TOWN OF MOUNTAIN VILLAGE REGULAR DESIGN REVIEW BOARD MEETING THURSDAY JUANUARY 4, 2018 10:00 AM

2nd FLOOR CONFERENCE ROOM, MOUNTAIN VILLAGE TOWN HALL 455 MOUNTAIN VILLAGE BLVD, MOUNTAIN VILLAGE, COLORADO

AGENDA

	Time	Min.	Presenter	Type	
1.	10:00		Chair		Call to Order
2.	10:00	5	Starr	Action	Reading and Approval of Summary of Motions of the of the December 7, 2017 Design Review Board Meeting.
3.	10:05	30	Bangert	Public Hearing, Quasi-Judicial Action	Consideration of a Minor Revisions application for changes to the driveway retaining walls on Lot 166AR2-8, 7 Stonegate Drive
4.	10:35	25	Haynes	Public Hearing, Quasi-Judicial Action	A Recommendation to Town Council regarding a proposed density transfer and rezone application for Lot 304, 317 Benchmark Drive, to transfer one density unit (four-person equivalent density) into the Density Bank.
5.	11:00	45	Haynes	Public Hearing, Quasi-Judicial Action	A Recommendation to the Town Council regarding a Major PUD Amendment to Extend the Development Agreement and the Associated Vested Property Rights on Lots 126R and 152R, Country Club Drive, for a two-year period.
6.	11:45	30			LUNCH
7.	12:15	60	Bangert	Initial Architecture and Site Review	Consideration of a Class 3 application for Initial Architectural and Site Review for a new single-family home on Lot 416A, 206 Wilson Peak Drive
8.	1:15	5	Haynes	Discussion	Other Business: Reminder for request for letters of interest/resumes for Board Member whose term is up in April 2018
9.	1:20				Adjourn

SUMMARY OF MOTIONS TOWN OF MOUNTAIN VILLAGE DESIGN REVIEW BOARD MEETING THURSDAY, DECEMBER 7, 2017

Call to Order

Chairman Banks Brown called the meeting of the Design Review Board of the Town of Mountain Village to order at 10:00 a.m. on Thursday, December 7th, 2017 in the Conference Room at 455 Mountain Village Boulevard Mountain Village, CO 81435.

Attendance

The following Board/Alternate members were present and acting:

Banks Brown Keith Brown **David Craige Phil Evans Greer Garner** Luke Trujillo Liz Caton (Alternate) Jean Vatter (Alternate)

The following Board members were absent:

Dave Eckman

Town Staff in attendance:

Michelle Haynes, Planning & Development Services Director Dave Bangert, Senior Planner/Forester Sam Starr, Planner

Public in attendance:

Keeley Carter

Carl Carter Landon Barrett Jeff Koenig **Robert Stenhammer Chris Hawkins Narcis Tudor** Tommy Hein Steve Cieciuch **Eddie Sachs** Ben Jackson **Shannon Murphy** Ryan Deppen **Anton Benitez**

Stephanie Fanos

Keely_Carter@hotmail.com Carl_Carter3@hotmail.com lando.barrett@gmail.com Jeff@koenigconstructionservice.com

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Reading and Approval of Summary of Motions and Corrected Summary of Motions for the November 2nd, 2017 Joint Town Council and Design Review Board Meetings

On a **Motion** made by Luke Trujillo and seconded by David Craige, the DRB voted 7-0 to approve the November 2nd, 2017 Design Review Summary of Motions with the following changes:

1) Greer Garner was not in attendance for the November 2nd meeting.

Consideration of a Class 3 Final Design Review Process Application for New Construction of a Single-Family Home on Lot 702, 124 Adams Ranch Road.

Dave Bangert presented the Final Design Review consideration of a Class 3 Design Review Application for new construction of a single-family home on Lot 702, 124 Adams Ranch Road. Luke Trujillo of TruLinea Architects presented on behalf of the owner. Board Member Luke Trujillo recused himself for this agenda item because a conflict of interest.

No public comment was provided.

On a **Motion** made by Phil Evans and seconded by David Craige, the DRB voted 6-1 to approve the Final Design Review with the stated variations and specific approvals for Lot 702 with the following conditions:

- 1) 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. This condition shall be carried over to any Final Review Approval as it is a construction condition.
- 2) A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE. This condition shall be carried over to any Final Review Approval as it is a construction condition.

Work Session Application for a New Single-Family Home on Lot 359, 115 Snowfield Drive.

Dave Bangert presented the Work Session Application for a new single-family home on Lot 359, 115 Snowfield Drive. Architect Narcis Tudor presented for the owner.

There was no public comment.

Work Session Application for a New Single-Family Home on Lot 89-2B, 667 Mountain Village Boulevard.

Dave Bangert presented the Work Session Application for a new single-family home on Lot 89-2B, 667 Mountain Village Boulevard. Architect Tommy Hein and planner Chris Hawkins presented for the owner.

There was no public comment.

Consideration of a Design Review Application to Allow for a Heated Walkway Encroaching into a General Easement on Lot 221AR, 200 Wilson Peak Drive.

Dave Bangert presented the Design Review Application for a General Easement encroachment on Lot 221AR, 200 Wilson Peak Drive. Luke Trujillo of TruLinea Architects presented on behalf of the owner. Board Member Luke Trujillo recused himself for this agenda item because a conflict of interest.

There was no public comment

On a **Motion** made by Greer Garner and seconded by Phil Evans, the DRB voted 7-0 to approve a Design Review Application for a General Easement encroachment on Lot 221AR, 200 Wilson Peak Drive.

Consideration of a Design Review Application for a design variation to allow for a privacy gate along the driveway on Lot 929R, 184 Butch Cassidy Drive.

Dave Bangert presented the Design Review Application for a design variation to allow for a privacy gate along the driveway on Lot 929R, 184 Butch Cassidy Drive. Shannon Murphy and Ryan Deppen presented on behalf of the owner.

There was no public comment.

On a **Motion** made by David Craige and seconded by Keith Brown, the DRB voted 7-0 to approve a design variation on Lot 929R, 184 Butch Cassidy Drive.

A Recommendation from the Design Review Board to the Town Council Regarding Consideration of Conditional Use Permit at Community Development Code Section 17.4.14, to Allow Surface Unpaved Parking on a Portion of Lot 161CR, 691 Mountain Village Boulevard.

Michelle Haynes presented the Class 4 Application for consideration of a Conditional Use Permit to allow Surface Parking on a portion of Lot 161CR, 691 Mountain Village Boulevard. Stephanie Fanos presented on behalf of the owner.

Chris Hawkins of Alpine Planning, LLC provided public comment asking for the board to consider a condition of approval that requires parking to be phased out after this winter.

On a **Motion** made by Phil Evans and seconded by Keith Brown, the DRB voted 7-0 to recommend approval to the Town Council for a Conditional Use Permit on Lot 161R for unimproved surface parking with the following conditions:

- 1) The stairs receive the necessary town and TSG approvals and are constructed within 12 months of the CUP approval.
- 2) Provide a final site and improvements plan indicating parking space configuration, signage and all additional improvements associated with the parking use to be reviewed and approved by the planning director prior to placing improvements. The parking plan will confirm the following:
 - a. No improvements are being placed in the general easements unless they are temporary and easily removable (such as a freestanding bollard or sign post that are not anchored or affixed to the ground).
 - b. A sixteen (16) foot fire and emergency lane is demonstrated on the site plan to scale per fire department comments.
 - c. Identify snow storage areas.
 - d. Determine the type, style and location of barriers such as boulders or posts and cables that will be installed to help guide parking.
 - e. Address mitigation measures regarding headlight glare west towards the Village Center with the final site and improvement plan.
 - f. Provide a general narrative regarding hours of operation and parking area management.
- 3) Temporary or permanent improvements placed for the purposes of parking use will be removed when the CUP expires. (This does not include the stairs)
- 4) The CUP remain valid until commencement of construction of improvements on the Lot subject to issuance of a building permit by the Town of Mountain Village.
- 5) All access stairs shall include step lights.

Other Business

Planning and Development Services Director Michelle Haynes provided an update on the 2018 DRB Schedule, and asked for input on the appropriateness of providing packets for the January 4th 2018 meeting to the Design Review Board on January 2nd, 2018. Michelle also reminded Design Review Board members that several seats will be vacant in 2018, and the town will begin advertising for those.

On a **Motion** made by Phil Evans and seconded by Greer Garner, the DRB voted 7-0 to direct staff to enter discussions with Town Council about removing parking on Mountain Village Boulevard. DRB cited recent public comment, and the development on 89-2B as reasons why parking should not be allowed on Mountain Village Boulevard.

Adjourn

On a unanimous **Motion**, the DRB voted 7-0 to adjourn the December 7th, 2017 meeting of the Mountain Village Design Review Board at 1:53 p.m.

Prepared and Submitted by,

Sam Starr Planner Town of Mountain Village



PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISON

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

TO: Design Review Board

FROM: Dave Bangert, Senior Planner

FOR: DRB Public Hearing on January 4, 2018

DATE: December 20, 2017

RE: Consideration of a Minor Revisions Application for changes to the driveway

retaining walls on Lot 166AR2-8.

PROJECT GEOGRAPHY

Application Description: Design Review Process

Legal Description: Lot 166AR2-8, Mountain Village

Address: 8 Stonegate Drive, Mountain Village, CO 81435

Applicant/Agent: Telluride Land Acquisition, LLC **Owner:** Telluride Land Acquisition, LLC

Zoning: Single Family

Existing Use: Vacant Single Family

Proposed Use: Single Family

Adjacent Land Uses:

North Single Family
 South Single Family
 East Active Open Space
 West Single Family

ATTACHMENTS

Exhibit A: ApplicationExhibit B: Plan set

BACKGROUND

In accordance with 17.4.3 of the Community Development Code (CDC), the applicant has applied for a Class 1 (raised to a Class 3) Minor Revisions application for changes to the driveway retaining walls. One of the original conditions of approval was any substantial changes to the approved driveway and drainage plans will come before the full Design Review Board for review. The original plans called for a boulder wall that would match existing walls in the Stonegate subdivision. During the development, the wall design was changed to a gabion basket Hilficker wall. The applicant is proposing to cover the length of the wall in corrugated rusted metal. This will allow for future development of adjacent Lot 166AR2-7 without having to dismantle a rock veneer. There are other minor changes that are part of this application that will be approved at the staff level. Minor changes to the connector element between the garage and the main home,

railing changes from glass to metal mesh on the upper deck, landscape changes due to availability of certain tree species, and revisions to the exterior lighting.

17.6.6 ROAD AND DRIVEWAY STANDARDS

Driveway Standards

The width of the driveway is 12' with 2' shoulders and a curb and gutter on the uphill side of the drive for drainage. The heights for the driveway Hilficker retaining wall ranges from 12' up to 16' at the fire truck hammer head. In 2014 DRB gave specific approval for the retaining walls to be more than 5' in height without stepping.

ADDITIONAL DRIVEWAY INFORMATION

In the course of construction the applicant modified a portion of Stonegate Drive grades to better address the slope on property of the driveway to Lot 8. As part of this approval, the town will also include a condition that the Stonegate Drive grade be re-adjusted by the summer of 2018. The town and applicant have discussed and agreed to this condition.

RECOMMENDATION

Staff finds that the changes to the driveway retaining walls will not have an adverse effect on the surrounding properties on Lot 166AR2-8 with the following draft motion:

"I move to approve a Minor Revisions application to allow for changes to the driveway retaining walls on Lot 166AR2-8 with the findings contained in the staff memo and the following condition:

1. Stonegate Drive grades will be readjusted to the satisfaction of the town public works director.

2



dylan henderson_970-708-4795

dylanh12@hotmail.com

Date: 12.18.2017

Narrative for minor re-design on Lot 8 Stonegate: Below is a summary of the plan changes from the original DRB plan set submittal.

Hilficker Wall Clarification: It was unclear at the time of the DRB meeting what this wall would become. We have had to build a gabion basket hilficker wall and we are requesting to cover the length of the wall in Corrugated Rusted Metal.

Connector element between Garage and Living Space. We had originally notched this in but during construction it was determined that it made for better water proofing, roof covering and living space to connect the elements more directly. By "filling in" the connector we added 120 Sq Ft to the lower level and 143 Sq Ft to the Upper Level for a total of 263 Sq Ft.

Revision to Upper Deck Rail- the railing was changed from Glass to metal mesh.

Landscape- the Limber Pines were eliminated as they cannot be acquired.

Revision to Outdoor Sconces- The fixtures were changed out. Cut sheets are attached in the submittal.

Please let me know if you have any questions.

Thank you,

Dylan Henderson



dh_architecture 970.708.4795 CA Lic#: 33789

CO Lic#: ARC.0402941



architecture

P.O. Box 2486 - Telluride, CO 81435 Phone: 970-708-4795 e-mail: dylanh12@hotmail.com

PROJECT TEAM

Consultant: Colorado Structural Inc. Mike Arbaney Address: 315 Bellview Ave. Unit F Address: P.O. Box 2544 Address: Crested butte, CO 81224 Phone: 970-349-5922 fax: 970-349-5926

e-mail: mike@coloradostructural.com

Consultant: Hughes Consulting Engineering, PA Address: 220 W. Colorado Ave. Address: P.O. Box 688 - Telluride, CO 81435 Phone: 970-239-1949 Fax: 785-842-2492 e-mail: dimitri@hce-pa.com

Consultant: San Juan Surveying Address: 160 D Society Drive Address: Telluride, CO 81435 Phone: 970-728-1128 Fax: 970-728-9201 e-mail: office@sanjuansurveying.net

Consultant: Lotus Energy Solutions Phone: 970-708-9674 Fax: 970-249-1296 email: lhaynes@alpinelumber.com

Consultant: Uncompangre Engineering, LLC Address: P.O. Box 3945 - Telluride, CO 81435 Phone: 970-729-0683

PROJECT DESCRIPTION

2 Level - 4 Bedroom, 4 Bath + 1 Powder Bath

PROJECT ZONING DESIGNATION Single Family Residence Zone SF

2012 IBC & 2012 IRC - Occ. Class R-3

PROJECT LEGAL DESCRIPTION

Lot 166AR2-8, Stonegate Telluride Mountain Village Colorado 81435 San Miguel County

No	Description	Date
1	Client Review	2-3-2014
2	Client Review	2-26-2014
3	DRB Review Submittal	3-19-2014
4	DRB Corrections Submittal	4-7-2014
5	DRB Submittal - Easement Revisions	4-16-2014
6	DRB Submittal - Civil Revisions	6-3-2014
7	Bid Set	8-20-2014
8	Interior Revisions	05-10-2015
9	Foundation Set	08-07-2015
10	Construction Documents Issued	10-08-2015
11	Square Foot Options	01-14-2016
12	Frame Plan Updated	09-14-2016
13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

Description	Date

Dallas Peak Residence

Stonegate - Lot 166AR2-8

Perspectives

09/14/16 DH / BF necked by DH / BF

As indicated

Perspective W

N.O. = Unless Noted Otherwise

. F.F. =Top Of Finish Flooring



architecture

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Mike Arbaney
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No.	Description	Date
7	DRB Revision	12/20/2017

Dallas Peak Residence

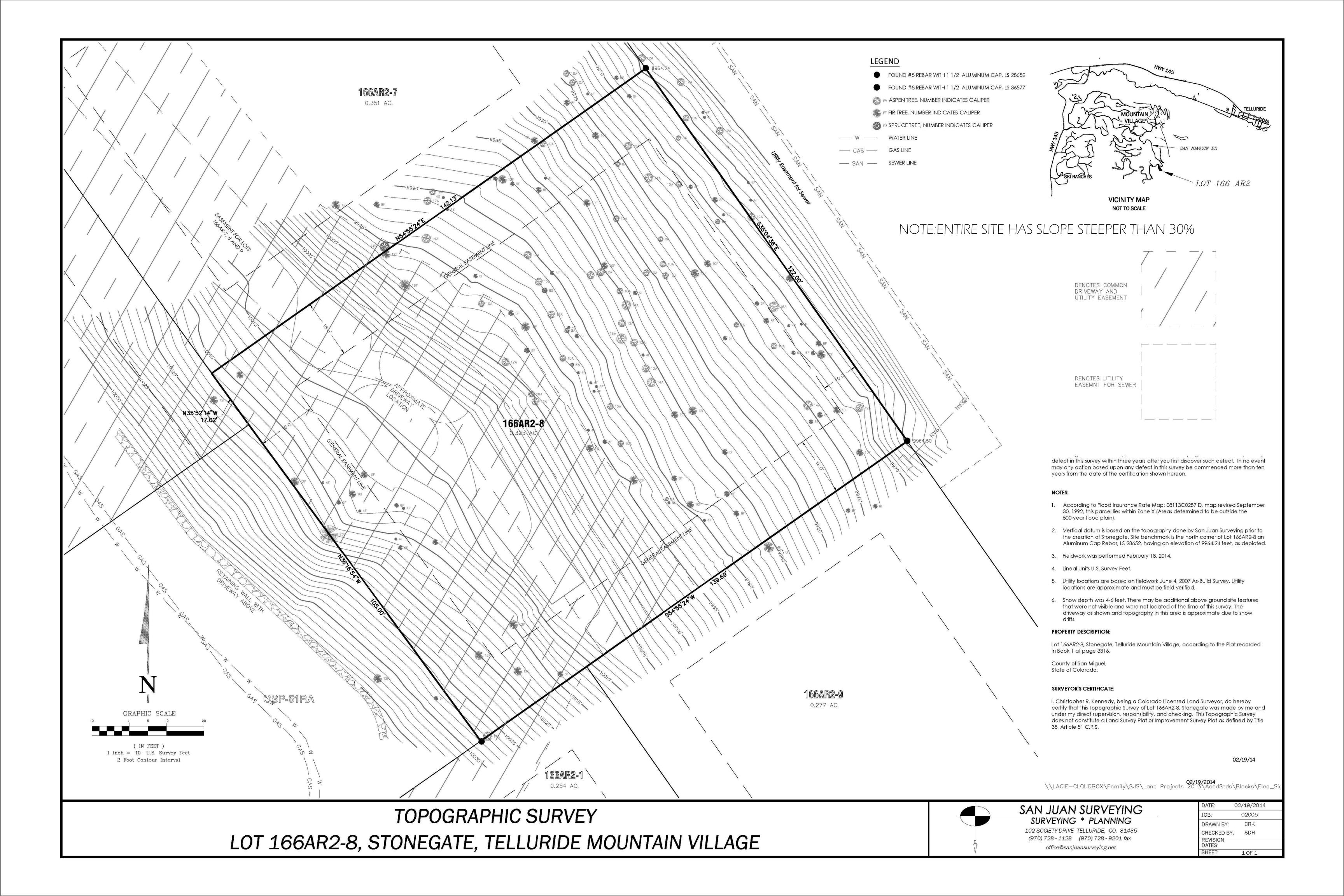
Stonegate - Lot 166AR2-8

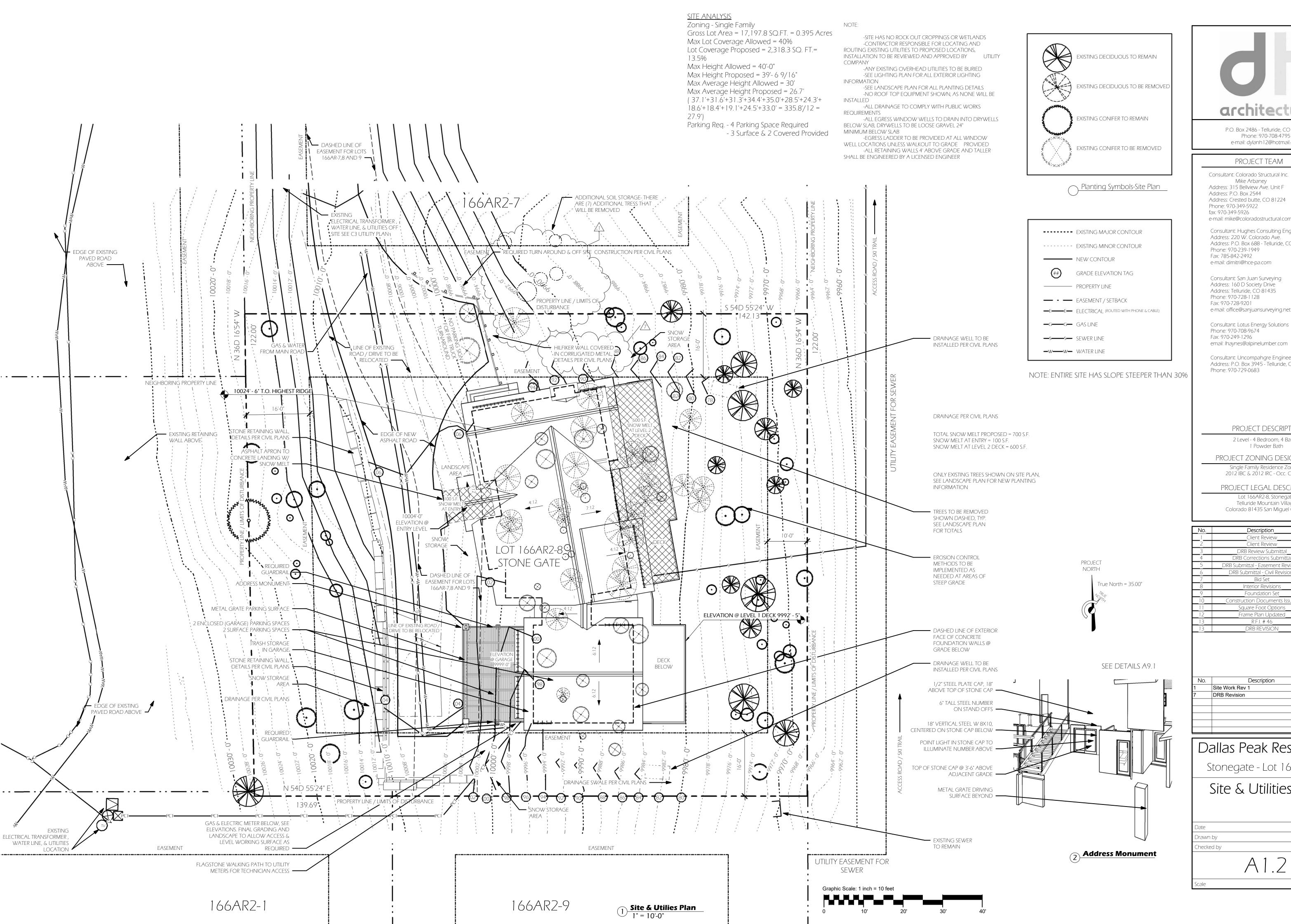
Perspectives

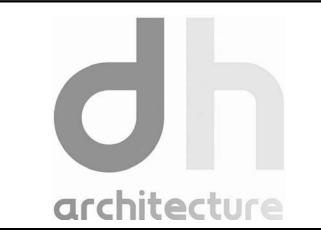
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13	R.F.I. # 46_	12-23-2016
13	DRB REVISION	12-20-2017

10.	Description	Date
	Site Work Rev 1	10/1/2015
	DRB Revision	12/20/2017

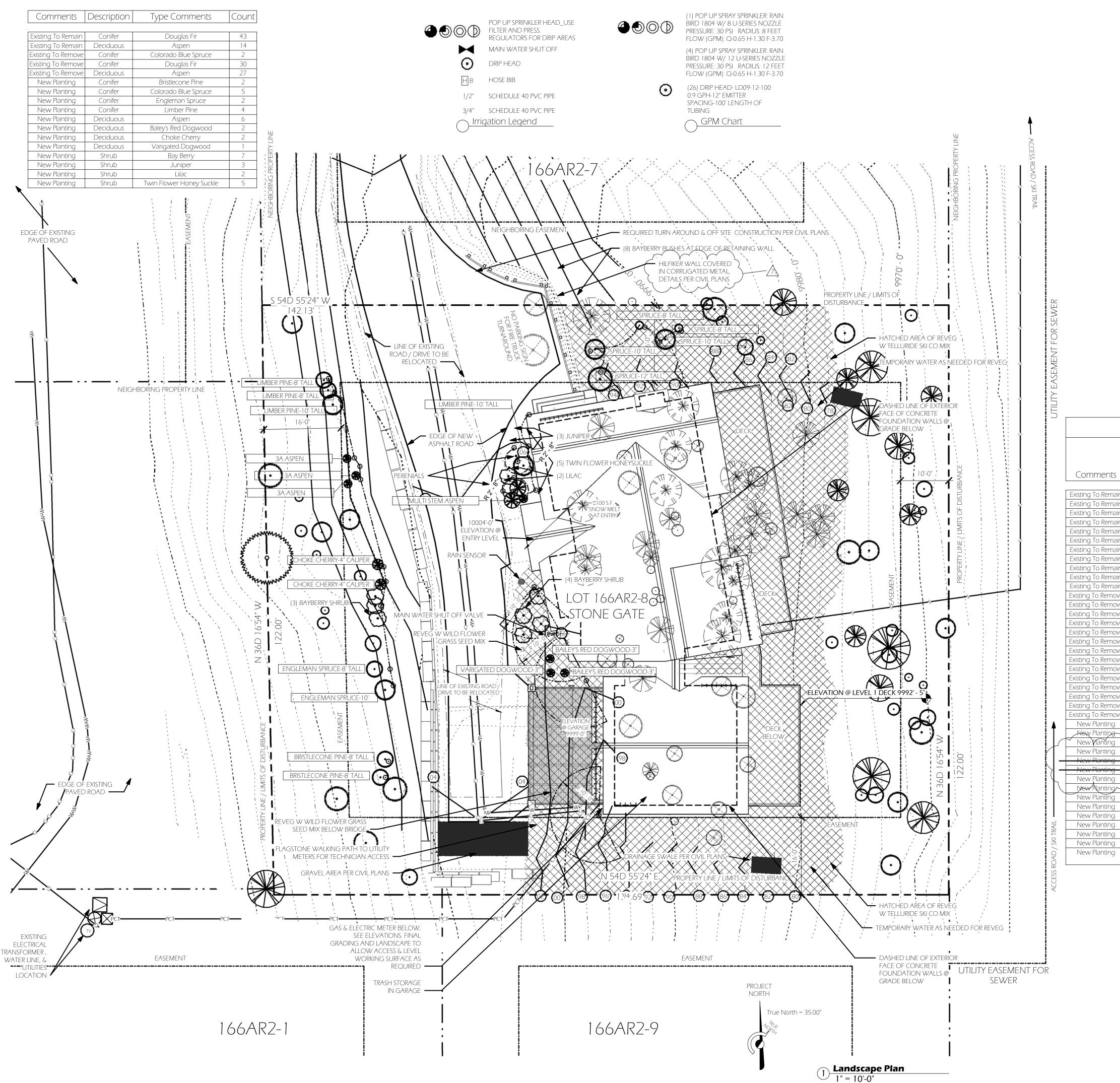
Dallas Peak Residence

Stonegate - Lot 166AR2-8

Site & Utilities Plan

DH / BF
DH/BF

As indicated



REVEGETATION NOTES

- SUBSOIL SURFACE SHALL BE TILLED TO A 4" DEPTH ON NON FILL AREAS. TOPSOIL SHALL BE SPREAD AT A MINIMUM DEPTH OF 4" OVER ALL AREAS TO BE REVEGETATED
- (EXCEPT ON SLOPES GREATER THAN 3:1) AND AMENDMENTS ROTOTILLED AT A RATE OF THREE CUBIC YARDS PER THOUSAND SQUARE FEET.
- BROADCASTING OF SEED SHALL BE DONE IMMEDIATELY AFTER TOPSOIL IS APPLIED (WITHIN TEN DAYS) TO MINIMIZE EROSION AND WEEDS. AREAS WHICH HAVE BEEN COMPACTED, OR ARE RELATIVELY UNDISTURBED, NEEDING
- SEEDING, SHALL BE SCARIFIED BEFORE BROADCASTING OF SEED. BROADCAST WITH SPECIFIED SEED MIX AND FOLLOW WITH DRY MULCHING.
- STRAW OR HAY SHALL BE UNIFORMLY APPLIED OVER SEEDED AREA AT A RATE OF 1.5 TONS PER ACRE FOR HAY AND 2 TONS PER ACRE FOR STRAW, CRIMP IN.
- ON SLOPES GREATER THAT 3:1 EROSION CONTROL BLANKET SHALL BE APPLIED IN PLACE OF STRAW MULCH AND PINNED.
- ALL UTILITY CUTS SHALL BE REVEGETATED WITHIN TWO WEEKS AFTER INSTALLATION OF UTILITIES TO PREVENT WEED INFESTATION. SEED ALL AREAS LABELED NATIVE GRASS SEED WITH THE FOLLOWING MIXTURE AT A RATE OF 12 POUNDS PER ACRE:

LANDSCAPE GENERAL NOTES

- ALL TREES AND SHRUBS SHALL BE FIELD LOCATED BY PROJECT ARCHITECT.
- ALL TREES AND SHRUBS SHALL BE BACK FILLED WITH A TOPSOIL / ORGANIC FERTILIZER MIXTURE AT A 2:1 RATIO.
- NECESSARY TREES SHALL BE STAKED WITH 4 FOOT METAL POSTS. TREES SHALL BE GUYED WITH 12 GAUGE GALVANIZED WIRE AND POLYPROPYLENE TREE RACE STRAPS. PERENNIAL PLANTING BEDS SHALL BE TILLED TO A 6" DEPTH AND AMENDED WITH TOPSOIL AND
- ORGANIC FERTILIZER AT A 2:1 RATIO. SEE PLANTING DETAILS FOR ALL DECIDUOUS AND EVERGREEN TREES. MULCH ALL PERENNIAL BEDS WITH A PINE BARK SOIL CONDITIONER BY SOUTHWEST IMPORTERS; SHREDDED CEDAR
- ALL PLANT MATERIAL TO MEET THE AMERICAN STANDARD FOR NURSERY STOCK. ALL PLANTED MATERIALS SHALL BE A NON-NOXIOUS SPECIES AS SPECIFIED WITHIN THE SAN MIGUEL COUNTY NOXIOUS WEED LIST. LANDSCAPING SHOWN ON THE LANDSCAPE PLAN
- SHALL COMPLY WITH SECTION 9-109 OF THE DESIGN REGULATIONS REGARDING NOXIOUS WEEDS. PROPERTY OWNERS ARE REQUIRED TO PROVIDE THE DRB W/ A 2 YR. PLANT GUARANTEE ON
- ALL PLANT MATERIALS PLANTED AS PART OF THE LANDSCAPE PLAN.
- NO TREES TO BE REMOVED OUTSIDE OF THE BUILDING ENVELOPE. 10. ALL NEW PLANTED ASPEN TREES TO BE MULTI-STEM TREES.

- T TAP WITH RAINBIRD PVB-075 BACKFLOW PREVENTER
- RAINBIRD RCM-12 ELECTROMECHANICAL CONTROLLER 1 1/2" WILKINS MODEL 500 PRESSURE REGULATOR
- RAINBIRD 150 ELECTRIC REMOTE CONTROL VALVE 1" CLASS 200 PVC MAINLINE
- 1" NSF POLYLATERAL LINE **WATER SENSOR**

Deciduous

Deciduous

Shrub

Shrub

Shrub

RAINBIRD POP-UP DRIP LINE TREES AND SHRUBS TO BE DRIP ONLY-DRIP ZONES TO BE SHUT OFF (2) FULL GROWING

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Existing To Remain	Conifer	Douglas Fir	12F	7	The wart
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Existing To Remain	Deciduous	Aspen	16A	1	
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Existing To Remove	Conifer	Douglas Fir	4F	9	
Existing To Remove		Douglas Fir	6F	5	
Existing To Remove	Conifer	Douglas Fir	8F	6	
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Existing To Remove	Deciduous	Aspen	14A	3	
Existing To Remove		Aspen	16A	1	PROPOSED PLANTING
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3 in.

4 in.

3 in.

n/a

n/a n/a 2

n/a

Choke Cherry

Bay Berry

Juniper

Lilac

Suckle

win Flower Honey

SOD / REVEG

PERENIALS

NOTE: ALL NEW PLANTINGS ARE LABELED WITH

CALIPER SIZE OR TREE HEIGHT. REFER TO SURVEY

SHEET FOR EXISTING TREE SIZE INFORMATION

GRADE ELEVATION TAG

ELECTRICAL (ROUTED WITH PHONE & CABLE)

EXISTING MAJOR CONTOUR

----- EXISTING MINOR CONTOUR

NEW CONTOUR

PROPERTY LINE

-G-G-GAS LINE

—s——s— SEWER LINE

-w-w- Water line

Linetypes Legend

- EASEMENT / SETBACK



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PROJECT TEAM

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e-mail: office@sanjuansurveying.net Consultant: Lotus Energy Solutions

Phone: 970-708-9674 Fax: 970-249-1296 email: lhaynes@alpinelumber.com

Consultant: Uncompahgre Engineering, LLC Address: P.O. Box 3945 - Telluride, CO 81435 Phone: 970-729-0683

PROJECT DESCRIPTION

2 Level - 4 Bedroom, 4 Bath + 1 Powder Bath

PROJECT ZONING DESIGNATION Single Family Residence Zone SF

2012 IBC & 2012 IRC - Occ. Class R-3

PROJECT LEGAL DESCRIPTION

Lot 166AR2-8, Stonegate Telluride Mountain Village Colorado 81435 San Miguel County

No	Description	Date
11	Client Review_	2-3-2014
2	Client Review	2-26-2014
3	DRB Review Submittal	3-19-2014
4	DRB Corrections Submittal	4-7-2014
5	DRB Submittal - Easement Revisions	4-16-2014
6	DRB Submittal - Civil Revisions	6-3-2014
7	Bid Set	8-20-2014
8	Interior Revisions	05-10-2015
9	Foundation Set	08-07-2015
10	Construction Documents Issued	10-08-2015
11	Square Foot Options	01-14-2016
12	Frame Plan Updated	09-14-2016
13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

No.	Description	Date
6	RFI 46	12/26/2016
7	DRB Revision	12/20/2017

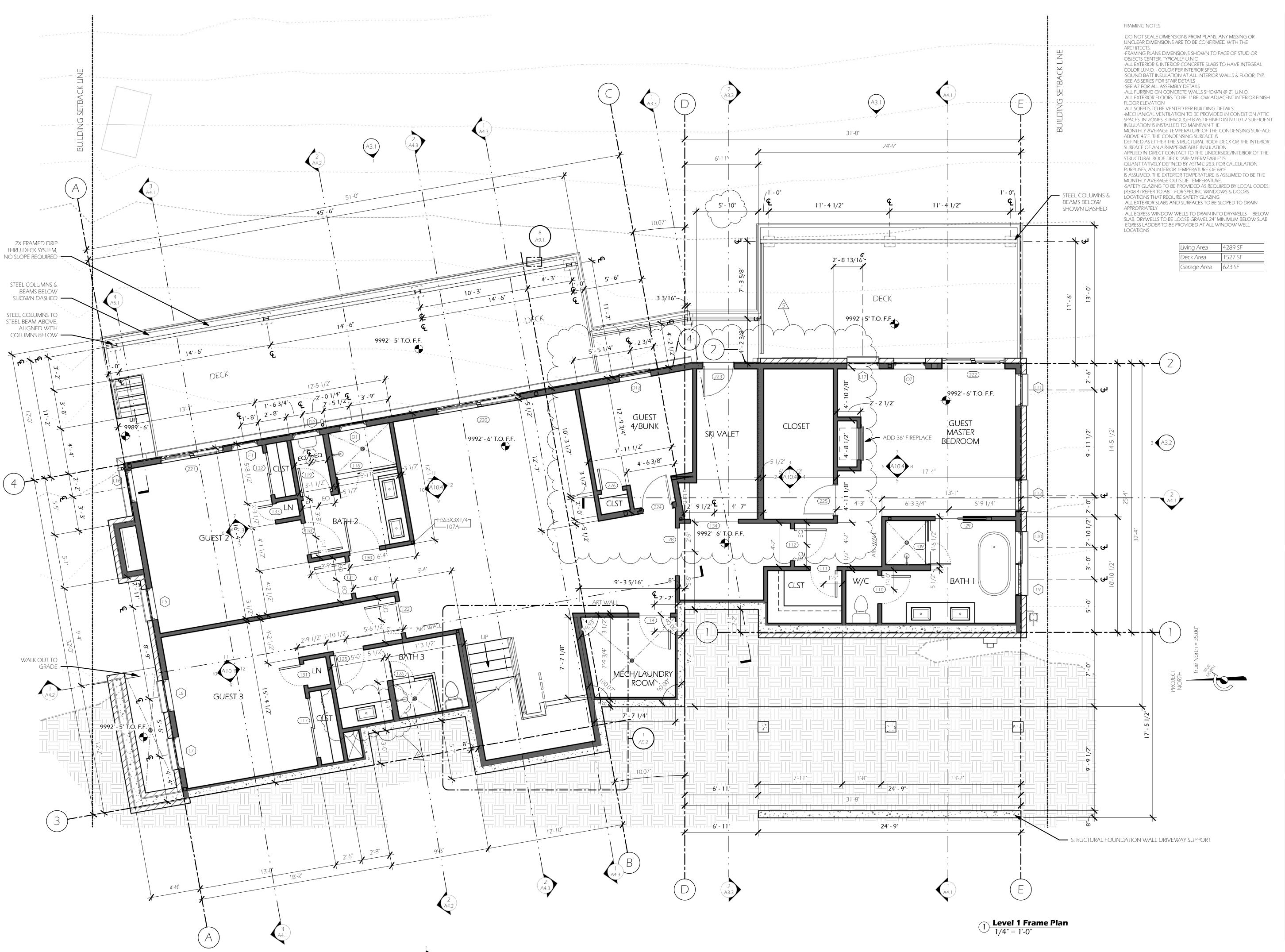
Dallas Peak Residence Stonegate - Lot 166AR2-8

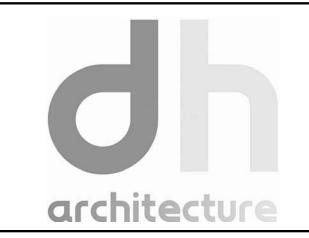
Landscape & Irrigation Plan

10/08/2015 DH / BF necked by DH / BF

A1.3

As indicated





P.O. Box 2486 - Telluride, CO 81435 Phone: 970-708-4795 e-mail: dylanh12@hotmail.com

PROJECT TEAM

Consultant: Colorado Structural Inc. Mike Arbaney Address: 315 Bellview Ave. Unit F Address: P.O. Box 2544 Address: Crested butte, CO 81224 Phone: 970-349-5922 fax: 970-349-5926 e-mail: mike@coloradostructural.com

Consultant: Hughes Consulting Engineering, PA Address: 220 W. Colorado Ave. Address: P.O. Box 688 - Telluride, CO 81435 Phone: 970-239-1949 Fax: 785-842-2492

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PROJECT ZONING DESIGNATION

Single Family Residence Zone SF

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12	Frame Plan Updated	09-14-2016
13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

No.	Description	Date
	Floor Plan Revisions	11/30/2016

Dallas Peak Residence

Stonegate - Lot 166AR2-8

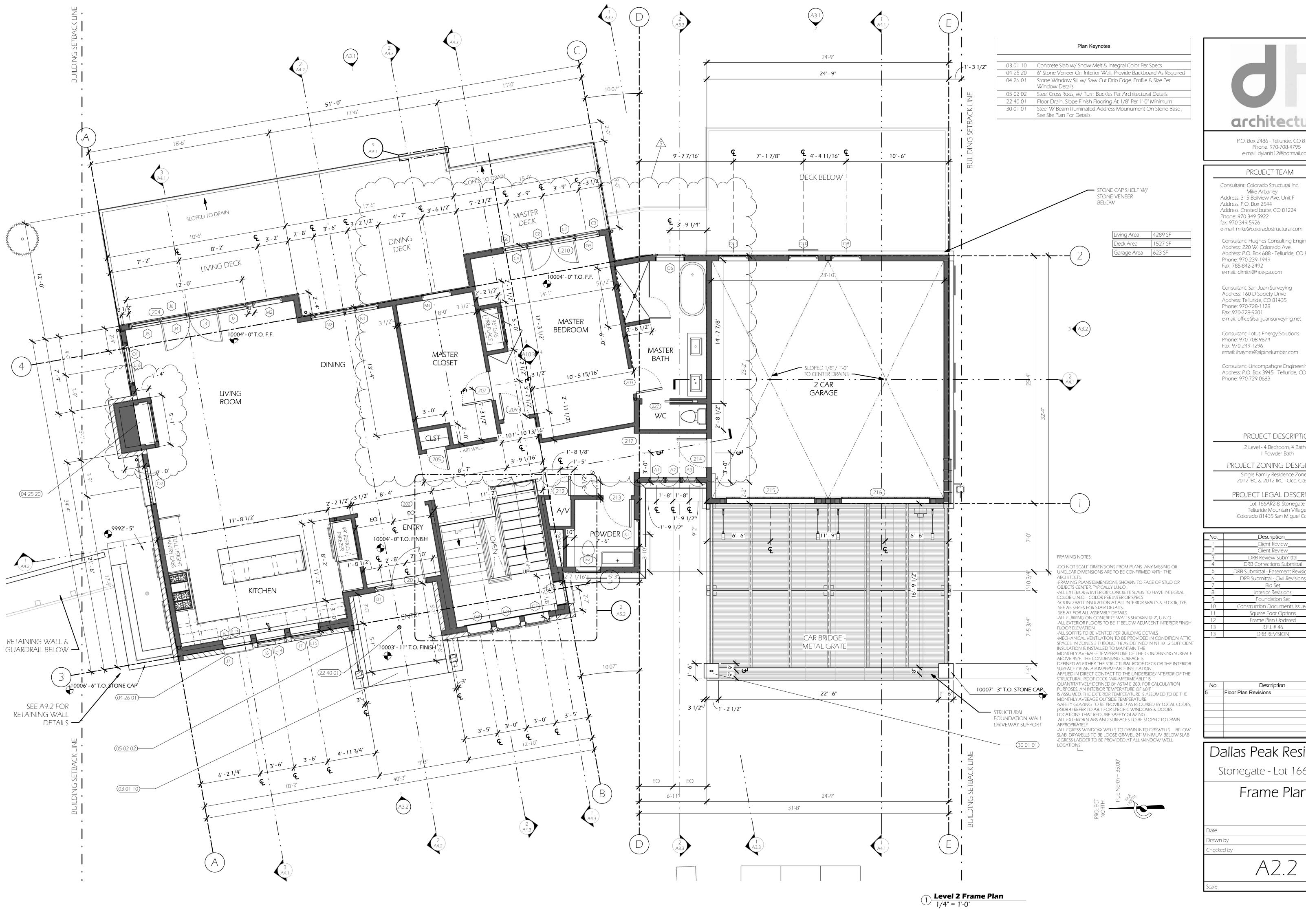
Frame Plans

Date	09/14/16
Drawn by	DH / BF
Checked by	DH / BF
	1

A2.1

As indicate

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PROJECT ZONING DESIGNATION

Single Family Residence Zone SF 2012 IBC & 2012 IRC - Occ. Class R-3

PROJECT LEGAL DESCRIPTION

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6	DRB Submittal - Civil Revisions	6-3-2014
77	_Bid Set	8-20-2014
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13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

No.	Description	Date
	Floor Plan Revisions	11/30/2016

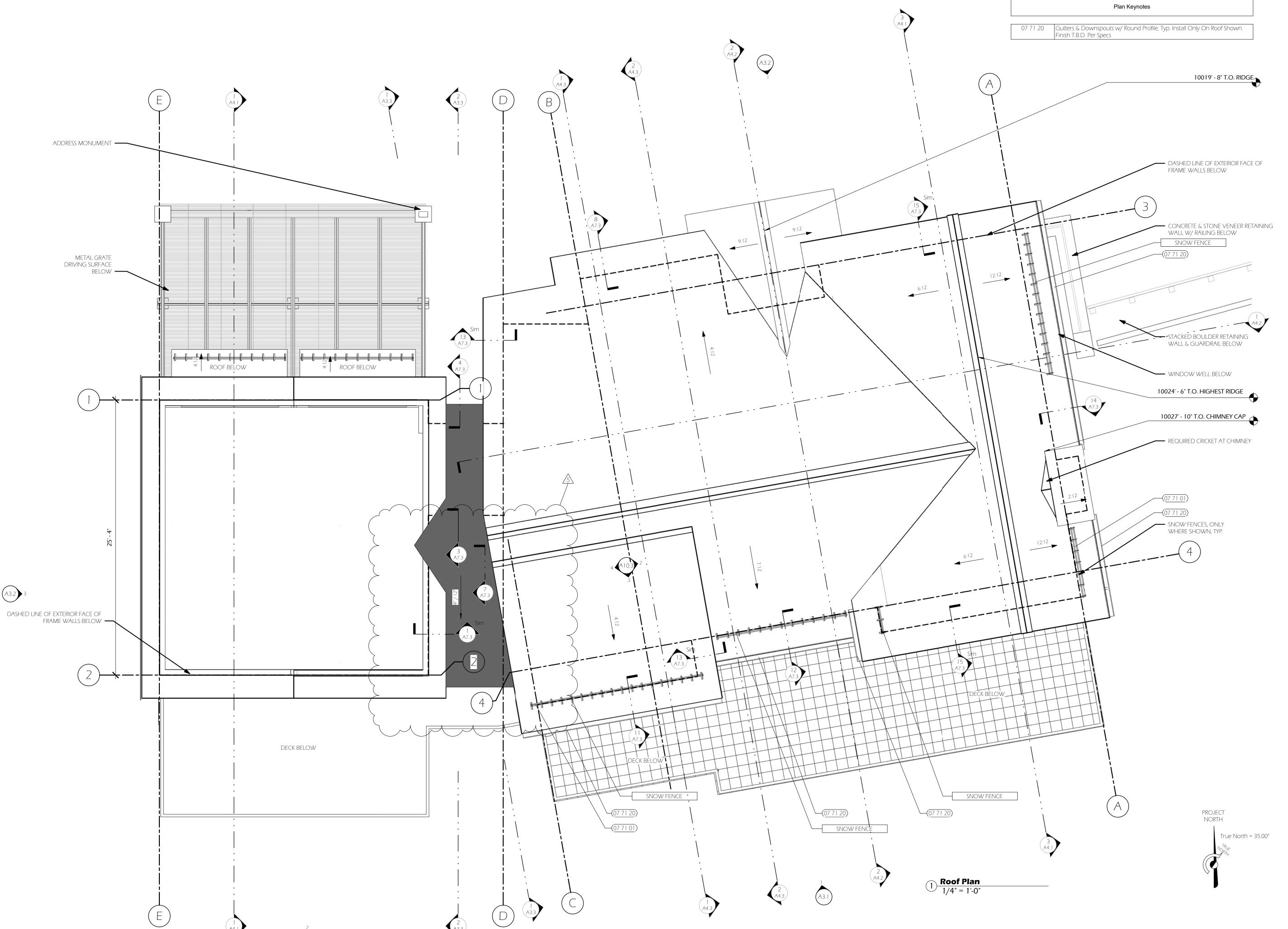
Dallas Peak Residence

Stonegate - Lot 166AR2-8

Frame Plans

Date	09/14/16
Drawn by	DH / BF
Checked by	DH/BF

As indicated





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Single Family Residence Zone SF
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13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

No.	Description	Date
5	Floor Plan Revisions	11/30/2016

Dallas Peak Residence

Stonegate - Lot 166AR2-8

Roof Plan

Date	10/08/2015
Drawn by	DH / BF
Checked by	DH/BF
A_2	2.3

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1/4" = 1'-0



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PROJECT ZONING DESIGNATION Single Family Residence Zone SF

2012 IBC & 2012 IRC - Occ. Class R-3

PROJECT LEGAL DESCRIPTION Lot 166AR2-8, Stonegate Telluride Mountain Village Colorado 81435 San Miguel County

DRB Review Submittal_

Description	Date
Floor Plan Revisions	11/30/2016

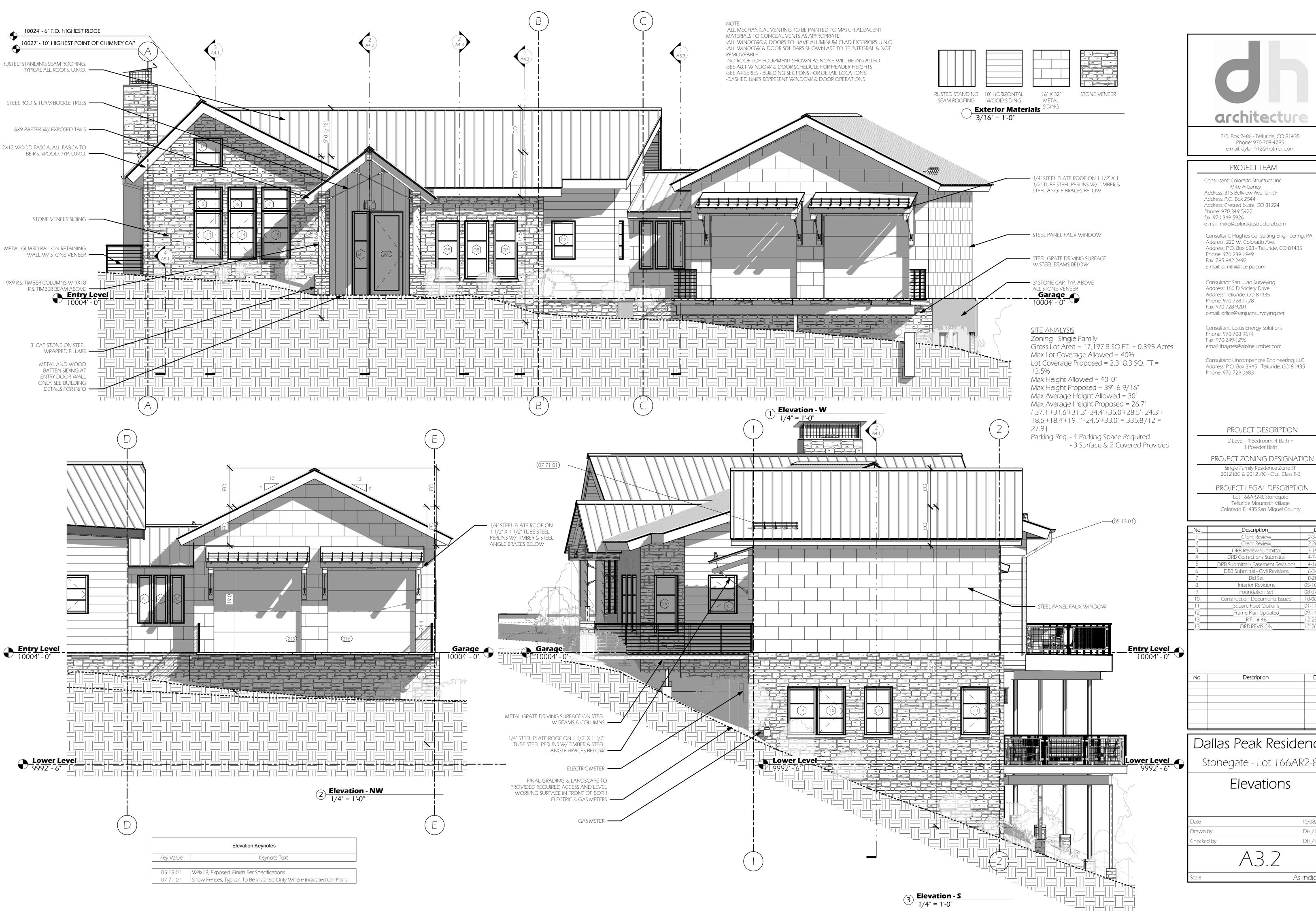
Dallas Peak Residence

Stonegate - Lot 166AR2-8

Elevations

Date	10/08/2015
Drawn by	DH / BF
Checked by	DH / BF
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lo.	Description	Date

Dallas Peak Residence

Stonegate - Lot 166AR2-8

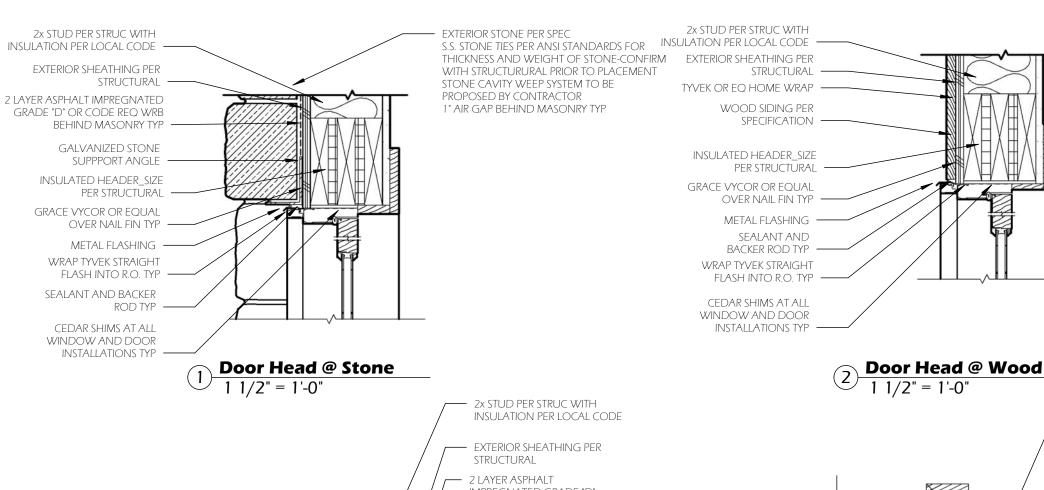
Elevations

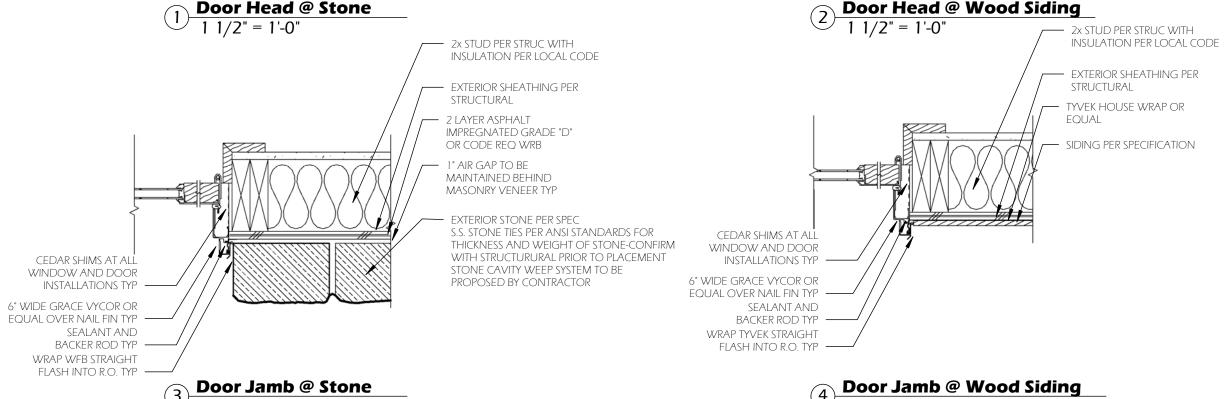
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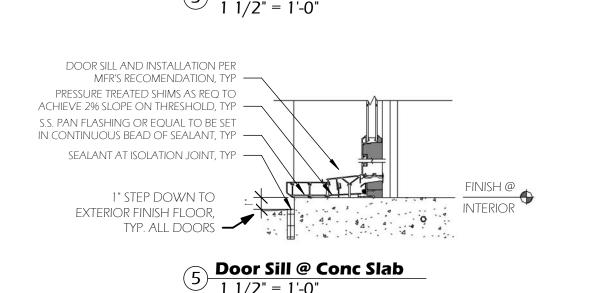
As indicate

Window Schedule							
Mark	Level	Width	Height	Head Height	Sill Height	Operation	Comments
A1	Entry Level	1'-6"	5' - 0"	8' - 0"	3' - 0"	Fixed	
A2	Entry Level	1'-6"	5' - 0"	8' - 0"	3' - 0"	Fixed	
A3	Entry Level	1'-6"	5' - 0"	8' - 0"	3' - 0"	Fixed	
B1	Entry Level	1'-10"	9' - 0"	9' - 0"	0"	Fixed	
C1	Entry Level	2' - 6"	2' - 0"	11'-0"	9' - 0"	Fixed	
C2	Entry Level	2'-6"	2' - 0"	11'-0"	9' - 0"	Fixed	
C3	Entry Level	2'-6"	2' - 0"	11'-0"	9' - 0"	Fixed	
C4	Entry Level	2' - 6"	2' - 0"	11'-0"	9' - 0"	Fixed	
D1	Lower Level	2' - 6"	2' - 6"	8' - 0"	5' - 6"	Casement	
D2	Lower Level	2' - 6"	2' - 6"	8' - 0"	5' - 6"	Casement	
E1	Lower Level	2' - 6"	4' - 0"	8' - 0"	4' - 0"	Casement	
E2	Entry Level	2' - 6"	4' - 0"	8' - 0"	4' - 0"	Casement	
G5	Entry Level	2' - 6"	6' - 0"	9' - 0"	3' - 0"	Fixed	
G6	Entry Level	2' - 6"	6'-0"	9' - 0"	3' - 0"	Fixed	
G7	Entry Level	2' - 6"	6' - 0"	8' - 0"	2' - 0"	Fixed	
G8	Entry Level	2' - 6"	6' - 0"	8' - 0"	2'-0"	Fixed	
G9	Entry Level	2' - 6" 2' - 6"	6' - 0" 6' - 0"	8' - 0" 8' - 0"	2' - 0"	Fixed	
G10 I5	Entry Level Entry Level	2 - 6 3' - 0"	2' - 6"	11'-6"	2 - 0"	Fixed Fixed	
16	Entry Level	3'-0"	2 - 6"	11'-6"	9'-0"	Fixed	
17	Entry Level	3'-0"	2'-6"	11'-6"	9' - 0"	Fixed	
	Entry Level	3' - 0"	3' - 0"	12' - 0"	9' - 0"	Fixed	
	Entry Level	3' - 0"	3' - 0"	12' - 0 9/16"	9'-09/16"	Fixed	
 J4	Entry Level	3' - 0"	3' - 0"	12' - 0 9/16"	9' - 0 9/16"	Fixed	
J5	Entry Level	3' - 0"	3' - 0"	12' - 0 9/16"	9'-09/16"	Fixed	
J6	Entry Level	3' - 0"	3' - 0"	16' - 6"	13' - 6"	Fixed	
J7	Entry Level	3'-0"	3' - 0"	16' - 6"	13' - 6"	Fixed	
K1	Entry Level	3'-0"	4' - 0"	8'-0"	4' - 0"	Casement	
L5	Lower Level	3' - 0"	5' - 0"	8' - 0"	3' - 0"	Casement	
L6	Lower Level	3'-0"	5' - 0"	8' - 0"	3' - 0"	Casement	
L7	Lower Level	3'-0"	5' - 0"	8' - 0"	3' - 0"	Casement	
L9	Lower Level	3' - 0"	5' - 0"	8' - 0"	3' - 0"	Fixed	
L10	Lower Level	3' - 0"	5' - 0"	8' - 0"	3' - 0"	Casement	
L11	Lower Level	3' - 0"	5' - 0"	8' - 0"	3' - 0"	Casement	
L12	Lower Level	3' - 0"	5' - 0"	8' - 0"	3' - 0"	Fixed	
L13	Entry Level	3' - 0"	5' - 0"	9' - 0"	4' - 0"	Casement	
L14	Entry Level	3' - 0"	5' - 0"	9' - 0" 9' - 0"	4' - 0" 4' - 0"	Casement	
L15	Entry Level	3' - 0"	5' - 0"	9 - 0		Casement	
L16 L17	Lower Level	3' - 0" 3' - 0"	5' - 0" 5' - 0"	8'-0"	3' - 0" 3' - 0"	Casement	
M1	Lower Level Entry Level	3'-0"	6'-6"	9' - 0"	2' - 6"	Casement Casement	
M2	Entry Level	3'-0"	6' - 6"	9'-0"	2'-6"	Casement	
N1	Entry Level	3'-6"	7' - 6"	9' - 0"	1'-6"	Fixed	
N2	Entry Level	3' - 6"	7' - 6"	9' - 0"	1'-6"	Fixed	
01	Entry Level	4' - 0"	6' - 0"	9' - 0"	3' - 0"	Fixed	
O2	Entry Level	4' - 0"	6' - 0"	9' - 0"	3' - 0"	Fixed	
06	Entry Level	3' - 0"	3' - 6"	7' - 6"	4' - 0"	Fixed	
07	LowerLevel	3'-0"	5'-0"	8 0"	3'-0"	Casement	
09 Y	Entry Level	3'-0"	5'-0"	8'-6"	3'-6"	Casement	Υ .
010	Entry Level	3'-0"	5' - 0"	8' - 6"	3' - 6"	Casement	
011	Entry Level	3'-0"	5' - 0"	8' - 6"	3' - 6"	Casement	
012	Lower Level	3' - 0"	5' - 0"	8'-0"	3' - 0"	Casement	

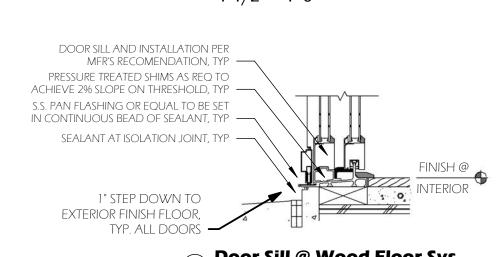
			Door Sc	hedule	
Mark	Level	Height	Width	Type Comments	Operation
001	Lower Level	3' - 0"	3' - 0"	Crawlspace Access Panel	Hinged - See Elevations
002	Lower Level	3' - 0"	3' - 0"	Crawlspace Access Panel	Hinged - See Elevations
109	Lower Level	7' - 0"	2' - 2"	Glass Shower Panel	Hinged - See Plan
110	Lower Level	7' - 0"	2' - 8"	Typical Interior Panel	Hinged - See Plan
111	Lower Level	7' - 0"	2' - 6"	Typical Interior Panel	Hinged - See Plan
112	Lower Level	7' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
114	Lower Level	7' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
116	Lower Level	7' - 0"	2' - 0"	Glass Shower Panel	Hinged - See Plan
117	Lower Level	7' - 0"	5' - 8"	Typical Interior Panel	Bi-Pass Slider
118	Lower Level	7' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
119	Lower Level	7' - 0"	2' - 8"	Typical Interior Panel	Hinged - See Plan
121	Lower Level	7' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
122	Lower Level	7' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
125	Lower Level	7' - 0"	2' - 10"	Typical Interior Panel	Hinged - See Plan
126	Lower Level	7' - 0"	2' - 0"	Glass Shower Panel	Hinged - See Plan
128	Lower Level	7' - 0"	4' - 6"	Cased Opening	
129	Lower Level	6' - 8"	2' - 8"	Typical Interior Panel	Pocket Slider
130	Lower Level	7' - 0"	2' - 10"	Typical Interior Panel	Hinged - See Plan
131	Lower Level	7' - 0"	2' - 0"	Typical Interior Panel	Hinged - See Plan
132	Lower Level	7' - 0"	4' - 0"	Typical Interior Panel	Bi-Pass Slider
133	Lower Level	7' - 0"	1'-6"	Typical Interior Panel	Hinged - See Plan
134	Lower Level	7' - 0"	6' - 0"	Cased Opening	
201	Entry Level	9' - 0"	3' - 6"	Exterior Full Lite Panel	Inswing - See Plan
202	Entry Level	7' - 0"	7' - 0"	Cased Opening	
203	Entry Level	8' - 0"	2' - 8"	Typical Interior Panel	Hinged - See Plan
204	Entry Level	9' - 0"	12' - 0"	Exterior Full Lite Panel	French Center Panels
205	Entry Level	7' - 0"	2' - 0"	Typical Interior Panel	Hinged - See Plan
207	Entry Level	8' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
209	Entry Level	8' - 0"	2' - 8"	Typical Interior Panel	Hinged - See Plan
210	Entry Level	9' - 0"	5' - 0"	Exterior Full Lite Panel	French Inswing
212	Entry Level	8' - 0"	2' - 0"	Typical Interior Panel	Hinged - See Plan
213	Entry Level	8' - 0"	2' - 10"	Typical Interior Panel	Hinged - See Plan
214	Entry Level	8' - 0"	3' - 0"	Typical Interior Panel	Hinged - See Plan
215	Garage	8' - 6"	9' - 0"	Exterior Metal Panel	Over Head Roll Door
216	Garage	8' - 6"	9' - 0"	Exterior Metal Panel	Over Head Roll Door
217	Entry Level	8' - 0"	4' - 0"	Cased Opening	
220	Lower Level	8'-0"	8' - 0"		
221	Lower Level	8'-0"	6' - 0"		
222	Lower Level	8'-0"	6' - 0"		
223	Lower Level	8'-0"	3' - 0"		
224	Lower Level	8'-0"	3' - 0"		
225	Lower Level	8'-0"	3' - 0"		
226	Lower Level	7' - 0"	2' - 0"	Typical Interior Panel	Hinged - See Plan
227	Entry Level	8' - 0"	2' - 10"		
228	Entry Level	7' - 0"	2' - 2"	Glass Shower Panel	Hinged - See Plan



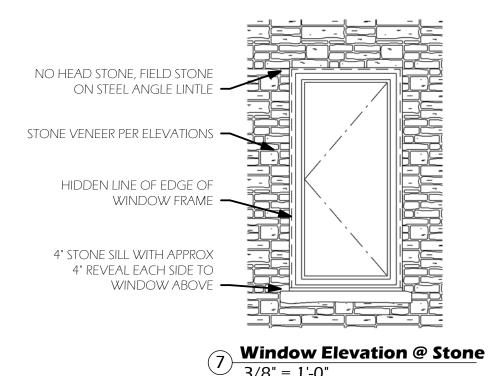


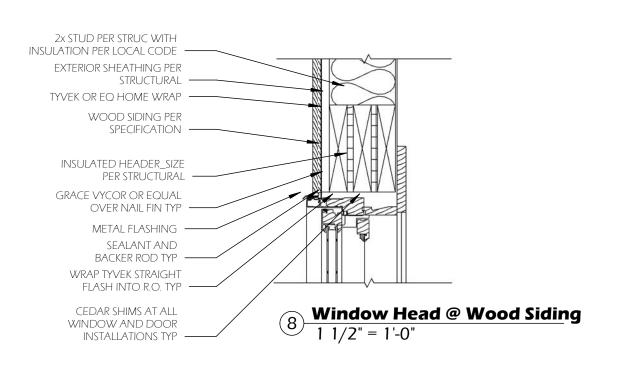


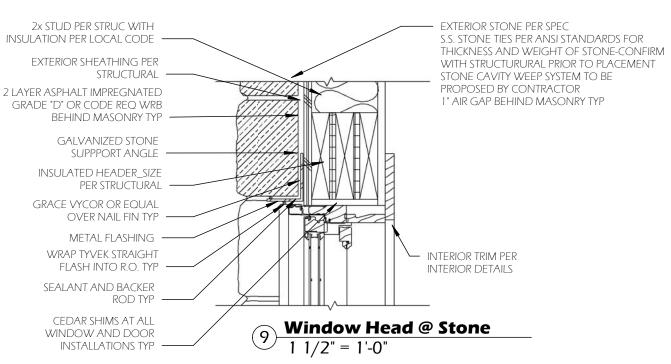
Door Jamb @ Stone

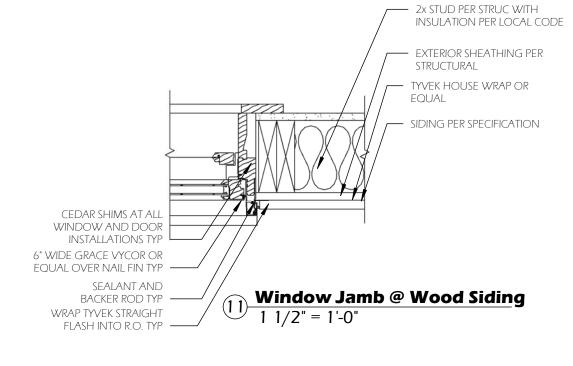


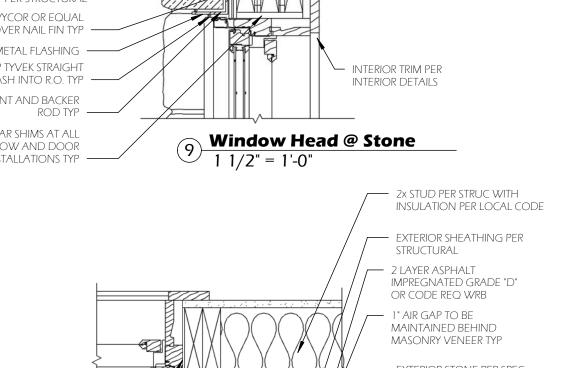
Door Sill @ Wood Floor Sys.

