions and to include an explanation of each type. On a **MOTION** by Cath Jett and seconded by Jonette Bronson, Council voted unanimously to approve a request by Steven and Loren Kornreich to extend the exception to not owner occupy Coyote Court #2 and continue to rent to the current occupants until June 30, 2015.

On a **MOTION** by Cath Jett and seconded by John Howe, the Housing Authority Board voted unanimously to re-convene as Town Council.

Council took a lunch break from 12:11 p.m. to 12:45 p.m. (14)

Telluride Historical Museum 2014 Report (14)

Telluride Historical Museum Executive Director Erica Kinias presented the above report. Ms. Kinias presented an overview of 2014 stating that compared to 2013, the number of visitations increased by 35% and program attendance increased by 10%. The museum's annual exhibit was *Voices of Wartime: Telluride During World War II*. The museum's affiliation with the Smithsonian was used in three ways; the Rocky Mountain PBS documentary, artifact loans from other museums and the membership program (memberships at a certain level receive free membership to the Smithsonian). Ms. Kinias stated that financial reserves remain strong. The Museum upgraded the security system, cameras, and installed insulated windows with

Eco Action Partners supplying a \$10,000 grant to help with this. Ms. Kinias added that her replacement will come on board in May. Council congratulated Ms. Kinias on a great year and thanked her for her service.

First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Amend the Community Development Code at (A) Section 17.2.12 and 17.6.5(D)(1) to Allow the Conditional Use Permit Process to Establish the Allowed Height for Freestanding Antennas; (B) Section 17.4.9(E)(2)-(3) to Correct an Omission, and Not Require a Concurrent Replat with Rezoning; (C) Section 17.4.14(F)(3) to Revise the Criteria for Allowing Ski Lifts on Private Lots; (D) Chapter 17.8 to Amend the Definition of a Site Specific Development Plan; and (E) Section 17.6.9 to Meet or Exceed San Miguel County Open Burning Regulations (11)

Chris Hawkins presented the above item. The following are a list of the proposed amendments to the CDC:

1. Section 17.2.12 to allow the conditional use permit process to establish the allowed height for freestanding antennas. The main reason for this change is due to the fact that freestanding antenna heights need to be taller than the building height limits to ensure antennas clear the forest canopy and buildings to provide adequate coverage. The proposed amendments allow for the review authority to establish the needed and compatible height as a part of the conditional use permit process, with the maximum height allowed based on the conditional use permit criteria.

2. Section 17.4.9(E)(2)-(3) to correct an omission, and not require a concurrent replat with rezoning. The Town Attorney indicated that it is not necessary to file a replat to change zoning and land use plat notes on older plats since this can occur by an ordinance. Staff is therefore proposing the amendments, which will significantly reduce the costs for future rezoning.

3. Section 17.4.14(F)(3) to revise the criteria for allowing ski lifts on private lots. The Town Council asked for stronger criteria to review proposed ski lifts during a work session in 2014. The goal is to ensure that a ski lift fits a site and are compatible with the surrounding area development. Mr. Hawkins noted that the wording "readily visible" in the proposed criteria for decision needs some discussion.

Extensive Council discussion ensued regarding the following topics:

- Changing the words "strongly discouraged" to "not encouraged" when referring to ski lifts(tramways)
- Removing the word "hardship" when referring to ski lifts (tramways), from the Ordinance
- Consider after-hours access to the ski runs if a ski lift is installed
- Consider allowing them for larger developments
- Create criteria for determining the necessity of a ski lift with each application considered on an individual basis
- Add language regarding multi-family usage

Jim Mahoney stated that language can be crafted to state that no access to ski runs will be permitted after hours. Public comment was received by Joe Solomon, Jonathan Greenspan, and Tom Kennedy. Council discussion ensued regarding Section 17.1.9 Open Burning Regulations. Forester Dave Bangert stressed that the goal is to encourage forest management and fire mitigation programs with the Town's residents and landowners. Public comment was received by Jonathan Greenspan. On a **MOTION** by John Howe and seconded by Cath Jett, Council voted unanimously to approve on first reading an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.2.12 to Allow the Conditional Use Permit Process to Establish the Allowed Height for Freestanding Antennas; and (B) Section 17.4.9(E)(2)-(3) to Correct an Omission, and Not Require a Concurrent Replat with Rezoning; and (C) Miscellaneous Amendments to the CDC to Accomplish the Foregoing and to set a public hearing, second reading of the Ordinance, and Council vote for April 23, 2015.

On a **MOTION** by John Howe and seconded by Cath Jett, Council voted unanimously to continue an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.4.14(F)(3) to Revise the Criteria for Allowing Ski Lifts on Private Lots; and (B) Section 17.6.9 to Meet or Exceed San Miguel County Open Burning Regulations; (C) Section 17.3.4(F)(4) to Allow for the Re-subdivision and Rezoning of Single-Family Lots Subject to Modified Criteria; and (D) Miscellaneous Amendments to the CDC to Accomplish the Foregoing to the April 23, 2015 Town Council meeting with the following conditions:

- Add back the insurance requirement of five million
- Section C.3 regarding adverse impacts on air quality, controlled conditions
- Allow open burns only at certain times of the year
- Open pile burning only on open space tracts larger than a specified amount

Consideration of a Resolution Approving a Revocable Encroachment Agreement for the Proposed Installation of Landscaping in the AJ Drive Road Right-of-Way Adjacent to Lot 622 (Lot Number will be Corrected to 662 at the April 23, 2015 Town Council Meeting)(12)

Chris Hawkins presented the above item stating that the applicant has proposed landscaping with a non-mortared dry stack stone border in the AJ Drive right-of-way in front of the single family home on Lot 622. Public Works Director Finn Kjome stated that the landscaping will not be adversely affected by snow plowing activities over the winter, and that the encroachment agreement will protect the Town from any damages to the landscaping and hardscape installed in the road right-of-way. Ron Zaccari, representative of the owner of Lot 622, explained that the owner would like to utilize Blue Spruce in the landscaping plan and that there are a variety of plants being used. Mr. Zaccari stated that Dave Bangert and Jane Marinoff have been wonderful to work with on this project. Council discussion ensued. On a **MOTION** by Cath Jett and seconded by John Howe, Council voted unanimously to adopt a Resolution approving a revocable encroachment agreement into the AJ Drive road right-of-way for a stone border and new plantings for the adjacent single family residence located on Lot 622.

Consideration of Approval of a Proposed TSG OSP-2S Forest Thinning Demonstration Project (13)

Chris Hawkins presented the above item stating that the proposed project site is located on OSP-2S which is a 7.38 acre site owned by Telluride Ski and Golf (TSG). The priority of the forest thinning demonstration project will be to safeguard the road right-of-way along Mountain Village Blvd. and the Boulevard Trail from potential hazard trees, protect the public, to remove all standing dead and declining aspen trees, and thin sub alpine fir throughout the site. 14-16 trees have blown down in the past year which is cause for concern. The projected is \$20-30,000 for the project. Mr. Bangert's plan is to mark the trees and issue an RFP in May, with a goal of completing the project by the 4th of July. Council discussion ensued. The Mayor directed the Town Manager and staff to open a discussion with TSG (Greg Pack and Chuck Horning) regarding maintaining forest health. Council also directed staff to agendize the topic of water restrictions at the April 23, 2015 Town Council meeting. On a **MOTION** by John Howe and seconded by Cath Jett, Council voted unanimously to direct staff to proceed with the OSP-2S forest thinning demonstration project.

Economic Development Definition Initiative (EDDI) Final Report (16)

Bob Delves of Mountain Town Solutions presented the EDDI final report. The report included his recommendations to move forward with establishing the Director of Marketing and Business Development. Town Manager Kim Montgomery stated that she is in support of establishing the Marketing and Business Development (MBD) department with Community Relations Manager Nichole Zangara-Riley being promoted to the new position of Director of Marketing and Business Development. Council thanked Mr. Delves and Ms. Zangara-Riley for their tremendous efforts in completing EDDI. Extensive Council discussion ensued. Bob Delves stated that EDDI was designed as an outreach program to the business community to determine how to better communicate and grow relationships. He stated that the key to this position is having a person who is familiar with the town government as well as the business community. The majority of Council agreed with the recommendations and staff was directed to move forward. Ms. Montgomery stated that the position will begin April 1st and that the goals and performance measures will be developed as soon as possible.

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

Consideration of Appointments: (17)

a. One Regular and One Alternate Seat on the Ethics Commission

Jackie Kennefick presented the candidates for the Ethics Commission. Council voted by paper ballot. Council discussion ensued. On a **MOTION** by Michelle Sherry and seconded by John Howe, Council voted unanimously to appoint Daniel Zemke to the regular seat and Richard Child to the alternate seat on the Ethics Commission.

b. One Council Member to the Plaza Use Committee

Director of Plazas and Environmental Services Deanna Drew presented the above item stating that a second Council member should be appointed to the Plaza Use Committee. On a **MOTION** by John Howe

and seconded by Jonette Bronson, Council voted unanimously to appoint Dave Schillaci to the Plaza Use Committee.

c. Three Regular Seats and Two Alternate Seats on the Design Review Board

Chris Hawkins presented the applicants for the DRB seats noting the DRB recommendations. DRB recommendations were David Eckman, Greer Garner and Phil Evans for the regular seats and for the alternate seats David Craige and Jean Vatter. Council discussion ensued. On a **MOTION** by Jonette Bronson and seconded by John Howe, Council voted unanimously to appoint David Eckman, Greer Garner and Phil Evans to the three regular seats and David Craige and Jean Vatter to the two alternate seats on the DRB.

Staff Reports: (19)

a. Community Relations

Community Relations Manager Nichole Zangara presented her report. Council discussion ensued. Council thanked Ms. Zangara for a thorough report.

b. Plazas & Environmental Services

Deanna Drew presented her report stating that her department ended 2014 approximately ten percent under budget. Plaza services, grounds maintenance and environmental issues are the three areas her department addresses. The Plaza Use Committee will address vending cart issues and then schedule a work session with Town Council.

c. Town Manager

Kim Montgomery presented her report. The Great Services Award for February went to James Lynch for performing emergency repairs on the snow cat so that the Valley Floor Nordic trails could be groomed following a significant snow fall. January's award went to Caley Davis for being an exemplary event assistant for the Fire Festival as well as safely operating the fork lift to set up for the Fire Festival. Council discussion ensued regarding a New Year's Eve incident involving an intoxicated member of the community and the Police Department. Mayor Jansen stated that the incident provided an opportunity to improve Town procedures. Chief Broady stated that there are public release laws in place and that the investigation and reporting of this incident were done in a timely manner. Council directed Chief Broady to agendize a work session on incident policy and procedures.

2014 Energy Use and Greenhouse Gas Report(20)

Deanna Drew presented the above report stating that 2014 carbon dioxide emissions were down eight percent from 2013 levels, down thirteen percent from a six year average, and down twenty-two percent from the 2010 baseline emission levels. The Town still has conservation work to do and will continue replacing bulbs with LED's. Council thanked Ms. Drew for the thorough report. Ms. Drew thanked Council for their support.

Council Compensation Discussion(21)

Jackie Kennefick stated that the purpose of this discussion was to determine if there are any changes desired to the Council compensation package prior to the June election. Council discussion ensued and suggestions were made to include cable TV, sewer, water, and internet. Council members compared the current compensation to similar communities and found the Crested Butte model agreeable. Council directed staff to draft an Ordinance for the April 23, 2015 Town Council meeting changing Council compensation to:

- Council Salary \$400/mo
- Mayor Salary \$800
- Include water/sewer, internet, ski pass, PERA

Jonette Bronson left the meeting at 4:02 p.m.

Dave Schillaci left the meeting at 4:04 p.m.

Dan Jansen left the meeting at 4:05 p.m.

There being no further business, on a **MOTION** by Michelle Sherry and seconded by Marty McKinley, Council unanimously agreed to adjourn the meeting at 4:18 p.m.

Respectfully prepared,

Respectfully submitted,

Susan Johnston
Deputy Town Clerk

Jackie Kennefick
Town Clerk

DRAFT



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

Agenda Item #10b

TO: Town Council
FROM: Dave Bangert, Town Forester
FOR: Town Council meeting on April 23, 2015, Agenda Item #10b
DATE: April 16, 2015

RE: Consideration of a Correction Resolution to correct an error on the lot number identified in the previously approved Resolution No. 2015-0326-05 to change the lot number from 622 to 662.

PROJECT GEOGRAPHY

Legal Description: Lot 662, Telluride Mountain Village
Address: 135 AJ Drive, Mountain Village, Colorado
Applicant/Agent: John and Amy Miller
Owner: John and Amy Miller
Zoning: Single Family
Existing Use: Single Family
Proposed Use: Single Family
Lot Area: 0.480 acres

Adjacent Land Uses:

- **North:** Active Open Space
- **South:** Single Family
- **East:** Single Family
- **West:** Single Family

BACKGROUND

At the March 26 Town Council meeting the memo and the resolution for a Road Right of Way encroachment for 135 AJ Drive had the incorrect lot number. The lot number was stated as 622 and the correct lot number is 662.

RECOMMENDATION

Staff recommends the Town Council approve the Correction Resolution, with the following proposed motion:

“I move to approve a correction resolution to correct an error on the previously approved Resolution No. 2015-0326-05 to change the lot number from 622 to 662”

**RESOLUTION OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO TOWN COUNCIL
APPROVING A REVOCABLE ENCROACHMENT AGREEMENT INTO THE AJ DRIVE
RIGHT-OF-WAY FOR A STONE BOARDER AND NEW PLANTINGS FOR THE ADJACENT
SINGLE FAMILY RESIDENCE LOCATED ON LOT 662**

RESOLUTION NO. 2015-

RECITALS:

- A. The Town of Mountain Village (“Town”) is the owner of record of real property described as the AJ Drive Right-of-Way; and,
- B. John and Amy Miller (“Owners”) is the owner of record of real property described as Lot 662;
- C. Right-of-way encroachments are a discretionary allowance of the Town Council; and
- D. The proposed revocable encroachment is needed to allow for the new stone boarder and new plantings; and,
- E. The Town Council conducted a public meeting on April 23, 2015.

Now, Therefore, Be It Resolved that the Town Council hereby approves a revocable encroachment in the AJ Drive Right-of-Way as set forth in Exhibit A with a condition that the Planning Division staff prepares a revocable encroachment agreement for execution by the Town Manager and the Owner.

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 April 23, 2015 (the “Effective Date”) as herein referenced throughout this Resolution.

Section 4. Public Meeting

A public meeting on this Resolution was held on the 23th day of April, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Mountain Village Town Council at a public meeting on April 23, 2015.

Town of Mountain Village, Town Council

By: _____
Dan Jansen, Mayor

Attest:

By: _____
Jackie Kennefick, Town Clerk

Approved as to form:

By: _____
James Mahoney, Assistant Town Attorney

Town of Mountain Village

Item #11

Date: 4/16/15

To: Town Council

From: Finn Kjome Public Works Director

Re: April 23, 2015 Consideration of Implementation of exterior water restrictions for the irrigation season

I have provided a copy of the USDA/NRCS National Water and Climate Center SNOTEL Report from April 9th. As you can see from the report southwest Colorado is already at 49% of normal and most likely more severe by the time you get this memo. Bikis Water Consultants has provided a drought plan for 2015 which staff is recommending the Town follow until wetter conditions return. I have revised the Water Conservation Plan letter used in 2013 to be inserted in to the May water bills should you act on this recommendation.

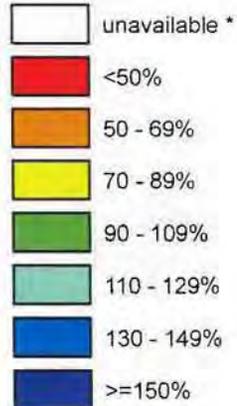
Staff recommendation: Motion to implement exterior water restriction for water customers of the Mountain Village water system for the 2015 irrigation season.

Colorado SNOTEL Current Snow Water Equivalent (SWE) % of Normal

Apr 09, 2015

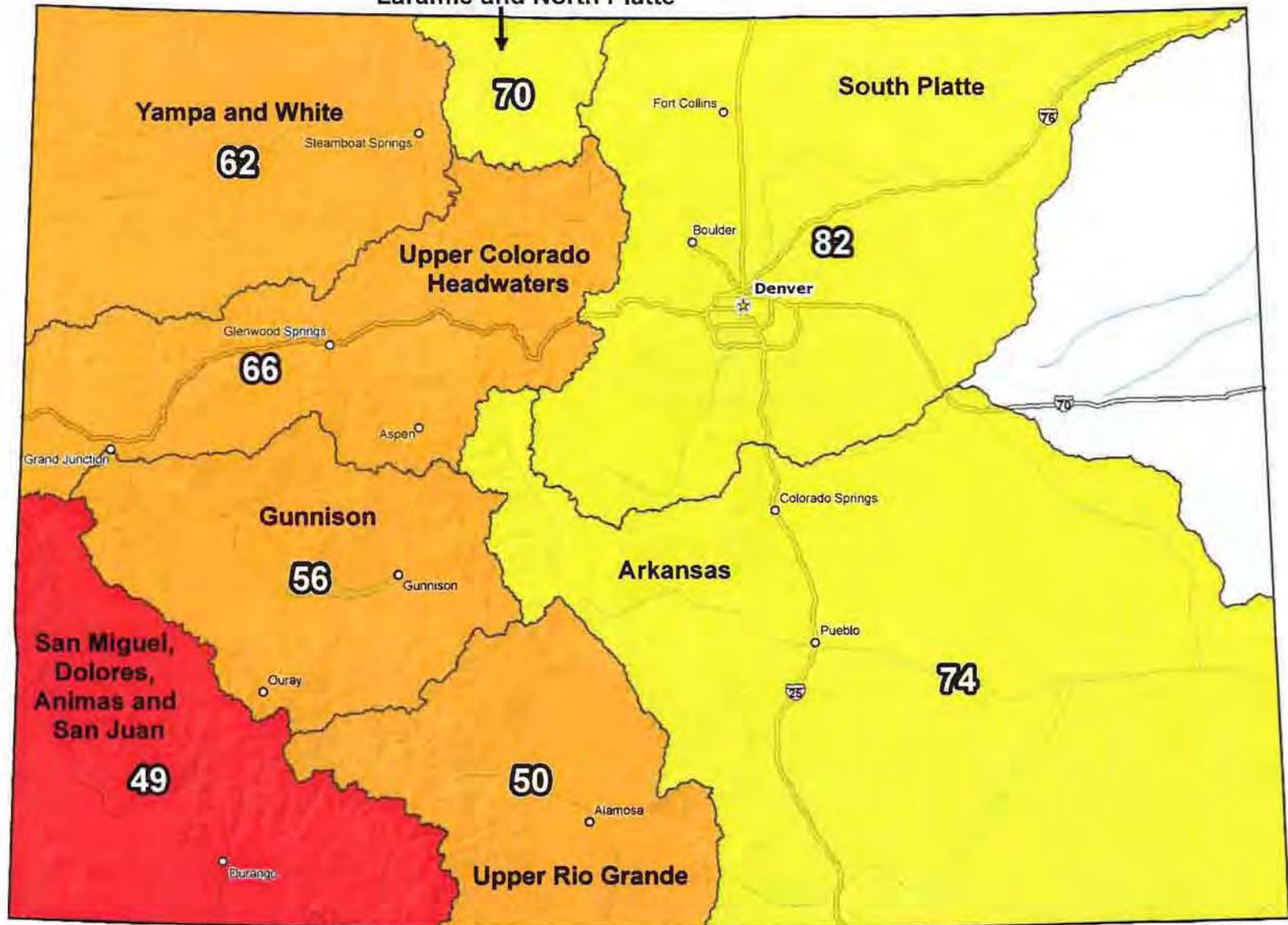
Laramie and North Platte

Current Snow Water Equivalent (SWE) Basin-wide Percent of 1981-2010 Median



* Data unavailable at time of posting or measurement is not representative at this time of year

Provisional Data
Subject to Revision



The snow water equivalent percent of normal represents the current snow water equivalent found at selected SNOTEL sites in or near the basin compared to the average value for those sites on this day. Data based on the first reading of the day (typically 00:00).

Prepared by:
USDA/NRCS National Water and Climate Center
Portland, Oregon
<http://www.wcc.nrcs.usda.gov>

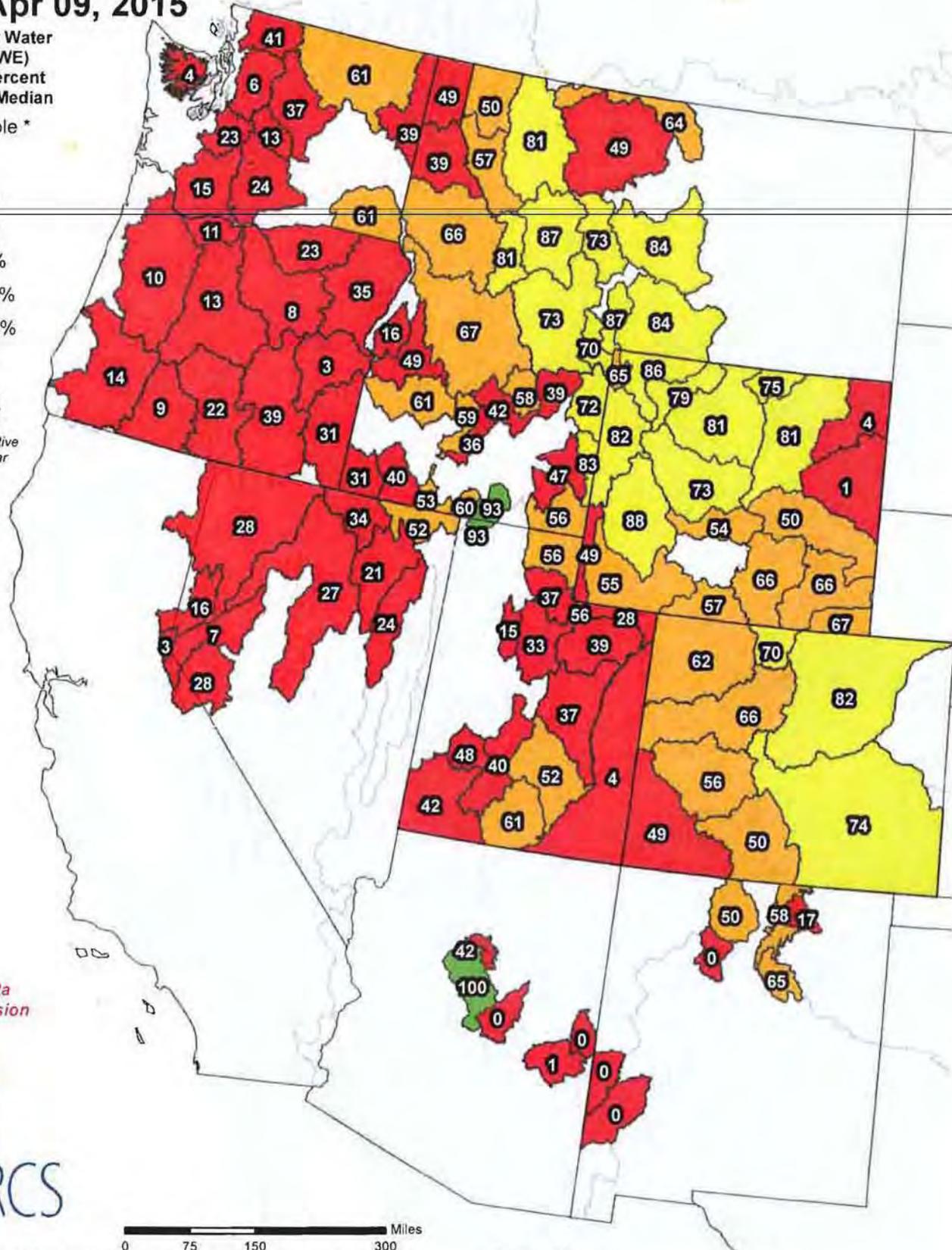
Westwide SNOTEL Current Snow Water Equivalent (SWE) % of Normal

Apr 09, 2015

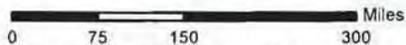
Current Snow Water Equivalent (SWE) Basin-wide Percent of 1981-2010 Median

- unavailable *
- <50%
- 50 - 69%
- 70 - 89%
- 90 - 109%
- 110 - 129%
- 130 - 149%
- >= 150%

* Data unavailable at time of posting or measurement is not representative at this time of year



Provisional data subject to revision



The snow water equivalent percent of normal represents the current snow water equivalent found at selected SNOTEL sites in or near the basin compared to the average value for those sites on this day. Data based on the first reading of the day (typically 00:00).

Prepared by:
 USDA/NRCS National Water and Climate Center
 Portland, Oregon
<http://www.wcc.nrcs.usda.gov>



MEMORANDUM

To: Kim Montgomery, Town Manager
Town of Mountain Village

From: Eric Bikis, P.G.
Bikis Water Consultants, LLC

Date: April 9, 2015

Re: Drought Planning for 2015

The western U.S., including southwestern Colorado, is experiencing another dry year. Storm patterns have not been favorable for producing moisture. The current snowpack in the southwestern portion of the state is 49 percent of the median for the period 1981 to 2010 (see attached SNOTEL maps). Temperatures are warmer and the remaining snowpack is rapidly declining. These conditions, coupled with a series of dry years since 2000 that included the driest year of record in 2002, warrant drought planning for the Town of Mountain Village (TMV).

Presumably, many people are aware that 2015 has been a very dry year. If dry conditions prevail throughout the summer, it likely will provide hardship to many water users and a water rights call will be placed on the San Miguel River. There is good cause to develop drought planning measures now and to inform your constituency as soon as possible so that their awareness is elevated.

Based on the way things looked today BWC believes it is prudent to consider the following drought planning measures:

1. Notify your water users that dry conditions prevail and water use restrictions may/will be necessary. These restrictions could include curtailing or banning outdoor irrigation as well as normal conservation measures that may include refraining from activities such as washing vehicles and "sweeping" the driveway with a hose and nozzle. During previous dry years, TMV has restricted outdoor irrigation to every second or third day.
2. Pump the valley floor wells (T9 and T10) early in the summer with the anticipation that the Colorado Water Conservation Board instream flow water right may cause these wells to cease pumping later in the summer. This will preserve the on-mountain well aquifer which can then be used later in the summer and into the fall.
3. Keep the upper snowmaking ponds filled with water from Prospect Creek until a call is placed on the San Miguel River. These ponds contain precious augmentation water that may be needed later in the year to offset potable and golf course irrigation water use.
4. Be vigilant with respect to water system leaks and line breaks so that water is not wasted unnecessarily.

Kim Montgomery
April 9, 2015
Page 2

5. Continue recording static water levels for the on-mountain wells to help to determine if aquifer levels are declining more than they typically would. Because there have been many drier-than-average years since 2000, groundwater levels may be impacted. TMV has routinely collected these data and this information will be useful in assessing groundwater depletions that may be occurring.

BWC will keep the TMV water resources staff apprised of stream conditions as the summer progresses. As always, we are available to assist you with any water issues in the upper San Miguel River basin.

Attachments: Colorado SNOTEL Map, Current SWE Percent of Normal, April 9, 2015
Westwide SNOTEL Map, Current SWE Percent of Normal, April 9, 2015

cc: Finn Kjome, Public Works, Town of Mountain Village

P:\Project Files\007-06 TMV\2015\Drought Planning 2015\Memo-TMV Drought Planning-2015-04-09.doc

April 13, 2015

Dear Mountain Village Water Customer

In anticipation of dry irrigation season, the Town of Mountain Village will be restricting outside watering. Based on recent reports from the USDA/NRCS National Water and Climate Center (Snotel) and Bikis Water Consultants, the Town is being proactive in initiating this year's restrictions in May in an attempt to conserve water from the start of irrigation season rather than waiting until June when we could potentially be in a more sensitive drought situation. These conservation efforts will be effective in Mountain Village, Ski Ranches, Elk Run and Skyfield and are the same restrictions that were put into effect during 2013 season. If applicable, please consult with your landscape company to ensure compliance.

Water Conservation Program Schedule:

Effective May 1, 2015,

- All properties north of Mountain Village Boulevard and Elk Run residents may water their landscaping on Mondays, Wednesdays, and Fridays ONLY. Irrigation clocks must be set to run at a level of 70-75% of normal water consumption for the 3 days a week you are allowed to water. Irrigating hours will be either before 8:00 am or after 7:00 pm.
- All properties south of Mountain Village Boulevard, plus the Ski Ranches and Skyfield, may water their landscaping on Tuesdays, Thursdays, and Saturdays ONLY. Irrigation clocks must be set to run at a level of 70-75% of normal water consumption for the 3 days a week you are allowed to water. Irrigating hours will be either before 8:00 am or after 7:00 pm.
- All exterior water features must be turned off during this conservation effort.
- **Due to potential water contamination "cross-connection" occurrences, NO trucked in water will be allowed to be hooked up to existing irrigation systems.**

New Landscaping:

Effective May 1, 2015, because of the need for new landscaping to receive additional watering to become established, landscaping installed since the spring of 2014 and future landscaping projects may apply for additional watering permission. All permit applications which include landscaping additions or changes shall be reviewed on a case by case basis by the Mountain Village Planning Dept. 970-369-8203
dbangert@mtnvillage.org

Please be aware that if the San Miguel River goes under administration (on call) further water restrictions may be necessary as the Town follows its augmentation requirements. If the weather conditions do not cooperate, this could result in a ban on all exterior watering from the Town's water system. On the other hand if the region does see a significant increase in moisture the Town may retract its water conservation efforts.

If you have any questions regarding the conservation program, please contact me at 369-8206.

Sincerely,

Finn Kjome
Public Works Director
Town of Mountain Village

ORDINANCE NO. 2015 - _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE INCREASING THE COMPENSATION OF THE MOUNTAIN VILLAGE TOWN COUNCIL AND THE MAYOR OF THE MOUNTAIN VILLAGE

RECITALS:

- A.** The Town of Mountain Village (the “Town”), in the County of San Miguel and State of Colorado, is a home rule municipality duly organized and existing under the laws of the State of Colorado and the Town Charter.
- B.** Pursuant to the Town of Mountain Village Charter, section 3.4(a) sets the compensation of the Mayor at \$100.00 per month and section 3.4(b) sets the compensation for the Town Councilors at \$50.00 per month.
- C.** The Town Charter, section 3.4(c) further allows for Council and Mayoral Compensation to be amended or modified by an Ordinance of the Town Council, so long as such amendments or modifications do not affect the compensation of the Mayor or any Town Councilor then in office during their current term of office.
- D.** The Town Charter provisions on Town Council and Mayoral Compensation have not been amended or modified by Ordinance since originally adopted.
- E.** After surveying similarly situated municipalities, the Town Council determined that an increase in the compensation to the Town Council and Mayor was appropriate to bring the Town up to the lower end of compensation for similarly situated municipalities as set forth herein.

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

Section 1. Legislative Findings.

The recitals to this Ordinance are adopted as findings of the Town Council in support of the enactment of this Ordinance.

Section 2. Mayoral Compensation.

- A.** The Mayor shall be compensated for his or her services to the Town in an amount of \$800.00 per month.
- B.** The Mayor shall also be compensated for water and sewer charges, basic cable and basic internet at his or her residence. The Town’s finance department may elect to reimburse the Mayor for such charges rather than removing the billing for such charges.

Section 3. Compensation of Town Councilors

- A. Town Councilors shall be compensated for his or her services to the Town in an amount of \$400.00 per month.
- B. Town Councilors shall also be compensated for water and sewer charges, basic cable and basic internet at his or her residence. The Town's finance department may elect to reimburse Town Councilors for such charges rather than removing the billing for such charges.

Section 4. PERA

The Public Employees Retirement Association ("PERA") of which the Town is a member, deems the Town Councilors and the Mayor as eligible to receive certain PERA benefits unless they opt out of PERA within 60 days of taking office. Therefore, the Town Councilors and Mayor shall be compensated by the Town the employer's portion of such PERA benefits.

Section 5. Additional Benefits

The Town Council may be compensated for a minor additional benefit of up to the value of a Telluride Ski Resort season pass, so long as such minor benefits are duly approved and adopted through the Town's budget Ordinance adoption process on a yearly basis.

Section 6. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 7. Ordinance Effect.

Existing Ordinances or parts of Ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided however, that the repeal of any Ordinance or parts of Ordinances of the Town shall not revive any other section of any Ordinance or Ordinances hereto before repealed or superseded and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any Ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 8. Safety Clause.

The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare of the citizens of the Town.

Section 9. Effective Date.

This Ordinance shall take effect for those Town Council Members and Mayor entering office after the June 30, 2015 Town of Mountain Village Election.

Section 10. PUBLIC HEARING.

A public hearing on this Ordinance was held on the 21st day of May, 2015, in the Town Council Chambers, 455 Mountain Village Boulevard, Mountain Village, Colorado.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 23rd day of April 2015.

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

By: _____
DAN JANSEN, Mayor

ATTEST:

JACKIE KENNEFICK, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado, this 21st day of May, 2015.

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

By: _____
DAN JANSEN, Mayor

ATTEST:

JACKIE KENNEFICK, Town Clerk

Approved As To Form:

James Mahoney, Assistant Town Attorney

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

1. The attached copy of Ordinance No. _____ ("Ordinance") is a true, correct and complete copy thereof.
2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council of the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on April 23, 2015 by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Martin McKinley				
Jonette Bronson				
John Howe				
Michelle Sherry				
Cath Jett, Mayor Pro Tem				
Dave Schillaci				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance, was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2015, in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on May 21, 2015. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Martin McKinley				
Jonette Bronson				
John Howe				
Michelle Sherry				
Cath Jett, Mayor Pro Tem				
Dave Schillaci				

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this _____ day of _____, 2015.

JACKIE KENNEFICK, Town Clerk

(SEAL)



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

Agenda Item #13

TO: Town Council
FROM: Chris Hawkins, Director of Community Development
FOR: Town Council Public Meeting on April 23, 2015
DATE: April 16, 2015

RE: Consideration of a Resolution Approving a Conditional Use Permit for a New 100' Tall Telecommunications Tower Located Next to the Existing Tower; and a Variance to Allow for the Proposed 100' Tower Structure Height on OSP-49R

PROJECT GEOGRAPHY

Legal Description: OSP-49
Address: No Address Assigned
Applicant/Agent: Black and Veatch as Agent for AT&T
Owner: Telluride Ski and Golf, LLC
Zoning: Full Use Active Open Space Zone District
Existing Use: Antenna
Proposed Use: Second new 100' tall antenna
Adjacent Land Uses:

- **North:** USFS
- **South:** The Ridge Development
- **East:** The Ridge Development
- **West:** USFS/Full Use Active Open Space

ATTACHMENTS

Exhibit A: Applicant Narrative
Exhibit B: Proposed Antenna Plans

RECORD DOCUMENTS

- Town of Mountain Village Community Development Code (as adopted March 2013)
- Town of Mountain Village Home Rule Charter (as amended on June 28, 2005)
- Design Review Application as maintained by the Community Development Department.

