

**DESIGN REVIEW BOARD MINUTES
TOWN OF MOUNTAIN VILLAGE
DESIGN REVIEW BOARD MEETING
THURSDAY JULY 1, 2021**

Call to Order

Chairman Banks Brown called the meeting of the Design Review Board (DRB) of the Town of Mountain Village to order at 10:02 AM on JULY 1, 2021, held remotely via ZOOM

<https://us02web.zoom.us/j/87468963043?pwd=OVNqOXVabUZhMTd4OEtqRENhM2l0QT09>

Attendance

The following Board members were present and acting:

Cath Jett
Greer Garner
Liz Caton
Banks Brown
Adam Miller
Ellen Kramer
David Craige
Scott Bennett 1st Alternate
Shane Jordan 2nd Alternate

The following Board members were absent:

None

Town Staff in attendance:

Michelle Haynes, Planning & Development Services Director
John Miller, Senior Planner
Amy Ward, Planner
Paul Wisor, Town Attorney

Public in attendance:

Brian Hattendorf
Sandy Gilbert
Craig Spring
Samantha Moody
Marcus Engel
Michael Donohue
CTF
David Ballode
Bohdan Iwanetz
Gigi Gerlach
Josh Bowens-Rubins
Stephanie Fanos – lot 30 applicant
Sterling Trust – 600A
Sam Patton
Mr. & Mrs. Ford applicants for item #10
Sharon Hartzel
Ruth Hensen
M Repetto Alaia Lot 30 spouse
756 1983 5662
Julie Horowitz
Joshua Anfang

Susan Conger
Josh Anfang
Pedro Campos – lot 30 team
Casey [no last name]
SPS
3035452452
75619385662
Frank Hensen – applicant #15
Joe Solomon – spoke on lot 30

Item 3. Executive Session for the Purpose of Receiving Legal Advice Regarding Review of Design Review Board Provisions Under the Municipal Code Pursuant to Section 24-6-402(b), C.R.S.

Jett made a motion to enter into Executive session, seconded by Caton
At 10:41 Banks ended executive session.

Item 4. Reading and Approval of the June 3, 2021 Regular Meeting and the June 10, 2021 Special Design Review Board Meeting Minutes.

On a **MOTION** by Jett and seconded by Caton DRB voted unanimously to approve the June 3, 2021 Regular DRB Meeting Minutes and the June 10, 2021 Special Design Review Board Meeting Minutes.

Item 5. Consideration of a Design Review: Final Architectural Review for a new Single-Family Residence on Lot 226BR, 242 Benchmark Drive, pursuant to CDC section 17.4.11. This item was continued from the June 3, 2021 Regular DRB Meeting.

John Miller presented on behalf of staff
Michael B Donohue, Stillwater Architecture presented as applicant

Public comment: Brian Hattendorf, Gigi Gerlach commenting on behalf of 246, 252 and 280 Benchmark

On a **MOTION** by Kramer and seconded by Caton DRB voted unanimously to approve the Final Architecture Review for a new single-family home located at Lot 226BR, 242 Benchmark Drive, based on the evidence provided within the Staff Report of record dated June 17, 2021, with the following and Design Variations and Specific Approvals:

Design Review Board Design Variations:
Road and Driveway Standards

Design Review Board Specific Approvals:
General Easement Encroachment

And, with the following conditions:

- 1) Prior to submittal for a building permit, the applicant shall provide staff with written authorization from the property owner of OS18 for disturbances related to sewer connections from the home. The owner will be required to revegetate any areas of disturbance associated with this offsite work.
- 2) ~~As part of the building permit submittal, the applicant shall revise plans to include specific details on the chimney cap, as applicable.~~
- 3) As part of the building permit submittal, the applicant shall revise the landscaping plan based on the comments within this report. Prior to this revision, the applicant should explore additional tree plantings within the Access easement to provide

additional screening to adjacent properties if possible, add irrigation and seeding notes and replace the dogwood with Maple or other recommended species if necessary.

4) As part of the building permit submittal, the applicant shall revise the LED strip proposed for the address monument to comply with the Lumen requirements of the CDC.

5) Prior to the issuance of a building permit, the applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection points.

6) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber, or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.

