

**SILVERTHORNE TOWN COUNCIL MEETING
AGENDA FOR MARCH 11, 2015- 6:00 PM**



- I. CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA**
- II. PLEDGE OF ALLEGIANCE**
- III. PUBLIC PRESENTATIONS**
 - A. Girl Scout Flag Ceremony, recitation of Girl Scout Promise & Law, and Proclamation of Girl Scout Week March 8-14, 2015 1
- IV. STAFF COMMENTS 3**
- V. COUNCIL COMMENTS**
- VI. CITIZENS' COMMENTS***
- VII. CONSENT CALENDAR**
 - A. Town Council Meeting Minutes, February 25, 2015..... 11
- VIII. LIQUOR BOARD**
 - A. Murphy's Tavern – Renewal of Hotel & Restaurant Liquor License 15
- IX. PUBLIC HEARINGS**
 - A. South Maryland Creek Ranch, Major Amendment to the existing Planned Unit Development (PUD) 19
- X. ACTION ITEMS**
 - A. Ordinance 2015-03, an Ordinance Amending Chapter 4, Article VI, Section 4-6-2-(h) Concerning the Design Districts, 1st Reading 67
- XI. DISCUSISON ITEMS**
- XII. EXECUTIVE SESSION**

Executive Session pursuant to Charter section 4.13 (c) and CRS 24-6-402 (b)(e) to receive legal advice on specific legal questions; and to determine positions, develop a strategy and instruct negotiators, regarding South Maryland Creek Ranch.
- XIII. INFORMATIONAL**
 - A. Planning Commission Meeting Minutes, March 3, 2015 91
 - B. EDAC Meeting Minutes, March 3, 2015 103
- XIV. ADJOURNMENT**

* Citizens making comments during Citizen's Comments or Public Hearings should state their name and address for the record, be topic specific, and limit comments to 3-5 minutes. Council may add citizen Comment items as an Action Item by motion; however, the general policy is to refer citizen comments for review and recommendation. Public presentations must be pre-arranged a week in advance with the Town Manager and limited to 10 minutes.

**COUNCIL WORK SESSION:
TOPIC:**

**MARCH 10, 2015 – 6:00 P.M.
WILDFIRE COUNCIL**

**SILVERTHORNE TOWN COUNCIL WORK SESSION
PUBLIC ISSUES SCHEDULE
2015**

*The Council Work Sessions are held every 2nd and 4th Tuesday of each month and begin at 6:00 p.m. with open discussions. The following issues will be addressed from 6:15 p.m. until completed. Additional items to be discussed will be scheduled as time permits.
"OPEN" indicates a topic has not yet been selected.*

MARCH 24

MARIJUANA REGULATIONS

APRIL 7

OPEN

APRIL 21

OPEN

MAY 12

TOWN CORE STREET DESIGNS

FUTURE WORK SESSION DISCUSSION ITEMS:

March 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 EDAC Meeting Planning Commission	4	5	6 Stargazing Snowshoe—Angler Mountain Trail Payroll	7
8	9	10 Work Session	11 Council Meeting	12	13	14
15	16	17 Planning Commission	18 Court	19	20 Country Western Dance—Pavilion Payroll NO SCHOOL	21
22	23	24 Work Session	25 Council Meeting	26 SPORT Meeting	27	28 Girl Scout Water Fun Day—Rec Center
29	30 Planning Commission	31				

April 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Volunteer Appreciation Evening @ Bakers' Brewery	2 Registration for Summer Programming— 12:00 noon	3 Payroll	4
5	6	7 Work Session	8 Council Meeting	9	10 Payroll	11
12	13	14 Planning Commission	15 Court	16 SPORT Meeting	17 Country Western Dance—Pavilion Payroll	18
19	20	21 Work Session	22 Council Meeting	23	24 Payroll	25
26	27	28	29	30		

May 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 Payroll	2
3	4	5 Planning Commission	6	7	8 Payroll	9
10	11	12 Work Session	13 Council Meeting	14	15 Country Western Dance Feat Walker Williams—Pavilion Payroll	16 Silverthorne Town Clean-Up Day. Meet at Rainbow Park
17 Dance Recital—Pavilion	18	19 Planning Commission	20 Court	21	22 Payroll	23
24/31	25	26 Work Session	27 Council Meeting	28 SPORT Meeting	29 Payroll	30
	TOS Holiday					

June 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Planning Commission	3	4	5	6
7	8	9	10	11	12 Payroll	13
14	15	16 Work Session	17 Council Meeting Court	18 SPORT Meeting	19	20
21	22	23 Planning Commission	24	25	26	27
28	29	30 Work Session	Council Meeting		Payroll	
		Planning Commission				

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager
FROM: Susan Schulman, Executive Assistant to the Town Manager 
DATE: March 6, 2015 for Meeting of March 11, 2015
SUBJECT: Girl Scout Week 2015 Proclamation

SUMMARY: As part of the Public Presentation, Mayor Butler will read the Proclamation and the Girl Scouts present will perform their Flag Ceremony and recite the Girl Scout Promise & Law.

Girl Scout Week 2015 Proclamation

WHEREAS, Juliette 'Daisy' Gordon Low founded the Girl Scouts of the USA on March, 12, 1912; and

WHEREAS, in Girl Scouts, girls develop their leadership potential through activities that enable them to discover their values, skills, and the world around them, as well as connect with others in a multicultural environment; and

WHEREAS, Girl Scouts continues to create gender balanced leadership by providing girls with the tools to become leaders dedicated to making this country a better place; and

WHEREAS, the Girl Scouts has made girls' financial literacy a high priority in its programs and activities for more than 100 years and continues to develop financial empowerment programs for girls in grades K-12 to guarantee another future generation of independent female leaders; and

WHEREAS, the Girl Scout Cookie Program introduces girls to the concepts of business planning and entrepreneurship and is the largest girl-led business; teaching girls the value of goal setting, decision making, money management, people skills, and business ethics; and

WHEREAS, Girl Scouts teaches girls how to build healthy relationships through anti-bullying and relational aggression programs; and

WHEREAS, the Girl Scouts is committed to ensuring every girl has the opportunity to explore and build an interest in science, technology, engineering, and mathematics (STEM), helping them to develop critical thinking skills, problem solving skills, and collaborative skills which are vital throughout life; and

WHEREAS, in the state of Colorado, Girl Scouting reaches all 64 counties, with Girl Scout offices in Colorado Springs, Denver, Fort Collins, Grand Junction and Pueblo, and mountain camp properties near Bailey, Estes Park, Red Feather Lakes, Rye and Woodland Park; and,

WHEREAS, through the dedication, time, and talent of 10,000 Colorado volunteers of different backgrounds, abilities, and areas of expertise, the Girl Scout Program is brought to nearly 25,000 girls in grades K-12 across the state; and,

WHEREAS, in 2014 in Colorado, more than 1,300 Girl Scouts helped make the world a better place and earned one of Girl Scouts' highest honors, the Bronze, Silver or Gold Award; and,

NOW, THEREFORE, I, BRUCE BUTLER by virtue of the authority vested in me as MAYOR OF THE TOWN OF SILVERTHORNE do hereby applaud the commitment Girl Scouting has made to support the continued advancement of girls in their roles as leaders here in SILVERTHORNE AND SUMMIT COUNTY and declare March 8-14, 2015 to be "Girl Scout Week."

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager
FROM: Susan Schulman, Executive Assistant to the Town Manager
DATE: March 6, 2015 for Meeting of March 11, 2015
SUBJECT: Staff Comments



Attached please find the Staff Comments and Updates for the March 11, 2015 Town Council Agenda and Meeting. This includes:

1. Administrative Services Update
2. Public Safety Update
3. Public Works Update
4. Community Development Update
5. Recreation & Culture Update

ACTION REQUIRED

No action is required; these items have been submitted for informational purposes.

Administrative Services – March 5, 2015

Fiscal Year 2014 – While the calendar says 2014 is long-gone; we still are working on 2014 financials and will be for most of the first part of 2015. It appears that all 2014 revenues and expenditures have been received and paid. While final 2014 numbers are not completed yet, they're close enough that we can estimate very close to actual. By all appearances we'll finish the year with higher revenues than budgeted and lower expenditures than budgeted.

Other 2014 related items in progress include the reconciliation of the Town's bank statements and the many accounting line items that require review. From there we'll move to preparing for the annual audit which is scheduled for the week of March 16th. Town Accountant, Tonda McArthur, is the audit leader. She'll work directly with the Auditors, Swanhorst & Co., LLC, organizing the audit work-papers and answering most of the questions from the Auditors. Other staff members involved with the audit include: Revenue Administrator, Kathy Marshall and Accounts Payable/Payroll Clerk, Linda Majors. Finance Director, Donna Braun, over sees the audit in general and assists with the preparation of the final financial statements.

Lastly, we'll soon be reviewing 2014 for any items that need to be carry forward to 2015's budget. We'll be preparing a 2015 appropriation ordinance soon to bring the 2015 budget current.

College Scholarships – Summit High School has submitted to the Town eleven qualified applications for the 2015 Schmidt Scholarships. The scholarship requests were reviewed by the Council scholarship committee on February 24th. The committee has recommended distributing \$15,000 in scholarships. The recommendations must be returned to the High School by March 23rd. The Scholarship Night at the High School is scheduled for Monday April 20th.

Employee Blood Work – The Town offered employees and spouses on our health insurance plan the ability to have their blood work done in early February. This is a normal medical procedure that helps employees know whether there are potential medical issues such as high blood pressure, diabetes indicators, etc. The Town has been offering this free procedure for many years.

This past Wednesday, the results of the blood work were given to those who participated and a presentation was given explaining what the blood work results mean. As has been the trend based on past years, the Town's employees are in very good health and well below national statistics on many indicators such as cholesterol and glucose levels. A presentation on nutrition was also given by the wellness company the Town uses for this event.

2015 Business Grant Program – The Silverthorne Town Council and the Silverthorne Economic Development Advisory Committee (EDAC) are pleased to announce the opening of the 2015 Silverthorne Business Grant Program. Introduced in 2012, this two-track program provides grants to local businesses via a competitive application review process. The Town is currently accepting applications from businesses that wish to install traditional

site improvements such as facade improvements, new signage, landscaping and other architectural upgrades. The Town is also accepting applications from businesses interested in undertaking capital investments that bring new jobs or other economic development benefits to the community.

The 2015 Silverthorne Business Grant Program Application Deadline is 12:00 noon on Monday, April 20, 2015. Complete program details and applications are available at www.silverthorne.org and Town Hall, 601 Center Circle, Silverthorne, CO 80498.

Public Safety – March 5, 2015

Incidents – On 03-03-15 officers were dispatched to a fight in progress at Old Chicago's. Upon arrival, officers observed one male running through the parking lot while another male had moved to a different location closer to the hotel. Officers contacted one male inside the hotel and learned the other male that ran outside and into the parking lot was associated. As officers attempted to contact this male, he began to fight. After some time of this male fighting with officers then resisting arrest, officers were able to get him into custody and took him to jail.

On 02-22-15, officers were contacted by a female party at the police department who stated that she and her dog had been bitten by another dog. After further investigation, it was determined that the reporting party was walking her three small dogs (all on a leash) along the bike bath when a much larger dog from a fenced yard partially snuck out from a hole in the fence and grabbed one of the small dogs. This larger dog continued to drag the smaller dog into the fenced yard as it bit the small dog several times causing significant injuries. The reporting party jumped into the yard to save her dog and in the process she was bitten on the hand. The owner of the large dog was charged and will appear in court.

On 02-19-15, officers were dispatched to a cold burglary at Dominos. It was reported that the suspect(s) took an undisclosed amount of money. Officers reviewed video footage within the area and have solid leads as to who the suspect is. An arrest is pending in this case.

On 02-18-15, officers were dispatched to a domestic violence assault where the reporting male party told officers he had been bitten in the face. After locating the other party involved, it was determined that she was the actual victim. The male was then taken into custody and transported to jail.

In addition to the above calls for service, officers handled several motor vehicle accidents, thefts, disturbances, frauds, harassments, intoxicated parties, and numerous other agencies assists as well as business and area checks. Officers also testified in municipal court and county court. Officers also issued numerous traffic citations and warnings.

Feedback from the community – Officers Siderfin, Watson and Futro all received letters of recognition from members of the public for their professionalism and courteousness while handling calls for service.

Department Training – Officer Ponedel is attending a Basic Crime Scene training put on by

CBI, Sergeant Higby taught several counterfeit classes for employees at a local store. Sergeant Osborn attended a street survival course.

Staffing – We will be conducting interviews on March 11th to fill our current open position. Officer Siderfin continues to do well in the Field Training Program.

Public Works – March 5, 2015

Streets – Crazy weather these past couple of weeks are keeping us busy. Not too much snow, but slick conditions, and of course we are into heavy pothole season, mostly on the highways. We help with these potholes as we can get to them much quicker than CDOT, although we use their cold patch to fill them with. Drainage issues are starting to show themselves, so far the worst has been back on Warren Avenue. This area will be addressed this summer with a new storm drainage system. With warmer temperatures predicted for the next few days, we are anticipating a few more drainage problems, we just never know where. We are down two staff right now, one to wrist surgery and one to knee surgery. Our new street sweeper is slated to arrive next week, 8 months after ordering. We are selling our 11 year old one to the Town of Victor.

North Pond – We plowed the rink this morning and will keep it open a few more days, likely closing it after Sunday. Historically we have to close it in early March due to spring flows over the top and due to higher sun angles softening the surface. With daylight savings time starting this Sunday we will get more sunshine on the ice too, making it softer.....(just seeing if you are paying attention!)

Parks – Holiday lights continue to come down as they become free of ice and snow.

JSA – The nutrient removal project continues with expected completion late next summer. Lots of activity going on inside the plant, both by our contractor as well as by our own staff. We are now advertising for an upcoming opening as Mike Bittner, JSA Manager, is retiring this summer once the nutrient project is completed, and we will be doing some staff shuffling when he leaves.

Utilities – Utility staff is busy with various maintenance work to all of our systems, as well as working with contractors on the various construction projects around Town.

Projects – The Pool Pak replacement project is now out to bid with bids due next week. Design of the pool pump and filtration room is underway and that will go to bids in late March. Both the Pool Pak and the pool pump room projects will take place in late August thru September during a 5 week pool shutdown. Since we have many other projects in the center at the same time, including replacing all tile and carpet throughout the building, we are also planning a complete building shutdown in late August at the start of the longer pool shutdown.

Master Transportation Plan Update –We will be doing new traffic counts this summer at key locations. We will be updating the existing plan and recommendations, with some more detailed and specific analysis and recommendations for Adams Avenue and for Highway 9 from the interchange down to 6th Street.

Public Works Strategic Plan – A Request for Proposals is now out for this plan, including a block add in the paper, a spot on the Town website, and directly sent to several consultants. We will be accepting proposals in about two weeks. Interviews will follow, along with a recommendation to Council on who to hire. We anticipate 3 to 5 months to complete this plan.

Public Works Strategic Plan – I am working on a Request for Proposals for the Public Works Strategic Plan which will be out soon. We want to complete this plan before moving forward on the Cottonwood project, to insure we are meeting the needs of the department for the next 20 years plus.

Community Development Department – March 5, 2015

Blue River Trail – The wetland mapping for Segment 6 has been completed and the ACOE reviewed and approved the delineation. The design has been modified and the next step would be to acquire the necessary easements.

Angler Mountain Ranch – Staff has had meetings with the developer concerning the continuation of the development of Anger Mountain Ranch and the public infrastructure.

Xcel Substation – An agreement is in place for the road restoration of Bald Eagle Road. The overhead lines have been removed across Smith Ranch and the substation is on line.

District Design Standards – Lina Lesmes has been meeting with a subcommittee made up of EDAC and Town Council members to discuss revisions to the District Design Standards. These standards will set the guidelines for development within the Town commercial districts. The committee is currently working on the Gateway Standards.

South Maryland Creek Ranch – Staff and Town Council has met with the applicant concerning the proposed Major PUD Amendment for South Maryland Creek Ranch. The applicant has submitted for the Major PUD Amendment. Planning Commission held their Public Hearing on the issue on March 3.

Recruitment – The Community Development Department is currently recruiting for a Planner I/Community Service Officer.

Current Applications – The following is a list of applications which have been submitted to the Community Development Department and are currently being processed (ex parte rules apply):

- South Maryland Creek Ranch – Major PUD Amendment
- Foxfield Townhomes – PUD/Site Plan
- Rainbow Run – Site Plan
- Way to Grow – Site Plan Modification
- Angry James Brewery – Site Plan
- Angler Mountain Ranch Lakeside Townhomes, Filing No. 7

Recreation and Culture – March 5, 2015

Recreation Center – The Stargazing Snowshoe at Angler Mountain Trail is this Friday, March 6, from 6-9 p.m. Participants will meet at the Angler Mountain Trailhead to enjoy an evening snowshoe under the stars. After the snowshoe we will gather at North Pond Park warming hut to socialize and enjoy s'mores and hot chocolate around the fire pit. This event is free and open to anyone who wants to experience a winter evening activity on one of Silverthorne's prized local trails.

The Colorado Pond Hockey Tournament has concluded for the year, and event organizer David Janowiec has already offered his annual pre-registration promotion for early-bird registrations for 2016. This promotion usually sells-out and allows the first 40 teams to get a discount on next year's registration fees while giving David a significant base of pre-registered teams for the upcoming year. This year's event attracted over 135 teams that played in four different divisions. Warm temperatures and sunny skies resulted in midday ice conditions that were soft and slushy. Therefore, the schedule was amended to include early morning and late evening games with a break in the middle of the day. This last-minute change worked well for players and the tournament, but did extend the hours of amplified sound in the area, which resulted in a few citizen complaints. The Pavilion hosted the Après Ice Party and had between 250-300 people show up to watch the Sublime cover band, 40 Oz. To Freedom. David, as usual, gave huge thanks to the Town for all the assistance and work prior to and throughout the event. He is very happy with this event's success and is looking forward to a continued partnership with the Town.

Futbol Conxion, a youth soccer program that is held in the Recreation Center gymnasium, finished up last week with 40 kids in the program. The program serves at-risk youth by providing an environment where good decision making is emphasized through mentoring from High Country Soccer Association staff and members of the Sherriff's Office. This outreach program has been going on for many years and continues to be a positive experience to all involved.

The first draft for the summer brochure is back from the printer and staff is making final edits prior to publishing. Registration day for summer programs is Thursday, April 2 at noon. I wanted to mention that staff received comments about changing registration to alternative days/times that could potentially better accommodate working parents. However, in 2015, we anticipate the addition of WebTrac, which will allow for on-line registration. If all goes as planned, this will be available for the fall 2015 registration. Because that will change our registration process significantly, we have chosen to keep the current days/times in place so there is only one major change in our registration process this year.

The annual AAI Fitness Conference was in Colorado Springs last weekend and several fitness staff members participated to gain additional certifications or attend continuing education sessions. Most notably, Fitness Coordinator Renee Rogers attained her Pilates Certification, Part Time Fitness Instructor Jennifer Voxakis received her Yoga Certification, and three additional part time fitness instructors also attended to expand their professional fitness knowledge.

Donated 5-punch passes to Summit County Republicans. The value of the pass is \$60.

Upcoming Pavilion Events:

Mar 5	Yoga
Mar 6	Rocky Mountain Conference
Mar 7	Rocky Mountain Conference
Mar 10	Yoga
Mar 11	Zumba
Mar 14	Wedding
Mar 17	Yoga
Mar 18	Zumba
Mar 19	Yoga
Mar 20	Country Western Dance
Mar 21	Wedding
Mar 24	Yoga (x2)
Mar 25	Climax Mine Vendor Fair
Mar 26	Yoga
Mar 26	Trout Unlimited Event
Mar 28	Wedding
Mar 31	Yoga
Apr 1	Zumba
Apr 2	Summit Reads
Apr 3	Kingdom Hall Worship
Apr 4	Wedding

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Town of Silverthorne
Council Agenda Memorandum

TO: Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Michele Miller, MMC, Town Clerk *MM*
DATE: March 5, 2015
SUBJECT: Town Council Meeting Minutes from February 25, 2015

SUMMARY: Staff asks the Town Council to approve the Town Council Meeting minutes from February 25, 2015.

STAFF RECOMMENDATION: Staff recommends approval of the Minutes from the meeting.

PROPOSED MOTION: Included in the Consent Calendar motion.

ATTACHMENTS:
Meeting Minutes

MANAGERS COMMENTS:

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, February 25, 2015

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members Jon Bird, Derrick Fowler, Peggy Long, Russ Camp, Stuart Richardson and Ann-Marie Sandquist. Staff members present were, Town Manager Ryan Hyland, Chief Mark Hanschmidt, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Planner II Lina Lesmes, Town Attorney Matt Mire and Town Clerk Michele Miller.

Council approved the amended agenda adding, Liquor Board - Nepal Restaurant – Renewal of Hotel & Restaurant Liquor License.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Hyland reported on the success of the Colorado Pond Hockey Tournament.

COUNCIL COMMENTS:

Sandquist thanked Public Works for clearing Eagles Nest's sidewalks so quickly over the weekend.

Long reported the Town had hit a million dollar sales tax remittance in December

CONSENT CALENDAR:

Richardson asked that no more Angler Mountain replats be granted until the fishing shack is started.

RICHARDSON MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MEETING MINUTES FROM FEBRUARY 11, 2015, REPLAT - ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES, FILING NO. 5 – FIFTH AMENDMENT, REPLAT – THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO. 3 – THIRD AMENDMENT AND REPLAT – LOTS 11R &13R, WILLOW CREEK HIGHLANDS, FILING NO. 7. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

CITIZEN COMMENTS:

None.

LIQUOR BOARD:

Nepal Restaurant – Renewal of Hotel & Restaurant Liquor License

CAMP MOVED TO APPROVE NEPAL RESTAURANT – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

DISCUSSION ITEMS:

Richardson asked for a report on Bakers' Brewery opening date.

Sandquist asked about Hampton Inn's progress.

Staff reported.

WORK SESSION

Affordable Housing/Gateway Design District Standards

Lina Lesmes, Senior Planner presented the revised standards and guidelines for the Gateway Design District to Council and staff for discussion.

BIRD MOVED TO GO INTO EXECUTIVE SESSION AT 7:55 P.M. WITH THE TOWN ATTORNEY AND TOWN MANAGER UNDER CHARTER SECTION 4.13 (c) AND CRS 24-6-402(4)(f) FOR THE PURPOSE OF CONDUCTING THE ANNUAL REVIEW OF THE TOWN MANAGER.

HE FURTHER MOVED TO ADJOURN THE COUNCIL MEETING AT THE CONCLUSION OF THE EXECUTIVE SESSION. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

EXECUTIVE SESSION:

For a conference with the Town Attorney and Town Manager under Charter section 4.13 (c) and CRS 24-6-402(f) for the purpose of conducting the annual review of the Town Manager.

INFORMATIONAL:

- A. SPORT Committee Meeting Minutes, January 15, 2015**
- B. Planning Commission Meeting Minutes, February 17, 2015**
- C. December 2014 Sales Tax Review**

EXECUTIVE SESSION CONCLUDED AND MEETING AND ADJOURNED AT 9:00 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the videotape of the meeting, maintained in the office of the Town Clerk.

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU : Ryan Hyland, Town Manager
FROM: Michele Miller, MMC, Town Clerk
DATE: March 4, 2015 for meeting of March 11, 2015
SUBJECT: Liquor license renewal for Local Authority Consideration

SUMMARY:

The Liquor Board is asked to approve the liquor license renewal for Murphy's Tavern.

BACKGROUND:

A. Murphy's Tavern – Renewal of Hotel & Restaurant Liquor license

The applicant has submitted a renewal application for Murphy's. The background investigation completed by the Police Department is attached. The Police Department has verified that the employees who sell or serve liquor have successfully completed a TIP's alcohol training program. The Police Department recommends renewal of the liquor license.

DISCUSSION:

Financial Implications: Each individual liquor license applicant is required to submit both local licensing fees and state licensing fees as set forth by the Colorado Liquor Enforcement Division. These fees are submitted with the application materials.

STAFF RECOMMENDATION:

Staff recommends approving the renewal application. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

PROPOSED MOTION:

I MOVE TO APPROVE MURPHY'S TAVERN - RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE.

ATTACHMENTS:

Liquor license renewal application and Police Department memo.

MANAGERS COMMENTS:



601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498
(970) 262-7320 • Fax (970) 262-7315

DATE: March 4, 2015
TO: Michele Miller
FROM: Officer Anne Baldwin
SUBJECT: Background check for hotel and restaurant liquor license – malt, vinous, and spirituous application, Murphy’s Tavern, Inc.

Since their last liquor renewal application, Murphy’s Tavern, Inc. has not had any alcohol-related incidents in or around the business. I have verified all employees of Murphy’s Tavern, Inc. are currently TIPS certified.

Based on the background information of the Silverthorne Police Department, we do not have any objections to the approval of this malt, vinous and spirituous liquor license application.

