

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF MOUNTAIN VILLAGE,
MOUNTAIN VILLAGE, COLORADO
APPROVING A CONDITIONAL USE PERMIT FOR THE USE OF A REAL
ESTATE/PROPERTY MANAGEMENT OFFICE IN A PRIMARY PEDESTRIAN AREA ON
LOT 65**

Resolution No. 2019-1212-22

1. K2/R2, LLC (Owner) is the owner of record of real property described as Lot 65, 618 Mountain Village Boulevard; and
2. The Owner has consented to Peaks Property Management (Applicant) pursuing the approval of a Conditional Use Permit to allow for the use of a real estate/property management office in a primary pedestrian area on lot 65, 618 Mountain Village Boulevard, Town of Mountain Village and the Applicant has submitted such application requesting approval of the Conditional Use Permit; and
3. The proposed development is in compliance with the provisions of Section 17.4.14 of the Community Development Code (CDC); and
4. The Design Review Board (DRB) considered this application, along with evidence and testimony, at a public meeting held on November 7, 2019. Upon concluding their review, the DRB voted 7-0, in favor of the Conditional Use Permit and recommended approval to the Town Council with conditions to be considered by the Town Council; and
5. The Town Council considered and approved this application subject to certain conditions as set forth in this resolution, along with evidence and testimony, at a public meeting held on December 12, 2019; and
6. The public hearings referred to above were preceded by publication of public notice of such hearings on such dates and/or dates from which such hearings were continued by mailing of public notice to property owners within four hundred feet (400') of the Property and posting the Property, as required by the CDC; and
7. The Applicant has addressed, or agreed to address and/or abide by, all conditions of approval of the Application imposed by Town Council based upon a recommendation for approval by the DRB; and
8. The Town Council finds the Application meets the Conditional Use Permit requirements contained in CDC Section 17.4.14 as follows:
 1. The proposed conditional use is in general conformity with the policies of the principles, policies and actions set forth in the Comprehensive Plan;
 2. The proposed conditional use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure;
 3. The design, development and operation of the proposed conditional use shall not constitute a substantial physical hazard to the neighborhood, public facilities, infrastructure or open space;
 4. The design, development and operation of the proposed conditional use shall not have significant adverse effect to the surrounding property owners and uses;

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


NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY APPROVES A CONDITIONAL USE PERMIT TO ALLOW FOR THE USE OF A REAL ESTATE/PROPERTY MANAGEMENT OFFICE IN A PRIMARY PEDESTRIAN AREA AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

1. Any additional deviations, modifications or alterations to the business operations described in this approval will require the applicant to submit a new application for Conditional Use Permit Review.
2. The Conditional Use Permit will expire with Peaks Property Management's lease in the Centrum Building on April 30, 2021.
3. The applicant, Peaks Property Management, shall be refunded for the building permit fees and sign fees submitted in 2019.

Be It Further Resolved that Unit 107 Lot 65 may be developed as submitted in accordance with Resolution No. 2019-1212-22

Approved by the Town Council at a public meeting December 12, 2019.

Town of Mountain Village, Town Council

By: 
Laila Benitez, Mayor

Attest:

By: 
Jackie Kennefick, Town Clerk

Approved as to Form:


James Mahoney, Assistant Town Attorney