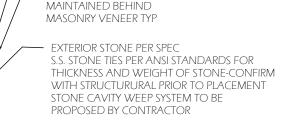


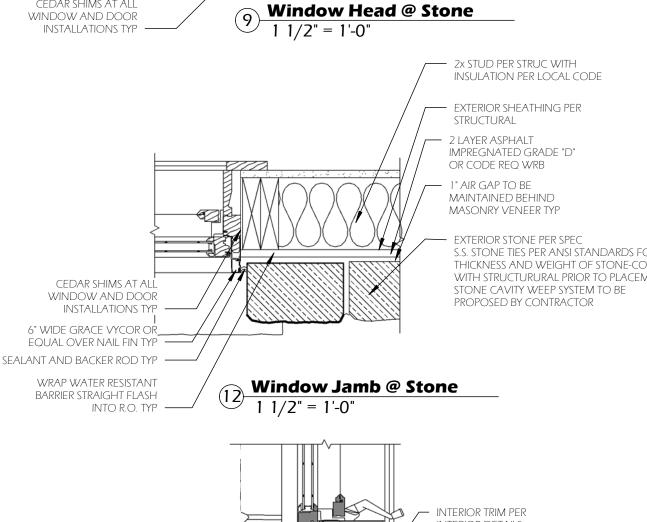


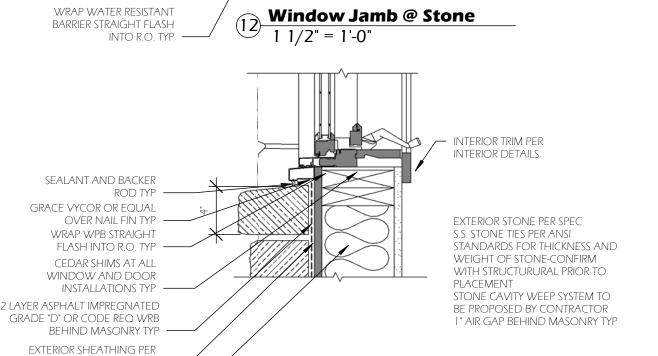








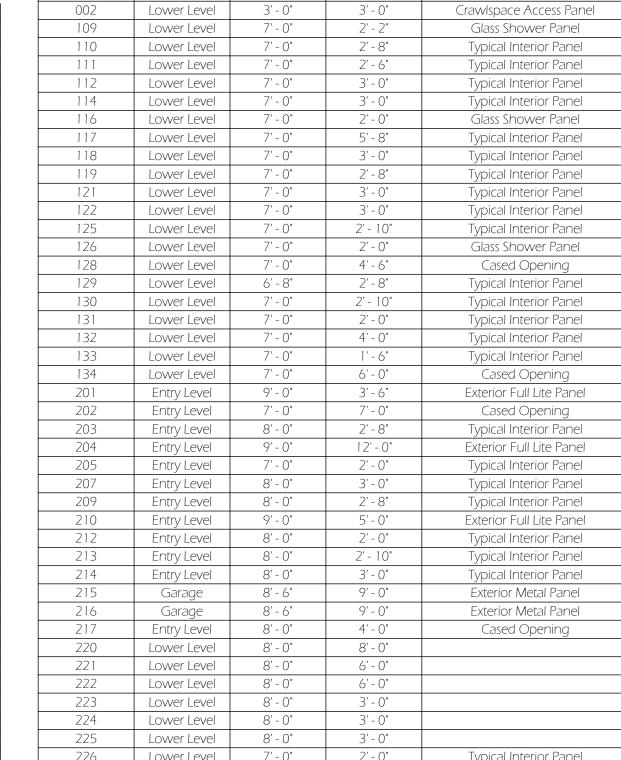




Window Sill @ Stone

STRUCTURAL -

2x STUD PER STRUC WITH





MOVED/RE-LABELED 223- MOVED 227- MOVED 214 CHANGED SWING WINDOW 08-RE-LABELED TO 012

NOTE:

WOOD SIDING PER ELEVATIONS —

HIDDEN LINE OF EDGE OF

NO TRIM @ WINDOWS,

WOOD SIDING TO BE RUN

WINDOW FRAME

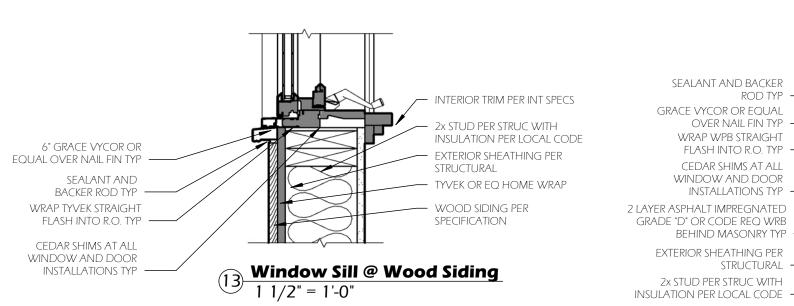
-HEAD HEIGHTS LISTED IN WINDOW SCHEDULE REFERENCE T.O. WINDOW FRAME. BUILDIER TO ADD R.O. PER WINDOW MANUFACFACTURERS RECOMMENDATIONS AND ADJUST HEADER HEIGHTS ACCORDING

(10) Window Elevation @ Wood

TIGHT TO WINDOWS

-ALL WINDOWS & DOORS TO HAVE ALUMINUM CLAD EXTERIOR & ARE TO BE INSTALLED PER MANU. INSTRUCTIONS

-NAIL FINS & PENETRATIONS TO BE WRAPPED WITH GRACE ICE & WATER SHIELD OR EQUAL



P.O. Box 2486 - Telluride, CO 81435 Phone: 970-708-4795 e-mail: dylanh 12@hotmail.com

PROJECT TEAM

Consultant: Colorado Structural Inc. Mike Arbaney Address: 315 Bellview Ave. Unit F Address: P.O. Box 2544 Address: Crested butte, CO 81224 Phone: 970-349-5922 fax: 970-349-5926 e-mail: mike@coloradostructural.com

Consultant: Hughes Consulting Engineering, PA Address: 220 W. Colorado Ave. Address: P.O. Box 688 - Telluride, CO 81435 Phone: 970-239-1949 Fax: 785-842-2492

e-mail: dimitri@hce-pa.com Consultant: San Juan Surveying Address: 160 D Society Drive Address: Telluride, CO 81435 Phone: 970-728-1128 Fax: 970-728-9201

e-mail: office@sanjuansurveying.net Consultant: Lotus Energy Solutions Phone: 970-708-9674 Fax: 970-249-1296

email: lhaynes@alpinelumber.com

Consultant: Uncompangre Engineering, LLC Address: P.O. Box 3945 - Telluride, CO 81435 Phone: 970-729-0683

PROJECT DESCRIPTION

2 Level - 4 Bedroom, 4 Bath + 1 Powder Bath

PROJECT ZONING DESIGNATION Single Family Residence Zone SF

2012 IBC & 2012 IRC - Occ. Class R-3

PROJECT LEGAL DESCRIPTION

Lot 166AR2-8, Stonegate Telluride Mountain Village Colorado 81435 San Miguel County

No	Description	Date
1	Client Review_	2-3-2014
2	Client Review	2-26-2014
3	DRB Review Submittal	3-19-2014
4	DRB Corrections Submittal	4-7-2014
5	DRB Submittal - Easement Revisions	4-16-2014
6	DRB Submittal - Civil Revisions	6-3-2014
7	Bid Set	8-20-2014
8	Interior Revisions	05-10-2015
9	Foundation Set	08-07-2015
10	Construction Documents Issued	10-08-2015
1 1	Square Foot Options	01-14-2016
12	Frame Plan Updated	09-14-2016
13	R.F.I. # 46	12-23-2016
13	DRB REVISION	12-20-2017

No.	Description	Date
	Added Garage Windows	10/11/2016
	Floor Plan Revisions	11/30/2016

Dallas Peak Residence

Stonegate - Lot 166AR2-8

Door & Window Schedule

10/08/2015	
DH / BF	
DH/BF	
	DH / BF

As indicated



Project Plans, Specifications and Design Memorandum

Welded Wire Wall

Stonegate Lot 8

Mountain Village, Colorado



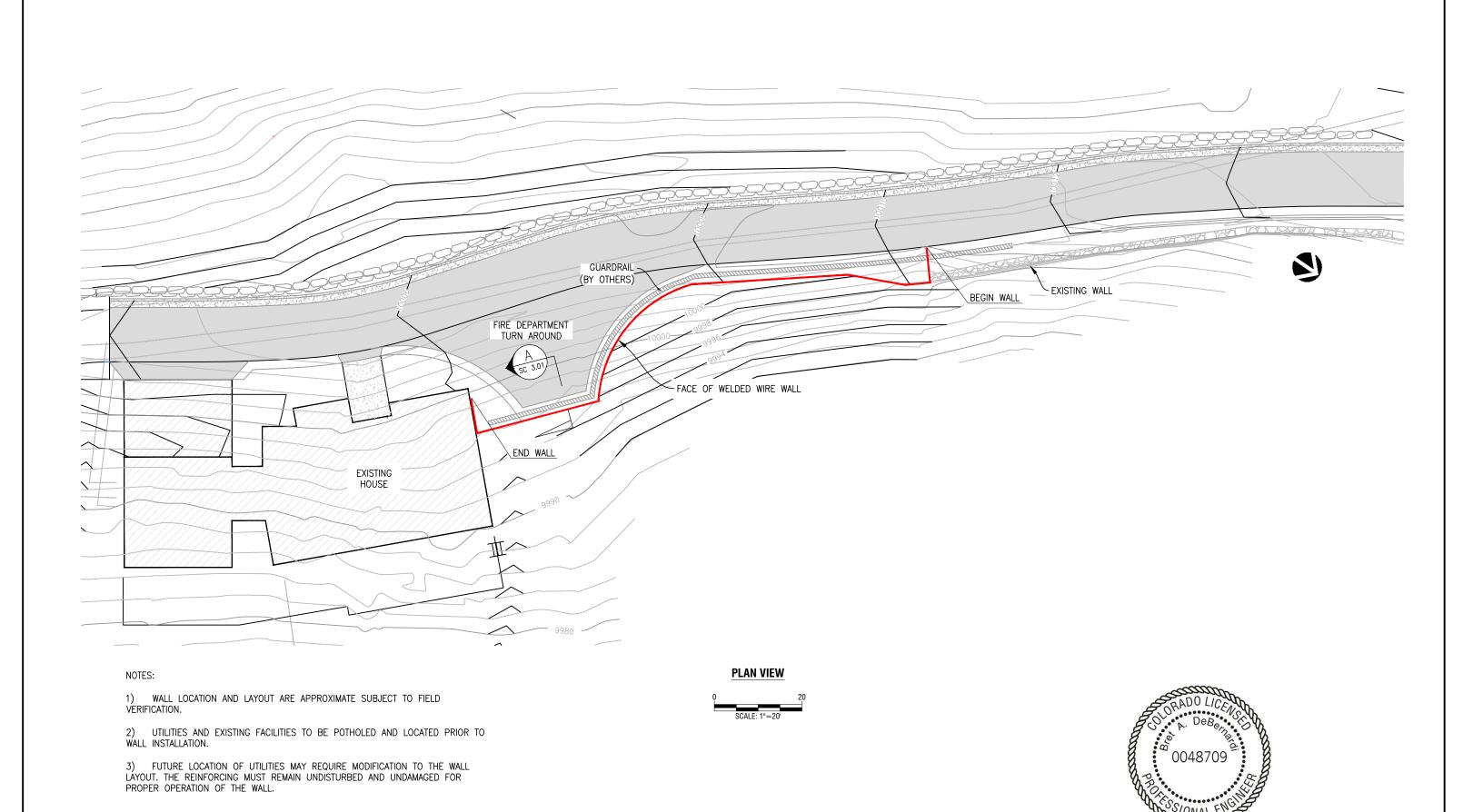
Hilfiker Retaining Walls 1902 Hilfiker Lane Eureka, California 95503-5711

(Attention: Mr. William Hilfiker, Jr.)

HRW Job No. 140728FW

Job No. 219-010-15 October 7, 2015

Gordon Geotechnical Engineering, Inc. 4426 South Century Drive Suite 100 Salt Lake City, Utah 84123 (801) 327-9600 phone



REFERENCE: Uncompahgre Engineering, LLC, Lot 8 Stonegate Mtn. Village, CO Project Plans, DRB Submittal dated 03.19.14

THIS DRAWING IS FURNISHED SOLELY FOR THE	DATE	DESCRIPTION	DATE	DESCRIPTION
USE OF OR IN CONNECTION WITH THIS PROJECT, AND THE PROPRIETARY INFORMATION SHOWN	10.07.15	SUBMITTED FOR CONSTRUCTION		
HEREON IS NOT TO BE TRANSMITTED TO ANY OTHER ORGANIZATION WITHOUT SPECIFIC AUTHORI—				
ZATION BY THE HILFIKER COMPANY. HILFIKER				
RETAINING WALLS ARE PROTECTED BY ONE OR MORE OF THE FOLLOWING PATENTS: 243.613.				
243,697, 288,616, 4,117,686, 4,329,089, 4,324,508, 4,391,557, 4,505,621,				
4.643,618, 4.661,023, 4.856,939,				
5,076,735, 5,647,695, 5,722,799, 6,357,970 AND OTHERS, OTHER PATENTS PENDING (2004)				
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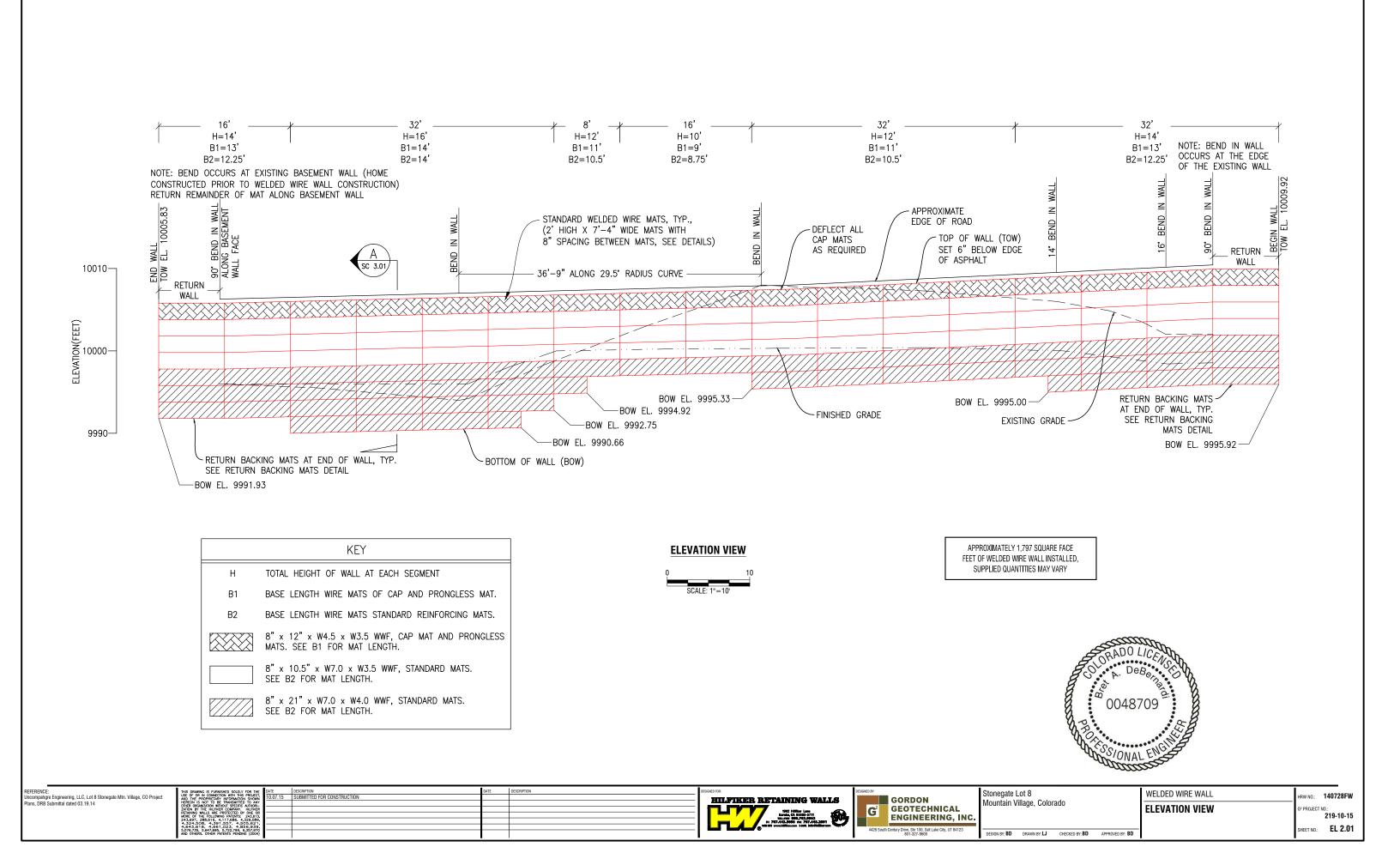


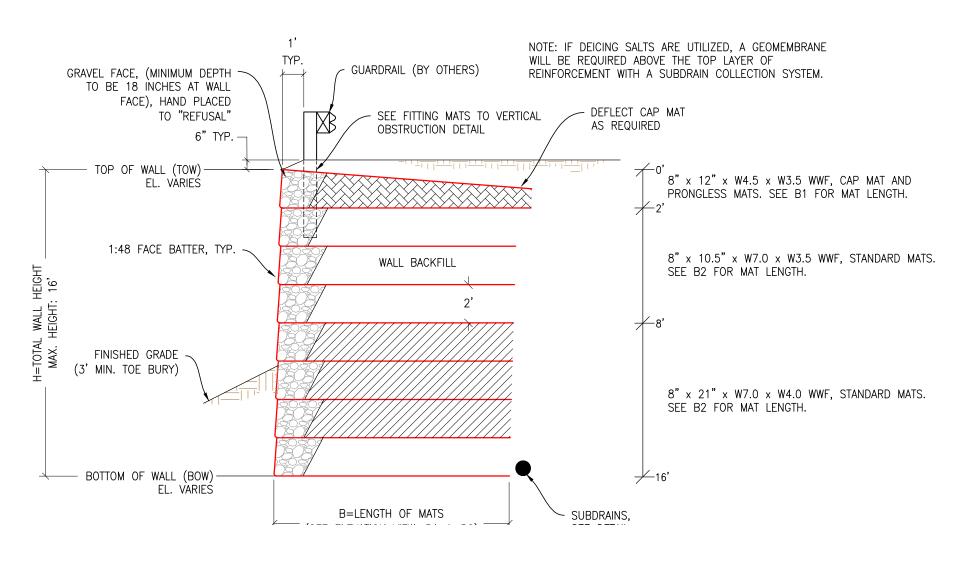


Stonegate Lot 8 Mountain Village, Colorado

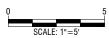
WELDED WIRE WALL **PLAN VIEW** G² PROJECT NO. HEET NO.: PL 1.01

219-10-15





CROSS-SECTION A





REFERENCE: Uncompahgre Engineering, LLC, Lot 8 Stonegate Mtn. Village, CO Project Plans, DRB Submittal dated 03.19.14

 ATE
 DESCRIPTION

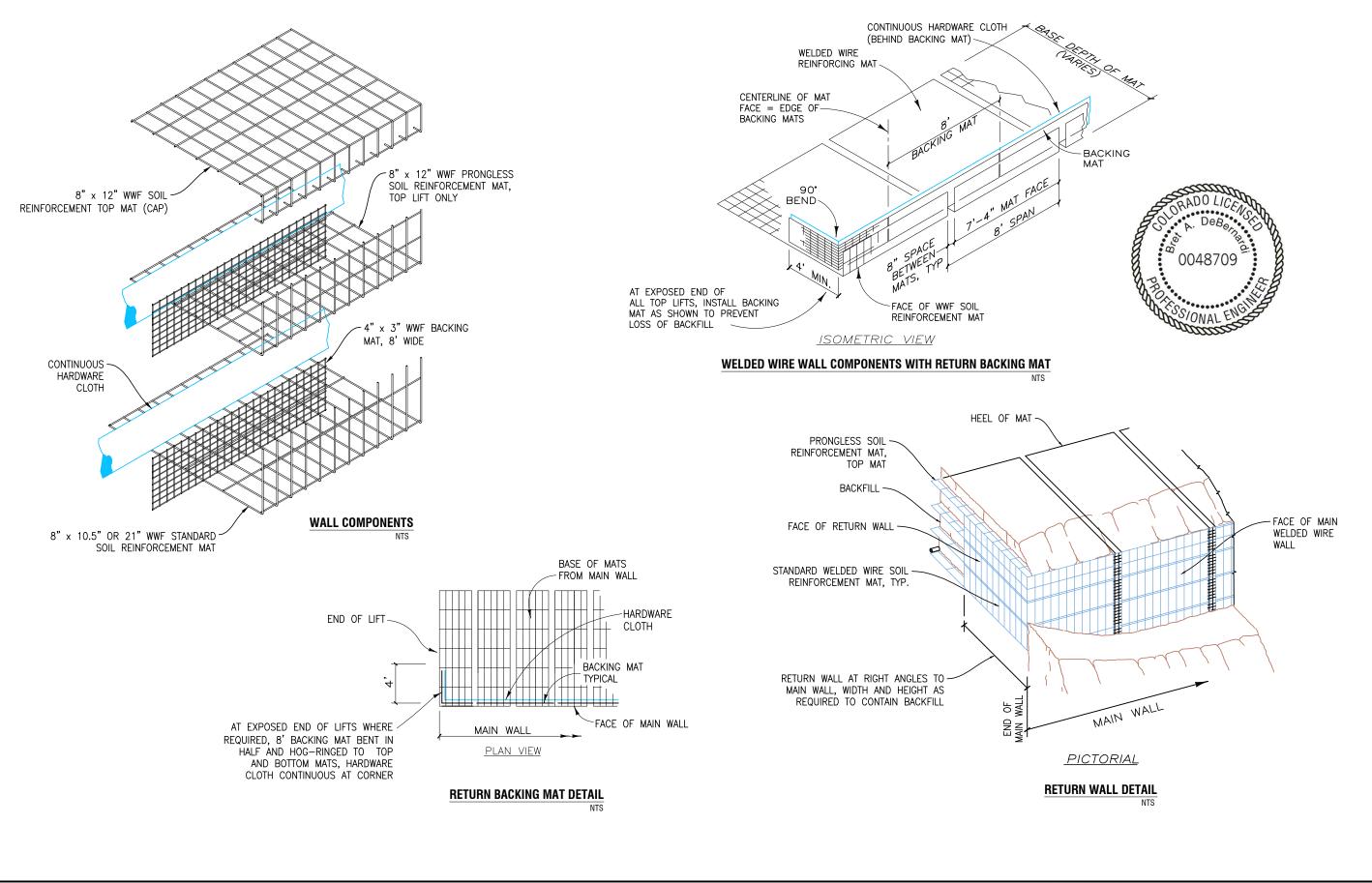
 0.07.15
 SUBMITTED FOR CONSTRUCTION



(g)	DESIGNED BY	ř	GORDON GEOTECHNICAL ENGINEERING, INC.	Stonegate I Mountain V		ado	
	442	6 South	Century Drive, Ste 100, Salt Lake City, UT 84123 801-327-9600	DESIGN BY: BD	DRAWN BY: LJ	CHECKED BY: BD	APPROVED BY: BD

CROSS-SECTION A

WELDED WIRE WALL G² PROJECT NO. 219-10-15 HEET NO.: SC 3.01



enence. ompahgre Engineering, LLC, Lot 8 Stonegate Mtn. Village, CO Project

DESCRIPTION
D.07.15 SUBMITTED FOR CONSTRUCTION

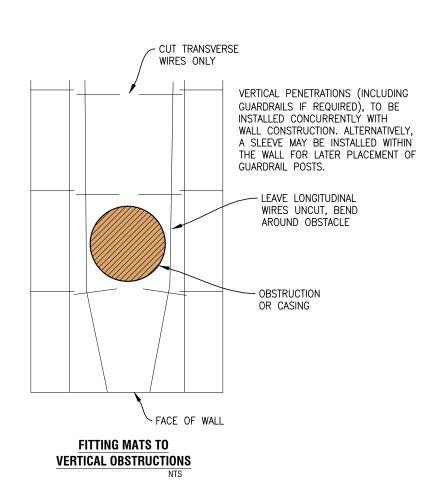


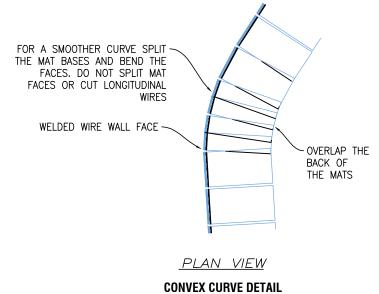


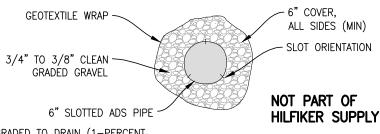
Stonegate Lot 8 Mountain Village, Colorado WELDED WIRE WALL **CONSTRUCTION DETAILS**

PROJECT NO 219-10-15 HEET NO.: **DT 4.01**

w No.: 140728FW

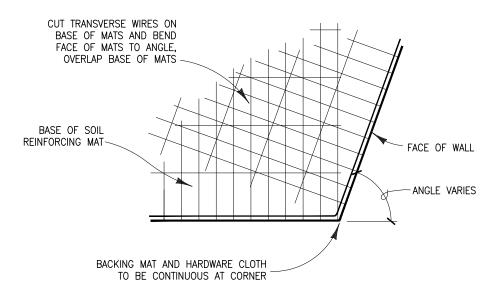






PIPE, GRADED TO DRAIN (1-PERCENT MINIMUM). PIPE TO "T" TO SOLID PIPE AND EXTEND THROUGH WALL FACE DISCHARGING TO A SUITABLE DOWN-GRADIENT DISCHARGE POINT. OUTLET TO UTILIZE RIP-RAP.

SUBDRAIN DETAIL



CONVEX ANGLE DETAIL



NEFERINGE.
Uncompangre Engineering, LLC, Lot 8 Stonegate Mtn. Village, CO Project Plans, DRB Submittal dated 03.19.14

0.07.15 DESCRIPTION

U.07.15 SUBMITTED FOR CONSTRUCTION





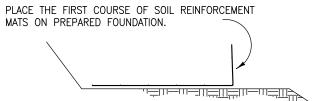
Stonegate Lot 8 Mountain Village, Colorado	
Mountain Village, Colorado	

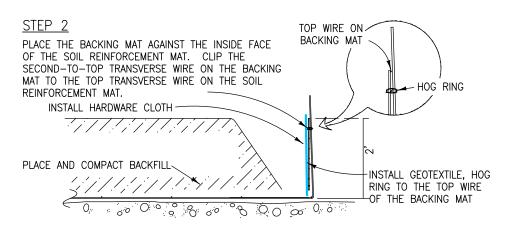
CONSTRUCTION DETAILS

WELDED WIRE WALL RW NO.: 140728FW PROJECT NO.

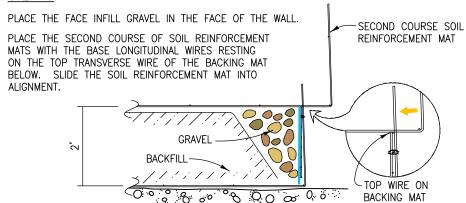
219-10-15 HEET NO.: **DT 4.02**



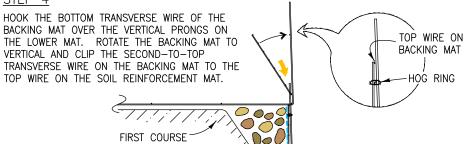




STEP 3



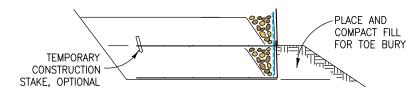
STEP 4

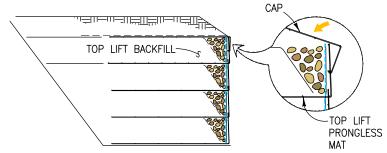


STEP 5

INSTALL THE HARDWARE CLOTH IN STEPS 2 AND 3. PLACE AND COMPACT THE BACKFILL AND FACE INFILL ROCK TO THE BASE ELEVATION OF THE NEXT MAT.

REPEAT STEPS 2 THRU 5 TO THE TOP LIFT.





STEP 6: TOP LIFT

PLACE THE TOP LIFT PRONGLESS MAT, BACKING MAT, AND HARDWARE CLOTH FABRIC.

PLACE AND COMPACT BACKFILL AND FACE INFILL ROCK IN THE TOP LIFT.

HOOK THE CAP OVER THE MIDDLE TRANSVERSE WIRE ON THE PRONGLESS MAT, AND ROTATE INTO PLACE.

PLACE AND COMPACT COVER.

CONSTRUCTION SEQUENCE



enence. ompahgre Engineering, LLC, Lot 8 Stonegate Mtn. Village, CO Project

	DATE	DESCRIPTION	DATE	DESCRIPTION	D
JSE OF OR IN CONNECTION WITH THIS PROJECT, IND THE PROPRIETARY INFORMATION SHOWN	10.07.15	SUBMITTED FOR CONSTRUCTION			ı
HEREON IS NOT TO BE TRANSMITTED TO ANY OTHER ORGANIZATION WITHOUT SPECIFIC AUTHORI-					ı
ATION BY THE HILFIKER COMPANY. HILFIKER					ı
RETAINING WALLS ARE PROTECTED BY ONE OR MORE OF THE FOLLOWING PATENTS: 243,613,					ı
243,697, 288,616, 4,117,686, 4,329,089, 4,324,508, 4,391,557, 4,505,621,					ı
4,643,618, 4,661,023, 4,856,939, 5,076,735, 5,647,695, 5,722,799, 6,357,970					ı
IND OTHERS, OTHER PATENTS PENDING (2004)					





Stonegate Lot 8 Mountain Village, Colorado

WELDED WIRE WALL **CONSTRUCTION DETAILS**

w No.: 140728FW PROJECT NO 219-10-15 EET NO.: DT 4.03



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 369-8250

Agenda Item No. 4

TO: Design Review Board

FROM: Michelle Haynes, Planning and Development Services Director

FOR: Meeting of January 4, 2018

DATE: December 6, 2017

RE: A recommendation to Town Council regarding a proposed density transfer and

rezone application for lot 304, to transfer one density unit (four person equivalent

density) into the density bank.

PROJECT GEOGRAPHY

Project Description: A recommendation to Town Council regarding a proposed density transfer and rezone application for lot 304, to transfer one density unit (four person equivalent density) into the density bank. This is associated with a minor subdivision application for lots 303R1, 304 and 305 which subdivides (replats) three lots into two lots by incorporating lot 304 equally into lot 303R2 and Lot 305R.

Legal Description: Lot 304, Town of Mountain Village according to Plat Book 1, Page 2281

according to records of San Miguel County, Colorado.

Address: 317 Benchmark Drive

Applicant/Agent: Law Office of Daniel T. Zemke, P.D.

Owner: Telluvista, LLC Zoning: Single Family Vacant land

Proposed Use: replat into adjacent properties and a substantial portion of the area formerly

known as Lot 304 subject to no build area on the proposed replat (Lots

303R2 and 305R).

Lot Size: .576 acres

Adjacent Land Uses:

North: Single Family
 South: Single Family
 East: Open Space
 West: Single Family

<u>ATTACHMENTS</u>

• Exhibit A: Applicant's Narrative dated November 3, 2017

Exhibit B: Minor Scale Subdivision (replat) document dated October 5, 2017

BACKGROUND

The owners of lot 303R, 304 and 305 have submitted application to replat the properties into two lots from three lots. Lot 304 will be replat equally into Lot 303R2 and 305R. The area formerly called lot 304 will have a private covenant precluding any buildings on a substantial portion of the newly replatted portion of the lots. In order to propose a minor subdivision application, the

applicants have submitted two concurrent applications 1) transfer the density associated with this lot to the density bank (a rezone and density transfer application) and 2) submit a minor subdivision application. Both applications have been received and are being reviewed concurrently. A recommendation from the DRB for the density transfer rezone portion is part of the review process. The minor subdivision application will be reviewed concurrently by the Town Council with the rezone and density transfer application on January 18, 2018.

CRITERIA AND ANALYSIS

To transfer density to the Density Bank the rezoning process must be followed, which includes a recommendation by the Design Review Board and final action by the Town Council. The following criteria must be met for the review authority to approve a rezoning application:

- a. The proposed rezoning is in general conformance with the goals, policies and provisions of the Comprehensive Plan;
- b. The proposed rezoning is consistent with the Zoning and Land Use Regulations;
- c. The proposed rezoning meets the Comprehensive Plan project standards;
- d. The proposed rezoning is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- e. The proposed rezoning is justified because there is an error in the current zoning, there have been changes in conditions in the vicinity or there are specific policies in the Comprehensive Plan that contemplate the rezoning;
- f. Adequate public facilities and services are available to serve the intended land uses;
- g. The proposed rezoning shall not create vehicular or pedestrian circulation hazards or cause parking, trash or service delivery congestion; and
- h. The proposed rezoning meets all applicable Town regulations and standards.

The proposal to transfer units to the Density Bank is consistent with the Comprehensive Plan which notes in Land Use Value Number 8, land uses are envisioned to fit into the surrounding neighborhood. (p. 35 of the Comprehensive Plan). Single Family zoning is intended to be low density which is consistent with the Comprehensive Plan Land Use Policy A.1 (p.38) This application is reducing the density between the three lots by one single family density. Staff finds the application meets the above criteria. Criteria e & f are not applicable to this application.

The following criteria must be met for the Town Council to approve the transfer of density to the density bank:

- a. The criteria for decision for a rezoning are met, since such density transfer must be processed concurrently with a rezoning development application;
- b. The density transfer meets the density transfer and density bank policies; and
- c. The proposed density transfer meets all applicable Town regulations and standards.

The proposed density transfer meets the above criteria.

PROPOSED MOTION

The Design Review Board recommends the Town Council approve the rezone and density transfer application pursuant to CDC Sections 17.4.9 & 17.4.10 to transfer one density unit (four-person equivalent density) to the Density Bank for Lot 304 with the following findings:

- 1. 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.
- 2. The density transfer approval is conditioned upon the minor subdivision plat approval by the Town Council.

/mbh



220 E. Colorado Ave. Ste. 217 (UPS and FedEx) P.O. Box 2603 (U.S. Mail)
Telluride, CO 81435
T (970) 708-0993
F: (866) 485-8266
daniel@dzemkelaw.com
www.dzemkelaw.com

Strong relationships. Reliable representation.

November 3, 2017

Via Email only to:

Michelle Haynes, Planning Dept. Director Town of Mountain Village, CO 455 Mountain Village Blvd. Mountain Village, CO 81435 mhaynes@mtnvillage.org

Re: Minor Subdivision Application and Density Transfer Application for Lot

304 Town of Mountain Village, Colorado;

Dear Ms. Haynes:

This firm represents Telluvista, LLC, a Colorado limited liability company ("Telluvista") in all matters related to a request for a subdivision, lot line vacation and density transfer involving lot 304 in Town of Mountain Village. Telluvista is the owner of Lot 304, and the adjacent parcel, Lot 303R1 which transferred to Telluvista in August this year. Both lots are located at 313 Benchmark Drive (the "Telluvista Lots"). This letter shall serve as the narrative for Telluvista's application for these applications related to Lot 304.

Upon taking title to the Telluivista Lots, my client entered into discussions with the owners of Lot 305, Donald B. Smith, Jr. and Amy M. Smith in order to subdivide and vacate the lot line for Lot 304. A contract was entered into for this process shortly thereafter and executed by the parties. The Smith Law Firm, P.C. represents the owners of Lot 305.

Telluvista is requesting a vacation of the lot lines in Lot 304, that the lot be subdivided and portions of Lot 304 be transferred to the adjacent parcels Lot 303R1 and Lot 305, all of which is set forth in the proposed replat attached hereto as **Exhibit A**. Telluvista makes this request in order to protect view corridors and guard against further development on either side of the parties' current residences. Upon completion of the process, the lots will be designated as Lot 303R2 for Telluvista, and Lot 305R for the Smiths. Records for the Town of Mountain Village further demonstrate that there is zoning density of one (1) unit single family residential attached to Lot 304, comprising of 4 persons. This density unit shall remain the name and possession of Telluvista after this process and transferred into the Density Bank of the Town of Mountain Village, pursuant to Community Development Code ("CDC") at Section 17.3.8 and Section 17.4.10(D)(2) as to criteria met for the decision. A covenant agreement shall also be entered into between the Smiths and Telluvista and recorded with San Miguel County Land Records for establishment of a no-build zone on portions of Lot 303R2 and Lot 305R as well. The no build zone is also designated on the proposed replat enclosed.

A review of the CDC at Section 17.4.13 allows for subdivision for lots within Town of Mountain Village. Specifically, Sections 17-4-13(E)(2) are met as this request conforms with the goals for the Town zoning and regulations, easements are not affected or shall be relocated and the pro-

posed subdivision meets all requirements and standards of the Town. There are no expected changes regarding access, or utilities to this lot, there will be no changes or affects upon drainage for the lots, fire protection, street improvements or additional facilities or structures upon any lots associated with this request. The parties understand that if further changes to their lot shall be the responsibility of that individual lot owner. The request made herein is in conformance with all zoning regulations, and community standards as set forth in the CDC.

As part of the process, enclosed please find the Minor Subdivision Application and the Rezoning and Density Transfer Application as required by the Town for this process, the title commitments for each of these lots, the proposed replat map and payment as required. You may recall that our pre-development meeting occurred on September 26, 2017 and also on October 27, 2017 with Mr. Bulson, of Foley & Associates, the firm that provided the maps and Exhibit A as part of this application.

Please feel free to contact me with any questions, but in the meantime, Telluvista looks forward to working with the Mountain Village Planning Department regarding these applications.

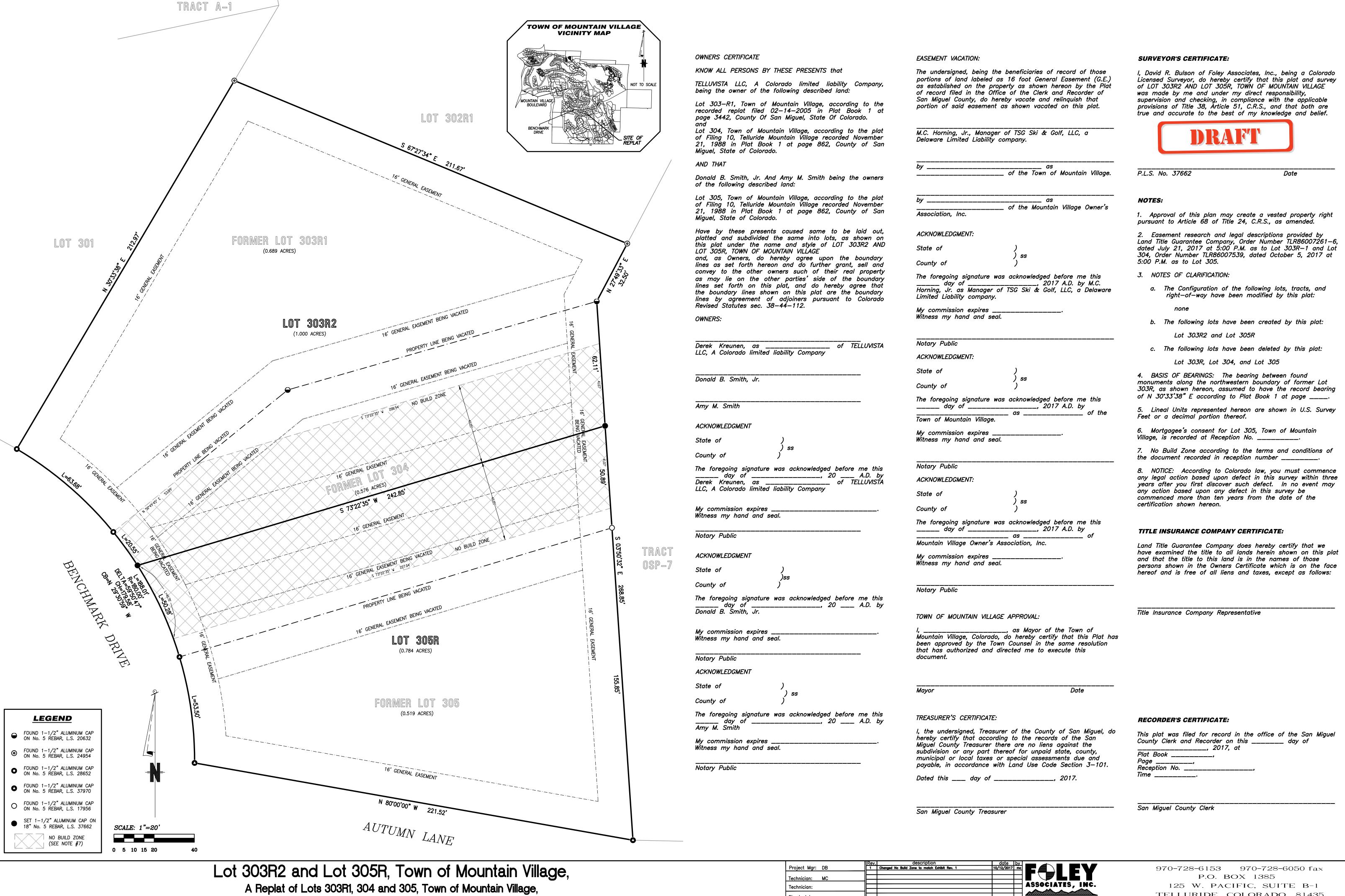
Kind regards,

LAW OFFICE OF DANIEL T. ZEMKE, P.C.

/s/ Daniel Zemke, Esq.

cc: Telluvista LLC Nate Smith, Esq.

Dave Bulson, Foley & Associates



located within the SW1/4 of Section 3, T.42N., R.9W., N.M.P.M., County of San Miguel, State of Colorado.

		Rev.	description		bv	
ct Mgr:	DB	1	Changed No Build Zone to match Exhibit Rev. 1	10/12/2017	mc	
						F-LEY
ician:	MC			ļ		
						ASSOCIATES, INC.
ician:					_	
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						ENGINEERING PLANNING SURVETING
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TELLURIDE, COLORADO 81435 Sheet1 of 1 Project #: 89127



PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 369-8250

Agenda Item No. 5

TO: Design Review Board

FROM: Michelle Haynes, Planning and Development Services Director

FOR: Meeting of January 04, 2017

DATE: December 13, 2017

RE: A Recommendation to the Town Council regarding a Major PUD Amendment to Extend

the Development Agreement and the Associated Vested Property Rights on Lots 126R

and 152R for a two-year period.

PROJECT GEOGRAPHY

Application Extension: A two-year extension request to the existing approved Planned Unit Development "(PUD") for lot 126R and 152R ("Property") seeking a conditional extension of the current Town Approvals (as defined in application letter) to March 18, 2020. The applicant has indicated that this time is necessary to allow the Applicant time to create a new development plan for the Property and seek new or modified Town approvals for the project, which include a reduction in building scale and mass; increase in private open space; reduction in zoned density and overall mixed residential and hotel uses than exists in the approved PUD plans for the Property. No modification of the PUD is being requested or should be considered at this time. However, the applicant further requests as a condition of the PUD extension that if they do not submit a development application for an amended to the PUD or new Master PUD by March 18, 2018, the Town Council with notice and public hearing, could elect to expire the PUD as extended.

Legal Description: 126R and 152R, OSP-118, OSP-126 **Address:** 196, 200, 208, 221, 223, and 225 Country Club Drive

Applicant/Agent: Alpine Planning LLC and Law Offices of Thomas G. Kennedy

Owner: Northlight Trust I, A Delaware Statutory Trust

Zoning: Multi-Family
Existing Use: Vacant land

Proposed Use: Please refer to PUD Agreement and associated attachments to this memo

Site Area: 5.49 acres **Adjacent Land Uses:**

North: Passive Open Space
 South: TS&G Golf Course
 East: Active Open Space
 West: Single family use/lots

ATTACHMENTS

- 1) Applicant's Narrative
 - a. Vicinity Map
 - b. PUD Approving Resolution
 - c. PUD Agreement
 - d. PUD Subdivision Plat

- e. First Amended Development Agreement
- f. Second Amended Development Agreement
- g. Town Council approved final PUD Plan Set
- 2) Public Comment Letters
 - a. Herman and Diane Klemick received on 12/19/17
 - b. Douglas S. Hynden received on 12/20/17

BACKGROUND

The Town Council approved the final PUD development application for the formerly called Rosewood PUD, also known as 126R and 152R PUD, on March 15, 2007 under Resolution Number 2007-0315-05 as recorded at Reception Number 391879. The Town Council approved the final PUD for Lots 126R and 152R on March 15, 2007 as recorded at Reception Number 397498 (Attachment 1.c.). The Town Council approved an extension to the PUD and initial Vested Property right period to March 18, 2013, a three-year period (Attachment 1.e) The Town Council approved another extension in 2013 for a five-year period which will expire March 18, 2018 (Attachment 1.f.)

REQUEST

The applicant requests to extend the PUD Agreement to expire March 18, 2020 with voluntary restrictive conditions as listed:

- 1. The PUD extension is valid for two (2) years and will expire on March 18, 2020 and is being granted to allow Northlight time to submit development applications with the Town to either amend the existing approved PUD or submit a new Master PUD ("MPUD"), with either process for the purpose of pursing a new or modified development plan for the Property based on the Updated Development Program Goals. (see applicant's narrative)
- 2. On or before March 18, 2018, Northlight shall submit an application as required by the Community Development Code ("CDC") PUD Regulations for either: (a) a major PUD amendment to the existing PUD approval or (b) a new Master PUD. Thereafter, Northlight will continue to diligently pursue Town approval of its new or modified plan applications. If Northlight fails to submit such an application by March 18, 2018 or not diligently pursue the amendments, the Town may schedule a meeting to consider revoking the extension and, thereupon, may determine that the current PUD approvals and this extension shall expire.

EXTENSION REQUEST PROCESS

The PUD extension request is a Class 4 application requiring a recommendation from the Design Review Board (DRB) and then Town Council action by two readings of an ordinance.

EXISTING APPROVALS

(see next page)

Table 2. Appro	Table 2. Approved Land Uses for the Property						Per Development Agreement
			Zoning		Density	Total	
Lot	Acreage	Zone District	Designation	Units	Per Unit	Density	Rezone/Density Transfer Request
126R	3.11 acres	Multi-Family	Condominium	44	3	132	Transfer of 27 Units of Unit Condo Density
			Hotel	56	1.5	84	
							Transfer of 13 Units of Efficiency Condo
			Hotel	19	2	38	Density and Rezone to Hotel Efficiency
							Creation and Transfer of 1 Dorm Unit of
			Employee	17	1	17	Dorm Density
							Creation and Transfer of 9 Apartment Units
			Employee	5	3	15	of Employee Apartment Density
				34,001 34			
			Commercial	Units			
152R	1.46 acres	Multi-Family	Condominium	23	3	69	Transfer of 3 Units of Unit Condo Density
				4,665 4.66			
			Commercial	Units			
		Active Open					
OS-1R-1	91.96 acres	Space	Open Space				
		Active/Passiv					
OS-118	.65 acres	e Open Space	Open Space				
		Passive Open					
OSP-126	.26 acres	Space	Open Space				
Total							
Units/Density				164			
				202.6 with			
				commercial			
				Units		355	

The PUD for the project grants several variances, specific approvals, density transfers, rezoning and replat as outlined in the Council's Resolution (Attachment 1.b). The variations include:

- 1. Increase in maximum height for Lot 126R, Building A to increase height by 15 feet.
- 2. Increase the maximum average height on 126R and 152R with an increase in average height of 6.66 feet for Building A and 5.33 feet for Building B.
- 3. Variation to allow 51 tandem parking spaces to provide for required parking.
- 4. Variation to Section 4-305 of the [former] LUO to allow single family designation on former Lot 118 to be rezoned to hotel efficiency designation.
- 5. Variation on Lot 126 to allow a portion of the building to be seen from San Miguel Canyon to be developed with a condominium zoning designation provided such units have an opportunity to be included in the rental pool.

These variances were allowed pursuant to the PUD process based on the PUD achieving following public purposes:

- The provision of additional affordable housing. The proposed development includes one additional employee dorm and three employee apartments over and above what is currently platted on Lot 126. The newly created Lot 126 includes five employee apartments and 17 employee dorm rooms.
- 2. \$500,000 dedication to the TOMV for any public purpose as determined by the Town.
- 3. Improved pedestrian access will be provided to Boomerang and Jurassic trails from County Club Drive.
- 4. Smooth out Boomerang Road.
- 5. Creation of scenic overlook with interpretive information.

- 6. Coordinated trail signage throughout the Town.
- 7. Pedestrian sidewalk from project along County Club Drive to Mountain Village Blvd. to link project to Village Center and to link Village Center to Boomerang and Jurassic trail head.
- 8. Twice as much open space as before after land swaps.

CRITERIA FOR DECISION FOR PUD EXTENSION AND ANALYSIS

A PUD extension request is at the discretion of the Town Council. An extension does not authorize the Town Council to modify or amend the existing approvals but only to consider extending or not extending the approval. Town Council can evaluate an extension request based upon the following criteria found at CDC Section 17.4.17.E(5).

- scale or complexity of an approval
- other special or unique circumstances
- other development objectives

Extension requests can also be evaluated based upon the following general criteria:

- economic hardship
- consistency with town goals
- consistency with the Comprehensive Plan

ANALYSIS

The applicant, the town and the community understand that as approved, this project is ambitious. The two subsequent extensions also evidence that undertaking a project of this scope has been challenging enough to lead to a ten-year deferral in construction. Most due diligence discussions with the town over the past ten years, have resulted in queries to reduce the density, scale or phasing of the approved plan, or a possible amended plan. The applicants desire to maintain the existing approvals while seeking to either amend the PUD, submit a new Master PUD, or allow Town Council the authority to rescind the extension if an application is not submitted to the town by March 18, 2018. The Town Council may approve, continue or deny the extension request.

RECOMMENDATION

If the DRB makes a motion recommending approval to the Town Council of the extension request staff has provided the following draft motion:

I move to recommend approve to Town Council of a Major PUD to extend the PUD Agreement and associated vested property rights for Lots 126R and 152R to expire on March 18, 2020 with the following conditions:

- 1. An amended PUD agreement must be executed to the satisfaction of the Town Attorney.
- 2. The PUD extension is valid for two years expiring on March 18, 2020.
- 3. If the Applicant fails to apply for either a major PUD amendment to the existing PUD approval or a new Master PUD on or before March 18, 2018, then by notice and public hearing the Town Council may rescind the extension approval rendering the existing approvals void. Evidenced by the voluntary condition, the applicants consent to the public hearing in advance. Town Council can also elect to be provided a recommendation from the DRB regarding the matter.

This motion is based on the evidence and testimony provided at a DRB public hearing held on January 04, 2018, with notice of such hearing as required by the Community Development Code

/mbh

Alpine Planning, LLC

P.O. Box 654 | Ridgway, CO 81432 | 970.964.7927 | alpineplanningllc@gmail.com



December 1, 2017

Mountain Village Town Council & Design Review Board 455 Mountain Village Blvd., Ste. A Mountain Village, CO 81435

RE: Lot 126R and Lot 152R PUD Extension Request

Sent via Email to: mhaynes@mtnvillage.org

Dear Town Council and Design Review Board Members,

On behalf of Northlight Trust I ("Northlight") and its development team we are submitting this request seeking Town approval of a conditional extension to the approval timeframes for the PUD agreement and associated Town Approvals for Lot 126R and Lot 152R ("Property"). The Town Approvals consist of various plats, agreements and resolutions, including the following:

- Resolution of the Town Council of the Town of Mountain Village, Colorado Approval of Final Planned Unit Development Application as recorded at Reception Number 391879 ("PUD Approving Resolution").
- 2. Development Agreement Lot 126R and Lot 152R Town of Mountain Village Planned Unit Development recorded a Reception No 397458 ("PUD Agreement").
- 3. The subdivision of the Property that is tied to the PUD Agreement and PUD Approving Resolution as recorded at Reception Number 397455 ("PUD Subdivision").
- 4. The First Amendment to the Development Agreement Lot 126R and Lot 152R Town of Mountain Village Planned Unit Development as recorded at Reception Number 412188 ("First Amendment").
- 5. The Second Amendment to the Development Agreement Lot 126R and Lot 152R Town of Mountain Village Planned Unit Development as recorded at Reception Number 429312 ("Second Amendment").

Northlight has determined that it wishes to develop a new plan for the Property, similar with the types of mixed uses that have been approved for the project, but with the following modifications (collectively referred to as the "Updated Development Program Goals"):

- 1. Reduced scale and mass with no building height variations.
- 2. Reduction in building footprint areas, which will result in increased open space.
- 3. Retention of the mixed uses current approved for the Property (residential, hotel/accommodations and commercial) but at reduced density and building volume.

Northlight is suggesting that the PUD extension be approved with the following conditions:

1. The PUD extension is valid for two (2) years and will expire on March 18, 2020 and is being granted to allow Northlight time to submit development applications with the Town to either amend the existing approved PUD or submit a new Master PUD ("MPUD"), with either process for the purpose of pursing a

- new or modified development plan for the Property based on the Updated Development Program Goals set forth above.
- 2. On or before March 18, 2018, Northlight shall submit an application as required by the Community Development Code ("CDC") PUD Regulations for either: (a) a major PUD amendment to the existing PUD approval or (b) a new Master PUD. Thereafter, Northlight will continue to diligently pursue Town approval of its new or modified plan applications. If Northlight fails to submit such an application by March 18, 2018 or not diligently pursue the amendments, the Town may schedule a meeting to consider revoking the extension and, thereupon, may determine that the current PUD approvals and this extension shall expire.

CURRENT DENSITY, PUD VARIATIONS AND SPECIFIC APPROVALS

The Town Approvals were originally granted in 2007, with the Town approving PUD extension two times. The Town Approvals are currently set to expire on March 18, 2018, with the exception that the PUD Subdivision and density assigned to the Property will remain effective.

The Town Approvals permit 67 condominium units, 56 hotel units, 19 hotel efficiency units, 17 employee dorms, 5 employee apartments and 38,000 sq. ft. of commercial on the Property ("Zoned Density"), which was laid out pursuant to certain site and project specific architectural design and massing plans and drawings ("Project Design Plans"). The Zoned Density as set forth by the PUD Approving Resolution is listed in Table 1, and runs with the Property even if the Town Approvals expire.

Table 1. Zoning Designations and Density Assigned to the Property

Lot	Acreage	Zoning Designation	Units	Equivalent Density Per Unit	Total Equivalent Density
126R	3.11	Condominium	44	3	132
		Hotel	56	1.5	84
		Hotel Efficiency	19	2	38
		Employee Dorm	17	1	17
		Employee Apartment	5	3	15
		Commercial 34,001 sq. ft.	NA	NA	NA
152R	1.46	Condominium	23	3	69
		Commercial: 4,655 sq. ft.	NA	NA	NA
		Total	164		355

The Town Approvals granted approval of the Zoned Density and the Project Design Plans, along with certain variations and certain specific approvals to the LUO and Design Regulations that were in effect in 2007.

The PUD Agreement and PUD Approving Resolution noted a series of variations and DRB specific approvals that were being requested by the application and delineated the community benefits that were offered and accepted by the Town in connection with the granting of the project approvals.

FOUNDATION TO PUD EXTENSION

Northlight is seeking the conditional extension to allow time to work through and pursue in an open, public process a revised development plan consistent with the Updated Development Program Goals. The Updated Development Program Goals will be rooted in a project with reduced densities as well as reduced building mass/scale/footprints, which we believe will be favorably received by the community. The nature of the Town's approvals, including the Zoned Density, platting of the lots, granting of various easements and similar documents do not expire and will run with the land. The opportunity to keep the existing approvals in place, but proceed with a new application described above will enable a more logical and orderly review process with the Town and avoid the problem of what happens to these approvals should the existing PUD approvals expire. Keep in mind that the certain aspects of the approvals, inclusive of elements of the Community Benefits have already been conferred on the Town, including the provision of almost twice as much open space as existed prior to the Town Approvals¹, and the addition of one dorm and three employee apartments over the housing required prior to the Town Approvals.

The existing Town Approvals, including the PUD variations, specific approvals and community benefits associated with the approved Project would continue as stated in the Town Approvals, unless and until modified by the Town as reflected in approvals anticipated for the revised project designed to achieve the Updated Development Program Goals.

PUD EXTENSION

The Mountain Village Land Use Ordinance ("LUO") was in effect when the PUD Agreement was originally approved in 2007. The LUO had the following regarding PUD vested property rights and extensions:

"4-609-5 VESTING

Approval of a Final PUD Plan Application by the Town Council shall constitute a Site Specific Development Plan for purposes of vesting a property right, and as such is subject to the vested rights provisions of Article 6. Final PUD Plan Approval shall remain in effect for three (3) years following the date of the Town Council Resolution approving the PUD, unless the time frame is extended by Town Council.

The First Amendment was granted under this LUO provision with the Town Council approving the extension after a noticed public hearing. The process to extend a PUD was inadvertently omitted from the CDC when it was adopted in February of 2013. This omission was identified by the applicant for the Second Amendment and resulted in a written CDC interpretation that follows:

"The only process in the CDC to extend a PUD is the major PUD amendment process. The old LUO had a provision that allowed the Council to extend a PUD with public notice. Consider amending the CDC to provide a new process that is based on requesting an extension of vested property rights as a new Class 5 application with public notice of the process."

The CDC has not been amended to create a specific process to extend a PUD and the associated vested property rights, with the interpretation that a PUD can be extended by the major PUD amendment process, which is a class 4 development application with a DRB recommendation and a Town Council approval. The Second Amendment was approved pursuant to this CDC interpretation, with the extension only focused on the

¹OSP-126 and OSP-118 contain 0.91 acre and are zoned and platted as open space.

question of extension of the site specific development plan and the associated development rights. This was purposefully done to try and match the old LUO process that allowed for the Town Council to extend the timeframe for the development of a PUD without opening up or changing the site specific development plan or impacting the vested property rights.

The following documents are attached to the extension application to facilitate the PUD extension request:

Exhibit A. Vicinity Map

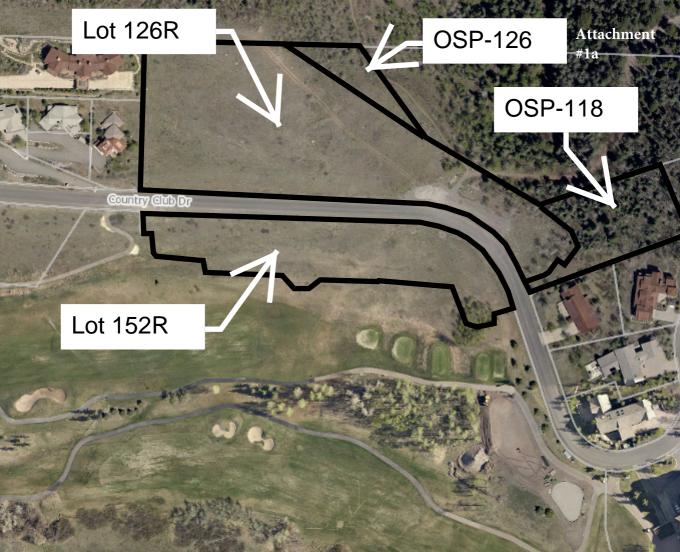
Exhibit B. The PUD Approving Resolution

Exhibit C. The PUD Agreement
Exhibit D. The PUD Subdivision
Exhibit E. The First Amendment
Exhibit F. The Second Amendment

Exhibit G. Town Council Approved Final PUD Plan Set

Sincerely,

Chris Hawkins, AICP Alpine Planning, LLC



Tase 1 of 13
SAN MIGUEL COUNTY, CO
PEGGY MERLIN CLERK-RECORDER
04-11-2007 10:38 AN Recording Fee \$66.00

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, MOUNTAIN VILLAGE, COLORADO APPROVAL OF FINAL PLANNED UNIT DEVELOPMENT APPLICATION THE PROPERTY

Resolution No. 2007-0315-05

WHEREAS, West Galena Holdings, LLC the transferee and assignee of Honig Aviation LLC (the "Applicant") is the owner of record of certain real property described as Lots 118, 126, 130, 152A, 152B, and 152C, Town of Mountain Village, Town of Mountain Village ("Honig Property" or "WGH Property");

WHEREAS, TSG Asset Holdings LLC, a Delaware limited liability company and TSG Ski & Golf, LLC, a Delaware limited liability company (together, the "TSG Companies") is the owner of certain unimproved property known as Open Space Tract OS-1 Town of Mountain Village ("TSG Property");

WHEREAS, the Honig Property and the TSG Property are collectively referred to herein as the "Property";

WHEREAS, Applicant has submitted its Application ("Application") requested approval of a Final Planned Unit Development for the Property (the "PUD");

WHEREAS TSG Companies has authorized and consented to the inclusion of the TSG Property into the PUD;

WHEREAS, the duly recorded plats of the Property, designates the following:

DESIGNATED EXISTING LAND USE FOR THE PROPERTY:

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone of Density Transfer Request
118	.86 acres	Single Family	Single Family	1	4	4	Rezone to 4 Hotel Efficiency Density Units
126	2.698 acres	Multi- Unit	Condominium	25	3	75	
,			Hotel	70	1.5	105	Rezone 21 Hotel Density Units to Hotel Efficiency
			Employee Apartment	2	3	6	
			Employee Dorm Commercial	16	1	16	
130	.474 acres	Multi- Unit	Condominium	10	3	30	
152A	.401 acres	Multi- Unit	Condominium	8	3	24	
152B	.367 acres	Multi- Unit	Condominium	6	3	18	
152C	.368 acres	Multi- Unit	Condominium	8	3	24	
OS-1	5.16 acres	Active Open	Open Space				

	Space			
Total		146	302	
Units/				
Density				

WHEREAS, the Applicant, with the authorization and consent of the TSG Companies with respect to the TSG Property, proposes a certain Rezoning and Density Transfer for the Property as follows:

PROPOSED LAND USES FOR THE PROPERTY:

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone/Density Transfer Request
126R	3.11 acres	Multi-Unit	Condominium	44	3	132	Transfer of 27 Units of Condo Density
			Hotel	56	1.5	84	
			Hotel Efficiency	19	2	38	Transfer of 13 Units of Condo Density and Rezone to Hotel Efficiency
			Employee Dorm	17	1	17	Creation and Transfer of 1 Unit of Dorm Density
			Employee Apartment	5	3	15	Creation and Transfer of 9 Units of Employee Apartment Density
			Commercial	34,001 34 Units			1
152R	1.46 acres	Multi-Unit	Condominium	23	3	69	Transfer of 3 Units of Condo Density
			Commercial	4,665 4.66 Units			
OS-1R- 1	4.79 acres	Active Open Space	Open Space				
OS-118	.65 acres	Active/Passi ve Open Space	Open Space				
OSP- 126	.26 acres	Passive Open Space	Open Space				
Total Units/ Density	-			164 202.6 with Commercial Units		355	

Density Transfers as follows:

- Transfer of 40 Units of Condominium Density from the Density Bank to Lot 126R.
- Creation and transfer of 9 Units of Employee Apartment Density from the Density Bank to Lot 126R.

- Creation and transfer of 1 Unit of Dorm Density from the Density Bank to Lot 126R.
- Transfer of 3 Units of Condominium Density from the Density Bank to Lot 152R.

Rezoning Existing Zoning Designations as follows:

- Rezone of 4 Units of Single Family Density on Lot 118 to 4 Units of Hotel Efficiency Density.
- Rezone of 13 Units of Condominium Density transferred from the Density Bank to Lot 126R to 13 Units of Hotel Efficiency Density.

Rezoning the Property as follows:

- Rezone a portion of Lot 118 from Single Family to Multi-Unit.
- Rezone a portion of Lot 118 from Multi-Unit to Passive Open Space.
- Rezone a portion of Lot 118 from Multi-Unit to Active Open Space.
- Rezone a portion of Lot 126 from Multi-Unit to Passive Open Space.
- Rezone a portion of OS-1 from Active Open Space to Multi-Unit.

Replat of the Property as follows:

- Replat of Lots 118, 126 and 130 into a newly reconfigured Lot 126R (containing 3.11 acres), Tract OS-126 (containing .26 acres) and Tract OS-118 (containing .65 acres).
- Replat of Lots 152A, 152B, 152C and OS-1 into newly configured Lot 152R (containing 1.46 acres) and Tract OS-1R-1.

WHEREAS, at a public hearing on May 11, 2006, the Town of Mountain Village Design Review Board (the "DRB") recommended to Town Council that the Application for the Conceptual PUD Plan be approved with conditions pursuant to Town of Mountain Village Land Use Ordinance (the "LUO") Section 4-6;

WHEREAS, at a public hearing on June 27, 2006, the Town of Mountain Village Town Council (the "Town Council"), granted approval for the Application for Conceptual PUD Plan approval to the Application pursuant to the LUO;

WHEREAS, at a public hearing on October 26, 2006, the DRB granted approval for the Application for Sketch PUD Plan pursuant to the LUO;

WHEREAS, at a public hearing on February 22, 2007, the DRB recommended to Town Council that it grant approval for the Application for Final PUD Plan pursuant to the LUO the Application pursuant to LUO Section 4-6, subject to certain conditions;

WHEREAS, at a public hearing on March 15, 2007, the Town Council granted approval for the Application for Final PUD Plan pursuant to the LUO Section 4-6, subject to certain conditions as noted hereinbelow;

WHEREAS, 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 in the *Daily Planet* and *Telluride Watch*, and by mailing of public notice to property owners within four hundred feet (400') of the Property, as required by the LUO;

WHEREAS, 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 found as follows: (1) the PUD complies with all LUO and Town of Mountain Village Design Regulations (the "Design Regulations") provisions applicable to the Property; (2) the PUD achieves one or more of the applicable community purposes/benefits listed in LUO Section 4-616; and, (3) the PUD is consistent with and substantially complies with the applicable review standards and requirements listed in LUO Section 4-617;

WHEREAS, the Applicant has met all requirements for Final PUD Plan approval under LUO Section 4-6 and the Design Regulations, and has addressed, or agreed to address, all conditions of Final PUD Plan approval imposed by Town Council based upon a recommendation for approval by the DRB;

WHEREAS, the Applicant has specifically complied with Section 4-616, Community Purposes, in the following manner:

4-616-1 Provision of additional affordable or Employee Housing.

The proposed development includes one (1) additional employee dorm and three (3) employee apartments over and above what is currently platted on Lot 126. The newly created Lot 126R will include five (5) employee apartments and seventeen (17) employee dormitory rooms. There will be one parking space dedicated for each employee dorm. All required parking to serve these employee units will be provided on-site. In addition, the Applicant is donating \$500,000 to the Town of Mountain Village for use by the Town for public purposes as determined by the Town.

4-616-2 Development of, or a contribution to the Development of either: (i) public facilities, such as public parking and transportation facilities, public recreation facilities, public cultural facilities, and other public facilities; or (ii) public benefits as either may be identified by the DRB or the Town Council. The public facilities or source of the public benefits may be located within or outside of the PUD but shall be public facilities or public benefits that meet the needs not only of the PUD residents or property owners, but also of other residents, property owners and visitors of the Town.

Improved pedestrian access will be provided to Boomerang and Jurassic trails from Country Club Drive and the Applicant has agreed to smooth out Boomerang Road using excess dirt from the proposed development. In addition, the Applicant is proposing to create a scenic overlook with interpretive information that will enhance the public experience of the area and at its sole expense, will work with the Town of Mountain Village to provide coordinated trail signage throughout the town.

The Applicant, at its sole expense, will work with the Town of Mountain Village to create a pedestrian sidewalk from this new resort development, along Country Club Drive, to Mountain Village Boulevard, to facilitate pedestrian access to the Village Center for the project and other residents in the area, and to link the Village Center to the Boomerang and Jurassic trail head.

In addition, the fact that the contribution of open space through various land swaps results in twice as much open space being created as is being lost was believed to be a public benefit.

The Town Council found that the foregoing proposed Community Benefits satisfy Section 4-616 of the Land Use Ordinance.

WHEREAS, the Applicant has specifically complied with Section 4-617, Review Standards, in the following manner:

(1) The Development proposed for the PUD is generally consistent with the underlying purposes and goals of the LUO and the Design Regulations.

This Ordinance shall be known as the Town of Mountain Village (Town) Land Use Ordinance (LUO).

This Ordinance is established to achieve the following:

• Provide a clear, consistent, predictable and efficient land Development Review Process.

The Town Council found that this Application proposes uses that are consistent with the current zoning of these lots – primarily hotel and residential condominium uses. The development on lot 126 as a large hotel development is not a new concept for this neighborhood. The design is sensitive to the adjacent property owners and ridge line view corridors while still achieving the resort development contemplated for this area. This increased height is disbursed throughout the central portion of lot 126R and away from the edges of the Property, minimizing the impacts to the adjacent property owners. Assembly of these lots into a unified resort development insures the success of the overall development and provides an appropriate area to promote and insure the economic vitality of the Town of Mountain Village.

• Promote public health, safety and welfare;

The Town Council found that the Lot 126 Hotel and Residential Resort promotes the health, safety and welfare of the Mountain Village community through the thoughtful design of the resort development that will protect the views of and minimize the impacts of this development to the surrounding property owners. The addition of a sidewalk from the development, along Country Club Drive to Mountain Village Boulevard, will provide a safe pedestrian access to the Village Center that does not exist today.

• Preserve Open Space and protect the environment;

The Town Council found that this Application proposes to zone currently platted land on lots 118 and 126 along the ridge-lines, which is not used in the development, to active and passive open space that will therefore limit the uses of these environmental and visually sensitive areas into the future.

- Enhance the natural beauty of the Town's surroundings;
- Ensure that uses and structures enhance their sites and area compatible with the natural beauty of the Town's setting and its critical natural resources;

The Town Council found that this proposed development enhances the natural beauty of the Town's surroundings by respecting the existing ridge lines, the varied topography of the lots and ultimately the design standards set by the Town's Design Regulations. The thoughtful and careful design of this resort development will provide a new, vital and vibrant attraction for the Mountain Village.

The Town Council found that this Application proposes to zone currently platted land on lots 118 and 126 along the ridge-lines, which is not used in the development, to passive open space that will therefore limit the uses of these environmental and visually sensitive areas into the future.

• Foster a sense of community;

The Town Council found that the Lot 126 Hotel and Residential Resort development will enhance an existing Mountain Village neighborhood by providing an easy connection from the Country Club Drive neighborhood to the Village Center. The tax dollars that will be generated from the visitors and residents

of this resort will assist the Mountain Village in providing for its community into the future. This development will create new job opportunities for the community.

Promote good civic design and Development;

The Town Council found that this proposed development will comply with the design goals and standards set by the Town's Design Regulations. The proposed development will be oriented to minimize the impacts to the ridge line and view corridors of adjacent properties.

• Create and preserve an attractive and functional community;

The Town Council found that an attractive community is preserved through the Lot 126 Hotel and Residential Resort's village-like massing that is broken into many buildings, each with focused views to the surrounding peaks and varied architecture. In addition, the individual units climb the hillside responding to the topography and ridgelines. The architecture is inspired by the European resorts that are emulated in Mountain Village and the pristine environment of south-western Colorado. Wood balconies, welcoming fireplaces, and rustic siding over natural rock bases creates the mountain appeal characteristic of Mountain Village while also blending into the surrounding materials of this unique site.

- Promote the economic vitality of the Town;
- Promote the resort nature and tourism trade of the Town;
- Protect property values within the Town.

The Town Council found that the Lot 126 Hotel and Residential Resort development creates exceptional resort amenities that will serve to promote the economic vitality and resort nature of the Town. This creative development on six (6) assembled lots creates the necessary amenities to support the short term bed base and the accompanying residences. The Town Council found that this development adds to the overall status of Mountain Village as a world class resort and aid in maintaining the community's existing property values.

(2) The Development proposed for the PUD represents a creative approach to the Development and Use of land and related physical facilities to produce a better Development than would otherwise be possible under the strict Application of the requirements of the underlying Zoning Designation, Zone District and Land Use and Density and will provide amenities for residents of the PUD and the public in general.

The Town Council found that the Lot 126 Hotel and Residential Resort development would not be possible without the creative assembly of lots 118, 126, 130, 152A, 152B and 152C into one unified development project. The changes to zoning, density, plat and minor increase in height are required to allow for the development of the amenities required to attract and retain this short term bed base. The Town Council found that the proposed design for this resort development respects the existing ridge line, minimize this development's impact to the adjacent neighbors, create and preserve open space, and amplify the European mountain resort theme established by the Town's Design Regulations.

The amenities provided by this development to the public include a restaurant and café/après ski bar. The Town Council found that other amenities that will be enjoyed by this resort and the public include the newly created overlook at the Jurassic and Boomerang trail head, and new pedestrian access to the Village Center.

The Town Council found that the location of this new resort development, and the proposed improvements to Country Club Drive and the adjacent trail heads, will allow easy pedestrian access to

the Village Center, and represents a creative and appropriate location to use density currently in the Density Bank.

(3) The Development proposed for the PUD is designed to be compatible with the surrounding environment, neighborhood and area relative to, but not limited to, architectural design, 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.

The Town Council found that the overall design of the Lot 126 Hotel and Residential Resort development is compatible with the surrounding environment and neighborhood. This development is unique in that the assembly of these six (6) lots together into a unified project allows for the majority of Lot 118 to be dedicated to newly created passive open space, and the height of the building is disbursed throughout the central portion of lot 126R and away from the edges of the Property, minimizing the impacts to the adjacent property owners, to buffer this overall development from the surrounding single family homes.

The Town Council found that the height increase requested by this Application is disbursed throughout the central portion of lot 126R and away from the edges of the Property, to minimize the impact to the adjacent property owners and to the ridge line view corridor. The proposed massing of this development into several, separate buildings, and the orientation of the structures away from existing properties, provides for the development of the density and amenities needed to support this short term bed base but also minimizes the scale of this development to the surrounding environment. In addition, substantial landscape buffers will be installed between the development and adjacent properties. This development complies with the Town's Design Guidelines in relation to building form and articulation.

(4) The landscaping and public spaces proposed for the PUD shall provide sufficient buffering of Uses from one another to minimize adverse impacts and shall create attractive public spaces consistent with the character of the surrounding environment, neighborhood and area.

The Town Council found that the active amenities for this resort development, such as the pool terrace, restaurant outdoor seating area, and entrance to the café/après ski bar are situated as to minimize the impact to the residents and guests of the resort and the existing, adjacent property owners. The rerouting of Boomerang Trail to cross Country Club Drive at the point that the trail continues westward is positive. Significant landscaping will be proposed in areas where this development abuts neighboring properties. The loading dock and service areas are internalized within the proposed underground parking garage.

(5) The Development proposed for the PUD provides sufficient parking and traffic circulation.

The Town Council found that this proposed development will provide the number of parking spaces required by the development. The hotel function will be serviced with valet parking and the residents will have the ability to self or valet park. While this resort development proposes four (4) curb cuts from Country Club Drive, six (6) curb cuts would be allowed if these lots were developed separately. The porte cochere area is designed with enough space to accommodate vehicles as large as fire trucks. All deliveries are relegated to the underground parking garage within the development to minimize the impacts to the development itself and to adjacent property owners. Traffic along Country Club Drive will be minimized by the transportation services offered by the resort to the Village Center.

(6) Each phase (if any) of the Development proposed for the PUD shall be self-sufficient and not dependent upon later phases. Phases shall be structured so that the failure to develop subsequent phases will not have any adverse impacts on the PUD, the surrounding environment,

neighborhood and area.

The Town Council found that the Applicant will provide the Town with a construction Phasing Plan to insure that the failure to develop subsequent phases will not have any adverse impacts on the PUD, the surrounding environment, neighborhood and area. The Plan will be reviewed by the Design Review Board and the Town Council.

(7) If the development proposes a PUD for a Single Family Lot, the Single Family Lot must be located adjacent to or within close proximity to either the Village Center or Multi Unit Lots, or is in a location sufficiently buffered from Single Family Lots, and that special site characteristics exist that justify the development of the property as a PUD.

The Town Council found that this Application is requesting the rezone of lot 118 from single family to multi unit outside the Village Center. Lot 118 is adjacent to lot 130, which is currently zoned multi family outside the Village Center with ten (10) condominium units. The lots diagonally across the street from lot 118-152A, 152B and 152C- are also zoned multi family outside the Village Center – with a total of twenty-two condominiums currently zoned on these lots. The Town Council found that the rezoning of lot 118 integrates appropriately with the surrounding neighborhood.

This development is unique in that the assembly of these six (6) lots together into a unified project allows for the majority of Lot 118 to be dedicated to newly created active and passive open space between the development and the adjacent single family homes to buffer this development from these properties.

The Town Council found that a special site characteristic for Lot 118 is its topography. Lot 118 is a ridge line lot with its adjacent property boundaries to other single family lots on the northern boundary sloping downhill and away from the development proposed by this Application.

The Town Council found that the orientation of development on lot 118 is away from the adjacent single family lot, lot 119, protecting that lot's view corridor. In addition, the proposed development in the area of lot 118 will be buffered from the adjacent single family lot by the newly created open space, with landscaping, and appropriate building siting to minimize visual, light and noise impacts.

The DRB discussed specifically the condition placed on Conceptual Plan approval by Town Council that limited the scope and massing of the development to be in keeping with the concept plan approved by the Town Council. The Town Council found that while the building did get larger since concept review, the changes in massing actually make the development look smaller. The elimination of building mass out of the center of the development by pushing the development further into the adjacent open space resulted in a project that looked smaller than a Conceptual review. In addition, the revisions done to the roof structures help reduce the appearance of bulk on the property. The Town Council agreed with the DRB's findings regarding mass and scale.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby grants Final Planned Unit Development Approval for the Property and authorizes the Mayor to sign the Resolution, subject to conditions set forth herein and in the Development Agreement for the Property (the "Development Agreement").

