

**DESIGN REVIEW BOARD MINUTES  
TOWN OF MOUNTAIN VILLAGE  
REGULAR DESIGN REVIEW BOARD MEETING  
FEBRUARY 2, 2023**

**Call to Order**

Chair **Caton** called the meeting of the Design Review Board (DRB) of the Town of Mountain Village to order at 10:00 AM on February 5, 2023.

**Attendance**

**The following Board members were present and acting:**

Scott Bennett  
Jim Austin  
Adam Miller  
Greer Garner  
Liz Caton  
Ellen Kramer  
Shane Jordan

**The following Board members were absent:**

Banks Brown  
David Craig

**Town Staff in attendance:**

Amy Ward – Community Development Director  
Marleina Fallenius – Planning Tech and Housing Coordinator  
Claire Perez – Planner I  
Sean Deland

**Public Attendance:**

Randy Cunningham  
Harvey Mogenson  
Emery Smith  
Bruce Macintire  
Benson Worthington  
J.R Kraft  
Patrick Shanchan  
Marty Stetina  
Ian McCormick

**Public Attendance via Zoom:**

Darla Callaway  
Stephanie Fanos  
Sam Richards

Callie New  
Jessica Garrow  
Ian Fallenius  
Jessica Garrow  
Cynthia Barutha  
Carly Clevenstine  
Andy Rutz  
Christine Calgliosto  
Bill Tabberson  
Joe Kelleher  
Annemarie Jodlowski  
Dan Bartfeld

**Item 2. Reading and Approval of Summary of Motions of January 5, 2023, Design Review Board Meeting.**

On a **MOTION** by **Austin** and seconded by **Miller** the DRB voted **unanimously** to approve the summary of motions of the January 5th, 2023, Design Review Board meeting.

**Item 3. Consideration of a Design Review: Final Architecture Review for a new Single-Family home on Lot 311, 320 Benchmark Dr, pursuant to CDC Section 17.4.11.**

Staff requests a continuation of the Final Architecture Review to the March 30, 2023 Regular Meeting.

On a **MOTION** by **Garner** and seconded by **Bennett** the DRB voted **unanimously** to continue the consideration of the Final Architecture Review for a new Single-Family home on Lot 311, 320 Benchmark Dr to the Regular Design Review Board meeting on March 30, 2023 meeting.

**Item 4. Consideration of a Design Review: Final Architecture Review for a new Single-Family home on Lot 909, TBD Victoria Dr, pursuant to CDC Section 17.4.11.**

Staff requests a continuation of the Final Architecture Review to the March 2, 2023 Regular Meeting.

On a **MOTION** by **Garner** and seconded by **Kramer** the DRB voted **unanimously** to continue the consideration of the Final Architecture Review for a new Single-Family home on Lot 909, TBD Victoria Drive Dr to the Regular Design Review Board meeting on March 2, 2023 meeting.

**Item 5. Consideration of a Design Review: Specific approval for roofing material in the Village Center on Lot 29B-C, 152 Lost Creek Lane, pursuant to CDC Section 17.4.11**

Claire Perez: Presented as Staff  
Randy Cunningham: Presented as Applicant

Public Comment: None

On a **MOTION** by **Garner** and seconded by **Austin** the DRB voted **unanimously** to approve the specific approval for roofing material in the Village Center for the installation of Charcoal Grey Standing Seam Roof at Lot 29 B, Unit C, 152 Lost Creek Lane based on the evidence provided in the staff record of memo dated December 12, 2022, and the findings of this meeting with the **following conditions:**

1. Snow fencing shall be installed per the CDC requirements for pedestrian walkways.
2. Any guttering as applicable shall be of a like material and color to the proposed metal roofing. The guttering shall not be pre-manufactured K-style guttering.
3. Per Code 17.5.12 “A redevelopment or remodel valued at fifty thousand dollars (\$50,000) or more shall retrofit all existing exterior lighting to comply with the then current Lighting Regulations.” Within 18 months of this notice, applicant shall demonstrate that all exterior lighting meets current CDC lighting regulations.
4. Applicable Town fees and taxes shall be paid prior to commencing the activity or prior to the Town issuing a permit, as applicable, including but not limited to the Town’s use tax.:
5. Any landscape disturbance caused by construction activities must be revegetated using town approved seed mix.