BACKGROUND

The existing 90 foot tower on Coonskin Ridge was approved prior to the incorporation of Mountain Village, with the tower constructed around 1988. There is no record of the County's approval.

The existing tower provides vital community service and public safety functions, with AT&T, KOTO, San Miguel County Sherriff, Mountain Village Police and State Patrol having antennas on the tower. In addition, the FAA placed an antenna on the tower in the last few years to assist with flight safety for the area.

The current ATT antenna sits atop the existing 90 foot tower on Coonskin Ridge west of The Ridge development. ATT desires to upgrade the current antenna to provide newer technology LTE antennas. ATT indicates that the new LTE antennas will increase the ability for it to customer demand for voice and data transmission.

ATT is proposing to construct a new 100 foot tower because the current tower is at its structural capacity and cannot support the added weight of the new LTE antennas. This new tower would allow for a new service provider on top the current 90 foot tower as well as additional antennas on the new 100' tower consistent with the Town's colocation policy outline below.

The construction of a new freestanding tower requires the approval of a conditional use permit pursuant to the CDC. The maximum tower height permitted by the Community Development Code (CDC) is 48 feet, which does not allow for an antenna to clear the surrounding forest canopy. The applicant is therefore requesting a concurrent variance to allow for a 100 foot height to clear the surrounding trees, enhance cellular coverage and to allow for colocation of other antennas. Staff believes that it is very important to ensure the current 90' tower site is evaluated concurrently with the proposed conditional use permit in order to ensure compliance with the antenna regulations set forth in the CDC, with visual mitigation of the current tower and antennas on such tower the biggest goal.

On April 2nd the DRB unanimously passed a motion to recommend the Council approve the conditional use permit and variance with the following conditions (staff comments on the status of the conditions are shown in *italics*):

1. The tower shall not include a light beacon or be brightly painted to stand out to aircraft. *This condition has been included in the Council resolution.*
2. The towers and antennas shall be painted to match the surrounding tree color. *This condition has been included in the Council resolution, with San Miguel County most likely weighing in on visual mitigation at the hearing.*
3. The new tower shall be designed to handle as much colocation as possible. *This condition has been included in the Council resolution.*
4. The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: a) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), b) there is enough structural capacity for the new equipment, and c) the new equipment will not cause interference to the current users. *This condition has been included in the Council resolution.*
5. Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG ant any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. *This condition has been included in the Council resolution.*
6. Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power and fiber to the site. *This condition has been included in the Council resolution.*
7. The applicant shall show collocated antennas on the proposed plans. *The plans have been revised to show conceptual, future colocation.*

8. The applicant shall be required to provide replacement trees for any trees removed. [Fire mitigation will be required for the antenna site to ensure this vital infrastructure is better protected from a forest fire.](#)
9. Dimensions of antennas shall be shown on all plans. [The plans have been revised to show the dimensions of the antennas.](#)

CRITERIA FOR DECISION

Variance:

- A. The strict application of the CDC regulations would result in exceptional and undue hardship upon the property owner in the development of property lot because of special circumstances applicable to the lot such as size, shape, topography or other extraordinary or exceptional physical conditions;
- B. The variance can be granted without substantial detriment to the public health, safety and welfare;
- C. The variance can be granted without substantial impairment of the intent of the CDC;
- D. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district, such as without limitation, allowing for a larger home size or building height than those found in the same zone district;
- E. Reasonable use of the property is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;
- F. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;
- G. The variance is not solely based on economic hardship alone; and
- H. The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.

Conditional Use Permit Criteria:

- A. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan;
- B. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
- C. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
- D. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;
- E. The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town;
- F. The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use;
- G. The design, development and operation of the proposed conditional use shall provide adequate infrastructure;
- H. The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source; and
- I. The proposed conditional use permit meets all applicable Town regulations and standards.

J.
Antenna Design Requirements from Telecommunication Antenna Regulations, CDC Section 17.6.5:

D. General Standards for Review

1. **Freestanding Antenna Design Standards.** Freestanding antennas not mounted to a building or structure shall meet the following requirements.

- a. Visual impacts shall be mitigated to the extent practical;
 - i. Visual mitigation techniques such as coloring, screening, stealth antennas and landscaping shall be used to the extent practicable.
 - ii. The level of mitigation required will depend on the location of the proposed facility in relation to topographic features, important visual features, major public thoroughfares, public recreational areas, residential neighborhoods and other sensitive visual areas.
 - iii. Implementation of a visual mitigation plan shall be included as a condition of any conditional use permit approval.
- b. Antenna height shall be minimized to the extent practical with the acceptable height permitted determined by the review authority. In no event shall an antenna exceed the maximum height permitted in the underlying zone district unless approved by a variance or PUD development review process;
- c. The antenna shall be made available for the collocation of other telecommunication providers as a condition of approval with the goal to reduce the number of antennas in the town to the extent practical; and
- d. There are no other alternative antenna sites currently in existence in the Telluride/town region that provide for collocation and the desired telecommunication service, service area and telecommunication service provider's technical needs.

3. **Consideration of Radio Frequency Emissions.** The environmental effects of radio frequency emissions shall not be considered an appropriate concern of an adjacent lot owner provided the antenna complies with the regulations of the Federal Communications Commission regarding such concern.

4. **No Signal Interference.** Evidence shall be submitted to demonstrate that a proposed communication antenna complies with all specifications of the Federal Communications Commission with respect to preventing signal interference with other systems, facilities, towers or antennas in the area. After operation of the antenna commences, the antenna operator shall be required to investigate any electrical disturbances affecting operation of equipment beyond the boundaries of the antenna site and to resolve such disturbances if the disturbances are attributable to the use of the antenna.

5. **Federal and State Regulations.** Communication antennas shall comply with all applicable federal and state regulations. At the time application is made for a conditional use permit, site-plan or final plat approval, the applicant shall submit evidence showing he has obtained any required approvals or permits for commercial communication antennas from these agencies.

6. **Reclamation and Abandonment.** Notwithstanding the foregoing, any communication antenna that is not operated for a continuous period of twelve (12) months shall be considered

abandoned, and the owner of the lot where such antenna is located shall remove the same within ninety (90) calendar days of the issue date of the notice to remove the antenna.

ANALYSIS

Mitigation of Visual Impacts

The site of the proposed tower is subject to the CDC Ridge Regulations and a settlement order and ridgeline covenant that are the foundation to the Ridgeline Lot standards contained in CDC Section 17.5.16 as follows, with staff comments shown in *italics*:

1. All improvements are subject to a ridgeline covenant with San Miguel County as recorded at reception number 329093. The Town does not enforce the ridgeline covenant, with enforcement solely administered by San Miguel County.
2. The building height on Lot 161A-1R shall not exceed 35 feet (35') along the ridgeline of such building. *The proposed variance would supersede this height limit.*
3. Building height on other ridge area lots shall not exceed the lesser of:
 - a. The height of forty-five feet (45'); or
 - b. The maximum height allowed to the view plane limitation set forth in section 4 below.
4. Except for the existing building on Lot 161A-1R and gondola facilities, the development of ridgeline area lots shall be designed to ensure that no lighting or any part of any building or structure extends into the view plan as shown on the Coonskin View Plane drawing recorded at reception number 328113. *This is up to San Miguel County to enforce and analyze per the ridgeline covenant.*
5. New development in the ridgeline area, excluding the existing building on Lot 161A-1R and gondola facilities, shall require (a) the erection of a story pole to reflect the maximum height of the proposed development where such development will extend closest to the view plane as described in section 4 above; and (b) the installation of a light to illuminate the story pole where off-site light would be visible from the highest window. The applicant for development shall provide written notice of the story pole erection to San Miguel County and the Town of Telluride. *It is extremely difficult and dangerous to erect a story pole that is 100' in height. The existing tower is only 10 feet shorter than proposed so this has been a good visual reference. The applicant has also provided visual simulations (attached).*
6. To the extent practical, no exterior lights shall be installed on the east side of buildings. Any required exterior lighting shall be shielded, recessed, or reflected so that no lighting is oriented towards the east side of the building. *No tower lighting is allowed.*
7. No solid fuel burning device shall be allowed in the building on Lot 161A-1R.
8. For all new development, or substantial modifications to existing development, a courtesy referral shall be provided to San Miguel County and the Town of Telluride consistent with the Referral and Review Process outlined in the Development Review Procedures. The Town is not bound by any referral comments from either jurisdiction. *Staff has not received any written referral comments as of writing this memo. The ridgeline covenant states that any referral comments are non-binding to the Town, with enforcement of the ridgeline covenant left to jurisdictions. It is expected that the County will provide comments to the Council at or prior to the public hearing.*

Staff has been working with the Town of Telluride, San Miguel County and the applicant on the best visual mitigation for the new and existing antennas. Examples of mitigation include

painting the tower and antennas blue/gray or green to blend with the sky or trees, or the use of a “stealth” tower designed to look like a tree. While the DRB recommended painting the towers and antennas to match the surrounding trees, it appears San Miguel County is leaning towards a color to blend with the sky. The Council directed visual mitigation, outlined in the resolution condition number 2, should be applied to the current tower as new antennas are added or if the current tower is ever reconstructed.

Staff has asked the applicant if the proposed height of 90 feet will trigger the need for a red light beacon. In addition, the Federal Aviation Administration (FAA) sometimes requires towers to be painted a brighter color for it to stand out to aircraft. The applicant is exploring if the FAA will require a red light beacon or a brighter color tower due to the proposed new tower height of 100 feet. Staff would recommend that any approval include a condition that the tower not include a light beacon or be brightly painted to stand out to aircraft. This condition may limit the height to less than proposed depending upon FAA requirements.

Minimization of Antenna Height

The applicant is proposing an antenna that is 10 feet taller than the existing antenna in order to clear surrounding trees, provide better cellular coverage and to provide the ability for colocation as required by the CDC Telecommunication Antenna Regulations. Staff is very supportive of this request since it will allow for different telecommunications providers to locate in a clustered antenna site rather than be spread around the region in new sites. Staff believes that the proposed height is needed in order to clear the surrounding trees while also maximizing the cellular coverage area and the ability to collocate other telecommunication providers. The resolution includes a condition requiring colocation for the new and existing towers.

Alternative Antenna Sites

The main reason AT&T is requesting the new tower is because it does not have adequate capacity to provide services to its customers in Mountain Village. During peak visitor time, it is oftentimes impossible for an AT&T customer to make phone calls or access the internet. This has created an adverse situation since people are more commonly relying on their cell phones to communicate, which makes cellular communication vital for emergencies and communication. Inadequate cellular service also negatively impacts the local economy, the visitor experience and the resort destination. Thus, it is critical for AT&T to upgrade its capacity.

AT&T explored locating more antenna capacity on the existing tower; however, the structural capacity of the tower is maxed out. The new tower will allow AT&T to located new antennas and equipment at the tower site to provide significantly expanded capacity. Thus, there is not an alternative antenna site to provide service to Mountain Village residents and owners. Moreover, other existing towers in the Telluride Region cannot provide the needed coverage.

Access and Utility Easements

Staff was informed that the current tower access easement through The Ridge property could be extinguished by Ridge property owners for any cause. This is very concerning to the Town since the tower site provides critical infrastructure for the town, local and state law enforcement, the FAA and residents and visitors that rely on cellular for emergency communication. The cellular system also provides a crucial backbone to the local economy. For these reasons, it is very important that the access easements through The Ridge property and the intervening TSG land are long-term in nature, with a minimum length of 20 plus years. As AT&T noted, they also

plan on running new fiber and power to the site that should also be located in long-term easements across TSG, The Ridge and any other intervening property.

TSG owns the antenna site and most of the land that will be needed for access and utility easements. Therefore the applicant will have to negotiate with TSG and The Ridge for long-term easements for the tower site, the access road to the site and utilities. Staff has added a condition of approval for the DRB's consideration.

RECOMMENDATION

Staff recommends the Town Council approve the variance and conditional use permit for the new tower with the following motion:

"I move to approve a resolution for a conditional use permit for a new 100' tall telecommunications tower located next to the existing tower; and a variance to allow for the proposed 100' tower structure height on OSP-49R."

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A NEW 100' TALL
TELECOMMUNICATIONS TOWER LOCATED NEXT TO THE EXISTING TOWER AND A
VARIANCE TO ALLOW FOR THE PROPOSED 100' TOWER STRUCTURE HEIGHT ON
OSP-49R**

Resolution No. 2015-0423-__

- A. TSG Ski & Golf, LLC (“Owner”) is the owner of record of real property described as OSP-49R (“Property”).
- B. The Owner has authorized AT&T and its agent, Black and Veatch, to submit applications for (1) a conditional use permit for the installation of a new 100 foot tall freestanding telecommunications tower on the Property located by the existing tower; and (2) a height variance to allow for the proposed 100 foot tower (“Applications”).
- C. The proposed development is in compliance with the provisions of sections 17.4.14 and 17.4.16 of the Community Development Code (“CDC”).
- D. The Design Review Board (“DRB”) considered the Application, along with evidence and testimony, at a public meeting held on April 2, 2015. Upon concluding their review, the DRB recommended approval of the Applications by a unanimous vote of 7 to 0 to the Town Council subject to certain conditions.
- E. The Town Council considered and approved the Applications, along with evidence and testimony, at a public meeting held on April 23, 2015.
- 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 on the Town website, and by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the public hearing noticing requirements of the CDC.
- G. After the public hearings referred to above, the DRB and the Town Council each individually considered the Applications’ submittal materials, and all other relevant materials, public letters and public testimony, and approved the Applications with conditions as set forth in this Resolution.
- H. The Owner and AT&T have addressed, or agreed to address, all conditions of approval of the Applications imposed by Town Council.
- I. The Town Council finds the Applications meets the conditional use permit criteria for decision contained in CDC Section 17.4.14(D) and the variance criteria for decision contained in CDC Section 17.4.16(D) as follows:

Variance Findings:

- 1. The strict application of the CDC building height regulations would result in exceptional and undue hardship upon the property owner in the development of the property because an antenna must have adequate height to clear surrounding trees, provide adequate cellular coverage and meet the Town’s colocation requirement;
- 2. The variance can be granted without substantial detriment to the public health, safety and welfare due to visual mitigation, and will actually will help protect the public health, safety and welfare by ensuring the provision of critically needed cellular infrastructure;

3. The variance can be granted without substantial impairment of the intent of the CDC, with the proposed use meeting the Telecommunication Antenna Regulations;
4. Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners in the same zoning district;
5. Reasonable use of the property for a telecommunications antenna is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use;
6. The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created;
7. The variance is not solely based on economic hardship alone; and
8. The proposed variance meets all applicable Town regulations and standards unless a variance is sought for such regulations or standards.

Conditional Use Permit Criteria:

1. The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan because adequate cellular communication is critical to the town's economic development and for maintaining a world class resort destination;
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 will 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, and visual mitigation will minimize visual impacts;
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, with the antenna users providing crucially needed community service and public safety functions;
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 FOR A NEW 100' TALL TELECOMMUNICATIONS TOWER LOCATED NEXT TO THE EXISTING TOWER AND A VARIANCE TO ALLOW FOR THE PROPOSED 100' TOWER STRUCTURE HEIGHT ON OSP-49R AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

Be It Further Resolved that OS-3U may be developed as submitted in accordance with Resolution NO. 2015-0423-____.

Section 1. Conditions of Approval

1. The tower shall not include a light beacon or be brightly painted to stand out to aircraft. If the Federal Aviation Administration ("FAA") requires either a light beacon or bright

- paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.
2. The existing and proposed towers and antennas shall be painted to match the surrounding tree color to mitigate visual impacts.
 3. The new tower shall be designed to handle as much colocation as possible.
 4. The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: (A) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), (B) there is enough structural capacity for the new equipment, and (C) the new equipment will not cause interference to the current users.
 5. Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG and any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. Prior to executing such easements, the Town shall review and approve the easements to ensure long-term vehicular and utility access across intervening land and long term tower siting.
 6. Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power, fiber and any other necessary utilities to the site.
 7. The approved conditional use permit application is for the benefit of the existing tower that is owned by Telluride Ski and Golf, LLC (“TSG”) and the proposed new town on TSG owned land. Therefore the conditional use permit is hereby granted to TSG and any successors or assigns.
 8. The conditional use permit shall be valid for a period of twenty (20) years from the Effective Date subject to meeting the conditions specified herein.

Section 2. 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 3. 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 4. Effective Date

This Resolution shall become effective on April 23, 2015 (the “Effective Date”) as herein referenced throughout this Resolution.

Section 5. Public Hearing

A public meeting on this Resolution was held on the 23rd day of April, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

Approved by the Town Council at a public hearing held on April 23, 2015.

Town of Mountain Village, Town Council

By: _____
Dan Jansen, Mayor

Attest:

By: _____
Jackie Kennefick, Town Clerk

Approved as to Form:

David Reed, Town Attorney



DEVELOPMENT NARRATIVE

Project Location: Telluride Ski & Golf Property, Coonskin Mountain, near Ski Lift #7
(Granite Ridge Drive), Town of Mountain Village

AT&T Representative: Mike McCreedy, Independent Contractor of Black & Veatch,
on behalf of New Cingular Wireless PCS, LLC (a/k/a AT&T Mobility)

Project Description:

New Cingular Wireless PCS, LLC, a.k.a. AT&T Mobility (hereon referred to as “AT&T”) operates an antenna facility at the above-referenced property. AT&T’s antennas are currently mounted to the top of an existing 90-ft.-tall guy tower. AT&T’s ground equipment is currently housed inside an existing equipment shelter at the base of the tower.

AT&T would like to implement a much-needed upgrade to its antennas and equipment at the site, including the replacement of older technology antennas with newer technology “LTE” antennas. The proposed LTE upgrade will greatly enhance AT&T’s ability to meet customer demand for data and voice transmission throughout the surrounding community (including the use of E-911 and other emergency services).

AT&T performed an extensive structural analysis of the existing tower last year. The analysis concluded that the existing tower is at capacity. It does not have the ability to accommodate the additional loading associated with AT&T’s proposed LTE upgrade at the site.

Proposed Scope of Work:

In order to accommodate the LTE upgrade, AT&T is proposing the following:

- Construct a new 100-ft. guy tower, located approximately 20 feet from the existing tower;
- Relocate AT&T’s antennas & cables from the existing tower over to the new tower;
- TSG’s antennas and a number of broadcast antennas would remain on the existing tower.
- The new tower would be built to accommodate future collocation. In addition, by relocating AT&T’s antennas to the new tower, the existing tower would have room for additional antennas as well.

Following the relocation of AT&T’s antennas from the existing tower to the new tower, the proposed LTE upgrade will consist of the following:

- Remove three (3) existing 8’ panel antennas;
- Remove three (3) existing TMA’s (power booster devices that sit behind the antennas);
- Remove three (3) existing antenna mounting arms;
- Install three (3) new antenna mounting arms;
- Install six (6) new 8’ LTE antennas; and sometime in the future, install six (6) more 8’ LTE antennas;
- Install nine (9) new remote radio heads (auxiliary devices that sit behind the antennas); and sometime in the future, install fifteen (15) more remote radio heads;

- Install two (2) new surge suppressors (auxiliary devices that mount to the tower behind the antennas); and sometime in the future, install one (1) more surge suppressor;
- Install one (1) new 4'-diameter microwave dish (and associated mount, ice shield, and cable) at a dish centerline height of 70';
- Run four (4) new DC power trunks and two (2) new fiber trunks up the tower to the new antennas; and sometime in the future, run four (4) additional power trunks up the tower;
- Attach one (1) new GPS antenna on the new ice bridge running from the equipment shelter to the new tower;
- Various work inside AT&T's existing equipment shelter (including the removal and replacement of a battery rack, the removal and replacement of a power plant, the removal and replacement of various equipment racks, and the installation of some MW equipment).

Please see attached plans, which describe the Proposed Scope of Work in more detail.

Conditional Use Permit – Criteria for Decision:

- a) The proposed conditional use is in general conformity with the principles, policies and actions set forth in the Comprehensive Plan. The existing telecom facility has been in operation on the subject property for several decades, and AT&T has been a user of the facility for many years. The proposed tower will be consistent with the existing use of the property as well as the Comprehensive Plan.
- b) Because the proposed tower will be consistent with the current use of the property, the proposed conditional use will be in harmony and compatible with surrounding land uses and the neighborhood. The proposed tower will not create a substantial adverse impact on adjacent properties or on services and infrastructure. The general size and appearance of the proposed tower will be relatively similar to that of the existing tower, except that it will be stronger, stouter and slightly taller. It will be able to accommodate the structural loading of the LTE antennas and equipment (a benefit to mobile phone users in the community). The proposed tower will also accommodate future collocation by other telecom providers (also a benefit to the community because it reduces the proliferation of towers in the area). The telecom facility has been in existence on this property since the 1960's, so the proposed tower will not be significant change to what is there now. From most vantage points, the existing tower is masked by trees and topography, as will the proposed tower. The proposed tower will not significantly change the overall appearance of the telecom facility.
- c) The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space. From a structural standpoint, the existing tower is already at capacity, and any increase in the loading of the tower would be unsafe. By constructing a newer stronger tower, some much needed LTE upgrades can be made to the telecom facility without compromising safety.
- d) The design, development and operation of the proposed conditional use shall not have a significant adverse effect to the surrounding property owners and uses. As mentioned above, the existing telecom facility has been in existence for nearly 50 years. The proposed improvements to the site will not significantly alter the appearance, traffic or noise experienced by surrounding property owners. And the proposed modifications will benefit the surrounding community by greatly improving mobile phone service (including E-911 and other emergency services).
- e) The design, development and operation of the proposed conditional use shall not have a significant adverse effect on open space or the purposes of the facilities owned by the Town. And the proposed modifications will benefit the Town by improving service to mobile phone users (including E-911 and other emergency services).

- f) The design, development and operation of the proposed conditional use shall minimize adverse environmental and visual impacts to the extent possible considering the nature of the proposed conditional use. There is already an access road cut to the existing telecom facility. There is also power and Telco servicing the site. By utilizing an existing telecom facility, we eliminate the need to cut a new access road or run new utilities. Also, because the proposed tower will generally be the same relative size and appearance as the existing tower, visual impact will be minimized.
- g) The design, development and operation of the proposed conditional use shall provide adequate infrastructure. Road access and utilities are already available at the site. And the proposed tower will provide adequate structural capacity for new technology to be implemented. The proposed tower will also accommodate collocation.
- h) The proposed conditional use does not potentially damage or contaminate any public, private, residential or agricultural water supply source.
- i) Because of its height, the existing tower is out of compliance with the Town's regulations. The height of the proposed tower will also be out of compliance. We are requesting a height variance so that AT&T's antennas can maintain an adequate centerline, and thereby propagate signal over surrounding trees and topography. This will allow the site to provide quality service to mobile phone users in the area. Other than the height of the tower, the proposed variance meets all applicable Town regulations and standards.

Variance – Criteria for Decision:

- a) The strict enforcement of the CDC regulations would result in exceptional and undue hardship placed upon AT&T in the development of property lot because of special circumstances applicable to the lot. It is important to note that AT&T acquired the Coonskin facility a number of years ago from a company called AllTel. When AT&T took over the facility, they were forced to accept the existing conditions of the site, which included an older tower that was maxed out from a structural standpoint. Any increase in loading would create an unsafe tower situation. AT&T has "made due" for a number of years, but now must make some much-needed technology upgrades to the facility. The only way to accomplish this is to construct a new tower. Upon completion of the new tower, and upon the implementation of the LTE upgrade, customers will benefit from a massive boost in system capacity, call quality, and data transmission speed. The proposed height of the new tower is 100'. For many years, AT&T's antennas have been operating at a height of 93 feet on the existing tower. A 93-ft. centerline height (or higher) needs to be maintained on the new tower so that AT&T's antennas can adequately "see" over the surrounding trees and topography and provide a quality signal to customers. A 100' tower height will not only give AT&T the minimum antenna centerline it needs, but will also allow for future collocation of other carriers on the tower.
- b) The variance can be granted without substantial detriment to the public health, safety and welfare. The proposed tower will actually be an improvement to public safety and welfare. By constructing a newer stronger tower, some much needed LTE upgrades can be made to the telecom facility without compromising safety. Plus, we can greatly improve mobile phone service for people in the community (including E-911 and other emergency services).
- c) The variance can be granted without substantial impairment of the intent of the CDC. The proposed tower will be in conformance with the current use of the property. In addition, by locating the new tower within the existing telecom facility, we eliminating the need to develop a second telecom facility somewhere else in the community. In addition, Section 17.6.5 of the CDC requires that telecom sites be made available for the collocation of other telecom providers, thus reducing the proliferation of towers in the area. By constructing a newer stronger tower, we accommodate future collocation.

- d) Granting the variance does not constitute a grant of special privilege in excess of that enjoyed by other property owners or other users of the subject property.
- e) Reasonable use of the property is not otherwise available without granting of a variance, and the variance being granted is the minimum necessary to allow for reasonable use. The existing tower was able to accommodate the needs of the telecom users at the site for many years. But from a structural standpoint, the tower is not suitable for making technological upgrades. For AT&T to implement much needed LTE upgrades, and for the tower to accommodate future collocation, a newer stronger tower needs to be constructed.
- f) The lot for which the variance is being granted was not created in violation of Town regulations or Colorado State Statutes in effect at the time the lot was created.
- g) The variance is not solely based on economic hardship. It is instead based on the need to build a stronger tower that can structurally accommodate AT&T's technological upgrades and future collocation. AT&T must maintain the current 93-ft. centerline antenna height (or higher) so that its signal can propagate over surrounding trees and topography, and so that service quality to customers is not compromised.
- h) The existing tower is out of compliance with the Town's height restriction. The proposed tower will also be out of compliance. We are requesting a height variance so that the new tower can accommodate similar antenna heights as the existing tower. This will allow the antennas to adequately propagate over the surrounding trees and topography, and thus provide adequate signal to mobile phone users in the area. Other than the height of the tower, the proposed variance meets all applicable Town regulations and standards.

Summary / Conclusion:

AT&T respectfully requests the Town's approval of the attached CUP/Variance application. The existing 90' tower at the subject property does not have the structural capacity to handle the additional loading necessary for AT&T's proposed LTE upgrade. By allowing AT&T to construct a new 100' tower, AT&T can relocate its antennas from the existing tower to the new tower, implement a much-needed technology upgrade, and accommodate future collocation of other carriers at the site. By upgrading the facility, AT&T will be able to greatly improve mobile phone service for its customers. The proposed LTE upgrade will greatly boost the site's ability to process and transmit calls and data at a much faster speed. It will also allow customers to utilize advanced phone applications without blockage or interruption of service.

The proposed LTE upgrade at the Coonskin site is important component of AT&T's plan to greatly improve phone service for people living, working and traveling in the Telluride / Mountain Village area. In addition to the changes at Coonskin, AT&T is in the process of implementing LTE upgrades at sites at Telluride Airport and in Downtown Telluride. AT&T is also pursuing a new site at the Town Hall in Mountain Village.

If you have any questions or need further information, please contact Mike McCreedy, 303-332-1212, mike.mccreedy@comcast.net.

Telluride - Morphology



Includes existing UMTS sites COU6265, COU6244 & COU6247



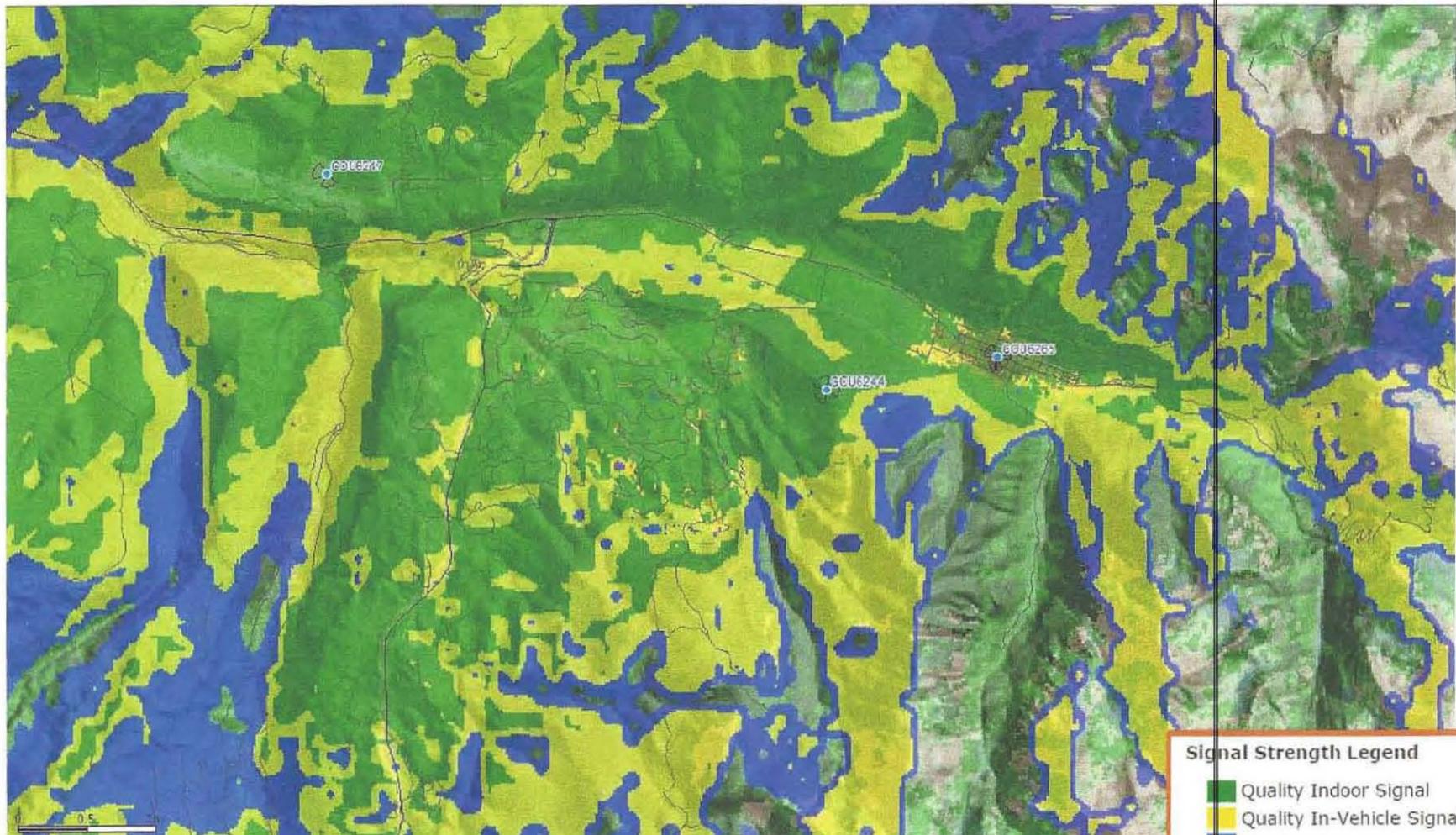
* **Note:** Designs may not be final and coverage is based on predictive models (not actual)



TELLURIDE - Coverage Analysis



Proposed 48ft Rad Center at COU6244 (Includes COU6265 & COU6247 – Existing Sites)

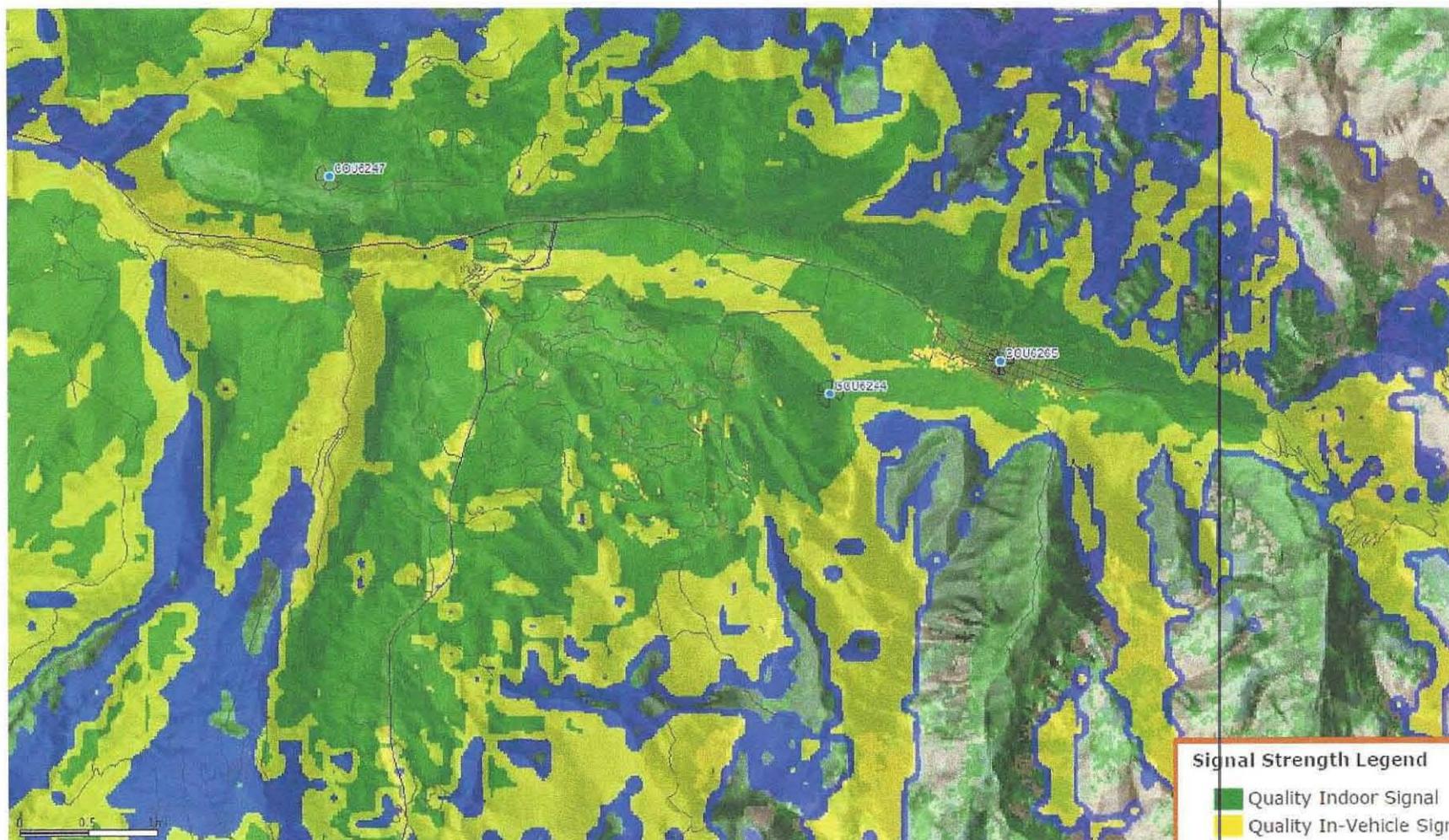


* **Note:** Designs may not be final and coverage is based on predictive models (not actual)

