

**TOWN COUNCIL, TOWN OF GYPSUM, STATE OF COLORADO**

**RESOLUTION NO. 16 (SERIES 2021)**

**A RESOLUTION APPROVING THE 1041 PERMIT FOR THE CONSTRUCTION OF EIGHT AIRPLANE HANGARS FOR VAIL HANGAIR ON THE NORTH SIDE OF THE EAGLE COUNTY REGIONAL AIRPORT PROPERTY**

WHEREAS, the Town of Gypsum, Colorado (“Town”), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, the members of the Town Council (“Council”) have been duly elected, chosen and qualified; and

WHEREAS, the Council has adopted Title 20 – Regulations for Areas and Activities of State Interest of the Gypsum Municipal Code to review applications within the Eagle County Regional Airport; and

WHEREAS, Vail HangAir, LLC (the “Applicant”) is the lessee of real property known as the Eagle County Regional Airport and has submitted an application (the “Application”), requesting approval to construct eight airplane hangars; and

WHEREAS, subject to certain conditions, Council wishes to approve the Application to provide for the orderly development of the eight hangars, the construction of improvements and facilities to serve the hangars and to mitigate the impacts of the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, AS FOLLOWS:

Approval of Application. The 1041 Permit Application by Vail HangAir, LLC, attached hereto as Exhibit A and incorporated herein, is approved, with the conditions set forth below:

Conditions. This Resolution and the approval of the Application are conditioned on the following:

1. All material representations of the Applicant in this Application, correspondence and public meetings shall be adhered to and considered conditions of approval, unless otherwise amended by other conditions.
2. If the actual out-of-pocket costs of the Town in reviewing the Application are greater than the amount of the deposit paid by Applicant, Applicant shall pay the

additional out-of-pocket costs incurred by the Town no later than within 30 days of receipt of an invoice.

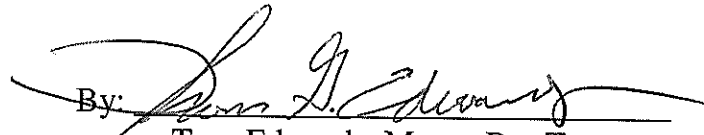
3. Pursuant to Section 17.20.040 of the Gypsum Municipal Code, Applicant shall financially secure the construction of all water and sewer infrastructure for these hangars prior to release of building permits. Applicant shall also dedicate all main lines and appurtenances after construction and financially warranty such improvements along with providing any necessary utility easements.
4. Pursuant to Chapter 17.50 of the Gypsum Municipal Code, Applicant shall pay fire impact fees for the Gypsum Fire Protection District at the time of building permit application.
5. Pursuant to Title 13 of the Gypsum Municipal Code, Applicant shall pay all water and sewer fees necessary to serve those buildings requiring services at the time of building permit application.

**Severability.** If any portion of this Resolution is found to be void or ineffective, it shall be deemed severed from this Resolution and the remaining provisions shall remain valid and in full force and effect.


**Effective date.** This Resolution shall become effective and be in force immediately upon approval.

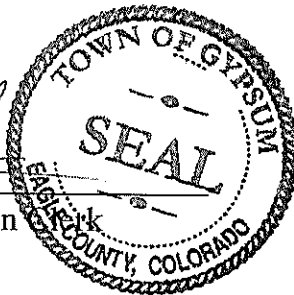
This Resolution was introduced, read and approved upon a motion duly made, seconded and passed this 27<sup>th</sup> day of April, 2021, by a vote of 6 in favor and 0 against.

TOWN OF GYPSUM, COLORADO

By:   
Tom Edwards, Mayor Pro-Tem

ATTEST:

  
Lily Ludewig, Interim Town



**EXHIBIT A**

**1041 PERMIT APPLICATION**