Approval of the following:

- Replat of Lots 126, 130 and 118 to 126R
- Replat of Lots 152-A, 152-B and 152-C to 152R
- Lot line adjustments to Active Open Space Lot OS-1

- Creation of new Active and Passive Open Space Lots OS-118 and OSP-126
- Rezoning of a portion of Lot 118 from Single-Family to Multi-Unit
- Variation to Design Regulation Section 14-201 to allow an increase in maximum height on newly
 platted Lot 126R in conformance with the plans submitted for Final PUD review (15' variance for
 Building A)
- Variation to Design Regulations to allow an increase in maximum average height on Lots 126R and Lot 130 in conformance with the plans submitted for Final PUD review (6.66' variance for Building A and 5.33' variance for Building C)
- Variation to allow 51 parking spaces that will be used as tandem parking spaces for the hotel operations to be counted as part of the required parking requirement
- Variation to Section 4-305 of the LUO to allow the Single-Family Designation on Lot 118 to be rezoned to Hotel Efficiency Designation
- Variation to allow the portion of the building on existing Lot 126 that is visible from the San Miguel Canyon to be developed with Condominium Zoning Designation (Condominium Units) with the condition that these units will be part of a larger building operated as a public hotel and the owners of such units shall have the opportunity to place their units in the hotel rental pool at the time of initial occupancy or in the future
- Specific approval to allow below grade transformers and cooling equipment, access and retaining wall improvements and construction activity in certain portions of the 16-foot General Easements
- Vacation or reduction of the existing 16-foot General Easement on replatted OS-118
- Removal of the existing 16-foot General Easement on replatted OS-126
- Specific approval to Design Regulations Section 5-603 to allow more than one (1) curb cut per lot
- Specific approval to allow 3:12 roof forms (Design Regulation Section 8-202)
- Specific approval to allow the use of synthetic shingles on certain portions of the roofs (Design Regulation Section 8-211-5)
- Specific approval to allow the use of standing seam copper roofs on certain portions of the secondary roofs (Design Regulations Section 8-211-7)
- Specific approval to allow the use of steel sash window frames in the hotel public spaces (Design Regulations 8-501-4)
- Specific approval to allow the use of cementious siding material where required by the Building Codes
- Density Transfer of thirty-seven (37) Condominium Density Units from the Density Bank to replatted Lots 126R and 152R
- Density Transfer of three (3) Employee Apartment Units from the Town of Mountain Village Housing Authority to Lot 126R
- Density Transfer of one (1) Dorm Density Units from the Town of Mountain Village Housing Authority to Lot 126R
- Designation Rezoning of one (1) Single Family Unit, four (4) Density to Hotel Efficiency
- Designation Rezoning of thirteen (13) Condominium Units transferred from the Density Bank to Hotel Efficiency
- Designation Rezoning of twenty one (21) Hotel Units to Hotel Efficiency
- Designation Rezoning of three and a half (3.5) Condominium Units, ten and a half (10.5) Density to Hotel Efficiency

Conditions of this Final PUD Plan Approval are as follows:

1. The rezone of existing Lot 118 approved as part of this PUD, shall be subject to a limitation that the maximum site coverage of existing Lot 118 shall be limited to 16% as shown on the Final PUD

Plan and the maximum building height for the portion of the building on existing Lot 118 shall be limited to the height permitted on a Single-Family lot.

- 2. The Applicant shall convey fee title ownership of the proposed Open Space Lots OS-126 and OS-118 to the Town of Mountain Village.
- 3. The portion of the building on existing Lot 126 that is visible from the San Miguel Canyon and developed with Condominium Zoning Designation (Condominium Units) shall be part of a larger building operated as a public hotel and the owners of such Condominium Units shall have the opportunity to place their units in the hotel rental pool at the time of initial occupancy or in the future.
- 4. The proposed pedestrian bridge connecting the properties on either side of Country Club Drive shall remain accessible to the general public. Such access shall allow the public to walk from the northern portion of the development across Country Club Drive to the southern portion of the development and access the ski trail.
- 5. The portions of the buildings that require a height variation shall not be visible from the Valley Floor.
- 6. The Applicant will continue to work with the Mountain Village to determine appropriate utility locations and utility easements as provided for in the approved Final PUD Plan. The cost of relocating the utilities will be entirely at the Applicant's expense.
- 7. The Applicant will cooperate with the Town to participate in a coordinated traffic study that shall include the traffic impacts, improvements and mitigation presented by the development proposed for proposed Lots 126R and 152R. The Applicant shall participate in the prorate share of the cost of the traffic study. The Applicant agrees to cooperate with the Town to implement the recommendations adopted by the Town from the traffic study that are applicable to proposed Lots 126R and 152R. The Applicant shall be responsible for payment of its reasonable and equitable share of the costs of any infrastructure improvements which are part of the adopted recommendations from the traffic study and which are attributable to the development of proposed Lots 126R and 152R under this Application, including but not limited to the improvements related to the project as recommended by Al Testa on his illustrated site plan dated October 26, 2007. The Applicant will further allow the necessary improvements approved from the traffic study to be located or constructed upon proposed Lots 126R and 152R to the extent that Applicant can reasonably accommodate such improvements on the Property at the Applicant's cost, as provided herein.
- 8. Prior to and as a condition of the issuance of a temporary certificate of occupancy for any portion of the Property under this Application, the Applicant shall submit an Operations Plan for Property to the Town for Town Council review and approval that addresses, at a minimum, the operations of the back of house, valet parking, traffic and parking coordination (including prohibition of parking on Country Club Drive), deliveries, loading dock and doors, parking garage door requirements, snow removal, and waste location, handling and disposal. The Operations Plan shall include provisions regarding enforcement and remedies in the event of default.
- 9. At the discretion of the Applicant, the Applicant may seek to apply for a building permit for grading, excavation and/or foundation separate from a Building Permit for occupiable space in the Project. Contemporaneous with the submission of any Building Permit for the Project, the Applicant shall submit a construction staging plan and construction transportation, traffic and

parking plan for the work contemplated by the Building Permit to the Town Council for review and approval at a public hearing. Town Council will conduct its review of such plan jointly with the DRB, when practical. Such plan shall address at a minimum construction worker housing, the amount, method and operations of transporting workers, materials and equipment to and from the Property during the entirety of the construction occurring on the Property and shall include a construction schedule and timeframe. The schedule shall include a reasonable estimate of the number of workers required to be located on the Property during the various phases of construction. In addition, the Applicant will participate in the Construction Mitigation Task Force and agrees to abide by the decisions of the Task Force.

- 10. The Applicant will provide approval from the beneficiaries of the easements to be altered, prior to the issuance of a Building Permit for the project.
- 11. The Applicant will work with Town Staff and Town's legal counsel to insure that the easements provided on the proposed Replat submitted for Town Council Final PUD Plan review are adequate.
- 12. All delivery and service trucks serving the PUD shall be limited to parking onsite and not on the adjacent roadway and that no parking associated with the PUD shall be allowed on any roadways or right-of-ways.
- 13. The Applicant will comply with PCI comments regarding the Replat, prior to execution of Replat by the Town.
- 14. The Applicant will comply with Staff comments regarding the Replat, prior to execution of the Replat by the Town.
- 15. The Applicant will submit the signed, final Plat, and appropriate fees, to Staff for recordation with the San Miguel County Assessor's office.
- 16. The Applicant will continue to ensure that the revision to Boomerang Trail will not result in a maximum grade of 18% at any point.
- 17. The Applicant agrees that the required parking spaces for the condominiums and employee units will not be tandem.
- 18. The Applicant agrees that no portions of the buildings constructed on existing Lots 118 and 130 will be visible from the Valley Floor.
- 19. The Applicant will update the areas of disturbance and tree protection drawings to reflect the revised Lot 152R size and the proposed work to Jurassic Trail.
- 20. The Applicant will include a final grading and drainage plan approved by Town Engineer within the plans submitted for a Building Permit. Staff will provide Town Council a report on the approved grading and drainage plan.
- 21. The Applicant will work with the Town to appropriately design the proposed sidewalks from the development to Mountain Village Blvd. and include these plans in the submittal for Building Permit for occupiable space in the Project (and not a building permit for grading, excavation and/or foundation).

- 22. The Applicant will ensure that the cooling equipment will not have a negative impact on the occupants of the proposed dorm units with windows opened and closed. The Applicant will submit proof of compliance to staff for review.
- 23. The Applicant will change the ski chalet and bridge roof material from Corten steel to patina copper
- 24. The Applicant will protect and save the trees located in the switchback of relocated portion of Boomerang Trail as designated in the plans presented to the DRB and Town Council.
- 25. The Applicant will use best management practice to insure appropriate slope stability in the construction of the relocated portion of Boomerang Trail.
- 26. The Applicant will create large scale mock ups of each exterior material palette to be viewed on site by the Design Review Board prior to the ordering of exterior materials (including windows and doors) for installation on the development. Such review will not require a public noticing process by the Applicant.
- 27. The Applicant shall provide written proof of approval to do plantings off the Applicant's property prior to the issuance of a landscape permit.
- 28. The Town reserves the right to review the lighting in the future and no exterior lighting other than the lighting shown on the approved Lighting Plan shall be installed.
- 29. The Applicant will plant additional trees on existing Lot 118 between the proposed relocated Boomerang Road/trail and Lot 117 (8 Evergreens and 21 Aspens) as represented by Applicant at the Town Council hearing on the Final PUD Plan.
- 30. The Applicant shall include a plat note on its replat establishing a restrictive covenant on existing Lot 118 stating that the Boomerang Road/trail will never be moved closer to Lots 117 and 119 and that no healthy living trees shall be removed from existing Lot 118 after the Boomerang Road/trail construction.
- 31. The Applicant will place excess dirt from the development site on the Boomerang Road/trail, if authorized by San Miguel County and the USFS.
- 32. The Applicant will ensure that both Boomerang and Jurassic trails remain open during construction.
- 33. The Applicant will work with the Town to coordinate crosswalk material with the crosswalk material being installed at the Lot 50/51 development.
- 34. The Applicant will pay to relocate the proposed sidewalk off of the open space to the east of the Peaks Hotel if needed.
- 35. The Applicant will provide \$500,000 to the Town of Mountain Village for public use as a public benefit associated with the approval of this Final PUD Plan. The payment shall be made at the time of foundation permit.
- 36. Tract OS-118 will be transferred to the Town following the completion of the relocation of the Boomerang Road/Trail onto Tract OS-118, but in any event, the transfer of Tract OS-118 shall occur prior to the issuance of a certificate of occupancy for occupiable space in the Project.

- 37. All representations of the Applicant, whether within the submittal or at the DRB hearing, are conditions of this approval.
- 38. Per Section 2-1307 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.

BE IT FURTHER RESOLVED that pursuant to Section 3-511 the Town Council has received a draft of the PUD Development Agreement for the Property (the "Development Agreement") and the Town Council authorizes the Mayor and Town Manager, in consultation with legal counsel, to finalize and execute the Development Agreement consistent with the terms and conditions of this Resolution No. 2007-0315-05.

BE IT FURTHER RESOLVED that the approval of the Final PUD Plan for the Property as set forth in this Resolution constitutes a Site Specific Development Plan and upon appropriate publication shall create a vested property right pursuant to C.R.S. § 24-68-101-106 and the LUO.

BE IT FURTHER RESOLVED that the Property may be developed as submitted in accordance with this Resolution and the Development Agreement.

APPROVED by the Town Council at a public meeting held on March 15, 2007.

TOWN OF MOUNTAIN VILLAGE, TOWN COUNCIL

Rube Felicelli, Mayor

Attest:

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Pase 1 of 17
SAN MIGUEL COUNTY, CO
PEGGY NERLIN CLERK-RECORDER
10-12-2007 03:08 PM Recording Fee \$86.00

DEVELOPMENT AGREEMENT Lot 126R and Lot 152R, Town of Mountain Village Planned Unit Development

THIS DEVELOPMENT AGREEMENT ("Agreement"), dated and made effective as of September 18, 2007 ("Effective Date"), is entered into by and between the Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado ("Town") and West Galena Holdings LLC, a Michigan limited liability company ("Owner").

I. RECITALS

1.1.	Owner is the owner of	oi certain reai	property ("Property")	described as follows:

Lot 126R and Lot 152R, Town of Mountain Village, per the Plat recorded on October 19, 2007 in Plat Book 1, at Page 3869, Reception No. 311455, in the official records of the Clerk and Recorder for San Miguel County, Colorado ("Official Records").

- 1.2. Owner submitted an application ("Application") to the Town for approval of a Planned Unit Development ("PUD") on the Property pursuant to Section 3-5 of the Town of Mountain Village Land Use Ordinance ("LUO"). The Application proposed the development of a certain mixed-use hotel, residential condominium and commercial project on the Property ("Project").
- 1.3. At a duly noticed and conducted public hearing on May 11, 2006, the Town of Mountain Village Design Review Board ("**DRB**") recommended to the Town of Mountain Village Town Council ("**Town Council**") that the Application for Conceptual PUD Plan be approved with conditions pursuant to LUO Section 4-606.
- 1.4. At a duly noticed and conducted public hearing on June 27, 2006, the Town Council granted Conceptual PUD Plan approval to the Application pursuant to LUO Section 4-606.
- 1.5. At a duly noticed and conducted public hearing on October 26, 2006, the DRB granted Sketch PUD Plan approval to the Application pursuant to LUO Section 4-607.
- 1.6. At a duly noticed and conducted public hearing on February 22, 2007, the DRB recommended to the Town Council that the Application for Final PUD Plan be approved pursuant to LUO Section 4-608.
- 1.7. At a duly noticed and conducted public hearing on March 15, 2007, the Town Council granted Final PUD Plan approval to the Application pursuant to LUO Section 4-609.
- 1.8. After conducting the respective public hearings, receiving evidence and taking testimony and comment thereon, the DRB and the Town Council respectively found that: (i) the Property achieves one (1) or more of the applicable purposes listed in Section 4-616 of the LUO, and (ii) the resulting development will be consistent with the provisions of Section 4-617 of the LUO.
- 1.9. The public hearings referred to above were preceded by publication of public notice of such hearing(s) on such dates and/or dates from which such hearings were continued in the *Telluride*

Watch, and by mailing of public notice to property owners located within four hundred feet (400') of the Property, as required by the LUO.

- 1.10. The Town Council adopted a certain Resolution 2007-0315-05 approving the Application for the Project ("Town Council Approval Resolution"), which was recorded on April 11, 2007 at Reception No. 391879 in the Official Records, the terms and conditions of which are incorporated herein by this reference.
- 1.11. Owner has now met all requirements for final PUD approval and has addressed all conditions of final PUD approval as set forth by the DRB and Town Council in the Town Council Approval Resolution.

NOW THEREFORE, the Parties agree as follows:

II. CONSIDERATION

- 2.1 The consideration for this Agreement, the sufficiency of which is hereby acknowledged by the Town and by the Owner, is the Town's final approval of the Project upon all terms and conditions contained herein and the mutual obligations and promises set forth herein.
- 2.2 The Recitals and Consideration set forth above are incorporated herein as essential terms of this Agreement.

III. COMMUNITY PURPOSES AND REVIEW STANDARDS

- 3.1 The DRB and Town Council have determined that the Project achieves one or more Community Purposes in accordance with LUO Section 4-616 by providing certain public benefits as found and determined by the DRB and Town Council and stated in the Town Council Approval Resolution.
- 3.2 The DRB and Town Council have determined that the Project complies with the Review Standards set forth in LUO Section 4-617 as found and determined by the DRB and Town Council and stated in the Town Council Approval Resolution.

IV. APPROVAL OF REPLAT

4.1	The DRB and Town Council have approved a certain plat entitled "Replat of Lot 126R
Lot 152R, Trac	OS-118, Tract OSP-126, Tract OS-1R-1, Tract OS-1R-2 and Tract OS-1R-3" ("Final
Plat") recorded	on, 2007 in Plat Book 1, at Page, Reception No.
	_, in the Official Records simultaneously with this Agreement, which Final Plat shall b
recorded simult	meous with this Development Agreement. When recorded, the Final Plat will finally
establish the Pr	perty, consisting of Lot 126R, Lot 152R, Tract OS-118, and Tract OSP-126.

- 4.2 Upon recordation of the Final Plat, the Property shall consist of two lots (namely Lot 126R and Lot 152R) and two new Open Space Parcels (namely Tract OS-118, Tract OSP-126) as the same is depicted and described on the Final Plat.
- 4.3 The term "**Property**" as used in this Agreement refers to Lot 126R, Lot 152R, Tract OS-118, and Tract OSP-126 as reconfigured and replatted pursuant to the Final Plat.

4.4 Tract OS-1R-1, OS-1R-2 and Tract OS-1R-3, as depicted on the Final Plat, are owned by TSG Ski & Golf, LLC, a Delaware limited liability company (the "TSG Property"). The TSG Property is not deemed to be a part of the "Property" as that term is defined and used in this Agreement.

V. <u>APPROVAL OF REZONING</u>

5.1 The Property is currently zoned and platted as follows:

Table 1 - DESIGNATED EXISTING LAND USE FOR THE PROPERTY:

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone of Density Transfer Request
118	.86 acres	Single Family	Single Family	1	4	4	Rezone to 4 Hotel Efficiency Density Units
126	2.698 acres	Multi- Unit	Condominium	25	3	75	, , , , , , , , , , , , , , , , , , , ,
			Hotel	70	1.5	105	Rezone 21 Hotel Density Units to Hotel Efficiency
			Employee Apartment	2	3	6	
			Employee Dorm	16	1	16	
			Commercial				
130	.474 acres	Multi- Unit	Condominium	10	3	30	
152A	.401 acres	Multi- Unit	Condominium	8	3	24	
152B	.367 acres	Multi- Unit	Condominium	6	3	18	
152C	.368 acres	Multi- Unit	Condominium	8	3	24	
OS-1	5.16 acres	Active Open Space	Open Space				
Total Units/ Density				146		302	

5.2 The rezoning and replating of the Property as the same was recommended for approval by the DRB and approved by the Town Council as reflected in the Town Council Approval Resolution is as follows:

Table 2 - APPROVED LAND USES FOR THE PROPERTY:

Lot	Acreage	Zone District	Zoning Designation	Units	Density Per Unit	Total Density	Rezone/Density Transfer Request
126R	3.11 acres	Multi- Unit	Condominium	44	3	132	Transfer of 27 Units of Condo Density
			Hotel	56	1.5	84	
			Hotel Efficiency	19	2	38	Transfer of 13 Units of Condo Density and Rezone to Hotel Efficiency
			Employee Dorm	17	1	17	Creation and Transfer of 1 Unit of Dorm Density

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			Employee Apartment	5	3	15	Creation and Transfer of 9 Units of Employee Apartment Density
			Commercial	34,001 34 Units			
152R	1.46 acres	Multi- Unit	Condominium	23	3	69	Transfer of 3 Units of Condo Density
			Commercial	4,665 4.66 Units			
OS-IR-I	91.96 acres	Active Open Space	Open Space				
OS-118	.65 acres	Active/Pa ssive Open Space	Open Space				
OSP-126	.26 acres	Passive Open Space	Open Space				
Total Units/ Density				164 202.6 with Commercial Units		355	

VI. APPROVAL OF DENSITY TRANSFER

- 6.1 The zoning designations and appurtenant density currently approved for the Property (prior to the approval of the Final Plat) is the same as is set forth in Table 1 of Section 5.1 above.
- 6.2 Certain density transfers for and among the Property were recommended for approval by the DRB and approved by the Town Council as reflected in the Town Council Approval Resolution as the same is set forth in Table 2 of Section 5.2 above.
- The DRB and Town Council have approved, pursuant to LUO Section 4-613, the 6.3 creation of seventeen (17) Employee Dorms with a Density of seventeen (17) persons and five (5) Employee Apartments with a Density of fifteen (15) persons to be allocated and appurtenant to Lot 126R. Such Employee Dorms and Employee Apartments shall be subject to and comply with LUO Section 9-1, Employee Housing Restriction ("EHR") and the Town of Mountain Village Employee Housing Restriction Ordinance No. 1997-05. In the event of the sale of the Units, then the provisions of the Town of Mountain Village Affordable Housing Restriction Ordinance No. 2006-07 shall apply. The Town of Mountain Village Official Lot List shall be amended to reflect that Lot 126R is subject to the EHR and the Employee Housing Restriction Ordinance No. 1997-05 and No. 2006-07 (Affordable Housing Restriction) if such units are to be sold. The Colorado Common Interest Community Declaration ("Declaration") required pursuant to C.R.S. Section 33.3-38-209 for the development of the Property shall include a provision that provides that the use and occupancy of such Employee Apartments is restricted by the EHR and the Employee Housing Restriction Ordinance No. 1997-05 and No. 2006-07 (Affordable Housing Restriction) and that such provision may not be amended without the prior written consent of the Town. Owner shall submit the Declaration to the Town for review and approval of such provision prior to recordation of the Declaration in the Official Records.
- 6.4 Upon approval of and recordation of this Agreement and the Final Plat, the Zoning, Zoning Designations and appurtenant Density for the same shall be as set forth in Table 2 of Section 5.2 above.

VII. APPROVAL OF FINAL PUD PLANS

The DRB and Town Council have approved the plans, drawings and specifications for the Property, as reflected in the Town Council Approval Resolution, which plans, drawings and specifications consist of each of the documents ("Final PUD Plans") as listed and described on attached Exhibit "A".

VIII. APPROVAL OF LUO AND DESIGN REGULATION VARIATIONS

The DRB and Town Council have approved certain waivers and variations to the LUO for the Project, as the same are reflected in the Town Council Approval Resolution.

IX. OWNER TO COMPLY WITH CONDITIONS OF APPROVAL

- 9.1. Owner agrees to comply with the terms, conditions, requirements and obligations placed upon Owner in the Town Council Approval Resolution, including, without limitation, the payment of funds, dedication of lands, creation of easements, construction of improvements and the like as the same are set forth in the Town Council Approval Resolution. The corresponding terms, conditions, requirements and obligations established in the Town Council Approval Resolution are hereby incorporated into this Agreement by this reference.
- 9.2. Owner agrees to allow property owners located west of the Project along Country Club Drive reasonable access through the Project to and from the skier facilities connecting to the Project.
- 9.3. Prior to the issuance of a building permit for the occupiable space of the Project, Owner will prepare a reasonable ski storage plan to accommodate property owners located west of the Project that is mutually acceptable to representatives of those property owners and Owner. If a ski storage plan cannot be mutually agreed upon by the parties, then the Town Council will determine the appropriate, reasonable components of the ski storage plan.
- 9.4. All representations of the Owner concerning the Project, whether within the submittal or at the DRB hearing and/or the Town Council hearing for the Project, are obligations of the Owner under this Agreement.

X. <u>RECORDATION OF EASEMENTS.</u>

- 10.1. At such time as Owner records the Final Plat, Owner shall also simultaneously record the easements listed on attached **Exhibit "C"**.
- 10.2. Prior to the issuance of a building permit for grading, excavation and/or foundation), Owner shall obtain and record an easement for each of the following matters:
 - 10.2.1. A sidewalk connecting the Project with Mountain Village Boulevard;
- 10.2.2. Temporary improvements to Country Club Drive to accommodate construction traffic during the course of the construction of the Project; and
 - 10.2.3. Permanent improvements to Country Club Drive as directed by the Town.

- 10.3. Owner agrees to reflect the creation of suitable easements in the condominium documents for the Project, in form and content acceptable to the Town, providing for the following:
- 10.3.1. Public access over and across the pedestrian bridge crossing Country Club Drive and shall be subject to reasonable rules and regulations of Owner; and
- 10.3.2. Non-motorized pedestrian access, including access for bicycles, in the vicinity of the Project's entryway to provide for access to the interpretive area of the Project. The use of this easement shall be in a reasonable location designated by Owner and shall be subject to reasonable rules and regulations of Owner, including requirements for a person to walk and not ride their bikes through the easement area.

XI. <u>HEIGHT SURVEY.</u>

Upon the completion of framing and prior to the issuance of a Certificate of Occupancy, Owner shall be required to verify in a manner acceptable to the Town that none of the buildings exceed the approved heights set for in the Town Council Approval Resolution.

XII. CONSTRUCTION OF PUBLIC IMPROVEMENTS

- 12.1. <u>CONSTRUCTION OF PUBLIC IMPROVEMENTS.</u> The Owner agrees to complete, at Owner's sole cost and expense, the construction of those certain public improvements or infrastructure improvements set forth on attached <u>Exhibit "B"</u> ("Public Improvements") and as more fully detailed in the Final PUD Plans and in the Town Council Approval Resolution. The estimated cost to complete the Public Improvements is also set forth on attached <u>Exhibit "B"</u> ("Public Improvements Cost Estimate"). The Owner agrees that the cost of the Public Improvements are estimates only, and if the actual cost of the materials or labor exceeds such estimate, the Owner shall nevertheless be responsible therefor.
- 12.2. OWNER'S CONSTRUCTION OBLIGATION AND STANDARDS. The Owner shall timely construct and complete all required Public Improvements in accordance with the Final PUD Plans, the Town Council Approval Resolution and in compliance with all laws, regulations, standards, specifications and requirements of the United States, the State of Colorado, the Town of Mountain Village, and all their pertinent agencies.
- 12.3. <u>COMPLETION OF PUBLIC IMPROVEMENTS</u>. All of the Public Improvements shall be fully completed prior to and shall be a condition of the issuance of the final Certificate of Occupancy for the Project on Lots 126R and 152R.
- 12.4. COLLATERAL. To secure and guarantee performance of its obligations as set forth herein, Owner shall provide the Town with collateral in the sum of approximately \$2,933,540.00 which may be posted in the form of either: (i) a certified check, (ii) an irrevocable letter of credit from a lending or financial institution in good standing in the state of Colorado and in a form satisfactory to the Town Manager; and/or (iii) cash ("Collateral") or some acceptable combination of the foregoing. If cash is provided as the Collateral, it shall be deposited by the Town in a separate interest-bearing account with any interest accruing to the benefit of Owner. With the exception of the Collateral for the "Employee Housing Units" (eg. 3 Employee Apartments, 1 Employee Dorm 9,182 sf), the Collateral shall be posted as a condition of and shall be due upon issuance of a building permit for the Phase I Site Work as approved by the Town and denoted as Items 1-10 in the Lot 126R and Lot 152R, Rosewood Telluride

G:\Clients\Honigman.5642\Hotel Project\Town\Town Documents\Development Agreement.final.3.doc Page 6 of 17 Hotel and Residences Construction Management Plan, plus the sidewalk connecting to Mountain Village Boulevard. The Collateral for the Employee Housing Units, as defined above and as indicated on **Exhibit "B"** shall be posted as a condition of and shall be due upon issuance of a building permit for the occupiable space in the Project.

- 12.5. RELEASE OF COLLATERAL. Owner may apply in writing to the Town Manager for a partial release or full release of posted Collateral from time to time as the Public Improvements secured by the Collateral are completed. Upon receipt of a request to release Collateral, the Town Manager shall direct the Town Building Official to inspect such Public Improvements as have been completed. Such inspection shall be completed within ten (10) days, weather permitting, after Owner's request. If the Town Building Official determines from the inspection that the Public Improvements have been installed in a satisfactory manner, consistent with this Agreement and the Final PUD Plans, such portion of the Collateral corresponding to the percentage of the Public Improvements completed shall be released by the Town Manager. In no event shall the amount of Collateral retained by the Town be reduced below that amount necessary to secure the full and timely completion of any Public Improvements not yet fully completed. Partial releases of Collateral shall only be made in increments of not less than twenty percent (20%) of the total amount initially posted, except for the final release after the completion and acceptance of all required Public Improvements.
- 12.6. <u>USE OF COLLATERAL BY TOWN</u>. If the Town Manager determines that reasonable grounds exist to believe that the Owner is failing or will fail to construct or install the Public Improvements as required by this Agreement, the Town Manager shall notify the Owner in writing that: (i) the Town intends to draw on the Collateral for the purpose of completing the Public Improvements; (ii) the specific reasons therefore; and (iii) Owner may request a hearing before the Town Council on the matter, such request to be made no less than fifteen (15) days from the date of the notice. Should a hearing not be requested within (15) fifteen days, or should the Town Council conduct a hearing and thereafter determine that the Owner is failing or has failed to satisfactorily install the required Public Improvements, the Town may thereafter draw on the Collateral as necessary to construct the Public Improvements. In such event the Town shall be entitled to recover such costs as are reasonable to administer the construction of the Public Improvements.

12.7. PRELIMINARY ACCEPTANCE.

- A. Upon completion of the Public Improvements or any portion thereof Owner shall notify the Town Manager and request inspection. The Town Building Official shall promptly inspect all such Public Improvements within thirty (30) days after the date of Owner's request and promptly notify the Owner in writing of non-approval or preliminary approval. If such Public Improvements are not acceptable, the reasons for non-acceptance shall be stated and corrective measures shall be outlined in a written notice by the Town Building Official. The Owner shall thereafter undertake reasonable measures to correct the Public Improvements.
- B. The Town Building Official shall not be required to make inspections or accept the Public Improvements during any period when climatic conditions make thorough inspection impractical.

12.8. FINAL ACCEPTANCE AND RELEASE OF COLLATERAL.

A. Final acceptance of the Public Improvements or any portion or phase thereof shall only be made by the Town ("Final Acceptance").

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- B. No earlier than thirty (30) days prior to the expected date of issuance of a final Certificate of Occupancy for Lots 126R or 152R, the Town Building Official shall inspect all such Public Improvements for Final Acceptance. If based on such inspection the Public Improvements are not acceptable to the Town Building Official, the reasons for non-acceptance shall be prompted, reduced to writing and a notice shall be sent to Owner stating the defects and the required corrective measures necessary to come into compliance. The Town Building Official shall not be required to make inspections during any period when climatic conditions make thorough inspections impractical.
- C. Upon final inspection by the Town Building Official and Final Acceptance by the Town, the Town shall promptly release all remaining Collateral and shall assume normal maintenance responsibilities for the Public Improvements.
- 12.9. Pursuant to LUO Section 4-618-5, Owner shall warrant to the Town the quality, workmanship and function of all the Public Improvements for a period of two (2) years after Final Acceptance by the Town, or until July 1 of the year during which the second winter terminates after Final Acceptance by the Town, whichever is greater.
- 12.10. Owner agrees to repair or restore any existing improvements or facilities damaged during construction of the Project to its pre-existing conditions.
- 12.11. Prior to the issuance of a building permit for the occupiable space in the Project (but is not at the time of the issuance of a building permit for grading, excavation and/or foundation), Owner and the Town shall enter into an agreement allocating the obligations to undertake ongoing repair and maintenance of the Public Improvements.

XIII. <u>VESTED RIGHTS</u>

- 13.1. <u>SITE SPECIFIC DEVELOPMENT PLAN</u>. The Replat, Final PUD Plans and this Agreement constitute a "Site Specific Development Plan", pursuant to LUO Section 6-201.
- 13.2. <u>VESTED REAL PROPERTY RIGHT</u>. Accordingly, this final approval has created for Owner's benefit a "vested real property right" as defined by C.R.S. § 24-68-101 et seq.
- 13.3. <u>DURATION</u>. For purposes of this Agreement, the above-referenced vested real property right shall remain vested for three (3) years after April 11, 2007 (the date of the Town Council Approval Resolution approving the Project). The Town shall promptly cause to be published a notice of such vested rights in the *Telluride Watch*.
- 13.4. <u>PUBLICATION</u>. A notation of such vested real property right has been made on the Final PUD Plans and a notice has been published in a newspaper of general circulation within the Town.
- 13.5. **RELIANCE**. The Owner has relied upon the creation of such vested real property right in entering into this Agreement.
- 13.6. **FUTURE LEGISLATION**. During the three (3) year period in which the vested real property right shall remain vested, the Town shall not impose by legislation or otherwise any zoning or land use requirement or obligations upon Owner or their successors or assigns which would alter, impair or diminish the development or uses of the Property as set forth in this Development Agreement, except:

- A. With the consent of the Owner; or
- B. Upon the discovery of natural or man-made hazards on or in the immediate vicinity of the Property, which could not reasonably have been discovered at the time of vested rights approval, and which, if not corrected, would pose a serious threat to the public health, safety and welfare; or
 - C. To the extent that compensation is paid, as provided in Title 24, Article 68, CRS.

The establishment of such vested real property right shall not preclude the application of ordinances or regulations which are general in nature and applicable to all property subject to land use regulation by the Town, including, but not limited to, fee assessments and building, fire, plumbing, electrical, mechanical, water and sewer codes and ordinances.

XIV. MISCELLANEOUS

- 14.1 **REMEDIES FOR BREACH OR DEFAULT.** In the event Owner, or its successor in interest, should fail to perform or adhere to its obligations as set forth herein, or fail to meet specified performance timelines, the Town shall have the following remedies against the Owner, or its successors and assigns, which remedies are cumulative and non-exclusive and which may be exercised after the provision of written notice stating that Owner is in breach, the specific steps required to cure the breach and a reasonable timeframe within which to cure the breach:
 - A. Specific performance;
 - B. Injunctive relief, both mandatory and or prohibitory;
 - C. Withdrawal or cancellation of PUD approval;
- D. Injunction prohibiting the transfer or sale of any lot or unit created under the PUD approval;
- E. Denial, withholding, or cancellation of any building permit, certificate of occupancy or any other authorization authorizing or implementing the development of the Property and/or any structure or improvement to be constructed on the Property.
- 14.2 **INDEMNITY**. Except as otherwise set forth herein, the Owner shall defend and hold the Town harmless from and against any and all claims, demands, liabilities, actions, costs, damages, and attorney's fees that may arise out of or result directly or indirectly from the Owner's actions or omissions in connection with this Agreement, including but not limited to Owner's improper design or construction of the Public Improvements required thereunder, or Owner's failure to construct or complete the same. After inspection and acceptance by the Town of the Public Improvements, and after expiration of any applicable warranty period, this agreement of indemnity shall expire and be of no future force or effect.
- 14.3 <u>ATTORNEY FEES</u>. In the event of any action, proceeding or litigation between the Town and the Owner concerning this Agreement, the prevailing party shall collect its reasonable legal fees and costs, including the reasonable value of salaried attorney's time. Any state court litigation to enforce

the terms of this Agreement shall be commenced in San Miguel County, Colorado and venue shall be restricted to such county.

- 14.4 <u>BINDING EFFECT</u>. This Agreement shall extend to, inure to the benefit of, and be binding upon the Town and its successors and assigns and upon the Owner, its successors (including subsequent owners of the Property, or any part thereof), legal representatives and assigns. This Agreement shall constitute an agreement running with the Property until: (a) modification or release by mutual agreement of the Town and the Owner (subsequent transferee owners' consent to modification(s) or release(s) shall not be required unless the modification(s) directly limit or restrict the zoning or development rights awarded to a subsequent transferee owner's specific lot); or (b) expiration of the term hereof.
- 14.5 <u>AUTHORIZATION</u>. The Parties hereto warrant they are fully authorized to execute this Agreement and have taken all actions necessary to obtain such authorization.
- 14.6 **SEVERABILITY**. If any term or provision or Article of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the applications or such term or provision or Article to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 14.7 <u>NOTICES</u>. All notices, demands or writings in this Agreement provided to be given or made or sent that may be given or made or sent by either party hereto to the other, shall be deemed to have been fully given or made or sent when made in writing and delivered either by Fax, Email or United States Mail (certified, return receipt requests and postage pre-paid), and addressed to the party, at the below stated mailing address, email address or fax number. The mailing address, email address or fax number to which any notice, demand or writing may be changed by sending written notice to each Party notifying the party of the change.

Town:	Owner
Town of Mountain Village	West Galena Holdings, LLC
Attention: Town Manager	c/o Thomas G. Kennedy, Esquire
455 Mountain Village Blvd., Suite A	P.O. Box 3081
Mountain Village, CO 81435	Telluride, CO 81435
Phone: (970) 728-8000	Phone: (970)728-2424
Fax: (970) 728-4342	Fax: (970) 728-9439
With a Copy to J. David Reed, Esquire Reed & Gilbert P.O. Box 196	
Montrose, CO 81402	
Phone: (970) 249-3806	
Fax: 249-9661	

All notices required hereunder shall be deemed delivered to the Parties five (5) calendar days after posting the same postage prepaid by certified mail, return receipt requested, and addressed as follows:

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- 14.8 <u>DEFINED TERMS</u>. All capitalized but undefined terms used in this Agreement shall have the meanings set forth in the LUO and/or Town of Mountain Village Design Regulations.
- 14.9 **EXHIBITS AND ATTACHMENTS**. All exhibits and attachments to this Agreement shall be incorporated herein and deemed a part of this Agreement.
- 14.10 RIGHTS OF LENDERS. The Town is aware that financing for acquisition, development and/or construction of the Project may be provided in whole or in part, from time to time, by one or more lenders. In the event of an event of default by the Owner under this Agreement, the Town shall provide notice of such event of default, at the same time notice is provided to Owner, to any lender previously identified in writing to the Town pursuant to Paragraph 14.7. If such lenders are permitted, under the terms of the agreement with Owner to cure the event of default and/or to assume Owner's position with respect to this Agreement, the Town agrees to recognize such rights of such lenders and to otherwise permit such lenders to assume all of the rights and obligations to Owner under this Agreement, including without limitation, the rights to the collateral described in paragraph 12.4 above.
- extraordinary costs and expenses, if any, that may be incurred by the Town from time to time, in connection with the Town's administration and oversight of the construction of the Project, including, without limitation, costs and expenses incurred by the Town to undertake testing and inspections for the Project and/or to retain consultants to review and provide recommendations concerning the information obtained from such testing and inspections, provided that such testing, inspections and reviews were not reasonably anticipated by the Parties at the time of the Town's approval of Town Council Approval Resolution. The Town's costs and expenses incurred in undertaking all ordinary, routine and anticipated inspections of the Project are covered by building permit fee collected by the Town and are not intended to require reimbursement from the Owner pursuant to this Section.

XV. TOWN APPROVAL

Subject to the conditions herein, Town does hereby approve this Agreement, the Final Plat, the rezone, the variances, the density transfer, the extended vesting and the Final PUD Plans. This Agreement shall be incorporated by reference on the Final Plat. These instruments shall constitute the complete approval of the Application for the Project. The Final Plat and this Agreement shall be recorded, at the Owner's expense, in the records of the San Miguel County Clerk and Recorder and shall run with the Property. The Final PUD Plans shall be filed of record with the Town of Mountain Village Community Development Department.

IN WITNESS THEREOF, this Agreement is approved, covenanted, agreed to and executed as of the Effective Date.

Town of Mountain Village, a Colorado Home Rule Municipality

TOWN:

and Political Subdivision of the State of Color		
By:	Date: 9/21/07	<u> </u>
	25 ''	
Title: Mayor Attest: Jane Marinoff Deputy from Clerk		
STATE OF <u>Colora do</u>		
COUNTY OF <u>San Miguel</u>)	0 .	
Acknowledged, subscribed and sworn to before Robert Delves	re me this <u>21</u> day of <u>depto</u> as the Mayor of The Town of M	
Witness my hand and official seal.		
Morary Public	My commission expires:	6/5/2010 JANE MARINOSE
By: Trage Carlo	Date: 9/21/07	NOTARY PUBLIC STATE OF COLDHADO - MY COMMISSION EXPIR
Printed Name: Greg L. Sparks Title: Town Manager	_	
STATE OF <u>Colorado</u>) SS COUNTY OF <u>San Migael</u>)		
COUNTY OF <u>San Migal</u>) ss		
Acknowledged, subscribed and sworn to befo	ore me this 21 th day of <u>Septem</u> as the Town Manager of The To	own of Mountain Village.
Witness my hand and official seal.		
Ine moin If	My commission expires:	
Notary Public		JANE MARINOFF NOTARY PUBLIC STATE OF COLORADO
		MY COMMISSION EXPIRES 6(5)2010

OWNER:
West Galena Holdings LLC,
a Michigan limited liability company
By:
Thomas G. Kennedy, Attorney in Fact
STATE OF OCOO
COUNTY OF Sim Miquel) ss
Acknowledged, subscribed and sworn to before me this day of carbon 2007 by as the Atlaneu in inch
of West Galena Holdings LLC, a Michigan limited liability company.
Witness my hand and official seal.
My commission expires: 4508.
Notary Public
SECTION AND SECTION ASSECTION AND SECTION ASSECTION
J. DOLAN NOTARY PUBLIC
STATE OF COLORADO
Secondarianasassassassassassassassassassassassass
MY COMMISSION EXPIRES 4/5/2001

Exhibit "A"

Sheet Index:

A0.0	Cover Sheet/Site Plan
	Entry Perspective C-C3 Country Club Drive Perspective From East Country Club Drive Perspective From West Golf Perspective Buildings B-1,2 Golf Perspective Buildings B-3 / C1-2 Pool Terrace Detail Perspective Proposed Color & Detail Palate – View Study Partial Level 1 Hotel Plan Partial Level 2 Hotel Plan Trails and Paths Plan
A5.01	View From Golf Course
A5.02	Aerial Perspective
A5.03	Entry Perspective
A5.04	Height Limit Study
A6.01	Site Section – A
C250	Existing Drainage Plan (included with Final DRB submittal)
C251	Proposed Drainage Plan (included with Final DRB submittal)
C300	Preliminary Utility Plan (included with Final DRB submittal)
CS0.1	Construction Stage One
CS0.2	Construction Stage Two
CSO.3	Construction Stage Three
LS100	Tree Protection Plan and Erosion Control Plan
LS101	Site Plan
L1.0	Landscape Site Plan
LS201	Site Plan – proposed side walk
	Enlargement – Boomerang Trail
	Boomerang Trail Perspective
	Boomerang Trail – Wall / Guardrail Elevations
	Boomerang Trail Wall Type Analysis
	Boomerang Trail Section Elevations
	Boomerang Trail Section B / Detail
	Country Club Drive Plan and Sections
	Country Drive Plan and Sections
	Porte Cochere Enlargement Plan
	Porte Cochere and Overlook Perspective Arrival Section
	Enlargement 1 – Boomerang Trail Grading
	Enlargement 2 – Boomerang Trail Planting
LP101	Landscape Plan
LS401	Enlargement 2 – Boomerang Trail Planting
LS401 (a)	Enlargement 2 – Boomerang Trail (a)
LS402	Enlargement – Pool Deck
LS403	Enlargement – Terrace
LS404	Enlargement – Arrival Court

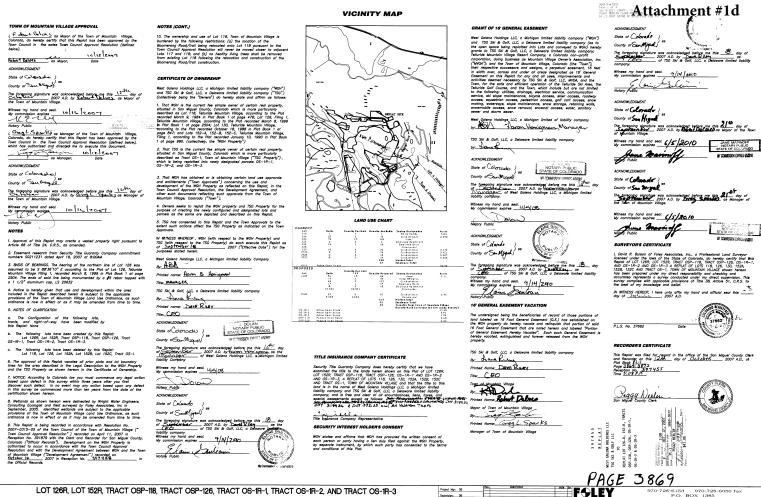
LS501	Stone Retaining Wall	
LS502	Trail Sign and Street	Light
LI101	Irrigation plan (includ	led with Final DRB submittal)
LI501	Irrigation Details (inc	luded with Final DRB submittal)
LI502	Irrigation Details (inc	luded with Final DRB submittal)
LX.01	Exterior Lighting Pla	n
LX.02	Photometric Plan_01	
LX.04		Cuts (included with Final DRB submittal)
LX.05	Lighting Equipment (Cuts (included with Final DRB submittal)
40.00	Cia- Di	
A0.00	Site Plan	
A1.P3	Level P3 plan	(scale: 1'=30')
A1.P2	Level P2 plan	
A1.P1	Level P1 plan	
A1.00	Level 0 plan	
A1.01	Level 1 plan	
A1.02	Level 2 plan	
A1.03	Level 3 plan	
A1.04	Level 4 plan	
A1.05	Level 5 plan	
A1.06	Level 6 plan	
A1.07	Level 7 plan	
A1.08	Level 8 plan	
A1.09	Level 9 plan	
A1.10	Level 10 plan	
	•	

<u>Exhibit "B"</u> (Schedule of Improvements)

Description of Improvement	Public Improvements Cost Estimate
County Club Drive Improvements	
Demo & Grading	\$37,000
Utility Relocation	50,000
Traffic Control & Barricades	25,000
Asphalt Paving	109,000
Curb & Gutter	15,000
	Subtotal \$236,000
Permanent Improvements	TBD
Boomerang Trail Relocation and Landscaping	
Tree Protection	\$5,000
Grading	27,000
Utility Trenching	5,500
Dry-Stack Walls	70,000
Cut-Bank Walls	110,000
Guardrails	37,000
Landscaping	25,000
- Landsoup mg	<u>Subtotal \$279,500</u>
	<u>54010141 </u>
Existing Boomerang Road Surface Treatment	TBD
Overlook/Jurassic Trail Improvement	
Tree Protection	\$2,000
Grading	22,500
Cut-Bank Walls	18,500
Landscaping	18,000
Temporary Trail Relocation	<u>5,000</u>
	<u>Subtotal \$66,000</u>
3 Employee Apartments, 1 Employee Dorm @ \$300/foot	9,182 sf x \$220/sf \$2,020,040
	Subtotal \$2,020,040
Mountain Village Trail Signage	\$100,000
	Subtotal \$100,000
Sidewalk to Village Center (incl. snowmelt in trail	<u> </u>
between The Peaks Resort)	
New Sidewalk	\$62,000
Snowmelt	140,000
Misc.	15,000
Traffic Control	15,000
Tranic Condor	Subtotal \$232,000
Total	\$2,933,540.00

Exhibit "C"

List of Easements			
Construction and Maintenance Easement Agreement			
Golf Cart and Pedestrian Access Easement Agreement			
Utility and Stormwater Management Easement Agreement	-		
Landscape, Grading and Emergency Access Easement Agreement			
Temporary Public Road Easement Agreement For Country Club Drive (Relocation of CC Drive)	rive)		
Jurassic Trail Easement Agreement			
Interpretive Site Easement Agreement			
Boomerang Road/Trail Facilities Easement Agreement			
Skier Trail Access Easement and Consent to Skier Improvements			
Declaration of Boomerang Road/Trail Facilities Easement			
Utility and Improvements Easement Agreement (CC Drive)			

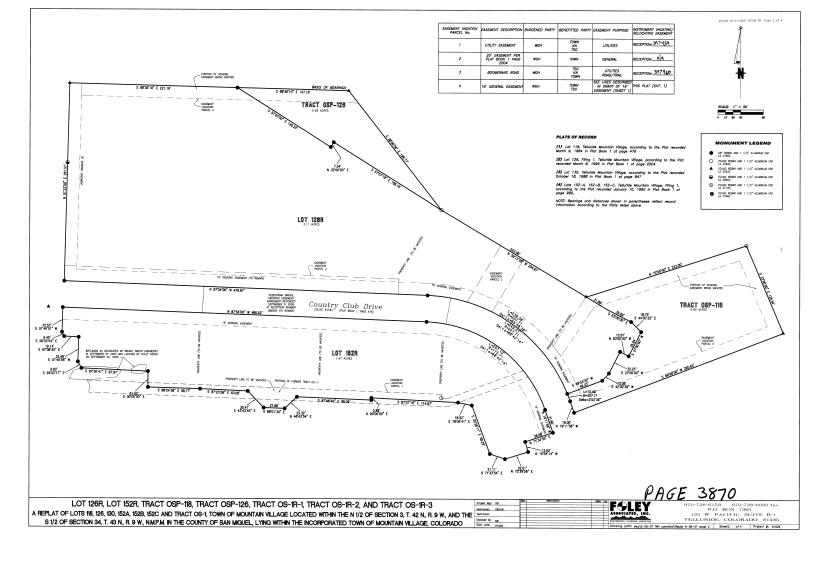


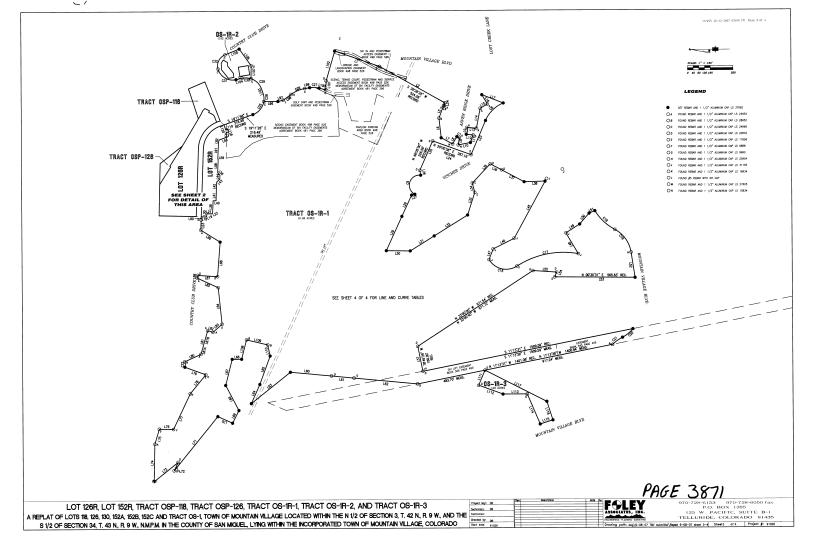
LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, TRACT OS-1R-1, TRACT OS-1R-2, AND TRACT OS-1R-3

A REPLAT OF LOTS 118, 126, 130, 152A, 152B, 152C AND TRACT OS-1, TOWN OF MOUNTAIN VILLAGE LOCATED WITHIN THE IN 1/2 OF SECTION 3, T. 42 N, R. 9 W, AND THE

8 1/2 OF SECTION 34, T. 43 N, R. 9 W, NMPM, IN THE COUNTY OF SAN MIGUEL, LYING WITHIN THE INCORPORATED TOWN OF MOUNTAIN VILLAGE, COLORADO

THOSE SECTION 34, T. 43 N, R. 9 W, NMPM, IN THE COUNTY OF SAN MIGUEL, LYING WITHIN THE INCORPORATED TOWN OF MOUNTAIN VILLAGE, COLORADO





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CURVE NUMBERS C3 THRU C7 AND C24 WERE NOT USED.

CURVE TABLE - AS MEASURED							CURVE TABLE - RECORD						
CURVE	ARC LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING		CURVE	ARC LENGTH	RADIUS	DELTA		CHORD BEARING	
C1	18.86"	50.00	21'36'38"	18.75"	S19'10'44"W		C1	18.83	50.00	21'35'00"	18.72	S19'07'30"W	
C2	50.21	50.04	57'29'14"	48.13'	\$85 47 05 E		C2	50.17	50.00	57'29'14"	48.09	S85'46'50 E	
C8	179.77	230.00	44'46'58"	175.23"	N44'19'37"W	Г	cs	179.77	230.00	44'46'58"	175.23	N44"23"31"W	
(3)	200.57	71.50	160'43'27"	140.98"	N72'44'06"W	Г	cs	200.03	71.50	160 17 33	140.89	N72'38'46'W	
C10	98.76	170.02	33 16 45	98.76	N38'38'04"W	Г	C10	98.74	170.00	33 16 45	97.36	N38'38'25'W	
C11	75.90	241.60	17'59'58"	75.90	\$30'59'40'E	Г	C11	75.89	241.57	17'59'58"	75.58	\$31'00'01 E	
C12	272.38	330.04	47 17 05	272.38	S21'08'54"W		C12	272.34	330.00	47"17"06"	264.68	S21'08'33'W	
C13	123.31	118.74	59'30'05"	123.31	N27 15 24 E		C13	123.29	118.72	59'30'05"	117.82	N27 15 02 E	
C14	103.25	119.12	49'39'57"	103.25	M81'50'20 E		C14	103.24	119.10	49'39'57"	100.04	N81'49'59 E	
C15	68.95	230.03	16'40'37"	66.95	N81'39'57'W		C15	66.95	230.00	16'40'37"	66.71	N81'40'19 W	
C16	225.98	140.00	92"28"54"	202.23	S13'26'27'W		C16	226.08	140.00	92'31'27"	202.30	S13'25'44'W	
C17	451.37	600.00	43'06'11"	440.80	N11'17'36 W		C17	451.36	600.00	43'06'05"	440.79	N11"16"57"W	
C18	194.56	359.10	31'02'35"	192.19	\$43'25'28 W		C18	194.62	359.20	31'02'35"	192.24	\$43'30'07'W	
C19	203.64	218.84	53"18"58"	196,37*	N54'33'37"E		C19	203.70	218.90	53'18'58"	196.43	N54'38'16'E	
C20	95.40"	225.59	24"13"51"	94.69"	\$39°23'32"E		C20	95.43	225.58	24'14'17"	94.72	\$39°24'43"E	
C21	85.94"	313.59	15'53'03"	86.66"	N35 13 08 W		C21	86.93	313.58	15'53'03"	86.66	N35'14'06"W	
C22	38.63"	50.00	44'16'12"	37.68"	N88'04'24"E		C22	39.04	50.00	44'43'53	38.05	N87 47 29 E	
C23	71.31	4957.59	0'49'27"	71.31	\$87'34'24'E		C23	71.37	4961.46	0'49'27"	71.37	\$87'29'16 E	
C25	125.45	117.52	61'09'39"	119.57	S49'46'15"E		C25	125.43	117.50	61'09'38"	119.56	S49"46"47"E	
C26	105.90	224.89	26'58'53"	104.93"	N22 52 06 W	. г	C26	105.98	225.00	26'58'53"	104.98	N22'52'20 W	
C27	67.20"	164.95	23"20"36"	66.74	N021516E		C27	67.22	165.00	23'20'36"	66.76	N02 17 30 E	
C28	59.18"	117.59	28'50'17"	59.18'	N85'11'37'E		C28	59.14	117.50	28'50'17"	59.14	N55 13 11 E	
C29	107.29	117.59	52'16'41"	107.29	N44"38"08"E		C29	107.21	117.50	52 16 41	107.21	N44739'41 E	
C30	63.58"	117.50	31'00'08"	63.58'	N02'55'50 E		C30	63.63	117.50	31'01'40"	63.63	N03'00'31 E	
C31	162.00"	107.51	86"20"18"	147.11	\$30'39'50"W		C31	161.99"	107.50	86'20'18"	161,99"	\$30'39'50'W	
C32	122.11	82.91	84"22"58"	111.37"	N63'58'48"W	ΙГ	C32	122.08	82.91	84"21"56"	122.08	N63'59'03'W	

	LINE TABLE -	RECORD	LINE TABLE - AS MEASURED				UNE TABLE -		LINE TABLE - AS MEASURED		
ΨE	LENGTH	BEARING	LINE	LENGTH	BEARING	UNE	LENGTH	BEARING	LINE	LENGTH	BEARING
1	334.85	S19"10"03"W	L1	334.57	N19'09'46 E	L60	449.57	N05'30'51 E	L60	290,25'	N05'28'13"
2	524.28	S29'26'25"W	L2	524.33	N29"28"07"E	L61	159.77	N05'26'25'E	L61	159,67"	N05'27'24"
3	22.28	N84'00'00"W	L3	21.77	S85'40'13"E	L62	290.43	N05'26'25 E	L62	449.50	N05'31'03"
4	6.04	N10"56"26"E	L4	5.99	S10'43'57'W	L63	352.96	N38'29'39"W	L63	352.73"	N38"27"51"
5	93.33"	N69'37'56'W	L5	93.34	S69'32'54"E	L64	147.41	\$65'39'37'E	L64	147.32	\$65'37'49"
б	138.92	\$83*52*30*W	1.6	138.95"	N83'53'09"E	L65	190.93"	\$59"54"29"E	L65	213.41	S89'52'41"
7	91,94"	\$28'55'00'W	1.7	91.96	N28'55'39"E	L66	259,75	N00'06'25'W	L66	66.96"	N00"06"38"
В	59.50	\$60°04'58"E	18	59.58'	N60'01'44"W	L67	189,86"	N75'37'50'W	L67	189.85	N75 38 03
9	52.50	N81'40'00'W	19	52.57	S81'36'12'E	L68	200,43	\$82'20'16'W	1.68	200.42	962'20'03"
0	87.05	S10'41'02 E	110	87.16	N10'39'25"W	1.69	99.90"	N62'50'11'W	L69	99.89	N62'50'24
11	57.00	S69'32'46"E	111	57.07	N69'31'10'W	170	113.79	N24'20'23"E	L70	113.79	N24"20"10"
2	48.88"	N05'28'51"E	L12	48.92	S05'28'36"W	1.71	490,29"	N50'52'36'W	171	490.27	N50'52'50"
13	68.25	S04*14*47*W	L13	68,30"	N04"27"26"E	L72	65.03"	S64'26'39"E	L72	65.01	S84"16"12"
4	141.97"	579'03'28'E	L14	142.23	N79'07'37"W	L73	216.67	N38'30'00 W	L73	215.91	N37'56'12"
5	59.17	S30'32'00"E	L15	59.27	\$30'06'25"E	174	264.28	S88'35'31"E	L74	262.35	\$88,33,30,
6	NA NA	N59'28'00'E	L16	77.13	N59'31'54'E	L75	110.48	\$73*10*15*E	L75	111,59"	\$72'55'51'
7	NA NA	N21'39'12"E	L17	162.17	N21'39'12 E	176	100.00	901°23'50 W	L76	99.76	\$01"28"46"
8	32.52	901'40'51'W	L17	32.52	S01'40'51"W	L77	277.57	S84'35'51"E	L77	275.77	S84'33'05'
9	6.40	\$26'33'54'E	L19	6.40	\$26'33'54'E	L78	173.50	\$50°35"50"E	L78	174.29	S50'41'12'
0	19.14"	\$8708'35'E	L20	19.14	\$87'08'35"E	L79	155.96	N20'09'26"E	179	154.43	N20726'47'
21	32.48	501'40'58'W	121	32.48	S01'40'58"W	180	126.28	\$24°34'18"E	LBO	125.45	\$24'56'20'
	9.82	529'03'17'E	127	9.82	S29°03'17"E	LBI	172.36	\$73'56'35'E	L81A	110.96	S73 49 38
2			123			LOI	1/2.36	3/3 30 30 E	LBIR	60.94	S74'36'55'
3	261.30	N66'47'00"W		261.30	N66"43"06"W	1.82	T 1	and the sale of the	L82	39.02	S16'39'31'
14	287.16	N20'00'08 E	L24	287.21"	N20'00'00"E		39.25	S16'49'45"W	183		S41'14'48'
5	226.59	N66'05'00"W	L25	226.80	N66'03'06'W	L83	85.50	S41'11'11'E	LB3	85.22° 259.41°	N84'21'43'
6	34.51'	S80'00'47"W	L26	34.53"	\$79°55°27°W		259.51	NS4"20"00 E	185		
27	23.64	N12'56'49'W	L27	23.66	N13'02'09'W	L85	160.04	N24745 00 E	LB5	159.81'	N24'52'19'
28	165.00	N65'20'00'W	L28	165.11"	N65'25'20'W	L86	20.00	S85'28'00 E	187	19.96	\$85'47'40'
29	266.00"	N65'20'00'W	L29	266.17"	N65'25'20'W	L87	140.00	S04'00'00 W		140.07*	504'00'32'
50	168.00	S00'54'12'W	L30	168.11	900'48'52 W	LBB	245.00	S85'28'00'E	L88	245.03	\$85'27'07
31	200.00*	\$31'50'00'E	L31	200.13	\$31'55'20'E	LB9	160.12	N32'05'33"E	L89	160.14	N32'06'26
52	277.50	\$31'50'00'E	L32	277.68	S31'55'20'E	L90	3.63"	S87'54'00"E	L90	22.48	N87'54'51'
53	166.79	\$72'03'43'E	L33	166.90"	\$72'09'03'E	L91	114.67*	S87'07'16"E	L91	114.67	\$870716
54	68.00"	N75'42'26'E	L34	67.40'	N75'41'38'E	L92	18.52	S78'06'41'E	L92	18.52"	S78'06'41
35	185.00"	S46 45 00 E	L35	185.01"	\$46'52'10'E	L93	68.29"	S20'28'11"E	L93	68.29"	\$20'28'11
36	90.27	S28 01 13 W	L36	90.30	\$27'57'18"W	L94	21.11"	S71'33'54'E	L94	21.11	\$71'33'54
37	N/A	S28 01 13 W	L37	179.53	S28 02 23 W	L95	NA.	S19"11"58"E	L95	216.49	\$19"11"27
38	N/A	N01*24*38*W	L38	147.42	N01'23'28"W	L96	99.43	S00'00'00"E	L96	99,38'	900'00'35
39	87.87	S87'30'41"E	L39	87.87*	\$87'30'41 E	L97	37.97	S12'42'04'E	L97	37.91	\$12'44'08
40	21.02	S00'00'00"E	L40	21.02"	500'00'00'E	L98	68.92"	\$36'21'46"E	L98	68.92"	\$36"19"55
41	88.77	S88'24'38"E	L41	58.77"	S88 24 38 E	L99	35,19"	S09'22'53 E	L99	35,18'	900 25 07
42	63.05	\$87°23'56'E	L42	63.05	S87'23'56'E	L100	48.50'	\$13°57°48°W	L100	48.49"	\$13755'34
43	30.41	\$43'45'E	L43	30.41	\$43"43"45"E	L101	62.71	\$87'02'21'E	L101	62.52	N86"59"29
14	27.68	\$88'01'30'E	LH	27.68	S88"01"30"E	L102	218,49"	\$73'47'46"E	L102	218.31	N73'51'54'
45	N/A	N61'20'00"W	L45	458.25	S61'13'15'E	L103	32.36	N70"48"02"E	L103	32.38"	N70'46'29
46	166.50	N26'35'00"W	L46	166.34	N26'52'20'W	L104	43.99	N12'30'19"W	L104	43.99"	\$12'30'19
47	80.32	N68'27'48"W	L47	80.36	N58'45'04'W	L105	109.28	\$21 48 05 E	L105	109.28	\$21'48'05
48	170.78	N59"28"00"E	L48	170.22	N59'18'38"E	L106	144,77	N54'53'54'E	L106	144.92	N54'57'26
49	115.91	\$32723740°E	L49	115.88	\$32"28"20"E	L107	91.01	S89 10 37 E	L107	90.74	N59'10'09
50	100.95	S48'51'06 E	150	100.92	S48'55'46"E	L108	140,44	N75'37'50'W	L108	140.43	N75'38'03
51	44.46	\$23*13*58*E	L51	44,45	\$23"18"38"E	1109	153.42	N13 32 43 E	L109	153.58	N13'30'23
52	180.55	58117 52 W	1.52	180.56	S81*18'51"W	L110	80.24	N78'06'33"E	L110	80,19	N78'08'21
53		98117 52 W N00730/31*E	L53	565.53	S00'31'21'W	L111	114.84	S66"51"00"E	L111	115,46	N67'06'50
54	565.63*	968'00'40"E	154		568'06'24'E	L112	182.72	S2013'55'W	L112	182.72	\$20'08'05
	36.22		155	35.99		1113	170.74	N00'05'30'W	L113	170,74	S00*11*20
55	167.04	NO4"00"00"E	156	167.11	N04'00'35"E	L113	230.71	N00'05 30 W N67'00'00'E	L114	230.22	S66'56'42
56	22.32"	N46'43'54"E		22.32	N46'43'54'E	L115			L115		S17'48'19
57	180.00*	S78'46'29'W	L57	179.82	S78 44 50 W		93.95	N17'48'19"W	L116	93.95	
58	98.39"	\$87'46'40"E	L58	98.39	\$87.46.40 E	L116	137.25	N7211'39"E	L118	137.27	N72'06'48
59	2.86"	N00'00'00"E	L59	2.86	N00'00'00'E	L117	487.84	\$27'00'00'W	L117	487.91	N26'57'09
						L118	13.92	N72'39'56'E N15'54'14"W	L118	32.01' 13.92'	N72'39'56 N15'54'14

PAGE 3872
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LINE AND CURVE TAB

970-728-6153 970-728-6050
P.O. BON 1385
125 W. PACHTIC, SULTE
TELLURIDE, COLORADO 8
U/Newt F-08-07 and 3-4 Shell4 of 4 Froject j.

LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, TRACT OS-1R-1, TRACT OS-1R-2, AND TRACT OS-1R-3

\text{VT OF LOTS 18, 126, 130, 1528, 1526, AND TRACT OS-1, TOWN OF MOUNTAN VILLAGE LOCATED WITHIN THE SW 1/4 OF THE SE 1/4 AND THE SE 1/4 OF THE

1/1/4, SECTION 34, T. 42 N, R 9 W, NMPM, IN THE COUNTY OF SAN MIQUEL, LYING WITHIN THE INCORPORATED TOWN OF MOUNTAN VILLAGE, COLORADO

| Tract |

412188
Page 1 of 4
SAN MIGUEL COUNTY, CO
PEGGY NERLIN CLERK-RECORDER
04-22-2010 03:00 PM Recording Fee \$31.00

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT LOT 126R AND LOT 152R, TOWN OF MOUNTAIN VILLAGE PLANNED UNIT DEVELOPMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT LOT 126R AND LOT 152R, TOWN OF MOUNTAIN VILLAGE, PLANNED UNIT DEVELOPMENT ("<u>First Amendment</u>") dated and made effective as of the 18th day of March, 2010 ("<u>Effective Date</u>") is entered into by and between the Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado ("<u>Town</u>") and CR Telluride I, LLC, a Delaware limited liability company ("<u>Owner</u>").

WHEREAS, the Town and West Galena Holdings, LLC, a Michigan limited liability company ("West Galena") entered into that certain Development Agreement, Lot 126R and Lot 152R, Town of Mountain Village, Planned Unit Development dated September 18, 2007 and recorded on October 12, 2007 at Reception No. 397458 in the records of the San Miguel County Clerk and Recorder ("Development Agreement");

WHEREAS, as of the date of the execution and recordation of the Development Agreement, West Galena was the owner of the following described real property:

Lot 126R and Lot 152R, Town of Mountain Village, per the Plat recorded on October 12, 2007 in Plat Book 1, at Page 3869, Reception No. 397455, in the records of the San Miguel County Clerk and Recorder, County of San Miguel, State of Colorado (the "Property").

WHEREAS, on February 27, 2009 the San Miguel County Public Trustee executed and delivered a Confirmation Deed vesting title in the Property to Owner pursuant to C.R.S. § 38-38-502 in connection with San Miguel County Public Trustee's Foreclosure Sale No. 2008-04;

WHEREAS, the Final PUD Plan approved for the Property constitutes a Site Specific Development Plan and created a vested property right for a period of three (3) years pursuant to C.R.S. § 24-68-101-106 and the Town of Mountain Village Land Use Ordinance ("<u>LUO</u>");

WHEREAS, pursuant to Section 13.3 of the Development Agreement the initial vested property rights period for the PUD was to expire on April 11, 2010;

WHEREAS, Owner submitted an application to the Town to extend the three (3) year vested property rights period for an additional three (3) years ("Application");

WHEREAS, a duly notice and conducted work session before the Town Council was held on February 18, 2010 and a duly noticed and conducted public hearing before the Town Council was held on March 18, 2010 to consider the Application;

WHEREAS, the work session and public hearing referred to above were preceded by publication of public notice of the work session and public hearing on such dates and/or dates in the *Telluride Watch*, and by mailing of public notice to property owners located within four hundred feet (400') of the Property, as required by the LUO;

WHEREAS, after conducting the public hearing, receiving evidence and taking testimony and comment thereon, the Town Council determined that based upon the current economic conditions and the public purposes of the Lot 126R and Lot 152R Planned Unit Development ("PUD") that a three (3) year extension of the PUD and the vested property rights is in the public interest and approved the Application in accordance with LUO Section 4-609-5 at the March 18, 2010 public hearing thereby extending the PUD and vested property rights to March 18, 2013; and

WHEREAS, the parties desire to amend the Development Agreement to reflect the Town Council's extension of the PUD and vested property rights period on the terms and conditions set forth herein.

NOW THEREFORE, the parties do hereby declare and agree as follows:

- 1. **DURATION OF PUD AND VESTED PROPERTY RIGHTS**. Section 13.3 of the Development Agreement shall be amended to extend the date of expiration of the vested property rights from April 11, 2010 to March 18, 2013. Owner shall promptly cause to be published a notice of the extension of such vested rights in the *Telluride Daily Planet*. All references in the Development Agreement to a three (3) year vested property rights period or to the expiration of the PUD, the Final PUD Plan, the Project or vested rights shall hereafter be deemed to mean the period ending on March 18, 2013.
- 2. All capitalized but undefined terms set forth herein shall have the meanings set forth in the Development Agreement.
- 3. Except as set forth in this First Amendment, all other terms and conditions of the Development Agreement shall remain in full force and effect.
- 4. The Town and Owner hereby acknowledge, represent, warrant and affirm that all terms and conditions and rights and obligations under the Development Agreement are in full force and effect and apply fully to the Town and to Owner, as the successor in title to West Galena Holdings, LLC, in accordance with Section 14.4 of the Development Agreement. The Town and Owner further acknowledge, represent, warrant and affirm that the terms and conditions and rights and obligations under the Development Agreement shall apply fully to any successor in title to Owner in accordance with Section 14.4 of the Development Agreement.

[Signatures on the following pages]

OWNER:

CR TELLURIDE I, LLC, a Delaware limited liability company, a Colorado limited liability company:

By: Richard Mandel, Manager

STATE OF New York

COUNTY OF New York

Acknowledged, subscribed and sworn to before me this to a day of April , 2010 by Richard Mandel as the Manager of CR Telluride I, LLC, a Delaware limited liability company.

Witness my hand and official seal.

Bulling J. Maple My commission expires: 16 6 20 1

BARBARA S. MASSLER
Notary Public, State of New York
No. 01MA6099778
Qualified in New York County
Commission Expires October 6, 20 2011

IN WITNESS THEREOF, this First Amendment is approved, covenanted, agreed to and executed as of the Effective Date.

TOWN:

Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado							
Date: 4-20-10							
Attest: Kim Montgomery, Town Clerk							
STATE OF COLOZADO) ss							
COUNTY OF SAU MIGUEL)							
Acknowledged, subscribed and sworn to before me this 20^{4} day of $A P P L$, 2010 by Robert Delves as the Mayor of The Town of Mountain Village.							
Witness my hand and official seal. Sur an Cloud My commission expires: 12-22-13. Notary Public							
SUSAN A. RAY Notary Public State of Colorado							
By: Date: 4/22/10 Greg Sparks, Town Manager							
STATE OF COLORDI)							
) SS							
COUNTY OF SAU MIGUEL)							
) ss COUNTY OF SAN MIGUEL Acknowledged, subscribed and sworn to before me this 22 day of APRIL, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village.							
Acknowledged, subscribed and sworn to before me thisday of, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village.							
Acknowledged, subscribed and sworn to before me this, 2010 by Greg							
Acknowledged, subscribed and sworn to before me this 22 day of APRIL, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village. Witness my hand and official seal. My commission expires: 12-22-13.							
Acknowledged, subscribed and sworn to before me this 22 day of APRIL, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village. Witness my hand and official seal. My commission expires: 12-22-13. Notary Public							
Acknowledged, subscribed and sworn to before me this 22 day of APRIL, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village. Witness my hand and official seal. My commission expires: 12-22-13. Notary Public SUSAN A. RAY							
Acknowledged, subscribed and sworn to before me this 22 day of APRIL, 2010 by Greg Sparks as the Town Manager of The Town of Mountain Village. Witness my hand and official seal. My commission expires: 12-22-13. Notary Public							

429312 Attachment #1f
Fose 1 of 5
SAN MIGUEL COUNTY, CO
M. KATHLEEN ERIE, CLERK-RECORDER
08-13-2013 08:35 AM Recording Fee \$31.00

This document is being re-recorded to show the proper Effective Date due to a scriveners error in the document recorded at reception number 429131.

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT LOT 126R AND LOT 152R, TOWN OF MOUNTAIN VILLAGE PLANNED UNIT DEVELOPMENT

THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT LOT 126R AND LOT 152R, TOWN OF MOUNTAIN VILLAGE, PLANNED UNIT DEVELOPMENT ("Second Amendment") dated and made effective as of the lo day of August, 2013 ("Effective Date") is entered into by and between the Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado ("Town") and Quality Properties Asset Management Company, an Illinois corporation ("Owner").

WHEREAS, the Town and West Galena Holdings, LLC, a Michigan limited liability company ("<u>West Galena</u>") entered into that certain Development Agreement, Lot 126R and Lot 152R, Town of Mountain Village, Planned Unit Development dated September 18, 2007 and recorded on October 12, 2007 at Reception No. 397458 in the records of the San Miguel County Clerk and Recorder ("<u>Development Agreement</u>");

WHEREAS, as of the date of the execution and recordation of the Development Agreement, West Galena was the owner of the following described real property:

Lot 126R and Lot 152R, TRACT OSP-118 AND TRACT OSP-126, Town of Mountain Village, per the Plat recorded on October 12, 2007 in Plat Book 1, at Page 3869, Reception No. 397455, in the records of the San Miguel County Clerk and Recorder, County of San Miguel, State of Colorado (the "Property").

WHEREAS, on February 27, 2009 the San Miguel County Public Trustee executed and delivered a Confirmation Deed vesting title in the Property to CR Telluride I, LLC, a Delaware limited liability company, pursuant to C.R.S. § 38-38-502 in connection with San Miguel County Public Trustee's Foreclosure Sale No. 2008-04;

WHEREAS, the Final PUD Plan approved for the Property constitutes a Site Specific Development Plan and created a Vested Property Right for a period of three (3) years pursuant to C.R.S. § 24-68-101-106 and the Town of Mountain Village Land Use Ordinance ("<u>LUO</u>");

WHEREAS, pursuant to Section 13.3 of the Development Agreement the initial Vested Property Right period for the PUD was to expire on April 11, 2010;

WHEREAS, on March 18, 2010, the Town of Mountain Village Town Council ("Town Council") approved an extension of the PUD and the initial Vested Property Right period to March 18, 2013;

WHEREAS, the Town and CR Telluride I, LLC executed a First Amendment to the Development Agreement with an effective date of March 18, 2010, which was recorded on April 22, 2010 at Reception No. 412188 in the records of the San Miguel County Clerk and Recorder extending the PUD and the Vested Property Right period to March 18, 2013;

WHEREAS, on May 20, 2011 the San Miguel County Public Trustee executed and delivered a Confirmation Deed vesting title in the Property to Quality Properties Management Company, an Illinois corporation, pursuant to C.R.S. § 38-38-502 in connection with San Miguel County Public Trustee's Foreclosure Sale No. 2011-04;

WHEREAS, on February 21, 2013, the Town adopted the Town of Mountain Village Community Development Code ("CDC") which supersedes and replaces the LUO;

WHEREAS, on March 15, 2013, the Owner submitted an application, pursuant to the CDC, for a Major PUD Amendment to extend the Vested Property Right period by an additional five (5) years to March 18, 2018 ("Application");

WHEREAS, a duly notice and conducted public hearing before the Town of Mountain Design Review Board was held on May 23, 2013, to consider the Application and the Design Review Board by the affirmative unanimous vote of the Design Review Board approved a recommendation to Town Council to approve the Application;

WHEREAS, a duly noticed and conducted public hearing before the Town Council was held on June 19, 2013 to consider the Application and Ordinance No. 2013-0727-03 ("Ordinance") for the approval of the request for a Major PUD Amendment to extend the Development Agreement and the associated Vested Property Right under the PUD to March 18, 2018, at which time the Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council by the affirmative unanimous vote of the Town Council;

WHEREAS, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the *Telluride Daily Planet*, a newspaper of general circulation in the Town of Mountain Village on June 28, 2013, in accordance with Section 5.2d of the Town of Mountain Village Home Rule Charter.