TELLURIDE - Coverage Analysis



Proposed 70ft Rad Center at COU6244 (Includes COU6265 & COU6247 – Existing Sites)



Signal Strength Legend

- Quality Indoor Signal
- Quality In-Vehicle Signal
- Quality Outdoor Signal

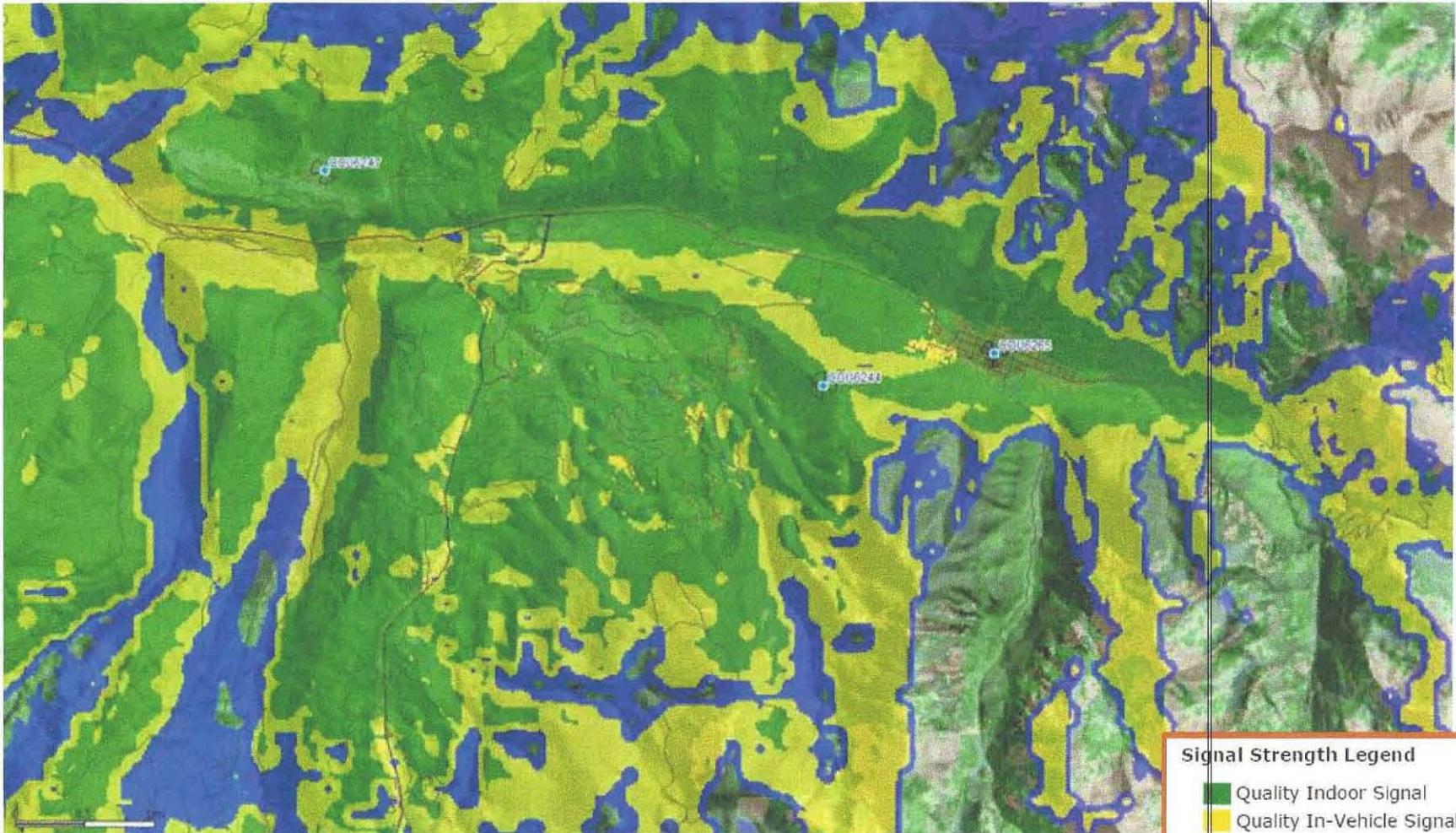
* **Note:** Designs may not be final and coverage is based on predictive models (not actual)



TELLURIDE - Coverage Analysis



Proposed 90ft Rad Center at COU6244 (Includes COU6265 & COU6247 – Existing Sites)



* **Note:** Designs may not be final and coverage is based on predictive models (not actual)



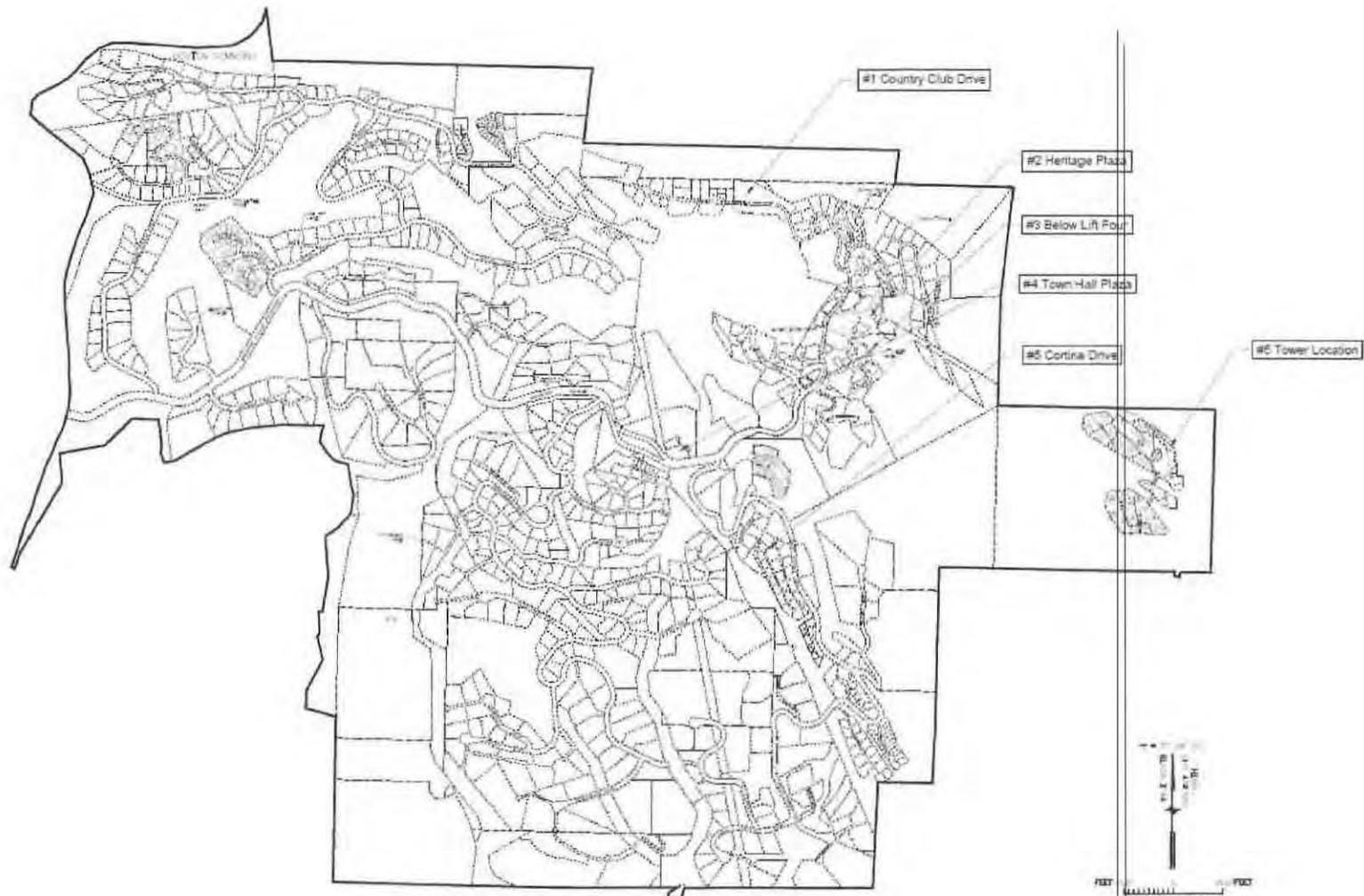
PHOTOGRAPHIC SIMULATION



PROPOSED WIRELESS COMMUNICATIONS FACILITY

SITE NUMBER: COL06244
SITE NAME: FAR COONSKIN
SITE ADDRESS: GRANITE RIDGE DRIVE
TELURIDE, CO 81435
DATE: 02/17/15
APPLICANT: AT&T WIRELESS
CONTACT: JEREMY MIRONAS
BLACK & VEATCH
(720) 834-4388

The included Photographic Simulation(s) are intended as visual representations only and should not be used for construction purposes. The materials represented within the included Photographic Simulation(s) are subject to change.



Lot Map

DATE: 01/11/11	REVISION:	DATE:	BY:	DATE:	BY:
01/11/11					
01/11/11					


 Town of Fountain Village
 Director of Planning & Zoning
 1540 Diner Drive
 Fountain Village, North Carolina 27524
 Tel: 919.720.8540 Fax: 919.720.8522

Location Map
Town of Fountain Village

DATE:	BY:
01/11/11	

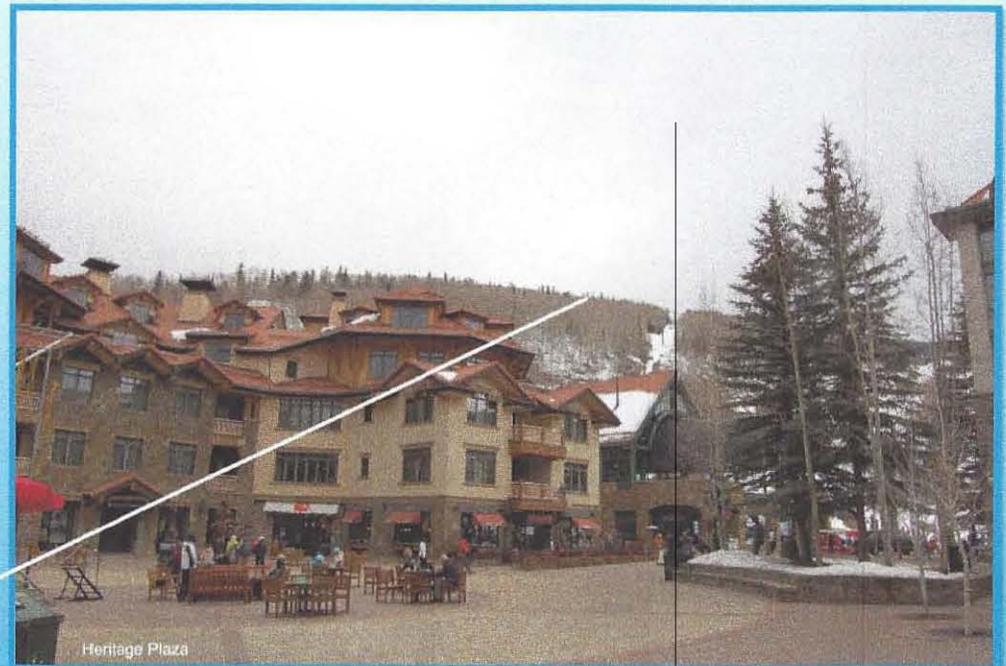


VIEW 2



EXISTING CONDITIONS

PROPOSED AT&T
TOWER



PHOTOGRAPHIC SIMULATION



VIEW 3



EXISTING CONDITIONS

PROPOSED AT&T
TOWER



PHOTOGRAPHIC SIMULATION

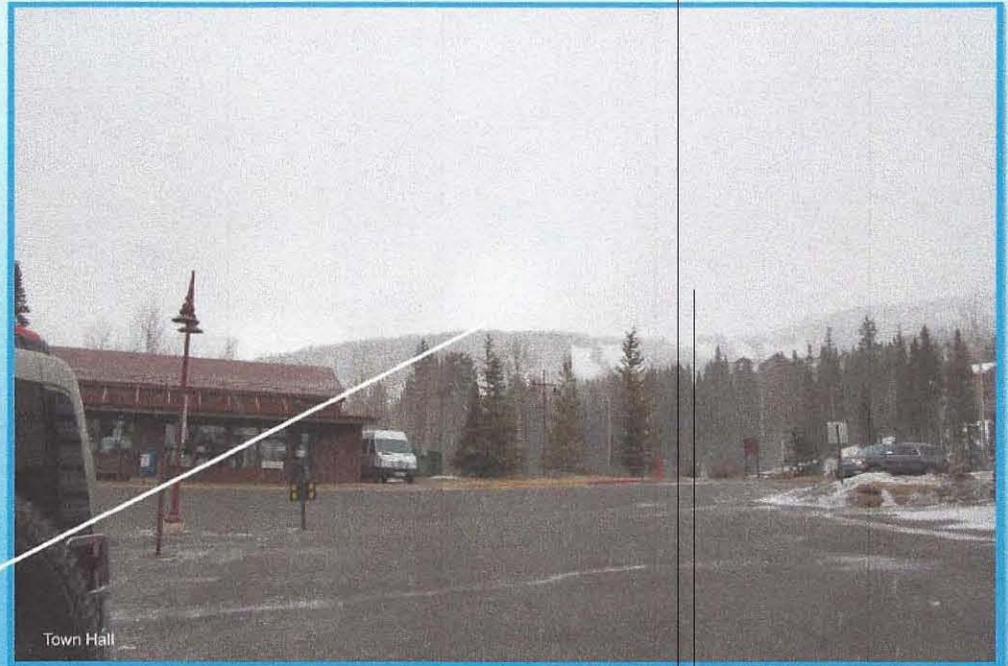


VIEW 4



EXISTING CONDITIONS

PROPOSED AT&T
TOWER



PHOTOGRAPHIC SIMULATION



VIEW 5



EXISTING CONDITIONS

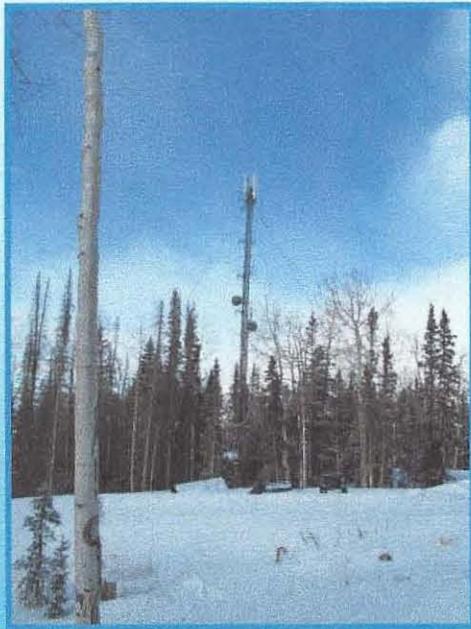
PROPOSED AT&T
TOWER



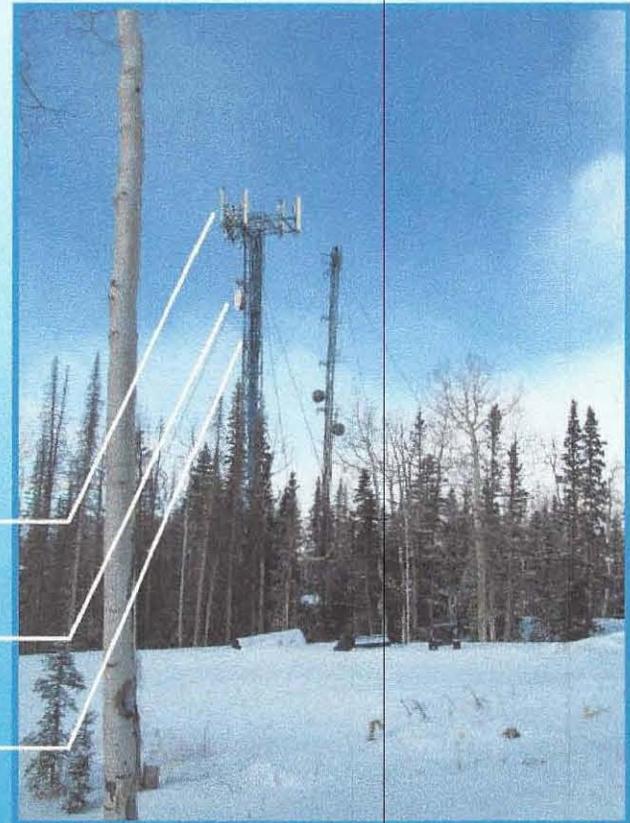
PHOTOGRAPHIC SIMULATION



VIEW 6



EXISTING CONDITIONS



PROPOSED AT&T ANTENNAS

PROPOSED AT&T MICROWAVE DISH

PROPOSED AT&T TOWER

PHOTOGRAPHIC SIMULATION

FAR COONSKIN COL06244 10139834



C.U.P. & VARIANCE SUBMITTAL SET



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

ENGINEERING

2009 INTERNATIONAL BLDG. CODE OR LATEST ADOPTED EDITION
2011 NATIONAL ELECTRIC CODE OR LATEST ADOPTED EDITION
TIA/EIA-222-G OR LATEST EDITION

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF THE INSTALLATION AND OPERATION OF ANTENNAS AND ASSOCIATED EQUIPMENT CABINETS FOR THE AT&T WIRELESS TELECOMMUNICATIONS NETWORK.

SITE INFORMATION

PROPERTY OWNER: TSG SKI & GOLF LLC
ADDRESS: 565 MOUNTAIN VILLAGE BLVD. TELLURIDE, CO 81435

TOWER OWNER: TSG SKI & GOLF LLC

SITE CONTACT: 970-728-6900

COUNTY: SAN MIGUEL

LATITUDE (NAD 83): 37° 56' 1.71" N (EXISTING TOWER)

LONGITUDE (NAD 83): 107° 50' 5.64" W

JURISDICTION: UNITED STATES FOREST SERVICE

OCCUPANCY GROUP: U

CONSTRUCTION TYPE: V-B

POWER COMPANY: SAN MIGUEL POWER

TELEPHONE COMPANY: CENTURYLINK

SITE ACQUISITION MANAGER: DEVIN MORRIS (303) 264-0512

SITE ACQUISITION CONTACT: MIKE MCCREEDY (303) 332-1212

CONSTRUCTION MANAGER: PATRICK DOYLE (720) 834-4260

RF ENGINEER: ERICSON FELICIANO (469) 450-7910

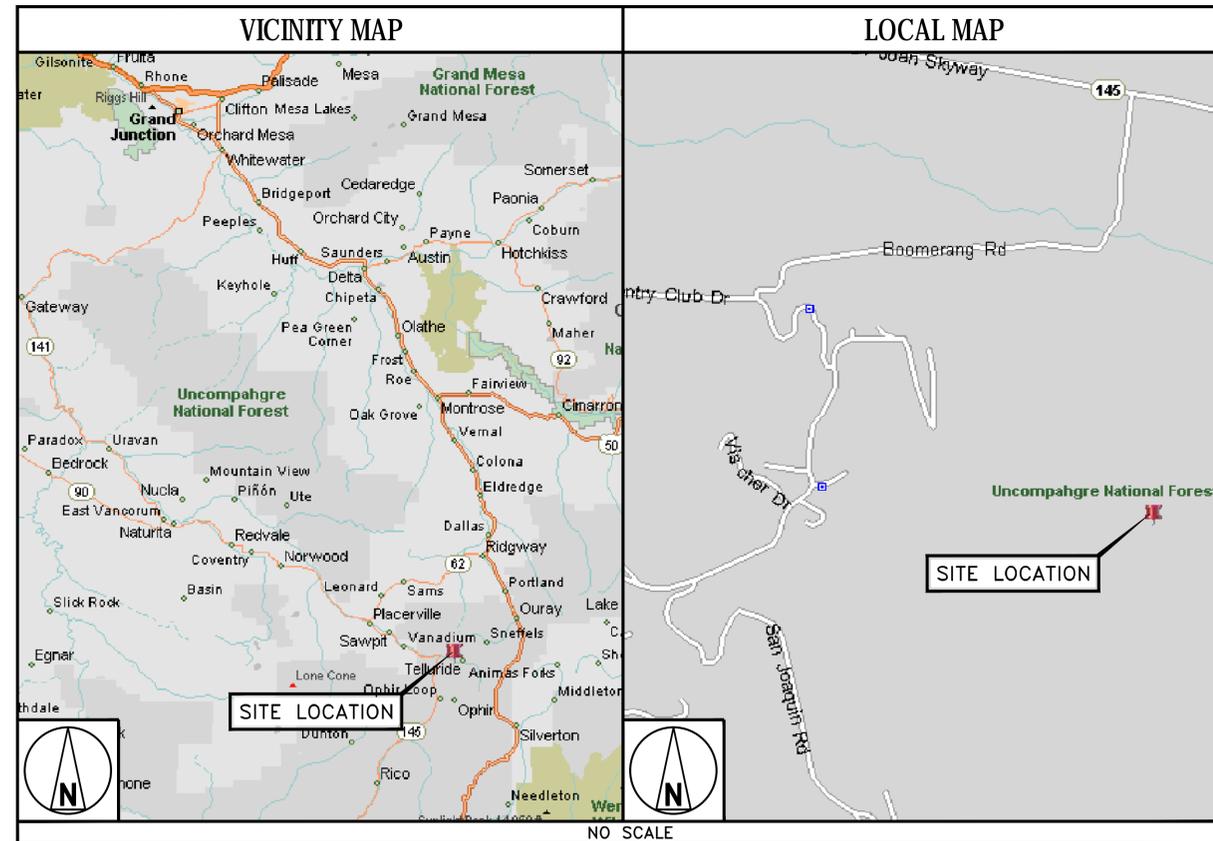
LTE - 1ST CARRIER & MW UPGRADE GUYED TOWER

GENERAL NOTES

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE. NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.

DRAWING INDEX

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
LS-1	LAND SURVEY
LS-2	LAND SURVEY
C-1	EXISTING SITE PLAN
C-1.1	PROPOSED SITE PLAN
C-2	EXISTING AND PROPOSED EQUIPMENT LAYOUTS
C-3	EXISTING SITE ELEVATIONS
C-3.1	PROPOSED SITE ELEVATIONS
C-4	ANTENNA LAYOUTS



DRIVING DIRECTIONS

DIRECTIONS FROM AT&T OFFICE:
HEAD SOUTH TOWARD INVERNESS DRIVE WEST. TURN SOUTHWEST ONTO INVERNESS DRIVE WEST. TURN WEST ONTO EAST COUNTY LINE ROAD. TURN NORTH TO MERGE ONTO I-25 NORTH. TAKE EXIT 209B TO MERGE ONTO 6TH AVENUE TOWARD LAKEWOOD. TAKE EXIT ONTO I-70 WEST TOWARD GRAND JUNCTION. TAKE EXIT 37 SOUTH ONTO I-70 BUSINESS LOOP. TURN SOUTH ONTO SR-141/32 ROAD. TURN SOUTH EAST ONTO US-50. IN MONTROSE US-50 TURNS INTO US-550. TURN WEST ONTO CO-62. TURN SOUTH EAST ONTO CO-145. FOLLOW CO-145 TO MOUNTAIN VILLAGE. TURN EAST ONTO MOUNTAIN VILLAGE BOULEVARD. FOLLOW MOUNTAIN VILLAGE BOULEVARD UP TO THE GONDOLA PARKING. PARK THERE AND CONTINUE UP ON THE GONDOLA TO THE TOP OF THE SKI SLOPE.

CONTACT INFORMATION

ENGINEER: BLACK & VEATCH CORPORATION
304 INVERNESS WAY SOUTH, SUITE 400
ENGLEWOOD, CO 80112

CONTACT: JEREMY MIRONAS

PHONE: (720) 834-4388

11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.



UNDERGROUND SERVICE ALERT
UTILITY NOTIFICATION CENTER OF COLORADO
(800) 922-1987
WWW.UCC.ORG

3 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION

PROJECT/PHASE NO: 122061/8623
DRAWN BY: BDJ
CHECKED BY: DDM
T.I.D. 1.86

REV	DATE	DESCRIPTION
2	04/15/15	ISSUED FOR ZONING C.U.P.
1	04/14/15	ISSUED FOR ZONING C.U.P.
0	02/23/15	ISSUED FOR ZONING C.U.P.



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FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



BLACK & VEATCH

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BDJ

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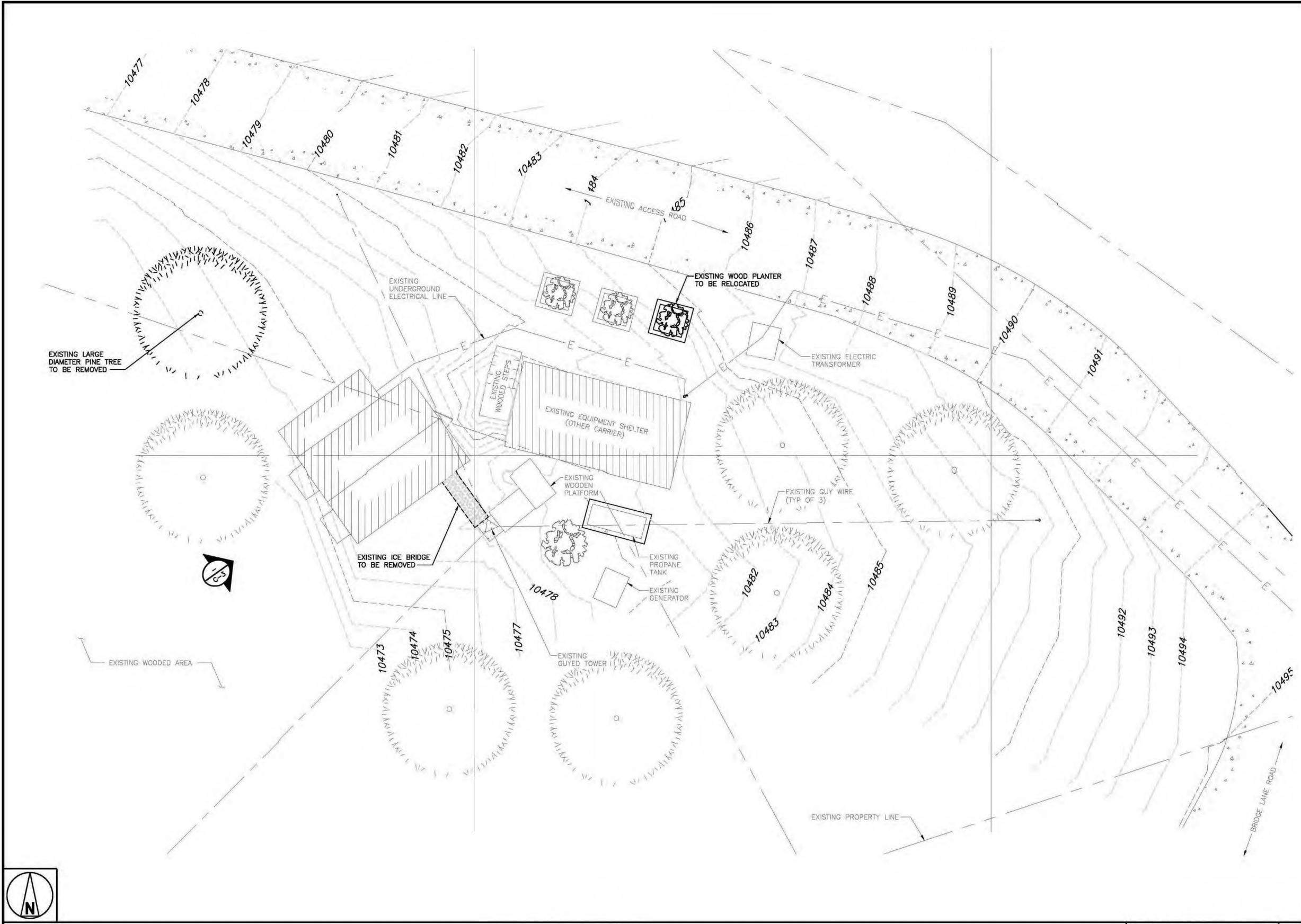


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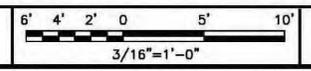
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
EXISTING SITE PLAN

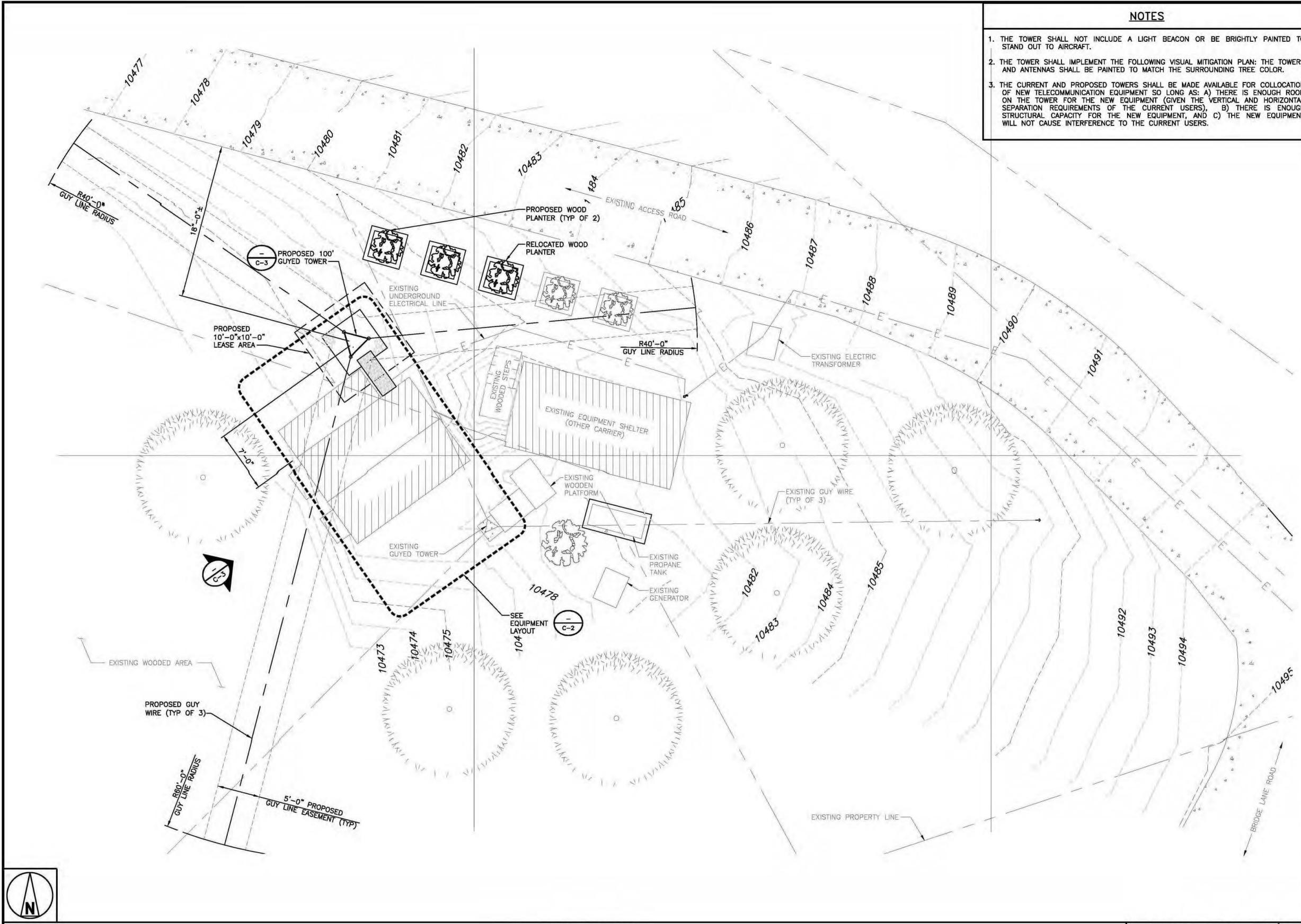
SHEET NUMBER
C-1



EXISTING SITE PLAN



1



NOTES

1. THE TOWER SHALL NOT INCLUDE A LIGHT BEACON OR BE BRIGHTLY PAINTED TO STAND OUT TO AIRCRAFT.
2. THE TOWER SHALL IMPLEMENT THE FOLLOWING VISUAL MITIGATION PLAN: THE TOWERS AND ANTENNAS SHALL BE PAINTED TO MATCH THE SURROUNDING TREE COLOR.
3. THE CURRENT AND PROPOSED TOWERS SHALL BE MADE AVAILABLE FOR COLLOCATION OF NEW TELECOMMUNICATION EQUIPMENT SO LONG AS: A) THERE IS ENOUGH ROOM ON THE TOWER FOR THE NEW EQUIPMENT (GIVEN THE VERTICAL AND HORIZONTAL SEPARATION REQUIREMENTS OF THE CURRENT USERS), B) THERE IS ENOUGH STRUCTURAL CAPACITY FOR THE NEW EQUIPMENT, AND C) THE NEW EQUIPMENT WILL NOT CAUSE INTERFERENCE TO THE CURRENT USERS.