**Item 6. Consideration of a Design Review: Initial Architecture and Site Review for a multi-family Condominium on Lot 165, Unit 17R, 115 Cortina Drive, Pursuant to CDC Section 17.4.11**

Sam Richards of Design Workshop: Presented as Staff

David Schultz of BCW Properties: Presented as Applicant

Public Comment: Annemarie Jodlowski, Dan Bartfeld

On a **MOTION** by **Kramer** and seconded by **Austin** the DRB voted to **deny** (2 approved-4 denied) to continue the Initial Architecture and Site Review for a multi-family Condominium on Lot 165, Unit 17R, 115 Cortina Drive, to the March 2, 2023 Regular Design Review Board Meeting.

On a **MOTION** by **Bennett** and seconded by **Jordan** (Kramer and Garner did not approve because of outstanding issues and questions that Garner has concerns about and Kramer would like to see the garage dimensions) the DRB voted to **approve** the Initial Architecture and Site Review for a new multi-family home located at Lot 615 Unit 17R, based on the evidence provided in the staff record of memo dated January 25, 2023, and the findings of this meeting with the following **Design Variations and Conditions:**

**Design Variation:**

- 1) Parking Area Design Standards – waiver of load/unload zone being less than 12 ft by 55 ft but greater than 10 ft by 20 ft.
- 2) Parking Area Design Standards – Prior to final, garage back out space study must be complete.

**Conditions:**

- 1) Prior to final review, the applicant shall revise the 3D plan view that depicts 53' from the natural and existing grades in relation to the highest portion of the proposed development.
- 2) Prior to final review, the applicant shall specify the fuel source for all proposed fireplaces.
- 3) Prior to final review, the applicant shall provide revised details of the dimensions and grades of the proposed driveways.
- 4) Prior to final review, the applicant shall identify the materials to be used for the soffit and fascia.
- 5) Prior to final review, the applicant shall provide a revised lighting plan with fixtures that meet all CDC requirements. A photometric study should be provided. Any exterior lighting on all levels of the building needs to be represented.
- 6) Prior to final review, the applicant shall provide an updated landscape and fire mitigation plans showing compliance with the Fire Mitigation standards.
- 7) Prior to final review, the applicant shall provide a detail of address numerals as attached to building, including number height, number material, mounting height and method of illumination.
- 8) Prior to Final Review the applicant will provide a revised construction mitigation plan.
- 9) Prior to final review the applicant shall demonstrate dimensions of parking spaces and trash storage within the proposed garages and verify that they can still meet parking requirements while providing trash storage in each garage bay.
- 10) Prior to final review the applicant shall explore different design options to accommodate backing out of the garages.
- 11) The structure shall require a monitored NFPA 72 alarm system and monitored NFPA 13D sprinkler system.
- 12) A Knox Box for emergency access is recommended.
- 13) 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.
- 14) 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 materials
- 15) 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.
- 16) Prior to final applicant must provide a Development Agreement with Mountain Village.

- 17) Prior to Final a letter must be provided with HOA conditions.
- 18) No glass on the garage doors.

**Item 7: Review and Recommendation to Town Council regarding a Density Transfer and Rezone Application for Lots 619 & 638-C, 214 Adams Ranch Road, pursuant to section 17.4.13**

Callie New of Design Workshop: Presented as Staff  
 Harvey Mogenson: Presented as Applicant

On a **MOTION** by **Garner** and seconded by **Kramer** DRB voted **unanimously** to recommend to Town Council, an Ordinance regarding the Density Transfer and Rezone application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lot 619 and 638-C and transfer 1 single-family density unit (4-person equivalent density) to the density bank based on the evidence provided within the Staff Report of record dated February 2, 2023, and with the **following conditions**:

1. Prior to the recordation of the associated ordinance approving the Density Transfer and Rezone, the owner must obtain Town Council approval of the Class 5 Minor Subdivision.
2. The owner of record of density in the density bank, shall be responsible for all dues, fees, and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.
3. 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. This motion is based on the evidence and testimony provided at a public hearing held on February 2, 2023, with notice of such hearing as required by the Community Development Code.