Whereas, a public hearing on and second reading of the Ordinance was held by the Town Council at a regular meeting of the Town Council on July 18, 2013, at which time the Ordinance was considered, read by title and approved without amendment by the affirmative unanimous vote of the Town Council;

WHEREAS, the public hearings referred to above were preceded by publication of public notice of the public hearings in accordance with the public noticing requirements of the CDC and by mailing of public notice to property owners located within four hundred feet (400') of the Property, as required by the CDC;

WHEREAS, after conducting the public hearings, receiving evidence and taking testimony and comment thereon, the Town Council determined that based upon the current economic conditions and the public purposes of the Lot 126R and Lot 152R Planned Unit Development ("PUD") that a five (5) year extension of the PUD and the Vested Property Right is in the public interest and approved the Application and the Ordinance at the public hearings referenced above thereby extending the PUD and Vested Property Right to March 18, 2018;

WHEREAS, the parties desire to amend the Development Agreement to reflect the Town's approval of the extension of the PUD and Vested Property Right period on the terms and conditions set forth herein.

NOW THEREFORE, the parties do hereby declare and agree as follows:

- 1. **DURATION OF PUD AND VESTED PROPERTY RIGHT**. Section 13.3 of the Development Agreement shall be amended to extend the date of expiration of the Vested Property Right from March 18, 2013 to March 18, 2018. Owner shall promptly cause to be published a notice of the extension of such vested property rights in the *Telluride Daily Planet*. All references in the Development Agreement to a three (3) year Vested Property Right period or to the expiration of the PUD, the Final PUD Plan, the Project or vested rights shall hereafter be deemed to mean the period ending on March 18, 2018.
- 2. All capitalized but undefined terms set forth herein shall have the meanings set forth in the Development Agreement.
- 3. Except as set forth in this Second Amendment and any other amendments, all other terms and conditions of the Development Agreement shall remain in full force and effect.
- 4. The Town and Owner hereby acknowledge, represent, warrant and affirm that all terms and conditions and rights and obligations under the Development Agreement are in full force and effect and apply fully to the Town and to Owner, as the successor in title to West Galena Holdings, LLC and CR Telluride I, LLC in accordance with Section 14.4 of the Development Agreement. The Town and Owner further acknowledge, represent, warrant and affirm that the terms and conditions and rights and obligations under the Development Agreement shall apply fully to any successor in title to Owner in accordance with Section 14.4 of the Development Agreement.

IN WITNESS THEREOF, this Second Amendment is approved, covenanted, agreed to and executed as of the Effective Date.

[Signatures of the following pages]

TOWN: Town of Mountain Village, a Colorado Home Rule Municipality and Political Subdivision of the State of Colorado Itt_ Date: 7.25.2013 Pro Tem Attest: Julie Illumpur Jackie Kennefick, Town Clerk STATE OF Colorado COUNTY OF San Miguel)ss Acknowledged, subscribed and sworn to before me this $\frac{25}{2}$ day of $\frac{30 \text{ ly}}{2}$, 2013 by Cath Jett, Mayor Pro Tem of the Town of Mountain Village. Witness my hand and official seal. My commission expires: 9/28/2015. Notary Public Date: 7-24-13 By: Chris Colter, Acting, Town Manager STATE OF Colorado Acknowledged, subscribed and sworn to before me this 21 day of ______, 2013 by Chris Colter, Acting Town Manager of the Town of Mountain Village.

STEPHANIE L GRIEBE

NOTARY PUBLIC

STATE OF COLORADO

NOTARY ID #

MY COMMISSION EXPIRES MAY 13, 2017

My commission expires: $\frac{5/13/17}{1}$.

Witness my hand and official seal.

Notary Public

OWNER:

Quality Properties Asset Management Company, an Illinois corporation

By: Name:	7/22/13
Title: Eric B. Forsber Senior Vice Presi	rg
STATE OF)) ss
COUNTY OF	_)
Acknowledged, subscribed and sworn , the	to before me this
Illinois corporation.	
Witness my hand and official seal.	
Notary Public	My commission expires:
	See Attached Acknowledgement Form

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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



ROSEWOOD HOTELS & RESORTS



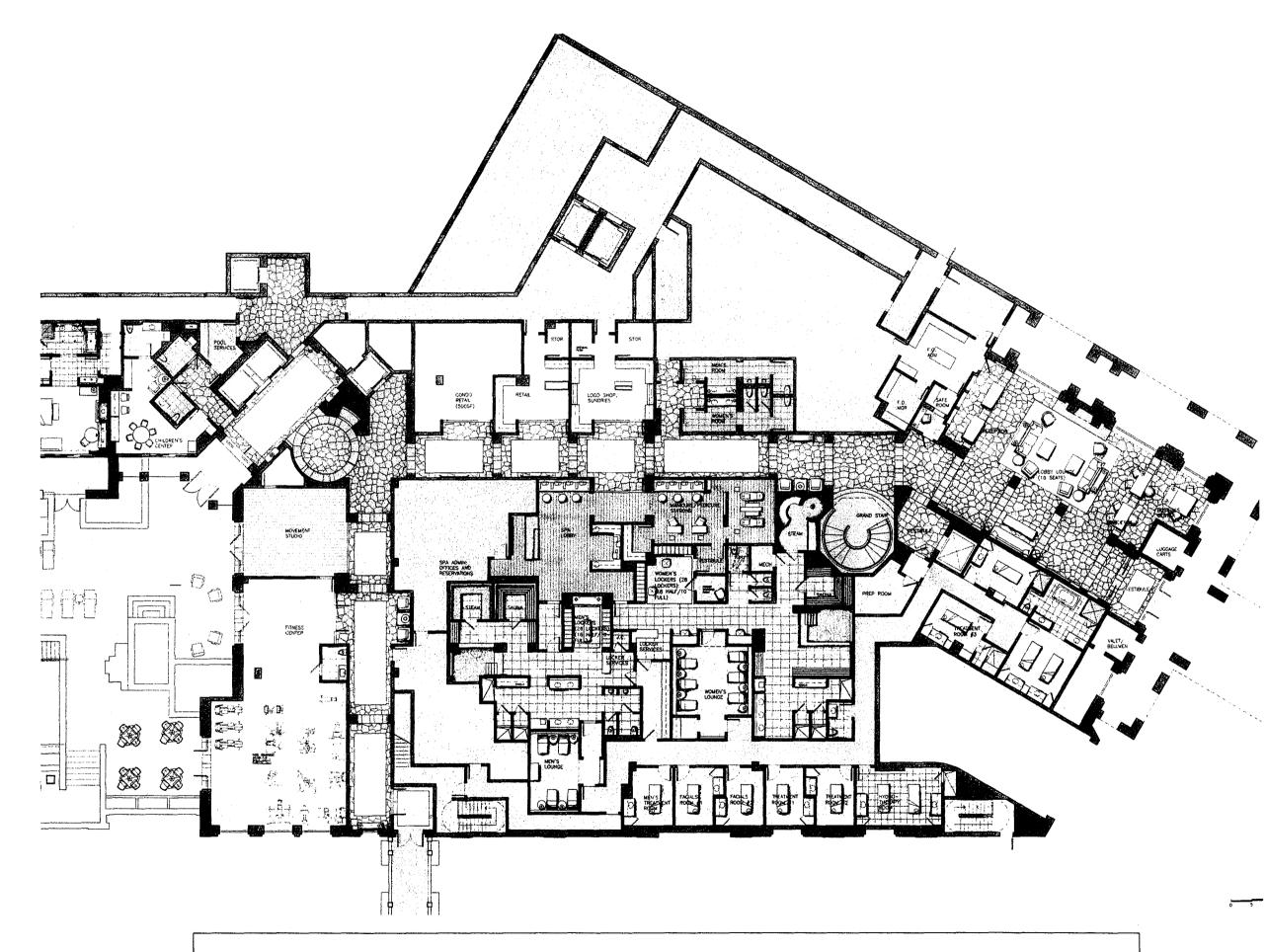








Town Council Final Plan - March 15, 2007



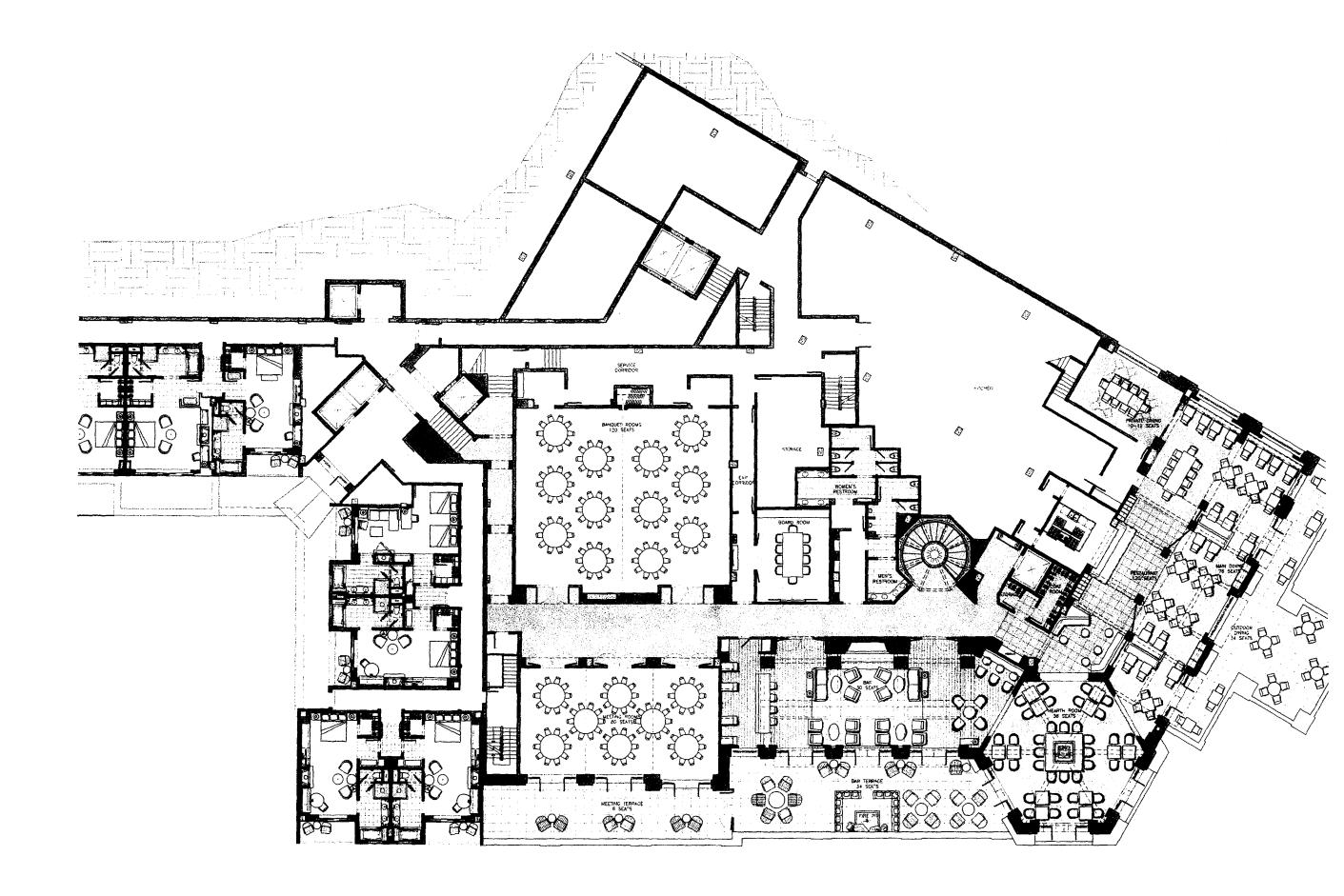
ROSEWOOD HOTELS & RESORTS TELLURIDE, COLORADO

PARTIAL LEVEL 1 HOTEL FLOOR PLAN

DESIGN DEVELOPMENT
SCALE: 1/8' = 1'.0' 02.21.2007

BraytonHughes Design Studios





ROSEWOOD HOTELS & RESORTS TELLURIDE, COLORADO

PARTIAL LEVEL 2 HOTEL FLOOR PLAN

DESIGN DEVELOPMENT
SCALE: 1/8' = 1'.0' 02.21.2007

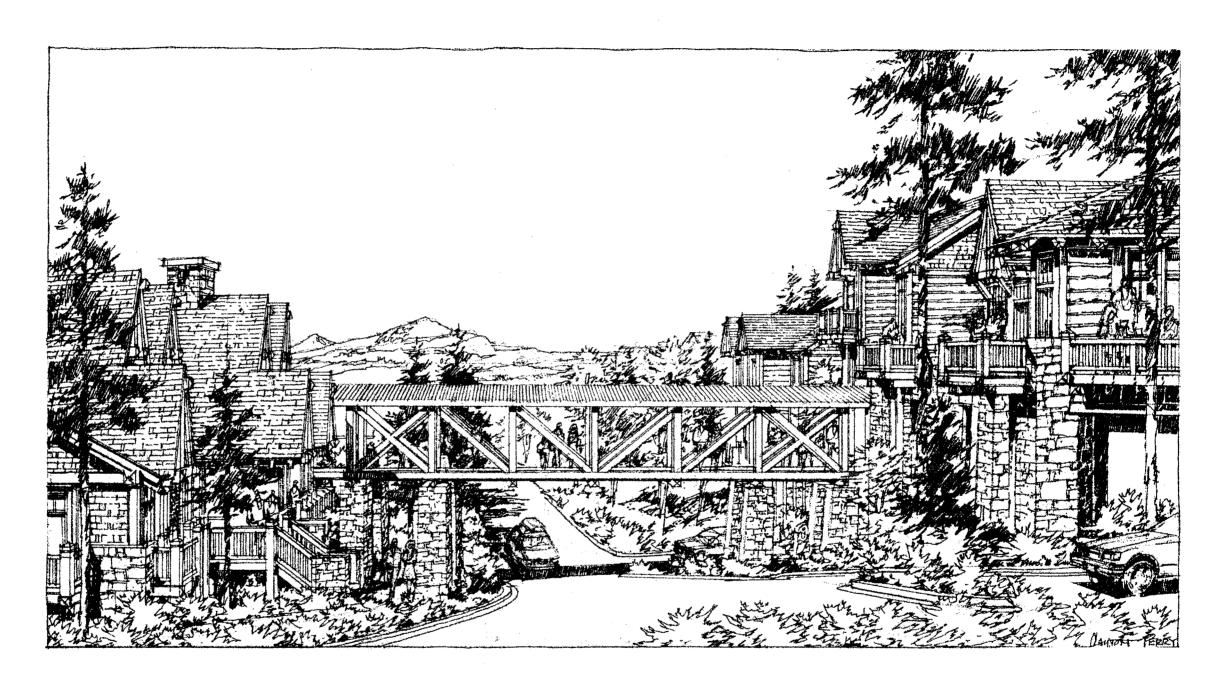
BraytonHughes Design Studios





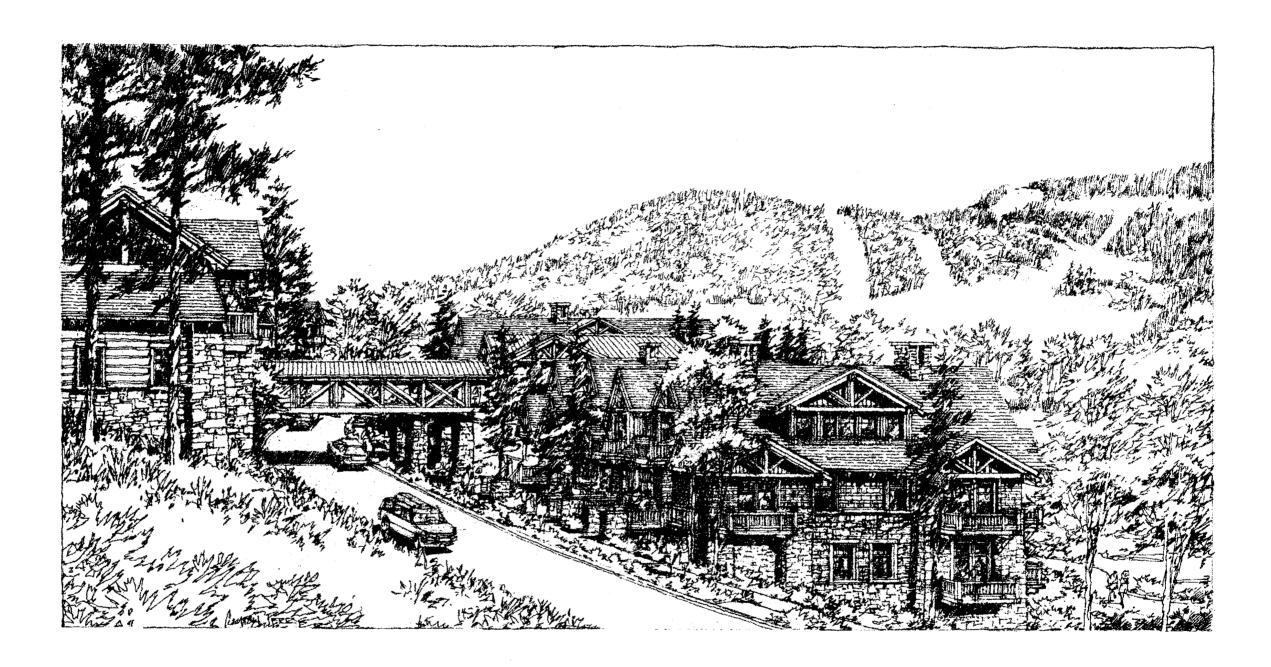
ENTRY PERSPECTIVE (Entry / C-C3)

Lot 126 Hotel & Residential



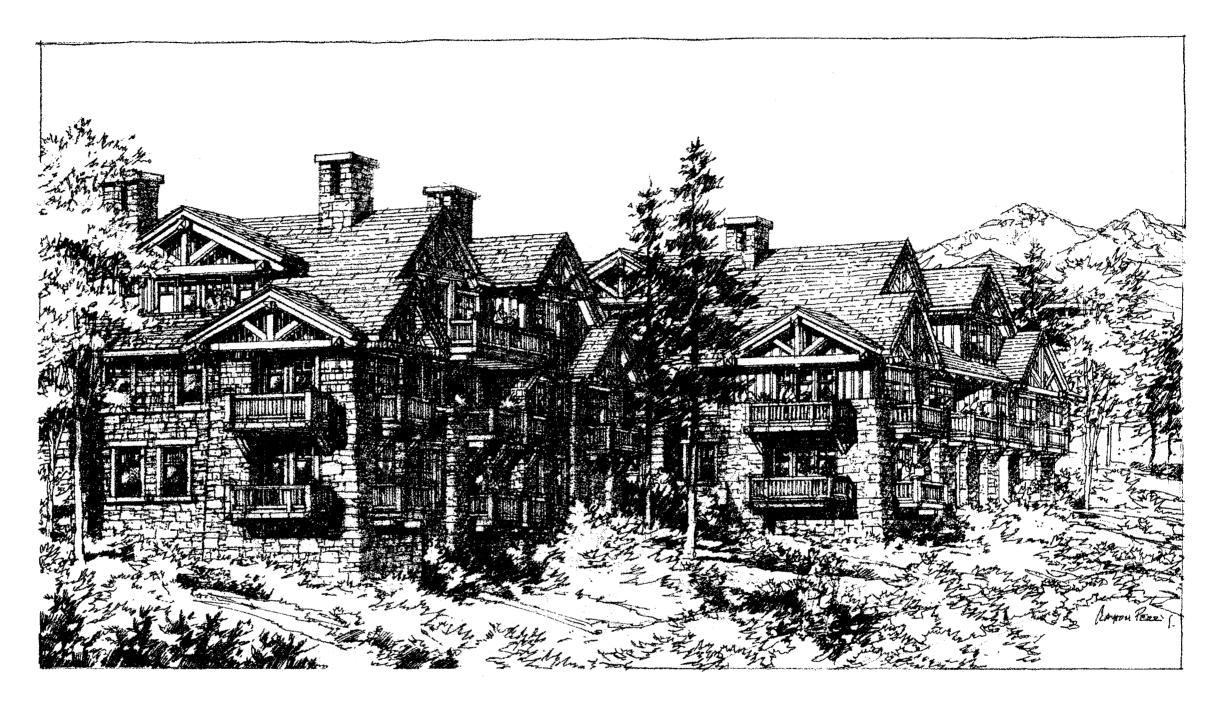
COUNTRY CLUB DRIVE PERSPECTIVE (FROM EAST)

Lot 126 Hotel & Residential



COUNTRY CLUB DRIVE PERSPECTIVE (FROM WEST)

Lot 126 Hotel & Residential



GOLF PERSPECTIVE (BUILDINGS B-1,2)

Lot 126 Hotel & Residential



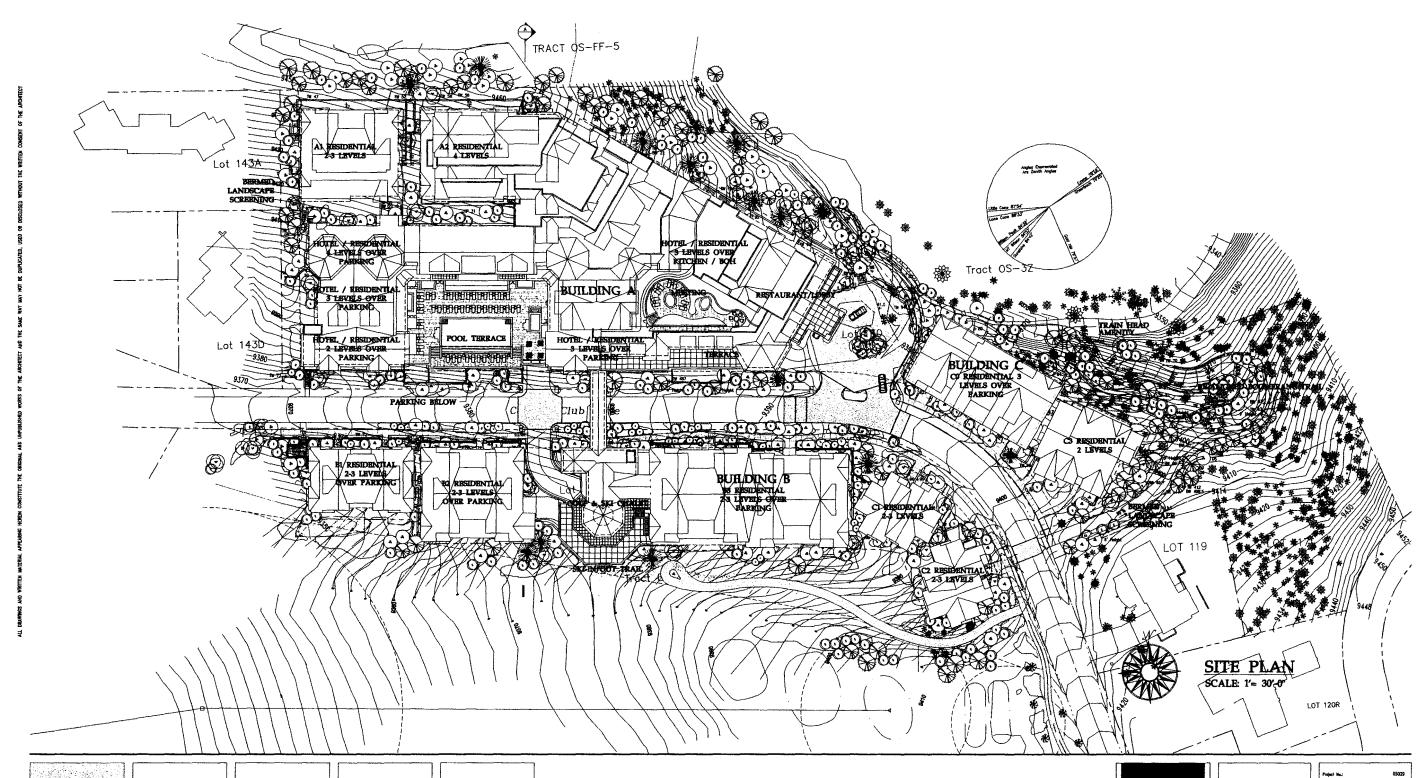
GOLF PERSPECTIVE (B-3 / C1-2)

Lot 126 Hotel & Residential



POOL TERRACE DETAIL PERSPECTIVE

Lot 126 Hotel & Residential







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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado

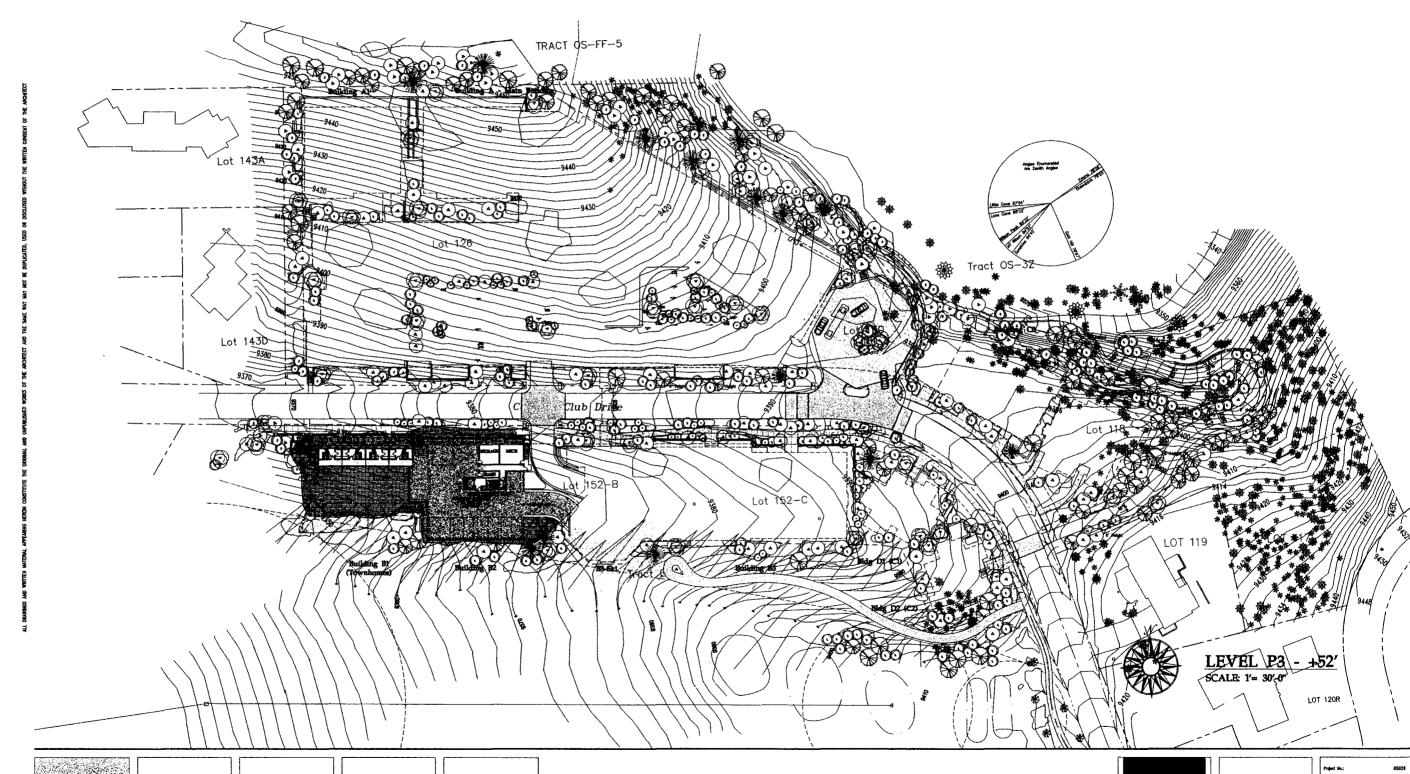


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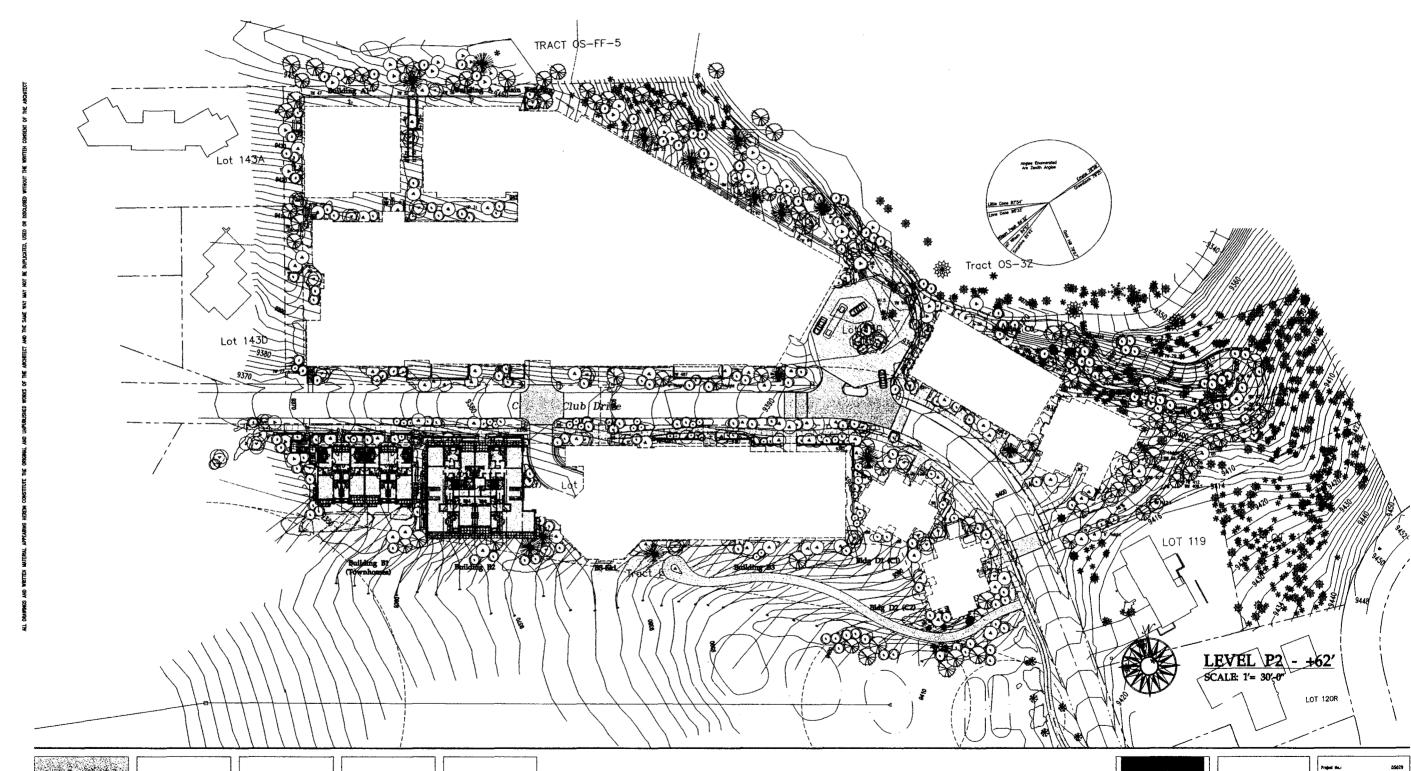
Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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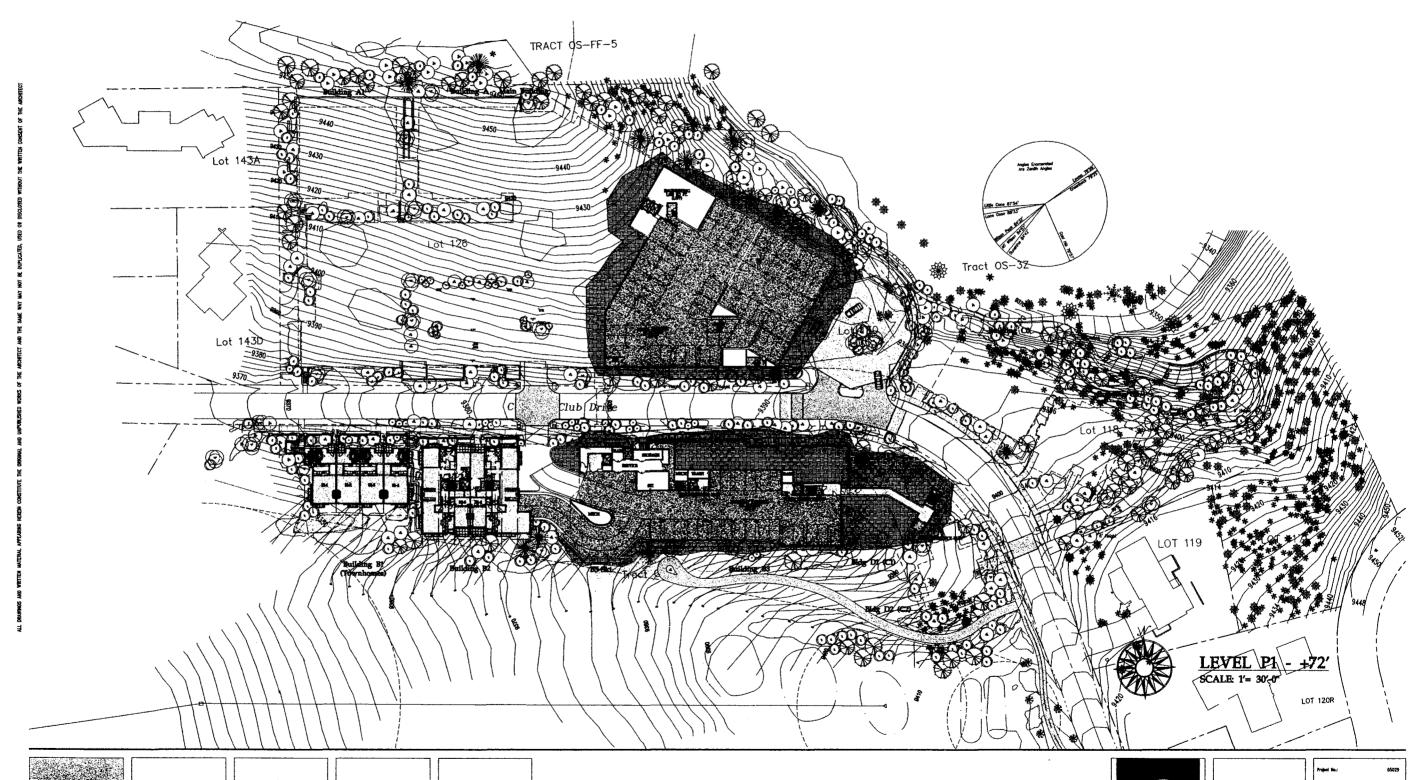
Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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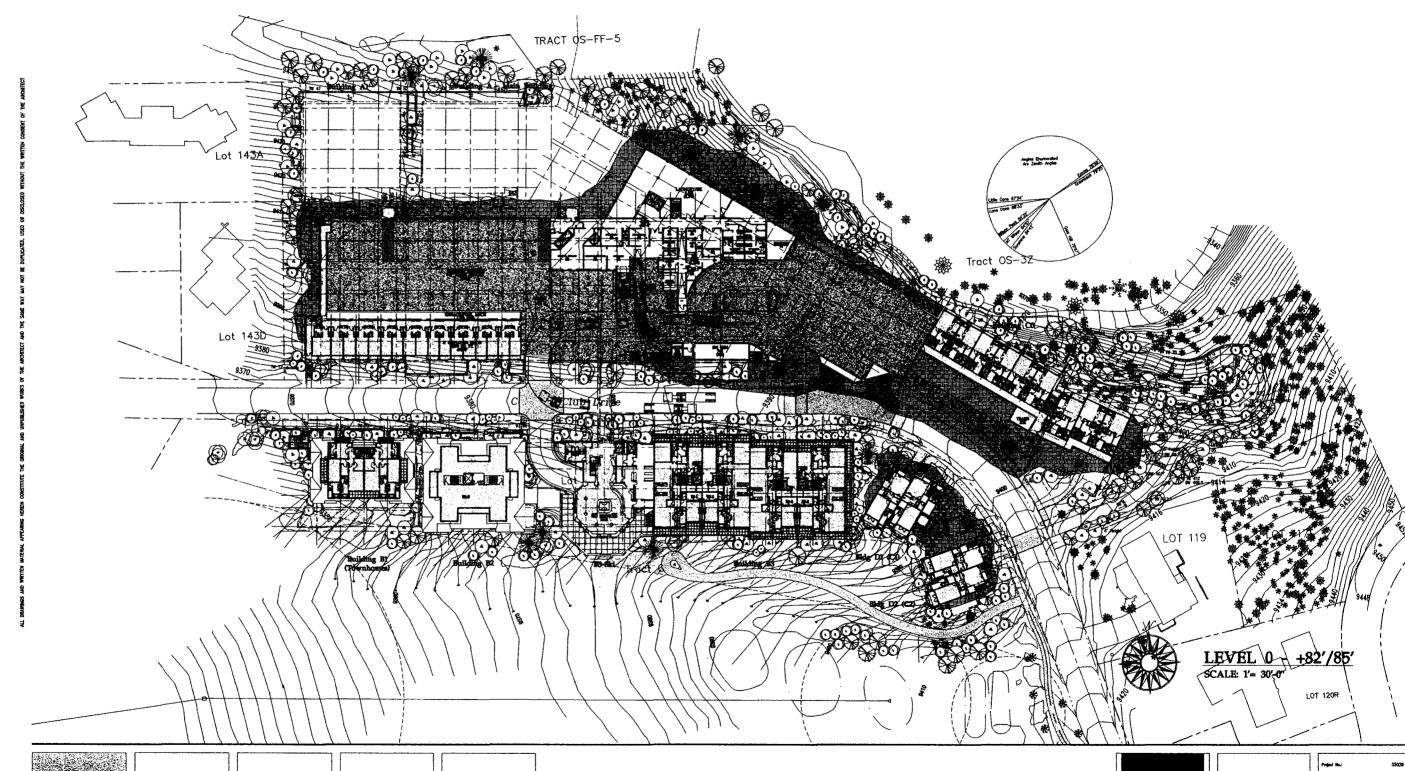


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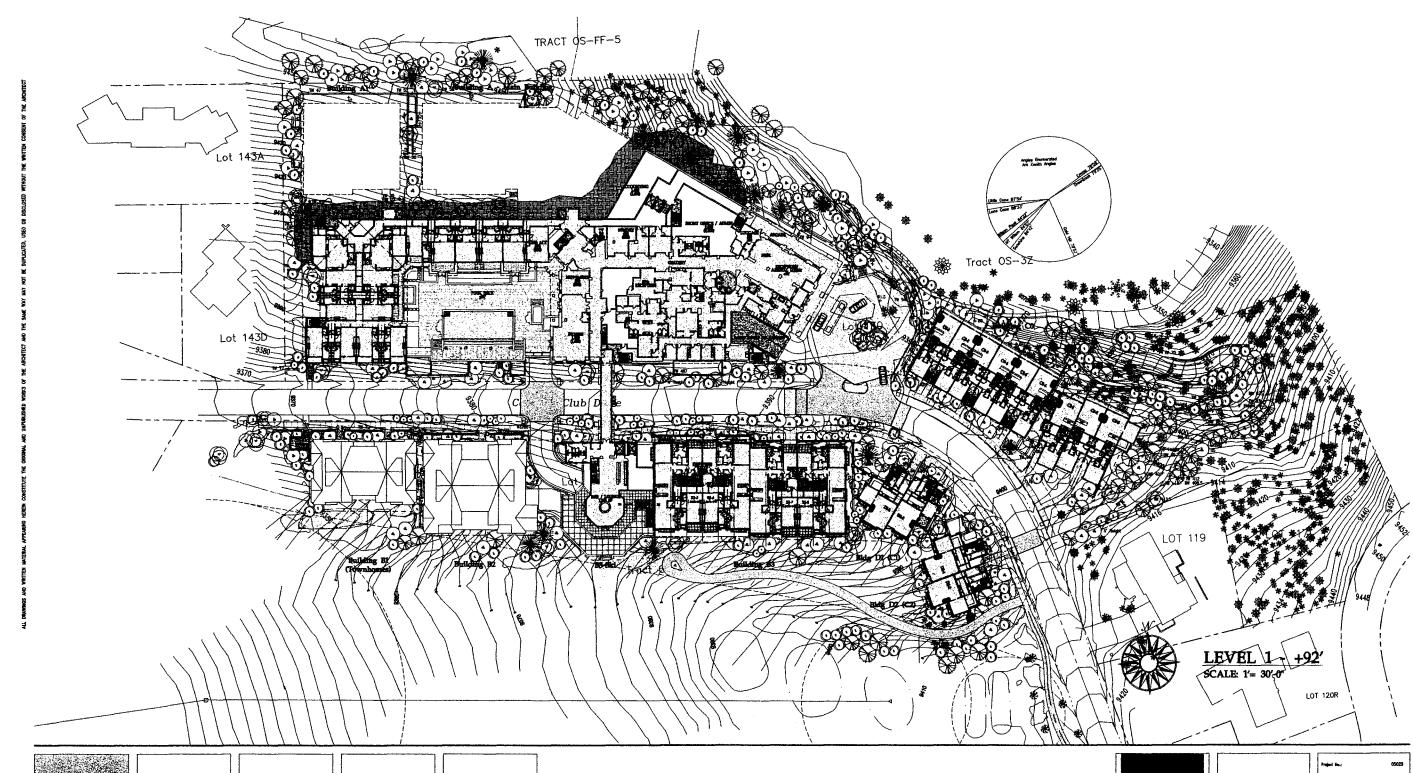
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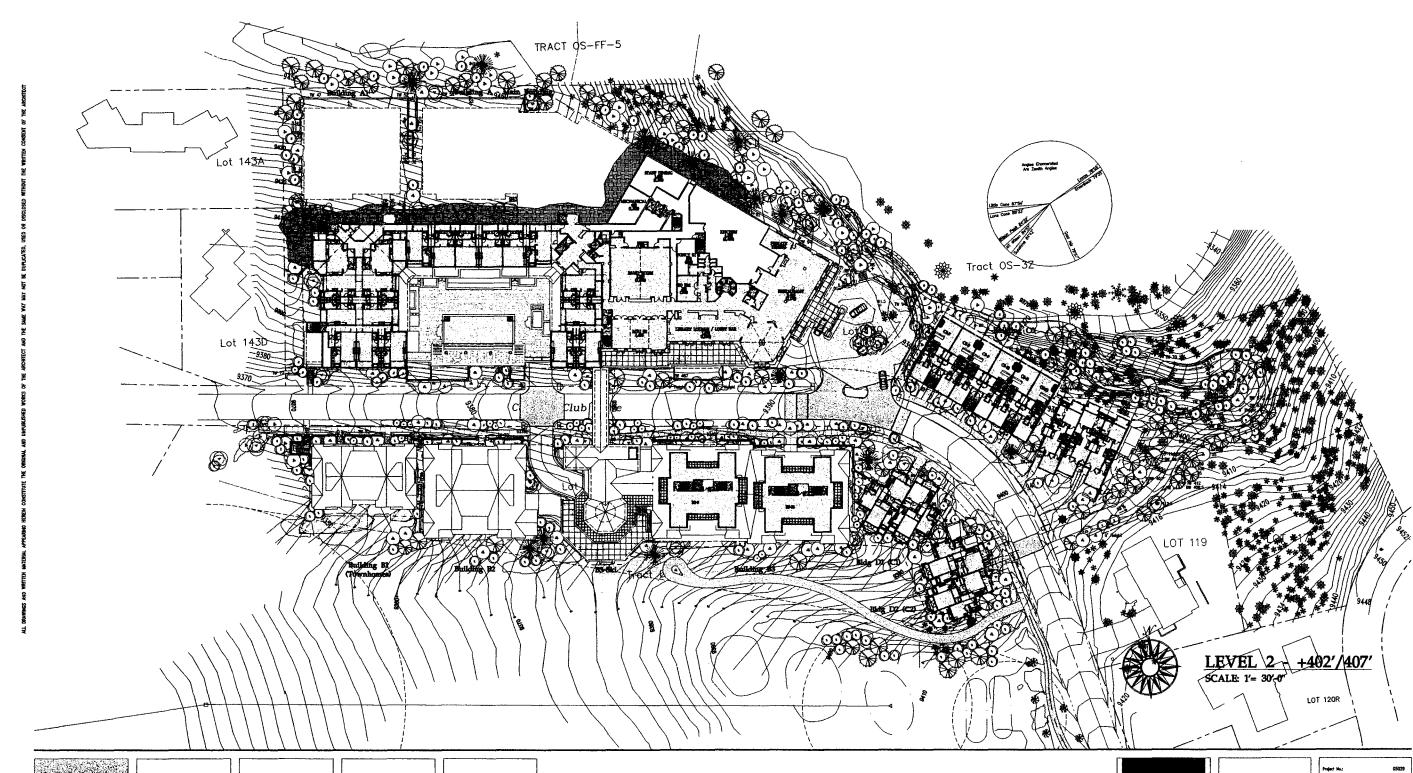
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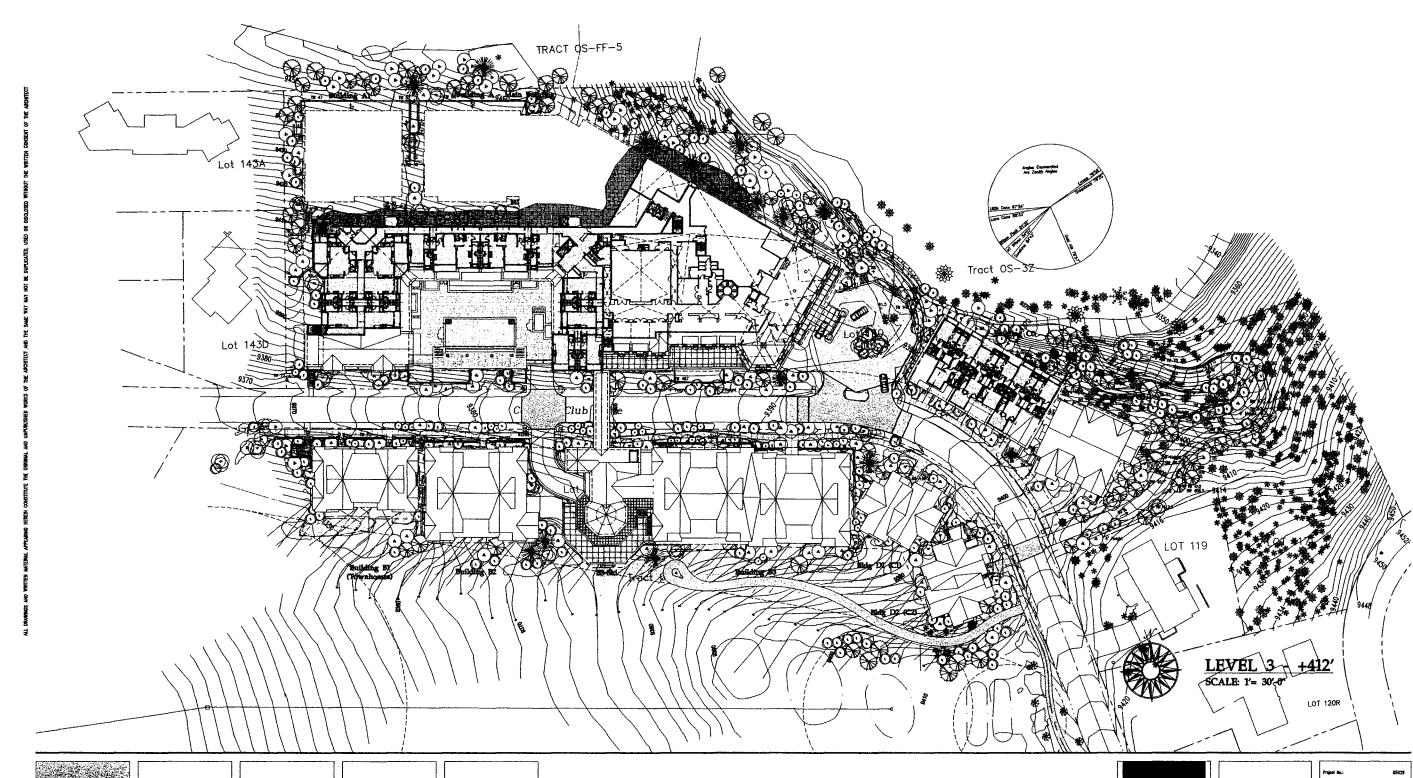
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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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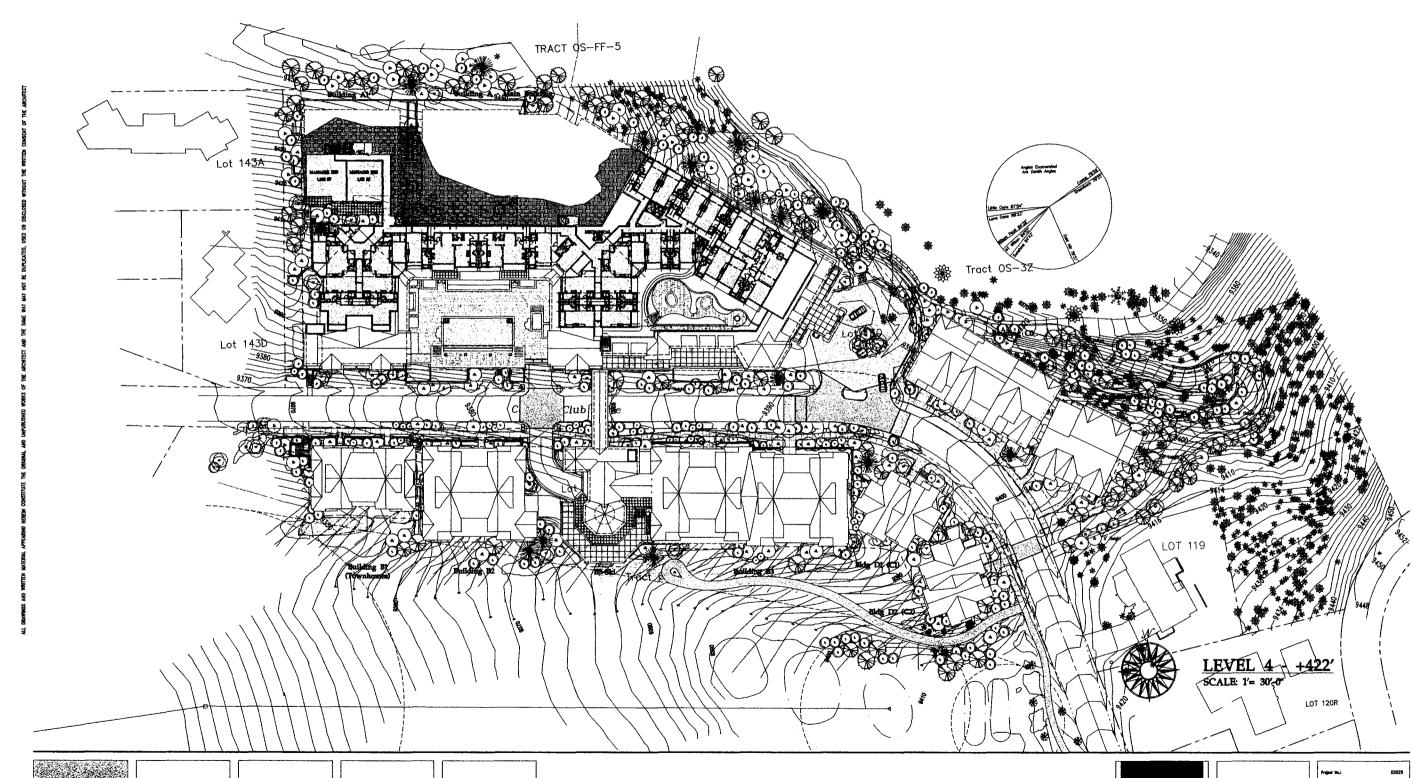
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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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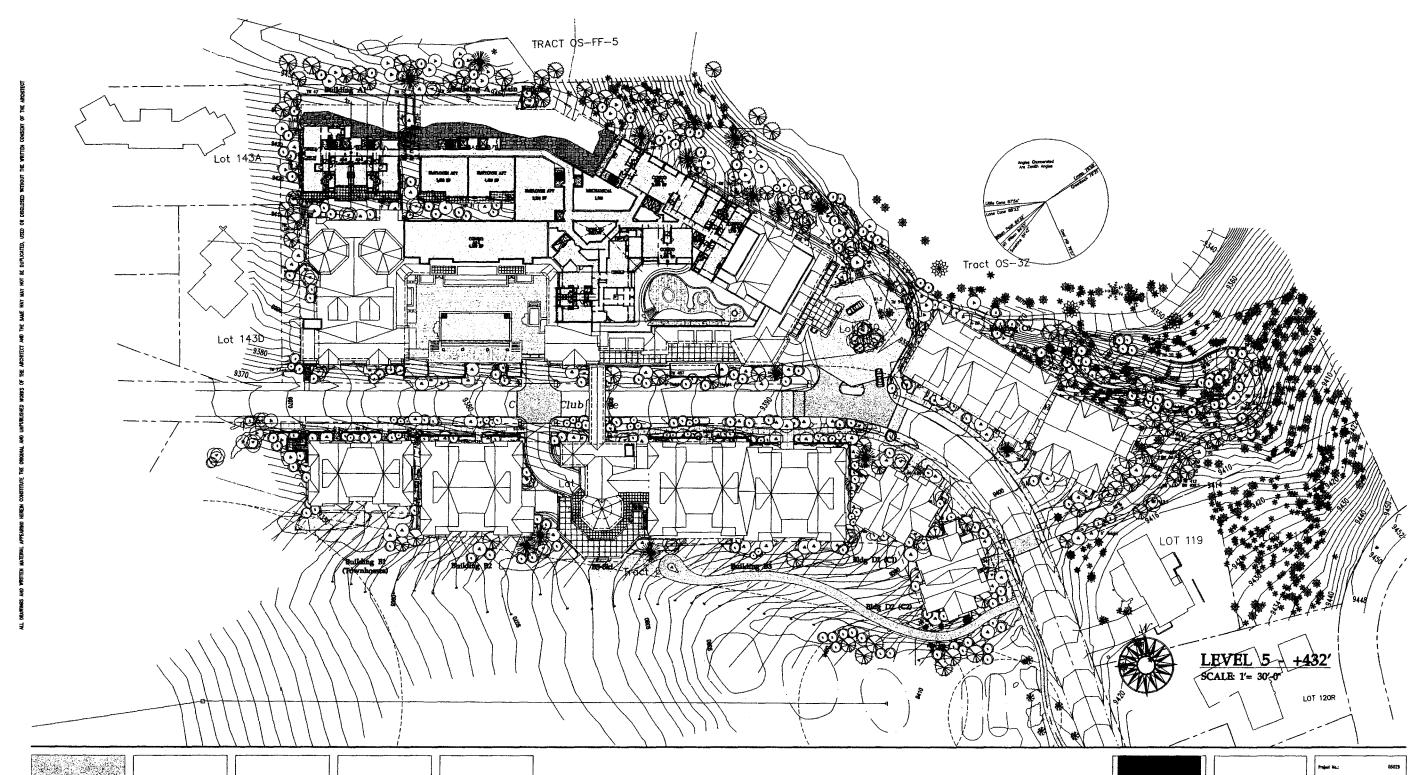
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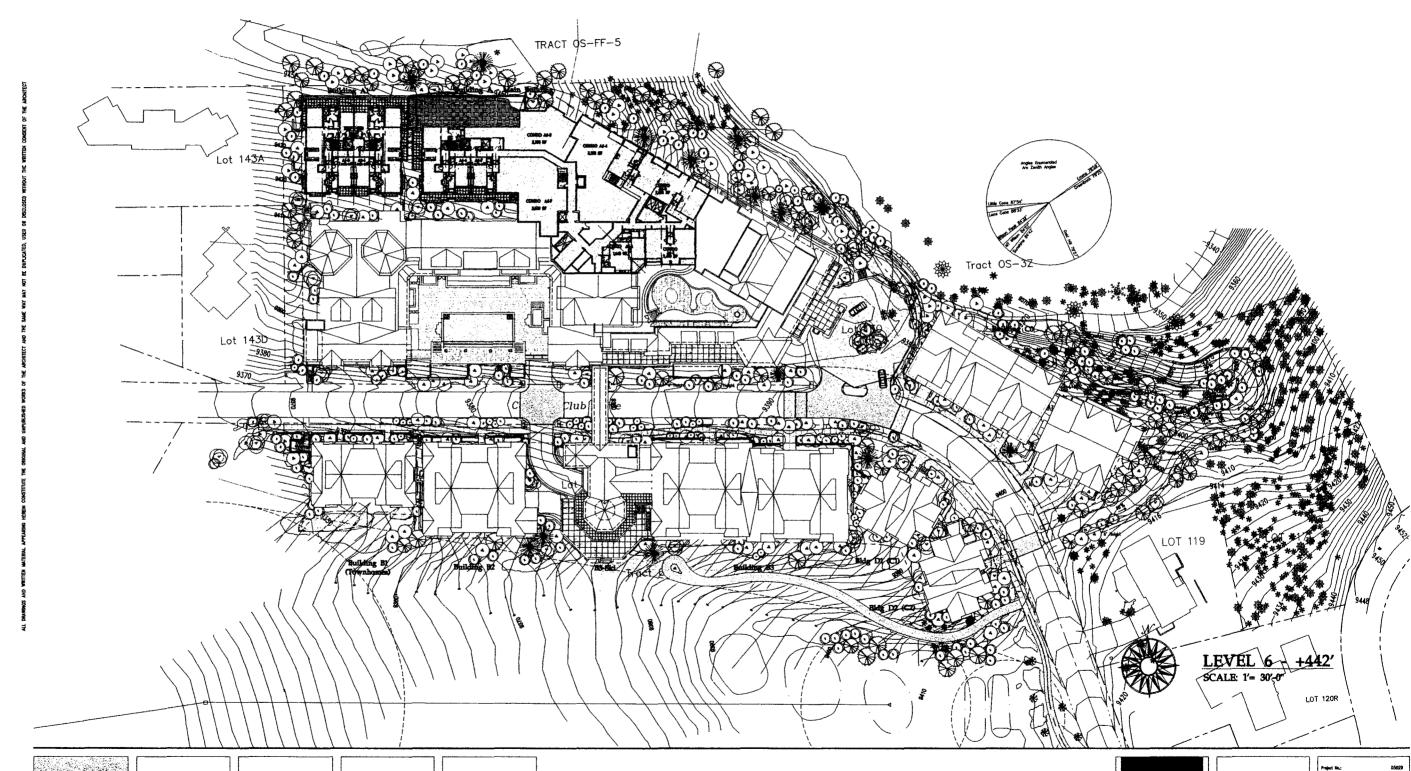
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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



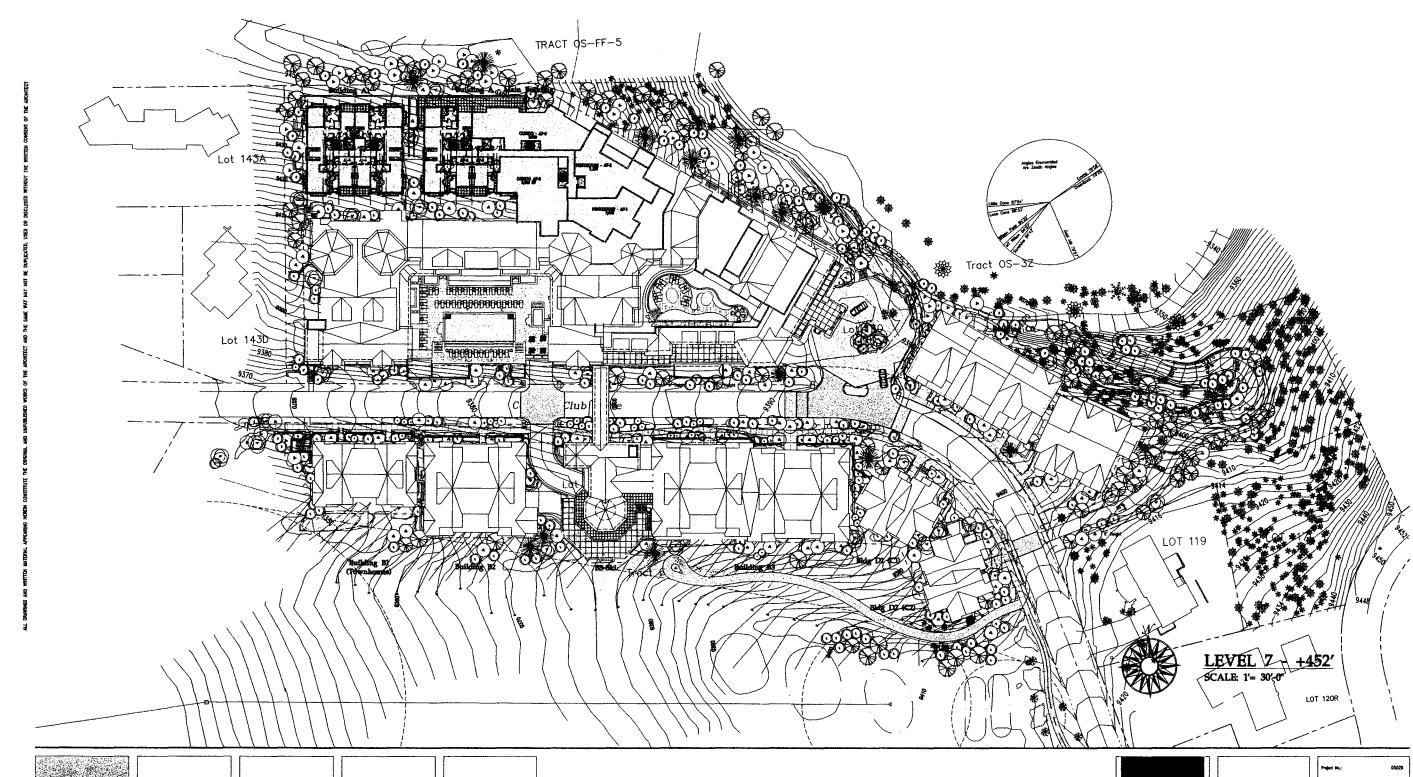
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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado

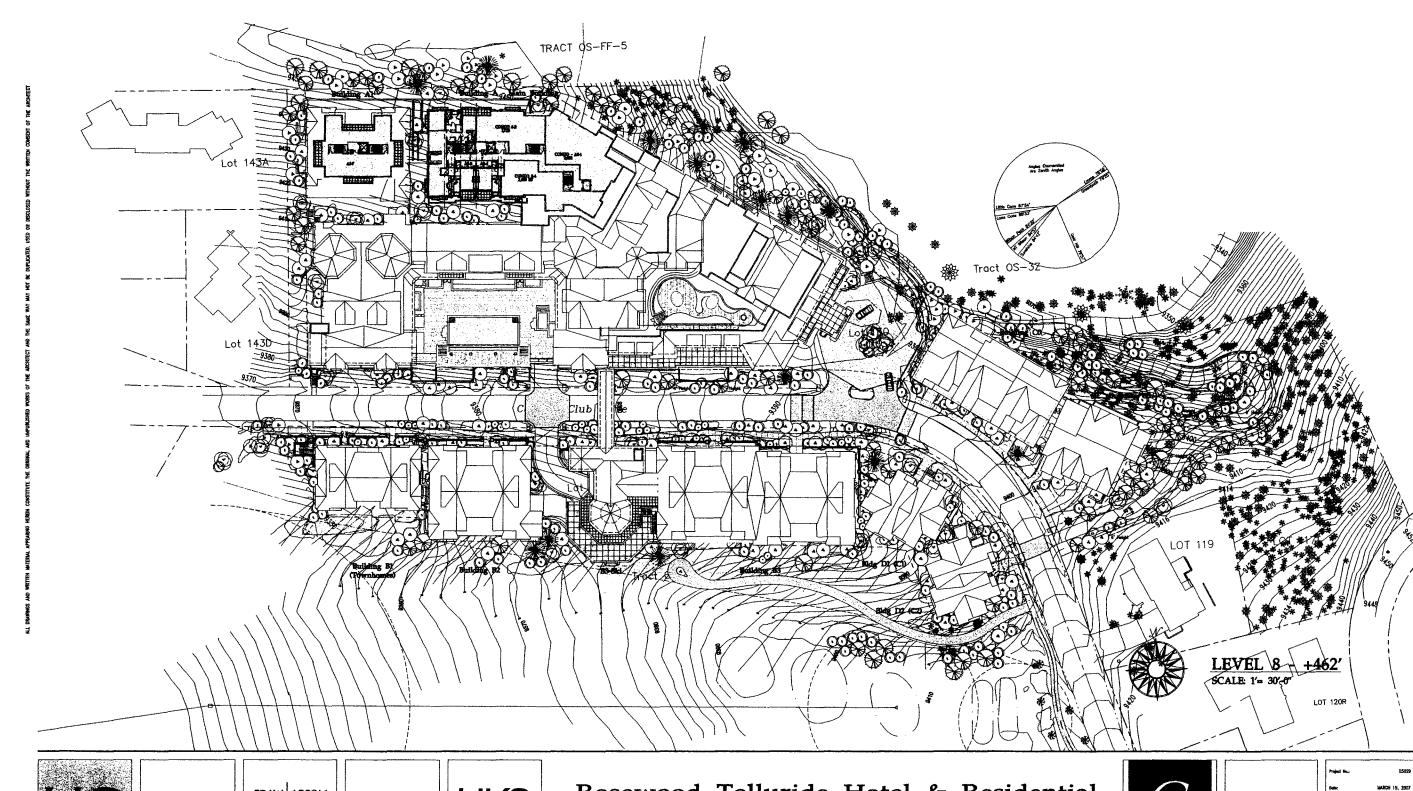


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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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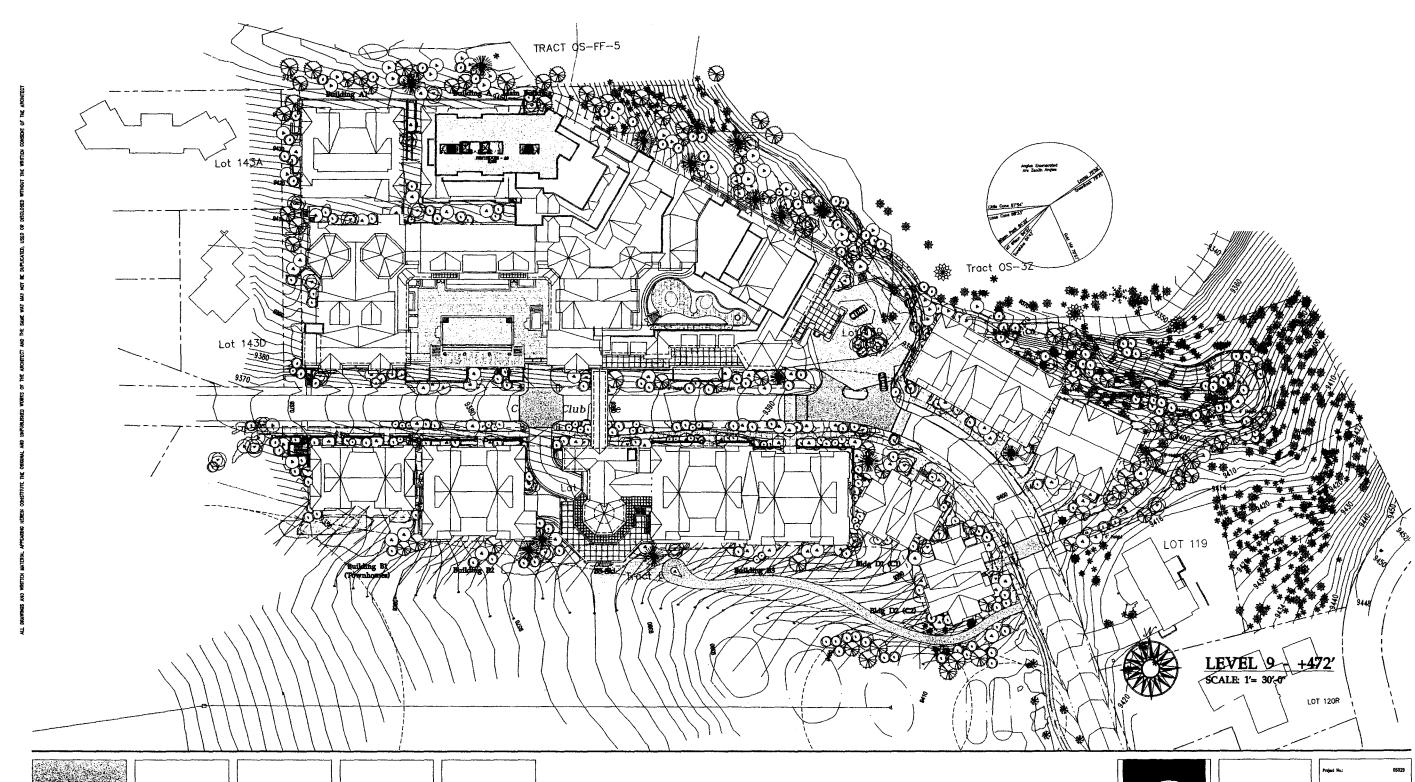
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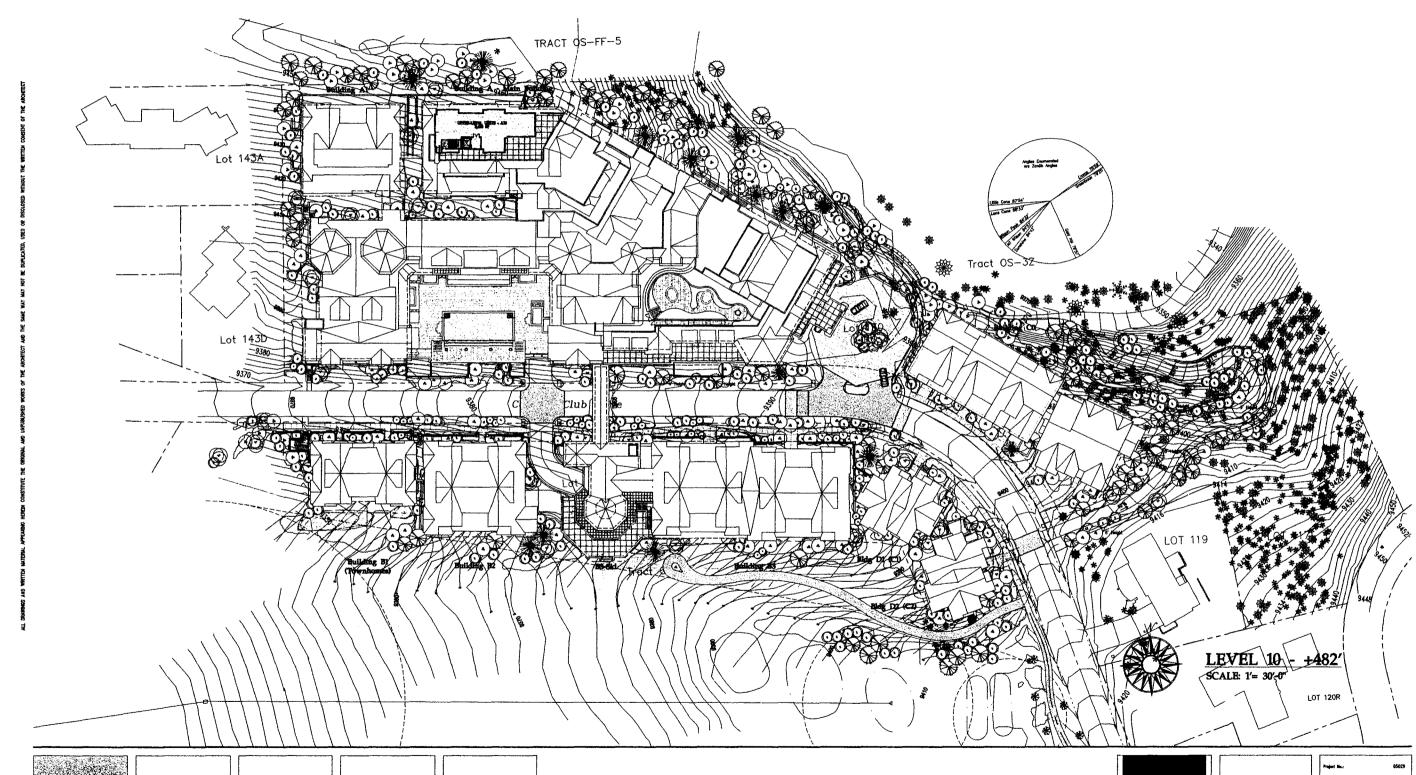
Town of Mountain Village, Telluride, Colorado



ROSEWOOD HOTELS & RESORTS

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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