188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

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COLORADO LICENSED PROFESSIONAL ENGINEER
DANIEL A. M...
04/15/2015

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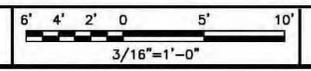
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

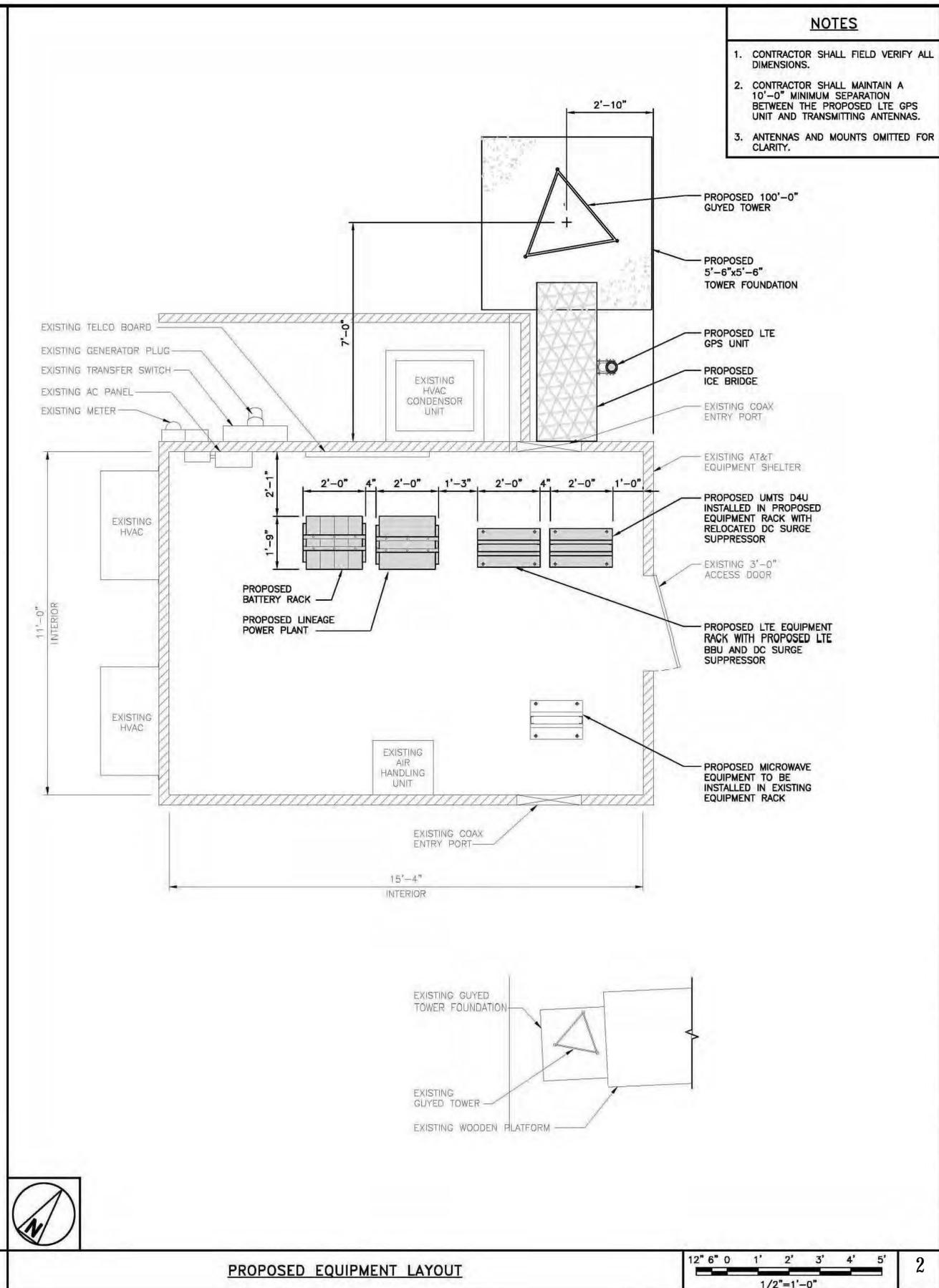
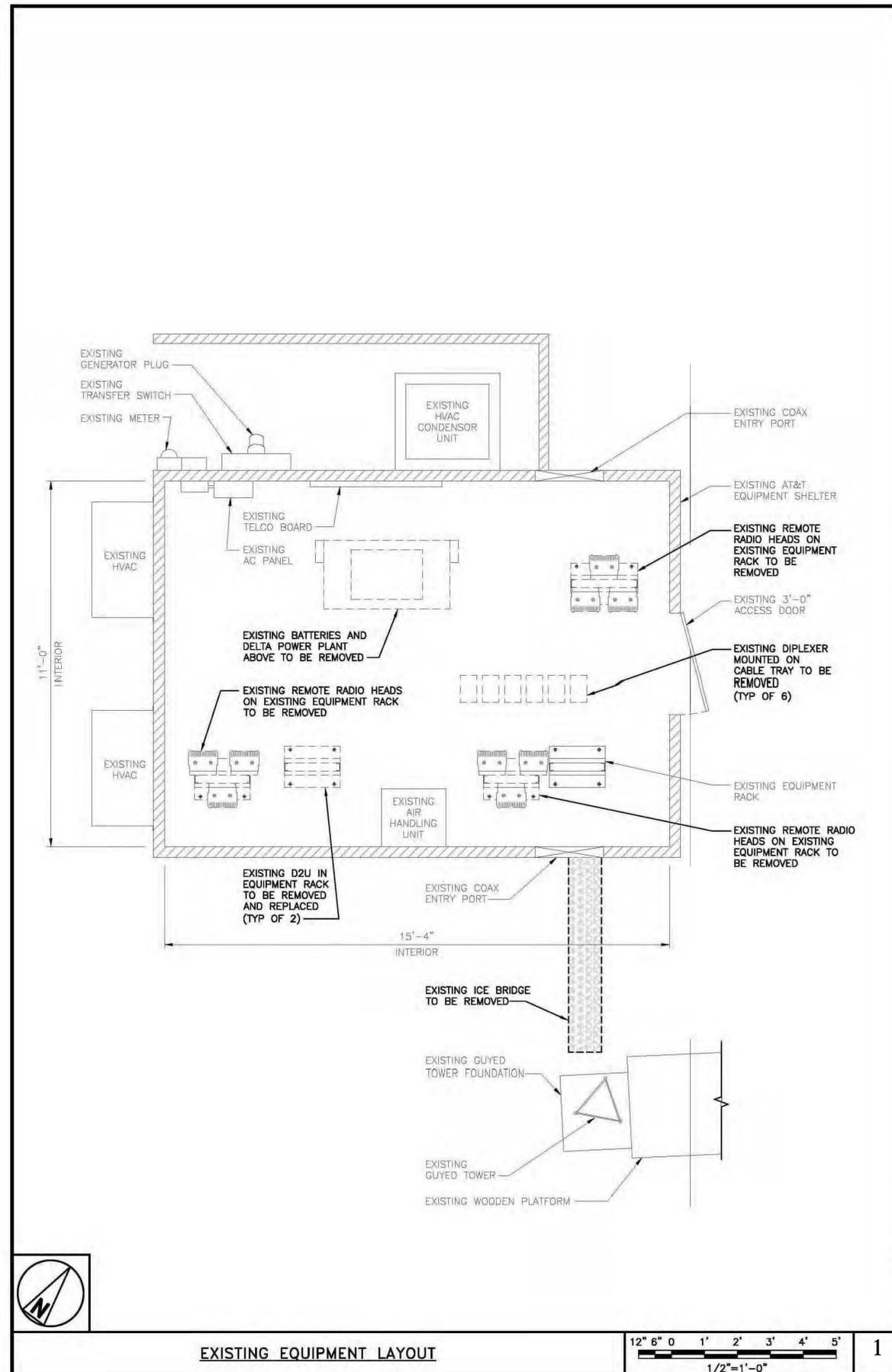
SHEET TITLE
PROPOSED SITE PLAN

SHEET NUMBER
C-1.1



PROPOSED SITE PLAN





- NOTES**
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 2. CONTRACTOR SHALL MAINTAIN A 10'-0" MINIMUM SEPARATION BETWEEN THE PROPOSED LTE GPS UNIT AND TRANSMITTING ANTENNAS.
 3. ANTENNAS AND MOUNTS OMITTED FOR CLARITY.

188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO: 122061/8623

DRAWN BY: BDU

CHECKED BY: DDM

T.I.D. 1.86

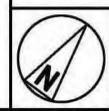
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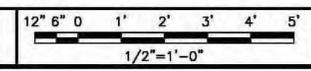
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
EXISTING AND PROPOSED
EQUIPMENT LAYOUTS

SHEET NUMBER
C-2

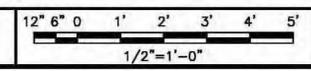


EXISTING EQUIPMENT LAYOUT



1

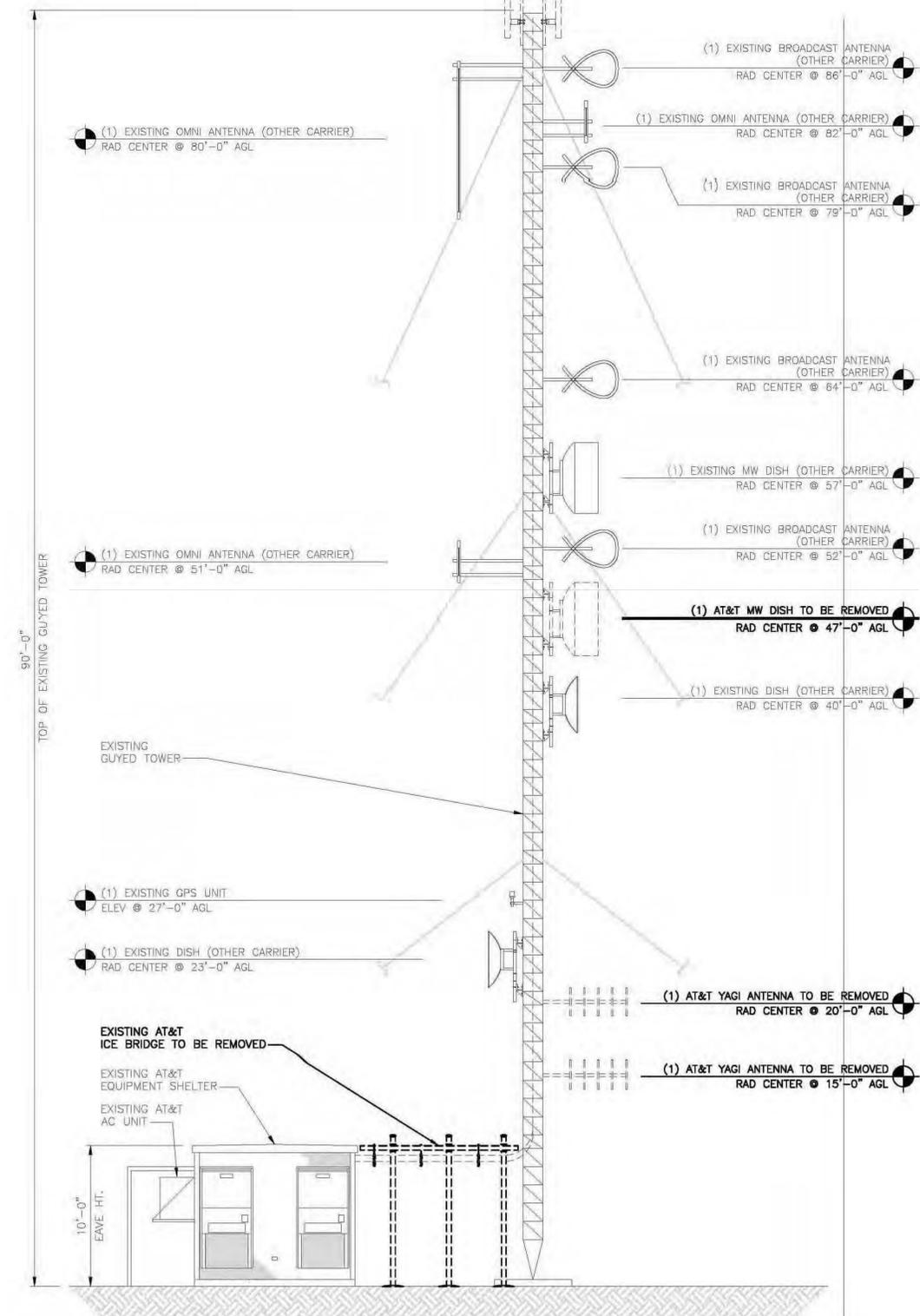
PROPOSED EQUIPMENT LAYOUT



2

2
C-4

(3) EXISTING AT&T ANTENNAS TO BE REMOVED
TIP HEIGHT EL. @ 97'-0" AGL



EXISTING SOUTHWEST ELEVATION

NOTE

CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

PROJECT/PHASE NO:	122061/8623
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CHECKED BY:	DDM
T.I.D.	1.86

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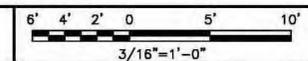


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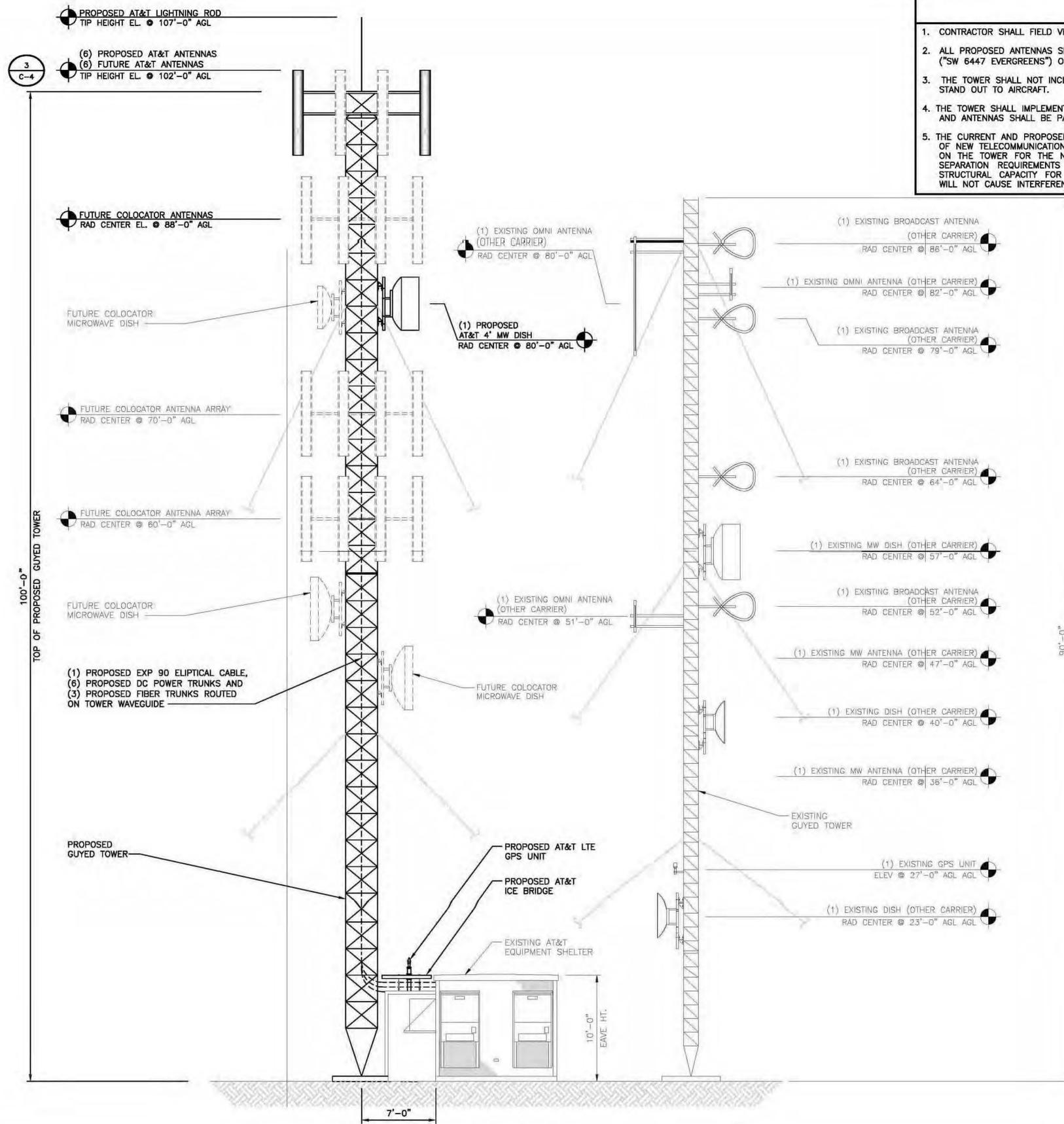
FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
EXISTING
SITE ELEVATIONS

SHEET NUMBER
C-3



1



- NOTES**
1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS.
 2. ALL PROPOSED ANTENNAS SHALL BE PAINTED A NEUTRAL, NON-REFLECTIVE COLOR ("SW 6447 EVERGREENS") OR APPROVED EQUIVALENT.
 3. THE TOWER SHALL NOT INCLUDE A LIGHT BEACON OR BE BRIGHTLY PAINTED TO STAND OUT TO AIRCRAFT.
 4. THE TOWER SHALL IMPLEMENT THE FOLLOWING VISUAL MITIGATION PLAN: THE TOWERS AND ANTENNAS SHALL BE PAINTED TO MATCH THE SURROUNDING TREE COLOR.
 5. THE CURRENT AND PROPOSED TOWERS SHALL BE MADE AVAILABLE FOR COLLOCATION OF NEW TELECOMMUNICATION EQUIPMENT SO LONG AS: A) THERE IS ENOUGH ROOM ON THE TOWER FOR THE NEW EQUIPMENT (GIVEN THE VERTICAL AND HORIZONTAL SEPARATION REQUIREMENTS OF THE CURRENT USERS), B) THERE IS ENOUGH STRUCTURAL CAPACITY FOR THE NEW EQUIPMENT, AND C) THE NEW EQUIPMENT WILL NOT CAUSE INTERFERENCE TO THE CURRENT USERS.

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SUITE 400
ENGLEWOOD, CO 80112

304 INVERNESS WAY SOUTH
SUITE 400
ENGLEWOOD, COLORADO 80112

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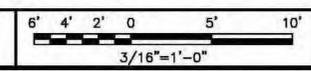
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FAR COONSKIN
COL06244
GRANITE RIDGE DRIVE
TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
**PROPOSED
SITE ELEVATIONS**

SHEET NUMBER
C-3.1

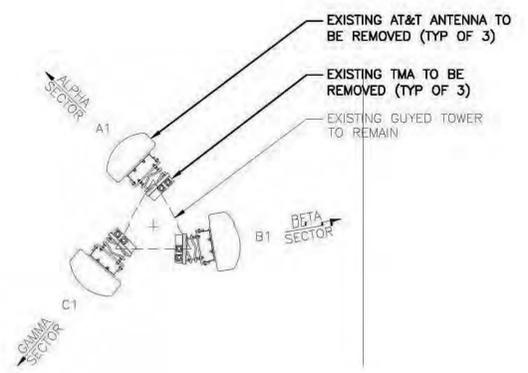
PROPOSED SOUTHWEST ELEVATION



SECTOR	ANTENNA TYPE	TECHNOLOGY	TRANSMISSION CABLE		DC JUMPERS NEEDED	FIBER JUMPERS NEEDED
			QTY.	TYPE		
A1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
A2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
A3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
A4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
B2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
B4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C1	PROPOSED ANTENNA	UMTS	-	SEE CHANGES BELOW*	YES	YES
C2	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C3	FUTURE ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
C4	PROPOSED ANTENNA	LTE	-	SEE CHANGES BELOW*	YES	YES
MW	PROPOSED ANTENNA	MICROWAVE	1	EWP90-105	-	-

*(6) PROPOSED DC POWER TRUNKS AND (3) PROPOSED FIBER TRUNKS SUPPLY ALL LTE AND UMTS ANTENNAS

NOTES
CONTRACTOR TO REFER TO FINAL CONSTRUCTION RFDS FOR ALL RF DETAILS.



188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112



304 INVERNESS WAY SOUTH
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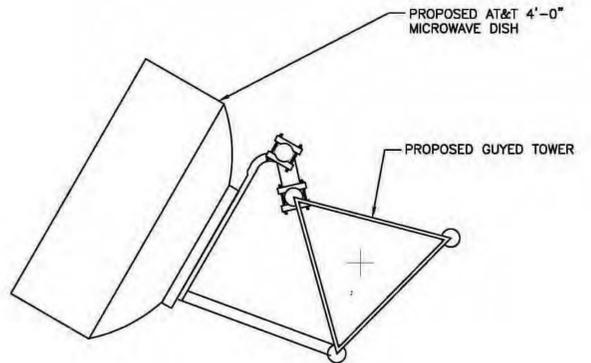
PROJECT/PHASE NO:	122061/8623
DRAWN BY:	BDJ
CHECKED BY:	DDM
T.I.D.	1.86

PROPOSED ANTENNA AND TRANSMISSION CABLE REQUIREMENT

NO SCALE 1

EXISTING ANTENNA LAYOUT

NO SCALE 2



NOTES

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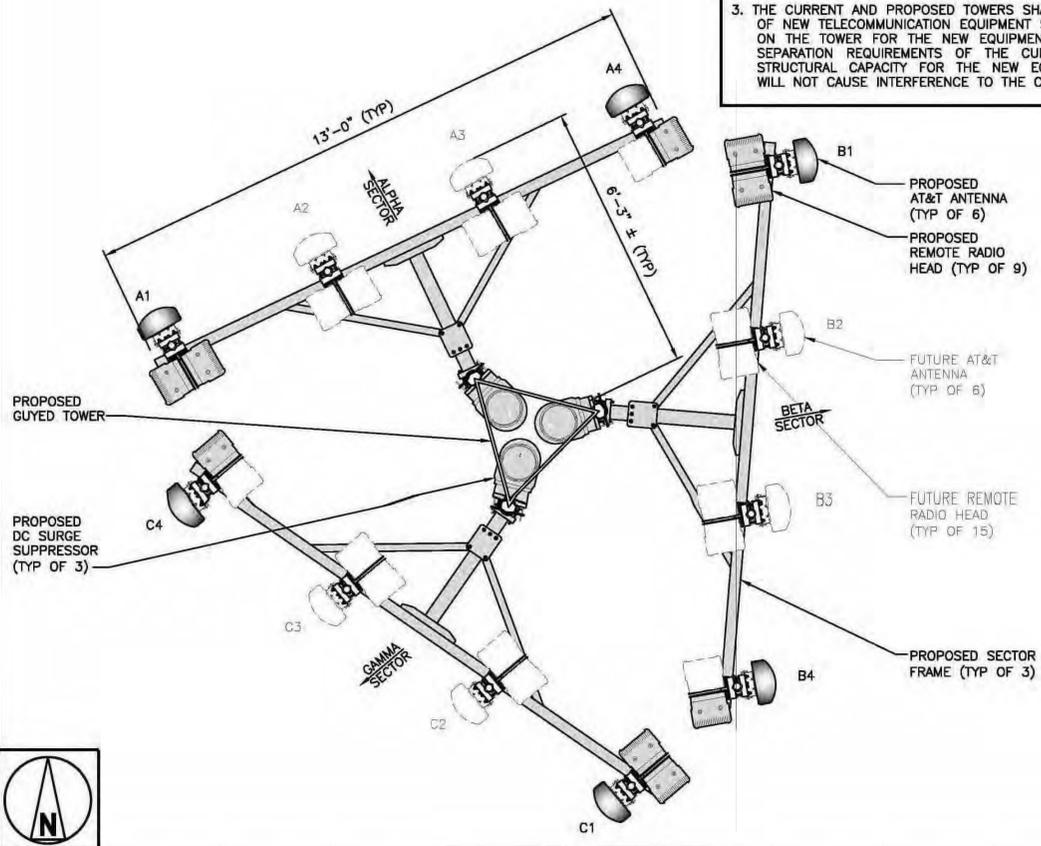


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COL06244
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TELLURIDE, CO 81435
LTE - 1ST CARRIER AND MW UPGRADE

SHEET TITLE
ANTENNA LAYOUTS

SHEET NUMBER
C-4



PROPOSED ANTENNA LAYOUT

NO SCALE 3

PROPOSED ANTENNA LAYOUT

NO SCALE 4





**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #14

TO: Town Council
FROM: Chris Hawkins, Director of Community Development
FOR: Town Council Public Meeting on April 23, 2015
DATE: April 16, 2015

RE: Second Reading, Public Hearing and Council Vote on an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.2.12 to Allow the Conditional Use Permit Process to Establish the Allowed Height for Freestanding Antennas; (B) Section 17.4.9(E)(2)-(3) to Correct an Omission, and Not Require a Concurrent Replat with Rezoning; and (C) Miscellaneous Amendments to the CDC to Accomplish the Foregoing.

The pending amendments to the Community Development Code (CDC) are shown in Exhibit A. The following list outlines the proposed amendments:

1. **Section 17.2.12 to allow the conditional use permit process to establish the allowed height for freestanding antennas.** The main reason for this change is due to the fact that freestanding antenna heights need to be taller than the building height limits to ensure antennas clear the forest canopy and buildings to provide adequate coverage. The proposed amendments allow for the review authority to establish the needed and compatible height as a part of the conditional use permit process, with the maximum height allowed based on the conditional use permit criteria.
2. **Section 17.4.9(E)(2)-(3) to correct an omission, and not require a concurrent replat with rezoning.** The Office of the Town Attorney indicated that it is not necessary to file a replat to change zoning and land use plat notes on older plats since this can occur by an ordinance. Staff is therefore proposing the amendments, which will significantly reduce the costs for future rezonings.

RECOMMENDATION

Staff recommends the Town Council approve the an ordinance amending the CDC with the following motion:

“I move to approve an ordinance amending the Community Development Code.”

ORDINANCE NO. 2015-__

AN ORDINANCE TO AMEND THE COMMUNITY DEVELOPMENT CODE (CDC) AT (A) SECTION 17.2.12 TO ALLOW THE CONDITIONAL USE PERMIT PROCESS TO ESTABLISH THE ALLOWED HEIGHT FOR FREESTANDING ANTENNAS; (B) SECTION 17.4.9(E)(2)-(3) TO CORRECT AN OMISSION, AND NOT REQUIRE A CONCURRENT REPLAT WITH REZONING; AND (C) MISCELLANEOUS AMENDMENTS TO THE CDC TO ACCOMPLISH THE FOREGOING.

RECITALS

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

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

Section 1. Amendment of Community Development Code

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

Section 2. Ordinance Effect

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

Section 3. Severability

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

Section 4. Effective Date

This Ordinance shall become effective on May 23, 2015.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 23rd day of April, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 26^h day of March, 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 23rd day of April 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

Jim Mahoney, Assistant Town Attorney

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

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

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2015 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2015.

Jackie Kennefick, Town Clerk

(SEAL)

Exhibit A: CDC Amendments

17.3.12

BUILDING HEIGHT LIMITS

- A. Table 3-3 establishes the maximum building height and average building height limits for each zone district and some specific lots.
- B. Antennas mounted to a structure or building shall not be more than ten percent (10%) higher than the actual, as-built building or structure height to which such antenna is mounted. For example, a building that is of 40 feet high can have an antenna that extends no more than four (4) feet above the roof. Freestanding antenna maximum structure height shall be established by the review authority.

(Please refer to related amendment below)

SECTION 17.4.9

REZONING PROCESS

C. General Standards

- 2. **Ordinance Required for Change in Density or Zoning Designation.** Any change to the density or zoning designation assigned to a lot shall be by duly adopted ordinance that shall be recorded in the records of the San Miguel County Clerk and Recorder.
 - a. To the extent multiple recorded resolutions and/or ordinances exist with respect to the zoning designation of a lot, the most recently recorded resolution or ordinance shall prevail and shall have the effect of voiding all prior recorded resolutions and ordinances.
 - b. ~~Concurrent Replat Required~~ **Zoning on Plats.** If the current, recorded plat for the lot(s) affected by the rezoning lists either the zone district, zoning designation and/or associated density, ~~a concurrent subdivision development application shall be processed along with the rezoning~~ the rezoning ordinance shall include a section statement that the zoning set forth in the rezoning ordinance shall prevail over ~~the~~ any inconsistent plat notations on all validly recorded plats for the lots affected by such rezoning.

Section 17.6.5(D)(1)(b) (Telecommunications Regulations)

- b. Antenna height shall be minimized to the extent practical with the acceptable height permitted determined by the review authority as a part of the required conditional use permit process. ~~In no event shall an antenna exceed the maximum height permitted in the underlying zone district unless approved by a variance or PUD development review process;~~



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item #15

TO: Town Council
FROM: Chris Hawkins, Director of Community Development
FOR: Town Council Public Meeting on April 23, 2015
DATE: April 16, 2015

RE: First Reading, Setting of a Public Hearing and Council Vote on an Ordinance to Amend the Community Development Code (CDC) at (A) Section 17.4.14(F)(3) to Revise the Criteria for Allowing Ski Lifts on Private Lots; and (B) Section 17.6.9 to Meet or Exceed San Miguel County Open Burning Regulations; (C) Section 17.3.4(F)(4) to Allow for the Re-subdivision and Rezoning of Single-Family Lots Subject to Modified Criteria; and (D) Miscellaneous Amendments to the CDC to Accomplish the Foregoing

The pending amendments to the Community Development Code (CDC) are shown in Exhibit A. Council directed changes to the ski lift and open burning regulations made at the March 26th meeting are highlighted with yellow. A new amendment to the single-family zone district is also included in this first reading concerning the resubdivision and rezoning of lots in the Single-Family Zone District as follows:

17.3.4(F)(4)

4. Further Subdivision Prohibited ~~Prohibited-Limited~~. Single-family lots may not be further subdivided to create additional lots and additional density may not be transferred onto a single-family lot; provided, however, a single-family lot may be further subdivided and additional density may be transferred onto a single-family lot by the Rezoning Process in limited situations only if:
- a. The density is currently permitted on a lot; or
 - b. The Comprehensive Plan envisions higher density; or
 - c. A PUD is approved pursuant to the PUD Regulations; ~~and/or~~
 - d. The Town Council determines that the rezoning is exceptional and meets specific conditions to mitigate the upzoning, such as but not limited to clustered development, the provision of additional open space, or other community benefits; and separation and buffering from other lots
 - e. The rezoning is compatible and fits with surrounding area development.

The main reason for this change is due to the fact that the PUD Regulations do not allow for the creation of a PUD in most single-family situations, with a minimum density of 10 dwelling units for a site specific PUD (SPUD) and 50 dwelling units for a master PUD (MPUD). It was not the intent to prohibit rezoning and resubdivision of lots in the Single-Family Zone District when the CDC was created a few years ago, with a clear recognition of the need to allow rezoning and resubdivision in certain “exceptional” and limited situations. The Comprehensive

Plan establishes the policy foundation to the proposed CDC amendment with the following policy:

“Respect the integrity of single-family and duplex areas. Any proposed rezoning of single-family and duplex-zoned lots must be considered exceptional and must meet specific conditions, such as separation and buffering from other single-family and duplex lots.” (Land Use Plan Policy I.B.1.f on page 38)

Staff felt that the separation and buffering test of the current CDC is too weak and is instead proposing what we believe is a stronger criteria that is based on community benefits. The DRB added the new criterion e since it was concerned that community benefits would cause incompatible rezonings, with a strong belief that single-family rezonings need to be compatible and fit with surrounding development.

RECOMMENDATION

Staff recommends the Town Council approve the first reading of an ordinance amending the CDC with the following motion:

“I move to approve the first reading of an ordinance amending the Community Development Code, with direction to the Town Clerk to set the public hearing on May 21, 2015.”

ORDINANCE NO. 2015-__

AN ORDINANCE TO AMEND THE COMMUNITY DEVELOPMENT CODE (CDC) AT (A) SECTION 17.4.14(F)(3) TO REVISE THE CRITERIA FOR ALLOWING SKI LIFTS ON PRIVATE LOTS; AND (B) SECTION 17.6.9 TO MEET OR EXCEED SAN MIGUEL COUNTY OPEN BURNING REGULATIONS; (C) SECTION 17.3.4(F)(4) TO ALLOW FOR THE RE-SUBDIVISION AND REZONING OF SINGLE-FAMILY LOTS SUBJECT TO MODIFIED CRITERIA; AND (D) MISCELLANEOUS AMENDMENTS TO THE CDC TO ACCOMPLISH THE FOREGOING

RECITALS

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

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

Section 1. Amendment of Community Development Code

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

Section 2. Ordinance Effect

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

Section 3. Severability

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

Section 4. Effective Date

This Ordinance shall become effective on _____, 2015.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the ___th day of _____, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 23rd day of April, 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this ___th day of _____, 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

Jim Mahoney, Assistant Town Attorney

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

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

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2015 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2015.

Jackie Kennefick, Town Clerk

(SEAL)

Exhibit A: CDC Amendments

SECTION 17.4.14

CONDITIONAL USE PERMIT

1. Ski Lifts (Tramways) Conditional Use Permits

- a. The installation of a ski lift on a private single-family lot is not encouraged strongly discouraged, and will only be permitted in situations where full compliance with the review criteria is satisfied thereby justifying the installation.
- b. The installation of a ski lift that serves multi-family lots or three or more single-family lots are considered more appropriate as a conditional use and will be permitted in situations where full compliance with the review criteria thereby justifying the installation.
- a-c. The installation of a ski lift on a private lot outside of the ski resort requires the issuance of a ski lift conditional use permit. In addition to other applicable requirements of the CDC, ski lift conditional use permits shall comply with the following general standards and review authority criteria for decision:
- d. General Standards That Must Be Met Prior to Submitting for a Conditional Use Permit
 - i. One side of the lot must immediately adjoin open space that is used for ski trail purposes;
 - ii. The applicant has contacted adjacent property owners within 400 feet of the proposed lift to get input on the location, design and visual impacts prior to submitting the development application for the ski lift and shall affirm to the review authority that the applicant has satisfied these criteria. Nothing contained in this criteria shall require the consent or written response of adjacent property owners;
 - iii. The owner of the lot must obtain permission in writing from the ski resort operator to build a ski lift that provides access to a ski trail.

Criteria for Decision

- i. The property owner has demonstrated that special circumstances applicable to the lot such as size, shape, topography or other extraordinary or exceptional physical conditions cause a hardship that necessitates the installation of a lift;
- ii. Visual impacts caused by the ski lift are minimized and mitigated, with the location and design carefully located and planned so that a ski lift is not readily visible to surrounding properties. In the event that a ski lift cannot be located and planned on a specific site so as to satisfy this criteria such ski lift shall not be permitted by the review authority. A ski lift serving a multifamily lot or three or more single family lots do not require the strict application of this criteria, however, such a ski lift shall still minimize the visual impacts to surrounding properties;
- iii. Noise impacts are minimized and mitigated;
- iv. Wildlife impacts are minimized and mitigated so as to not unreasonably impact wildlife habitat and movement; and
- v. The length of the proposed lift is the -minimum possible length with longer lift lines strongly discouraged unless they are serving a multifamily lot of three or more single family lots.

b-c. Upon issuance of a ski lift conditional use permit, the lot owner will be required to abide by the following rules and regulations:

- i. ~~The review authority can limit the operation time for a lift on a case-by-case basis to coincide with the operation of the ski resort. The use of the ski lift before the first day of the ski season or after the last day of the ski season is prohibited, and the ski lift may only be used between the hours of 9:00 a.m. to 4:30 p.m.~~
- ii. If the ski lift generates decibels in excess of the limitation placed on the ski lift conditional use permit, the use of the ski lift shall cease until the noise level is reduced.
- iii. The owner of the ski lift will be responsible for maintaining the appropriate liability coverage for the ski lift and shall provide evidence of same to the Town.
- iv. Appropriate safety and instructional signage must be maintained.
- v. The ski lift must be operated in compliance with the operation plan submitted to and approved by the Town as a part of the conditional use permit that describes the operating, repair, maintenance and safety procedures for the ski lift.
- vi. The ski lift shall be used solely by the owner(s) and guests of the lot(s) where the lift is located, and shall not be used for commercial purposes.
- vii. The tramway shall be reviewed and approved by the Colorado Passenger Tramway Safety Board or its successor pursuant to applicable state regulations.