**Item 8: Lunch 11:52**

**Item 9. Review and Recommendation to Town Council regarding a Major Subdivision application for lots 126R, 152R, OSP-118, and OSP-126 Pursuant to CDC Section 17.4.13**

Andrew Rutz of Crescendo: Presented as Staff  
 Darla Callaway of Design Workshop: Presented as Applicant

Public Comment: None

On a **MOTION** by **Austin** seconded by **Jordan**, the DRB voted **unanimously** to recommend approval to Town Council for a major subdivision application and replat at Lots 126R and 152R and Tracts OSP-118 and OSP-126, consistent with the following tables and exhibits provided by the applicant as part of this record:

Current Lots and Parcels, and Zoning and Acreage

<b>Lot/Parcel</b>	<b>Current Zoning</b>	<b>Current Acreage</b>
Lot 126R	Multi-Family	3.11 Acres

OSP-118	Active/passive open space	0.65 Acres
OSP-126	Passive open space	0.26 Acres

*Proposed Lots and Parcels, Zoning and Acreage*

<b>Lot/Parcel</b>	<b>Proposed Zoning</b>	<b>Proposed Acreage</b>
Lot 126R-1	Single-Family /	0.32 Acres
	Resource Conservation Active Open Space	0.555 Acres
		0.875 Acres Total
Lot 126R-2	Single-Family	0.310 Acres
Lot 126R-3	Single-Family	0.213 Acres

Lot 126R-4	Single-Family	0.222 Acres
Lot 126R-5	Single-Family	0.201 Acres
Lot 126R-6	Single-Family	0.306 Acres
Lot 126R-7	Single-Family	0.395 Acres
	Passive Open Space Overlay	0.065 Acres 0.460 Acres Total
Lot 126R-8	Single-Family	0.4 Acres
	Passive Open Space Overlay	0.042 Acres 0.442 Acres Total
Lot 126R-9	Single-Family	0.254 Acres
	Passive Open Space Overlay	0.326 Acres 0.580 Acres Total
Access Tract 126	Active Open Space	0.443 Acres
Open Space	Resource Conservation Active Open Space (118R-1)*	0.555 Acres 0.361 Acres
	Passive Open Space (126R-1) *	0.916 Acres Total

*\*as depicted on the proposed replat*

and with the **following findings:**

1. The proposed major subdivision is in general conformance with the future land use map and Comprehensive Plan.

2. The proposed major subdivision is consistent with the criteria for review
3. The proposed major subdivision is consistent with the subdivision purpose and intent at 17.4.13.A.
4. The proposed access tract will remain in private ownership and privately maintained by the owner/future HOA.
5. Consistent with CDC Section 17.4.4.D.2.d. the applicants will form a homeowners association to hold and maintain common property or common improvements in a condominium community.
6. Pursuant to CDC Section 17.5.16 Lot 126R is identified as a Ridgeline Lot and subject to the Ridgeline Lot requirements.
7. The town will work with the county 911 emergency coordinator to appropriately address the property prior to issuance of a building permit.
8. The applicant will conform to the public improvements to the requirements of CDC Section 17.4.13.L. Public Improvements Policy.

And the **following conditions:**

1. The major subdivision is conditioned upon the final rezone and density transfer approval; 16
2. The passive and active open space locations and zoning will be consistent with the major subdivision map as approved by Town Council;
3. Rename the single family “setback” to “general easement” and otherwise the reduction from 16’ to 10’ as depicted is approved.
4. A utility plan is to be submitted prior to final approval by Town Council of either the rezone or subdivision.
5. A draft public improvements/development agreement and public improvement exhibit is to be provided consistent with CDC section 17.4.4.D.2.e. and CDC Section 17.4.13.H.9. maintenance of public improvements, prior to Town Council approval. Staff recommends including the following provisions
  - Public improvements that are proposed by the applicant and accepted by Town Council are iterated in detail. Other public improvements may be identified consistent with 17.4.13.L Public Improvements Policy.
  - Staff requests an additional crosswalk at the top of Boomerang Road / Jurassic Trail across Country Club Drive that ties into the proposed sidewalk on the north side of 152R.
  - Applicant will be responsible for providing lighting along Country Club Drive and its new sidewalks and crosswalk, and the Town expects the Lot 126/152 project to repave Country Club Drive for its full width over the length of the project extents, due to all of the work being done in the roadway.
  - Ownership and maintenance agreements relative to public improvements
  - The applicant will construct the proposed sidewalk to town standards. However, it is the town’s preference that the ongoing maintenance of the sidewalk be provided by the owner/future HOA until such time the entirety of the sidewalk is developed to Mountain Village Blvd, at such time the town can take over maintenance of the sidewalk.
  - The applicants will construct the town trail on private property to the specification of the town and town standards, and provide a trail easement, then the town will maintain the trail.