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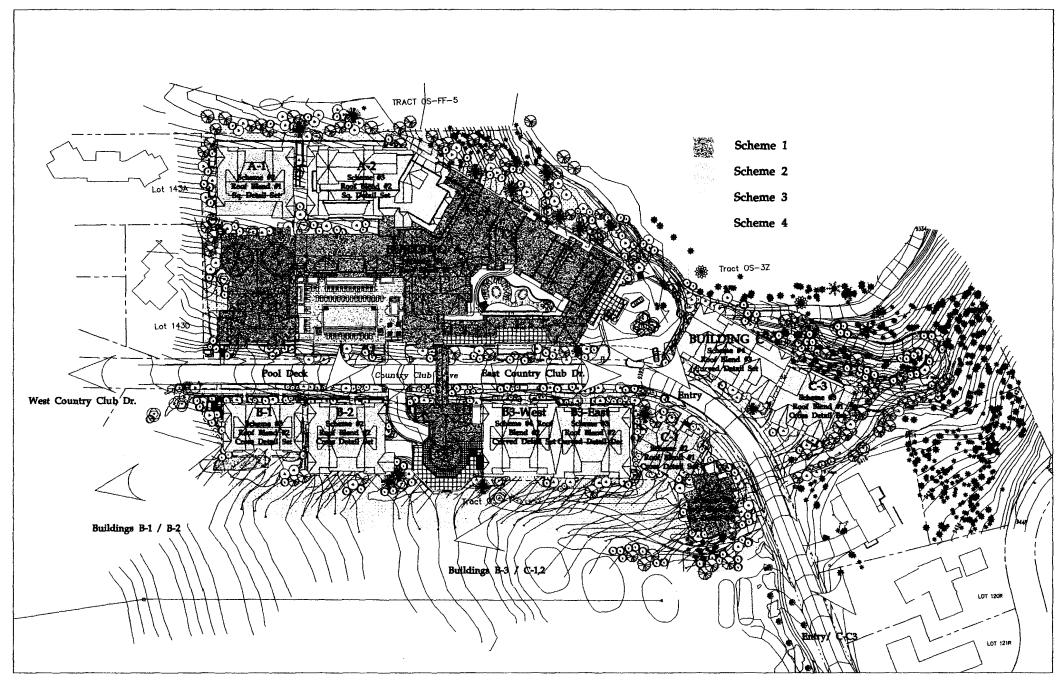
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Proposed Color & Detail Palate - View Study

Lot 126 Hotel & Residential

VIEW FROM GOLF COURSE











Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado





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AERIAL PERSPECTIVE





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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado





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Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado





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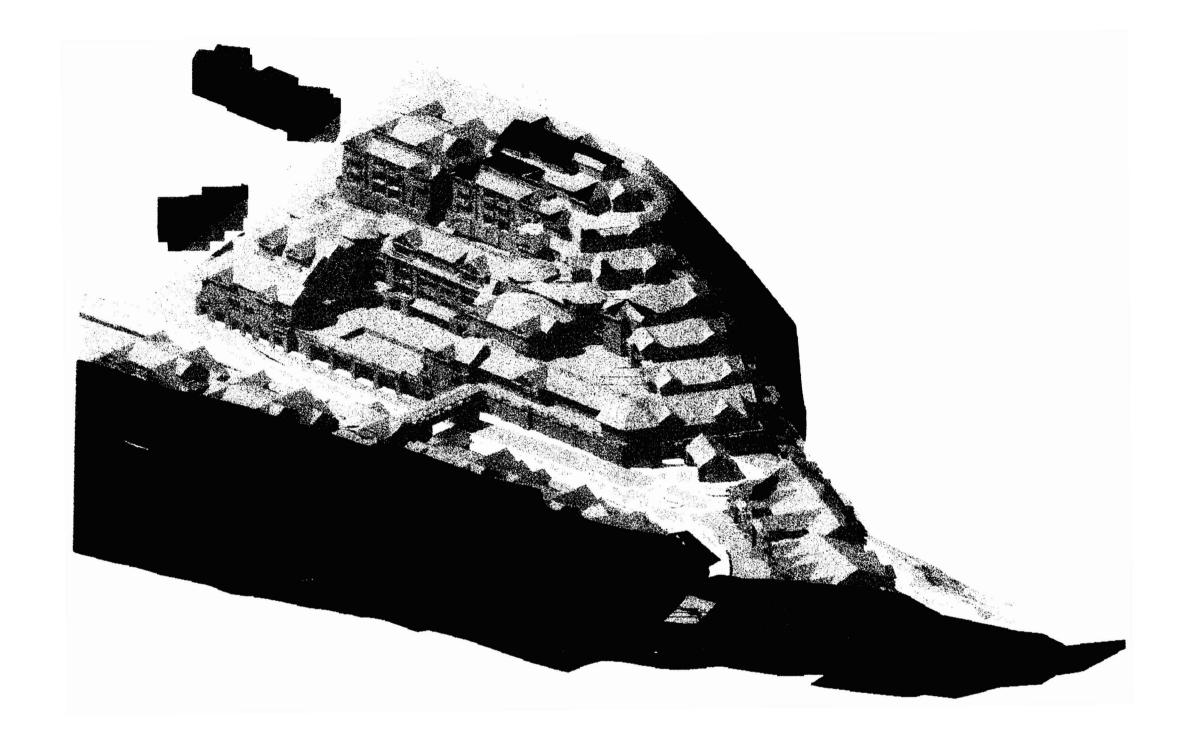
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HEIGHT LIMIT STUDY





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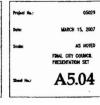
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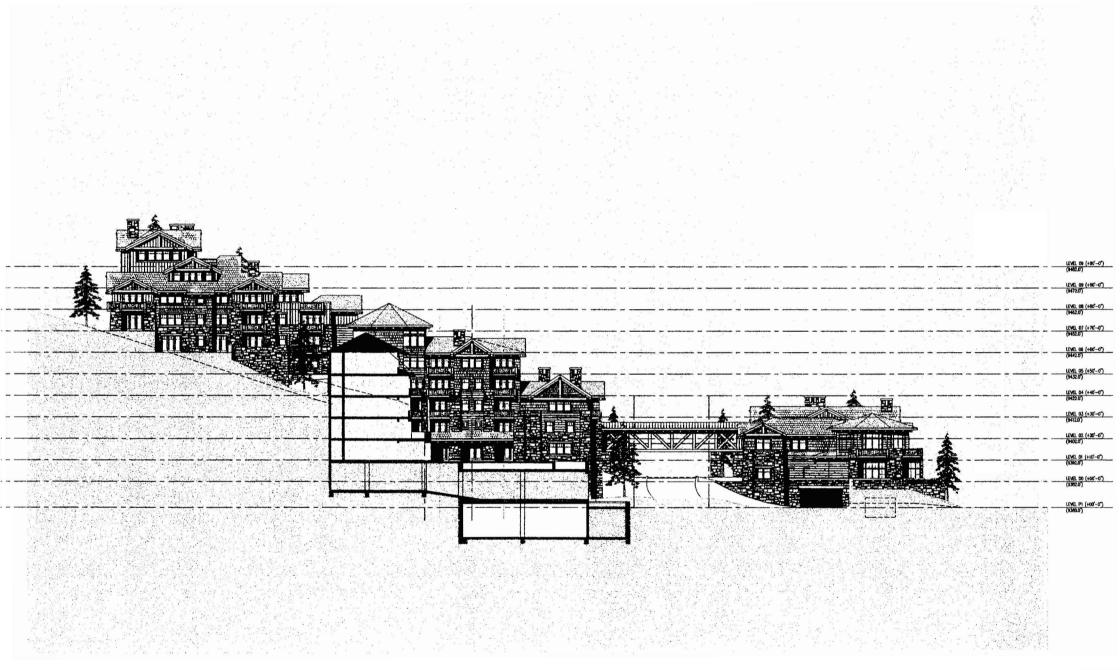


Rosewood Telluride Hotel & Residential









SITE SECTION - A SCALE: 1/16"= 1'-0"











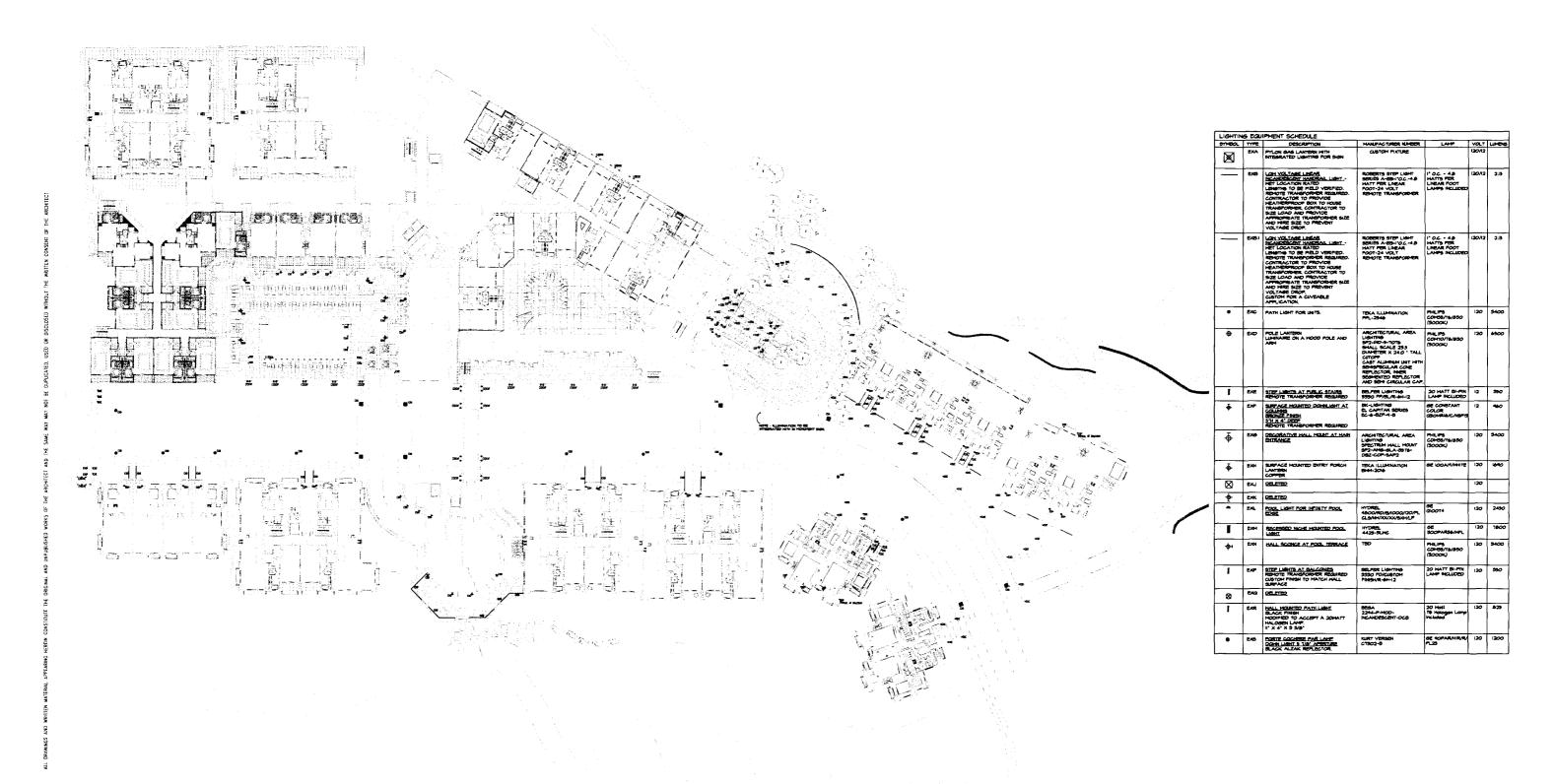
Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado





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EXTERIOR LIGHTING PLAN
SCALE: NA





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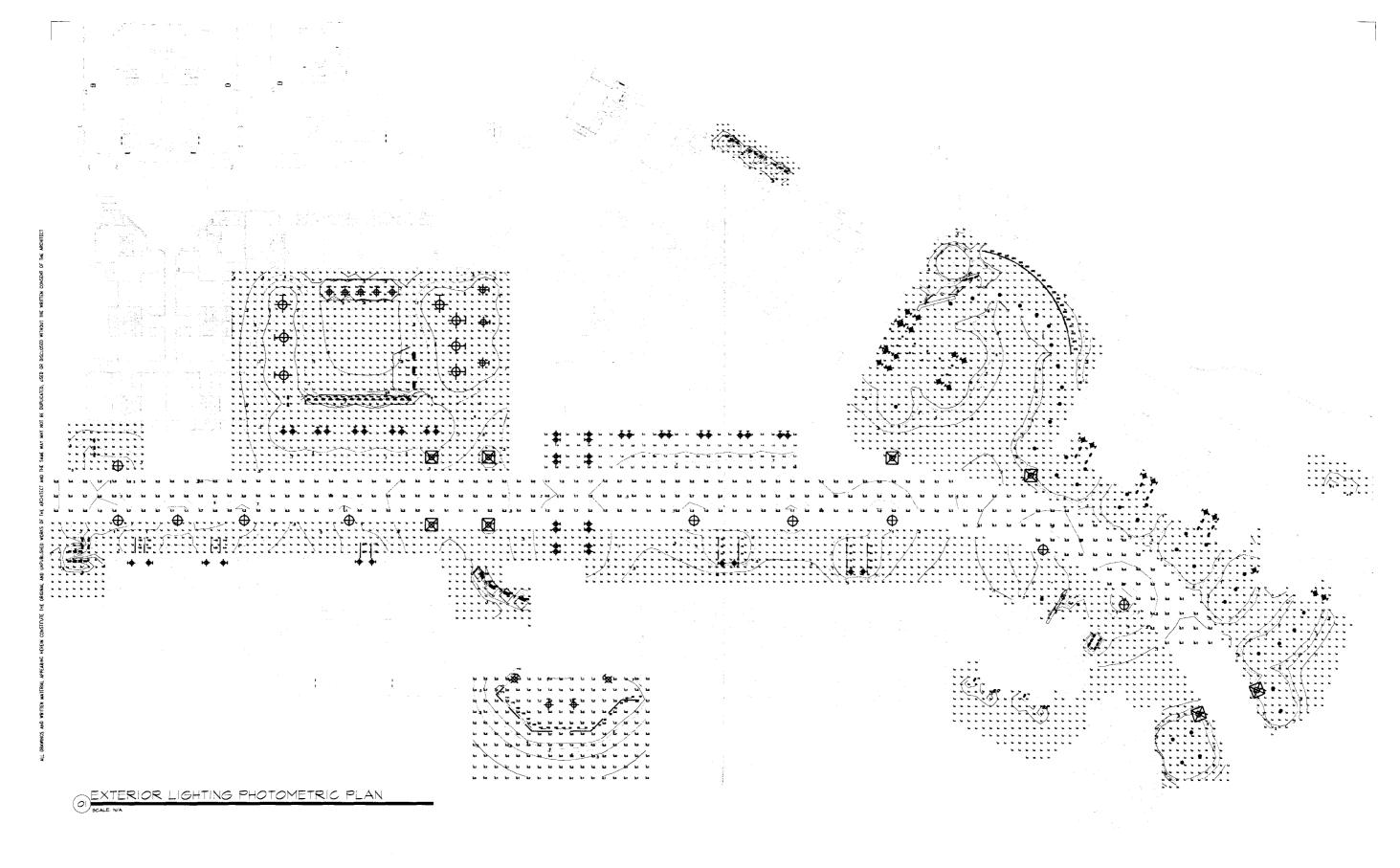


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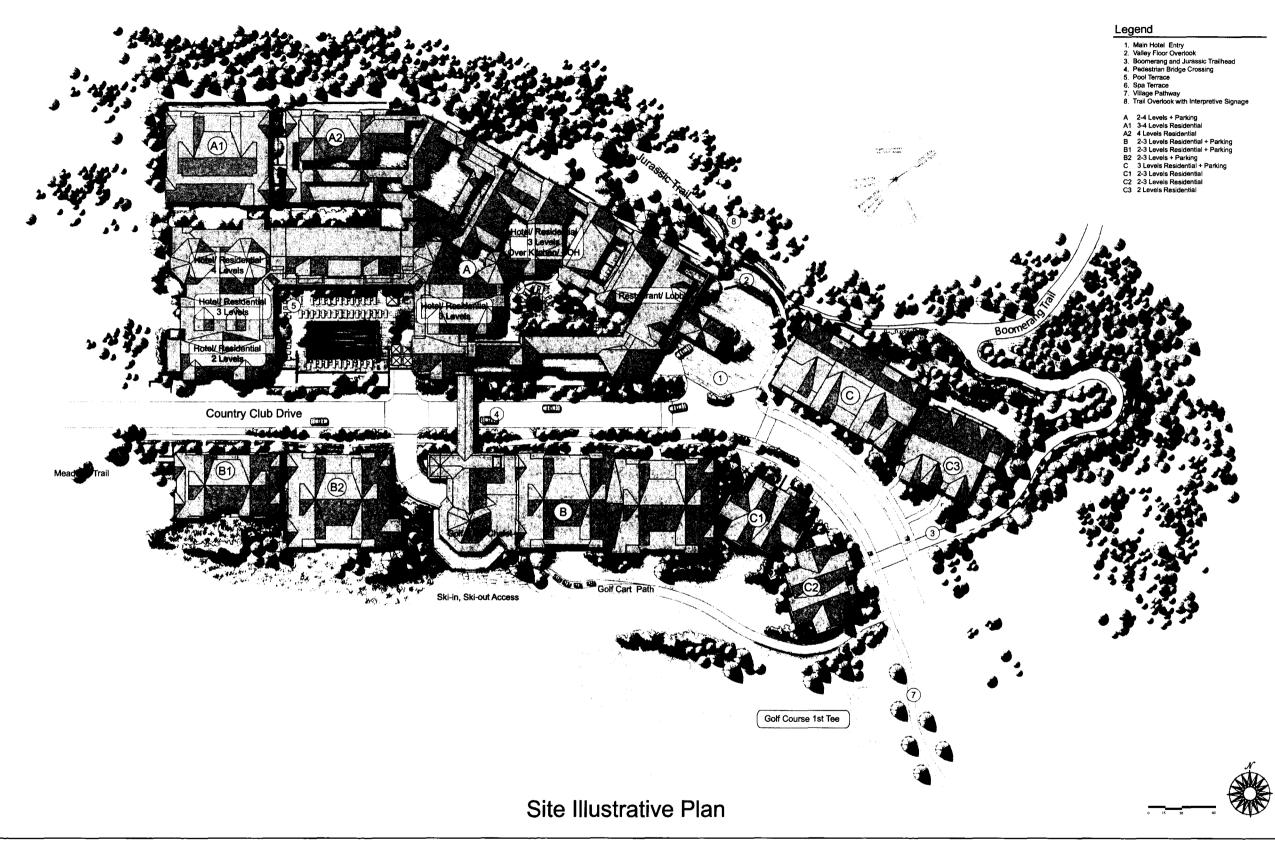


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Town of Mountain Village, Telluride, Colorado











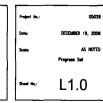
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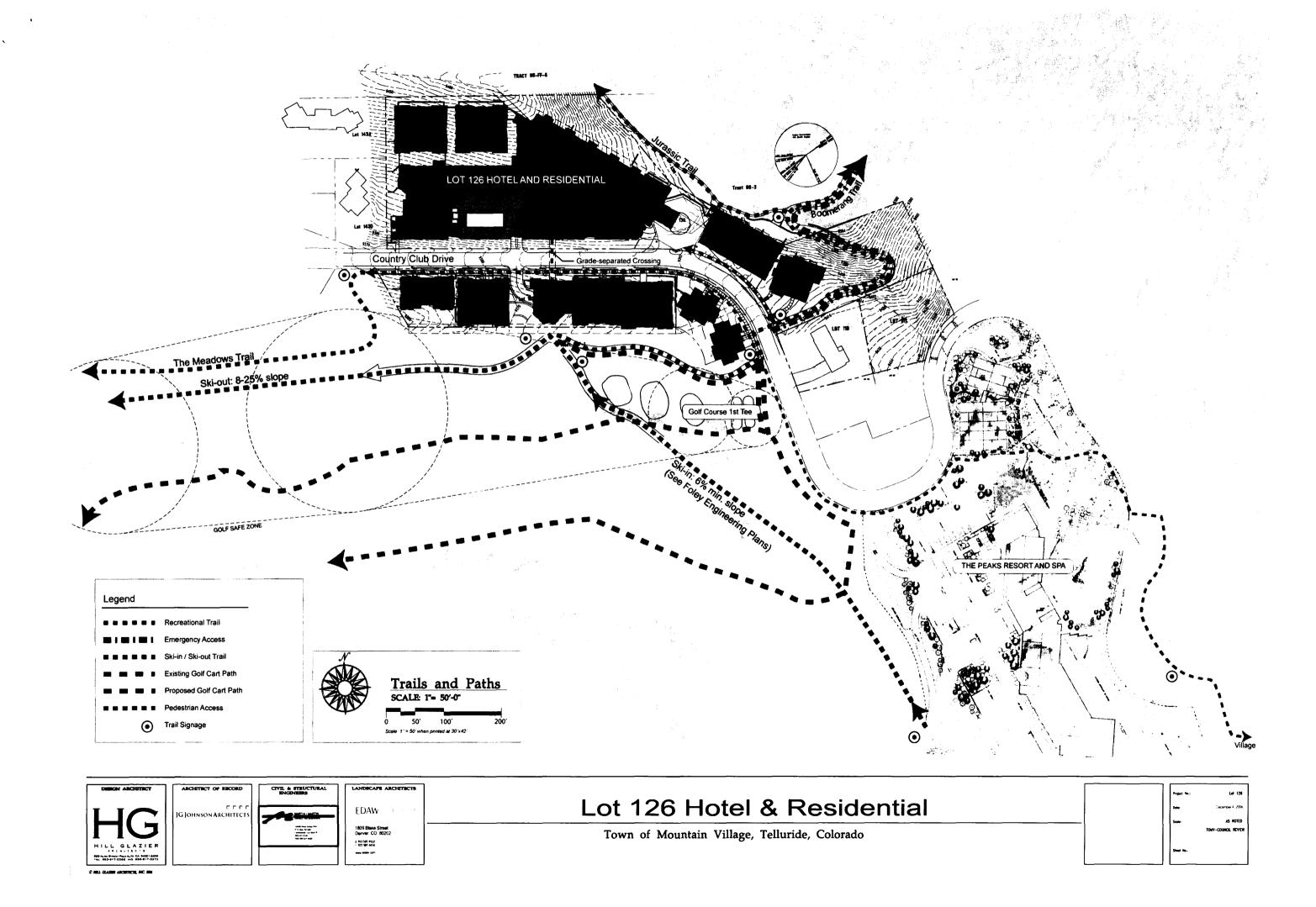
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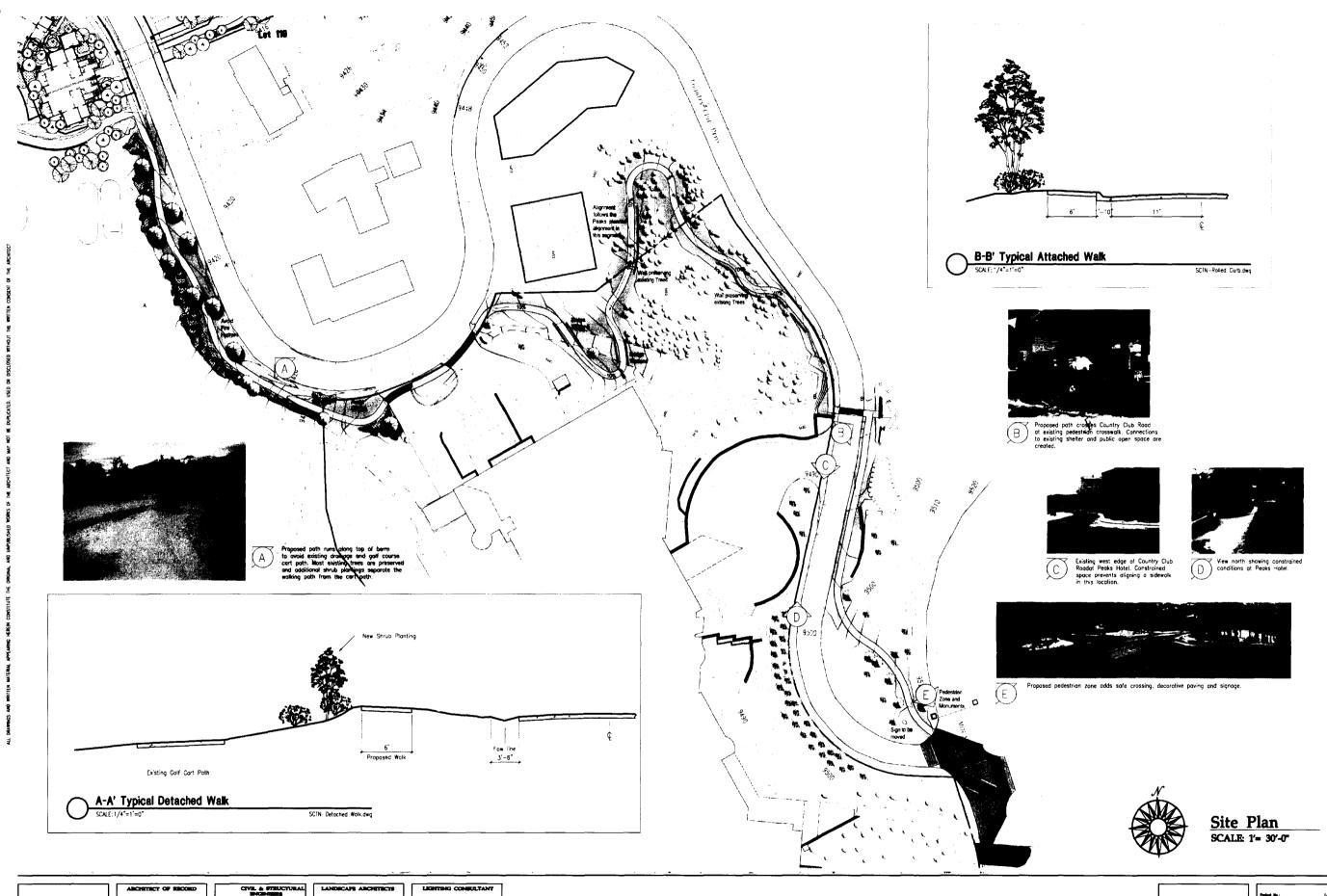
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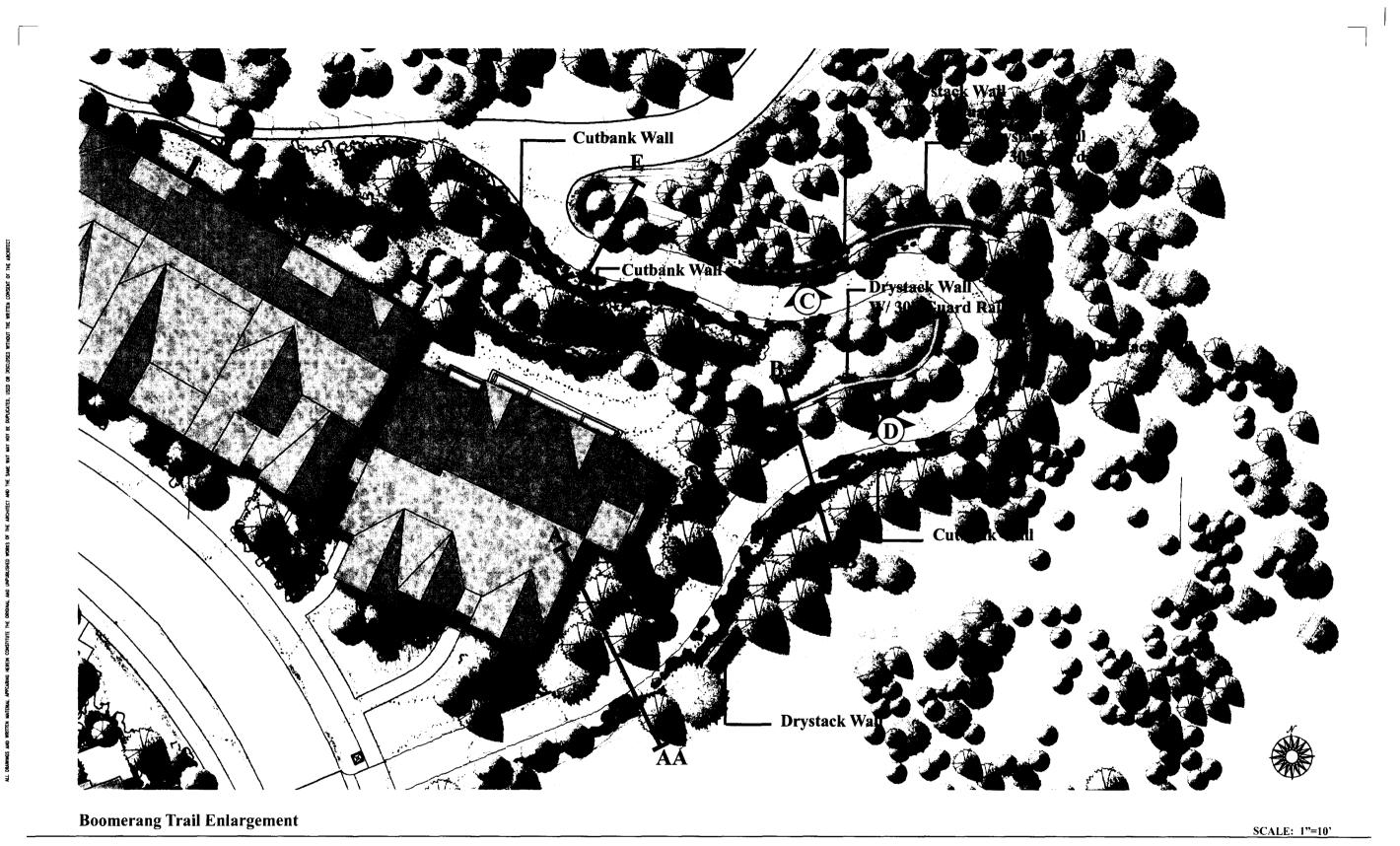
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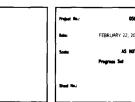






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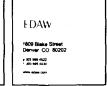




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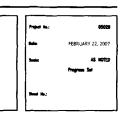


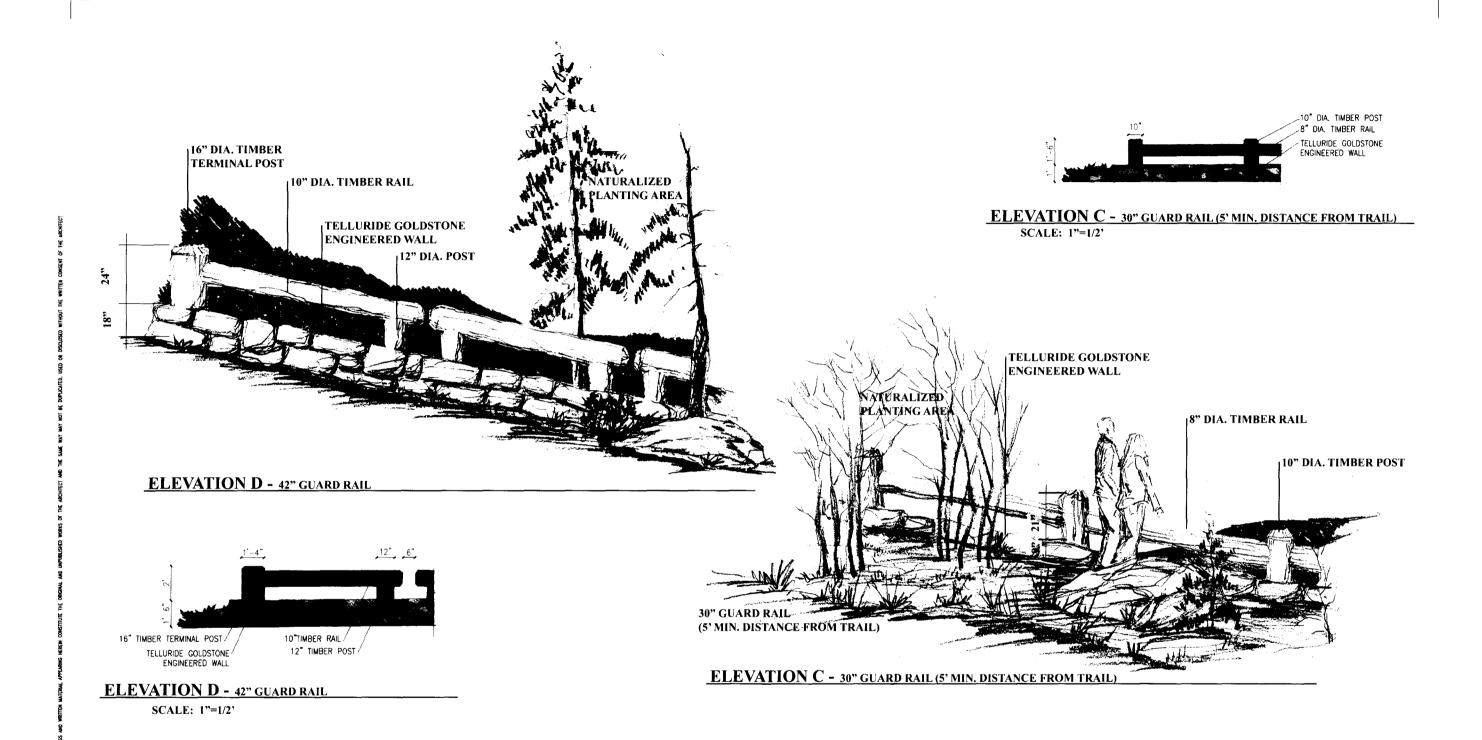


Rosewood Telluride Hotel & Residential









Boomerang Trail - Wall / Guardrail Elevations



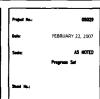


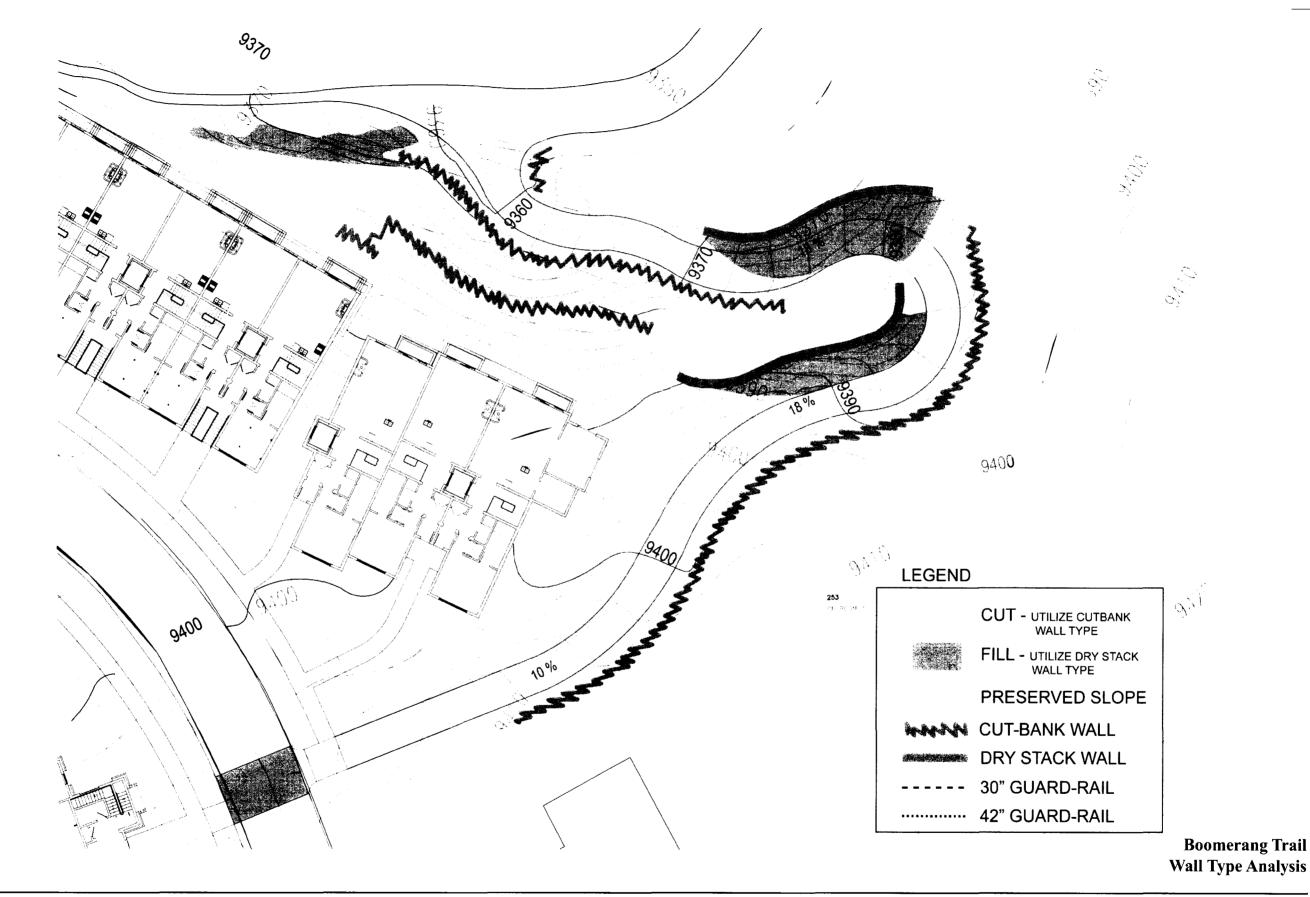


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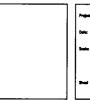


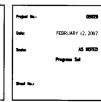


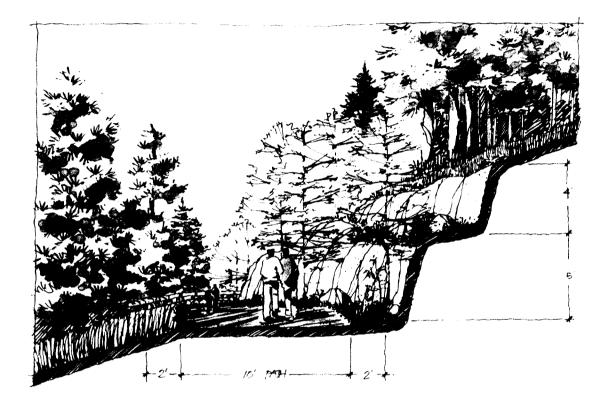


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BOOMERANG TRAIL - Section / Elevation A

BOOMERANG TRAIL - Section / Elevation E

Boomerang Trail Section Elevations



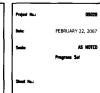




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BOOMERANG TRAIL - 42" GUARD RAIL DETAIL

SCALE: 1"=1/2"

TELLURIDE GOLDSTONE STACKED WALL PRESERVED EXISTING TREES

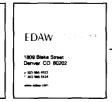
2" DRIVEABLE SHOULDER TRAIL

BOOMERANG TRAIL - 30" GUARD RAIL **SECTION B**

SCALE: 1"=1/2"



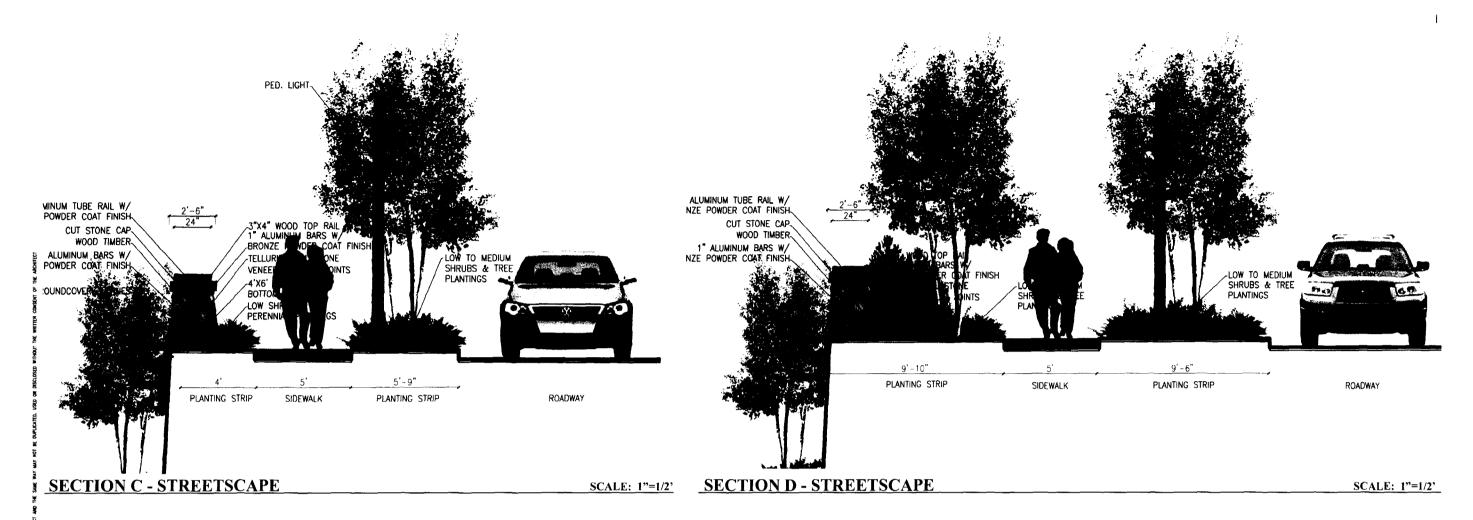


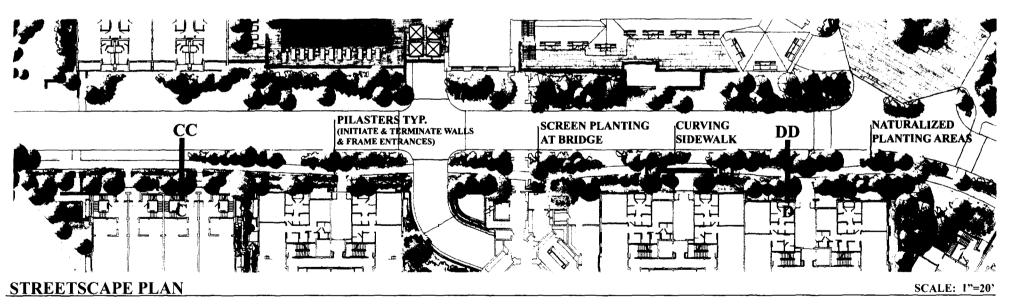


Rosewood Telluride Hotel & Residential









Country Club Drive Plan and Sections



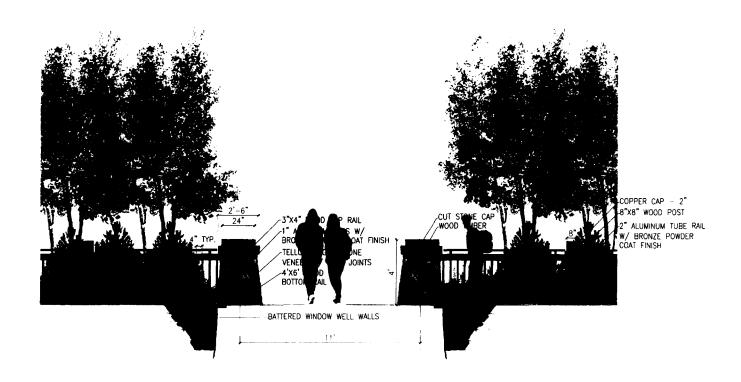


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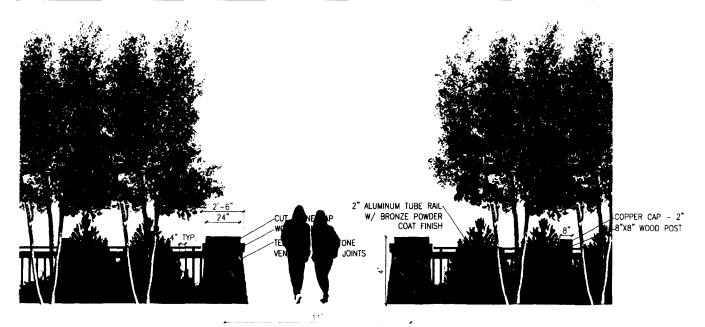






SECTION E - STREETSCAPE - FACING STREET

SCALE: 1"=1/2"





Sketch Perspective

SECTION E - STREETSCAPE - FACING BUILDING

SCALE: 1"=1/2"

Country Club Drive Plan and Sections



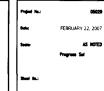


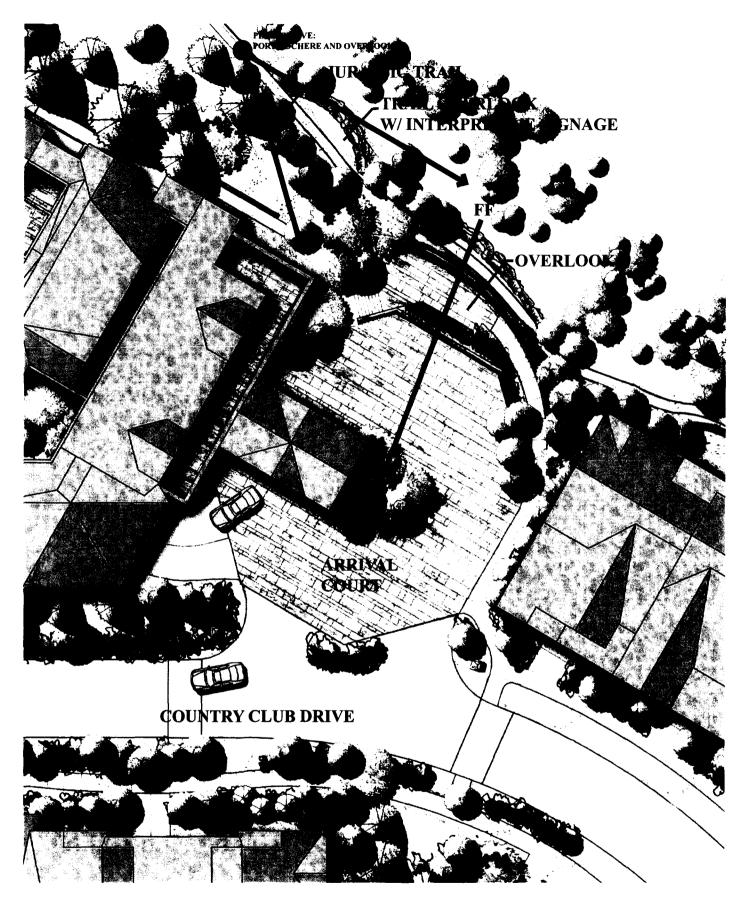


Rosewood Telluride Hotel & Residential









Porte Cochere Enlargement Plan 1"=10'







Rosewood Telluride Hotel & Residential







Porte Cochre and Overlook Perpctive

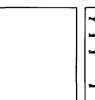




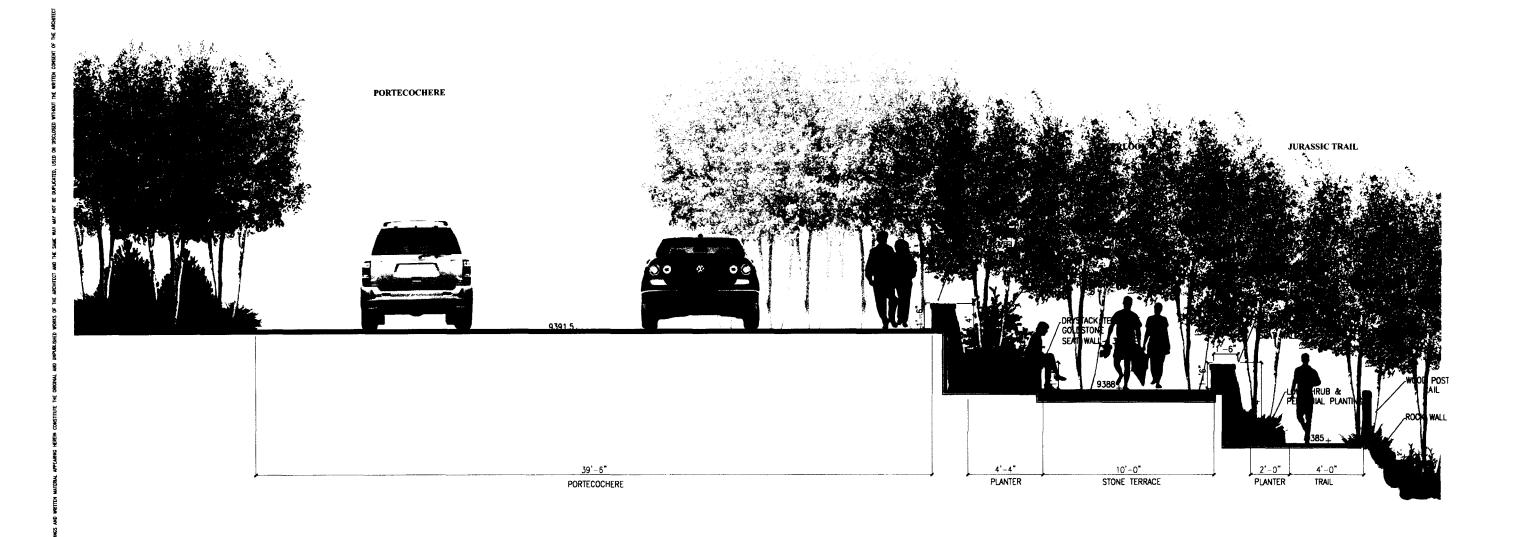
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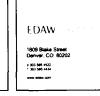
SECTION F PORTECOCHERE

SCALE: 1"=1/2"

Arrival Section





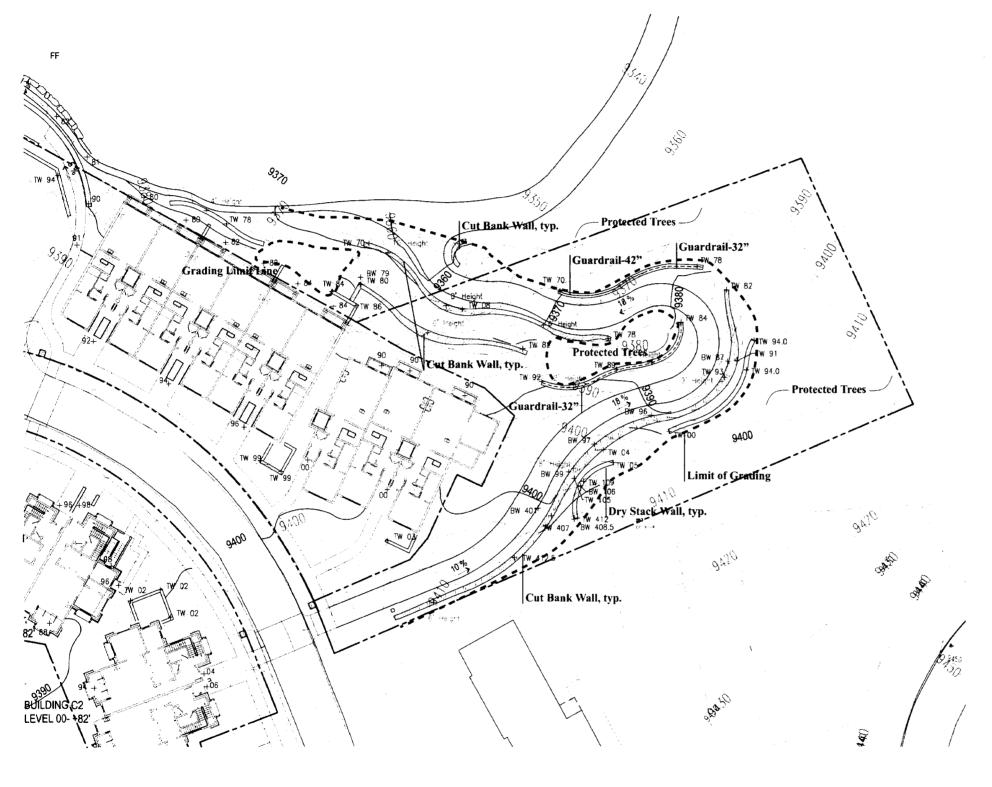


Rosewood Telluride Hotel & Residential









NOTES:

- 1. Gradient of trail will not exceed 18%.
- If geotechnical conditions are stable, site walls will utilize natural cut banks if grading is in a cut condition. If adjacent slopes have both a cut and fill condition, engineered stone veneer walls will used in combination with the cut bank walls.
- 3. Retaining walls should appear as natural and rugged as possible, while providing structural stability.



Enlargement 1- Boomerang Trail Grading SCALE: 1'= 1/16"





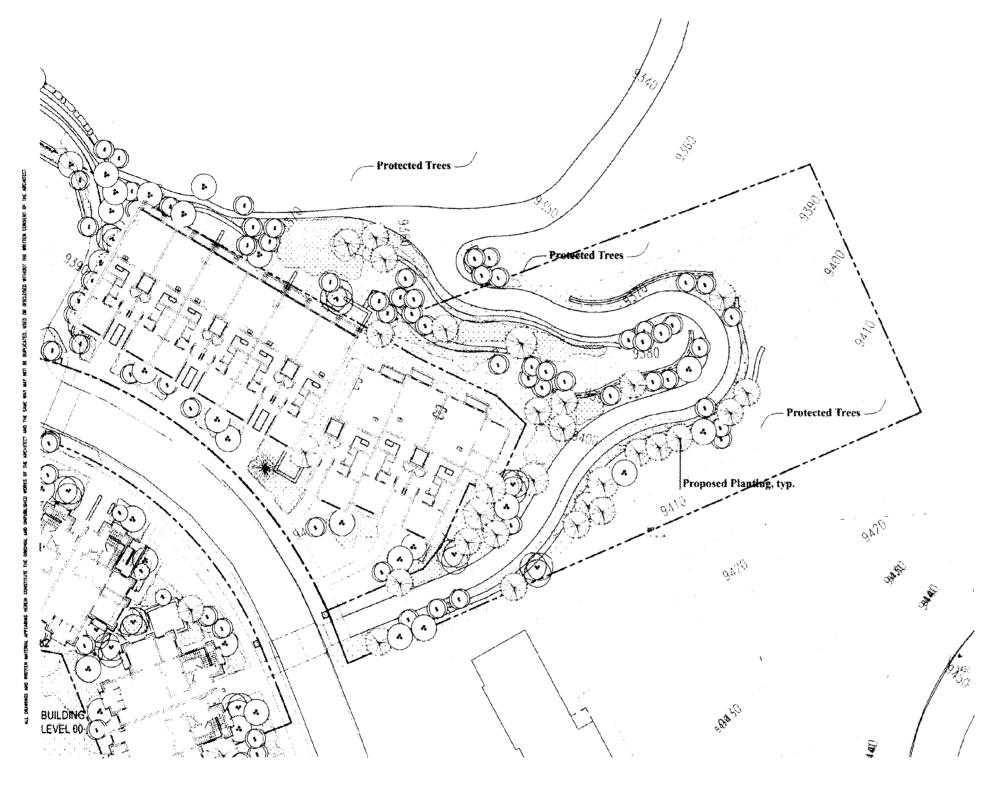


Rosewood Telluride Hotel & Residential









NOTES:

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- 3 Retaining walls should appear as natural and rugged as possible, while providing structural stability.

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Enlargement 2- Boomerang Trail Planting SCALE: 1'= 1/16"





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Town of Mountain Village, Telluride, Colorado



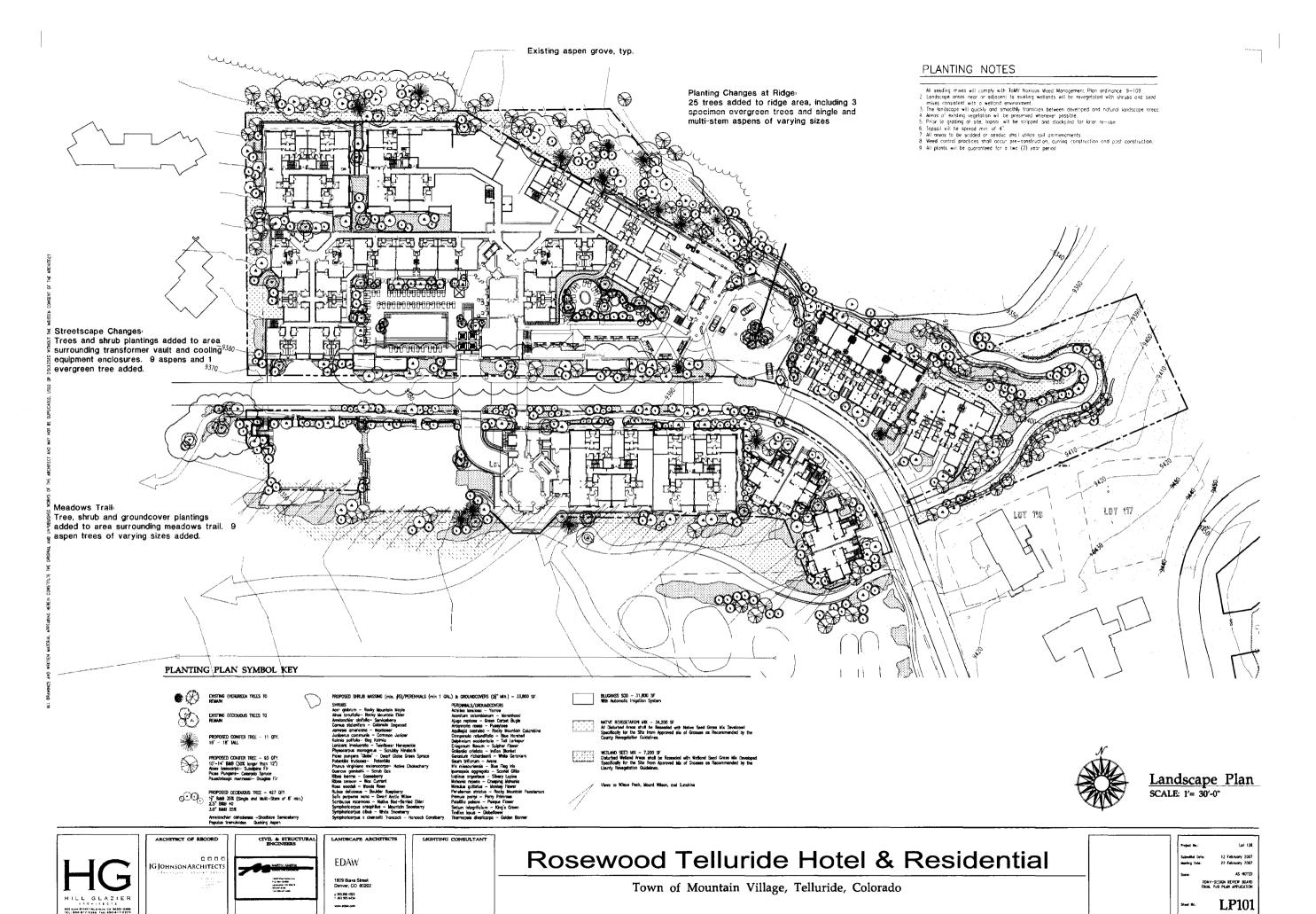


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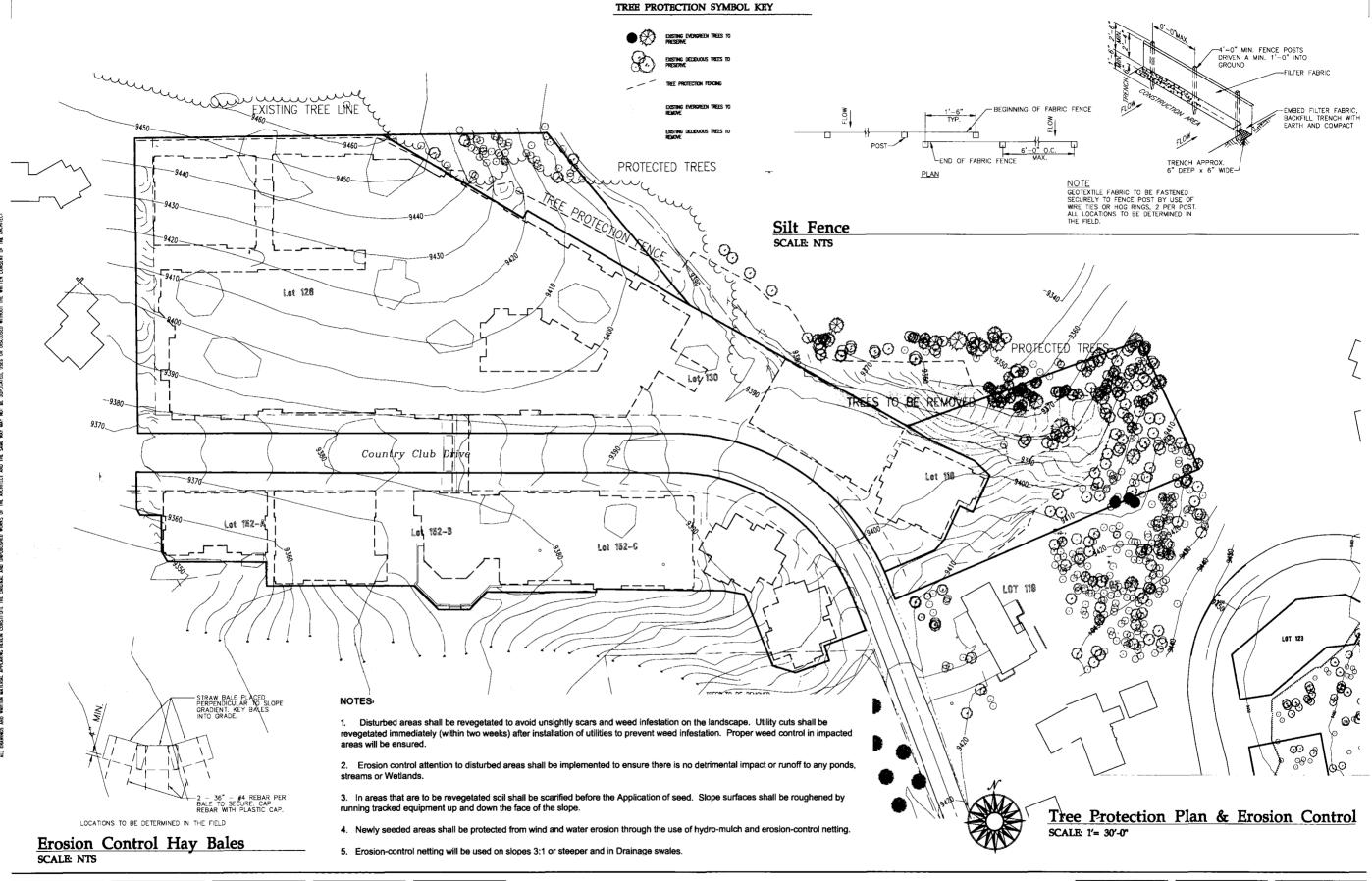
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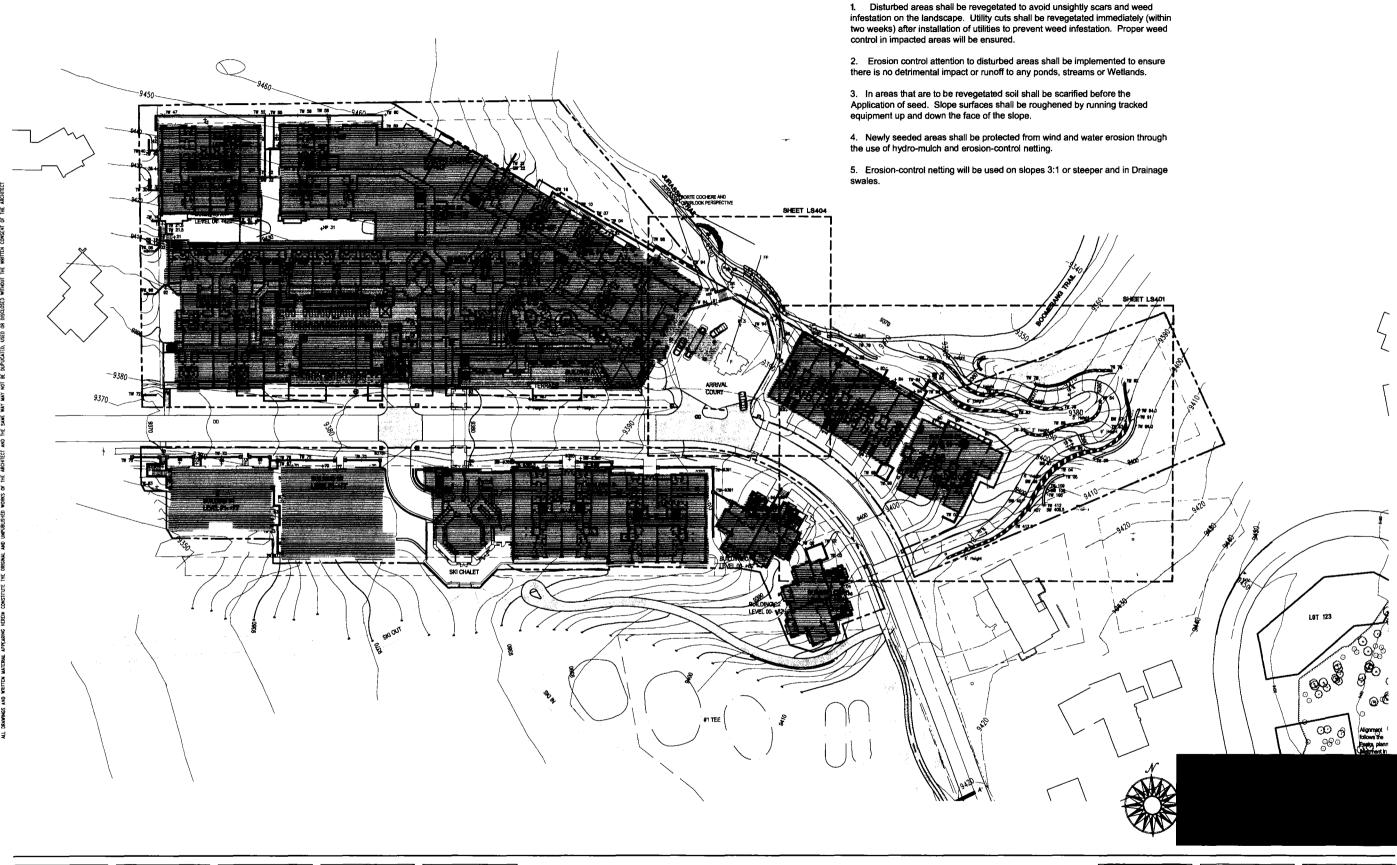
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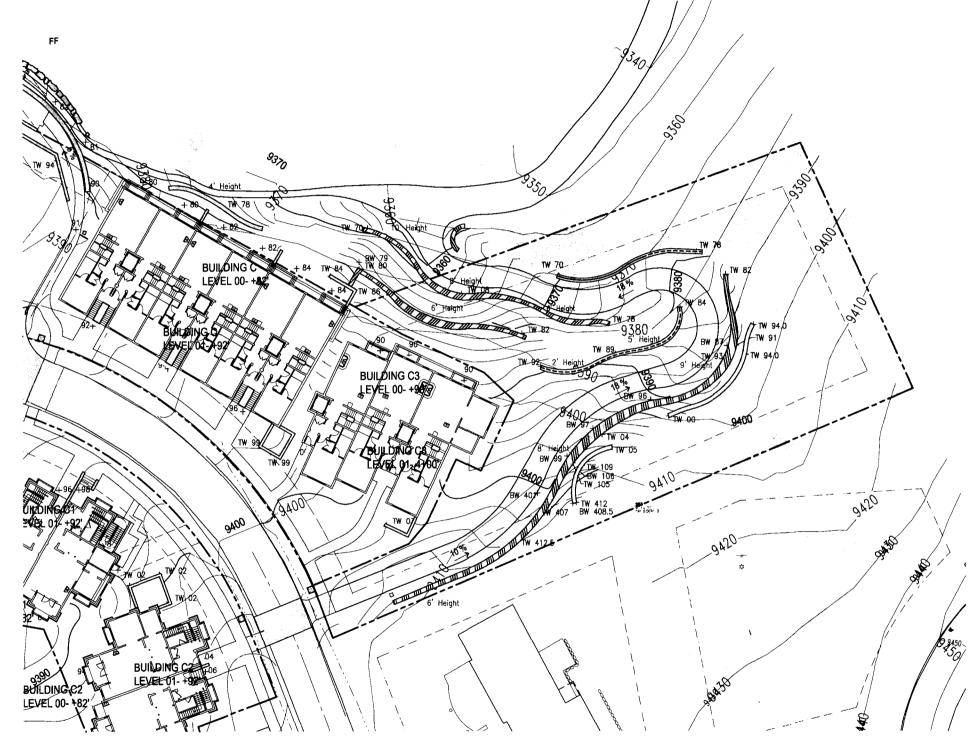
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Town of Mountain Village, Telluride, Colorado



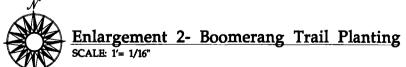


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NOTES:

- 1. Gradient of trail will not exceed 18%.
- If geotechnical conditions are stable, site walls will utilize natural cut banks if grading is in a cut condition. If adjacent slopes have both a cut and fill condition, engineered stone veneer walls will used in combination with the cut bank walls.
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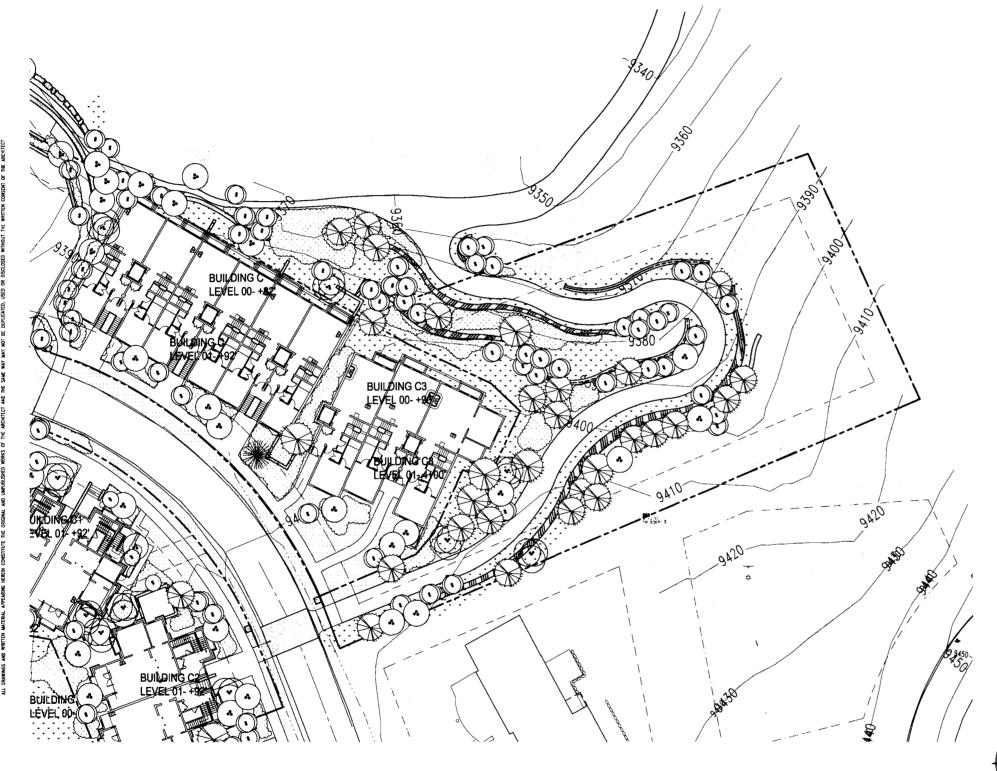


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Town of Mountain Village, Telluride, Colorado







NOTES:

- Gradient of trail will not exceed 18%.
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- 3. Retaining walls should appear as natural and rugged as possible, while providing structural stability.



Enlargement 2- Boomerang Trail Planting SCALR: 1'= 1/16"



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Town of Mountain Village, Telluride, Colorado



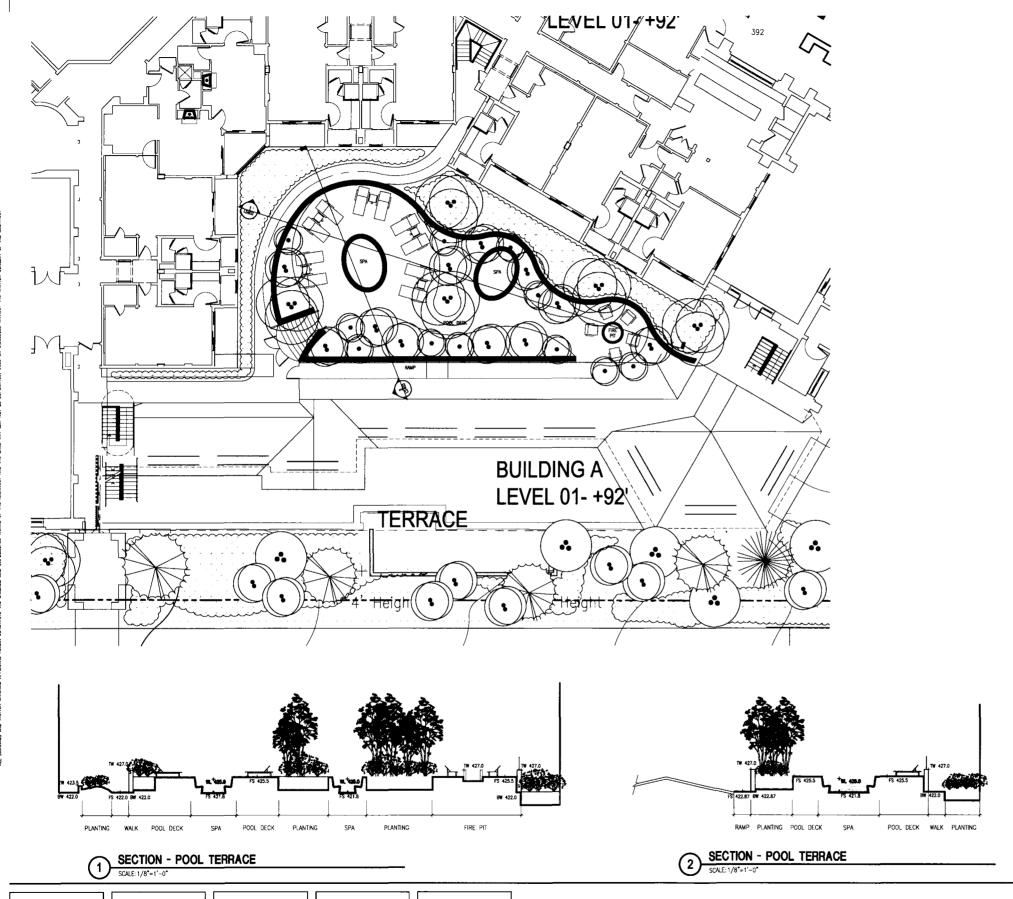
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Project No.: 05029

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Short No.: LS401





Enlargement- Terrace SCALE: 1'= 1/8"













Town of Mountain Village, Telluride, Colorado





Project No.: 05029

Don: MARCH 15, 2007

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Sheel No.: LS403



NOTES:

- 1. Gradient of trail will not exceed 18%.
- 2. If geotechnical conditions are stable, site walls will utilize natural cut banks if grading is in a cut condition. If adjacent slopes have both a cut and fill condition,
- Retaining walls should appear as natural and rugged as possible, while providing structural stability.