7) Prior to issuance of a CO, the property owner will enter into a Road Right of Way Encroachment Agreement and/or General Easement Encroachment Agreement, as applicable, with the Town of Mountain Village for the RROW and general easement encroachments approved.

8) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.

9) Prior to the Building Division conducting the required framing inspection, a fourfoot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:

a. The stone, setting pattern, and any grouting with the minimum size of four feet (4') by four feet (4');

b. Wood that is stained in the approved color(s);

c. Any approved metal exterior material;

d. Roofing material(s); and

e. Any other approved exterior materials.

10) It is incumbent upon an owner to understand whether above grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way or general easement, are placed in an area that may encumber access to their lot. Relocation of such above grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (fire department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.

11) Prior to building permit applicant shall amend the lighting plan to revise the isofoot candle model, add cut sheets for each fixture presented and symbols clearly marked on said plans and reduce the number of fixtures for approval by staff and one member of DRB.

12) Prior to building permit the applicant shall amend the address monument so that the dimension to bottom of number is 4'6" to be reviewed by staff.

Item 6. Consideration of a Design Review: Final Architecture Review for a new single family home on Lot 214A, 209 Benchmark Drive, pursuant to CDC Section 17.4.11 This item is being continued to the August 5, 2021 Meeting.

On a **MOTION** by **Garner** and seconded by **Jett**, DRB voted unanimously to continue this item to the August 5, 2021 Regular Meeting.

Item 7. Consideration of a Design Review: Final Architecture Review for a new Single-Family Home on Lot 510, 131 Russell Drive, pursuant to CDC Section 17.4.11.

John Miller presented on behalf of staff

Joe Kelleher, Kelleher Contracting presented as applicant

On a **MOTION** by **Jett** and seconded by **Kramer**, DRB voted unanimously to to approve the Final Architecture Review for a new single-family home located at Lot 510, 131 Russell Drive, based on the evidence provided within the Staff Report of record dated June 23, 2021, with the following and Specific Approvals:

Design Review Board Specific Approvals:

1. *GE Encroachments*
2. *Parking Waiver*

And, with the following conditions:

- 1) Prior to submittal for a Building Permit, the applicant shall revise the landscaping plan and the Wildfire Mitigation per the comments from this memo of record and submit to the Town Forester for review.
- 2) Prior to issuance of a building permit, the applicant shall provide the town a wetland delineation prepared by a qualified consultant to determine that there are no impacts to the existing ephemeral spring.
- 3) Prior to issuance of a Building Permit, the applicant must provide written approval from the owner of Tract OSP-28 for sewer connections, and shall revegetate all disturbed areas per the requirements of the CDC.
- 4) Prior to the issuance of a building permit, the applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection points.
- 5) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.
- 6) Prior to issuance of a CO, the property owner will enter into a General Easement Encroachment Agreement and Road Right of Way Encroachment Agreement, as applicable, with the Town of Mountain Village for any encroachments approved.
- 7) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.
- 8) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.
- 9) It is incumbent upon an owner to understand whether above grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way or general easement, are placed in an area that may encumber access to their lot. Relocation of such above grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (fire department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.
- 10) Prior to the Building Division conducting the required framing inspection, a fourfoot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:
 - a. The stone, setting pattern and any grouting with the minimum size of four feet (4') by four feet (4');
 - b. Wood that is stained in the approved color(s);
 - c. Any approved metal exterior material;
 - d. Roofing material(s); and
 - e. Any other approved exterior materials
- 11) Prior to building permit the applicant shall amend the address monument design to change the proposed aluminum to a wood material.

Item 8. Consideration of a Design Review: Final Architecture Review for a Single-Family home at Lot 729R-7, 87 Pennington Place, pursuant to CDC section 17.4.11

John Miller presented on behalf of staff

On a **MOTION** by **Garner** and second by **Jett** DRB voted unanimously to table the Final Architecture Review for a new single-family home located at Lot 729R-7, 87 Pennington Place.

Item 9. Working Lunch

Item 10. Consideration of a Design Review: Final Architecture Review for a new Single-Family home on Lot 430, 129 Touchdown Drive, pursuant to CDC Section 17.4.11.

Amy Ward presented on behalf of staff
Ken Alexander, Architects Collaborative, presented as applicant

Public Comment: None

On a **MOTION** by **Jett** and seconded by **Kramer** DRB voted unanimously to continue the Initial Architectural and Site Review for a new detached condominium located at Lot AR-59R to the August 5, 2021 DRB Meeting.

