

**SILVERTHORNE TOWN COUNCIL**  
**Meeting Minutes**  
**Wednesday, March 11, 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, Administrative Services Director Donna Braun, Recreation Director Joanne Cook, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Planner II Lina Lesmes, Senior Planner Matt Gennett, Town Attorney Matt Mire and Town Clerk Michele Miller.

**Girl Scout Flag Ceremony, recitation of Girl Scout Promise & Law, and Proclamation of Girl Scout Week March 8-14, 2015**

The Girl Scouts conducted their Flag Ceremony and recited the Girl Scout Promise & Law. Mayor Butler read the Proclamation for of Girl Scout Week.

The Girl Scouts lead the Pledge of Allegiance.

**STAFF COMMENTS:**

Cook updated Council on the activities of the Silverthorne Recreation Center.

**COUNCIL COMMENTS:**

None.

**CITIZEN COMMENTS:**

None.

**CONSENT CALENDAR:**

**SANDQUIST MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM FEBRUARY 25, 2015. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**LIQUOR BOARD:**

**A. Murphy's Tavern – Renewal of Hotel & Restaurant Liquor License  
CAMP MOVED TO APPROVE MURPHY'S TAVERN - RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**PUBLIC HEARINGS:**

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

Public Hearing opened.

Mire reviewed a previous discussion from the December 10, 2014, Town Council meeting where Council person Long brought up a possible conflict of interest with the South Maryland Creek Ranch work session item. Her son-in-law, Shawn, works for a contractor that is building a home for Tom Everest, the owner of the SMCR.

*Motion from 12-10-14*

**SANDQUIST MOVED DECLARE NO CONFLICT OF INTEREST AND FOR LONG TO CONTINUE TO PARTICIPATE IN SOUTH MARYLAND CREEK RANCH PROJECT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (LONG ABSTAINED).**

Council did not feel that there is a current conflict of interest but asked to be kept in the loop if anything changes in the future.

Mire reviewed Home Rule Charter, Section 3.9, Conflict of Interest states, only the Council as a whole can vote on whether a Council member has a conflict under Charter 3.9. The Council determines if there is a substantial personal or financial interest or not. The affected Council member does not vote on the question of whether a conflict exists.

Mire disclosed that the Town received a letter from Friends of the Lower Blue that is included in the Town Council packet.

Richardson disclosed that his wife is Executive Director of Friends of the Lower Blue; she is not involved in policy making and works at the convenience of the board. He also disclosed that he is the Manager of Eagles Nest HOA, a hands on manager. He does not establish policy or make decisions for the organization. This project was reviewed by the HOA but he has only looked at the project as a Councilmember.

Butler asked Richardson if he could listen to the testimony of the applicant and offer a fair and impartial judgement.

Richardson stated yes.

**SANDQUIST MOVED DECLARE NO CONFLICT OF INTEREST AND FOR RICHARDSON TO CONTINUE TO PARTICIPATE IN SOUTH MARYLAND CREEK RANCH PROJECT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (RICHARDSON ABSTAINED)**

Matt Gennett, Planning Manager presented the Applicant, South Maryland Creek Ranch's request for approval of a Major Amendment to the PUD, with an increase in density from 83 to 240 residential dwelling units on 416 acres. He reviewed the agreements in place, Comprehensive Plan, Chapter 4 of the Town Of Silverthorne Town Code, PUD Exhibits and Conditions of Approval. He reviewed his staff report and recommended approval with Staff's conditions.

The applicant, represented by Tom Everist from Everist Materials, presented the PUD Amendment. Mr. Everist introduced the other members of his team: Greg Norwick, Joanna Hopkins, Paul Books, Elena Scott, and Steve West.

Joanne Hopkins presented a PowerPoint presentation on the project, Vision, Outreach Efforts, Community Profile, Commitment to Silverthorne, Impact Analysis, Town and Regional Context, Elena Scott, Norris Design, continued with the Town and Regional Context, Vicinity, Comprehensive Plan, Town & County Transition, Town Density Map, Transition Zones 1-4, Community Plan, As-built utilities & bridges, Illustrative Planning Area Map and 3D Photosimulations.