Reviewed by

Chief of Police
Mark Hanschmidt

03-04-15
Date

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

MURPHY'S TAVERN
 PO BOX 797
 SILVERTHORNE CO 80498

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name MURPHY'S TAVERN INC		DBA MURPHY'S TAVERN		
Liquor License # 14354620000	License Type Hotel & Restaurant (city)	Sales Tax License # 14354620000	Expiration Date 4/1/2015	Due Date 2/15/2015
Street Address 501 BLUE RIVER PKWY SILVERTHORNE CO 80498-9224				Phone Number (970) 468 2457
Mailing Address PO BOX 797 SILVERTHORNE CO 80498				
Operating Manager MARK "Bennie" MURPHY	Date of Birth 7-15-54	Home Address 8000 C.R. 22 Kremmling Co 80459	Phone Number 970-724-1112	
<p>1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Is the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease <u>Automatic Renewal</u></p> <p>2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.</p> <p>3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>6. SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS: Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.</p>				

AFFIRMATION & CONSENT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business MARK B. MURPHY	Title President
Signature <i>MB Murphy</i>	Date 2-5-2015

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title
	Attest

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Town of Silverthorne
Town Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, AICP, Assistant Town Manager *ML*
FROM: Matt Gennett, AICP, Planning Manager *MG*
DATE: March 5, 2015, for the meeting of March 11, 2015
SUBJECT: PUD Major Amendment – South Maryland Creek Ranch (PT2014-06)

SUMMARY: The applicant is seeking Final approval of the South Maryland Creek Ranch (SMCR) Major PUD Amendment. The most significant aspect of this request is the proposed change in density from eighty-three (83) to two-hundred and forty (240) residential units. The proposal continues to include a twenty (20) acre town park, a private lake area, and consists predominantly of single-family detached units. The proposed gross density would be equivalent to 0.57 dwelling units per acre.

PREVIOUS COUNCIL ACTION: On December 14, 2005, Town Council approved both the Annexation, and associated Annexation Agreement, and PUD zoning for South Maryland Creek Ranch (SMCR) PUD. On December 14, 2005, Town Council approved Ordinance No. 2005-17 creating the SMCR General Improvement District. A Sketch Subdivision of South Maryland Creek Ranch was approved by Town Council on November 9, 2005. The Sketch Subdivision approval has since expired due to inactivity on the Preliminary Subdivision submittal. The South Maryland Creek Ranch Minor Subdivision was approved by Town Council on June 28, 2006. On September 12, 2007, the Town Council approved the Sketch Plan for the South Maryland Creek Ranch Major PUD Modification which proposed 83 residential units on 416 acres. On November 14, 2007, the Town Council approved on first reading Ordinance No. 2007-23, an ordinance zoning 61 acres of the Maryland Creek Ranch to South Maryland Creek Ranch PUD. On November 28, 2007, the Town Council approved Ordinance No. 2007-23 on second reading, an ordinance zoning 61 acres of Maryland Creek Ranch to South Maryland Creek Ranch PUD.

Maryland Creek Ranch (MCR) Sketch Subdivision and Sketch Disturbance Permit Application (DPA) for the 416 acre property, was approved by Town Council on February 13, 2008. A Preliminary Subdivision and Preliminary DPA were approved on September 24, 2008. On June 24, 2009, Town Council re-approved the Preliminary Subdivision and DPA and granted a one-year extension to the MCR Preliminary Subdivision and DPA, extending the Preliminary approval to September 24, 2010. Staff approved a six month extension of the Preliminary Subdivision and DPA from September 24, 2010, to March 24, 2011.

On March 9, 2011, the Town Council reapproved the Preliminary Subdivision for MCR with an extended three-year effective date of approval. The reapproved Preliminary Subdivision expired on March 24, 2014.

On October 22, 2014, the Town Council approved the Fourth Amendment to the Amended and Restated Annexation and Development Agreement for SMCR, which extended certain deadlines by one year. On October 22, 2014, the Town Council approved the Second Amendment to the Amended and Restated Water Service Agreement for SMCR to extend a deadline by one year. On October 22, 2014, the Town Council approved the Fifth

Town of Silverthorne
Town Council Agenda Memorandum

Amendment to the Subdivision Improvements Agreement for SMCR to extend a deadline commensurate with the completion of required improvements.

On January 28, 2015, Council approved Minor Subdivision plats for SMCR and Ox Bow Ranch which resolved a property line location discrepancy.

BACKGROUND: In December 2005, the Town annexed and zoned SMCR which then consisted of 71 single family residential units on 355 acres. On May 23, 2007, Maryland Creek Ranch, LLC, brought forward an Annexation Petition to annex an additional 61 acres. The primary purpose of this later annexation was to increase the acreage of SMCR property so that the one unit per five acre Rural Residential density would be maintained upon incorporating an additional twelve (12) units into the original SMCR PUD. In November 2007, the Town approved the annexation of an additional 61 acres concurrently with a Major PUD Amendment to zone the additional 61 acres and allow for an additional twelve (12) units of density in the SMCR PUD, which brought the total units to 83 single family units on 416 acres. On May 16, 2014, the applicants submitted the application for a Major Amendment to the SMCR PUD. On March 3, 2015, the Planning Commission forwarded a recommendation of approval to Council by a vote of 7-0.

DISCUSSION: Please see attached Staff Report.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, by a vote of 7-0, recommends approval of the South Maryland Creek Ranch Major (SMCR) PUD Amendment, with the following conditions:

1. That the Amended and Restated Annexation and Development Agreement, and all the associated agreements outlined in this report, shall be amended to appropriately reflect and accommodate the requested increase in density, to the satisfaction of staff and prior to the public hearing of the SMCR Major PUD Amendment application before Council.
2. That Section 4.2 of the PUD Guide regarding private *Related Road Improvements* shall be removed from the PUD prior to the public hearing before Town Council pursuant to the memorandum from Public Works (Exhibit A to this report). The various PUD Guide exhibits referencing these private improvements in Town Rights-of-Way shall likewise be amended and updated to reflect this textual change.
3. That the updated comments of the SPORT Committee continue to be addressed and incorporated into the project as it proceeds forward in the development review process.

STAFF RECOMMENDATION:

Staff recommends that Condition 1, as stated above, be amended to state: "The South Maryland Creek Ranch Major PUD Amendment approval is conditioned upon the review and approval of the SMCR Development Agreement and Water Services Agreement by Town Council".

PROPOSED MOTION: *"I move to approve the Major Amendment to the South Maryland Creek Ranch PUD, with the Planning Commission recommended conditions, as amended by staff."*

Town of Silverthorne
Town Council Agenda Memorandum

PROPOSED ALTERNATIVE MOTION: : *"I move to deny the South Maryland Creek Ranch Major PUD Amendment, with the finding that it does not meet Comprehensive Plan Policy LU3.1 and Town Code Section 4-4-14(g)(3) Criteria for a Final PUD Plan."*

ATTACHMENTS:

Staff Report and Exhibits

MANAGER'S COMMENTS:

Town of Silverthorne, Colorado
Town Council Staff Report

From: Matt Gennett, AICP, Planning Manager *MG*

Through: Mark Leidal, AICP, Assistant Town Manager *ML*

Date: March 5, 2015, for the meeting of March 11, 2015

Subject: South Maryland Creek Ranch - PUD Major Amendment (PT2014-06)

Owner/Applicant: Tom Everist, South Maryland Creek Ranch, LLC.

Proposal: The applicant is seeking Final approval of the South Maryland Creek Ranch (SMCR) Major PUD Amendment. The most significant aspect of this request is the proposed change in density from eighty-three (83) to two-hundred forty (240) residential units. The proposal continues to include a twenty (20) acre town park, a private lake area, and consists predominantly of single-family detached units. The proposed gross density would be equivalent to 0.57 dwelling units per acre. *(Please see the attached PUD Plan and Guide for further information.)*

Address: 28755 Highway 9

Legal Description: South Maryland Creek Ranch – First Amendment.

Site Area: 416 acres

Zone District: PUD

Site Conditions: Of the 416 acres included in the Major PUD Amendment request, a portion is currently being use by Everist Materials for their gravel operation. The remainder of the land is undeveloped property, primarily made up of a wooded hillside leading up to the National Forest.

Adjacent Uses: North: Remainder of the Maryland Creek Ranch property
South: US Forest Service property
East: Oxbow Ranch and Highway 9
West: US Forest Service property

PREVIOUS COUNCIL ACTION: On December 14, 2005, Town Council approved both the Annexation, and associated Annexation Agreement, and PUD zoning for South Maryland Creek Ranch (SMCR) PUD. On December 14, 2005, Town Council approved Ordinance No. 2005-17 creating the SMCR General Improvement District. A Sketch

Subdivision of South Maryland Creek Ranch was approved by Town Council on November 9, 2005. The Sketch Subdivision approval has since expired due to inactivity on the Preliminary Subdivision submittal. The South Maryland Creek Ranch Minor Subdivision was approved by Town Council on June 28, 2006. On September 12, 2007, the Town Council approved the Sketch Plan for the South Maryland Creek Ranch Major PUD Modification which proposed 83 residential units on 416 acres. On November 14, 2007, the Town Council approved on first reading Ordinance No. 2007-23, an ordinance zoning 61 acres of the Maryland Creek Ranch to South Maryland Creek Ranch PUD. On November 28, 2007, the Town Council approved Ordinance No. 2007-23 on second reading, an ordinance zoning 61 acres of Maryland Creek Ranch to South Maryland Creek Ranch PUD.

Maryland Creek Ranch (MCR) Sketch Subdivision and Sketch Disturbance Permit Application (DPA) for the 416 acre property, was approved by Town Council on February 13, 2008. A Preliminary Subdivision and Preliminary DPA were approved on September 24, 2008. On June 24, 2009, Town Council re-approved the Preliminary Subdivision and DPA and granted a one-year extension to the MCR Preliminary Subdivision and DPA, extending the Preliminary approval to September 24, 2010. Staff approved a six month extension of the Preliminary Subdivision and DPA from September 24, 2010, to March 24, 2011.

On March 9, 2011, the Town Council reapproved the Preliminary Subdivision for MCR with an extended three-year effective date of approval. The reapproved Preliminary Subdivision expired on March 24, 2014.

On October 22, 2014, the Town Council approved the Fourth Amendment to the Amended and Restated Annexation and Development Agreement for SMCR, which extended certain deadlines by one year. On October 22, 2014, the Town Council approved the Second Amendment to the Amended and Restated Water Service Agreement for SMCR to extend a deadline by one year. On October 22, 2014, the Town Council approved the Fifth Amendment to the Subdivision Improvements Agreement for SMCR to extend a deadline commensurate with the completion of required improvements.

On January 28, 2015, Council approved Minor Subdivision plats for SMCR and Ox Bow Ranch which resolved a property line location discrepancy.

BACKGROUND: In December 2005, the Town annexed and zoned SMCR which then consisted of 71 single family residential units on 355 acres. On May 23, 2007, Maryland Creek Ranch, LLC, brought forward an Annexation Petition to annex an additional 61 acres. The primary purpose of this later annexation was to increase the acreage of SMCR property so that the one unit per five acre Rural Residential density would be maintained upon incorporating an additional twelve (12) units into the original SMCR PUD. In November 2007, the Town approved the annexation of an additional 61 acres concurrently with a Major PUD Amendment to zone the additional 61 acres and allow for an additional twelve (12) units of density in the SMCR PUD, which brought the total units to 83 single family units on 416 acres. On March 3, 2015, the Planning Commission forwarded a

recommendation of approval to Council by a vote of 7-0.

EFFECTIVE APPROVAL DOCUMENTS: The following section provides a comprehensive list of approved plans, plats, agreements, and corresponding implementing documents that remain in effect for the SMCR PUD. The terms and conditions of all the agreements listed below shall remain in effect moving forward to the public hearing before Council, at which time a renegotiated Development Agreement, and all the associated agreements, will be presented for Council's consideration. Business points, important milestones and public improvements completed to-date are highlighted underneath each item in the list.

• **Annexation & Development Agreement**

▪ History:

- Council first entered into the Annexation and Development Agreement with Maryland Creek Ranch, LLC, on December 14, 2005
- On November 28, 2007, Council approved the Amended and Restated Annexation and Development Agreement with the annexation of an additional 61 acres to the PUD
- A First Amendment to the Amended and Restated Annexation and Development Agreement was approved by Council on November 10, 2009
- Council approved a Second Amendment to the Amended and Restated Annexation and Development Agreement on November 9, 2011
- The Third Amendment to the Amended and Restated Annexation and Development Agreement was approved on December 12, 2012
- The Fourth Amendment to the Amended and Restated Annexation and Development Agreement was approved on October 22, 2014

▪ Essentials:

- Fiscal Impact Analysis: Residential development must pay for the costs it generates
- 2% RETA
- \$100,000 toward the Pavilion
- \$500,000 toward a new P.W. facility
- 8 Units of Affordable Housing in Solarado
- \$1.2 million toward the trail
- 20 acre public park and vertical improvements
- Entry monument sign
- Sewer opportunity fee

• **Planned Unit Development (PUD) Development Final Plan**

▪ History:

- First approved with annexation on December 15, 2005
- Major PUD Amendment approved on November 28, 2007

▪ Essentials:

- Establishes Zoning Standards such as -
 - Permitted uses, building heights, densities, and setbacks
- Architectural control
 - Sets forth allowed designs, materials, and color palette
- Roads Design
- Public Park Design

• **Preliminary Subdivision**

- History:
 - Extended approval expired on March 24, 2014 (please see Previous Council Action for detailed chronology)
- Essentials:
 - Geotechnical investigations and reports
 - Soils reports and studies
 - Inclinometers & Dosimeters installed and monitored
 - Road layout
 - Water & sewer lines installed
 - Bridge infrastructure installed

• **General Improvement District (GID)**

- History:
 - On December 14, 2005, Ordinance Nos. 2005-17 and 2005-18 were approved on second reading thereby allowing for the GID to be set up and a ballot question floated to fund the services and functions of the GID
 - On January 9, 2008, Ordinance No. 2008-1 was passed by the GID Board thereby including the additional 61 acres annexed into the SMCR PUD as part of the General Improvement District boundary
- Essentials:
 - Set up to pay for the services provided to SMCR
 - A maximum of 30 mils was assumed
 - 15-18 mils anticipated to cover costs
 - GID controlled by Council, not a separate board

• **Water Service Agreement**

- History:
 - Tracks with the Annexation and Development Agreement
 - Current version is the Second Amendment to the Amended and Restated Water Service Agreement approved on October 22, 2014, which extended a deadline by one year
 - First Amendment to the Amended and Restated Water Service Agreement approved on November 14, 2012, which allowed a two-year extension on changes to water rights decreed to the Maryland No. 2 Ditch and the McKay Ditch
- Essentials:
 - Senior water rights allocated to the Town

- Water usage – park

- **Comprehensive Plan**

- History:

- The original annexation and zoning of SMCR was based upon its adherence to the nine site-specific criteria from the previous version of the Comprehensive Plan, cited below

- Essentials:

- Major PUD Amendment approved in November 2007 based upon its conformance to the Comp Plan using these nine site-specific design criteria:
 - Preserve rural ranch open character
 - Preserve views of Gore Range from Highway 9
 - Low density, rural residential (1 DU per 5 acres)
 - Cluster development in areas not visible from Highway 9
 - Avoid ridgeline and steep slope development
 - Expand and enhance gateway to Silverthorne and the Lower Blue Valley
 - Enhance parks, trails, and open space in accordance with the Town Park, Trails and Open Space Plan
 - Preserve existing vegetation
 - Sensitive to wildlife impacts

STAFF COMMENTS:

In accordance with Town Code Section 4-1-22, a PUD Major Amendment requires a Pre-application meeting and Final PUD Plan review process. Section 4-4-14(g)(3) sets forth the criteria for approval of a Final PUD Plan, which are: *a) Consistency with the Comprehensive Plan and other Town master plans and standards; and, b) Consistency with Chapter 4 of the Town Code and other applicable standards established by the Town.* The PUD Guide shall include but not be limited to proposed land uses, densities, setbacks, building heights, lot coverages, parking requirements, landscaping requirements, and architectural standards. The Final PUD Plan and Guide (Exhibit C) has been found by staff to contain sufficient information and details related to the type, intensity, and density of the proposed residential development.

Comprehensive Plan Conformance:

The current version of the Comprehensive Plan is the 2014 Comprehensive Plan Update and contains language that is similar to the previous version of the plan, but is less specific regarding desired densities as one travels outward from the Town Core. As listed earlier in this memorandum, the last Major Amendment to the SMCR PUD occurred in 2007 and was structured in a manner that ensured conformance to the previous policy guideline (contained in *Appendix A: Three-Mile Plan*) of maintaining an overall density of one unit per five acres. *Appendix A* of the previous Comprehensive Plan has since been updated to reflect the annexation of the portion of Maryland Creek Ranch now known as South Maryland Creek Ranch, and the density numbers (one unit per five acres) have been removed.

The pertinent language from the 2014 Comprehensive Plan Update is contained in Land Use Policy 3.1, which reads as follows:

“Focus highest density residential development within and radiating outward from Silverthorne’s Town Core, transitioning to medium and lower density neighborhoods to the north and east, eventually promoting a buffer of the lowest density, largest lot residential areas abutting the private agricultural and public lands that surround the town.” (2014 Comprehensive Plan Update, p.28)

The language from *Appendix A: Three-Mile Plan* in the 2014 Comprehensive Plan Update that refers to the Maryland Creek Ranch property has been revised to read as follows:

Area 6: Maryland Creek Ranch:

Description *The Maryland Creek Ranch is located north of South Maryland Creek Ranch Subdivision and west of SH 9.*

Land Uses *The parcel is approximately 656 acres and is presently zoned A-1 (Agriculture) by Summit County. Currently, a portion of the site is used for gravel extraction. If annexed this parcel should be zoned PUD. A PUD would allow for flexibility in the development plans to permit clustered units to avoid steep slopes and ridgelines and to maintain valuable vegetation and reduce visual impacts. Development should be sensitive to its visual and wildlife impacts. If annexed, applicant shall utilize sensitive site design techniques including but not limited to the following:*

- Preservation of rural ranch and open character*
- Preservation of views of Gore Range from SH 9*
- Low density, rural residential*
- Cluster development in areas not visible from SH 9*
- Avoidance of ridgeline and steep slope development*
- Expansion and enhancement of the gateway to Silverthorne and the Lower Blue River Valley*
- Enhancement of Parks, Open Space, and Trails in accordance with the Town’s Park, Trails and Open Space Master Plan*
- Preservation of existing vegetation*
- Sensitivity to wildlife impacts*

Transportation

The primary road system utilized to service this area would be SH 9, which lies adjacent to the parcel. No additional roads would be required, except for local streets that would be associated with any future development of the parcel. (2014 Comprehensive Plan Update, p. A6)

The Comprehensive Plan language excerpted above still contains the nine site design criteria, including the “low density, rural residential” characteristic, but does not specify or define numerically this designation. The application does reflect distinct adherence to the principles of clustering development in areas not visible from Highway 9, and avoiding

steep slopes and ridgelines. Additionally, the Three-Mile Plan only applies to areas on the periphery of the Town and is contemplative of desirable design attributes should these lands eventually be annexed into the Town at some point in the future.

Staff finds the applicant's proposal to be in conformance with the purpose, intent, and applicable language of the 2014 Comprehensive Plan Update.

Proposed PUD Amendment:

The new PUD Guide breaks the property into three different categories of residential development Planning Areas: *1A: Estate*, *1B: Low Density*, and *1C: Conservation Residential*. *Planning Area 1A* is programmed to be comprised of large lots that have a minimum parcel size of at least .75 acres, or 32,670 sq. ft., and will contain a maximum density of thirty-five (35) dwelling units. *Planning Area 1B* will be made up of lots that have a minimum parcel size of .30 acres, or 13,000 sq. ft., and will have a maximum density of one-hundred and fifty (150) dwelling units. *Planning Area 1C* is planned to contain footprint homes that are clustered together to optimize the conservation of open space and will build out to a maximum density of seventy-four (74) dwelling units. The sum of the total number of dwelling units for these three planning areas shall not exceed two-hundred and forty (240) dwelling units.

Planning Area 1D, Community Center, will contain the private amenities for the development including a pool, clubhouse and gym facilities. *Planning Area 2, Town Park*, will be a twenty (20) acre public park dedicated to the Town of Silverthorne and is detailed in Exhibit F of the application binder. *Planning Area 3, Private Lake Area*, is planned primarily for open space, landscaping, and recreational activities related to the use of the lake. *Planning Area 4, the Nature Preserve*, is slated for open space, trails, and passive recreational uses. *Planning Area 5, the Meadow*, is being planned as an open space area without any specific uses other than landscaping and maintenance of the landscaping.

Staff finds the application for a Major Amendment to the SMCR PUD is consistent with the applicable sections of Chapter 4 of the Town Code.

Density – With the approval of the proposed PUD amendment for an additional 157 dwelling units, the overall gross density of the SMCR project equates to 0.57 dwelling units per acre. Any additional density approved under the proposed PUD Amendment will not guarantee that all of the permissible density will be fully realized when the property is subdivided. The applicant will still have to process Preliminary and Final Subdivision applications in accordance with the residential subdivision requirements and all of the density permitted under the PUD zoning may not be attained.

PUD Exhibits – As noted in the review comments from the Public Works Department (Exhibit A), the PUD Guide binder (Exhibit C) provided by the applicant contains many supplemental, informational exhibits that are intended for illustrative purposes as this is an initial, conceptual stage of design. The only exception is the PUD Guide itself, which is Exhibit B-1 to the PUD Guide contained in Exhibit C to this report. Many of the exhibits, including the Trails and Conceptual Park Plans (Exhibits D and F to the PUD Guide,

respectively), contain details that are subject to change as the development proposal continues through the review process and onto the Preliminary Plan stage. A Fiscal Impact Analysis, Wildlife Report, Traffic Impact Study, and Geological Analysis are included in Exhibit C to this report in compliance with Town Code Section 4-4-14(g)(7).

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, by a vote of 7-0, recommends approval of the South Maryland Creek Ranch Major PUD Amendment, with the following conditions:

1. That the Amended and Restated Annexation and Development Agreement, and all the associated agreements outlined in this report, shall be amended to appropriately reflect and accommodate the requested increase in density, to the satisfaction of staff and prior to the public hearing of the South Maryland Creek Ranch Major PUD Amendment application before Council.
2. That Section 4.2 of the PUD Guide regarding private *Related Road Improvements* shall be removed from the PUD prior to the public hearing before Town Council pursuant to the memorandum from Public Works (Exhibit A to this report). The various PUD Guide exhibits referencing these private improvements in Town Rights-of-Way shall likewise be amended and updated to reflect this textual change.
3. That the updated comments of the SPORT Committee continue to be addressed and incorporated into the project as it proceeds forward in the development review process.

STAFF RECOMMENDATION:

Staff recommends that Condition 1, as stated above, be amended to state: "The South Maryland Creek Ranch Major PUD Amendment approval is conditioned upon the review and approval of the SMCR Development Agreement and Water Services Agreement by Town Council".

Proposed Motion: *"I move to approve the Major Amendment to the South Maryland Creek Ranch PUD, with the Planning Commission recommended conditions, as amended by staff."*

Proposed Alternative Motion: *"I move to deny the South Maryland Creek Ranch Major PUD Amendment, with the finding that it does not meet Comprehensive Plan Policy LU3.1 and Town Code Section 4-4-14(g)(3) Criteria for a Final PUD Plan."*

ATTACHMENTS:

- Exhibit A: Public Works/Engineering Memo dated 2/25/15
- Exhibit B: Referral Agency Comments
- Exhibit C: Application Binder
- Exhibit D: Updated Traffic Analysis
- Exhibit E: Friends of the Lower Blue River comments dated 3/01/15

EXHIBIT A

TO: Matt Gennett, Planning Manager
FROM: Bill Linfield, Public Works Director and Dan Gietzen, Town Engineer
DATE: February 25, 2015
SUBJ: Public Works Engineering comments on South Maryland Creek Ranch, Major Amendment to the existing Planned Unit Development (PUD):

Public Works has no objections to the zoning, land uses and densities proposed within the SMCR PUD dated December 16, 2014.

Our only significant concern with the PUD as written relates to the inclusion and approval of proposed private improvements to be located in public right-of-way (ROW). These improvements, referred to in the PUD as "Related Road Improvements" include things such as private water features, fencing, sculptures, decorative rock, landscaping and irrigation, among other things. These are all very general, broad terms for things that could be small or big, few or many, benign or problematic for Public Works. Additionally, we have not yet seen engineering plans and thus we cannot have true sense of how these unknowns will fit into the big picture and overall design, and what potential impacts might arise.

Public Works appreciates the Applicant's desire to cover as many items as possible during the PUD process, but we feel that the PUD a premature place for the Town to agree to obligate portions of right-of-way for these private improvements. There are many unknowns that will remain as such until design and reviews progress, and approval of this in the PUD could preclude the Town from denying any future proposals, should we have issues with them, once we finally do see more details.

The priority for ROW is for public roads, snow, utilities, drainage and other operational needs. Town standards, by default, prohibit placement of private improvements in the ROW. This said, exceptions are occasionally made, and private improvements have been allowed on site specific, case-by-case basis via License Agreements, which are allowed by the Town Charter. The Three Peaks entry monument at North Golden Eagle Road as well as on street parking and sod placement in ROW within Angler Mountain Ranch are a few past examples of how these have worked well.

In summary, Public Works feels that the topic of sharing ROW should be done on a case by case and at site specific locations once we have better design information as well as the chance to visit the actual physical location(s). The possibility of allowing private improvements within portions of the ROW should be addressed by site specific License Agreements which would memorialize the terms and the details. The PUD should focus on the project zoning. Site plan related issues like this one, are premature for and do not belong in the PUD.

Staff recommendation: Public Works Department recommends approval of the PUD, to be amended to remove text related to private Related Road Improvements to be located in the Town right-of-way.