Enlargement- Boomerang Trail(a) SCALE 1'= 1/16"







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HKS Essentive Arabbed 1919 Medisology AVENUE DALIAS, TOXAS 75301 214,500,5595

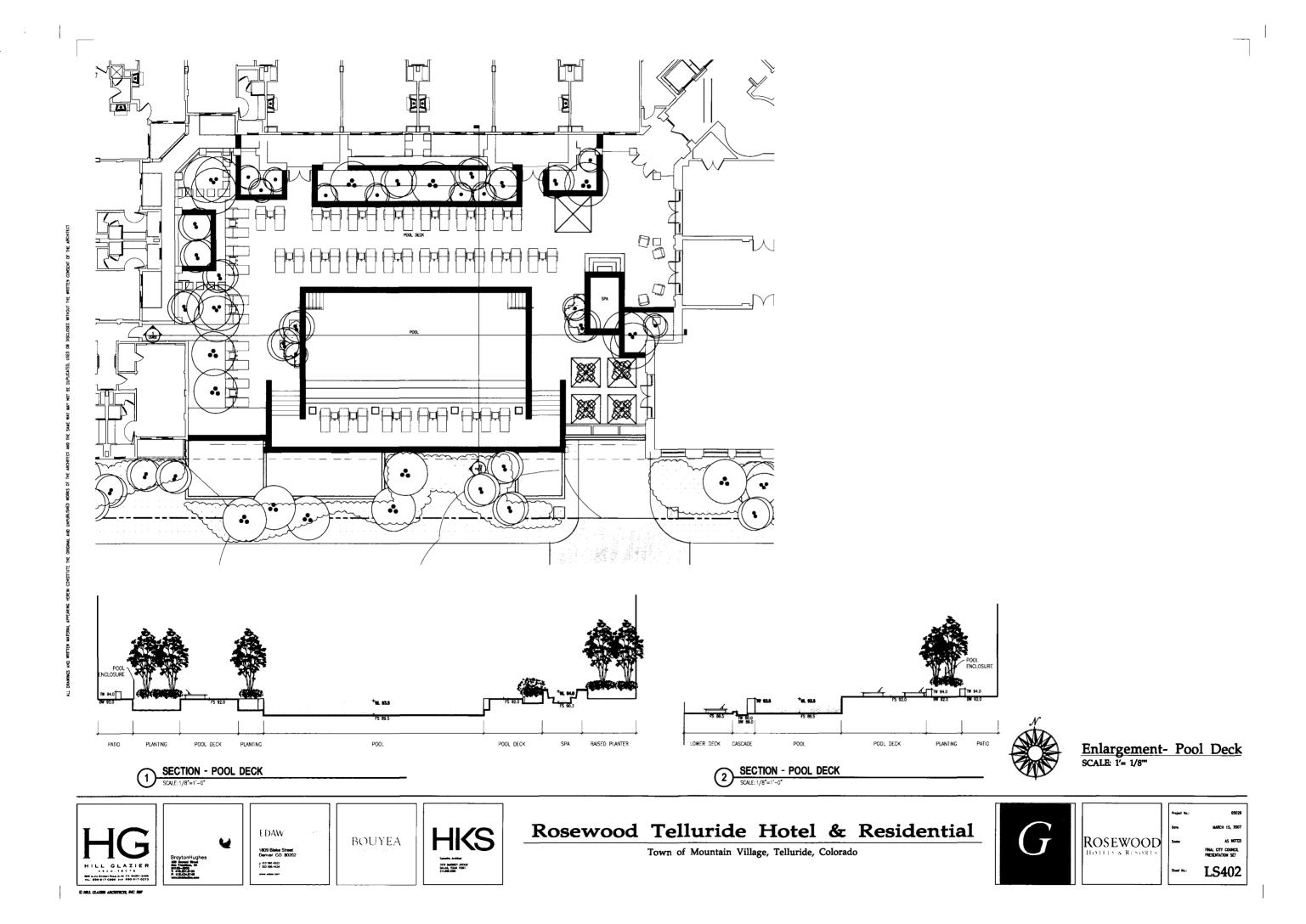
Rosewood Tellurid

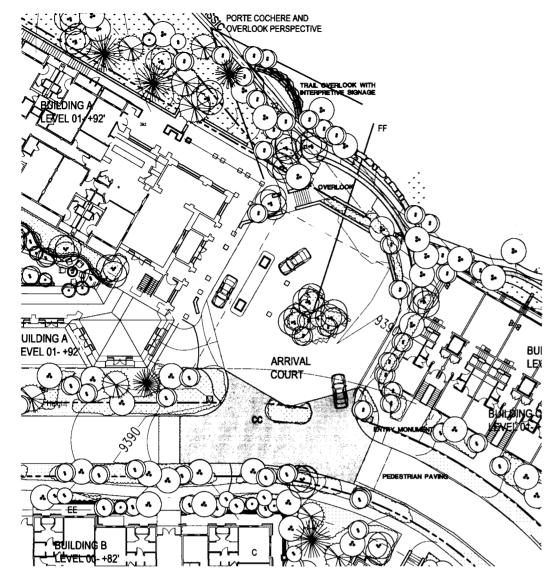
ential

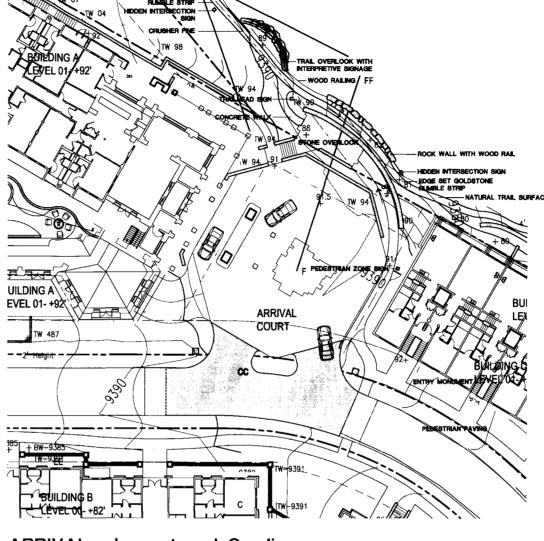




► LS401(a)



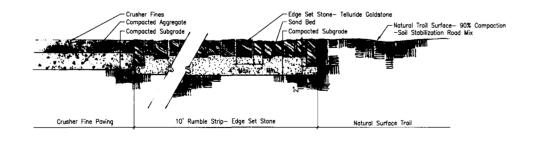


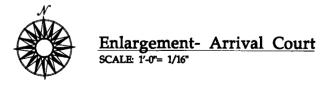


PORTE COCHERE AND
OVERLOOK PERSPECTIVE

ARRIVAL - Planting Plan

ARRIVAL - Layout and Grading









1809 Blake Street Deriver: CO 80202 p. 503 96 404 year steet com

Trail Paving Details

SCALE: 1 1/2"=1'-0"

BOUYEA

HKS

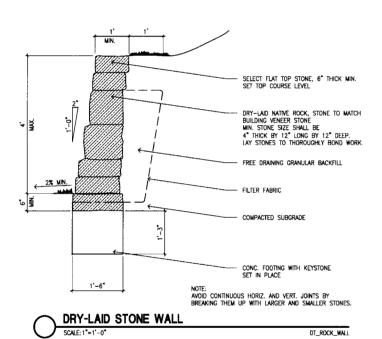
Rosewood Telluride Hotel & Residential

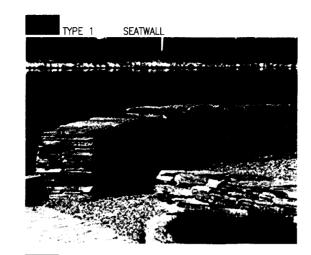
Town of Mountain Village, Telluride, Colorado

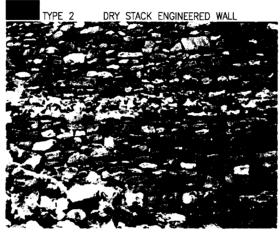


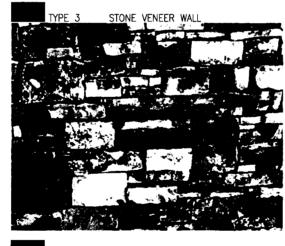


| Project No.: 05029 | Onle: MARCH 15, 2007 | AS MOTED | PRAIL CITY COUNCIL PRESENTATION SET | Short No.: LS404

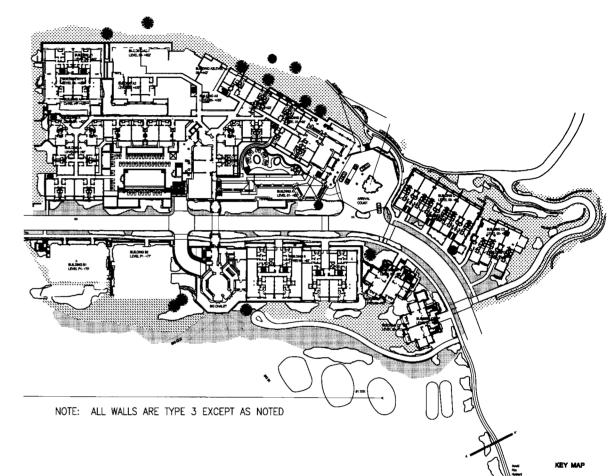








TYPE 4 ROCK WALL - RUSTIC



Pt\2006\06180087_01\CAD\EDAW\wall scans\low_rock.tlf



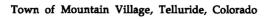




BOUYEA











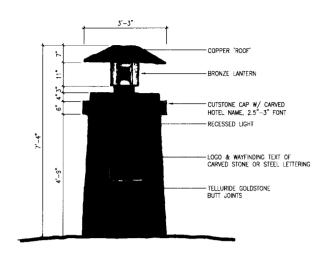
Done MARCH 13, 2007

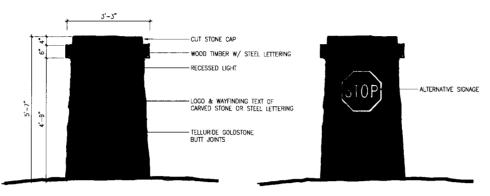
Some AS NOTED

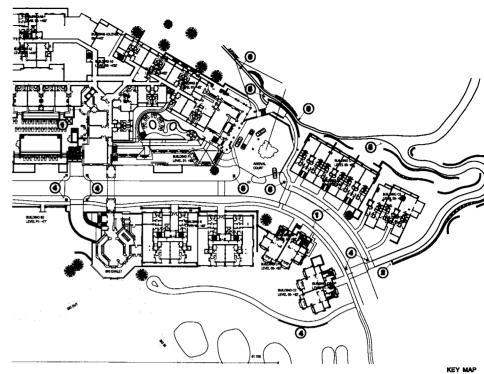
FINAL CITY COMMON.

PRESENTATION SET

Short No.: LS501





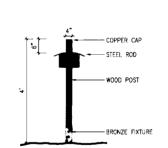


PRIMARY MARKER

SCALE: 3/4"=1'-0"

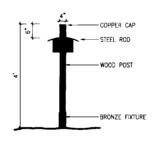
SECONDARY MARKER

SCALE: 3/4"=1"-0"



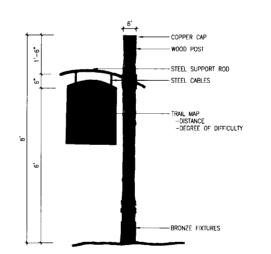
6 TRAIL SIGN - HIDDEN INTERSECTION

SCALE: 3/4*=1'-0"



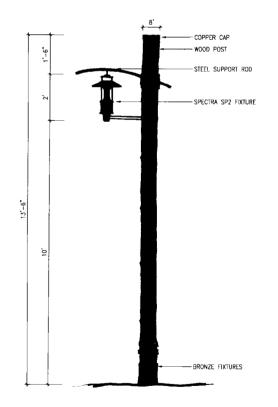
TRAIL SIGN - TYPE 2

SCALE: 3/4"=1'-0"



TRAIL SIGN - TYPE 1

SCALE: 3/4"=1"-0"



PEDESTRIAN STREET LIGHT

SCALE: 3/4"=1"-0"







BOUYEA





Town of Mountain Village, Telluride, Colorado



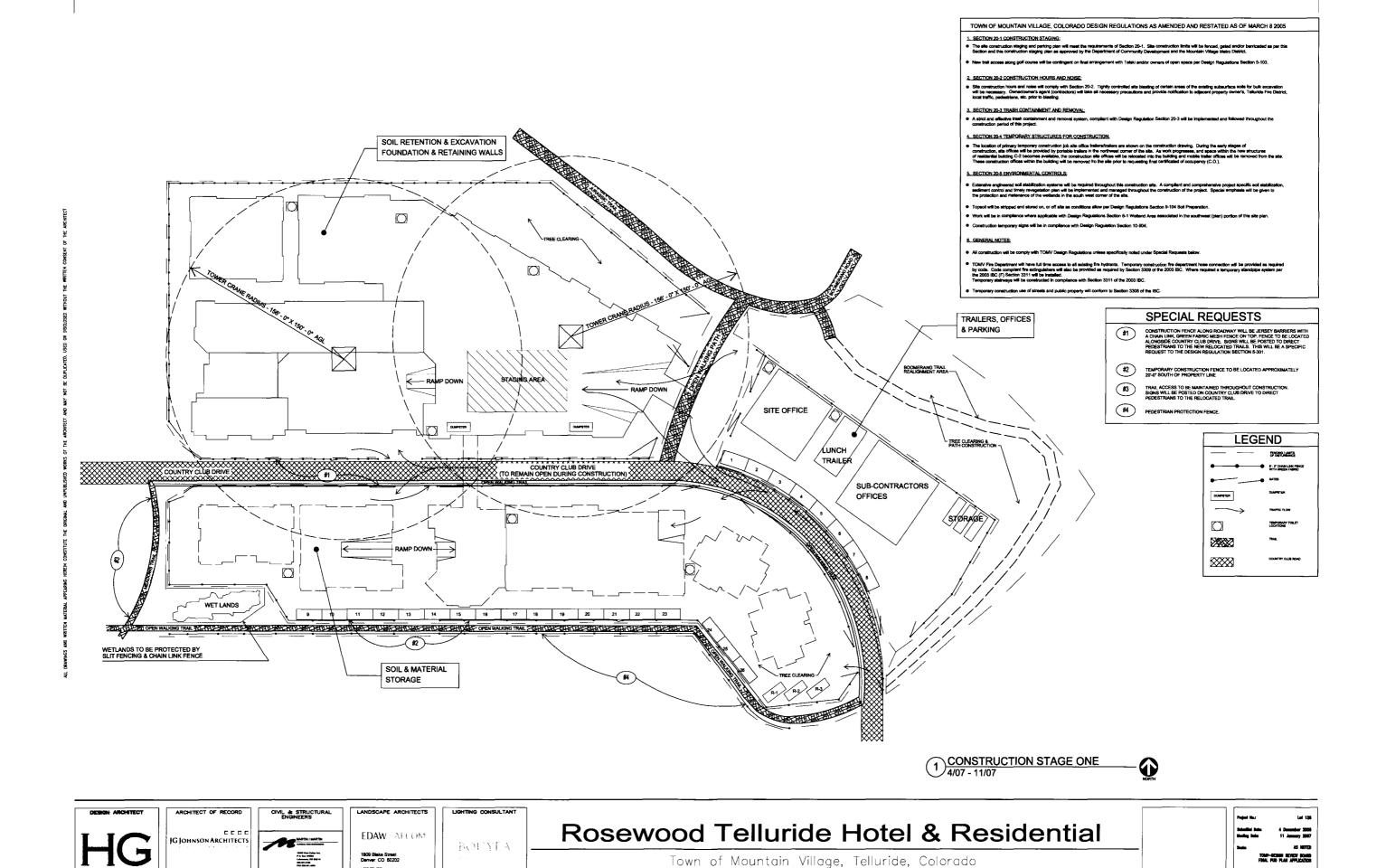


AS NOTED LS502

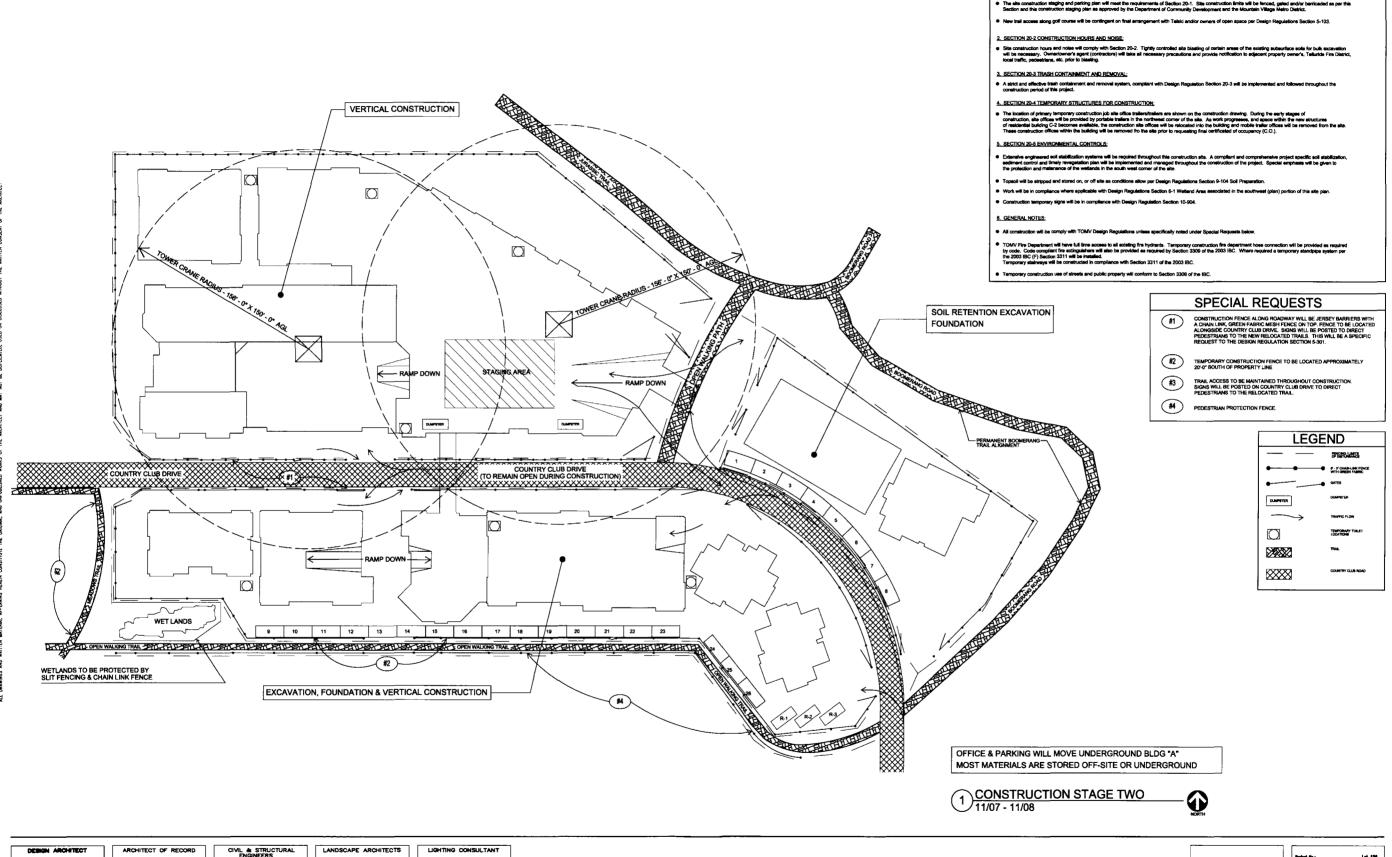
Project #: 91026

The second secon

91026#\dwa\ski is skl out design\...at 126 sk rup.dwa. 117/2006 05:01:24 PM. greg



p 303 596 4622 1 303 596 4434



HG HILL GLAZIER DNARCHITECTS

ENGINEERS

WATER AND THE STATE OF THE STATE

EDAW ALCON

1809 Bisha Street
Denver CO 80202

p 301 580 4620

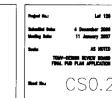
1 300 06444

Table Ober Common According to the Common Accordin

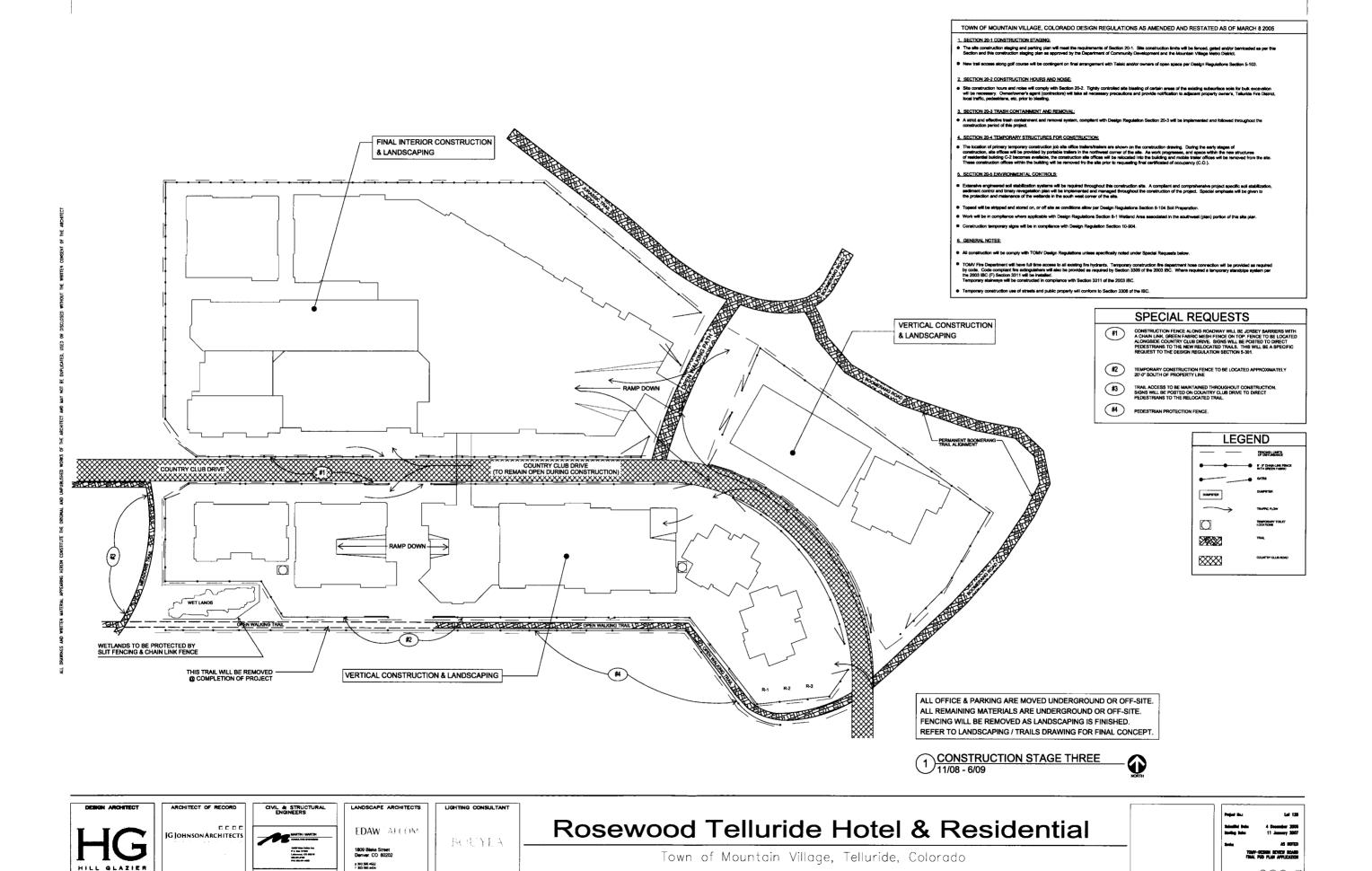
BOUYEA __

Rosewood Telluride Hotel & Residential

Town of Mountain Village, Telluride, Colorado



TOWN OF MOUNTAIN VILLAGE, COLORADO DESIGN REGULATIONS AS AMENDED AND RESTATED AS OF MARCH 8 2005



Davis D. Fansler, as M	layor,	Date	•
ACKNOWLEDGMENT			
State of)) ss		
County of	<i>j</i>		
The foregoing signature			this day of
Town of Mountain Villa		,	
Witness my hand and My commission expires	seal.		
Notary Public			
ACKNOWLEDGMENT			
)		
State of) ss		
State of County of) ss)		
County of The foregoing signature) was acknow		
County of The foregoing signature) was acknow 2007 A.D. b		this day of as Manager o
County of The foregoing signature) was acknow 2007 A.D. b Village. seal.	y	as Manager o
County of The foregoing signature the Town of Mountain Witness my hand and) was acknow 2007 A.D. b Village. seal.	y	as Manager o

TOWN OF MOUNTAIN VILLAGE APPROVAL

3. BASIS OF BEARINGS. The bearing of the northern line of Lot 126 was assumed to be \$ 88*36*10* E according to the Plot of Lot 126, Telluride Mountain Village Filing 1, recorded March 8, 1999 in Plat Book 1 at page 2504. The ends of said line being monumented by a \$ rebar topped with

1. Approval of this plat may create a vested property right pursuant to Article 68 of Title 24, C.R.S., as amended.

2. Easement research from Security Title Guaranty Company commitment numbers S0119172 dated February 3, 2005 at 8:00AM

Notice is hereby given that the area included in the plat described herein is subject to the regulations of the Land Use Ordinance, of the Town of Mountain Village, December 2003 as amended.

a. The Configuration of the following lots, tracts, and right-of-way have been modified by

The following lots have been created by this Lot 126R, Lot 152R, Tract OSP-118, Tract OSP-126, Tract OS-1R-1, Tract OS-1R-2, Tract OS-1R-3

The following lots have been deleted by this Lot 118, Lot 126, Lot 152A, Lot 152B, Lot 152C, Tract OS-I.

7. NOTICE: According to Colorado law you must commence any legal action based upon defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the

8. Wetlands as shown hereon were delineated by Wright Water Engineers, Consulting Ecologist and field surveyed by Foley Associates, Inc in September, 2005. Identified wetlands are subject to the site planning provision of the Town of Mountain Village Land Use Ordinance, as such ordinance is now in effect or as it may be amended from time to time.

9. Owner or other porty have caused to be established, granted and conveyed to various other persons or parties certain easements (each, a "Separate Easement") which may benefit and/or burden some of the Lots depicted on this Plat and may also benefit and/or burden other property not included on this Plat. Each Separate Easement has been established not included on this Plat. Each Separate Easement has been established by separate recorded instrument, not this Plat, and is depicted on this Plat for reference purposes only. In the event that the parties to a particular Separate Easement seek to terminate, modify or amend the Separate Easement, the parties need only terminate, modify or amend the separate document establishing the Separate Easements, without the need, requirement or obligation to modify or amend this Plat in any way or manner to effect such termination, modification or amendment of the Separate Easement. Any such separate instrument, when properly signed and recorded shall have the effect of modifying, relocating or terminating the particular Separate Easement as depicted on this Plat, without the need of amending of modifying this Plat.

CERTIFICATE OF OWNERSHIP

Honig Aviation, LLC a Michigan limited liability company ("Honig") and TSG Ski and Golf, LLC a Delaware limited liability company ("TSG") collectively being the ("Owners") do hereby state and affirm as

1. That Honig is the current fee simple owner of certain real property, situated in San Miguel County, Colorado which is more particularly described as Lot 118, Telluride Mountain Village, according to the Plat recorded March 9, 1984 in Plat Book 1 at page 476, and Lot 126, Filing 1, Telluride Mountain Village, according to the Plat recorded March 8, 1999 in Plat Book 1 at page 2504, and Lot 130, Telluride Mountain Village, according to the Plat recorded October 18, 1988 in Plat Book 1 at page 847, and Lot 152-A, 152-C, Telluride Mountain Village, Filing 1, according to the Plat recorded January 10, 1990 in Plat Book 1 at page 990. ("Honig Property")

2. That TSG is the current fee simple owner of certain real property, situated in San Miguel County, Colorado which is more particularly described as Tract OS-1, Town of Mountain Village ("TSG Property")

That Honig has obtained or is obtaining and TSG is consenting to various land use approvals and entitlements ("Town Approvals") concerning the use and development of the Honig Property from the Town of Mauntain Village, Colorado ("Town").

Owners seeks to replat the Property for the purpose of creating the newly configured and designated lots and parcels as the same are depicted and described on this Plat.

depicted and described on this Plat.

5. Honig and/or other persons or parties have caused to be established, granted and conveyed to Honig and/or other various other persons or parties certain easements (each, a "Separate Easement") which may benefit and/or burden some of the Lots depicted an this Plat and may also benefit and/or burden other property not included on this Plat. Each Separate Easement has been established by a recorded "Separate Instrument", not this Plat, and is depicted an this Plat for reference purposes only. In the event that the parties to a particular Separate Easement seek to terminate, modify or amend the Separate Easement end only terminate, modify or amend the Separate Instrument establishing the Separate Easements, without the need, requirement or obligation to modify or amend this Plat in any way or manner to effect such termination, modification or amendment of the Separate Easement. Any such Separate Instrument, when properly signed and recorded shall have the effect of modifying, relocating or terminating the particular Separate Easement as depicted on this Plat, without the need of amending of modifying this Plat. The Plat is intended to depict the approximate boundaries and location of each of the Separate Easements. In the event of a conflict between the location of any Separate Easement shown on this Plat and the Separate Instrument creating the Separate Easement, the information contained in the separate instrument will control.

IN WITNESS WHEREOF, Owners	executes this Plat as	of
	, 2007 ("Effective	Date") for the
purposes stated herein.		

Honig	Aviation,	ЩС	а	Michigan	limited	of	liability	Company
by:			_					
								_

TSG Ski & Golf, LLC, a Delaware limited liability company

State of

The foregoing signature was acknowledged before me this _____ of ______ as _____ as _____ Honig Aviation, LLC, a Michigan limited liability

Witness my hand and seal. My commission expires ____

Notary Public

ACKNOWLEDGMENT

State of

The foregoing signature was acknowledged before me this ______ of ______ as _____ as _____ TSG Ski & Golf, LLC, a Delaware limited liability

Witness my hand and seal.

My commission expires ____

Notary Public

VICINITY MAP



LAND USE CHART

CURRENT					
Lot	Units	Density Per Unit	Density Available	Zoning Designation	Acres
118	1	4	: 4	Single Family	0.86
126	25	3	75	Condominium	2.698
126	70	1.5	. 105	Hotel	
126	2	3	- 6	Employee Apertment -	
126	16	1	1.6	· Employee Dorm ·	
126			1	Commercial	
130	10	3	. 30	- Condominium	0.474
152A		3	24	Condominium	0.401
1528	6	3	. 18	Condominium :	0.367
152C	8	3	24	Condeminion	0.368
			2 6 9	Market Total	
			2.7	Employee Total	
05-1	Active Open Space				101.62
ROPOSED	1				
		Density Per Unit			
Let	Units	/ SF	Density Proposed	Zoning Designation	Acres
1268	5.6	1.5	84	Hotel	3.11
	19	2	. 28	Hotel Efficiency	
	44	3	132	Condominium	
	18	1	1.6	Employee Dorm	
	5	3	. 15	Employee Apartment	
	34.001	34,001		Commerciel	
1528	2.3		6.9	Condominium	1.46
	4.665	4.665		Commercial	
			323	Harket Tatal	
			33	Employee Total	
			41	Transfer from Town of Mo	untain Village
				Density Bank (previous le	t 129 conde densits
05-18-1	Active Open Space				100 67
05-18-2	Active Open Space				0.67
0 SP:118	Passive Open Space				0.65
0 SP-126	Passive Open Space				0.26
A 21.15 A					V-4.9

TITLE INSURANCE COMPANY CERTIFICATE

Security Title Guaranty Company does hereby certify that we have examined the title to the lands herein shown on this Plat of LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, OS-1R-1 AND OS-1R-2 AND OS-1R-3, A REPLAT OF LOTS 118, 126, 130, 152A, 152B, 152C AND TRACT OS-1, TOWN OF MOUNTAIN VILLAGE and that the title to this land is in the name of Honig Aviation, LLC, a Michigan limited liability Company and TSG Ski & Golf, LLC, a Delaware limited liability company, and is free and clear of all encumbrances, liens, taxes, and special ossessments exceed os follows:

Title	incur	2224	Cama	anv	Repres	entation
,,,,,	maure	11100	Comp	<i>U117</i>	, top, oa	

SECURITY INTEREST HOLDER'S CONSENT

Name:
Date:
Address:
Signature:
Title

ACKNOWLEDGMENT

) ss	
County of	<i>j</i>	
	signature was acknowledged before me this	do
U,	os	of

Notary Public

GRANT OF 16' GENERAL EASEMENT

Honig Aviation, L.L.C., a Michigan limited liability Campany ("Honig") and TSG Ski & Golf, LLC, a Delaware limited liability company (as to the open space being replatted into Lots and conveyed to Honig) hereby grants to TSG Ski & Golf, LLC, a Delaware limited liability company; Telluride Mountain Village Resort Company, a Colorado non-profit corporation, doing business as Mountain Village Owner's Association, Inc. ("MVA); and the Town of Mountain Village (the "Town"), their successors and assigns, a perpetual easement, 16 feet in width over, across and under all areas designated as 16' General Easement on this Replat for any and all uses, improvements and activities deemed necessory by TSG Ski & Golf, LLC, MVQA, and the Town, for the safe and efficient operation of the Telluride Ski Area, the Telluride Golf Course, and the Town, which include but are not limited to the following: utilities, drainage, electrical service, communication service, ski slope maintenance, bicycle access, skier access, roadway access, equestrian access, pedestrian access, golf card access, now moking, waterways, slope maintenance, snow storage, retaining walls, snowmobile access, snow removal, snowcat access, water, sanitary sewer and storm sewer.

Honig Aviation, LLC a Michigan limited of liability Company TSG Ski & Golf, LLC, a Delaware limited liability company

ACKNOWLEDGMENT State of County of

The foregoing signature was acknowledged before me this _____ as ____ as ____ as ____ as ____ Honig Aviation, LLC, a Michigan limited liability

Vitness my hand and seal. My commission expires ___

ACKNOWLEDGMENT

16' GENERAL EASEMENT VACATION

The undersigned being the beneficiaries of record of those portions of land labeled as 16 foot General Easement (G.E.) has established on the property as shown hereon by the Plat of record filed in the Office of the Clerk and Recorder of San Miguel County do hereby vacate and relinquish that portion of said easement as shown vacated on sheet 6

TSG Ski & Golf, LLC, a Delaware Limited Liab by:	ounty company
Mountain Village Owners Association (MVOA)	
Jonathan Sweet, President	
, as District Manager	Date
Town of Mountain Village	
Davis D. Fansler, as Mayor,	Date
Town Honors	0-4-

ACKNOWLEDGMENT
State of

) ss County of

The foregoing signature was acknowledged before me this _____ day of _____, 2007 A.D. by general partner of TSG Ski & Golf, LLC, a Delaware limited liability company.

Witness my hand and seal. My commission expires ____ Notary Public

ACKNOWLEDGMENT

County of

The foregoing signature was acknowledg ______, 2007 A.D. by _________, Jonathan Sweet, as President of MVOA.

Notary Public ACKNOWLEDGMENT

State of

The foregoing signature was acknowledged before me
_______, 2007 A.D. by
_______, as District Manager of MVOA.

Witness my hand and seal. My commission expires ___

Notary Public

ACKNOWLEDGMENT State of

The foregoing signature was acknowledged before me this _____ day of _____, 2007 A.D. by Davis D. Fansler as Mayor of the Town of Mauntain Village.

Witness my hand and seal. My commission expires ___

Notary Public

ACKNOWLEDGMENT

State of) ss County of

The foregoing signature was acknowledged before me this day of the Town of Mountain Village.

Witness my hand and seal.

My commission expires ____

Notary Public

SURVEYOR'S CERTIFICATE

l, Dovid R. Bulson of Foley Associates, Inc., a Professional Land Surveyor licensed under the laws of the State of Colorado, do hereby certify that this Plat of LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, OS-1R-1, AND OS-1R-2 AND OS-1R-3 A REPLAT OF LOTS 118, 126, 130, 152A, 152B, 152C AND TRACT OS-1, TOWN OF MOUNTAIN VILLAGE shown hereon has been prepared under my direct responsibility and checking and accurately represents a survey conducted under my direct supervision. This survey complies with applicable provisions of Title 38, Article 51, C.R.S. to the best of my knowledge and belief.

IN WITNESS HEREOF, I here unto affix my hand and official seal this ____ day of _______, 2007 A.D.

P.L.S. No. 37662

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the San Miguel County Clerk and Recorder on this ______ day of _______, 2007 A.D., ot

San Miguel County Clerk

FSLEY ASSOCIATES, INC.

970-728-6153 970-728-6050 fax P.O. BOX 1385 125 W. PACIFIC, SUITE B-1 TELLURIDE, COLORADO 81435

LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, TRACT OS-1R-1, TRACT OS-1R-2, AND TRACT OS-1R-3 A REPLAT OF LOTS 118, 126, 130, 152A, 152B, 152C AND TRACT OS-1, TOWN OF MOUNTAIN VILLAGE LOCATED WITHIN THE N 1/2 OF SECTION 3, T. 42 N., R. 9 W., AND THE

Technicion: 08 S 1/2 OF SECTION 34, T. 43 N., R. 9 W., N.M.P.M. IN THE COUNTY OF SAN MIGUEL, LYING WITHIN THE INCORPORATED TOWN OF MOUNTAIN VILLAGE, COLORADO

Project Mgr: DB

Drowing path: dwg\3-01-07 TMV submittal\Replat 3-01-07 coversheet Sheet1 of 6 Project #: 91026

X:\Jobs\JOBS1991\91026\dwg\3-1-07 TMV submittal\Replat 3-01-07 SHEET 2 revised.dwg, 03/06/2007 02:39:58 PM, kdunkak

CURVE TABLE - AS MEASURED

CURVE ARC LENGTH RADIUS DELTA CHORD LENGTH CHORD BEARING
C1 18.86' 50.00 21'36'38" 18.86' S19'10'44'W
C2 50.21' 50.04 5729'14" 50.21' 885'47'05'E
C8 179.77' 230.00 44'46'58' 179.77' N44'19'37'W
C9 200.57' 71.50 180'43'27' 200.57' N72'44'08'W
C10 98.76' 170.02 33'16'45" 98.76' N36'38'04'W
C11 75.90' 241.60 1759'58' 75.90' 830'59'40'E
C12 272.38' 330.04 47.17'06' 272.38' \$21'08'54'W
C13 123.31' 118.74 59'30'05' 123.31' N27'15'24'E
C14 103.25' 119.12 49'39'57' 103.25' N81'39'57'W
C16 225.58' 140.00 9728'54' 225.98' S12'26'27'W
C17 451.37' 600.00 4706'11' 451.37' N11'17'36'W
C18 194.56' 359 10 3102'35' 194.56' 84'32'57'E
C19 203.64' 218.84 53'18'58' 203.64' N54'33'7'E
C20 95.40' 225.59 24'13'51' 95.40' 337'23'37'E
C21 88.94' 31'3.59 15'53'03' 86.94' N85'33'37'E
C22 33.63' 50.00 44'16'12' 38.63' N88'04'24'E
C23 37.31' 4957.59 0'49'27' 71.31' 887'34'24'E
C24 175.59' 224.89 26'58'53' 105.90' N275'50'E
C26 105.90' 224.89 26'58'53' 105.90' N275'50'E
C27 67.20' 164.55 27'03'8' 102.29' N44'38'08'E
C29 107.29' 117.59 57'16'41' 107.29' N44'38'08'E
C30 15.55' 117.55 100'08' 335'5' N85'51'37'E
C30 15.55' 117.55 100'08' 35.58' N075'55'0'E
C31 162.00' 107.51 86'20'18' 102.21' N65'56'48'W
C32 117.59 117.59 57'16'41' 107.29' N44'38'08'E
C33 1152.01' 107.51 86'20'18' 102.01' N65'56'48'W

		CURVE	TABLE - RECO	RD	
CURVE	ARC LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	18.83	50.00	21"35'00"	18.72	S19"07"30"W
C2	50.17	50.00	57"29"14"	48.09	S85'46'50"E
C8	179.77	230.00	44"46"58"	175.23	N44'23'31"W
C9	200.03	71.50	160"17"33"	140.89	N72'38'46"W
C10	98.74	170.00	33"16"45"	97.36	N38'38'25"W
C11	75.89	241.57	17'59'58"	75.58	S31'00'01"E
C12	272.34	330.00	47"17"06"	264.68	S21'08'33"W
C13	123.29	118.72	59"30"05"	117.82	N27 15 02 E
C14	103.24	119.10	49"39"57"	100.04	N81"49"59"E
C15	66.95	230.00	16'40'37"	66.71	N81'40'19"W
C16	226.08	140.00	92'31'27"	202.30	S13'25'44"W
C17	451.36	600.00	43"06'05"	440.79	N11"16"57"W
C18	194.62	359.20	31"02'35"	192.24	S43'30'07"W
C19	203.70	218.90	53"18"58"	196.43	N54'38'16 E
C20	95.43	225.58	24"14"17"	94.72	S39'24'43"E
C21	86.93	313.58	15*53'03"	86.66	N35"14"06"W
C22	39,04	50.00	44'43'53"	38.05	N87'47'29"E
C23	71.37	4961.46	0"49"27"	71.37	S87'29'16"E
C25	125.43	117.50	61'09'38"	119.56	S49'46'47"E
C26	105.96	225.00	26"58"53"	104.98	N22'52'20'W
C27	67.22	165.00	23"20"36"	66.76	N02"17"30"E
C28	59.14'	117.50	28"50"17"	59.14	N85'13'11"E
C29	107,21	117.50	52"16"41"	107,21	N44'39'41"E
C30	63,63	117.50	31'01'40"	63.63'	N03'00'31"E
C31	161,99'	107.50	86°20'18"	161.99'	S30°39'50"W
C32	122.08	82.91	84'21'56"	122.08	N63'59'03'W

CURVE NUMBERS C3 THRU C7 AND C24 WERE NOT USED.

	LINE TABLE -	RECORD	L	INE TABLE -	AS MEASURED	Γ	LINE TABLE -	RECORD	LINE TABLE - AS MEASUR		AS MEASURED
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	334,85'	S19"10'03"W	L1	334.57'	N19'09'46"E	L60	449.57	N05'30'51"E	L60	290.25	N05'28'13"E
L2	524.28'	S29*26'25*W	L2	524.33'	N29"28"07"E	L61	159,77	N05*26*25"E	L61	159.67	N05'27'24"E
L3	22,28'	N84"00'00"W	L3	21.77	S85'40'13"E	L62	290.43	N05'26'25"E	L62	449.50'	N05'31'03"E
L4	6.04"	N10'56'26"E	L4	5.99'	S10 43 57 W	L63	352,96'	N38'29'39"W	L63	352.73	N38'27'51"W
L5	93,33"	N69'37'56"W	L5	93.34	S69'32'54"E	L64	147.41	_S65'39'37"E	L64	147.32	S65'37'49"E
L6	138.92	S83'52'30'W	_L6	138.95'	N83'53'09"E	L65	190.93	S69'54'29"E	L65	213.41	S69"52"41"E
L7	91,94"	S28'55'00"W	L7	91.96	N28'55'39"E	L66	259.75'	N00'06'25"W	L66	66.98*	NO0.09,38,M
L8	59.50'	S60'04'58'E	LB	59.58'	N60'01'44"W	L67	189.86'	N75'37'50"W	L67	189.85	N75'38'03"W
L9	52.50'	N81°40'00"W	L9	52.57	S81"36"12"E	L68	200,43	S62'20'16"W	L68	200.42	S62'20'03"W
L10	87.05'	S10'41'02"E	L10	87.16	N10"39"26"W	L69	99.90"	N62'50'11"W	L69	99.89'	N62'50'24"W
L11	57,00'	S69'32'46"E	L11	57.07	N69'31'10"W	L70	113.79	N24"20"23"E	L70	113.79	N24'20'10"E
L12	48.88'	N05'28'51"E	L12	48.92'	S05*28'36"W	L71	490.29'	N50'52'36 W	L71	490.27'	N50'52'50"W
L13	68,25'	S04'14'47"W	L13	68.30'	NO4"27"26"E	L72	65.03"	S64'26'39'E	L72	65.01	S64'16'12"E
L14	141.97	S79'03'28"E	L14	142.23	N79'07'37"W	L73	215.67	N38'30'00'W	L73	215.91	N37'56'12"W
L15	59.17"	\$30'32'00"E	L15	59.27	\$30'06'25 E	L74	264.28	S88'35'31 E	L74	262.35	S88'33'30"E
L16	NA	N59'28'00"E	L16	77.13	N59"31"54"E	L75	110.48	\$73"10"15"E	L75	111.59	\$72'55'51"E
L17	NA.	N21'39'12"E	L17	162.17	N21"39"12"E	L76	100.00	S01'23'50'W	L76	99.76	S01'28'45"W
L18	32.52	S01'40'51 W	L18	32.52	S01'40'51'W	L77	277.57'	S64'35'51"E	L77	275,77'	\$64'33'05"E
L19	5.40*	S26"33"54"E	L19	6.40*	S26"33"54"E	L78	173.50	\$50°35'50"E	L78	174.29	S50'41'12"E
L20	19.14	S87'08'35'E	L20	19.14	S87 08'35 E	L79	155.96'	N20'09'26"E	L79	154.43'	N20'26'47"E
1.21	32.48	S01'40'58'W	L21	32.48	S01'40'58'W	L80	126.28'	S24'34'16"E	L80	125.45'	S24'56'20"E
L22	9.82'	S29'03'17"E	L22	9.82*	S29'03'17"E	L81	172.36'	\$73'56'35"E	L81	60.94	S74'36'55"E
L23	261.30'	N66'47'00"W	L23	261,30'	N66'43'06"W	LB2	39.25'	S16'49'45 W	LB2	39.02'	S16"39"31"W
L24	287.16'	N20"00"08"E	L24	287.21'	N20'00'00"E	LB3	85.50'	S41'11'11"E	L83	85.22'	S41'14'48"E
L25	226.59'	N66'05'00"W	L25	226.80'	N66"03"08"W	L84	259.51	N84'20'00"E	L84	259.41	N84"21'43"E
L26	34,51	S80'00'47"W	L26	34.53'	S79"55'27"W	L85	160.04"	N24'45'00"E	L85	159.81	N24°52'19"E
L27	23,64'	N12'56'49"W	L27	23.66	N13'02'09'W	LB6	20.00	S85'28'00"E	L86	19.96'	S85'47'40"E
L28	165.00'	N65"20"00"W	L28	165.11	N65'25'20"W	L87	140.00"	SD4"00'00"W	L87	140.07	S04'00'32"W
L29	266.00	N65'20'00"W	L29	266.17'	N65°25'20"W	LB8	245.00"	S85'28'00"E	LB8	245.03	S85'27'07"E
L30	168.00'	S00"54"12"W	L30	168.11	S00'48'52'W	L89	160.12	N32'05'33"E	LB9	160.14	N32'06'26"E
L31	200.00'	S31"50'00"E	L31	200.13'	S31°55'20"E	L90	3.63'	S87'54'00"E	L90	3.63'	S87'59'08"E
L32	277.50'	S31*50'00"E	L32	277.68'	S31*55'20"E	L91	114.67	S87'07'16"E	L91	114.67	S87'07'16"E
L33	166.79"	S72'03'43"E	L33	166.90"	S72"09"03"E	L92	18.52	578'06'41"E	L92	18.52	S78"06"41"E
L34	68.00'	N75'42'26"E	L34	67,40°	N75'41'38"E	L93	68.29	S20'28'11"E	L93	68.29'	S20"28"11"E
L35	185,00'	S46'45'00"E	L35	185.01'	S46"52"10"E	L94	21.11	S71"33"54"E	L94	21.11'	S71"33"54"E
L36	90,27'	S28"01"13"W	L36	90.30	S27'57'18'W	L95	NA NA	S19"11"58"E	L95	216.49	519"11"27"E
L37	N/A	S28'01'13"W	L37	179.53	S28'02'23'W	L96	99.43	500'00'00"E	L96	99,38'	500'00'35"E
L38	N/A	N01'24'38'W	L38	147,41	NO1*24'30"W	L97	37.97	S12'42'04"E	L97	37.91	S12'44'08"E
L39	87,87'	S87'30'41"E	L39	87.87*	S87'30'41"E	L98	68.92'	S36'21'46 E	1,98	68.92	S36"19"55"E
L40	21,02'	S00'00'00"E	L40	21.02	S00'00'00"E	L99	35.19	S09'22'53"E	L99	35.18'	S09*25'07*E
L41	68.77	S88"24"38"E	L41	68.77"	S88'24'38"E	L100	48.50'	S135748W	L100	48.49	S13'55'34"W
L42	63.05'	S87°23'56"E	L42	63,05'	S87°23'56"E	L101	62,71'	S87'02'21 E	L101	62.52	N86"59'29"W
L43	30.41	S43'43'45"E	L43	30.41'	S43'43'45"E	L102	218,49*	S73'47'46"E	L102	218.31	N73'51'54"W
L44	27.68	S88"01"30"E	L44	27.68'	S88'01'30"E	L103	32.36'	N70"48"02"E	L103	32.38'	N70"46"29"E
L45	N/A	N61"20'00"W	L45	458.25'	S61"13"15"E	L104	43.99'	N12'30'19"W	L104	43.99'	S12"30"19"E
L46	166,50"	N26"35'00"W	L46	166.34	N26'52'20"W	L105	109.28	S21"48"05"E	£105	109.28	S21"48'05"E
L47	80.32	N68'27'48"W	L47	80.36	N68'45'04"W	L106	144.77	N54"53"54"E	L106	144.92	N54"57"26"E
L48	170.78'	N59"28'00"E	L48	170.22	N59"18'38"E	L107	91.01'	S89 10 37 E	L107	90.74	N89"10'09"W
L49	115.91'	S32'23'40"E	L49	115.88'	532'28'20"E	L108	140.44	N75'37'50"W	L108	140.43	N75"38'03"W
150	100.95	S48"51"06"E	L50	100.92	\$48'55'46"E	L109	153.42'	N13'32'43"E	L109	153.58	N13'30'23"E
L51	44.46	S23"13"58"E	L51	44.45	\$23"18'38"E	L110	80.24	N78"06'33"E	L110	80.19	N78"08'21"E
L52	180,55'	\$81*17'52 *W	L52	180.56	S81'18'51"W	L111	114,84	\$66 51'00 E	L111	115.46	N67'06'50"W
L53	565.63'	N00'30'31"E	L53	565.53'	S00 31 21 W	L112	182.72*	\$20 13'55"W	L112	182.72*	S20"08'05"W
L54	36.22	S68'00'40"E	Ļ54	35.99'	S68"06"24"E	L113	170,74	N00'05'30"W	L113	170.74	S00"11'20"E
L55	167.04'	N04"00"00"E	L55	157,11"	NO4*00'35"E	L114	230.71	N67'00'00"E	L114	230.22'	S66'56'42"W
L56	22.32'	N46'43'54"E	L56	22.32'	N46'43'54"E	L115	93.95	N17'48'19"W	L115	93.95'	S17'48'19"E
	180.00	\$78'46'29"W	L57	179.82	S78'44'50"W	L116	137.25'	N72"11'39"E	L116	137,27'	N72"08'48"E
L57			L58	98.39'	S87"46"40"E	L117	487.84	S27'00'00"W	L117	487.91	N26'57'09"E
L57 L58	98.39	S87"46"40"E	1.26	30.37							
			L58 L59	2.86	NO0.00,00 E	L118	32.01	N72"39"56"E	L11B	32.01	
L58	98.39' 2.86'	S8746'40"E N00'00'00"E						N72'39'56"E N15'54'14"W	L11B		N72'39'56"E N15'54'14"W

LINE AND CURVE TABLES

LOT 126R, LOT 152R, TRACT OSP-118, TRACT OSP-126, TRACT OS-1R-1 AND TRACT OS-1R-2

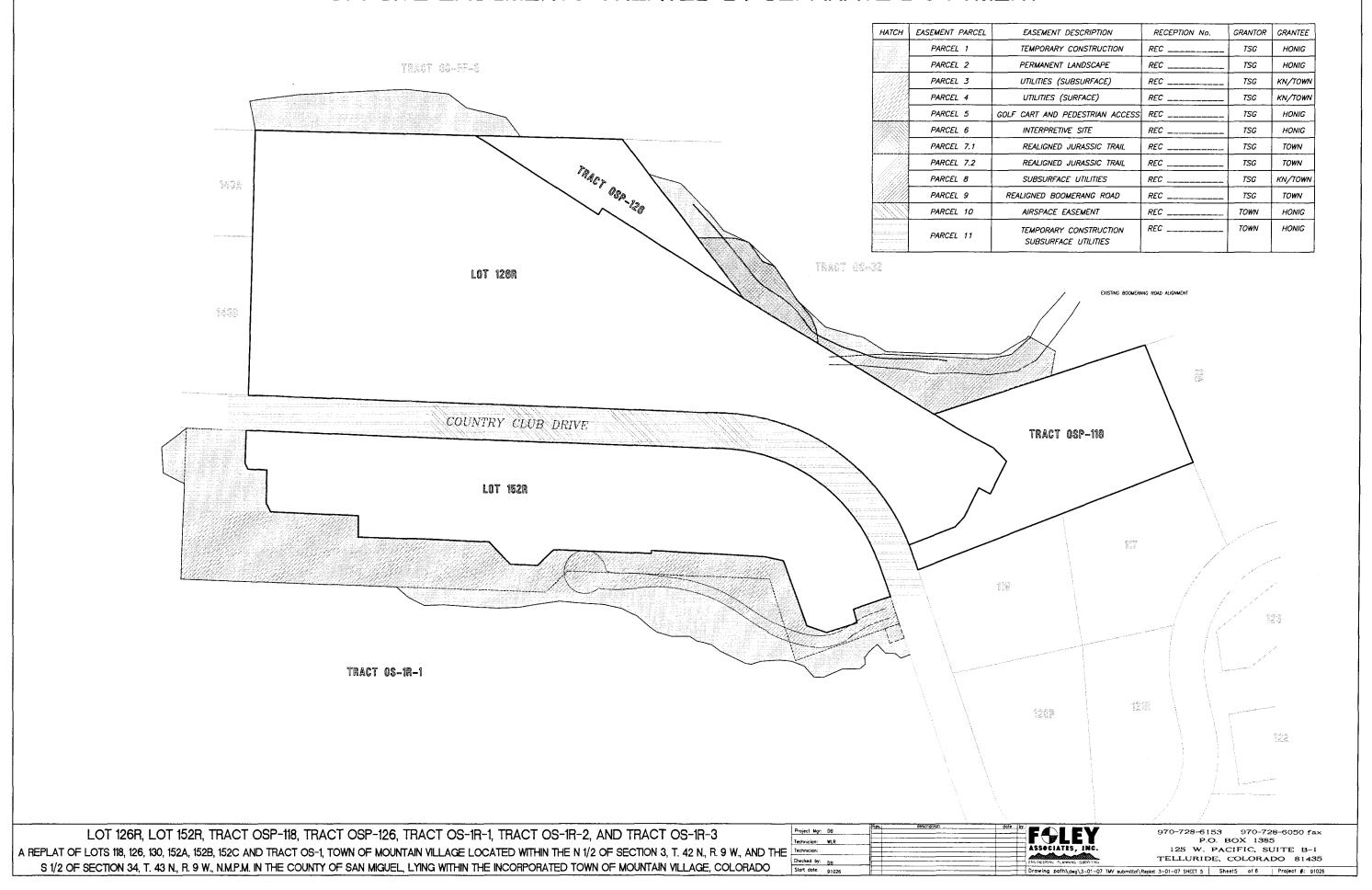
A REPLAT OF LOTS 118, 126, 130, 152A, 152B, 152C AND TRACT OS-1, TOWN OF MOUNTAIN VILLAGE LOCATED WITHIN THE SW 1/4 OF THE SE 1/4 AND THE SE 1/4 OF THE SW 1/4, SECTION 34, T. 42 N., R. 9 W., N.M.P.M. IN THE COUNTY OF SAN MIGUEL, LYING WITHIN THE INCORPORATED TOWN OF MOUNTAIN VILLAGE, COLORADO

| Project May: D8 | Technicion: D8 |

Project Mgr: DB

| Technicion: DB | Technicion: DB | Technicion: DB | | Technicion: DB |

OFFSITE EASEMENTS CREATED BY SEPARATE DOCUMENT





Herman M. Klemick hmklemick@klemickandgampel.com
Ross Bennett Gampel rbgampel@klemickandgampel.com
Christopher G. Klemick cklemick@klemickandgampel.com

December 19, 2017

All Members of DRB

Re: Opposition to Lot A101 Project On Agenda for January 3, 2018

Dear Board Members:

Diane and I own a townhouse in Aspen Ridge which faces directly North. We also are very active golfers (I play every day and am on the Telluride Golf and Ski Green Committee).

The proposed development of lot A101 will SEVERELY impede our beautiful view of the Northern Peaks. It will also negatively impact the beauty and playability of the first hole of our magnificent golf course. The buildings which would be directly on hole one also will present a severe SAFETY RISK to those residents because of errant shots hit to the right. Approximately 70% of all golfers slice the ball which will make all of these residences in direct danger.

As a member of the Green Committee it is my understanding that the Telluride Golf and Ski Company want to market a golf school for Telluride. The encroachment of the residences into the first tee and fairway will have a negative impact on this future plan.

Finally, the high density of this project will negatively impact traffic in the core, the noise and dirt/dust factor will be a nightmare for Diane and I, the other residents and existing hotels in the core for years. It is not in keeping with the nature of our community and Diane and I strongly object to the project and ask the DRB to deny the proposed design.

Very truly yours,

HERMAN M. KLEMICK and

DIANE KLEMICK

1953 S.W. 27th Avenue Miami, Florida 33145

Phone: (305) 856-4577 Fax: (305) 859-9708

www.klemickandgampel.com

ANCHOR MARIEMONT LIMITED PARTNERSHIP

9060 Shawnee Run Road Cincinnati, OH 45243 Phone: (859) 578-2626

December 21, 2017

Mountain Village Design Review Board Mountain Village Town Council 411 Mountain Village Blvd. Mountain Village, CO 81435

VIA E-MAIL [mhaynes@mtnvillage.org] and US MAIL

Re: Extension of PUD; Lots 126R and 152R

Dear Members of the Mountain Village Town Council and the Design Review Board:

Our Limited Partnership owns Lot 143D, one of the single family residences most impacted by the former "Rosewood Project", now known as the "Northlight Project." We recently received notice of the hearing to consider another (third!) extension of this ill-conceived PUD under the guise of creating a new (supposedly reduced) development plan. We strenuously object to the extension of the PUD for this project.

This PUD was granted at a time when the Village was enamored with having a project that provided additional "hot beds" run by an operator of premier hotels. Over the objection of many, this plan was approved. The Rosewood PUD has since been extended twice without complying with the required procedural requirements contained in the CDC.

The design approved and the variances granted ignored the provisions of Section 4-617 (3) of the Land Use Ordinance, which requires that the development "be compatible with the surrounding environment, neighborhood and area relative to ... scale, bulk, building height, buffer zones, character and orientation and shall not unreasonably affect existing land uses ... of the surrounding neighborhood." No where in the core of Mountain Village are there single family homes as close to such a massive project. The standards of LUO Section 4-617(3) cannot be ignored because only a few single family homes are directly affected by the mass and proximity of this project. The interests of the owners of these adjacent single family lots were sacrificed at the time of the approval in order to attract a project that was never financially feasible, the scale and mass of which was and remains wholly inappropriate outside the Mountain Village core. The health and safety of the residents of Country Club Drive (and the entire Mountain Village) would be jeopardized by such a large scale development on County Club Drive.

We bought our home knowing there was multi-family zoning adjacent to us. However, we also believed our rights would be adequately protected during the approval process. The original PUD had a 3 year expiration date for a reason. We implore you to deny this extension, and to reconsider any PUD for these lots *ab initio*.

Sincerely,

ANCHOR MARIEMONT LTD. PARTNERSHIP

Bv:

Douglas S. Hynden

TELLURIDE

618 MTN VILLAGE BLVD. SUITE 201 TELLURIDE, CO 81435 PH: 970.728.5775 FAX: 970.728.5898



DENVER

1601 BLAKE ST. SUITE 300 DENVER, CO 80202 PH: 303.854.9121 FAX: 303.845.5333

January 3, 2018

Via Email mhaynes@mtnvillage.org

Members of the Mountain Village Design Review Board ("**DRB**") Members of the Mountain Village Town Council ("**Town Council**") c/o Ms. Michelle Haynes, Director of Planning and Development Services 455 Mountain Village Boulevard, Suite A Mountain Village, CO 81435

Re:

Comments on the Application for Proposed Major PUD Amendment and Extension (the "PUD Extension Application") sought by Northlight Trust I for Lot 126R, Lot 152R, OSP 118, OSP 126 (the "Property") for impacted Lot 143A owner Carol Hintermeister ("Ms. Hintermeister")

Our File Ref.: Hintermeister

Dear Ladies and Gentlemen:

We represent Ms. Hintermeister in connection with the above-referenced PUD Extension Application sought by Northlight Trust I, which is scheduled to be considered at the January 4, 2018 Design Review Board meeting and the January 18, 2018 Town Council meeting.

In that capacity, we offer the following comments and objections:

A. Validity of Prior PUD Extension.

It is our understanding that the original PUD approval for this project was granted on or about March 15, 2007 (the "Initial PUD") pursuant to the Town's then-current Land Use Ordinance ("LUO") and that a three-year extension of that Initial PUD approval was granted, also pursuant to the LUO, on or about March 18, 2010 (i.e., shortly after the initial PUD approval expired). Thereafter, again only after the first PUD extension expired on March 18, 2013, an additional second extension of the PUD was granted, on or around August 13, 2013, on an ad hoc basis, by means of a Special Ordinance No. 2013-0727-03 (the "Extension Ordinance") adopted under color of the Major PUD Amendment provisions of the then-recently adopted new Town Community Development Code (the "CDC").

Ms. Michelle Haynes January 3, 2018 Page 2

Thus, to date, the Initial PUD has been extended twice, for a total of some 11 years after its initial adoption in 2007. The most recent extension was made by means of the specially-crafted Extension Ordinance, in a manner tailored to grant a unique five-year, ad hoc, extension of the prior-expired PUD.

A number of unique issues, and possible improprieties/inadequacies of the Extension Ordinance process, have been highlighted by separate correspondence submitted by a number of impacted and objecting neighbors. Rather than repeat those concerns, we adopt them by reference with our concurrence as to the issues raised.¹

B. Scope of the Currently-Proposed Extension.

The Notice of Pending Development Application dated December 4, 2017 describes the current application as "a two year extension request to the existing approved PUD for the Property seeking a conditional extension of the current Town Approvals...to March 18, 2020, to allow the Applicant time to create a new development plan for the Property and seek new or modified Town approvals for the project" (emphasis added).

Unfortunately, no process exists in the CDC allowing for extension of a specifically-crafted approval such as the Extension Ordinance. This especially is true where, as here, the extension is sought for the sole purpose of allowing a party with vested property rights to extend those exclusively to obtain time to craft and submit a new PUD proposal. Obviously, it would be entirely inappropriate for the Town to grant any extension of the unique Extension Ordinance for such a purpose.

As a result, based in those reasons alone, Ms. Hintermeister objects to the current PUD Extension Application and, instead, requests that the Town simply require a proper new application for the proposed changes and then handle that new application through a proper process under the CDC.

C. <u>Criteria for Town Council Decision Regarding PUD Extension.</u>

We note that the December 13, 2017 Planning and Development Services Department memorandum to the DRB regarding the current application asserts that "Town Council can evaluate an **extension request** based upon the following criteria found at CDC Section 17.4.17.E(5): (i) scale or complexity of an approval; (ii) other special or unique circumstances; and (iii) other development objectives." However, the language of CDC Section 17.4.17.E(5) makes **no reference to PUD extensions** and instead cites these criteria **only** for Town Council's initial approval of vested rights periods greater than three years. Thus, Ms. Hintermeister objects to the language of the staff memo suggesting inappropriate criteria for approval of a PUD extension.

¹ Please note that those concerns specifically include concerns about possible lack of adequate noticing. Since Ms. Hintermeister – like so many impacted neighbors – also can find no evidence of noticing for the Extension Ordinance, we hereby reiterate the request by other neighbors for the Town to produce evidence that adequate noticing for the Extension Ordinance was given to Ms. Hintermeister.

D. <u>Possible Ex Parte Communications.</u>

As a final matter, we have been informed that ex parte communications may have occurred between certain DRB members and the applicant (and possibly also members of the public) after the December 4, 2017 Notice of Pending Development Application was issued and the PUD Extension Application was pending before the DRB.

To remove any questions in this regard, and in order to safeguard due process and ensure fundamental fairness for all stakeholders, we respectfully request that each member of the DRB affirm at tomorrow's meeting that he/she has had no such *ex parte* communications relating to this application (or, if so, that the member recuse himself/herself from the meeting).

Thanks for your attention to these matters and please note that we reserve the right to offer additional comments as this matter proceeds before the DRB and Town Council.

Sincerely,

TUELLER & GIBBS, LLP a Colorado limited liability partnership

By: <u>/s/ Douglas R. Tueller</u>
Douglas R. Tueller

ec: James D. Mahoney, Esq.
Carol and Hank Hintermeister
Dr. Alan Safdi
Monique Bensett

Dear Members of DRB and Town Council of Mountain Village,

We are writing to express our deep concerns about another extension to the Rosewood Plan. We do not want our beautiful village or hamlet to turn into another of the ski towns with traffic jams and buildings occupying some of the best view corridors.

If this development is approved and built, it will add years of construction traffic to the end of the village on a small winding road not able to safely or adequately handle this project. At build out it will be 28 buildings, 13 of which will run along the right side of the 1st hole of the golf course!

It is astounding that there has never been a formal traffic impact study done for this project to show the consequences to the Village as a whole, the Peaks, including the golf community, and Country Club Drive.

The two hairpin turns on Country Club Drive used by bikers and hikers to our two popular trails, Jurassic and Boomerang, along with the residents of the Meadows and Country Club Drive who walk and drive it every day, are already hazardous. Imagine years of construction vehicles using those same dangerous curves.

Do we really need another hotel that is not in the core of Mountain Village? We want to preserve the beauty of Mountain Village and the feel of a small hamlet. The serenity of the village will be compromised for all residents.

At the time this was approved 11 years ago, our village was in another place and needed development at any price. Now the potential for significantly added traffic and putting a strain on our already crowded gondola are only some of the problems this development could precipitate.

The developers are asking for a 2-year extension of the Rosewood Plan which was originally approved in 2007 for 3 years, extended again for 3, and finally 5 more until March 18, 2018, by which time they intend to submit the attached site plan or some variant of it. Eleven years is long enough! The fact that Country Club Drive is now a single family neighborhood has to be considered and the mandate of the Town Council and DRB is to safeguard the natural beauty of our town.

We strongly recommend not extending the PUD. The developers should, however, if desired, present a new plan with the needed traffic impact studies and addressing the safety concerns of the district.

Residents and Golf Club Members of Mountain Village Please see the attached list of names objecting so far.

Residents and Telluride Ski and Golf Members agreeing to Objection of Extension

We sent only close friends of the Golf Club, representing about 15%

1. E. .

We will be sending emails to the rest of the membership which will significantly increase the number of objectors

Don Orr and Nancy Orr - 212 Knoll Estates Drive, Telluride, CO 81435

Tom Elrod and Janet Elrod - 106 Prudencio Lane, Telluride, CO 81435

Greg Anisi and Trish Anisi, 721 Pandora, Telluride, CO 81435

John Trudeau and Leslie Trudeau - 108 Singletree Ridge, Telluride, CO 81435

Richard Cornelius and Lynn Cornelius - 54 Timberwoods Drive, Telluride, CO 81435'

Marla Meridith, 568 Country Club Drive, Mountain Village, CO 81435

Shasheen Shah, PO Box 734, Telluride, CO 81435

Jim Lindheim and Jim Tharp, 368 Skunk Creek Rd., Mountain Village, CO 81435

Rock Martell and Barb Martell, 111 San Joaquin Road, #17, Mountain Village, CO 81435

Cheryl Nordstrom, 136 San Joaquin Road #D201, Mountain Village, CO 81435

Bingo Eaton and Lisa Eaton, 104 Told Hill Court, Mountain Village, CO 81435

Howard Savin and Jill Savin, 112 Cabins Lane, Mountain Village, CO 81435

Andy Sheils, 644 West Columbia, Telluride, CO 81435

Diane Zarrilli, 618 Mountain Village Blvd, Mountain Village, CO 81435

Ray DeLong and Mia DeLong, 761 Smuggler Ave., Telluride, CO 81435

Joan Kyle, 130 Kokomo Court, Telluride, CO 81435

Pat Sullivan, 158 Russell Drive, Mountain Village, CO 81435

Marty and Pat McKinley, 176 Adams Ranch Road, Mountain Village, CO 81435

Debbie Madaris, 327 Adams Ranch Road, #703, Mountain Village, CO 81435

Ben Zintak and Pricilla Zintak, 240 North Aspen Street, Telluride, CO 81435

Shari Mitchell, 112 Singletree Ridge, Mountain Village, CO 81435

Comments in the responses we received:

- "This development looks dreadful. I am certainly happy to join your efforts in opposition"
- "You may absolutely use our names as being vehemently opposed to this new development."
- "Happy to support in any way"
- "You have GOT to be kidding me who is trying to do this? add me to OPPOSED"
- "Well done, please add our names."
- "Thanks for bringing this to our attention"
- "Add our names to the objection to the massive development"
- "Yes we would be glad to add our names and keep them from building a monster project right between our homes and the village. I can't believe they are trying to build on the other side of the street on the golf course! Better build a golf ball barrier...thats a hot spot for golf ball hunting. Thanks for informing me"

Residents and Telluride Ski and Golf Members agreeing to Objection of Extension

We sent only close friends of the Golf Club, representing about 15%

We will be sending emails to the rest of the membership which will significantly increase the number of objectors

Don Orr - 212 Knoll Estates Drive, Telluride, CO 81435

Nancy Orr - 212 Knoll Estates Drive, Telluride CO 81435

Tom Elrod 106 Prudencio Lane, Telluride CO 81435

Janet Elrod - 106 Prudencio Lane, Telluride, CO 81435

Greg Anisi, 721 Pandora, Telluride, CO 81435

Trish Anisi, 721 Pandora, Telluride, CO 81435

John Trudeau - 108 Singletree Ridge, Telluride, CO 81435

Leslie Trudeau - 108 Singletree Ridge, Telluride, CO 81435

Richard Comelius- 54 Timberwoods Drive, Telluride, CO 81435

Lynn Cornelius - 54 Timberwoods Drive, Telluride, CO 81435

Maria Meridith, 568 Country Club Drive, Mountain Village, CO 81435

Shasheen Shah, PO Box 734, Telluride, CO 81435

Jlm Lindheim 368 Skunk Creek Rd., Mountain Village, CO 81435

Jim Tharp 368 Skunk Creek Rd., Mountain Village, CO 81435

Rock Martell 111 San Joaquin Road, #17, Mountain Village, CO 81435

Barb Martell 111 San Joaquin Road, #17, Mountain Village, CO 81435

Cheryl Nordstrom, 136 San Joaquin Road #D201, Mountain Village, CO 81435

Bingo Eaton, 104 Gold Hill Court, Mountain Village, CO 81435

Lisa Eaton, 104 Gold Hill Court, Mountain Village, CO 81435

Howard Savin, 112 Cabins Lane, Mountain Village, CO 81435

Jill Savin, 112 Cabins Lane, Mountain Village, CO 81435

Andy Sheils, 644 West Columbia, Telluride, CO 81435

Diane Zarrilli, 618 Mountain Village Blvd, Mountain Village, CO 81435

Ray DeLong, 761 Smuggler Ave., Telluride, CO 81435

Mia DeLong, 761 Smuggler Ave., Telluride, CO 81435

Joan Kyle, 130 Kokomo Court, Telluride, CO 81435

Pat Sullivan, 158 Russell Drive, Mountain Village, CO 81435

Marty McKinley, 176 Adams Ranch Road, Mountain Village, CO 81435

Debbie Madaris, 327 Adams Ranch Road, #703, Mountain Village, CO 81435

Ben Zintak 240 North Aspen Street, Telluride, CO 81435

Pricilla Zintak, 240 North Aspen Street, Telluride, CO 81435

Shari Mitchell, 112 Singletree Ridge, Mountain Village, CO 81435

Michael Antierl, Residence 533, Madeline Hotel, Mountain Village, CO 81435

To the Design Review Board and Mountain Village Town Council

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A. The PUD Extension Requires Critical Scrutiny in Light of Changes to the Area in the Intervening Decade.