17.1.9 OPEN BURNING REGULATIONS

~~A. Open burning of wood or slash in piles is strongly discouraged and will only be permitted in limited situations where the use of a curtain burner is not feasible.~~

~~A.B.~~ Open burning of wood or slash in piles without the use of a curtain burner or similar enclosed burning device is limited to land zoned as open space unless approved as provided for herein. Such open burning shall only be allowed by the Town for fire mitigation and/or forestry management projects, or ski resort improvements pursuant to the class ~~1~~^S development application process subject to meeting the Open Burning Regulations.

1. Open burning is prohibited on all lots that are not zoned as open space unless the ~~Town Council~~^{review authority} grants a specific approval for a lot that is larger than five (5) acres and the requirements contained herein are met.

~~B. Burning of slash /brush with the use of an air curtain burner or similar enclosed burning device may be approved for all lots in the town as part of a Town approved fire mitigation and/or forestry management project pursuant to the class 1 development application process subject to meeting the Open Burning Regulations.~~

C. An applicant for open burning shall submit the following:

- ~~1. San Miguel County Burn Permit, issued by San Miguel County, Colorado.~~
- ~~2.1.~~ 1. Proof of written notice of intent to conduct an open burn specifying the location and nature of the proposed open burn shall be sent approval of the to the Telluride Fire Protection District. Such notice shall be submitted at least ten (10) days prior to applying

~~for an open burn to the Town, to conduct an open burn. In the event the Telluride Fire Protection District objects to the open burn within ten (10) days after being provided notice, such open burn shall not be approved by the Town.~~

- ~~2. A written fire management plan must accompany an open burning permit request specifying the dates on which open burning is proposed to occur, time of the day and duration of burning, and a site plan showing the location of the proposed open burning and materials to be burned. The plan must also include an estimate of quantities and measures to be implemented to provide for protection of the public from any risk associated with the open burning. Such plan must also be accompanied by documentation evidencing the need for open burning, a description of why the open burning would be in the public interest.~~
- ~~3. A site plan showing the area and size of wood and slash pile(s) to be burned.~~
- ~~4.3. A control plan showing how the burn will be monitored and the duration of the burn.~~
- ~~5.4. Technical specification for a curtain burner or similar enclosed device when such a device is proposed for the open burn.~~
- ~~6.5. Fire protection measures the applicant will use to control the burn.~~
- ~~7.6. A Town approved indemnification, holding the Town harmless from any loss or damage caused by the open burn.~~
- ~~8.7. A certificate of general commercial liability insurance in a form satisfactory to the Town, in the amount of not less than five million dollars (\$5,000,000) in aggregate per occurrence, naming the Town as an additional insured. The amount and type of insurance required by this section may be increased by a resolution of the Town Council.~~

D. The review authority shall issue a burn permit if, in its sole and absolute discretion, it finds that:

- ~~1. All of the submittal requirements have been fulfilled;~~
- ~~2. Fire protection and air quality measures provide sufficient safeguards to the community;~~
- ~~3. Weather and forest fuel conditions are predicted to allow the open burn without adverse impacts to air quality, or the spread of wildfire;~~
- ~~3.4. The review authority determines that the impact to regional air quality will be insignificant.~~
- ~~4.5. The TFPD or other referral agencies have and San Miguel County have not objected to approved the proposed burn permit;~~
- ~~6. For open pile burning, the review authority determines that no other method, including the use of curtain burners or hauling of materials can be effective in achieving the goal of the overall project for which the open pile burn is requested, given the specific circumstances of each application, the use of a curtain burner is infeasible.~~
- ~~5.7. Any other referral agency comments on the open burn have been addressed;~~
- ~~8. Indemnification and insurance have been provided to the Town prior to the issuance of the open burn permit.~~
- ~~6.9. The approval includes a condition that the applicant is required to notify and obtain approval from Mountain Village Police Department for each individual day on which open burning will occur.~~
- ~~10. The applicant has notified the public of the time and place for which the burn will take place using the Town approved manner for such notification.~~

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Ski Lift: Is a Passenger tramway that is device used to transport passengers uphill on skis, or in cars on tracks, or suspended in the air by the use of steel cables, chains, or belts, or by ropes, and usually supported by trestles or towers with one or more spans. "Passenger tramway" includes, but is not limited to, fixed-grip lifts, detachable-grip lifts, funiculars, chair lifts or surface lifts as defined in CRS 25-5-702.

17.3.4(F)(4)

4. **Further Subdivision ~~Prohibited~~ Limited.** Single-family lots may not be further subdivided to create additional lots and additional density may not be transferred onto a single-family lot; provided, however, a ~~s~~Single-family lot may be further subdivided and additional density may be transferred onto a single-family lot by the Rezoning Process in limited situations only if:
- a. The density is currently permitted on a lot; or
 - b. The Comprehensive Plan envisions higher density; or
 - c. A PUD is approved pursuant to the PUD Regulations; ~~and~~or
 - d. The Town Council determines that the rezoning is exceptional and meets ~~specific~~ conditions to mitigate the upzoning, such as but not limited to clustered development, the provision of additional open space, or other community benefits; and, separation and buffering from other lots.
 - ~~d.e.~~ The rezoning is compatible and fits with surrounding area development.



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

455 Mountain Village Blvd.
Mountain Village, CO 81435
(970) 728-1392

Agenda Item No. 16

TO: Town Council
FROM: Savannah Jameson, Planner II
FOR: Town Council Hearing on April 23, 2015
DATE: April 15, 2015
RE: Consideration of a Resolution Approving a Minor Subdivision to Vacate and Relocate the General Easement and Establish Building Setbacks on Lot 147A

APPLICATION OVERVIEW

The purpose and intent of this memo is to have Town Council review and consider a vacation of the northern General Easement and the 45' easement area on the southeast corner of Lot 147A.

PROJECT GEOGRAPHY

Legal Description: Lot 147A, Mountain Village Filing 1
Address: 256 Country Club Drive, Mountain Village
Applicant/Agent: Tom Kennedy and Foley and Associates
Owner: James and Cynthia McMorran
Zoning: Single Family
Existing Use: Single Family
Proposed Use: Single Family
Lot Area: 0.370acres

Adjacent Land Uses:

- **North:** Passive Open Space
- **South:** Single Family
- **East:** Single Family
- **West:** Single Family

ATTACHMENTS

- Applicant's narrative & proposed plat

RECORD DOCUMENTS

- Town of Mountain Village Community Development Code as amended (CDC)
- Town of Mountain Village Home Rule Charter (as amended on June 28, 2005)
- Design Review Application as maintained by the Community Development Department.

BACKGROUND

The owner of Lot 147A is proposing to vacate and relocate the general easement as shown on the proposed plat, with the front general easement reduced to 16 feet and the southwestern general easement vacated due to the overlaying access easement. The affected areas are shown on the attached plat. A standard 16' general easement is in place on the south and east property boundaries and would not go away with the vacation of the utility easement. The proposed plat is also establishing a new five foot setback on the northern property line because the general easement was previously vacated in this area. Staff is supportive of the five foot setback on the northern property line because it adjoins a large open space parcel.

CRITERIA FOR DECISION

Minor Subdivisions. The following criteria shall be met for the review authority to approve a lot line vacation, lot line adjustment, easement vacation or similar subdivision:

- a. The lots resulting from the adjustment or vacation are in compliance with Town Zoning and Land Use Regulations and Subdivision Regulations;
- b. The proposed subdivision is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- c. Subdivision access is in compliance with Town standards and codes unless specific variances have been granted in accordance with the variance provisions of this CDC;
- d. Easements 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; and
- e. The proposed subdivision meets all applicable Town regulations and standards.

ANALYSIS

Required frontage remains provided. Vehicular access has already been provided to Lot 147A. The proposed lot sizes are not proposed to change and are in general conformance with surrounding lot sizes. Solar access is provided. Areas subject to environmental hazard and distinctive natural features are being avoided. The subdivision meets all applicable Town regulations and standards.

The Encroachments into the 16' General Easement along the westerly property line need to be covered by a revocable encroachment agreement between the Town and Owner that should be recorded simultaneously with this Plat Amendment. Staff has added a condition in the resolution that requires the execution and recordation of the encroachment agreement.

RECOMMENDATION

Staff recommends the Town Council approve the minor subdivision, with the following motion:

“I move to approve a resolution approving a Minor Subdivision to Vacate and Relocate the General Easement and Establish Building Setbacks on Lot 147A.”
”

**RESOLUTION OF THE TOWN COUNCIL
OF MOUNTAIN VILLAGE, RESOLUTION APPROVING A MINOR SUBDIVISION TO
VACATE AND RELOCATE THE GENERAL EASEMENT AND ESTABLISH BUILDING
SETBACKS ON LOT 147A**

RESOLUTION NO. 2015

- A. James and Cynthia A. McMorran is the owner ("Owner") of record of real property described as Lot 147A, Filing 1 and Town of Mountain Village.
- B. The Owner has authorized Law Offices of Thomas G. Kennedy to pursue the approval of the minor subdivision application to vacate and relocate the general easement and establish building setbacks on Lot 147A ("Application").
- C. The Application is in compliance with the provisions of the Subdivision Regulations contained in Community Development Code ("CDC") Section 17.4.13.
- D. The proposed minor subdivision will adjust the general easement and establish building setbacks as depicted on the replat for Lot 147A.
- E. The Town Council considered this Application, along with evidence and testimony, at a public meeting held on April 23, 2015.
- F. The Owners have addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council.
- G. The Town Council finds that the minor subdivision meets the criteria for decision set forth in Section 17.4.13 of the CDC as follows:
 - 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. Subdivision access is in compliance with Town standards and codes that were in effect at the time of the development of Lot 147A;
 - 4. 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
 - 5. 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 CONDITIONS:

1. The applicant shall revise the plat certifications and notes to meet the requirements of the CDC prior to recordation.
2. Prior to recording the plat, the applicant shall execute and record a revocable encroachment agreement for the existing retaining walls in the western general easement, and add a plat note referring to such agreement.
3. The Applicant will work with staff to complete this Resolution and replat for Town Council and submit appropriate fees to staff for recordation with the San Miguel County Assessor's office within six months of approval.

Be It Further Resolved that Lots 147A may be replatted as submitted in accordance with Resolution NO. 2015-0423_____

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 April 23, 2015 (the "Effective Date") as herein referenced throughout this Resolution.

Section 4. Public Meeting

A public meeting on this Resolution was held on the 23rd day of April, 2015 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 April 23, 2015.

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



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

Agenda Item No. 18

TO: Town Council
FROM: Chris Hawkins, Director of Community Development
FOR: Meeting of April 23, 2014
DATE: April 16, 2014
RE: Community Development Staff Report

Projects in Process

The Community Development Department has been very busy over the last six months, with the following long-range projects completed or in process:

1. **Medical Center:** Staff facilitated the medical center charrette process as required by the Town Hall Subarea Task Force Bylaws and the Town Hall Subarea rezoning ordinance. The Council conducted a conceptual worksession on the project at the end of the charrette process. Staff continues to work on a condo map for the project, with the conditional use permit for the heliport in process.
2. **Lofts at Mountain Village:** Staff facilitated The Lofts at Mountain Village charrette process as required by the Town Hall Subarea Task Force Bylaws and the Town Hall Subarea rezoning ordinance. The Council conducted a conceptual worksession on the project at the end of the charrette process. Staff continues to work on a condo map for the project, with the conditional use permit for the heliport in process.
3. **Meadows Improvement Plan.** Staff worked in conjunction with the Public Works and Parks departments to get a Council-directed final list of projects for the Meadows Improvement Plan and a list of projects to complete in 2015. The Public Works department is working on engineered plans for the sidewalks as directed by the Council with the goal to put out to bid as soon as possible. The Planning Division will work on the Comprehensive Plan-like document to present to the Council in the next few months.
4. **Forest Management and Fire Mitigation.** The Planning Division is working on a license agreement with TSG for a forest management plan on OSP-2S. Once the agreement is executed by TSG, the Town Forester will mark the trees and issue an RFP for bidding.
5. **VCA Community Building** Staff has developed plans for a small community building at VCA next to the basketball court per the 2015 budget goals. These plans will be presented to the DRB at its May 7th meeting. Engineering will be completed in the next month with a bid issued to determine final construction costs. It is anticipated that VCA and Town staff will construct certain elements of the building to keep costs low, such as Public Works installing the water and sewer lines and VCA staff framing the walls.

6. **VCA Natural Gas Conversion Project.** Staff is working with the selected consultant to re-evaluate the data developed by iCast to determine the ROI for the gas conversion project. This data will be presented to the Council at a meeting in the next few months.
7. **Smart Building Program/REMP.** The new Smart Building Regulations were adopted and incorporated into the Community Development Code.
8. **Class 1 Development Application and Building Permit Application Combination.** The Planning and Building divisions are moving forward with combing the class 1 Design Review Process development application (staff level review) with the building permit application to create one application for simple alterations. This will significantly improve our client experience and create a more streamlined process.

Planning and Building Activity

Table 1 shows that the number of current planning applications through 2014. The number of Planning applications and tree removal permits exceeded 2013 permits. The number of Mountain Village permits for building permits was lower than seen in 2012 and 2013. Staff anticipates more building permits in 2015 for new and remodeled single-family homes in Mountain Village based on approved, shovel-ready plans. The Telluride permits appear to be on track to exceed the permits for 2013. The number of building inspections and staff level planning reviews are up in 2014 over 2013 by 11% and 18%.

Table 1: Total Number of Planning and Building Permit Applications

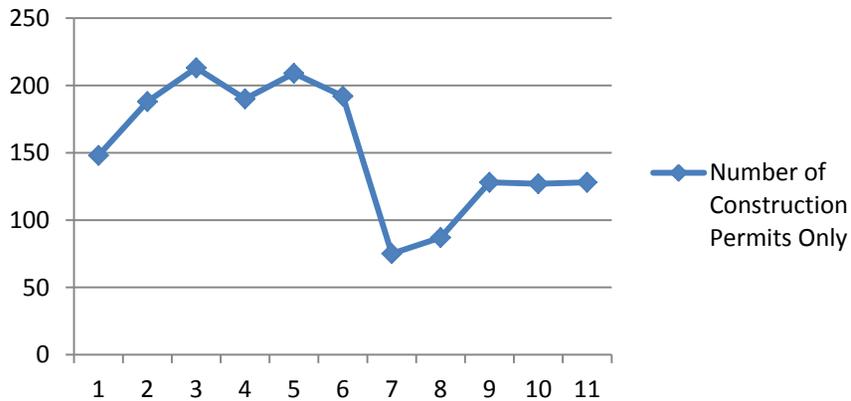
Year	Planning Applications	Tree Removal Permits Yearly	Yearly Total All Building Permits		
			TOMV	TOT	Yearly Total
2012	187	Not Tracked	176	132	308
2013	187	143	203	115	318
2014	204	166	187	168	334

At or prior to the meeting, staff will present a table showing the development review times in 2014 for each class of application relative to the Council adopted budget goals. We will also present a breakdown of applications by type for the Council's review.

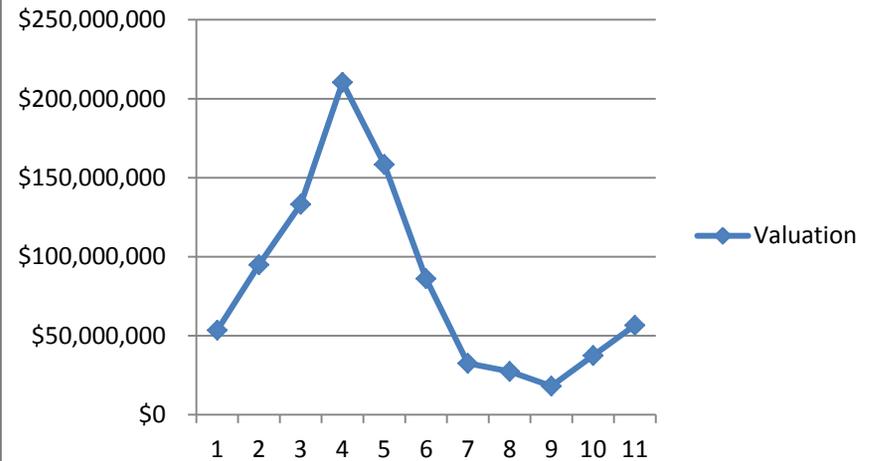
Table 2. Valuation and Construction Only Permits Since 2003

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Valuation	\$53,469,018	\$94,939,337	\$133,249,837	\$210,394,175	\$158,362,440	\$86,183,479	\$32,562,444	\$27,388,886	\$18,130,969	\$37,471,121	\$56,574,803
Number of Construction Permits Only	148	188	213	190	209	192	75	87	128	127	128

Number of Construction Permits Only



Valuation





**TOWN OF MOUNTAIN VILLAGE
TOWN MANAGER
CURRENT ISSUES AND STATUS REPORT
APRIL 2015**

1. Great Services Award Program

▪ **Nominees for March:**

- **Corrie McMills, Going out of her way to solicit new vendors for the Market on the Plaza – WINNER FOR MARCH**

2. Medical Center

- Met with the Army Corps of Engineers together with Gordon Reichard, Larry Mallard and our wetland consultant Mike Claffey to discuss the input received during public comment on our permit application. Discussed strategies to respond to the public comment
- Attended two design charrette meetings on March 31st and April 1st where the task force prepared their recommendations for DRB and Council
- Met with the Medical Center team to discuss results of the design charrette and changes as a result of the recommendations prepared by the task force
- Attended the special joint meeting of DRB and Council to receive the recommendations from the task force
- Met with the Medical Center team on April 16th to begin drafting a response to the public comment to be returned to the Army Corps by the end of May

3. Workforce Housing

- Attended a special Intergovernmental Meeting to present statistics and information regarding the Town's inventory, revenue sources, potential projects and goals as they relate to Workforce Housing. Telluride and the County presented their information. Lengthy public discussion ensued
- Met with Randy Edwards' team to discuss the path forward resulting from his pulling his application for lot 640A and the Town's development of an ordinance limiting the number of units, population and pets on the property

4. Miscellaneous

- **Met with TSG, Crown Castle, Aspen Wireless and TMVOA to discuss the feasibility of installing a small cell solutions (SCS) network similar to what was installed in Vail to improve cell service. Crown Castle would provide all wireless carriers with the infrastructure they need to improve connectivity. They will provide us with a proposal and timeline for these improvements including ideas for both short-term and long-term solutions (see attached informational case study)**

- Attended a regional Town Manager's lunch meeting in Ouray on April 21st to share regional problems and solutions
- Discussed cost sharing with TSG regarding the Forest Health/Demonstration Project on a portion of their open space which is scheduled to be completed this summer. Greg Pack indicated he would discuss this with Chuck Horning and get back to me following spring break
- Discussed and agreed to a license agreement with Telluride Tourism Board for the use of the Oak Street information space adjacent to the gondola to be used by TTB during the summer of 2015. They will also have a presence in the Village Center which is being funded by the Town
- Mayor Jansen and I met with TMVOA to discuss the long term gondola plan and ensured both the Town and TMVOA are on the same path

Expanding coverage while preserving beauty in Vail.

Vail, Colorado, is a picturesque community, famous for its beautiful mountains and ski slopes. That makes it a popular vacation destination for thousands of recreational travelers; however, the challenging topography surrounding the Village and residential neighborhood makes it especially difficult to provide reliable wireless coverage.

A few nearby towers and rooftop installations provided some coverage, but were inadequate to handle today's data demands. Upcoming local events, like the FIS Alpine World Ski Championships, were expecting up to 150,000 visitors—making it clear that an upgrade was necessary. We installed a small cell solutions (SCS) network that consists of several strategically placed nodes that accommodate multiple wireless service providers as well as the city's wi-fi and video-monitoring system. The network has improved wireless coverage and provided much needed data capacity to the Village.

Challenges

With all its peaks and valleys, Vail's difficult topography required careful planning to make sure each node was strategically placed to maximize coverage and deliver the needed capacity. This all had to be done in accordance with the town's strict aesthetic regulations and several layers of approval. To complete the project on time and on budget, we had to navigate these and other challenges:

- The network needed to be hardened to withstand adverse weather conditions
- The area needed enough capacity to accommodate the large crowds that visit Vail throughout the year
- We needed to balance different audiences' conflicting needs, aesthetic requirements, and technical radio frequency (RF) challenges
- All installation work had to be completed within very tight construction schedules

The Solution

To meet the voice and data demands of the visitors and residents of Vail, we designed and installed a fiber optic SCS network. Twenty-nine custom-designed slimline poles—similar in size and appearance to streetlights—were placed on public rights-of-way. Each node was strategically placed to maximize coverage and preserve the look and feel of the Village. We coordinated with various government stakeholders to obtain approval for the entire project during the design phase, which helped streamline the deployment process and keep the project on time and on budget. Vail residents and visitors now have access to a state-of-the-art 4G LTE network.



Supporting Public Safety

In support of the 2015 Alpine World Ski Championships, public safety officials and other stakeholders, led by the state of Colorado FirstNet team, wanted a wireless infrastructure solution in the Village that was capable of supporting 4G LTE applications to monitor activities during the event. We worked closely with the state of Colorado to set up a public safety network demonstration. The state secured rights to the FirstNet spectrum, and we provided four of our existing nodes to host equipment dedicated to the trial. The network demonstration enables officials to test applications in practical situations, including real-time video, push-to-talk, Voice over IP (VoIP), situational awareness, and others. The installation marks an important milestone, as it's the first SCS network to operate using 700 MHz Band Class 14 over the same infrastructure as a commercial Distributed Antenna System (DAS). The trial serves as a model for FirstNet in other states as they consider the various deployment options for the new Nationwide Public Safety Broadband Network (NPSBN).



Custom-designed slimline poles accommodate SCS nodes.



Nodes are strategically placed near roads and residential areas.

WHY CROWN CASTLE?

We have over 10 years of experience implementing SCS in universities and other communities, including dense urban centers and residential neighborhoods.

Discreet, innovative technology

We provide shared infrastructure that enables the wireless service you have come to depend on—all while blending in with your environment.

Collaboration

We involve residents in every major decision so everyone has a say in the solutions that are developed.

Local presence

We have offices nearby with people who understand your community—and its wireless coverage needs.



For more information, please contact (866) 482-8890 or visit CrownCastle.com

About Crown Castle

Crown Castle provides wireless carriers with the infrastructure they need to keep people connected and businesses running. With approximately 40,000 towers and 14,000 small cell nodes supported by approximately 7,000 miles of fiber, Crown Castle is the nation's largest provider of shared wireless infrastructure with a significant presence in the top 100 US markets. In addition, Crown Castle operates approximately 1,800 towers in Australia.

The Foundation for a Wireless World.

CrownCastle.com

TOWN OF MOUNTAIN VILLAGE

Mail Ballot Plan

June 30 General Election

Wednesday, February 18	Request updated San Miguel County voter registration list to begin to prepare for 45 day voter verification card mailing	✓
Wednesday, February 25	Review Access database w/ JK, SJ, LB > dry run adding voters	✓
Friday, March 27 (Planet)	Advertisement for Council Seats begins running (see advertising calendar)	✓
Friday, April 3	Agendize: Consideration of a Resolution Setting Mail Ballot Election, with copy of Mail Ballot Plan	✓
	Prepare Mail Ballot Plan	(SOS Rule 7.1)(1-7.5-105(1))
Thursday, April 9	Consideration of Approval of Ballot Question Language	Agenda deadline
Thursday, April 23	Approval of Resolution appointing Town Clerk as DEO and Setting Mail Ballot Election at Town Council Meeting and Approval of Emergency Ordinance Submitting Election Question to the Electors - if ballot question on ballot	(31-10-204)
Wednesday, April 29 (No later than 55 days prior to election)	Written mail ballot plan must be prepared for distribution in TMV Council packet	Packet day 5/15
Friday, May 1–May 8	Prepare 45 day voter verification cards for mailing	
Friday, May 8 (Friday before the 45th day before the election)	Last day to file pro/con comments pertaining to local ballot issues with the DEO in order to be included in the ballot issue notice	Art. X, Sec. 20(3)(b)(v) (31-10-501.5 (1))
	Last day to submit letter of candidacy – <i>If no more candidates than seats submit letter of candidacy and no ballot question or issue is on the ballot, election may be cancelled and any candidates that have submitted are declared elected via resolution of the Town Council</i>	(Charter Article II Section 2.4(b))
	Advertise Voter Information Piece in Planet week of 5/15 & 5/22	
	Mail postage paid voter verification card requesting information confirmation to every elector	
Monday, May 11 (No later than 43 days before the election)	Agendize cancellation of election for May 21 Council meeting if appropriate	
	(Morning) Notify candidates of the time and place of the lot-drawing for the ballot to be performed by the DEO or designee.	(31-10-902(2))
	(Afternoon) Order ballots	
	Last day for petition representative to submit a summary of comments in favor of their local ballot issue no later than 3 p.m.	(1-7-903(3))
Tuesday, May 12 (No later than 42 days before election)	Last day for the DEO to deliver ballot issue notices to County Clerk	(1-7-904) (BallotIssueNoticeLetter110309)
Thursday, May 14 (no later than 30 days preceding the election – but we are doing at 40 days)	DEO orders the registration records from the County Clerk and the property records from the County Assessor and send notice to County Clerk of Election	(31-10-910(1)(a) (1-5-303(1));(1.7.5-107(2)(a)) (CytClerkAssessoryNotLtr)
	Via resolution, cancel election if only the number of candidates that there are seats for submitted letters of interest	
Tuesday May 26-29 (no less than 25 days before election)	Conduct audit of Town's Voter Registration List	(Resolution 2009-0820-12)

Friday, May 29 (at least 30 days prior to election, 30 days is a Sunday so moved to Friday)	Last day to have become a legal resident of TMV	(TMV Charter Section 2.3)
	Last day to have been owner of record of property within Town for at least 30 days immediately prior to the election day. <i>(Must own a minimum of 50% of the title interest of the property and be a person)</i>	(TMV Charter Section 2.3)
	Ballots must be in Town Clerk's possession	(1-5-406), (31-10-901(d))
Monday, June 1 by 10 a.m. - to publish June 3, (no later than 20 days prior to election, we opt to do earlier)	Send notice of election to newspaper	
	Post and publish printed notice of the election – Send a copy to SM County Clerk	(31-10-501 says 10 days) (NoticeofElection)
Monday, June 1 (at least 29 days prior to election)	Last day to register to vote with TMV Clerk or SMC Clerk	(Section 2.1(a) TMV Charter)
	Obtain updated voter registration list from County Clerk effective end of business <i>Cross reference Colorado addresses on assessors list in order to allow anyone who is a non-resident of the Town of Mountain Village but is a resident of San Miguel County and owns property in Mountain Village to be automatically registered to vote in the Town.</i>	(Resolution 2007-0816-14) (Charter 2.3(c)1)
	Purge Town voter registration list of ineligible voters including mailing notification to those voters who are no longer eligible	
Wednesday, June 8 (no sooner than 22 days (6/8) before election and no later than 18 days (6/12) before election)	All mail ballot packets must include ballot, instructions for completing ballot, secrecy envelope and return envelope.	(31-10-910(2)(a))
	Begin ballot verification as ballots are returned	
	Last day to receive request for mail ballot to be sent to an alternate address	Friday prior to first day to mail out ballots; not a statute/requirement just practical
	Note: May withdraw ballot issue from the election at any time prior to any other election via resolution	(1-5-208(2))
Tuesday, June 9 (21 days before election)	Contribution reports required by the Fair Campaign Practices Act to be filed with the Clerk (Reporting period May 8 thru June 4)	(1-45-108(2)(a)(II))
Wednesday, June 10 (no later than 20 days before election)	Last day for County Clerk to submit to DEO a supplemental list of eligible electors whose names were not included on the preliminary list	(31-10-910(b))
	Local government submitting a ballot issue concerning the creation of any debt or other financial obligation shall post notice of audited financial information on their website	31-10-501.5(2) 1-7- 908(1)
Friday, June 12 (not sooner than 22 days (6/8) before election and no later than 18 days (6/12) before election)	Last day to mail out mail ballots	(31-10-910(2)(a))
Monday, June 15 (no later than 15 days prior to election)	Last day to appoint at least 3 election judges	(31-10-401, 404)
	Last day to appoint the canvassing board consisting of two electors - one of which can be a Council member	(1-10-201(1)) (31-10-201)
	Prepare certificates of appointment and execute acceptance of appointment of judges and mail or hand deliver to appointees	(31-10-403, 404)
	Counting of ballots may begin	(1-7.5-107.5) (31-10-911)
Tuesday, June 16	Judges sign Appointment Acceptance form	
Thursday, June 18 (at least 10 days prior to the election)	Post Polling Place sign	(1-5-106) 31-10-501(1-3)-noticing requirements
Friday, June 26 (Friday before the election)	Contribution reports required by the Fair Campaign Practices Act to be filed with the Clerk (Reporting period June 5 thru June 21)	(1-45-108(2)(a)(II))
	To extent possible, candidate, proponent/opponent shall submit watchers names by close of business on Friday immediately preceding the election.	(1-7-107) ((31-10-602) does not give a suggested submission date)

General Election	
Tuesday, June 30	Administer Oath of Judges (31-10-407)
	Conduct Voter Registration List Audit (Resolution 2009-0820-12)
	Begin counting of ballots (may begin 15 days prior to the election) (1-7.5-107.5) (31-10-911)
	Election judges follow counting procedures set forth in (31-10-610)
Thursday, July 2 (no later than 2 days after the election)	Send letters to voters whose ballots were rejected
	Abstract remains up until July 3; (abstract to remain posted for 48 hrs) (1-7.5-107.5) (31-10-615)
Tuesday, July 7 (no later than 7 days after the election)	Last day for canvass of votes and make out abstract of votes/certificates of election (31-10-1201)
	File a copy with the Secretary of State (31-10-1205(2))
	Last day an interested party may request a recount at their expense (31-10-1207(2))
	Mandatory recount is required if the difference between the highest number of votes cast in the election and the next highest number of votes cast in the election is less than or equal to one half of one percent of the highest number of votes cast in the election (31-10-1207(1))
Friday, July 10 (no more than 10 days after the election)	Mandatory recount must be completed – notify the governing body of the results of the recount (31-10-1207(1))
	Requested recount must be completed (31-10-1207(2))
Friday, July 17-Monday, July 20	Written statement of intent to contest the election must be filed by this date in the district court clerk's office. (31-10-1303)
	Summons, trial & any resulting recounts are governed by (31-10-1304-1306)
	Any contest arising out of a ballot issue or ballot question election concerning the order on the ballot or the form or content of any ballot title shall be on grounds and shall be conducted. The procedure for contesting the ballot order or ballot title. set forth in (1-11-201(4)) (31-10-1301) as provided in (31-10-13) (31-10-1308) is governed by (1-11-203.5)
Thursday, July 30 (30 days after election)	Contribution reports required by the Fair Campaign Practices Act to be filed with the Clerk. Reporting period is June 22 thru July 25 (1-45-108(2)(a)(II))
Wednesday, December 30 (6 months)	Ballots, unless election is contested, shall be destroyed/shredded (31-10-616(1))
	Town Clerk must preserve all other official election records and forms for at least six months. (31-10-616(2))

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF MOUNTAIN VILLAGE, COLORADO
SETTING MAIL BALLOT ELECTION
FOR A GENERAL ELECTION TO BE HELD
ON JUNE 30, 2015**

NO. 2015-0423-

Recitals:

- A. The Town of Mountain Village, Colorado desires to conduct a General Municipal Election on the last Tuesday in June, 2015, in accordance with the provisions of the Town Charter.
- B. The Mail Ballot Election Act provides for the conduct of a General Municipal Election by mail ballot.
- C. Town Council believes that it will be in the best interest of all the Registered Electors to conduct such election by mail ballot.

NOW THEREFORE, BE IT RESOLVED, that the Town Council directs the Town Clerk and the appropriate members of her staff to take such action as necessary to conduct the June 30, 2015 General Municipal Election in accordance with the Mountain Village Town Charter, the Mail Ballot Election Act and Title 31 - Article 10 of the Colorado Revised Statutes.

BE IT FURTHER RESOLVED, that this Resolution shall be in full force and effect from April 23, 2015.

ADOPTED AND APPROVED by the Town Council at a regular meeting held on April the 23rd day of April 2015.

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

Memo

Agenda Item #22

To: Mayor Jansen and Town Council
From: J. David Reed
CC: File
Date: April 16, 2015
Re: Town Initiated Ordinance to Place Restrictions on the Maximum Density and Other Requirements on Lot 640A

This proposed Town initiated ordinance is in response to the Citizen initiated ordinance which is also before you at this meeting in the form of a resolution to consider placing the Citizen initiated ordinance on the ballot for the June 30, 2015 regular municipal election.

The Owner/Developer of Lot 640A has withdrawn its development application that you have had under consideration. In addition, the Owner/Developer and its legal counsel have indicated support for this proposed ordinance. This proposed ordinance has also been delivered to representatives of the "Petition Group" for their consideration, however, at the time of drafting this memorandum no response has been received from the "Petition Group". We will continue to try and reach out to this group between now and the Council meeting and provide you with an update as to their position at that time.

ORDINANCE NO. 2015-___

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
COLORADO TO PLACE RESTRICTIONS ON THE MAXIMUM DENSITY AND OTHER
REQUIREMENTS ON LOT 640A**

RECITALS

A. Lot 640A, Town of Mountain Village, San Miguel County, Colorado per the plat recorded in Plat Book 1, Page _____, Reception No. _____ (“**Lot 640A**”) is currently owned by Adams Ranch MV, LLC, a _____ limited liability company (“**Lot 640A Owner**”).

B. The current zoning and density on Lot 640A consists of 30 units of employee apartments and 90 person equivalents of density.

C. The Town’s Comprehensive Plan duly adopted in 2011 recommended that: (a) Lot 640A be developed with a target density of 91 workforce housing units on Lot 640A, with no requirement for a cap on population, (b) the provision of a park on Lot 640A or adjacent to Lot 640A, and (c) the installation of a fence along the North Star property line.