TO: Matt Gennett, Planning Manager
Community Development Department, Town of Silverthorne

FROM: SPORT Committee
Joanne Cook, Recreation & Culture Director

DATE: February 3, 2015

SUBJECT: South Maryland Creek Ranch Major PUD Amendment

Thank you for the opportunity to comment on the South Maryland Creek Ranch Major PUD Amendment. On behalf of the SPORT Committee, I am writing this referral letter as it relates to the goals and objectives of the Town of Silverthorne's Parks, Open Space, and Trails (POST) Master Plan. SPORT Committee discussed the South Maryland Creek Ranch Major PUD Amendment at the January 15, 2015 and February 19, 2015 SPORT meetings.

The SPORT Committee would like to add the following comments to their previously submitted comments via a referral letter dated July 11, 2014:

1. The committee is pleased that the additional parking is now included at the Maryland Creek Trail access point to the National Forest. (This is especially welcomed for winter access to the National Forest and Gore Range.)
2. The committee would like the types of trails and their uses more clearly defined on the plans:
 - Forest Service Trail to the National Forest and Gore Range Trail
 - Silverthorne Loop Trail
 - Internal Trails to the M. C. Development
3. The committee would like the proposed trail, that is intended to connect to existing trails at north Eagles Nest/ Three Peaks to be on SMCR property. When the trail is constructed within the SMCR boundary, the committee would like these Silverthorne Loop trails to be dedicated to the Town via an easement. This recommendation is made due to the fact that the USFS is not currently adding new trails to its inventory, therefore making the previous proposed alignment infeasible.
4. Lastly, the committee would like the Silverthorne Loop Trail concept from the POST Master Plan incorporated in trail alignment decision making.

Thank you for the opportunity to make comments on the South Maryland Creek Ranch Major PUD Amendment. If desired, the SPORT Committee is available to meet and discuss these recommendations with Applicant.

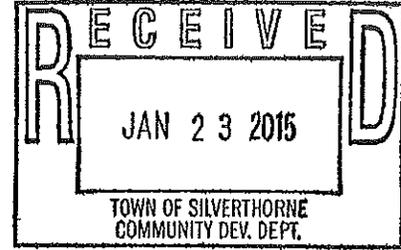


COLORADO

Parks and Wildlife

Department of Natural Resources

Hot Sulphur Springs Service Center
PO BOX 216 | 346 Grand County Road 362
Hot Sulphur Springs, Colorado 80451
P 970.725.6200 | F 970.725.6217



Matt Gennett
Senior Planner
Town of Silverthorne
P.O. Box 1309
Silverthorne, CO 80498

RE: South Maryland Creek Ranch PUD Amendment

Dear Mr. Gennett,

Thank you for the opportunity to comment on the amendment to the South Maryland Creek Ranch (SMCR) PUD and the 2014 SMCR Wildlife Impact and Mitigation Report. Colorado Parks and Wildlife (CPW) staff met with the applicant and their consultants on October 10, 2014 to discuss wildlife issues and visit the project site. The 2014 Wildlife Impacts and Mitigation Report (WIMR) reflects the discussions and did a very good job of following the CPW's recommendations.

CPW has a statutory responsibility to manage all wildlife species in Colorado; this responsibility is embraced and fulfilled through CPW's mission to protect, preserve, enhance, and manage the wildlife of Colorado for the use, benefit, and enjoyment of the people of the State and its visitors. CPW encourages the South Maryland Creek Ranch and Town of Silverthorne Planning Department to afford the highest protection for Colorado's wildlife species and habitats. CPW has reviewed the proposal and would like to offer the following comments on potential impacts to wildlife.

The SMCR property is approximately 416 acres, and has been proposed for a combination of residential development and open space. The proposal request is to amend the 2007 PUD from a proposal of 140 acres divided into 83 residential lots, to 166 acres divided into 260 residential lots/units. The 2014 amendment slightly increases the total area of lot development, but has been modified to increase clustering of development and minimize the disturbance envelope on each lot to make the overall PUD more wildlife friendly.

The property falls within summer range, overall range and migration area for mule deer; summer range, production area, winter range and overall range for elk; concentration area, summer range and overall range for moose; summer concentration area and overall range for black bear; overall range for mountain lion; and summer and winter forage area for bald eagles. Development of this property would contribute to overall human disturbance and fragmentation in Summit County, and will negatively impact local wildlife that inhabit and move through the SMCR and surrounding areas.



The property is heavily utilized by local elk for winter range, summer range, and calving (production) areas. Calving areas are critical habitat for elk as they are typically areas that provide forage, water and seclusion areas in close proximity during spring and summer months. These calving grounds are well established, and elk return the same areas each year. Development within these production areas may cause a shift in use to less suitable habitat, and may reduce the overall carrying capacity of the elk herd. The wildlife habitat west along the Highway 9 corridor north of I-70 has been heavily developed all the way up to the proposed SMCR PUD, which is located within current winter range for elk. High density development may also cause displacement of local elk during winter months, and increase the pressure on adjacent winter range to the north. The displacement of elk may also cause an increase in game damage on neighboring properties.

The 2014 WIMR includes mitigation measures to maintain three movement corridors for wildlife within the PUD. The mitigation measures include three span bridges (15' high by 40' wide) to allow for wildlife movement beneath roads; speed limits below 25 mph to reduce potential animal-vehicle collisions; clustering of home sites and designated building envelopes to minimize lot disturbance and maintain natural open space "buffers" to allow for wildlife movement through the PUD; use of native plants for landscaping; and wildlife-friendly fencing (no barbed wire or open mesh) requirements through the Home Owner's Association (HOA). CPW supports these mitigation measures to help reduce negative impacts to wildlife. Additional resources for fencing and wildlife can be found on our website at:

<http://cpw.state.co.us/Documents/LandWater/PrivateLandPrograms/FencingWithWildlifeInMind.pdf>

Currently and historically, lands adjacent to SMCR have been important areas for hunting opportunity and harvest of primarily of elk and deer, as well as moose and bear. Residential development of SMCR may create a refuge for some species, hindering the ability to hunt the surrounding areas and achieve harvest both on the private and adjacent public lands. This has occurred in neighboring subdivisions to the south (Ruby Ranch and Willowbrook subdivisions). Hunter harvest is important to maintain healthy populations and reduce human conflict with wildlife, including road kill and nuisance issues. The amended proposal includes a trailhead with public parking, and a public hiking trail through the PUD to access adjacent US Forest Service (USFS) property. CPW supports this public access to USFS lands behind SMCR, which will facilitate future hunting in the area. This will help achieve harvest goals for elk, deer, moose and bear, and potentially reduce wildlife conflict in the PUD.

The close proximity of public land to SMCR provides residents with many recreational opportunities in addition to hunting. The CPW's recommendations for the designated trails to

access the public land behind SMCR were well addressed in the new draft PUD. CPW recommends that SMCR, the Town of Silverthorne, and the USFS continue to work together to minimize the development of social trails on the private property and adjacent USFS lands.

SMCR is located within black bear habitat. Human food sources associated with residential areas including garbage, pet food, barbeque grills, and birdfeeders can attract black bears, as well as coyotes, foxes, raccoons and other unwanted wildlife. Conflicts between residents and bears will occur if steps are not taken to reduce attractants to bears around home sites within SMCR, and conflicts will be intensified with the high density of units/lots in the current proposal.

The 2014 WIMR includes establishment of a Bear Protection Ordinance withing the SMCR HOA. These mitigation measures include prohibited feeding of wildlife; restricted bird feeders (April-November); required bear-proof trash receptacles; overnight garbage storage restrictions; maintaining clean grills; no fruit trees allowed on properties, and no composting. CPW supports all of these mitigation measures, and recommends that all new housing developments in Summit County require bear-resistant trash cans and dumpsters and establish HOA trash ordinances to avoid attracting bears and coyotes into the vicinity. Residents should plan on educating themselves with information provided by CPW. Additional resources and brochures about local wildlife species can be found on our website at:

<http://wildlife.state.co.us/WildlifeSpecies/LivingWithWildlife/Pages/LivingWith.aspx>

Pets can have a negative impact on local wildlife. Moose move through the SMCR area year round, and are sighted frequently. Moose react to dogs as they would to wolves, and do not run from dogs but may defend themselves and attack if provoked. Dogs that bark at, chase or harass moose can create a dangerous situation for both pets and humans. Both dogs and cats can chase, harass and kill other wildlife including fawns, calves, small mammals and songbirds. Pets also can be attractants for predators such as mountain lions and coyotes, both of which are present in the proposed area. The high density of units in the current SMCR proposal will increase the number of pets in the area significantly, and will negatively affect wildlife species in the area.

The WIMR mitigation measures include establishment of HOA restrictions that require the following: a leash law (no free roaming pets); pens, kennels or runs for outdoor pets (using wildlife-friendly fencing); no bee hives; and no livestock. A public dog park is to be established as part of the PUD, and the HOA will educate residents on how pets can impact wildlife, and encourage use of the dog park. CPW supports these mitigation measures to reduce impacts to wildlife.

The applicant has provided for wetland buffers which protect wetland areas which have high wildlife value because they serve as resting, nesting, feeding, and movement areas for many wildlife species. Wetlands are a vital component of the ecosystem, providing a natural filtration system to maintain water quality, retaining water during periods of drought, acting as a buffer to flooding during periods of high water, reducing erosion, and providing critical habitat for wildlife, particularly migratory birds. Summit County is dedicated to conserving and protecting wetlands and their functions. CPW recommends maintaining the maximum possible buffers around the wetlands for all development, including building sites, roads and trails, to reduce overall impacts. SMCR has done a very good job of following CPW's recommendations in the new draft PUD. CPW also supports the installation of educational signs and enforcement of leash requirements for pets throughout the subdivision (including open spaces, roads and trails) to educate residents and further protect the wetlands.

CPW remains concerned about the high density of residential units in the current proposal. While the SMCR property has historically endured some disturbance from agricultural activities, gravel extraction, and occasional traffic on the existing roads, the current proposed PUD would introduce significantly higher levels of disturbance to wildlife. Development of additional residential lots at this higher density, the infrastructure associated with a new subdivision, new road construction and maintenance, an increased number of pets in the subdivision, trail development and increased year-round human activity and recreational use of the SMCR property and surrounding national forest areas will contribute to the cumulative negative impacts to wildlife in the heavily recreated area of Silverthorne. Such development will degrade the existing habitat, and contribute to further fragmentation and displacement of wildlife that is highly valued by the community of Silverthorne and Summit County.

The 2014 WIMR addresses some of these issues through clustering, minimal building envelopes on each lot, bear-proof trash requirements, pet control and fencing specifications. CPW supports all of these as part of the homeowner/renter regulations to minimize negative impacts to wildlife, but also recommends reducing the total density of units if at all possible.

Colorado Parks and Wildlife (CPW) appreciates the opportunity to be actively involved throughout this planning process, and would be happy to further discuss these wildlife issues and recommendations with SMCR and the Town of Silverthorne. If you have any questions, please contact me at 970-485-2922.

Sincerely,



Tom Davies
District Wildlife Manager, Summit County

- CC: Ron Velarde-Regional Manager (CPW)
Lyle Sidener-Area Wildlife Manager (CPW)
Elissa Knox - District Wildlife Manager (CPW)
Kirk Oldham- Wildlife Biologist (CPW)
Michelle Cowardin- Wildlife Biologist (CPW)

COLORADO GEOLOGICAL SURVEY

1500 Illinois St.
Golden, Colorado 80401
(303) 384-2655



July 7, 2014

Karen Berry
Acting State Geologist

Matt Gennett
Planning Department
Town of Silverthorne
601 Center Circle
Silverthorne, CO 80498

Location:
Sections 22, 23, 26 and 27 ;
T4S, R78W of the 6th P.M.

Subject: South Maryland Creek Ranch – PUD Major Amendment
Project No. PT2014-6; Town of Silverthorne, Summit County, CO; CGS Unique No. SU-14-0003

Dear Mr. Gennett:

Colorado Geological Survey has completed its site visit and review of the above-referenced South Maryland Creek Ranch PUD Major Amendment submittal. With this referral, I received PUD Planning Areas Exhibit B-1 (May 16, 2014), a Community Plan (Norris Design, May 8, 2014), and Final Engineering Geology and Geotechnical Recommendations (figures omitted, Wright Water Engineers, February 2008.) CGS has reviewed this site previously. Our most recent comments were presented in a letter dated September 11, 2008, and summarized the following action items required to address slope stability concerns:

1. "The 1.5 Factor of Safety setback line (fully dimensioned) and a note that no disturbance will occur within the setback will be included on the plat. It would be helpful to note that the line denotes a geologic hazard, so that the future property owners and Town staff are aware of the purpose of the setback." **It is not clear from the lot layout shown on the Community Plan that the 1.5 factor of safety steep slope setback has been correctly incorporated into the current development plans.**
 - The applicant or the applicant's engineer needs to show the currently proposed planning areas and lot layout as fully dimensioned figures relative to WWE's "Building Setback from Steep Slope Required for Minimum Factor of Safety =1.5" line, as shown on Sheet 1 of WWE's "South Maryland Creek Ranch Revised Slump Feature Locations" report, dated August 20, 2008.
 - No lots should be located on or below WWE's setback line.
2. "The Covenants will be revised to include the following:"
 - 2a) "Prohibit land disturbances in scarp and toe areas." **Again, it is not clear from the lot layout shown on the Community Plan that the current development plans avoid WWE's 2008 mapped slump features.**
 - CGS strongly recommends that the applicant provide updated mapping of landslide features (slumps, scarps, tension fractures, pressure ridges, toe bulges, seeps, etc.) to identify any additional slope movement-related features that have developed over the past six years.

- The applicant or the applicant's engineer needs to show the currently proposed planning areas and lot layout as fully dimensioned plans relative to relative to this updated mapping and WVE's mapped and inferred slump features, as shown on Sheet 1 of WVE's "South Maryland Creek Ranch Revised Slump Feature Locations" report, dated August 20, 2008.
 - Building envelopes must specifically exclude slope movement-related features and potential landslide scarp and toe areas.
- 2b) "Require that all final engineering, geotechnical, geologic reports, and referral agency review documents, are keep on record and are available for public inspection." **This requirement remains valid.**
- 2c) "Grading, slope stability analyses, soil and foundation investigations are required prior to land disturbances or issuance of building permits. As-built plans and engineering certifications shall be required prior to issuance of a certificate of occupancy or release of any permits. The town will enforce all engineering, geotechnical, drainage, utility, and geologic hazard related covenants. All such covenants cannot be changed by the homeowner's association without approval of the Town." **This requirement remains valid.**
3. "Construction and maintenance plans for underdrains, including cleanouts, daylight points, and easements shall be submitted." **This requirement remains valid. However, I have several additional questions and recommendations:**
- Has it been determined who will be responsible for inspection, maintenance, repairs, and costs associated with the underdrain system(s): the town, the HOA, or another entity? If responsibility is assigned to the HOA, who would be responsible for the system in the unlikely event that the HOA dissolves?
 - The underdrain system construction and maintenance plans must include an operations manual describing, at a minimum:
 - why the system was constructed and how it works,
 - an as-built map of the system, clearly indicating the location, relative to surface features, of every conduit, cleanout, collection and discharge/daylight point, easement, and all other components of the system,
 - clear instructions on how (and whom to call) to inspect, maintain and repair the system,
 - clear instructions on how to identify malfunctions, and whom to call in the event of malfunction or failure, and
 - clear instructions regarding how to estimate (and therefore levy assessments and budget for) expenses associated with inspection, maintenance and repairs of the system.
 - This document should be recorded with the plat, to ensure that thorough, accurate information about the underdrain system is available to the responsible entity (the town, water/sewer/stormwater district, HOA board and management company, or other party) in perpetuity.
4. "Updated scarp/toe/building envelope diagram shall be submitted." **See 2a) above.**
5. "Construction plans for lined detention ponds 7, 8, and 13, the location of which is shown on the February 19, 2008 Master Drainage Plan." **This requirement remains valid.**
6. "The geotechnical engineer and geologist will review all civil engineering plans at each phase of development (this may be a condition of approval)." **This requirement remains valid.**

7. "The proposed community center next to Vendette Creek will be evaluated in subsequent phasing."
This requirement remains valid.

Water and sewer pipelines. I have serious concerns about the integrity of the water and sewer pipelines traversing this site. The Town and applicant should be aware that a broken water or sewer line will introduce significant water to the soils on this site, potentially causing a decrease in soil strength and stability, and triggering or accelerating slope movement. The water system should be charged very carefully, and monitored for water losses and any decrease in pressure that could indicate a broken pipeline.

Piezometer and inclinometer readings. It was CGS's understanding in 2008 that the existing piezometers and inclinometers would continue to be monitored. CGS would like to review updated piezometer and inclinometer readings, to help characterize slope movement activity, failure surface depth, water levels, etc.

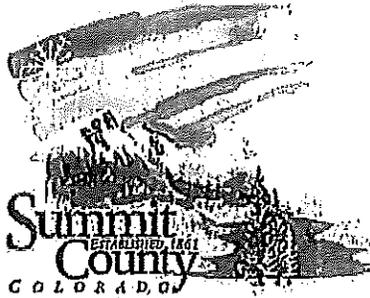
If all of these items are adequately addressed, all engineering and geologic hazard recommendations are followed, and all mitigation measures are properly constructed and maintained, then the applicant has reasonably addressed the concerns expressed by CGS. It remains critical that the recommendations are followed and that highly qualified geotechnical engineers and geologists, with experience in slope stability concerns, remain actively involved with the project throughout all stages of development. As stated before, the development is located on a large landslide with continued risks of renewed slope movement. Developing such areas is not without continued risk.

Thank you for the opportunity to review and comment on this project. If you have questions, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,



Jill Carlson, C.E.G.
Engineering Geologist



PLANNING DEPARTMENT

970-668-4200
fax 970-668-4225
Post Office Box 5660
0037 SCR 1005, Peak One Dr.
Frisco, Colorado 80443

July 7, 2014

Matt Gennett, AICP
Town of Silverthorne
Via email: mgennett@silverthorne.org

**RE: Referral Comments: Maryland Creek Ranch:
Proposed Major PUD Amendment/Comprehensive Plan Amendment**

Dear Matt:

Thank you for allowing Summit County to review and comment on the above listed development proposal to increase the density of the Maryland Creek Ranch PUD from 82 units to 240 units, and to amend related language in the Town of Silverthorne Comprehensive Plan.

Summit County would first like to clarify that the language used in the development proposal materials mistakenly describes the County Lower Blue Master Plan Rural Residential land use designation several times within the document. The Lower Blue Master Plan designates the properties located adjacent to the Maryland Creek Ranch within unincorporated Summit County as Rural Residential, which allows a maximum density of one unit per 20 acres, or one unit per 17.5 acres if subdivided through the County's Rural Land Use Subdivision Regulations. This is a substantial difference from the "maximum of one unit per 5 acres", which is inaccurately stated by the applicant. The Rural Residential designation is described on pages 12-13 of the 2010 Lower Blue Master Plan, which has been attached for your reference.

Density and Transition to the Rural Area of the Lower Blue Basin and the White River National Forest

The surrounding County properties are large acreage parcels intended for agricultural uses having a maximum density of one unit per 20 acres. The lands adjacent to the west of the Maryland Creek Ranch are US Forest Service lands, which then transition into the Eagle's Nest Wilderness. The proposed increase in density for the Maryland Creek Ranch site would result in a residential development of 0.58 units per acre (or 1 unit per 1.72 acres), directly abutting unincorporated County land with a maximum permitted density of one unit per 20 acres, and immediately adjacent to undeveloped public National Forest System lands. The proposed development plan shows that the residential units would be clustered on the south side of the property, with an open space area buffering the development from adjacent County land to the north. The County supports the applicant's proposal to cluster density but we respectfully comment that we do not feel the proposed density provides the type of gradual or feathered transition to the adjacent rural lands that is advised in the applicable County and Town master plans. While the densest County subdivisions in the vicinity are the South Forty Subdivision and the Sage Creek Canyon Subdivision, both zoned R-1 (one unit per acre), these subdivisions are located significantly closer to Highway 9 access and the Silverthorne core than the Maryland Creek Ranch site.

Wildlife Habitat

It is our understanding that this property contains some very high quality wildlife habitat. Specifically, the Colorado Parks and Wildlife (CPW) Colorado Hunting Atlas identifies the proposed project site as a moose concentration area and summer range for moose as well as summer range for mule deer. There may be additional wildlife resources within the project area, which can be identified by CPW, but do not appear in the Hunting Atlas because they are not big game species.

~~Overall, the County has concerns regarding the proposal to nearly triple the residential density, adding 160 additional homes within an area with these important wildlife values. The additional 160 homes will likely create more impacts on the environment and create a need for substantially more infrastructure than the permitted 82 units. For these reasons, the County suggests that a reduction of the proposed density be considered, and recommends that the applicant consult with CPW (if not already doing so) in designing the new residential development, so it can be designed in a manner that is sensitive to wildlife, to the extent possible. Attached are the CPW recommendations for wildlife friendly fencing, for the applicant's reference. An inquiry to CPW should provide additional design/development recommendations to help further reduce impacts on wildlife.~~

Transferable Development Rights (TDRs)

As the Town knows, a TDR program for the Lower Blue Basin was adopted by the Board of County Commissioners (BOCC) in September 2007, and currently applies only to the unincorporated County lands within the Lower Blue Basin. It does not apply to lands located within the Town of Silverthorne. The TDR Program is a voluntary program or planning tool that provides a vehicle where the rights to develop in rural "sending areas" (i.e. primarily rural agricultural ranchlands) can be transferred to urban "receiving areas" that can more appropriately accommodate development. The key goals of the Lower Blue TDR Program, as identified by the Lower Blue TDR Committee are to:

- Preserve the existing character of the Lower Blue Basin, by preserving lands of high visual quality, environmentally sensitive lands, ranchlands, open space, and other important resources.
- Provide development rights to appropriate receiving areas that are capable of accommodating additional development.
- Provide a mechanism to monetarily compensate landowners who voluntarily participate in the TDR Program, thereby providing opportunities to preserve important resources in the Basin.

In 2006, the County and Town of Silverthorne began a collaborative planning effort to explore the possibility of developing a Joint TDR Program and Growth Management Plan for the three-mile area surrounding the town's boundary. At that time, the Town indicated that a shared vision for the Town's Three-Mile Planning Area, and consistent land use policies between the Town and County could be beneficial. Some of the specific reasons or issues cited for the Town's interest in pursuing a Joint TDR Program and Growth Management Plan included:

- There are concerns with the possible impacts to the Town and its services with development around the Town's borders (e.g., undesirable land uses, industrial zoning, and transferable density from the other locations in the Lower Blue Basin or County).
- The amount of unincorporated land area within the three-mile planning area is more than twice as large as the Town's incorporated land base/acreage. Build-out in the unincorporated areas could have impacts to the Town.

- The creation of new density, further annexation or commercial development north of Town is not a vision or goal of the TOS. In addition, Town policies do not support extending services to development outside of the Town's boundary (e.g., water/sewer).
- Transportation impacts (e.g., big trucks coming through Town) and large-scale commercial development outside of the Town's boundary are concerns. The County could possibly commit to restricting large-scale commercial activity on unincorporated lands in the Urban/Silverthorne Area.
- Strategies could be developed to 1) maintain the existing rural character of the northern gateway into the Town (separation and open space between communities), 2) extinguish density off of identified unincorporated parcels or 3) jointly purchase parcels important to maintaining/preserving key viewsheds or visual corridors.
- The Lower Blue TDR Program could be refined to focus on protecting a particular/specific resource down valley such as: valued scenic backdrops, large ranches or hillsides.
- The Lower Blue TDR Program could be developed to allow density to be transferred from the Town into the County (Urban/Silverthorne Area) or other basins.
- The Joint Sewer Authority's (JSA) capacity is a limiting factor to extend the Town's boundary and growth north/down valley. In addition to a lack of capacity, pump-back or lift-services would be needed to accommodate such expansion and would be costly.

The joint Town/County planning effort that was initiated in 2006 to develop a Joint Growth Management and TDR program did not come to fruition, but policies still remain in the Lower Blue Master Plan to revisit this effort, when and if the Town decides it would like to continue pursuing development of such a plan. Specifically, the Lower Blue Master Plan includes the following goal and policy related to pursuing a Joint TDR Program with the Town of Silverthorne:

Goal D. Continue to update the Lower Blue TDR Program regulations to further enhance the program's effectiveness or reflect changing conditions in the Basin.

Policy/Action 2. If the Town of Silverthorne decides to participate in the TDR program, then an Intergovernmental Agreement should be established, specifying agreed-upon rules relating to the transfer of density between jurisdictions.

Additionally, the Land Use Element of the Lower Blue Master Plan includes the following relevant policy:

Policy/Action 3. The County and Town of Silverthorne should work cooperatively to develop intergovernmental agreements that establish the following:

- 3.1 A requirement that some portion of TDRs accompany all future annexations that include higher densities or more intense land uses than allowed in the Rural Area.
- 3.2 The designation by the Town of Silverthorne of an urban growth boundary and TDR receiving areas within the Urban/Silverthorne Area, clearly defining the areas where the Town plans future annexations and anticipates growth.

Accordingly, although TDRs are not currently applicable to development proposals within the Town's boundaries, if the Town of Silverthorne decides it would like to revive this joint planning effort, the County is interested in re-opening discussions on this topic with the Town.

Again, we thank you for the opportunity to review and comment on the proposed development application. Please feel free to contact me at 970-668-4206 or lindsayh@co.summit.co.us if you have any questions or would like to discuss any of these comments further.

Sincerely,

A handwritten signature in black ink, appearing to read "Lindsay Hirsh". The signature is fluid and cursive, with a large initial "L".