The Rosewood PUD (now NorthLight) is anticipated to host as many as 28 buildings, with a total floor square footage of approximately 199,690 feet, and with exemptions to height and setback limitations. Among its buildings is a planned six-story hotel with 75 suites, visible from the valley floor. Its construction would require relocating the historic Boomerang Trail treasured by Mountain Village residents and visitors. This large-scale development would be situated in a wholly residential area well beyond the boundaries of the Mountain Village Core.

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The PUD was last extended in March 2013 in an irregular fashion and with little public input. The extension request, like this one, should have been governed by the Mountain Village Community Development Code (CDC), which went into effect in February 2013. Under the CDC, notice of public hearing before the Design Review Board must be mailed to all surrounding property owners at least 30 days prior to the hearing and publicly posted in accordance with notice details. CDC at §§ 17.4.4(I)(2)(c), 17.4.4(I)(5). However, we have no record of any residents within 400 feet of the PUD being notified of public hearings on the 2013 extension application or having seen posted notice. Moreover, the CDC appears to lack any provision specifically governing PUD "extensions." But Section 17.4.8—which applies to PUDs as class 4 development applications, id. at Table 4-1—limits approved applications to a single six-month renewal. Id. at § 17.4.8(E). Despite this limitation, the Rosewood PUD development agreement was extended for a second time, and for a five-year rather than six-month period.

Now that the PUD is before the Design Review Board and Town Council for yet another extension, we request that the DRB explain why the renewal limitations in the CDC do not apply

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B. The PUD Threatens the Integrity and Safety of the Surrounding Neighborhoods.

When the PUD was first being considered, the Mountain Village was pursuing development at any cost. Now, the costs—economically, aesthetically, socially, and otherwise—attendant to the PUD would be overwhelming for area residents and visitors, and indeed for all those invested in the integrity of the Towns of Mountain Village and Telluride. The CDC was enacted to safeguard the "health, safety and welfare of citizens and visitors," to "[p]reserve open space and protect the environment," to "protect property values within the town," and to safeguard the "natural beauty of the town's surrounding." CDC § 17.1.3. The Rosewood is at odds with these goals.

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The residents of this entire area are committed to ensuring that the Mountain Village remains the beautiful and safe community that drew us here, that its golfers, skiers, visitors, and residents continue to enjoy the unparalleled views and serenity of these mountains. We thank you for your consideration.

Signed,

Doug Hynden Jonathan Harris Kristin Harris Carol Hintermeister John Kritser Sam Sebree Cindy Lange Nancy Kritser **Kevin Horan** John Horn Lisa Sebree Hank Hintermeister Anne Safdi Lisa Rosen Ross Meridith and family Alexander Lange Lisa Boyce Lainie Kritser Kathy Lambrecht Julie Joraanstad Robert Belcher Diana Grubbs Suzanne Mascenik Casey Rosen Leigh Anne Baxter Alan Safdi Melanie Hynden Marvin Girouard Mark Lambrecht

Email consent of all signatures.

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Signed, Additional signatories to be added to the prior letter

Shari Mitchell David C. Aldrich Marilyn T. Aldrich

Email consent for all signatures.

From:

John Kritser

To:

Laila Benitez; Dan Caton; Bruce MacIntire; Dan Jansen; Patrick Berry; Jack Gilbride; Natalie Binder; myclerk; Forward Itrujillo; Forward bbrown; Forward deckman; Forward kbrown; Forward dcraige; Forward pevans;

Forward ggarner; Forward Icaton; Forward jvatter; Michelle Haynes

Subject:

PUD Amendment-Country Club Drive

Date:

Wednesday, December 27, 2017 3:48:37 PM

From: John and Nancy Kritser 12/27/2017

192 Country Club Drive

To: Telluride Town Council and DRB Board

We are John and Nancy Kritser and we reside at 192 Country Club Dr. (Lot 119) which is next door to this planned development. We are writing to you today to express our concerns and forceful opposition to the Rosewood Planned United Development (PUD extension) on and surrounding Country Club Drive. As set forth herein, the Rosewood PUD approval is in violation of multiple procedural requirements contained in the Mountain Village Community Development Code (CDC), which safeguard neighbors' rights to participate in shaping their community and protecting their interests. And it contravenes the purposes of that Code and values of this community by jeopardizing the health, safety and welfare of area residents and visitors as well as the integrity of the built and natural environments.

A. Rosewood PUD Approval Violates the Community Development Code

The Rosewood PUD (Now NorthLight) is anticipated to host as many as 28 buildings with a total Floor Sq. Footage of approximately 199,690 in a wholly residential area well beyond the boundaries of the Mountain Village Core. It also includes plans for a six story hotel with 75 suites, visible from the valley floor and moving the historic Boomerang Trail. We highly object to this as it moves the trail directly next door to our house and the buildings exceed current height and set back requirements. As such, it reflects the priorities and community layout that existed a decade ago, at the time of the Rosewood PUD application's original approval on March 15, 2007. Since then, the community surrounding the PUD has taken shape and the development and environmental priorities of the town have changed dramatically. The Rosewood PUD was nevertheless extended on March 23, 2013 for a five-year period without proper scrutiny. That extension was granted two months after the initial PUD application had expired. And the PUD was granted multiple building code exemptions, including from height limitation and minimum setback requirements.

The 2013 re-approval of the Rosewood PUD appears to have violated multiple procedural requirements set forth in the CDC—requirements that exist to ensure that a development fits the needs and constraints of the area. Section 17.4.4 of the CDC requires that the holder of an expired PUD application "submit a new development application following the requirements of [the] CDC . . . in effect at the time of submittal." CDC § 17.4.4(H)(1). There are no temporal

exceptions to this provision: an application must go through the entire approval process as if submitted for the first time, whether expired for two months or two decades. Yet there is no indication that the Rosewood PUD was treated as a new application in 2013. Instead, it appears to have been fast-tracked for re-approval without the detailed consideration that the CDC requires. Had the Rosewood PUD been subjected to the necessary scrutiny in 2013, it would have been immediately apparent that it is dramatically unsuited to the site.

The CDC guarantees that affected Mountain Village residents are included as integral participants of the planning and approval process. *See, e.g.*, CDC § 17.4.4(I). The Design Review Board is required to hold at least one public hearing prior to taking *any action* on a class 4 development application. *Id.* at § 17.4.3(J). And notice of that hearing must be mailed to all surrounding property owners at least 30 days prior to the initial public hearing, posted in accordance with notice details, and listed on the review authority agenda. *Id.* at §§ 17.4.4(I)(2) (c), 17.4.4(I)(5). We have been unable to locate any indication that a public hearing on the Rosewood re-approval was held in 2013. And no queried Country Club Drive resident received mailed notice or saw posted public notice at the PUD site. Rather, residents have only recently become aware of the PUD extension and its multiple building code exceptions. Should the PUD go forward in blatant contravention of public participatory requirements, the undersigned will not hesitate to exercise their right to appeal with all legal measures at their disposal. *See* 17.4.5(C) (providing that any person entitled to receive public notice has standing to appeal an administrative decision).

B. Rosewood PUD Assaults the Integrity and Safety of the District

When the PUD was first being considered, the Mountain Village was pursuing development at any cost. Now, the costs—economically, aesthetically, socially, and otherwise—attendant to the PUD would be overwhelming for area residents and visitors, and indeed for all those invested in the integrity of the Towns of Mountain Village and Telluride. The CDC was enacted to safeguard the "health, safety and welfare of citizens and visitors," to "[p]reserve open space and protect the environment," to "protect property values within the town," and to safeguard the "natural beauty of the town's surrounding." CDC § 17.1.3. The Rosewood is entirely at odds with these goals.

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number of residences on Country Club Drive west of See Forever and the Peaks. As a dense, multi-unit development, it would be entirely at odds with the character of the surrounding community. Single-family residents have been forced to abide by 35-foot height limitations, maximum lot coverage requirements, and general easement setbacks. These code provisions have created a uniform character along this corridor and minimized developmental impacts. Yet the PUD has been granted exemptions from *all of these* requirements: it would redefine the skyline and extend to the edge of the golf course and the roadway.

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This single roadway cannot support the increased traffic flow that the Rosewood PUD would bring. The road has several severe curves, including a 300 degree turn at its midpoint, which already create line-of-sight problems for drivers and risks for pedestrians. And the extensive bike traffic to and from the two historic trails already creates risks for walkers. The PUD is located too far from the Mountain Village Core to be conducive to regular pedestrian access. As a consequence, this dense multi-family development would contribute hundreds of daily vehicular trips, rendering Country Club Drive essentially unusable for pedestrians and bikers and creating unreasonable liability for the Village. Not only would these impacts jeopardize area livability, safety, property values, and access to the trail system, but they would impede the region's greenhouse gas reduction objectives and the Town's efforts to limit daily vehicular trips and vehicle miles traveled.

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C. Requested Remedies and Future Action

We are committed to ensuring that the Mountain Village remains the beautiful and safe community that drew us here, that its golfers, skiiers, visitors, and residents continue to enjoy the unparalleled views and serenity of these mountains.

We request that the Rosewood PUD be revisited with respect for public hearing and notice requirements. And they ask that a proceeding be opened to consider rezoning the district as single family neighborhood with no exemptions to height limits and setback easements. In the meantime, the undersigned are working with counsel to evaluate CDC violations and will use every means at our disposal to fight the PUD's improper extension and code waivers. We hope that this situation we will resolved amicably through an open administrative process. But we will not hesitate to employ legal means, and court action, if necessary.

Thank you for your consideration.

John and Nancy Kritser 192 Country Club Dr. Telluride, Colo.

ANCHOR MARIEMONT LIMITED PARTNERSHIP

9060 Shawnee Run Road Cincinnati, OH 45243 Phone: (859) 578-2626

December 21, 2017

Mountain Village Design Review Board Mountain Village Town Council 411 Mountain Village Blvd. Mountain Village, CO 81435

VIA E-MAIL [mhaynes@mtnvillage.org] and US MAIL

Re: Extension of PUD; Lots 126R and 152R

Dear Members of the Mountain Village Town Council and the Design Review Board:

Our Limited Partnership owns Lot 143D, one of the single family residences most impacted by the former "Rosewood Project", now known as the "Northlight Project." We recently received notice of the hearing to consider another (third!) extension of this ill-conceived PUD under the guise of creating a new (supposedly reduced) development plan. We strenuously object to the extension of the PUD for this project.

This PUD was granted at a time when the Village was enamored with having a project that provided additional "hot beds" run by an operator of premier hotels. Over the objection of many, this plan was approved. The Rosewood PUD has since been extended twice without complying with the required procedural requirements contained in the CDC.

The design approved and the variances granted ignored the provisions of Section 4-617 (3) of the Land Use Ordinance, which requires that the development "be compatible with the surrounding environment, neighborhood and area relative to ... scale, bulk, building height, buffer zones, character and orientation and shall not unreasonably affect existing land uses ... of the surrounding neighborhood." No where in the core of Mountain Village are there single family homes as close to such a massive project. The standards of LUO Section 4-617(3) cannot be ignored because only a few single family homes are directly affected by the mass and proximity of this project. The interests of the owners of these adjacent single family lots were sacrificed at the time of the approval in order to attract a project that was never financially feasible, the scale and mass of which was and remains wholly inappropriate outside the Mountain Village core. The health and safety of the residents of Country Club Drive (and the entire Mountain Village) would be jeopardized by such a large scale development on County Club Drive.

We bought our home knowing there was multi-family zoning adjacent to us. However, we also believed our rights would be adequately protected during the approval process. The original PUD had a 3 year expiration date for a reason. We implore you to deny this extension, and to reconsider any PUD for these lots *ab initio*.

Sincerely,

ANCHOR MARIEMONT LTD. PARTNERSHIP

Douglas & Hynday

12/29/2017

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The PUD was last extended in March 2013 in an irregular fashion and with little public input. The extension request, like this one, should have been governed by the Mountain Village Community Development Code (CDC), which went into effect in February 2013. Under the CDC, notice of public hearing before the Design Review Board must be mailed to all surrounding property owners at least 30 days prior to the hearing and publicly posted in accordance with notice details. CDC at §§ 17.4.4(I)(2)(c), 17.4.4(I)(5). However, we have no record of any residents within 400 feet of the PUD being notified of public hearings on the 2013 extension application or having seen posted notice. Moreover, the CDC appears to lack any provision specifically governing PUD "extensions." But Section 17.4.8—which applies to PUDs as class 4 development applications, *id.* at Table 4-1—limits approved applications to a single six-month renewal. *Id.* at § 17.4.8(E). Despite this limitation, the Rosewood PUD development agreement was extended for a second time, and for a five-year rather than six-month period.

Now that the PUD is before the Design Review Board and Town Council for yet another extension, we request that the DRB explain why the renewal limitations in the CDC do not apply

and, if they do not, what CDC provision authorizes a "conditional extension" of a PUD development agreement's term. See Northlight Dec. 1, 2017 Letter. Regardless whether such a conditional extension is permitted under the CDC, we request that the DRB consider exercising its discretion to deny the extension request and simply require Northlight to submit a new development application when ready. A new development application could be fully scrutinized to ensure that its plans accord with the safety constraints and character of the neighborhood. And it is difficult to see how the public interest is served by allowing Northlight to extend the term of an outmoded development agreement, which Northlight admittedly intends to substantively modify.

B. The PUD Threatens the Integrity and Safety of the Surrounding Neighborhoods.

When the PUD was first being considered, the Mountain Village was pursuing development at any cost. Now, the costs—economically, aesthetically, socially, and otherwise—attendant to the PUD would be overwhelming for area residents and visitors, and indeed for all those invested in the integrity of the Towns of Mountain Village and Telluride. The CDC was enacted to safeguard the "health, safety and welfare of citizens and visitors," to "[p]reserve open space and protect the environment," to "protect property values within the town," and to safeguard the "natural beauty of the town's surrounding." CDC § 17.1.3. The Rosewood is at odds with these goals.

Community Character: The PUD is slated for construction on a residential street dominated by single family homes. Since the original PUD approval, four single family homes have been constructed on Country Club Drive, another is in initial stages of development, and two duplexes have been approved. This development has already put severe strain on the area, increasing traffic flow on a roadway heavily used by pedestrians, hikers, and bikers, and reducing forest cover on the Mountain Village peripheries.

The Rosewood PUD makes these impacts appear trivial. It would more than double the number of residences on Country Club Drive west of See Forever and the Peaks. As a dense, multi-unit development, it would be entirely at odds with the character of the surrounding community. Single-family residents have been forced to abide by 35-foot height limitations, maximum lot coverage requirements, and general easement setbacks. These code provisions have created a uniform character along this corridor and minimized developmental impacts. Yet the PUD has been granted exemptions from *all of these* requirements: it would redefine the skyline and extend to the edge of the golf course and the roadway.

Traffic and Public Safety: Country Club Drive residents rely on the pedestrian-friendly nature of the road to walk to the Mountain Village gondola station, access the Peaks golf course and other Mountain Village amenities, and access the ski slopes. Country Club Drive and See Forever homeowners have children and grandchildren who regularly traverse the roadway. And hikers and bikers from throughout the region use the road to access the historic Boomerang and Jurassic trails.

This single roadway cannot support the increased traffic flow that the Rosewood PUD would bring. The road has several severe curves, including a 300 degree turn at its midpoint, which already create line-of-sight problems for drivers and risks for pedestrians. It contains no sidewalk, and it is difficult to see how one could be added given property boundaries. The extensive bike traffic to and from the two historic trails already creates risks for walkers. The PUD is located too far from the Mountain Village Core to be conducive to regular pedestrian access. As a consequence, this dense multi-family development would contribute hundreds of daily vehicular trips, rendering Country Club Drive essentially unusable for pedestrians and bikers and creating unreasonable liability for the Village. Not only would these impacts jeopardize area livability, safety, property values, and access to the trail system, but they would impede the region's greenhouse gas reduction objectives and the Town's efforts to limit daily vehicular trips and vehicle miles traveled.

The undersigned have not seen any formal traffic study that evaluates these impacts. We request that a traffic study be undertaken by an appropriately credentialed professional and released for public scrutiny. Residents should be given an opportunity to comment on the study at a public hearing prior to consideration of a PUD extension.

Sightline Rule: Given their location and height exemptions, the Northlight lots would be visible from the Telluride valley floor, in contravention of valley floor sightline standards. The Telluride Town Council and public must be made aware of these effects so that residents and decision-makers can weigh in on the PUD's intrusion of valley floor views and assault to its aesthetic integrity.

Zoning: The current Mountain Village zoning map situates the PUD within a Multi-Family Zone District. This designation should be reconsidered in light of changes to the area since it was enacted. Multi-family development on Country Club Drive is completely at odds with the winding, rural road and surrounding single-family lots. The district should be rezoned for Single-Family use to maintain the integrity and uniformity of the area.

The undersigned support continued development in the Village. Development benefits the regional economy and facilitates access to its natural beauty and world-class amenities. But development needs to be done thoughtfully and systematically, in a way that preserves the unique character of the community and its environment. Telluride and the Mountain Village have an unrivaled advantage over other Colorado ski resorts in their stewardship of the region's environment and historical character. To protect these values, development must be concentrated in the Village Core, close to amenities and the gondola, rather than sprawled across the Village's rural peripheries. Since the original PUD approval, there has been little to no residential development in the Core. This situation is untenable, and the undersigned urge this body to revisit land use maps and designations that impede responsible development of the Village.

The residents of this entire area are committed to ensuring that the Mountain Village remains the beautiful and safe community that drew us here, that its golfers, skiers, visitors, and residents continue to enjoy the unparalleled views and serenity of these mountains. We thank you for your consideration.

Signed,

Doug Hynden
Jonathan Harris
Kristin Harris
Carol Hintermeister
John Kritser
Sam Sebree
Cindy Lange
Nancy Kritser
Kevin Horan
John Horn
Lisa Sebree

Hank Hintermeister

Anne Safdi

Lisa Rosen

Ross Meridith and family

Alexander Lange

Lisa Boyce

Lainie Kritser

Kathy Lambrecht

Julie Joraanstad

Robert Belcher

Diana Grubbs

Suzanne Mascenik

Casey Rosen

Leigh Anne Baxter

Alan Safdi

Melanie Hynden

Marvin Girouard

Mark Lambrecht

Email consent of all signatures.

To the Design Review Board and Mountain Village Town Council

We, the residential owners of Country Club Drive and See Forever Village, write to express our serious concerns with the Rosewood Planned United Development (PUD) extension. Initially approved eleven years ago, the PUD approval has already been extended multiple times with little community participation and public discourse. The PUD no longer comports with the character of the single-family residential neighborhood that has emerged in the intervening decade. With the potential to bring hundreds of guests and heavy traffic flow to a narrow, winding residential street, the PUD would jeopardize the health, safety and welfare of area residents and visitors. As a large-scale development visible from the Telluride valley floor, the PUD would assault the integrity of the built and natural environments.

A. The PUD Extension Requires Critical Scrutiny in Light of Changes to the Area in the Intervening Decade.

The Rosewood PUD (now NorthLight) is anticipated to host as many as 28 buildings, with a total floor square footage of approximately 199,690 feet, and with exemptions to height and setback limitations. Among its buildings is a planned six-story hotel with 75 suites, visible from the valley floor. Its construction would require relocating the historic Boomerang Trail treasured by Mountain Village residents and visitors. This large-scale development would be situated in a wholly residential area well beyond the boundaries of the Mountain Village Core.

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The residents of this entire area are committed to ensuring that the Mountain Village remains the beautiful and safe community that drew us here, that its golfers, skiers, visitors, and residents continue to enjoy the unparalleled views and serenity of these mountains. We thank you for your consideration.

Signed, Additional signatories to be added to the prior letter

Shari Mitchell David C. Aldrich Marilyn T. Aldrich

Email consent for all signatures.



Herman M. Klemick hmklemick@klemickandgampel.com Ross Bennett Gampel rbgampel@klemickandgampel.com Christopher G. Klemick cklemick@klemickandgampel.com

December 19, 2017

1953 S.W. 27th Avenue Miami, Florida 33145

Phone: (305) 856-4577 Fax: (305) 859-9708

www.klemickandgampel.com

All Members of DRB

Re: Opposition to Lot A101 Project On Agenda for January 3, 2018

Dear Board Members:

Diane and I own a townhouse in Aspen Ridge which faces directly North. We also are very active golfers (I play every day and am on the Telluride Golf and Ski Green Committee).

The proposed development of lot A101 will SEVERELY impede our beautiful view of the Northern Peaks. It will also negatively impact the beauty and playability of the first hole of our magnificent golf course. The buildings which would be directly on hole one also will present a severe SAFETY RISK to those residents because of errant shots hit to the right. Approximately 70% of all golfers slice the ball which will make all of these residences in direct danger.

As a member of the Green Committee it is my understanding that the Telluride Golf and Ski Company want to market a golf school for Telluride. The encroachment of the residences into the first tee and fairway will have a negative impact on this future plan.

Finally, the high density of this project will negatively impact traffic in the core, the noise and dirt/dust factor will be a nightmare for Diane and I, the other residents and existing hotels in the core for years. It is not in keeping with the nature of our community and Diane and I strongly object to the project and ask the DRB to deny the proposed design.

(~

Very truly yours,

HERMAN M. KLEMICK and

DIANE KLEMICK

Dear Mountain Village Neighbors

I would like to bring your attention to the proposed development along Country Club Drive which will permanently ruin the nature of our golf course, create a serious traffic hazard which will result in extreme danger to our residents, guests and visitors as commercial vehicles navigate 2 hairpin turns.

The proposed plan is for the property formerly known as Rosewood and now referred to as Northlight. The plan is for 28 buildings to be built along Country Club Drive. Thirteen of these buildings will be along the right side of the 1st hole of the golf course and will feature a large multi-family residence directly next to the tee boxes on the 1st hole. On the attached Architectural Site Plan, the Tee boxes are directly next to the large building marked M1. Hole 1 goes along the bottom of the plan from right to left.

If you are willing to help us fight this, please mail your name and physical address to Henry Hintermeister at hubble.com giving us permission to use your information or if you prefer you can contact the town council and development review board yourselves, within the next two weeks.

Also please feel free to send this to anyone you feel has not been made aware of this proposal.

Thank you, Henry Hintermeister



Jane Marinoff

From: Michelle Haynes

Sent: Thursday, January 04, 2018 12:31 PM

To: Jane Marinoff

Subject: Fwd: DRB Hearing Jan.4 - Rosewood / Northlight PUD Extension

Sent from my iPhone

Begin forwarded message:

From: "Solomon, Stefanie" < ssolomon@tellurideskiresort.com >

Date: January 4, 2018 at 11:58:31 AM MST

To: "mhaynes@mtnvillage.org" <mhaynes@mtnvillage.org>

Subject: Fwd: DRB Hearing Jan.4 - Rosewood / Northlight PUD Extension

Sorry sent to your old telluride address. Stefanie

Sent from my iPhone

Begin forwarded message:

From: "Solomon, Stefanie"

<ssolomon@tellurideskiresort.com</p>

Date: January 4, 2018 at 9:02:24 AM MST

To: "'mhaynes@telluride-co.gov<mailto:mhaynes@telluride-co.gov>" <mhaynes@telluride-

co.gov<mailto:mhaynes@telluride-co.gov>>, Jim Mahoney

<jmahoney@jdreedlaw.com<mailto:jmahoney@jdreedlaw.com>>

Cc: "Jensen, Bill"

bjensen@tellurideskiresort.com<mailto:bjensen@tellurideskiresort.com<>>

Subject: DRB Hearing Jan.4 - Rosewood / Northlight PUD Extension

Michelle:

The purpose of this e-mail is to inform the Town that TSG Ski & Golf supports the Applicant's request for a conditional extension of the current Rosewood PUD and associated Town approvals. TSG believes an extension is appropriate to allow the Applicant additional time to create and apply for a new development plan for the property. TSG is not endorsing any specific development plan at this time. If the conditional extension is approved, the Applicant has represented to TSG that it will meet with TSG shortly thereafter to explain details of their new proposed development plan, and we will all have an opportunity to provide comments and feedback to the new development plan at a later time.

We understand some neighbors have concerns about the current mass and scale of the potential development. We encourage the developer to work cooperatively with the neighbors to seek their input, and we further support the developer in accomplishing a development plan that is in best interests of the Mountain Village community as a whole.

Thank you. Stefanie

Stefanie C. Solomon, Corporate Counsel

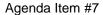
TSG Ski & Golf, LLC 565 Mountain Village Blvd Mountain Village, CO 81435

Direct: (970) 728-7318

E-mail: ssolomon@tellurideskiresort.com

[cid:image001.jpg@01CF8C64.69B91830]

CONFIDENTIALITY NOTICE: Unless otherwise indicated or obvious from the nature of this email, the information contained in this email message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender. Thank you.





PLANNING & DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISON

455 Mountain Village Blvd. Mountain Village, CO 81435 (970) 728-1392

TO: Design Review Board

FROM: Dave Bangert, Senior Planner

FOR: Meeting of January 4, 2018

DATE: December 20, 2017

RE: Initial Architecture and Site Review application for a new single-family dwelling on

Lot 416A

PROJECT GEOGRAPHY

Application Overview: The purpose of this agenda item is to allow the Design Review Board (DRB) to provide initial direction to the applicant regarding a proposed new single-family home.

Legal Description: Lot 416A

Address: 206 Wilson Peak Drive

Applicant/Agent: Alpine Planning/Tommy Hein Architects

Owner: Teresa Carr

Zoning: Single-Family Zone District

Existing Use: Vacant Lot
Proposed Use: Single-Family
Lot Size: 1.387 acres

Adjacent Land Uses:

North: Open Space
 South: Single-Family
 East: Single-Family
 West: Single-Family

ATTACHMENTS

Exhibit A: NarrativeExhibit B: Plan Set

BACKGROUND

The applicant has submitted an application in accordance with the provisions of Section 17.4.6 of the Community Development Code (CDC) for a conceptual work session with the Design Review Board. The proposed project consists of a 640-square foot two car garage and a 6,162-square foot single-family home located on lot 416A. This first step of our two-step process will be initial architectural and site review.

PROJECT SUMMARY

CDC Provision	Requirement	Proposed	
Maximum Building Height	35' maximum (35'+5' for gable roof)	34.5'	
Maximum Avg Building Height	30' maximum (30'+5' for gable roof)	24.25'	
Maximum Lot Coverage	40% maximum	10.4%	
General Easement Setbacks			
North	16' setback from lot line	265' to GE	
South	16' setback from lot line	8' to GE	
East	16' setback from lot line	2' to GE	
West	16' setback from lot line	12' to GE	
Roof Pitch			
Primary			
Secondary			
Exterior Material			
Stone	35% minimum	37.8%	
Wood	25% (No requirement)	4.3%	
Windows/Doors	40% maximum for windows	25.5%	
Metal Accents		8.5%	
Copper siding/fascia	Specific approval	9.3%	
Plaster	Specific approval	14.9%	
Parking	2 enclosed and 2 non-tandem	2 enclosed and 2 exterior	

17.3.12.C BUILDING HEIGHT LIMITS

The average height for the proposed designed is compliant at 24.25'. The north elevation indicates the Maximum Building Height at 34.5' feet from the highest eave to the existing grade.

When a proposed development is approved that is five (5) feet or less from the maximum building height or maximum average building height, the review authority approval shall include a condition that 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. This shall be done prior to the Building Division conducting the required framing inspection.

17.5.5 BUILDING SITING DESIGN

Lot 416A is a larger size lot (1.387 acre) that slopes from the southeast portion downward to the northeast corner. There is a mix of aspens and spruce/fir on the lot. There areas of the lot that have slopes in excess of 30%. The disturbance to the steep slopes has been minimized with the proposed home located in the flatter areas of the lot. There no proposed building encroachments into the General Easements however there will be grading in the GE's, address monument and a portion of a retaining wall. There are foundation walls that are within 5' of GE. This will require a footer survey prior to pouring concrete to ensure there is no encroachments in to the General Easement area. There is an existing recorded ski access easement on adjacent lot 416B for the benefit of lot 416A. The applicant has indicated that they will submit a Class 5 application for the ski access easement across the lot 416B general easements to Town Council for review as required by CDC Section 17.3.14(L).

17.5.6 BUILDING DESIGN

Building Form and Exterior Wall Form

In accordance with the Community Development Code, the proposed building form and exterior wall form portray a mass that is thick and strong, with a heavy, thick grounded foundation.

Roof Forms, Design and Materials

The CDC states that the roof shall be a composition of multiple forms that emphasize sloped planes, varied ridgelines and vertical offsets. The primary roof forms for the residence are two low pitch (1:12) shed roofs. The secondary roof over the garage and mechanical room is proposed to be flat. The proposed roofing material will be copper standing seam. This will require specific approval from the DRB for use of copper roofing.

Exterior Wall Materials

The exterior walls consist of 37.8% stone veneer (grey limestone) dry stacked; 4.4 % timber elements; 25.5% fenestration (dark bronze metal clad); 8.5% painted steel panels, painted steel beams and columns, steel grate and steel railings; 9.3% copper panel siding and fascia and 14.9% exterior plaster. Stone and fenestration percentages are fine and meet the code however the DRB will need to grant specific approvals for the use of copper panel siding and exterior plaster. With low amount of exterior wood and alternative exterior materials this project deviates from what is normally found on a typical Mountain Village home. The Board will need to determine if this use of alternative exterior materials meets the Town's Design Theme.

17.5.7 GRADING AND DRAINAGE PLAN

The applicant has provided a grading and drainage plan prepared by Uncompanding Engineering, LLC for the proposed development. Positive drainage away from the structures has been provided with all disturbed areas and to have final grades of 3:1 or flatter.

17.5.8 PARKING REGULATIONS

There are 2 enclosed parking spaces and 2 exterior spaces proposed. All parking spaces are completely located within the property boundaries. There is a proposed retaining wall along the east side of the driveway that will vary in height 2' to 10' at the auto court to protect existing trees on the lot. This retaining wall has proposed shows no stepping and will require specific approval from the DRB. The applicant has indicated that there will be snowmelt in the auto court. Total square footage of snowmelt is 2002.4 square feet. This will require an energy offset for the square footage of snowmelt above 1000 SQ FT.

17.5.9 LANDSCAPING REGULATIONS

A complete landscape and irrigation plan has not been included for the initial architectural review. The landscaping will be addressed at the final review of the project.

17.5.11 UTILITIES

All shallow utilities are proposed to be run from Wilson Peak Drive. The water line will come in from the west of the driveway with gas and electric coming from the southeastern corner of the lot. Sanitary sewer will tie in to the existing sewer line to the north. Public Works requests that all utilities be field located by the contractor prior to construction.

17.5.12 LIGHTING REGULATIONS

No exterior lighting plan has been submitted for this initial review. The DRB will review the exterior lighting at the final review.

17.5.13.E.4 ADDRESS IDENTIFICATION SIGNS

No address monument design has been submitted for this initial review. It is proposed to go in the southern General Easement and will require a General Easement Encroachment Agreement between the Owner and the Town of Mountain Village.

17.6.6.B. DRIVEWAY STANDARDS

The driveway design meets the standards of the CDC. The drive width is 14' of asphalt with 2' shoulders, one of which will be a v-pan adjacent the retaining wall. The first 20' of the drive is at 2.40% grade and the auto court area has a maximum grade of 2.27%.

17.6.8 SOLID FUEL BURNING DEVICE REGULATIONS

The applicant has indicated the fireplace will be a gas.

17.7.19 CONSTRUCTION MITIGATION

No construction staging plan has been submitted for the initial architectural review. Construction Mitigation will be reviewed at the final design review.

PROPOSED VARIATIONS AND SPECIFIC APPROVALS

- Grading, address monument and retaining walls in the General Easements
- Specific approval to allow retaining over five feet in height without stepping
- Use of copper standing seam roofing
- Use of copper panel siding
- Use of plaster for exterior finish

RECOMMENDATION

Staff recommends the DRB approve the Initial Architecture Site Review application with the stated variations and specific approvals for Lot 416A with the following conditions which shall be addressed before Final Review hearing unless otherwise noted:

- 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. This condition shall be carried over to any Final Review Approval as it is a construction condition.
- 2. A monumented land survey of the footers will be provided prior to pouring concrete to determine there are no additional encroachments into the GE. This condition shall be carried over to any Final Review Approval as it is a construction condition.

Carr Residence Initial Architecture and Site Review





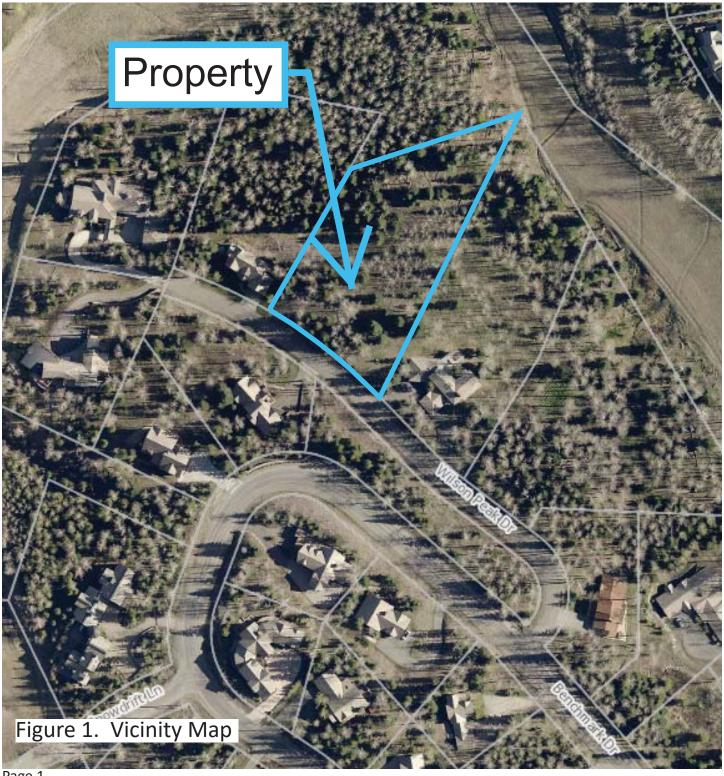




BACKGROUND

Teresa Carr is the owner of Lot 416-A located at 206 Wilson Peak Drive ("**Property**"). Mrs. Carr owns the house across the street and will be selling it after she moves into the proposed house. Mrs. Carr is looking to construct a new, modern designed home consistent with the updated design guidelines.

The Property is vacant and is partially covered with an aspens and spruce/firs (Figure 1). There is an existing berm and trees that screen the lot from the street with natural benches stepping down the site. The Property slopes from south to the north with the northern property corner at the lower elevations abutting the Bridges Ski Trail. The Property contains some areas with slopes that are 30 percent or greater as shown in Figure 2.



Page 1

Lot 416-A is one of the last two vacant lots on Wilson Peak Drive with homes built on either side of the Property. Ski access is proposed through the adjoining Lot 416-B through a ski easement, with a ski out trail planned to be constructed as shown on Sheet A1.1.

Project Geography

Geography and Zoning Requirements		
	Existing/Requirement	Proposed
Legal Description	Lot 416-A	No Change
Address	206 Wilson Peak Drive	No Change
Lot Size	1.386 acres (60,374.16 sq. ft.)	No Change
Floor Area (Gross)	No Floor Area Requirement	6,802.4 sq. ft.
Zone District	Single-family Zone District	No Change
Maximum Building Height	35 feet + 5 feet	34.5'
Average Building Height	30 feet	24.25'
Lot Coverage	30%	10.5% (6,313.5 sq. ft.)
Setbacks		
Front - South	16 Feet	24'-2"
Side - East	16 Feet	23'-3"
Rear - North	16 Feet	225'-5"
Side - West	16 Feet	32'-9"
Parking	2 enclosed spaces + 2 unenclosed	2 garage + 2 surface

Steep Slopes

The Property contains steep slopes that are 30% or greater as shown in Figure 2. Section 17.6.1(C)(2)(a) of the Community Development Code CDC states that:

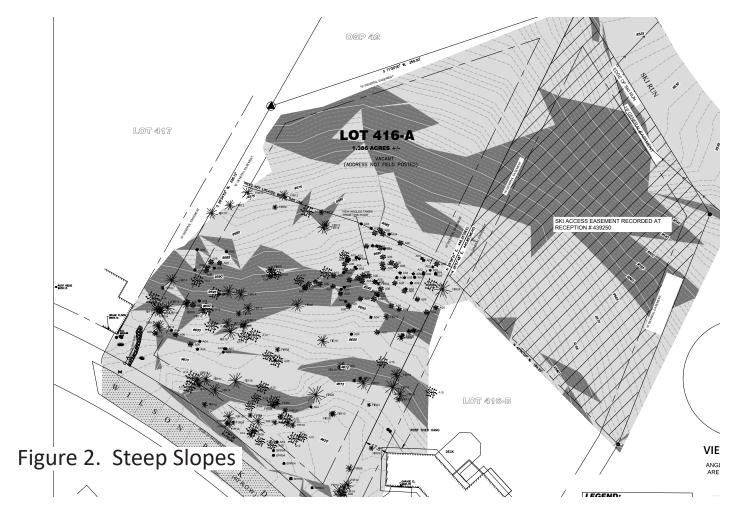
"Building and development shall be located off slopes that are thirty percent (30%) or greater to the extent practical.

i. In evaluating practicable alternatives, the Town recognizes that is may be necessary to permit disturbance of slopes that are 30% or greater on a lot to allow access to key viewsheds, avoid other environmental issues, buffer development and similar site-specific design considerations."

The disturbance to the steep slopes has been minimized and is necessary to allow for the reasonable use of the property, with the proposed home located in the flatter areas of the site and next to the Wilson Peak Drive access. Moving the home further down the site would disturb more area of the site and increase disturbance in steep sloped areas. A Colorado PE has designed the civil plans for the development of the Property.

General Easement

The site plan is proposing grading in the general easement for the address monument, driveway, utilities, ski-out access and for limited layback during construction as shown on the site plan. The layback areas will be revegetated in a natural state after construction. Only tree removal is proposed at this time for the ski-out trail. All of these activities are listed by the CDC as a permitted use in the general easement. A class 5 application for the ski out easement across the Lot 416-B general easement will be submitted to the Town Council for review as required by CDC Section 17.3.14(L).



Design

The design responds to the site's natural features by sweeping the drive in from the west along the topography and around the existing berm and vegetation. This allows for the home to be buffered from the traffic on Wilson Peak Drive and gives the appearance of a single story structure from public right of way.

There is a natural ridge on the eastern portion of the lot that is the obvious location for the living spaces. The main home spaces are rotated toward Dallas Peak, which also allows the rooms to gather morning light. The design also provides a south facing terrace for year-round use that is screened the road with a guest suite forming a private courtyard. A sunset porch to the west captures panoramic views and afternoon sun, and the master suite is located further west and steps back along the natural grade. The main roof forms follow the slope of the natural land and terminate with the vertical stone chimney element of the great room.

Materials are all natural and respond to the specific function of the architecture. The roof is copper with wrapped generous eaves for effective snow shedding and low maintenance. The stone is focused along the base for snow protection, with a strong vertical element in the fireplace. Exterior plaster is also used at the base and on certain complimentary elements. The most dramatic elements are the vertical timber screens, that emulate the trees of the surrounding forest and provide a rustic balance to the metal and glass surfaces. The window grid is in-filled with glass or painted steel panels, depending on the space beyond.

The proposed home is designed with the following exterior materials:

- Stone (37.8%) Grey Limestone
- Timber (4.3%)

- Metal (8.5%) W2 Steel Panel
- Copper Panel Siding/Fascia (9.%)
- Plaster (14.9%)
- Glass (25.5%)
- Patina Copper, Non-Reflective (9%)

Exterior materials are shown on Sheet A3.0 and the material palette is shown on Sheet A3.3 of the attached plan set. We believe that plaster siding can be considered by the DRB as a specific approval because it is a sustainable, green building material. The proposed roof design provides "a composition of multiple forms that emphasize sloped planes, varied ridgelines and vertical offsets" as required by the Design Regulations.

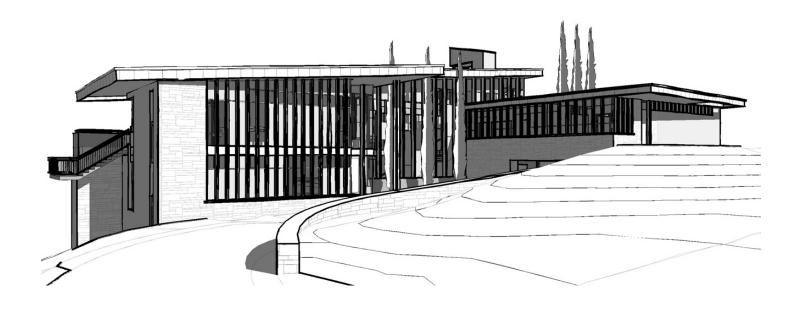


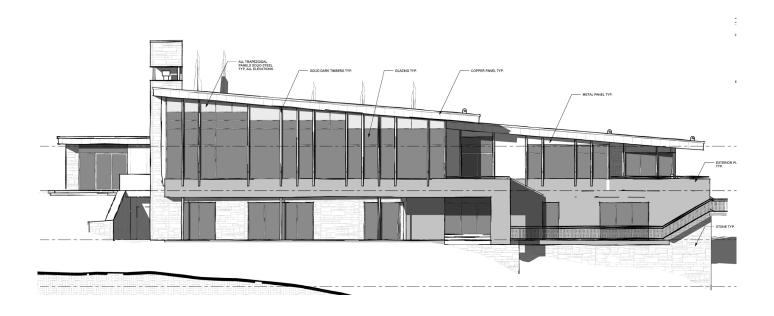
















LOT COVERAGE & FLOOR AREA CALCULATIONS		
STANDARDS	ALLOWED	PROPOSED
LOT COVERAGE		
GROSS LOT AREA (S.F. AND ACREAGE)	< 30% LOT COVERAGE	1.386 ACRES= 60,374 s.f. LOT COVERAGE= 6,313.47 s.f. COVERAGE %= 10.4%
LOT COVERAGE	< 30%	(10.4% IS 19.6% BELOW THE ALLOWABLE 30%)
FLOOR AREA CALCULATIONS		
		SEE SHEET A1.7 FOR ALL AREA CALCULATIONS
MISC REQUIREMENTS		
BUILDING SETBACKS BUILDING HEIGHT	16'	N=225'-5" S=24'-2" E=23'-3" W=32'-9"
- MAXIMUM - AVERAGE NUMBER OF UNITS BY TYPE PARKING SPACES	- 35' - 30' - 1 RESIDENTIAL	- 34'-6" +/- - 24.25' +/- - 1 RESIDENTIAL
-ENCLOSED -SURFACE SNOWMELT AREA	- 2 ENCLOSED - 2 SURFACE - 1000 S.F.	- 2 ENCLOSED - 2 SURFACE - 1999.42 S.F.
EXTERIOR MATERIALS	- SEE A3.3	- SEE A3.3

CODE SUMMARY

ZONING -SINGLE FAMILY RESIDENTIAL BUILDING CODE -IRC-2013 DESCRIPTION -2.0 STORY

OCCUPANCY CLASSIFICATION -IRC 1&2 AUTOMATIC FIRE SPRINKLERS -NFPA 13D- SPRINKLERED GREATER THAN 3,600 S.F. FIRE RESISTIVE RATING -N.A. **EXIT ENCLOSURE RATING -N.A. ELEVATOR SHAFT -N.A.**

GENERAL NOTES

CONTRACT DOCUMENTS

CONTRACT DOCUMENTS CONSIST OF THE AGREEMENT, GENERAL CONDITIONS, SPECIFICATIONS AND DRAWINGS, WHICH ARE COOPERATIVE AND CONTINUOUS. WORK INDICATED OR REASONABLY IMPLIED IN ANY ONE OF THE DOCUMENTS SHALL BE SUPPLIED AS THOUGH FULLY COVERED IN ALL. ANY DISCREPANCIES BETWEEN THE PARTS SHALL BE REPORTED TO THE ARCHITECT PRIOR TO COMMENCEMENT OF WORK. THESE DRAWINGS ARE PART OF THE CONTRACT DOCUMENTS FOR THIS PROJECT. THESE DRAWINGS ARE THE GRAPHIC ILLUSTRATION OF THE WORK TO BE ACCOMPLISHED

ORGANIZATION

THE DRAWINGS FOLLOW A LOGICAL, INTERDISCIPLINARY FORMAT: LANDSCAPE DRAWINGS (L SHEETS) ARCHITECTURAL DRAWINGS (A SHEETS) INTERIOR DRAWINGS (I SHEETS) STRUCTURAL DRAWINGS (S SHEETS) MECHANICAL DRAWINGS (M SHEETS) ELECTRICAL (E SHEETS) AUDIOVISUAL DRAWINGS (LV SHEETS) LIGHTING DRAWINGS (LP SHEETS)

CODE COMPLIANCE

ALL WORK, MATERIALS AND ASSEMBLIES SHALL COMPLY WITH APPLICABLE STATE AND LOCAL CODES, ORDINANCES AND REGULATIONS. THE CONTRACTOR, SUBCONTRACTORS AND JOURNEYMEN OF THE APPROPRIATE TRADES SHALL PERFORM WORK TO THE HIGHEST STANDARDS OF CRAFTSMANSHIP AND IN ACCORDANCE WITH AIA DOCUMENT A201-SECTION 3

REGULATORY COMPLIANCE

THE CONTRACTOR SHALL ENSURE THAT THE WORK AND CONSTRUCTION ADMINISTRATION PROCESSES COMPLY WITH ALL APPLICABLE GOVERNMENTAL AND PRIVATE REGULATIONS, INCLUDING BUT NOT LIMITED TO THE TOWN OF TELLURIDE LAND USE CODE (LUC), DESIGN GUIDELINES, HISTORIC AND ARCHITECTURAL REVIEW COMMISSION (HARC) CONDITIONS, CERTIFICATES OF APPROPRIATENESS (CAs) AND IMPACT STATEMENTS; THE TOWN OF MOUNTAIN VILLAGE COMMUNITY DEVELOPMENT CODE (CDC) AND DESIGN REVIEW BOARD (DRB) CONDITIONS; SAN MIGUEL COUNTY BUILDING REGULATIONS; AND ALL COVENANTS, CONDITIONS & RESTRICTIONS, DECLARATIONS, ARCHITECTURAL GUIDELINES AND RULES AND REGULATIONS ESTABLISHED BY ANY PRIVATE OWNERS ASSOCIATIONS THAT **GOVERN THE PROJECT SITE**

INTENT

THESE DOCUMENTS ARE INTENDED TO INCLUDE ALL LABOR, MATERIALS, EQUIPMENT AND SERVICES REQUIRED TO COMPLETE THE WORK DESCRIBED HEREIN

COORDINATION

THE CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE THE DOCUMENTS, VERIFY THE ACTUAL CONDITIONS AND REPORT ANY DISCREPANCIES, ERRORS, OR OMMISIONS OF THE ARCHITECT IN A TIMELY MANNER. THE ARCHITECT SHALL CLARIFY OR PROVIDE REASONABLE ADDITIONAL INFORMATION REQUIRED FOR SUCCESSFUL EXECUTION. THE CONTRACTOR SHALL VERIFY AND COORDINATE ALL OPENINGS THROUGH FLOORS, CEILINGS AND WALLS WITH ALL ARCHITECTURAL, INTERIOR, STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, AUDIO/VISUAL AND LIGHTING



Sheet Name Sht# A1.0 COVER CONTEXT SITE PLAN A1.2 SITE & LANDSCAPE PLAN A1.3 TREE REMOVAL PLAN A1.4 SITE PHOTOS A1.7 FLOOR AREA CALCULATIONS A1.9 BUILDING HEIGHT COMPLIANCE ANALYSIS A2.0 FLOOR PLANS - FULL A3.0 EXTERIOR MATERIAL CALCULATIONS MATERIAL PALLETE **EXTERIOR PERSPECTIVES EXTERIOR ELEVATIONS** EXTERIOR ELEVATIONS **BUILDING SECTIONS BUILDING SECTIONS** A4.3 GRADING AND DRAINAGE PLAN C2 UTILITY PLAN

СЗ

CIVIL SURVEY

Sheet List







PROJECT TEAM

OWNER:

TERESA CARR c/o TOMMY HEIN ARCHITECTS

ARCHITECT:

TOMMY HEIN ARCHITECTS TOMMY HEIN 108 S. OAK ST- P.O. BOX 3327 TELLURIDE, CO 81435 p. 970.728.1220 f. 970.728.1294 TOMMY@TOMMYHEIN.COM

PROJECT PLANNER:

ALPINE PLANNING, LLC CHRIS HAWKINS P.O. BOX 654 RIDGWAY, CO 81432 p. 970.964.7927 CHRIS@ALPINEPLANNINGLLC.COM

CONTRACTOR:

KOENIG CONSTRUCTION SERVICES INC TELLURIDE, CO 81435 p. 970.7290230

INFO@KOENIGCONSTRUCTIONSERVICES.CO

INTERIORS:

VIVID INTERIOR DESIGN DANIELLE LOVEN 226 CEDAR LAKE RD SOUTH MINNEAPOLIS, MN 55405 p. 612.874.3282 DANIELLE@VIVIDINTERIORDESIGN.COM

LANDSCAPE:

UNCOMPAHGRE ENGINEERING, LLC DAVID BALLODE, P.E. P.O. BOX 3945 TELLURIDE, CO 81435 970.729.0683 DBALLODE@MSN.COM

STRUCTURAL:

COLORADO STRUCTURAL MIKE ARBANEY 315 BELLEVUE. SUITE 2B P.O. BOX 2544 CRESTED BUTTE, CO 81224 970.349.5922 MIKE@COLORADOSTRUCTURAL.COM

MECHANICAL, ELECTRICAL, **PLUMBING**:

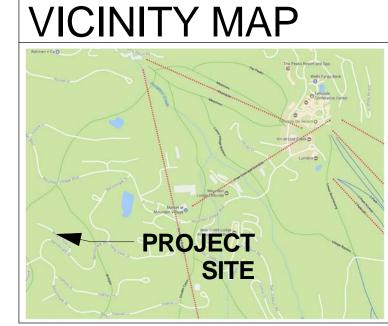
HUGHES CONSULTING ENGINEERING DIMITRI MERRILL 220 W. COLORADO AVE. TELLURIDE, CO 81435 p. 970.239.1949 DIMITRI@HCE-PA.COM

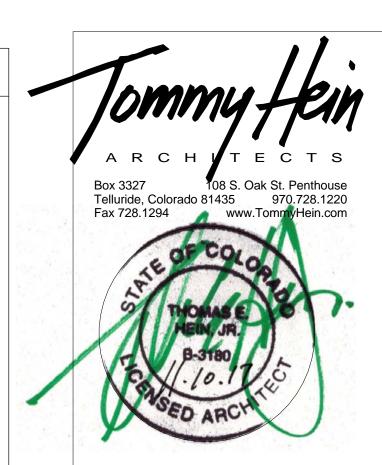
LIGHTING:

ROBERT SINGER & ASSOCIATES INC. **ROBERT SINGER** P.O. BOX 8929 **ASPEN, CO 81621** p.970.963.5692 f.970.963.5684 RSINGER@ROBERTSINGERLIGHTING.COM

SURVEYOR:

SAN JUAN SURVEYING CHRISTOPHER KENNEDY 102 SOCIETY DR TELLURIDE, CO 81435 p.970.728.1128 f.970.728.9201 OFFICE@SANJUANSURVEYING.NET





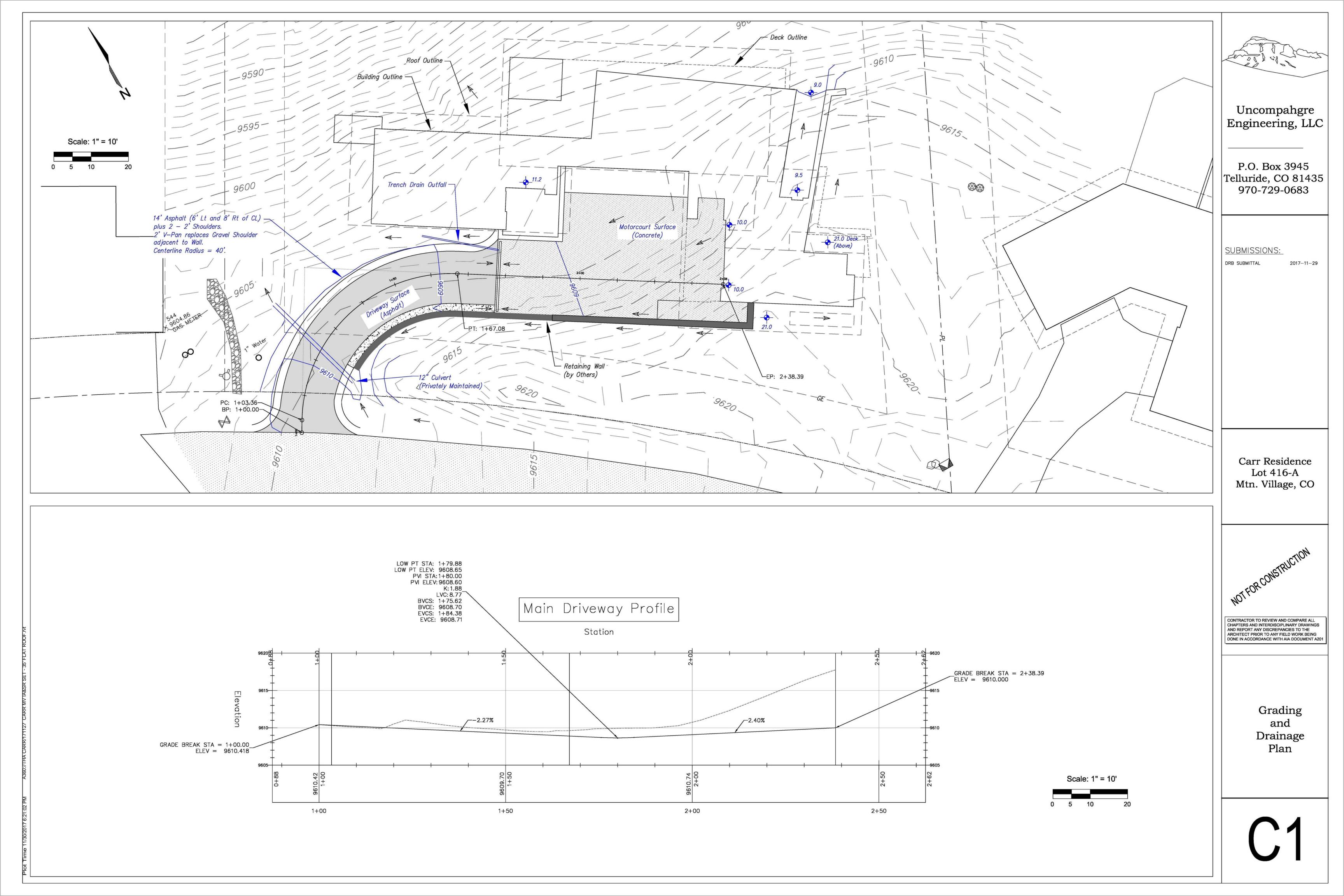
Submissions

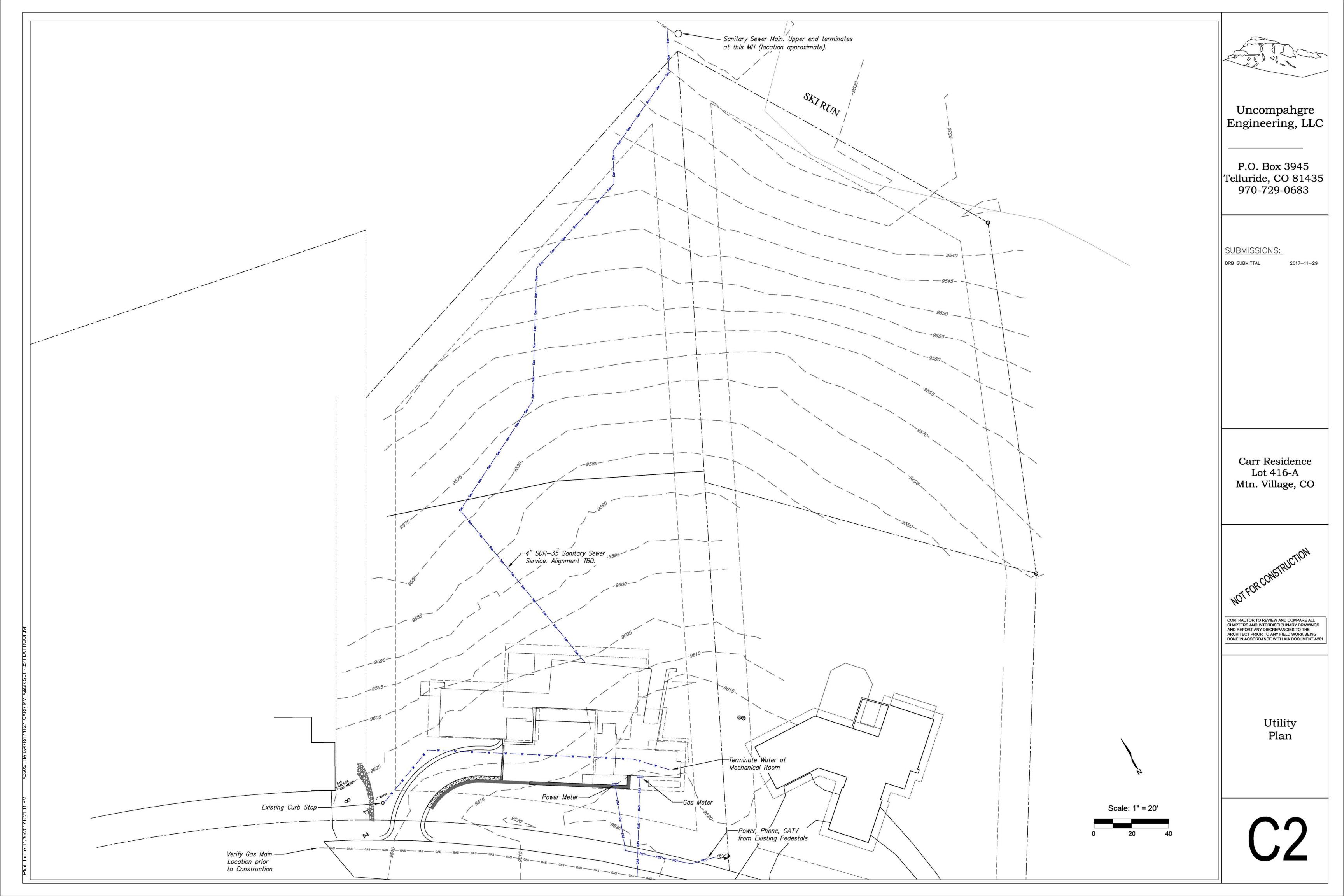
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Floor Plans	09-08-
Floor Plans & Elevations	09-11-
Plans & Elev's C3a & C3b	09-12-
Plans & Elev's C3a & C3b	09-15-
Plans & Elev's C3a,C3b,C3c	09-15-
Plans & Elev's C3d & C3e	09-20-
Plans & Elev's C3e Only	09-20-
Scheme C3g	09-21-
Scheme C3g Flat + Slope	09-25-
In-house Review	10-18-
In-house Review	10-20-
75% DD Set In-house Review	11-06-
MV DRB 1 / Owner	11-30-

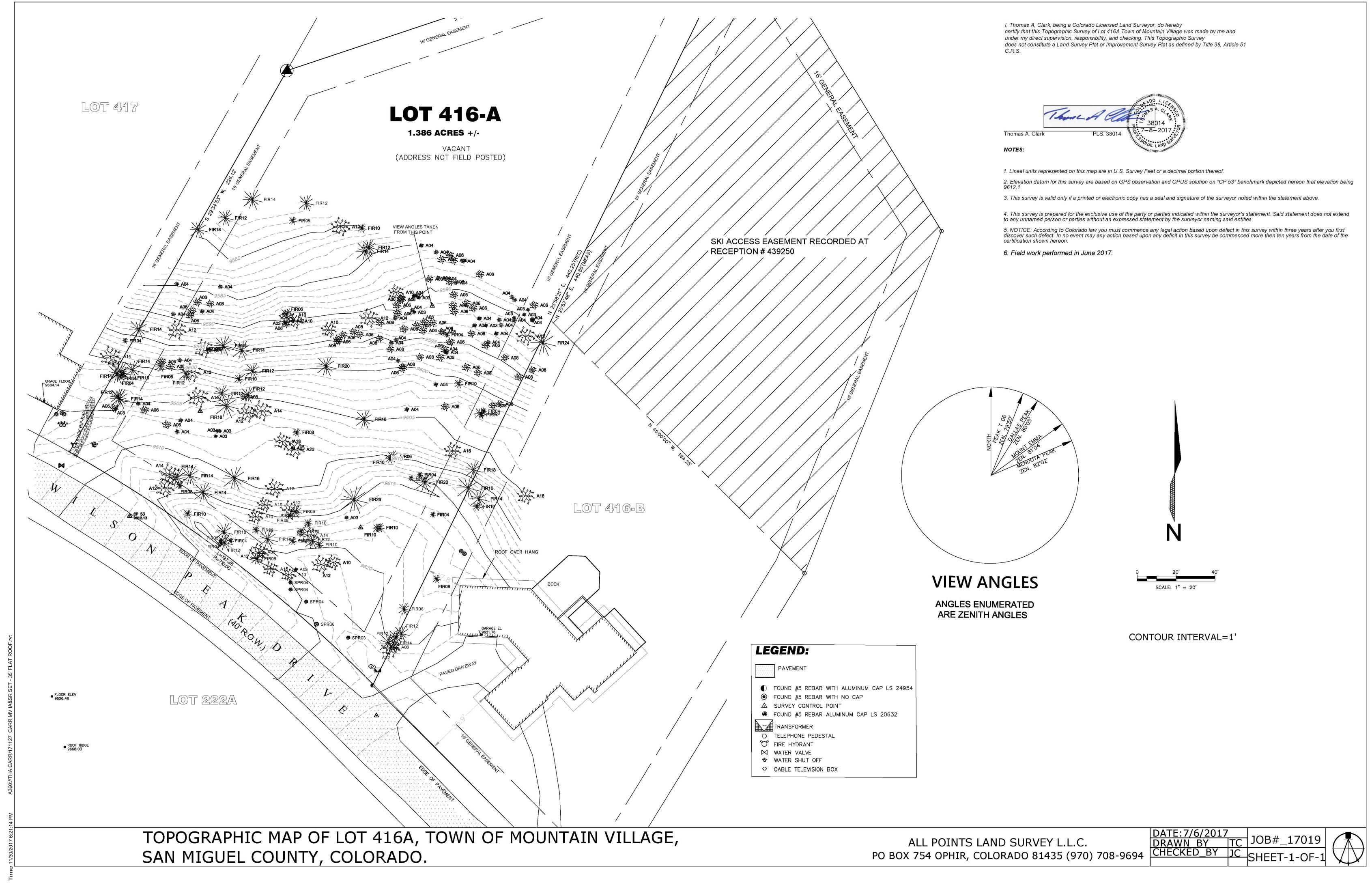
LOT 416-A MOUNTAIN VILLAGE COLORADO

COVER

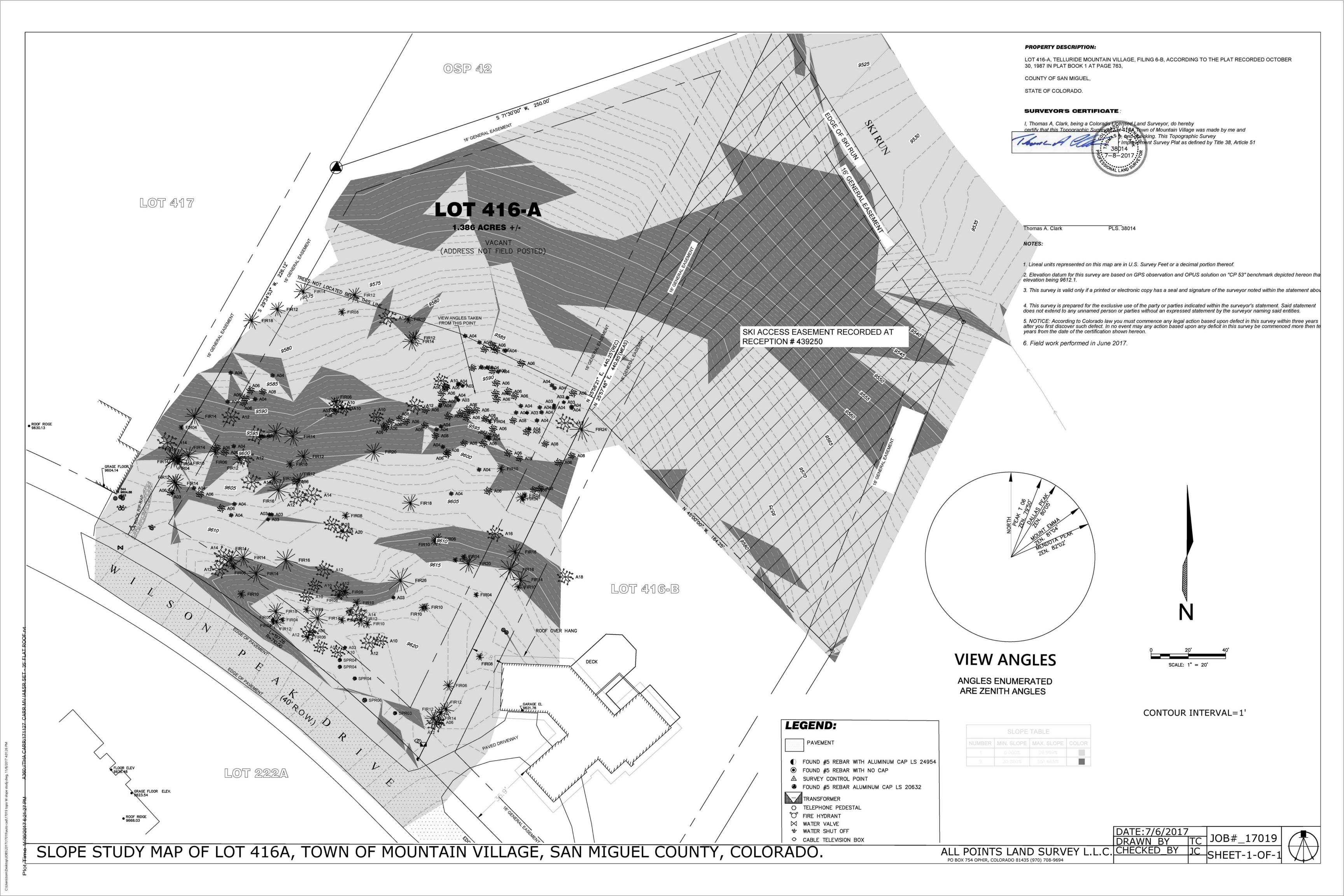
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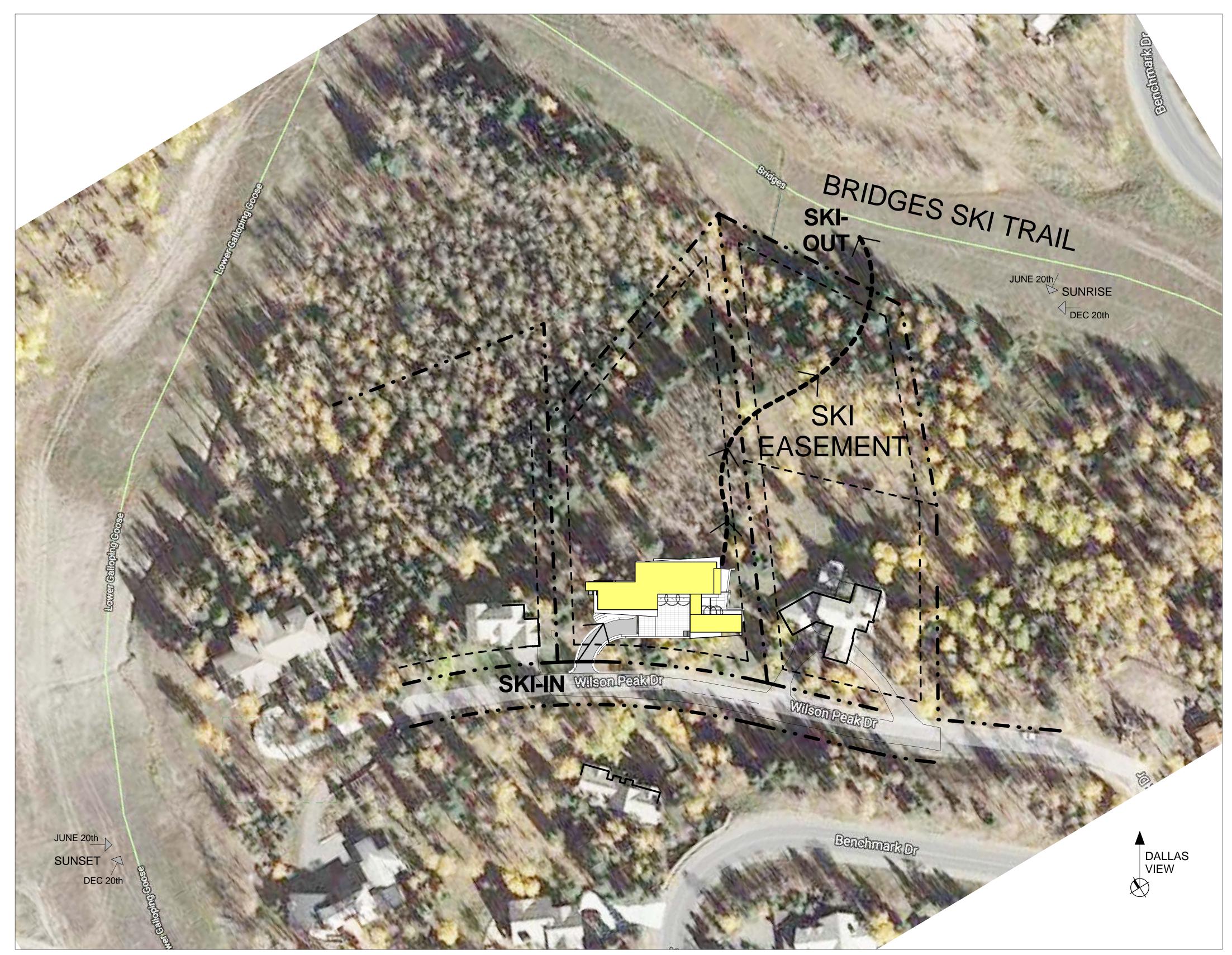






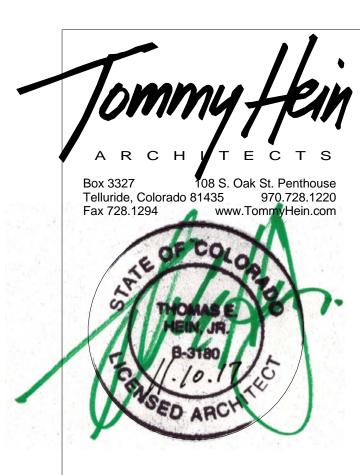
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Site Context

1 1" = 50'-0"



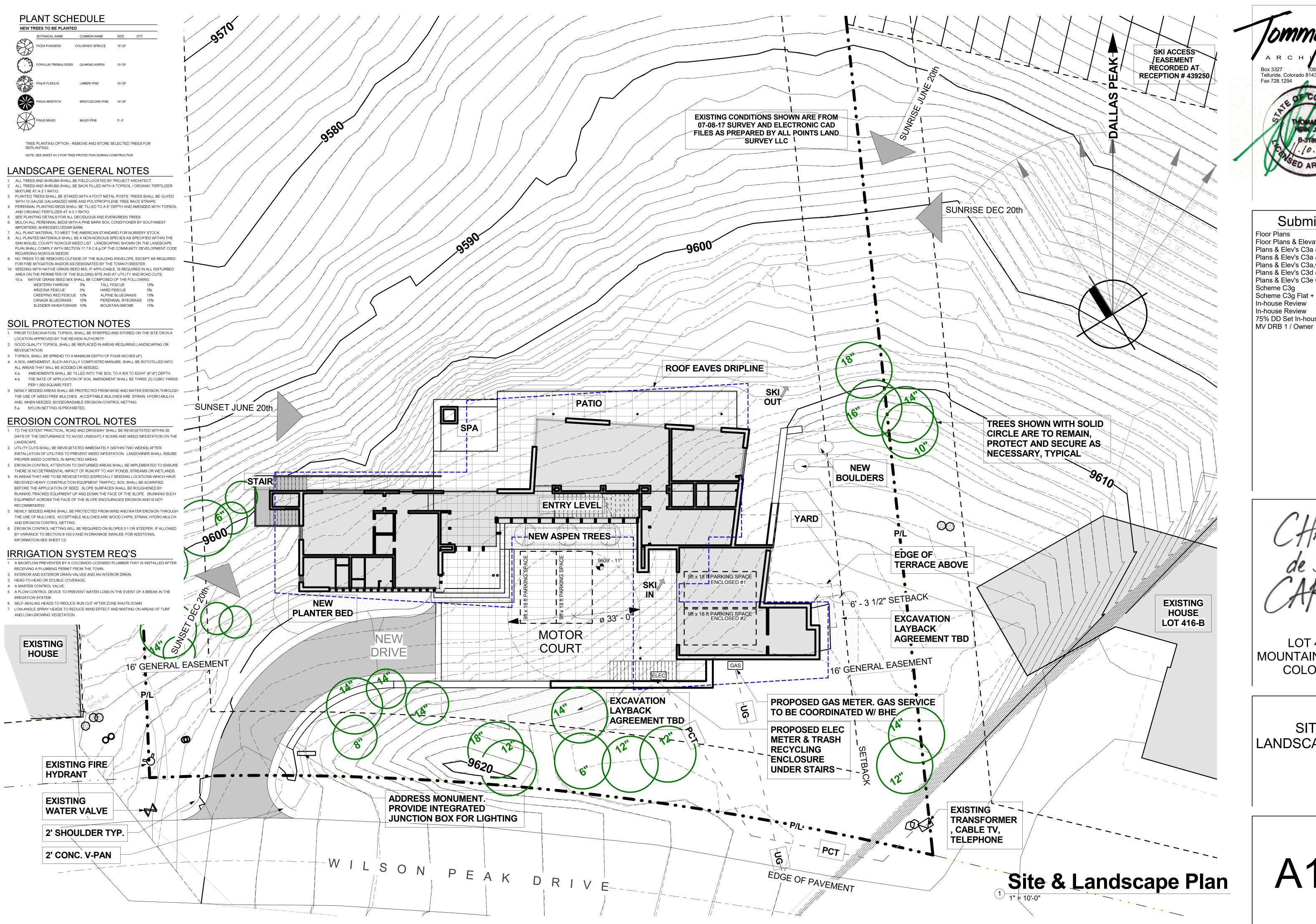
Submissions

Submission	5
Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
Plans & Elev's C3a,C3b,C3c	09-15-17
Plans & Elev's C3d & C3e	09-20-17
Plans & Elev's C3e Only	09-20-17
Scheme C3g	09-21-17
Scheme C3g Flat + Slope	09-25-17
In-house Review	10-18-17
In-house Review	10-20-17
75% DD Set In-house Review	11-06-17
MV DRB 1 / Owner	11-30-17

CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

CONTEXT SITE PLAN



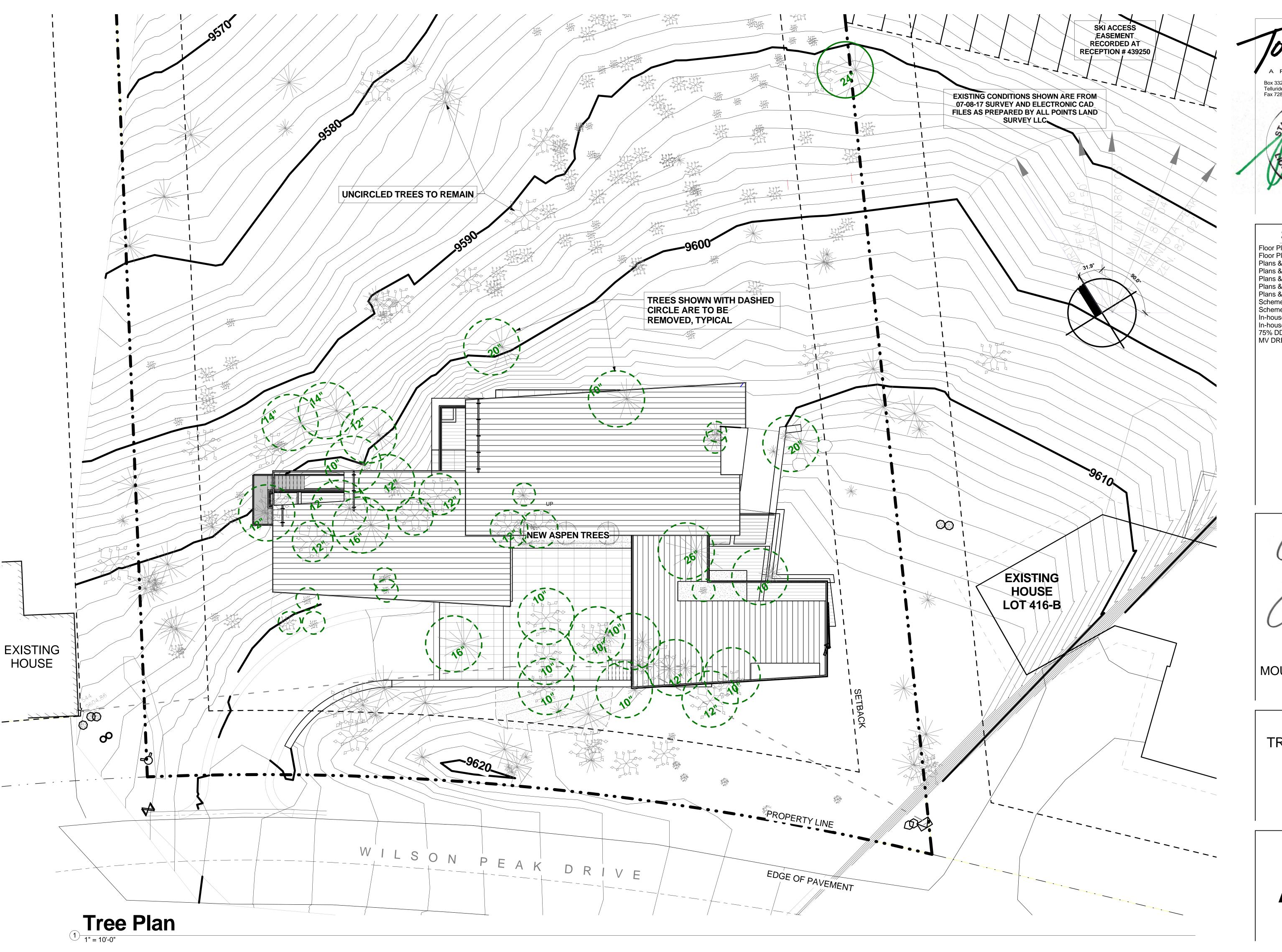
Telluride, Colorado 81435

Submissions

Floor Plans Floor Plans & Elevations Plans & Elev's C3a & C3b Plans & Elev's C3a & C3b Plans & Elev's C3a,C3b,C3c Plans & Elev's C3d & C3e Plans & Elev's C3e Only Scheme C3g Scheme C3g Flat + Slope 09-25-17 In-house Review 10-18-17 In-house Review 10-20-17 75% DD Set In-house Review 11-06-17 11-30-17

LOT 416-A MOUNTAIN VILLAGE, COLORADO

SITE & LANDSCAPE PLAN



Telluride, Colorado 81435 970.728.1220 Fax 728.1294 www.TommyHein.com

Submissions

Submission	S
Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
Plans & Elev's C3a,C3b,C3c	09-15-17
Plans & Elev's C3d & C3e	09-20-17
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In-house Review	10-20-17
75% DD Set In-house Review	11-06-17
MV DRB 1 / Owner	11-30-17

LOT 416-A MOUNTAIN VILLAGE, COLORADO

TREE REMOVAL PLAN



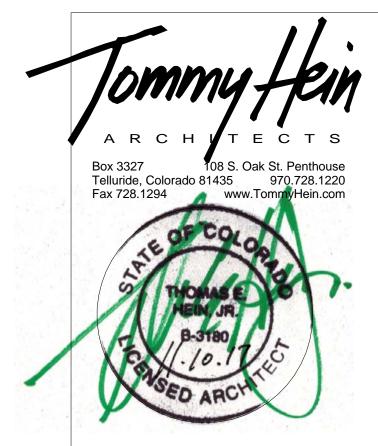












Submissions

Floor Plans 09-08-17
Floor Plans & Elevations 09-11-17
Plans & Elev's C3a & C3b 09-12-17
Plans & Elev's C3a & C3b 09-15-17
Plans & Elev's C3a,C3b,C3c 09-15-17
Plans & Elev's C3d & C3e 09-20-17
Plans & Elev's C3e Only 09-20-17
Scheme C3g 09-21-17
Scheme C3g Flat + Slope 09-25-17
In-house Review 10-18-17
In-house Review 10-20-17
75% DD Set In-house Review 11-06-17
MV DRB 1 / Owner 11-30-17

LOT 416-A MOUNTAIN VILLAGE, COLORADO

SITE PHOTOS

A1.4







MOTOR COURT



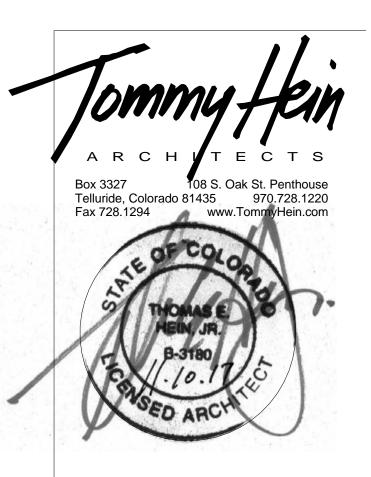
LOOKING NORTH-WEST



LOOKING WEST



LOOKIING EAST

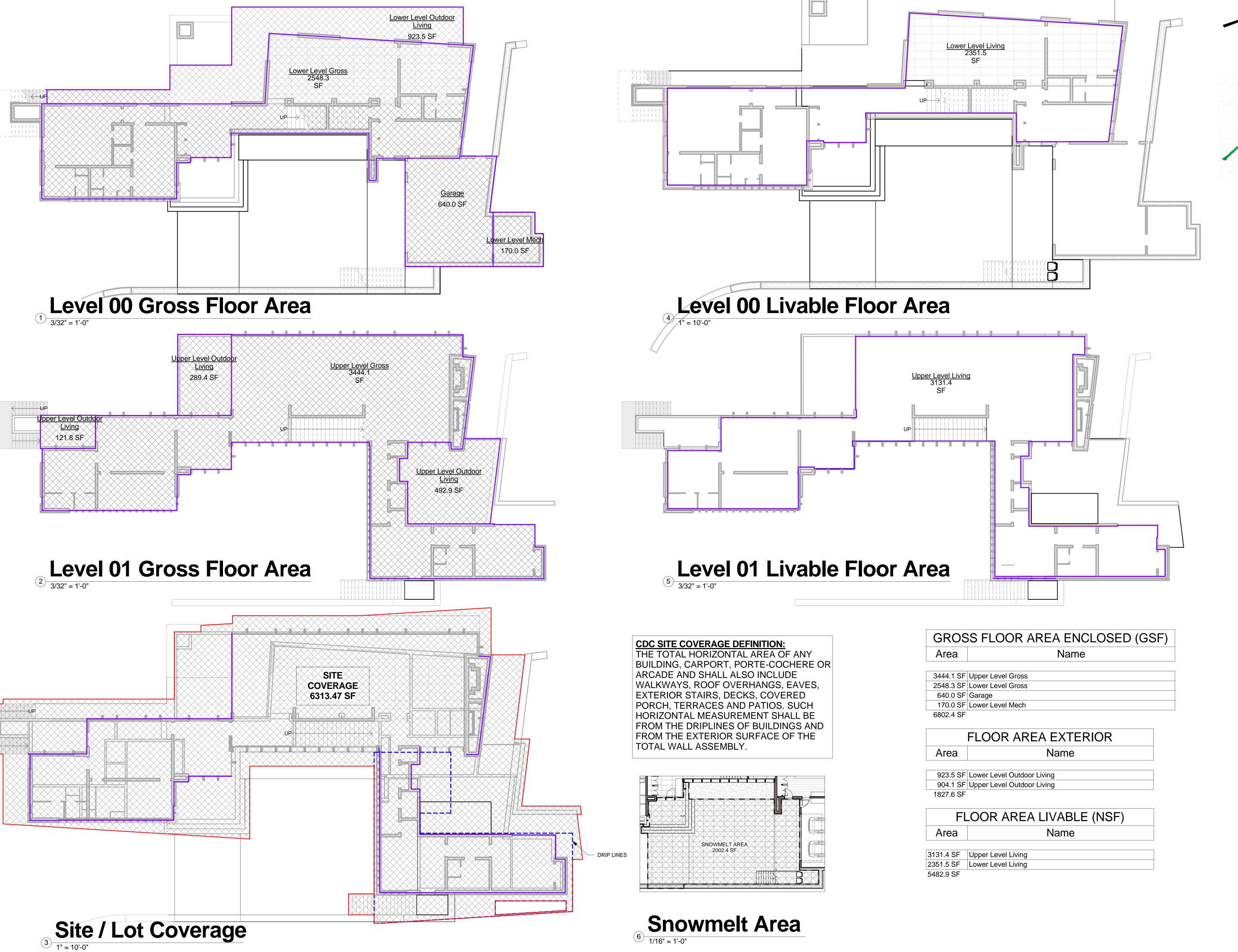


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Submissions		S
	Floor Plans	09-08
	Floor Plans & Elevations	09-11
	Plans & Elev's C3a & C3b	09-12
	Plans & Elev's C3a & C3b	09-15
	Plans & Elev's C3a,C3b,C3c	09-15
	Plans & Elev's C3d & C3e	09-20
	Plans & Elev's C3e Only	09-20
	Scheme C3g	09-21
	Scheme C3g Flat + Slope	09-25
	In-house Review	10-18
	In-house Review	10-20
	75% DD Set In-house Review	11-06
	MV DRB 1 / Owner	11-30

LOT 416-A MOUNTAIN VILLAGE, COLORADO

EXTERIOR PERSPECTIVE RENDERINGS



A R C H V T E C T S

Box 3327 108 S. Oak St. Penthouse
Telluride, Colorado 81435 970.728.1220
Fax 728.1294 www.TommyHein.com

Submissions

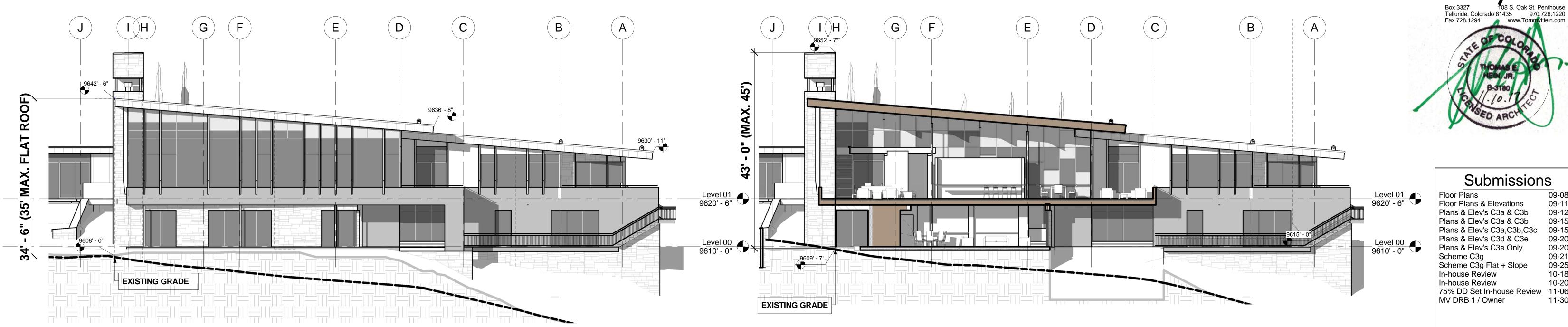
Floor Plans 09-08-17
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Scheme C3g 09-21-17
Scheme C3g Flat + Slope 09-25-17
In-house Review 10-18-17
In-house Review 10-20-17
75% DD Set In-house Review 11-06-17

CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

FLOOR AREA CALCULATIONS

A1 7

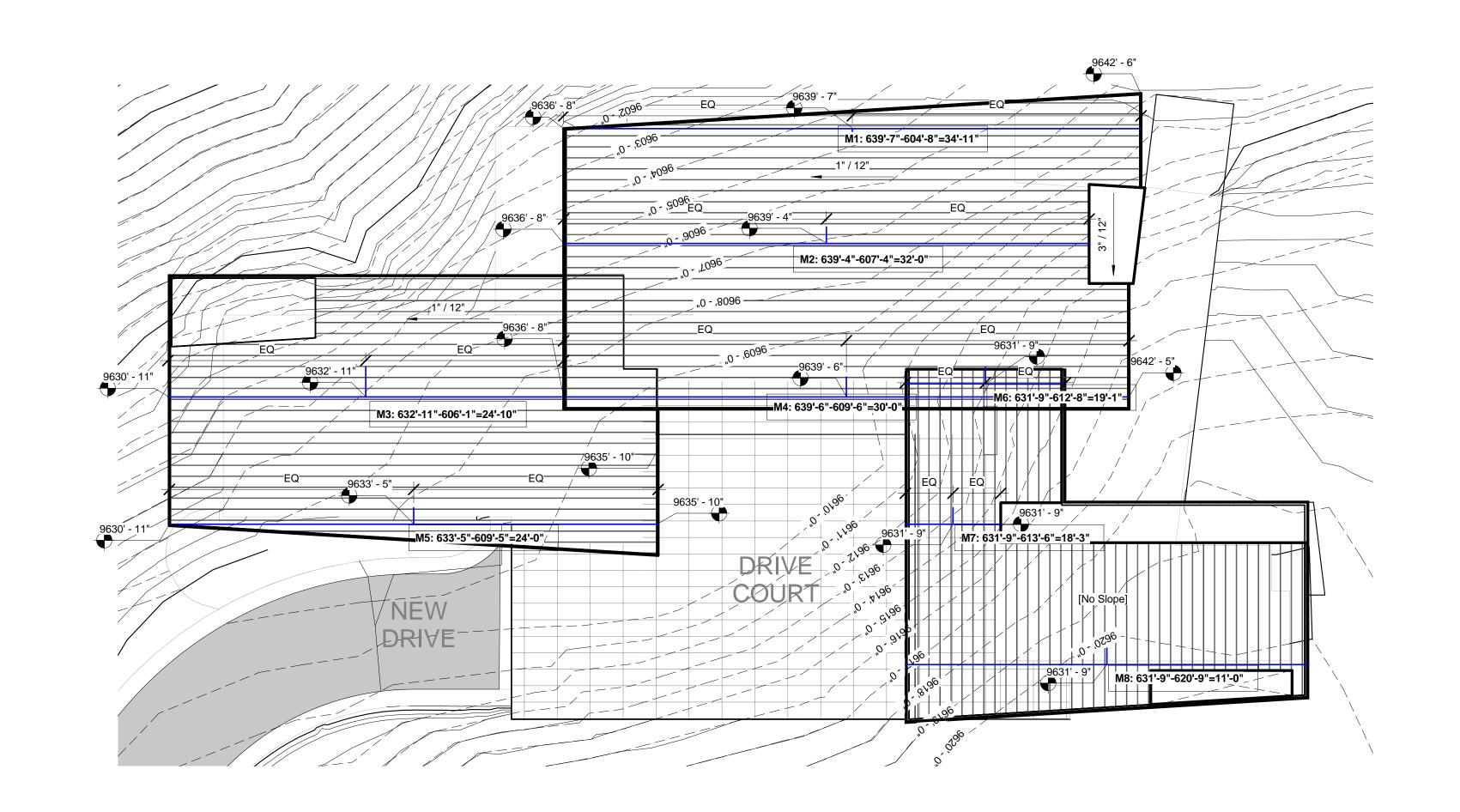


Submissions

Floor Plans
Floor Plans & Elevations
Plans & Elev's C3a & C3b
Plans & Elev's C3a & C3b
Plans & Elev's C3a,C3b,C3c
Plans & Elev's C3d & C3e Plans & Elev's C3e Only Scheme C3g Scheme C3g Flat + Slope 09-25-17 In-house Review 10-18-17
In-house Review 10-20-17
75% DD Set In-house Review 11-06-17
MV DRB 1 / Owner 11-30-17

Max. Height Analysis

Max. Height Analysis - Chimney

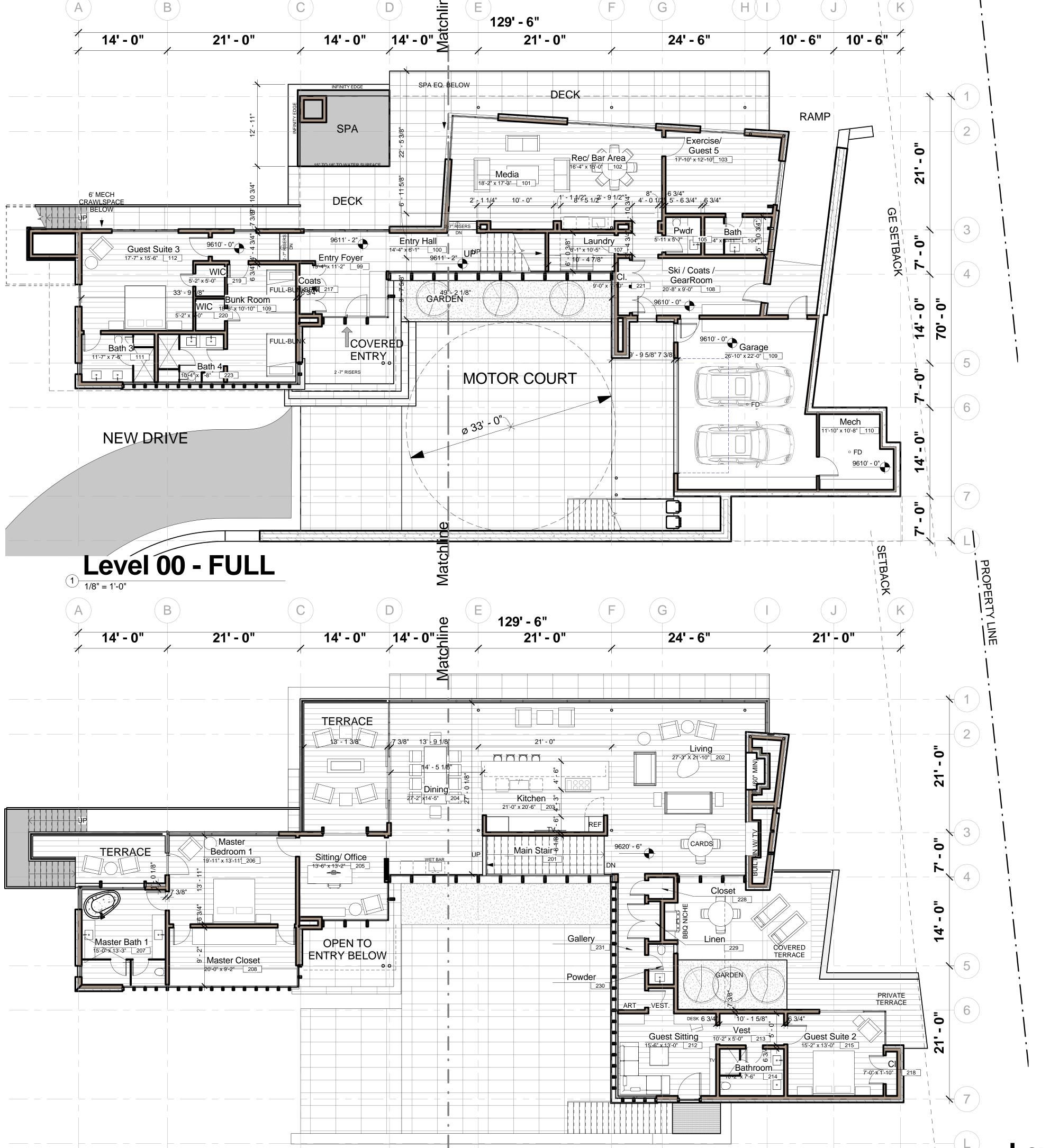


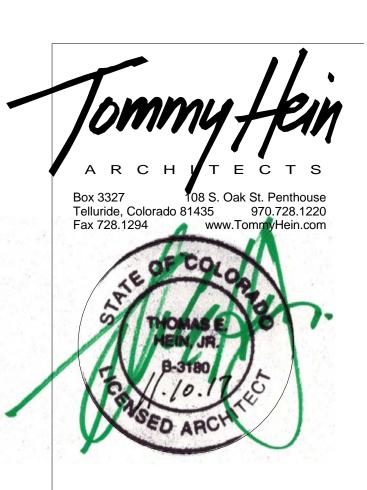
BUILDING HEIGHT CALCULATIONS	
Average Building Height Per CDC 17.3.11C	
	Distance Above Most Restrictive Grade (ft):
M1	34.83
M2	32.0
M3	24.83
M4	30.0
M5	24.0
M6	19.0
M7	18.2
M8	1
Average Height=	24.2
Max. Average Allowable=	3
Compliant By=	5.75
Maximum Building Height Per CDC 17.3.12	A 3.3-1
Highest Ridge=	9642'-6
Existing Grade Below=	9608'-0
Max. Height @ Most Restrictive=	34'-6
Max. Height Allowable=	35'-0
Compliant By=	6
Maximum Chimney Height Per CDC 17.3.12	A 3.3-2
Highest Point=	9652'-7
Existing Grade Below=	9609'-
Max. Height @ Most Restrictive=	43'-0
Max. Height Allowable=	45'-0
Compliant By=	2'-0

LOT 416-A MOUNTAIN VILLAGE, COLORADO

BUILDING HEIGHT COMPLIANCE ANALYSIS

Max. Average Height Analysis Plan





Submissions

	3
Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
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In-house Review	10-20-17
75% DD Set In-house Review	11-06-17
MV DRB 1 / Owner	11-30-17

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LOT 416-A MOUNTAIN VILLAGE, COLORADO

FLOOR PLANS -FULL

A2.0

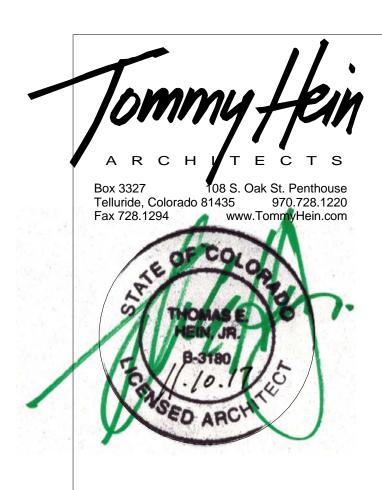
Level 01 - FULL2 1/8" = 1'-0"

21' - 0"

14' - 0"

14' - 1 1/4"

14' - 0"



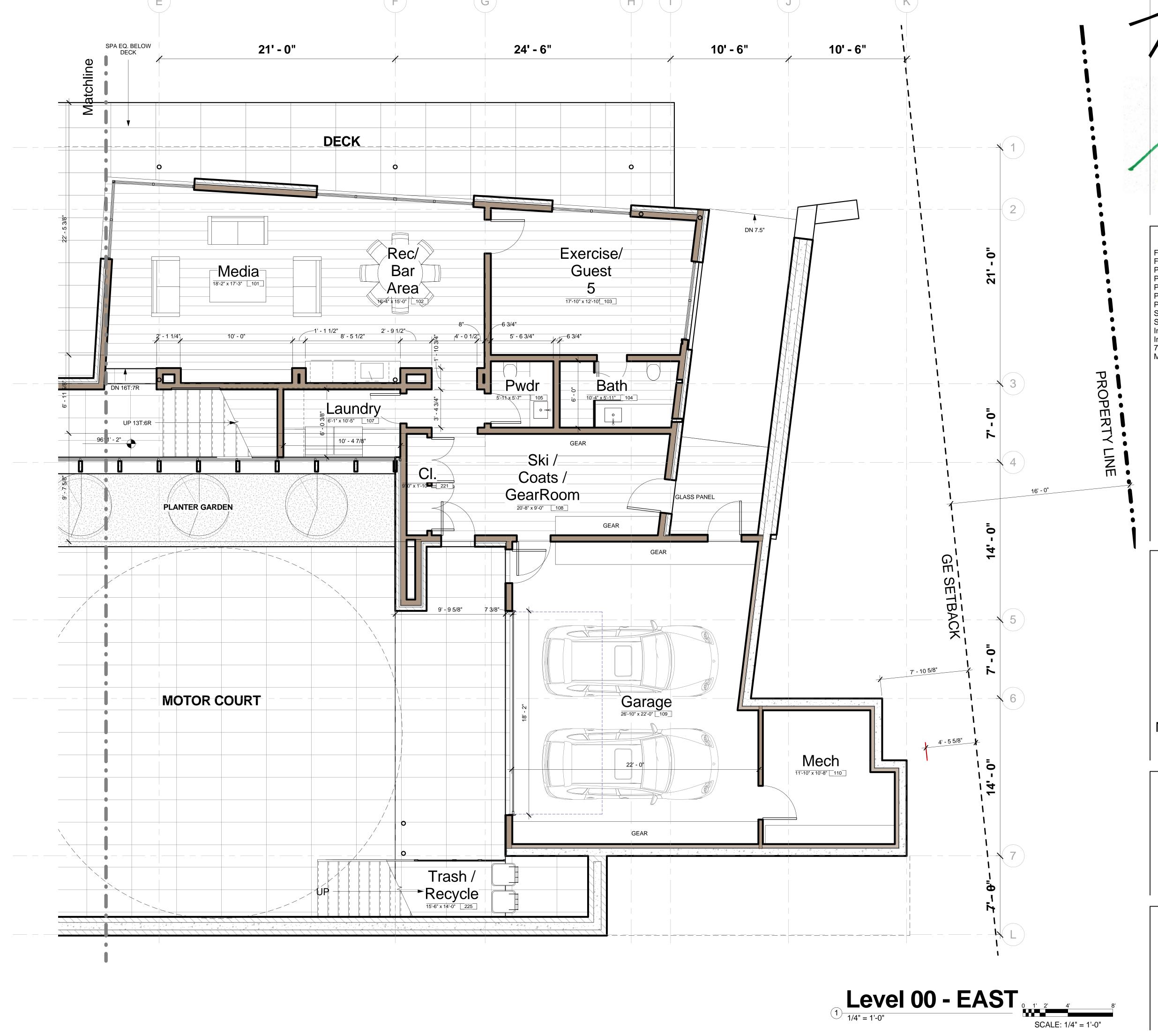
Submission	S
Floor Plans Floor Plans & Elevations Plans & Elev's C3a & C3b Plans & Elev's C3a & C3b Plans & Elev's C3a,C3b,C3c Plans & Elev's C3d & C3e Plans & Elev's C3e Only Scheme C3g Scheme C3g Flat + Slope	S 09-08-17 09-11-17 09-12-17 09-15-17 09-15-17 09-20-17 09-20-17 09-21-17 09-25-17
In-house Review In-house Review 75% DD Set In-house Review MV DRB 1 / Owner	10-18-17 10-20-17 11-06-17 11-30-17

LOT 416-A MOUNTAIN VILLAGE, COLORADO

LOWER LEVEL FLOOR PLAN -WEST

Level 00 - WEST1/4" = 1'-0"

0 1' 2' 4' SCALE: 1/4" = 1'-0"



A R C H V T E C T S

Box 3327 108 S. Oak St. Penthouse
Telluride, Colorado 81435 970.728.1220
Fax 728.1294 www.TommyHein.com

Submissions

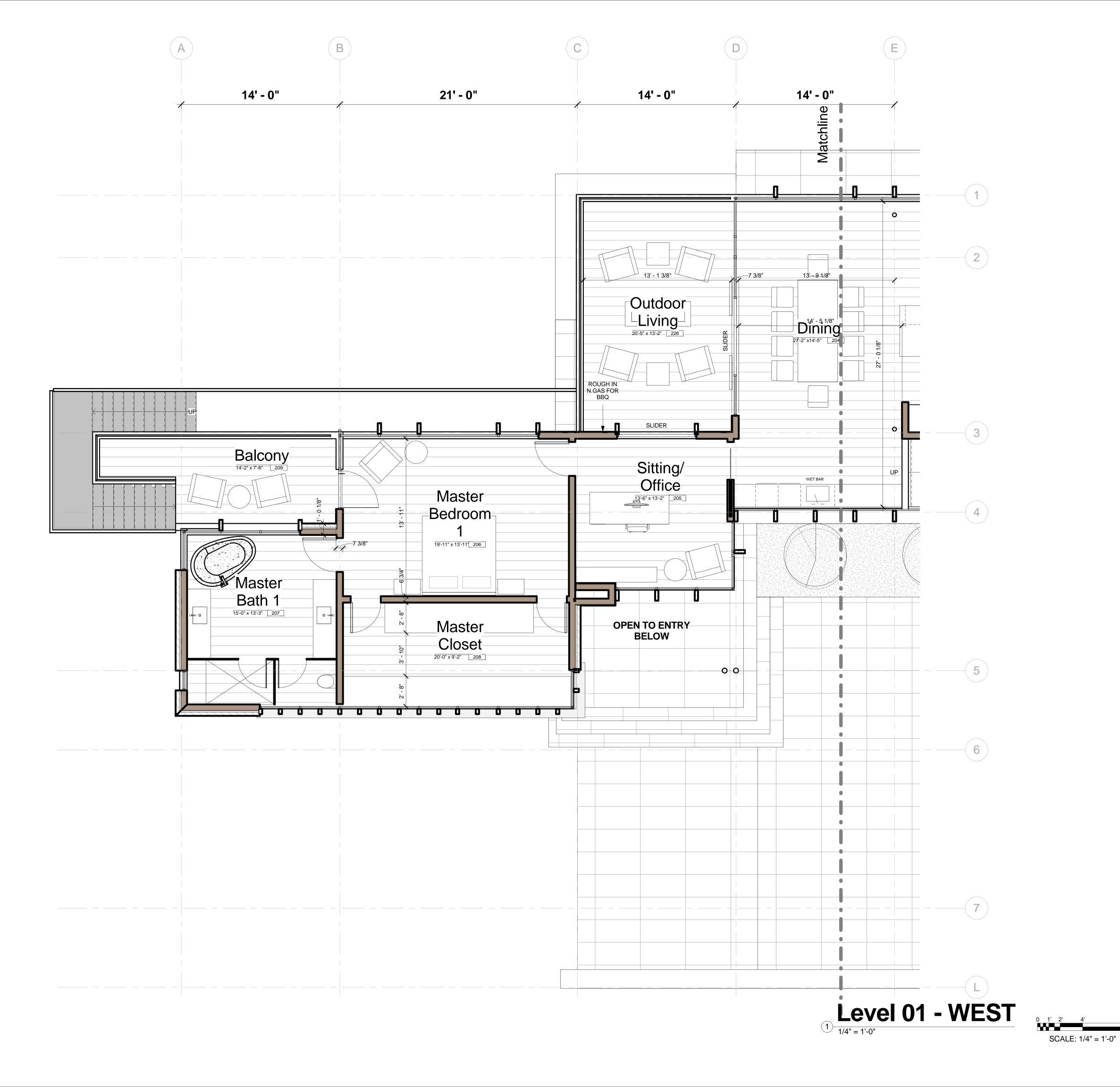
Floor Plans 09-08-17
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Plans & Elev's C3a & C3b 09-12-17
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Plans & Elev's C3a,C3b,C3c 09-15-17
Plans & Elev's C3d & C3e 09-20-17
Plans & Elev's C3e Only 09-20-17
Scheme C3g 09-21-17
Scheme C3g 109-21-17
Scheme C3g 109-25-17
In-house Review 10-18-17
In-house Review 10-20-17
75% DD Set In-house Review 11-06-17
MV DRB 1 / Owner 11-30-17

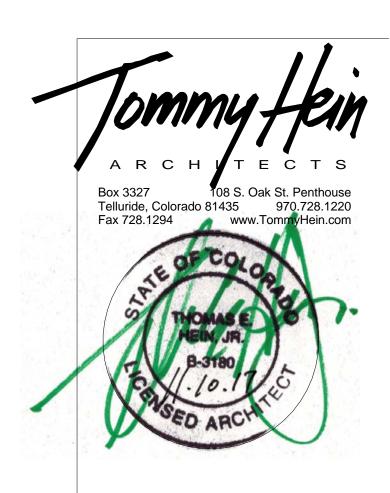
CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

> LOWER LEVEL FLOOR PLAN -EAST

A2.1A



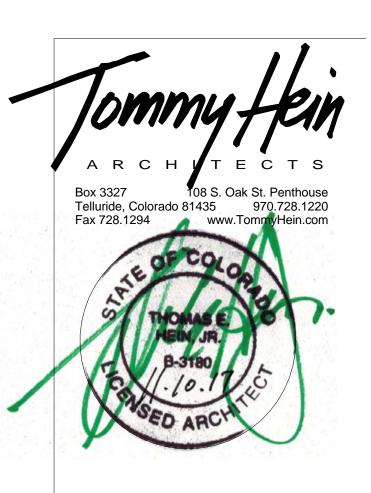


Submission	S
Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
Plans & Elev's C3a,C3b,C3c	09-15-17
Plans & Elev's C3d & C3e	09-20-17
Plans & Elev's C3e Only	09-20-17
Scheme C3g	09-21-17
Scheme C3g Flat + Slope	09-25-17
In-house Review	10-18-17
In-house Review	10-20-17
75% DD Set In-house Review	11-06-17
MV DRB 1 / Owner	11-30-17

LOT 416-A MOUNTAIN VILLAGE, COLORADO

UPPER LEVEL FLOOR PLAN -WEST

A2.2



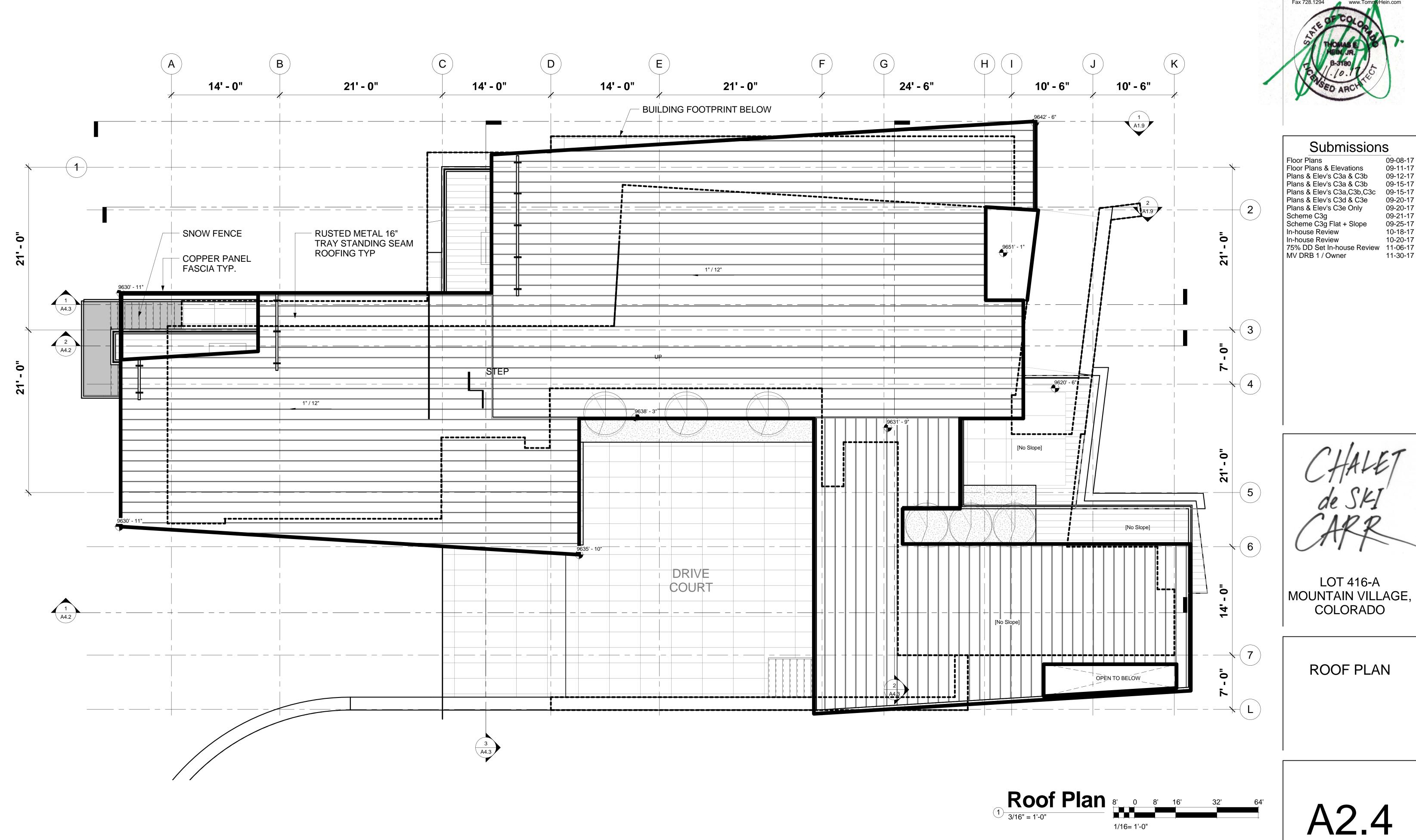
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Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
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75% DD Set In-house Review	11-06-17
MV DRB 1 / Owner	11-30-17

CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

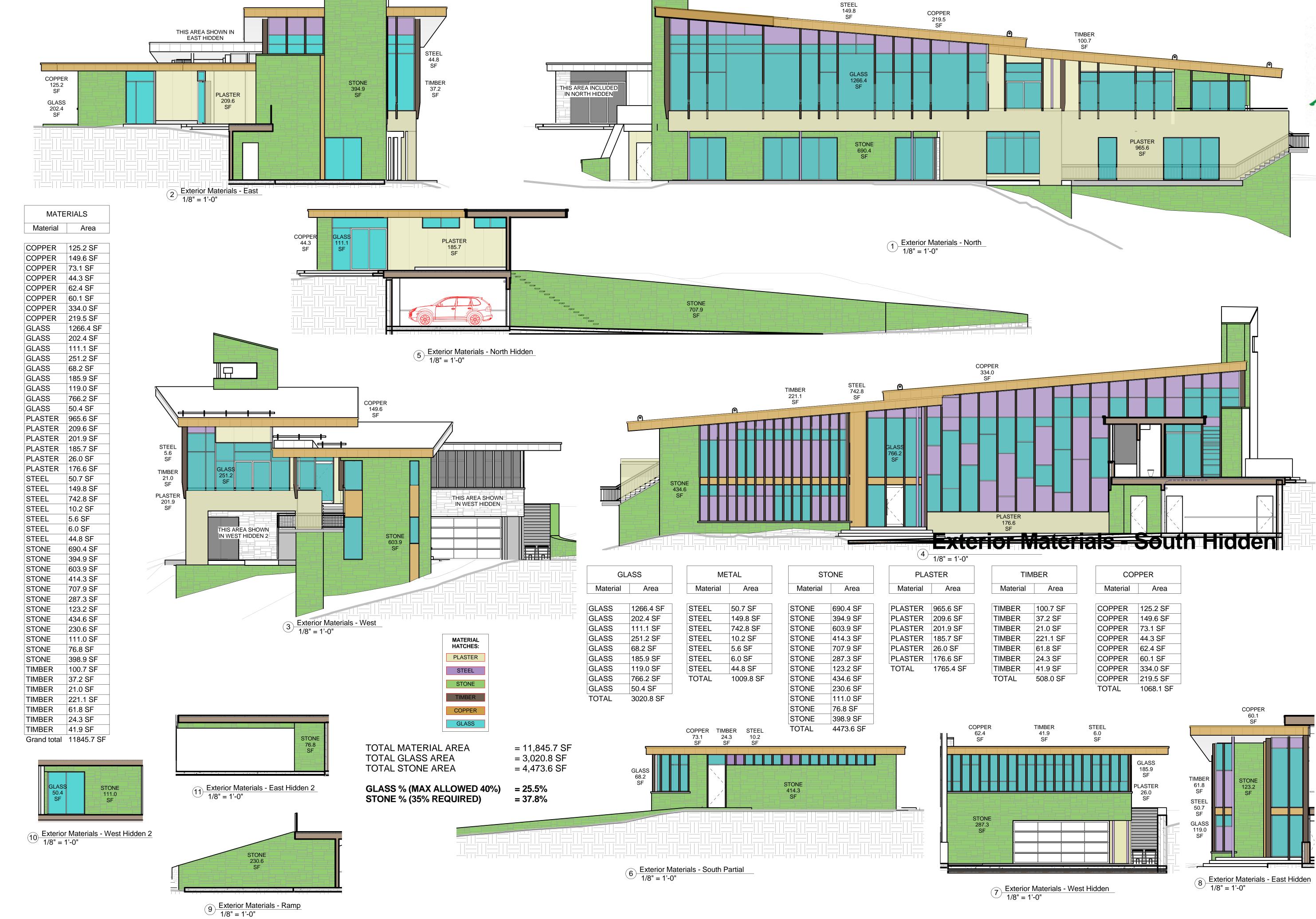
> UPPER LEVEL FLOOR PLAN -EAST

A2.3



Box 3327 108 S. Oak St. Penthouse Telluride, Colorado 81435 970.728.1220 Fax 728.1294 www.TommyHein.com

Submission	5
Floor Plans	09-08-17
Floor Plans & Elevations	09-11-17
Plans & Elev's C3a & C3b	09-12-17
Plans & Elev's C3a & C3b	09-15-17
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A R C H V T E C T S

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Fax 728.1294 www.TommyHein.com

Submissions

Oubillioolollo	
09-08-17	
09-11-17	
09-12-17	
09-15-17	
09-15-17	
09-20-17	
09-20-17	
09-21-17	
09-25-17	
10-18-17	
10-20-17	
11-06-17	
11-30-17	

CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

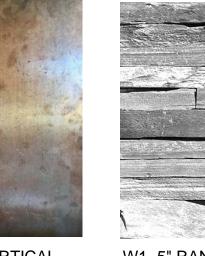
EXTERIOR MATERIAL CALCULATIONS

A3.0



















Material Pallette

12" = 1'-0"

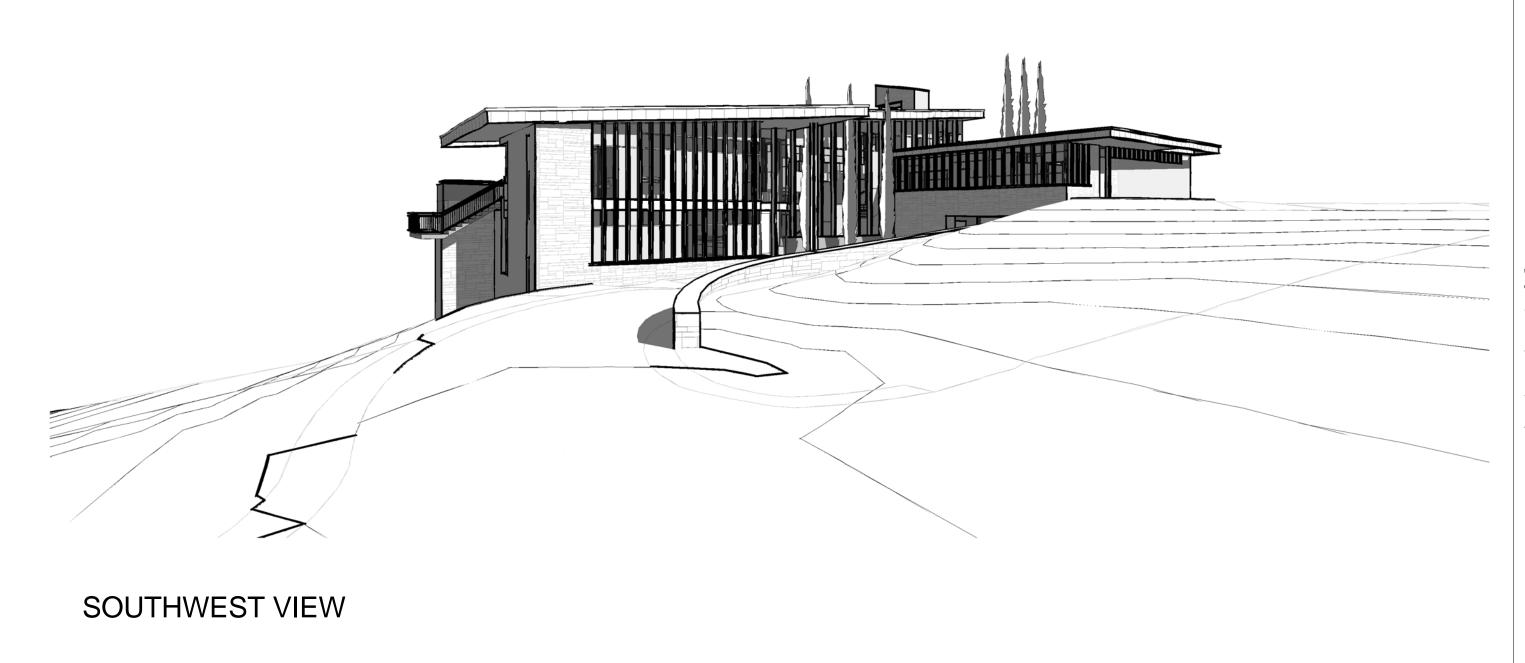
Box 3327 108 S. Oak St. Penthouse Telluride, Colorado 81435 970.728.1220 Fax 728.1294 www.TommyHein.com

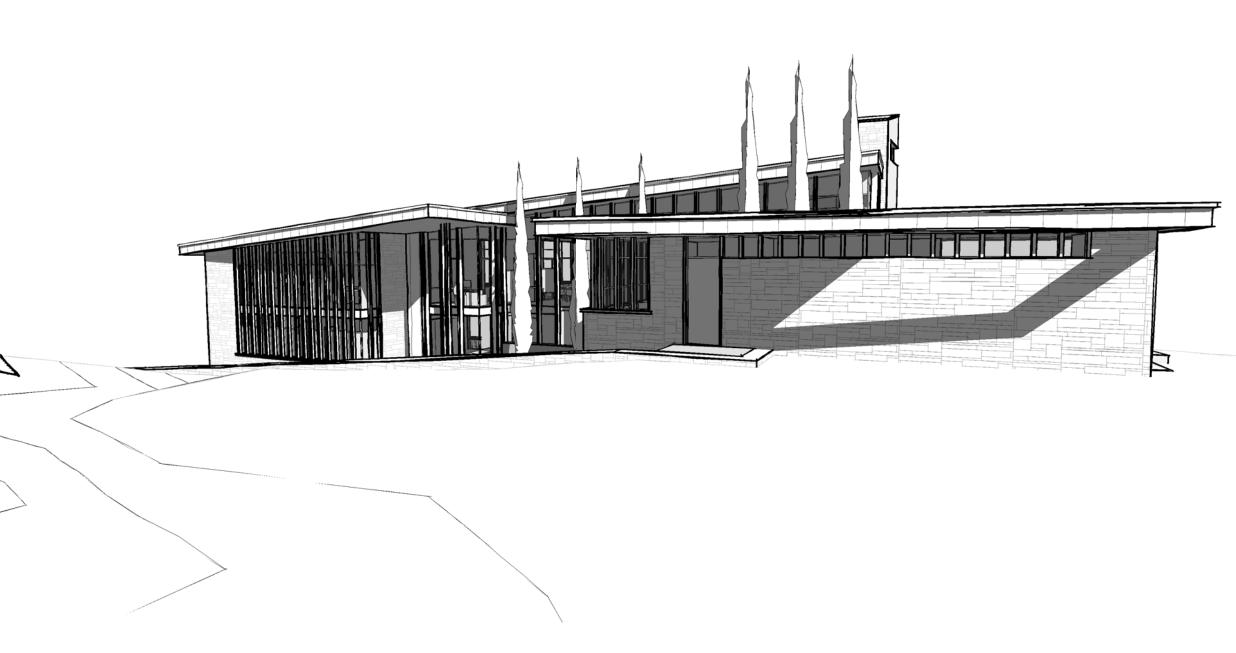
Submissions

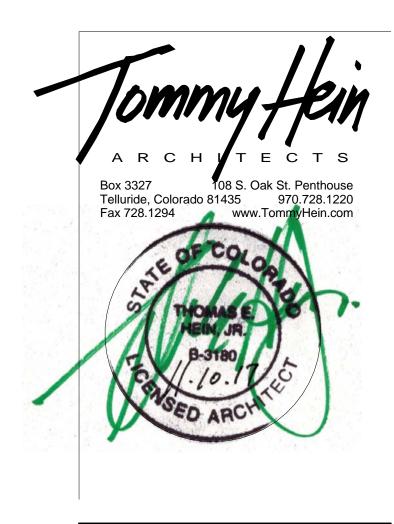
Submissions	
Floor Plans	09-08-17
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LOT 416-A MOUNTAIN VILLAGE, COLORADO

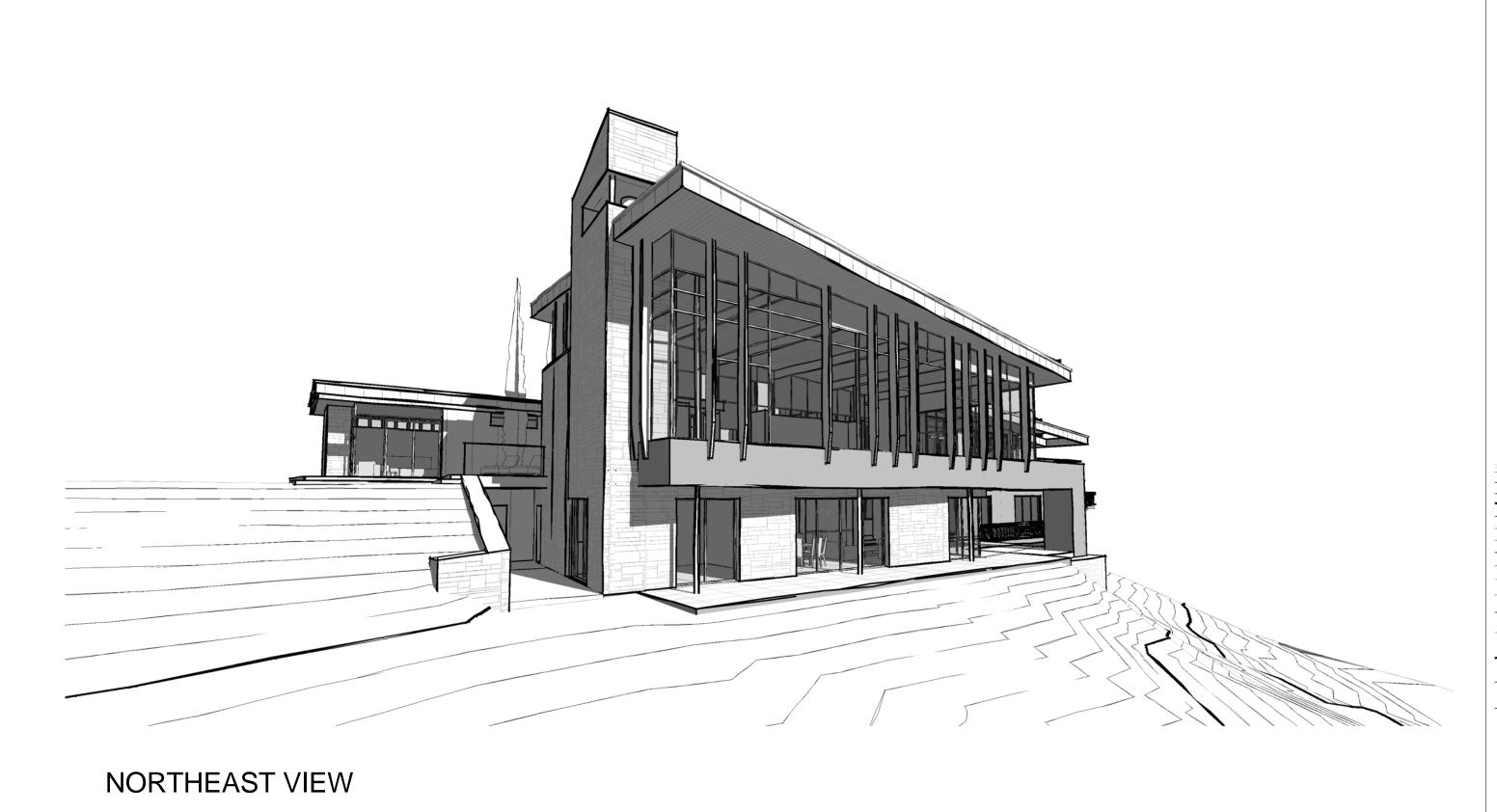
MATERIAL PALLETE







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MV DRB 1 / Owner	11-30-17
	Floor Plans Floor Plans & Elevations Plans & Elev's C3a & C3b Plans & Elev's C3a & C3b Plans & Elev's C3a,C3b,C3c Plans & Elev's C3d & C3e Plans & Elev's C3e Only Scheme C3g Scheme C3g Flat + Slope In-house Review In-house Review 75% DD Set In-house Review





NORTHWEST VIEW

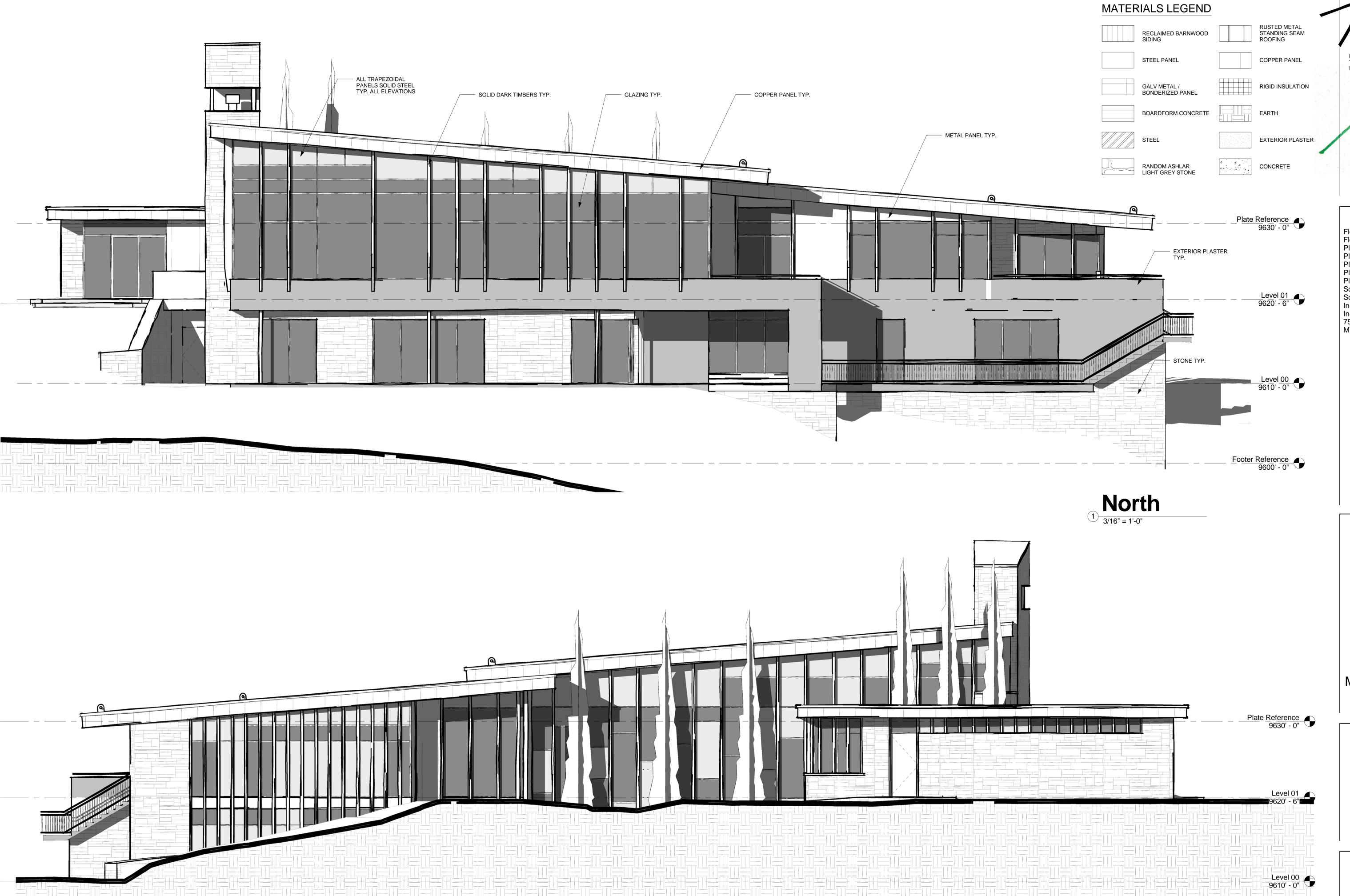
SOUTHEAST VIEW

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LOT 416-A MOUNTAIN VILLAGE, COLORADO

EXTERIOR PERSPECTIVES

A3.5



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MV DRB 1 / Owner 11-30-17

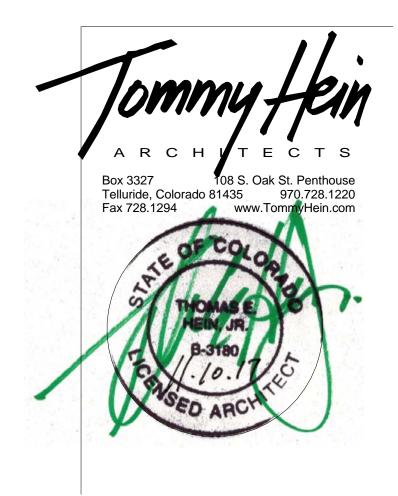
CHALET de SKI CARR

LOT 416-A MOUNTAIN VILLAGE, COLORADO

EXTERIOR ELEVATIONS

A3.6

South2
3/16" = 1'-0"



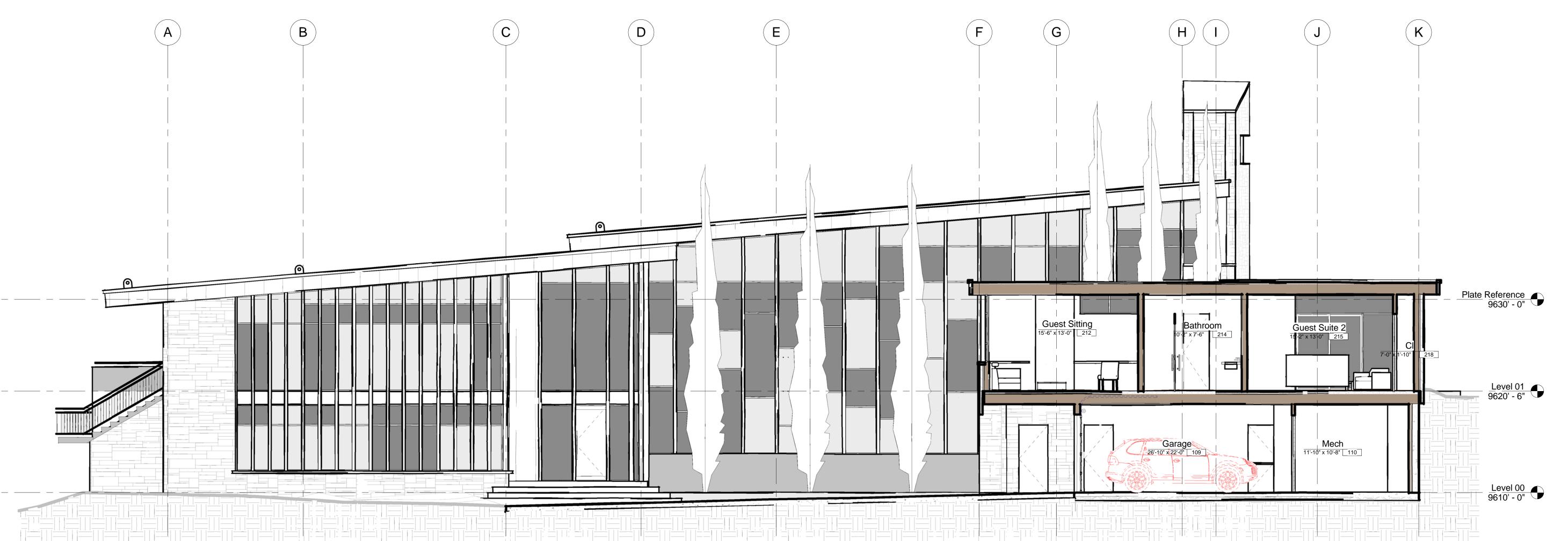
Submissions	
loor Plans	09-08-17
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cheme C3g	09-21-17
cheme C3g Flat + Slope	09-25-17
n-house Review	10-18-17
n-house Review	10-20-17
5% DD Set In-house Review	11-06-17
IV DRB 1 / Owner	11-30-17

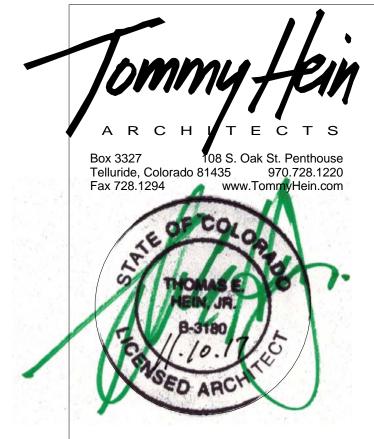
LOT 416-A MOUNTAIN VILLAGE, COLORADO

EXTERIOR ELEVATIONS

A3.7

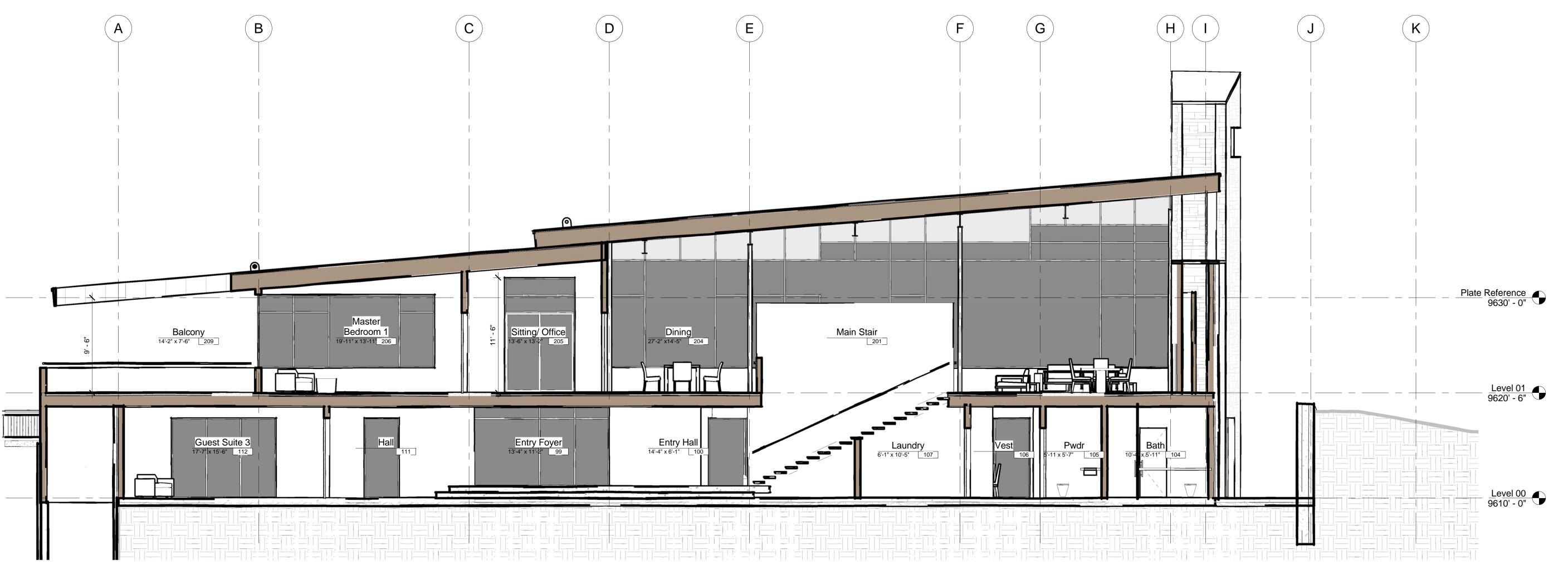






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W-E Through Drivecourt 3/16" = 1'-0"

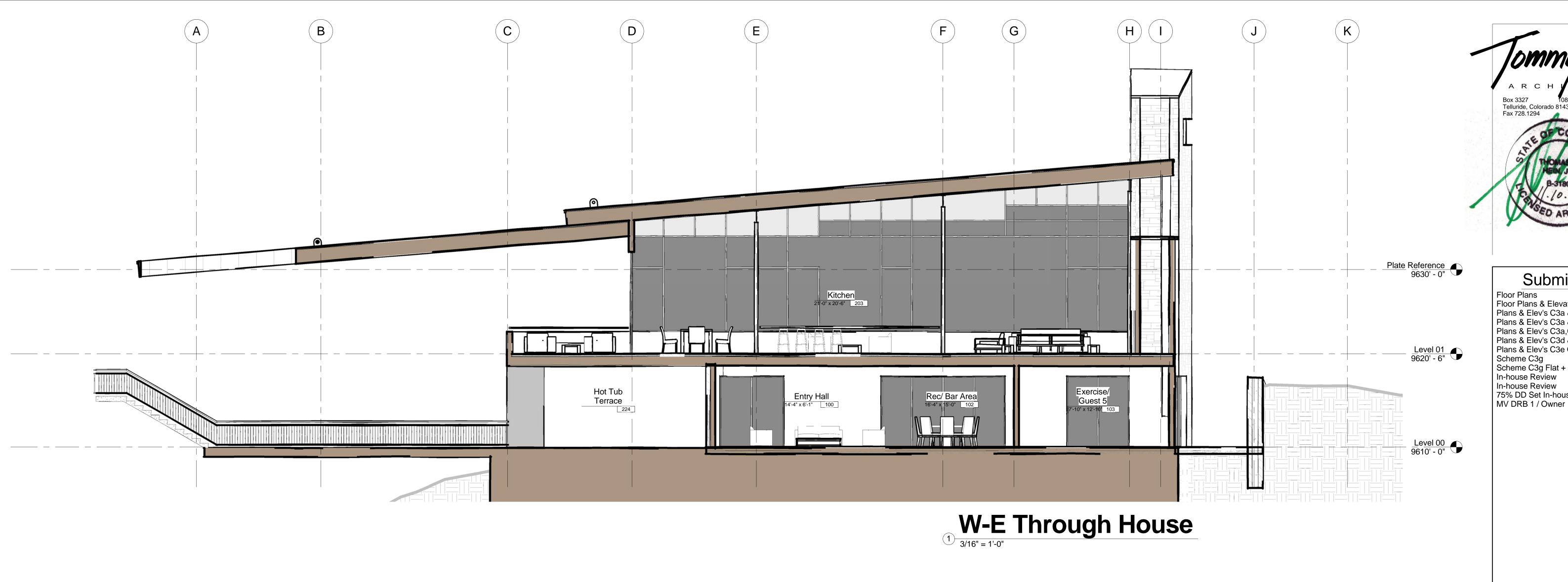


LOT 416-A MOUNTAIN VILLAGE, COLORADO

BUILDING SECTIONS

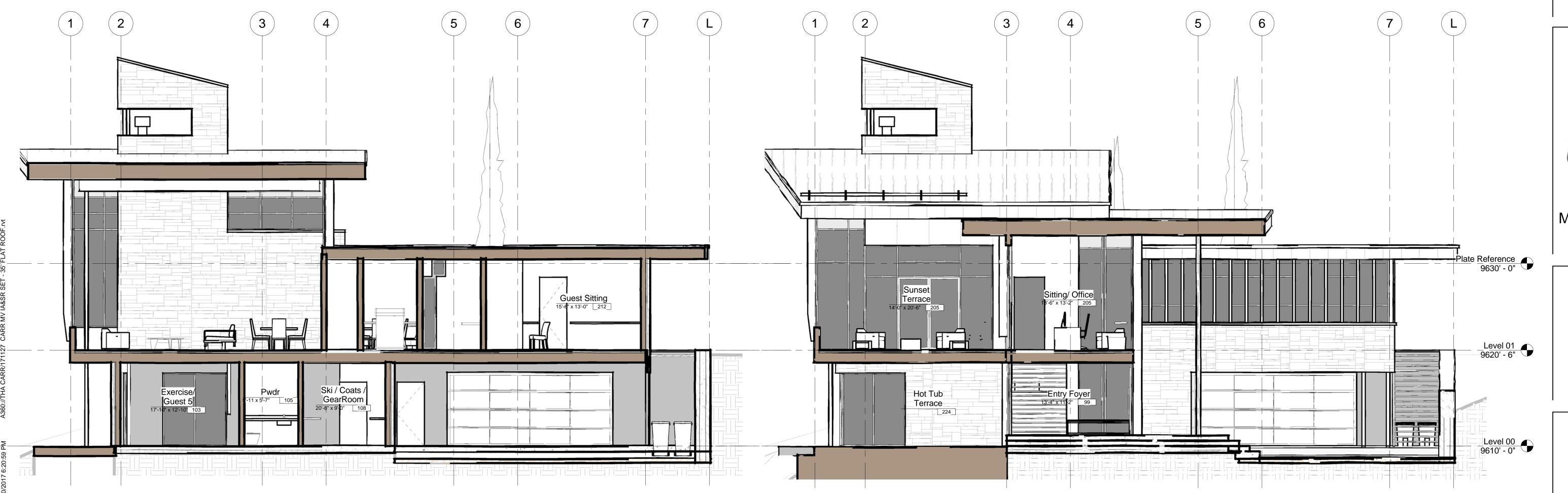
W-E Through House (Stairs)

2 3/16" = 1'-0"





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MV DRB 1 / Owner	11-30-17



LOT 416-A MOUNTAIN VILLAGE, COLORADO

BUILDING SECTIONS

A4.3

N-S Through Living and Guest Terrace

N-S Through Entry and Hot-Tub Terrace

SIGN-IN SHEET

DRB Meeting THURSDAY JANUARY 4, 2018 Please write clearly

ATTENDEE NAME	EMAIL ADDRESS
(PLEASE PRINT CLEARLY)	
Reiner Brasch	Carnjett agmail. com
CATH JETT	Carniett agmail. com
Lean byles	
Dy AN HENDERSON	dylan 1/2 ctromas, con
Billy R. Meridith	ross@rossimage.com
PATRICK BERRY	phono phony Moullage ory
- Lu Roger	amer soyer a mal
Duriel Zemice	david a dente lan
Ton Kennedy	tomo telawinet
Chris (tawking	Chaise a puplar aglica
BIKE BIXBY DHUBURCHM	
Man V. Satal-	ALANSAFDIO Granticas
Buy hall	
Anton Benitez	invox
Stefanie Soloman	stolomone telski.com
The cite	
MIGHT	
Alatt Lund	mattlynds & tompyhon com
Mary Mary To	Mattlynan & tompyhon.com
DEFF KOBNIG	JEFF@ KOBNIG CONSTENCTION SURVICES CO
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