



**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, Wildnerness. 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 feel good 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 with the staff recommended conditions (which are:

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.)

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.

Motion 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

Motion passed by a vote of 7-0

7. OTHER ITEMS:

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

Tanya asked about the public notice for SMCR. Staff answered

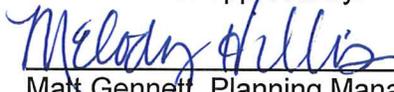
8. ADJOURNMENT:

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

Stan SECONDED.

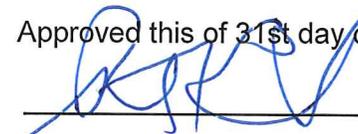
MOTION PASSES BY A VOTE OF SEVEN TO ZERO (7-0).

Submitted for approval by:



Matt Gennett, Planning Manager
Lina Lesmes, Senior Planner

Approved this of 31st day of March, 2015.



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.