

**RESOLUTION OF THE TOWN COUNCIL  
 OF THE TOWN OF MOUNTAIN VILLAGE,  
 MOUNTAIN VILLAGE, COLORADO  
 APPROVING LOT 60AR AND 60BR UNITS G-2 AND H  
 REZONE  
 AND  
 DENSITY TRANSFER**

**Resolution No. 2003-1209-19**

**Whereas**, Telco Commercial One and Bernard Willis are the owners of record of real property described as Lot 60AR and 60BR, Units G-2 and H, the Le Chamonix Building, Town of Mountain Village; and

**Whereas**, these owners have requested approval of an Amendment to the Final Plat of Lot 60AR and 60BR, Units G-2 and H; and

**Whereas**, the duly recorded plat of Lot 60AR and 60BR, Units G-2 and H, designates the following:

Current Plat Status per May 9, 2002 DRB and Town Council Approval:

Zoning Designation	Number of Units	Density Per Unit	Total Density
Condominium	5	3	15
Efficiency Lodge	2	.50	1
Employee Apartment	3	3	9
Commercial SF	5,526 Sq. Ft.		
Total Density			25

**Whereas**, in compliance with the provisions of Article 4 of the Land Use Ordinance and with due consideration of the matters set forth in the application filed, this application does hereby propose the following plat amendment:

**Whereas**, the applicants propose to rezone 2 employee apartments to commercial space and that 6 units of employee apartment density be transferred to the Density Bank for the benefit of the Town of Mountain Village Housing Authority. The proposed rezone and density transfer is as follows:

Zoning Designation	Number of Units	Density Per Unit	Total Density
Condominium	5	3	15
Efficiency Lodge	2	.50	1
Employee Apartment	1	3	3
Commercial SF	8,126 Sq. Ft.		
Total Density			19

Transfer to Density Bank of Employee Apartments for the  
Benefit of the Mountain Village Housing Authority

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**Whereas**, the Design Review Board (DRB) considered this application, along with evidence and testimony, at a public meeting held November 13, 2003. Upon concluding their review, the DRB voted in favor of the Rezone and Density Transfer and recommended approval to the Town Council subject to certain conditions.

**Whereas**, the Town Council considered this application, along with evidence and testimony, at a public meeting December 9, 2003.

**Now, Therefore, Be It Resolved** that the Town Council hereby approves the Rezone and Density Transfer of Lots 60AR and 60BR, Units G-2 and H and authorizes the Mayor to sign the Resolution subject to the following:

- Town Council approves the Rezone of 6 Employee Apartment Density to Commercial Space 0 Density.
- Town Council approves of the Density Transfer of the above 6 Employee Apartment Density to the Density Bank for the benefit of the Town of Mountain Village Housing Authority.

Town Council conditions of this approval are as follows:

1. The Applicant will complete and record the required Density Transfer documents, prior to receiving a Certificate of Occupancy for the retail space.
2. The Applicant will record the Resolution approving the Rezone, prior to receiving a Certificate of Occupancy for the retail space.
3. The Variance that was previously granted to allow Units G2 & H, residential use on the ground floor of a Plaza Lot will be removed.
4. All representations of the Applicant, either within the submittal or at the DRB hearing, are conditions of this approval.
5. Per Sections 2-1207-1 and 2-1207-2 of the Town of Mountain Village Design Regulations, this approval does not allow any violation to the LUO and/or Design Regulations or imply approval of any errors that may be contained in this application that violate the LUO and/or the Design Regulations.

Town Council has found that this Rezone and Density Transfer complies with the following review standards as defined by Section 4-5 of the Town of Mountain Village Land Use Ordinance:

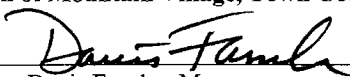
- (1) The replat/rezone/Density transfer proposed is generally consistent with the underlying purposes and goals of the LUO and the Design Regulations.

- (2) The proposed replat/rezone/Density transfer is compatible with the surrounding environment, neighborhood and area relative to, but not limited to, scale, bulk, Building height, buffer zones, character, and orientation and shall not unreasonably affect existing land Uses and the future Development of the surrounding neighborhood and area.
- (3) Adequate public facilities and services are available to serve the proposed Replat/Rezone/Density transfer.
- (4) The proposed Replat/Rezone/Density transfer shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion.


**Be It Further Resolved** that Lots 60AR and 60BR, Units G-2 and H, may be developed as submitted in accordance with Resolution NO. 2003-1209-19.

**Approved** by the Town Council at a public meeting December 9, 2003.

**Town of Mountain Village, Town Council**

By:   
Davis Fansler, Mayor

Attest:

By:   
Linda Check, Town Clerk