Lindsay Hirsh
Summit County Planning Manager

cc: Jim Curnutte, Community Development Director
Kate Berg, Senior Planner, Summit County



**Lake Dillon Fire
Protection
District**

401 Blue River
Parkway,
Silverthorne, CO
80498

P.O. Box 4428
Dillon, CO 80435

Telephone:
970.513.4100
Fax:970.513.4150

**Fire Prevention
Division**

Telephone:
970.262.5201
Fax:970.262.5250

Inspection Line:
970.262.5215

Mr. Matt Gennett
Town of Silverthorne
Community Development
P.O. Box 1309
Silverthorne, CO 80498

June 13, 2014

Re: South Maryland Creek Ranch PUD Major Amendment Review.

Dear Mr. Gennett,

Thank you the opportunity to review and comment on the above proposed project again. The fire department has the following comments and concerns:

1. Exhibits C-4 and C-6 (typical public street plan and cross section) show travel lanes with a width of 24'. Exhibit C-5 (typical public street cross section) shows travel lanes with varying widths of 18' to 24'. Please have the developer clarify this small discrepancy regarding widths for public streets.
2. Reviewing Exhibit C-7, what are the inside and outside turning radiuses of the proposed cul-de-sac?

If you have any questions, please contact me at my office at (970) 262-5202. Thank you for your cooperation.

Sincerely,

Steven Skulski
Assistant Chief/Fire Marshal
Lake Dillon Fire District

PROJECT REFERRAL COMMENTS

RECEIVED

JUN 11 2014

Transmittal to Referral Agencies for Review Comments

To: Leslie McWhirter
From: Matt Gennett, AICP, Senior Planner
Re: PUD Major Amendment
Project: South Maryland Creek Ranch (PT2014-6)
Date sent: June 10th, 2014
Date due: July 7th, 2014

Submitted to: [unclear]
Submitted on: [unclear]

Dear Leslie,

Attached is a PUD Major Amendment application submittal for the South Maryland Creek Ranch development. Please provide your review comments before the deadline listed above.

Thank you.

Matt Gennett, AICP
mgennett@silverthorne.org

I have neither concerns nor comments.

I have the following concerns and comments.

6/23/2014

A wetland delineation report has been submitted to our office; the Corps has not yet verified the accuracy of the wetland delineation. An on-site meeting to verify the flagged wetland boundaries and data is scheduled for July 30.

A permit is required under Section 404 of the Clean Water Act prior to trucking fill/dredge material into VA water of the US.

I have concerns and comments, and have attached a letter detailing them.

Lesley McWhirter

Matt Gennett

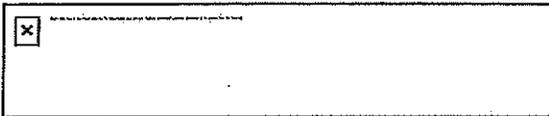
From: Roussin - CDOT, Daniel <daniel.roussin@state.co.us>
Sent: Wednesday, June 18, 2014 10:54 AM
To: Matt Gennett
Cc: Jim Lenzotti; Joanna Hopkins
Subject: South Maryland Creek Ranch PUD Major Amendment
Attachments: TIS Outlines.pdf

Matt - Thank you for the opportunity to review the South Maryland Creek Ranch PUD Major Amendment on State Highway 9. This project will require an access permit for the project. CDOT, Town and the Development team will need to work on the final access location for the development. As it is shown today, this access will either need to line up with the access to the east or provide better access separation than the PUD shows.

I would recommend that the development team and the Town get together with CDOT to have a traffic study methodology discussion. The study will need to meet our standards per the Access Code. Here are the requirements.

If you have any additional questions, please let me know.

Dan Roussin
Permit Unit Manager
Traffic and Safety



P 970.683.6284 | F 970.683.6290
222 South 6th Street, Room 100, Grand Junction, CO 81501
daniel.roussin@state.co.us | www.coloradodot.info | www.cotrip.org



TO: Matt Gennett, Senior Planner
FROM: Dan Gietzen, Town Engineer
Bill Linfield, Public Works Director
DATE: July 1, 2014
SUBJ: South Maryland Creek Ranch PUD Major Amendment submittal dated May 16, 2014

Comments:

The new proposed density of 240 units now triples the previously approved density of 83 units making this a very different project than before and now much closer to other existing projects and roads in Town. As we consider tripling the existing density we should also revisit and discuss deviations from normal Town standards and policies and we should revisit problematic and/or unclear topics.

The following text lists and describes deviations from Town standards and other comments that should be discussed with the applicant and modified as necessary.

PUD document

Right-of-way use.

Public ROW and easements should be managed, controlled and used by the Town at the Towns discretion for its needs; it should not be controlled by HOA/DRC. Town should not have to get HOA/DRC permission for use of Town ROW. HOA/DRC should not have authority to dictate how ROW – with respect to both Town use and possible private improvements. Specific comments:

1. **Deviation re: improvements in ROW.** PUD defined "Related Road Improvements" and included roadway exhibits allow for a variety of private improvements/uses to be placed anywhere in the ROW beyond the edge of the road shoulder. Some of these items include private water features, landscaping, irrigation, walls, fencing, sculpture and decorative rock – among other items. These have the potential to limit use of ROW for necessary snow storage and underground utilities while creating obstructions, collision hazards and property damage for plows and inhibiting other Town uses, such as buried utilities.
2. **Missing insurance.** Sec 4.2(a), says that Road Related Improvements located within the Town ROW are to be maintained by the SMCR HOA but no liability insurance requirements/provisions nor Town indemnifications are discussed.
3. **Deviation.** Remove sections that say that Town must receive DRC approval for Town's use of its own ROWs and easements.

4. **Deviation from normal ROW useage.** PUD gives the HOA authority (without having to obtain Town approval) for using Town ROW for private improvements and other uses.
5. **Deviation from normal ROW usage and Streets standards.** "Road Related Improvements" include private improvements that are normally not allowed in ROW.
6. **Deviation from ROW standards.** Road ROWs for public roads should be either 60' wide or 50' wide with two, 5' snowstorage/utility easements on each side of the road. The two 5' easements are necessary, not optional, as described on the road exhibits.
7. **Comment on pedestrian path.** It is difficult to agree to path specifications, locations and criteria when the only detail is the PUD description, but we don't have plans showing measurable locations and other details.
8. **Question re: public vs private imporvements.** Please identify what is to be public and what is to be private for items discussed in sections 3.6, 3.7, 3.8, 3.9, 4.1, 4.2 and 4.3 and in each specific Planning Area.
9. **Comment re: fire turnarounds.** Sec 4.1. Hammerheads on private drives must be approved by the LDFA, not just 'meet their standards'.
10. **Deviation of road width standard.** Street exhibits propose lane widths for public roads to be as narrow as 9'. 12' lane widths are the normal standard. 9' lanes also proposed on private drives – up to 16 units are proposed on some of these. This seems too narrow.
11. **Deviation of max number of units on private / dead end streets.** Town Standards allow up to 8. PUD documents show up to 16 on some of the private drives.
12. **Deviation to normal street signage.** Sec 3.9(c) and Exhibit, Enhanced Signage. PUD describes and shows special, non-standard decorative signage. Additionally, PUD is silent maintenance, as needed, and replacement responsibilities (costs and procedures both). Enhanced Signage should be SMCRs for the life of the project, while such signage is being used. Town should approve of future changes, as well.
13. **Deviation to easement standards.** 35' Private Easements as shown on Exhibit C-3 for example is the minimum width allowed for an easement that has both water and sewer utilities only. It is not wide enough to accommodate shallow utilities while still ensuring adequate separation for water/sewer. The PUD doesn't show utility layouts, but if shallow utilities are proposed within these easements, then the private easements should be 50' wide, per Town standards.

14. **Question re: cul de sacs.** Exhibit C-7. Is the intent for the cul-de-sacs to be for one way traffic only? If 2-way is the intent, then 16' travel lane is too narrow.

15. **Landscaping and maintenance of cul de sac center areas.** Exhibit C-7. Landscaped Island is shown in the detail, but maintenance and irrigation of this is not covered in the PUD. Existing, similar islands in Town are maintained by the subdivision's HOA. It should be clarified as such here too.

Road and path lighting.

16 **Street lighting comment.** Xcel Energy provides and powers street lights throughout Town. Town doesn't control and thus can't commit to light specs such as bulb types, lumens, or pole details.

17 **Lighting needed for safety and at intersections.** Town will minimize lighting as much as possible, but if future light(s) are needed for safety reasons, then Town should be able to install at Town's discretion.

Other –

18 In Planning Area 1 Fig 2.3, what does "...edge of flowline pavement" mean as described Building Setbacks item 4?

19 **Addressing / emergency services needs.** How are private drives that are located off of other private drives to be signed and addressed?

20. 3.4 Man-Made Lakes and Ponds. Are there water right issues or questions that need to be addressed?

Amended and Restated Annexation Agreement – 11/28/07

- Exhibit D, Road Maintenance Services.

21 Text obligates developer to road maintenance for first 20 years, following acceptance by Town. Elsewhere in other documents a 2014 date is given. Which one is it? Length of maintenance by developer prior to Town maintenance date should be resolved.

22 We agree with the statement that 'maintenance will be at levels similar to the rest of Town.' We disagree with most everything that follows, such as commitments for:

- i. Plowing to 'bare pavement'. (Summit County roads are regularly snowpacked and ice glazed after weather events – even during plowing. A 'bare pavement' plowing standard is an impossible standard to achieve.)
- ii. Specific time deadlines to plow all streets by 8am and culs by noon. (SMCR project won't dictate Town's plowing schedule or prioritization.)

- iii. Additional plowback language, including clearing driveway berms. (We do not do plow private driveways, of which there are several hundred in Town. This is the homeowners responsibility.)
- iv. Snow removals to "suitable sites where melting snow can be treated as needed prior to being discharged into natural streams". (Where are these sites proposed? What is meant by "treating" melting snow?)
- v. Commitments that all streets will be 'pothole free'.
- vi. All other remaining statements are unnecessary as well.

In summary, we agree to the commitment to "maintenance a levels similar to the rest of Town", but not these other extreme requirements.

23 Geotechnical

Some prior geotech letters are included in the PUD binder, but not all other technical exhibits referenced as well as the other geotech studies performed. This appears to be some, but not all of the geotech info and background. What is the purpose of including this CGS letter with in with the PUD? Isn't geotech review a subdivision site plan related topic?

**APPLICATION BINDERS HAVE
BEEN DISTRIBUTED TO THE
TOWN COUNCIL**

February 10, 2015
Revised March 4, 2015

Mr. Dan Gietzen
Town of Silverthorne Engineer
601 Center Circle, P.O. Box 1309
Silverthorne, CO 80498

RE: **Traffic Impact Memorandum**
South Maryland Creek Ranch
Silverthorne, CO

Dan:

McDowell Engineering has prepared this Traffic Impact Memorandum for South Maryland Creek Ranch's proposed residential development. The March 4, 2015 revisions to the memorandum incorporate the Town of Silverthorne Planning Commission's input on the travel time analysis.

The South Maryland Creek Ranch project is anticipated to consist of 240 single family homes. The development will also include a 20-acre regional community park. The proposed South Maryland Creek Ranch site is located within the Town of Silverthorne limits and in Summit County along Highway 9.

State Highway 009D (Highway 9) is a two-lane highway with a posted speed limit of 55mph in the vicinity of the proposed project site. It is classified by the Colorado Department of Transportation (CDOT) as an access category R-A, regional highway.

The primary South Maryland Creek Ranch access to/from Highway 9 is proposed to be located 1,980 feet north of Ranch Road. This primary access has been shifted south from previous submittals by the applicant. A secondary access at the south end of the site connects with the Three Peaks development which provides access to Highway 9 via Game Trail Road and Ranch Road. Both the proposed primary South Maryland Creek Ranch access road and Ranch Road are/will be public streets. Section 3.8(3)(a) of the *State Highway Access Code (Access Code)* states that access spacing should be one-half mile for R-A highways. Locating the proposed access one-half mile north of Ranch Road is infeasible due to the location of the existing lake and proposed regional community park.

The purpose of this traffic memorandum is to address changes to the previous January 2014 analysis due to the revised primary access location. This memorandum will discuss the final infrastructure improvements recommended at each site access. In addition, this memorandum addresses CDOT Region 3's methodology revisions for calculating project trip generation.

When this project was originally analyzed and reviewed, Silverthorne was located in CDOT Region 1. However, as of July 2013, the Town of Silverthorne has been incorporated into CDOT Region 3. CDOT Region 3 will require a full Level 3 Transportation Impact Analysis as this project proceeds through the access entitlement process. A Level 3 Analysis will analyze the Level of Service impacts at the intersection of the proposed site access and Ranch Road.

Project Trip Generation

A trip generation analysis was prepared based upon the 9th Edition of ITE's *Trip Generation Manual*. This analysis assumes no transit, ridesharing, bicycle commuting, or telecommuting mode split adjustment. As such, it is a conservative estimate for vehicular trip generation.

The applicant is anticipating that 30% of the dwelling units will be occupied by full-time residents and 70% will be recreational second homes. The Town of Silverthorne's previous methodology used ITE's Single-Family Residential Home rate for the full-time residents and the reduced Single-Family Recreational Home rate for the second home estimates. This methodology is outlined in **Table 1 – Project Trip Generation (Allowing for 70% Second Homes.)**

However, CDOT Region 3 does not allow for the discounted second home rate to be applied during the traffic analysis. Therefore, a secondary analysis has been included that assumes that 100% of the homes are occupied by full-time residents. The results can be found in **Table 2 – Project Trip Generation (100% Full Time Residents.)**

As presented in **Table 1** and **Table 2**, the project is anticipated to generate between 1,399 and 2,442 vehicle trips per day for the 70% second homes and 100% full-time residents assumptions, respectively. Similarly, peak hour generation for South Maryland Creek Ranch is anticipated to range from 90 to 181 in the morning and 127 to 236 in the evening, dependent upon the analysis methodology.



PROJECT NUMBER: M1158
 PREPARED BY: KJS
 DATE: 02/10/15
 REVISED:

**Table 1 - Project Trip Generation
 (Allowing for 70% Second Homes)
 South Maryland Creek Ranch, Silverthorne
 Estimated Project-Generated Traffic¹**

ITE Code	Units	AM Peak Hour Rate	PM Peak Hour Rate	Avg. Weekday Rate	Average Weekday	Morning Peak Hour		Evening Peak Hour					
					Trips (vpd)	% Trips	Trips	% Trips	Trips	% Trips			
(Allowing for 70% Second Homes)													
#210 Single Family Home	72 dwelling units	Regression Equation			777	25%	15	75%	45	63%	50	37%	29
#260 Recreational Homes	168 dwelling units	0.16	0.26	3.16	531	67%	18	33%	9	41%	18	59%	26
#417 Regional Park	20 acres	0.15	0.2	4.57	91	57%	2	43%	1	45%	2	55%	2
	240				1,399		35		55		70		57

**Table 2 - Project Trip Generation
 (100% Full Time Residents)
 South Maryland Creek Ranch, Silverthorne
 Estimated Project-Generated Traffic¹**

ITE Code	Units	AM Peak Hour Rate	PM Peak Hour Rate	Avg. Weekday Rate	Average Weekday	Morning Peak Hour		Evening Peak Hour					
					Trips (vpd)	% Trips	Trips	% Trips	Trips	% Trips			
(100% Full Time Residents)													
#210 Single Family Home	240 dwelling units	Regression Equation			2351	25%	44	75%	133	63%	146	37%	86
#417 Regional Park	20 acres	0.15	0.2	4.57	91	57%	2	43%	1	45%	2	55%	2
	240				2,442		46		135		148		88

¹ Values obtained from *Trip Generation, 9th Edition*, Institute of Transportation Engineers, 2012.

Directional Distribution

Trip Distribution is based upon where the proposed development traffic wants to travel and where in the site a parcel is located. The southern attractions in Silverthorne, such as the ski resorts, commercial centers, Interstate 70, etc. are assumed to draw 95% of the trips along Highway 9. Therefore, 5% of the site-generated traffic is anticipated to come from the north on Highway 9. Based upon the *ITE Trip Generation Manual*, 25% of the morning peak hour trips are inbound and 75% are outbound. During the evening peak hour, 63% of the trips are inbound and 37% are outbound.

Based upon the current site plan presented in **Figure 1**, it was assumed that 100% of all trips that begin or end within South Maryland Creek Ranch that want to travel to and from the north through the site will utilize South Maryland Creek Ranch's north access to Highway 9.

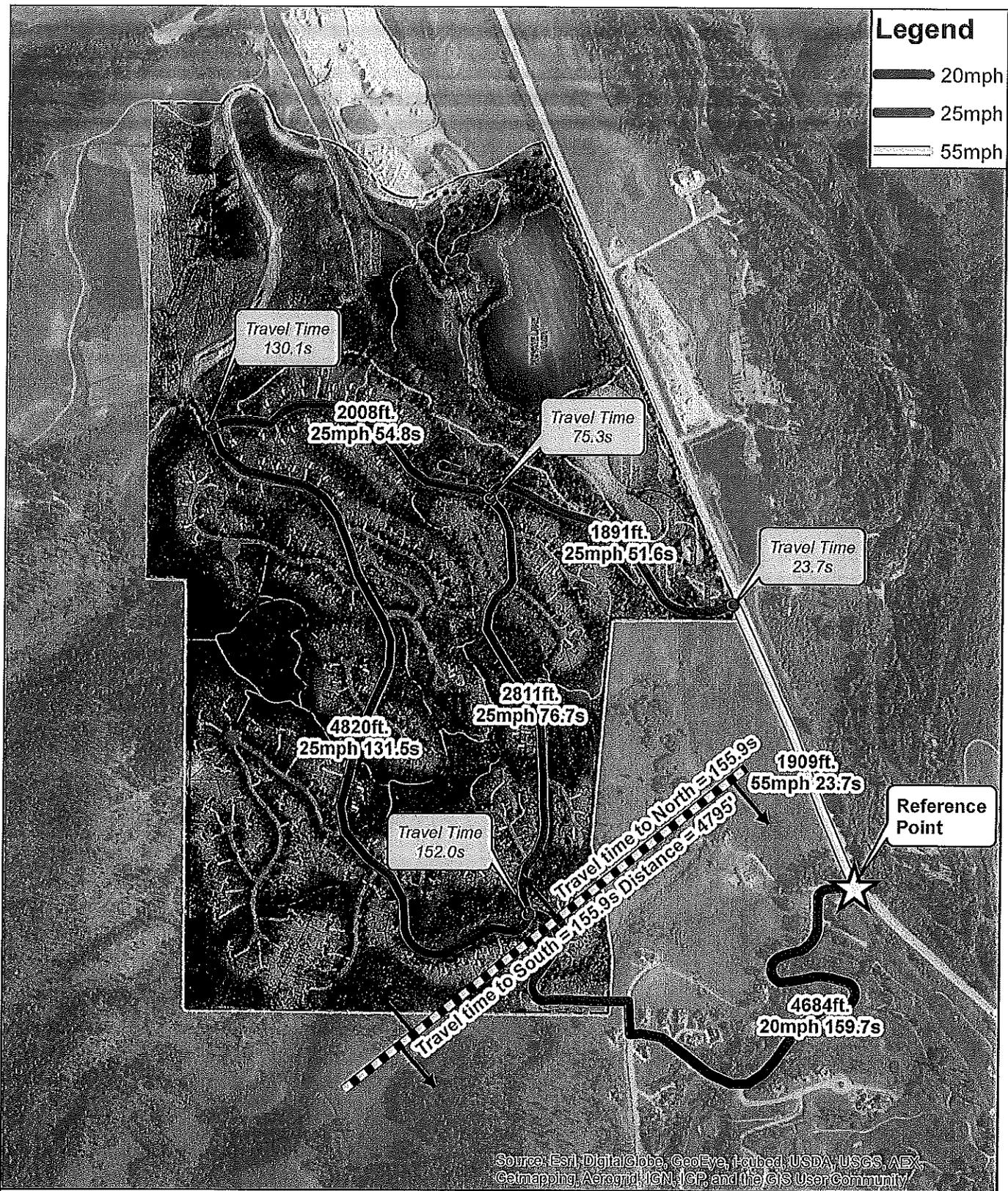
A travel time analysis was performed for the traffic desiring to access Highway 9 to the south. The demarcation of 155.9 seconds was determined based upon the roadway lengths, widths, switchbacks and corresponding free flow speeds. Each alternate route was measured to the reference point of Highway 9 at Ranch Road. Therefore, it is anticipated to take 155.9 seconds to travel from the demarcation line (111 feet south of the three-way intersection on the southeast corner of the site) to both the proposed primary site access to Highway 9 and the existing intersection of Ranch Road and Highway 9. There are seven homes located south of the travel time demarcation line that are likely to utilize Ranch Road to access Highway 9.

Based upon the travel time results, approximately 97% of all South Maryland Creek Ranch trips that want to travel to and from the south would access Highway 9 via the primary South Maryland Creek Ranch access. The remaining 3% would access Highway 9 via the Three Peaks development, Game Trail Road and Ranch Road to the south. The travel time analysis is depicted in **Figure 1**.

These assumptions and resulting trips by turn movement at the proposed Highway 9 access to South Maryland Creek Ranch is presented in **Table 3**.

Alternative Analysis: Based upon the Planning Commission's comments, a comparison analysis based on the 25mph posted speed on Game Trail Road was used for an alternative travel time analysis. The result was a travel time split at 139.9 seconds for the lower road and 194.7 seconds for the upper road. Based upon travel time results, approximately 35% of the trips (85 homes) travelling to and from the south would access Highway 9 via the Game Trail Road/Ranch Road access. The travel time analysis for this scenario is included in **Figure 2**.

Travel Time Field Study: Field data was collected as a comparison to the posted speed limit and estimated free flow speeds. The resulting average travel speed on Ranch Road and Game Trail Road was 20.8mph. Therefore, the alternative analysis using the 25mph posted speed on the southern access is a conservative estimation. Additional information on this analysis is included as an attachment to this memorandum.



Travel Time Exhibit

South Maryland Creek
Ranch Traffic Analysis

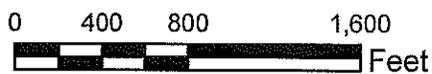
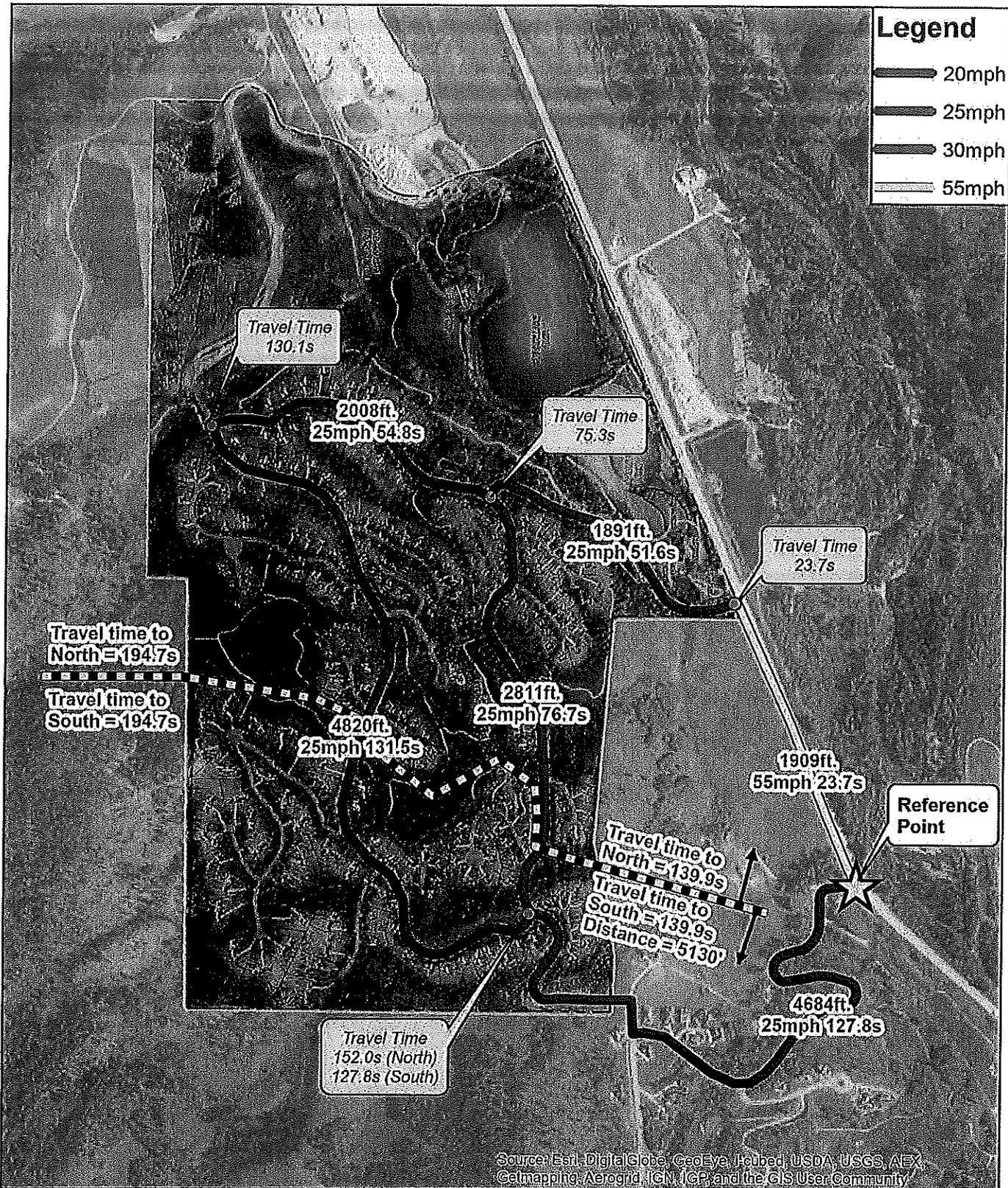


Figure 1



Travel Time Exhibit

South Maryland Creek
Ranch Traffic Analysis

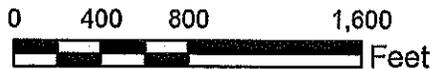


Figure 2

Traffic Assignment:

By applying the trip generation expected for this site to the estimated directional distribution, the resulting traffic assignment can be applied to the roadway network. **Table 3** depicts the new vehicle trips that are anticipated from the proposed 240 home development.