Hopkins reviewed the Construction Traffic, Traffic Patterns, Wetlands, Wildlife, Public Park Plan, and Public Trails Plan,

Scott presented and incorporated site history, community center, trail identification, utilizing nature and the POST plan

Everist acknowledged that traffic issues are a big concern and he offered to review the study with anyone that has questions.

**COUNCIL QUESTIONS:**

Richardson asked about Game Trail Road, how do you stop local tradesman from driving on Game Trail Road?

Everist stated he will put it in their contracts of employment that they are to exit from South Maryland Creek. It will also be included in the lot sale agreements that tradesman and construction traffic are to exit from South Maryland Creek. .

Butler asked about the building timeline and what products they would start with.

Everist hopes to sell lots this summer, fall construction, and occupancy by next summer, all depending on the approval process. They hope to build twenty to twenty-five homes a year, over a ten year period

Hopkins stated Phase 1 includes a few of each of the lot products available. The footprint lots are 1500-2200 square feet, they are no maintenance homes where the homeowner owns the unit and land, but they don't have to maintain the unit. There is 2500-3500 square foot, four bedroom units available and a handful estate lots that can be designed and build to suit.

Long knows that Mr. Everist has run a very successful asphalt business, but what do you know about building twenty-five homes a year. Do you have staff that has experience doing this? The Town hasn't seen a development like this in years.

Hopkins stated they have hired Brett Barrett, a thirty year resident of Summit County and the building community. He has maintained relationships within the County over the years. He designates work front end to back end, not house to house. He has a solid plan to build with local contractors.

Everist stated they have extensive experience in horizontal building, road and sewer, etc. They have a sister company that built Stapleton. Vertical construction is a very detailed process between the homeowner and builder. They plan on using local contractors and suppliers. In the sales process, the builder is involved with the customer so that there is trust from construction to occupation.

Sandquist asked how long is the contract with Mr. Barrett, since he has retired once, what is his commitment to this project?

Everist stated he has had those conversations with Barrett and he is comfortable with his long term commitment to this project.

Norwick was the one who reached out to Mr. Barrett since he has built high quality homes in Summit County for 28 years. He is very excited about the quality of the project. His only hesitation was becoming an employee of SMCR, he has been a business owner for so long.

Richardson asked about the future of the sand and gravel acres.

Everist reviewed the property to the north; it is six hundred and forty acres. They will probably finish the gravel extraction, in ten years. It is currently zoned industrial commercial. The gravel pit is one and a half miles from SMCR. There are twenty-two acres that could be active longer than ten years.

Camp asked when you will market the estate lots.

Everist stated six estates lots will be offered in phase one.

**PUBLIC COMMENT:**

John Hillman, lives in Acorn Creek, President of HOA there and member and Friends of the Lower Blue River (FOLBR), as FOLBR's representative. They don't not want to see anymore

development in the Lower Blue Valley. If there is to be development, it should be one unit per twenty acres. They support the original plan of eighty four homes. This land is now annexed to Town of Silverthorne which has low density for a town. There should be more of a density transition to the Lower Blue Valley. They are strongly opposed to the current proposal of two hundred and forty units.

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 four 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 one unit on twenty acres and clustering may be encouraged, which would make it one unit in seventeen acres. FOLBR supports the original density of eighty-three units on four hundred sixteen acres, which is one unit per 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 two hundred and forty units on the same acreage. This would be three times the original density proposal, equaling one unit per 1.73 acres. This figure considers the entire development. If you look at sixty percent 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, one 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. We may live ten miles out, but Silverthorne is our town as well. 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 one unit per twenty acres. He is very pleased with the verbal commitment to a conservation easement on part of that property. We feel that if this could be legally binding it would make us feel a lot better about this tripling of density in the current proposed project.

Johnny LeCoq, Board member of FOLBR, Lower Blue Planning Commissioner, Ranch owner on the Lower Blue, their ranch is under a conservation easement. He is ashamed that this project has been put forth to the Town. He helped revise the Lower Blue Master Plan and this flies in the face for the rural character that we value. A proposal of two hundred and forty two homes is gross neglect; the eighty three homes would have been a responsible development. It would have allowed a feathered transition zone to the Lower Blue. We need to look at what the residents of the State of Colorado want. He speaks for the State of Colorado and this impact to wildlife is significant. He questioned the process of being open, notification to Three Peaks and the Lower Blue, so many people do not know about this project. He only found out about this project in the last two weeks. He is ashamed.