Specific direction was given to the applicant about what DRB would like to see at the next meeting:

- Heights max & average height to be shown with both proposed and existing grade
- Dry stack retaining wall heights and materials
- Coordinating all civil and architectural drawings
- Indicate snow melt
- Coordinating the lighting (between civil and architectural)
- Remove sconce within 5' of waters edge of hot tub
- Replace non-compliant wall mount sconce
- House abutting the GE, provide detail on any footer encroachment as well as reveg of any GE disturbance
- Provide a window material sample

Item 11. Consideration of a Design Review: Initial Architecture and Site Review for a new Multi-family Development on Lot 30, 98 Aspen Ridge, pursuant to CDC Section 17.4.11.

John Miller presented on behalf of staff
Timothy Losa, of Zehren and Associates, presented as applicant

Public Comment: Received numerous emails for public comment. Joe Solomon representing the Gilberts, Bohdan Iwantez, Sandy Gilbert.

On a **MOTION** by **Garner** and seconded by **Miller** the DRB voted 4-3 to approve (Kramer is against tandem parking, Criage is against tandem parking and concerns of public safety, Jett is opposed to the use of stucco as well as tandem parking) to approve the Initial Architectural and Site Review for a new multi-family condominium

located at Lot 30, 98 Aspen Ridge, based on the evidence provided within the Staff Memo of record dated June 21, 2021, with the following Specific Approvals:

1) Design Review Board Specific Approvals:

Tandem Parking

and, with the following conditions:

1) Prior to final review, the Applicant shall revise the plans to indicate that all fireplaces are natural gas-burning.

- 2) Prior to final review, the Applicant shall revise the plans to indicate specific areas of snowmelt and their total area proposed.
- 3) Prior to final review, the Applicant shall revise the civil plans in conjunction with the engineer to provide additional grading details for open space areas surrounding Lot 30 that will be impacted by development.
- 4) Prior to final review, the Applicant shall revise the parking plan to include sand/oil separators.
- 5) Prior to final review, the Applicant shall provide a landscaping plan addressing concerns within the Staff Memo of record. Prior to the issuance of a building permit, the Applicant shall receive approval from the Town Forester for the proposed landscaping plan, in order to verify it meets all requirements of the CDC.
- 6) Prior to the issuance of a building permit, the Applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection points.
- 7) The new workforce housing units shall be constructed concurrently with the free-market development.
- 8) Prior to issuance of a building permit, the Applicant shall provide written permissions from the property owner of OS1AR3 for sewer connections. Any utility installation that creates disturbed areas shall be revegetated per the requirements of the CDC.
- 9) Prior to the issuance of a Certificate of Occupancy Condominium Map and Declarations addressing Section 17.5.8 of the CDC shall be provided to the Town for review.
- 10) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.
- 11) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.
- 12) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments outside of Lot 30.
- 13) Prior to the Building Division conducting the required framing inspection, a four-foot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:
 - a. The stone, setting pattern, and any grouting with the minimum size of four feet (4') by four feet (4');
 - b. Wood that is stained in the approved color(s);
 - c. Any approved metal exterior material;
 - d. Roofing material(s); and
 - e. Any other approved exterior material.
- 14) It is incumbent upon an owner to understand whether above-grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way or general easement, are placed in an area that may encumber access to their lot. Relocation of such above-grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (fire department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.

On a **MOTION** by **Jett** and seconded by **Caton** DRB voted 6-1 to approve (Kramer opposes because she feels the subarea plan and comp plan don't agree) to recommend to Town Council, an Ordinance regarding the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, rezoning the existing uses on Lot 30 to Employee Condominium, and increasing the total density on the site from 9 condominium units, two employee apartments, and commercial space, to 16 condominium units and 3 employee condominiums, based on the evidence provided within the Staff Report of record dated June 21, 2021, and with the following conditions:

1. The Resolution shall indicate the change in commercial space and the size of the converted employee condominium in square feet.
2. The final location and design of any buildings, grading, landscaping, parking areas, and other site improvements shall be determined with the required Design Review Process application pursuant to the applicable requirements of the CDC.
3. The Lot list shall be updated to reflect one built employee condominium, 2 unbuilt employee condominiums, and 16 unbuilt condominiums assigned to the Lot.
4. Town of Mountain Village Deed Restrictions for each unit shall be executed prior to the issuance of a Certificate of Occupancy per Section 17.3.9 consistent with the requirements found at CDC Section 17.3.9.