Table 3: Access Point Trip Distribution

Direction AM/PM	Number of Trips AM/PM	Direction	Entry/Exit Access	Percent	Number of Trips AM/PM	Turn Movement at Highway 9
(Allowing for 70% Second Homes)						
Inbound	35/70	From South 95%	SMCR Primary	97%	34/68	SMCR NBL
			Three Peaks	3%	1/2	Ranch NBL
		From North 5%	SMCR Primary	100%	2/4	SMCR SBR
Outbound	55/57	To South 95%	SMCR Primary	97%	53/55	SMCR EBR
			Three Peaks	3%	2/2	Ranch EBR
		To North 5%	SMCR Primary	100%	3/3	SMCR EBL
(100% Full Time Residents)						
Inbound	46/148	From South 95%	SMCR Primary	97%	44/143	SMCR NBL
			Three Peaks	3%	2/5	Ranch NBL
		From North 5%	SMCR Primary	100%	3/8	SMCR SBR
Outbound	135/88	To South 95%	SMCR Primary	97%	131/85	SMCR EBR
			Three Peaks	3%	4/3	Ranch EBR
		To North 5%	SMCR Primary	100%	7/5	SMCR EBL



Alternative Analysis: Based upon the Planning Commission's comments, a comparison analysis based on the 25mph posted speed on Game Trail Road was used for an alternative travel time analysis. The resulting access point trip distribution is shown in Table 4.

Table 4: Access Point Trip Distribution (Based upon 25mph posted speed limit of Game Trail Road)

Direction AM/PM	Number of Trips AM/PM	Direction	Entry/Exit Access	Percent	Number of Trips AM/PM	Turn Movement at Highway 9
(Allowing for 70% Second Homes)						
Inbound	35/70	From South 95%	SMCR Primary	65%	21/43	SMCR NBL
			Three Peaks	35%	12/23	Ranch NBL
		From North 5%	SMCR Primary	100%	2/4	SMCR SBR
Outbound	55/57	To South 95%	SMCR Primary	65%	34/35	SMCR EBR
			Three Peaks	35%	18/19	Ranch EBR
		To North 5%	SMCR Primary	100%	3/3	SMCR EBL
(100% Full Time Residents)						
Inbound	46/148	From South 95%	SMCR Primary	65%	29/91	SMCR NBL
			Three Peaks	35%	15/49	Ranch NBL
		From North 5%	SMCR Primary	100%	2/8	SMCR SBR
Outbound	135/88	To South 95%	SMCR Primary	65%	83/54	SMCR EBR
			Three Peaks	35%	45/29	Ranch EBR
		To North 5%	SMCR Primary	100%	7/5	SMCR EBL

Transportation Impact Analysis

State Highway Access Permits

The site's State Highway Access Permit accommodates only the current mining operation use. Per Section 2.6(3) of the *State Highway Access Code*⁵ (*Access Code*), a new access permit when there is a land use change and/or the driveway volume is anticipated to increase by more than twenty percent. Therefore, a new State Highway Access Permit will be required for the Primary site access.

The need for a revised State Highway Access Permit at the intersection of Highway 9 and Ranch Road can be determined upon traffic data collection at the access.

State Highway Turn Lane Analysis

CDOT's *Access Code* provides requirements for new access and development. Access location, operation, and design standards have to be met and designed appropriately to allow current traffic flow to be unimpeded. Acceleration and deceleration lanes are required when added project volumes are greater than the acceptable CDOT threshold. These maximum thresholds by movement are presented in Table 5.

Table 5: CDOT Auxiliary Acceleration/Deceleration Lane Requirements

Turn Movement at Highway 9	Threshold (vph)	AM/PM Peak Hour Volumes (vph)	Auxiliary Lane Warranted	Description
(Allowing for 70% Second Homes)				
SMCR NBL Inbound Deceleration Lane	>10	34/68	YES	378' decel + 60' storage + 222' transition taper = 660'
SMCR SBR Inbound Deceleration Lane	>25	2/4	NO	N/A
SMCR EBR Outbound Acceleration Lane	> 50	53/55	YES	738' acceleration + 222' transition taper = 960'
Ranch Road NBL Inbound Deceleration Lane	>10	Existing + 1/2	Existing	Ex.: 290' decel/storage + 250' transition taper = 540' Existing traffic counts required prior to determination.
Three Peaks SBR Inbound Deceleration Lane	>25	Existing + 0/0	No	Existing traffic counts required prior to determination.
Three Peaks EBR Outbound Acceleration Lane	> 50	Existing + 2/2	No	Existing traffic counts required prior to determination.
(100% Full Time Residents)				
SMCR NBL Inbound Deceleration Lane	>10	44/143	YES	378' decel + 145' storage + 222' transition taper = 745'
SMCR SBR Inbound Deceleration Lane	>25	3/8	NO	N/A
SMCR EBR Outbound Acceleration Lane	> 50	131/85	YES	738' acceleration + 222' transition taper = 960'
Ranch Road NBL Inbound Deceleration Lane	>10	Existing + 1/2	Existing	Ex.: 290' decel/storage + 250' transition taper = 540' Existing traffic counts required prior to determination.
Three Peaks SBR Inbound Deceleration Lane	>25	Existing + 0/0	No	Existing traffic counts required prior to determination.
Three Peaks EBR Outbound Acceleration Lane	> 50	Existing + 2/2	No	Existing traffic counts required prior to determination.

Based upon the calculated traffic assignment in Table 5, the proposed development traffic forecasts warrant the construction of a northbound left deceleration into the site and an eastbound right turn acceleration lane leaving the site.



Alternative Analysis: Based upon the Planning Commission’s comments, a comparison analysis based on the 25mph posted speed on Game Trail Road was used for an alternative travel time analysis. The resulting CDOT auxiliary lane requirements are shown in **Table 6**.

**Table 6: CDOT Auxiliary Acceleration/Deceleration Lane Requirements
(Based upon 25mph posted speed limit of Game Trail Road)**

Turn Movement at Highway 9	Threshold (vph)	AM/PM Peak Hour Volumes (vph)	Auxiliary Lane Warranted	Description
(Allowing for 70% Second Homes)				
SMCR NBL Inbound Deceleration Lane	>10	21/43	YES	378’ decel + 45’ storage + 222’ transition taper = 645’
SMCR SBR Inbound Deceleration Lane	>25	2/4	NO	N/A
SMCR EBR Outbound Acceleration Lane	> 50	34/35	YES	738’ acceleration + 222’ transition taper = 960’
Ranch Road NBL Inbound Deceleration Lane	>10	Existing + 12/23	Existing	Ex.: 290’ decel/storage + 250’ transition taper = 540’ Existing traffic counts required prior to determination.
Three Peaks SBR Inbound Deceleration Lane	>25	Existing + 0/0	No	Existing traffic counts required prior to determination.
Three Peaks EBR Outbound Acceleration Lane	> 50	Existing + 18/19	No	Existing traffic counts required prior to determination.
(100% Full Time Residents)				
SMCR NBL Inbound Deceleration Lane	>10	29/91	YES	378’ decel + 90’ storage + 222’ transition taper = 725’
SMCR SBR Inbound Deceleration Lane	>25	2/8	NO	N/A
SMCR EBR Outbound Acceleration Lane	> 50	83/54	YES	738’ acceleration + 222’ transition taper = 960’
Ranch Road NBL Inbound Deceleration Lane	>10	Existing + 15/49	Existing	Ex.: 290’ decel/storage + 250’ transition taper = 540’ Existing traffic counts required prior to determination.
Three Peaks SBR Inbound Deceleration Lane	>25	Existing + 0/0	No	Existing traffic counts required prior to determination.
Three Peaks EBR Outbound Acceleration Lane	> 50	Existing + 45/29	No	Existing traffic counts required prior to determination.

Based upon the calculated traffic assignment in **Table 6**, the proposed development traffic forecasts warrant the construction of a northbound left deceleration into the site and an eastbound right turn



acceleration lane leaving the site. Existing traffic counts at the SH 9 and Ranch Road intersection will be performed the first week of March, 2015. This data will be used to determine the auxiliary lane recommendations at the Ranch Road intersection.

Ranch Road Impacts

As indicated above, approximately 3% of the South Maryland Creek Ranch homes that will be travelling south on Highway 9 are anticipated to take access via the Three Peaks development. The seven dwelling units represent a minimal increase over the existing dwelling units within the Three Peaks development. Existing traffic counts at the intersection of Highway 9 and Ranch Road will be acquired to determine the actual forecasted percentage of traffic increase at this access. These counts are anticipated to take place the first week of March 2015.

Access Design and Sight Distance

The proposed access shall be constructed per Section 4 of the *Access Code*. The Town of Silverthorne's *Street Design Criteria* will also apply.

The proposed primary South Maryland Creek Ranch site access location and existing Ranch Road access have adequate sight distance in both directions that will exceed the 715' requirement in Table 4-2 of the *Access Code*.

Internal Travel Speeds

The internal South Maryland Creek Ranch roadway system is narrow at 24-feet. There are sufficient horizontal and vertical curves in the roadway system that will require drivers to maintain lower residential speeds.

Level of Service (LOS) Evaluation

Based on the CDOT *Online Transportation System (OTIS)* the 2013 Highway 9 Average Daily Traffic Volume adjacent to the South Maryland Creek Ranch Development is 5,800vpd. The morning and evening peak hour directional volumes for July 16, 2014 were forecasted at CDOT's 20-year growth factor of 1.35. The forecasted volumes were added to the project-generated traffic to perform a HCM Level of Service analysis on the Year 2035 total traffic at the proposed site access. The South Maryland Creek Ranch's primary Highway 9 access is anticipated to operate at an acceptable overall intersection LOS B through Year 2035.

Additional HCM analysis will be included in the final CDOT Level 3 Transportation Impact Study.

Summary and Recommendations

The South Maryland Creek Ranch project is anticipated to consist of 240 single family homes and a 20-acre regional community park. The proposed primary site access location on Highway 9 has been shifted south from previous project submittals. This traffic memorandum addresses the changes caused by the access relocation.

Two trip generation methodologies have been analyzed with this memorandum. The first uses the Town of Silverthorne's previous method of accounting for a reduced trip generation rate for second home owners. The project is anticipated to be comprised of 30% full time residents and 70% second home owners. The second analysis uses CDOT Region 3's methodology, as Silverthorne has recently been incorporated into CDOT Region 3 from CDOT Region 1. Region 3's methodology does not allow for a trip reduction for second home owners. Therefore, it yields a more conservative estimate of traffic impacts.

The project is anticipated to generate between 1,399 and 2,442 vehicle trips per day for the 70% second homes and 100% full-time residents assumptions, respectively. Similarly, peak hour generation for South Maryland Creek Ranch is anticipated to range from 90 to 181 in the morning and 127 to 236 in the evening, dependent upon the analysis methodology.

A travel time analysis was performed for the traffic desiring to access Highway 9 to the south. The demarcation of 155.9 seconds was determined based upon the roadway lengths, widths, switchbacks and corresponding free flow speeds. There are seven homes located south of the travel time demarcation line that are likely to utilize Ranch Road to access Highway 9. Therefore, approximately 97% of all South Maryland Creek Ranch trips that want to travel to and from the south would access Highway 9 via the primary South Maryland Creek Ranch access. The remaining 3% would access Highway 9 through the Three Peaks development via Game Trail Road and Ranch Road to the south. This equates to an additional 8vph using the Ranch Road access during the evening peak hour.

Alternative Analysis: Based upon the Planning Commission's comments, a comparison analysis based on the 25mph posted speed on Game Trail Road was used for an alternative travel time analysis. The result was a travel time split at 139.9 seconds for the lower road and 194.7 seconds for the upper road. Based upon travel time results, approximately 35% of the trips (85 homes) travelling to and from the south would access Highway 9 via the Game Trail Road/Ranch Road access. The travel time analysis for this scenario is included in **Figure 2**.

Travel Time Field Study: Field data was collected as a comparison to the posted speed limit and estimated free flow speeds. The resulting average travel speed on Ranch Road and Game Trail Road was 20.8mph. Therefore, the alternative analysis using the 25mph posted speed on the southern access is a conservative estimation.

The site's anticipated traffic volumes will require the construction of a northbound left auxiliary deceleration lane into the site as well as an eastbound right acceleration lane out of the site. Details are listed in **Table 5** of this memorandum. A CDOT State Highway Access Permit will be required at the primary South Maryland Creek Ranch site access. The intersection of Highway 9 and the primary South Maryland Creek Ranch access is anticipated to operate at an acceptable Level of Service B through Year 2035.

As part of the approval process, CDOT is requiring the submittal of a Level 3 Transportation Impact Study. This will include traffic data collection at the intersection of Highway 9 and Ranch Road as well as full HCM analysis of the surrounding roadway network. Dependent upon the outcome of the Level 3 study, a revised State Highway Access Permit may be required for the Ranch Road intersection as well.

Sincerely,
McDowell Engineering



Kari McDowell Schroeder, PE, PTOE
Traffic/Transportation Engineer

Enclosure:

Ranch Road and Game Trail Road Travel Time Field Study, McDowell Engineering, February 2015.

References:

- ¹ *OTIS Traffic Data.* Colorado Department of Transportation.
<http://apps.coloradodot.info/dataaccess/>
- ² *State Highway Access Code.* State of Colorado, 2002.
- ³ *Street Design Criteria.* Town of Silverthorne, December 2005.

Ranch Road and Game Trail Road Travel Time Field Study

A road segment travel time analysis was conducted on Thursday, February 19, 2015 to determine a reasonable free flow speed. The analysis was performed starting at 6:40pm. The site was dark, as sunset had occurred at approximately 5:50pm. The road is well lit, with light poles illuminating the roadway. Reflective delineators were installed on the road shoulders at standard spacing and defined the roadway edge. The temperature was 28°, the sky was clear, wind was calm, and there was no snow, ice or debris on the roadway. The road was plowed completely with snow stored approximately 2-3' off of the shoulder. The road has two switchback turns and in this region has consistent grades of approximately 6-7%.

The road was first driven for familiarity from the bottom to the top. Five trials were run. The entire length of the road, 4,684 ft., could not be driven due to the upper 1,269 ft. not being plowed. Therefore, only the bottom 3,415 ft. was used for the travel time analysis. This can be seen in Figure 1.

The test vehicle was a full size 4-wheel drive sport utility vehicle (SUV). The test driver was familiar with mountain roads, and has resided in and driven Colorado mountain roads for more than 20 years. The road was driven to determine the natural free flow rate of speed, independent of the posted speed limit. Maximum uphill speeds of 25mph were observed. Maximum downhill speeds of 30mph were reached before the driver applied the brakes. The driver observed speeds of 17-18mph on the switchbacks. The driver came to a complete stop at the two downhill stop signs. Table 3 has a summary of the five trials.

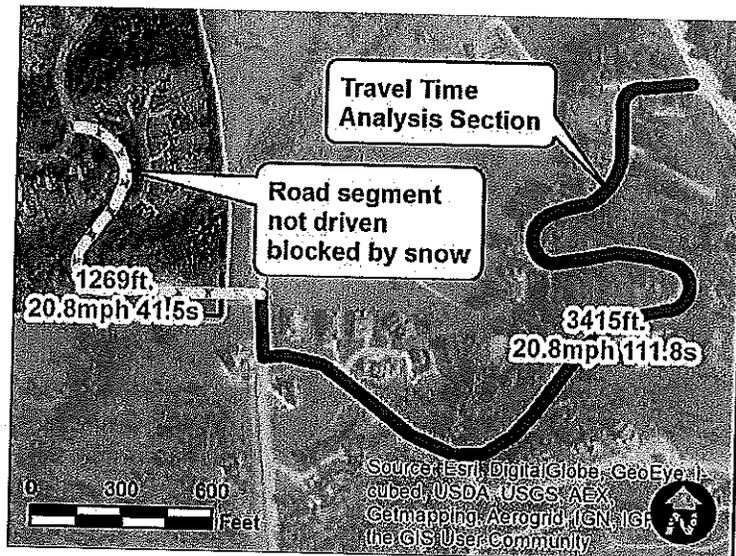
The resulting average travel time was 111.80 seconds, with a standard deviation of 1.09 seconds. For the bottom section, this correlates to a speed of 20.8 mph. The upper section has similar characteristics and will be paved in the future. Therefore the speed from the lower section can be applied to the upper section.

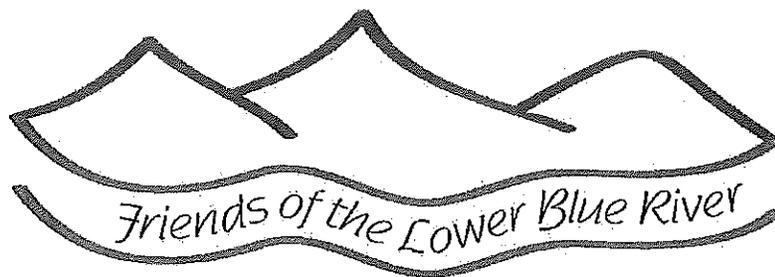
The overall travel time on the road is 153.3 seconds.

Table 3 – Travel Time Data

Trial #	Direction	Distance (ft.)	Time (sec.)	Speed (mph)
1	Down	3415	111.46	20.9
2	Up	3415	112.14	20.8
3	Down	3415	112.55	20.7
4	Up	3415	109.87	21.2
5	Down	3415	112.97	20.6
Average			111.80	20.8
Std. Dev.			1.09	0.2

Figure 3 – Travel Time Field Study Area





3/1/2015

FOLBR Policy Regarding the Density of the New South Maryland Creek Proposal

- 1) FOLBR does not want to see any more development in the Lower Blue Valley. The organization is dedicated to doing everything reasonable to avoid it.
- 2) Some development may be inevitable, despite our wishes. In that case, 1 unit per 20 acres should be the maximum allowed density. Clustering should be encouraged in such a development.
- 3) FOLBR supports the original plan for 83 homes on 416 acres in South Maryland Creek (which is 4 times the density of 1 on 20). This land is now annexed to the Town of Silverthorne, and that is rather low density for a town (1 unit per 5 acres). Such a density would serve as a transition zone between urban Silverthorne and the rural Lower Blue Valley.
- 4) FOLBR is strongly opposed to the newly proposed South Maryland Creek density of 240 units on 416 acres. This would be 3 times the original density proposal, equaling 1 unit per 1.73 acres. This figure, however considers the entire area of the development. If one subtracts the 60% open space (much of which is park and lake next to the highway), the density of the remaining 166 acres of residential area is quite high, 1 unit on about 2/3 of an acre. As another way to look at it, the new plan calls for almost twice as many bedrooms, 944, as opposed to 498 in the original plan.
- 5) FOLBR acknowledges that the Maryland Creek planning team has made a good effort to protect views from the highway, to bury electrical and phone lines, to provide open space, to protect wildlife and wetlands, to provide a public park and trail access to the National Forest, to optimize vehicle access from Highway 9, and to minimize traffic problems. Nonetheless, FOLBR remains concerned about the effect of such high density on views from the highway, traffic, and wildlife, among other issues. Most importantly, FOLBR is very concerned about the loss of the transition zone from high-density urban to low-density rural. FOLBR fears that such high density in that gateway location will open the door for future annexation and high-density development north, down the Blue River Valley.

Town of Silverthorne
Town Council Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, AICP, Assistant Town Manager *ML*
FROM: Lina Maria Lesmes, AICP, Senior Planner *LML*
DATE: March 5, 2015 for meeting of March 11, 2015
SUBJECT: First Reading of Ordinance 2015-03, An Ordinance amending Chapter 4, Article VI, Section 4-6-2(h), concerning the Design Districts.

PROPOSAL: Ordinance 2015-03 proposes amendments to the Gateway District Design Standards to update the language and format, introduce new standards and guidelines, and ensure there is consistency with the 2014 Town of Silverthorne Comprehensive Plan. Per Section 4-6-2.h.3, the Design District Standards may be adopted as regulation upon recommendation of the Planning Commission and action by the Town Council by ordinance.

PREVIOUS COUNCIL ACTION: On March 22, 2006, Town Council adopted Architectural Overlay Districts for four areas of the Town, which were deemed to have distinct physical attributes and development patterns. Following the adoption of the 2008 Silverthorne Comprehensive Plan, Town Council revised the boundaries of the Design Districts, created two additional Districts, and increased the building height maximums within the Design Districts. Town Council adopted the current Design District Standards on November 12, 2008. The Design District Standards are incorporated into Chapter 4, Article VI of the Town Code by reference.

On May 28, 2014, Town Council adopted the 2014 Town of Silverthorne Comprehensive Plan. The updated Comprehensive Plan provided recommendations for the physical development of the Town's commercial districts. In addition, as part of the updated Plan, the boundaries of the Design Districts were revised. Updating the Design District Standards was deemed the first step in implementing the 2014 Comprehensive Plan. Town Council adopted the Town Core District Design Standards and Guidelines on February 11, 2015.

BACKGROUND: On August 26, 2014, Town Council requested that Staff discuss the revisions to the District Design Standards with Silverthorne's Economic Development Advisory Committee (EDAC), with a particular focus on the Town Core Design District. Following a discussion at the regularly scheduled September EDAC meeting, the group convened a subcommittee, composed of two Town Council members and five EDAC members, tasked with the detailed review of the Design District Standards to ensure compliance with the recommendations of the 2014 Comprehensive Plan.

The EDAC Subcommittee met on two occasions (January 14 and February 18) in 2015 to refine the desired character of the Gateway District, and to agree on standards and guidelines for that Design District. Staff also presented proposed revisions to Planning Commission at a worksession on February 17, 2015. On February 25, 2015, Town Council reviewed the proposed amendments at their regularly scheduled worksession.

Town of Silverthorne
Town Council Memorandum

The revised document, attached as Exhibit B, reflects the input and policy direction from the EDAC Subcommittee, Planning Commission, and Town Council. A slash and underline version showing all the revisions is available upon request.

STAFF COMMENTS: The proposed revisions to the Gateway District Design Standards and Guidelines were written to incorporate the following concepts.

- Change of format to 'Standards' and 'Guidelines'.
- Ensuring the language reflects the goals for the Gateway to be the 'entrance into Town', 'Silverthorne's front door', 'convenient', 'a positive visitor experience'.
- New standard for drive-through elements, which we anticipate to see with new redevelopment of convenience restaurants in the Gateway District.
- Pedestrian Access – Minor changes. New language is identical to the applicable language utilized in the revisions to the Town Core District S&G.
- Vehicular Access – promoting concepts of convenience and maneuverability in the goal. New standard for access points and drive entrances/exits.
- Parking – placement or location of parking areas is not restricted. Only requirement is that parking areas be enhanced with landscaping.
- Landscaping – new standard that requires the provision of a community space on new multi-use developments on sites that are larger than 2 acres.
- New standard and guideline for retaining walls. Areas of steep slopes are prevalent in the Gateway District.
- Drainage Systems – new guideline for drainage systems to emphasize water quality.
- Lighting – new guideline to encourage the replacement of inadequate light fixtures.
- Screening – new language is identical to the applicable language utilized in the revisions to the Town Core District S&G.
- Building Heights – allow up to 70 feet for both pitched and flat roofs. Additional language that provide an option for additional height for iconic design elements and appropriate uses that establish a critical mass of amenities and services.
- Building Forms – new guideline to encourage high quality corporate or franchise prototype building designs.
- Building Facades – clarification of Standard 4.2.1. Addition of a guideline to encourage design elements such as angled braces and timbers.
- New standard that requires that applicants submit 3D representations or computer simulations for development projects in the Gateway District.

Town of Silverthorne
Town Council Memorandum

- Signage – new guideline to encourage creative approaches to signage and land-marking in the Gateway District.
- Materials and Colors – new language is very similar to the applicable language utilized in the revisions to the Town Core District S&G.
- Building Roofs – no longer stating a preference between flat and pitched roofs, as was done with the Town Core District.
- Building Roofs – no longer prohibiting membrane systems for flat roofs, as these are typical, and the Town has approved them in recent development proposals.

ITEMS THAT ARE STILL IN PROGRESS:

- Update all graphics and renderings – Graphics in current document will be updated. Lina is working with a local artist on this. These may be presented to the Town Council on March 11, 2015, but may not be available till a later date.

PLANNING COMMISSION RECOMMENDATION: On March 3, 2015, by a vote of 7-0, Planning Commission recommended approval of Ordinance 2015-03; an ordinance amending Chapter 4, Article VI, Section 4-6-2(h), Design Districts, to amend and update the Gateway District Design Standards and Guidelines and adopt them as regulation.

PROPOSED MOTION:

"I move approve Ordinance 2015-03, an ordinance amending Chapter 4, Article VI, Section 4-6-2(h), Design Districts, to amend and update the Gateway District Design Standards and Guidelines and adopt them as regulation, on first reading."