D. Following duly noticed public meetings held by the Town Council on _____, 2015, the Town Council had determined that it is appropriate to direct the Lot 640A Owner that in the event that the Lot 640A Owner elects to pursue development on Lot 640A, it shall do so in compliance with certain provisions, restrictions and limitations, generally stated and outlined in this Ordinance, which would be reflected in a mutually agreeable development agreement made between the Town and the Lot 640A Owner, which would be consistent with the requirements and restrictions stated in this Ordinance as well as all applicable requirements of the Town Community Development Code. Any such development would be reviewed and acted upon following the requisite public notice and meetings or hearings.

E. In adopting this Ordinance, the Town Council wishes to state and affirm its findings and determinations that the creation of workforce housing in the Mountain Village is a significant need and high priority for the Town.

F. The Town recognizes that the viability of the development on Lot 640A is dependent upon the ability of the Lot 640A Owner to be able to suitably achieve the owner’s goals, requirements and objectives with respect to circumstances relating to the ability to finance, market, operate and manage the project. The Town does not wish to impose requirements and restrictions which may compromise the viability of a workforce housing project on Lot 640A.

G. The Town further recognizes that development occurring on Lot 640A, if not properly balanced and mitigated, could negatively impact the reasonable use and enjoyment of other residents in the vicinity of the property.

H. The Town finds that the imposition of the conditions set forth in this ordinance are necessary to protect the health, safety and welfare of its citizens which must be balanced against the reasonable property rights and interests of the Lot 640A Owner in connection with the use and development of Lot 640A and its ability to develop a viable project on Lot 640A.

I. The adoption of this ordinance is intended to provide increased clarity and direction to the Lot 640A Owner in connection with development on Lot 640A, which the Lot 640A Owner may rely upon in pursuing any such development.

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves imposes the following limitations on any proposed rezoning on Lot 640A:

Section 1. Conditions of Rezoning:

In the event the Lot 640A Owner applies to the Town for a rezoning, replatting and/or density transfer for Lot 640A, the following conditions shall apply:

A. The maximum number of dwelling units that can be proposed and approved on Lot 640A shall not exceed 60 workforce housing units.

B. The maximum number of people on Lot 640A shall not exceed 200 people.

C. The maximum number of parking spaces and cars on Lot 640A shall not exceed 100, which shall be provided in the manner required by the Community Development Code. .

D. 15 of the units in the project would be able to have a pet, with a total cap of not more than 25 pets in the project.

E. The Lot 640A Owner and the Town shall jointly design, develop and fund a park on Lot 640A and, if permitted by TSG Ski and Golf Company, on a portion of Tract OSP-35A; thereafter, the Town shall operate, management, maintain and repair the park at the sole cost and expense of the Town.

F. The siting of the buildings will be pushed to the western portion of the site, within the area of the hillside as reasonable and feasible.

G. With the reduced density and population, the Town recognizes that the Lot 640A Owner may need to apply for various waivers concerning the development standards required by the Community Development Code, which waivers are available when workforce housing is being developed. This Ordinance does not grant any waivers, it only recognizes that waivers are available and may be applied for in accordance with Town regulations.

H. As part of its land use applications for the project, the Lot 640A Owner will describe the legal mechanisms which will be used by the Lot 640A Owner to monitor and insure compliance with the approvals granted by the Town, including the limitations and restrictions noted in this Ordinance, which shall include a requirement that a management company with daily onsite presence on Lot 640A will be retained to manage and oversee the project

The foregoing will be further reflected and detailed in a development agreement for the project at the time of project approval, between the Town and the Lot 640A Owner. The development agreement shall be recorded against the property in order to ensure compliance with the foregoing conditions.

Section 2. Ordinance Effect

A. This Ordinance shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.

B. 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 _____, 2015.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the ____ day of _____, 2015 in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the ____ day of _____, 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this ____ day of _____, 2015.

TOWN OF MOUNTAIN VILLAGE

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

By: _____
Dan Jansen, Mayor

ATTEST:

Jackie Kennefick, Town Clerk

Approved As To Form:

J. David Reed, Town Attorney

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

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

2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2015 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2015. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor				
Cath Jett, Mayor Pro-Tem				
Jonette Bronson				
John Howe				
Michelle Sherry				
Martin McKinley				
Dave Schillaci				

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this ____ day of _____, 2015.

Jackie Kennefick, Town Clerk

(SEAL)

Memo

Agenda Item #23

To: Mayor Jansen and Town Council
From: J. David Reed
CC: File
Date: April 16, 2015
Re: Resolution Placing Citizen Initiated Ordinance on the Ballot for the June 30, 2015 Regular Municipal Election

A Petition for an Election on a Citizen Initiated Ordinance to allow for an increase in density on lot 640A from its current allowed density but limiting density to 45 units was filed with the office of the Town Clerk. The Town Clerk verified that the Petition was signed by the required number of registered electors.

The Town Charter provides that an initiative petition received within 90 days of a regular municipal election shall be voted on at the next regular municipal election..

The purpose of this Resolution is to recognize the requirements of the Town Charter and to place the proposed Citizen Initiated Ordinance on the Ballot for the June 30, 2015, regular municipal election.

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
MOUNTAIN VILLAGE, COLORADO,
PLACING A CITIZEN INITIATED ORDINANCE TO ALLOW AN INCREASE IN
DENSITY ON LOT 640A FROM ITS CURRENT ALLOWED DENSITY BUT
LIMITING DENSITY TO 45 UNITS ON THE BALLOT FOR THE JUNE 30, 2015
REGULAR MUNICIPAL ELECTION**

NO. 2015-

RECITALS:

- A.** The Town of Mountain Village (the “Town”) in the County of San Miguel and State of Colorado, is a home rule municipality duly organized and existing under the laws of the State of Colorado and its Town Charter.
- B.** Article V Section 5.5(b) of the Town Charter holds that in order to actuate a Town election concerning a proposed ordinance which was originally introduced by initiative to the Town Council but failed to pass, an election shall be initiated by petition for such election which is signed by at least fifteen percent (15%) of the number of registered electors who voted in the last municipal election. Under the Town Charter, such petition for an election concerning a proposed ordinance shall be filed with the Town Clerk at least ninety (90) days prior to any regular municipal election, or shall require a special election.
- C.** Article V Section 5.6 of the Town Charter holds that within ten (10) business days of receipt of an initiative petition, the Town Clerk shall ascertain whether such petition complies with the requirements of the Town Charter.
- D.** A Petition for an Election on a Citizen Initiated Ordinance *TO ALLOW FOR AN INCREASE IN DENSITY ON LOT 640A FROM ITS CURRENT ALLOWED DENSITY BUT LIMITING DENSITY TO 45 UNITS* has been filed with the Town Clerk (the “Election Petition”). The Election Petition was filed at least ninety (90) days prior to the regular municipal election for the Town, set for June 30, 2015.
- E.** On April 4, 2015, within ten (10) days of the Election Petition being filed with the Town Clerk, the Town Clerk verified that the Election Petition was signed by at least fifteen percent (15%) of the number of registered electors who voted in the last municipal election.
- F.** Article V Section 5.3(b) of the Town Charter holds that an initiative petition received within ninety (90) days of a regular municipal election shall be voted on at the next regular municipal election.

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

The Town Council, in accordance with the provisions of the Town Charter, hereby places the Citizen Initiated Ordinance *TO ALLOW FOR AN INCREASE IN DENSITY ON LOT 640A FROM ITS CURRENT ALLOWED DENSITY BUT LIMITING DENSITY TO 45 UNITS* on the ballot for the regular municipal election set for June 30, 2015.

ADOPTED AND APPROVED by the Town Council of the Town of Mountain Village, Colorado, at a regular meeting held on the 23rd day of April, 2015.

TOWN OF MOUNTAIN VILLAGE, COLORADO, a
home rule municipality

By: _____
Dan Jansen, Mayor

ATTEST:

By: _____
Jackie Kennefick, Town Clerk

APPROVED AS TO FORM:

By: _____
James Mahoney, Assistant Town Attorney

TOWN OF MOUNTAIN VILLAGE
 Town Council Regular Meeting
 April 23, 2015
 8:30 a.m.

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

NAME: (PLEASE PRINT!!)

NAME	EMAIL
Greer Garner	EMAIL: garnerdr64@gmail.com
Anne Schopf	EMAIL: aschopf@maihum.com
PS BAUSER	EMAIL: PSBAUSER@MAHUM.COM
Joe Kunkel	EMAIL:
Carol Kammer	EMAIL: rkammer@telluride mail.com
Douglas Tooley	EMAIL: on file
DAN GARNER	EMAIL: GARNERD64@GMAIL.COM
Jean Vatter	EMAIL:
DAVID ECKMAN	EMAIL: deekman@eckmanem.com
Rex Alexander	EMAIL:
J.B. Hiley / FRS 06	EMAIL: FR2@SUNFLOOR.COM
Gracie Reichard	EMAIL:
Jessika Brennan	EMAIL:
Cheryl Fitzhugh	EMAIL:
Chantry Dasaro	EMAIL:
LYN GRUSS	EMAIL:
Lynn Gielewicz	EMAIL:
Brian Kovacs	EMAIL:
Joan Repala	EMAIL:
Ashley Nager	EMAIL: ashley.nager@gmail.com
Lyndee Dase	EMAIL:
Mike McCreedy	EMAIL:
Devin Morris	EMAIL:
Travis Parsons	EMAIL:
M M	EMAIL:

TOWN OF MOUNTAIN VILLAGE
Town Council Regular Meeting
April 23, 2015
8:30 a.m.

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

NAME: (PLEASE PRINT!!)

Julie Merrill EMAIL: _____

Joe Salmon EMAIL: *jsalmon@mountainvillage.com*

JULIE PINSON EMAIL: _____

Randy Roberts EMAIL: *Randy@MONANDLP.com*

Shirley McKinley P. McKinley EMAIL: _____

Rob Strong EMAIL: _____

JAMIE HUNSMAN EMAIL: _____

CAROL CUSTER EMAIL: *CUSTER-CAROL@yahoo.com*

Don Ju EMAIL: _____

HeliExperts International LLC

HeliExperts International LLC was formed in January 2012 with the merging of Raymond A Syms and Associates LLC and RJ Alexander Consulting LLC. Collectively, the HeliExperts team offers more than 75 years of highly specialized aviation, helicopter and heliport expertise and experience. Both founding members are active participants and contributors to the aviation and helicopter industries in multiple arenas of governmental rule making, regulatory policy authoring, aviation infrastructure design, technical research, education and training, safety initiatives and risk mitigation strategies. HeliExperts team members have donated thousands of hours to and actively collaborate with the Federal Aviation Administration, National Fire Protection Association, National Transportation and Safety Board, Transportation Safety Institute as well as numerous Aviation, Safety and Trade Organization, Groups and Associations. Both members were instrumental in assisting the Transportation Safety Institute in Oklahoma City in developing the current Heliport Evaluation Training Course used to train FAA Inspectors throughout the U.S. on heliport evaluation practices and procedures.

Raymond A. Syms:



Mr. Syms Possesses more than 45 years of military, general and commercial aviation experience as a pilot, instructor pilot, aviation manager, heliport developer, and aviation expert. Syms has qualified as an unchallenged aviation expert in federal, state and local courts in addition to official hearings and other regulatory proceedings. Additionally, Syms is the designer and primary author of the HAI Heliport/Vertiport Development Guide (a publication by the Helicopter Association International) and has spent more than 20 years serving on FAA and NFPA (National Fire Protection Association) committees that assist with authoring the FAA Heliport and Vertiport Design Advisory Circulars (the FAA's design recommendations for all heliports) and develop the NFPA Standards for Heliports (fire protection and safety standards for heliports). Syms is the current chair of the NFPA 418 Committee Standard for Heliports.

Rex J. Alexander:



Mr. Alexander possesses more than 30 years of military, general, and commercial aviation experience as a pilot, instructor pilot, safety manager, aviation regional manager, airframe and power-plant technician, heliport developer, educator, trainer, and aviation expert. Alexander has served as a board member and former President of the National EMS Pilots Association (NEMSPA) as well as a board member and former President of the Indiana State Association of Air Medical Services. Additionally Alexander has been involved in numerous industry and government initiatives including; NEMSPA National heliport safety survey, Model Air Medical State Guidelines Task Force, Heliport Risk and Liability Assessment Toolkit, FAA National Proposed Rule Making on HEMS and helicopter operations, and the NTSB hearings on Helicopter EMS operations and accident prevention. Mr. Alexander is a well-known and respected speaker lecturing throughout the United States and has published several well recognized industry articles on air medical, helicopter and heliport operations and safety.

- paint for the tower to stand out, the antenna shall be lowered to a height where these FAA requirements do not apply.
2. The existing and proposed towers and antennas shall be painted to match the surrounding tree color below the tree line and a blue gray above the tree line to mitigate visual impacts. The applicant shall provide color samples to the Town and San Miguel County for review and approval prior to or concurrent with submitting for a building permit.
 3. The new tower shall be designed to ~~handle as much colocation as possible~~ co-locate the number of antennas shown on the Proposed Site Elevations plan, Sheet C-3.1 dated 4/15/15.
 4. The current and proposed towers shall be made available for colocation of new telecommunication equipment so long as: (A) there is enough room on the tower for the new equipment (given the vertical & horizontal separation requirements of the current users), (B) there is enough structural capacity for the new equipment, and (C) the new equipment will not cause interference to the current users.
 5. Prior to issuing a building permit, the applicant shall submit long-term easements from The Ridge, TSG and any other intervening property owner for (1) the access road to the tower site; (2) the tower site; and (3) utility routes for existing and new utilities to the site. Prior to executing such easements, the Town shall review and approve the easements to ensure long-term vehicular and utility access across intervening land and long term tower siting.
 6. Prior to issuing a building permit, the applicant shall submit a composite utility plan to show the planned routes for power, fiber and any other necessary utilities to the site.
 7. The approved conditional use permit application is for the benefit of the existing tower that is owned by Telluride Ski and Golf, LLC ("TSG") and the proposed new ~~town tower~~ on TSG owned land. Therefore the conditional use permit is hereby granted to TSG and any successors or assigns.
 8. The conditional use permit shall be valid for a period of twenty (20) years from the Effective Date subject to meeting the conditions specified herein.

Section 2. 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.

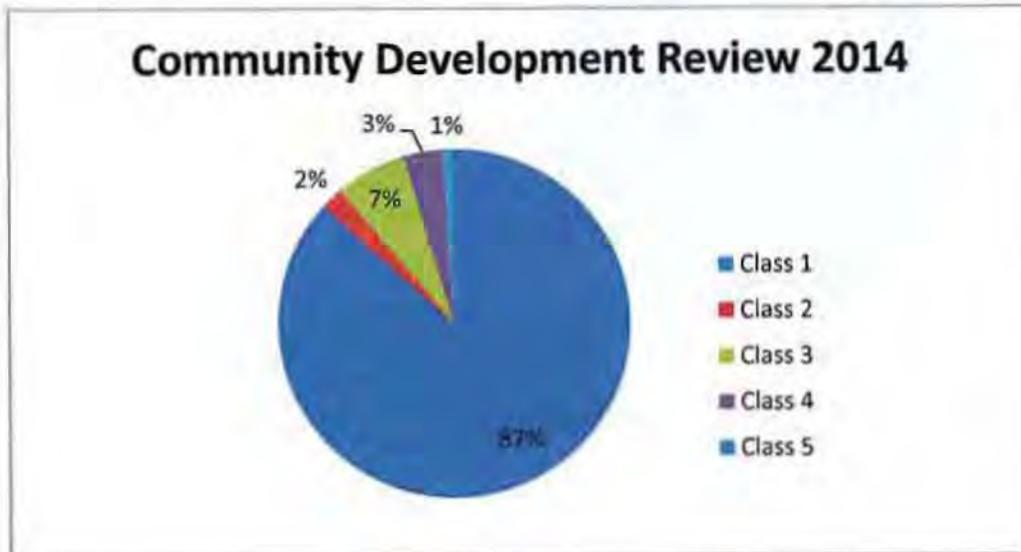
Section 3. Severability

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 4. Effective Date

This Resolution shall become effective on April 23, 2015 (the "Effective Date") as herein referenced throughout this Resolution.

Community Development Review Summary



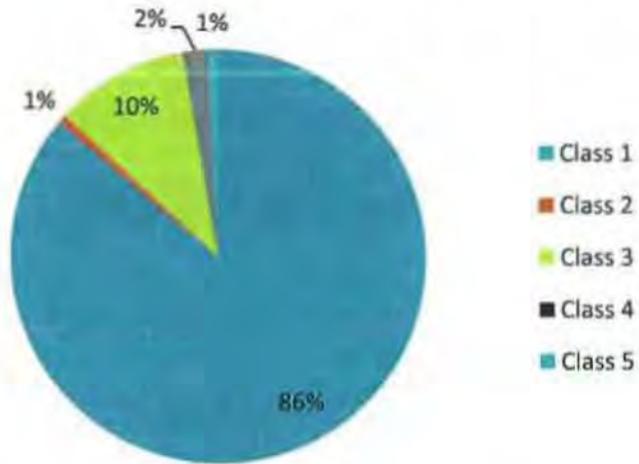
TOTAL BUSINESS DAYS TO ACTION (AVERAGE)

Class 1	6
Class 2	10
Class 3	44
Class 4	42
Class 5	26

TOTAL PROJECTS

Class 1	171
Class 2	4
Class 3	13
Class 4	7
Class 5	2
Total	197

Community Development Review 2013



TOTAL BUSINESS DAYS TO ACTION (AVERAGE)

Class 1	8
Class 2	8
Class 3	46
Class 4	69
Class 5	1

TOTAL PROJECTS

Class 1	132
Class 2	1
Class 3	16
Class 4	3
Class 5	1
Total	153

Meadows Comp Plan Summary		Zoned Density	Proposed Density	Recommended Density	(Reduced) Density
Prospect Plaza	Lot 648A	0	68	15	(53)
Town Shops	Lot 650	0	70	0	(70)
Lot 644		41	53	41	(12)
Telski Lot	Lot 651	15	54	15	(39)
Telluride Apts	Lot 640A	30	91	60	(31)
Totals		86	336	131	(205)



MEADOWS SUBAREA PLAN



Town Council Meeting

4/23/2015

Comprehensive Plan Future Housing Sites



Subject: FW: The Lofts and Medical Center

From: Brian Eaton <bingo.eaton@cox.net>
Date: April 20, 2015 at 5:32:28 PM MDT
To: Dan Jansen <DJansen@mtnvillage.org>
Subject: Fwd: The Lofts and Medical Center

From: Brian Eaton <bingo.eaton@cox.net>
Date: April 20, 2015 at 3:55:41 PM MST
To: "jbronson@mtnvillage.org" <jbronson@mtnvillage.org>, "jhowe@mtnvillage.org" <jhowe@mtnvillage.org>, "cjett@mtnvillage.org" <cjett@mtnvillage.org>, "djanesen@mtnvillage.org" <djanesen@mtnvillage.org>, "mmckinley@mtnvillage.org" <mmckinley@mtnvillage.org>, "dschillaci@mtnvillage.org" <dschillaci@mtnvillage.org>, "msherry@mtnvillage.org" <msherry@mtnvillage.org>
Subject: The Lofts and Medical

There is no benefit to us except for bringing more people, more congestion, less parking, and higher taxes. The bottom line is that when the County completes a new housing study, we can all participate in a plan that places new housing where it is needed, where the land is cheaper, and where it will not drive down our property values. The Medical center belongs in a centralized location for us, Telluride, Lawson Hill, Rico and down valley residents that is not at a higher altitude, and one that does not require a helipad, but is close to our 24-hour, all-weather airport.

As a long-time commercial pilot, just the thought of trying to land a single-engine, single-piloted VFR only helicopter on top of a building at 9500 ft. between the Gondola and Chairlift 10 is just plain stupid when we have a very safe airport just minutes away. If there is a catastrophic failure while landing or taking off, the bailout options are: Village Court Apartments, 220 units with a day-care center, the Market, the Town Hall and parking lot, or the Mountain Lodge. This is nothing like landing near the Peaks in clear daylight with little wind, or

down near the Texaco station on the valley floor where they normally extract people.

Therefore,

I hereby oppose the sale of the public property known as The Lofts to Belem Properties Co. LLC and the proposed First Amendment to Land Acquisition and Conveyance Agreement on the following grounds:

1. Town Council should not sell public land to a private developer at a below market price when the taxpayers and constituents are getting very little benefits in return, especially when the Town chose not to follow basic public procedures of issuing a request for proposal or obtaining an appraisal of the property. This project is not a model Public/Private deal but rather an example of horrible public policy;
2. Developer is receiving a \$3.75 million parking subsidy from the taxpayers, residents and constituents of Mountain Village;
3. Developer will have full and absolute control over the rents and increases to be charged;
4. Developer will be able to sell the units as condominiums starting in 2029 at sales prices solely determined by Developer so the residents and constituents will only have the benefits of rental units for approximately 12 years;
5. Developer is assigning its interest in the Contract of Sale to a corporate entity that doesn't even exist yet and likely has zero assets. The taxpayers of Mountain Village are at risk if Developer doesn't complete the project. The Town shouldn't give a zero asset entity a \$3.75 million parking subsidy without a full completion guaranty from Eric Wells; and
6. Town Council should have issued a request for proposal and obtained the maximum benefits possible for its citizens.

I ask that my email be included in the public record.

Brian J Eaton
104 Gold Hill Ct
Mt Village

Subject: FW: The Lofts

From: Dan Jansen <DJansen@mtnvillage.org>
Date: April 21, 2015 at 8:39:21 AM MDT
To: Jackie Kennefick <JKennefick@mtnvillage.org>
Subject: Fwd: The Lofts

Second one

Sent from my iPad

Begin forwarded message:

From: Kim Hewson <kimwal@telluridecolorado.net>
Date: April 20, 2015 at 5:55:58 PM MDT
To: <djansen@mtnvillage.org>
Subject: The Lofts
Reply-To: <kimwal@telluridecolorado.net>

To TMV Council Members:

We hereby oppose the sale of the public property known as The Lofts to Belem Properties Co. LLC and the proposed First Amendment to Land Acquisition and Conveyance Agreement on the following grounds:

1. Town Council should not sell public land to a private developer at a below market price when the taxpayers and constituents are getting very little benefits in return, especially when the Town chose not to follow basic public procedures of issuing a request for proposal or obtaining an appraisal of the property. This project is not a model Public/Private deal but rather an example of horrible public policy;
2. Developer is receiving a \$3.75 million parking subsidy from the taxpayers, residents and constituents of Mountain Village;
3. Developer will have full and absolute control over the rents and increases to be charged;
4. Developer will be able to sell the units as condominiums starting in 2029 at sales prices solely determined by Developer so the residents and constituents will only have the benefits of rental units for approximately 12 years;
5. Developer is assigning its interest in the Contract of Sale to a corporate entity that doesn't even exist yet and likely has zero assets. The taxpayers of Mountain Village are at risk if Developer doesn't complete the project. The Town shouldn't give a zero asset entity a \$3.75 million parking subsidy without a full completion guaranty from Eric Wells; and
6. Town Council should have issued a request for proposal and obtained the maximum benefits possible for its citizens.

We ask that this email be included in the public record.

Kim and Wally Hewson
110 Polecat Lane
TMV

Subject: FW: The Lofts

From: Dan Jansen <DJansen@mtnvillage.org>
Date: April 21, 2015 at 8:39:21 AM MDT
To: Jackie Kennefick <JKennefick@mtnvillage.org>
Subject: Fwd: The Lofts

Second one

Sent from my iPad

Begin forwarded message:

From: Kim Hewson <kimwal@telluridecolorado.net>
Date: April 20, 2015 at 5:55:58 PM MDT
To: <djansen@mtnvillage.org>
Subject: The Lofts
Reply-To: <kimwal@telluridecolorado.net>

To TMV Council Members:

We hereby oppose the sale of the public property known as The Lofts to Belem Properties Co. LLC and the proposed First Amendment to Land Acquisition and Conveyance Agreement on the following grounds:

1. Town Council should not sell public land to a private developer at a below market price when the taxpayers and constituents are getting very little benefits in return, especially when the Town chose not to follow basic public procedures of issuing a request for proposal or obtaining an appraisal of the property. This project is not a model Public/Private deal but rather an example of horrible public policy;
2. Developer is receiving a \$3.75 million parking subsidy from the taxpayers, residents and constituents of Mountain Village;
3. Developer will have full and absolute control over the rents and increases to be charged;
4. Developer will be able to sell the units as condominiums starting in 2029 at sales prices solely determined by Developer so the residents and constituents will only have the benefits of rental units for approximately 12 years;
5. Developer is assigning its interest in the Contract of Sale to a corporate entity that doesn't even exist yet and likely has zero assets. The taxpayers of Mountain Village are at risk if Developer doesn't complete the project. The Town shouldn't give a zero asset entity a \$3.75 million parking subsidy without a full completion guaranty from Eric Wells; and
6. Town Council should have issued a request for proposal and obtained the maximum benefits possible for its citizens.

We ask that this email be included in the public record.

Kim and Wally Hewson
110 Polecat Lane
TMV

Susan Johnston

Subject: FW: Mt. Village Medical Center, Helipad and Lofts Developments

From: Dan Jansen <DJansen@mtnvillage.org>
Date: April 21, 2015 at 10:15:33 AM MDT
To: Jackie Kennefick <JKennefick@mtnvillage.org>
Subject: Fwd: Mt. Village Medical Center, Helipad and Lofts Developments another one with same text

Sent from my iPad

Begin forwarded message:
From: Marilyn Quayle <mtquayle@quayleassoc.com>
Date: April 21, 2015 at 10:13:54 AM MDT
To: "djansen@mtnvillage.org" <djansen@mtnvillage.org>
Subject: Mt. Village Medical Center, Helipad and Lofts Developments

We hereby oppose the sale of the public property known as The Lofts to Belem Properties Co. LLC and the proposed First Amendment to Land Acquisition and Conveyance Agreement on the following grounds:

1. Town Council should not sell public land to a private developer at a below market price when the taxpayers and constituents are getting very little benefits in return, especially when the Town chose not to follow basic public procedures of issuing a request for proposal or obtaining an appraisal of the property. This project is not a model Public/Private deal but rather an example of horrible public policy;
2. Developer is receiving a \$3.75 million parking subsidy from the taxpayers, residents and constituents of Mountain Village;
3. Developer will have full and absolute control over the rents and increases to be charged;
4. Developer will be able to sell the units as condominiums starting in 2029 at sales prices solely determined by Developer so the residents and constituents will only have the benefits of rental units for approximately 12 years;
5. Developer is assigning its interest in the Contract of Sale to a corporate entity that doesn't even exist yet and likely has zero assets. The taxpayers of Mountain Village are at risk if Developer doesn't complete the project. The Town shouldn't give a zero asset entity a \$3.75 million parking subsidy without a full completion guaranty from Eric Wells;
- and 6. Town Council should have issued a request for proposal and obtained the maximum benefits possible for its citizens.

We ask that our email be included in the public record.

Submitted by,

Dan and Marilyn Quayle
116 Sundance Lane
Mountain Village, CO

Susan Johnston

Subject: FW: mountain village Lofts development

From: Tim Kunda <tim.kunda@gmail.com>

Subject: mountain village Lofts development

Date: April 21, 2015 at 8:33:12 PM CDT

To: djanesen@mtnvillage.org, jbronson@mtnvillage.org, jhowe@mtnvillage.org,
cjett@mtnvillage.org, mmckinley@mtnvillage.org, dschillaci@mtnvillage.org, msherry@mtnvillage.org

Council Members,

This issue has only recently come to my attention and I am concerned that such a significant change could have occurred without my knowledge or input. I think it would be prudent to reexamine this issue and provide ample opportunity for resident participation.

I hereby oppose the sale of the public property known as The Lofts to Belem Properties Co. LLC and the proposed First Amendment to Land Acquisition and Conveyance Agreement on the following grounds:

1. Town Council should not sell public land to a private developer at a below market price when the taxpayers and constituents are getting very little benefits in return, especially when the Town chose not to follow basic public procedures of issuing a request for proposal or obtaining an appraisal of the property. This project is not a model Public/Private deal but rather an example of horrible public policy;
2. Developer is receiving a \$3.75 million parking subsidy from the taxpayers, residents and constituents of Mountain Village;
3. Developer will have full and absolute control over the rents and increases to be charged;
4. Developer will be able to sell the units as condominiums starting in 2029 at sales prices solely determined by Developer so the residents and constituents will only have the benefits of rental units for approximately 12 years;
5. Developer is assigning its interest in the Contract of Sale to a corporate entity that doesn't even exist yet and likely has zero assets. The taxpayers of Mountain Village are at risk if Developer doesn't complete the project. The Town shouldn't give a zero asset entity a \$3.75 million parking subsidy without a full completion guaranty from Eric Wells; and
6. Town Council should have issued a request for proposal and obtained the maximum benefits possible for its citizens.

I ask that my email be included in the public record.

Tim Kunda
311 Fairway Drive
Telluride, CO 81435

610-999-2242
888-909-6492 fax
tim.kunda@gmail.com

Chris Hawkins

From: Steve Evans <s.o.evans@cox.net>
Sent: Thursday, April 16, 2015 3:36 PM
To: Chris Hawkins
Subject: Telluride Medical Center Heliport Conditional Use Permit

Dear: Mr. Hawkins

We own two single family lots, 1002A and 1002B on Larkspur Lane in Mountain Village. The purpose of this email is to express our opposition to the proposed heliport on lot 1003R-1. We and other residents in our single family neighborhood have opposed the continued increase of non-residential uses in the Town Hall area. There were more appropriate locations for the Medial Center both within Mountain Village and the region and this heliport is a concrete example of why it is intrusive in an area surrounded by residential.

Locating the Medical Center in this area was a bad idea for several reasons and this heliport is one of them.

Thank you,

Steve Evans
301 larkspur Lane
Mountain Village, CO 81435
480-429-8292
970-728-5884

Chris Hawkins

Subject: FW: April 23 CUP Hearing

From: Fansler, Davis [<mailto:dfansler@wipfli.com>]

Sent: Tuesday, April 14, 2015 3:47 PM

To: Gordon Reichard; 'Allen Solomon'

Cc: Diana Koelliker - AOL

Subject: RE: April 23 CUP Hearing

Gordon

I'm afraid I will be out of the country from April 16-26. While I only needed ambulance transport for my two stents (helicopter and fixed wing were not available and/ or weather issues) I unequivocally support a helipad if for no other reason than the level of comfort it provides both our locals but also second homeowners to tend to be an older demographic who are used to accessing near-immediate tertiary care in their primary residences.

Good luck.

Thanks

Davis D. Fansler | Director, Health Care Practice | Direct: 970-209-6986 | Fax: 952-548-3500

7601 France Avenue South, Suite 400, Minneapolis, MN 55435

www.wipfli.com | dfansler@wipfli.com



From: Gordon Reichard [<mailto:greichard@tellmed.org>]

Sent: Tuesday, April 14, 2015 1:54 PM

To: 'Allen Solomon'; Fansler, Davis

Cc: Diana Koelliker - AOL

Subject: April 23 CUP Hearing

Dr. Solomon & Davis,

On April 23 at 11:25 am at the Town Hall in Mountain Village, TMV is holding a Conditional Use Permit Hearing for the medical helipad to be constructed to the north of the new facility. I am hoping that you can attend and during public comment give your story as to why a medical helipad and having ready access to a helicopter is so important to you. It is hard for me to imagine building a new medical facility without this capability but there are a couple of very vehement individuals that are going to come out strong against it. We are recruiting supporter to attend the hearing that can speak from experience and you two have a great story to tell of how the helicopter was so critically important to getting you to definitive care.

I hope you can attend!
gordon

Gordon Reichard
Telluride Medical Center
Executive Director
500 W Pacific Ave Box 1229
Telluride, CO 81435
970.728.9782 Ofc
970.596.1282 Cell
970.728.0119 Fax
gordon@tellmed.org
www.tellmed.org

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WIPFLI LLP
CPAs and Consultants

Chris Hawkins

From: brian kanaga <brian_kanaga@yahoo.com>
Sent: Wednesday, April 22, 2015 6:39 PM
To: Jonette Bronson; John Howe; Dan Jansen; Cath Jett; Marty McKinley; Dave Schillaci; Michelle Sherry
Cc: Jackie Kennefick; Chris Hawkins
Subject: Comments on the CUP Helipad application (Agenda Item 5)

Dear Council Members:

Since we are compressing a Worksession, DRB, and Council application into a single hour, I would like to give you my talking points (and those collected from my neighbors) in advance of tomorrow's meeting.

Sincerely,
Brian Kanaga

Helipad Condition Use Permit Recommendations

Residential Neighborhood Requirements:

- 1) VFR flights ONLY (no night-flights).
- 2) Critical outgoing flights ONLY.
- 3) 20 flights in a 12 month period will trigger an end-of-year permit review.
- 4) Permit must be re-approved if additional garage levels are constructed.

Gondola and Chair #10 Shutdowns

The chairlift/gondola evacuation & shutdown procedures that have been discussed for the last 6 months (and at the earlier design charrette) have not been included in this application. Please correct this oversight and reinstate these public safety procedures.

Gondola and Chair #10 - CPTSB Safety Determination

The Applicant should be required to apply for and receive a permanent variance for relief from the Colorado Passenger Tramway Safety Board ("CPTSB") rule 3.1.1.3.2.1 ("Airspace Requirements") prior to the use of airspace above the Gondola and Chair #10.

Gondola - FTA Safety Determination

The TMVOA relies on grants to fund the Gondola maintenance (over 100k/year). The Federal Transit Authority ("FTA") withholds a grant recipient's funding when public safety issues exist.
The Applicant should be required to obtain a **determination letter** from the FTA that their heliport flight-paths and safety procedures are in compliance with federal transit law 49 U.S.C. § 5329 (as amended by MAP-21) before encroaching into the Gondola airspace.

Insurance Amounts

The Skier Safety Act does **NOT** cap damages associated with an injury occurring to a passenger while riding on a passenger tramway. *Bayer v. Crested Butte Mountain Resort, 960 P.2d 70* (Colo. 1998).

The Applicant should be required to obtain insurance policies in excess of \$5MM and the Applicant should “indemnify, defend, and hold harmless the Resort Operator and TMVOA from any accidents occurring directly or indirectly from helicopter operations near their equipment (including but not limited to rotor-wash).”

Helipad Design Standards

The helipad should be **certified as compliant** with FAA guidelines and recommendations (including advisory circular AC 150/5390-2C).

