

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
MOUNTAIN VILLAGE, COLORADO APPROVING A CONDITIONAL USE PERMIT FOR
THE INSTALLATION OF A BUNGEE TRAMPOLINE ACTIVITY AND A CANOPY TOUR
TRAINING AREA ON ACTIVE OPEN SPACE, OS-3U**

Resolution No. 2022-0421-05

- A. TSG Ski & Golf, LLC is the owner of record of real property described as Tract OS-3U, Town of Mountain Village (Owner); and
- B. The Owner has authorized Carson Taylor (Applicant) to pursue the approval of the Conditional Use Permit to allow for the installation of a Bungee Trampoline Activity and Canopy Tour Training Area on Tract OS-3U, and the Applicant has submitted such application requesting approval of the Conditional Use Permit; and
- C. The proposed development is in compliance with the provisions of Section 17.4.14 of the Community Development Code (CDC); and
- D. The Design Review Board (DRB) considered this application, along with evidence and testimony, at a public meeting held on April 21, 2022. Upon concluding their review, the DRB voted in favor of the Conditional Use Permit and recommended approval to the Town Council subject to certain conditions as set forth in this resolution; and
- E. The Town Council considered and approved this application, along with evidence and testimony, at a public meeting held on April 21, 2022; and
- 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 by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the CDC; and
- G. After the public hearings referred to above, the DRB and the Town Council each individually considered the Application submittal materials, and all other relevant materials, public letters and public testimony, and approved the Application with conditions as set forth in this Resolution; and
- H. The Applicant has addressed, or agreed to address, all conditions of approval of the Application imposed by Town Council based upon a recommendation for approval by the DRB; and
- I. 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 INSTALLATION OF A BUNGEE TRAMPOLINE ACTIVITY AND A CANOPY TOUR TRAINING AREA ON OS-3U AND AUTHORIZES THE MAYOR TO SIGN THE RESOLUTION SUBJECT TO CONDITIONS SET FORTH IN SECTION 1 BELOW:

1. The Applicant shall maintain adequate bike traffic access from the bottom of the bike park to the Village Center plazas with either stations or hard fence to segregate bikers using the bike park, and users and spectators of the bungee trampoline activity; the design of the stations or hard fence shall be reviewed by Planning Divisions Staff prior to installation
2. The Applicant shall secure the structure elements that might obstruct public access, including, without limitation, the ladders and other elements that might attract public access when closed.
3. The Applicant shall re surface all disturbed areas with landscaping and provide seating for spectators.
4. Applicant shall provide an erosion control and drainage plan to ensure protection of the wetlands in the surrounding area.
5. The Applicant shall revise the site and grading plan to have appropriate finished grade material, benches, and simple landscaping to improve the appearance of the bungee trampoline activity, site grading, and the existing condition of the site.
6. This Conditional Use Permit shall be valid for a period of three (3) years with an annual review by the Planning Division staff, with the Applicant responding to any valid issues as they arise during the operation or the annual review.
7. Staff and DRB Chair will review and approve the final design of the spider jump and canopy tour training area before construction.

Be It Further Resolved that OS-3U may be developed as submitted in accordance with Resolution No. 2022-0421-05

Approved by the Town Council at a public meeting April 21, 2022.

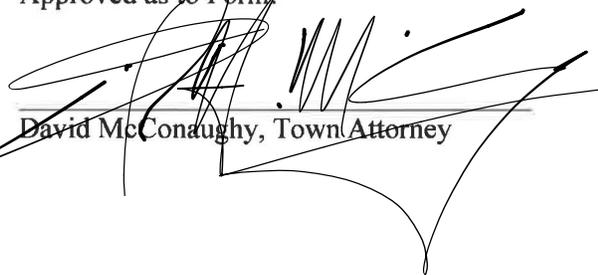
Town of Mountain Village, Town Council

By: 
Laila Benitez, Mayor

Attest:

By: 
Susan Johnston, Town Clerk

Approved as to Form:


David McConaughy, Town Attorney