ALTERNATIVE MOTION: Should the Town Council not be in favor of the proposed ordinance, no motion is necessary.

ATTACHMENTS:

Exhibit A: Ordinance No. 2015-03 – Slash and Underline version

Exhibit B: Draft – Gateway District Design Standards and Guidelines

MANAGER'S COMMENTS:

**TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2015-03**

AN ORDINANCE AMENDING SILVERTHORNE TOWN CODE CHAPTER 4, ARTICLE VI,
SITE PLAN, CONCERNING THE GATEWAY DESIGN DISTRICT.

WHEREAS, design district standards and guidelines are within the regulatory authority of the Town, acting through the Town Council; and

WHEREAS, Chapter 4, Article VI of the Town Code incorporates the Design Districts and the respective Design Standards by reference; and

WHEREAS, on May 28, 2014, Town Council adopted the 2014 Town of Silverthorne Comprehensive Plan, which proposed recommendations for the development of the Gateway District, and amendments to the boundaries of the Design Districts; and

WHEREAS, on February 11, 2015, Town Council adopted revised Standards and Guidelines for the Town Core District; and

WHEREAS, the Town Council wishes to revise Chapter 4, Article VI to incorporate the revised Gateway District Design Standards and Guidelines; and

WHEREAS, the Town Council has conducted a public hearing on the proposed revisions and is of the opinion that adoption of the same is in the best interest of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE, COLORADO:

Section 1. Section 4-6-2(h) of the Silverthorne Town Code is hereby amended to read as follows:

Sec. 4-6-2. General requirements.

(h) Design Districts.

(1) Design Districts are hereby incorporated by reference into this Chapter, as may be amended from time to time. Those provisions of the Design Districts shall be used in addition to the criteria outlined in this Article. These Design District Standards and Guidelines shall be adopted as a regulation by the Town Council and shall be maintained in the Community Development Department.

(2) The following design standards and guidelines for the Town's Design Districts are hereby adopted as a regulation and fully incorporated herein by this reference.

- a. Riverfront District Design Standards, adopted November 12, 2008.
- b. Town Core District Design Standards and Guidelines, adopted February 11, 2015.
- c. Town Core Periphery District Design Standards, adopted November 12, 2008.

- d. Gateway District Design Standards and Guidelines, adopted November ~~12,~~ 2008 March 25, 2015.
- e. Business Park District Design Standards, adopted November 12, 2008.
- f. Destination Commercial District Design Standards, adopted November 12, 2008.

All site development within the six (6) Design Districts, as hereinabove described, shall be in compliance with said standards. A failure of compliance with the standards shall be reasonable grounds for denial of the site development application.

(3) The design standards and guidelines for the foregoing Design Districts shall be amended and updated as a regulation from time to time upon recommendation of the Planning Commission and action by the Town Council by ordinance.

Section 2: Safety Clause

The adoption of this Ordinance will promote the health, safety, and general welfare of the Silverthorne community.

Section 3: Severability

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 4: Conflicts

All prior ordinances, resolutions, or other acts, or parts thereof, by the Town of Silverthorne in conflict with this Ordinance are hereby repealed, except that this repealer shall not be construed to revive any previously repealed or expired act, ordinance or resolution, or part thereof.

Section 5: Effective Date

This ordinance shall be effective upon adoption at second reading as provided by the Home Rule Charter.

READ, MOVED, AND PASSED ON FIRST READING ON THE 11th DAY OF March, 2015.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE ___ DAY OF _____, 2015.

TOWN OF SILVERTHORNE, COLORADO

By: _____

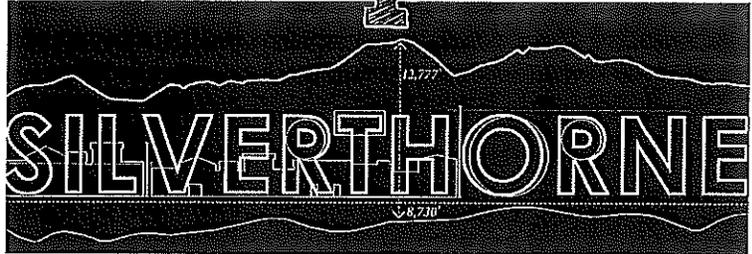
Bruce Butler, Mayor

ATTEST:

By: _____
Michele Miller, Town Clerk

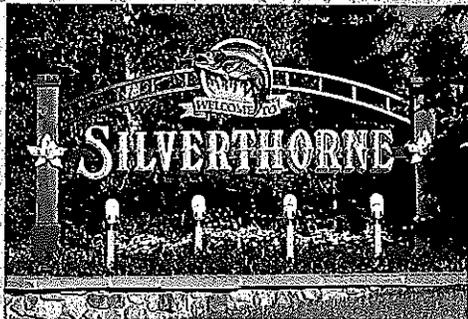
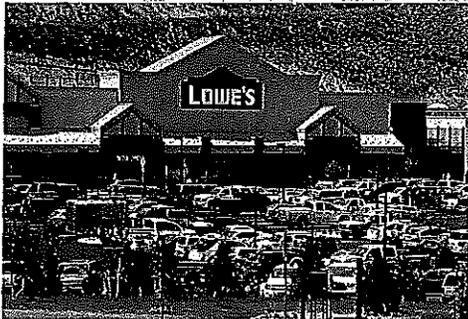
Approved on the first reading:	_____	_____	2015
Published by title only:	_____	_____	2015
Approved on the second reading:	_____	_____	2015
Published by title only:	_____	_____	2015
(with amendments, if amended on second reading):	_____	_____	2015

Blueprint

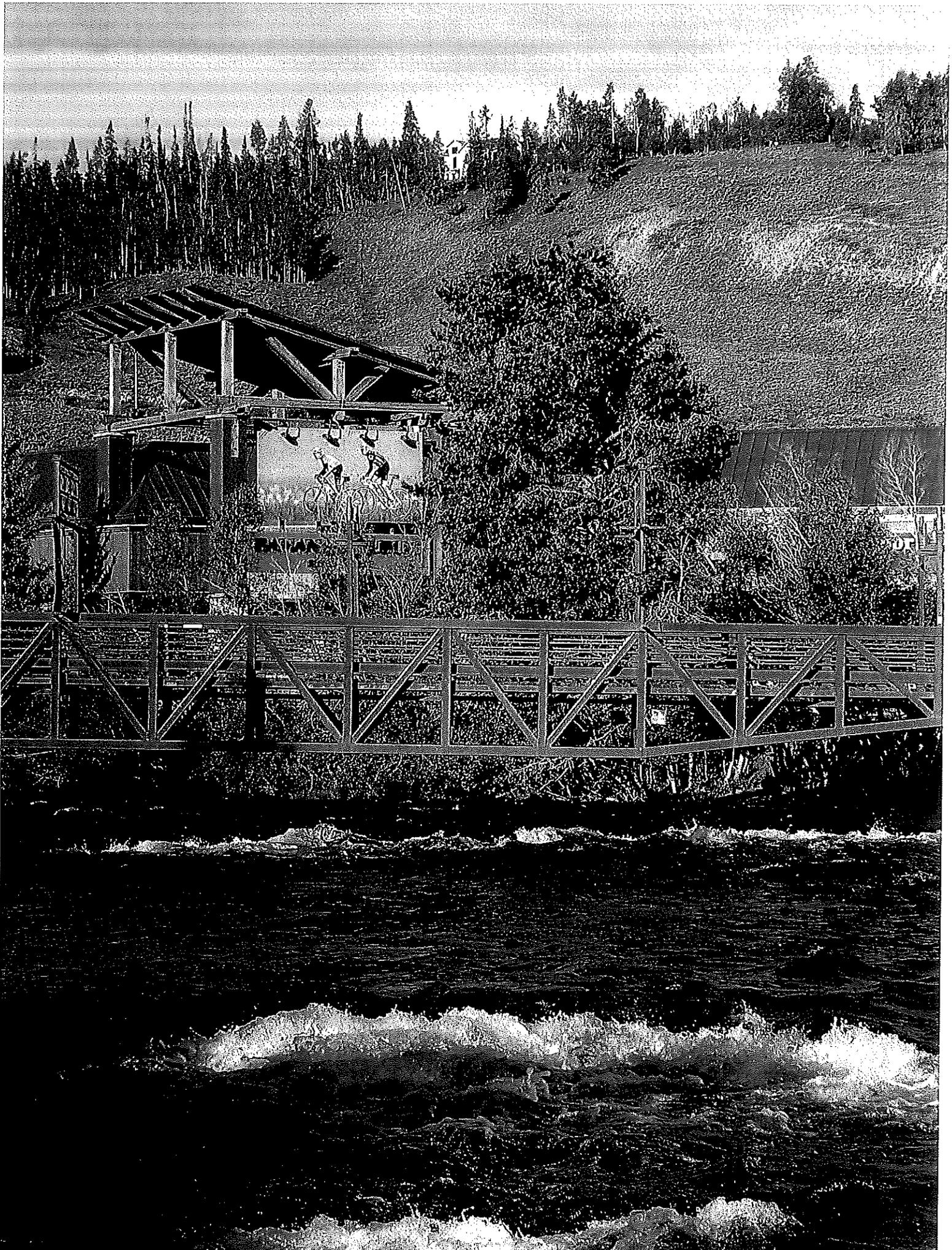


SILVERTHORNE

Design Standards & Guidelines



Gateway District



Gateway District

Design Standards and Guidelines

TABLE OF CONTENTS

Section 1 - Introduction

Purpose and Applicability	1
Relationship to Planning Documents	1
How to Use the Design Standards	1

Section 2 - Town Core Theme and Character

Purpose	2
Goals	2

Section 3 - Site Design Standards

Building Orientation and Location on Site	3
Pedestrian Access and Circulation	3
Vehicular Access and Circulation	4
Parking	5
Landscape	5
Lighting	6
Screening	7
Site Furnishings and Art	8

Section 4 - Architectural Standards

Building Height, Form, and Mass	8
Building Facades and Architecture	9
Building Materials and Finishes	11
Building Colors	11
Building Roofs	12

ACKNOWLEDGEMENTS

Thanks are due to the dedicated representatives of the Town of Silverthorne who took part in the development of these Design Standards and Guidelines.

Town of Silverthorne Town Council

Bruce Butler, Mayor
Ann-Marie Sandquist, Mayor Pro Tem
Jonathon Bird
Russ Camp
Derrick Fowler
Peggy Long
Stuart Richardson

Town of Silverthorne Planning Commission

Robert Kieber, Chairman
Tanya Shattuck, Vice Chairman
Stan Katz
Tom McDonald
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Donna Pacetti
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Town of Silverthorne Staff

Ryan Hyland, Town Manager
Mark Leidal, AICP, Assistant Town Manager
Lina Lesmes, AICP, Senior Planner

Gateway Design District

SECTION 1: INTRODUCTION

PURPOSE AND APPLICABILITY

1.1.1. The purpose of these Design Standards and Guidelines is to guide the general form and relationship of the buildings within the Gateway District to the surrounding environment. The boundaries of the Gateway District are as shown on the Design District Overlay Map, adopted on May 28, 2014 by the Silverthorne Town Council.

1.1.2. The Town believes the Gateway District to be the 'front door' of the community due to its high visibility to highway travelers. The Gateway District is a critical component in the image of Silverthorne, and developments in this area should enhance the image of quality and uniqueness of the Town, and create an inviting environment to encourage travelers and visitors to explore the community further. Interstate and highway tourist oriented land uses that include restaurants, lodging, and service facilities are the focus of this District.

1.1.3. The Design Standards and Guidelines apply to all new buildings, additions, or major alterations to exteriors of buildings, including changes to color schemes and materials. No development shall be approved by the Town unless all relevant standards are met. On a case-by-case basis, proposed modifications to existing buildings may be relieved from strict compliance with these Standards and Guidelines, dependent on site and/or building constraints.

1.1.4. Standards are baseline requirements for the design of development projects. Guidelines are recommendations that are intended to further define the desired image and character of development within the Gateway District. Compliance with the Design Guidelines is strongly encouraged.

RELATIONSHIP TO OTHER PLANNING DOCUMENTS

1.2.1. These Standards and Guidelines reflect the goals for the Town of Silverthorne as set forth in the Comprehensive Plan, and as adopted and referenced as 'Design Districts' in Town Code Section 4-6-2(h). These Standards address site design through building location and orientation, access, parking, landscaping, lighting, and screening; and building design through building height, form, mass, architectural elements, materials, colors, and roofing.

1.2.2. These Design Standards and Guidelines are in addition to the standards and requirements identified in the Town Code. While the Standards are intended to be consistent with the Town Code, there may be occurrences where there is a conflict between the two documents. In the event of a conflict, the stricter of the two standards shall apply.

HOW TO USE THE DESIGN STANDARDS AND GUIDELINES

1.3.1. The intent of these Design Standards and Guidelines is to provide clear and concise direction to developers and property owners in order to promote quality and preserve value. The Standards will be used as a tool in evaluating submittals for all new projects, and any significant remodels or renovations of existing developments.

1.3.2. Property owners, developers, and architects should use these Standards and Guidelines when preparing site and architectural plans for new development and for improvements to existing development. All Standards and Guidelines contained within this document should be reviewed, and special care shall be taken to address all situations where standards apply to a specific project.

SECTION 2: THEME AND CHARACTER

PURPOSE

2.1.1. The Gateway District consists of a mix of structures, uses and activities, all of which contribute to the Town's unique identity. There is not one dominant architectural style and this document does not advocate any one particular style. It does, however, provide a guideline for creative development using elements to express contemporary mountain architecture that responds to vehicular traffic along a visible thoroughfare.

2.1.2. The Gateway District is bisected by I-70 and State Highway 9. The large volume of vehicular traffic on these routes is acknowledged. The District aims to have vehicular oriented businesses, which cater to the traveler/tourist, and to provide safe spaces for pedestrians

GOALS

2.2.1. The primary goals for the Gateway District are to:

- a. Encourage development that presents an image of high quality and value, and is welcoming to travelers and visitors;
- b. Promote services that cater to travelers and visitors;
- c. Set minimum quality standards for site design and building architecture;
- d. Develop attractive street facades with gateway elements and buildings scaled and oriented toward vehicular traffic along Blue River Parkway/Highway 9, Highway 6, and I-70;
- e. Reduce the negative visual impact of parking lots with attractive and appropriately sized landscaping;
- f. Encourage energy conservation in building design and materials through solar exposure, appropriate orientation and other measures;

- g. Promote a sense of permanence and richness in the area by requiring the use of high quality materials;
- h. Require exterior colors to be subtle yet rich colors rather than intense, bright colors and color schemes to tie building elements together and to enhance the architectural form of the building;
- i. Provide for integrated lighting into building and site design;
- j. Create a compatible landscape scheme within the Gateway District that is consistent with civic improvements made by the Town in Gateway entry areas; and
- k. Safely screen storage areas, mechanical equipment and loading areas from public rights-of-way to the extent practical.

SECTION 3: SITE DESIGN STANDARDS AND GUIDELINES

GOAL 3.1: BUILDING ORIENTATION AND LOCATION ON THE SITE

Ensure that building placement and orientation create a coordinated and visually attractive streetscape that celebrates the entrance into Town, and contributes to a positive visitor experience.

STANDARDS

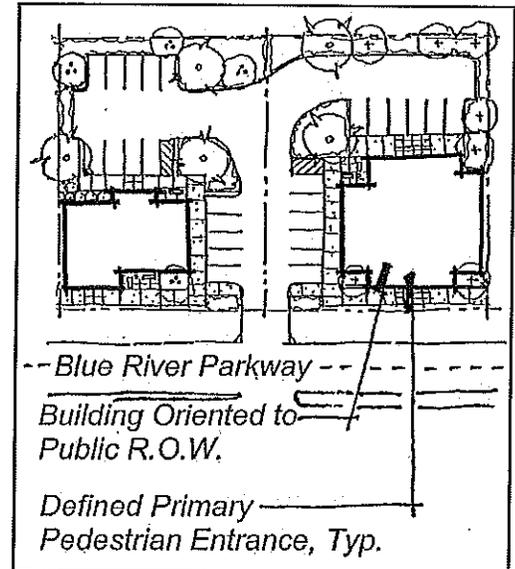
3.1.1. Buildings within the Gateway District shall be oriented toward the street, and shall respect the relationship to existing adjacent development.

3.1.2. When a building is located adjacent to a street, there must be a distinct architectural feature along the street facing façade to create a strong presence.

3.1.3. Buildings shall have a clearly defined primary pedestrian entrance.

3.1.4. Accessory structures or uses shall not front on the Blue River Parkway, and shall be oriented away from public rights-of-way, open space and residential areas.

3.1.5. Drive-through elements shall be architecturally integrated into the building, and have efficient circulation patterns.



GUIDELINES

3.1.6. Front facades that are aligned with adjacent buildings and that promote visual continuity along street edges, internal drives, and other traffic corridors are encouraged.

3.1.7. Sites should be organized so that building locations frame and preserve attractive views of the mountains.

3.1.8. Silverthorne's high alpine climate should be taken into consideration in all building designs to prevent ice and snow buildup. In particular, north-facing main entries are discouraged. Passive solar design, such as locating pedestrian areas to take advantage of solar access, is encouraged.

GOAL 3.2: PEDESTRIAN ACCESS AND CIRCULATION

Opportunities exist in the Gateway District to create, enhance, or connect to existing pedestrian systems. Developments should create a safe, continuous pedestrian network that minimizes conflict with vehicular traffic, and that promotes a convenient option for pedestrian circulation within and between developments.

STANDARDS

- 3.2.1. Where a public sidewalk (attached or detached from the adjacent public street) is deemed necessary by the Town, it shall be installed in the public right-of-way as part of the proposed development.
- 3.2.2. Continuous internal pedestrian walkways within a development site, not less than six feet in width, shall be provided from the primary building entrance to adjacent sidewalks, trails, and public rights-of-way, or to other focal points of pedestrian activity.
- 3.2.3. Walkways shall be provided to separate pedestrians and vehicles, and shall link ground level uses within the site.

GUIDELINES

- 3.2.4. Where pedestrian walks cross drive aisles, they should be clearly marked with signage, special paving, landscaping, or other similar methods.
- 3.2.5. Contiguous developments are discouraged from installing physical barriers between projects unless necessary for safety, storage, or mitigation of adverse impacts.

GOAL 3.3: VEHICULAR AND SERVICE AREA ACCESS AND CIRCULATION

Create a vehicular circulation system that is safe, convenient, and efficient, and that is easily maneuverable by residents and visitors.

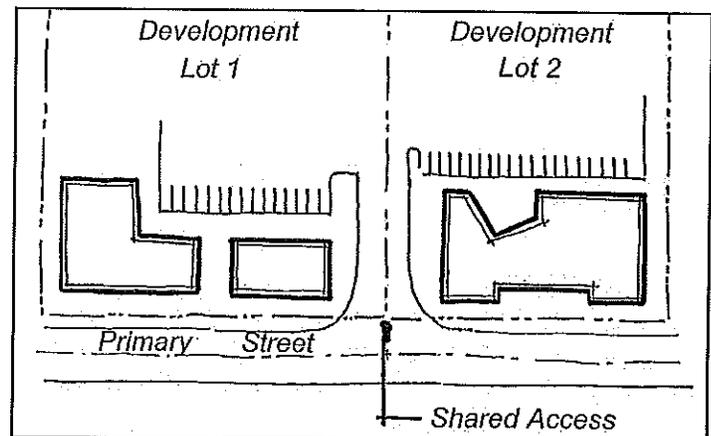
STANDARDS

3.3.1. Vehicle circulation on-site shall be clearly organized to facilitate movement into, throughout, and out of parking areas. Parking drive lanes and intersections shall align wherever practical.

3.3.2. Access in and out of a development site shall be designed to optimize safety, convenience, and maneuverability. Potential adverse impacts to the surrounding roadways must be mitigated in accordance with the findings of a Traffic Study.

3.3.3. Service and delivery areas shall be located to the side or rear of buildings, or in other inconspicuous locations, where they are generally not noticeable from public rights-of-ways or pedestrian walkways. Where possible, adjacent parcels or buildings should share service and delivery areas, and/or access to such areas.

3.3.4. Circulation and parking for service areas shall be designed to minimize disruption to the flow of vehicular and pedestrian traffic, and to provide efficient turning movements.



GUIDELINES

3.3.5. Contiguous developments are encouraged to combine access points to minimize curb cuts, and to provide connections between adjacent properties.

3.3.6. Development projects that require multiple or frequent deliveries should provide separate customer and service access drives where possible.

GOAL 3.4: PARKING

Ensure that parking areas within the Gateway District are adequate and convenient, and enhanced with landscaping

STANDARDS

3.4.1. Parking areas shall be located so as to minimize negative visual and noise impacts to adjacent properties and the public rights-of-way.

3.4.2. Parking areas shall be enhanced with landscaping to provide screening, reduce the appearance of large amount of pavement, soften edges, and create an inviting environment for users.

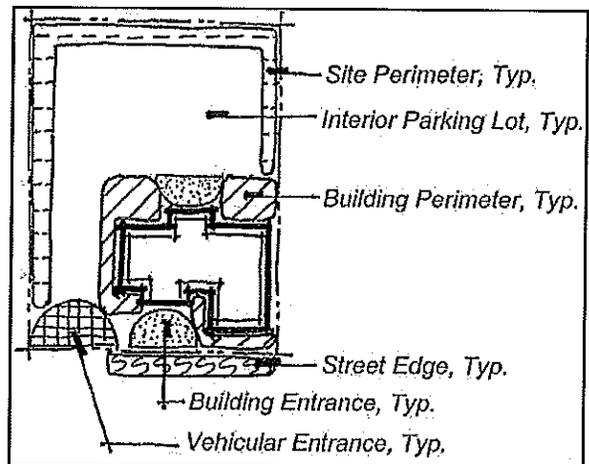
GUIDELINES

3.4.3. The Town encourages new developments to minimize surface parking wherever possible by considering parking reductions, shared parking provisions, and providing facilities for alternative forms of transport.

3.4.4. To the maximum extent feasible, parking should be located to the side of or behind a building in a landscaped parking area, and screened from view from pedestrian walkways.

3.4.5. Underground or under structure parking, integrated with the building’s architectural design, is encouraged.

3.4.6. Snow melt systems or snow hauling offsite should be considered to maximize use and functionality of development sites.



GOAL 3.5: LANDSCAPE

Utilize landscaping to create an attractive environment within and along the edges of each development parcel, screen parking and service areas, and provide inviting gathering spaces for the public.

STANDARDS

3.5.1. Landscaping shall complement buildings, accent building entries, serve as a decorative element, screen parking

and service areas, and define onsite circulation. Landscaping shall not interfere with the line of sight of vehicle drivers, or impede the visibility of businesses.

3.5.2. Multi-use developments on properties equal to or greater than 2 acres must provide a minimum of one community gathering space. Such community gathering spaces may include public benches, kiosks, gazebos, public seating/eating areas, mini parks, water features, art forms, or other public gathering spaces. On a case by case basis, the Town may consider locating such community gathering spaces offsite, if alternate locations are found to be more suitable for this purpose.

3.5.3. All trees shall have an adequately sized planting area. The size of the planting area shall be based on the amount of room needed for tree roots, and the estimated size of the fully mature tree. Root barriers shall be used when trees are planted near pedestrian walkways and sidewalks.

3.5.4. Significant landscape materials such as trees shall be located outside of utility easements. Planting trees over utility lines is prohibited.

3.5.5. Visible retaining walls must be constructed of high quality materials such as stone, masonry block with an integral color and exterior texture, brick, or stucco facing. Materials for retaining walls should be in character with the building materials and the landscape design.

GUIDELINES

3.5.6. Alternative forms of landscaping, including street furniture, planter boxes, hardscape patios, and art forms are encouraged within the Gateway District.

3.5.7. Where sloping terrain requires retaining walls, terraced or stepped retaining walls are encouraged. Consideration should be given to whether buildings, or portions of buildings, can function as retaining walls.

3.5.8. Any drainage system with the potential to collect sand, trash, or other contaminants should be designed with a treatment or separation system. All drainage areas should be well maintained, and free of trash and other unintended debris.

GOAL 3.6: LIGHTING

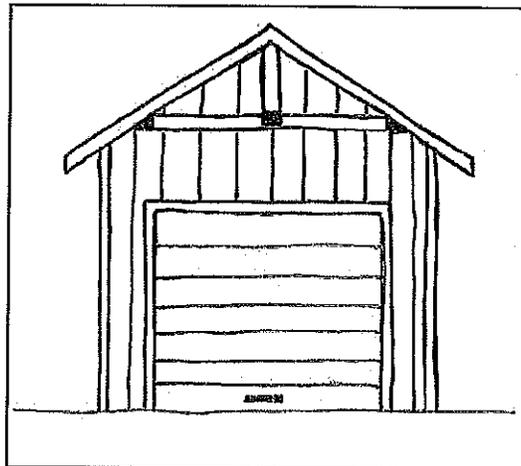
Create a safe and secure pedestrian environment within the Gateway District through the use of adequate site and building lighting design.

STANDARDS

3.6.1. Lighting shall be designed as an integral part of the building in a manner that enhances the facade, architectural features and the site design. Light fixtures shall be compatible with the colors and materials of the building architecture, site furnishings and landscape of the project.

GUIDELINES

3.6.2. Lighting should be coordinated to provide uniform light levels and an



organized appearance through the use of consistent fixtures, lamp types, and placement.

3.6.3. Light retrofits and replacements in situations where existing light fixtures cause light trespass, glare, or consume excessive energy are encouraged.