Butler reminded the audience that there are to be no personal attacks and all comments are directed at Council

John Longhill, Ruby Ranch Road, Board Member of FOLBR, Lower Blue Planning Commission and resident since 2004, owns the Horse Sense Thrift Store, and is a landscape

architect. There has been a lot of good input from the community despite the short time frame, unfortunately. Summit County is opposed to this project as outlined by Summit County's planner Lindsey Hirsh because it doesn't follow the Lower Blue Master Plan. There are huge implications to wildlife. He reviewed the Three Mile Plan. He is concerned with the creep to the north. Apparently the Council sees some benefit to this development to the north. He commented on the disconnect between this project and the goal of open space and rural residential. The hearing tonight is a good way to listen to public input. Silverthorne does not end at the Town limits. What happens here is important to all of us. He understands the Town needs people to support the retail, arts, etc.

Diane Smith, 430 Tanglewood Lane, stated the surrounding areas outside the Town are still part of Silverthorne. We need to be a good community member and neighbor to the environment and wildlife. She questioned if the applicant's slides show indicates what would be done anyway with the mining restoration. She does not support this project. She read The 4-Way Test of All Things We Think and Do.

Les Boeckel, 145 Two Cabins Drive, he supports the previous comments. He questioned the traffic on Golden Eagle Drive. He asked if Game Trail was designed to handle the increase in traffic that this new development is going to create. He doesn't believe that strong language in contracts will detour contractors from driving on the Three Peak Road. He would like to see a locked gate at Game Trail and have it used for emergency agencies only. Those residents, who bought at that end of Three Peaks, had certain expectations of the number of roofs that they would see through the trees. They're not seeing eighty three roofs; they're seeing two hundred and forty, and that's a big difference. The increase in density for the people that purchased on Game Trail is huge. Mr. Everist spoke of an enduring legacy, maybe there should be a conservation easement on the property to the north or maybe he should help build the Town Core. This board has the ability to really do something and he thinks this is a big mistake. He reviewed the revenue generated by the proposed development for Mr. Everist.

Walter Briny, lives in Pioneer Creek Ranch which is one unit for twenty acres per, he is not in favor in the project. If approved, he suggests that Mr. Everist build a firehouse on the north end of town.

Fred Niggeler, 500 Summit County Road 2450, supports the project. It is an inclusive neighborhood project and the Town would benefit from this community. The trend towards smaller homes is a step in the right direction.

Henry Barr, 0968 Lindstrom Road, stated he was a Silverthorne resident and sat on that side of the dais. He was here when Eagles Nest was annexed. Everist did a good presentation. He does not support the increase in density. He sells real estate and he tells prospective buyers that that South Maryland Creek Ranch will be eighty units and a transition zone to lower density. He has a problem with the increase the density, for no apparent reason other and economics. Over the years, every other development has had a decrease in density. How do we justify the increase in density to those we have asked to lower their density over the last twenty years? How do we justify the increase in density when you look at the Lower Blue Master Plan? Be consistent and show that Silverthorne's word means something. There are two things the Lower Blue does need, a new cell phone tower and a fire house that could be donated to the Town

Ken O'Bryan, O'Bryan Architects and ranch owner north of town. The density is too high, it is an urban design. There is no transition. Deny the project.

Scott Downen, Frisco and local developer, is in favor of the South Maryland Creek project. There is not enough real estate on the market that can serve lower income people. Silverthorne is still growing and there is a need for well thought out residential. Tom Everist

has been a big part of the community for years and we should have confidence in his ability to build a quality project.

Leslie LeCoq, 235 Maryland Creek Trail, asked the South Maryland Creek team if they have shown everyone what the original density was supposed to look like. Comparing the maps of the eighty-three units and the two hundred and forty units helps you visualize the impact to the wildlife and the neighboring units. She summarized a four page letter from Summit County Planner, Lindsey Hirsh outlining their reasons for not supporting the project. She summarized a letter from Tom Davies, District Wildlife Manager outlining the negative impact to wildlife. She doesn't believe the traffic can be controlled over a ten year period of time. They should consider the decrease in property values for their neighbors. She has invested ten years of planning, building and creating her home. Now she must face a development of two hundred and forty homes and it is a disgrace. Town Council should take a closer look at this and delay a decision. How did South Maryland Creek's team amend two Master Plans? She pointed out that Summit County has made Mr. Everist a very wealthy man. She asked for Council to deny the project.