- Discuss the ownership and maintenance of utilities when on private property versus public property so that the responsibilities are clear.
  - Agreed to public improvements - civil drawings in plan and profile will be provided prior to Town Council approval.
6. Address the following as needed into the development agreement
    - The employee housing mitigation payment will be established at 100%
    - Public access on the private drive, as appropriate.
    - Staff recommends the applicant design and pay for the trail relocation, which will need to meet town approvals and standards, while as part of the easement agreement the town will agree to maintain the trail once constructed. A plan and profile should be provided prior to Town Council approval.
  7. Address how existing easements will be modified, terminated or abandoned prior to Town Council approval.
  8. The affordable housing deed restriction will be finalized prior to recordation of the major subdivision plat.
  9. The density bank certificates will be issued concurrently with the major subdivision plat Recording.
  10. Consider further height restriction on 152R

This motion is based on the evidence and testimony provided at a public hearing held on February 2, 2023, with notice of such hearing as required by the Community Development Code.

**Item 10. Review and Recommendation to Town Council regarding a Density Transfer and Rezone Application for lots 126R and 152R Pursuant to CDC Section 17.4.10**

Andrew Rutz of Crescendo: Presented as Staff

Darla Callaway of Design Workshop: Presented as Applicant

Public Comment: None

On a **MOTION** by **Garner** seconded by **Bennett** DRB voted **unanimously** to recommend approval to Town Council for a rezone and density transfer application at Lots 126R and 152R and Tracts OSP-118 and OSP-126 consistent with the following tables:

Rezoning Current and Proposed

*Rezoning Current and Proposed*

<b>Lot</b>	<b>Current Zoning</b>	<b>Proposed Zoning</b>	
126R	Multi-Family	Single Family	
OSP-118	Active/passive open space	Resource Conservation Active Open Space	
OSP-126	Passive open space	Passive open space	

*Zoning Designations Current and Proposed*

Lot	Current Density- Zoning Designation	Number of Units	Proposed Zoning Designation	Number of Units
126R	Condominium	44	Single Family	9
	Hotel	56		
	Hotel Efficiency	19		
	Employee Dormitory	17		
	Employee Apartment	5		
	Commercial	34,001 sq ft		
152R	Condominium	23	Condominiums	8
	Commercial	4,665 sq ft	Employee Condominium	1
			Commercial	*

*\*commercial and ancillary uses as allowed pursuant to the use table in the CDC.*

and with the **following findings:**

1. The proposed rezone is in general conformance with the future land use map.
2. The proposed rezone and density transfer is consistent with the criteria for review.
3. The proposed rezone and density transfer is consistent with the rezoning purpose and intent at 17.4.9.A and the density transfer purpose and intent at 17.4.10.A.
4. The applicants will mitigate at a rate of 100% in exchange for allowing the platted and unbuilt employee density to be placed in the density bank.

And the **following conditions:**

1. The rezone and density transfer is conditioned upon the final major subdivision approval;
2. The owner is responsible for all dues, fees and any taxes associated with the existing density and density once placed into the density bank.
3. The passive and active open space locations and zoning will be consistent with the major subdivision map as approved by Town Council.
4. The density bank certificates will be issued concurrently with the major subdivision plat recording.
5. If the employee zoning designation density is approved to be moved into the density bank, except for the one employee condominium proposed, then the housing mitigation requirement is set at 100% for all buildings and relevant structure on lots 152R and 126R, as proposed to be replat. This requirement is to be integrated into the property development agreement; and
6. The one employee condominium proposed is subject to the Affordable Housing Deed Restricted Requirements per the Municipal Code and CDC.
7. At first reading of an ordinance the applicants provide a rezone exhibit map depicting the proposed rezoning areas.
8. Direct staff to update the zoning map consistent with the approvals herein.
9. Staff and DRB to consider further height restriction on 152R.