In particular the Applicant should be required to design the helipad to comply with the FAA “High Elevation” recommendations (407.b.1) and establish a Heliport Protection Zone to enhance the protection of people and property on the ground (410) as described in AC 150/5390-2C.

4/21/15

Dear Mountain Village Town Council,

It is my understanding that density for the Meadows Area will be discussed at the next Town Council meeting. I am a resident of Mountain Village and live in Timberview in the Meadows. I like living in Mountain Village and in the Meadows and I hope that my neighborhood continues to be a nice place to live.

In relationship to the rest of Mountain Village the Meadows is densely populated. At this point it is a lovely neighborhood but it is my feeling that if the Town of Mountain Village continues to increase density in this area it will make the Meadows an undesirable location. This will affect the property values of the current home owners in a negative way.

There is plenty of land left in Mountain Village and I am not sure why the Meadows is the first place Town Council looks when there is a need for increased density such as employee housing. I am asking that you please look to other parcels such as the one below the parking garage or something closer to the core so that it appears that there is life in the core. Having people closer to the core would increase vibrancy there and increase restaurant and retail sales.

I understand there is a need for employee housing and I am not opposed to Lot 640A being redeveloped for that purpose but I am opposed to the proposed increase in size. I am also leery of the developer completing the project and meeting whatever regulations are imposed by town council as he has had 3 other failed projects in Mountain Village and I do not want to live next door to a failed project.

In closing I thank you for your time and interest. Please do not increase density in the Meadows. Every town in America has a park so why not put a park in the Meadows and start increasing density elsewhere?

Thank you,

A handwritten signature in cursive script, appearing to read "Cheryl Fitzhugh".

Cheryl Fitzhugh



**HeliExperts
International
LLC**

04/29/2015

Telluride Medical Center Telluride, Colorado



April 23, 2015

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HeliExperts Experience

- **A combined 75+ years of rotary wing and fixed wing aviation piloting, maintenance and management experience with an extensive background in military, corporate, offshore, and air medical operations.**
- **35+ years in aeronautical consulting, safety, heliport development, education, and litigation support services.**
- **500+ heliports designed and over 3,000 heliports visited or audited worldwide.**
- **Clients include: FAA, DOD, Department of Energy, Transportation Safety Institute, Department of Justice, U.S. Army, U.S. Air Force, U.S. Navy, U.S. Army Corp of Engineers, States of New York, New Jersey, Hawaii and Illinois as well over 400 corporations, organizations and individuals.**
- **Only independent professionals from industry requested to meet with the FAA on the redrafting of the current heliport advisory circular.**



U.S. Agencies and Organizations That Govern or Provide Guidance on Heliports

- **FAA:** Federal Aviation Administration
- **NFPA:** National Fire Protection Association
- **IBC** International Building Code
- **IFC** International Fire Code
- **OSHA:** Occupational Safety & Health Administration
- **NTSB:** National Transportation & Safety Board
- **NEMSPA:** National EMS Pilots Association
- **HAI:** Helicopter Association International
- **CAMTS:** Commission on Accreditation of Medical Transport Systems

Primary Guidance for Heliports in the U.S.



U.S. Department
of Transportation

Federal Aviation
Administration

Advisory Circular

Subject: Heliport Design

Date: 4/24/2012

AC No: 150/5390-2C
Change

Initiated by: AAS-100

1. **Purpose.** This advisory circular (AC) provides standards for the design of heliports serving helicopters with single rotors. Apply basic concepts to facilities serving helicopters with tandem (front and rear) or dual (side by side) rotors, however many standards will not apply.
2. **Cancellation.** This AC cancels AC 150/5390-2B, Heliport Design, dated September 30, 2004.
3. **Application.** The Federal Aviation Administration (FAA) recommends the guidelines and specifications in this AC for materials and methods used in the construction of heliports. In general, use of this AC is not mandatory. However, use of this AC is mandatory for all projects funded with federal grant monies through the Airport Improvement Program (AIP) and with revenue from the Passenger Facility Charge (PFC). See Grant Assurance No. 34, Policies, Standards, and Specifications, and PFC Assurance No. 9, Standards and Specifications. For information about grant assurances, see http://www.faa.gov/airports/aip/grant_assurances/. The use of terms implying strict compliance applies only to those projects. Other federal agencies, states, or other authorities having jurisdiction over the construction of other heliports decide the extent to which these standards apply.
4. **Principal changes.**
 - a. Changed the term for the helicopter overall length (OL) to "D" or "D-value."
 - b. Added definitions for design loads for static and dynamic load-bearing areas (LBA).
 - c. Added guidance for pavement or structure larger than the touchdown and liftoff area (TLOF), but less than the size of the final approach and take off (FATO).
 - d. Added guidance for turbulence effects.
 - e. Added guidance to provide adequate clearance between parking areas and taxi routes and within parking areas.
 - f. Added guidance for minimum dimensions of curved approach/departure airspace.
 - g. Added guidance for Touchdown/Positioning Circle (TDPC) Marking.
 - h. Added guidance for Flight Path Alignment Guidance markings and lights.
 - i. Added an appendix providing guidance for Emergency Helicopter Landing Facility Requirements (EHLF).
 - j. Added FATO to FATO separation distance for simultaneous operations.
 - k. Revised standards for size of "H" for general aviation heliports.
 - l. Added increased TLOF size when the FATO of a hospital heliport is not load bearing.

NFPA 418 Standard for Heliports 2011 Edition



National Fire Protection Association 1 Batterymarch Park, PO Box 9101, Quincy, MA 02269-9101

Hospital Heliport Safety Record for the General Public

- **National Safety Council**

“we found no accounts of hospital heliport related injuries to members of the general public, whether from direct contact with the helicopter itself or as the result of being distracted by the helicopter while driving.”



ATTN: Raymond Syms
HelbExperts International LLC
28 Baruch Drive
Long Branch, NJ 07740

October 20, 2014

Dear Mr. Syms:

The mission of the National Safety Council is to make our world safer by preventing injuries and deaths at work, in homes and communities, and on the roads through leadership, research, education and advocacy. To support this mission, the Library of the National Safety Council gathers, catalogs and disseminates safety statistics, research and other information from a wide range of reputable sources.

As you requested, we searched our holdings for documents detailing any injuries of persons from the general public at or in the vicinity of hospital heliports. The search located a number of documents addressing incidents resulting in injuries and fatalities to flight crew members and passengers. However, we found no accounts of hospital heliport-related injuries to members of the general public, whether from direct contact with the helicopter itself or as the result of being distracted by the helicopter while driving.

I hope this information is helpful. Please let me know if we can be of any further assistance.

A handwritten signature in black ink that reads "Alaina Kolosh".

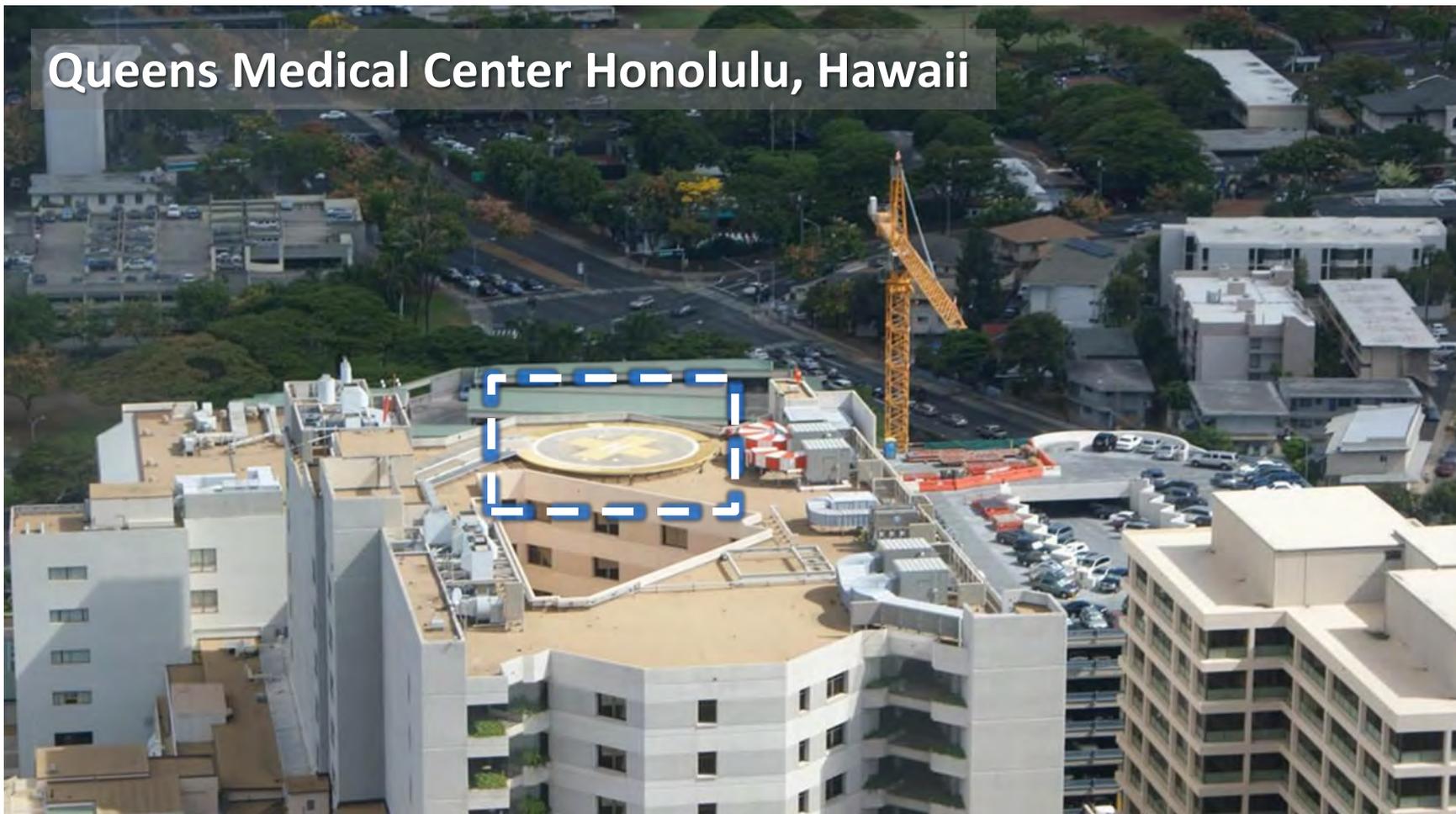
Alaina Kolosh
National Safety Council
Manager, Library & Information Services

making our world safer™

1121 SPRING LAKE DRIVE • ITARDIA, IL 60143-0201 • (800) 285-4121 • (800) 285-4316 • www.nsc.org

Elevated/Rooftop Heliports

Queens Medical Center Honolulu, Hawaii



Elevated/Rooftop Heliports

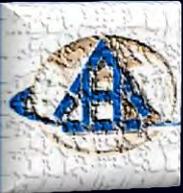
Union Memorial Medical Center / Baltimore, Maryland



Elevated/Rooftop Heliports

Lurie Children's Hospital / Chicago, Illinois

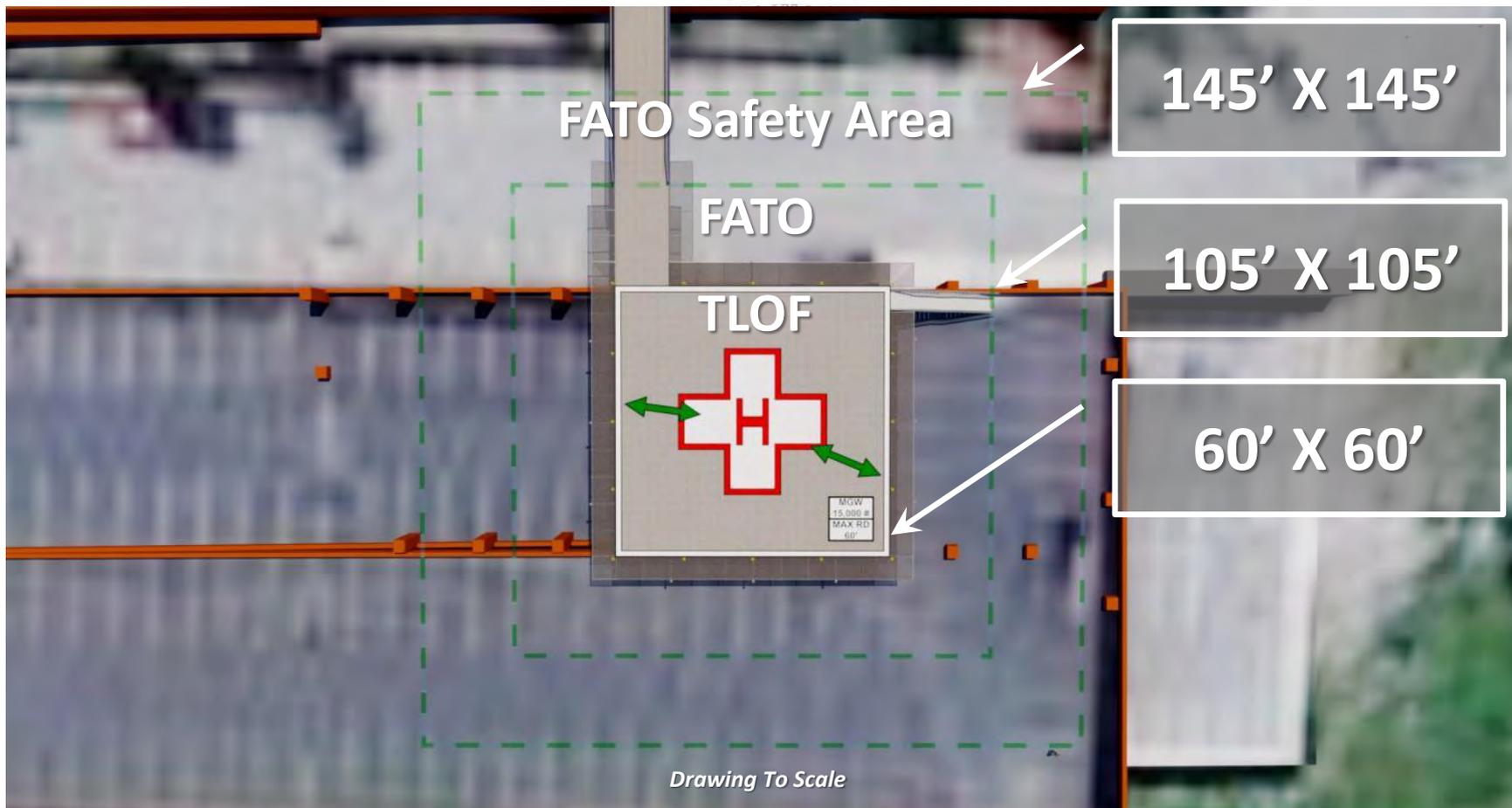




Basic Terminology

- **TLOF**
 - Touchdown and Liftoff Area
 - **FATO**
 - Final Approach and Takeoff Area
 - **FATO Safety Area**
 - **Approach/Departure Surface**
 - 8:1 slope
 - **Transitional Surface**
 - 2:1 slope
- 

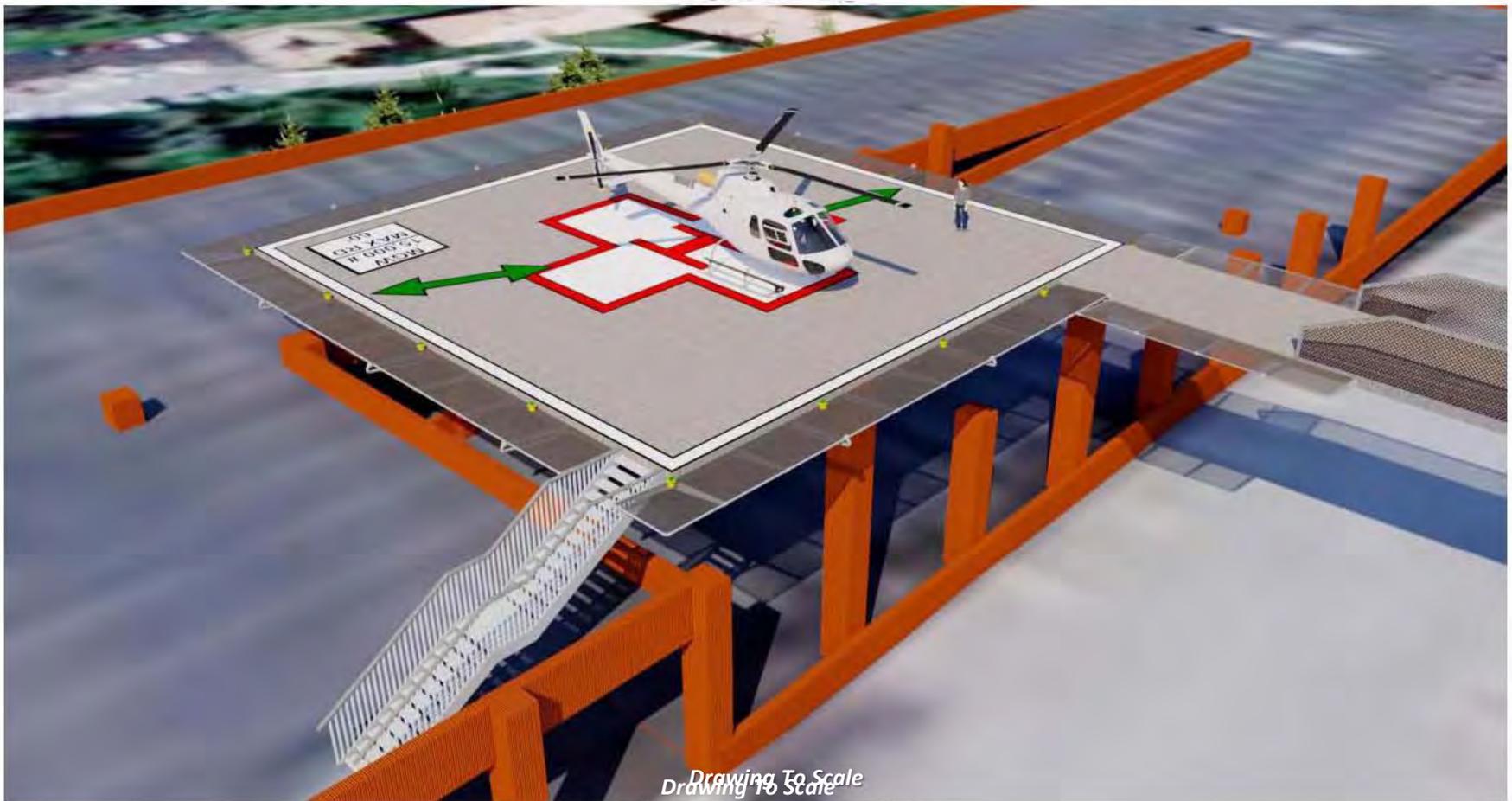
Heliport Layout & Dimensions



Anatomy of a Compliant Heliport



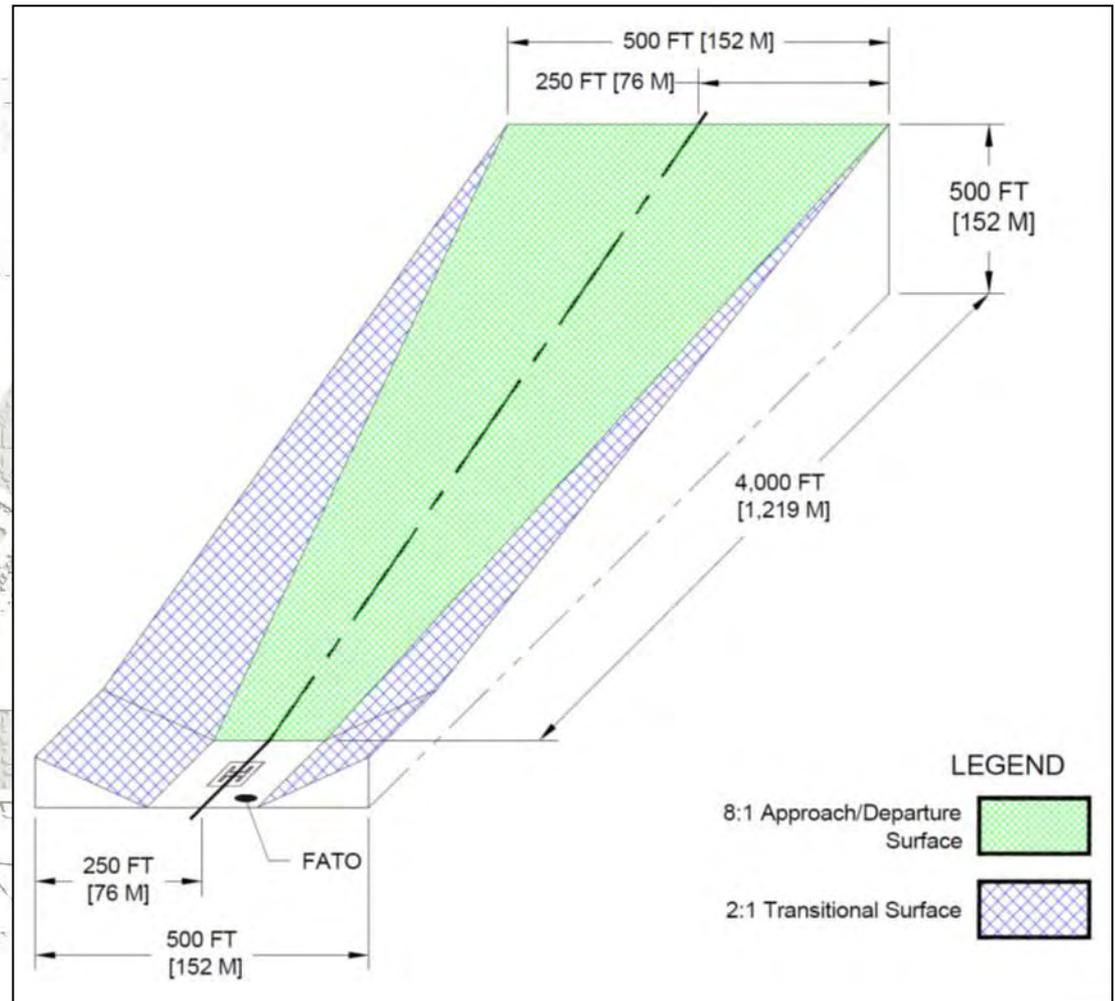
TMC Proposed Heliport Location



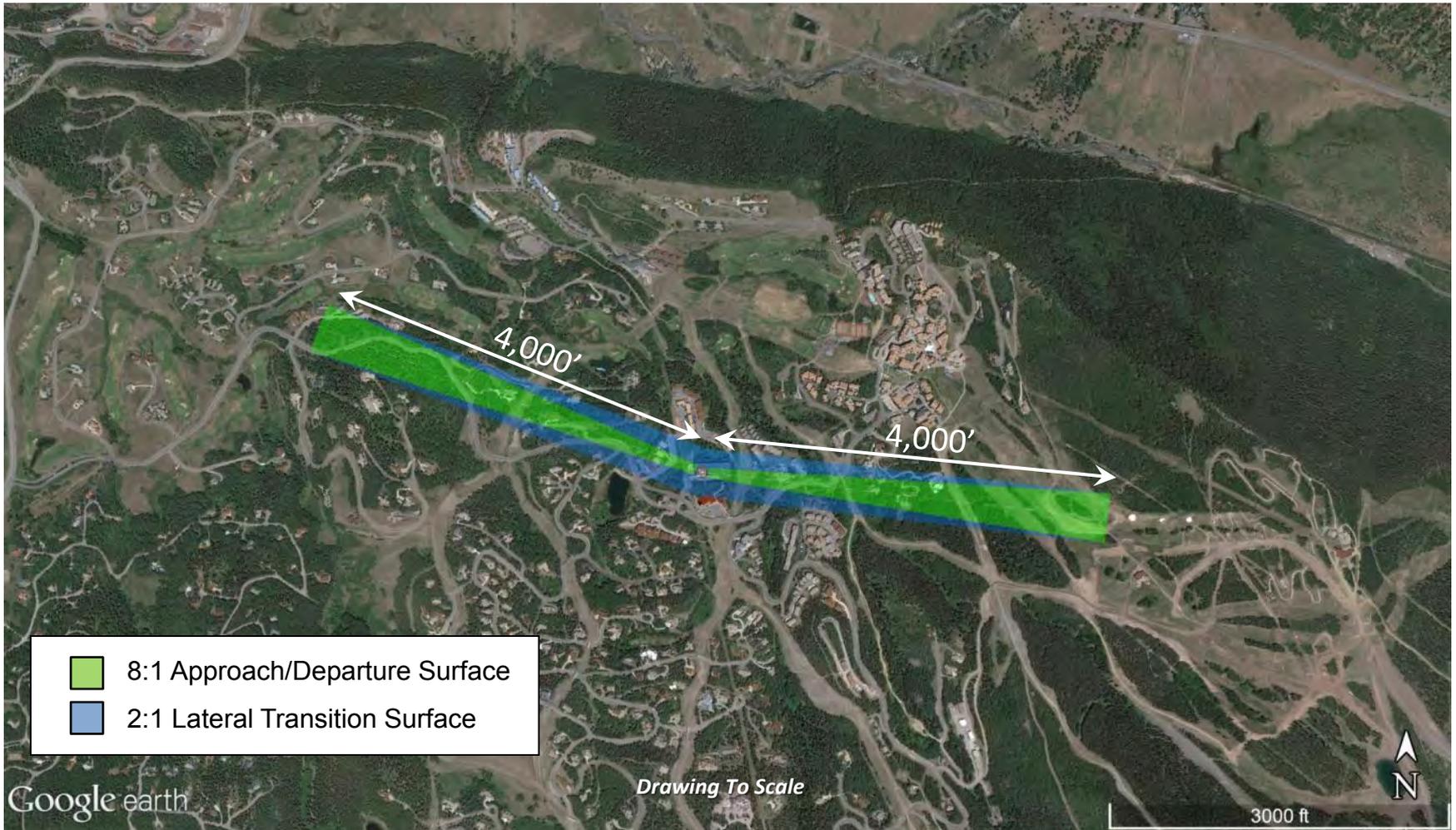
FAA Airspace Straight-In App/Dep Path

FAA AC 150 5390-2C
(4/24/2012)

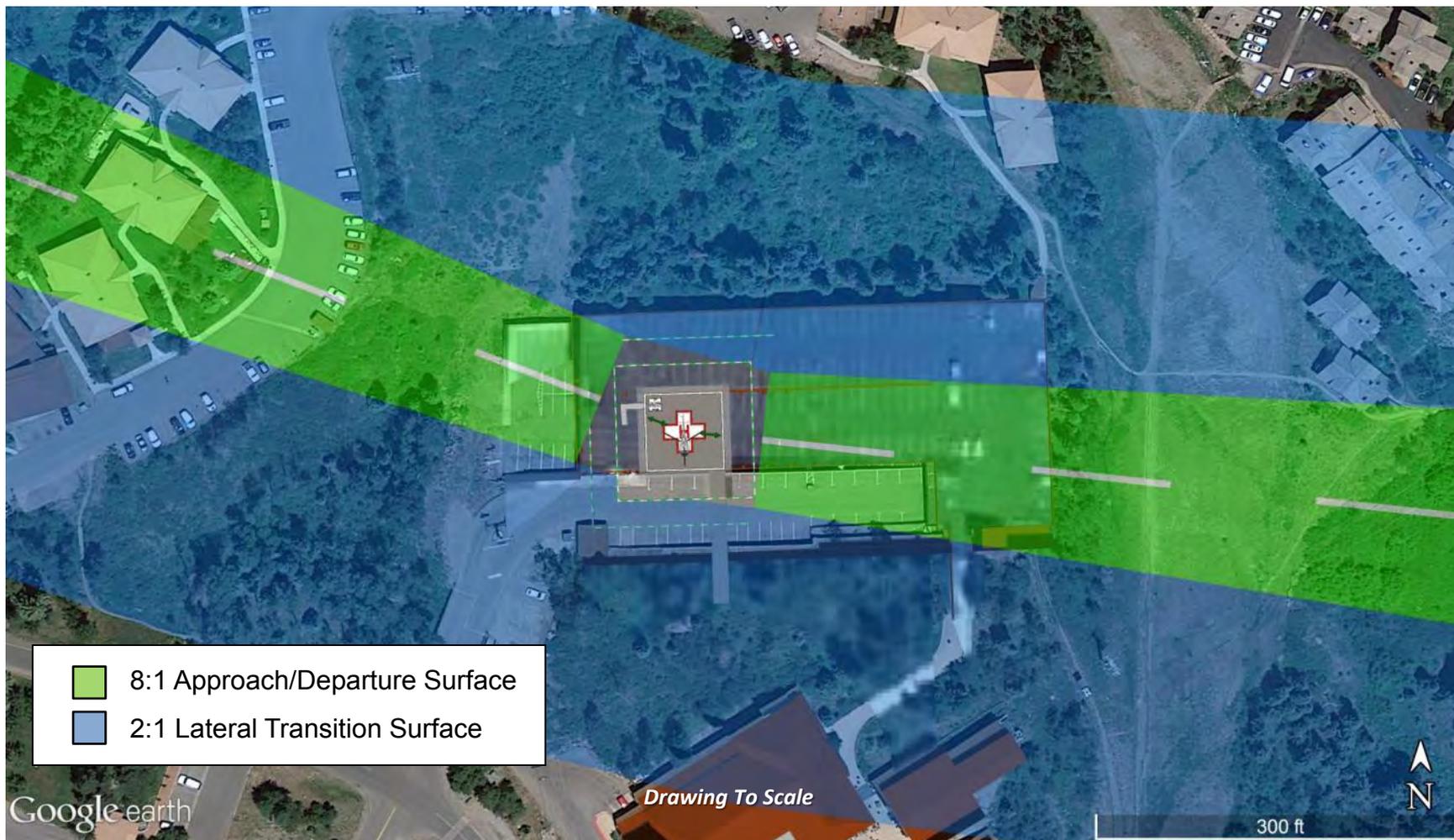
Figure 4-6
VFR Heliport
Approach/Departure
and Transitional
Surfaces: Hospital



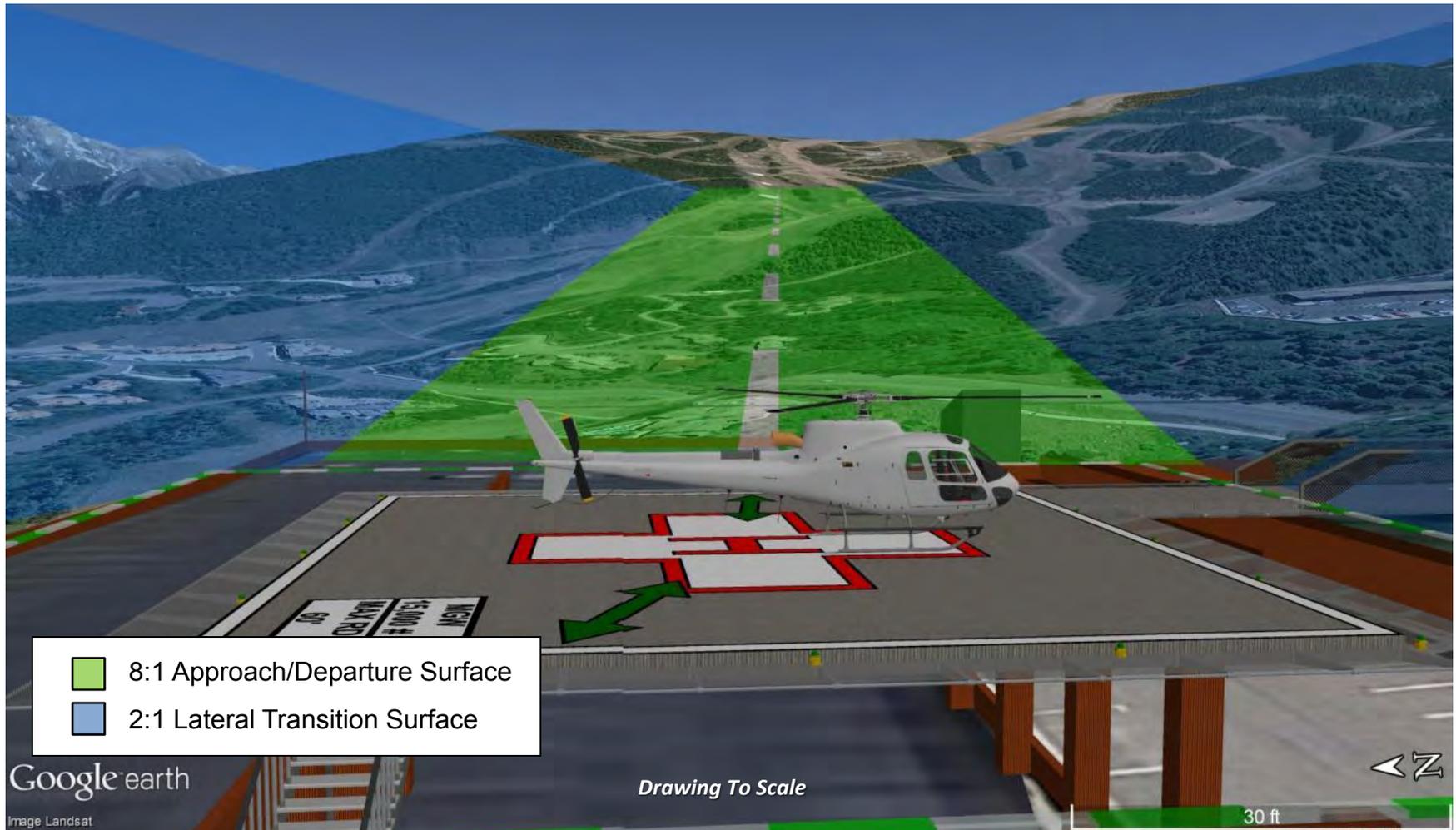
Proposed TMC Airspace High Overhead View