Jeff Brenino, Lake Dillon Fire Department, stated they have received several calls asking them to present information. He is not speaking for or against the project. The station in Silverthorne is not a staffed facility, only administrative offices. Fire responses for Silverthorne come from Dillon, with a ten to twenty minute response time. They own property north of town for a station but they don't have funding for the building. ISO classified this subdivision as a ten out of ten, for the distance and response time. It may be difficult for property owners to obtain insurance. The subdivision would be classified as a four if a new fire station would be built.

Jeff Lunceford, 781 Anemone Trail, spoke of the contribution made by the Everist family, building low income and energy star homes in Silverthorne. He appreciates their efforts in helping him and his wife obtain a home in Summit County.

Larry Lunceford, County Road 36, owner of Neils Lunceford, has been here since 1978 and has been able to build a business. He appreciates the Lower Blue coming out to comment. Growth creates problems, but it is also creates opportunities. Without good developers he would not be where he is now, nor would Summit County. He wishes that it could be like it was, but what is now is now. This development would be a benefit to the Town.

Robert Sweet, Rush Creek Ranch Manager for fourteen years, read a poem/story outlining his feelings of the proposed development. We should show proper respect to land, wildlife. He is opposed to the increase in density.

Nancy Howlett, Willowbrook, represents a handful of neighbors. She supports previous comments and asked Council to sleep on their decision. She asked Council not to be greedy. How does the Town benefit from the increase in density?

Daryll Propp, 27271 Hwy 9, expressed his concerns. He lives across the road from the proposed entry to the development. He has been in the real estate business in forty years. He lost half the value of his home over the last seven years. He expressed concerns about the traffic. The developer hasn't controlled area traffic so far. It took two years to get approval to build his house because of concerns about wildlife and he has restriction on pets for his home. What impact will this development have on the wildlife? He is opposed to the project.

Jim Donlon, 600 Pass Creek Road, at the Planning Commission meeting the Ox Bow owners stated they have approval for one hundred and thirty units. The two developments are contributing to urban sprawl with all of this development. What drew us to Summit County? Are we preserving this and the special character of the County or are we destroying it, one project at a time. When he came to the County, the Official Master Plan stated ten homes could be built on this property and then later one unit on twenty acres. There is a slow creep.

The special character of Summit County is being ruined step by step. He asked Council to deny the application; we will have a better county with our character preserved.

Mark Rost, 285 High Park Court, complimented South Maryland Creek on their presentation. He is opposed to the development. He wants to hear the rational of approving this development from Council. Economics have changed, the state is booming. What motivates Council to approve this? He asked about property tax revenue to the Town. If you decide to approve this he requested playing fields. Who has access to the private lake? He feels Everist will do a good job, but he wants to less density.

Leo Causland, 311 Longs Road, co-ranch manager of Maryland Creek Ranch, reminded everyone that South Maryland Creek Ranch is still a working ranch. Everist is a good steward of the land and committed to keeping the ranch a working ranch. Tom Everist is a good steward of the land.

Eli Robertson, 446 Hamilton Creek Road, reviewed his history with the Town. He owns property 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, he 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. The 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 their land 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 down. Now, we have the need to increase the density. The density at the time was 1 in 20 as we went down the valley. 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 one 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 one development in that area in forty 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 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.

Clint Condit, Rainbow Drive, has lived in Silverthorne since 1994 and he has seen a lot of changes in his neighborhood. He has concerns, public works has concerns. We need changes to this proposal; this is not a workable plan. Where are the people going to come from? Let's leave an open door and find some answers for a beautiful piece of property.

Marc Hogan, Baker Hogan Houx, there has been some good comments made tonight and he feels the Everist team will do a good job of incorporating them. What will be the benefit to the Town; it will be a neighborhood, not exclusive eighty-four lots that won't be occupied. The neighborhoods of Three Peaks and Eagles Nest developments have helped the Town. He urged approve with conditions.