This motion is based on the evidence and testimony provided at a public hearing held on July 1, 2021, with notice of such hearing as required by the Community Development Code.

Scott Miller left at 3:20

Item 12. Consideration of a Design Review: Initial Architecture and Site Review for a new Single-Family Detached Condominium on Lot 166AR2-2, 1 Stonegate Drive, pursuant to CDC Section 17.4.11. This item is being continued to the August 5, 2021 DRB Meeting

On a motion by Miller and seconded by Craige DRB voted unanimously to continue the Consideration of a Design Review: Initial Architecture and Site Review for a new single family detached condominium on Lot 166AR2-2, 1 Stonegate Drive to the August 5, 2021 regular DRB Meeting.

Item 13. Consideration of a Design Review: Initial Architecture and Site Review for a new Single-Family Home on Lot 151R-2, 223 Country Club Drive, pursuant to CDC Section 17.4.11.

John Miller presented on behalf of staff

Lea Sisson, Sisson Architects presented as applicant

Public Comment:

On a **MOTION** by **Miller** and seconded by **Jett** the DRB voted unanimously to approve the Initial Architectural and Site Review for a new single-family home located at Lot 151R-2, based on the evidence provided within the Staff Report of record dated June 17, 2021, with the following Specific Approvals and Design Variations:

Design Review Board Specific Approvals:

1. Tandem Parking or Parking Waiver
2. Parking in the General Easement
3. Metal Fascia

Design Review Board Design Variation:

2. Road and Driveway Standards

And, with the following conditions:

- 1) Prior to Final Architectural Review, the applicant shall provide additional details for the proposed exterior materials.
- 2) Prior to the submittal for a Final Architectural Review, the applicant shall revise the construction migration plan per the comments of this memo.
- 3) Prior to the submittal for a Final Architectural Review, the applicant shall update the landscape plan to address the concerns of this report.
- 4) Prior to the submittal for a Final Architectural Review, the applicant shall provide an updated exterior lighting plan to include a photometric study of the Lot demonstrating compliance with the CDC lighting standards.
- 5) ~~Prior to the submittal for a Final Architectural Review, the applicant shall revise the driveway widths and overall grades to comply with the CDC requirements.~~
- 6) Prior to the submittal for a Final Architectural Review, the applicant shall provide

an updated construction mitigation plan addressing the concerns of this report.

7) Prior to the issuance of a building permit, the applicant shall field verify all utilities and submit a revised utility plan to the public works director identifying the location of utilities and connection points.

8) Prior to the issuance of a building permit, the applicant shall obtain an easement from TSG to access the sewer line to the south of the home.

9) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber, or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.

10) It is incumbent upon an owner to understand whether above-grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way, general easement, or setback, are placed in an area that may encumber access to their lot. Relocation of such above-grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (Fire Department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.

11) Prior to issuance of a CO, the property owner will enter into a General Easement Encroachment Agreement, as applicable, with the Town of Mountain Village for the general easement encroachments approved.

12) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.

13) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.

14) Prior to the Building Division conducting the required framing inspection, a fourfoot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:

- a. The stone, setting pattern, and any grouting with the minimum size of four feet (4') by four feet (4');
- b. Wood that is stained in the approved color(s);
- c. Any approved metal exterior material;
- d. Roofing material(s); and
- e. Any other approved exterior materials

Garner left at 4:16pm

Item 14. Consideration of a Design Review: Final Architecture Review for a new Multi-Family Condominium Development on Lot 600A, 8 Elkstone Drive, pursuant to CDC Section 17.4.11.