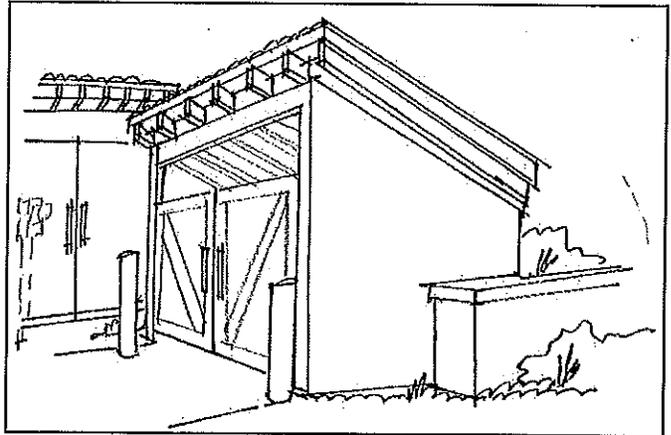
GOAL 3.7: SCREENING OF SERVICE AREAS AND MECHANICAL EQUIPMENT

Screening shall effectively mitigate negative visual and acoustic impacts of site uses, and shall be integrated into each project's overall site design.

STANDARDS

3.7.1. General

- a. All utility, telecommunications, ground mounted and roof-top mechanical equipment shall be shown on the final site plan for the proposed development project.
- b. Service, storage, refuse, and equipment areas shall be located within buildings, or combined with other such areas, to the greatest degree practical.
- c. When necessary, screening enclosures shall be designed in the same architectural style, and be constructed in similar materials and colors, as the primary building onsite. Fences shall be permanent, solid, and opaque; and at least as tall as the object to be screened.
- d. All screening enclosures must be designed in a manner that optimizes the safety, longevity, and performance of the screening enclosure and the equipment being screened.



3.7.2. Refuse, Recycling, Storage and Service Areas

- a. Refuse, recycling, and service areas shall be located to the rear or side of buildings, or in other inconspicuous locations, where they are generally not noticeable from public rights-of-way, pedestrian walkways, or open spaces.
- b. All outdoor refuse, recycling containers, and dumpsters shall be screened from view from adjacent properties and public rights-of-way by enclosure in a permanent, four-sided, solid, and opaque structure with a roof.
- c. Refuse, recycling, storage, and service structures shall be designed in the same architectural style and be constructed of materials and colors complementary to the primary building on site.
- d. All outdoor storage of materials, vehicles, and/or ancillary equipment is prohibited within the Gateway District.

3.7.3. Utility, Telecommunications and Mechanical Equipment

- a. Avoid locating telecommunications equipment, mechanical equipment, utility connections and service boxes on the primary facade of the building.
- b. Ground-mounted mechanical equipment units, including switch boxes, and electrical and gas meters, shall be screened in a manner that minimizes visual impacts and optimizes safety.
- c. Minimize the visual impact of telecommunications equipment, mechanical equipment, utility connections, and service boxes on buildings by painting them to match the primary building color.

3.7.4 Roof-top Mechanical

- a. Roof top mechanical equipment shall be low-profile, non-reflective units, and screened such that they are not visible from the public right-of-way. Provide screening with materials that are compatible with the building to which they are mounted. Screening heights shall be at least as tall as the equipment to be screened.
- b. Minimize the visual impact of telecommunications equipment, mechanical equipment, utility connections and service boxes on roof-tops by painting them to match the roof color.
- c. Roof and wall mounted solar panels must be architecturally integrated into the roof or building form.

GUIDELINES

3.7.5. Reinforced concrete aprons are recommended in front of refuse and recycling storage areas to accommodate refuse and recycling removal trucks..

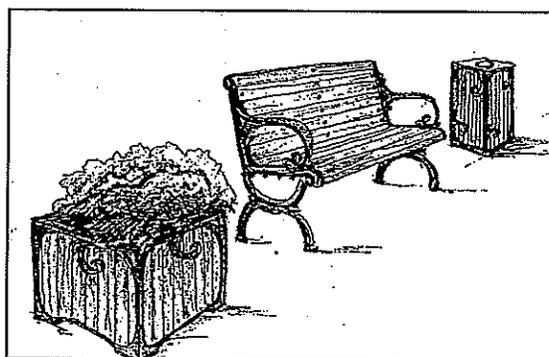
3.7.6. Vegetative screening should be primarily evergreen plants that will form a solid opaque screen at least as tall as the object to be screened.

GOAL 3.8: SITE FURNISHINGS AND ART

Create a clean and comfortable active pedestrian streetscape environment that invites the pedestrian to linger.

STANDARDS

3.8.1. Permanent site furnishings such as benches, tables and other pedestrian amenities shall be made of durable, weather resistant materials and shall be consistent with the overall design character of the District.



GUIDELINES

3.8.2. Site furnishings are encouraged to be provided at main pedestrian walkways, building entrances, plazas, open space, and other pedestrian areas, without impeding pedestrian movement on the sidewalk.

3.8.3. Two-dimensional or three-dimensional art works displayed for public view that enhance the overall district character are highly encouraged. Publicly donated art proposed to be located on land dedicated to the Town will be considered on a case by case basis in accordance with the Art in Public Places policies.

SECTION 4: ARCHITECTURAL STANDARDS AND GUIDELINES

GOAL 4.1: BUILDING HEIGHT, FORM, AND MASS

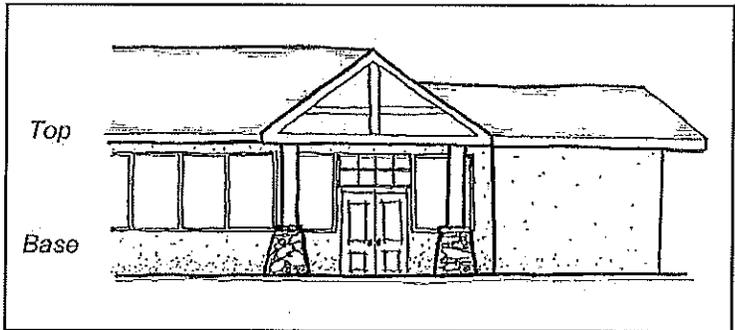
Buildings should provide visual interest at the pedestrian and vehicular scales, with appealing architecture and captivating design elements that invite highway travelers into Silverthorne.

STANDARDS

4.1.1 The maximum building height in the Gateway District is seventy (70) feet. Increased building heights for iconic design elements, and for appropriate uses that establish a critical mass of amenities and services may be considered on a case by case basis. The definition of building height shall be as stated in the Silverthorne Town Code.

4.1.2. Buildings shall be designed to relate directly to and reinforce the pedestrian and vehicular scales, and the quality of the primary street frontage and/or the river. The following techniques may be used to meet this objective:

- a. Shifts in or stepping of the building mass;
- b. Variations in the height, length, and profile of the wall planes and roof forms;
- c. Projecting elements or recessed design elements; and
- d. Group elements to provide balanced facade composition.



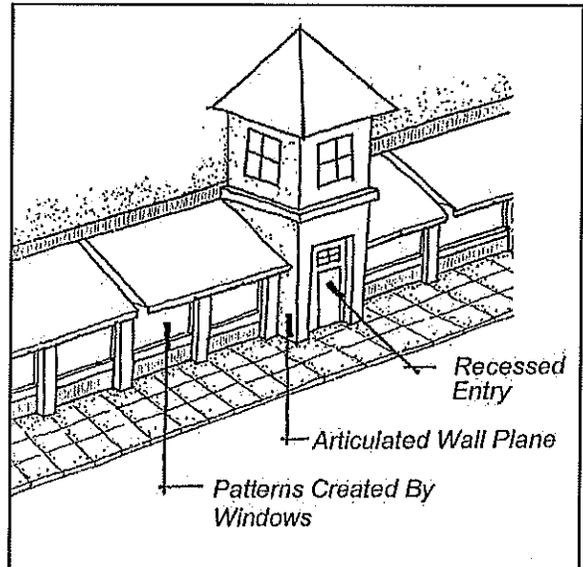
4.1.3. Reduce the bulk of a tall single story building (over 15 feet in height) or a multi-story building to be on a vehicular and pedestrian scale, emphasize a “base” and a “top”.

- a. A distinctive “base” at the ground level that is weightier in appearance than the rest of the building, with heavier, larger, or darker building materials. In addition, “base” elements may include windows, awnings, canopies, bays, overhangs, or other architectural features.
- b. The “middle” of the building shall be made distinct by a change in material or color, windows, balconies, step-backs, and signage.
- c. The “top” of the building shall emphasize a distinct profile or outline with elements such as: A projecting parapet, cornice, upper level stepback, or creative roofline.

4.1.4. The mass of the pedestrian portion of the building shall be broken down to a human scale with a strongly marked primary entry at the “base”, and distinct architectural features at the ground level.

GUIDELINES

4.1.5. Developments are encouraged to create visual continuity by designing buildings to exhibit height and massing complementary to adjacent, conforming buildings.



4.1.6. High quality corporate or franchise prototype designs that relate to the mountain setting and complement surrounding buildings are encouraged.

GOAL 4.2: BUILDING FACADES AND ARCHITECTURAL ELEMENTS

Promote quality, iconic, and engaging designs that enhance the Town’s appeal and identity. Encourage a variety of architectural elements that avoid featureless design and uninterrupted repetition of building materials.

STANDARDS

- 4.2.1. Regardless of the specific style, new buildings in the Gateway District shall:
- a. Provide large areas of glass at the ground level to display the goods and services offered inside;
 - b. Provide distinct or unique architectural elements that contribute to a sense of place and arrival; and
 - c. Articulate front facades to provide visual interest and reduce the impersonal appearance of commercial buildings.
- 4.2.2. Buildings shall be designed to provide interest and variety, and with elements scaled to the pedestrian. The following techniques shall be used to meet this objective, with consideration to preventing the shedding of snow onto pedestrian areas:
- a. Break up large building components with significant articulation of wall planes and roof lines;
 - b. Create patterns, using window size and/or shape, that relate to interior functions;
 - c. Emphasize building entries through projecting or recessed forms; and
 - d. Provide distinct and strong architectural elements at the ground level to add emphasis to the pedestrian portion of the building.
- 4.2.3. Provide human scale through change in plane, contrast and intricacy of form. Avoid large areas of undifferentiated or blank building facades, and long expanses of wall at a single height or in a single plane.
- 4.2.4. Buildings shall be designed with consistent and/or compatible details on all sides visible from public right-of-ways.
- 4.2.5. Each principal building on a site shall have clearly defined, highly visible, primary pedestrian entrance, featuring one of the following: Canopies or porticos, overhangs, recesses/projections, raised corniced parapets over the door, peaked roof forms, arches, or other unique architectural detail. Pedestrian entrances shall be architecturally distinguished from employee or service area entrances.
- 4.2.6. Building façades shall not exceed 75 feet in length along the same geometric plane, at which time there shall be wall plane projections or recesses having a depth of at least 2 feet for a distance of not less than 6 feet.
- 4.2.7. Each building façade shall have a repeating pattern that includes no less than three instances of either: color change, texture change, material change, or repeated expression of a structural, architectural feature.
- 4.2.8. Applicants are required to submit a three dimensional representation of a proposed development project within the Gateway District. Such representation may be an accurate three-dimensional model or a three dimensional computer simulation showing the proposed development.

GUIDELINES

- 4.2.9. Design elements that complement other buildings in the Gateway District, including angled braces and timbers, post and beam elements, covered porches, and port cochères are encouraged.
- 4.2.10. Creative approaches to signage and land-marking are encouraged in the Gateway District.

GOAL 4.3: BUILDING MATERIALS AND FINISHES

Building materials and finishes shall present an image of high quality and permanence.

STANDARDS

4.3.1. Buildings shall be designed in a manner and constructed of materials that are compatible, and complementary to the surrounding buildings in the Gateway District, and shall contain a combination of materials.

4.3.2. To break up large building forms and wall surfaces, buildings shall incorporate a variation or combination of materials, surface relief, and texture.

4.3.3. Predominant exterior building materials shall be high-quality durable materials that retain their appearance over time, and that can be economically maintained. Buildings shall be predominantly clad in Class I and Class II materials. Class III materials are prohibited in the Gateway District.

- Class I materials include timber, log and wood siding, clay fired brick, natural stone, masonry, cement stucco, and glass.
- Class II materials include architectural metal, fiber cement siding, concrete brick, manufactured stone, and integrally colored split face block.
- Class III materials include EIFS, smooth-face concrete block, tilt-up concrete panel systems, metal panel systems, and vinyl and aluminum siding.

4.3.4. Clear glass shall be used for windows. Tinted, colored or opaque glass may be approved on a case by case basis when shown by the applicant to be compatible with the purpose of the Gateway District Design Standards and Guidelines. The use of mirrored or reflective glass is prohibited.

4.3.5. Applicants are required to submit a sample board of materials, finishes and colors of all proposed exterior materials.

GUIDELINES

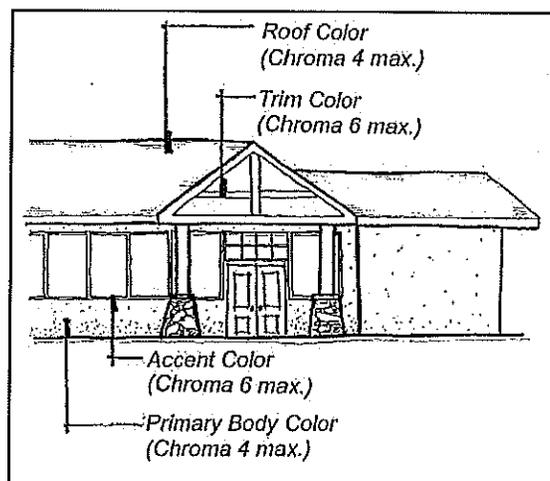
4.3.6. Changes in material should occur where the transition is accommodated through an architectural detail. As a general practice, changes in exterior materials should not occur at exterior corners, but should be wrapped around the corner to give the material depth and the appearance of a structural function.

4.3.7. Details such as sills and belt courses are suggested where material transitions occur across horizontal divisions.

4.3.8. Building materials and details used on the facade of the primary structure may be transitioned to a lesser degree of detail on service sides of the building.

GOAL 4.4: BUILDING COLORS

Exterior building colors shall be aesthetically pleasing and compatible with colors of nearby conforming structures.



STANDARDS

4.4.1. Color choices for all buildings shall be made within the range delineated by these Design Standards and Guidelines in relation to the Munsell color notation system. The Munsell Book of Color is available for reference at the Town of Silverthorne Community Development Department.

4.4.2. The Munsell color notation system is broken into three characteristics: hue (color), chroma (brightness), and value (shade). In the Town of Silverthorne, chroma is the only Munsell color characteristic that is regulated.

- a. The primary body colors of the building shall not exceed a chroma of four on the Munsell Color Chart.
- b. The trim accent colors of the building shall not exceed a chroma of six on the Munsell Color Chart. The term trim in this standard is interpreted to mean those elements of a building which frame, surround or join different building materials. The trim accent colors are limited to an area of no greater than 10% of the building façade.
- c. The roof color of the building shall not exceed a chroma of four on the Munsell Color Chart. Roof color shall be compatible and complementary to the surrounding buildings in the Gateway District.
- d. The use of black, white and neutral gray colors proposed for any portion of the exterior building features shall be reviewed on a case by case basis based on the appropriateness to the proposed building design.

4.4.3. All exterior metal elements of a building, such as flues, flashings, etc., shall be painted a flat color that is compatible with the exterior building color and shall not be exposed metal. Exterior metal elements on building roofs shall be painted a flat, dark color that is compatible with the roof color.

4.4.4. A color palette board shall be submitted and reviewed by the Community Development Department showing all proposed primary body, trim and accent colors and intensities for the exterior walls of the building.

GUIDELINES

4.4.5. Exterior building colors should be complementary to adjacent conforming buildings and the natural mountain surroundings. Colors should be those that copy the earth tones found in nature within and around Silverthorne.

4.4.6. Color should be used to enhance the architectural form of the building. The style, material, and detailing of the structure should be considered when selecting color schemes. Color should not be used to gain attention, and should be subordinate to the architecture of the structure.

4.4.7. The same or substantially similar colors used on the primary structure should be used on any accessory structures on the site.

GOAL 4.5: BUILDING ROOFS

Roof forms shall contribute to the overall image of high quality and permanence, and shall be used to screen roof top equipment.

STANDARDS

4.5.1. The character of buildings shall be enhanced with creative roof elements, and with consideration of the impact of the pitch, materials, size, and orientation of the roof form.

4.5.2. Where pitched roofs are utilized, appropriately oriented gables, dormers, and shed roof elements shall be used to break up large expanses of roof, and to add architectural interest.

4.5.3. Where flat roofs are utilized, they shall be screened with parapets and cornices, or with peaked, sloped, or arched façade elements.

4.5.4. Roofs shall be designed in a manner in which they do not deposit snow onto required parking areas, sidewalks, refuse storage areas, stairways, decks, balconies, or entryways. Where snow guards are needed they shall be architecturally integrated into the roof design.

4.5.5. Visible roof surfaces shall be made of durable materials such as concrete tile, metal, other pre-finished architectural metals or architectural grade asphalt shingles.

4.5.6. Both highly visible and non-visible roof structures shall be a natural subdued color which is complementary to the architecture and its natural surroundings.

GUIDELINES

4.5.6. Roofs designed as attention-getting devices, elements that serve as signage, or as an identifiable corporate image are discouraged.

4.5.7. Membrane systems that are visible from the public right-of-way are discouraged.

4.5.8. Ridgelines and roof forms are encouraged to change in relationship to changes that occur in the wall planes.

4.5.9. Whenever possible, gutters and downspouts should be located in the least conspicuous location, such as in the rear or side facades of the building, and painted to match either the trim or primary color of the structure. Gutters and downspouts should not drain onto walkways or sidewalks.

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**TOWN OF SILVERTHORNE
PLANNING COMMISSION MEETING MINUTES
MARCH 3, 2015 – 6:00 P.M.**

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m., on March 3, 2015, in the Council Chambers of the Silverthorne Town Hall, 601 Center Circle, Silverthorne, Colorado.

2. ROLL CALL – Commissioners present and answering Roll Call were: Stan Katz, Robert Kieber, Tom McDonald, JoAnne Nadalin, Donna Pacetti, Tanya Shattuck, and Brian Wray. Staff attending tonight's meeting included: Mark Leidal, Assistant Town Manager, Matt Gennett, Planning Manager, Lina Lesmes, Senior Planner, and Zach Margolis, Utilities Manager.

3. CONSENT CALENDAR – JoAnne Nadalin made a motion to approve the February 17, 2015, Planning Commission minutes. Stan Katz seconded. The motion was approved by a vote of 7-0.

4. CITIZEN'S COMMENTS:
None.

5. PUBLIC HEARING:

A. South Maryland Creek Ranch, Major Amendment to the existing Planned Unit Development (PUD):

Matt Gennett, Planning Manager presented the project. The Applicant, South Maryland Creek Ranch, is requesting approval of a Major Amendment to the PUD, with an increase in density from 83 to 240 residential dwelling units on 416 acres.

COMMISSIONER QUESTIONS AND COMMENTS:

APPLICANT COMMENTS:

The applicant, represented by Tom Everist from Everist Materials, presented the PUD Amendment. Mr. Everist introduced the other members of his team: Joanna Hopkins, Paul Books, Elena Scott, Dave Bosh, and Carrie McDonald. All presentation materials, including Prezi presentations, are available at the Community Development Department of the Town of Silverthorne, second floor, Town Hall.

PUBLIC COMMENTS:

Chairman, Bob Kieber, requested that public comments be heard prior to Commissioner comments and questions of Staff and the applicant. Public testimony is noted below:

- John Hillman – resident of Acorn Creek – President of HOA there and a board member of Friends of the Lower Blue River, we call it FOLBR. I'm here representing FOLBR. We have spent 4 hours in the last few days with the applicant in very

thoughtful meetings, and we were very impressed in how careful their planning has been, and how much they're trying to do this project right. However, FOLBR does not want to see any more development at all in the Lower Blue. Some development may be inevitable, but should be limited to 1 unit on 20 acres and clustering may be encouraged, which would make it 1 unit in 17 acres. FOLBR supports the original density of 83 units on 416 acres, which is 1 unit per 5 acres, which is low density for a Town. We feel that such density would serve as a transition zone between high density urban and the low density rural of the Lower Blue. FOLBR is strongly opposed to the newly proposed density of 240 units on the same acreage. This would be 3 times the original density proposal, equaling 1 unit per 1.73 acres. This figure considers the entire development. If you look at 60% being open space, but a lot of that is lake and a park and if you subtract that and look at just the density of the built area, the density is quite a bit greater, 1 unit on 2/3 of an acre. As another way to look at it, the new plan calls for twice as many bedrooms with 944 vs 498 in the original plan. FOLBR acknowledges that the SMCR team has made great efforts to protect views from the HWY, bury electrical lines, provide open space and wetlands, provide a public park, and optimize access to the national forest, and minimize traffic problems. Nonetheless, FOLBR remains concerned on effect of such density on views from the highway, traffic and wildlife, but most importantly about the loss of that transition zone from high density urban to low density rural. Such high density in that gateway location will open the door for future annexations and high density development down the valley. We don't want the Lower Blue valley to become another Roaring Fork valley with development spreading up and down that valley. FOLBR is suggesting that one step that might mitigate our worries would be to guaranty that the development in the north will be no more than 1 unit per 20 acres. Also suggested the conservation easement on part of that property. We feel that if that could be done in a legally binding way, that would follow the property in case it got sold to another developer, that would make us feel a lot better about this tripling of density in the current proposed project. Thanks.

- John Fielder – Acorn Creek 417 is my address. I got here in 1967. I raised my family in Denver and moved to Summit County 8 years ago. I've been photographing Colorado mountains and valleys for 40 years now. I chose to come to Summit County because the Lower Blue River Valley is one of the most beautiful in the Colorado and the whole West. It's an amazing ecosystem, gold medal trout fishery, cottonwood willow wetland habitat, and upsloping we get spruce and fir and aspen ecosystems. On both sides of the valley, we have magnificent wilderness areas, and beautiful river that goes all the way down to the Colorado River. The County of Summit has protected thousands of acres of open space also, so it's a glorious place. And it doesn't start at the end of the Maryland Creek, it starts right around the corner after passing the Silverthorne Elementary School, that the beginning of this ecosystem. I'm shocked that this proposal has gotten to the point that it has, that we'd be considering a development in that ecosystem, and we'd be considering raising the radioactivity of this project by three times. By radioactive I mean: no amount of clustering can make it more amenable for elk and moose and other migratory creatures. No wildlife corridors through those homes are going to invite those creatures into that ecosystem. It just won't happen, especially at night, with hundreds or thousands of lights on. It's also radioactive because of those photos taken to simulate the visual impact. I'm somewhat of an expert with wide angle lenses, and I know that wide angle lenses increase the perception of distance from foreground to background, and those photos were shot with wide angle lenses, and the prospective homes were superimposed into it. I drive by that hillside several times a week and I guaranty you that most of those 240 homes no matter how they're clustered, because the hillside upslopes, will be 10 times more visible than what you saw on those simulated photographs. I don't want to see the development

tripled, I don't know what purpose it serves other than to enrich the developer, to provide more housing in Silverthorne, but the destruction of ecosystem trumps you all making a decision on incredibly dense development! Maybe it's less dense than other places in the community, but to me, 240 houses on 160 acres is like a ghetto compared to what we have in the rest of the County at 1 per 20. So I urge this Commission to disallow this tripling of density. I did some research, and looked at a hearing that happened 4 years ago when it was going to 83 units, and I'll read you what your previous commissioners said. Russ Camp said, "I've been through most of the review process, it has been a very nice project from the beginning, it's still a nice project with 83 units along with the extension of the meadow, the density is commendable, something good for Silverthorne". Derrick Fowler thanked the applicant and "agrees it's a special place after spending some time up there". Finally Peggy Long said about 83 units, "feels that it is a great project, in my time with the Town, everything that Tom Everist said he will do he has done, he's been a first class developer, and this project warrants the time it needs to make it right". That's about 83 units, not about 240. Thank you for the time.