Steve Shirpio, Pioneer Creek Ranch, the credibility of this process brings into doubt the undertakings that happen north of here. There was a PUD and now it's turned into this. He want to memorialize the intent to stop development farther north, it needs to stop.

Land LeCoq, 21 year old, grew up here. She has grown up here in the Lower Blue Valley. The rural community, views and wildlife mean the world to her. Approval of this project changes the land forever. She doesn't understand the benefits to Silverthorne. The wildlife will be impacted. She feels like this neighborhood will be an empty neighborhood. The proposed changes will change the gateway to the Lower Blue. Think clearly about forever changing it.

Ed Kaupas, Kaupas Water, has worked for the Everist Company and he thinks Everist is an honorable company. It will bring a lot of jobs and money to the County. Have they talked to CDOT about making it a four lane highway? He appreciates the time spent on this project.

Johnathan Knoff, lives ten miles to the north, bought their property in 2010 and have resided full time for two years. He owned property in Keystone for twenty-five years. He in no way questions Mr. Everist's plans or integrity. He wants to address the Council, this project has gone through a process, he wonders if there is a question of creditability in decision making, credibility in planning, credibility of this body, and credibly with the county. Take a step back and look at the decisions, take stock how you made those decisions in the first place. Do we need to make changes based on a whim or a good idea at the time? He wonders if Council needs to think about their credibility and integrity going forward.

Dale Montain, Elk Run Road, is concerned about the development of the intercity of Silverthorne. There is a lot of money on the table. Is it possible for the Everists to establish a fund to buy up properties in the intercity of Silverthorne so it can be developed?

Mike Smith, Tanglewood Lane, the Town Core is a vacant place at this time. South Maryland Creek had the first water rights written for the Blue River. He asked about water rights for the proposed development, was the infra-structure built for eighty three units, can it support two hundred and forty units? Can the wastewater treatment plant handle SMCR and Oxbow developments? Private lake, what does that mean? A dog park next to the highway, not a good idea.

Bernie Niberty, 2815 Hunters Knob, this increase in density will negatively impact where he lives. Is there a number between 84 and 240 that would work better? Maybe provide a broader appeal to the citizens of Silverthorne and the Lower Blue Valley.

Public hearing closed.

### **COUNCIL COMMENTS:**

Sandquist stated she appreciates everyone showing up tonight. Whether Town resident or surrounding areas, she senses a lot of love and caring for the area. She has been curious to hear how the community feels about this project over the last year. There wasn't coverage of the project by Summit Daily news, until there was a change in reporters. She has been concerned that people haven't known about the project and addressed possible concerns.

This is a community decision. What she hears tonight is that the community doesn't understand why the increase in density would be good for the Town and what the benefit would be. She would like to have the applicant ask for a continuance so there is more time to go back out into the community and talk to the neighbors and see what can be done to mitigate them. If she has to vote on the project tonight she would vote no.

Camp as they had a conversation prior to tonight, he has the same idea as Sandquist. He thinks it would be better to have a public meeting to air all concerns. Raise the comfort level of the residents.

Bird echoed Camp and Sandquist's feelings. There a lot of things that have to be ironed out. We need to control the sprawl, but we also need places for people to live. There is a way to have responsible development. We need a little more agreement.

Fowler thanked everyone for coming out tonight. Generally he would support a vote tonight; as Mr. Everist has done everything required of him. It makes sense to back down and have more community meetings to get things ironed out. Great developers are hard to come by, take a little more time to contemplate it.

Richardson is disappointed in the Planning Department. With an annexation, there is a long vetting process. There has been an increase in density many times. He looks at this like a Trojan Horse project. It's simple, everybody doesn't like the density. It is a simple yes or no vote. No vote tonight.