Amy Ward presented on behalf of staff

Chris Hawkins, Alpine Planning, presented as applicant

Public Comment: Bob Horowitz and Steve Seltz made public comment

On a **MOTION** by **Caton** and seconded by **Kramer** the DRB voted unanimously to approve the Initial Architecture and Site Review Application for a Multi-Family

Development located within the expansion area of Lot 600A, consisting of a total of six (6) new condominium units based on the evidence provided within the Staff Report of record dated June 15, 2021 and with the following specific approvals and conditions:

DRB specific approvals:

- 1) GE encroachment – subterranean soil nailing

And, with the following conditions:

- 1) The applicant will revise the landscaping plan to include additional tree plantings along the stair case and between Elkstone 21 and Elkstone Lakeside. This will include at minimum 2 additional like trees in addition to what is currently proposed that will serve to buffer the stair case from the adjacent building. In addition, the applicant will bring the disturbed area between the two buildings back to its original pre-disturbed condition to include additional small diameter tree plantings and native seed planting. These plantings shall not include any coniferous tree species and is required to be entirely deciduous.
- 2) The southeast corner of the Expansion Area will be preserved by the developer in its current state as shown on the Town approved grading plan including the existing Elkstone 21 retaining wall and the four(4) conifers and aspens above the wall. If grading or tree removal is proposed in this area, it will only be out of engineering necessity as provided for in a letter and revised grading plan that are stamped and signed by a Colorado licensed Professional Engineer. A 14-day courtesy notice of any grading in the southeast corner of the Expansion Area for engineering necessity shall be provided by email to the owners at Elkstone 21. Special attention will be given to the southeast corner of the development.
- 3) The applicant shall demonstrate snow melt areas prior to issuance of a building permit.
- 4) Prior to issuance of a CO the property owner will enter in to a General Easement Encroachment Agreement with the Town of Mountain Village for the subterranean soil nail encroachments to the south of the development if soil nailing is needed in the GE.
- 5) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.
- 6) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.
- 7) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height and the maximum average building height.
- 8) Consistent with town building codes, Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.
- 9) Prior to the Building Division conducting the required framing inspection, a fourfoot (4') by eight-foot (8') materials board will be erected on site consistent with the review authority approval to show:
 - a. The stone, setting pattern and any grouting with the minimum size of four feet (4') by four feet (4');
 - b. Wood that is stained in the approved color(s);
 - c. Any approved metal exterior material;
 - d. Roofing material(s); and
 - e. Any other approved exterior materials
- 10) It is incumbent upon an owner to understand whether above grade utilities and town infrastructure (fire hydrants, electric utility boxes) whether placed in the right of way or general easement, are placed in an area that may encumber access to their lot. Relocation of such above grade infrastructure appurtenances will occur at the owner's sole expense and in coordination with the appropriate entity (fire department, SMPA, Town of Mountain Village) so that the relocated position is satisfactory.
- 11) Prior to Final Architectural Review, the construction mitigation plan will be revised to include construction fencing placement to protect areas that will not be graded consistent with the overall grading plan.

Item 15. Consideration of a Design Review: Final Architecture and Site Review for a Multi-Family Development on Lot 6151-CR, Unit 7, TBD Lawson Overlook, consisting of (3) Detached Condominium Units, Concurrent Review and Recommendation to Town Council for a variance request for Building Height pursuant to CDC section 17.4.16.

John Miller presented on behalf of staff

Chris Hawkins of Alpine Planning, presented as applicant

Public Comment: None

On a **MOTION** by **Craige** and seconded by **Jett** DRB voted unanimously to continue the Initial Architectural and Site Review for three new single-family detached condominiums located at Lot 615-1CR, to August 5, 2021 DRB meeting based on the Staff Memo of record dated June 23, 2021.

AND, In addition to the above motion,

On a **MOTION** by **Craige** and seconded by **Jett** DRB voted unanimously to continue the review and recommendation of a resolution approving a variance to the allowed maximum building height for Lot 615-1CR, to September 2, 2021 DRB Meeting based on the the Staff Memo of record dated June 23, 2021”.

Item 16. Consideration of a Design Review: Initial Architecture and Site Review for a new Single Family home on Lot 79R-6, 89 Pennington Place, pursuant to CDC Section 17.4.11
This item is being continued to the September 2, 2021 DRB Meeting

On a **MOTION** by **Caton** and seconded by **Kramer** the DRB voted unanimously to continue the Initial Architectural and Site Review for Lot 79R-6 to the September 2, 2021 DRB Meeting.

ADJOURN

MOTION to adjourn by unanimous consent, the Design Review Board voted to adjourn the July 1, 2021 meeting at 5:05 pm.

Prepared and Submitted by,

Amy Ward
Planner