- Les Boeckel – 145 Two Cabins Drive. Just to reiterate: you don't have the same development you had ten years ago. The way I figure it, you have 156 acres that you're really disturbing, the rest is wetlands and other areas you can't disturb anyway. You're going from 1 house per 2 acres, now to 1.5 houses per acre. So it's not the same development. One other comment I'd like to make, I think this is a dangerous precedent for you to set. People make investments in this community based on existing zoning, and what they expect to go in around them. When you change from 83 to 240, I think that is a bad precedent. I wouldn't invest in an area where I don't know what the Planning Commissioners or Town Council members are going to do tomorrow. First traffic. As I count we have 2 entrances and exits, one's a main entrance, the other comes onto Game Trail Road. I haven't heard anyone say anything about construction traffic. Are they going to be going on Game Trail Road? Do you want to tell the people that own those houses on Game Trail that for the next ten years they're going to have trucks and construction vehicles? How are you going to handle that? Secondly, those residents that live in that end of Three Peaks, (by the way, this doesn't affect me, I live on the south end), but the people that live there had certain expectations for the number of roofs that they're going to see through the trees. And guess what, they're not seeing 83 roofs, they're seeing 240 roofs, that's a big difference. Third, if 240 units is a great idea, which I disagree with, I would like to see you shut off the access to Game Trail Road, and use that only for emergency vehicles, and have them put in a secondary entrance somewhere else from HWY 9. I would assume that you got updated environmental and traffic studies that validate 240 units. I've been a developer for 10 years, and I've never produced an environmental study or traffic study that didn't validate what I wanted to do. So I would urge you to vote against the increase in density.
- Jim Donlon - 600 Pass Creek Road about 14 miles north of Silverthorne. People have talked about the history of this project, and I wanted to reflect for a moment on the history and what drew me to Summit County in 1993. I officially looked at the Master Plan at that time, when it was 1 unit per 40 acres, so that would be 10 houses on this property. That's what I had in mind when I bought into Summit County. The density was later adjusted to 1 unit per 20 acres. With the annexation and PUD, it was up to 83 houses. For me there's been, what I would call, a serious creep here, and a violation of the trust that I had in the government of Summit County. I came here because I was interested in open space, wildlife, view corridors. If I wanted another housing development, I could go to anyone of a thousand places to get another housing development. What attracted me was the beauty of Summit County, and we're losing it one step at a time. This is one more step in that loss, and

I'm crying thinking about it. There are plenty of houses available for sale and rent, so it's not like we have a shortage. Another item, it may have been covered and I didn't see it, please think about water. In the west we are short on water, and who's coming up with the water for 240 residences? The Town of Silverthorne? The individual buyers? Is there a water plan for 240 like there was for 83? Any development these days should be energy neutral these days. Solar and wind to compensate for whatever you pull off the grid. So yes, the houses need to be hooked up to the grid for a bad day, but there should be solar and wind to compensate. Light pollution, I'm a photographer, one of my favorite shots is the Milky Way with the Gore Range. With 240 houses and all the lights that go with, I'm going to miss my favorite shot, which is a taking of my right to take a photograph. This is other people taking that right away by putting in so much light pollution. Traffic congestion, I come from north, there are already times when traffic is very heavy in Silverthorne, and now you're putting 240 more on top of that. It's getting unbearable. I ask you to go back to what was the authorized amount from when I came to Summit County. Thank you very much

- Land LeCoq – 21 years old – grew up here. Sorry my thoughts are scattered, but I grew up with the Lower Blue as my back yard. Me and my little sister, we grew up hiking, and every day making the drive to Dillon elementary and then the high school. Our bus picked us up like out in the middle of nowhere. We were the only two kids out there at six o'clock in the morning. And, the memories going by (crying), and, just there are too many changes along the valley. I know that change is inevitable, happens all the time, but this change from 20 homes to 83 to 240 is a big deal. I think that once you make a change like this, there is no going back. We have to think of the difference in the development from 83 homes still keeping open space intact, you drive through and you feel like you're in a forest, but when you make this jump to 240, it makes it into a suburb kind of feel. Do you want to be driving through there? I don't know. Lawns and light pollution. I live just above Oxbow Ranch, and I wake up and look at right where these houses are supposed to be and I see a huge herd of elk, plus coyotes, plus moose. This is why people choose Summit County, and this is why we all love to live here. I'll always live up here, and I don't want to see it change. I just hope you consider this in your choice and realize that there may be more at stake than the small picture of more homes. You have to think about the animals and all the reasons why we chose to live up here. And if we change this aspect of the lower blue, with summit stage stops and a dog park, it's not rural anymore. A subdivision like that is not rural. You don't drive through cul-de-sacs and think of the history, it completely changes it. So, I hope you keep that in mind.
- Elliot Robertson - 446 Hamilton Creek Road – I own property in Town in the Riverfront Mixed Use, which is zoned for 25 units per acre, but no one has ever built there because of the developments outside of Town. In 1980, I was on the Town Board and on the County Planning Board, and we had a real problem at the time, because subdividing was a national pastime. Everybody subdivided. By 1980 everything that exists today was in place. Every subdivision had already been created, including South Forty, Acorn, Spring Creek, Wildnerst. Everything except for Maryland Creek. Towns and County got together and worked very hard to try to solve the problem about what was going to happen with this valley. We were able to incorporate the wishes of the ranchers, some of the legends of this county, and other people who realized if we didn't do something, the valley would be lost and so would the value of everybody's land as it got messed up. Ranchers would never be able to subdivide theirs because the guy next door had already done it, and there were too many humans. So as a result, we got together and stopped all the subdivisions. At that time, Maryland Creek was on the tap for a subdivision, and we said no. They applied for it many times and were continued to be turned out. One proposal had an

indoor polo field, but many things were suggested for that property, and were turned down. Tom, who has been a very good citizen of this Town, convinced the Town to change all of that 25 years later, by convincing the Town that this would be a very small subdivision AND these people wouldn't really be living there. Now, we find the need for people to be living there, and have the need to increase the density. The density at the time was 1 in 20 as we went down the valley. I find it facetious to hear the proponents stopping urban creep when they are the ones proposing it. It was over in 1980. Creep started with 71 units, and crept to 83, and now we're talking about it creeping to 240 units. The fear was not just about property values going down, but quality of life of everyone that thought that this valley had everything you needed. I've been coming to these meetings for the last 35 years, as other proponents of Maryland Creek came, and I fought against it, and it ended up happening anyway. One of the biggest fears we had was that the Town of Silverthorne would never become a Town because you were allowing the density to be built outside of Town. I've owned land across the way in the Riverfront Mixed Use district for 40 plus years. There's been only 1 development in that time. There are too many rules for RFMU so it's impossible to develop there. I'll give you an example, the first Mayor in this Town, he was my next door neighbor, and as people continue to add density outside of Town, people's properties in RFMU lost value. At one time he was offered a million dollars, and they talked to the Town and found they couldn't build what they wanted to. So the builders went somewhere else where it was easier. That's why there's only been 1 development in that area in 40 years. More people lived in Silverthorne in 1980 in the Town Core than they do today. More people now live outside of town as land was annexed and then re-annexed. If we ever want this town to be something, you have to create a need and desire for development to be here rather than creep down valley. I think they have put in a lot of effort and there is nothing that makes me think that these are anything but good people, but I would like you all to consider those of us that spent a tremendous amount of time trying to save that valley. Why did I do all that? We deserve better. We don't deserve to have our development rights given away and given to a piece of property that was to be preserved for future generations.

- Mike Bohlender – 12 year Willowbrook Meadows resident – as a tax payer, I'd rather have the park not be an expense that I'm exposed to. Let the community keep it, if that's what they want, I don't have a dog, and I don't play disc golf. Tom, I applaud you and your contributions, I think it's admirable. The presentation was superficial in terms of how this new plan conforms to the original plan. There was no visual presentation as to how it conforms or does not conform to something that was approved before. Ranching heritage, welcome sign, park, legacy, a book end, gateway, those are nice feelgood words, but reality is that this changes the character of that area. No one has really answered as to why the increase in density. It's about money. If it's going to be approved, there should be a clear financial benefit to the Town, and I haven't seen any presentation or support for that. Sorry Tom, but you said it was your intention to develop with 83 units many years ago, now you're saying the northern parcel won't develop, why should we believe you now? That 189% increase in density changes the character of that whole area, and as other people have indicated, this is a bad precedent for the Town and for other developers. The cost to the town has not been shown. No proof showing that cost to the Town is a net neutral situation. Thank you.
- George Resseguie – 1770 Red Hawk Road. I live South of Maryland Creek, and I'm president of the Eagles Nest HOA. My comments reflect the comments of the entire board. We have 783 properties in our HOA, and 700 owners, we and work very hard to maintain the way it looks. We have very robust design review guidelines, and our perspective is a lot different than John Fielder or the other photographer. We

support having a project there, but we're having a sticker shock with the 3-day notice, we would like to see more focus on how much density will go in. Our Design Review committee met with Elena and Joanna this morning, and after that meeting, we had a meeting. Our board would like to see less density on there, though we respect the right to build there, they said something around 160. Regarding Game Trail Road, we support the connection but need some attention to preclude overuse. There's fear about all this construction traffic. I know that Everist materials trucks are not going to go on Game Trail Road, but there's still concern. We'd like to focus on controlling the access to Maryland Creek, but our real concern is with the density, and we encourage the Planning Commission to reflect on that and all the comments, because I don't think anyone has supported the 240. We're an HOA with a lot of people, and we respect the right of Tom to develop that land. We're the southern border, so we're right there. We hope the Town gives some hard thought to the 240. We want to be good neighbors, but we think it needs another look. Thank you.

- Chuck Arnold – 1261 Steel St, Denver, partner in Oxbow Ranch Company, which own 61 acres adjacent to Maryland Creek. We also own 26 acres behind us at Angler Mountain. We've been here since 1954, and my grandfather purchased the land that is now Three Peaks and Angler Mountain, so we've been here a long time. We can say that Tom has been a great neighbor, and I have no doubt that whatever he decides to do that he will honor his commitments and be a good developer. But, important to remember that Oxbow has a development agreement that dates back to 1983 providing up to 130 units on both of our properties. In the past we have gotten shuffled to the side, and I know there's a lot of concern about the environment and people's rights, and I respect that, and I respect my niece Land LeCoq. I'm the big bad developer uncle. But for the record I just want to make this portion of the community and TC aware that we do have a development agreement, and we may choose to submit a plan and develop, and these considerations about traffic and utilities need to be considered in the context of Oxbow as well. With that, the contrast between the Town of Silverthorne and Maryland Creek may not be as stark. It may not be because we may be part of that development scenario as well. We are not opposing the development, whether you approve it or not, please recognize that we're a piece of that puzzle as well.
- Paul Survais – 215 High Park Court – My property backs on Game Trail Road, and I overlook Oxbow Ranch and Maryland Creek Ranch. The owners of Maryland Creek have developed a viable business plan for 83 units in a low density configuration, which is a good transition to the north. Now they are downgrading the development to higher density possibly just to increase profits. This is a negative turn of events, and with a recovering economy should not be necessary. An increase will encourage continuing sprawl to the north, and not provide a decrease in density from Three Peaks to Maryland Creek as you travel north out of town. The proposed tripling affects Three Peaks. Maryland Creek will connect to Three Peaks and will use Game Trail Road, which is a winding residential street, not suitable for the additional amount of traffic. Looking at the Community Plan dated August 18, 2014, you can see that the shortest and quickest route from the majority of the homes to the Town of Silverthorne and I-70 is by using Game Trail Road. The traffic study of February 10, 2015 comes to ludicrous conclusion that only 3% of homes will use Game Trail Road. Two weeks later, the memo was revised to assume that only 12% of home will use Game Trail Road. These figures lack any credibility, and were based on an incomplete Community Plan. Tonight we're hearing 37% of the traffic, so it makes me wonder what next week's estimate will be. Something closer to 50% or 60% would be more reasonable. Perfect example of the old joke where you ask your accountant what the figures show, and the accountant asks "what do you want them to show?". The Town of Silverthorne in some places lacks a cohesive

development plan, one gets the impression that, in the past, developers did as they wished, and Maryland Creek is no different. The developer already has an approved plan, which would not harm the adjacent Three Peaks. The developer in the past has made commitments to the Town that they must now honor. The Town must reject this tripling of density, and tell the developer that they, the Planning Commission and the City Council, will determine the growth of this community.

- Jon Rovick – 34 year resident, live in Ruby Ranch. Touched by all the different commentary, and wanted to state that I am opposed to the increase in density on Maryland Creek Ranch.

COMMISSIONER COMMENTS: (reconvened at 8:15 p.m.)

Bob Kieber – Tom, you may want to answer questions regarding water, light pollution, pay as you go, and also the visual impacts. I know that most of those answers are in the packet.

Tom Everist – Traffic, from a construction traffic standpoint, it is in all of our documents, we will make sure that construction trucks will come up through our property to the construction site. The only traffic that will be generated on the roads through Three Peaks will be that of the residents. That's in our agreement with the City. So, construction traffic will be well controlled. As far as other traffic, we apologize for change in the numbers, but the average speed is going to be 20 mph and we redid the calculations. The number is 37%, and we think that that's a conservative number, and we won't change that again, I don't think. Water, we have senior water rights that come with the land, and we are dedicating all the water needed to service the 240 homes, the landscaping, the water needed in the park, we have a water service agreement that dedicates senior water rights to the Town. Light pollution – have a dark sky initiative on our property. This is a special land, we want to maintain view of the sky, we have downcast lighting standards, employed a lighting expert 10 years ago, it will be downcast lighting, including the street lights, and there will be very strict limits on the lighting. Dark sky and Milky Way are one of the things we think is special. We are anticipating a telescope that will be out of view on city property, 17 inch reflector telescope. Lighting is one of my passions too. Pay our own way, we have an agreement that, since there's no property tax, we have committed to paying our way with a mill levy that we've been talking about for a long time. That's not going to be an issue. Visual – one of the other special things is that it has two very distinct plateaus such that the only homes that could be visible are the ones on the outer rows that were shown. We took the photos that were shown at the worst conditions, and even in winter, it's very minimal disturbance, and in the summer it will be less. We are confident that visual impacts will not be much different than the original 83 planned, which could have been 2 and 3 story homes, which is not what we're proposing, except in the Estate Lots. Density issue – we told you what we're doing, we can respectfully disagree. I just wanted to answer those direct questions that came up.

Matt Gennett – Just wanted to say that the Fiscal Impact Analysis is part of this application, but it is not the purview of the Planning Commission to review the fiscal impact analysis. These materials have been revised many times based on our review comments. All the other studies that are required, including Wildlife Impact and Traffic Impact, are part of this binder. The binder is part of the public record, and I'd be happy to go through it with anyone if there are questions. Our review focused on the criteria that must be met for approval of a Major PUD Amendment, those being conformance with the Comprehensive Plan, which was updated in 2014, and conformance with Chapter 4, which is the zoning component of the Town Code.

Tom McDonald – One gentleman had the density of Eagles Nest versus Maryland Creek Ranch. He said it was 0.5 per acre? Can you please clarify.

Matt Gennett – Yes, the calculated density for South Maryland Creek Ranch is 0.57 dwelling units per acre.

JoAnne Nadalin - Why aren't accessory units included in the density? Is that the Town Code?

Matt Gennett – There are very few accessory units, possibly in the Estate Lots, they would have to come in and get a Conditional Use Permit in that event.

Brian Wray- where is the existing infrastructure in Silverthorne, like the sewer treatment plant? Where is that right now in terms of its capabilities for additional demand?

Zach Margolis – The Town of Silverthorne already has capacity in the plant to serve this project and quite a bit more. The water dedications cover the demand for this, and the existing pump stations have the capability to provide the water.

Closed public hearing at 8:25 p.m.

Bob Kieber - We are purely a recommending body, we are not the final say. A week from tomorrow is the Council meeting. They get paid the big bucks to make the final decision. Our job is to see how it meets the Comprehensive Plan and the Code, but we don't look at the financials.

Stan Katz – I'm going to be verbose because everybody was so philosophical. First, what is the role of the Planning Commission when a PUD is brought to us? We are not a Planning and Zoning Commission. A PUD is a rezoning, so the decision is ultimately up to Town Council. My perspective is to vet this application. Is it factually accurate? Does it adequately represent all the pros and cons? Does it give Town Council all the information that they need to make an informed decision? An applicant is only going to present one side of an issue. Possibly our role should be to play devil's advocate. Should all the public comments be part of our consideration? When I first looked at this application, I made the comment that I thought the traffic study was wrong, and now they've redone it using different assumption, and that's the type of thing that's part of what we are supposed to be doing. It was pretty easy to see that the 12% was an error. The numbers that they've come up with, the 35/65 split, is a good number, and that number is not going to change, I have a degree in statistics, and that's a correct number, and that's the number that will get sent to Council. Whether it's a relevant number or not, it's something for Council to decide. At least the number is going to go to Council properly. That's important to me. It's that type of thing that we were looking at. The timing of 25 houses per year did not come up tonight, but to me that's fine. Who the builders will be wasn't answered tonight, maybe Town Council will consider that relevant, maybe they won't. But we're bringing to them what I consider to be the best numbers. I looked at the presentation, and it's the economic presentation is pretty valid. Town Council can decide whether it's neutral enough or whether it should be more positive. But, we're giving them, by approving it, we are bringing them the best that we can give them in terms of the facts that they need to make their decision. I believe that these documents fairly represent the issues that need to be addressed for a PUD. I believe that this can be forwarded to Town Council. The density doesn't bother me, I don't look at this as a change of a plan, this is an application that's coming in. The question is is the 240 units a good number, not compared to what it was, this is the number we're looking at. Doesn't bother me but I'm not one of the decision makers.

Tom McDonald – Thank you for comments, I know density is major issue. 4 years ago I thought it was a good development, but these are some homes that maybe some local people can buy and have a community. I like the park idea, the entrance to the Town, it's good amenity for Silverthorne. The density is not that much of a deal with me either.

JoAnne Nadalin – In terms of my perspective on whether this complies with the Comprehensive Plan, one of the things that I like about this plan is that there's a diversity of types of homes in this development, and even if they're part time residents, by having some smaller homes, you're going to be able to attract different types of people, and people from different economic strata, and I think that's good for the Town of Silverthorne.

Tanya Shattuck – They have already touched on a lot of things that I had in my notes. I believe that this is a good project, the density weighs a little bit on me, but overall I like this project, I think it's a good asset, and will look good for the Town of Silverthorne.

Donna Pacetti – I agree with Stan, we are not the governing body, we look at it from a different perspective, and I don't know if postponing the process is going to do any good because of all the opposition. I think the project is well thought out, I like the fact that it has the smaller units, that it's thinking about people moving into silverthorne, or moving out of Willowbrook, I think it's important to have the variety. I didn't hear anything different tonight.

Brian Wray – The big question is if 240 is the right number for this project. We don't know that. We don't know if 83 was right. If you go to Summit County offices, they have a chart on the wall, and it shows the amount of developable land in Summit County, what's private and public, and that number is 17% of County is privately owned. If you look at whole perspective of this project, it's a small part of that. Like everybody said, we are an advisory committee really, and we look at what's presented to us.

Bob Kieber – There is nothing as constant as change. When I moved here I got away from the city, I didn't need or want a Target or a Lowes. But Silverthorne changed from a real estate tax to a sales tax. We don't look at economics, but the economics are much different today, not just for everyone that lives here but for the developers. The economics are 180 degrees different today than it was back then (10 years ago). What happened in zoning in 1980 that Eli talked about has some relevance, but again it's changed. I also look at property rights, and the Everist family has bought this land and been a neighbor in Summit County, and they have certain rights also. We've got a look at what's presented to us, does it meet the comprehensive plan? does it meet the criteria that we have to judge this by? The number 240 or 83, or if they came in with 300, is that really our job? It's zoned properly, the PUD is put together properly. My judgment may be flawed, but I learned a long time ago that good judgment is from experience, and experience comes from bad judgment. Could it be tweaked? That's up to the property owner and the Town Council. There are many issues that are going to have to be resolved. This is the first step. I have no reason to recommend denial because it meets all the criteria that we have to make a decision. Council meeting is a week from tomorrow, they make the final decision.

JoAnne Nadalin – I move to recommend approval. Donna Pacetti second.

Stan Katz – I'd like to add, what should be included in the packet for Town Council should be the corrected version of the traffic study.

Passed by a vote of 7-0.

6. ACTION ITEMS:

A. Gateway District Design Standards and Guidelines:

Lina Lesmes, Senior Planner presented the project. The Town of Silverthorne is requesting approval by the Planning Commission of the revised Gateway District Design Standards.

Bob: How is outdoor storage defined?

Lina: Pertains to an accessory usage related to storing merchandise outside.

Bob: The problem I see is that when it is so subjective that it comes down to a judgment call.

Brian: How are you going to establish height?

Lina: We will use the definition in the code using historic/existing code. We don't want to restrict the building height by roof type, we want people to be able to build to the 70' with the design they choose. We would anticipate anything that is 70' would be like the Hampton Inn.

JoAnn: When would an exception to the 70' be permissible.

Lina: Places like the triangle parcel where the topography is suitable to such height.

Donna: The Hampton in will be less than 70' in height?

Lina: Yes, it is

Lina continued her presentation.

Stan: What about the part about the roof standard that says you can't have a roof form that is an attention getting device?

Lina: We changed that under building form and mass.

Lina continued her presentation.

JoAnn: I really like the change about the public space may be accommodated somewhere else.

Brian: I agree, that was very good.

Tom: Thanks to Lina for all her hard work.

Stan: And all our comments were accommodated.

Stan: Move to recommend Approval; Tom: Second

COMMISSIONER QUESTIONS AND COMMENTS:

APPLICANT COMMENTS:

COMMISSIONER COMMENTS:

7. OTHER ITEMS:

Informational updates on current planning projects provided by provided by staff.

Tanya asked about the public notice for SMCR. Staff answered

8. ADJOURMENT:

Tanya MADE A MOTION TO ADJOURN AT 9:11P.M.

Stan SECONDED.

MOTION PASSES BY A VOTE OF SEVEN TO ZERO (7-0).

Submitted for approval by:

Approved this of 17th day of March, 2015.

Matt Gennett, Planning Manager
Lina Lesmes, Senior Planner

Robert Kieber, Chairman

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate maintained in the office of the Planning Commission Secretary.

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Town of Silverthorne Economic Development Advisory Committee Meeting Minutes Tuesday, March 3, 2015

1. Lunch – 11:45 a.m.

2. Call to Order – 12:05 noon

In attendance: Eddie O'Brien, Warren Buettner, Jayne Esser, Marc Hogan, Larry Lunceford, Mike Shambarger, Colleen Meheen, Les Boeckel, Council Members: Bruce Butler, Ann Marie Sandquist, Russ Camp. Staff Members: Ryan Hyland, Mark Leidal, Susan Schulman.

3. Approval of Minutes from January 6, 2015

Les Boeckel made a motion to approve the minutes, Bruce Butler second. Motion approved.

4. 2015 Business Grant Program: Entering its fourth year, the 2015 Business Grant Program is now open, details and applications are on the Town's website and at the Town Hall front desk. Ads and a press release will appear in the Summit Daily News over the next 10 days. Deadline to submit is Monday, April 20, 2015. Applicants will be notified by May 15, 2015 of award decisions.

4. Construction Defect Law: Eddie O'Brien presented EDAC with a letter he wrote to Millie Hamner regarding the Construction Defect Law (Senate Bill 15-177) which has hindered the construction of condominiums. Eddie would like to send a letter/press release from EDAC to Colorado legislators regarding SB 177, a bipartisan issue. Many Mayors from Denver have written similar letters. Ann-Marie Sandquist stated that while Silverthorne Town Council tries to stay removed from such political issues, she feels that a letter from EDAC on this topic makes sense. Marc Hogan agreed, particularly since Silverthorne's updated Comprehensive Plan relies on mixed use development including condominium housing. There was consensus among EDAC members present that Ryan and Eddie will work together to follow up with Millie Hamner and Colorado legislators.

6. The Bakers' Brewery – The Ribbon Cutting was announced in the meeting for 10:45 a.m. on Friday, March 6, 2015. The time has actually been revised to 2:30 p.m. on Friday, March 6, 2015. All EDAC Members are invited to attend.

7. 2015 EDAC Goal Updates

Work with Dillon on Marketing – Warren announced to the group that he and Seth Lyons are working with the Town of Dillon on potential joint marketing opportunities. Warren has a meeting scheduled with Dillon Town Manager Tom Breslin.

District Design Standards – Council approved the Town Core District Design Standards in February. Gateway Design Standards will be on the Town Council agenda for first reading on March 11.

Retail Subcommittee – Updates on current and future retailers at Summit Place. Hampton Inn is out of the ground, and will be applying for ESTIP. Angry James Brewery submitted a site plan

for their property located in the Town Core. China Gourmet building for lease with interest in the building being shown.

Urban Renewal Activities – Talks with property owners in the Town Core continue. Les Boeckel asked if the ply-wood at the ODI could be painted so the building looks more aesthetically pleasing. Ryan will contact the property owner to discuss options. The Home Depot property is on the market and represents one of the last large retail sites in the Town of Silverthorne.

ICSC Mountain Region Event – Ryan Hyland suggests the Town look at hosting this event again in 2015, which brings Front Range brokers to Silverthorne's Raven Golf Course. Warren will spearhead again.

Development Requirements – Competitiveness Review – Community Development Department staff will take on this project, according to Mark Leidal.

7. Staff Updates

Ryan Hyland reported that the Town is looking at several ESTIP deals in 2015 to encourage business in Silverthorne. The Town is partnering with the Silverthorne Outlets to offer a limited 2 year ESTIP program to new retail tenants there.

Ryan also mentioned 5A housing and that it will be on the ballot in November. Several EDAC members agreed that work force housing is an important issue for economic development.

In Donna Braun's absence, Ryan reported that sales tax was up in 2014 by 5% and that Silverthorne had its first month in which over \$1,000,000.00 in sales tax was collected.

Mark Leidal shared that the Community Development Department will be updating the Town's Transportation Plan. Templates for 3rd, 4th and 5th Streets as well as Rainbow Drive, Adams and Brian Avenue will be discussed and there will be an opportunity for public input.

While discussing transportation, Ryan mentioned that Mayor Butler met with new CDOT Executive Director Shailen Bhatt and presented a one page summary of traffic and development issues in Silverthorne that involve CDOT roadways and facilities.

Mark also reported that the South Maryland Creek Ranch Planned Use Development (PUD) is the primary topic at Planning Commission tonight and will then come up again at Council next week. SMCR would like to increase the number of units from 83 to 240 units. Following the review process for the PUD, water/sewer and other agreements will come before Council over the next 6 months. South Maryland Creek Ranch is the largest residential development in Silverthorne since Angler Mountain Ranch.

9. Next EDAC Meeting Dates: Tuesday, May 5, 2015 at 11:45 a.m. regular EDAC Meeting

10. Adjourn – 1:35 p.m.