Long appreciates everyone coming tonight. She would have preferred to have the Action Item - Ordinance 2015-03, an Ordinance Amending Chapter 4, Article VI, Section 4-6-2-(h) Concerning the Design Districts moved to before this project. It is an important part of our Town. She is glad everyone got their brass rings, everyone deserves a pristine Town. She was one of 400 people living in here in the 1970's. She listened at several meetings about the proposed changes. This proposed project is a better fit for Silverthorne. She grew up on the South Maryland Creek Ranch. When SMCR came back in for the increase in density she in turn asked that there not be any development on the big mesa further north. Mr. Everist has made a lot of money, but he is a good business man and a good neighbor. They have won awards for the design, plan for the batch plan and environmental impacts. The money Mr. Everist has put on the table at the original submittal was very generous. The Town has used it wisely. Housing is a good driver for the economy. She has tried to pull down the doors at the tunnel, but it just hasn't happened. We can't stop the growth and people continue to come. Everyone loves being up here and we need people to come spend money, so we can collect sales tax to run this Town. She is proud of the fact that we don't have a property tax. Recently Council has been looking at affordable housing. There are currently only forty-four units available, and when those go on the market, they are only there for a short period of time. We need housing for families. If an applicant comes before Council with a project that meets the local zoning codes and regulations in place, the personal property rights need to be protected. She owns a business and property in Silverthorne. She owns property on the Lower Blue. If they choose to, they have approval from Summit County for one hundred and sixty eight units on their one hundred sixty eight acres. That will never happen in her life time. She supports this application; it's a good deal for Silverthorne. The density is only two percent bigger in the size of the houses.

Butler reminded everyone when Council receives notes, e-mails, and calls, the info is forwarded to staff and becomes part of the record. It is important to be good neighbors. Town Councils change and things change, that's life. He appreciates attendance and your comments. His neighbors work in trade, and they are part of this community too. Silverthorne still has the largest numbers of permanent residents and he is proud of that. He is proud that we don't have a property tax; it forces us to be careful with money. We don't have any long

term debt, so we aren't over a barrel when things come through the door. The Town doesn't go out and solicit developments. We are looking for substantial businesses to locate in our core. We have spent a lot of time going through the commercial design district standards. Population and commercial development are symbolic. You must have a certain number of people to balance applications. The developer decides what they are going to propose. He encouraged a continuance. It would give the developer more time to engage the stakeholders and neighbors. He thinks it makes sense to put the northern piece of property in a conservation easement so it could not be developed. We need to talk to the fire department about getting a fire house out north. He supports more discussion.

**CAMP MOVED TO CONTINUE SOUTH MARYLAND CREEK RANCH MAJOR (SMCR) PUD SO THAT THE DEVELOPER AND THE CITIZENS CAN COME TO A BETTER UNDERSTANDING OF WHAT THEY ARE BOTH LOOKING FOR, GOING FORWARD AND TO CONTINUE THE PUBLIC HEARING UNTIL WEDNESDAY MAY 27, 2015. MOTION SECONDED. MOTION PASSED BY COUNCIL. (RICHARDSON AND LONG NAY)**

**ACTION ITEMS:**

**A. Ordinance 2015-03, an Ordinance Amending Chapter 4, Article VI, Section 4-6-2-(h) Concerning the Design Districts, 1<sup>st</sup> Reading**

Lina Lesmes, Senior Planner, presented Ordinance 2015-03 to Council for their consideration. The Ordinance 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. Lesmes reviewed her staff report and recommended approval.

Sandquist asked why draining requirements are noted in this document.

Linfield stated these are general guidelines; more detailed requirements are in the Street Standards.

Sandquist is disappointed that the public has left and didn't hear about the Design District changes.

Marc Hogan feels this has been a good committee to work with. Silverthorne has a wonderful opportunity to add some kind of visual appeal at the exit ramp.

Long stated she wants this document to not only encourage new development but redevelopment in the area. Should some wording be added to the document to encourage redevelopment?

Butler stated this is an area that we expect activity in, it is a fluid space. Maybe some additional wording can be added to second reading.

Richardson asked about traffic improvements to the area.

Linfield spoke about traffic modeling and water sewer for the area.

Sandquist stated this document is important for the development of the area. She appreciates all the hard work that has gone into this.

Butler appreciates the effort that has gone into this. Thank you.

**SANDQUIST MOVED TO 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. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**DISCUSSION ITEMS:**

None.

**BIRD MOVED TO GO INTO EXECUTIVE SESSION at 10:21 P.M. 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.**

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

**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.

**INFORMATIONAL:**

**EXECUTIVE SESSION CONCLUDED AND MEETING AND ADJOURNED AT 11:18 P.M.**

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**BRUCE BUTLER, MAYOR**

**ATTEST**

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**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.