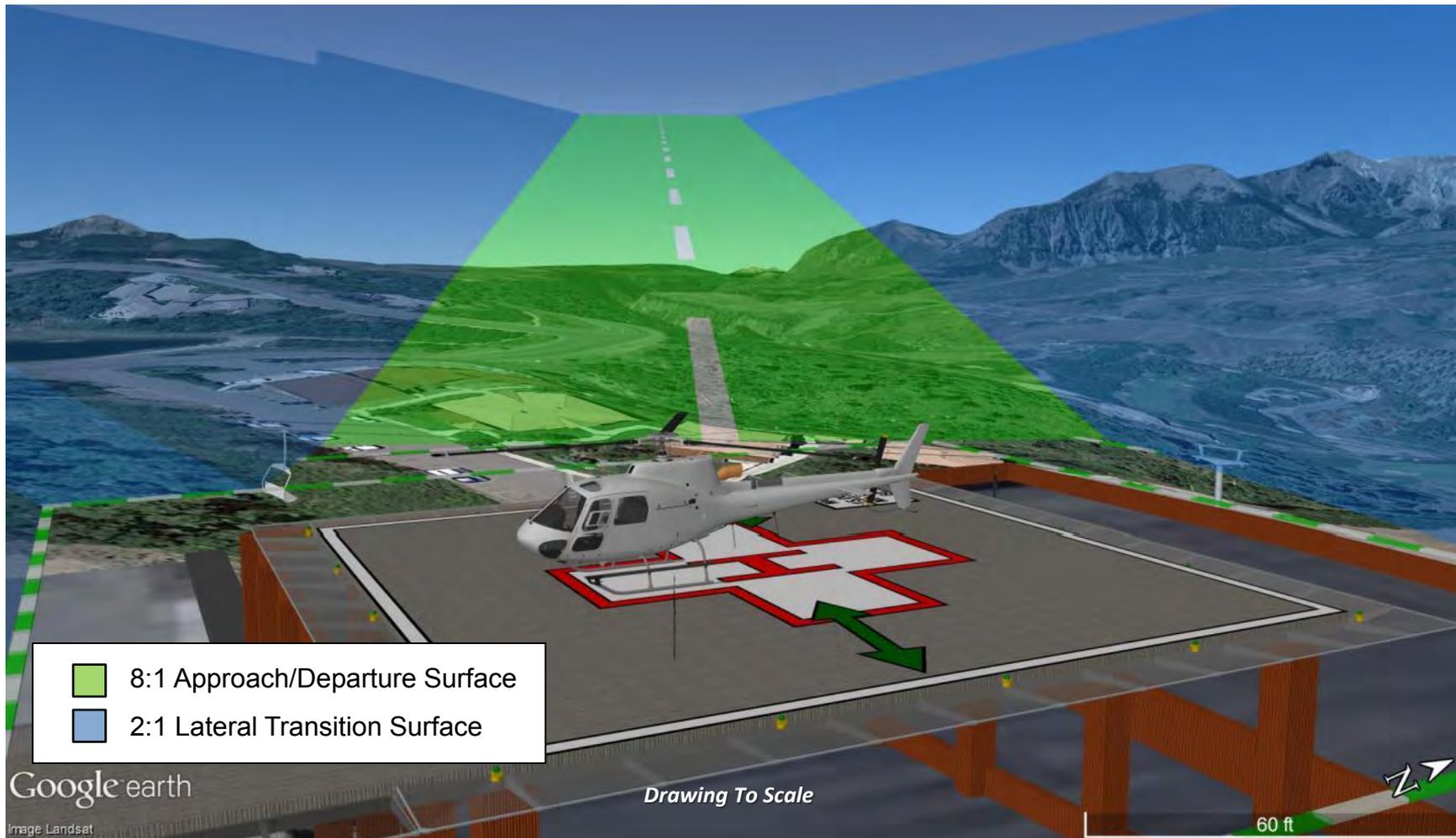
Proposed TMC Airspace Low Overhead View



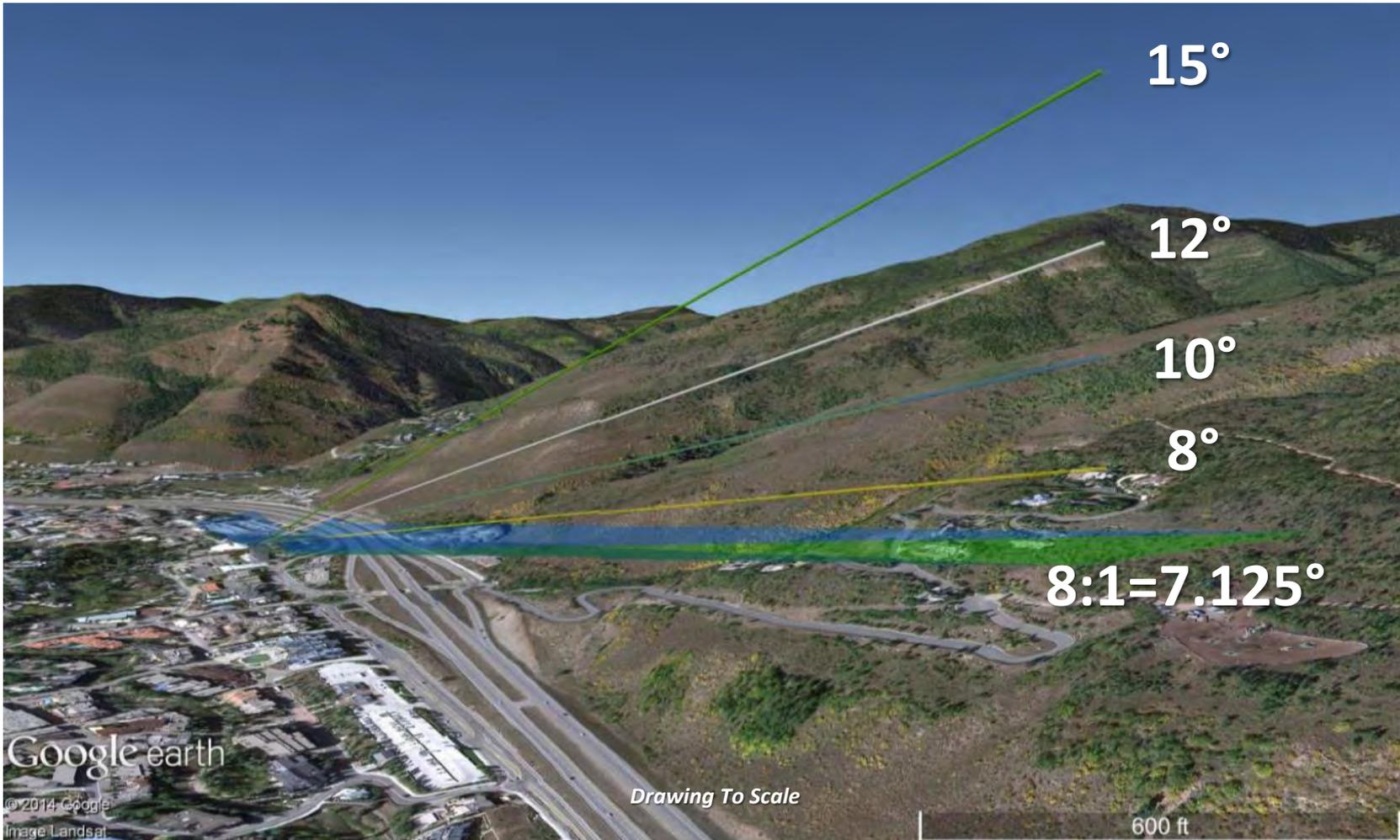
Proposed TMC Airspace Looking East



Proposed TMC Airspace Looking Northwest



Approach/Departure Angles



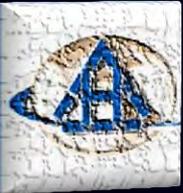


Expected Utilization

- **TMC Retrospective Analysis on Helicopter Transport Utilization.**

Patient Transports Per Year (2011-2014)

Average Transports per Year:	160
Average Transports by Helicopter:	11
Estimated Heliport Utilization:	1 every 33 days



Operational Specific Policies

- **Standard Policies of Operation**
 - **Only TMC approved providers will be utilized.**
 - **Strict criteria for patient transport will be utilized.**
 - **Pilots are protected from patient information.**



Decision Making

- **Pilots base their decision to go or not to go strictly on:**
 - ***Weather***
 - ***Performance***
 - ***Crew availability***
- 



Pilot Training Requirements

- **Prior to conducting operations at TMC pilots will:**
 - **Complete online pilot training program**
 - **Be familiar with site specific pilot briefing information**
 - **Conduct an onsite orientation flight**



TMC Safety Review Process

• Review

- Every flight
- Every turn down
- Every question
- Every issue

• Involving

- Transport Teams
- Pilots
- Doctors
- Administration



QUESTIONS

TELLURIDE MEDICAL CENTER

Conditional Use Permit for a Medical Heliport

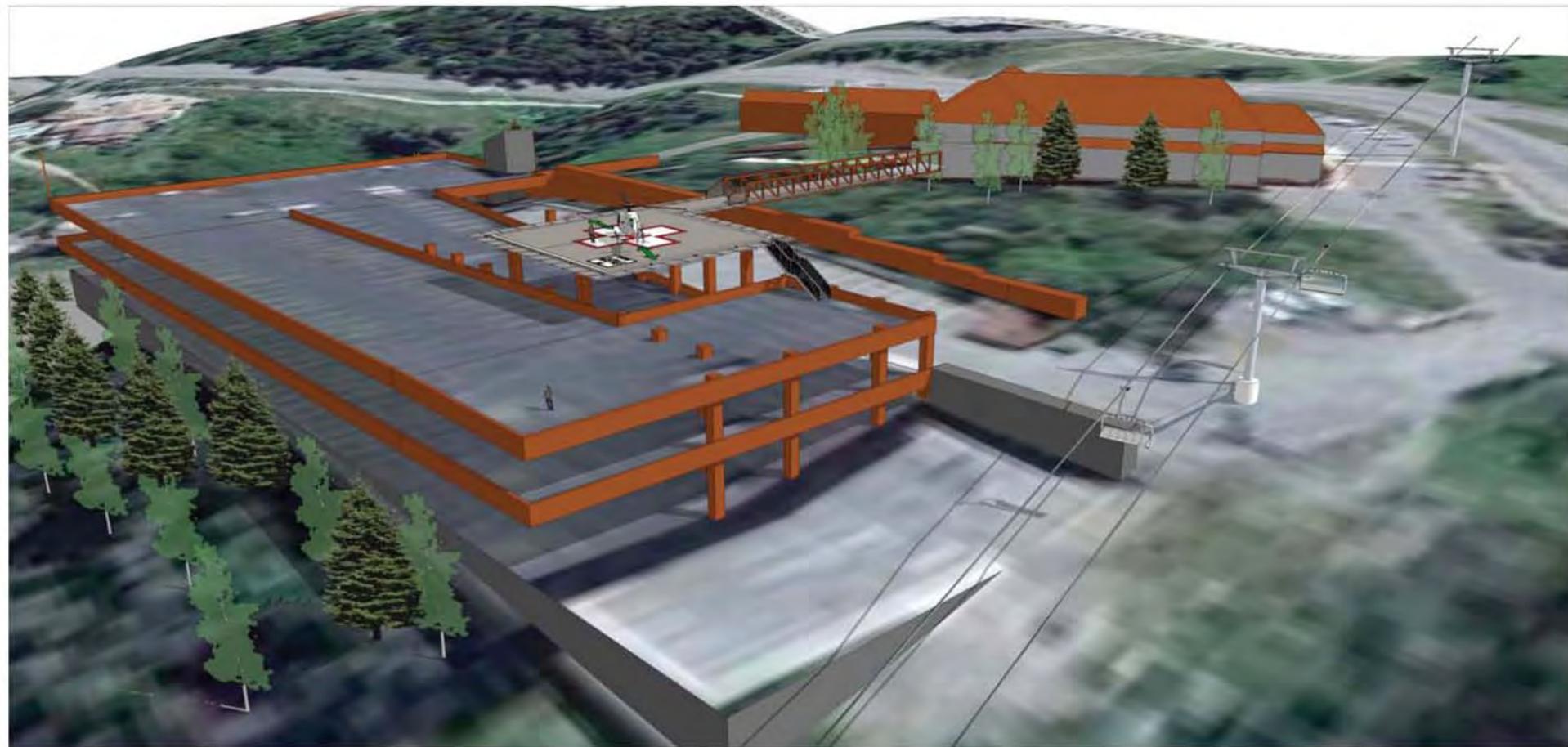
THD Heliport – Contacts

- TMC Emergency Department (Dr. Koelliker, Medical Director of Emergency & Trauma Services)
- Heliexperts International LLC (Rex Alexander)
- Town of Mountain Village
- Telluride Ski & Golf
- St Mary's Hospital CareFlight (St Mary's & Montrose Hospital)
- Air Methods (St Mary's, Montrose, Durango, Farmington)
- Telluride Fire Protection District
- Mountain Blade Runners (Hellitrax & SMC S&R)
- FEC Heliports
- Mahlum Architects

Heliport Information

- Designed, installed, operated and maintained by the Telluride Hospital District as a service to the community.
- Helicopter Pad for the sole use of TMC patients through air ambulance services or search and rescue.
- Not a helicopter base or fueling location

Heliport Design



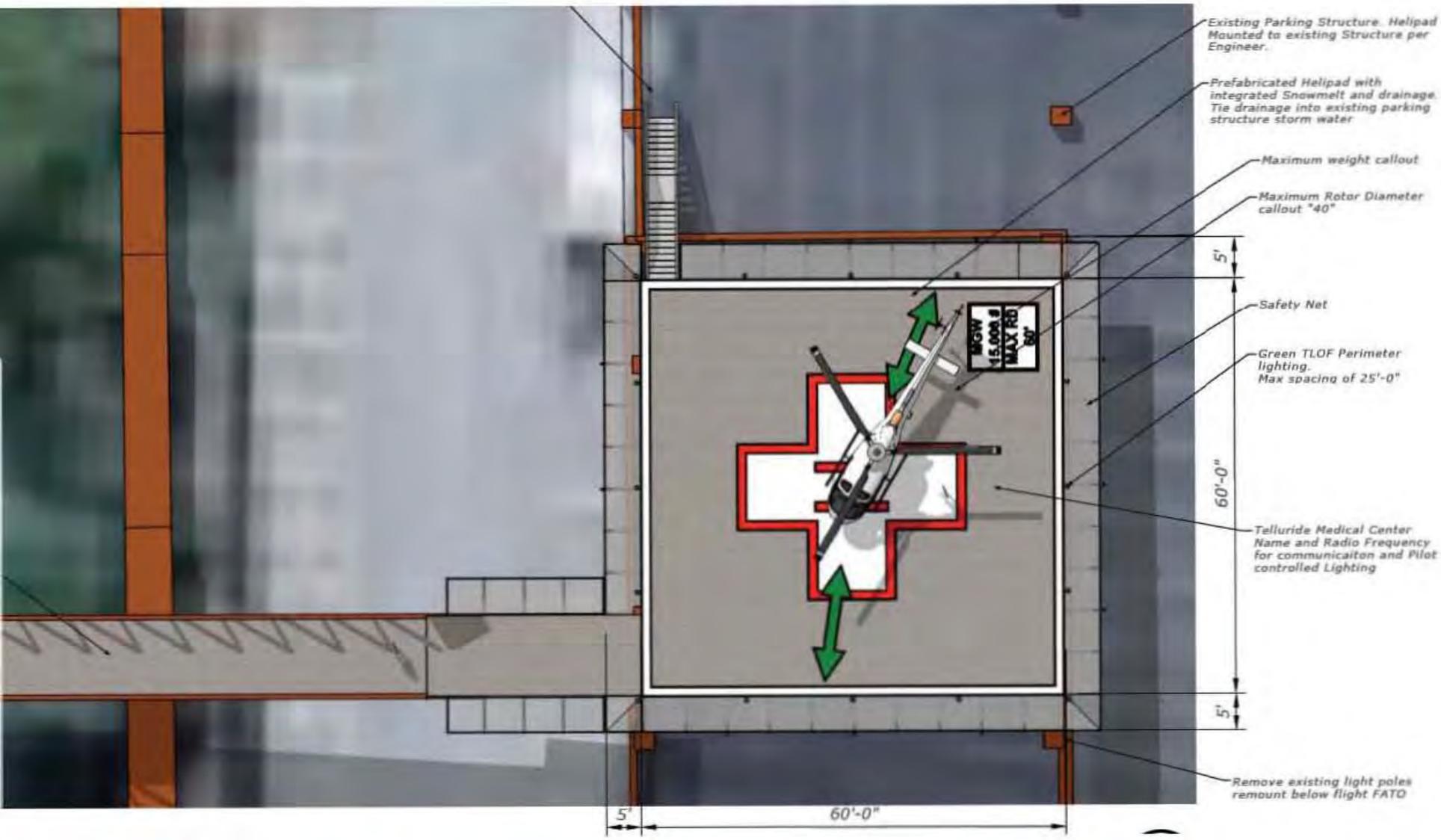
Heliport Design - Location



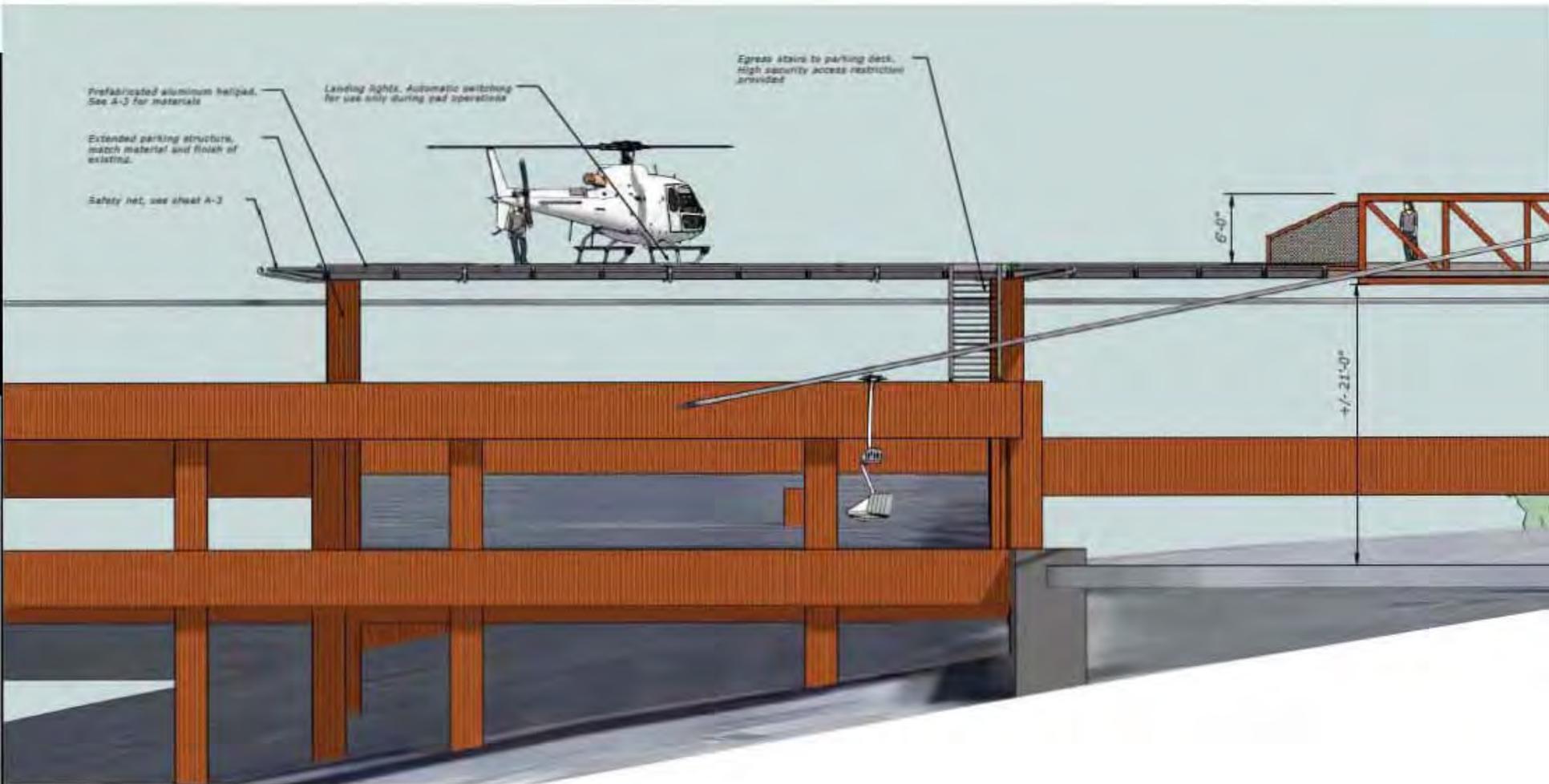
Heliport Design — Future Parking Structure



Heliport Design



Heliport Design



Materials



Lighting



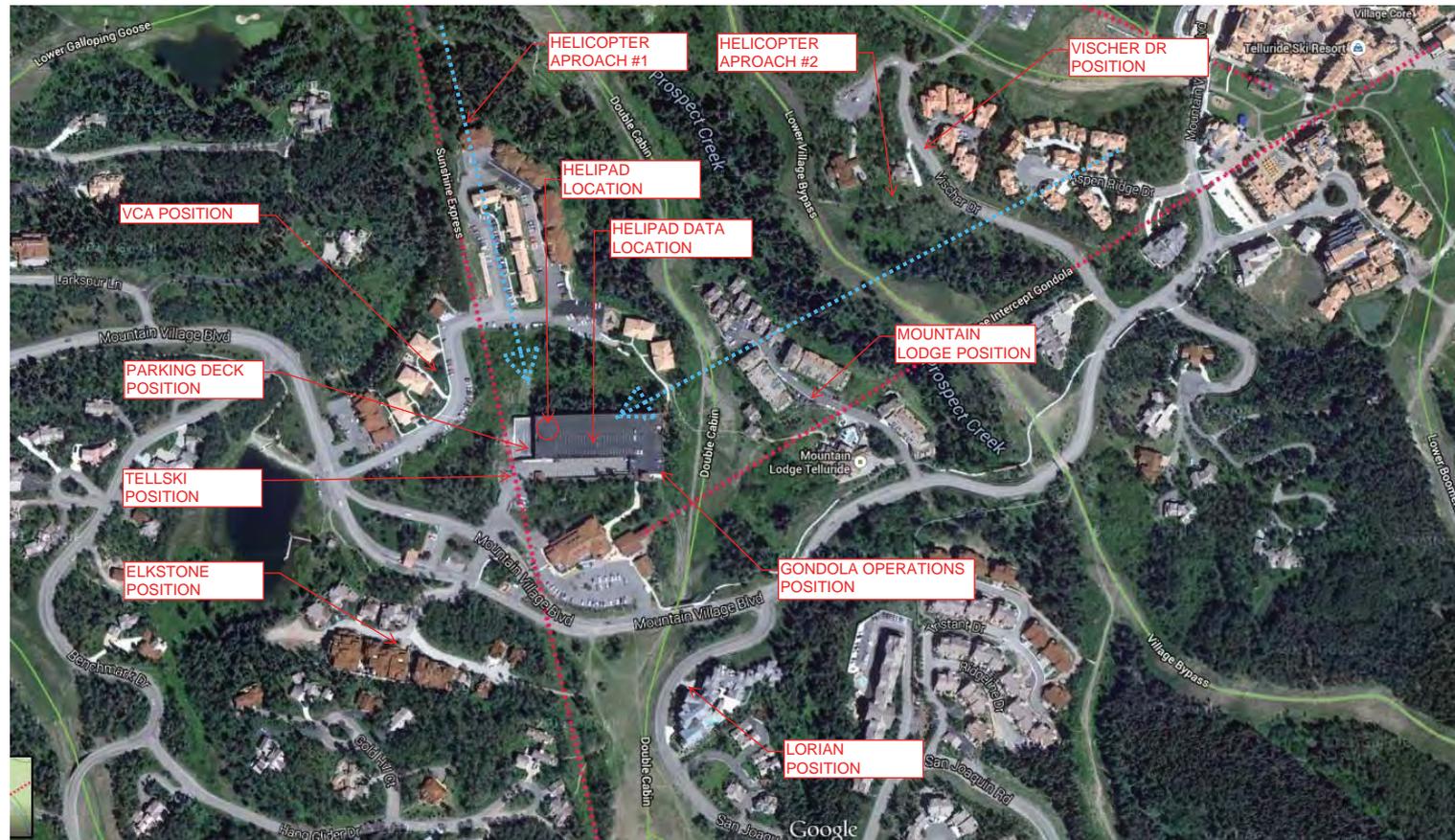
LED

- Operating voltage 120V-277V, 50/60Hz
- 6 watts, .2 amps @ 120V
- 6 watts, .1 amps @ 277V
- Operating temperature:-13F to 122F (-25C to +50C)
- Rated at 50,000 hours

Sound Impact

November 2014

SOUND AND WIND READING LOCATIONS



Sound Impact

November 2014

SOUND READINGS IN DECIBELS

LOCATION	Delta	Overhead #1	Approach #1	Over Pad #1	Overhead #2	Approach #2	Over Pad #2	Notes
At Helipad - directly under	82	94	73	92	93	82	94	With Iphone app
VCA	58.6	93.9	no info	78.9	n/a	66.9	91.4	High reading with helipad directly over
Vischer Drive	37.8	n/a	86.2	86.6	82.1	82.1	no info	Trash Truck influenced Aproach#1 and pad #1
Elkstone E - penthouse deck	44.8 - 62	n/a	78.5	81.2	n/a	no info	no info	
Lorian	45 - 75	n/a	70.2	74.2	n/a	72.8	74.1	
Mountain Lodge	74.1	83.1	77.9	76.1	84.2	84.2	72.9	
Parking Deck	62.3	Same as Pad	66	91	Same as Pad	82	98	

WIND READINGS IN M.P.H.

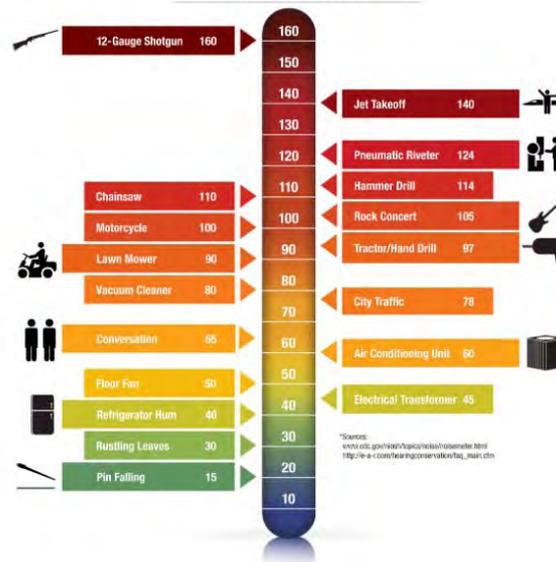
LOCATION	Delta	Overhead
At Helipad location	2 (max)	14.5 - 16.7
At Helipad - directly under	2 (max)	10.6 - 22.5
Tell-ski notes - lift 10		
MV Notes - Gondola		



Test Helicopter
S350 B3E

Helicopter used by Grand Junction, Montrose & Durango Care flight

Decibel Scale (dBA)*



TELLURIDE MEDICAL CENTER

-
The medical need for onsite Air Transport

Dr. Koelliker

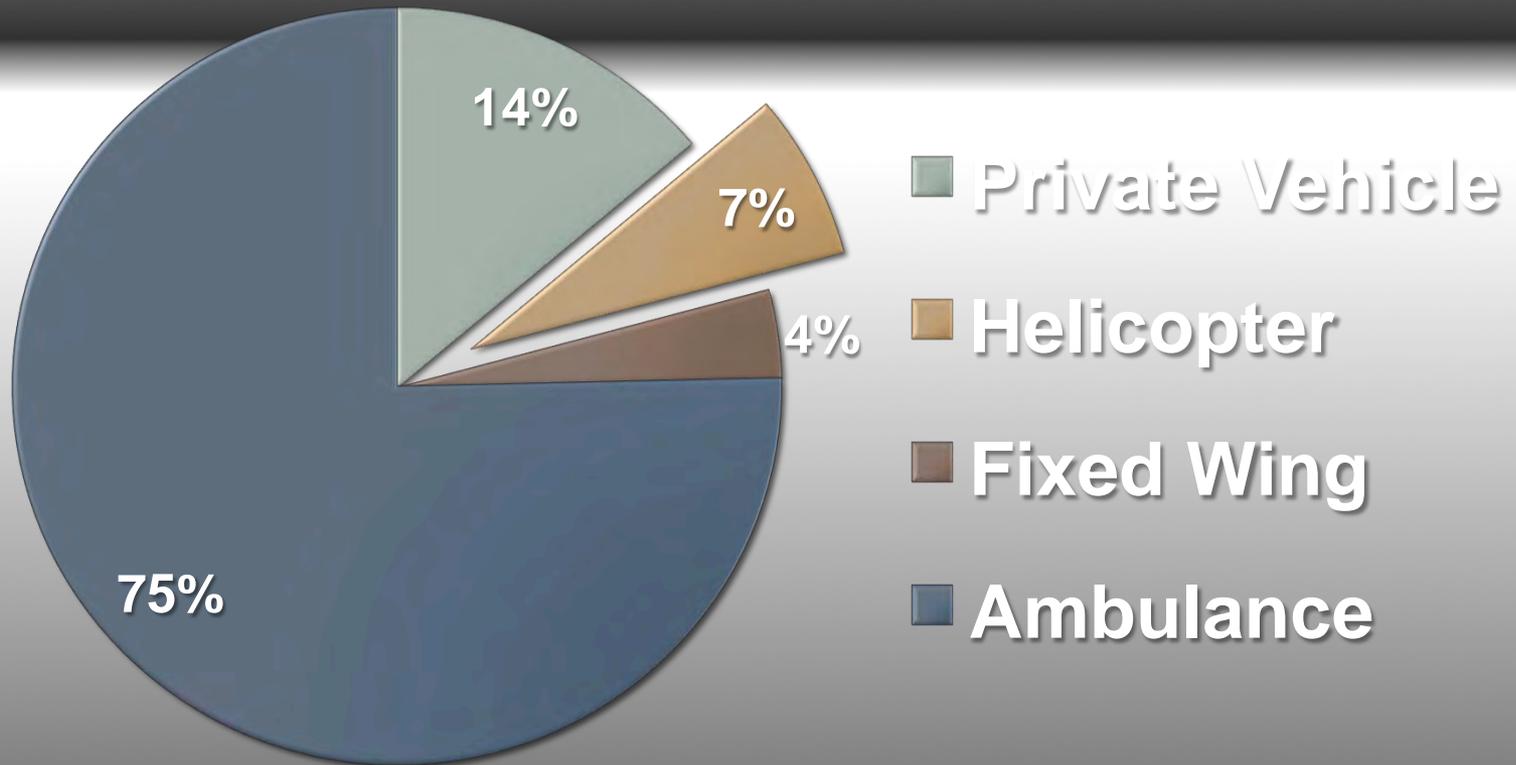
Medical Director of Emergency & Trauma Services

TMC Transport By Mode: 2011-2014

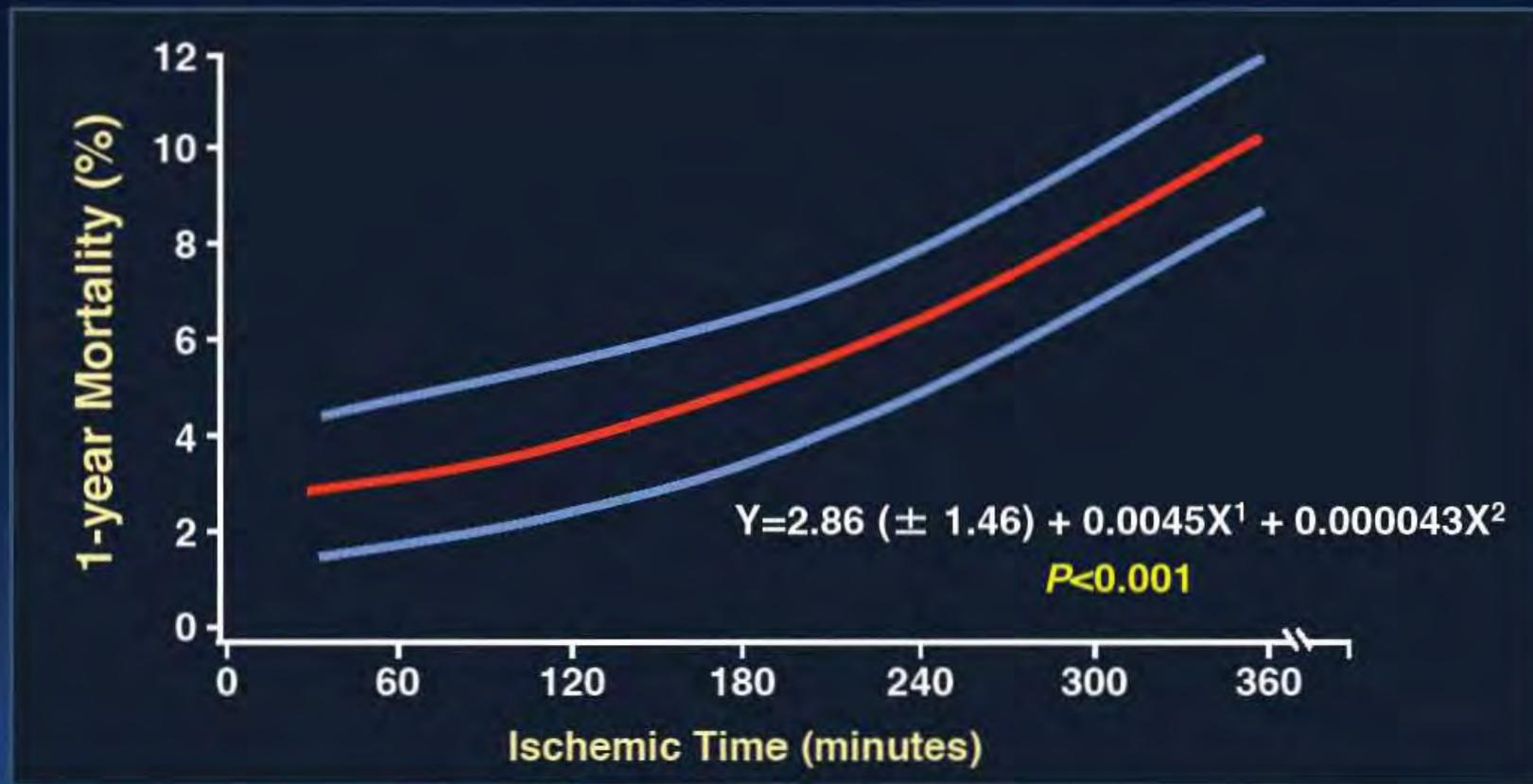
Mode of Transport	2014	2013	2012	2011
Private Vehicle	32	20	16	21
Helicopter	16	8	15	6
Fixed Wing	8	4	3	9
Ambulance	115	127	118	123



TMC Transport By Mode: 2011-2014



Time from Symptom Onset to Treatment Predicts 1-year Mortality after Primary PCI



The relative risk of 1-year mortality increases by 7.5% for each 30-minute delay