This motion is based on the evidence and testimony provided at a public hearing held on February 2, 2023, with notice of such hearing as required by the Community Development Code.

**Item 11. Consideration of a Design Review: Specific Approval for a second curb on lot 901-R2, 113 Victoria Drive, pursuant to CDC Section 17.6.6**

Jessica Garrow of Design Workshop: Presented as Staff

Dan Houlihan: Presented as Applicant

Public Comment: None

On a **MOTION** by **Kramer** seconded **Austin** by DRB voted **unanimously** to **deny** a Specific Approval for a second curb cut pursuant to CDC Section 17.6.6.B at 113 Victoria Drive based on the evidence provided within the Staff Report of record dated January 24, 2023

This motion is based on the evidence and testimony provided at a public hearing held on February 2, 2023, with notice of such hearing as required by the Community Development Code.

**Item 12. Review and Recommendation to Town Council regarding a Density Transfer and Rezone Application for lot 901-R2., 113 Victoria Drive, pursuant to CDC section 17.4.10**

Callie New of Design Workshop: Presented as Staff

Dan Houlihan: Presented as Applicant

Public Comment: None

On a **MOTION** by **Bennett** seconded by **Kramer** DRB voted **unanimously** to recommend to Town Council, an Ordinance regarding the Density Transfer and Rezone application pursuant to CDC Sections 17.4.9 & 17.4.10 of the Community Development Code, to rezone Lots 901-R2 and 902-R2 and transfer 1 single-family density unit (4-person equivalent density) to the density bank, based on the evidence provided within the Staff Report of record dated January 24, 2023, and with the **following conditions**:

1. Prior to the recordation of the associated ordinance approving the Density Transfer and Rezone, the owner must obtain Town Council approval of the Class 5 Minor Subdivision.
2. The owner of record of density in the density bank, shall be responsible for all dues, fees, and any taxes associated with the assigned density and zoning until such time as the density is either transferred to a lot or another person or entity.
3. 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.
4. All structures shall require a monitored NFPA 72 alarm system and monitored NFPA 13D sprinkler system.

This motion is based on the evidence and testimony provided at a public hearing held on February 2, 2023, with notice of such hearing as required by the Community Development Code.

**Item 13. Consideration of a Design Review: Final Architecture Review for a new Single-Family home on lot 1, Unit 12, Knoll Estates Drive, pursuant to CDC Section 17.4.11**

Jessica Garrow of Design Workshop: Presented as Staff

Joe Kelleher and Bill Tabberson: Presented as Applicant

Public Comment: None

On a **MOTION** by **Miller** seconded by **Bennett** DRB voted **unanimously** to approve the Final Architecture Review for a new single-family home located at Lot 1 Unit 12, based on the evidence provided in the staff record of memo dated February 2, 2023, and the findings of this meeting with the following **findings and specific approvals**:

With the **following design variation**:

- 1) Driveway standards
- 2) Landscaping – Diversity of Tree Species

And, with the **following conditions**:

- 1) Prior to building permit, the applicant shall demonstrate that the driveway easement has been amended to meet the required width of 16’.
- 2) Prior to building permit, the applicant shall work with staff to ensure the construction crane swing does not impede the roadway.
- 3) Prior to building permit, the applicant shall work with Public Works to field verify all utilities.
- 4) The structure shall require a monitored NFPA 72 alarm system.
- 5) TFPD recommends the installation of a Knox Box for emergency access.
- 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) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE.
- 8) A monumented land survey shall be prepared by a Colorado public land surveyor to establish the maximum building height.
- 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.

**Item 14: ADJOURN**

**MOTION** to adjourn by and seconded by and **unanimous** consent, the Design Review Board voted to adjourn the February 2, 2023, meeting at **2:52**

Prepared and submitted by,

Marleina Fallenius, Planning Technician & Housing Coordinator